

ORDINANCE NO. 692-2006

AN ORDINANCE OF THE CITY OF DRY RIDGE, GRANT COUNTY, KENTUCKY, FIXING, ESTABLISHING, SETTING FORTH, ADOPTING, AND ORDAINING COMPREHENSIVE REGULATIONS FOR DEVELOPMENT, PLANNING, ZONING, AND LAND USE ACTIVITIES WITHIN THE CITY OF DRY RIDGE, KENTUCKY, TO BE HEREAFTER REFERRED TO AS THE "OFFICIAL ZONING ORDINANCE OF THE CITY OF DRY RIDGE, KENTUCKY"; AND REPEALING CITY OF DRY RIDGE ORDINANCE NO. 380-1982 AS HERETOFORE PREVIOUSLY ENACTED, ADOPTED, ORDAINED, AND AMENDED TOGETHER WITH ANY AND ALL OTHER ORDINANCES OF THE CITY OF DRY RIDGE, KENTUCKY, CONCERNING MATTERS OF PLANNING AND ZONING REGULATION IN CONFLICT WITH THE HEREIN ORDINANCE SAVE FOR MATTERS OF PLANNING AND ZONING COVERED BY AND CONTAINED WITHIN AN ORDINANCE OR ORDINANCES OF THE CITY OF DRY RIDGE, KENTUCKY, CONTAINED WITHIN, COVERED BY, OR GERMANE TO THE CITY OF DRY RIDGE'S COMPREHENSIVE PLAN.

BE IT HEREBY ORDAINED BY THE CITY OF DRY RIDGE, GRANT COUNTY, KENTUCKY, AS FOLLOWS:

GENERAL ARTICLE ONE

THE PREVIOUS "OFFICIAL ZONING ORDINANCE OF THE CITY OF DRY RIDGE, GRANT COUNTY, KENTUCKY", ORDINANCE NO. 380-1982, AS ENACTED AND ORDAINED AND THEREAFTER AMENDED, BE AND THE SAME IS HEREBY REPEALED TOGETHER WITH ANY AND ALL OTHER ORDINANCES OF THE CITY OF DRY RIDGE, KENTUCKY, CONCERNING MATTERS OF PLANNING AND ZONING REGULATION IN CONFLICT WITH THE HEREIN ORDINANCE SAVE FOR MATTERS OF PLANNING AND ZONING COVERED BY AND CONTAINED WITHIN AN ORDINANCE OR ORDINANCES OF THE CITY OF DRY RIDGE, CONTAINED WITHIN, COVERED BY, OR GERMANE TO THE CITY OF DRY RIDGE'S COMPREHENSIVE PLAN.

GENERAL ARTICLE TWO

PURSUANT TO THE AUTHORITY OF CHAPTER 100 OF THE KENTUCKY REVISED STATUTES, THE CITY OF DRY RIDGE, GRANT COUNTY, KENTUCKY, HEREBY ADOPTS AND ORDAINS AS SET FORTH HEREIN AFTER WITHIN ARTICLES AND SECTIONS SEPARATE, COMPREHENSIVE REGULATIONS FOR DEVELOPMENT, PLANNING, ZONING, AND LAND USE ACTIVITIES WITHIN THE CITY OF DRY RIDGE, KENTUCKY, TO BE THE SAID OFFICIAL ZONING ORDINANCE OF THE CITY OF DRY RIDGE, KENTUCKY, AND HEREAFTER KNOWN AND REFERRED TO AS THE "OFFICIAL ZONING ORDINANCE OF THE CITY OF DRY RIDGE, KENTUCKY", TO BE EFFECTIVE AND IN FULL FORCE AND EFFECT WHEN ADOPTED, APPROVED, ORDAINED, ORDERED PUBLISHED, AND PUBLISHED ACCORDING TO LAW.

First Reading: April 3, 2006

Second Reading: April 17, 2006

ADOPTED, APPROVED, ORDAINED, AND ORDERED PUBLISHED ON THIS THE 17th DAY OF April, 2006.

William Cull
WILLIAM CULL, MAYOR

ATTEST:

Cindy L. Harris
CINDY L. HARRIS, CITY CLERK

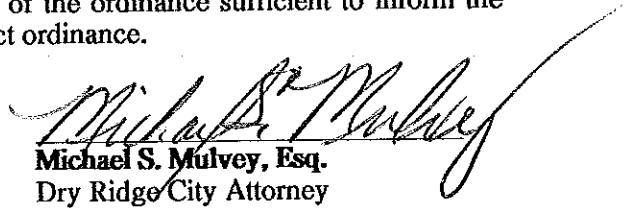
ORDINANCE NO. 692-2006

AN ORDINANCE OF THE CITY OF DRY RIDGE, GRANT COUNTY, KENTUCKY, FIXING, ESTABLISHING, SETTING FORTH, ADOPTING, AND ORDAINING COMPREHENSIVE REGULATIONS FOR DEVELOPMENT, PLANNING, ZONING, AND LAND USE ACTIVITIES WITHIN THE CITY OF DRY RIDGE, KENTUCKY, TO BE HEREAFTER REFERRED TO AS THE "OFFICIAL ZONING ORDINANCE OF THE CITY OF DRY RIDGE, KENTUCKY"; AND REPEALING CITY OF DRY RIDGE ORDINANCE NO. 380-1982 AS HERETOFORE PREVIOUSLY ENACTED, ADOPTED, ORDAINED AND AMENDED TOGETHER WITH ANY AND ALL OTHER ORDINANCES OF THE CITY OF DRY RIDGE, KENTUCKY, CONCERNING MATTERS OF PLANNING AND ZONING REGULATION IN CONFLICT WITH THE HEREIN ORDINANCE SAVE FOR MATTERS OF PLANNING AND ZONING COVERED BY AND CONTAINED WITHIN AN ORDINANCE OR ORDINANCES OF THE CITY OF DRY RIDGE, KENTUCKY, CONTAINED WITHIN, COVERED BY, OR GERMANE TO THE CITY OF DRY RIDGE'S COMPREHENSIVE PLAN.

BE IT HEREBY ORDAINED BY THE CITY OF DRY RIDGE, GRANT COUNTY, KENTUCKY, AS FOLLOWS:

Certification for Summary Publication

Pursuant **KRS 83A.060 (9)**, I, the undersigned, **Michael S. Mulvey, Esq.**, hereby state and certify that I am an attorney licensed to practice within the Commonwealth of Kentucky and the city attorney for the City of Dry Ridge, Kentucky, whose City Council has elected to have the herein zoning ordinance published in summary form; and that the hereinafter summary is a true and accurate narrative of the germane and main points of the ordinance sufficient to inform the public of the manner, meaning and contents of the subject ordinance.


Michael S. Mulvey, Esq.
Dry Ridge City Attorney

General Article One

The previous "Official Zoning Ordinance of the City of Dry Ridge, Grant County, Kentucky", Ordinance No. 380-1982, as enacted and ordained and thereafter amended, be and the same is hereby repealed together with any and all other ordinances of the City of Dry Ridge, Kentucky, concerning matters of planning and zoning regulation in conflict with the herein ordinance save for matters of planning and zoning covered by and contained within an ordinance or ordinances of the City of Dry Ridge, contained within, covered by, or germane to the City of Dry Ridge's Comprehensive Plan.

General Article Two

Pursuant to the authority of Chapter 100 of the Kentucky Revised Statutes, the City of Dry Ridge, Grant County, Kentucky, hereby adopts and ordains as set forth herein after within articles and sections separate, comprehensive regulations for development, planning, zoning, and land use activities within the City of Dry Ridge, Kentucky, to be the said Official Zoning Ordinance of the City of Dry Ridge, Kentucky, and hereafter known and referred to as the "Official Zoning Ordinance of the City of Dry Ridge, Kentucky" to be effective and in full force and effect when adopted, approved, ordained, ordered published, and published according to law, all set forth in form summary for purposes of publication, to-wit:

ARTICLE 1: Zoning Ordinance

Overview statement of general matters covered in the ordinance.

ARTICLE 2: Authority and Purpose

Section 2.0 Authority

Section 2.1 Purpose

These sections cite the statutory authority for the ordinance; reference the Comprehensive Plan; and how the ordinance meets the plan's goals and the city's needs.

ARTICLE 3: Short Title

Provides that the ordinance is to be cited as the "Official Zoning Ordinance of the City of Dry Ridge, Kentucky".

ARTICLE 4: Interpretation

Section 4.0 Greater Restriction

Section 4.1 Permit or License in Violation

These sections state that the ordinance sets minimum requirements on land uses; that where this ordinance imposes greater requirements or restrictions than provided within other codes, rules, regulations, etc., then the provisions of this ordinance shall govern; and that licenses or permits issued in violation of this ordinance shall be void.

ARTICLE 5: Conflict

Section 5.0 Conflict

This section repeals previous zoning ordinances and ordinance in conflict with this ordinance.

ARTICLE 6 Severability Clause

Section 6.0 Severability Clause

This section provides that if any part of this ordinance is held to be unconstitutional or invalid, then the remaining parts of the ordinance are valid and in force.

ARTICLE 7 Definitions

This part of the ordinance sets out an A to Z enumeration of words and terms with stated definitions as used in the ordinance or needed for matters of interpretation.

ARTICLE 8 Establishment of Zones

Section 8.0 Zones... This part of the ordinance divides the city into the following zoning-use districts or zones based on uses agricultural, residential or nonresidential:

- A-1 Agricultural-One
- R-1A Residential
- R-1B Residential
- R-1C Residential
- R-1D Residential
- R-2 Residential-Two
- R-3 Residential-Three
- MHP Mobile Home Park
- CBD Central Business District
- NC Neighborhood Commercial
- HC Highway Commercial
- MP Medical/Professional Office
- I-1 Industrial-One
- I-2 Industrial-Two
- PUD Planned Unit Development

Section 8.1 Replacement of Official Zoning Map

Section 8.2 Rules for Interpretation of Zone Boundaries

Section 8.3 Areas Not Included Within Zones

The sections provide for the adoption and replacement of the city's zoning map; provides for the mode and manner to interpret zoning boundaries; and provides how to correct for an error or omission; and how to carry an annexed land's classification until changed.

ARTICLE 9 General Regulations

This part of the zoning ordinance sets out general rules, regulations, controls and procedures covering the use of land; compliance requirements; utilities; zoning procedures, etc..

Section 9.0 Purpose

Section 9.1 Reduction in Building Site Area

Section 9.3 Vision Clearance at Corners, Curb Cuts, and Railroad Crossings

Section 9.4 Frontage on Corner Lots and Double Frontage Lots

Section 9.5 Utilities Location

Section 9.6 Railroad Rights-of-Way Location

Section 9.7 Excavation, Movement of Soil, Tree Removal, and Erosion Control

Section 9.8 Unsightly or Unsanitary Storage

Section 9.9 Automobile Wrecking, Salvage and Junkyards

Section 9.10 Home Auto Repair and Sales

Section 9.11 Application of Zoning Regulations

Section 9.12 Special Requirements Governing Home Occupations

Section 9.13 Non-Conforming Lots, Uses, Structures, Repairs, Maintenance and Signs

Section 9.14 Exceptions and Modifications

Section 9.15 Conditional Uses

Section 9.16 Building Regulations and Water and Sanitary Sewer Service

Section 9.17 Move and Set

Section 9.18 Screening Area

Section 9.19 Outdoor Swimming Pools

Section 9.20 Site Plan Requirements

Section 9.21 Plan Requirements - Stages I, II and Record Plat

Section 9.22 Regulations Concerning Air Rights

Section 9.23 Regulations Concerning Design and Construction of Improvements

Section 9.24 Regulations Pertaining to Parking/Storing of Trailers, Campers, Etc.

Section 9.25 Hillside Development Controls

Section 9.26 General Manufactured Home Regulations

Section 9.27 Land Used Solely for Agricultural Purposes

Section 9.28 Anti-Monotony Code

Section 9.29 Concept Development Plans

Section 9.30 Compatibility Standards for Qualified Manufactured Homes

Section 9.31 Placement of Landfills and Expansion of Landfills

Section 9.32 Publicly Owned Government Facilities

ARTICLE 10: Regulations for Zoning Boundaries

This part and sections of the zoning ordinance sets forth permitted uses, accessory uses, and conditional uses together with setting the minimum lot areas, lot widths and lot setback distances and maximum building heights together with other controls in the city's agricultural, residential and nonresidential zones.

Section 10.0 A-1 (Agricultural-One) Zone

Section 10.1 R-1A (Residential-One) Zone

Section 10.2 R-1B (Residential-One) Zone

Section 10.3 R-1C (Residential-One) Zone

Section 10.3 R-1D (Residential-One) Zone

Section 10.4 R-2 (Residential-Two) Zone

Section 10.5 R-3 (Residential-Three) Zone

Section 10.6 MHP (Manufactured Home Park) Zone

Section 10.7 CBD (Central Business District) Zone

Section 10.8 NC (Neighborhood-Commercial) Zone

Section 10.9 HC (Highway-Commercial) Zone

Section 10.10 M-P (Medical/Office Professional) Zone

Section 10.11 I-1 (Industrial-One) Zone

Section 10.12 I-2 (Industrial-Two) Zone

Section 10.13 PUD (Planned Unit Development) Zone

ARTICLE 11: Off-Street Parking and Access Control

Section 11.0 General Requirements

Section 11.1 Design and Layout of Off-Street Parking Areas

Section 11.2 Specific Off-Street Parking Requirements

Section 11.3 Access Management

ARTICLE 12: Off-Street Loading and/or Unloading Regulations

Section 12.0 General Requirements

Section 12.1 Design and Layout of Off-Street Loading and/or Unloading Areas

ARTICLE 13: Fences, Walls and Obstruction to View Regulations

Section 13.0 Vision Clearance at Corners and Railroad Crossings

Section 13.1 Classifications of Fences and Walls

Section 13.2 Conservation and Agricultural Zones

Section 13.3 Residential Zones

Section 13.4 Commercial and Industrial Zones

Section 13.5 Measurement of all Fence and/or Height and/or Location

Section 13.6 Height of Any Barbed Wire or Sharp Pointed Fences

Section 13.7 Height of Fences Atop Retaining Walls

Section 13.8 Electrified Fences

Section 13.9 Permit Required for Erection of Fences

ARTICLE 14: Sign Regulations

Section 14.0 Scope of Regulations

Section 14.1 General Rules, Regulations and Limitations

Section 14.2 Special Signs

Section 14.3 Sign Permit required for Erection of Signs

Section 14.4 Application for Sign Permit

Section 14.5 Sign Permit Fees

Section 14.6 Classification of Signs

Section 14.7 Permitted Use and Location of Signs

ARTICLE 15: Manufactured Homes and Mobile Homes

Section 15.0 Intent

Section 15.1 Definitions

Section 15.2 Permitted Permanent Placement

Section 15.3 Temporary Use

Section 15.4 Classification of Manufactured Homes

Section 15.5 Permanent Placement of Class I or II Manufactured Homes as Principal Residence

Section 15.6 Permanent Placement of Class I or II Manufactured Homes as Tenant Residence

Section 15.7 Placement of a Mobile Home for Temporary Housing for Farm Workers

Section 15.8 Application

Section 15.9 Utilities

Section 15.10 Violations

ARTICLE 16: Cellular Antenna Tower and Cellular Telecommunications Services

Section 16.0 Purpose

Section 16.1 Definitions

Section 16.2 General

Section 16.3 Applicability

Section 16.4 Application Requirements

Section 16.5 Processing of Application

Section 16.6 Design Standards

Section 16.7 Criteria

Section 16.8 Amendments

Section 16.9 Guarantee

ARTICLE 17: Performance Standards for Industrial Zones

Section 17.0 Application of Performance Standards

Section 17.1 Time Schedule for Compliance of Performance Standards

Section 17.2 Performance Standards

ARTICLE 18: Administration

Section 18.0 Enforcing Officer

Section 18.1 Zoning Permits

Section 18.2 Certificate of Occupancy

Section 18.3 Certificate of Occupancy for Existing Building

Section 18.5 Denial of Certificate of Occupancy

Section 18.6 Certificate of Occupancy Records

Section 18.7 Complaints Regarding Violations

Section 18.8 Penalties

Any person or entity who violates any provision of this ordinance, shall upon conviction, be fined not less than Ten Dollars (\$10.00) but not more than Five Hundred Dollars (\$500.00) for each conviction. Each day of violation shall constitute a separate offense.

Section 18.9 Intent Concerning Determinations Involved in Administration and Enforcement of Performance Standards.

Section 18.10 Duties of Zoning Administrator Regarding Performance Standards.

ARTICLE 19: Amendment Procedures

Section 19.0 Amendment Procedures

ARTICLE 20: Board of Adjustment

Section 20.0 Establishment of Board of Adjustment

Section 20.1 Meeting of Board

Section 20.2 Procedures for All Appeals to Board

Section 20.3 Appeals from Planning Commission or Board of Adjustment

Section 20.4 Stay of Proceedings

Section 20.5 Powers of Board of Adjustment

Section 20.6 Dimensional Variances; Change From One Non-Conforming Use to Another; Conditions Governing Applications; Procedures

Section 20.7 Conditional Use Permits

Section 20.8 Decisions of the Board of Adjustment

ARTICLE 21: Specifications for Streetlights and Paving of Off-Street Parking and Loading and/or Unloading Areas.

TABLE A-1: Thickness Requirements of Surface and Base Courses for Automobile and Truck Parking Facility Pavements (1)

83

The herein ordinance shall become effective and be in full force and effect when adopted and duly published according to law.

First Reading: April 3, 2006

Second Reading: April 17, 2006

ADOPTED, APPROVED, ORDAINED, AND ORDERED PUBLISHED IN SUMMARY
FORM ON THIS THE 17th, DAY OF April, 2006.

William Cull
WILLIAM CULL, MAYOR

ATTEST:

Cindy L. Harris
CINDY L. HARRIS, CITY CLERK