

ORDINANCE NO. 15-09-09

**AN ORDINANCE AMENDING SECTION 6.06 AND 6.07
OF THE CITY OF BENTON KENTUCKY'S
PLANNING AND ZONING ORDINANCE
TO INCLUDE RETAIL PACKAGE LIQUOR STORES
AS A PERMITTED COMMERCIAL BUSINESS USE**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BENTON, KENTUCKY,
that:

WHEREAS, the City has enacted an ordinance related to the sale and manufacture of alcoholic beverages in the City of Benton, Kentucky; and

WHEREAS, the City intends to allow licensed retail package liquor businesses to be located in a C-1 or C-2 Commercial District; and

WHEREAS, Section 6.06 and Section 6.07 make no provisions for businesses engaged in the sale or manufacture of any alcoholic beverages;

IT IS THEREFORE, ORDAINED that new sections be added to Section 6.06 and to 6.07 of the City's Planning and Zoning Ordinance that are to read as follows:

6.0608 LICENSED RETAIL PACKAGE LIQUOR STORE

Licensed retail package liquor stores are permitted provided they comply with all of the provisions of the City's Alcoholic Beverage Control Ordinance and are not located within 1,000 feet of a public school, public library, the Children's Art Center, and property owned and operated by a licensed child day care center, or within 500 feet of property owned by a church and used as a place of worship.

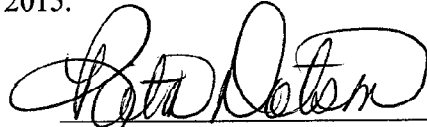
All measurements of distance under this provision of this ordinance are from closest property line to closest property line.

6.0708 LICENSED RETAIL PACKAGE LIQUOR STORE

Licensed retail package liquor stores are permitted provided they comply with all of the provisions of the City's Alcoholic Beverage Control Ordinance and are not located within 1,000 feet of a public school, public library, the Children's Art Center, and property owned and operated by a licensed child day care center, or within 500 feet of property owned by a church and used as a place of worship.

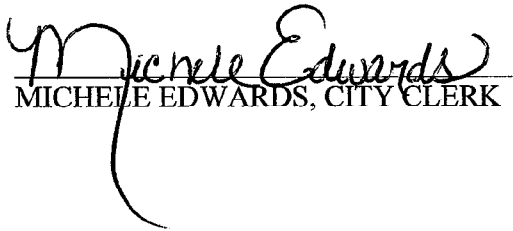
All measurements of distance under this provision of this ordinance are from closest property line to closest property line.

Passed this the 21 day of September, 2015.



RITA DOTSON, MAYOR

ATTEST:



MICHELE EDWARDS, CITY CLERK

FIRST READING: 9-14-2015
SECOND READING: 9-21-2015
PUBLICATION: 9-29-2015

COUNCIL MEMBERS VOTING:

	<u>AYE</u>	<u>NAY</u>
CHARLES EDMONDS	—	✓
STANLEY HOLLAND	✓	—
TIM KING	Absent	—
CHRIS FREELAND	✓	—
RITA MURRAY	✓	—
SHERRA RILEY	—	✓

BENTON PLANNING AND ZONING COMMISSION

IN RE: Recommended Amendment to the City's Planning and Zoning Ordinance Adopted by Reference Under Section 155.01(A) of The City of Benton's Code of Ordinances

The Benton Planning and Zoning Commission met in a Special Called Meeting on Monday, August 31, 2015 at 5:30 p.m. The following persons were present at the meeting:

Bob Rose, Chairman
Robert Collins
Lee Anderson
James Parker
Stephen Flatt
Jerry Lovett
Kip Phillips
Barney Thweatt
Bill Butler

Upon motion duly made and seconded, the Commissioners recommended the following amendments to Section 6.06 of the City's Planning and Zoning Ordinance:

(A) Central Business Commercial District Section 6.0601, Principal Permitted Uses, be amended to include the following:

Package Retail Liquor Stores shall be permitted in a C-1 District provided that no such business shall be located within 500 feet of property owned by a church and used as a place of worship or within 1,000 feet of a public library, the Children's Art Center, or any public school or a property owned and operated by a licensed daycare center for children.

All measurements of distance under this provision of this ordinance are from closest property line to closest property line.

(B) Neighborhood Commercial District Section 6.0701, Principal Permitted Uses, be amended to include the following:

Package Retail Liquor Stores shall be permitted in a C-2 District provided that no such business shall be located within 500 feet of property owned by a church and used as a place of worship or within 1,000 feet of a public library, the Children's Art Center, or any public school or a property owned and operated by a licensed daycare center for children.

All measurements of distance under this provision of this ordinance shall be from closest property line to closest property line.

This the _____ day of September, 2015.

LOIS CUNNINGHAM, PLANNING AND
ZONING ADMINISTRATOR