

MEADE COUNTY, KENTUCKY
ORDINANCE NO. 2023-10

AN ORDINANCE AMENDING ORDINANCE NO. 920.00, MEADE COUNTY ZONING
ORDINANCE TO ADD A SECTION FOR HEAVY INDUSTRIAL, IN MEADE COUNTY,
KENTUCKY SUMMARY VERSION

This is a summary version of an ordinance amending Ordinance 920.00, Meade County Zoning Ordinance to add a section for Heavy Industrial, in Meade County, Kentucky.

The full version of this ordinance can be obtained in the Meade County Judge Executive's Office at the Meade County Courthouse, 516 Hillcrest Drive, Brandenburg, Kentucky 40108.

Given First Reading on the 12th day of October, 2023, and approved by at least a majority of the fiscal court members.

This ordinance will be read again, considered again, and possibly adopted by the Meade County Fiscal Court, ~~516 Hillcrest Drive, Brandenburg, Kentucky~~, on the 14th day of November 2023, at a Special called Fiscal Court meeting at Flaherty Fire Department
3895 Flaherty Rd
Vine Grove KY 40175 @ 7:00 pm.

MEADE COUNTY FISCAL COURT
ORDINANCE 2023-10

AN ORDINANCE AMENDING ORDINANCE NO. 2023-10, MEADE COUNTY ZONING
ORDINANCE TO ADD A SECTION FOR HEAVY INDUSTRIAL, IN MEADE COUNTY,
KENTUCKY SUMMARY VERSION

WHEREAS, the Meade County Fiscal Court has determined it to be in the public interest to amend Ordinance No. 920.00, Meade County Zoning Ordinance to add a section for Heavy Industrial, in Meade County, Kentucky.

NOW THEREFORE, BE IT ORDAINED BY THE FISCAL COURT OF MEADE COUNTY, KENTUCKY, THAT THE MEADE COUNTY ZONING ORDINANCE SHALL BE AMENDED AS FOLLOWS:

3.6.11 “HI” Heavy Industrial - The purpose of this district is to encourage the development of major manufacturing, processing, warehousing, and major research and/or testing operations. These activities require extensive community facilities and reasonable access to arterial or interstate highways; these activities may have extensive open storage and service areas and may generate heavy traffic, which shall be prohibited if these activities create nuisances beyond Federal and State guidelines.

3.6.11.a Permitted Uses –

1. Any use permitted in the “LI” light industrial district.
2. Retail sale of any commodity manufactured, fabricated, or processed on the premises or of any commodity designed especially for use in agricultural, mining industry, business, transportation or construction.
3. The generation of electric power and/or gas distribution or the manufacturing or processing of clay, tile, primary metals, wood, paper, glass, plastic, rubber, and related products and services.
4. All permitted uses must meet all State and Federal regulatory requirements.
5. Mining, extraction of clay, gravel, sand, stone, minerals, oil and gas in conformity with applicable state and federal regulations, rules and statutes and any related processing activity including those extraction and processing activities where use of explosives is employed. (Rev.00.15)-(Rev.09.02)
6. For any of the activities listed in Section 3.6.11.a.5 above where use of explosives is employed, the below requirements shall apply:
 - a. Abide by all state and federal regulations.
 - b. Comply with table 3.7 and KRS 351.330 for blasting and mining setback requirements.

- c. Use state approved blasting procedures and reasonable best efforts to diminish the chances of fly-rock, debris, and dust leaving the property. The operation shall be conducted so as not to create a nuisance or cause undue noise, vibration, dust, odor, or light to adjacent properties. The premises shall be kept in a neat and clean condition at all times. No loose paper or debris shall be allowed on the site except on areas where active filling operations are taking place. Dusty conditions shall be corrected by sprinkling with water or by the use of calcium chloride or other method that meets current state standards. No fires shall be permitted. Any smoldering flame or spontaneous combustion shall be immediately extinguished.
- d. Provisions shall be made for the disposal of surface water falling on or crossing the site at all times during and after completion of the operations. The operations shall not obstruct the normal flow of any public drain or abrogate the riparian rights of any other party to a stream or drain. No operation shall begin until construction approval has been obtained from the agency responsible for surface water drainage. The depth of excavation and the materials to be used for fill shall not have any adverse effect on the supply, quality, or purity of ground water or wells.
- e. See 1.3 of Meade County Ordinance for purpose and 5.2 for enforcement guidance.
- f. The installation of roads, parking areas, buildings, structures, and operational facilities and equipment shall be located on the site so that adjoining properties will not be adversely affected.
- g. Maintain records of all blasting operations, i.e. seismographic data, blasting reports and blasting video for a one-year period and make the same available to the public upon request.
- h. Maintain open lines of communication with County Officials and neighbors concerning blasting operations and future mining operations. Owner shall hold quarterly meetings with all neighbors and property owners of Meade County while blasting operations are underway.
- i. Prior to blasting in any area, including any new areas, coordinate with Planning and Zoning Administrator to set up formal meetings with neighbors to determine appropriate and reasonable screening that could be installed within the required setback to reduce off-quarry impacts of blasting operations. Install such screening in a timely manner.
- j. A continuous fence a minimum of 6 feet high shall be placed along the boundaries of excavated areas with gates of the same construction as the fence which shall remain locked at all times when active operations are not taking place and shall be properly maintained until all operations are completed.

- k. The owner shall provide screening and buffering to mitigate the negative impacts of the operations on the the adjacent properties. Where improved boundary screening is less desirable for the neighbors, the company may agree to leave the boundary of its property in a natural and unimproved state.
- l. The owner shall develop and maintain for inspection, a specific written plan for vehicle cleaning facilities to prevent the tracking of mud, dirt or other debris onto any public roadway. Further, the owner shall protect adjacent property and roadways against debris and erosion emanating from mining activities, even in the presence of significant weather events such as heavy rainfall or snow.
- m. Develop a complaint procedure for neighbors to submit claims to owner for claimed damages such as well water service interruption, fly rock impacts, and structural damage from seismic activity associated with blasting operations.
- n. Notices of any applications for permits, waivers, or variances to state or federal agencies shall be simultaneously submitted to the Meade County Planning and Zoning at the time of filing thereof.
- o. Any non-proprietary submittal documents to state and federal permitting authorities shall simultaneously be provided to Meade County Planning and Zoning for its records.

3.6.11.b Accessory Uses Permitted

1. Signs identifying the industrial activity on the same premises in accordance with Section 4.2.7 of this Ordinance.
2. Garages and other buildings and uses accessory to the principal use.

3.6.11.c Conditional Uses - All manufacturing and industrial process not enumerated in Section 3.6.11.a shall require a conditional use permit. Furthermore, such conditional use must meet all State and Federal regulatory requirements. Conditional Uses outlined in Section 3.6.10.c shall be considered conditional uses in the Heavy Industrial District.
(Rev.09.08)

3.6.11.d Dimension and Area Regulations - The regulations on the dimensions and area for lots and structures are set forth in Section 3.7 Schedules of Dimensions and Area Regulations. The applicable regulations shall be observed in all Industrial Districts.

3.7 Schedule of Lot Requirements - Any parcel or lot created upon the adoption of this Ordinance Shall meet the lot standards on the following page:

Zoning Districts	Units	A-1	A-2	R-1	R-2	R-3	R-4	B-1	B-2	LI	HI	C-1
MAXIMUM BUILDING PERCENTAGE Apartment Houses	Percent	N/A	40 N/A	40 N/A	40 N/A	40 50	40 N/A	40 N/A	50 N/A	50 N/A	N/A	N/A
MAXIMUM BUILDING HEIGHT Apartment Houses	Feet	N/A	30	30	30	30 50	30 N/A	30	30	50	50	N/A
MINIMUM LOT WIDTH 1-Family Unit 2-Family Unit Apartment Houses*1	Feet	250 N/A N/A	200 N/A N/A	125 N/A N/A	125 150 N/A	125 150 200	125 N/A N/A	*2	75			N/A
MINIMUM SETBACKS Front Yard Rear Yard Side Yard Non-building Setback	Feet	30 25 25	30 15 15	30 15 15	30 15 10	25 15 10*3	25 15 15	*2 *2	30 20 10*5	50 *6	200 *7 *10	N/A N/A N/A
MINIMUM LOT AREA*9 1-Family 2-Family Apartment Houses*1	Square Feet	217,800 N/A N/A	87,120	52,727 N/A N/A	52,272 43,560 N/A	52,727 43,560 N/A	52,727 N/A N/A	*2		40,000	150,000	N/A
ACCESSORY BUILDINGS		*7	*7	*7	*7	*7	*7	*8	*8	N/A	N/A	N/A

<p>N/A= Not Applicable *1=Also see Section 4.33 *2=See Sections 3.6.6 (7) *3=Apartment Houses shall have a minimum side yards of 15 feet *4=See Sections 3.6.6 and 4.2 *5=On lots adjacent to residential district, all buildings shall be located so as to provide a minimum side yard of fifty (50) feet on the side adjacent to the residential district. Streets or public right-of-ways may be included in this side yard</p>	<p>*6=Same as *5 except that the side yard requirement is increased from fifty (50) to one hundred (100) feet *7=All unattached accessory buildings shall be at least eight (8) feet from all property lines, except as provided in Sections 3.6.6 and 4.2 *8=Not applicable except as provided in Section 3.6.6 *9=All minimum lot areas shall be subject to review and approval by the County Health Department to ensure there is adequate area for placement of septic systems, wells, etc...where the Health Department requires additional area for such facilities, such as space must be accounted for in the creation of lots or development *10=blasting in relation to above ground mines require the minimum setback to be 300 feet from the property line. However, when a residential dwelling is within 100 feet of a property line the minimum blasting setback will be 400 feet from the property line.</p>
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(Rev.00.14)

At the time when sanitary sewer is made available, the minimum lot size requirements in the "R" districts may be reduced upon individual review by the Planning Commission.