

**FEBRUARY 13, 2025**

**7444 HIGHWAY 2830**

**ZONE CHANGE**

<b>From:</b> I-2 Heavy Industrial	
<b>To:</b> A-R Rural Agriculture	
<b>Proposed Use:</b> Agricultural Uses	
<b>Acreage:</b> 82.571	
<b>Applicant:</b> Skyfall Farms, LLC (2502.2310)	
<b>Surrounding Zoning Classifications:</b>	
<b>North:</b> A-R	<b>South:</b> A-R
<b>East:</b> A-R	<b>West:</b> I-2

**Proposed Zone & Land Use Plan**

The applicant is seeking an A-R Rural Agriculture zone. The subject property is located in a Rural Preference plan area, where agriculture/forestry uses are appropriate in general locations.

**SPECIFIC LAND USE CRITERIA**

**(a) Conservation of agricultural topsoil.** Agricultural topsoil should be conserved through appropriate farming practices.

**(b) Sustain forests.** Forested areas should be sustained through appropriate forestry practices.

**Planning Staff Review**

**GENERAL LAND USE CRITERIA**

**Environment**

- It appears that a portion of the subject property is located in a wetlands area per the US Department of Agriculture Soil Conservation Service map dated March 6, 1990.
- It appears that a portion of the subject property is located in a special flood hazard area per FIRM Map 21059CO135E.
- It appears that the subject property is designated as prime agricultural farmland per the US Department of Agriculture Soil Conservation Service map dated March 1980.
- The developer is responsible for obtaining permits from the Division of Water, The Army Corp of Engineers, FEMA, the EPA, the OMPC building/electrical/HVAC division or other state and federal agencies as may be applicable.

**Urban Services**

Electricity and water are available to the subject property. Sanitary sewage disposal will be accomplished by an on-site septic system.

**Development Patterns**

The subject property is an existing 82-acre tract that is land-locked and located behind 7436 Highway 2830. The subject property, the adjoining property, and approximately 100-acres to the west (across Highway 2830, adjoining US Highway 60 E) are all zoned I-2 Heavy Industrial. However, the subject property appears to be utilized as an existing farm tract with heavily wooded areas.

This type of use appears consistent with the character of all adjoining properties to the north, south, and east; all of which are zoned A-R Rural Agriculture. At this time, the applicant proposes to rezone the subject property to A-R in order to construct an agricultural building, which will include the storage of items used to maintain the property.

Although the amount of existing potential farmland on the property is limited due to the extent of the wooded areas, proper maintenance of the subject property will ensure that the existing agricultural topsoil will be conserved through appropriate farming practices. Additionally, proper maintenance of the site will also protect the existing wooded areas, ensuring that forested areas will be sustained through appropriate forestry practices.

Any future changes to the property shall comply with applicable portions of the Owensboro Metropolitan Zoning Ordinance and Subdivision Regulations. As such, the applicant should be made aware that, because the property is land-locked and does not have proper road frontage, the subject property shall not be further subdivided so as to create any additional lots not meeting the requirements of the subdivision regulations.

Additionally, before any construction activity takes place on the property, the OMPC Building, Electrical and HVAC department shall be contacted regarding any necessary permits, inspections and certificates of occupancy and compliance.

**SPECIFIC LAND USE CRITERIA**

The applicant's proposal is in compliance with the Comprehensive Plan. Proper maintenance of the land shall ensure that agricultural topsoil will be conserved through appropriate farming practices, and also that forested areas will be sustained through appropriate forestry practices. The proposed A-R Rural Agriculture zone is a logical expansion of existing A-R zoning to the north, south, and east.

**Planning Staff Recommendations**

The planning staff recommends approval subject to the condition and findings of fact that follow:

**Condition:**

1. The subject property shall not be further subdivided so as to create any additional lots not meeting the requirements of the subdivision regulations.

**Findings of Fact:**

1. Staff recommends approval because the proposal is in compliance with the community's adopted Comprehensive Plan;
2. The subject property is located in a Rural Preference plan area, where agriculture/forestry uses are appropriate in general locations;
3. With proper maintenance of the subject property, the existing agricultural topsoil shall be conserved through appropriate farming practices and the forested areas shall be sustained through appropriate forestry practices; and,
4. The proposal is a logical expansion of existing A-R Rural Agriculture zoning to the north, south, and east.