

ORDINANCE 2016-18

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, CBD (CENTRAL BUSINESS DISTRICT) 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, CBD (Central Business District) 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, CBD (Central Business District) 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, CBD (Central Business District) 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. CBD (CENTRAL BUSINESS DISTRICT) 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, stationery or gift shop 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 but to include outdoor dining, while meeting the following requirements:
 - a. such area shall be designed to clearly identify the limits of the outdoor seating area, which shall not include any drive through or drive in facility;
 - b. such area shall not exceed twenty-five (25) percent of the maximum seating capacity of the indoor seating area; and
 - c. entertainment, music, and sound amplifying systems shall not be permitted within the outdoor seating areas; and
12. Florist shop
13. Food store and supermarkets
14. Furniture store
15. Garden supplies
16. Glass, china, or pottery store
17. Hardware store and lumber
18. Hobby shop
19. Household and electrical appliance store, including incidental repair

20. Interior decorating studio
21. Jewelry store, including repair
22. Leather goods and luggage store
23. Library
24. Locksmith shop
25. Music, musical instruments and records, including incidental repair
26. Offices including publishing and distribution of newspapers, except medical professional offices
27. Opticians and optical goods and services
28. Paint and wallpaper store
29. Parking lots
30. Pet shop, excluding boarding and outside runs
31. Police and fire stations
32. Post office
33. Radio and television store (including repair)
34. Recreation and entertainment facilities
35. Shoe store and shoe repair
36. Sporting goods
37. Studios for professional work or teaching of any form of fine arts
38. Tailor shop
39. Theaters, excluding drive-ins
40. Toy store
41. Variety store, including notions and “Five and Ten” stores, gift shops and department stores
42. Dwelling over business establishment
43. Dry Cleaners and laundries
44. Chiropractic services
45. Mental health and counseling services (outpatient only)
46. Dental offices
47. Massage therapy
48. Business storage and office for business
49. Museums
50. Wedding chapel with or without reception center
51. Packaged liquor, wine, and malt beverage stores, excluding drive through or drive-up windows
52. Microbrewery
53. Mobile food trucks and/or food carts, as regulated by all State Licensures and Health Department
54. Carry-out convenience stores

NOTE: Article 10, Section CBD, Paragraph A, Part 26, Amended by Ordinance 2011-10; Parts 27 and 44-47 Amended by Ordinance 2011-21; Part 48 Amended by Ordinance 2011-29

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 Section 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. Veterinarian offices, no outside runs or storage of animals.

3. Churches.

4. Child/Adult Day Care Centers as regulated by State Licensures

5. Building and/or property on which occasional outside or inside auctions are held for general merchandise, not to include auctioning of animals

NOTE: Article 10, Section CDB, Paragraph C, Part 3 and 4, Amended by Ordinance 2011-10; Part 5 Amended by Ordinance 2011-29

6. Body art (tattoo) services as long as no new body art (tattoo) service establishment is located within 1,000 feet of a lot containing an existing body art (tattoo) service establishment.

NOTE: Article 10, Section CBD, Paragraph C, Part 6, Added by Ordinance 2014-01 and Amended by Ordinance 2014-09

7. Short-term vacation/housing rental rentals over business establishment, not to exceed 10 consecutive days.

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 – None

2. Minimum Lot Width at Building Setback Line – None

3. Minimum Front Yard Depth – None

4. Minimum Side Yard Width – None

5. Minimum Rear Yard Depth – None

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 CBD, Paragraph D, Part 3, Amended by Ordinance 2011-09.

E. **OTHER DEVELOPMENT CONTROLS:**

1. No off-street parking facilities are required for commercial establishments within the B-2 Central Business District Commercial Zone. All other uses and structures

including public and semi-public uses and structures shall comply with the parking requirements established in Article XI 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.

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

2016-18

First Reading: 05/02/16

Second Reading: 05/17/16

Publication: 05/26/16