

NOVEMBER 14, 2002

7841 KY 2830

ZONE CHANGE

From: A-R Rural Agriculture		
To: I-1 Light Industrial		
Acreage: 5.24 acres		
Applicant: Rick Gipson, Sharon Gipson, Lauren Worthington (0211.1503)		
Property Zone Existing Use	to North A-R Residential	
to West A-R Agriculture/ residential	Subject A-R ➔ I-1 Vacant	to East A-R Residential
	to South A-R Vacant lot/residential	

GENERAL LAND USE CRITERIA Apply, if marked below:

Described in Comprehensive Plan on pages 445-448

Environmental ☒

- ☒ **E1** Flood Plains
- E2** Steep Slope
- E3** Historical & Archaeological Sites
- E4** Soils
- E5** Plant & Animal Life

Urban Services ⌘

- U1** Roadway Capacity
- ⌘ **U2** Electricity Supply
- ⌘ **U3** Water Supply
- ⌘ **U4** Stormwater Disposal
- ⌘ **U5** Sanitary Sewage Disposal

Development Patterns ♦

- ♦ **D1** Land-Use Intensity, Clusters and Buffers
- D2** Land Use versus Street Function
- D3** Intersection & Driveway Spacing
- D4** Roadway Buffer Standards
- D5** Lot Sizes & Proportions
- D6** Residential Development
- ♦ **D7** Non-Residential Development
- D8** Building Quality

Proposed Zone & Land Use Plan

The applicant is seeking an I-1 Light Industrial zone. The subject property is located in a Rural Maintenance Plan, where light industrial uses are appropriate in limited locations.

SPECIFIC LAND USE CRITERIA

- (a) **Building and lot patterns; outdoor storage areas –**
Building and lot patterns should conform to the criteria for “**Non-residential Development**” (D7), and outdoor storage yards, with “**Buffers for Outdoor Storage yards**” (D1).
- (b) **Logical expansions outside of Industrial Parks –**
Existing area of light industrial use that are located outside of planned Industrial Parks may be expanded onto contiguous land that generally abuts the same street(s). Such an expansion should not significantly increase the extent of industrial uses that are located in the vicinity and outside of Industrial Parks. Also, such an expansion should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.

Applicant's Findings

The property is located in the Rural Maintenance Area, where Light Industrial zoning is appropriate in limited locations. The property is major-street oriented and is located on a major collector street. With the addition of new US 60, the property is located in a developing business area. The property is in the floodplain and is not suitable for residential development. The property will be buffered and will meet all Kentucky Division of Water Requirements.

Planning Staff Review

The subject property is located in the 7801 block of KY 2830. Land use criteria applicable to this proposal are reviewed below.

GENERAL LAND USE CRITERIA

Environment

The property is located in a special flood hazard area per FIRM map 21059CO135C with a base flood elevation of 391.5 feet above sea level. No other important environmental criteria apply to the subject property.

Urban Services

All urban services are available to the site, with the exception of sanitary sewers. The site would need to be served by an on-site septic system.

Development Patterns

The subject property is located in an area with single-family residential development and agricultural property. Property to the northwest across US 60 East is zoned A-R Rural Agriculture. Property to the southwest and northeast is zoned A-R Rural Agriculture and contains a vacant lot and single-family residences. Property to the southwest across KY 2830 is zoned A-R and contains single-family residences. There is no adjoining, adjacent or contiguous I-1 Light Industrial zoning.

The applicant proposes that this is an acceptable location for light industrial zoning because the subject property is major-street-oriented. This criterion applies only to new locations of light industrial zoning in a rural community. The subject property is not located within a designated rural community and KY 2830 is not classified as a major street or road in Daviess County.

The applicant also states that the addition of the new US 60 creates a developing business area. New U.S. 60 was anticipated by the Comprehensive Plan and is indicated on the Land Use Plan Map.

SPECIFIC LAND USE CRITERIA

The criteria for zoning property to I-1 Light Industrial in Rural Maintenance Plan Areas requires that the zoning be a logical expansion of an existing light industrial zone. Since there are no light industrial uses or zones contiguous to the subject property, this criterion is not met. There have been no major changes in the area that were not anticipated by the Comprehensive Plan. The current zoning of the property is appropriate. All adjoining properties are zoned A-R Rural Agriculture.

Planning Staff Recommendations

Staff recommends denial because the proposal is not in compliance with the community's adopted Comprehensive Plan. This recommendation is made subject to the findings of fact that follow:

1. The subject property is located in a Rural Maintenance Plan Area, where light industrial uses are appropriate in limited locations;

2. The applicant's proposal is not a logical expansion of I-1 Light Industrial zoning or uses, because there are no contiguous Light Industrial uses or zones;
3. The subject property does not qualify as a new location of I-1 Light Industrial zone because it is not located on a major street within a Rural Community Plan Area;
4. The current zoning is appropriate, because all adjoining land is zoned A-R Rural Agriculture; and,
5. There have been no major changes of a social, economic or physical nature that were not anticipated by the Comprehensive Plan that would form a basis for the proposed zoning change.