

ORDINANCE 2011-18

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, M P (MEDICAL/PROFESSIONAL OFFICE ZONE).

WHEREAS, On the 25th day of July 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), Section 10, M P (Medical/Professional Office 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 25th day of July 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), Section 10, M P (Medical/Professional Office 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, M P (Medical/Professional Office 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. 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, inpatient
9. Offices and clinics of physicians, dentists and other health care practitioners
10. Opticians and optical goods and services
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
16. Chiropractic services
17. Mental health services and counseling (outpatient only)
18. Massage therapy

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-five feet (65')

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

E. OTHER DEVELOPMENT CONTROLS

1. Off-street parking and loading and/or unloading shall be provided in accordance 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 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

2011-18

First Reading: 08/08/11

Second Reading: 08/16/11

Publication: 08/25/11

CERTIFICATION

The undersigned, Vivian Link, City Clerk of the City of Williamstown, in Grant County, Kentucky, hereby certifies as follows:

1. The foregoing Ordinance No. 2011-18 was introduced in writing and read to the City Council of the City of Williamstown at regular or special meetings thereof on the 8th day of August, 2011, and the 16th day of August 2011, at which quorums were present; and said Ordinance was enacted by the City Council of the City of Williamstown upon the affirmative vote of at least a majority of a quorum thereof, at the meeting thereof on the 16th day of August, 2011, with the vote of each member of the City Council entered upon the official record of such meeting; and

2. After passage and adoption of the foregoing Ordinance by the City Council of the City of Williamstown, it was submitted to the Mayor of the City of Williamstown who approved said Ordinance by affixing his signature thereto within ten (10) days after the submission thereof to him; and

3. The foregoing Ordinance was published on the 25th day of August 2011, in the Grant County News, a newspaper qualified thereof, pursuant to the provisions of K.R.S. Chapter 424.

Vivian Link, City Clerk/Treasurer