

**ORDINANCE 2016-06**

**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, A-1 (AGRICULTURAL-ONE) ZONE**

**WHEREAS,** On the 25th day of January, 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, A-1 (Agricultural-One); 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 25th day of January, 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, A-1 (Agricultural-One) 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, A-1 (Agricultural-One) 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    A-1 (AGRICULTURAL-ONE) ZONE:**

**A.        PERMITTED USES:**

1.        Agricultural activities including crops, dairying, and the raising of live-stock;
2.        Single-family dwellings or modular dwellings (detached) occupied by owner, tenant, and/or employees;

**NOTE: Article 10, Section A-1, Paragraph A, Subparagraph 2 Amended by Ordinance 2006-19**

3.        Sale on premises of agricultural products produced on the premises;
4.        Regulations for single-family dwellings same as R-2, except Item D below.

**B.        ACCESSORY USES:**

1.        Accessory buildings which are not a part of the main buildings, including barns, sheds, and other farm buildings;
2.        Signs identifying the farm activity conducted on the premises.

**C.        CONDITIONAL USES: The following uses or any customary accessory buildings and uses, subject to the approval by 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, including one (1) single family home or one (1) single or double-wide mobile home for use as a parsonage; **NOTE: Article 10, Section A-1, Paragraph C, Subparagraph 2 Amended by Ordinance 1998-13 and 2011-09.**
3.        Governmental offices;

4. Nursery schools and children day care;
5. Police and fire stations, provided they are located adjacent to an arterial street;
6. Public and parochial schools;
7. Veterinarians' offices and animal hospital for large and small animals, including outside runs;
8. Automobile junk yards, as provided for in Section 9.9 of this ordinance, provided all such storage is entirely within an enclosed fence or wall, meeting the requirements of Section 13, or properly screened according to the requirements of Section 9.17;
9. Publicly owned and/or operated parks, playgrounds, golf courses, 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;
  - d. Tennis courts/clubs;
  - e. Fishing lakes;
  - f. Gun clubs and ranges;
  - g. Youth camps.
  - h. Campgrounds

**NOTE: Article 10, Section A-1, Paragraph C, Subparagraph 10, Item h Amended by Ordinance 2010-16**
11. Free-standing billboards;
12. Bed and Breakfast Inn
 

**NOTE: Article 10, Section A-1, Paragraph C, Subparagraph 12 Amended by Ordinance 2003-13**
13. Nurseries and Greenhouses, selling agricultural products grown or produced at locations other than the premises the nursery or greenhouse is located.
 

**NOTE: Article 10, Section A-1, Paragraph C, Subparagraph 13 Amended by Ordinance 2004-14**
14. Dog and Cat Kennels, for the purpose of the temporary boarding, keeping, or sheltering of dogs and/or cats. Outside runs may be permitted during daylight hours.
 

**NOTE: Article 10, Section A-1, Paragraph C, Subparagraph 14 Amended by Ordinance 2006-08**
15. Eco-Tourism
 

**NOTE: Article 10, Section A-1, Paragraph C, Subparagraph 15 Amended by Ordinance 2010-11**
16. Inside Boat Storage
 

**NOTE: Article 10, Section A-1, Paragraph C, Subparagraph 15 Amended by Ordinance 2010-16**
17. Retail trade for the sale of hay, grain, feed and other farm and garden supplies and agriculture-related equipment, excluding vehicles

**NOTE: Article 10, Section A-1, Paragraph C, Subparagraph 17, Amended by Ordinance 2015-13**

18. Contractors' offices and accessory storage yard, including storage of general equipment and vehicles related to the use, provided all such equipment and vehicles are either stored in an enclosed building or stored entirely within an enclosed fence or wall, meeting the requirements of Section 13, or property is screened according to the requirements of Section 9.17.

**D. AREA AND HEIGHT REGULATIONS FOR PERMITTED USES:**

1. Minimum lot area – 22,500
2. Minimum lot width at building setback line – 150'
3. Minimum front yard depth – 35'
4. Minimum side yard width on each side of lot – 30'

**NOTE: Article 10, Section A-1, Paragraph D, Subparagraph 4, Amended by Ordinance 2008-03**

5. Minimum rear yard depth – 50'
6. Maximum building height – 65'

**NOTE: Article 10, Section A-1, Paragraph D, Subparagraph 6, Amended by Ordinance 2011-09**

**E. AREA AND HEIGHT REGULATIONS FOR CONDITIONALLY PERMITTED USES:**

1. Minimum lot area – 1 acre
2. Minimum lot width at building setback line – 75'
3. Minimum front yard depth – 35' from right-of-way
4. Minimum side yard width on each side of lot – 15'
5. Minimum rear yard depth – 25'
6. Maximum building height – 65'

**NOTE: Article 10, Section A-1, Paragraph E, Subparagraph 6, 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 lighting shall be permitted which would glare from this zone onto any street or into any residential zone.

**G. EXCEPTIONS: Land used solely for farming, dairying, and stock raising shall have no regulations imposed as to building permits for agricultural buildings except that:**

1. Setback line of 35 feet or greater, but not less than one-half the width of the right-of-way of the abutting street or highway, shall be required of all buildings; and
2. That all buildings or structures in a designated floodway or flood plain which tend to increase flood heights or obstruct the flow of flood waters shall be subject to

regulations by the Planning Commission and, therefore, subject to the review and approval of the Planning Commission of Grant County.

3. Centralized sewers are not required in this zone.
4. For mobile homes, see Section 9.25 (page 9-24).

#### H. EXCEPTIONS AND MODIFICATIONS:

1. All off-road lots must abut a dedicated publicly maintained right-of-way a minimum of at least one hundred (100) feet in width except for those pre-existing prior to the adoption or amendment of this Ordinance. All lots that pre-existed the adoption of this Ordinance that do not abut at least one hundred (100) feet on a publicly maintained right-of-way, must meet the following criteria:
  - a. Each lot shall be limited to one (1) residential dwelling unit per lot.
  - b. Each newly created lot subdivided from the parent tract after the adoption or amendment of this Ordinance must contain a minimum of five (5) acres per lot.
  - c. Each parent tract existing prior to the adoption or amendment of this Ordinance shall be limited to three (3) out-conveyance lots provided that each out-conveyance lot must have an easement for ingress and egress or use a common easement for ingress and egress duly recorded in the Grant County Clerk's Office prior to the date of the adoption of this Ordinance.

### **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).

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Rick Skinner, Mayor  
City of Williamstown, Kentucky

ATTEST:

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Vivian Link, City Clerk/Treasurer

2016-05

First Reading: 03/07/16

Second Reading: 03/15/16

Publication: 04/07/16