

ORDINANCE 853-2018

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 BOUNDARIES), SECTION 10.0 (A-1 (AGRICULTURAL-ONE)) ZONE.

WHEREAS, On the 13th day of August 2018, 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 10.0 A-1 (Agriculture-One); 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 1

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 13th day of August 2018, 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 10.0 A-1 (Agricultural-One)) 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.

ORDINANCE 853-2018

SECTION 2

Ordinance 692-2006 and those amendments thereto and Article 10 (Regulations for Zoning Boundaries), Section 10.0 A-1 (Agricultural-One) 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 in the Dry Ridge Code of Ordinances and the text of Ordinance 692-2006 as follows:

SECTION 10.0 A-1 (AGRICULTURAL-ONE) ZONE:

PURPOSE: The purpose of this district is to preserve and protect the remaining supply of productive agricultural lands and to prevent the indiscriminate infiltration of urbanized commercial and residential development.

A. PERMITTED USES:

1. Farms of tobacco, fiber, cash grain, fruits, tree nuts, vegetables or other field crops
2. Farms of no predominate crops, including range and grassland pastures, horticultural specialties, apiary farms and other agriculture related crops
3. Farms and ranches of dairy production, livestock including cattle, hogs, sheep, goats, horses or similar poultry or other fowls
4. Animal husbandry services including veterinarian, animal hospital, poultry hatching and other services
5. Fish hatcheries, and other fish culture activities and services
6. Wildlife preserve sanctuaries and habitats and hunting preserve
7. Forestry activities including timber production, tree products production, commercial forestry activities and related services
8. Horticultural, floriculture, viticulture, and other agricultural related uses and services
9. Agriculture related activities including grist milling services, corn shelling, hay baling, threshing, contract sorting, grading and packaging services
10. Retail trade for the sale of hay, grain, feed and other farm and garden supplies and agriculture related equipment, excluding vehicles
11. Hunting

B. ACCESSORY USES: Accessory uses, buildings and structures customarily incidental and subordinate to any of the Permitted uses

1. One (1) dwelling unit for the family of the farm owner/operator including:
 - a. Single Family Home (site built or manufactured; Septic, and building permits must be obtained)
 - b. Accessory Farm Tennant Residences provided that the dwelling is occupied as a permanent residence; one dwelling for a farm of over 10 acres, and one additional residence for each additional 30 acres (Septic, and building permits must be obtained)

ORDINANCE 853-2018

- c. Private garages or other buildings not used as dwellings and accessory to the principle use
 - d. Structures such as fences and walls (As regulated by Article 13; Fences and Walls)
 - e. Buildings such as storage sheds, greenhouses, gazebos
 - f. Storage of recreational vehicle or unit
 - g. Private recreational court, complex, or similar recreational activity
 - h. Private stables or other keeping and use of pets and animals
 - i. Sale of agricultural products, produced on the premises
2. Home occupations, subject to the restrictions and limitations established in Section 9.12; Home Occupations, of this ordinance
 3. Signs, as regulated by Article 14; Signs
- C. **CONDITIONAL USES:** The following uses or any customary accessory buildings and uses, subject to the approval by the Board of Adjustments, as set forth in Section 9.15; Conditional Uses, and 20.5; Conditional Use Permits, of this ordinance:
1. Bed and Breakfast Inns
 2. Cemeteries
 3. Churches and other buildings for the purpose of religious worship, including a manufactured home, single or double wide, to be used expressly for a parsonage, provided they are located adjacent to an arterial street.
 4. Home occupations, as regulated by Article 9.12; Home Occupations
 5. Day care centers
 6. Nursery schools
 7. Police and fire stations, provided they are located adjacent to an arterial street
 8. Public and parochial schools, and places of education
 9. Publicly owned and/or operated parks, playgrounds, golf courses, community recreational centers, including public swimming pools and libraries
 10. Recreational uses, other than those publicly owned and/or operated, as follows:
 - a. Golf course
 - b. Country club
 - c. Swimming pools
 - d. Tennis courts/clubs
 - e. Fishing lakes
 - f. Gun clubs and ranges
 - g. Public recreational courts, complex or similar recreational activity; including but not limited to commercial riding arenas.
 11. Contractors' office and storage of machinery and equipment only provided all such storage is Entirely within an enclosed fence or wall, meeting the requirements of Section 13; Fences and Walls, or properly screened according to the requirements of Section 9.17; Screening Area
 12. Funeral homes, providing they are located adjacent to an arterial street
 13. Kennels. Each kennel must be licensed by the city and limited to ten animals per acre. A site plan must be submitted for construction of any building or outdoor

ORDINANCE 853-2018

- animal runs. Screening, where required, must be provided as described in Section 9.17; Screening Area. Minimum acreage for a kennel is five (5) acres
14. Repair and sales of agricultural equipment and supplies, and small engine repair, not to allow for repair or recycling of automobiles or heavy construction equipment, repair activities should be conducted within an enclosed building
 15. Self-Storage Units
 16. Environmental Recreation: An activity stemming from interaction with the natural environment, recreation, education or tourism based, that may include:
 - a. Walking, horseback riding, or hiking trails
 - b. Bike paths
 - c. Primitive camping grounds
 - d. Paintball fields

17. Recreational Vehicle (RV) Campground

But not to include motorized racing, or activities that have a harmful impact upon the environment.

D. AREA AND HEIGHT REGULATIONS FOR PERMITTED AND CONDITIONAL USES:

1. Minimum Lot Area – Five (5) acres;
2. Minimum Lot Width at Building Setback Line – Two hundred fifty (250) feet
3. Minimum Front Yard Depth – Fifty (50) feet
4. Minimum Side Yard Width on Each Side of Lot – Twenty (20) feet
5. Minimum One Hundred Foot (100') frontage on a publicly maintained road

E. OTHER DEVELOPMENT CONTROLS:

1. Off-street parking and loading and/or unloading shall be provided in accordance with Article 11; Off Street Parking, and 12; Off Street Loading
2. No lighting shall be permitted which would glare from this zone onto any street, or into any residential zone
3. All buildable lots must abut a publicly maintained right-of-way. An off the road lot must abut a dedicated publicly maintained right-of-way a minimum of at least fifty feet except for those that pre-existed prior to the adoption or amendment of this ordinance
4. Land used solely for agricultural purposes shall have no regulations imposed as to building permits for agricultural buildings except a front yard depth of fifty (50) feet or greater and side yards of twenty (20) feet but shall require building permits for any building intended for use as a residence or non-agricultural activities.
5. The Board of Adjustments may grant variances to the setbacks provided in D. 2-5 as provided for in Section 20.4; Dimensional Variances

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.

ORDINANCE 853-2018

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 ordinance 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: August 20, 2018

Second Reading: September 4, 2018

James Wells, Mayor

ATTEST:

Amy Kenner, City Clerk / Treasurer