

**MADISON COUNTY, KENTUCKY FISCAL COURT
ORDINANCE NO. 20-17
AMENDMENT TO ORDINANCE #00-02**

**AN ORDINANCE OF THE MADISON COUNTY FISCAL COURT, KENTUCKY,
AMENDING ORDINANCE #00-02, THE MADISON COUNTY PLANNING AND
ZONING REGULATIONS REGARDING USES ALLOWED.**

**BE IT ORDAINED BY THE FISCAL COURT OF MADISON COUNTY,
KENTUCKY:**

WHEREAS, the Madison County Office of Planning and Development identified a need to make provision for Commercial Solar Energy Facilities in the Land Use Regulations of Madison County;

AND WHEREAS, Madison County Planning Commission defined said Commercial Solar Energy Facilities as being private commercial enterprises or occupancies which are engaged in the process of solar resource evaluation, solar energy development, converting solar energy into electrical energy, collecting, storing and transmitting the electrical energy converted from solar energy, and any and all other activities related to the preceding.

AND WHEREAS, the Madison County Planning Commission held a public hearing on Tuesday, June 16, 2020 to consider said amendment to the Regulations; after discussion of same, the Commission found that making Commercial Solar Energy Facilities a conditional use in specific zones desirable when developed with a proper site development plan;

AND WHEREAS, the Commission voted to recommend to the Madison County Fiscal Court that the text of **Section 402.6 Uses Allowed** and **Section 402.7 Moderate Hazard Occupancies** of the Madison County Planning and Zoning Regulations be changed to make Commercial Solar Energy Facilities a **Conditional** use in the following sub-districts and zones:

- UC-3 Neighborhood Commercial
- UC-4 General Commercial
- UC-7 Urban Agricultural
- RC-3 Neighborhood Commercial
- RC-4 General Commercial
- RC-7 Urban Agricultural
- C-3 Rural Community Neighborhood Commercial

- C-4 Rural Community General Commercial
- C-7 Rural Community Agricultural
- R-7 Rural Agriculture

AND FURTHER, to make Commercial Solar Energy Facilities a **Permitted** use in the following sub-districts and zones:

- UC-5A Light Industrial
- UC-5B Heavy Industrial
- UC-8 Urban Development Resource Extraction
- RC-5A Light Industrial
- RC-5B Heavy Industrial
- RC-8 Urban Development Resource Extraction
- C-5A Rural Community Light Industrial
- C-8 Rural Community Resource Extraction
- R-8 Rural Resource Extraction

NOW, THEREFORE BE IT ORDAINED AND ENACTED BY THE FISCAL COURT OF THE COUNTY OF MADISON, COMMONWEALTH OF

KENTUCKY, that the findings of Madison County Planning Commission are hereby adopted and that the text of **Section 402.6 Uses Allowed** and **Section 402.7 Moderate Hazard Occupancies** of the Madison County Planning and Zoning Regulations be changed to make Commercial Solar Energy Facilities a **Conditional** use in the following sub-districts and zones:

- UC-3 Neighborhood Commercial
- UC-4 General Commercial
- UC-7 Urban Agricultural
- RC-3 Neighborhood Commercial
- RC-4 General Commercial
- RC-7 Urban Agricultural
- C-3 Rural Community Neighborhood Commercial
- C-4 Rural Community General Commercial
- C-7 Rural Community Agricultural
- R-7 Rural Agriculture

AND FURTHER, to make Commercial Solar Energy Facilities a **Permitted** use in the following sub-districts and zones:

- UC-5A Light Industrial
- UC-5B Heavy Industrial
- UC-8 Urban Development Resource Extraction
- RC-5A Light Industrial
- RC-5B Heavy Industrial
- RC-8 Urban Development Resource Extraction
- C-5A Rural Community Light Industrial
- C-8 Rural Community Resource Extraction
- R-8 Rural Resource Extraction

Further, the text of the Madison County Planning and Zoning Regulations shall be amended to add a definition of *Commercial Solar Energy Facilities* as being “private commercial enterprises or occupancies which are engaged in the process of solar resource evaluation, solar energy development, converting solar energy into electrical energy, collecting, storing and transmitting the electrical energy converted from solar energy, and any and all other activities related to the preceding.”

The Madison County Office of Planning and Development shall make the appropriate textual changes to the Madison County Planning and Zoning Regulations to effect this change.

THIS ORDINANCE NO. 20-17 SHALL BECOME EFFECTIVE ON THE DATE OF THE SECOND READING AND ADOPTION.

That the County Clerk cause this Ordinance to be published in accordance with the Kentucky Revised Statutes.

DATE OF FIRST READING: June 23, 2020

MOTION BY: Roger Barger

SECONDED BY: John Tudor

VOTE:	YES	NO
Magistrate Larry Combs	_____	_____
Magistrate Roger Barger	<u>X</u>	_____
Magistrate John Tudor	<u>X</u>	_____
Magistrate Tom Botkin	<u>X</u>	_____
Judge Reagan Taylor	<u>X</u>	_____

DATE OF SECOND READING: July 14, 2020

MOTION BY: John Tudor

SECONDED BY: Tom Botkin

VOTE:	YES	NO
Magistrate Larry Combs	<u>X</u>	_____
Magistrate Roger Barger	<u>X</u>	_____
Magistrate John Tudor	<u>X</u>	_____
Magistrate Tom Botkin	<u>X</u>	_____
Judge Reagan Taylor	<u>X</u>	_____

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MADISON COUNTY JUDGE/ EXECUTIVE

Attest:

Kenny Barger
Madison County Clerk, Kenny Barger