



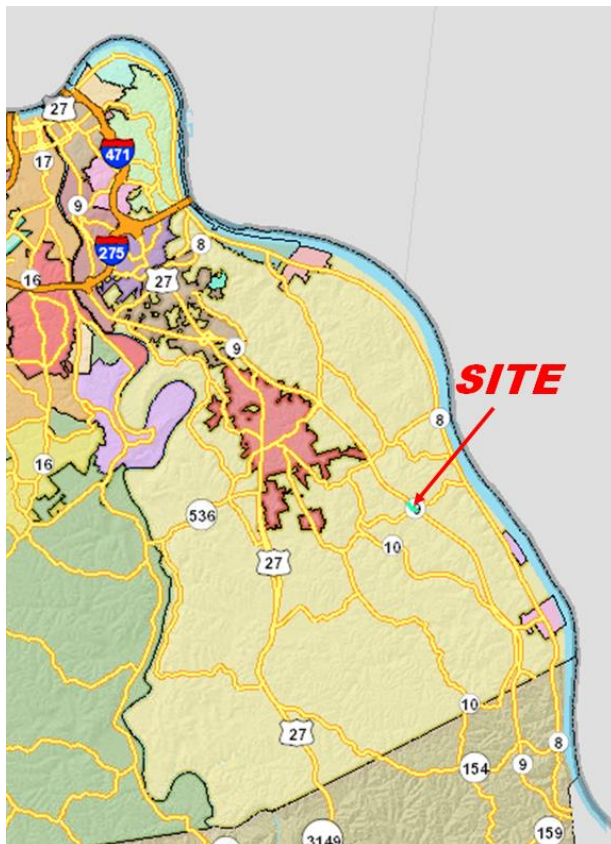
September 7, 2021

**Campbell County & Municipal Planning Commission**  
Campbell County Staff Comments, Findings, and Recommendations  
Issue to be heard on: September 14, 2021 at 6:00 PM

**CASE NUMBER:** PZ-21-026  
**APPLICANT:** Martin Solutions, LLC  
**LOCATION:** An approximately 10-acre site located at the intersection of Carthage Road and the AA Highway, Unincorporated Campbell County, KY  
**REQUEST:** Zone Change from Agricultural One (A-1) to Institutional (INST) for the purpose of developing a technical/trade school

**Overview:**

The area under review consists approximately ten (10) acres in unincorporated Campbell County at the intersection of Carthage Road (KY1996) and AA Highway (KY9).



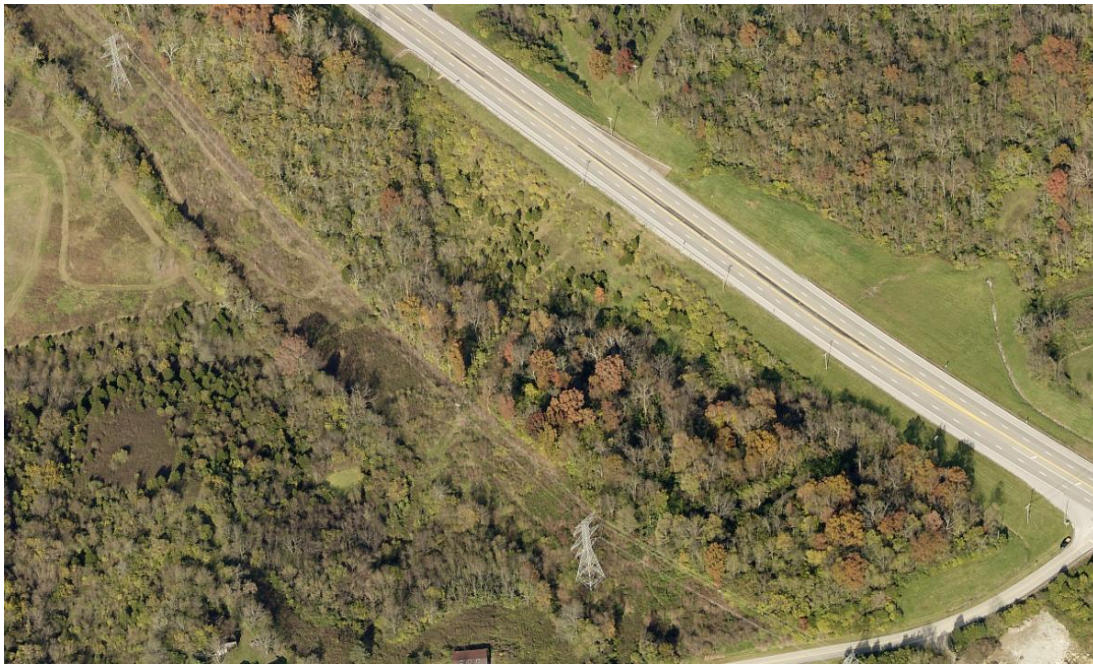




2. The parcel identified as 999-99-28-688.02 is in the Northwest quadrant of the intersection of the AA Highway and Carthage Road. The parcel is ten (10) acres. Over 3.5 acres of the site is encumbered by electrical transmission lines. The primary transmission line includes a 150-foot easement running the length of the property.



3. The use at the site is currently vacant.

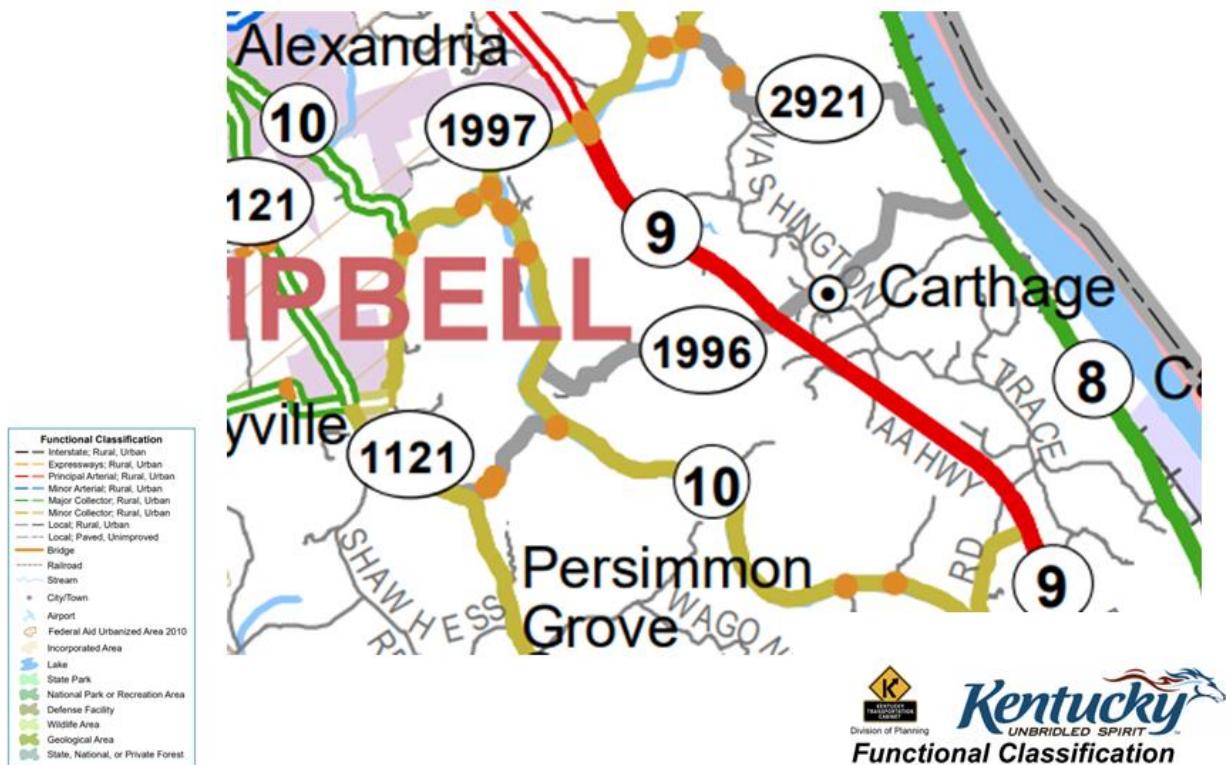




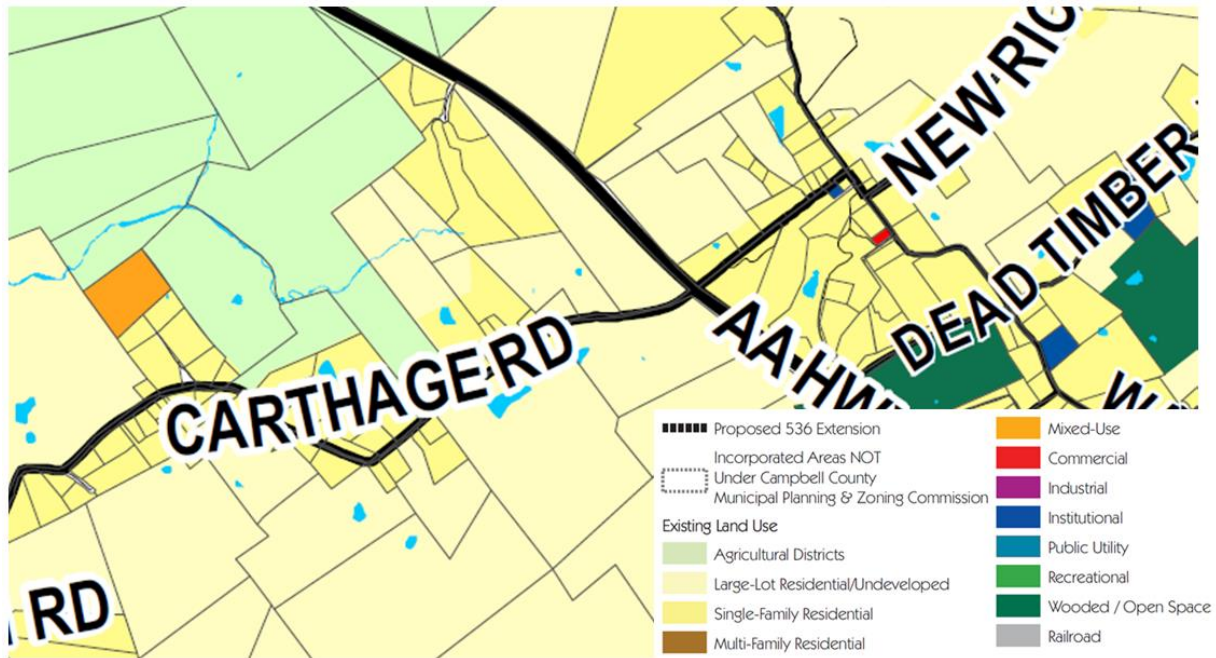
4. The current zoning for the site and surrounding areas is Agricultural-One (A-1). The land uses surrounding the property consist of both residential and agricultural land. The rural community of Carthage is across the AA Highway from the site.



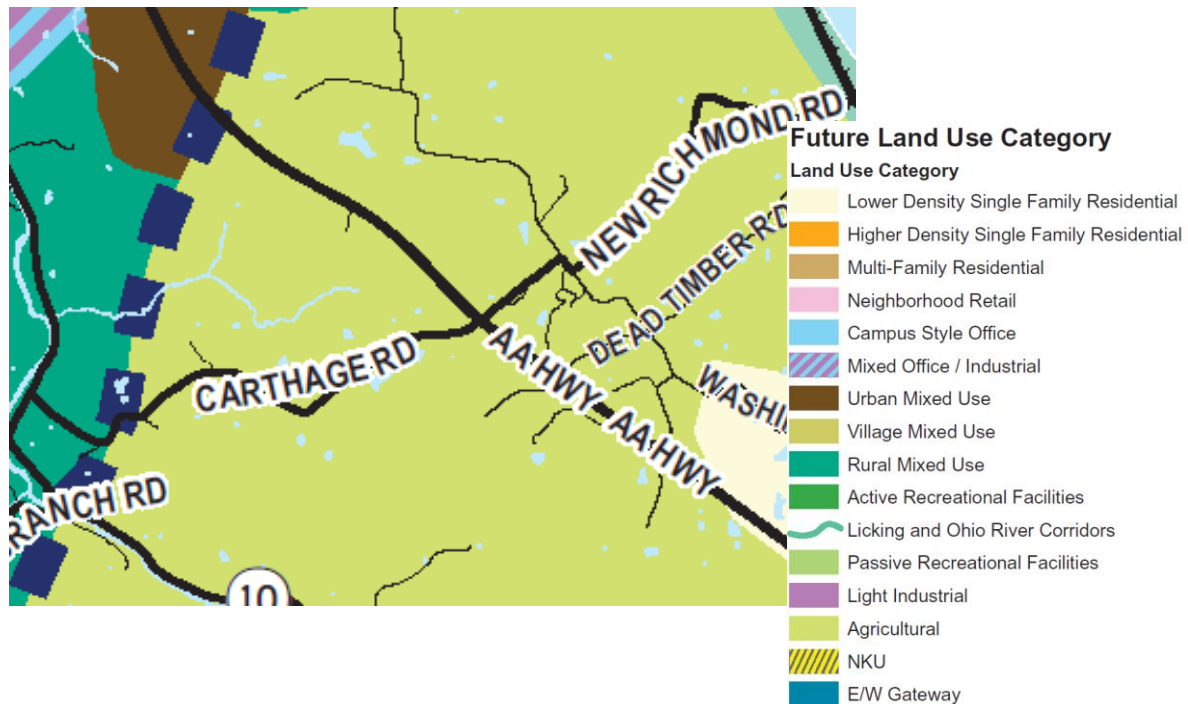
5. The Kentucky Transportation Cabinet identifies AA Highway (KY9) as a Principal Arterial and Carthage Rd (KY1996) as a Local Rural Road in their functional classification.



6. The 2008 Campbell County Comprehensive Plan identifies the current land use as large-lot residential/undeveloped;



7. The future land use category for the site is identified as Agricultural in the Campbell County Comprehensive Plan.



8. Because the majority of institutional land uses are conditional uses, the future land use map does not identify the location of anticipated institutional uses. They are typically isolated but complementary uses within a zone that is not specifically *institutional* (INST). The only exception to this is NKU, which has its own land use category.

Institutional uses are most often approved as conditional uses without need for a zone change. There are multiple institutional uses, including public and parochial schools, in the vicinity that are situated within the A-1 zone. The specific use as a *vocational or trade school* is not listed as a conditional use in the A-1 zone. A zone map amendment is necessary to allow the proposed use.

9. Consider these definitions from Article VII of the Ordinance:
  - NURSERY SCHOOL: Any building used for the daytime care of education of preschool age children with or without compensation, and including all accessory buildings and play areas. Those establishments must be approved by the appropriate State departments.
  - SCHOOLS, PAROCHIAL: An institution or a place for instruction or education belonging to and maintained by a religious organization.
  - SCHOOLS, PRIVATE: An institution or a place for instruction or education belonging to and maintained by a private organization.
  - SCHOOLS, PUBLIC: An institution or place for instruction or education belonging to and maintained under public authority and open to the public for their attendance.
  - SCHOOLS, BUSINESS: An institution or place for instruction or education, specifically in courses of bookkeeping, business administration, operation of business machines, shorthand and typing, and related courses, operated for an intended profit. For the purpose of this ordinance, business colleges shall be included in this definition.
  - SCHOOLS, TRADE: An institution or place for instruction or education, specifically in one or more of the general trades such as: welding, carpentry, electrical, etc.

10. Several *conditional* uses within the A-1 zone are *permitted* uses in the INST zone:

Conditional Uses in A1		Permitted Uses in INST	
1	Cemeteries.	1	<b>Churches and other buildings for the purpose of religious worship.</b>
2	<b>Churches and other accessory buildings for the purpose of recognized religious worship providing they are located adjacent to an arterial or collector or local street.</b>	2	Dormitories and fraternity and sorority houses, when associated with a permitted use located in this zone
3	<b>Nursery school.</b>	3	Educational and medical related research facilities.
4	<b>Police and fire stations provided they are located adjacent to an arterial street.</b>	4	Institutions for higher education
5	<b>Public and parochial schools.</b>	5	Institutions for human medical care - hospitals, clinics, sanitariums, convalescent homes, nursing homes, and homes for the aged.
6	<b>Publicly owned and/or operated parks, playgrounds, golf courses, community recreational centers, including public swimming pools and libraries.</b>	6	Libraries
7	Recreational uses, other than those publicly owned and/or operated as follows: a. <b>golf courses</b> b. country clubs c. <b>semi-public swimming pools</b> d. <b>tennis courts/clubs</b> e. fishing lakes f. gun clubs and ranges g. boat harbors and marinas	7	Medical offices
8	Hospitals for human care, clinics, sanitariums, homes for the aged, religious and charitable institutions, not including penal or correctional institutions; provided that any building for patients shall be distant at least two (200) hundred feet from every adjoining lot in any Residence Zone, and that the area of the parcel of land so occupied shall be no less than ten (10) acres.	8	Governmental buildings
9	Essential services and public utility stations.	9	Museums or art galleries
10	Sanitary landfills as regulated by Section 9.25 of this ordinance.	10	<b>Nursery schools and day care centers</b>



11	Commercial confined animal feed operations provided that any lot or tract of land in such use shall be not less than ten (10) acres and that any building or enclosure in which animals are kept shall be distant at least four hundred (400) feet from any lot in any Residence Zone, or any lot occupied by a dwelling other than a farm dwelling, or by any school, church or any institution for human care.	11	Publicly owned and/or operated parks, playgrounds, golf courses, community recreation centers and swimming pools
12	Sawmills.	12	Recreational uses other than publicly owned and/or operated, as follows: golf courses, swimming pools, tennis courts.
13	Plants for the processing and storage of agricultural products.	13	Police and fire stations
14	Boat harbors, and marinas, for the use and transport of products that are raised, produced, and processed on the premises.	14	Public and parochial schools
15	Kennels.	15	Vocational, trade schools, or other specialized educational facilities
16	Bed and breakfast establishments.		
17	Event facilities.		
18	Restaurants.		

11. The Campbell County Vision Statement and Goals and Objectives as updated in 2016 highlight the importance of Economic Development, Employment and Education. Excerpts from this document include:

### Vision

*Campbell County is a dynamic community that provides meaningful opportunities for all people in which to live, learn, work, play, worship, and achieve their goals. The County promotes lifelong learning, innovative enterprises, quality neighborhoods, agricultural heritage, diverse recreational opportunities, environmental balance, and participatory governance. We draw from the strength of our rich history of values, creativity, and decisions to realize the vision for Campbell County.....*

- *Campbell County promotes lifelong learning through strong public and private educational programs. We capitalize on the strong partnership with our schools, community colleges, university, and library system to use education and knowledge-based enterprises to leverage our economic growth.*

### Goal: Economic Development and Employment

- Evaluate and encourage compatible investments, which will increase quality employment opportunities for the residents of the County and its Cities.



- Identify and support opportunities to attract high quality office, technology-related, education, research, and light industry balanced with infrastructure, transportation, and compatible land uses.
- Support programs that facilitate entrepreneurship, business incubators / accelerators, and expansion of existing operations, particularly in fields identified as emerging economic development opportunities.
- Support quality educational and workforce training, such as those provided by Northern Kentucky University, Gateway Community College and Campbell County Area Technology Center, thereby strengthening an employee talent pool that is well prepared to meet the County and regional employment needs.....
- Stream the development process and minimizing barriers to implementation to foster high-value growth in the construction industry.

### **Goal: Educational Opportunities**

- Attract, enhance, and maintain quality, comprehensive, and innovative educational opportunities within the County.
- Support the implementation of initiatives for achievement by providing a variety of educational opportunities to serve the unique needs, desires, and interests of the population.
- Increase public awareness of the rich variety of educational resources available through regional training and enrichment programs, as well as its formal educational resources.
- Facilitate communication and coordination amongst our centers of learning, including school providers, libraries, healthcare, and recreation facilities.
- Support and balance development patterns with investments and initiatives in our public and private educational facilities.

12. A review of public records indicates that a Board of Adjustments case was initiated for the site in 2021 but withdrawn by the applicant before the case was heard.
13. The Campbell County Zoning Ordinance defines the following permitted and conditional uses for the A-1 (section 10.2) and INST (section 10.15) zones respectively.

#### **Permitted Uses**

#### **A-1**

1. Agricultural uses.
2. Single family dwellings (detached).
3. Mobile homes subject to the requirements of Section 9.28 of this ordinance and KRS 100.203 (4).
4. Stands for sale of products that are raised, produced, and processed on the premises, provided that no roadside stands of any type for the sale or display of agricultural products shall be permitted within fifty (50) feet from any street.
5. Greenhouses and nurseries, including both wholesale and retail sales of products grown on the premises.
6. Stables and riding academies both public and private.

7. Taxidermy and other related wildlife resources and service, with sales portion not to exceed 10% of the gross floor area of the operations.
8. Animal Hospitals and Veterinary Clinics.
9. Agritourism uses.
10. Butcher/meat processing in connection with other agricultural activities.

#### Accessory Uses

A-1

1. Customary accessory buildings and uses.
2. Fences and walls as regulated by Article XIII of this ordinance.
3. Home-Based Businesses subject to the restrictions and limitations established in Section 9.11 of this ordinance.
4. Signs as regulated by Article XIV of this ordinance.
5. The keeping of not more than four (4) roomers or boarders by a resident family.
6. Living quarters for persons employed on a farm.

#### Conditional Uses

A-1

1. Cemeteries.
2. Churches and other accessory buildings for the purpose of recognized religious worship providing they are located adjacent to an arterial or collector or local street.
3. Nursery school.
4. Police and fire stations provided they are located adjacent to an arterial street.
5. Public and parochial schools.
6. Publicly owned and/or operated parks, playgrounds, golf courses, community recreational centers, including public swimming pools and libraries.
7. Recreational uses, other than those publicly owned and/or operated as follows:
  - a. golf courses
  - b. country clubs
  - c. semi-public swimming pools
  - d. tennis courts/clubs
  - e. fishing lakes
  - f. gun clubs and ranges
  - g. boat harbors and marinas
8. Hospitals for human care, clinics, sanitariums, homes for the aged, religious and charitable institutions, not including penal or correctional institutions; provided that any building for patients shall be distant at least two (200) hundred feet from every adjoining lot in any Residence Zone, and that the area of the parcel of land so occupied shall be no less than ten (10) acres.
9. Essential services and public utility stations.
10. Sanitary landfills as regulated by Section 9.25 of this ordinance.

11. Commercial confined animal feed operations provided that any lot or tract of land in such use shall be not less than ten (10) acres and that any building or enclosure in which animals are kept shall be distant at least four hundred (400) feet from any lot in any Residence Zone, or any lot occupied by a dwelling other than a farm dwelling, or by any school, church or any institution for human care.
12. Sawmills.
13. Plants for the processing and storage of agricultural products.
14. Boat harbors, and marinas, for the use and transport of products that are raised, produced, and processed on the premises.
15. Kennels.
16. Bed and breakfast establishments.
17. Event facilities.
18. Restaurants.

#### **Permitted Uses**

**INST**

1. Churches and other buildings for the purpose of religious worship.
2. Dormitories and fraternity and sorority houses, when associated with a permitted use located in this zone
3. Educational and medical related research facilities.
4. Institutions for higher education
5. Institutions for human medical care - hospitals, clinics, sanitariums, convalescent homes, nursing homes, and homes for the aged.
6. Libraries
7. Medical offices
8. Governmental buildings
9. Museums or art galleries
10. Nursery schools and day care centers
11. Publicly owned and/or operated parks, playgrounds, golf courses, community recreation centers and swimming pools
12. Recreational uses other than publicly owned and/or operated, as follows: golf courses, swimming pools, tennis courts.
13. Police and fire stations
14. Public and parochial schools
15. Vocational, trade schools, or other specialized educational facilities

#### **Accessory Uses**

**INST**

1. Customary accessory buildings and uses.
2. Fences and walls, as regulated by Article XIII of this ordinance.
3. Signs, as regulated by Article XIV of this ordinance.
4. Uses as listed below provided in conjunction with a permitted use,
5. primarily as a convenience to its occupants, its customers, patients, and employees, and located within the same building as the permitted use:



- a. Restaurant or Cafeteria
- b. Book store
- c. Gift Shop
- d. Florist
- e. Medical & educational supply store
- f. Pharmacy

8. The Campbell County Zoning Ordinance defines the zone requirements for the A-1 zone (section 10.1):

<u>Zone Requirements</u>	<u>A-1</u>
Minimum Lot Area	One (1) Acre
Minimum Lot Width	One Hundred (100) feet
Minimum Front Yard Depth	Fifty (50) feet
Minimum Side Yard Depth	Total - Twenty-five (25) feet One Side – Ten (10) feet
Minimum Rear Yard Depth	Thirty-five (35) feet
Maximum Building Height	Thirty-five (35) feet

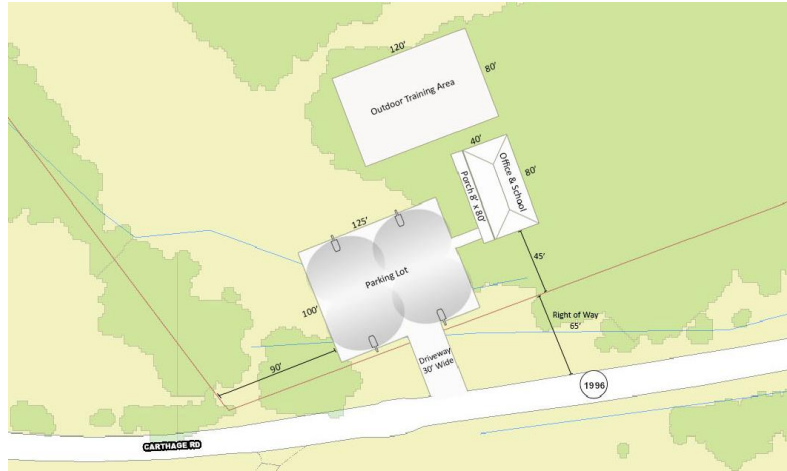
9. The Campbell County Zoning Ordinance defines the zone requirements for the Institutional (INST) zone (section 10.15):

<u>Zone Requirements</u>	<u>INST</u>
Minimum Lot Area	Requirements shall be in accordance with the approved Site Plan, as provided for in Section D, 4, below and Section 9.19. In the case of this zone, more than one principal building, as defined herein, may be permitted on one lot.
Minimum Lot Width	
Minimum Front Yard Depth	
Minimum Side Yard Depth	
Minimum Rear Yard Depth	
Maximum Building Height	

10. Article 17 of the Campbell County Zoning Ordinance also states that the zoning map or maps shall not be amended, changed, or modified in such manner as to create a freestanding zone of less than five (5) acres.

- Staff notes that the site of the proposed zone map amendment will not create a freestanding zone of less than five (5) acres. The lot itself is 10 acres, and the total area including half of the adjacent street rights-of-way is approximately 18 acres.

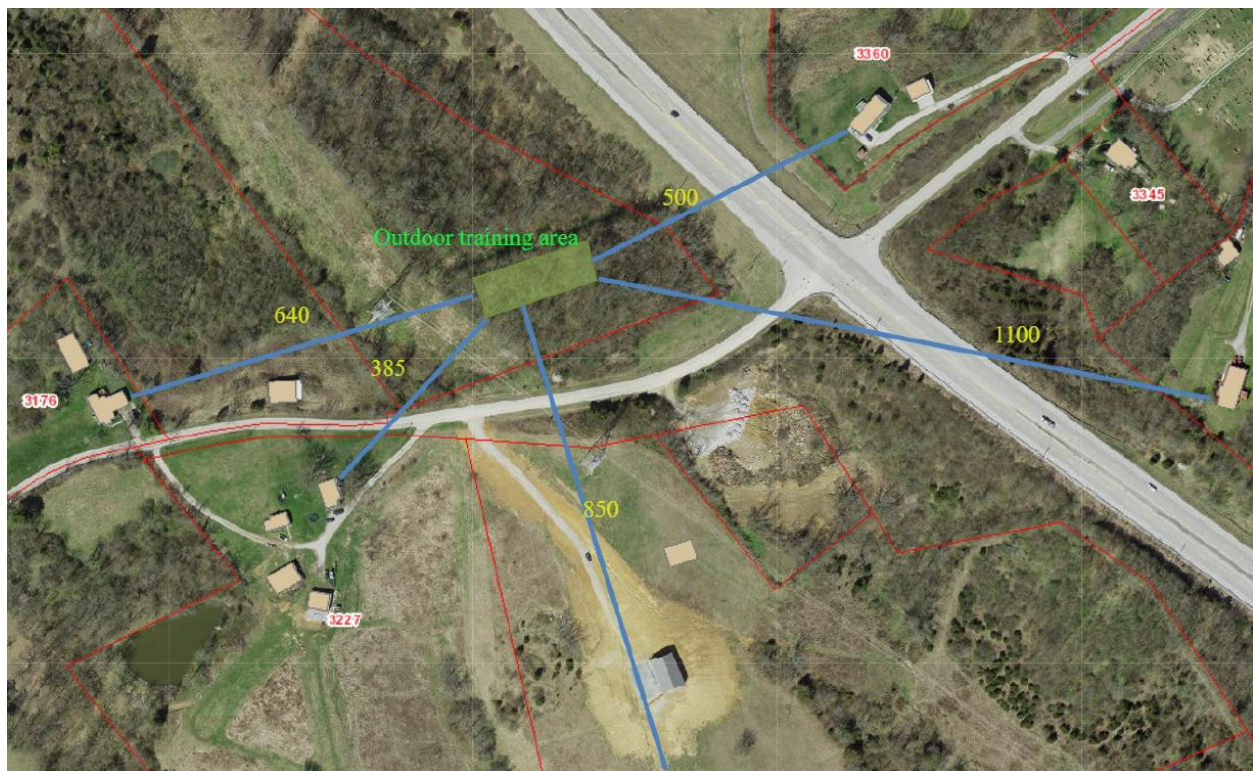
11. The applicant has submitted a preliminary site plan showing the proposed use as a trade school at the site.



12. A site plan showing was submitted showing:

- Proposed building
- Proposed outdoor training area
- Lighting on parking area
- Setbacks

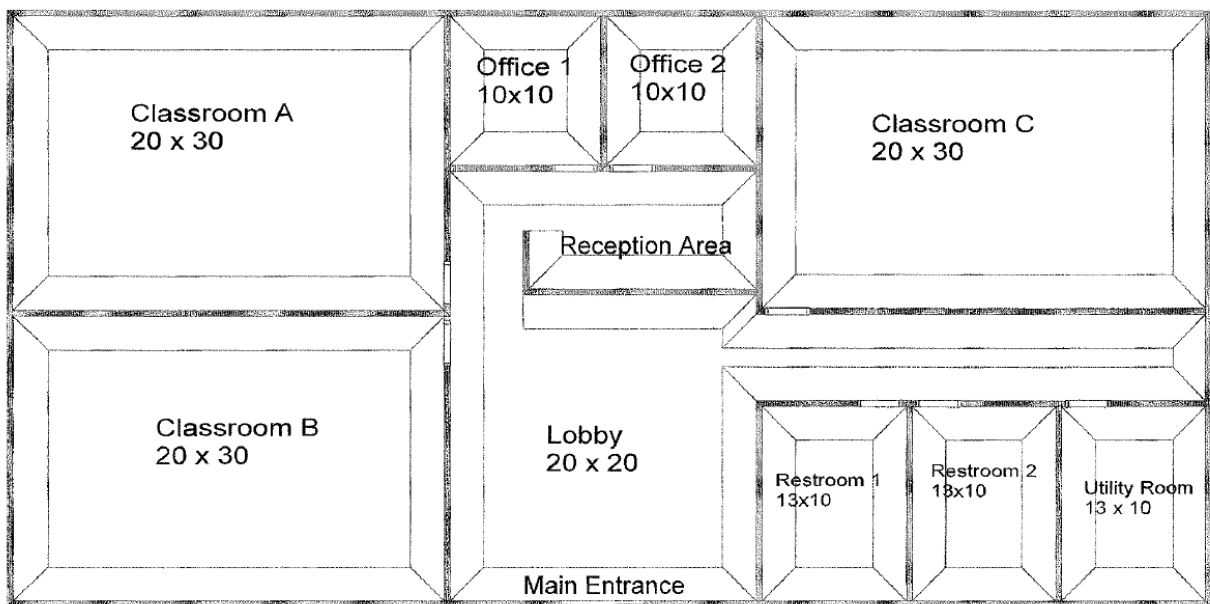
13. A diagram indicating the proximity of the outdoor training area to nearby residential structures has been included with the application.



14. The applicant has submitted a rendering of the facility showing the main building, outdoor training area and parking lot. The applicant has indicated that the outdoor training area will initially be open; however, it will ultimately be covered with a canvas roof similar to the one in the image.



15. The applicant has submitted a floor plan for the interior of the proposed pole building.





16. The proposed trade school will operate on a semester basis. There will be three (3) semesters a year. Each class will have between fifteen (15) and thirty (30) students at a time. The school will operate from 8:00 AM to 9:00 PM offering day and evening classes.
17. The proposed parking area does not show individual spaces nor a parking count. The area is shown as one hundred and twenty five (125) feet by one hundred (100) feet.

SECTION 11.1 SPECIFIC OFF-STREET PARKING REQUIREMENTS, specifies the following parking requirements:

- Paragraph G, "Commercial or trade schools"
  - One (1) parking space for each two (2) students based on design capacity of school plus one (1) parking space for each employee.

By this calculation, the required parking minimum should be approximately sixteen (16) to eighteen (18) spaces. Staff estimates the proposed parking area is large enough to accommodate approximately thirty (30) standard-size parking spaces including ADA compliant spaces.

**From the Applicant:**

*"The Applicant has attached several letters from businesses in the community who affirm that the technical skill training provided by the proposed school will offer potential employees an opportunity to obtain skills which can be put into practice with various employers. The training will open the door for many individuals to obtain employment which is a service that will contribute to the general well-being of the community.*

*The property is located in a rural area. The training provided on site will not be detrimental to the health, safety, or overall welfare of individuals residing or working in the area. It certainly will not be injurious to property or improvements in the area as those are minimal.*

*It is Applicant's position that the use will comply with regulations in the Zoning Ordinance as it will operate as a technical school offering training to individuals so that they may enter or re-enter the workforce.*

*The Applicant has attached a five year business plan which reflects the type of training that will be provided by the school, the marketing strategy, and development plans with regard to the property. The Applicant has also attached the Master Trainer Certification issued to James Joseph Wilbers who has been employed by the Campbell County School District for many years. Mr. Wilbers will be employed by Martin Solutions to provide training and assist with the structure of each training program. The Applicant has also attached the facility schematics for the building which it will be constructed on site for the training to be performed. The building is approximately 40' x 80'. It will contain three classrooms, two offices, restrooms, a reception area, a lobby, and a utility room. The property itself is 26.2684\* acres."*

\*Staff notes that the parcel on which the proposed use is to be located has been subdivided and is ten (10) acres in area.

18. AA Highway (KY 9) and Carthage Road (KY1996) State-maintained road. A residential encroachment permit had been issued by KYTC in March 2021 for access from Carthage Road. This permit is under evaluation by KYTC to upgrade to a commercial encroachment permit.



Kentucky Transportation Cabinet  
Department of Highways  
Division of Maintenance  
Permits Branch

TC 99-1 (B)  
07/2016  
Page 1 of 1

**ENCROACHMENT PERMIT**

KYTC KEPT #:	08-2021-00129
Permittee:	David Martin
Permit Type / Subtype:	Entrance / Private
Work Completion Date:	2/19/2022

19. Article XVII, Section 17.0 Amendment of Maps and Zones:

FINDINGS NECESSARY FOR MAP AMENDMENT: Before any map amendment is granted, the Planning and Zoning Commission, or legislative body, must find that the amendment is in agreement with the adopted comprehensive plan by the Planning and Zoning Commission for the County or in the absence of such a finding, that one or more of the following apply, including the making of a written report, setting forth explicitly, the reasons and substantiation as to how each would apply, and such finding and report shall be recorded in the minutes and records of the Planning and Zoning Commission or legislative body.

1. That the original zoning classification given to the property was inappropriate or improper; and
2. That there have been major changes of an economic, physical, or social nature within the area involved which were not anticipated in the comprehensive plan and which have substantially altered the basic character of such area.

**Staff Comment(s):**

1. The zone map amendment is in agreement with the adopted comprehensive plan.

**Staff Recommendation - Zone Map Amendment**

To approve the request for a zone map amendment from A-1 to INST and forward the recommendation to the Campbell County Fiscal Court for adoption.

**Bases for Recommendation:**

1. Notice has been given regarding the Zone Map Amendment consistent with Article 17 of the Campbell County Zoning Ordinance.
2. As defined in Article 17, the Planning Commission has the authority to review such Zone map Amendments and provide recommendations to the legislative body.

3. The proposed Zone Map Amendment has been reviewed for consistency with the recommendations of the 2008 Campbell County Comprehensive Plan Update, the Campbell County Subdivision Regulations and Campbell County Zoning Ordinance.

**Additional notes to applicant**

1. A commercial encroachment permit from KYTC is required.
2. A full site development plan will be required to be submitted to the Planning Commission.

Should you have any questions, please do not hesitate to call our office at (859) 292-3880 for assistance.

Respectfully,



Kirk Hunter, AICP  
Principal Planner