

## **ORDINANCE 2011-20**

### **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, H-C (HIGHWAY-COMMERCIAL ZONE).**

**WHEREAS,** On the 25<sup>th</sup> 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, H-C (Highway-Commercial Zone); and,

**WHEREAS,** Upon the foregoing application, the Grant County Joint Planning Commission did make written findings and conclusions in support of the requested text amendment together with written recommendations addressed to and received by the City Council of the City of Williamstown, Grant County, Kentucky, that the text amendment be granted, approved, and duly so ordained by the City of Williamstown, Kentucky, outlined in the findings and recommendations at the public hearing of the Grant County Joint Planning Commission; and

**WHEREAS,** The City Council of the City of Williamstown, Kentucky, did so concur in the findings, conclusions, and recommendations of the Commission concerning the change in the text amendment, by majority vote of the entire legislative body.

**NOW, THEREFORE, BE IT ORDAINED by the City Council, City of Williamstown, Grant County, Kentucky:**

#### **SECTION I**

As the Legislative Body of the City of Williamstown, Kentucky, the Williamstown City Council hereby adopts the findings of facts and conclusions of law review of the evidence and record of the Grant County Joint Planning Commission and adopts its hearing as its own:

- A. That on the 25<sup>th</sup> 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, H-C (Highway-Commercial Zone);
- B. Upon the following application, the Grant County Joint Planning Commission did make written findings and conclusions in support of the requested text amendment together with findings and conclusions in support of the requested text amendment together with recommendations to and received by the City Council of the City of



- 23. Self Storage Rental Units
- 24. Chiropractic Services
- 25. Mental health and counseling services (outpatient only)
- 26. Dental offices
- 27. Massage therapy
- 28. Opticians and optical goods and services

**NOTE: Article 10, Section HC, Paragraph A, Part 21 Amended by Ordinance 2003-14, Part 22 and 23 Amended by Ordinance 2004-10, Part 17 Amended by Ordinance 2011-11**

**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 Section 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. Churches.
- 5. Child Day Care Centers.

**NOTE: Article 10, Section HC, Paragraph C, Part 4 and 5 Amended by Ordinance 2011-11.**

**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 – Sixty-five (65) feet

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

**NOTE: Article 10, Section HC, 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 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 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

2011-20

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. 2011-20 was introduced in writing and read to the City Council of the City of Williamstown at regular or special meetings thereof on the 8<sup>th</sup> day of August, 2011, and the 16<sup>th</sup> 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 16<sup>th</sup> 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 25<sup>th</sup> day of August 2011, in the Grant County News, a newspaper qualified thereof, pursuant to the provisions of K.R.S. Chapter 424.

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Vivian Link, City Clerk/Treasurer