

COMMONWEALTH OF KENTUCKY
SHELBY COUNTY FISCAL COURT
ORDINANCE NO. 01-7-01, SERIES 2019

AN ORDINANCE RELATING TO TEXT AMENDMENTS TO THE
SHELBY COUNTY ZONING REGULATIONS, ARTICLE VI,
ESTABLISHMENT OF ZONES, SECTION 652 AGRICULTURAL DISTRICT (A)

WHEREAS, the Triple S Planning Commission has recommended to the Shelby County Fiscal Court that Article VI, Section 652 Agricultural District (A) of the Zoning Regulations of Shelby County, Kentucky be amended, and

WHEREAS, the County of Shelby, acting through Shelby County Fiscal Court may adopt a proposed amendment to the text of any zoning regulation by an affirmative vote of a majority of the fiscal court to adopt a proposed amendment,

BE IT ORDAINED by the Fiscal Court, County of Shelby, Commonwealth of Kentucky, that the Shelby County Zoning Regulations as adopted March 1994, as amended January 1998, as amended July 1999, as amended October 2000, as amended November 2005, as amended November 2006, as amended June 2008, as amended January 2009, as amended July 2009, as amended October 2010, as amended November 2013, as amended March 2014, and as amended July 2016, be amended to read as follows:

SEE "EXHIBIT A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.

INTRODUCED, SECONDED, AND GIVEN A FIRST READING AND APPROVAL at a duly convened meeting of the Shelby County Fiscal Court held on the 17th day of December, 2019.

INTRODUCED, SECONDED, AND GIVEN A SECOND READING AND APPROVAL at a duly convened meeting of the Shelby County Fiscal Court held on the 7th day of January, 2020


DAN ISON

Shelby County Judge/Executive

Attest:


SUE CAROLE PERRY

Shelby County Clerk

EXHIBIT A

Proposed Text Amendment to the Zoning Regulations
Words to be added are underlined – Words to be deleted are ~~strikethrough~~

Section 652 Agricultural District (A)

The purpose of the Agricultural District (A) is to maintain the agricultural endeavors within the unincorporated areas of Shelby County.

1. Principal Permitted Uses

- a. Land used exclusively for agricultural endeavors
- b. Agricultural use services
- c. Hunting, trapping, wildlife refuge, forestry
- d. Single family detached dwelling
- e. One mobile home as principal residence on a tract of land of at least fifteen (15) acres minimum, maximum one (1) mobile home per farm (see Section 910)
- f. Agricultural Home Occupations (As defined)
- g. Production and/or storage of distilled spirits for human consumption
 - 1) At least twenty-five percent (25%) of the property shall be dedicated to agricultural uses as defined in KRS Chapter 100 and/or preserved as a conservation area.
 - 2) The total combined lot area shall be not less than 100 acres.
 - 3) The site shall have direct access to a state or county road with a minimum pavement width of eighteen (18) feet.
 - 4) The maximum building footprint for any single structure shall not exceed 60,000 square feet, excluding stairwells and open docks.
 - 5) The maximum allowed building height shall be 72 feet.
 - 6) ~~Storage of distilled spirits shall be allowed only if a distillery is located on the same property or adjacent property within 24 months of commencement of storage. All structures associated with distillation and storage of distilled spirits shall be setback a minimum of 200 feet from all property lines.~~
 - 7) Facility tours, visitor centers, food service operations, restaurant, and the sale of products produced on site and complementary products directly to consumers are permitted.
 - 8) Festivals or similar public gatherings which serve to promote the sale of

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locally-produced products are permitted, provided any single event shall not exceed fifty-six (56) continuous hours in length.

- 9) ~~A traffic Impact Study prepared in accordance with Article XVII of these regulations shall be submitted to the Planning Commission.~~

10) 9) Development Plan Approval:

Prior to issuance of a zoning permit for any structure, the applicant shall submit a development plan for review by in accordance with the Planning Commission requirements for development plan approval. ~~The contents of the plan shall be the same as those required for a Final Development Plan set forth in Section 1340 of these regulations. The review by the Planning Commission shall be limited to a determination of compliance with the specific requirements of this Section 652. The Planning Commission shall conduct the review as a public hearing after giving written notice by certified mail with return receipt requested at least 14 days in advance of the hearing to adjoining property owners. Records maintained by the property valuation administrator may be relied upon conclusively to determine the identity and address of the owner. The Planning Commission shall approve any development plan that meets the specific requirements of this Section 652.~~

10) Spill and runoff protection

Earthen dykes and/or containment trenches shall surround each barreled spirit storage building to contain spills and any fire protection water run-off.

2. Conditionally Permitted Uses

- a. ~~Non-profit or private facilities, such as schools, churches, cemeteries, libraries, parks~~
- b. ~~Airports and/or private landing strips for the land owners use only~~
- c. Veterinarian clinics
- d. ~~Wireless transmitting stations~~
- e. ~~Municipal, county, state, and federal buildings~~
- f. d. Agricultural Community Farm
 - 1) Farmers Market – refers to any activity where the farmer sells agricultural, value added agricultural products, and complementary products primarily in Shelby County directly to consumers at a stand located on or near the farm.
 - 2) Farm tours with the primary activity of promoting, educating, and selling to the public, agricultural, value added agricultural products, and complimentary products produced primarily in Shelby County and Kentucky.
 - 3) A restaurant owned and operated/managed by the farm owner who resides thereon and sells to the public agricultural, value added agricultural products, and complimentary products produced primarily in Shelby County

and Kentucky.

- 4) Rental of booths or similar space owned and operated/managed by the farm owner who resides thereon and is actively involved in the farming operation. The space rented shall be of a short term nature and be used to substantially promote the agricultural operation. The assembly shall also be subject to any pertinent local and state regulations.
- 5) Festivals or similar public gatherings held on an Agricultural Community Farm shall which serve to promote the sale of locally produced agricultural and/or Agricultural value-added products. Such events shall be permitted event-by-event. The event shall not exceed fifty-six (56) continuous hours in length.

g. e. Recreational facilities, including playgrounds, golf courses, country clubs, sportsman's farms, riding stables, fishing lakes, private clubs, and RV parks (See Article IX) but not including amusement parks and other commercial endeavors which require large amounts of construction or equipment or which are incompatible with a rural atmosphere.

h. f. Bed and breakfast occupied by the owner or manager serving only breakfast to guests only.

3. Permitted Accessory Uses

- a. Accessory uses in connection with agriculture, such as tenant homes and single-family dwellings, for occupancy by full-time employees of the farm operation, agriculture structures, stables, and parking areas
- b. Roadside stands offering for sale only agricultural products grown on the premises and on-premise signs advertising such stands according to standards in Article XI.
- c. Keeping of roomers or boarders by a resident family
- d. Swimming pools and tennis courts for private use
- e. Horse training track, boarding of horses, riding classes

4. Development Standards

Unless otherwise provided in this Section 652, the following development standards shall apply:

Minimum lot area: 5 acres

(Exception Per KRS 100:111 22 One (1) tract that would be the first division from a farm since 1961, a minimum two (2) acres, 250 feet of road frontage and meet the 4 to1 ratio shall not require plat approval.)

Minimum lot area for singular mobile home: 15 acres

Minimum width at building line: 250'

Minimum road frontage:

5 to 10 acres
250 feet of road
frontage, shall meet 4
to 1 ratio at front
property line.

10 to 15 acres
250 feet of road
frontage, no part of the
tract shall be less than
the minimum.

Over 15 acres 100 feet
of road frontage, no
part shall be less than
the minimum.

Minimum front yard:

100' from front property
line

Minimum side yard (each side):

25'

Minimum rear yard:

25'

Maximum building height (see definition 18):

36' or 3 stories

Signs:

See Article XI

Parking:

See Article X

Minimum size lot on septic tank in the agricultural district shall be two (2) acres.