



Kenton County Planning Commission

MANY COMMUNITIES / ONE FUTURE

August 9, 2021

Emi Randall – Economic Development Director
City of Erlanger
505 Commonwealth Avenue
Erlanger, KY 41018

Dear Ms. Randall,

NUMBER: PC2208-0002

Attached please find a copy of this Commission's action from its meeting on September 1, 2022, regarding a request for a text amendment. Copies of this action have been sent to those persons or agencies which may be affected by this matter.

Please notify Andy Videkovich, Planning Manager, of the meeting time and date when this item is placed on your agenda. Once your legislative body 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 Andy Videkovich, AICP, Planning Manager at PDS 859.331.8980 or avidekovich@pdskc.org.

Thank you.

A handwritten signature in blue ink, appearing to read "Paul J. Darpel". The signature is stylized and cursive.

Paul J. Darpel,
Chair

pb

attachment

KENTON COUNTY PLANNING COMMISSION
STATEMENT OF ACTION AND RECOMMENDATION

NUMBER: PC2208-0002

WHEREAS

The City of Erlanger per Emi Randall, Director of Economic Development/Assistant City Administrator, HAS SUBMITTED AN APPLICATION REQUESTING THE KENTON COUNTY PLANNING COMMISSION TO REVIEW AND MAKE RECOMMENDATIONS ON: Proposed text amendments to the Erlanger Zoning Ordinance; (1) removing multi-family residential as a permitted use within the BP (Business Park) Zone; (2) removing use specific standards for multi-family residential constructed within BP (Business Park) Zones; and (3) adopting use specific standards for Temporary Uses; AND

WHEREAS

A PUBLIC HEARING WAS HELD ON THIS APPLICATION ON THURSDAY, SEPTEMBER 1, 2022, AT 6:15 P.M.; AND A RECORD OF THAT HEARING IS ON FILE AT THE OFFICES OF THE KENTON COUNTY PLANNING COMMISSION, 1840 SIMON KENTON WAY, COVINGTON, 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 TEXT AMENDMENTS:

Favorable recommendation on proposed text amendments to the Erlanger Zoning Ordinance; (1) removing multi-family residential as a permitted use within the BP (Business Park) Zone; (2) removing use specific standards for multi-family residential constructed within BP (Business Park) Zones; and (3) adopting use specific standards for Temporary Uses

COMPREHENSIVE PLAN DOCUMENTATION:

- Date of Adoption by the Kenton County Planning Commission: September 5, 2019.

SUPPORTING INFORMATION/BASES FOR KCPC RECOMMENDATION:

1. Removing multi-family residential as a permitted use within the BP (Business Park) Zone and removing the corresponding use specific standards is reasonable. Including multi-family residential as a permitted use is not consistent with the stated purpose of the BP Zone which is intended for office, light-fabrication, and limited retail in a campus-like setting. Additionally, this change will still be consistent with the original zoning ordinance which only allowed multi-family residential within the preceding zone as part of a Planned Unit Development Overlay Zone. The new zoning ordinance will still allow multi-family residential to be included as part of a Planned Unit Development, which can be sought anywhere in the city with at least five acres.
2. Adding use specific standards for temporary uses is logical and reasonable. Providing objective standards for these uses is consistent with the other jurisdictions who have recently adopted new ordinances including, Villa Hills, Independence, Elsmere, Fort Mitchell, and Taylor Mill.
3. Based on compliance with KRS 100 and testimony provided during the public hearing held on September 1, 2022.

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 4 USE REGULATIONS & STANDARDS

4.04 Table of Uses

TABLE 4.1 PERMITTED AND CONDITIONAL USES																	
Use	Residential						Commercial				Employment			Other			Use Specific Standards
	R-LLS	R-CVS	R-CPS	R-M	R-MF	MHP	ROC	NC	CC	HC	BP	FI	GI	MU	CO	INST	
RESIDENTIAL																	
Accessory Dwelling Unit	C	C	C	C	C	C	-	-	-	-	-	-	-	P	-	-	4.05, B.1.
Cottage Court	-	-	-	P	P	-	-	-	-	-	-	-	-	-	-	-	4.05, B.2.
Live/Work Unit	-	-	-	P	-	-	-	-	-	-	-	-	-	P	-	-	4.05, B.3.
Manufactured Home, Qualified	P	P	P	P	-	P	-	-	-	-	-	-	-	P	-	-	4.05, B.4.
Manufactured Home	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	-	4.05, B.5.
Mobile Home	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	-	4.05, B.6.
Multi-family	-	-	-	-	P	-	-	-	-	-	P	-	-	P	-	-	4.05, B.7.
Single-Family, attached	-	-	-	P	P	-	-	-	-	-	-	-	-	P	-	-	4.05, B.8.
Single-Family, detached	P	P	P	P	-	P	P	-	-	-	-	-	-	p	-	-	
Upper Floor Housing	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	4.05, B.9.
Two-Family	-	-	-	P	P	-	-	-	-	-	-	-	-	p	-	-	4.05, B.10.
Three/Four-Family	-	-	-	P	P	-	-	-	-	-	-	-	-	P	-	-	4.05, B.11.

ARTICLE 4 USE REGULATIONS & STANDARDS

4.05 Use-Specific Standards

B. Residential, Except Accessory Dwelling

7. Multi-Family

- a. If a property owner puts locks on each bedroom door in a single-family home with the intention of subleasing bedrooms as units, that single-family home shall be considered a multi-family residence.
- b. The location of detached garages, carports, and surface parking lots shall comply with Section 10.02, Location of Parking.
- c. Parking garages containing more than 50 spaces shall comply with Section 7.07, 2., d., Parking Garages - Landscaping.
- d. A building shall not be located closer than 20 feet to any other building.
- e. Walkways shall connect all buildings to each other, parking areas, amenity areas, and existing public sidewalks adjacent to the development.
- f. All sides of a building shall display a similar level of architectural features and materials.
- g. Garages shall be:
 1. Made of the same material as the primary structure.
 2. Similar in architectural style to the primary structure (roof pitch, gables, etc.).
 3. Sited in a way that avoids long, monotonous rows of garage doors and building walls.
 4. Oriented so that they do not visually dominate the building façade or the streetscape.
- ~~h. In addition to the above requirements, within the BP-1 Zone:
 1. Shall not exceed a density of 20 dwelling units per net acre.
 2. Shall be limited to a maximum of 10% of the total BP-1 acreage within the city boundary.]~~

ATTACHMENT B

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

ARTICLE 4 USE REGULATIONS & STANDARDS

4.05 Use-Specific Standards

K. ~~(RESERVED)~~ Temporary Uses**1. All Temporary Uses**

- a. A Temporary Use Permit must be obtained from the Zoning Administrator prior to the establishment of any Temporary Use that will exceed 30 days.
- b. Mobile vendors must obtain any required occupational licenses, health licenses and any required local right-of-way or business permits.
- c. Permission to operate a temporary use on public or private property must be obtained in writing from the property owner or their designee.
- d. Temporary uses may not be located in a required setback, landscaping, or buffer area.
- e. Temporary uses may not take up required parking spaces, obstruct traffic on public streets, or interfere with safe traffic movement within parking lots or driveways.
- f. No mobile vendor shall be left unattended or stored, parked, or left for more than 48 hours on any street or sidewalk.
- g. No temporary use shall solicit or conduct business with persons in motor vehicles.
- h. No mobile vendor shall engage in open-lot or outdoor display of products or merchandise.

2. Temporary Construction Trailer or Sales Office

- a. A construction trailer or sales office may be established and operated until the time of the Certificate of Occupancy, or completion of the sale of the lots or residences within the subdivision.
- b. Real estate sales conducted from a temporary sales office are limited to sales of lots within the subdivision it is located and to other subdivision projects under the same ownership.