

SCOTT FISCAL COURT
ORDINANCE NO. 92 512

AN ORDINANCE RELATED TO THE AMENDMENT OF ARTICLE IV
OF THE GEORGETOWN/SCOTT COUNTY ZONING ORDINANCE,
ZONING DISTRICT REGULATIONS TO EFFECT THE
CREATION OF ENVIRONMENTALLY SENSITIVE LIGHT
INDUSTRIAL ZONING DISTRICT

WHEREAS, the 1991 Georgetown/Scott County Comprehensive Plan proposed a new zoning classification, Environmentally Sensitive Light Industrial, to provide for limited light industrial uses in areas without adequate sewage treatment facilities or with important natural resources; and

WHEREAS, after appropriate public hearings concluding September 10, 1992, the Planning Commission recommends the following Zoning Ordinance amendment.

NOW THEREFORE BE IT ORDAINED BY THE SCOTT FISCAL COURT AS FOLLOWS:

Section I. Section 4.5 of the Georgetown/Scott County Zoning Ordinance is amended to read as follows:

The following regulations shall apply in all industrial districts except where limited by the provisions of section 4.55 et seq.

Section II. A new section of the Georgetown/Scott County Zoning Ordinance is created which shall read as follows:

Section 4.55. ENVIRONMENTALLY SENSITIVE LIGHT INDUSTRIAL.

This zoning district regulation shall apply in all light industrial districts where the absence of adequate sewage treatment or presence of important natural resources require environmentally sensitive industrial development.

Section III. A new section of the Georgetown/Scott County Zoning Ordinance is hereby created which shall read as follows:

Section 4.55 I. PERMITTED USES IN THE ENVIRONMENTALLY SENSITIVE LIGHT INDUSTRIAL DISTRICT.

A. Light industry as defined by definition number 16 in Section 2.1 of Article II. General Regulations set out in the Georgetown/Scott County Zoning Ordinance, in Article V Land Use Plan Subsection B.5. Industrial of the Growth and Land Use Element to the Georgetown-Scott County Comprehensive Plan and as limited by the following standards:

i) Uses in the planned environmentally sensitive industrial areas, the Royal Spring Aquifer recharge area and properties draining directly to Elkhorn Creek within five miles of the Georgetown Municipal Water and Sewer Service water intake as shown on the Georgetown Urban Area Land Use Plan shall be limited to those which do not present a substantial level of risk for potential contamination of water quality. Industrial uses shall not include the use, generation or storage of hazardous materials, as defined by state and federal regulation, except upon showing by applicant that the presence of hazardous materials will be minimal and will pose no threat to ground water. This showing shall consist of specific documentation on all proposed uses and character of hazardous materials and proposed systems for detaining any spill of those materials.

ii) Uses within the urban service boundary which are otherwise appropriate for industrial development but which lack adequate sewage treatment capacity shall be permitted with on-site sewage treatment providing that only domestic waste is generated and the number of employees associated with the use is limited to 10 per open acre. For the purpose of this section, open acre is defined as an acre which is reserved for the location of the on-site domestic sewage system or open space only. Any anticipated significant gray water production shall be accommodated outside the open acres reserved for on-site domestic sewage disposal.

This minimum number of employees may be varied at the development plan stage of the approval process upon a showing that the proposed site is suitable for a higher number by the Commission. The factors which shall be considered before varying the minimum number of employees permitted per acre in an environmentally sensitive light industry zone are:

a) Health Department environmentalist site evaluation for type, location and capacity of on-site domestic sewage system.

b) Capacity of local transportation system.

c) Minimum required setbacks, parking, landscape and building area.

The Commission shall not consider a variance of the minimum employee number until applicant has submitted the following:

a) The health department environmentalist site evaluation of the proposed site's minimum requirements for on-site sewage disposal;

b) site development plan containing all elements required.

B. Non-retail commercial uses would satisfy the standards set out in paragraph A ii. of this section.

Section IV. CONNECTION TO MUNICIPAL SEWAGE TREATMENT FACILITY MANDATORY.

A. All uses within environmentally sensitive light industrial districts shall connect to the municipal sewage treatment system upon its availability.

B. For the purposes of this section, available municipal sewage treatment facility is defined as the location of an adequately sized sanitary sewer facility within 150 feet of a property designated environmentally sensitive light industrial.

C. Except for uses described in Section 4.55 I. A. i, connection to a municipal sewage treatment facility shall remove the limitations of this classification.

Section V. ACCESSORY STRUCTURES AND USES PERMITTED.

A. Signs identifying the industrial activity on the same premises (see sign ordinance, section 2.53).

B. Dwelling unit (conventional) (for caretaker or watchmen employed by the industrial firm.

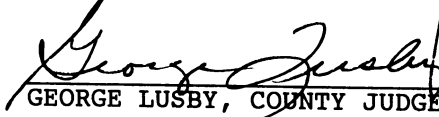
C. Accessory Buildings

Section VI. DIMENSIONAL AND AREA REGULATIONS.

The regulations on the dimensions and areas for lots and structures for the I-1 ESLI zone shall be the same as the regulations for I-1 uses as set forth Schedule of Dimensions and Area Regulations.

The foregoing Ordinance was read for the first time October 12, 1992, and read for the second time, adopted and approved OCTOBER 19, 1992.

APPROVED BY:



GEORGE LUSBY, COUNTY JUDGE

TESTED BY:



MARTHA NECLERIO, CLERK