

ORDINANCE NO. 13-01

**AN ORDINANCE OF THE MADISON COUNTY FISCAL COURT, KENTUCKY
AMENDING THE LAND USE REGULATIONS OF MADISON COUNTY,**

WHEREAS, the Madison County Planning Commission held a Public Hearing on November 15, 2012;

WHEREAS, the Madison County Planning Commission made a determination that it was necessary to revise the Industrial Zoning Classification into two zones, Light Industry and Heavy Industry;

WHEREAS, the Madison County Planning Commission recommends to the Fiscal Court to amend Section 402.3, 402.4 and 402.5, Industrial Land Uses, of the Madison County Land Use Regulations by dividing the existing Industrial Zoning Classification into 5A Light Industry and 5B Heavy Industry as outlined below;

NOW, THEREFORE, be it ordained by the Fiscal Court of the County of Madison, Commonwealth of Kentucky, as follows:

SECTION I

Land Use Regulations, Section 402.3

Industrial Land Uses

Industrial activities also take up a relatively small portion of the total land being used in Madison County. Most of the industrial activities are confined to large industrial parks in Richmond and Berea, where the public infrastructure is adequate and there is reasonable access to major highways and possible railroads. Industrial activities generally concentrate large numbers of workers in small areas and need to be separated from other uses to reduce potential negative impacts on surrounding land. See Section 402.7 for Hazardous Industries. For the purpose of these regulations and to better define where the appropriate sites for such industrial uses are they are defined and described as follows:

5A. Light Industry

Light industrial business is where all processing, fabricating, assembly, or disassembly of items takes places wholly within an enclosed building. Typical items for processing, fabricating, assembly, or disassembly include but are not limited to apparel, home accessories, food, drapes, clothing accessories, bedspreads, decorations, artificial plants, jewelry, instruments, computers, and electronic devices. Other forms of Light Industry could include construction companies, where only large equipment is being stored outdoors. All F-1 Occupancies (Moderate Hazard)

as defined by the Kentucky Building Code that contain 12,000 square feet or less, and all F-2 Occupancies (Low Hazard) shall be included as a Light Industrial Use provided all storage or raw material and finished product are confined within the building(s).

5A. Light Industrial

Minimum site: Two (2) acres

Minimum lot width: 200 feet

Maximum building height: 40 feet

Front yard: 50 feet or 125 feet on Major Highway (measured from road centerline)

Side yards: 20 feet

Rear yard: 25 feet

Relative Location

The most desirable location is in an industrial park with other similar land use activities. However, it is realized that some light industry uses may find other locations more desirable that lie within the Urban and Rural Corridors where infrastructure can support the proposed use. Manufacturing must have sufficient access to move raw materials and employees to the site, and to ship out finished products. Access to local protective services may be an important consideration as well. Accordingly, these sites shall be located on a highway or major collector road adjacent to existing industrial or commercial activities.

5B. Heavy Industry

Heavy Industry is defined as that requiring extensive capital investment in land and machinery which is not easily relocated. Industry of this nature is generally more labor intensive and generally has more environmental impact. Industrial uses of this nature require more land, easier and more convenient access to railroad and major interstate as well as the ability to connect to municipal sewer and fire flow that will support automatic suppression systems. Heavy industry is traditionally production industries in the auto, steel, rubber, petroleum, and raw material areas, requiring high capitalization and producing large quantities or output. An establishment engaged in manufacturing, assembly, fabrication, packaging or industrial processing of products primarily from extracted or raw material or the bulk storage and handling of products and materials.

Another trait of heavy industry is that it often sells its goods to other industrial customers rather than to the end consumer and serves more to be a part of the supply chain of other products. The term also includes, but is not limited to (a) processing and packaging of alcohol beverages; (b) chemical manufacturing; (c) stone-work or concrete manufacturing; (d) motor vehicle manufacturing; (e) lumber milling; (f) permanent concrete/batch plant.

Heavy Industry includes but not limited to uses such as all F-1 Occupancies (Moderate Hazard) as defined by the Kentucky Building Code where the building contains more than 12,000 square feet of area or is otherwise required to be provided with an automatic fire suppression system; chemicals and plastics; Steel and oil refining, production; Mining, Industrial Machinery; etc.

5B. Heavy Industrial

Minimum site: Twenty (20) acres

Minimum lot width: 200 feet

Maximum building height: 50 feet

Front yard: 50 feet or 125 feet on Major Highway (measured from road centerline)
Side yards: 30 feet
Rear yard: 30 feet

Relative Location

The most desirable location is in an industrial park with other similar land use activities. Heavy Industrial Uses shall be restricted to areas where municipal sewer is available and adequate water is available for fire flow and support of automatic fire suppression systems that lie within the Urban and Rural Corridors. Manufacturing must have sufficient access to move raw materials and employees to the site, and to ship out finished products. Access to local protective services may be an important consideration as well. Accordingly, these sites shall be located on a highway or major collector road adjacent to existing industrial or commercial activities with easy and convenient access to the interstate.

In accordance with the Kentucky Building Code (KBC), F-1 and F-2 Factory Industrial uses shall include, but not be limited to, the following:

KBC Section 306.2 Factory Industrial **F-1 Moderate- hazard Occupancy**

Aircraft
Appliances
Athletic equipment
Automobiles and other motor vehicles
Bakeries
Beverages; over 12-percent alcohol content
Bicycles
Boats
Brooms or brushes
Business machines
Cameras and photo equipment
Canvas or similar fabric
Carpets and rugs (includes cleaning)
Clothing
Construction and agricultural machinery
Disinfectants
Dry cleaning and dyeing
Electric generation plants
Electronics
Engines (including rebuilding)
Food processing
Furniture
Hemp products
Jute products
Laundries

Leather products
Machinery
Metals
Millwork (sash & door)
Motion pictures and television filming
(without spectators)
Musical instruments
Optical goods
Paper mills or products
Photographic film
Plastic products
Printing or publishing
Recreational vehicles
Refuse incineration
Shoes
Soaps and detergents
Textiles
Tobacco
Trailers
Upholstering
Wood; distillation
Woodworking (cabinet)

KBC Section 306.3 Factory Industrial
F-2 Low-hazard Occupancy

Beverages; up to and including 12-percent alcohol content

Brick and masonry

Ceramic products

Foundries

Glass products

Gypsum

Ice

Metal products (fabrication and assembly)

402.4 Land Use Districts REVISED

a. Sub-Districts:

UC-1 Urban Development Single-Family Residential
UC-1A Urban Development Single-Family Residential (MD)
UC-1B Urban Development Single-Family Residential (HD)
UC-2 Urban Development Multi-Family Residential (3 units+)
UC-2A Urban Development Duplex/Townhouse/Condominium
UC-3 Neighborhood Commercial
UC-4 General Commercial
UC-4IC Interstate Commercial
UC-5A Light Industrial
UC-5B Heavy Industrial
UC-6 Urban Development Public & Semi-Public
UC-7 Urban Agricultural
UC-8 Urban Development Resource Extraction
UC-9 Urban Development Mobile Home Park
UC-10 Urban Development Hazardous Industries
UC-11 Planned Unit Development

a. Sub-Districts:

RC-1 Urban Development Single-Family Residential
RC-1A Urban Development Single-Family Residential (MD)
RC-3 Neighborhood Commercial
RC-4 General Commercial
RC-5A Light Industrial
RC-5B Heavy Industrial
RC-6 Urban Development Public & Semi-Public
RC-7 Urban Agricultural
RC-8 Urban Development Resource Extraction

a. Sub-Districts:

C-1 Rural Community Single-Family Residential
C-3 Rural Community Neighborhood Commercial
C-4 Rural Community General Commercial
C-5A Rural Community Light Industrial
C-6 Rural Community Public and Semi-Public
C-7 Rural Community Agricultural
C-8 Rural Community Resource Extraction

F-1 Moderate Hazard Occupancies	UC-5A	UC-5B	RC-5A	RC-5B	C-5A	UC-4IC
Aircraft		P		P		
Appliances	C	P	C	P	C	C
Athletic equipment	P	P	P	P	P	P
Automobiles and other motor vehicles		P		P		
Manufacturing						
Bakeries	P	P	P	P	P	P
Beverages; over 12-percent alcohol content	P	P	P	P	P	P
Bicycles	P	P	P	P	P	P
Boats	C	P	C	P	C	C
Brooms or brushes	P	P	P	P	P	P
Business machines	P	P	P	P	P	P
Cameras and photo equipment	P	P	P	P	P	P
Canvas or similar fabric	P	P	P	P	P	P
Carpets and rugs (includes cleaning)	P	P	P	P	P	P
Clothing	C	P	C	P	C	C
Construction and agricultural machinery		P		P		
Manufacturing						
Disinfectants		P		P		
Dry cleaning and dyeing		P		P		
Electric generation plants	P	P	P	P	P	P
Electronics	P	P	P	P	P	P
Engines (including rebuilding)	P	P	P	P	P	P
Food processing	P	P	P	P	P	P
Furniture	P	P	P	P	P	P
Hemp products		P		P		
Jute products		P		P		
Laundries	P	P	P	P	P	P
Leather products	P	P	P	P	P	P
Machinery	C	P	C	P	C	C
Metals	P	P	P	P	P	P
Millwork (sash & door)	P	P	P	P	P	P
Motion pictures and television filming (without spectators)	P	P	P	P	P	P
Musical instruments	P	P	P	P	P	P

F-1 Moderate Hazard Occupancies	UC-5A	UC-5B	RC-5A	RC-5B	C-5A	UC-4IC
Optical goods	P	P	P	P	P	P
Paper mills or products	C	P	C	P	C	C
Photographic film	P	P	P	P	P	P
Plastic products	C	P	C	P	C	C
Printing or publishing	P	P	P	P	P	P
Recreational vehicles Manufacturing		P		P		
Refuse incineration		P		P		
Shoes	C	P	C	P	C	C
Soaps and detergents		P		P		
Textiles	C	P	C	P	C	C
Tobacco	P	P	P	P	P	P
Trailers Manufacturing	P	P	P	P	P	P
Upholstering	P	P	P	P	P	P
Wood; distillation	P	P	P	P	P	P
Woodworking (cabinet)	P	P	P	P	P	P
F-2 Low Hazard Occupancies						
Beverages; up to and including 12-percent alcohol content	P	P	P	P	P	P
Brick and masonry	P	P	P	P	P	P
Ceramic products	P	P	P	P	P	P
Foundries	C	P	C	P	C	C
Glass products		P		P		
Gypsum	C	P	C	P	C	C
Ice	P	P	P	P	P	P
Metal products (fabrication and assembly)	P	P	P	P	P	P
Garbage Refuse Transfer		P		P		
Auto Salvage/ Recycle Centers		P		P		
Heavy Commercial Equipment Staging	P	P	P	P	C	P
Solid Waste Operations		P		P		

SECTION II

That the County Clerk cause this ordinance to be published in accordance with the appropriate Kentucky Revised Statues.

DATE OF FIRST READING: January 8, 2013

MOTION BY: Billy Ray Hughes

SECONDED BY: Larry Combs

VOTE: YES NO

JUDGE, KENT CLARK
MAGISTRATE LARRY COMBS
MAGISTRATE ROGER BARGER
MAGISTRATE GREG KING
MAGISTRATE BILLY RAY HUGHES

✓
✓
absent
✓
✓

DATE OF SECOND READING: February 12, 2013

MOTION BY: Greg King

SECONDED BY: Billy Ray Hughes

VOTE: YES NO

JUDGE, KENT CLARK
MAGISTRATE LARRY COMBS
MAGISTRATE ROGER BARGER
MAGISTRATE GREG KING
MAGISTRATE BILLY RAY HUGHES

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[Signature]

MADISON COUNTY JUDGE EXECUTIVE

Attest:

[Signature]
MADISON COUNTY CLERK

PUBLIC NOTICE

The Madison County Fiscal Court will have 2nd Reading of Ordinance 13-01 at a Fiscal Court meeting on Tuesday, February 12, 2013 at 9:30 a.m. in the Madison County Fiscal Courtroom, Richmond. This ordinance amends Section 402.3, 402.4, and 402.5, Industrial Land Uses, of the Madison County Land Use Regulations by dividing the existing Industrial Zoning Classification into 5A Light Industry and 5B Heavy Industry. The entire ordinance is available in the office of the County Judge Executive.