

December 6, 2024

CITY OF ERLANGER
ATTN: MARK COLLIER, DIRECTOR OF ECONOMIC DEVELOPMENT
505 COMMONWEALTH AVE
ERLANGER KY 41018

Dear Mr. Collier,

NUMBER: PC-24-0026-TX

Attached please find a copy of this Commission's action from its meeting on **December 5, 2024**, 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.



Brian Dunham,
Chair

attachment

KENTON COUNTY PLANNING COMMISSION
STATEMENT OF ACTION AND RECOMMENDATION

NUMBER: PC-24-0026-TX

WHEREAS

The City of Erlanger per Mark Collier, Director of Economic Development and Assistant City Administrator, HAS SUBMITTED AN APPLICATION REQUESTING THE KENTON COUNTY PLANNING COMMISSION TO REVIEW AND MAKE RECOMMENDATIONS ON: A proposed text amendment to the Erlanger Zoning Ordinance adding Building Material Sales as a permitted use within the NC (Neighborhood Commercial) Zone; AND

WHEREAS

A PUBLIC HEARING WAS HELD ON THIS APPLICATION ON THURSDAY, DECEMBER 6, 2024, AT 6:15 P.M. IN THE KENTON CHAMBERS; LOCATED AT 1840 SIMON KENTON WAY, COVINGTON, KENTUCKY; 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:

Favorable recommendation on the proposed text amendment Erlanger Zoning Ordinance adding Building Material Sales as a permitted use within the NC (Neighborhood Commercial) Zone.

SUPPORTING INFORMATION/BASES FOR KCPC RECOMMENDATION:

1. The proposed text amendment is authorized to be included within the text of the zoning ordinance per KRS 100.203 (see Attachment A).
2. The proposed text amendment is consistent with the purpose of the NC Zone, which aims to accommodate convenience stores, retail shops, offices, and personal service businesses.
3. The proposed text amendment introduces a use that aligns with existing uses within the NC Zone, including carpenter shops, electrical, plumbing and heating shops, furniture upholstery, and similar establishments.
4. The proposed text amendment aligns with the adjacent NC Zone in the City of Elsmere. The NC Zone in Elsmere shares a similar intent, encompasses a comparable geographic area along the Dixie Highway corridor, and reflects similar development patterns
5. Based on testimony provided during the public hearing held on December 6, 2024.



BRIAN DUNHAM, 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 the 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

- A. **General.** The following table lists permitted and conditional uses in each base zoning district. Additional use restrictions may be contained in Section 4.05, *Use-Specific Standards*, or as part of an Overlay District.
- B. **Districts.** Table 4.1, Permitted and Conditional Uses lists uses for each standard district within the City of Erlanger’s zoning jurisdiction. Planned Unit Development and Overlay Districts are not listed in the table. Uses within a Planned Unit Development District are approved through the Development Plan approval process. Uses permitted within an Overlay District are generally regulated by the underlying base district.
- C. **Symbols.**
 1. Where the symbol “P” is shown, the use to which it refers is permitted as a “use by right” in the indicated district, provided it complies fully with all applicable Use-Specific Standards included in Section 4.05, *Use-Specific Standards*.
 2. Where the symbol “C” is shown, the use to which it refers is a conditional use which must be approved by the Board of Adjustment and is subject to any Use-Specific Standards included in Section 4.05, *Use-Specific Standards*. The Board of Adjustment may also impose additional conditions as part of the conditional use approval per KRS 100.237.
 3. Where the symbol “-” is shown, the use to which it refers is prohibited in the indicated district.
 4. All uses will be hyperlinked to their corresponding definition in [Article 14, Definitions](#).

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	
AGRICULTURE																	
Agriculture, Exempt	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	4.05, A.1.
Agriculture, Non-Exempt	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	4.05, A.2.
On-farm sales (farm markets, roadside stands)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	4.05, A.3.

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	
Agritourism	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	4.05, A.4.
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	-	-	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.
COMMERCIAL																	
Agriculture Equipment / Chemical Sales, Distribution, Storage	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	4.05, C.1.
Animal Care - enclosed	-	-	-	-	-	-	-	P	P	P	-	P	P	P	-	-	4.05, C.2.
Animal Care – outdoor activity	-	-	-	-	-	-	-	-	-	P	-	P	P	-	-	-	4.05, C.3.
Assembly, Commercial	-	-	-	-	-	-	-	-	P	P	P	P	P	P	-	-	4.05, C.4.
Bar Or Drinking Place	-	-	-	-	-	-	-	C	C	C	-	C	-	C	-	-	4.05, C.5.
Brewery, Distillery, Winery	-	-	-	-	-	-	-	C	P	P	P	P	P	P	-	-	4.05, C.6.
Building Material Sales	-	-	-	-	-	-	-	[-]P	P	P	-	P	P	P	-	-	4.05, C.7.
Car Wash	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	-	4.05, C.8.
Carpenter shops, electrical, plumbing and heating shops, furniture upholstery and similar establishments	-	-	-	-	-	-	-	P	P	-	-	P	P	-	-	-	4.05, C.9.
Check Cashing and Title Loan Business	-	-	-	-	-	-	-	C	C	-	-	-	-	-	-	-	4.05, C.10.
Commercial Printing	-	-	-	-	-	-	-	P	P	-	P	P	P	-	-	-	
Conversions	-	-	-	C	-	-	P	P	P	-	-	-	-	P	-	-	4.05, C.11.

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	
Family Child Care Homes	C	C	C	C	C	C	-	-	-	-	-	-	-	P	-	-	4.05, C.12.
Day Care Or Adult Or Child Care Center, Type II	C	C	C	C	C	C	-	P	P	P	P	-	-	P	-	P	4.05, C.12.
Day Care Or Adult Or Child Care Center, Type I	C	C	C	C	C	C	-	P	P	P	P	-	-	P	-	P	4.05, C.12.
Dry Cleaner	-	-	-	-	-	-	-	P	P	P	P	P	P	P	-	-	4.05, C.13.
Equipment Sales, Rental, Repair	-	-	-	-	-	-	-	-	-	P	P	P	-	P	-	-	
Farmer’s Market	-	-	-	-	-	-	-	P	P	P	-	-	-	P	-	P	4.05, C.14.
Financial Services	-	-	-	-	-	-	P	P	P	P	P	-	-	P	-	-	
Funeral Home, Mortuary	-	-	-	-	-	-	-	P	P	P	P	-	-	-	-	P	4.05, C.15.
Gas Station	-	-	-	-	-	-	-	P	P	P	-	-	-	C	-	-	4.05, C.16.
Liquor Store	-	-	-	-	-	-	-	P	P	P	-	-	-	P	-	-	4.05, C.17.
Medical Office	-	-	-	-	-	-	P	P	P	P	P	P	P	P	-	-	
Motor Vehicle Sales and Rental	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	4.05, C.18.
Motor Vehicle Service, Major	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	4.05, C.19.
Motor Vehicle Service, Minor	-	-	-	-	-	-	-	C	P	P	-	P	-	-	-	-	4.05, C.20.
Nursery / Garden Supply	-	-	-	-	-	-	-	P	P	P	-	P	-	-	-	-	
Office	-	-	-	-	-	-	P	P	P	P	P	P	P	P	-	-	
Off-Street Parking Lot, Non-Accessory	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	-	4.05, C.21.
Personal Services	-	-	-	-	-	-	P	P	P	P	P	P	-	P	-	-	4.05, C.22
Restaurant with drive-in or drive-through	-	-	-	-	-	-	-	P	P	P	-	-	-	C	-	-	4.05, C.23.
Restaurant without drive-in or drive-through	-	-	-	-	-	-	-	P	P	P	-	-	-	P	-	-	4.05, C.24.
Retail Store	-	-	-	-	-	-	-	P	P	P	-	-	-	P	-	-	
Sexually-Oriented Business	See Article 9																
Studios for Work or Teaching	-	-	-	-	-	-	-	P	P	P	-	-	P	C	-	-	
Tattoo Or Body Art Services	-	-	-	-	-	-	-	C	C	C	-	-	-	-	-	-	4.05, C.26.
INSTITUTIONAL																	
Assembly, Institutional and Civic	C	C	C	C	C	C	-	P	P	P	P	-	-	P	-	P	4.05, D.1.

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	
Cemeteries and Crematories	-	-	C	-	-	-	-	-	-	-	-	-	-	-	-	P	4.05, D.2.
College or University	-	-	-	-	-	-	-	-	-	P	P	-	C	C	-	P	4.05, D.3.
Community Center, Civic Center	-	-	-	-	-	-	-	P	P	P	-	-	-	P	-	P	4.05, D.4.
Emergency Medical Facility/Urgent Care/Surgery Center	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	P	
Hospital	-	-	-	-	-	-	-	-	C	P	P	-	P	C	-	P	
Library	-	-	-	-	-	-	-	P	P	P	-	-	-	P	-	P	
Meeting, Banquet, or Conference Facility	-	-	-	-	-	-	-	-	P	P	P	-	-	P	-	P	4.05, D.5.
Museum	-	-	-	-	-	-	-	P	P	P	-	-	-	P	-	P	
Park	C	C	C	C	C	C	-	P	P	P	P	-	-	P	P	P	
School, primary or secondary	-	-	-	-	-	-	-	C	C	C	-	-	C	C	-	P	4.05, D.6.
INDUSTRIAL																	
Fabrication, light	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	4.05, E.1.
Manufacturing, heavy	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	4.05, E.2.
Navigational Services to Shipping	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Mini-warehouse, personal storage	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	4.05, E.3.
Mining, quarrying and crude petroleum and natural gas production	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	4.05, E.4.
Outdoor storage	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	4.05, E.5.
Research and Development	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-	-	
Warehouse and Logistics	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	4.05, E.6.
Junk, Scrap, or Salvage Yards	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	4.05, E.7.
LODGING																	
Bed and Breakfast	-	-	-	P	-	-	P	-	-	-	-	-	-	P	-	-	4.05, F.1.
Short Term Rentals, Owner Occupied	C	C	C	C	C	-	-	-	-	-	-	-	-	P	-	-	4.05, F.2.
Short Term Rentals, Non-Owner Occupied	-	-	-	C	C	-	-	-	-	-	-	-	-	P	-	-	
Convalescent homes, nursing homes, assisted living facilities	C	C	C	C	C	-	-	-	P	P	-	-	-	P	-	P	4.05, F.3.
Hotel, Motel	-	-	-	-	-	-	-	-	P	P	P	-	-	P	-	-	4.05, F.4.

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 Care Facility	P	P	P	P	P	P	P	-	-	-	-	-	-	P	-	P	4.05, F.5.a
Rehabilitation Home Facility	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	
RECREATION																	
Athletic Fields	C	C	C	C	C	-	-	-	P	P	P	-	-	P	P	P	4.05, G.1.
Indoor Commercial Recreation	-	-	-	-	-	-	-	P	P	P	P	P	P	P	-	P	4.05, G.2.
Outdoor Commercial Recreation	-	-	-	-	-	-	-	-	P	P	-	-	C	-	P	P	4.05, G.4.
Shooting Range or Archery	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	4.05, G.5.
Stadium	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	4.05, G.6.
TRANSPORTATION																	
Airport	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	4.05, H.1.
Heliport, Not Associated with Emergency Medical Services	-	-	-	-	-	-	-	-	C	C	C	C	C	C	-	-	4.05, H.3.
Railroad Facilities	-	-	-	-	-	-	-	-	-	-	-	C	C	-	-	-	
Truck Terminals	-	-	-	-	-	-	-	-	-	-	-	C	P	-	-	-	
ACCESSORY (must have a permitted use on the same lot)																	
Accessory Structures or Uses, Customary	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	4.05, J.1.
Collection Boxes	-	-	-	-	-	-	-	-	P	P	-	P	P	-	-	P	4.05, J.4.
Drive Up or Drive Through Facilities	-	-	-	-	-	-	-	C	C	C	-	-	-	-	-	-	10.21
Home Occupation	P	P	P	P	P	P	-	-	-	-	-	-	-	P	-	-	4.05, J.5.
Individual Service (ATM, Redbox)	-	-	-	-	-	-	-	P	P	P	P	P	P	P	-	-	4.05, J.8.
Outdoor Display and Sales, On-going	-	-	-	-	-	-	-	P	P	P	-	-	-	P	-	-	4.05, J.9.
MEDICAL CANNABIS																	
Cultivation	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	4.05, L.
Processing	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	4.05, L.
Producing	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	4.05, L.
Dispensary	-	-	-	-	-	-	P	P	P	P	-	-	-	P	-	-	4.05, L.
Safety Compliance Facility	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	4.05, L.

- KRS 218B and associated administrative regulations established by the Cabinet for Health and Family Services regulate these uses