

ARTICLE IX

GENERAL REGULATIONS

SECTION 9.0 PURPOSE: General regulations shall apply to all districts.

SECTION 9.1 REDUCTION IN BUILDING SITE AREA: Except as herein provided, no lot, in any zone, may be reduced in area below the minimum lot area as specified herein for the zone within which said lot is located, except where such reduction has been brought about by the expansion or acquiring of rights-of-way for a street. If, however, by some means (e.g., misinterpretation of law, erroneous lot descriptions, etc.) the lot area is reduced below the minimum required lot area as specified herein for the zone, all of the uses and structures contained on the remaining portion of the area shall be subject to compliance with all other provisions of this ordinance. In the event that the uses and structures cannot comply in such circumstances, the property owner shall seek relief from the board of adjustment, as provided for in Section 18.5 of this ordinance.

SECTION 9.2 INTERFERENCE WITH TRAFFIC SIGNALS: No sign, structure, tree, planting, or vegetation or any portion thereof shall protrude over or into any street so as to create confusion around, or otherwise interfere with, traffic signals of any kind.

SECTION 9.3 VISION CLEARANCE AT CORNERS, CURB CUTS, AND RAILROAD CROSSINGS: No type of structure, vehicle, tree, planting, vegetation, sign, or fence, or any type of obstacle or any portion thereof shall be placed or retained in such a manner which would create a traffic hazard or would obstruct the vision clearance at corners, curb cuts, or railroad crossings in any zone.

SECTION 9.4 FRONTAGE ON CORNER LOTS AND DOUBLE FRONTAGE LOTS: On lots having frontage on more than one street, the minimum front yard depth shall be provided for each street, in accordance with the provisions of this ordinance.

SECTION 9.5 UTILITIES LOCATION: Electrical transformer stations, gas regulator stations, sewage and water treatment plants, pumping stations, standpipes for public water supply and other similar utility uses may be located in any zone subject to the approval of the board of adjustment, as set forth in Section 9.14 of this ordinance. The location of such facilities shall be in accordance with Kentucky Revised Statutes, and all other pertinent regulations, and the following requirements:

- A. Such facilities shall be essential for the immediate area or for the proper functioning of the total utility system of which the element is a part.
- B. A building or structure, except as enclosing fence, shall be set back at least thirty-five (35) feet from any property line.

- C. Such facilities shall be enclosed by a protective fence as regulated by Article XIII.
- D. Open spaces on the premises shall be suitable landscaped and maintained and a screening area in accordance with Section 9.17 of this ordinance may be required in and along any yard.
- E. The storage of vehicles and equipment on the premises, unless enclosed or screened, shall be prohibited.
- F. The surrounding area shall not be adversely affected by, and shall be protected from noise, odor, glare, dust, gas, smoke, and vibration by such suitable means and conditions as the board of adjustment may specify.

SECTION 9.6 RAILROAD RIGHTS-OF-WAY LOCATION: Railroad rights-of-way, exclusive of such uses as marshalling yards, spur lines, passenger and freight terminals, maintenance shops, fueling facilities and round houses, may be located in any zone of this ordinance providing said railroad rights-of-way meet the requirements of those sections of the Kentucky Revised Statutes and other pertinent state regulations.

SECTION 9.7 EXCAVATION, MOVEMENT OF SOIL, TREE REMOVAL, AND EROSION AND SEDIMENTATION CONTROL:

- A. No governmental entity or other entity shall strip, excavate, fill, or otherwise move soil, trees or other vegetation except for minor changes such as: the filling of small depressions, removal of vegetation which is diseased or endangering the public safety, etc. without first insuring that all requirements of the Subdivision Regulations of the legislative body, if applicable, have been fulfilled and then obtaining a permit from the building inspector.
- B. The building inspector may issue the required permit after determining that the resulting change in grade or removal of trees and other vegetation in the affected area will be in conformance with all applicable provisions of this ordinance. The provisions of this section shall not be construed to prohibit normal excavation or grading incidental to the construction or alteration of a building on the premises for which a building permit has been granted as required otherwise in this ordinance.
- C. Erosion and Sedimentation Control: Erosion and sedimentation controls for excavation, movement of soil, and tree removal, shall be planned and applied according to the following:
 - 1. The smallest practical area of land shall be exposed at any one time during development.
 - 2. When land is exposed during development, the exposure shall be kept to the shortest practical period of time.

3. Temporary vegetation and/or mulching shall be used to protect critical areas exposed during development.
4. Sediment basins (debris basins or silt traps) shall be installed and maintained to remove sediment from run-off waters from land undergoing development.
5. Provisions shall be made to accommodate the increased run-off caused by changed soil and surface conditions during and after development.
6. Permanent final vegetation and structures shall be installed as soon as practical in the development.
7. The development shall be fitted to the topography and soils so as to create the least erosion potential.
8. Wherever feasible, natural vegetation shall be retained and protected.

SECTION 9.8 UNSIGHTLY OR UNSANITARY STORAGE: No rubbish, salvage materials, junk, or miscellaneous material shall be openly stored or kept in the open and weeds shall not be allowed to go uncut within any zones when the same may be construed to be a menace to public health and safety by the appropriate health department, or have a depressing influence upon property values in the neighborhood, in the opinion of the legislative body. When a violation of this section of the ordinance occurs, the legislative body shall take the necessary action to either directly bill said person or persons for the cost of removing of rubbish, salvage material and cutting weeds, or have the cost of such labor for removing same attached to and made a part of said person or persons' tax bill. Salvage and junkyards, where permitted in this ordinance, shall be adequately enclosed with a solid fence or wall, as regulated by Article XIII and an approved permanent planting screen may be required as regulated in Section 9.17 of this ordinance.

SECTION 9.9 JUNKYARD LOCATION: No person shall operate any junkyard which is situated closer than two thousand (2,000) feet from the centerline of any county, state, Federal, or limited access highway or turnpike, including bridges and bridge approaches unless a permit for such operation shall have been obtained from the Kentucky Department of Transportation, Bureau of Highways, in accordance with KRS 177.905 to 177.950.

SECTION 9.10 APPLICATION OF ZONING REGULATIONS:

- A. Except as herein provided, no part of any yard, or other open space, or off-street parking or loading and/or unloading space about or in connection with any building, structure, or use permitted by this ordinance shall be considered to be part of a required yard, or other open space, or off-street parking or loading and/or unloading space for any other building, structure or use.
- B. Except as herein provided, every structure hereafter erected shall be located on a lot as herein

- C. defined and in no case shall there be more than one (1) principal building and permitted accessory structures on one (1) lot.
- D. Permitted Obstructions in Minimum Required Yards: Except as herein provided, the following shall not be considered to be obstructions when located in the required minimum yards specified.
 - 1. In All Minimum Required Yards – Driveways providing they are not closer than two (2) feet to the property line to which they run approximately parallel to; steps four (4) feet or less above grade projecting not more than four (4) feet into the minimum required yards which are necessary for access to a lot from a street or alley; fire escapes and chimneys projecting not more than eighteen (18) inches into the minimum required yards; arbors and trellises; flag poles; bird baths; trees; plants; shrubbery; ornaments; utility poles and wires; and outdoor furniture; fences and walls, subject to the requirements in Article XIII; and off-street parking as provided for in Article XI of this ordinance.
 - 2. In Minimum Front Yard Depths – Bay windows projecting three (3) feet or less into the minimum required yard; overhanging eaves and gutters projecting not more than three (3) feet into the minimum required front yard; window air conditioning units; and awnings and canopies extending not more than three (3) feet into the minimum required front yard.
 - 3. In Minimum Rear Yard Depths – Bay windows, overhanging eaves, and gutters, and air conditioning equipment projecting not more than three (3) feet into the minimum required rear yard; awning and canopies provided they not extend more than ten (10) feet into the minimum required rear yards. Accessory use storage buildings in residential and agricultural zones, provided they are not less than five feet (5') from the rear property line.
 - 4. In Minimum Side Yard Width – Window air conditioning units; and overhanging eaves And gutters projecting not more than eighteen (18) inches into the minimum required side yard; awning and canopies providing that they extend not more than two (2) feet into the minimum required side yard. Accessory use storage buildings in residential and agricultural zones, provided they are not less than five feet (5') from the side property line.

SECTION 9.11 SPECIAL REQUIREMENTS GOVERNING HOME OCCUPATIONS: Home occupations shall include the use of the premises for services rendered other than by direct contact with customers at that location (for example, where the bulk of the business is by telephone – actual work is performed in home and customer is contacted in other than that location). The following requirements shall apply to home occupations when permitted herein:

- 1. Upon premises located more than five hundred (500) feet measured along the primary street right of way from the nearest CBD (Central Business District) Zone or NC (Neighborhood Commercial) Zone or other Business or Commercial Industrial Zone:
 - A. No persons other than members of the family residing in the premises shall be engaged in such operation.

- B. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants. Not more than twenty-five (25) percent of the gross floor area of any one floor of the dwelling unit (including the basement or cellar) shall be used in the conduct of the home occupation.
 - C. There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation that will indicate from exterior that the building is being utilized in part for any purpose other than that of a dwelling unit, except that a name plate as regulated by Article XIV of this ordinance, shall be permitted.
 - D. No home occupation shall be conducted in any accessory building, nor shall there be any exterior storage of any materials on the premises.
 - E. There shall be no commodity sold upon the premises in connection with such home occupation.
 - F. No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood.
 - G. No equipment or process which creates noise, vibration, flare, fumes, odors, or electrical interference, detectable to the normal senses off the lot, shall be used in such home occupation. In the case of electrical interference, no equipment or process which creates visual or audible interference in any radio or television receivers off the premises, or cause the fluctuations in line voltage off the premises, shall be used.
2. Upon premises located within five hundred (500) feet, measured along the primary street right of way, from the nearest CBD (Central Business District) Zone or NC (Neighborhood Commercial) Zone or other Business or Commercial or Industrial Zone.

In such an area Home Occupations shall include the use of the premises, in conjunction with its residential use, for services by the occupants thereof in the manufacture, assembly, or other means of creation of furniture, crafts, clothing and similar items or business, personal or professional services and the display, sale, shipment and delivery of such items and services including, but not limited to, on-site sales subject, however, to the following conditions.

- A. At least sixty-six and two thirds percent (66 2/3%) of the persons engaged in the operation of such home occupations shall be members of the family residing in the premises.
- B. Not more than fifty (50) percent of the gross floor area of the dwelling unit including

the basement, cellar and any attached garage shall be used in the conduct of the home occupation.

- C. There shall be no substantial change in the outside appearance of the building(s) or premises with only minor visible evidence of the conduct of such home occupation being apparent from the exterior of such premises.
- D. Home occupation shall not be conducted in detached accessory buildings nor shall any material or unfinished products of such home occupation be stored in any exterior manner.
- E. One Class 3 sign as defined in Article 14 of this Ordinance, identifying the home occupation, shall be permitted.

NOTE: Article IX, Section 9.11 Amended by Ordinance 1995-13.

SECTION 9.12 NONCONFORMING LOTS, NONCONFORMING USES, NONCONFORMING STRUCTURES, REPAIRS AND MAINTENANCE AND NONCONFORMING SIGNS:

A. NONCONFORMING LOTS OF RECORD:

- 1. Any lot or record which does not meet the requirements of this ordinance shall be considered a nonconforming lot of record.
- 2. If two (2) or more lots or combinations of lots and portions of lots with continuous frontage in single ownership are of record at the time of passage or amendment of this ordinance, and if all or part of the lots do not meet the requirements for lot width and area as established by this ordinance, the lands involved shall be considered to be an undivided parcel for the purposes of this ordinance, and no portion of said parcel shall be used or sold which does not meet lot width and area requirements established by this ordinance, nor shall any division of the parcel be made which leaves remaining any lot with width or area below the requirements stated in this ordinance.
- 3. Where a single nonconforming lot of record exists having lot area less than required by the particular zone district where in said lot is located, development may be permitted on the lot, provided: the lot is located on an existing and improved public street; the lot is adjacent and contiguous parcels exist as developed building lots or dedicated street right-of-ways precluding acquisition of additional area to achieve conformity; and development proposed on the lot is in conformance with all other requirements of this ordinance. Where a dimensional variance from any minimum yard, setback, etc. is necessary to develop on said lot, an application for dimensional variance shall be submitted for review and approval by the board of adjustments in accordance with Article XVIII of this ordinance.

B. NONCONFORMING USES:

1. **CONTINUANCE:** Except as herein provided, the lawful use of any structure or land existing at the time of the adoption of this ordinance may be continued although such use does not conform to the provisions of this ordinance – it shall become a legal nonconforming use. However, no nonconforming use or structure may be enlarged or extended beyond its area of use at the time it becomes a legal nonconforming use, unless and until the use is brought into conformance with all provisions of this ordinance.
2. **CHANGE FROM ONE NONCONFORMING USE TO ANOTHER:** As regulated by Article XVIII, Section 18.6, D, of this ordinance.
3. **TERMINATION:** In all cases, the board of adjustments shall hold a public hearing in accordance with the applicable requirements of Section 18.2 of this ordinance. Following that hearing, the board may terminate the right to operate a nonconforming use based on any of the following conditions, and if the decision is to do so, the board shall state its bases, in writing, for such determination.

- a. Nonoperative, nonused, or abandoned for a period of twelve (12) consecutive months providing that the board of adjustments may allow the continuation of such nonconforming use if it is determined that reasons for such nonuse were beyond the owners/operators control.
 - b. Whenever the structure, in which the nonconforming use is operated, is damaged in any manner whatsoever and the cost of repairing such damage exceeds fifty (50) percent of the market value of such structure in which the nonconforming use is operated and a determination is made by the board of adjustments that this structure should not be reconstructed.
 - c. Whenever the structure, in which the nonconforming use is operated, becomes obsolete or substandard under any applicable ordinance of the city and the cost of placing such structure in lawful compliance with the applicable ordinance exceeds fifty (50) percent of the market value of such structure as of the date of the official order under the applicable ordinance and a determination is made by the board of adjustments that this structure is made by the board of adjustments that this structure should not be reconstructed.
 - d. Whenever said nonconforming use is determined to be detrimental or injurious to the public health, safety, or general welfare.
4. ZONE CHANGE: The foregoing provisions shall apply to uses which become legally nonconforming due to zone changes which take place thereafter.

C. NONCONFORMING STRUCTURES:

1. CONTINUANCE: Except as herein provided, any lawful nonconforming structure existing at the time of adoption of this ordinance, may be occupied, operated, and maintained in a state of good repair, but no nonconforming structure shall be enlarged or extended unless the enlargement or extension can be, and is, made in compliance with all of the provisions of this ordinance.
2. TERMINATION: In all cases the board of adjustments shall hold a public hearing in accordance with the applicable requirements of Section 18.2 of this ordinance. Following that hearing, the board may terminate the right to operate a nonconforming structure based on any of the following conditions, and if the decision is to do so, the board shall state its bases, in writing, for such determination.
 - a. Whenever the nonconforming structure is damaged in any manner whatsoever and the cost of repairing such damage exceeds fifty (50) percent of the market value of such structure and a determination is made by the board of adjustments that the structure should not be reconstructed.

- b. Whenever the nonconforming structure becomes obsolete or substandard under any applicable ordinance of the city and the cost of placing such nonconforming structure in lawful compliance with the applicable ordinance exceeds fifty (50) percent of the market value of such nonconforming structure as of the date of the official order under the applicable ordinance and a determination is made by the board of adjustments that the structure should not be reconsidered.
 - c. Whenever said nonconforming structure is determined to be detrimental or injurious to the public health, safety, or general welfare.
 - 3. ZONE CHANGE: The foregoing provisions shall apply to structures which become legally nonconforming due to zone changes which take place thereafter.
- E. REPAIRS AND MAINTENANCE: On any building devoted in whole or in part to any nonconforming use, work may be done on ordinary repairs, or on repair or replacement of nonbearing walls, fixtures, wiring, or plumbing, provided that the cubic content of the building, as it existed at the time of passage or amendment of this ordinance which rendered it nonconforming, shall not be increased.

Nothing in this ordinance shall be deemed to prevent the strengthening or restoring, to a safe condition, of any building, structure, or part thereof declared to be unsafe by any official charge with protecting the public safety, except for the conditions as stated in Section 9.12, B, 3, b, or 9.12 C, 2, b.

E. NONCONFORMING SIGNS:

- 1. CONTINUANCE: Except as herein provided, any lawful nonconforming sign existing at the time of adoption of this ordinance, may be continued provided, however, that no such sign shall be changed in any manner unless it is changed in compliance with all provisions of this ordinance.
- 2. TERMINATION: In all cases the board of adjustments shall hold a public hearing in accordance with the applicable requirements of Section 18.2 of this ordinance. Following that hearing, the board may terminate the right to operate a nonconforming sign based on any of the following conditions and, if the decision is to do so, the board shall state its basis, in writing, for such determination.
 - a. Not meeting the requirements for sign regulations, as regulated in Article XIV of this ordinance; or
 - b. Nonuse or abandonment of said nonconforming sign for a period of twelve (12) consecutive months.

3. ZONE CHANGE: The foregoing provisions shall also apply to signs which become legally nonconforming due to zone changes which take place thereafter.

SECTION 9.13 EXCEPTIONS AND MODIFICATIONS:

A. EXCEPTIONS TO HEIGHT LIMITS:

1. The height limitations of this ordinance shall not apply to such things as: church spires, various types of towers, smoke stacks, silos, elevators, other related structures and necessary mechanical appurtenances, etc., provided their construction is in accordance with existing or hereafter adopted ordinances of the city, and is acceptable to the Federal Aviation Agency and the Federal Communication Commission.

- B. OTHER EXCEPTIONS: Service stations shall be so constructed that the centerlines of the dispensing equipment shall be at least fifteen (15) feet from any street right-of-way line.

C. FRONT YARD VARIANCE:

1. Where the average depth of existing front yards within three hundred (300) feet of the lot in question and within the same block front, is greater than the minimum front yard depth required by this ordinance, the required minimum front yard depth on such lot shall be modified to be the average depth of said existing front yards.
2. In any residential zone, no front yard shall be required to exceed the average depth of existing front yards on the same side of the street within the same block, when fifty-one percent (51%) or more of lots within that block are improved with residential buildings; provided that in no case shall a front yard depth be less than twelve (12) feet.

SECTION 9.14 CONDITIONAL USES:

- A. DETERMINATION: Subject to the requirements of Section 18.7, the board of adjustments may authorize a conditional use to be located within any zone in which such conditional use is permitted, if the evidence presented by the applicant clearly shows:

1. That the proposed use at the particular location is necessary or desirable to provide a service or facility which will contribute to the general well being of the neighborhood or the community; and
2. That such use will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity.

B. **CONDITIONAL USE PERMITS:** In accordance with K.R.S. 100.237, the board of adjustments shall have the power to hear and decide applications for conditional use permits to allow the proper integration into the community of uses which are specifically named herein which may be suitable only in specific locations in the zone and only if certain conditions are met:

1. The board of adjustments may approve, modify, or deny any application for a conditional use permit. If it approves such permit, it may attach necessary conditions such as time limitations, requirements that one or more things be done before the request can be granted, or conditions of a continuing nature. Any such conditions shall be recorded in the board's minutes and on the conditional use permit, along with a reference to the specific section in the zoning regulation listing the conditional use under consideration. In addition, said conditional use permit shall be recorded in the office of the county clerk and one copy of said permit attached to the deed for the property for which it is issued. The board shall have power to revoke conditional use permits, or variance for noncompliance with the condition thereof. Furthermore, the board shall have a right of action to compel offending structures or uses removed at the cost of the violator and may have judgment in persona for such cost.
2. Granting of a conditional use permit does not exempt the applicant from complying with all of the requirements of this ordinance, the building code, housing code, and other regulations of the city.
3. In any case where a conditional use permit has not been exercised within the time limit set by the board or within twelve (12) consecutive calendar months from date of issuance, such conditional use permit shall not revert to its original designation unless there has been a public hearing. Exercised as set forth in this section, shall mean that binding contracts for the construction of the main building or other improvement has been let; or in the absence of contracts that the main building or other improvement is under construction to a substantial degree, or that prerequisite conditions involving substantial investment shall be under contract, in development, or completed. When construction is not a part of the use, exercised shall mean that the use is in operation in compliance with the conditions as set forth in the permit.
4. The Zoning Administrator shall review all conditional use permits, except those for which all conditions have been permanently satisfied, at least once annually and shall have the power to inspect the land or structure where the conditional use is located in order to ascertain that the landowner is complying with all of the conditions which are listed on the conditional use permits.

If the landowner is not complying with all of the conditions listed on the conditional use permit, the zoning administrator shall report the fact in writing to the chairman of the board of adjustments and to the legislative body. The report shall state specifically the manner in which the landowner is not complying with the conditions on the conditional

use permit, and a copy of the report shall be furnished to the landowner at the same time it is furnished to the chairman of the board of adjustments.

The board shall hold a hearing on the report within a reasonable time, and notice of the time and place of the hearing shall be furnished to the landowner at least two weeks prior to the hearing. If the board of adjustments finds that the facts alleged in the report of the zoning administrator are true and that the landowner has taken no steps to comply within the time between the date of the report and the date of the hearing, the board of adjustments may authorize and direct the zoning administrator to revoke the conditional use permit and take the necessary legal action to cause the termination of the activity on the land which the conditional use permit authorizes.

5. Once the board of adjustments has completed a conditional use permit and all the conditions required are of such type that they can be completely and permanently satisfied, the zoning administrator, upon request of the applicant, may, if the facts warrant, make a determination that the conditions have been satisfied, and enter the facts which indicate that the conditions have been satisfied and the conclusion in the margin of the copy of the conditional use permit which is on file with the county clerk, as required in KRS 100.344. Thereafter said use, if it continues to meet the other requirements of this ordinance will be treated as a permitted use.

SECTION 9.15 BUILDING REGULATIONS AND WATER SANITARY SEWER SERVICE:

- A. BUILDING REGULATIONS: All structures shall be designed, erected, or altered in accordance with the legislative body's housing and building codes.
- B. WATER AND SANITARY SEWER SERVICE: All new subdivisions and/or new developments must have centralized sewers, unless proven to the satisfaction of the city council of the City of Williamstown that to do such would be fiscally impractical.
- C. Where existing buildings are presently unserved by a public sanitary sewer system and are located within a reasonable distance of an existing or newly extended sanitary sewer line, as determined by the legislative body and/or the Grant County Board of Health, said building shall be required to connect with the public sanitary sewer system and the private sewage disposal system shall be prohibited.

SECTION 9.16 MOVE AND SET:

- A. REQUIREMENTS: No building, structure, or improvement shall be moved or set from upon land located in any area or transported upon any public street, in the City of Williamstown until and unless both: (1) a building permit to move and set; and (2) a transport permit, have been obtained, and said building, structure, or improvement complies with the provisions of this section.

B. COMPLIANCE: All buildings, structures, and improvements shall comply with one legislative body's housing and building code, and all other applicable codes and regulations.

C. PROCEDURE-PERMITS: The applicant shall submit to the building inspector, the following:

1. An application for a building permit requesting an inspection of the building, structure, or improvement to be moved or set;
2. A plot plan, footing and foundation plan, and construction plans for any new construction;
3. A statement from the applicable legislative body(s) insuring that all past and current taxes have been paid.
4. Upon receipt of the foregoing items, the building inspector shall inspect said building, structure, or improvements, and the proposed location where same will be set within the City of Williamstown and determine if the proposed development will comply with all applicable codes and regulations.
5. The move and set application shall be referred to the zoning administrator for approval or denial of compliance with this ordinance.
6. Upon approval by the zoning administrator and building inspector, a building permit to move and set shall be issued. The legislative body's engineer shall then be notified of same and shall issue a transport permit. The legislative body's engineer or his agent will designate the route to be traveled. The transport permit is good only for the date specified on permit. The transport permit will not be issued if ninety (90) consecutive calendar days or more have lapsed from the date of inspection by the building inspector. The transport permit provided for in this section shall not be in lieu of any other permits which may be required by the legislative body.
7. No transport or building permit to move and set shall be issued until the applicant has first obtained the necessary permits from the telephone company, public utilities companies, railroad companies, and the Kentucky Department of Transportation, and the county road supervisor, whichever are applicable.

D. FEES

1. There will be a building investigation fee as established by the legislative body to cover the costs of investigation and inspection for determining the structural soundness of buildings, structures, or improvements to be moved, the fee is payable in advance and must accompany the application provided herein. The inspection shall determine what will be necessary to bring buildings, structures, or improvements into compliance with all applicable codes and regulations should the building not comply. This fee is not

returnable. If buildings, structures, or improvements are found to be in compliance with the legislative body's applicable codes and regulations, a building permit to move and set will be issued and the fee will be based on the cost of new foundations and all work necessary to place the building or structure in its completed condition in the new location. This fee is in addition to the building investigation fee.

2. No person, corporation, or company shall transport, move, or set any building, structure, or improvement in the legislative body, until and unless such person, corporation, or company shall post with the building inspector a good and sufficient indemnity bond in the amount of five thousand dollars (\$5,000.00) in favor of the legislative body. Such bond shall be made by a surety corporation authorized to do business in the state of Kentucky.

SECTION 9.17 SCREENING AREA: Screening areas shall be provided for the purpose of minimizing the friction between incompatible land uses and improving the aesthetic and functional quality of new development.

- A. SCREENING AREA REQUIREMENTS: All screening areas shall be approved by the zoning administrator (or planning commission, where required by this ordinance) according to a submitted site plan as regulated by the applicable requirements of Section 9.19 of this ordinance. Screening areas shall be designed, provided, and maintained according to the following:
 1. Where vegetative and/or topographic conditions that provide a natural screening and buffer exist prior to development of properties in question, every effort shall be made to retain such conditions. In such cases additional screening may not be required, provided that provision is made for maintenance of such condition to the satisfaction of the City of Williamstown zoning administrator.
 2. Wherever screening is required in this ordinance, all trees shall be evergreen.
 3. All trees shall be a minimum of ten (10) feet in height when planted, unless otherwise required according to the submitted site plan.
 4. All hedges shall be a minimum of three (3) feet in height when planted unless otherwise required according to the submitted site plan.
 5. All trees, shrubs, and other planting materials shall be living plants (not artificial) and shall be suitable to the Northern Kentucky Area and the specific conditions of the site in question, such as but not limited to, soil conditions, slopes, reduction of noise pollution, maintenance necessary, and the type of screening needed. The legislative body may require review of the proposed screening plan from the U.S. Soil Conservation Service, the applicable County Agricultural Extension Service.

6. Screening areas are to be provided within the required minimum yard setback as required in each district's regulations. In the case where property is located adjacent to another governmental jurisdiction, screening requirements shall be the same as if the zone in the adjacent legislative body (or a zone containing the most similar types of permitted uses as provided herein were located within this legislative body.
 7. In the case where a zoning map change occurs resulting in adjacency to a different zoning district than was previously the case, and where development has already occurred on property in the unchanged district, required additional setbacks and screening requirements (as required in each district regulations shall be provided for the property in the district where the zone change occurred.
- B. **PROVISION AND MAINTENANCE:** Required screening areas shall be provided as a condition of development by the owner and/or developer. All required screening (including the planting of trees and other vegetation) shall be maintained by the property owner.
- C. **INCLUSION ON SITE PLAN AND/OR SUBDIVISION IMPROVEMENT DRAWINGS:** Areas to be set aside as screening areas shall be identified on the required site plans, as regulated in Section 9.19, and where applicable, on the improvement drawings as regulated by the subdivision regulations. Sufficient bond, adequate to cover the required improvements as determined by the city legislative may be required to be posted. It shall be unlawful to occupy any premises unless the required screening has been installed in accordance with the requirements as provided herein.

SECTION 9.18 OUTDOOR SWIMMING POOLS

- A. **PRIVATE SWIMMING POOLS:** All private swimming pools shall be regulated according to the following requirements:
1. Swimming pools shall be permitted to locate only to the rear of the principal permitted use. No swimming pool or associated equipment shall be permitted within any required yards, nor within any public utility right-of-way easement, except that swimming pools may be permitted to extend into the minimum rear yard, provided they are set back twenty (20) feet from the rear lot line. In-ground swimming pools located within the Agriculture-One (A-1) District may be located within the required fifty feet (50') side yard setback, provided the side yard setback for the swimming pool is not less than 10 feet (10').
NOTE: Article 9, Section 18, Amended by Ordinance 2006-22
 2. Swimming pools which are constructed in-ground shall be required to have a fence a wall, including a self-closing or self-locking door or gate around the pool or the property on which the pool is located. Such fence or wall shall be at least four (4) feet, but not more than seven (7) feet in height (only classes 1, 3, 4 or 5 fences are permitted, as regulated in Article XIII of this ordinance); such fences or walls shall be constructed

in such a manner that a small child may not reach the pool from the street or any adjacent property without climbing the fence or wall or opening the gate or door.

3. Swimming pools which are located above ground shall be required to have a fence or wall, including a self-closing or self-locking door or gate around the pool or property upon which the pool is located. Such fence or wall shall be at least four (4) feet, but not more than seven (7) feet in height (only classes 1, 3, 4, and 5 are permitted as regulated by Article XIII of this ordinance). Such fence or wall shall be constructed in such a manner that a small child may not reach the pool from the street or any adjacent property without scaling a fence or wall or opening the gate or door. Said wall may be the wall of the above ground pool providing that said wall is at least four (4) feet in height above the surrounding ground level.

Any access to above ground pools by means of a ladder or stairway shall be provided with a self-closing or self-locking door or gate, or some other device that would prevent a small child from gaining access to the pool by means of a ladder.

4. Glare from lights used to illuminate the swimming pool area shall be directed away from adjacent properties.
5. All swimming pools and associated equipment shall be constructed and erected in accordance with all applicable codes, ordinances, and regulations of the City of Williamstown. Water used in the swimming pool which is obtained from other than a public source, shall be approved by the Grant County Health Department.
6. All swimming pools existing at the time of adoption of this ordinance which are unprotected by a surrounding fence or wall, including gates or doors, as regulated herein, shall be required to comply with the provisions of this ordinance section within sixty (60) days after its adoption.

B. PUBLIC, SEMI-PUBLIC AND COMMERCIAL SWIMMING POOLS: All public, semi-public, and commercial swimming pools shall be regulated according to the following requirements:

1. Except as herein provided, no swimming pool and associated equipment shall be permitted within any required yards or within the limits of any public utility right-of-way easement.
2. The swimming pool or the property on which the pool is located shall be surrounded by a fence or wall, including a self-closing or self-locking door or gate (only classes 1, 3, 4, and 5 fences are permitted, as regulated by Article XIII of this ordinance). Such fence or wall shall be at least five (5) feet in height, but not exceeding the height as permitted herein, and of such construction that a small child may not reach the pool from the street or from adjacent property without climbing the wall or fence or opening a door or gate.

3. Glare from lights used to illuminate the swimming pool area shall be directed away from adjacent properties.
4. All swimming pools and associated equipment of the swimming pool shall be constructed and erected in accordance with all applicable codes, ordinances and regulations of the City of Williamstown. Water used in the operation of the swimming pool, which is obtained from other than a public source, shall be approved by the Grant County Health Department.
5. No mechanical device for the reproduction or amplification of sounds used in connection with swimming pools shall create a nuisance to adjacent residential properties.

SECTION 9.19 SITE PLAN REQUIREMENTS: No building shall be erected or structurally altered nor shall any grading take place on any lot or parcel in zones where a site plan is required, except in accordance with the regulations of this section and an approved site plan as hereinafter required. Before a permit is issued for construction, one copy of the site plan of the area at a scale no smaller than one (1) inch to one hundred (100) feet shall be filed with the Grant County Planning Commission and one (1) copy with the building inspector and the zoning administrator of the City of Williamstown. The site plan shall identify and locate, where applicable, the information as listed in Section 9.20, B—Stage 11 plan requirements.

All such site plans shall be reviewed by the legislative body or its duly authorized representative, and the factual determination approving or rejecting such plans shall be made in accordance with requirements of this and other applicable section of this ordinance, and the comprehensive plan for Grant County.

All site plans approved shall be binding upon the applicants, their successors and assigns and shall limit the development to all conditions and limitations established in such plans.

Amendments to plans may be made in accordance with the procedure required by this ordinance subject to the same limitations and requirements as those under which such plans were originally approved.

After final approval, the subject area may be developed in phases, provided all of the procedures required by the legislative body, or its duly authorized representative, have been complied with.

SECTION 9.20 PLAN REQUIREMENTS – STAGES I, II AND RECORD PLAT:

- A. STAGE I – PLAN REQUIREMENTS: The Stage I Plan shall identify and provide the following information.
 1. Plan(s) of the subject property drawn to a scale not smaller than one (1) inch equals one hundred (100) feet showing:
 - a. The total area in the project;

- b. The present zoning of the subject property and all adjacent properties;
- c. All public and private rights-of-way and easement lines located on or adjacent to the subject property which are proposed to be continued, created, enlarged, relocated, or abandoned.
- d. Existing topography, and approximate delineation of any topographical changes shown by contour with intervals not to exceed twenty (20) feet;
- e. Delineation of all existing and proposed residential areas in the project with a statement indicating net destiny of the total projects:
 - (1) Detached housing – location and approximate number of lots, including a typical section(s) identifying approximate lot sizes and dimensions, and setback and height of buildings.
 - (2) Attached housing – location and description of the various housing types (i.e., townhouse, fourplex, garden apartment, etc.) including approximate heights of typical structures, and the approximate number of units by housing type.
- f. Delineation of all existing and proposed nonresidential uses in the project:
 - (1) Commercial uses – location and type of all uses including approximate number of acres, gross floor area and heights of buildings.
 - (2) Open Space-Recreation – The approximate amount of area proposed for common open space, including the location of recreational facilities, and identification of unique natural features to be retained.
 - (3) Other public and semi-public uses – location and type of all uses, including approximate number of acreage, and height of buildings.
- g. Location of proposed pedestrian walkways, identifying approximate dimensions;
- h. Location of proposed streets, identifying approximate dimensions of pavement, right-of-way widths and grades.
- i. Location of all existing and proposed water, sanitary sewer, and storm drainage lines, indicating approximate pipe sizes. Indication should also be given regarding the provision of electric and telephone service.

- j. Certification from appropriate water and sewer agencies that services will be available.
- k. Identification of the soil types and geologic formations on the subject property, indicating anticipated problems and proposed methods of handling said problems.
- l. Other information that may be determined necessary for description and/or to insure proper integration of the proposed project in the area.
- m. A schedule of development, including the staging and phasing of:
 - (1) Residential area, in order of priority, by type of dwelling unit;
 - (2) Streets, utilities, and other public facility improvements, in order of priority;
 - (3) Dedication of land to public use or set aside for common ownership
 - (4) Nonresidential buildings and uses, in order of priority.

The aforementioned information required may be combined in any suitable and convenient manner so long as the data required is clearly indicated. A separated plan or drawing for each element is not necessary, but may be provided at the option of the applicant.

B. STAGE II – PLAN REQUIREMENTS: The Stage II Plan shall conform to the following requirements:

- 1. Plan(s) of the subject property drawn to a scale of not smaller than one (1) inch equals one hundred (100) feet, that identifies and provides the following information.
 - a. The existing and proposed finished topography of the subject property shown by contours with intervals not to exceed twenty (20) feet. Where conditions exist that may require more detailed information on the proposed topography, contours with intervals of less than twenty (20) feet may be required by the planning commission.
 - b. All housing units on the subject property:
 - (1) Detached housing – Location, arrangement, and number of all lots, including lot dimensions and setbacks, and maximum height of buildings;
 - (2) Attached housing – Location, height, and arrangement of all buildings indicating the number of units in each building, and, where applicable, location, arrangement and dimensions of all lots.
 - c. Location, height, arrangement and identification of all nonresidential buildings and uses on the subject property and, where applicable, location and arrangement of all lots with lot dimensions.

- d. Location and arrangement of all common open space areas, and recreational facilities, including lot dimensions. Methods of ownership and operation and maintenance of such lands shall be identified.
- e. Landscaping features, including identification of planting areas and the location, type and height of walls and fences.
- f. Location of signs indicating their orientation and size and height.
- g. All utility lines and easements:
 - (1) Water distribution systems, including line sizes, width of easements, type of pipe, location of hydrants and valves, and other appurtenances;
 - (2) Sanitary sewer system, including pipe sizes, width of easements, gradients, type of pipes, invert elevations, location and type of manholes, the location, type, size of all lift or pumping stations, capacity, and process of any necessary treatment facilities, and other appurtenances;
 - (3) Storm sewer and natural drainage system, including pipe and culvert sizes, gradients, location of open drainage courses, width of easements, location of inlets and catch basins, location and size of retention and/or sedimentation basins, and data indicating the quantity of storm water entering the subject property naturally from areas outside the property, the quantity of flow at each pickup point (inlet), the quantity of storm water generated by development of the subject area, and the quantity of storm water to be discharged at various points to areas outside the subject property.
 - (4) Other utilities (e.g., electric, telephone, etc.) including the type of service and width of service and the width of easements.
- h. Location of all off-street parking, loading and/or unloading, and driveway areas, including typical cross sections, the type of surfacing, dimensions, and the number and arrangement of off-street parking, and loading and/or unloading spaces.
- i. Circulation System:
 - (1) Pedestrian walkways, including alignment, grades, type of surfacing and width;
 - (2) Streets, including alignment, grades, type of surfacing, width of pavement and right-of-way, geometric details, and typical cross sections.
- j. Provisions for control of erosion, hillside slippage and sedimentation, indicating the temporary and permanent control practices and measures which will be implemented

during all phases of clearing, grading, and construction;

- k. A schedule of development, including the staging and phasing of:
 - (1) Residential area, in order of priority, by type of dwelling unit;
 - (2) Streets, utilities, and other public facility improvements, in order of priority;
 - (3) Dedication of land to public use or set aside for common ownership;
 - (4) Nonresidential buildings and uses, in order of priority.

The aforementioned information required may be combined in any suitable and convenient manner so long as the data required is clearly indicated.

- C. RECORD PLAT REQUIREMENTS: The applicant shall submit a Record Plat, in conformance with the Stage II approved plans. If the Record Plat is submitted in sections, an index shall be developed showing the entire plan area. The particular number of the section, and the relationship of each adjoining section shall be clearly shown by a small key map on each section submitted. The Record Plat shall conform to the applicable requirements of the subdivision regulations, unless specifically waived by the planning commission.

SECTION 9.21 REGULATIONS CONCERNING AIR RIGHTS: Any proposed use of air rights as defined herein, shall be in the form of a site plan (as regulated in Section 9.19 of this ordinance) submitted to the planning commission, or its duly authorized representative, for its review.

SECTION 9.22 REGULATIONS CONCERNING DESIGN AND CONSTRUCTION OF IMPROVEMENTS: Any proposed development requiring the construction of streets (including curb and gutters) sidewalks, sewers (sanitary & storm) water lines or other improvements, which does not constitute a subdivision, as herein defined, shall be required to be designed and constructed in accordance with the applicable articles and sections of the Subdivision Regulations, unless specifically waived.

SECTION 9.23 REGULATIONS PERTAINING TO PARKING OR STORING OF TRAILERS, MOBILE HOMES, CAMPERS, INOPERABLE VEHICLES, AND OTHER SUCH TYPE OF EQUIPMENT:

- A. No motor vehicle which is inoperable shall be stored on any lot in the R-1, R-2 or R-3 residential zone or parcel of ground beyond 48 hours, unless it is in a completely enclosed building.
- B. It shall be unlawful for any person(s) to live in any boat, automobile, camper, or truck, within the jurisdiction of the legislative body.
- C. The outside storage of any trailer, mobile home, recreational vehicle, camper, boat, or similar type equipment shall be restricted to the rear yard of all lots within the jurisdiction of the legislative body, except as herein provided and in cases where, due to unique

conditions, topographic or other, which do not allow use of the rear yard, the board of adjustment may permit such storage on another part of the lot, excluding the front yard, provided the area is properly screened from view, when determined necessary by the board, according to the requirements of this ordinance.

SECTION 9.24 HILLSIDE DEVELOPMENT CONTROLS:

- A. This section is designed to ensure, when development is proposed in those areas of the community which have physical characteristics limiting development (hillside slopes of 20 percent or greater) that said development shall occur in a manner harmonious with adjacent lands so as to minimize problems of draining, erosion, earth movement, and other natural hazards.
- B. Areas of land on which development is physically restricted due to excessive hillside slopes shall be limited to the following requirements:
 - 1 Development proposed on land areas which have slopes of 20 percent or greater shall require approval before development may occur.
 - 2 No excavation, removal or placement of any soil, foundation placement, or construction of buildings, or structures of any nature within the area identified above, may occur until plans and specifications for such work have been submitted in the form of a site plan as regulated by Section 9.19 of this ordinance. In addition to site plan requirements, the following shall also be submitted:
 - a. Plan(s) which show existing topography and the proposed physical changes necessary for construction, indicating grading (cutting and filling) compaction, erosion sedimentation basins, areas to be defoliated, and any other pertinent information which will change the natural physical features of the site or general area.
 - b. Information defining results of subsurface investigation of the area under consideration, including test borings, laboratory tests, engineering tests, and a geological analysis. Such investigation shall be made by a qualified, registered civil engineer and a geologist, indicating that any structural or physical changes proposed in the area will be completed in a manner which will minimize hillside slippage and/or soil erosion.
 - 3 The site plan and other information required in this Section shall be reviewed by a qualified engineer approved by the city, who will recommend to the legislative body, or its duly authorized representative, what effect the proposed development will have on hillside slippage and/or soil erosion.

After consideration of the recommendations, the legislative body or it's duly authorized representative, may authorize use of the site in accordance with the submitted plans.

4. If, after review of the plans required by this section of the ordinance, the legislative body or its duly authorized representative, determines that said proposed plans will not minimize hillside slippage, the legislative body shall deny a permit for the development of said land.

SECTION 9.25 GENERAL MOBILE HOME AND MODULAR DWELLING REGULATIONS:

1. The following regulations shall apply to all mobile homes located individually or in a mobile home park. Requirements of the zone in which said mobile homes are permitted shall also apply:
 - A. The mobile home shall, at a minimum, be equipped with plumbing and electrical connections designed for attachment to appropriate external systems.
 - B. All health, sanitation (including sewers and/or private secondary sewage treatment plants approved by the Grant County Health Department and safety requirements applicable to a conventional dwelling, shall be equally applicable to a mobile home.
 - C. The mobile home shall be set and adequately anchored on a concrete or hard surfaced slab in accordance with the Kentucky Mobile Home and Recreational Vehicle Park regulations. See Section 9.12 B 3 (Page 9-6 and 9-7)
 - D. Any person, firm, or corporation desiring to locate a mobile home shall apply for a zoning/building permit, and an occupancy permit. Applicable permits must be approved prior to the installation and occupancy of any mobile home. The proper permits must be displayed in a conspicuous location in each mobile home, signifying that all permits have been approved by the building inspector and zoning administrator.
2. The following regulations shall apply to all modular dwellings located on individual lots. Requirements of the zone in which said modular dwellings are permitted shall also apply:
 - A. A modular dwelling shall be installed upon a permanent masonry foundation that is fully enclosed, provided that sufficient screens and grates may penetrate the foundation for ventilation purposes;
 - B. A modular dwelling shall have a slanted roof with a pitch of not less than 5/12;
 - C. A modular dwelling shall not be built upon a permanent chassis, and shall have all towing hitches, wheels, and other accessories used for the transportation of the residence removed at the time of installation on the foundation.

D. A dwelling unit that is built off-site, and must have certification that it meets the minimum requirements of the Kentucky Residential Building Code

NOTE: Article 9, Section 25, Amended by Ordinance 2006-20

SECTION 9.26 LAND USED SOLELY FOR AGRICULTURAL PURPOSES: Any land which is used solely for agricultural, farming, dairying, stock raising, or similar purposes (exclusive of land and building used for residences, except as herein provided) shall have no regulations imposed as to building permits, certificates of occupancy, height, yard location, or courts' requirements for agricultural buildings, including and limited to one mobile home used as a dwelling unit, except that:

- a. Setback lines shall be required for the protection of existing and proposed streets and highways, as required for the zone in which the use is located;
- b. That all buildings or structures in a designated floodway or flood plain or which tend to increase flood heights or obstruct the flow of flood waters shall be in accordance with this ordinance.

NOTE: Dwelling unit must be occupied by owner, tenant and/or employee. Mobile homes or other dwelling, for rental purposes, are prohibited. –see also dwelling unit definition in the A-1 agricultural zone.

SECTION 10

A-1 (AGRICULTURAL-ONE) ZONE:

A. PERMITTED USES:

1. Agricultural activities including crops, dairying, and the raising of live-stock;
2. Single-family dwellings or modular dwellings (detached) occupied by owner, tenant, and/or employees;
NOTE: Article 10, Section A-1, Paragraph A, Subparagraph 2 Amended by Ordinance 2006-19
3. Sale on premises of agricultural products produced on the premises;
4. Regulations for single-family dwellings same as R-2, except Item D below.
5. Short-term vacation/housing rentals, while complying with regulations and guidelines as contained within current City Short-term Vacation/Housing Rental Ordinance
NOTE: Article 10, Section A-1, Paragraph A, Subparagraph 5, Amended by Ordinance 2023-02.

B. ACCESSORY USES:

1. Accessory buildings which are not a part of the main buildings, including barns, sheds, and other farm buildings;
2. Signs identifying the farm activity conducted on the premises.

C. CONDITIONAL USES: The following uses or any customary accessory buildings and uses, subject to the approval by the Board of Adjustment, as set forth in Sections 9.14 and 18.7 of this ordinance:

1. Cemeteries;
2. Churches and other buildings for the purpose of religious worship, including one (1) single family home or one (1) single or double-wide mobile home for use as a parsonage; **NOTE: Article 10, Section A-1, Paragraph C, Subparagraph 2 Amended by Ordinance 1998-13 and 2011-09.**
3. Governmental offices;
4. Nursery schools and children day care;
5. Police and fire stations, provided they are located adjacent to an arterial street;
6. Public and parochial schools;
7. Veterinarians' offices and animal hospital for large and small animals, including outside runs;
8. Automobile junk yards, as provided for in Section 9.9 of this ordinance, provided all such storage is entirely within an enclosed fence or wall, meeting the requirements of Section 13, or properly screened according to the requirements of Section 9.17;

Agricultural-1 Continued

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 courses;
 - b. Country clubs;
 - c. Swimming pools;
 - d. Tennis courts/clubs;
 - e. Fishing lakes;
 - f. Gun clubs and ranges;
 - g. Youth camps.
 - h. Campgrounds

NOTE: Article 10, Section A-1, Paragraph C, Subparagraph 10, Item h Amended by Ordinance 2010-16
11. Free-standing billboards;
12. Bed and Breakfast Inn
NOTE: Article 10, Section A-1, Paragraph C, Subparagraph 12 Amended by Ordinance 2003-13
13. Nurseries and Greenhouses, selling agricultural products grown or produced at locations other than the premises the nursery or greenhouse is located.
NOTE: Article 10, Section A-1, Paragraph C, Subparagraph 13 Amended by Ordinance 2004-14
14. Dog and Cat Kennels, for the purpose of the temporary boarding, keeping, or sheltering of dogs and/or cats. Outside runs may be permitted during daylight hours.
NOTE: Article 10, Section A-1, Paragraph C, Subparagraph 14 Amended by Ordinance 2006-08
15. Eco-Tourism
NOTE: Article 10, Section A-1, Paragraph C, Subparagraph 15 Amended by Ordinance 2010-11
16. Inside Boat Storage
NOTE: Article 10, Section A-1, Paragraph C, Subparagraph 15 Amended by Ordinance 2010-16
17. Retail trade for the sale of hay, grain, feed and other farm and garden supplies and agriculture-related equipment, excluding vehicles
NOTE: Article 10, Section A-1, Paragraph C, Subparagraph 17, Amended by Ordinance 2015-13
18. Contractors' offices and accessory storage yard, including storage of general equipment and vehicles related to the use, provided all such equipment and vehicles are either stored in an enclosed building or stored entirely within an enclosed fence or wall, meeting the requirements of Section 13, or property is screened according to the requirements of Section 9.17.

Agricultural-1 Continued

NOTE: Article 10, Section A-1, Paragraph C, Subparagraph 18, Amended by Ordinance 2016-06

19. Boat and/or pontoon rentals;
20. Special events venue, including charitable events, receptions, parties, corporate picnics, weddings, or any other events/activities which are considered by the Board of Adjustment to be of the same general character as listed herein, are allowed but the number of such events may not exceed seven per week or with more than two held on any one day as stipulated and approved by the Board of Adjustment; and
21. Wineries and related accessory buildings and uses with or without overnight housing facility

NOTE: Article 10, Section A-1, Paragraph C, Subparagraph 19-22, Amended by Ordinances 2016-11 and 2023-02

D. AREA AND HEIGHT REGULATIONS FOR PERMITTED USES:

1. Minimum lot area – 22,500
2. Minimum lot width at building setback line and minimum road frontage – 150’
3. Minimum front yard depth – 35’
4. Minimum side yard width on each side of lot – 30’

NOTE: Article 10, Section A-1, Paragraph D, Subparagraph 4, Amended by Ordinance 2008-03

5. Minimum rear yard depth – 50’
 5. Maximum building height – 65’
- NOTE: Article 10, Section A-1, Paragraph D, Subparagraph 6, Amended by Ordinance 2011-09, and Subparagraph 2, Amended by Ordinance 2023-02**

E. AREA AND HEIGHT REGULATIONS FOR CONDITIONALLY PERMITTED USES:

1. Minimum lot area – 1 acre
2. Minimum lot width at building setback line and minimum road frontage – 75’
3. Minimum front yard depth – 35’ from right-of-way
4. Minimum side yard width on each side of lot – 15’
5. Minimum rear yard depth – 25’
6. Maximum building height – 65’

NOTE: Article 10, Section A-1, Paragraph E, Subparagraph 6, Amended by Ordinance 2011-09, and Subparagraph 2, Amended by Ordinance 2023-02

F. OTHER DEVELOPMENT CONTROLS:

1. Off-street parking and loading and/or unloading shall be provided in accordance with Articles XI and XII.
2. No lighting shall be permitted which would glare from this zone onto any street or into any residential zone.

Agricultural-1 Continued

G. EXCEPTIONS: Land used solely for farming, dairying, and stock raising shall have no regulations imposed as to building permits for agricultural buildings except that:

- 1. Setback line of 35 feet or greater, but not less than one-half the width of the right-of-way of the abutting street or highway, shall be required of all buildings; and
- 2. That all buildings or structures in a designated floodway or flood plain which tend to increase flood heights or obstruct the flow of flood waters shall be subject to regulations by the Planning Commission and, therefore, subject to the review and approval of the Planning Commission of Grant County.
- 3. Centralized sewers are not required in this zone.
- 4. For mobile homes, see Section 9.25 (page 9-24).

H. EXCEPTIONS AND MODIFICATIONS:

- 1. All off-road lots must abut a dedicated publicly maintained right-of-way a minimum of at least one hundred (100) feet in width except for those pre-existing prior to the adoption or amendment of this Ordinance. All lots that pre-existed the adoption of this Ordinance that do not abut at least one hundred (100) feet on a publicly maintained right-of-way, must meet the following criteria:
 - a. Each lot shall be limited to one (1) residential dwelling unit per lot.
 - b. Each newly created lot subdivided from the parent tract after the adoption or amendment of this Ordinance must contain a minimum of five (5) acres per lot.
 - c. Each parent tract existing prior to the adoption or amendment of this Ordinance shall be limited to three (3) out-conveyance lots provided that each out-conveyance lot must have an easement for ingress and egress or use a common easement for ingress and egress duly recorded in the Grant County Clerk's Office prior to the date of the adoption of this Ordinance.

NOTE: Article 10, Section A-1, Paragraph H, Added by Ordinance 2013-27

SECTION 10 R-1 (RESIDENTIAL ONE) ZONE:

A. PERMITTED USES:

- 1. Single-family residential dwellings (detached)

B. ACCESSORY USES:

- 1. Customary accessory buildings and uses.
- 2. Fences and walls, as regulated by Article XIII.
- 3. Signs, as regulated by Article XIV of this ordinance.
- 4. Home occupations, subject to the restrictions and limitations established in Section 9.11 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 9.14 and 18.7 of this ordinance.

- 1. Churches and other buildings for the purpose of religious worship. **NOTE: Article 10, Section R-1, Paragraph C, Part 1, Amended by Ordinance 2011-09.**
- 2. Governmental offices.
- 3. Publicly owned and/or operated parks, playgrounds, golf courses, community recreational centers, including public swimming pools and libraries.
- 4. Recreational uses other than those publicly owned and/or operated, as follows:
 - a. Golf courses
 - b. Country clubs
 - c. Swimming pools

D. AREA AND HEIGHT REGULATIONS FOR PERMITTED USES:

- 1. Minimum Lot Area – Fifteen thousand (15,000) square feet
- 2. Minimum Lot Width at Building Setback Line and Minimum Road Frontage – One hundred (100) feet
- 3. Minimum Front Yard Depth – Thirty-five (35) feet
- 4. Minimum Side Yard Width – Fifteen (15) feet
- 5. Minimum Rear Yard Depth – Twenty-five (25) feet
- 6. Maximum Building Height – Sixty-five (65) feet

NOTE: Article 10, Section R-1, Paragraph D, Part 6, Amended by Ordinance 2011-09, and Part 2, Amended by Ordinance 2023-02

E. AREA AND HEIGHT REGULATIONS FOR CONDITIONALLY PERMITTED USES: (See Section R-1)

- 1. Minimum Lot Area – Twenty-two thousand five hundred (22,500) square feet
- 2. Minimum Lot Width at Building Setback Line and Minimum Road Frontage – One hundred fifty (150) feet

Residential-1 Continued

3. Minimum Front, Side (on each side of lot) and Rear Yards – Fifty (50) feet
4. Maximum Building Height – Sixty-five (65) feet

NOTE: Article 10, Section R-1, Paragraph E, Part 4, Amended by Ordinance 2011-09, and Part 2, Amended by Ordinance 2023-02

F. OTHER DEVELOPMENT CONTROLS:

1. Off-street parking and loading and/or unloading shall be provided in accordance with Articles XI and XII.
2. No outdoor storage of any material (useable 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 conditional use permitted in this zone abuts property in a single-family residential zone, a ten (10) foot wide screening area, as regulated by Section 9.17 of this ordinance, shall be required.
5. All new subdivisions must have centralized sewers, unless proven to the satisfaction of the city council of the City of Williamstown that to do such would be fiscally impractical.

SECTION 10

R-1 B (RESIDENTIAL ONE – B) ZONE:

A. PERMITTED USES:

1. Single-family residential dwellings (detached)
2. Any use by a political subdivision as permitted in KRS 100.361 (2)
3. Any use by a public utility as accepted in KRS 100.324

B. ACCESSORY USES:

1. Customary accessory buildings and uses;
2. Fences and walls, as regulated by Article XIII;
3. Signs, as regulated by Article XIV of this ordinance; and
4. Home occupations, subject to the restrictions and limitations established in Section 9.11 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 Section 9.14 and 18.7 of this ordinance.

1. Recreational uses other than those publicly owned and/or operated, as follows:
 - a. Golf courses
 - b. Country clubs
 - c. Swimming pools

D. AREA AND HEIGHT REGULATIONS FOR PERMITTED USES:

1. Minimum lot area – Nine Thousand (9,000) square feet
2. Minimum lot width at building setback line and minimum road frontage – seventy-five (75) feet;
3. Minimum front yard depth – twenty-five (25) feet;
4. Minimum side yard width – there shall be a minimum side yard on each side of any building or structure of fifteen (15) feet measured from the side lot line to the nearest building or structure, except that garages or carports may extend an additional five (5) feet into one side yard;
5. Minimum rear yard depth – twenty-five (25) feet; and
6. Maximum building height – sixty-five (65) feet

NOTE: Article 10, Section R-1B, Paragraph D, Part 6, Amended by Ordinance 2011-09, and Part 2, Amended by Ordinance 2023-02

E. AREA AND HEIGHT REGULATIONS FOR CONDITIONALLY PERMITTED USES (See Section R-1 B (C)):

1. Minimum lot area – twenty-two thousand five hundred (22,500) feet;
2. Minimum lot width at building setback line and minimum road frontage – one hundred fifty (150) feet;

Residential-1B Continued

3. Minimum front, side (on each side of lot), and rear yards – fifty (50) feet; and
4. Maximum building height – sixty-five (65) feet

NOTE: Article 10, Section R-1B, Paragraph E, Part 4, Amended by Ordinance 2011-09, and Part 2, Amended by Ordinance 2023-02

F. OTHER DEVELOPMENT CONTROLS:

1. Off-street parking and loading and/or unloading shall be provided in accordance with Articles XI and XII;
2. No outdoor storage of any material (useable or waste) shall be permitted in this zone, except within enclosed containers;
3. No lighting shall be permitted which would glare from a use in this zone onto any street or into any adjacent property;
4. Where any yard of any conditional use permitted in this zone abuts property in a single-family residential zone, a ten (10) foot wide screening area, as regulation by Section 9.17 of this ordinance, shall be required; and
5. All new subdivisions must have centralized sewers, unless proven to the satisfaction of the City Council of the City of Williamstown that to do such would be fiscally impractical. Subdivisions in existence prior to the adoption of this zoning ordinance are not required to have centralized sewers except as provided in Section 9.15 (C).

SECTION 10. - R-2 (RESIDENTIAL TWO) ZONE:

A. PERMITTED USES:

1. Single-family residential dwellings (detached)
2. Two-family dwellings
3. Short-term vacation/housing rentals, while complying with regulations and guidelines as contained within current City Short-term Vacation/Housing Rental Ordinance

B. ACCESSORY USES:

1. Customary accessory buildings and uses.
2. Fences and walls, as regulated by Article XIII.
3. Signs, as regulated by Article XIV of this ordinance.
4. Home occupations, subject to the restrictions and limitations established in Section 9.11 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 9.14 and 18.7 of this ordinance.

1. Cemeteries
2. Churches and other buildings for the purpose of religious worship. **NOTE: Article 10, Section R-2, Paragraph C, Part 2, Amended by Ordinance 2011-09.**
3. Governmental offices;
4. Fire and police stations, providing they are located adjacent to an arterial street.
5. Institutions for higher education providing they are located adjacent to an arterial street.
6. Institutions for human medical care- hospitals, convalescent homes, nursing homes, and homes for the aged, providing they are located adjacent to an arterial street.
7. Nursery schools, children day care within the residence limited to not more than 10 children and as regulated by State licensure requirements;
8. Public and parochial schools;
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 courses
 - b. Country clubs
 - c. Swimming pools
11. Funeral homes, provided they are located adjacent to an arterial street;
12. Three (3) or four (4) family dwelling units;
13. Veterinarian offices, no outside runs or storage of animals; and
14. Children day care/adult day care centers as regulated by State licensure requirements

Residential-2 Continued

NOTE: Article 10, Section R-2, Paragraph E, Part 7, 14, and 15 Amended by Ordinance 2016-12

D. AREA AND HEIGHT REGULATIONS FOR PERMITTED USES:

1. Minimum Lot Area-ten thousand (10,000) square feet
2. Minimum Lot Width at Building Setback Line and Minimum Road Frontage - Seventy-five (75) feet for single family, one hundred (100) feet for two-family.
3. Minimum Front Yard Depth-Twenty (20) feet
4. Minimum Side Yard Width-Fifteen (15) feet-except garage or carport may extend up to five (5) feet of lot line on one side.
5. Minimum Rear Yard Depth-Twenty-five (25) feet
6. Maximum Building Height-Sixty-five (65) feet

NOTE: Article 10, Section R-2, Paragraph D, Part 6, Amended by Ordinance 2011-09; Part 2 Amended by Ordinance 2023-02

E. AREA HEIGHT REGULATIONS FOR CONDITIONALLY PERMITTED USES:
(See Section R-2 (c))

1. Minimum Lot Area-Twenty-two thousand five hundred (22,500) square feet
2. Minimum Lot Width at Building Set-back Line and Minimum Road Frontage- One hundred fifty (150) feet
3. Minimum Front, Side (on each side of lot) and Rear Yards Fifty (50) feet
4. Maximum Building Height-Sixty-five (65) feet

NOTE: Article 10, Section R-2, Paragraph E, Part 4, Amended by Ordinance 2011-09; Part 2 Amended by Ordinance 2023-02

F. OTHER DEVELOPMENT CONTROLS:

1. Off-street parking and loading and/or unloading shall be provided in accordance with Articles XI and XII.
2. No outdoor storage of any material (useable 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 conditional use permitted in this zone abuts property in a single-family residential zone, a ten (10) foot wide screening area, regulated by Section 9.17 of this ordinance, shall be required.
5. All new subdivisions must have centralized sewers, unless proven to the satisfaction of the city council of the City of Williamstown that to do such would be fiscally impractical. Subdivisions in existence prior to the adoption of this zoning ordinance are not required to have centralized sewers except as provided in Section 9.15 C.

SECTION 10.

R-3 (RESIDENTIAL THREE) ZONE:

A. PERMITTED USES:

1. Any use permitted in R-1 Single-family dwellings detached;
 - a. Two-family dwellings; and
 - b. Multi-family dwellings- maximum eight (8) dwelling units per lot
2. Short-term vacation/housing rentals, while complying with regulations and guidelines as contained within current City Short-Term Vacation/Housing Rental Ordinance
3. The following uses permitted as home occupations only:
 - a. Tourist homes and boarding houses;
 - b. Beauty shop, barber shop;
 - c. Custom dressmaking, millinery, tailoring; sewing of fabrics for custom apparel and custom home furnishings;
 - d. Laundering, pressing;
 - e. Foster family care, limited to not more than four (4) children simultaneously;
 - f. Office in which goods, wares, or merchandise are not commercially created, stored, or sold; and
 - g. Tutoring, limited to not more than four (4) children simultaneously

NOTE: Article 10, Section R-3, Paragraph A, Amended by Ordinance 2000-10

B. ACCESSORY USES:

1. Customary accessory buildings and uses;
2. Fences and walls, as regulated by Article XIII;
3. Signs, as regulated by Article XIV of this ordinance; and
4. Home occupations, subject to the restrictions and limitations established in Section 9.11 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 9.14 and 18.7 of this ordinance.

1. Cemeteries;
2. Churches and other buildings for the purpose of religious worship; **NOTE: Article 10, Section R-3, Paragraph C, Part 2, Amended by Ordinance 2011-09.**
3. Governmental offices;
4. Fire and police stations, providing they are located adjacent to an arterial street;
5. Institutions for higher education, providing they are located adjacent to an arterial

Residential-3 Continued

- street;
- 6. Institutions for human medical care – hospitals, convalescent homes, nursing homes, and homes for the aged, providing they are located adjacent to an arterial street;
- 7. Nursery schools and children day care within the residence limited to not more than 10 children and as regulated by State licensure requirements;
- 8. Public and parochial schools;
- 9. Publicly owned and/or operated parks, playgrounds, golf course, community recreational centers, including public swimming pools and libraries;
- 10. Recreational uses other than those publicly owned and/or operated, as follows:
 - a. Golf courses
 - b. Country clubs
 - c. Swimming pools
- 11. Funeral homes, provided they are located adjacent to an arterial street;
- 12. Veterinarian offices, no outside runs or storage of animals;
- 13. Offices in which goods, wares or merchandise are not created or stored, providing they are located adjacent to an arterial street;
- 14. Dog Grooming within the residence limited to the following:
 - a. No boarding of dogs or overnight stays;
 - b. Dogs are not permitted to remain outside;
 - c. Paved off-street parking must be provided; and,
 - d. The use must conform to the home occupation requirements provided in Article IX, Section 11, Paragraph 1, of this Ordinance;
- 15. Beauty shop, barber shop, provided the use is located on an arterial street;
- 16. Therapeutic massage by practitioner licensed by the State of Kentucky, provided the use is located on an arterial street;
- 17. Automotive Detailing Shops; and
- 18. Children day care/adult day care centers as regulated by State licensure requirements

NOTE: Article 10, Section R-3, Paragraph C, Amended by Ordinance 2 1998-19, 2000-10, 2004-22, 2004-29, 2006-12, 2009-11, and 2016-13

D. AREA AND HEIGHT REGULATIONS FOR PERMITTED USES:

- 1. Every single-family dwelling shall be located on a lot of not less than 6,000 square feet, multi-family dwellings on a lot of not less than 9,000 square feet for two-family units, plus 3,000 square feet for each additional unit up to eight dwelling units;
- 2. Minimum lot width at building setback line and minimum road frontage – sixty-five (65) feet;
- 3. Minimum front yard depth – twenty (20) feet;
- 4. Minimum side yard width – there shall be a minimum side yard on each side of any building or structure of ten (10) feet measured from the side lot line to the

Residential-3 Continued

nearest building or structure, except that garages or carports may extend an additional five (5) feet into one side yard;

5. Minimum rear yard depth – twenty-five (25) feet; and
6. Maximum building height – sixty-five (65) feet

NOTE: Article 10, Section R-3, Paragraph D, Part 6, Amended by Ordinance 2011-09; Part 2 Amended by Ordinance 2023-02

E. AREA AND HEIGHT REGULATIONS FOR CONDITIONALLY PERMITTED USES (See Section R-3 (C)):

1. Minimum lot area – twenty-two thousand five hundred (22,500) feet;
2. Minimum lot width at building setback line and minimum road frontage – one hundred fifty (150) feet;
3. Minimum front, side (on each side of lot), and rear yards – fifty (50) feet; and
4. Maximum building height – sixty-five (65) feet

NOTE: Article 10, Section R-3, Paragraph E, Part 4, Amended by Ordinance 2011-09; Part 2 Amended by Ordinance 2023-02

F. OTHER DEVELOPMENT CONTROLS:

1. Off-street parking and loading and/or unloading shall be provided in accordance with Articles XI and XII;
2. No outdoor storage of any material (useable 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 conditional use permitted in this zone abuts property in a single-family residential zone, a ten (10) foot wide screening area, as regulation by Section 9.17 of this ordinance, shall be required; and
5. All new subdivisions must have centralized sewers, unless proven to the satisfaction of the City Council of the City of Williamstown that to do such would be fiscally impractical. Subdivisions in existence prior to the adoption of this zoning ordinance are not required to have centralized sewers except as provided in Section 9.15 (C);

SECTION 10

R-4 (RESORT RESIDENTIAL FOUR) ZONE:

The R-4 (Resort Residential Four) Zone is established to provide locations for a mixed use of dwellings and resort uses for properties immediately adjacent to or in close proximity to either a body of water, to include by not limited to a lake or river, or an amusement/entertainment attraction area in order to provide housing and subordinate activities and/or services for the body of water and/or amusement/entertainment attraction area.

A. PERMITTED USES

1. Any use permitted in R-2 Residential Zone
2. Uses relative to a resort area, such as boat docks, marinas, and minor retail shops
3. Short-term vacation/housing rentals, while complying with regulations and guidelines as contained within current City Short-Term Vacation/Housing Rental Ordinance

NOTE: Article 10, Section R-4, Paragraph A, Parts 2 and 3, Amended by Ordinance 2021-23

B. ACCESSORY USES:

1. Customary accessory buildings and uses.
2. Fences and walls, as regulated by Article XIII.
3. Signs, as regulated by Article XIV of this ordinance
4. Home occupations, subject to the restrictions and limitations established in Section 9.11 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 9.14 and 18.7 of this ordinance.

1. Cemeteries
2. Churches and other buildings for the purpose of religious worship. **NOTE: Article 10, Section R-4, Paragraph C, Part 2, Amended by Ordinance 2011-09.**
3. Governmental offices;
4. Fire and police stations, providing they are located adjacent to an arterial street.
5. Institutions for higher education providing they are located adjacent to an arterial street.
6. Institutions for human medical care – hospitals, convalescent homes, nursing homes, and homes for the aged, providing they are located adjacent to an arterial street.
7. Nursery schools and children/adult day care centers as regulated by State licensure requirements;
8. Public and parochial schools;
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 courses
 - b. Country clubs
 - c. Swimming pools

Residential-4 Continued

- d. Campgrounds and/or RV Parks, not to exceed 14 consecutive days
- e. Any other type of recreational use deemed workable and suitable in this zone
- 11. Funeral homes, provided they are located adjacent to an arterial street; and
- 12. The regulations for this zone are formulated with the intent to suit the peculiar topography of most of the land and building sites immediately surrounding or contiguous to the large lakes in the City of Williamstown and including lakes to be built. These lakes must have protection from contamination and pollution, so it shall be the obligation of the land owners and the commission to review each application for construction with the problem in mind. Minimum dimensions may be raised if necessary to achieve the goal of non-pollution of the lake in case of any one or all applications.

NOTE: Article 10, Section R-4, Paragraph C, Parts 7, 12, and 13 Amended by Ordinance 2016-14; Parts 10d and 10e Amended by Ordinance 2021-23

D. AREA AND HEIGHT REGULATIONS FOR PERMITTED USES:

- 1. Minimum Lot Area-Single family dwellings shall be located on a lot of not less than six thousand (6000) square feet; two-family dwellings shall be located on a lot of not less than nine thousand (9,000) square feet, plus three thousand (3,000) square feet per dwelling unit up to four.
- 2. Minimum Lot Width at Building Setback Line and Minimum Road Frontage -The minimum lot width for single-family dwellings shall be fifty (50) feet at the building setback line; and for two-family dwellings the minimum width at the setback line shall be seventy-five (75) feet.
- 3. Minimum Front Yard Depth-Twenty (20) feet
- 4. Minimum Side Yard Width-There shall be a minimum side yard on each side of any building or structure of ten (10) feet measured from the side of any lot line to the nearest building or structure, except that garages or carports may extend an additional five (5) feet into one side yard.
- 5. Minimum Rear Yard Depth –Twenty-five feet (25’)
- 6. Maximum Building Height - Sixty-five (65) feet

NOTE: Article 10, Section R-4, Paragraph D, Part 6, Amended by Ordinance 2011-09. Part 2 Amended by Ordinance 2023-02.

- 7. No sewer or other apparatus can be built within sixty-five feet (65’) of the high water mark on any lake.

E. AREA AND HEIGHT REGULATIONS FOR CONDITIONALLY PERMITTED USES:

- 1. Minimum Lot Area – Twenty-two thousand five hundred (22,500) square feet
- 2. Minimum Lot Width at Building Setback Line and Minimum Road Frontage – One hundred fifty (150) feet
- 3. Minimum Front, Side (on each side of lot) and Rear Yards – Fifty (50) feet
- 4. Maximum Building Height – Sixty-five (65) feet

Residential-4 Continued

NOTE: Article 10, Section R-4, Paragraph E, Part 4, Amended by Ordinance 2011-09. Part 2 Amended by Ordinance 2023-02.

F. OTHER DEVELOPMENT CONTROLS:

1. Off-street parking and loading and/or unloading shall be provided in accordance with Articles XI and XII.
2. No outdoor storage of any material (useable 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 conditional use permitted in this zone abuts property in a single-family residential zone, a ten (10) foot wide screening area, as regulated by Section 9.17 of this ordinance, shall be required.
5. All new subdivisions must have centralized sewers, unless proven to the satisfaction of the city council of the City of Williamstown that to do such would be fiscally impractical. Subdivisions in existence prior to the adoption of this zoning ordinance are not required to have centralized sewers except as provided in Section 9.15C.
6. A site plan, as regulated by Section 9.19 of this ordinance, shall be required for any new construction of recreational, resort, and/or commercial use in this zone.
NOTE: Article 10, Section R-4, Paragraph F, Part 6, Amended by Ordinance 2021-23

G. USES PROHIBITED:

Trolley cars, bus bodies, bread trucks, truck trailers, and other similar conveyances that have been converted into either temporary or permanent living quarters.

SECTION 10 R-5 (MOBILE HOME RESIDENTIAL FIVE) ZONE:

A. PERMITTED USES:

1. Mobile homes on individual lots
2. Single-family residential dwellings (detached)
3. Any use permitted in R-3 Residential Zone, while using the R-3 Residential Zone area and height regulations for Permitted Uses
4. Short-term vacation/housing rentals, while complying with regulations and guidelines as contained within current City Short-term Vacation/Housing Rental Ordinance

B. ACCESSORY USES:

1. Customary accessory buildings and uses.
2. Fences and walls, as regulated by Article XIII.
3. Signs, as regulated by Article XIV of this ordinance.
4. Home occupations, subject to the restrictions and limitations established in Section 9.11 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 Section 9.14 and 18.7 of this ordinance.

1. Cemeteries
2. Churches and other buildings for the purpose of religions worship. **NOTE: Article 10, Section R-5, Paragraph C, Part 2, Amended by Ordinance 2011-09.**
3. Governmental offices;
4. Fire and police stations, providing they are located adjacent to an arterial street.
5. Institutions for higher education providing they are located adjacent to an arterial street.
6. Institutions for human medical care – hospitals, convalescent homes, nursing homes, and homes for the aged, providing they are located adjacent to an arterial street.
7. Nursery schools and children/adult day care centers as regulated by State licensure requirements;
8. Public and parochial schools;
9. Publicly owned and/or operated parks, playgrounds, golf course, community recreational centers, including public swimming pools and libraries;
10. Recreational uses other than those publicly owned and/or operated, as follows:
 - a. Golf courses
 - b. Country clubs
 - c. Swimming pools; and
11. Funeral homes, provided they are located adjacent to an arterial street
NOTE: Article 10, Section Mobile Home/Residential R-5, Paragraph C, Parts 7 and 12 Amended by Ordinance 2016--15

Residential-5 Continued

D. AREA AND HEIGHT REGULATIONS FOR PERMITTED USES:

1. Minimum Lot Area – Six thousand (6,000) square feet
2. Minimum Lot Width at Building Setback Line and Minimum Road Frontage – Fifty (50) feet
3. Minimum Front Yard Depth – Twenty (20) feet
4. Minimum Side Yard Width – Ten (10) feet
5. Minimum Rear Yard Depth – Twenty-five (25) feet
6. Maximum Building Height – Sixty-five (65) feet
NOTE: Article 10, Section R-5, Paragraph D, Part 6, Amended by Ordinance 2011-09. Part 2 Amended by Ordinance 2023-02.
7. Maximum Density – 3.5 dwelling units per net acre

E. AREA AND HEIGHT REGULATIONS FOR CONDITIONALLY PERMITTED USES:
(See Section R-5 (C))

1. Minimum Lot Area – Twenty-two thousand five hundred (22,500)
2. Minimum Lot Width at Building Setback Line and Minimum Road Frontage – One hundred fifty (150) feet
3. Minimum Front, Side (on each side of lot) and Rear Yards – Fifty (50) feet
4. Maximum Building Height – Sixty-five (65) feet
NOTE: Article 10, Section R-5, Paragraph E, Part 4, Amended by Ordinance 2011-09. Part 2 Amended by Ordinance 2023-02.

F. OTHER DEVELOPMENT CONTROLS:

1. Off-street parking and loading and/or unloading shall be provided in accordance with Articles XI and XII.
2. No outdoor storage of any material (useable 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 conditional use permitted in this zone abuts property in a single-family residential zone, a ten (10) foot wide screening area, as regulated by Section 9.17 of this ordinance, shall be required.
5. All new subdivisions must have centralized sewers, unless proven to the satisfaction of the city council of the City of Williamstown that to do such would be fiscally impractical. Subdivisions in existence prior to the adoption of this zoning ordinance are not required to have centralized sewers except as provided in Section 9.15 C.

SECTION 10. RMHP (RESIDENTIAL MOBILE HOME PARK) ZONE:

A. USES PERMITTED:

1. Mobile Home Parks
Subject to section 9.25

B. 1. Customary accessory buildings and uses;
2. Structures and uses related to and for the exclusive use of residents of the mobile home park as follows, but excluding any commercial operations:

- a. Recreational facilities and areas;
- b. Rental or sales offices for lots in the mobile home park;
- c. Community center;
- d. Laundry facilities

3. Fences and walls, as regulated by Article XIII of this ordinance.

4. Signs, as regulated by Article XIV of this ordinance.

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

1. Minimum Site for a Mobile Home Park – Five (5) acres. The width of said park shall have a minimum distance of three hundred (300) feet, as measured along a deeded right-of-way. The park shall be a platted subdivision with lots and streets in accordance with the provisions of this section and the Grant County Subdivision Regulations, approved by the planning commission. The park may be phased to achieve completion of the five acre minimum area through review of the phasing process by the planning commission.
2. Minimum Lot Area – Four thousand (4,000) square feet.
3. Minimum Lot Width at Building Setback Line – Fifty (50) feet
4. Minimum Front Yard Depth – Twenty (20) feet.
5. Minimum Side Yard Width on Each Side of the Lot – Fifteen (15) feet except for carports and accessory buildings (5 feet).
6. Minimum Rear Yard Depth – Fifteen (15) feet.
7. Maximum Building Height – Sixty-five (65) feet.

NOTE: Article 10, Section RMHP, Paragraph C, Part 7, Amended by Ordinance 2011-09.

Residential Mobile Home Park Continued

D. OTHER DEVELOPMENT CONTROLS:

1. Minimum Setback of all Buildings and Structures within Mobile Home Parks at all Parks at all Park Boundary Lines – thirty-five (35) feet.
2. Patio – A patio slab of at least one hundred eighty (180) square feet shall be provided on each mobile home lot and conveniently located at the entrance of each mobile home. The patio may extend five (5) feet into the side yard.
3. Streets -
 - a. Streets shall be provided and placed on the site where necessary to furnish principal traffic ways for convenient access to each mobile home and other important facilities in the area.
 - b. Ingress and egress to the individual lots shall be only over a road or street.
4. Recreational Area – There shall be required that not less than ten (10) percent of the gross area of the mobile home park to be set aside, designed, constructed, and equipped as a recreational area.
5. Off-street parking and loading and/or unloading shall be provided in accordance with Articles XI and XII of this ordinance.
6. Personal goods and articles, other than cars, fuel tanks, boats, lawn furniture and similar items, too large to reasonably enclose, shall be stored on the mobile home lot only in a completely enclosed structure.
7. No lighting shall be permitted which would glare from its zone onto any street, road, highway, deeded right-of-way, or onto any residential zone.
8. Where any yard of any use permitted in this zone abuts any other residential zone, a ten (10) foot wide screening area, as regulated by Section 9.17 of this ordinance shall be required.
9. A site plan, as regulated by Section 9.19 of this ordinance shall be required for any use in this zone.
10. The wheels shall be removed from each mobile home occupying a lot in the park.
11. Mobile home installations shall comply with all requirements of Section 9.27 of this ordinance.

Residential Mobile Home Park Continued

12. Mobile home parks having facilities for 20 or more mobile homes shall provide a 6" water main and fire hydrants within 750' of each mobile home.

SECTION 10.

R-6 RESIDENTIAL SIX ZONE:

- A. USES PERMITTED:
1. Multi-family dwellings.
- B. ACCESSORY USES:
1. Customary accessory buildings and uses.
 2. Fences and walls as regulated by Article XIII of this Ordinance.
 3. Signs as regulated by Article XIV of this Ordinance.
- C. CONDITIONAL USES: No building or occupancy permit shall be issued for any of the following, nor shall any of the following uses or any of the following uses or any customary accessory buildings or uses be permitted until and unless the location of said use shall have been applied for and approved of by the Board of Adjustment as set forth in Section 9.14 of this Ordinance.
1. Cemeteries.
 2. Churches and other buildings for the purpose of religious worship. **NOTE: Article 10, Section R-6, Paragraph C, Part 2, Amended by Ordinance 2011-09.**
 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. Publicly owned and/or operated parks, playgrounds, golf courses, community recreational centers, including public swimming pools, and libraries.
 9. Recreational uses other than those publicly 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.
- D. AREA AND HEIGHT REGULATIONS FOR PERMITTED USES: No buildings shall be erected or structurally altered hereafter except in accordance with the following regulations.
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.

Residential-6 Continued

- 2. Minimum Lot Width at Minimum Building Setback Line-One hundred (100) feet.
- 3. Minimum Front Yard Depth – Forty (40) feet.
- 4. Minimum Side Yard Width on Each Side of Lot – Fifteen (15) feet.
- 5. Minimum Rear Yard Depth – Thirty (30) feet.
- 6. Maximum Building Height – Sixty-five (65) feet.
NOTE: Article 10, Section R-6, Paragraph D, Part 6, Amended by Ordinance 2011-09.

E. AREA HEIGHT REGULATIONS 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 – Sixty-five (65) feet.
NOTE: Article 10, Section R-6, Paragraph E, Part 4, Amended by Ordinance 2011-09.

F. OTHER DEVELOPMENT CONTROLS:

- 1. Off-street parking and loading or unloading shall be provided in accordance with Articles XI and XII of this Ordinance.
- 2. No outdoor storage of any material (useable 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, 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 9.17 of this Ordinance shall be required.

Residential-6 Continued

5. A site plan, as regulated by Section 9.19 of this Ordinance, shall be required for any use permitted in this zone.
- G. CONDITIONAL USES: The following uses subject to the approval by the Board of Adjustment, as set forth in Section 9.14 and 18.7 of this ordinance are permitted.
1. Development of a tract or parcel of land containing in excess of two (2) acres by constructing and maintaining thereon single and multiple residential housing units, together with utilities, streets, parking areas, sidewalks, green spaces, landscaping, and appurtenances structures, subject to the following limitations and conditions:
 - (a) All building an improvements contained within the boundary of the development shall be for the exclusive use of the residents of the development, their guests and for management and maintenance purposes and no business activities, other than rentals, shall be permitted;
 - (b) No conditional use permit shall be granted under this Paragraph (Paragraph G) for an area of two (2) acres or less;
 - (c) No conditional use permit shall be granted under this Paragraph (Paragraph G) unless the title to the entire development parcel is held by a single entity; and unless that entity shall enter into a covenant with the Board of Adjustments of the City of Williamstown and with the City of Williamstown that the development parcel will not be subdivided in any manner while any use is made thereof under or pursuant to a conditional use permit under this Paragraph of this Zoning Ordinance or of any zoning ordinance hereafter adopted by the governing body of the City of Williamstown or its successors;
 - (d) No conditional use shall be granted under this Paragraph (Paragraph G) until after the developer has presented to the Board of Adjustment a complete development plan containing all engineering and other details as required by Article IX, Sections 9.20, 9.22, and 9.24 of this Ordinance, and such plan and the details therein shall be made of part of the conditional use permit, if a permit is required.
 - (e) No conditional use permit shall be granted under this Paragraph unless the Board of Adjustment finds from the evidence presented that the proposed development will provide decent safe housing for the occupants of the development and adequate provision has been made in the development plan, which shall be a part of the conditional use permit for the health, safety and welfare of the occupants of the development and that their environment will be comfortable and attractive, and the development will not have a substantial adverse effect on the use and

Residential-6 Continued

enjoyment of other lands within the vicinity of the proposed development.

- (f) **MINIMUM LAND AREA PER RESIDENTIAL UNIT:** A minimum of two Thousand six hundred (2,600) square feet of gross land area shall be required for each residential unit constructed or to be constructed on the development site for which the conditional use permit is sought. Such area may be utilized for buildings, structures, streets, drives, walks, parking areas, landscaping, green areas, and similar uses, as the Board of Adjustment may reasonably require or permit:
 - (i) A minimum lot width on the public street or road of Two Hundred (200) feet (measured at the building set back line) shall be required;
 - (ii) A minimum front yard set back (depth) on any frontage on a public road or street of thirty-five (35) feet shall be required;
 - (iii) A minimum side yard width on each side of the parcel for which the conditional use permit is sought abuts lands owned by others or not subject to the conditional use permit, of twenty-five (25) feet shall be required;
 - (iv) No building exceeding thirty-five (35) feet in height, measured from the lowest point of the finished ground level to the highest point of the structure, shall be permitted;
 - (v) Any other provisions of this ordinance relating to vehicle parking spaces, to the contrary not withstanding, the Board of Adjustment may grant a conditional use permit for this zoning classification, which provides parking areas of not less than:
 - (a) A minimum parking space of nine (9) feet by nineteen (19) feet per vehicle and a minimum of one and four-tenths (1.4) parking spaces per dwelling unit;
 - (vi) All other development controls as provided in Paragraph F above shall apply.

NOTE: Article X, Section 10.R-6, Paragraph G, Amended by Ordinance 82-215.

SECTION 10

HC (HIGHWAY COMMERCIAL) ZONE:

The B-1 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

1. Advertising agencies
2. Antique shops
3. Apparel shop
4. Art supplies
5. Auto laundry
6. Automobile service and repairs, providing that all business activities shall be conducted within a completely enclosed building
7. Automobiles, motorcycles, and truck sales, new or used
8. Bait shops and sporting equipment sales
9. Bakery and bakery goods store, provided the products are sold exclusively on the Premises
10. Banks and other financial institutions including savings, loan, and finance companies, with drive-in windows
11. Barber shops
12. Beauty shops
13. Boat and other marine equipment sales and service, new and used
14. Book, stationery, or gift shop
15. Bowling alleys
16. Camera and photographic supplies
17. Candy store, soda fountain, ice cream store, excluding drive-ins
18. Carpet and rug stores
19. Carry-out Convenience stores, including LNG services (liquified natural gas)
20. Catering
21. Chiropractic Services
22. Cinema/movie theatre
23. Dental offices
24. Drycleaners and laundries
25. Eating and drinking places, including drive-ins and drive-thrus
26. Employment agencies
27. Florist shop
28. Food store and supermarkets
29. Fueling station, including LNG services (liquified natural gas), and/or electric recharging stations
30. Funeral home

Highway-Commercial Continued

31. Furniture store
32. Garden Centers/Greenhouses
33. General merchandise store
34. Governmental offices
35. Health clubs
36. Hobby shop
37. Hotels, motels, tourist centers
38. Household, electrical, and electronic appliance store, including incidental repair
39. Jewelry store, including repair
40. Laundromats, self-service washing and drying
41. Library
42. Locksmith shop
43. Lumber and hardware
44. Massage therapy
45. Medical Supply Sales
46. Mental health and counseling services (outpatient only)
47. Mobile home and trailer sales, rental and service (new and used)
48. Museums and art galleries
49. Music, musical instruments, and records, including incidental repair
50. Office appliances and supplies
51. Office buildings
52. Off-street parking lots and garages
53. Opticians and optical goods and services
54. Paint and wallpaper store
55. Pet grooming
56. Pet shop, excluding boarding and outside runs
57. Pharmacies
58. Police and fire stations
59. Radio and television store, including repair
60. Recreation and entertainment facilities
61. Recreational uses
62. Self-storage Rental Units
63. Shipping and mail service
64. Shoe store and shoe repair
65. Shopping centers
66. Skating rinks, golf driving ranges, miniature and par-3 golf courses
67. Spas and salons
68. Sporting goods
69. Studios for professional work or teaching of any form of fine arts, photography, drama, or dance

Highway-Commercial Continued

70. Tailor shop
71. Tool rental
72. Toy stores
73. Travel agency
74. Variety store, including notions and "five and ten" stores
75. Veterinarian offices and outside runs
76. Video sales and rental
77. Vocational or trade schools, or other specialized educational facilities
78. Rental car agency
79. City/County-Routed bus terminal
80. Taxi terminal
81. Wedding chapel with or without reception center
82. Packaged liquor, wine, and malt beverage store to include drive-through and/or drive-up window
83. Microbrewery
84. Mobile food trucks and/or food carts, as regulated by all State licensures and Health Department

NOTE: Article 10, Section HC, Paragraph A, Part 21 Amended by Ordinance 2003-14, Part 22 and 23 Amended by Ordinance 2004-10, Part 17 Amended by 2011 11, Parts 24-28 Amended by Ordinance 2011-20, Parts 1-66 amended by Ordinance 2012-12, Parts 51 and 78-84 Amended by Ordinance 2016-16

B. ACCESSORY USES:

1. Customary accessory buildings and related uses both for permitted and conditional uses.
2. Fences and walls, as regulated by Article XIII of this ordinance.
3. Signs, as regulated by Article XIV of this ordinance.
4. Swimming pools, indoor and outdoor, in connection with motels or hotels.
5. Uses as listed below, included within and entered from within, any motel or hotel building, as a convenience to the occupants thereof, and their customers providing that the accessory uses shall not exceed ten (10) percent of the gross floor area of the permitted uses in the building.
 - a. barber shops
 - b. beauty shops
 - c. news, confectionery stands, and gift shops
 - d. restaurants

C. CONDITIONAL USES: The following uses subject to the approval by the Board of Adjustment, as set forth in Sections 9.14 and 18.7 of this ordinance:

1. Service stations (including auto repairing, providing all repair work except that of a minor nature—e.g., change of fan belt, minor carburetor adjustment, tire

Highway-Commercial Continued

removal and/or replacement, windshield wiper replacement, etc.—is conducted wholly within a completely enclosed building.

2. Mobile homes or dwellings when used in conjunction with business.
3. Churches.
4. Child /Adult Day Care Centers as regulated by State Licensures
5. Facilities for human medical care, including hospitals, clinics, imaging centers, laboratories, and similar ancillary health care services.

NOTE: Article 10, Section HC, Paragraph C, Part 4 and 5 Amended by Ordinance 2011-11; Part 3 Amended by Ordinance 2012-12; Part 5 Amended by Ordinance 2013-04; Part 4 and 5 Amended by Ordinance 2016-16

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 – 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 – Sixty-five (65) feet
7. In the case of this zone, more than one principal building, as herein defined, may be constructed on one lot.

NOTE: Article 10, Section HC, Paragraph D, Part 6, Amended by Ordinance 2011-09.

E. **OTHER DEVELOPMENT CONTROLS:**

1. Off-street parking and loading and/or unloading shall be provided in Accordance Articles XI and XII of this ordinance.
2. No outdoor storage of any material (useable 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 of this ordinance.

Highway-Commercial Continued

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 of this ordinance, shall be required for any use in this zone.

NOTE: Article 10, Section HC, Paragraph E, Part 5 Amended by Ordinance 2004-10 and Ordinance 2012-08

6. No use producing objectionable odors, noise, or dust shall be permitted within Five hundred (500) feet from the boundary of any residential zone.

SECTION 10.

CBD (CENTRAL BUSINESS DISTRICT) ZONE:

A. PERMITTED USES:

1. Apparel shop
2. Art supplies
3. Bakery and bakery goods store, provided the products are sold exclusively on the premises
4. Banks and other financial institutions, including savings, loan and finance companies with drive-in windows.
5. Barber and beauty shops
6. Book, stationery or gift shop including printing
7. Camera and Photographic supplies
8. Candy store, soda fountain, ice cream store, excluding drive-ins
9. Delicatessen
10. Drug store
11. Eating and drinking places, excluding drive ins but to include outdoor dining, while meeting the following requirements:
 - a. such area shall be designed to clearly identify the limits of the outdoor seating area, which shall not include any drive through or drive in facility;
 - b. such area shall not exceed twenty-five (25) percent of the maximum seating capacity of the indoor seating area; and
12. Florist shop
13. Food store and supermarkets
14. Furniture store
15. Garden supplies
16. Glass, china, or pottery store
17. Hardware store and lumber
18. Hobby shop
19. Household and electrical appliance store, including incidental repair
20. Interior decorating studio
21. Jewelry store, including repair
22. Leather goods and luggage store
23. Library
24. Locksmith shop
25. Music, musical instruments and records, including incidental repair
26. Offices including publishing and distribution of newspapers, except medical professional offices
27. Opticians and optical goods and services
28. Paint and wallpaper store
29. Parking lots
30. Pet shop, excluding boarding and outside runs
31. Police and fire stations

Central Business District Continued

32. Post office
33. Radio and television store (including repair)
34. Recreation and entertainment facilities
35. Shoe store and shoe repair
36. Sporting goods
37. Studios for professional work or teaching of any form of fine arts
38. Tailor shop
39. Theaters, excluding drive-ins
40. Toy store
41. Variety store, including notions and “Five and Ten” stores, gift shops and department stores
42. Dwelling over business establishment
43. Dry Cleaners and laundries
44. Chiropractic services
45. Mental health and counseling services (outpatient only)
46. Dental offices
47. Massage therapy
48. Business storage and office for business
49. Museums
50. Wedding chapel with or without reception center
51. Packaged liquor, wine, and malt beverage stores, excluding drive through or drive-up windows
52. Microbrewery
53. Mobile food trucks and/or food carts, as regulated by all State Licensures and Health Department
54. Carry-out convenience stores
55. Short-term vacation/housing rentals over business establishment, while complying with regulations and guidelines as contained within current City Short-term Vacation/Housing Rental Ordinance

NOTE: Article 10, Section CBD, Paragraph A, Part 26, Amended by Ordinance 2011-10; Parts 27 and 44-47 Amended by Ordinance 2011-21; Part 48 Amended by Ordinance 2011-29; Parts 11 and 49-54 Amended by Ordinance 2016-18; Part 11 Amended by Ordinance 2021-22

B. ACCESSORY USES:

1. Customary accessory uses
2. Fences and walls, as regulated by Article XIII of this ordinance
3. Signs, as regulated by Article XIV 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 9.14 and 18.7 of this ordinance:

Central Business District Continued

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 storage of animals.
3. Churches.
4. Child/Adult Day Care Centers as regulated by State Licensures
5. Building and/or property on which occasional outside or inside auctions are held For general merchandise, not to include auctioning of animals
NOTE: Article 10, Section CDB, Paragraph C, Part 3 and 4, Amended by Ordinance 2011-10; Part 5 Amended by Ordinance 2011-29
6. Body art (tattoo) services as long as no new body art (tattoo) service establishment is located within 1,000 feet of a lot containing an existing body art (tattoo) service establishment
7. Multi-purpose outdoor eating food court with common ownership of one or more eateries. The outdoor eating food court shall utilize the net floor area to calculate the occupant load as regulated within the Kentucky Building Code
NOTE: Article 10, Section CBD, Paragraph C, Part 6, Added by Ordinance 2014-01 and Amended by Ordinance 2014-09; Part 4 and 7 Amended by Ordinance 2016-18; Part 8 Amended by Ordinance 2021-22

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 – Sixty-five (65) feet
7. In the case of this zone, more than one principal building, as herein defined, may be constructed on one lot.
NOTE: Article 10, Section CBD, Paragraph D, Part 3, Amended by Ordinance 2011-09.

E. OTHER DEVELOPMENT CONTROLS:

1. No off-street parking facilities are required for commercial establishments within The B-2 Central Business District Commercial Zone. All other uses and structures including public and semi-public uses and structures shall comply with

Central Business District Continued

the parking requirements established in Article XI of this ordinance.

2. No outdoor storage of any material (useable 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.
4. A site plan, as regulated by Section 9.19 of this ordinance, shall be required for any use in the zone.

NOTE: Article 10, Section CBD, Paragraph E, Part 4, Amended by Ordinance 2021-22

SECTION 10.13**NC (NEIGHBORHOOD COMMERCIAL) ZONE:****A. PERMITTED USES:**

1. Apparel shop
2. Art supplies
3. Bakery and bakery goods store, provided the products are sold exclusively on the premises
4. Banks and other financial institutions, including savings, loan, and finance companies with drive-in windows
5. Barber and beauty shops
6. Book, stationary, or gift shops, including printing
7. Camera and photographic supplies
8. Candy store, soda fountain, ice cream store, excluding drive-ins
9. Delicatessen
10. Drug store
11. Eating and drinking places, excluding drive-ins
12. Florist shop
13. Food store and supermarkets
14. Furniture store
15. Garden supplies
16. Glass, china, or pottery store
17. Haberdashery
18. Hardware store
19. Hobby shop
20. Household and electrical appliance store, including incidental repair
21. Interior decorating studio
22. Jewelry store, including repair
23. Leather goods and luggage store
24. Library
25. Locksmith shop
26. Music, musical instruments, and records, including incidental repair
27. Offices, except medical professional offices
28. Opticians and optical goods and services
29. Dry cleaners and laundries
30. Paint and wallpaper store
31. Pet shop, excluding boarding and outside runs
32. Police and fire stations
33. Post office
34. Radio and television store (including repair)
35. Shoe store and shoe repair
36. Sporting goods
37. Studios for professional work or teaching of any form of fine arts, photography, music, drama, or dance
38. Tailor shop

Neighborhood-Commercial Continued

39. Toy store
40. Variety store, including notions and “Five and Ten” stores
41. Child/Adult Day Care Centers as regulated by State licensure requirements
42. Chiropractic services
43. Mental health and counseling services (outpatient only)
44. Dental offices
45. Massage therapy
46. Carry-out convenience stores

NOTE: Article 10, Section NC, Paragraph A, Part 2 Amended by Ordinance 2000-08; Parts 27 and 42-45 Amended by Ordinance 2011-19; Parts 41 and 46 Amended by Ordinance 2016-17

B. ACCESSORY USES:

1. Customary accessory uses
2. Fences and walls, as regulated by Article XIII of this ordinance
3. Signs, as regulated by Article XIV 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 Sections 9.14 and 18.7 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. Churches
3. Packaged liquor, wine, and malt beverage store to include drive-through and/or drive-up window

NOTE: Article 10, Section NC, Paragraph C, Subparagraph 2 Amended by Ordinance 2011-19; Subparagraph 3 Amended by Ordinance 2016-17

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 – Ten thousand (10,000) square feet
2. Minimum Lot Width at Building Setback Line – Seventy (70) feet
3. Minimum Front Yard Depth – Fifty (50) feet
4. Minimum Side Yard Width – No restrictions, except when adjacent to a street, road, or highway, when the required width shall be the same as required for a minimum front yard depth in this zone. When buildings abut each other, firewall construction,

Neighborhood-Commercial Continued

as required by the building code, shall be required. In the event a side yard is provided, it shall never be less than fifteen (15) feet.

5. Minimum Rear Yard Depth – Fifteen (15) feet
6. Maximum Building Height – Sixty-five (65) feet

NOTE: Article 10, Section NC, Paragraph D, Part 6, Amended by Ordinance 2011-09.

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. Off-street parking and loading and/or unloading shall be provided in accordance with Articles XI and XII of this ordinance.
2. No outdoor storage of any material (useable 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.
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 of this ordinance. This area shall remain open and not permit off-street parking and loading and/or unloading.
5. No use producing objectionable odors, noise, or dust shall be permitted within five hundred (500) feet from the boundary of any residential zone.
6. All business activities permitted within this zone shall be conducted within a completely enclosed building with the exception of off-street parking and loading and/or unloading areas.
7. A site plan, as regulated by Section 9.19 of this ordinance, shall be required for any use permitted in this zone.

SECTION 10.

M P (MEDICAL/PROFESSIONAL OFFICE) ZONE

The Medical/Professional Office Zone is established to provide a mixture of medical and professional land uses that are essential to maintaining and enhancing the quality of life within Williamstown.

A. PERMITTED USES

1. Assisted Living Facilities
2. Convalescent, nursing and rest homes
3. Day care centers (child or adult)
4. Drug stores; Pharmacies
5. Local, State, and Federal government offices
6. Health spas
7. Hospitals
8. Mental health facilities, inpatient
9. Offices and clinics of physicians, dentists and other health care practitioners
10. Opticians and optical goods and services
11. Outpatient care facilities
12. Police and fire stations
13. Professional offices for attorneys, accountants, engineers, etc.
14. Rehabilitative facilities
15. Residential care homes for up to five individuals
16. Chiropractic services
17. Mental health services and counseling (outpatient only)
18. Massage therapy

NOTE: Article 10, Section MP, Paragraph A, Parts 8, 10, 16-18, Amended by Ordinance 2011-18.

B. ACCESSORY USES

1. Customary accessory buildings and related uses for both permitted and conditional uses.
2. Fences and walls, as regulated by Article XIII of this Ordinance
3. Signs, as regulated by Article XIV of this Ordinance
4. Off-street parking lots and/or garages, as regulated by Article XI of this Ordinance

C. CONDITIONAL USES: The following uses subject to the approval of the Board of Adjustment, as set forth in Article IX, Section 14, and Article XVIII, Section 7, of this Ordinance

1. Churches
2. Emergency shelter facilities
3. Parking garages as a principal use

Medical/Professional Continued

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

1. Minimum Lot Size – 20,000 square feet
2. Minimum Lot Width at Building Setback Line – 100 feet
3. Minimum Front Yard Depth – Forty feet (40')
4. Minimum Side Yard Width – Twenty feet (20')
5. Minimum Rear Yard Depth – Twenty-five feet (25')
6. Maximum Building Height – Sixty-five feet (65')

NOTE: Article 10, Section MP, Paragraph D, Part 6, Amended by Ordinance 2011-09

E. OTHER DEVELOPMENT CONTROLS

1. Off-street parking and loading and/or unloading shall be provided in accordance with Articles XI and XII of this Ordinance
2. No outdoor storage of any material (usable or waste) shall be permitted in this zone
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 fifty feet (50') for each side and/or rear yard which abuts said zone shall be provided, fifteen feet (15') of which shall be maintained by a screening area, as regulated by Article IX, Section 17, of this Ordinance. This area shall remain open and not permit off-street parking and loading and/or unloading
5. No use producing objectionable odors, noise, or dust shall be permitted within five hundred feet (500') from the boundary of any residential or agricultural zone.
6. A site plan, as regulated by Section 9.19 of this ordinance, shall be required for any use in this zone.

NOTE: Article 10, Section MP, Paragraph E, Part 6, Amended by Ordinance 2004-03 and 2012-09

SECTION 10. PLANNED UNIT DEVELOPMENT (PUD) ZONE:

PURPOSE: The purpose of this district is to provide large scale, unified land development which permits a mixture of land uses, clustering of residential units of varying types, and common recreation/open spaces, as well as a mixture of commercial/retail development that would be consistent with surrounding land uses and through the use of flexible regulations creative design to preserve the natural features of the site would be encouraged. The lots in this district must have municipally supplied water system and municipally supplied wastewater disposal system.

- A. PERMITTED USES AND AREA & HEIGHT REQUIREMENTS: The following uses are permitted:
- a. Single-family dwellings (Detached); Area requirements shall be the same as the R-1-B Zoning District, except as provided for in Paragraph E, Part 1, below.
 - b. Multi-family dwellings, provided that no more than twenty-five percent (25 %) of the total PUD shall be utilized for this type of housing and that the area requirements shall be the same as the R-3 Zoning District.
 - c. Public and privately owned and operated parks and playgrounds to include but not limited to, golf courses, riding stables, fishing lakes and rental cabins.
 - d. Commercial development, provided that the development:
 - 1. Shall be limited to use and area requirements of the Highway Commercial (HC) Zoning District and/or as approved on the Site Development Plan.
 - 2. Shall file a Site Plan, as required by Section 9.19 of this Ordinance, for each commercial development area within the PUD
 - e. Theme Park defined as a theme park that will attract those persons interested in tourism, cultural and/or historical venues and/or fun themed activities, provided that the development:
 - 1. Shall file a Phase One (1) and Phase Two (2) Site Plan.

NOTE: Article 10, Section PUD, Paragraph A, Subparagraph D and E Amended by Ordinance 2011-23.

- B. ACCESSORY USES: Accessory uses, buildings, and structures customarily incidental and subordinate to any of the permitted uses.
- 1. Private parking and garage;
 - 2. Structures such as fences and walls (As regulated by Article XIII);
 - 3. Buildings such as storage sheds, private greenhouses and gazebos;
 - 4. Private swimming pools, sauna, or bathhouse as regulated by Section 9.19 of this ordinance.
 - 5. Signs, as regulated by Article XIV.
 - 6. Home occupations, subject to the restrictions and limitations established in Section 9.11 of this ordinance.
 - 7. Any use customarily used and in conjunction with permitted uses within this District.

NOTE: Article 10, Section PUD, Paragraph B, Part 7, Amended by Ordinance 2011-23.

Planned Unit Development Continued

C. **CONDITIONAL USES:** The following uses and appropriate accessories subject to the approval and qualifications of the Board of Adjustments.

1. Bed and Breakfasts;
2. Churches and other buildings of worship.

NOTE: Article 10, Section PUD, Paragraph C, Part 2, Amended by Ordinance 2011-09.

3. Day care center;
4. Funeral homes provided that they are located adjacent to an arterial street;
5. Government offices;
6. Nursery schools;
7. Police and fire stations, provided that they are located on an arterial street;
8. Recreational Vehicle Parks, but shall not include mobile or manufactured homes.

D. **REQUIRED BUFFER SPACE:**

There shall be reserved, within the tract to be developed on a planned unit basis, a minimum land area ranging from ten (10%) percent to twenty (20%) percent of the entire tract depending upon the location and character of the land to be set aside, as open space or buffer zone or as required by the Planning & Zoning Commission and legislative bodies any necessary compliance with applicable Subdivision Regulations.

NOTE: Article 10, Section PUD, Paragraph D, Amended by Ordinance 2011-23.

E. **OTHER DEVELOPMENT CONTROLS:**

1. The area and height regulations for single family dwellings (detached) may be changed from those required in R-1B zoning and shall be as approved in the submitted Development Plan, provided, however, that the minimum lot width at the front yard minimum setback line for the dwelling shall not be less than fifty feet (50'), the side yard setback shall not be less than five feet (5'), and provided that any area where the side yard setback is less than ten feet (10'), the side wall of all dwellings shall meet the requirements of the current edition of the Kentucky Residential Code and/or the current edition of the Kentucky Building Code.
2. Off-street parking and loading and unloading shall be provided in accordance with Article XI and Article XII, of this Ordinance, or as indicated on the approved Site Development Plan.
3. No lighting shall be permitted which would glare from this zone onto any street, or into any other zone.
4. A zoning and building permit must be obtained for each structure.
5. No outside storage of any kind is permitted, but the developer may include in the approved development plan a centralized storage area for residents of the development.
6. A State-One Development, as required by Section 9.19 of this Ordinance, shall be submitted for preliminary and final approval by the Grant County Planning Commission and the appropriate legislative body – Williamstown City Council.
7. Minimum size of any PUD Zone shall be 20 acres unless the development is adjacent to an existing PUD Zone and extends the existing development.

Planned Unit Development Continued

8. Intensity – Residential land use intensity shall be that level in the R-1B zone. Commercial land use shall be that level in the H-C (Highway-Commercial) zone. A mixed land use development of residential/commercial shall be reviewed in conjunction with Stage-One Development Plan, relative to intensity.

NOTE: Article 10, Section PUD, Amended by Ordinance 2004-09

Article 10, Section PUD, Paragraph E, Subparagraphs 4, 6, and 8 Amended by Ordinance 2011-23.

SECTION III Planned Unit Development Criteria

Development Plan proposals in a Planned Unit Development shall be primarily evaluated against the criteria listed below. The Concept Development Plan shall fulfill the following criteria unless a portion of the criteria do not apply or relate, in whole or part, to a specific proposal. The examples listed in this section are for illustrative purposes. Specific solutions used to fulfill these criteria are contingent upon the size, scale, site conditions, design, uses and impacts of a proposed development.

1. Mixed Use Development and Pedestrian Orientation: Planned Unit Developments shall generally have a mixed use orientation (combination of differing types of residential, commercial, and/or industrial uses) both within the development itself and relative to the relationship between the proposed planned development and adjacent sites. The additional intensity allowed in a Planned Unit Development shall only be permitted when a true mixed use and/or an amenity – oriented development with community and recreation facilities as described in this standard is provided.

In general, planned developments shall have a pedestrian/customer orientation, where it is possible to live, work, shop, and play in the same immediate vicinity without a required dependence on the automobile. This may be accomplished through the use of comprehensive pedestrian circulation networks including multipurpose paths and walks along main routes and open spaces such as stream corridors, between major destinations within the development and adjoining areas, secondary walk connections to the multipurpose paths, the creation of a designed pedestrian environment including street trees in addition to other required landscaping, decorative street lights and other street furniture, and seating areas, and the use of integral curb walks where appropriate along streets. Disruptions in major paths due to street and drive intersections shall be minimal. Additionally, in commercial areas, pedestrian orientation can be accomplished by placing buildings in close proximity to the street with parking areas to the side and rear of buildings, mixing uses within the same multi-story buildings, building entrances directly facing streets with reduced setbacks, architectural design which employs display windows, projecting signs, and awnings at street level, and designed outdoor seating and gathering spaces at the street level. Each development proposal must demonstrate in detail how the project will be made walkable throughout.

2. Compatibility of Uses: Measures shall be taken to assure compatibility of land uses within a planned development itself and adjacent sites. Such measures may include the provisions of buffer zones, common open space areas and landscape features, transitional

Planned Unit Development Continued

land uses, or a mixed-use development in which no specific type of land use is dominate. When applicable, the design methods recommended in the “Development Layout, Lot Sizes, and Setbacks” section of the Comprehensive Plan’s Land Use Element shall be employed. Compatibility measures/mitigation measures shall exceed the usual minimum standards of this order when needed to address impacts of the proposed development.

3. Open Space: Useable open space(s), in an amount over and above setback and buffer yard areas and open areas required by the underlying zone, shall be provided. These spaces may be provided in the form of greenways, parks, plazas, arcades, commons, trails, sports courts or other athletic and recreational areas, outdoor areas for the display of sculptural elements, etc. Land reservations for community facilities may be considered in lieu of useable open space. The use of single loaded streets to provide greenways with multi-purpose paths, park areas, or to protect stream corridors, may be proposed for this purpose. Open Space areas are encouraged to have street frontage and visibility. Any site proposed to be publically dedicated or donated for park or open space purposes shall comply with the appropriate legislative body’s requirements for acceptance of such dedications or donations.
4. Multi-Modal Transportation System: Planned developments shall incorporate multi-modal transportation elements through the development, depending on the foreseeable needs of future residents and users of the site, and the relationship of the project site to the community at large. Such multi-modal elements may include provisions for mass transit stops or stations, car pooling lots, pedestrian and bicycle paths and lanes, bicycle parking areas, etc. Multi-modal facilities are encouraged to be combined with the pedestrian systems and open spaces described in Sections 1 and 3.
5. Preservation of Existing Site Features: Existing topography, significant tree cover, tree lines along property lines, cemeteries, and water courses and water bodies shall be largely preserved and incorporated into the project design, where appropriate and consistent with the remainder of this article. The retention of such features may also fulfill portions of the requirements in Section 3 “Open Space” and Section 6 “Landscaping.”
6. Landscaping: Substantial landscaping shall be provided in a planned development with emphasis given to street scape areas, buffer zones, and the provision of significant landscaping (in terms of size of landscape areas, and quantity and quality of landscape materials) within the developed portions of the site. The use of landscape design guidelines is required for multi-phased projects. The retention of existing healthy, substantial trees should occur wherever possible. Properly designed street tree plantings may be permitted to fulfill some landscaping requirements as part of an overall amenity package.
7. Architecture: Sites which are subject to architectural requirements through adopted overlay districts or land use studies shall follow said requirements. For all other sites, a consistent architectural theme shall be provided in planned developments. The theme shall largely use traditional, regionally influenced architectural forms and elements and shall allow variations within it. Traditional styles such as Georgian, Federal, I-House, Cape Cod, Craftsman, Tudor, Queen Anne, Italianate, early 20th century commercial structures, and local farm structures may be used as models. The architectural theme shall

Planned Unit Development Continued

also relate to existing structures on the project site and adjacent sites, especially if such existing structures are historic.

For attached or multi-family residential developments and commercial or office developments, the predominant building materials shall have a solid appearance, such as could be achieved with brick, stone, and architectural grade cast concrete products designed to replicate natural materials. Roof designs shall have a finished appearance through the use of three dimensional pitched roof forms with architectural grade roofing and/or the use of defined parapets with cornice lines. Long building facades and roof planes shall be interrupted through the use of three dimensional jogs in the building footprint and secondary roof forms such as hips, dormers, and gables. Such buildings shall include architectural detailing for cosmetic enhancement, largely use natural colors, and use a consistent design treatment on all facades. The use of architectural guidelines or building prototypes is required for all multi-phased projects.

Developments should be mixed-use in character with multi-level buildings where commercial services are proposed. Walkability must be planned for when locating commercial and residential uses in proximity to each other. Office and residential uses are strongly advocated above commercial uses in business districts and decrease dependence on the automobile.

8. Historic and Prehistoric Features: Historic and prehistoric features on the project site shall be retained, utilized, and incorporated into the overall project design if physically and economically feasible.
9. Signage: A consistent signage theme shall be provided within a planned development. Building mounted signs shall be the predominate signage on the project site. Signage shall visually correlate to the planned architectural theme by the use of consistent design details, materials, and colors. The use of signage design guidelines is required for multi-phased projects and regulated by Article XIV.
10. Transportation Connections and Entry Points: The provision of transportation connections (street connections, pedestrian paths, multi-purpose trails, sidewalks, and bicycle facilities) shall be provided in all planned development unless physically unfeasible or unsafe. This shall include connections to adjoining properties and developments, and inter-connectivity within the development itself, and contain minimal use of cul-de-sacs or other dead-end types of streets only when necessary. Transportation connections shall account for the County's adopted Transportation Plan and any adopted greenway, trails, bikeway, and/or pedestrian plans. In addition, the various entry points (streets, paths, etc.) into a planned development shall be marked or otherwise defined through the use of landscaping, low-key signage on retaining walls, architectural or sculptural elements, archways, markers, etc. Any structures used to demarcate entry points shall visually correlate to the planned architectural theme by the use of consistent design details, materials, and colors.
11. Conformance with Comprehensive Plan: All planned developments shall conform to the

Planned Unit Development Continued

provisions of the adopted Comprehensive Plan and take into account the limitations of existing or planned infrastructure.

NOTE: Article 10, Section PUD, Section III, Amended by Ordinance 2011-23.

SECTION 10.

I-1 (INDUSTRIAL ONE) ZONE:

A. **PERMITTED USES:** The following uses are permitted providing all uses are in compliance with the performance standards as set forth in Article XV of this ordinance:

1. The manufacturing, compounding, processing, packaging, or assembling of the following uses:
 - a. Candy and confectionery products, food and beverage products, except the rendering or refining of fats and oils and excluding poultry and animal slaughtering and dressing;
 - b. Cigars and cigarettes and tobacco products;
 - c. Cosmetics, pharmaceuticals, and toiletries;
 - d. Animated and/or illuminated billboards and other commercial advertising structures;
 - e. Electric appliances, television sets, phonographs, household appliances;
 - f. Electrical machinery, equipment, and supplies;
 - g. Fountain and beverage dispensing equipment;
 - h. Furniture
 - i. Instruments for professional, scientific, photographic and optical use;
 - j. Metal products and metal finishing, excluding the use of blast furnaces or drop forges;
 - k. Musical instruments, toys, novelties, jewelry, rubber or metal stamps;
 - l. Office equipment;
 - m. Pottery and figurines;
 - n. Products from the following previously prepared materials: paper, glass, cellophane, leather, feathers, fur, precious or semi-precious metals, hair, horn, shell, tin, steel, wood, plastics, rubber, bone, cork, felt, fibers, yarn, wool, and tobacco; and
 - o. Textile products, including canvas and burlap, clothing, cotton products, hosiery and knitting mills, rope and twine.

NOTE: Article 10, Section I-1, Paragraph A, Subparagraph 1, Part o, Amended by Ordinance 1999-27

2. Animal hospital
3. Bottling and canning works
4. Building materials, sales yards
5. Bus line shops and storage
6. Carting, express, hauling, or storage yards
7. Coal, coke, or wood yards
8. Contractors' offices and accessory storage yards, including storage of general construction equipment and vehicles
9. Crating services
10. Fire stations
11. Freight terminals
12. Governmentally owned and/or operated city, county, and state garages

Industrial-1 Continued

13. Industrial engineering consultant offices
14. Laboratories, offices, and other facilities for research, both basic and applied, conducted by or for an industrial organization or concern, whether public or private
15. Laundries and dry cleaning plants, involving laundering and dry cleaning of articles delivered to the premises by commercial vehicles
16. Machine shops
17. Printing, engraving, and related reproduction processes
18. Public utilities' rights-of-way and pertinent structures
19. Publishing and distribution of books, newspapers, and other printed materials
20. Railroad facilities, exclusive of marshalling yards, maintenance and fueling facilities
21. Schools for industrial or business training
22. Truck terminals
23. Warehousing or wholesaling
24. Central warehousing and distribution facilities

ACCESSORY USES:

1. Customary accessory buildings and uses, including operations required to maintain or support any use permitted in this zone on the same lot as the permitted use, such as maintenance shops, power plants, and machine shops
2. Fences and walls as regulated by Article XIII of this ordinance
3. Signs as regulated by Article XIV of this ordinance
4. Uses, as listed below, including within and entered from within any use permitted in this zone as a convenience to the occupants thereof, and their customers providing such accessory uses shall not exceed ten (10) percent of the gross floor area of the permitted uses in the building and no exterior advertising displays shall be visible from outside the building
 - a. Cafeterias;
 - b. Coffee shops or refreshment stands; and
 - c. Soda or dairy bars

C. AREA AND HEIGHT REGULATIONS:

1. Minimum Lot Area – one-half (1/2) acre
2. Minimum Lot Width at Building Setback Line – one hundred (100) feet
3. Minimum Front Yard Depth – fifty (50) feet
4. Minimum Side Yard Width on Each Side of Lot – twenty-five (25) feet
5. Minimum Rear Yard Depth – twenty-five (25) feet; no rear yard is required where a rail spur forms the rear property line

Industrial-1 Continued

6. Maximum Building Height – sixty-five (65) feet

NOTE: Article 10, Section I-1, Paragraph C, Part 6, Amended by Ordinance 2011-09.

D. CONDITIONAL USE

1. Bulk storage and dispensing of bottle gas and petroleum products
2. Any other use peculiar adaptable to I-1.

NOTE: Article 10, Section I-1, Paragraph D, Subparagraph 2, Amended by Ordinance 1999-27

E. OTHER DEVELOPMENT CONTROLS:

1. Off-street parking and loading and/or unloading shall be provided in accordance with Articles XI and XII of this ordinance.
2. No lighting shall be permitted which would glare from this zone onto any street or into any adjacent property.
3. Where any yard of any use permitted, in this zone abuts a residential zone, a minimum yard which abuts said zone shall be provided, ten (10) feet of which shall be maintained by a screening area, as regulated by Section 9.17 of this ordinance.
4. A site plan, as regulated by Section 9.19 of this ordinance, shall be required for any use in this zone.

SECTION 10.

1-2 INDUSTRIAL ZONE

A. USES PERMITTED: The following uses are permitted providing all uses are in compliance with the performance standards as regulated in Article XV of this Ordinance.

1. Except for those that decompose by detonation, the manufacturing, compounding, processing, packing, or assembling of the following uses:
 - a. Acetylene, butane and bottled gas including bulk storage.
 - b. Brewing and distilling of alcohol.
 - c. Brick, tile or terra cotta.
 - d. Candy and confectionery products, food and beverage products excluding the rendering or refining of fats and oils.
 - e. Cement, concrete and concrete products.
 - f. Cigars and cigarettes and tobacco products.
 - g. Cosmetics, pharmaceuticals and toiletries.
 - h. Animated and/or illuminated billboards and other commercial advertising structures.
 - i. Electric appliances, television sets, phonographs, household appliances.
 - j. Electrical and non-electrical machinery, equipment and supplies.
 - k. Fountain and beverage dispensing equipment.
 - l. Furniture.
 - m. Instruments of professional, scientific, photographic and optical.
 - n. Lumber mills and storage yards.
 - o. Metal, metal finishing and metal products, excluding blast furnaces or drop forges.
 - p. Musical instruments, toys, novelties, jewelry, rubber or metal stamps.
 - q. Office equipment.
 - r. Oil cloth or linoleum.
 - s. Plastic and plastic products.
 - t. Pottery and figurines.
 - u. Products from the following previously prepared materials: paper, glass, cellophane, leather, feathers, fur, precious or semi-precious metals, hair, horn, shell, tin, steel, wood, plastics, rubber, bone, cork, felt, fibers, yarn, wool, tobacco.
 - v. Rubber and rubber products.
 - w. Stone and monument works employing power driven tools.
 - x. Vinegar and yeast.
 - y. Sand and gravel including storage.
- NOTE: Article 10, Section I-2, Paragraph A, Subparagraph 1, Part B Amended by Ordinance 2011-22**
2. Bag, carpet and rug cleaning.
 3. Bottling and canning works.

Industrial-2 Continued

4. Building materials sales yards.
5. Bulk storage stations.
6. Bus line shops and storage.
7. Carting, express, hauling or storage yards.
8. Coal, coke, or wood yards.
9. Contractors offices and accessory storage yards including storage of general constructions equipment and vehicles.
10. Crating services.
11. Flour mills.
12. Freight terminals.
13. Governmentally owned and/or operated city, county or state garages.
14. Industrial engineering consultant offices.
15. Laboratories, offices and other facilities for research, both basic and applied, conducted by or for an industrial organization or concern, whether public or private.
16. Laundries and dry cleaning plants involving laundering and dry cleaning of articles delivered to the premises by commercial vehicles.
17. Machine shops.
18. Plating plants.
19. Printing, engraving and related reproduction processes.
20. Public utilities rights-of-way and pertinent structures.
21. Publishing and distribution of books, newspapers, and other printed materials.
22. Railroad facilities including passengers and freight terminals, marshalling yard, maintenance shops, and round house.
23. Schools for industrial or business training.

Industrial-2 Continued

24. Trucking terminals.
25. Warehousing or wholesaling.

B. ACCESSORY USES:

1. Customary accessory buildings and uses including operations required to maintain or support any use permitted in this zone on the same lot as the permitted use, such as maintenance shops, power plants, and machine shops.
2. Fences and walls as regulated by Article XIII of this Ordinance.
3. Signs as regulated by Article XIV of this Ordinance.

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4. Uses, as listed below, including within and entered from within any use permitted in this zone as a convenience to the occupants thereof, and their customers providing such accessory uses shall not exceed ten (10) percent of the gross floor area of the permitted uses in the building and no exterior advertising displays shall be visible from outside the building.
 - a. Cafeterias
 - b. Coffee shops or refreshment stands
 - c. Soda or dairy bars

C. CONDITIONAL USES: The following uses subject to the approval by Board of Adjustment, as set forth in Sections 9.14 and 18.7 of this Ordinance:

Except for those that decompose by detonation, the manufacturing, compounding, processing, packing or assembling of the following uses:

1. Chemicals including ammonia, bleach, bluing, calcimine, chlorine, corrosive acid or alkali, dyes.
2. Fertilizer, gypsum, lime or plaster of paris.
3. Iron, steel, aluminum foundry or forge works and heavy weight casting.
4. Blast furnaces or drop forges.
5. Paint, oil, shellac, turpentine, lacquer, varnish, gasoline.
6. Paper, paperboard, pulp.
7. Petroleum refining and products including bulk storage, provided bulk is related to refining.
8. Rolling mills.
9. Rubber and rubber products.
10. Soap and soap products.
11. Forge plants.
12. Foundries.
13. Sanitary landfill sites.

Industrial-2 Continued

14. Processing of junk, waste, discarded or salvaged materials, machinery, or equipment, including automobile wrecking or dismantling.
15. Asphalt plant, but only when the following conditions are met:
 - a. That no asphalt plant be conducted closer than one thousand (1,000) feet from any existing residence on another lot under different ownership.
 - b. Noise, Air & Water Quality – The facility shall be operated at all times in compliance with applicable Federal, State, and local laws and regulations on noise, air and water quality.
 - c. Development Plan – The development plan shall indicate all existing contours, shows with intervals sufficient to show existing drainage courses, retention, stormwater and sedimentation basins; and the names and locations of all streams, creeks or other bodies of water within five hundred (500) feet.
 - d. Drainage and Erosion Control – All operations shall have adequate drainage, erosion, and sediment control measures incorporated in the site/development plan(s). If, in the event, adequate drainage, erosion, and sediment control cannot be provided, permits may be denied.
 - e. Roads – All access roads which intersect with a State highway or public street shall be paved with an all-weather surface of either asphalt or concrete for the entire length of road from State highway or street to the active loading point.
 - f. Screening – Screening shall be provided as defined in accordance with Williamstown and Subdivision Regulations.
 - g. Transportation Plan – A Transportation Plan shall be planned (in relationship to the arterial roadway system) to minimize the impact of traffic, dust, and vehicle noise on areas outside the site and shall include the following information:
 - 1) Product shipping and deliveries;
 - 2) Mode of transportation;
 - 3) Route(s) to and from the site;
 - 4) Schedule and frequency of shipments;
 - 5) Delivery and shipping spillage control methods;
 - 6) Employee parking.
 - h. Storage – Storage and/or stockpiles of hazardous materials shall be in a completely closed building. Outdoor storage, except aggregate, sand and recycled asphalt material, shall be enclosed on at least three sides by a solid wall or fence, not less than six (6) feet nor greater than eight (8) feet in height, and shall be placed at designated site(s) on the development plan. At the cessation of operation, all storage piles and/or stockpiles shall either be removed or graded and covered with a minimum of 18 inches of

Industrial-2 Continued

E. OTHER DEVELOPMENT CONTROLS:

1. Off-street parking and loading or unloading shall be provided in accordance with Articles XI and XII of this Ordinance.
2. No lighting shall be permitted which would glare from this zone onto any street, road, highway, deeded right-of-way or into any adjacent property.
3. Where any yard of any use permitted in this zone abuts a residential zone, all buildings, outside storage areas, loading and working areas (except accessory parking) in conjunction with uses which are permitted in the I-2 zone shall be located at least three hundred (300) feet from any residential zone and at least one hundred (100) feet from any other zone. Each side and/or rear yard which abuts said residential zone shall be provided, ten (10) feet of which shall be maintained by a screening area as regulated by Section 9.17 of this Ordinance.
4. A site plan as regulated by Section 9.19 of this Ordinance shall be required for any use in this Zone.
5. All driveways and stacking areas shall be paved or sealed to prevent dust.
6. No waste shall remain overnight at the site.
7. This use shall be conducted only between the hours of 7:00 a.m. – 7:00 p.m.
8. The operator shall identify and employ misting, spritzing, masking agents, or absorption agents to control offensive odors.
9. The Board of Adjustment shall specifically consider and be able to find that the proposed use will not constitute a nuisance by creating excessive noise, water pollution, odor, truck traffic, vermin or other disease vectors, dust or other public health hazards. The Board shall also be able to find that the applicant has demonstrated specific measures in their application and plans that assure compliance with the applicable state environmental performance standards of 401 KAR 47:030.
10. Outside storage and working areas (except accessory parking) shall be enclosed by a solid wall or fence, not less than six (6) feet in height.

NOTE: Article 10, Section I-2, Paragraph C, Subparagraph 15 – Subparagraph 16, Part 10, Amended by Ordinance 2011-22

SECTION III

1. Prohibited Uses (All uses other than those listed as principal, accessory, or conditional uses or substantially similar to principal, accessory, or conditional uses shall be prohibited.

NOTE: Article 10, Section I-2, Section III, Paragraph 1 Amended by Ordinance 2011-22.