

ORDINANCE 2011-09

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).

WHEREAS, On the 28th day of February, 2011, 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); 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 February, 2011, 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);
- B. Upon the following application, the Grant County Joint Planning Commission did make written findings and conclusions in support of the requested text

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

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 – ~~35'~~65'

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 – ~~2 1/2 stories or~~ 35'65'
- 7.

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).

SECTION 10 R-1 (RESIDENTIAL ONE) ZONE:

A. PERMITTED USES:

1. Single-family residential dwellings (detached)

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.
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. Churches and other buildings for the purpose of religious worship, ~~providing they are located adjacent to an arterial street.~~
 2. Governmental offices.
 3. Publicly owned and/or operated parks, playgrounds, golf courses, community recreational centers, including public swimming pools and libraries.
 4. Recreational uses other than those publicly owned and/or operated, as follows:
 - a. Golf courses
 - b. Country clubs
 - c. Swimming pools
- D. **AREA AND HEIGHT REGULATIONS FOR PERMITTED USES:**
1. Minimum Lot Area – Fifteen thousand (15,000) 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 – Fifteen (15) feet
 5. Minimum Rear Yard Depth – Twenty-five (25) feet
 6. Maximum Building Height – ~~Thirty-five (35)~~ Sixty-five (65) feet
- E. **AREA AND HEIGHT REGULATIONS FOR CONDITIONALLY PERMITTED USES:**
(See Section R-1)
1. Minimum Lot Area – Twenty-two thousand five hundred (22,500) square 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
 4. Maximum Building Height – ~~Thirty-five (35)~~ Sixty-five (65)
- 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 regulated by Section 9.17 of this ordinance, shall be required.
 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.

SECTION 10

R-1 B (RESIDENTIAL ONE – B) ZONE:

A. PERMITTED USES:

1. Single-family residential dwellings (detached)
2. Any use by a political subdivision as permitted in KRS 100.361 (2)
3. Any use by a public utility as accepted in KRS 100.324

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 Section 9.14 and 18.7 of this ordinance.

1. Recreational uses other than those publicly owned and/or operated, as follows:
 - a. Golf courses
 - b. Country clubs
 - c. Swimming pools

D. AREA AND HEIGHT REGULATIONS FOR PERMITTED USES:

1. Minimum lot area – nine Thousand (9,000) square feet
2. Minimum lot width at building setback line – seventy-five (75) feet;
3. Minimum front yard depth – twenty-five (25) feet;
4. Minimum side yard width – there shall be a minimum side yard on each side of any building or structure of fifteen (15) 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 – ~~thirty-five (35)~~ sixty-five (65)

E. AREA AND HEIGHT REGULATIONS FOR CONDITIONALLY PERMITTED USES (See Section R-1 B (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 – ~~thirty-five (35)~~ sixty-five (65) feet

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 a use in 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 10. - R-2 (RESIDENTIAL TWO) ZONE:

A. PERMITTED USES:

1. Single-family residential dwellings (detached)
2. Two-family dwellings

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.
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, ~~providing they are located adjacent to an arterial street.~~
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, children day care within the residence limited to not more than 10 children.
8. Public and parochial schools
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
11. Funeral homes, provided they are located adjacent to an arterial street.
12. Three (3) or four (4) family dwelling units.
13. Veterinarian offices, no outside runs or storage of animals

D. AREA AND HEIGHT REGULATIONS FOR PERMITTED USES:

1. Minimum Lot Area-ten thousand (10,000) square feet

2. Minimum Lot Width at Building Setback Line-Seventy-five (75) feet for single family, one hundred (100) feet for two-family.
3. Minimum Front Yard Depth-Twenty (20) feet
4. Minimum Side Yard Width-Fifteen (15) feet-except garage or carport may extend up to five (5) feet of lot line on one side.
5. Minimum Rear Yard Depth-Twenty-five (25) feet
6. Maximum Building Height- ~~Thirty-five (35)~~ sixty-five (65)

E. AREA HEIGHT REGULATIONS FOR CONDITIONALLY PERMITTED USES:
(See Section R-2 (c))

1. Minimum Lot Area-Twenty-two thousand five hundred (22,500) square feet
2. Minimum Lot Width at Building Set-back Line-One hundred fifty (150) feet
3. Minimum Front, Side (on each side of lot) and Rear Yards Fifty (50) feet
4. Maximum Building Height- ~~Thirty-five (35)~~ sixty-five (65)

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, regulated by Section 9.17 of this ordinance, shall be required.
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 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, ~~providing they are located adjacent to an arterial street;~~
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;
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; and,
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

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 – ~~thirty-five (35)~~ sixty-five (65) feet

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 – ~~thirty-five (35)~~ sixty-five (65) feet

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 10 R-4 (RESORT RESIDENTIAL FOUR) ZONE:

A. PERMITTED USES

1. Any use permitted in R-2 Residential Zone
 2. Uses relative to a resort area, such as boat docks, recreation and minor retail shops
 3. Mobile homes on individual lots subject to section 9.25
- 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.
 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, ~~providing they are located adjacent to an arterial street.~~
 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
 8. Public and parochial schools
 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
 11. Funeral homes, provided they are located adjacent to an arterial street.
 12. The regulations for this zone are formulated with the intent to suit the peculiar topography of most of the land and building sites immediately surrounding or contiguous to the large lakes in the City of Williamstown and including lakes to be built. These lakes must have protection from contamination and pollution, so it shall be the obligation of the land owners and the commission to review each application for construction with the problem in mind. Minimum dimensions may be raised if necessary to achieve the goal of non-pollution of the lake in case of any one or all applications.
- D. AREA AND HEIGHT REGULATIONS FOR PERMITTED USES:
1. Minimum Lot Area-Single family dwellings shall be located on a lot of not less than six thousand (6000) square feet; two-family dwellings shall be located on a lot of not less than nine thousand (9,000) square feet, plus three thousand (3,000) square feet per dwelling unit up to four.
 2. Minimum Lot Width at Building Setback Line-The minimum lot width for single-family dwellings shall be fifty (50) feet at the building setback line; and for two-family dwellings the minimum width at the setback line shall be seventy-five (75)

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 of any 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 feet (25’)
6. Maximum Building Height - ~~Thirty-five (35)~~ Sixty-five (65) feet
7. No sewer or other apparatus can be built within sixty-five feet (65’) of the high water mark on any lake.

E. AREA AND HEIGHT REGULATIONS FOR CONDITIONALLY PERMITTED USES:

1. Minimum Lot Area – Twenty-two thousand five hundred (22,500) square 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
4. Maximum Building Height – ~~Thirty-five (35)~~ Sixty-five (65) feet

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 regulated by Section 9.17 of this ordinance, shall be required.
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 9.15C.

G. USES PROHIBITED:

Trolley cars, bus bodies, bread trucks, truck trailers, and other similar conveyances that have been converted into either temporary or permanent living quarters.

SECTION 10 R-5 (MOBILE HOME RESIDENTIAL FIVE) ZONE:

A. PERMITTED USES:

1. Mobile homes on individual lots
2. Single-family residential dwellings (detached)
3. Any use permitted in R-3 Residential Zone

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.
 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 Section 9.14 and 18.7 of this ordinance.
1. Cemeteries
 2. Churches and other buildings for the purpose of religions worship, ~~providing they are located adjacent to an arterial street.~~
 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.
 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.
- D. **AREA AND HEIGHT REGULATIONS FOR PERMITTED USES:**
1. Minimum Lot Area – Six thousand (6,000) square feet
 2. Minimum Lot Width at Building Setback Line – Fifty (50) feet
 3. Minimum Front Yard Depth – Twenty (20) feet
 4. Minimum Side Yard Width – Ten (10) feet
 5. Minimum Rear Yard Depth – Twenty-five (25) feet
 6. Maximum Building Height – ~~Thirty-five (35)~~ Sixty-five (65) feet
 7. Maximum Density – 3.5 dwelling units per net acre
- E. **AREA AND HEIGHT REGULATIONS FOR CONDITIONALLY PERMITTED USES:**
(See Section R-5 (C))
1. Minimum Lot Area – Twenty-two thousand five hundred (22,500)
 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
 4. Maximum Building Height – ~~Thirty-five (35)~~ Sixty-five (65) feet
- 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 regulated by Section 9.17 of this ordinance, shall be required.
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 10. RMHP RESIDENTIAL MOBILE HOME PARK ZONE:

A. USES PERMITTED:

1. Mobile Home Parks
Subject to section 9.25

- ### **B.**
1. Customary accessory buildings and uses;
 2. Structures and uses related to and for the exclusive use of residents of the mobile home park as follows, but excluding any commercial operations:
 - a. Recreational facilities and areas;
 - b. Rental or sales offices for lots in the mobile home park;
 - c. Community center;
 - d. Laundry facilities
 3. Fences and walls, as regulated by Article XIII of this ordinance.
 4. Signs, as regulated by Article XIV of this ordinance.

- ### **C. AREA AND HEIGHT REGULATIONS FOR PERMITTED USES:** No building shall be erected or structurally altered hereafter except in accordance with the following regulations:

1. Minimum Site for a Mobile Home Park – Five (5) acres. The width of said park shall have a minimum distance of three hundred (300) feet, as measured along a deeded right-of-way. The park shall be a platted subdivision with lots and streets in accordance with the provisions of this section and the Grant County Subdivision Regulations, approved by the planning commission. The park may be phased to achieve completion of the five acre minimum area through review of the phasing process by the planning commission.
2. Minimum Lot Area – Four thousand (4,000) square feet.
3. Minimum Lot Width at Building Setback Line – Fifty (50) feet
4. Minimum Front Yard Depth – Twenty (20) feet.
5. Minimum Side Yard Width on Each Side of the Lot – Fifteen (15) feet except for

- carports and accessory buildings (5 feet).
6. Minimum Rear Yard Depth – Fifteen (15) feet.
 7. Maximum Building Height – ~~Twenty five (25)~~ Sixty-five (65) feet

D. OTHER DEVELOPMENT CONTROLS:

1. Minimum Setback of all Buildings and Structures within Mobile Home Parks at all Parks at all Park Boundary Lines – thirty-five (35) feet.
2. Patio – A patio slab of at least one hundred eighty (180) square feet shall be provided on each mobile home lot and conveniently located at the entrance of each mobile home. The patio may extend five (5) feet into the side yard.
3. Streets -
 - a. Streets shall be provided and placed on the site where necessary to furnish principal traffic ways for convenient access to each mobile home and other important facilities in the area.
 - b. Ingress and egress to the individual lots shall be only over a road or street.
4. Recreational Area – There shall be required that not less than ten (10) percent of the gross area of the mobile home park to be set aside, designed, constructed, and equipped as a recreational area.
5. Off-street parking and loading and/or unloading shall be provided in accordance with Articles XI and XII of this ordinance.
6. Personal goods and articles, other than cars, fuel tanks, boats, lawn furniture and similar items, too large to reasonably enclose, shall be stored on the mobile home lot only in a completely enclosed structure.
7. No lighting shall be permitted which would glare from its zone onto any street, road, highway, deeded right-of-way, or onto any residential zone.
8. Where any yard of any use permitted in this zone abuts any other residential zone, a ten (10) foot wide screening area, as regulated by Section 9.17 of this ordinance shall be required.
9. A site plan, as regulated by Section 9.19 of this ordinance shall be required for any use in this zone.
10. The wheels shall be removed from each mobile home occupying a lot in the park.
11. Mobile home installations shall comply with all requirements of Section 9.27 of this ordinance.
12. Mobile home parks having facilities for 20 or more mobile homes shall provide a 6” water main and fire hydrants within 750’ of each mobile home.

SECTION 10.

R-6 RESIDENTIAL SIX ZONE:

- A. USES PERMITTED:
1. Multi-family dwellings.
- B. ACCESSORY USES:
1. Customary accessory buildings and 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: No building or occupancy permit shall be issued for any of the following, nor shall any of the following uses or any of the following uses or any customary accessory buildings or uses be permitted until and unless the location of said use shall have been applied for and approved of by the Board of Adjustment as set forth in Section 9.14 of this Ordinance.
1. Cemeteries.
 2. Churches and other buildings for the purpose of religious worship, ~~providing they are located adjacent to an arterial street.~~
 3. Fire and police stations providing they are located adjacent to an arterial street.
 4. Institutions for higher education providing they are located adjacent to an arterial street.
 5. Institutions for human medical care – hospitals, clinic sanitariums, convalescent homes, nursing homes, and homes for the aged providing they are located adjacent to an arterial street.
 6. Nursery school and children day care
 7. Public and parochial schools.
 8. Publicly owned and/or operated parks, playgrounds, golf courses, community recreational centers, including public swimming pools, and libraries.
 9. Recreational uses other than those publicly owned and/or operated as follows:
 - a. golf courses
 - b. country clubs
 - c. semi-public swimming pools
 - d. office building
 - e. any other recreational use compatible to the facility.
- D. AREA AND HEIGHT REGULATIONS FOR PERMITTED USES: No buildings shall be erected or structurally altered hereafter except in accordance with the following regulations.
1. Minimum Lot Area-Twenty thousand (20,000) square feet for the first four (4) dwelling units or less in one building; three thousand five hundred (3,500) square feet shall be provided for every dwelling unit thereafter in the same building. In the case of this zone, more than one principal building as defined herein may be permitted on one lot.
 2. Minimum Lot Width at Minimum Building Setback Line-One hundred (100) feet.
 3. Minimum Front Yard Depth – Forty (40) feet.
 4. Minimum Side Yard Width on Each Side of Lot – Fifteen (15) feet.

5. Minimum Rear Yard Depth – Thirty (30) feet.
 6. Maximum Building Height – ~~Three stories or thirty five (35)~~ Sixty-five (65) feet.
- E. AREA HEIGHT REGULATIONS FOR CONDITIONALLY PERMITTED USES: No conditional building and/or use shall be erected or structurally altered hereafter except in accordance with the following regulations:
1. Minimum Lot Area – Twenty-two thousand five hundred (22,500) square feet.
 2. Minimum Lot Width at Minimum Building Setback Line – One hundred fifty (150) feet.
 3. Minimum Front, Side (on each side of lot) and Rear Yards – Fifty (50) feet.
 4. Maximum building height – ~~Thirty five (35)~~ Sixty-five (65) feet.
- F. OTHER DEVELOPMENT CONTROLS:
1. Off-street parking and loading 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, road, highway, deeded right-of-way or into any adjacent property.
 4. Where any yard or any use permitted in this zone abuts property in a single family zone, a ten (10) foot wide screening area as regulated by Section 9.17 of this Ordinance shall be required.
 5. A site plan, as regulated by Section 9.19 of this Ordinance, shall be required for any use permitted in this zone.
- G. CONDITIONAL USES: The following uses subject to the approval by the Board of Adjustment, as set forth in Section 9.14 and 18.7 of this ordinance are permitted.
1. Development of a tract or parcel of land containing in excess of two (2) acres by constructing and maintaining thereon single and multiple residential housing units, together with utilities, streets, parking areas, sidewalks, green spaces, landscaping, and appurtenances structures, subject to the following limitations and conditions:
 - (a) All building an improvements contained within the boundary of the development shall be for the exclusive use of the residents of the development, their guests and for management and maintenance purposes and no business activities, other than rentals, shall be permitted;
 - (b) No conditional use permit shall be granted under this Paragraph (Paragraph G) for an area of two (2) acres or less;

- (c) No conditional use permit shall be granted under this Paragraph (Paragraph G) unless the title to the entire development parcel is held by a single entity; and unless that entity shall enter into a covenant with the Board of Adjustments of the City of Williamstown and with the City of Williamstown that the development parcel will not be subdivided in any manner while any use is made thereof under or pursuant to a conditional use permit under this Paragraph of this Zoning Ordinance or of any zoning ordinance hereafter adopted by the governing body of the City of Williamstown or its successors;
- (d) No conditional use shall be granted under this Paragraph (Paragraph G) until after the developer has presented to the Board of Adjustment a complete development plan containing all engineering and other details as required by Article IX, Sections 9.20, 9.22, and 9.24 of this Ordinance, and such plan and the details therein shall be made of part of the conditional use permit, if a permit is required.
- (e) No conditional use permit shall be granted under this Paragraph unless the Board of Adjustment finds from the evidence presented that the proposed development will provide decent safe housing for the occupants of the development and adequate provision has been made in the development plan, which shall be a part of the conditional use permit for the health, safety and welfare of the occupants of the development and that their environment will be comfortable and attractive, and the development will not have a substantial adverse effect on the use and enjoyment of other lands within the vicinity of the proposed development. (Amended by Ord. 82-215)
- (f) **MINIMUM LAND AREA PER RESIDENTIAL UNIT:** A minimum of two Thousand six hundred (2,600) square feet of gross land area shall be required for each residential unit constructed or to be constructed on the development site for which the conditional use permit is sought. Such area may be utilized for buildings, structures, streets, drives, walks, parking areas, landscaping, green areas, and similar uses, as the Board of Adjustment may reasonably require or permit:
 - (i) A minimum lot width on the public street or road of Two Hundred (200) feet (measured at the building set back line) shall be required;
 - (ii) A minimum front yard set back (depth) on any frontage on a public road or street of thirty-five (35) feet shall be required;
 - (iii) A minimum side yard width on each side of the parcel for which the conditional use permit is sought abuts lands owned by others or not subject to the conditional use permit, of twenty-five (25) feet shall be required;
 - (iv) No building exceeding thirty-five (35) feet in height, measured from the lowest point of the finished ground level to the highest point of the structure, shall be permitted;

- (v) Any other provisions of this ordinance relating to vehicle parking spaces, to the contrary notwithstanding, the Board of Adjustment may grant a conditional use permit for this zoning classification, which provides parking areas of not less than:
 - (a) A minimum parking space of nine (9) feet by nineteen (19) feet per vehicle and a minimum of one and four-tenths (1.4) parking spaces per dwelling unit;
- (vi) All other development controls as provided in Paragraph F above shall apply.

NOTE: Article X, Section 10.R-6, Paragraph G, Amended by Ordinance 82-215.

(Amended by Ord. 82-215)

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. Automobile, motorcycles, and truck sales, new or used
2. Automobile service and repairs, providing that all business activities shall be conducted within a completely enclosed building
3. Banks and other financial institutions including savings, loan, and finance companies, with drive-in windows
4. Boat and other marine equipment sales and service, new and used
5. Bowling alleys
6. Eating and drinking places, including drive-ins
7. Hotels, motels, tourist centers
8. Mobile home and trailer sales, rental and service (new and used)
9. Off-street parking lots and garages
10. Police and fire stations
11. Skating rinks, golf driving ranges, miniature and par-3 golf courses
12. Drive-in theaters
13. Recreational uses
14. Bait shops and sporting equipment sales
15. Shopping centers
16. Lumber and hardware
17. Office buildings
18. Veterinarian offices with outside runs
19. Drycleaners and laundries
20. Carry-out Convenience Stores
21. Pharmacies
22. Garden Centers/Greenhouses
23. Self Storage Rental Units

NOTE: Article 10, Section HC, Paragraph A, Part 21 Amended by Ordinance 2003-14, Part 22 and 23 Amended by Ordinance 2004-10

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. Bulk storage – no dispensing of bottle gas and petroleum products.
4. Any other use peculiar adaptable to H.C. zone.

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 – ~~Thirty-five (35)~~ 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.

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 approved by the Williamstown Zoning Administrator, as regulated by 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

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 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
 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
27. Opticians and optical goods
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
3. Signs, as regulated by Article XIV of this ordinance

B. ACCESSORY USES:

1. Customary accessory uses
2. Fences and walls, as regulated by Article XIII 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. Any other uses peculiar adaptable to CBD zone.

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 – ~~Thirty-five (35)~~ 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.

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 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
28. Opticians and optical goods
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 Day Care Center;

NOTE: Article 10, Section NC, Paragraph A, Subparagraph 2 Amended by Ordinance 2000-08

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. Any other uses peculiar adaptable to NC zone.

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 – ~~Thirty-five (35)~~ Sixty-five (65) feet.
7. In the case of this zone, more than on 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 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 10. M P (MEDICAL/PROFESSIONAL OFFICE) ZONE

The Medical/Professional Office Zone is established to provide a mixture of medical and professional land uses that are essential to maintaining and enhancing the quality of life within Williamstown.

A. PERMITTED USES

1. Assisted Living Facilities
2. Convalescent, nursing and rest homes
3. Day care centers (child or adult)
4. Drug stores; Pharmacies
5. Local, State, and Federal government offices
6. Health spas
7. Hospitals
8. Mental health facilities
9. Offices and clinics of physicians, dentists and other health care practitioners
10. Opticians and optical goods
11. Outpatient care facilities
12. Police and fire stations
13. Professional offices for attorneys, accountants, engineers, etc.
14. Rehabilitative facilities
15. Residential care homes for up to five individuals

B. ACCESSORY USES

1. Customary accessory buildings and related uses for both 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. Off-street parking lots and/or garages, as regulated by Article XI of this Ordinance
- C. **CONDITIONAL USES:** The following uses subject to the approval of the Board of Adjustment, as set forth in Article IX, Section 14, and Article XVIII, Section 7, of this Ordinance
1. Churches
 2. Emergency shelter facilities
 3. Parking garages as a principal use
- D. **AREA AND HEIGHT REGULATIONS:** No building or structure shall be erected or structurally altered hereafter except in accordance with the following regulations:
1. Minimum Lot Size – 20,000 square feet
 2. Minimum Lot Width at Building Setback Line – 100 feet
 3. Minimum Front Yard Depth – Forty feet (40’)
 4. Minimum Side Yard Width – Twenty feet (20’)
 5. Minimum Rear Yard Depth – Twenty-five feet (25’)
 6. Maximum Building Height – ~~Sixty feet (60’)~~ Sixty-five (65) feet
- 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 (usable or waste) shall be permitted in this zone
 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 fifty feet (50’) for each side and/or rear yard which abuts said zone shall be provided, fifteen feet (15’) of which shall be maintained by a screening area, as regulated by Article IX, Section 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 feet (500’) from the boundary of any residential or agricultural zone.
 6. A site plan approved by the Williamstown Zoning Administrator, as regulated by this Ordinance, shall be required for any use permitted in this zone.
- NOTE: Article 10, Section M P, Amended by Ordinance 2004-03**

SECTION 10. PLANNED UNIT DEVELOPMENT (PUD) ZONE:

PURPOSE: The purpose of this district is to provide large scale, unified land development which permits a mixture of land uses, clustering of residential units of

varying types, and common recreation/open spaces, as well as a mixture of commercial/retail development that would be consistent with surrounding land uses and through the use of flexible regulations creative design to preserve the natural features of the site would be encouraged. The lots in this district must have municipally supplied water system and municipally supplied wastewater disposal system.

- A. PERMITTED USES AND AREA & HEIGHT REQUIREMENTS: The following uses are permitted:
- a. Single-family dwellings (Detached); Area requirements shall be the same as the R-1-B Zoning District, except as provided for in Paragraph E, Part 1, below.
 - b. Multi-family dwellings, provided that no more than twenty-five percent (25 %) of the total PUD shall be utilized for this type of housing and that the area requirements shall be the same as the R-3 Zoning District.
 - c. Public and privately owned and operated parks and playgrounds to include but not limited to, golf courses, riding stables, fishing lakes and rental cabins.
 - d. Commercial development, provided that the development:
 1. Shall be limited to use and area requirements of the Highway Commercial (HC) Zoning District and/or as approved on the Site Development Plan.
 2. Shall be limited to no more than fifteen percent (15%) of the total area in the PUD
 3. Shall file a Site Plan, as required by Section 9.19 of this Ordinance, for each commercial development area within the PUD
- B. ACCESSORY USES: Accessory uses, buildings, and structures customarily incidental and subordinate to any of the permitted uses.
1. Private parking and garage;
 2. Structures such as fences and walls (As regulated by Article XIII);
 3. Buildings such as storage sheds, private greenhouses and gazebos;
 4. Private swimming pools, sauna, or bathhouse as regulated by Section 9.19 of this ordinance.
 5. Signs, as regulated by Article XIV.
 6. Home occupations, subject to the restrictions and limitations established in Section 9.11 of this ordinance.
- C. CONDITIONAL USES: The following uses and appropriate accessories subject to the approval and qualifications of the Board of Adjustments.
1. Bed and Breakfasts;
 2. Churches and other buildings of worship, ~~providing they are located adjacent to an arterial street:~~
 3. Day care center;
 4. Funeral homes provided that they are located adjacent to an arterial street;
 5. Government offices;
 6. Nursery schools;
 7. Police and fire stations, provided that they are located on an arterial street;
 8. Recreational Vehicle Parks, but shall not include mobile or manufactured homes.
- D. REQUIRED COMMON OPEN SPACE:

There shall be reserved, within the tract to be developed on a planned unit basis, a minimum land area ranging from ten (10%) percent to twenty (20%) percent of the entire tract depending upon the location and character of the land to be set aside, as open space. This common open space shall not consist of isolated or fragmented pieces of land, which would serve no useful purpose. Included in this common open space may be such uses as: pedestrian walkways, park land, open areas, drainage ways, swimming pools, club houses, horseback riding trails, tennis courts, and other land of essentially open character, exclusive of off-street parking areas. Ownership of this common open space either shall be transferred to a legally established Homeowner's Association or be dedicated to the appropriate legislative body for use as a public park. The proper legal document necessary for such transfer or dedication shall be prepared by the owner/developer(s) of the tract of land, and approved by the appropriate legislative body.

E. OTHER DEVELOPMENT CONTROLS:

1. The area and height regulations for single family dwellings (detached) may be changed from those required in R-1B zoning and shall be as approved in the submitted Development Plan, provided, however, that the minimum lot width at the front yard minimum setback line for the dwelling shall not be less than fifty feet (50'), the side yard setback shall not be less than five feet (5'), and provided that any area where the side yard setback is less than ten feet (10'), the side wall of all dwellings shall meet the requirements of the current edition of the Kentucky Residential Code and/or the current edition of the Kentucky Building Code.
2. Off-street parking and loading and unloading shall be provided in accordance with Article XI and Article XII, of this Ordinance, or as indicated on the approved Site Development Plan.
3. No lighting shall be permitted which would glare from this zone onto any street, or into any other zone.
4. All lots must abut onto a public right-of-way (minimum frontage 50' at the right-of-way line).
5. A zoning and building permit must be obtained for each structure.
6. No outside storage of any kind is permitted, but the developer may include in the approved development plan a centralized storage area for residents of the development.
7. A site plan, as required by Section 9.19 of this Ordinance, shall be submitted for preliminary and final approval by the Grant County Planning Commission.
8. Minimum size of any PUD Zone shall be 20 acres unless the development is adjacent to an existing PUD Zone and extends the existing development.

NOTE: Article 10, Section PUD, Amended by Ordinance 2004-09

SECTION 10.

I-1 (INDUSTRIAL ONE) ZONE:

A. PERMITTED USES: The following uses are permitted providing all uses are in compliance with the performance standards as set forth in Article XV of this ordinance:

1. The manufacturing, compounding, processing, packaging, or assembling of the following uses:
 - a. Candy and confectionery products, food and beverage products, except the rendering or refining of fats and oils and excluding poultry and animal slaughtering and dressing;
 - b. Cigars and cigarettes and tobacco products;
 - c. Cosmetics, pharmaceuticals, and toiletries;
 - d. Animated and/or illuminated billboards and other commercial advertising structures;
 - e. Electric appliances, television sets, phonographs, household appliances;
 - f. Electrical machinery, equipment, and supplies;
 - g. Fountain and beverage dispensing equipment;
 - h. Furniture
 - i. Instruments for professional, scientific, photographic and optical use;
 - j. Metal products and metal finishing, excluding the use of blast furnaces or drop forges;
 - k. Musical instruments, toys, novelties, jewelry, rubber or metal stamps;
 - l. Office equipment;
 - m. Pottery and figurines;
 - n. Products from the following previously prepared materials: paper, glass, cellophane, leather, feathers, fur, precious or semi-precious metals, hair, horn, shell, tin, steel, wood, plastics, rubber, bone, cork, felt, fibers, yarn, wool, and tobacco; and
 - o. Textile products, including canvas and burlap, clothing, cotton products, hosiery and knitting mills, rope and twine.

NOTE: Article 10, Section I-1, Paragraph A, Subparagraph 1, Part o, Amended by Ordinance 1999-27

2. Animal hospital
3. Bottling and canning works
4. Building materials, sales yards
5. Bus line shops and storage
6. Carting, express, hauling, or storage yards
7. Coal, coke, or wood yards
8. Contractors' offices and accessory storage yards, including storage of general construction equipment and vehicles
9. Crating services
10. Fire stations
11. Freight terminals
12. Governmentally owned and/or operated city, county, and state garages
13. Industrial engineering consultant offices
14. Laboratories, offices, and other facilities for research, both basic and applied, conducted by or for an industrial organization or concern, whether public or private
15. Laundries and dry cleaning plants, involving laundering and dry cleaning of articles delivered to the premises by commercial vehicles
16. Machine shops

17. Printing, engraving, and related reproduction processes
18. Public utilities' rights-of-way and pertinent structures
19. Publishing and distribution of books, newspapers, and other printed materials
20. Railroad facilities, exclusive of marshalling yards, maintenance and fueling facilities
21. Schools for industrial or business training
22. Truck terminals
23. Warehousing or wholesaling
24. Central warehousing and distribution facilities

ACCESSORY USES:

1. Customary accessory buildings and uses, including operations required to maintain or support any use permitted in this zone on the same lot as the permitted use, such as maintenance shops, power plants, and machine shops
2. Fences and walls as regulated by Article XIII of this ordinance
3. Signs as regulated by Article XIV of this ordinance
4. Uses, as listed below, including within and entered from within any use permitted in this zone as a convenience to the occupants thereof, and their customers providing such accessory uses shall not exceed ten (10) percent of the gross floor area of the permitted uses in the building and no exterior advertising displays shall be visible from outside the building
 - a. Cafeterias;
 - b. Coffee shops or refreshment stands; and
 - c. Soda or dairy bars

C. AREA AND HEIGHT REGULATIONS:

1. Minimum Lot Area – one-half (1/2) acre
2. Minimum Lot Width at Building Setback Line – one hundred (100) feet
3. Minimum Front Yard Depth – fifty (50) feet
4. Minimum Side Yard Width on Each Side of Lot – twenty-five (25) feet
5. Minimum Rear Yard Depth – twenty-five (25) feet; no rear yard is required where a rail spur forms the rear property line
6. Maximum Building Height – ~~forty five (45)~~ Sixty-five (65) feet

D. CONDITIONAL USE

1. Bulk storage and dispensing of bottle gas and petroleum products
2. Any other use peculiar adaptable to I-1.

NOTE: Article 10, Section I-1, Paragraph D, Subparagraph 2, Amended by Ordinance 1999-27

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 lighting shall be permitted which would glare from this zone onto any street or into any adjacent property.
3. Where any yard of any use permitted, in this zone abuts a residential zone, a minimum yard which abuts said zone shall be provided, ten (10) feet of which shall be

maintained by a screening area, as regulated by Section 9.17 of this ordinance.

4. A site plan, as regulated by Section 9.19 of this ordinance, shall be required for any use in this zone.

SECTION 10. 1-2 INDUSTRIAL ZONE

- A. **USES PERMITTED:** The following uses are permitted providing all uses are in compliance with the performance standards as regulated in Article XV of this Ordinance.
 1. Except for those that decompose by detonation, the manufacturing, compounding, processing, packing, or assembling of the following uses:
 - a. Acetylene, butane and bottled gas including bulk storage.
 - b. Asphalt and asphalt products.
 - c. Brewing and distilling of alcohol.
 - d. Brick, tile or terra cotta.
 - e. Candy and confectionery products, food and beverage products excluding the rendering or refining of fats and oils.
 - f. Cement, concrete and concrete products.
 - g. Cigars and cigarettes and tobacco products.
 - h. Cosmetics, pharmaceuticals and toiletries.
 - i. Animated and/or illuminated billboards and other commercial advertising structures.
 - j. Electric appliances, television sets, phonographs, household appliances.
 - k. Electrical and non-electrical machinery, equipment and supplies.
 - l. Fountain and beverage dispensing equipment.
 - m. Furniture.
 - n. Instruments of professional, scientific, photographic and optical.
 - o. Lumber mills and storage yards.
 - p. Metal, metal finishing and metal products, excluding blast furnaces or drop forges.
 - q. Musical instruments, toys, novelties, jewelry, rubber or metal stamps.
 - r. Office equipment.
 - s. Oil cloth or linoleum.
 - t. Plastic and plastic products.
 - u. Pottery and figurines.
 - v. Products from the following previously prepared materials: paper, glass, cellophane, leather, feathers, fur, precious or semi-precious metals, hair, horn, shell, tin, steel, wood, plastics, rubber, bone, cork, felt, fibers, yarn, wool, tobacco.
 - w. Rubber and rubber products.
 - x. Stone and monument works employing power driven tools.
 - y. Vinegar and yeast.
 - z. Sand and gravel including storage.
 2. Bag, carpet and rug cleaning.
 3. Bottling and canning works.
 4. Building materials sales yards.

5. Bulk storage stations.
6. Bus line shops and storage.
7. Carting, express, hauling or storage yards.
8. Coal, coke, or wood yards.
9. Contractors offices and accessory storage yards including storage of general constructions equipment and vehicles.
10. Crating services.
11. Flour mills.
12. Freight terminals.
13. Governmentally owned and/or operated city, county or state garages.
14. Industrial engineering consultant offices.
15. Laboratories, offices and other facilities for research, both basic and applied, conducted by or for an industrial organization or concern, whether public or private.
16. Laundries and dry cleaning plants involving laundering and dry cleaning of articles delivered to the premises by commercial vehicles.
17. Machine shops.
18. Plating plants.
19. Printing, engraving and related reproduction processes.
20. Public utilities rights-of-way and pertinent structures.
21. Publishing and distribution of books, newspapers, and other printed materials.
22. Railroad facilities including passengers and freight terminals, marshalling yard, maintenance shops, and round house.
23. Schools for industrial or business training.
24. Trucking terminals.
25. Warehousing or wholesaling.

B. ACCESSORY USES:

1. Customary accessory buildings and uses including operations required to maintain or support any use permitted in this zone one the same lot as the permitted use, such as

maintenance shops, power plants, and machine shops.

2. Fences and walls as regulated by Article XIII of this Ordinance.
3. Signs as regulated by Article XIV of this Ordinance.
4. Uses, as listed below, including within and entered from within any use permitted in this zone as a convenience to the occupants thereof, and their customers providing such accessory uses shall not exceed ten (10) percent of the gross floor area of the permitted uses in the building and no exterior advertising displays shall be visible from outside the building.
 - a. Cafeterias
 - b. Coffee shops or refreshment stands
 - c. Soda or dairy bars

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

Except for those that decompose by detonation, the manufacturing, compounding, processing, packing or assembling of the following uses:

1. Chemicals including ammonia, bleach, bluing, calcimine, chlorine, corrosive acid or alkali, dyes.
2. Fertilizer, gypsum, lime or plaster of paris.
3. Iron, steel, aluminum foundry or forge works and heavy weight casting.
4. Blast furnaces or drop forges.
5. Paint, oil, shellac, turpentine, lacquer, varnish, gasoline.
6. Paper, paperboard, pulp.
7. Petroleum refining and products including bulk storage, provided bulk is related to refining.
8. Rolling mills.
9. Rubber and rubber products.
10. Soap and soap products.
11. Forge plants.
12. Foundries.
13. Sanitary landfill sites.
14. Processing of junk, waste, discarded or salvaged materials, machinery, or equipment, including automobile wrecking or dismantling.

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 – One (1) acre (forty-three thousand five hundred sixty (43,560) square feet).
2. Minimum Lot Width at Minimum Building Setback Line – One hundred fifty (150) feet.
3. Minimum Front Yard Depth – Thirty-five (35) feet.
4. Minimum Side Yard Width – Twenty-five (25) feet; twenty-five (25) feet is required where a side yard abuts a street, road highway or deeded right-of-way.
5. Minimum Rear Yard Depth – None.
6. Maximum Building Height – ~~Fifty (50)~~ Sixty-five (65) feet.

E. OTHER DEVELOPMENT CONTROLS:

1. Off-street parking and loading or unloading shall be provided in accordance with Articles XI and XII of this Ordinance.
2. No lighting shall be permitted which would glare from this zone onto any street, road, highway, deeded right-of-way or into any adjacent property.
3. Where any yard of any use permitted in this zone abuts a residential zone, a minimum requirement of seventy-five (75) feet for each side and/or rear yard which abuts said zone shall be provided, ten (10) feet of which shall be maintained by a screening area as regulated by Section 9.17 of this Ordinance.
4. A site plan as regulated by Section 9.19 of this Ordinance shall be required for any use 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

2011-09

First Reading: 05/02/11

Second Reading: 05/17/11

Publication: 05/26/11

