

Background

Over the years, uses have been proposed that do not fit neatly within the zoning ordinance listed permitted or conditional uses. When this happens, an interpretation must be made by the Zoning Administrator regarding where the use fits in the zones and use table. Typically this is done based on what uses listed are most similar in characteristics to the proposed use. Based on the staff history with uses proposed over the years, there are some uses that have become more typical due to the changing economies and industries. The uses proposed in this text amendment reflect the addition of these newer evolving uses.

Additionally, some uses are proposed to be eliminated. The light and heavy industrial uses listed in the ordinance include a number of industrial uses that are outdated and do not include some more modern industrial uses. For this reason, the proposed text amendment seeks to eliminate the listing and consider the nature of the industry's process in determining whether it should be a light or a heavy industrial use. The definition will determine the location of the industry into the appropriate zone. Some common industries that have been demonstrated to be appropriate in a particular industrial zone have been listed as a separate item in the table, so that it is very clear in which zones these industries may locate, either as a principally permitted or conditionally permitted use. Hazardous industries, as defined by the Kentucky Building Code, are proposed to be conditionally permitted, with the exception of hazardous materials accessory on a site containing sales of feed, grain or other agricultural supplies with a condition that the materials has buffer distance requirements from other uses as specified.

The definitions have been revised to include definitions of the proposed uses that have been added to the zones and uses tables. Also, the numeration of the definitions is proposed to be eliminated.. Over the years, insertions of definitions have altered the numbering system requiring the addition of sub-designation numbers in order to maintain the alphabetical organization.

The parking requirements have been revised to include a parking requirement for those newly proposed uses, and to reduce the parking requirement for a drive through restaurant to be equal to that of a restaurant without a drive through. A reference has been added to indicate that ADA parking must be provided in conformance with the current federal ADA parking sizes and requirements.

Finding

1. The proposed text amendments reflect uses that are occurring in our changing economy and should be recognized to encourage economic development.
2. The proposed text amendments are complimentary to future job markets and encourage job opportunities.
3. The proposed text amendments are in compliance with the community's Comprehensive Plan and help to promote the goal of maintaining Daviess County as a viable economic unit.