

ORDINANCE 815-2016

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 10.6 (R-4 (RESIDENTIAL FOUR)) ZONE.

WHEREAS, On the 25th day of April 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 10.6 R-4 (Residential Four); 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 25th day of April 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 10.6 R-4 (Residential Four)) and;
- 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 10.6 R-4 (Residential Four) 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 10.6 R-4 (RESIDENTIAL-FOUR) ZONE:

PURPOSE: The purpose of this zone is to permit a mixture of higher density residential uses which includes multi-family dwellings. Adequate infrastructure (central water and sewer owned and/or operated by an agency of government) must be available to the site.

A. USES PERMITTED:

1. Multifamily dwellings
2. Short-term vacation/housing rentals, not to exceed 10 consecutive days

B. ACCESSORY USES:

1. Customary accessory buildings and 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 of the Board of Adjustment, as set forth in Sections 9.15; Conditional Uses, and 20.5; Conditional Use Permits, of this ordinance:

1. Cemeteries
2. Churches and other buildings for the purpose of religious worship, proving they are located adjacent to an arterial street.
3. Fire and police stations providing they are located adjacent to an arterial street.
4. Institutions for higher education providing they are located adjacent to an arterial street
5. Institutions for human medical care – hospitals, clinic sanitariums, convalescent homes, nursing homes, and homes for the aged providing they are located adjacent to an arterial street.
6. Nursery school and children day care
7. Public and parochial schools
8. Publically owned and/or operated parks, playgrounds, golf courses, community recreational centers, including public swimming pools, and libraries
9. Recreational uses other than those publically owned and/or operated as follows:
 - a. Golf Courses
 - b. Country clubs
 - c. Semi-public swimming pools
 - d. Office building
 - e. Any other recreational use compatible to the facility
10. Any other use that is determined by the Board of Adjustment to be of the same general character as the above

D. REQUIRED LOT AREA AND WIDTH FOR PERMITTED USES:

1. Minimum Lot Area – Twenty thousand (20,000) square feet for the first four (4) dwelling units or less in one building; three thousand five hundred (3,500) square feet shall be provided for every dwelling unit thereafter in the same building. In the case of this zone more than one principal building as defined herein may be permitted on one lot.
2. Minimum Lot Width at Minimum Building Setback Line – One hundred (100) feet.
3. Minimum Front Yard Depth – Forty (40) feet.
4. Minimum Rear Lot Width – Thirty (30) feet.
5. Minimum Side Yard Width on Each Side of Lot – Fifteen (15) feet.
6. Maximum Building Height – Three stories or forty (40) feet.
7. Parking shall be permitted within five (5) feet of the lot line for the multi-family use in this zone.

E. REQUIRED LOT AREA AND WIDTH FOR CONDITIONALLY PERMITTED USES: No conditional building and/or use shall be erected or structurally altered hereafter except in accordance with the following regulations.

1. Minimum Lot Area – Twenty two thousand five hundred (22,500) square feet.
2. Minimum Lot Width at Minimum Building Setback Line – One hundred fifty (150) feet.
3. Minimum Front, Side (on each side of lot) and Rear Yards – Fifty (50) feet.
4. Maximum Building Height – Three stories or forty (40) feet.

F. OTHER DEVELOPMENT CONTROLS:

1. Off-Street parking and loading or unloading shall be provided in accordance with Articles 11; Off Street Parking, and 12; Off Street Loading
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, road, highway, and deeded right-of-way or into any adjacent property.
4. Where any yard or any use permitted in this zone abuts property in a single family zone, a ten (10) foot wide screening area as regulated by Section 9.18; Screening Area of this ordinance shall be required.
5. A site plan, as regulated by Section 9.20; Site Plan of this ordinance, shall be required for any use permitted in this 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