

**COMMONWEALTH OF KENTUCKY
COUNTY OF GRANT
CITY OF DRY RIDGE
ORDINANCE NO. 862-2019**

**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 10.11 (HC
(HIGHWAY COMMERCIAL)) ZONE TO INCLUDE TRUCK STOPS AS A
CONDITIONAL USE.**

WHEREAS, on the 15th day of April 2019, the Dry Ridge City Council held a public hearing on a resolution applying for and proposing a text amendment to the City of Dry Ridge Official Zoning Ordinance 692-2006, Article 10 (Regulations for Zoning Boundaries), Section 10.11 HC (Highway Commercial) by adding a Truck Stop as a conditional use within the Highway Commercial Zone; and,

WHEREAS, the Grant County Planning Commission after holding a public hearing on April 22, 2019, voted to approve the text amendment on the basis that the text amendment is allowed to be included within the text of the zoning ordinance, as authorized by Kentucky Revised Statute (KRS) 100.203(1).

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL, CITY OF DRY RIDGE, GRANT COUNTY, KENTUCKY:

SECTION I

That the Dry Ridge City Council hereby approves said text amendment:

SECTION 10.11 HC (HIGHWAY COMMERCIAL ZONE)

PURPOSE: The Highway Commercial Zone is established to provide locations for businesses oriented primarily toward serving the motoring public and for those businesses which due to their nature are best suited to locations along major streets or highways.

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:

- o Retail Sales
 1. General retail, clothes, shoes, books, gifts, variety stores

2. Sales, service, and rental of automobile, motorcycle, truck, ATV, RV, heavy equipment, lawn equipment, boat and other marine equipment, new or used
 3. Gas and service stations, providing all repair is conducted within an enclosed structure,
 4. Sporting equipment sales, including bait shops
 5. Lumber and hardware
 6. Sales of machinery and parts
 7. Carry-out Convenience Stores
 8. Grocery stores, food stores and supermarkets
 9. Manufactured home and trailer sales, rental and service (new and used)
 10. Eclectic merchandize vending/ eclectic merchandizer
 11. Packaged Liquor, wine and malt beverage store to include drive-through and/or drive-up window
- o Services
1. Automobile, truck and heavy equipment service, repair and washing, providing all repair is conducted within an enclosed structure
 2. General offices and office buildings
 3. Warehousing and general distribution
 4. Police & Fire Stations
 5. Dry cleaners and laundries
 6. Banks and other financial institutions including savings, loan, and finance companies, with or without drive-in windows
 7. Beauty shops and Barber shops
 8. Veterinarian offices with outside runs
 9. Day care and kindergarten
 10. Fitness center
 11. The tattoo and/or tattooing, all had, done, or made by the provider in accordance with the provisions of KRS 211.760.
 12. 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 wavier.
- o Restaurants, Lodging and Entertainment
1. Eating and drinking places, including drive-ins
 2. Hotels and motels, tourist centers

3. Skating rinks, golf driving ranges, miniature and par-3 golf courses
4. Movie houses, including drive in theaters
5. Bowling alleys

A. Accessory Uses

1. Customary accessory buildings and related uses both for permitted and conditioned uses
2. Off site parking, parking garages
3. Fences and walls, as regulated by Article 13; Fences and Walls, of this ordinance
4. Signs, as regulated by Article; Signs, of this ordinance
5. Swimming pools, indoor and outdoor, in connection with motel or hotels.

B. CONDITIONAL USES: The following uses subject to the approval by the Board of Adjustment, as set forth in Sections 9.15; Conditional Uses, and 20.5; Conditional Use Permits, of this ordinance:

1. Manufactured homes (in conformance with Article 15) or dwellings when used in conjunction with business
2. Bulk storage - no dispensing of bottle gas and petroleum products
3. Bars and taverns
4. Churches and other buildings for the purpose of religious worship
5. Any other use adaptable to HC zone
6. **Truck Stops**

C. AREA AND HEIGHT REGULATIONS: No building shall be erected or structurally altered hereafter except in accordance with the following regulations:

1. Minimum Lot Area - Twenty thousand (20,000) square feet
2. Minimum Lot Width at Building Setback Line - One hundred (100) feet
3. Minimum Front Yard Depth - Thirty-five (35) feet
4. Minimum Side Yard Width on Each Side of Lot - A minimum side yard of fifteen (15) feet is required for all highway commercial uses as measured from the property line to the nearest building or structure
5. Minimum Rear Yard Depth - A minimum rear yard of fifteen (15) feet shall be required for all structures in the B-1 Highway Commercial zone as measured from the rear property line to the nearest building or structures
6. Maximum Building Height – Six (6) stories
7. In the case of this zone, more than one principal building, as herein defined, may be constructed on one lot

D. OTHER DEVELOPMENT CONTROLS:

1. Off-street parking and loading and/or unloading shall be provided in accordance with Articles 11; Off Street Parking, and 12; Off Street Loading, 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 adjacent property

4. Where any yard of any use permitted in this zone abuts a residential zone, a minimum yard requirement of ninety (90) feet for each side and/or rear yard which abuts said zone shall be provided, fifteen (15) feet of which shall be maintained by a screening area, as regulated by Section 9.17; Screening Area, of this ordinance. This area shall remain open and not permit off-street parking and loading and/or unloading
5. A site plan, as regulated by Section 9.19; Site Plans, of this ordinance shall be required for any use in this zone
6. No use producing objectionable odors, noise, or dust shall be permitted within five hundred (500) feet from the boundary of any residential zone
7. The Board of Adjustment may grant variances to the setbacks provided in D. 2-6, as provided for in Section 20.4; Dimensional Variances.

Section II

The Text Amendment to the Dry Ridge Zoning Ordinance is approved, on the following bases:

(1) The proposed text amendment is authorized to be included within the City's zoning ordinance per Kentucky Revised Statute (KRS) 100.203(1).

(2) The proposed text amendments are consistent with the purpose of the Commercial zones and is consistent to Grant County's commercial zones

(3) The proposed text amendment is reasonable.

(4) The proposed text amendment will not have an adverse effect on the public health, safety, or welfare and will not be injurious to the public residing in or moving through the area.

(5) Based on the testimony presented at the public hearing of the Grant County Planning Commission held on April 22, 2019.

Section III

That should any section or part of any section or any provision of this Ordinance be declared invalid by a Court of competent jurisdiction, for any reason, such declaration shall not invalidate, or adversely affect, the remainder of this Ordinance.

Section IV

That this Ordinance shall take effect and be in full force when passed, published and recorded according to the law.

Adopted this _____ day of _____, 2019.

1st Reading - _____, 2019

2nd Reading - _____, 2019

Vote: _____, Yes, _____, No

City of Dry Ridge,
Grant County, Kentucky

By: _____

Greg Brockman
Mayor

Attest:

Amy Kenner
Clerk