



Kenton County Planning Commission
MANY COMMUNITIES / ONE FUTURE

January 16, 2019

Matthew Kremer, City Administrator
City of Erlanger
505 Commonwealth Ave
Erlanger, KY 41018

Dear Mr. Kremer,

NUMBER: PC1811-0003

Attached please find a copy of this Commission's action from its meeting on Thursday, January 10, 2019 regarding a proposed text amendment to the Erlanger Zoning Ordinance. (The proposal was submitted by City of Erlanger per P. David Hahn, Director of Economic Development). Copies of this action have been sent to those persons or agencies which may be affected by this matter.

Please notify Emi Randall, Director of Planning & Zoning, of the meeting time and date when this item is placed on your agenda. Once the city council acts on this text amendment, please provide our staff at PDS with a copy of your executed ordinance. For questions regarding our action or to request PDS staff representation at your meeting, please contact Emi Randall, AICP, RLA, Director of the Planning and Zoning Administration Department at PDS 859.331.8980 or erandall@pdskc.org.

Please note that per KRS 100, text amendments require action by the legislative body to be adopted. There is no time frame for this action.

Thank you.

Paul J. Darpel,
Chair

pm

cc: David Hahn, Director of Economic Development

attachment

**KENTON COUNTY PLANNING COMMISSION
STATEMENT OF ACTION AND RECOMMENDATION**

NUMBER: PC1811-0003

WHEREAS

The City of Erlanger per P. David Hahn, Director of Economic Development, HAS SUBMITTED AN APPLICATION REQUESTING THE KENTON COUNTY PLANNING COMMISSION TO REVIEW AND MAKE RECOMMENDATIONS ON: Proposed text amendments to the Erlanger Zoning Ordinance adding Pet Hotels and Tattoo Parlors as conditional uses within the NC (Neighborhood Commercial) Zone; AND

WHEREAS

A PUBLIC HEARING WAS HELD ON THIS APPLICATION ON THURSDAY, JANUARY 10, 2019, AT 6:15 P.M., IN THE PLANNING AND DEVELOPMENT SERVICES OF KENTON COUNTY’S FIRST FLOOR MEETING ROOM, 2332 ROYAL DRIVE, FORT MITCHELL, KY.; AND A RECORD OF THAT HEARING IS ON FILE AT THE OFFICES OF THE KENTON COUNTY PLANNING COMMISSION, 2332 ROYAL DRIVE, FORT MITCHELL, KENTUCKY.

NOW, THEREFORE,

THE KENTON COUNTY PLANNING COMMISSION SUBMITS THE FOLLOWING RECOMMENDATIONS, ALONG WITH SUPPORTING INFORMATION AND COMPREHENSIVE PLAN DOCUMENTATION:

KCPC RECOMMENDATION – ERLANGER ZONING ORDINANCE:

Favorable recommendation on the proposed text amendments to the Erlanger Zoning Ordinance adding Pet Hotels and Tattoo Parlors as conditional uses within the NC (Neighborhood Commercial) Zone.

COMPREHENSIVE PLAN DOCUMENTATION:

- Date of Adoption by the Kenton County Planning Commission: September 4, 2014.

SUPPORTING INFORMATION/BASES FOR KCPC ACTION AND RECOMMENDATION:

1. The proposed text amendments are authorized to be included within the City’s zoning ordinance per Kentucky Revised Statutes (KRS) 100.203 (1) (see Attachment A).
2. The proposed text amendments are consistent with the purpose of the NC Zone. The purpose of the NC Zone is to provide retail business or service establishments supplying commodities and performing services primarily oriented towards serving the day-to-day needs of residents from the surrounding neighborhood.
3. The proposed text amendments are reasonable. Pet Hotels and Tattoo Parlors are similar in scale, and intensity as other current uses within the NC Zone.
4. The proposed text amendment will not have an adverse effect on the public health, safety, or welfare and will not be injurious to the public residing in or moving through the area. The conditional use process will ensure that any proposed use would be subjected to further review and consideration

by the Board of Adjustment on a case-by-case basis, ensuring that the use is not detrimental to the surrounding uses and neighborhoods.

5. Based on testimony presented at the public hearing on January 10, 2019.

PAUL J. DARPEL, CHAIR
KENTON COUNTY PLANNING COMMISSION

General Attachment Notice:

For ease of viewing, only those portions of the Zoning Ordinance pertaining to the requests within the submitted application have been included within these attachments. The complete zoning code can be viewed online at: www.pdskc.org

ATTACHMENT A

Proposed Text Amendments to Erlanger Zoning Ordinance
Words to be **deleted** are [~~lined through~~] - Words to be **added** are underlined

ARTICLE X**ZONES****SECTION 10.16 NC (NEIGHBORHOOD COMMERCIAL) ZONE**

- C. Conditional Uses: The following uses or any accessory buildings or uses, subject to the approval of the board of adjustments, as set forth in Sections 9.14 and 18.0 of this ordinance:
1. Auto repair shops, provided that:
 - a. All repair, except that of a minor nature – e.g., change of fan belt, minor carburetor adjustment, tire removal, etc. – is conducted wholly within a completely enclosed building.
 - b. It is located adjacent to an arterial street, as identified in the adopted Comprehensive Plan.
 - c. It has a minimum of 125 feet of lot frontage on each of two (2) public streets.
 2. Outdoor Dining provided that such area meets the following requirements:
 - a. Such area shall be designed to clearly identify the limits of the outdoor seating area, which shall not include any drive-thru facility.
 - b. Such area shall not exceed twenty-five (25) percent of the maximum seating capacity of the indoor seating area.
 - c. Entertainment, music, and sound amplifying systems shall not be permitted within the outdoor seating areas.
 - d. Such areas shall not be permitted to locate within any minimum required front, side, or rear yard except where a variance has been approved by the Board of Adjustments. If the outdoor seating areas are to be located within 340 feet of any residence, then the seating areas shall be operated no later than ten (10) o'clock p.m. on Sunday through Thursday inclusive, and no later than eleven (11) o'clock p.m. on Friday and Saturday.
 3. Pet Hotel
 4. Tattoo Parlor