

SCOTT COUNTY, KENTUCKY  
SCOTT FISCAL COURT  
ORDINANCE 12-4

AN ORDINANCE RELATED TO  
THE GEORGETOWN-SCOTT COUNTY  
ZONING ORDINANCE FOR THE AMENDMENT  
OF THE PROVISIONS IN ARTICLE IV  
REGULATING ZONING DISTRICTS

WHEREAS, the Planning Commission held a public hearing on March 8, 2012, pursuant to Kentucky Revised Statute Chapters 100 and 424, and after said hearing the Commission voted unanimously to recommend an amendment to the original Zoning Ordinance by creating new provisions for the regulation of zoning districts; and

WHEREAS, the Scott Fiscal Court having considered the recommended ordinance amendment and the record created by the Planning Commission, now desires to adopt the recommended Amended Ordinance:

**NOW, THEREFORE, BE IT ORDAINED BY THE SCOTT FISCAL COURT, SCOTT COUNTY, KENTUCKY, AS FOLLOWS:**

**SECTION ONE:** Article IV, 4.1 Agricultural Districts, Paragraph 4.11

Permitted uses is amended as follows:

**4.11 PERMITTED USES**

- A. Agricultural uses including farm dwellings and storage of farm products  
(See Section 2.1).
- B. Accessory buildings.
- C. In all A-1 zones, residential (non-agricultural) single-family detached dwellings. (Section added 7/22/92 by City of Georgetown, 8/5/92 by Scott Fiscal Court)
- D. In A-1S zone only, Automobile Salvage Operations, defined as: A place of business maintained, operated or used for storing, keeping, buying or selling junked, wrecked, abandoned or inoperative automobiles, vehicles, farm implements or the parts thereof. This term shall not include general scrap metal recycling facilities or general materials storage and re-processing operations; where the following requirements are met:

1. The proposed storage site must contain no prime farmland or farmland of state-wide importance, as defined by the Soil Conservation Service of the United States Department of Agriculture; and

2. The proposed storage site must have its entrance on a public road and no more than one mile from a primary two-lane road; and

3. The topography of the proposed storage site must be such that the site is not visible from any roadway or neighboring property. Minimal topographical deficiencies may be corrected with plantings, the design of which must be approved by the Commission as part of the development plan approval; and

4. The proposed storage site must be removed from all floodplains and property lines a minimum of five hundred (500) feet; and

5. The applicant seeking approval for an automobile salvage operation must document all sinkholes located within five hundred (500) feet of the automobile salvage operation and demonstrate that either:

a. the proximity of the sinkholes to the operation poses no threat to underground water quality, e.g., the sinkhole is located in an area which shall not receive drainage from the salvage operation or that the drainage received by the sinkhole shall not degrade underground water quality. The applicant's basis for satisfying this requirement shall be valid scientific evidence related to topography, geology or hydrology; or

b. proposed engineering of the salvage operation shall prevent any run-off from the operation from entering the sinkholes.

6. The proposed storage site must be designed to include adequate fire lanes between storage areas, i.e., the distance between lanes must not be greater than the fire hose can reach.

7. The proposed storage site, development plan, or automobile salvage operation meets any additional special conditions adopted with the rezoning ordinance that are necessary to protect the environment and the public from potential negative impacts that are particular to the site or proposed use.

**SECTION TWO:** Article IV, 4.1 Agricultural Districts, Paragraph 4.12

Conditional Uses is amended as follows:

**4.12 CONDITIONAL USES**

- A. Cemeteries.
- B. Public and private parks and recreational areas.
- C. Commercial feed lot operations.
- D. Slaughter houses.
- E. Airports.
- F. Churches, libraries, schools, hospitals, institutions and clubs.
- G. Home occupations that exceed the limitations in the definition of such.
- H. Bed and Breakfast as defined in Section 2.1 above. (Section 4.12 I added 5/2/91)
- I. Animal hospitals and clinics as defined in Section 2.1 above. (Section 4.12J added 4/1/99)
- J. Kennels as defined in Section 2.1 above. (Section 4.12K added 9/22/00 by Scott Fiscal Court)
- K. Secondary single family residence on same tract for related family members or for hired farm workers.

**SECTION THREE:** Article IV, 4.1 Agricultural Districts, New Paragraph

4.14 Prohibited Uses is hereby created as follows:

**4.14 PROHIBITED USES**

The following uses are prohibited in the Agricultural districts, including A-1, A-1R and A-1S:

- A. Multi-family residential structures
- B. Cluster development lots
- C. Major residential subdivisions of tracts between five and less than ten acres. A major residential subdivision is the division of land into four (4) or more residential tracts including the parent Tract.

**SECTION FOUR:** Article IV, 4.1 Agricultural Districts, new Paragraph

4.15 Rural Residential – A-5 is hereby created as follows:

#### **4.15 RURAL RESIDENTIAL – A-5**

The Rural Residential District (A-5) is a district designed to provide for very low density residential use to protect and preserve low density rural areas in their present or desired character. It is intended that the A-5 district will afford areas where rural residential uses can be maintained without impairment from industrial, commercial or higher density residential development. It is also intended that it will reduce impacts between intensive commercial agricultural activities and rural residential lots. It is further intended that no major rural residential subdivision of tracts between five acres and less than ten acres shall occur in a rural area of the county until the land is rezoned to the A-5 zoning category. The following regulations shall apply to lots in the A-5 District:

**SECTION FIVE:** Article IV, 4.1 Agricultural Districts, new Paragraph 4.16 Permitted Uses is hereby created as follows:

#### **4.16 PERMITTED USES**

A. Single-family residential dwellings on five (5) acre to less than ten (10) acre tracts or Cluster Developments.

B. The keeping of forage consuming/grazing animals, at a rate of no more than that which will be supported by the underlying land based on soil type and topography. The animal unit capacity of the subdivision shall be determined on a lot by lot basis at the time of platting, based on consultation with the county extension agent and the USDA soil survey and shall appear on the Final Plat.

C. Production of agricultural or horticultural crops, as defined by Section 2.1, with the exception of certain intensive agricultural uses as defined below.

**SECTION SIX:** Article IV, 4.1 Agricultural Districts, new Paragraph 4.17

Conditional Uses is hereby created as follows:

#### **4.17 CONDITIONAL USES**

- A. Home occupations that exceed the definition of such
- B. Type II Licensed Day Cares
- C. Bed and Breakfasts
- D. Cemeteries
- E. Public and Private Parks

F. Churches, libraries, schools, hospitals, institutions and clubs

G. Commercial Recreational Uses

**SECTION SEVEN:** Article IV, 4.1 Agricultural Districts, new Paragraph

4.18 Prohibited Uses is hereby created as follows:

**4.18 PROHIBITED USES**

The following uses shall be prohibited in the A-5 Rural Residential district:

A. Commercial recreational operations

B. Kennels

C. Intensive Commercial agricultural operations, including, but not limited to, feed lots, slaughter houses or processing facilities or plants, hog farms, agricultural product reductions facilities

D. Outdoor storage of equipment or materials associated with a home occupation business.

**SECTION EIGHT:** Article IV, 4.1 Agricultural Districts, new Paragraph

4.19 Dimension and Area Regulations is hereby created as follows:

**4.19 DIMENSION AND AREA REGULATIONS**

A. The lot size for all parcels in the Rural Residential District shall be five (5) acres to less than ten (10) acres, except for lots in Cluster Developments. In all cases the maximum permitted density shall be one dwelling unit per five (5) acres.

B. All Primary Structures in the Rural Residential District shall be set back from all property lines a minimum of fifty (50) feet, except for lots in Cluster Developments.

C. All Secondary Structures in the rural residential District shall be set back from all property lines a minimum of twenty-five (25) feet. In no case shall a Secondary Structure be allowed in front of the front building line of a Primary Structure.

D. The minimum lot width for residential non-cluster lots shall be two hundred fifty (250) feet at the front building line of the Primary Structure. See Cluster Ordinance for specific cluster lot requirements.

**SECTION NINE:** Article IV, 4.1 Agricultural Districts, new Paragraph

4.191 Fencing is hereby created as follows:

**4.191 FENCING**

A. Each major (A-5) subdivision development shall be fenced along the perimeter of all lots that abut Agriculturally (A-1) zoned land.

B. Fencing shall be installed prior to final plat approval, and shall consist of diamond mesh wire or equivalent with 16' fencing plank on top, and post spacing 8' on center. A note is required on the final plat regarding this requirement. A note is also required that prospective owners of any property are subject to any requirements of the Kentucky Fence Law (KRS 256.10 et. seq.). The required fence may not be bonded.

**SECTION TEN:** Article IV, 4.1 Agricultural Districts, new Paragraph 4.192 Landscape Buffer is hereby created as follows:

**4.192 LANDSCAPE BUFFER**

A. A landscape buffer shall be provided along the perimeter of all major (A-5) subdivision lots abutting Agriculturally (A-1) zoned land in conformance with the requirements of the Landscape and Land Buffers Ordinance. Required trees shall be native species.

B. Cluster subdivision lots shall provide landscape buffers in conformance with the Cluster Ordinance landscaping requirements.

**SECTION ELEVEN:** This Ordinance shall take effect upon passage and Publication.

**SECTION TWELVE:** This Ordinance shall be modified or incorporated into the Georgetown/Scott County Zoning Ordinance with reference to be made to this Ordinance by number and date.

The foregoing Ordinance was read for the first time Oct. 12, 2012, read for the second time Oct. 25, 2012, adopted and approved Oct. 25, 2012.

ADOPTED AND APPROVED:

  
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GEORGE LUSBY  
SCOTT COUNTY JUDGE/EXECUTIVE

ATTESTED BY:

Stacy Hamilton  
STACY HAMILTON  
SCOTT FISCAL COURT CLERK

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