

CITY OF GEORGETOWN
ORDINANCE NO. 2021 -04

AN ORDINANCE AMENDING THE GEORGETOWN SCOTT-COUNTY ZONING ORDINANCE, INCLUDING SECTIONS 2.51.1, 4.32, 4.35 AND 4.422.

SUMMARY

1. Amends the Georgetown-Scott County Zoning Ordinance to provide that Mobile Home Parks and Mobile Home Subdivisions are not permitted as conditional uses in B-2 districts and that Mobile Home Camps are permitted as conditional uses in B-2 districts but not in B-3 districts.
2. Amends the Georgetown-Scott County Zoning Ordinance to remove the provision allowing singular mobile homes on a solid foundation as a conditional use in R-1C districts and removes the provision allowing mobile homes on a single lot as a conditional use in R-2 and R-3 districts.
3. Amends the Georgetown-Scott County Zoning Ordinance to remove the provision allowing Mobile Home Parks and Mobile Home Subdivisions as conditional uses in the B-2 Highway Commercial District.
4. Provides for repeal of inconsistent ordinances, severability of provisions and an effective date upon passage and publication.

The full text of this Ordinance is available for examination in the City Clerk's Office, 100 North Court Street, Georgetown, Kentucky 40324 or at www.georgetownky.gov.

PUBLICLY INTRODUCED AND READ FIRST TIME: April 26, 2021

PUBLICLY READ SECOND TIME AND PASSED: May 10, 2021

APPROVED: *Tom Prather*
Tom Prather (Jun 17, 2021 12:01 EDT)

Tom Prather, Mayor

ATTEST: *Tracie Hoffman*
Tracie Hoffman (Jun 18, 2021 09:11 EDT)

Tracie Hoffman, City Clerk

I, Devon E. Golden, hereby certify I am an Attorney licensed to practice law in the Commonwealth of Kentucky. My office is located at 100 North Court Street, Georgetown, Kentucky 40324. I further certify the foregoing Summary of Ordinance 2021-04 of the City of Georgetown, Kentucky, was prepared in accordance with the requirements of KRS 83A.060(9) and is a true and accurate summary of the contents of said Ordinance.



Devon E. Golden

ORDINANCE 2021-04

AN ORDINANCE AMENDING THE GEORGETOWN SCOTT-COUNTY ZONING ORDINANCE, INCLUDING SECTIONS 2.51.1, 4.32, 4.35 AND 4.422.

Sponsor: Council Members Willow Hambrick and Karen Tingle-Sames

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF GEORGETOWN, KENTUCKY:

SECTION ONE

Article II, Section 2.51.1 of the Georgetown/Scott County Zoning Ordinance is amended as follows:

2.51.1

For the purpose of these regulations, four basic types of mobile homes development have been defined. They are: (1) mobile homes parks; (2) mobile home subdivisions; (3) mobile home camps (or trailer parks); and (4) a mobile home on a single lot and solid foundation. All such uses shall conform to all applicable provisions of KRS 219[.120 through 219.250], as amended, all provisions of this ordinance, and all attached special conditions.

A. Mobile Home Parks and Mobile Home Subdivisions: May be permitted as a conditional use only in R-2[~~]~~ **and** R-3 [~~and B-2~~] districts. Mobile home camping areas may be permitted by conditional use in B-2 districts or as accessory uses in recreational areas. All mobile home parks shall be subject to the standards of development established in the Subdivision Regulations. A plat plan shall be submitted to the Enforcement Officer who shall review such plan to see that the following information at a minimum is shown:

1. Name and address of applicant and/or owner.
2. Name, location and size of Mobile Home Park.
3. Approximate dimensions and locations of lots (also numbered), roads and pavement, easements, parks, community buildings, existing buildings to remain, and existing buildings within 200 feet of exterior property lines.
4. Contour lines at an interval of 10 feet along with existing natural features.
5. General location of all utilities and method of sewage disposal.

6. Public or community areas.
7. Large scale plan of at least one typical mobile home lot showing mobile home location, automobile parking space, minimum yard requirements, etc.
8. Location of planting for landscaping or buffer purposes when necessary.
9. Identification of abutting property owners.
10. Proposed street right-of-way and pavement type and widths along with curb gutter and sidewalk proposals.
11. Certificates from the County Health Officer.

When the Enforcement Officer has determined the application for mobile home parks or trailer camps complete, including payment of fees, the application is sent to the Board of Adjustment who shall proceed to consider the application in the same manner as set forth in Paragraph 2.33 and in KRS 100.217 through 100.263.

- B. In the case of Mobile Home Subdivision the applicant is expected to meet all of the requirements for preliminary plat approval in his initial application to the Board. Upon preliminary approval of the mobile home subdivision by the Board the application together with any conditions the Board might attach, the application is forwarded to the Planning Commission for Preliminary and Final Plat consideration. Both bodies must approve the application and act on all variances requested before any site preparation may begin.
- C. Mobile homes are permitted in Agricultural Districts and in Conservation Districts on the minimum lot size established for the district unless provisions of Article II, Section 2.1 (2) are applicable.
- D. Development Standards for Mobile Homes: The following standards and requirements are minimum standards for the development of mobile home facilities and may be increased at the option of the developer but may be decreased only by approved variances by the Board (and Planning Commission as in the case of subdivisions).

There are no minimum nor maximum numbers of mobile homes that may be permitted in an approved development, other than density requirements, special conditions that may be imposed by the Board (or Commission when subdividing), or self-imposed limitations that the developer presents. Development shall be in strict accordance with the plans approved by the Board or Commission, including any and all staged development.

1. Mobile Home Parks and Mobile Home Subdivisions: All requirements of the Zoning District in which such use is proposed and KRS shall apply. *

*Note: This is in keeping with the philosophy that mobile homes should be regulated in the same manner as houses. Therefore, where permitted, mobile home parks, mobile home subdivisions and mobile homes on a single lot are subjected to the same regulations, subdivision and zoning, as single family houses.

2. Mobile Home Camps (or camping areas for trailers) are permitted as a conditional use only in ~~[B-3]~~ **B-2** districts or as conditional accessory uses in major recreational areas. Due to the temporary or seasonal nature of this use, special development regulations are necessary. In addition to fulfilling the requirements of KRS 219~~[120-219.250]~~ as a minimum, the following requirements are to be followed:

- a. The same application, unless changes were granted, that is submitted to the Board of Adjustment, shall be submitted to the Department of Health for their consideration.
- b. The minimum lot for each trailer is 3,000 square feet.
- c. Adequate open space and recreation areas shall be provided in accessible locations.
- d. Accessory commercial uses are permitted, but no closer than 100 feet from the nearest trailer or camping lot.
- e. The layout and lot arrangement shall ~~[be such that]~~ **provide** maximum privacy ~~[was an obvious consideration]~~. This may be achieved through landscaping, natural features, radial or alternative lot arrangements, etc.
- f. The surface of the parking area shall be improved, either paved or (8") compacted gravel or as approved by the Board.
- g. All roads shall be improved as approved by the Board.
- h. All lots and streets shall be properly drained.

- E. Issuance of Building Permit: The Planning Commission or the Board of Adjustment, if delegated by the Planning Commission, may attach reasonable special conditions to its approval of a mobile home development and may direct the Enforcement Officer to issue a building permit. The Enforcement Officer shall not issue a building permit until he has received written authorization from the Planning Commission or Board of Adjustment, and the applicant shall not start construction until he has also obtained a

valid construction permit from the State Department of Health as required by [~~Kentucky Revised Statutes 219.150~~] **KRS 219.**

- F. Issuance of Certificate of Occupancy: The Enforcement Officer shall issue a certificate of occupancy only after he has determined that the mobile home development has been prepared according to all applicable regulations and special conditions. The applicant must also obtain a valid permit to operate from the State Department of Health as required by [~~Kentucky Revised Statutes 219.130~~] **KRS 219.**
- G. Non-conforming mobile homes and mobile home parks: All mobile homes within the county which are non-conforming may continue in their present location as long as the mobile home is occupied by the present occupant. Should the present occupant move elsewhere, the right to maintain a substandard mobile home park shall terminate and the owners shall be required to move the mobile home.
- H. Mobile homes in agricultural and conservation districts: the following regulations shall be applicable in A-1 and C-1 districts.

Mobile homes may be permitted in Agricultural districts and in conservation districts on the lot sizes specified for farm dwellings.

SECTION TWO

Article IV, Section 4.32 of the Georgetown/Scott County Zoning Ordinance is amended as follows:

4.32 CONDITIONAL USES IN R-1B, R-1C DISTRICTS

- A. Home occupations.
- B. Funeral Homes.
- C. Professional offices.
- D. [~~Singular mobile homes on a solid foundation and underpinned in R-1C districts only.~~]
This section intentionally left blank.
- E. Type II licensed day care facilities (amendment dated 8/20/85)
- F. Bed & Breakfast as defined in Section 2.1 above and limited to those properties with direct access to arterial roads as defined by the Transportation Element of the Comprehensive Plan – W. Main Street (extending to Kentucky Avenue) and S. Broadway (extending to Hiawatha Trail). Signage shall be limited as set forth in the Sign Ordinance located in Appendix C (amendment effected within the city limits of Georgetown,

10/16/2003, by Ordinance No. 2003-031).

SECTION THREE

Article IV, Section 4.35 of the Georgetown/Scott County Zoning Ordinance is amended as follows:

4.35 CONDITIONAL USES IN THE R-2 AND R-3 DISTRICTS

- A. Neighborhood commercial facilities as part of a planned development project. The procedure under Section 2.32-I shall be followed.
- B. Mobile home parks **and** mobile home subdivisions [~~and mobile homes on a single lot~~].
- C. Licensed Type II day care facilities. (Amendment dated 1/15/85)
- D. Home Occupations, as defined in section 2.1, above.
- E. Professional Office consisting of a low traffic office providing services, rather than sales or production which would require deliveries, inventories and vehicles, other than automobiles. To satisfy the requirement of low traffic, an office must have limited staff, including the professional(s) and a limited number of clients during the course of an average work day. The Board of Adjustment may require any reasonable documentation demonstrating the absence of moderate to heavy traffic. (Sections 4.35 D and E, Amendment dated 1/26/88)
- F. Bed and Breakfast as defined in Section 2.1 above. (Section 4.35 F added 5/2/91)
- G. Assisted Living Facilities (Section 4.35 G added 9/3/98)

SECTION FOUR

Article IV, Section 4.422 of the Georgetown/Scott County Zoning Ordinance is amended as follows:

4.422 CONDITIONAL USES (B-2 HIGHWAY COMMERCIAL DISTRICT)

- A. Non-retail commercial.
- B. Outdoor storage and processing.
- C. Warehouses.
- D. Signs identifying the commercial activity on the same premises, billboards, etc. Only

one sign on the premises may be detached from the principal building. Such free-standing sign shall be at least five feet from side lot lines. No portion of any sign shall extend beyond any lot line. Flashing or changing lights which might be confused with traffic control lights are not permitted.

- E. Planned development project for commercial use only. The procedure under Section 2.32 shall be followed.
- F. ~~[Mobile home parks,] [t]railer camps and mobile home subdivisions.~~

SECTION FIVE

If any section, subsection, paragraph, sentence, clause, phrase, or a portion of this ordinance is declared illegal or unconstitutional or otherwise invalid, such declaration shall not affect the remaining portions hereof.

SECTION SIX

All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

SECTION SEVEN

This Ordinance shall be in full force and effect upon passage and publication.

PUBLICLY INTRODUCED AND READ FIRST TIME: April 26, 2021

PUBLICLY READ SECOND TIME AND PASSED: May 10, 2021

APPROVED: *Tom Prather*
Tom Prather (Jun 17, 2021 12:01 EDT)

Tom Prather, Mayor

ATTEST: *Tracie Hoffman*
Tracie Hoffman (Jun 18, 2021 09:11 EDT)

Tracie Hoffman, City Clerk

2021-04-26 - Zoning Code Text Amendment 1

Final Audit Report

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