

ORDINANCE NO. 746-2009

AN ORDINANCE OF THE CITY OF DRY RIDGE, GRANT COUNTY, KENTUCKY, AMENDING THE TEXT OFFICIAL OF THE CITY'S OFFICIAL ZONING ORDINANCE, ORDINANCE NO. 692-2006, AT ARTICLE 7. DEFINITIONS, ARTICLE 10. REGULATION FOR ZONE BOUNDARIES UNDER SECTIONS 10.7, 10.8, AND 10.9, AND ARTICLE 11. OFF-STREET PARKING REQUIREMENTS GERMANE AND APPLICABLE TO ADDED USES OF MERCHANDISE VENDING AND OF SERVICES PROVIDING WITHIN THE CBD, NC, AND HC ZONES; AND ARTICULATING OFF-STREET REGULATIONS COVERING SUCH PERMITTED USES AND/OR SERVICES SEASONAL, OCCASIONAL, OR PERIODIC.

WHEREAS, the City Council of the City of Dry Ridge did heretofore determine that a text amendment to the City of Dry Ridge's Official Zoning Ordinance, No. 392-2006, was needed to provide and allow for uses and activities seasonal, occasional or periodic as permitted uses within the city's central business district, highway commercial, or neighborhood commercial zones as defined, provided for and regulated under Articles 7, 11, and 10 at Sections 10.7, 10.8, and 10.9. of the ordinance;

WHEREAS, the City of Dry Ridge did make Application to the Grant County Joint Planning Commission concerning the above zoning ordinance text amendments which so held a public hearing on the said Application on April 27, 2009; and did so approve and recommend the city's amendment requests under findings, vote and resolution affirmative;

WHEREAS, the City Council of the City of Dry Ridge, Kentucky, did take action on the Grant County Joint Planning Commission's actions official on the city's above referred to zoning ordinance official text amendment matters which action of Council was in the majority and in the affirmative; and

WHEREAS, upon the foregoing, the text official of the City of Dry Ridge's Official Zoning Ordinance, Ordinance No. 392-2006, at Article 7, Article 11, and Article 10 at Sections 10.7, 10.8, and 10.9 be so now changed and amended to allow uses and activities seasonal, occasional or periodic within the city's central business, highway commercial, and neighborhood commercial zones.

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE CITY OF DRY RIDGE, KENTUCKY, AS FOLLOWS:

GENERAL ARTICLE ONE

The text official of the City of Dry Ridge's Official Zoning Ordinance, Ordinance No. 392-2006, shall be amended as follows:

Article 7. Definitions at Section 7.0 Words and Phrases to add the following definitions:

~~SEASONAL-OCCASIONAL-INFREQUENT-PERIODAIC USES OR ACTIVITIES~~: Means the use of a currently permitted commercial site for the vending of merchandise, or the providing of services, or the engaging in activities requisite during, for or at times of: (1) a particular or special occasion or happening; or (2) at times infrequent, but from time to time, regular, recurrent, and at, and within times recognized, or celebrated as being of the season or having significance, all in time, period and duration of not more 40 calendar-days total within any calendar-year.

GENERAL ARTICLE TWO

The text official of the City of Dry Ridge's Official Zoning Ordinance, Ordinance No. 392-2006, shall be amended as follows:

Article 10. Regulation For Zone Boundaries at Section 10.7 CBD (Central Business District) Zone, Section 10.8 NC (Neighborhood-Commercial) Zone, and Section 10.9 HC (Highway-Commercial) Zone at A. Permitted Uses as to both Retail Sales and Services be and the same are changed and amended to add and provide for the seasonal, occasional, periodic, or infrequent vending of merchandise, providing of services, or engaging in activities requisite such as or in the nature of, but not limited to, e.g., sale of Christmas trees and holiday decorations; sale of holiday citrus, nuts and candies; sale of garden produce; sale of gardening and landscaping products and materials; sale of firewood, tinder and coal; sale of fireworks; sale of Halloween costumes, supplies and paraphernalia; sale of holiday/commemorative flowers, tubers, plantings and decorations; Walnut and hull collection; paper drive and recycling collection; bailing center; crushing center; ginning center; census taking or center; conducting or holding a Chautauqua, Punch-and-Judy, cotillion, symposium, festival, fete, congress, conclave or powwow; or being engaged in the activity of, or providing services as, or of the character of, or of an abbot, docent, dresser, scribe, second, mimzy, crier, interlocutor, tinker, huckster, minstrel, troubadour, oracle, sage, seer, sphinx, mime, fakir, palmist, paladin, soothsayer, swami, mahout, mannequin, harlequin, factotum, harker, barker, reader, hailer, or waiver.

GENERAL ARTICLE THREE

The text official of the City of Dry Ridge's Official Zoning Ordinance, Ordinance No. 392-2006, shall be amended as follows:

Article 11. Off-Street Parking and Access Control Regulations at Section 11.2 Specific Off-Street Parking Requirements under Types of Uses - - - - Required Number of Parking Spaces at CC, et al, etc., to add another category of off-street use type with separate parking regulations germane thereto, to-wit:

TYPES OF USES..... REQUIRED NUMBER OF PARKING SPACES

CC. All other uses not listed herein- herein above, but not including, covering, concerning, or being germane to those types of permitted uses as to the vending of merchandise, services providing, or the engaging in activities requisite categorized or deemed to be "seasonal", or "occasional", or "infrequent", or "periodic" as provided for within D.D. below

D.D. For those permitted uses within the CBD, NC and HC Zones being or categorized as "seasonal", "occasional", "infrequent", or "periodic"

The number of required parking spaces shall be as stated for commercial uses within the CBD (Central Business District) Zone, at Section 10.7(E)(1) of this ordinance.

FIRST READING: May 18, 2009

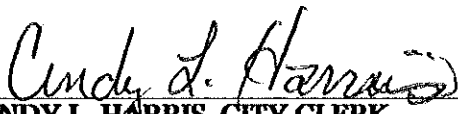
SECOND READING: June 1, 2009

PASSED, ADOPTED, APPROVED, ORDAINED, AND ORDERED PUBLISHED ON THIS
THE 1st DAY OF June, 2009.



CLAY CRUPPER, MAYOR

ATTEST:



CINDY L. HARRIS, CITY CLERK