

SCOTT FISCAL COURT
ORDINANCE NO. 00-08

**AN ORDINANCE RELATED TO THE REGULATION OF
'BIG BOX' DEVELOPMENT**

WHEREAS: The Planning and Zoning Commission has conducted a public hearing on the issue of 'Big Box' regulation. That public hearing was advertised and conducted according to law. At the conclusion of the public hearing, the Commission, after proper motion, second and roll call vote, unanimously recommended to the Scott County Fiscal Court, the adoption of the 'Big Box' regulation referenced below.

WHEREAS: The Scott County Fiscal Court has previously had two commercial buildings which would have qualified as a "big box" development had such regulation been in place. The original tenants subsequently vacated both buildings. The buildings were designed only to accommodate the original tenants, tenants of such size as to render the building unsuitable in both size and layout for most potential subsequent occupants.

These "big box" buildings have remained under-utilized and often vacant through the years since the original tenants vacated. The purpose of the ordinance provisions below is to regulate the design and layout of a "big box" development to render a facility that is adaptable to the needs of subsequent tenants.

"Big Box" developments, which are adaptable to the needs of subsequent tenants, will remain occupied, vital and contributing assets to the community's commercial base. Failure to regulate "Big Box" development will repeat the mistakes of the past. Facilities will develop for which there is little suitability for subsequent tenants or, when vacated, incentive for owner upkeep. Such decline in building utility will limit the use of the property in question and those of neighboring businesses which often rely on these larger properties as commercial area anchors and draw for customer base.

NOW, THEREFORE, BE IT ORDAINED BY THE FISCAL COURT FOR SCOTT COUNTY, KENTUCKY, as follows:

SECTION I. ADOPTION OF THE 'BIG BOX' REGULATION: Upon the recommendation of the Planning Commission and after consideration of that recommendation and the underlying community needs, the County of Scott adopts the attached 'Big Box' regulation, which is incorporated into this Ordinance by this reference. This Ordinance shall constitute a new section of the zoning and subdivision regulations to be codified as part of those existing regulations.

SECTION II. ALL SECTIONS ARE SEPARATE AND INDEPENDENT:

Each section of this Ordinance is separate and independent of all other sections. In the event any provision of this Ordinance is ruled unenforceable for any reason, such ruling shall have no effect on the enforceability of any other section.

SECTION III. EFFECTIVE DATE: This Ordinance shall take effect upon passage and publication.

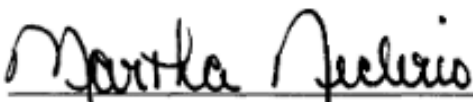
The foregoing Ordinance was read for the first time September 22, 2000, read for the second time October 13, 2000, adopted and approved.

APPROVED BY:



GEORGE LUSBY, JUDGE EXECUTIVE

ATTESTED:



MARTHA NECLERIO, CLERK