

ORDINANCE 806-2016

AN ORDINANCE OF THE CITY OF DRY RIDGE, GRANT COUNTY, KENTUCKY, AMENDING THE TEXT OF THE OFFICIAL ZONING ORDINANCE 692-2006, ARTICLE 10, (REGULATIONS FOR ZONING BOUNDRIES), SECTION 10.7 (CENTRAL BUSINESS DISTRICT) ZONE.

WHEREAS, On the _____ day of _____, 2016, the Grant county Joint Planning Commission did hold a public hearing on an application from the City of Dry Ridge, Kentucky, requesting a text amendment to the City of Dry Ridge Official Zoning Ordinance 692-2006, Article 10 (Regulations for Zoning Boundaries), Section 10.7 (Central Business District) 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 Dry Ridge, Grant County, Kentucky, that the text amendment be granted, approved, and duly so ordained by the City of Dry Ridge, 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 Dry Ridge, 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 DRY RIDGE, GRANT COUNTY, KENTUCKY:

SECTION I

As the Legislative Body of The City of Dry Ridge, Kentucky, the Dry Ridge 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 hearings as its own:

- A. That on the _____ day of _____, 2016, the Grant county Joint Planning Commission did hold a public hearing on an application from the City of Dry Ridge, Kentucky, requesting a text amendment to the City of Dry Ridge Official Zoning Ordinance 692-2006, Article 10 (Regulations for Zoning Boundaries), Section 10.7 (Central Business District);
- 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 Dry Ridge, Grant County, Kentucky, that the text amendment be granted and approve; and,
- C. That the City Council of Dry Ridge, Kentucky, after hearing and reviewing evidence provided thereto so occurred in the findings, conclusions, recommendations, and conditions of the Commission concerning the change in the text amendment.

SECTION II

Ordinance 692-2006 and those amendments thereto and Article 10 (Regulations for Zoning Boundaries), Section 10.7 (Central Business District) 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 Dry Ridge Code of Ordinances and the text of Ordinance 692-2006 as follows:

SECTION 10.7 CBD (CENTRAL BUSINESS DISTRICT) ZONE:

PURPOSE: The CBD Central Business District Zone is established to provide locations for businesses oriented primarily toward a “Main Street” type setting and for those businesses, which due to their nature are best suited to locations along minor streets or byways.

- A. **PERMITTED USES:** including, but not limited to items listed here. The Zoning Administrator shall have the authority to use this list as an interpretive guide for the purpose of determining if a proposed use is permissible
- Retail sales
 - 1. Apparel shop
 - 2. Art supplies
 - 3. Bakery and bakery goods store, provided the products are sold exclusively on the premises
 - 4. Book, stationary or gift shop including printing
 - 5. Candy store, soda fountain, ice cream store, excluding drive-ins
 - 6. Delicatessen
 - 7. Drug store
 - 8. Florist shop
 - 9. Food store and supermarkets
 - 10. Furniture store
 - 11. Garden supplies
 - 12. Glass, china, or pottery store
 - 13. Hardware store and lumber
 - 14. Hobby shop
 - 15. Household and electrical appliance store, including incidental repair
 - 16. Jewelry store, including repair
 - 17. Leather goods and luggage store
 - 18. Music, musical instruments and records, including incidental repair
 - 19. Paint and wallpaper store
 - 20. Pet shop, excluding boarding and outside runs
 - 21. Radio and television store (including repair)
 - 22. Shoe store and shoe repair
 - 23. Sporting goods
 - 24. Toy store
 - 25. Variety store, including notions and "Five and Ten" stores, gift shops and department stores
 - 26. Automobile, motorcycle, RV, ATV & watercraft sales and service

27. Lawn and garden equipment sales and service
28. Eclectic merchandizing vending/ eclectic merchandizer
29. 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, mimic, 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 wavier.
30. Carry-Out Convenient Stores
31. Packaged Liquor, wine and malt beverage store to include drive-through and/or drive-up window

○ Services

1. Banks and other financial institutions, including savings, loan and finance companies with drive-in windows
2. Barber and beauty shops
3. Interior decorating studio
4. Locksmith shop
5. Opticians and optical goods
6. Studios for professional work or teaching of any form of fine arts
7. Tailor shop
8. Dry cleaners and laundries
9. Offices for professional services
10. Child/Adult Day Care Center
11. Fitness center
12. The tattoo and/or tattooing, all had, done, or made by the provider in accordance with the provisions of KRS 211.760.

○ Restaurants and Entertainment

1. Eating and drinking places, including drive-ins
2. Recreation and entertainment facilities
3. Theaters, excluding drive-ins
4. Bars and taverns

○ Miscellaneous

1. Offices including publishing and distribution of newspapers
2. Dwelling over business establishment

B. ACCESSORY USES:

1. Customary accessory uses
2. Fences and walls, as regulated by Article 13; Fences and Walls, of this ordinance
3. Signs, as regulated by Article 14; Signs, 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 9.15; Conditional Uses, and 20.5; Conditional Use Permits, 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 kennel services
3. Residential uses on the first floor
4. Any other uses that the Board of Adjustment finds to be complementary and adaptable to the 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 – 5 stories
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-1 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 11; Off Street Parking, of this ordinance.
2. No outdoor storage of any material (usable 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 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 of Dry Ridge, 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).

First Reading: _____
Second Reading: _____
Publication: _____

James Wells, Mayor
City of Dry Ridge, Kentucky

ATTEST:

Amy Kenner, City Clerk/ Treasurer