

APPLICATION TO PLANNING COMMISSION
Zoning Text Amendment

Bourbon County Joint Planning Commission

525 High Street, Paris, KY 40361 • (859) 987-2150 • Fax (859) 987-2136

Office Use only:

Application No. ETA 22-01 Fee Amount: \$ N/A Date Fee Received: 1/12/2022

1. APPLICANT NAME CITY OF MILLERSBURG
MAILING ADDRESS PO BOX 265
PHONE NO. 484-3901 (HOME) _____ (WORK) _____

2. TYPE OF REQUEST: Zoning Text Amendment

The attached application form should be used for proposals made to the Bourbon County Joint Planning Commission to amend to add sections to the zoning texts of the cities of Paris, Millersburg, North Middletown, or Bourbon County. The form and other related materials should be completed and returned to the Joint Planning Office by the posted monthly filing deadline. The filing deadline is 12:00 noon on the scheduled date. Applications should be signed by the applicant or his/her attorney.

All zoning text change applicants should note that the completion of this application does not imply that such text change will be approved by the Planning Commission or the applicable legislative body. The Planning Administrator and County Attorney cannot and do not represent the applicant in any matter before the Commission but instead represent the Planning Commission.

This proposal to change the zoning text will be considered in a public hearing by the Bourbon County Joint Planning Commission. The Planning Commission will review the proposal and make a recommendation to the appropriate legislative body. The legislative body will then review both the proposal and the recommendation of the Planning Commission before making a final determination on amending the zoning text.

3. ORDINANCE PROPOSED TO AMEND (PLEASE CIRCLE): Paris/ Bourbon County/ North Middletown/ Millersburg

4. WHAT SECTION OF THE ZONING ORDINANCE ARE YOU PROPOSING TO AMEND? PLEASE PROVIDE NUMBER AND HEADING/NAME OF SECTION:
Proposal amendment would create a new section allowing micro-breweries w/in central business district

5. LIST THE PROPOSED WORDING OF SECTION PROPOSED FOR ADDITION OR AMENDMENT. PROVIDE ATTACHMENTS, IF NECESSARY.
Micro-breweries as defined in ordinance and KRS would be permitted as conditional uses w/in the central business district

6. LIST OTHER SECTIONS OF THE ZONING ORDINANCE OR SUBDIVISION REGULATIONS THAT MAY BE AFFECTED BY THIS PROPOSED AMENDMENT.
N/A

7. IS THIS ZONING ORDINANCE TEXT AMENDMENT RELATED TO ANY OTHER PROPOSALS PRESENTLY BEFORE THE PLANNING COMMISSION OR BOARD OF ADJUSTMENTS? IF SO, PLEASE LIST.

N/A

7. FEE: refer to Fee Schedule

8. SUPPLEMENTAL INFORMATION: (3) A narrative response to address the findings necessary for the text amendment. Before any amendment is granted, the planning commission must find that the text amendment is in agreement with the adopted comprehensive plan, or, in the absence of such a finding, that one (1) or more of the following apply and such finding shall be recorded in the minutes and records of the planning commission or the legislative body or fiscal court: (Refer to Article 5 of the Zoning Ordinance-Amendments).

CHECKLIST:

- Attach a narrative to address the necessary findings for the zoning text amendment.

I hereby certify that the information contained in this application and supporting attachments is true and correct. I acknowledge that the paid fee will not be returned after legal notices have been submitted.

 *attorney for city of Middlebury* *1/12/22*

APPLICANT SIGNATURE DATE

Applications under zoning regulations involve legal procedures and the satisfaction of legal requirements, often complex, based up the written information in your application and the facts presented at your hearing. If you fail to comply with the procedures, or to satisfy the requirements your application will be subject to denial. Even if your application is approved it could be subject to a neighboring landowners appeal to the Circuit Court. You are not required to employ an attorney but you are encouraged to do so.

8. Narrative re: findings of fact.

The text amendment proposes a business opportunity within the defined “central business district” of the City of Millersburg which is, in turn, a community growth center in Bourbon County which the Comprehensive Plan encourages as growth centers. Therefore, the text amendment is in full agreement with the Comprehensive Plan and the goals and objectives thereof.

James Paul Brannon

Attorney at Law

*P.O. Box 735
Paris, KY 40361*

January 4, 2022

Paris-Bourbon County Planning Commission
525 High Street
Paris, KY 40361
Attention: Andrea

Dear Andrea,

Please find attached a draft copy of a proposed text amendment which the City of Millersburg gave at their most recent meeting.

It is my understanding that the public hearing can be had on January 20, 2022 and we will undertake to have someone present at that hearing.

If you have any questions or need further information, feel free to let me know.

Thanks.

Sincerely,



James Paul Brannon

PARIS OFFICE

P.O. Box 735
Paris, Kentucky 40361
859.987.5266

FAX: 859.987.3729

EMAIL: jimbrannon@bellsouth.net

CARLISLE OFFICE

P.O. Box 306
Carlisle, Kentucky 40311
859.289.2577

1/20

**CITY OF MILLERSBURG
ORDINANCE NO. 2022-_____**

**AN ORDINANCE AMENDING THE CITY OF MILLERSBURG ZONING
ORDINANCES TO ADD A SECTION PERMITTING MICRO BREWERIES
AND MICRO DISTILLERIES IN THE CENTRAL BUSINESS DISTRICT**

WHEREAS, the City of Millersburg in order to provide for orderly growth and suitable use of properties within the City of Millersburg, and

WHEREAS, the Paris-Bourbon County Joint Planning Commission has conducted a public hearing and _____ by action on _____, and,

WHEREAS, the City of Millersburg has considered and reviewed the action of the Joint Planning Commission,

NOW WHEREFORE, Be it ordained by the City of Millersburg:

(1) That the City Council of the City of Millersburg hereby adopts an amendment to the text of the City’s zoning ordinance to permit as a conditional use in the central business district micro-breweries and micro distilleries as defined herein.

(2) The definitional text of said ordinance shall be as set out in exhibit one attached hereto.

(3) That this Ordinance shall become in full force upon enactment and publication as required by law.

Passed on first reading by the Millersburg City Council on the ___ day of November, 2021 and given second and final reading on the ___ day of _____, 2022.

Mayor Garnett L. Hopkins

Attest:

City Clerk

EXHIBIT A

"MICRO-BREWERY." An establishment, within a completely enclosed building, which is intended for the production of up to 25,000 barrels per year, of malt beverages, to include providing sampling, and sales by the drink, or by package, of malt beverages in accordance with the terms, conditions, and licenses specified by KRS 243.088, KRS 243.150, and KRS 243.157, and other applicable federal, state, and local laws.

"MICRO-DISTILLERY (Craft Distillery)." Small establishment primarily engaged in on-site distillation of spirits (Examples: vodka, gin, tequila, rum, whiskey) and may include retail and food service. Typically, micro-distilleries offer free tours and tastings to those over 21. Establishments must be in accordance with KRS 243.0305, KRS 243.120, KRS 243.240, KRS 243.250, and other federal, state and local laws. "