

ORDINANCE NO. 920.75

**AN ORDINANCE AMENDING ZONING REGULATIONS OF THE CITY OF
FRANKLIN AND SIMPSON COUNTY, KENTUCKY**

WHEREAS, previously the Fiscal Court approved an Ordinance adopting the Zoning Regulations of the City of Franklin and Simpson County, and said Regulations do not have a provision for Community Residential Facilities; and

WHEREAS, it is in the best interest of the citizens and residents of the County of Simpson, Kentucky to adopt an ordinance with regard to zoning these facilities;

NOW, THEREFORE, BE IT ORDAINED BY THE FISCAL COURT OF THE COUNTY OF SIMPSON, COMMONWEALTH OF KENTUCKY, after the passage, approval, and publication of this ordinance as follows:

SECTION ONE: NEW PROVISIONS. The following new definitions are created. These definitions shall be codified in the ZONING ORDINANCE also known as the Zoning Regulations of the City of Franklin and Simpson County, Kentucky:

ARTICLE 2, DEFINITIONS:

2.6. "Community residential facility" means any secure or non-secure facility operated or subject to licensure by any federal, state or local agency which provides a supervised residence for mentally, emotionally, physically or socially disabled persons, or for persons in need of supervision or juvenile delinquents. This term includes, but is not limited to, community residences for the mentally disabled operated or licensed by the offices or divisions of mental health or mental retardation and developmental disabilities, or by the offices or divisions of alcoholism and/or substance abuse, agency or privately operated boarding homes, group homes or private proprietary homes for adults operated or licensed by the Department of Corrections or Department of Social Services, group homes operated by, contracted for or licensed by the division for youth and/or halfway houses operated for any purpose. This definition specifically excludes nursing homes and/or facilities to care for the elderly.

SECTION TWO: AMENDED PROVISIONS. The following sections of the Zoning Regulations of the City of Franklin and Simpson County, Kentucky, ARTICLE 8, are amended to include Community Residential Facilities as permitted uses in the I-1 Light Industrial districts:

8.15.5 is amended to read as follows:

- A. Manufactured Ice (SIC code 2097), machine shops, jobbing and repair (SIC 3599); welding (SIC 3599); welding (SIC Code 7692), and special dies and tools, die sets, jigs and fixtures, and industrial molds (SIC 3544); fabrication and processing plants of articles to be sold at retail on the premises; photocopying and duplicating services (SIC code 7334); general contractors and special trade contractors (SIC codes 17 and 15) and partitions, shelving, lockers, and office and store fixtures including cabinet shops (SIC code 254), adult oriented use(s) and/or sexually oriented businesses, community residential facilities, and child care facility when developed in conjunction with a planned industrial park or is exclusively for the benefit of employees of the manufacturing plant. Two or more adjoining manufacturing plants may jointly operate a child care facility.

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holdings shall not affect the validity of the remaining portions of Ordinance.

All ordinances or parts of ordinances in conflict herewith, are, to the extent of such conflict, hereby repealed.

January 22, 2008

FIRST READING

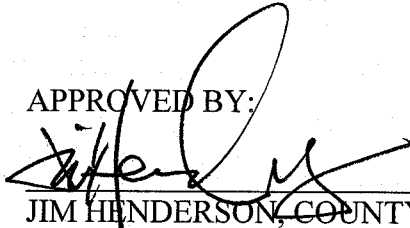
February 5, 2008

SECOND READING

At a meeting of the Fiscal Court of the County of Simpson, Commonwealth of Kentucky, held on February 5, 2008, on motion made by Magistrate Charles McCutchen and seconded by Magistrate Kelly Banton, the foregoing ordinance was adopted, after full discussion, by the following vote:

Yes KELLY BANTON
Yes MARTY CHANDLER
Yes CHARLES McCUTCHEN, SR.
Yes LARRY RANDOLPH
Yes JIM HENDERSON, COUNTY JUDGE/EXECUTIVE

APPROVED BY:



JIM HENDERSON, COUNTY JUDGE/EXECUTIVE

ATTEST:



Pam Rohrs, Fiscal Court Clerk
County of Simpson, Commonwealth of Kentucky