

**COMMONWEALTH OF KENTUCKY
MCCRACKEN COUNTY FISCAL COURT
ORDINANCE NO. 2025-03**

AN ORDINANCE AMENDING THE MCCRACKEN
COUNTY ZONING REGULATIONS AS SET FORTH IN
MCCRACKEN COUNTY ORDINANCE 2017-07, AS
AMENDED, BY MAKING REVISIONS TO THE SECTIONS
REGARDING CELLULAR ANTENNA TOWERS, MOBILE
FOOD VEHICLES, AND THE FEE SCHEDULE.

WHEREAS, Kentucky Revised Statutes Chapter 100 provides for the adoption and amendment of zoning text, provisions, and regulations related thereto; and

WHEREAS, the McCracken County Fiscal Court and the McCracken County Planning Commission have recognized the need for zoning regulation in McCracken County to promote the health, safety, welfare, and general prosperity of the County; and

WHEREAS, to better regulate the evolving nature and development of land use, it was proposed that the present amendments and revisions to the McCracken County Zoning Ordinance be adopted; and

WHEREAS, a public hearing was conducted on December 17, 2024, regarding these proposed amendments and revisions and such measures were approved on said date.

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

The present McCracken County Zoning Regulations, set forth in McCracken County Ordinance 2017-07, as amended, be hereby amended and revised as follows:

Section 1. Planning Commission Approval.

The McCracken County Planning Commission conducted a public hearing on December 17, 2024, and on said date approved the proposed amendments and revisions contained herein and recommended that the same be adopted by the McCracken County Fiscal Court.

**Section 2. Amendments and Revisions to McCracken County Zoning Ordinance,
Article Pertaining to “General Regulations”.**

Section 150.038 – “Cellular Antenna Tower Regulations” Shall be Amended and Revised by the Addition of the Following New Subsection and Text:

(K) Tower upgrades. Upgrades to any tower will require a structural analysis to be presented and if the tower is located within 300 feet of another structure or weight is being added, an on-site tower inspection report that has been performed within six (6) months of the application.

Section 2. Amendments and Revisions to McCracken County Zoning Ordinance, Article Pertaining to “Administration and Enforcement”.

Section 150.111 – “Fee Schedules” Shall be Amended and Revised by Striking and Replacing the Text Thereof and Adding Text as Follows:

<i>Fee Schedule for County Planning and Zoning Commission and Board of Adjustment - Zoning</i>		
<i>Application</i>	<i>Fee</i>	<i>Number of Plat Copies to Submit*</i>
Zone change (map amendment)	\$500	2 hard copy , 1 pdf
Development plan	\$125 200	2 hard copy , 1 pdf
<u>Major Amendment to Development Plan</u>	<u>\$100</u>	<u>1 pdf</u>
Full site plan with storm water and/or erosion control (does not include preliminary and final subdivision plat fees)	\$100 225	1 site plan/1 storm water, 1 pdf
Cellular tower (also requires subdivision plats)	\$2,500	2 hard copy , 1 pdf
Cell tower equipment upgrades or co-locations	\$150	1 hard copy , 1 pdf
Conditional use	\$125 0	1 hard copy , 1 pdf
Variance	\$120 0	1 hard copy , 1 pdf
Non-conforming use change	\$120 0	1 hard copy , 1 pdf
Home based business	\$50	1 hard copy , 1 pdf
Planned unit development (PUD)	\$500	2 hard copy , 1 pdf
Multiple principal structures	\$120 0	2 hard copy , 1 pdf
Similar permitted use	\$75	1 hard copy , 1 pdf
Special called meeting for Planning and Zoning Commission and/or Board of Adjustment (does not include any fees for various applications above)	\$500	N/A
<u>Parking Waiver</u>	<u>\$100.00</u>	<u>1 pdf</u>
Zone verification or compliance letter	\$25 75	N/A
Electronic submission of any application	\$10	
All public notice advertisement fees, County Court Clerk recording fees, and similar charges and expenses are not included in the fees listed above.		
All fees listed above must be paid in full prior to any actions to be taken by the respective commission or board.		
Publication fee: Comprehensive plan: \$50		
Additional fee for documents submitted after deadline: \$200		

*No hard copies required if submitting electronically except for stormwater plans

The amendments reflected in this section shall be incorporated into the McCracken County Zoning Regulations and said addition shall be transmitted to American Legal Publishing for the generation of an amended Chapter 150 of the McCracken County Code of Ordinances for inclusion in the McCracken County Ordinance Compilation.

Section 3. Severability.

If any section, subsection, or clause of this Ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected.

Section 4. Compliance with Open Meetings Laws.

The McCracken County Fiscal Court hereby finds and determines that all formal actions relative to the adoption of this Ordinance were taken in an open meeting of said legislative body and that all deliberations of the Fiscal Court, if any, which resulted in formal action, were in meetings open to the public, in full compliance with applicable legal requirements.

Section 5. Conflicts.

All ordinances, resolutions, orders, or parts thereof in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed and the provisions of this Ordinance shall prevail and be given effect.

Section 6. Effective Date.

This Ordinance shall be read on two separate days, published pursuant to KRS Chapter 242, and become effective on 5/22/25.

MCCRACKEN COUNTY FISCAL COURT

BY: _____

Craig Z. Clymer
McCracken County Judge Executive

ATTEST:



McCracken County Court Clerk

Introduced and publicly read on 3/17/25.
Publicly read and adopted on 5/12/25.
Recorded by County Clerk on _____.
Published by *The Paducah Sun* on 5/22/25.