

**CAMPBELL COUNTY & MUNICIPAL PLANNING & ZONING COMMISSION
MINUTES OF THE
JULY 11, 2023
MEETING**

MEMBERS PRESENT:

Mr. CJ Peters-Chair
Mr. Michael Williams
Mr. Mark Turner
Mr. Jeff Schuchter
Ms. Sharon Haynes
Mr. Larry Barrow
Mr. Justin Verst

MEMBERS ABSENT:

Mr. Troy Franzen
Mr. Dennis Bass

STAFF PRESENT:

Ms. Cindy Minter, Director
Mr. Devin Allmoslecher, Clerk
Ms. Kaytlin Lake, Admin. Assistant
Mr. Matt Smith, Legal Counsel

1 Mr. Peters called the meeting to order at 6:31 PM. Following the Pledge of Allegiance, the clerk
2 called the roll. A quorum was found. Mr. Peters noted there were no members of the public in
3 attendance, but standard meeting procedure was presented on the screen.

4
5 Mr. Barrow moved to approve the minutes from May 9th, 2023 which was seconded by Ms.
6 Haynes. There was no discussion on the motion. The clerk called roll again: Mr. Verst
7 abstained, but all others present voted in favor. The motion passed and minutes were
8 approved.

9
10 There was no old business to present.

11
12 Mr. Peters introduced the first of two new orders of business: case PZ-23-016. The applicant
13 was the Campbell County & Municipal Planning & Zoning Commission, and the request was for
14 proposed text amendments to the Campbell County and Municipal Subdivision Regulations
15 regarding Design Standards for Subdivision Review.

16
17 Ms. Minter noted that both cases were advertised in the June 16th edition of the Kentucky
18 Enquirer before presenting the staff report.

19
20 **BACKGROUND:**

21 In 2011, the Campbell County & Municipal Planning & Zoning Commission adopted a major re-
22 write of its Subdivision Regulations. Following this rewrite, inconsistent language was noted in
23 applying the applicable zoning ordinance with the Subdivision Regulations.

24

1 Section 402 Open Space Cluster and Conventional Residential Subdivision Design is the primary
2 area subject to this proposed edit.

3
4 **PROPOSED TEXT AMENDMENTS:**

5 Addition and deletion of text as marked below for the following sections.

6
7 **Article 2 Definitions**

8 ~~Open Space and Cluster Subdivisions~~

9 ~~Two types of residential subdivisions that are designed and developed in accordance with the~~
10 ~~Open Space and Cluster Subdivision requirements described in these regulations.~~

11 Open Space

12 Open Space within a subdivision refers to the land that is not intensively developed for residential,
13 or commercial use. It serves many purposes, whether it is publicly or privately owned. It may
14 include land used for agricultural, forest, scenic, outdoor parks, trails, wetlands, hillside
15 preservation, water bodes, and stormwater management. Historic and archeological sites may
16 also be designated open spaces.

17 Cluster

18 A cluster development is the grouping of residential properties on a development site that is
19 considerate of designated open space preservation. Cluster developments are defined within the
20 zoning ordinance. Unincorporated Campbell County references Article X, Section 10.14
21 Residential Cluster Development and Section 10.28 Agricultural Cluster Development.

22
23 **Article 4 Design Standards for Subdivision Review**

24 **Section 400**

25 **Introduction**

26 The following design standards are intended to assist a developer or property owner in creating
27 a subdivision and meeting the purposes of subdivision regulations. These standards are to be
28 used in preparing a Preliminary Plat, Improvement Plan, Grading Plan, Final Plat and
29 Conveyance Plat. ~~The design standards generally conform to the "Goals and Objectives" section~~
30 ~~of the Campbell County Comprehensive Plan.~~

31 The purpose of these standards is to establish minimum design and improvement standards for
32 the ~~which will be required as a pre-condition to development or in conjunction with~~ development
33 ~~for of~~ lots, streets, utilities, and other physical elements of a subdivision or development. ~~The~~
34 ~~developer's engineer (Kentucky Registered) shall design these aspects of the subdivision or~~
35 ~~development and the Campbell County Planning Commission's Staff shall review them. Final~~
36 Improvement Plans must be stamped by a Kentucky Registered Professional Engineer.

37 ~~These design standards also present the opportunity for a developer or property owner to choose~~
38 ~~one of three types of residential subdivision layout within an existing zoning district as described~~
39 ~~in Section 402. The developer or property owner has the option of following either a~~
40 ~~Conventional, Open Space, or Cluster Subdivision layout; however, it is recommended that the~~

1 ~~latter two options be discussed with Planning Commission Staff before application to ensure that~~
2 ~~the proposed subdivision meets the applicable requirements.~~

3 THE DESIGN AND CONSTRUCTION OF STREETS AND WATER, SANITARY SEWER, AND
4 STORM WATER UTILITIES SHALL BE IN ACCORDANCE WITH THE CURRENT CITY/COUNTY
5 STREET, STORMWATER AND SIDEWALK SPECIFICATIONS AND THE APPROPRIATE WATER
6 AND SANITARY SEWER SPECIFICATIONS. ~~A COPY OF THE CURRENT CITY/COUNTY~~
7 ~~STREET, STORM, AND SIDEWALK SPECIFICATIONS IS PART OF THIS DOCUMENT AND IS~~
8 ~~LOCATED IN THE REAR OF THIS DOCUMENT.~~

9
10 **Section 402**

11 ~~Open Space, Cluster and Conventional Residential Subdivision Design~~

12 [strike all content]

13 Residential Subdivision Design

14
15 A) **Open Space Areas** - The open space area to be held in common within a subdivision shall be
16 clearly designated during subdivision review, and referenced on the recorded subdivision plat.
17 They shall be protected from development by an appropriate restrictive covenant, easement,
18 or homeowner's agreement. Related recreation structures and agricultural outbuildings are
19 permitted in the open space area. Utility easements are permitted to be located within the
20 open space area.

21
22 The ownership and responsibility for continued maintenance of the common open space areas
23 is also required. These documents shall be submitted at the Final Plat review and be recorded.

24
25 B) **Residential Subdivision Design** - A residential subdivision design is intended to provide for
26 the development of residentially zoned property. It may include designated open space or
27 other amenities to be held in common for the development. A residential subdivision design
28 shall incorporate a minimum of six contiguous lots which is consistent with the definition of a
29 major division of land within Section 300.

30
31 When a cluster-style design is proposed, the application of an overlay zone is required. The
32 area within the overlay zone must comply with the overall density of the underlying zone.
33 However, the area, height and dimensional features may vary from the underlying zone with
34 the applicable cluster development overlay zone. A cluster-style design often features common
35 open space areas enabling a reduction in the minimum lot size and setback requirements.

36
37 The open space within a cluster-style design shall be cohesive, visible, and accessible. The open
38 space shall noticeably influence the character of the subdivision and addresses the impacts of
39 the smaller lots on portions of the site.

40
41 The designated open space land shall serve the purpose of effective buffering, passive
42 recreation, and preservation. It may include land used for agricultural, forest, scenic, outdoor
43 parks, trails, wetlands, hillside preservation, water bodes, and stormwater management.
44 Historic and archeological sites may also be designated open spaces.

1 A three-step design approach described below is recommended for cluster-style design of a
2 residential subdivision:

3
4 **Step One - Identifying the Open Space Areas**

5 This step consists of identifying the land that should be permanently protected as open
6 space, which includes the primary and secondary conservation areas. Primary
7 Conservation Areas include constrained lands, such as inundated or flood prone areas,
8 areas of slope greater than 20%, river and stream corridors, drainage corridors or
9 basins, or other defined environmental or developmentally sensitive area. Secondary
10 Conservation Areas include amenity-forming features of the property such as mature
11 woodlands, greenways, trails, prime farmland, hedgerows, individual free-standing trees
12 or tree groups, wildlife habitats and travel corridors, historic sites, structures or
13 features, cemeteries, scenic viewsheds, stream buffer areas.

14 When utilizing a cluster-style design, undevelopable or undesirable areas shall not
15 constitute open space areas if they do not serve such a function. It is the responsibility
16 of the developer to demonstrate that the open space areas can a function to the
17 community, and is not just an attempt to increase density by accounting for
18 undevelopable or undesirable land.

19
20 **Step Two - Identifying Potential Development Areas**

21 After determining the open space elements, the remaining part of the property, less
22 commercial uses and streets, provides an estimate of the potential development area.
23 Within a residential subdivision a cluster-style design may be proposed with the use of
24 the applicable cluster overlay zone. The number of permitted units within a cluster-style
25 development is based on the overall total site acreage, less streets and commercial
26 areas, multiplied by the permitted density in the zoning district(s). This includes both
27 the areas for residential lots and amenities as well as the open space areas.

28
29 **Step Three - Locating Streets, Lot Lines and Housing Sites**

30 This step involves locating and drawing in the streets, lot lines and housing sites within
31 the proposed development area. View and access to designated open spaces must be
32 included.

33
34 **C) Residential Subdivision Layout - A residential subdivision layout shall include:**

- 35
36 a. Streets as defined by Section 405.
37 b. Sidewalks as defined by Section 404, Item Q.
38 c. Common off-street parking areas if required.
39 d. Stormwater management features.
40 e. Utility lines and easements.
41 f. In addition, when a cluster-style design is proposed, the layout shall include:
42 i. Entry treatment, including vegetated landscaping along the entry to the
43 subdivision.
44 ii. Designated open space that is functional, visible, and accessible.

- 1 iii. Recreation trails, structures and agricultural outbuildings. These are
- 2 permitted in the open space area.
- 3 iv. Cluster mail location, if required by the postal carrier.

4

5 **STAFF RECOMMENDATION:**

6 To adopt the proposed text amendments to the Campbell County Official Zoning Ordinance and

7 Subdivision Regulations.

8

9 **SUPPORTING INFORMATION/BASES FOR STAFF RECOMMENDATION:**

- 10 1. Per Kentucky Revised Statutes (KRS) 100.273, the Campbell County & Municipal
 - 11 Planning & Zoning Commission has the authority to adopt subdivision regulations within
 - 12 its jurisdiction.
 - 13 2. Proper notice has been given in accordance with the Campbell County & Municipal
 - 14 Planning & Zoning Subdivision Regulation SECTION 130 AMENDMENTS PROCEDURE.
 - 15 3. The proposed changes are consistent with the 2008 Campbell County Comprehensive
 - 16 Plan Update, 2015 Goals and Objectives and the Campbell County Zoning Ordinance.
- 17

18 Ms. Minter asked the Commission if they had any discussion on the Article 2 revisions to

19 Definitions for “Open Space” and “Cluster” as drafted by staff.

20

21 Mr. Williams asked how Ms. Minter would define “intensively developed.” Ms. Minter

22 responded that typically for residential and commercial purposes, there is a subdivision that has

23 some compressed lots. They wouldn’t use this “open space” definition for farm land, for

24 example; it is designed to be used with development within a subdivision. “Open space” would

25 also not apply to large-lot subdivisions such as the recent Altura Estates development where

26 there is not open space shared by the community, just large individual lots.

27

28 Ms. Minter asked if Mr. Williams would prefer different wording in place of “intensively

29 developed,” but he said no, he was just seeking clarification.

30

31 Mr. Schuchter asked if they could remove the word “intensively.”

32

33 Mr. Williams asked if trees being cleared off land, for example, would be considered

34 “intensively developed.”

35

36 Mr. Verst said he liked the word “intensively” because without the qualifier to “developed,”

37 that could refer to one house on ten acres, for example.

38

39 Mr. Schuchter asked if “open space” meant “green space” and considered whether developers

40 could use this “intensively developed” language to skirt the rules.

41

42 Ms. Minter said when “open space” becomes important is when they are asking someone to

43 keep something as open space in exchange to do an overlay zone. Without an intensively

44 developed subdivision with compressed lots, there is really no reason for “open space.”

45

1 Mr. Peters asked if intensity was correlated with density. Ms. Minter said that yes, in the
2 common use of the word, but density has its own meaning within the zoning sections of the
3 ordinance.

4
5 Mr. Peters asked the Commission if there were any suggestions as to rewording or if they
6 wanted to leave the definition as drafted.

7
8 Mr. Verst said he thought it was fine as is within the context of the whole document.

9
10 Ms. Minter added that she would also refrain from saying open space was “not developed”
11 either because you can have open space that may have recreational trails or outdoor
12 community amenities, and she wouldn’t want this to be misconstrued as developed or
13 undeveloped.

14
15 Mr. Peters asked to continue with the staff report and revisit the issue. Ms. Minter continued
16 with Article 4 revisions.

17
18 Mr. Verst said he thought the Article 4 revisions were good and simplified dramatically.

19
20 Mr. Peters asked if they should include sidewalks in step two of Section 402 (B) or keep it as
21 only streets. Mr. Verst said he didn’t think it was necessary because streets and sidewalks are
22 typically within the same right-of-way or easement. Ms. Minter reviewed the Zoning
23 Ordinance, and under Residential Cluster Developments, “the density shall be applied to the
24 total project area excluding that land devoted to commercial uses and streets, public and
25 private.” Therefore, the step two language matches as drafted.

26
27 Mr. Peters asked if there were any other comments on Article 4. There were none. He asked to
28 return to “intensively developed” in Article 2 for further discussion if necessary.

29
30 Ms. Haynes asked where the word “intensively” originated. Ms. Minter said it was a new
31 addition and not from other text examples.

32
33 Mr. Smith suggested replacing “intensively” with “not materially” developed which Ms. Minter
34 and the Commission agreed with.

35
36 Ms. Minter then suggested the Commission entertain a motion to adopt the text amendments
37 as modified at the meeting.

38
39 Mr. Verst made a motion to adopt the text amendments to the Campbell County & Municipal
40 Subdivision Regulations as presented and as modified at the meeting based on finding the
41 changes in compliance with the Comprehensive Plan Update, the 2015 Goals and Objectives,
42 and corresponding with the Campbell County Zoning Ordinance. Mr. Verst cited supporting
43 information as the testimony provided at the meeting and documentation provided on the
44 screen. The motion was seconded by Ms. Haynes. There was no further discussion on the
45 motion, so the clerk called the role. All present were in favor, and the motion passed.

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Mr. Peters introduced the next case as PZ-23-017. The applicant was the Campbell County Fiscal Court, and the request was for proposed text amendments to Subdivision Regulations and the Zoning Ordinance regarding Flag Lots.

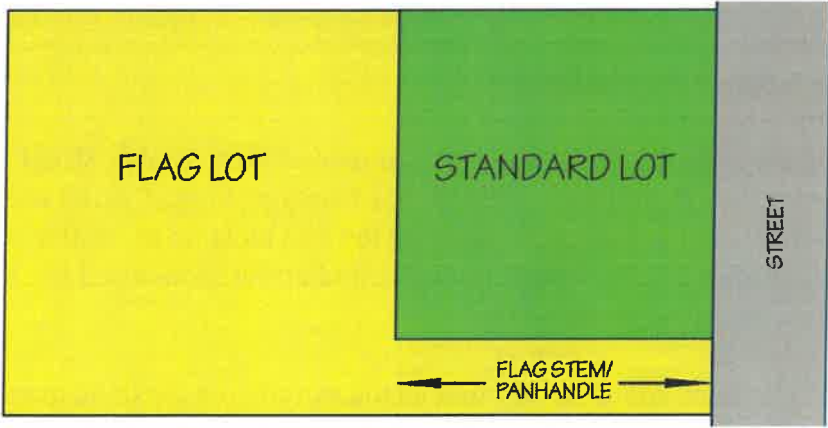
Ms. Minter presented the staff report.

TERMINOLOGY:

The access strip that adjoins the building lot to the right-of-way can be referred to as a "flagpole", "flag stem", "staff", "panhandle", or simply "access strip". These all mean the same thing. Flag lots are occasionally referred to as "L-shaped" lots.

The Campbell County Zoning Ordinance uses the term "flag lot" to describe a parcel that uses a narrow strip of land to adjoin it to the right-of-way. The term is not specifically defined in the Zoning Ordinance. The Subdivision Regulations define it as:

"An irregularly shaped lot where access is provided from a public street frontage through a narrow (i.e. less than the required lot line frontage) unobstructed access strip (or "panhandle") which is part of the building lot. The building site within a flag lot does not immediately abut a public street, but is located at the terminus of the access strip described herein (see Section 415)."



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BACKGROUND:

A flag lot refers to a lot that has less than the minimum frontage width at the street. Often a flag lot is created so that an otherwise landlocked parcel can be created with street frontage. Because of the nature of a flag lot, it is generally understood that the flag portion of the parcel is an *access strip*, a means of unencumbered access to a parcel. The flag stem isn't considered to be a yard. The access strip, as opposed to an easement, gives the property owners sole deeded ownership of the access.

Most ordinances (that allow flag stems/panhandles) are clear about the concept of a flag stem and have language to clarify their interpretation.

1 The language of our ordinance allows for an alternate interpretation of that access strip, which
2 does not distinguish it as separate from the yard, and thusly includes it as part of the yard when
3 measuring setback distances.

4
5 The alternate interpretation arises from some of the definitions in our zoning text:

6
7 **LOT LINE, FRONT:** The common boundary line of a lot and a street right-of-way line. In
8 the case of a corner lot or a double frontage lot, the common boundary line and that
9 street right-of-way line toward which the principal or usual entrance to the main
10 building faces.

11
12 **MINIMUM BUILDING SETBACK LINE:** A line parallel to the front, side, and/or rear lot
13 line and set back from the lot line a distance to provide the required minimum yard
14 space, as specified in this ordinance.

15
16 **MINIMUM FRONT YARD DEPTH:** The minimum distance required by this ordinance to
17 be maintained within the lot between a line parallel to the street right-of-way line and
18 the front lot line as defined herein.

19
20 **YARD DEPTH, FRONT:** An area extending the full width of the lot or building site
21 measured between a line parallel to the street right-of-way line intersecting the
22 foremost point of any building, and the front lot line, as defined herein.

23
24 **From the Subdivision Regulations:**

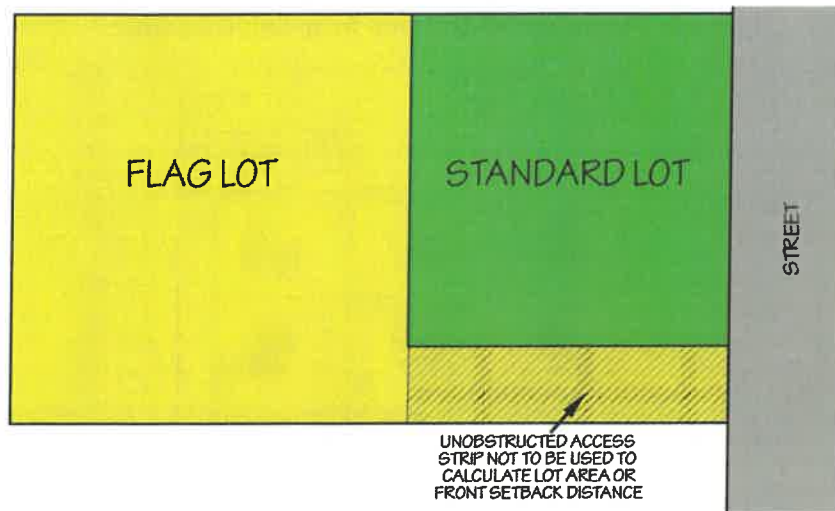
25 **LOT, FLAG**

26 An irregularly shaped lot where access is provided from a public street frontage through
27 a narrow (i.e. less than the required lot line frontage) unobstructed access strip (or
28 "panhandle") which is part of the building lot. The building site within a flag lot does not
29 immediately abut a public street, but is located at the terminus of the access strip
30 described herein (see Section 415).

31
32 The zoning text definitions appear to say that all measurements are to be drawn from the right-
33 of-way line. A strict reading of that allows the setback measurement to be taken from the
34 street, regardless of how long the panhandle is.

35
36 The classic interpretation seems to be narrowly supported by the zoning text definition of Yard
37 Depth, Minimum, where it specifies that the depth is an "area extending the full width of the
38 lot or building site". That would exclude the flag stem from measurement.

39
40 The subdivision regulations also imply the concept of panhandle-as-access strip: "The building
41 site within a flag lot does not immediately abut a public street, but is located at the terminus of
42 the access strip".



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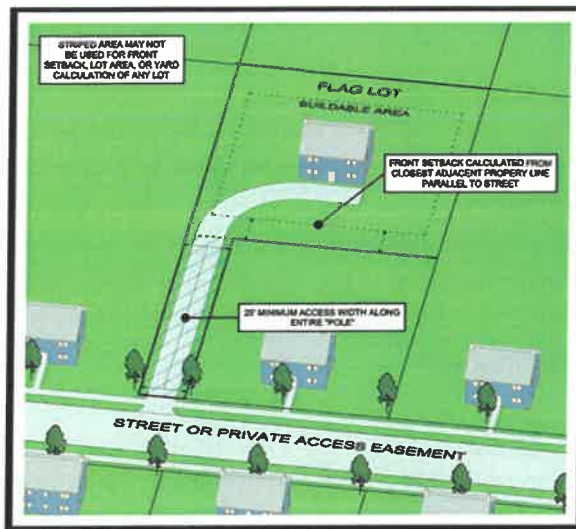
Staff recommends that the language in our zoning and subdivision regulations be clarified. To guide our amendment process, we have researched the ways in which other places have dealt with flag lots.

Other Municipalities:

In nearby Boone County, Kentucky, their zoning ordinance makes the distinction clear in the definitions section:

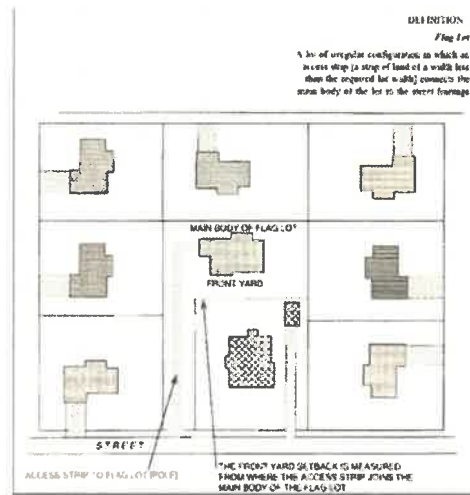
“Yard, Front: A yard extending between side lot lines across the front of a lot and from the front lot line, or edge of the road easement for lots along private roads within easements, to the front of the principal building. For flag lots, the front yard is the yard area between the front of the structure and the property line of the neighboring lot, however, the area between the rear lot line of the adjoining lot that is between the flag lot in question and the street shall meet the minimum corner side yard setback if this area is a side yard based on the building orientation.”

Many municipalities across the country have diagrams to illustrate this concept. Here is one from Winston-Salem, NC that is very easy to understand:



21

1 Others are simpler schematic diagrams like this one from Salt Lake City:



3
4
5 **PROPOSED TEXT AMENDMENTS:**

6 Addition and deletion of text as underlined below for the following sections. (See attachment.)

- 7 • Zoning Ordinance:
 - 8 Article VII Section 7.0 Words and Phrases
- 9 • Campbell County and Municipal Subdivision Regulations
 - 10 Article 2 Definitions
 - 11 Article 4 Design Standards for Subdivision Review

12
13 **STAFF RECOMMENDATION:**

14 To adopt the proposed text amendments to the Campbell County Official Zoning Ordinance and
15 Subdivision Regulations.

16
17 **SUPPORTING INFORMATION/BASES FOR STAFF RECOMMENDATION:**

- 18 1. Per Kentucky Revised Statutes (KRS) 100.203, the Campbell County Fiscal Court has the
19 authority to enact zoning regulations within its jurisdiction. This authority includes the
20 provision to amend its zoning classifications, uses, etc.
- 21 2. Pursuant to the Campbell County Zoning Ordinance Article XVII AMENDMENT
22 PROCEDURE, the Planning and Zoning Commission has the authority to amend the
23 zoning ordinance.
- 24 3. Proper notice has been given in accordance with Article XVII Amendment Procedure of
25 the Campbell County Zoning Ordinance and Campbell County Subdivision Regulations
26 Section 130: Amendments.
- 27 4. The proposed changes are consistent with the 2008 Campbell County Comprehensive
28 Plan Update and the Campbell County Subdivision Regulations.

29
30 **Campbell County Zoning Ordinance**
31 **Article VII Definitions**

32
33 [ACCESS STRIP: A narrow strip of deeded land providing unobstructed access to a flag lot from a](#)
34 [public street frontage.](#)

1 FLAG STEM: See "Access Strip"

2 LOT, FLAG: An irregularly shaped lot where access is provided from a public street frontage
3 through a narrow (i.e. less than the required lot line frontage) unobstructed access strip (or
4 "panhandle") which is part of the building lot. The building site within a flag lot does not
5 immediately abut a public street, but is located at the terminus of the access strip described
6 herein. The access strip shall not be used in computing lot size for zoning and building purposes.

7 **MINIMUM FRONT YARD DEPTH:** The minimum distance required by this ordinance to be
8 maintained within the lot between a line parallel to the street right-of-way line and the front lot
9 line as defined herein. For flag lots, the minimum front yard depth is measured between the
10 front of the structure and the closest adjacent property line parallel with the street.

11 **YARD DEPTH, FRONT:** An area extending between side lot lines across the front of a lot and
12 from the front lot line, or edge of the road easement for lots along private roads within
13 easements, to the front of the principal building. For flag lots, the front yard is the yard area
14 between the front of the structure and the closest adjacent property line parallel with the
15 street.

16
17 **Campbell County and Municipal Subdivision Regulations**

18 **Article 2 Definitions**

19
20 **LOT, FLAG**

21 An irregularly shaped lot where access is provided from a public street frontage through a
22 narrow (i.e. less than the required lot line frontage) unobstructed access strip (or "panhandle")
23 which is part of the building lot. The building site within a flag lot does not immediately abut a
24 public street, but is located at the terminus of the access strip described herein (see Section
25 415). The access strip shall not be used in computing lot size for zoning and building purposes.
26

27 **Article 4 Design Standards for Subdivision Review**

- 28
29 A) Flag Lots - Flag lots shall only be permitted in those locations where because of existing
30 geometric, topographic, or other natural features, it would be impractical to extend a
31 public street as determined by the Planning Commission or Planning Commission's Staff.
32 Flag lots shall have a panhandle extending directly to a publicly dedicated street for the
33 purpose of access.
34

35 All flag lots in residential zones shall meet the following standards:

36
37 Each flag lot shall have a minimum of twenty-five feet (25') of frontage on a
38 publicly dedicated street for the purpose of access. Flag lots shall have a
39 panhandle with a uniform and consistent width with a maximum length of three
40 hundred fifty feet (350') from a publicly dedicated street.
41

42 The area constituting the access strip, or panhandle, shall be excluded from the
43 calculation of minimum lot size.

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2 For minor divisions of land, the maximum number of flag lots permitted shall not
3 exceed two lots within the subdivision.
4

5 For major divisions of land, the maximum number of flag lots permitted shall not exceed
6 fifteen percent (15%) of the total number of lots for the subdivision. For a major
7 division, no more than two contiguous flag lots shall be permitted.
8

9 A driveway must be located within the panhandle of the deeded property for a
10 flag lot, except in the A-1 or R-RE zones. In the A-1 or R-RE zones only, the
11 driveway may be located within an access easement across one intervening lot
12 between the street and the flag lot provided the following conditions are met:
13

14 The access easement is at least twenty feet (20') wide; and,

15
16 The access easement serves no more than two lots in addition to the one
17 intervening lot on which it is located; and,

18
19 An appropriate agreement to assure the perpetual maintenance of the
20 driveway shall be filed with the record plat or access easement
21 declaration.
22

23 Also, the driveway for a flag lot shall be located at a minimum of five (5') feet
24 from each lot line, unless otherwise approved by the Planning Commission
25 and/or its Administrative Official.
26

27 ~~The minimum lot area and setback requirements for the flag lot(s) shall be two~~
28 ~~and one half (2½) times the requirements of the Zoning Regulations.~~
29

30 All flag lots in non-residential zones shall meet the following standards:
31

32 Each flag lot shall have a minimum of thirty feet (30') of frontage on a publicly
33 dedicated street for the purpose of access. Flag lots shall have a panhandle with
34 a uniform and consistent width with a maximum length of three hundred fifty
35 feet (350') from a publicly dedicated street.
36

37 ~~The area constituting the access strip, or panhandle, shall be excluded from the~~
38 ~~calculation of minimum lot size.~~
39

40 The maximum number of flag lots permitted shall not exceed fifteen percent (15%) of
41 the total number of lots for the subdivision. No more than two contiguous flag lots shall
42 be permitted.
43

44 A driveway must be located within the panhandle of the deeded property for a
45 flag lot. Also, the driveway for a flag lot shall be located at a minimum of five (5')

1 feet from each lot line, unless otherwise approved by the Planning Commission
2 and/or its Administrative Official. In the case of two contiguous flag lots, a
3 deeded strip of land that is at least fifteen feet (15') wide is required for each lot
4 with a common unobstructed access easement for a shared driveway to the
5 public street.

6
7 ~~The minimum lot area requirements for the flag lot(s) shall be two and one-half~~
8 ~~(2½) times the requirements of the Zoning Regulations. The minimum setback~~
9 ~~requirements for the flag lot(s) shall be two (2) times the requirements of the~~
10 ~~Zoning Regulations or fifty feet (50') whichever is greater.~~

11
12 Mr. Peters asked for any discussion from the Commission.

13
14 Mr. Verst said he liked the changes overall, but suggested that in Article 7 of the Zoning
15 Ordinance where the word "parallel" was used in the Front Yard definition, it should be
16 changed to "generally parallel" to convey the intent versus forcing a requirement.

17
18 Ms. Minter asked if he would prefer to say "generally parallel with the street or at the minimum
19 required width for a standard lot." Mr. Verst agreed that was a good change.

20
21 Ms. Minter said that per the regulations, at 350 feet back, you have to have widened out to the
22 [minimum required lot] width. At the point the flag lot access strip starts to widen out is where
23 the front yard setback would begin.

24
25 Mr. Schuchter asked if this 350 feet applied only to residential zones. Mr. Verst said it was also
26 for non-residential.

27
28 Mr. Schuchter then asked if the area of the access strip was not going toward acreage for
29 zoning, would the surveyors have to start separating that out on the plats. Ms. Minter said that
30 if someone is going for a very small lot, then yes, the Planning & Zoning Department would
31 need the acreage of the flag stem and the primary lot. Ms. Minter said that often, though,
32 these are large lots.

33
34 Ms. Minter said the intent of regulating these flag lots is to get houses not on top of each other
35 and to actually have a better design.

36
37 Mr. Peters asked if the "irregularly-shaped" qualifier was necessary in the Flag Lot definition, or
38 if this would apply to any lot with a flag stem. Mr. Verst said he thought the "irregularly
39 shaped" language was referring to the stem itself because without the flag stem it would be
40 regularly shaped. Ms. Minter clarified that there can be irregularly shaped lots that are not flag
41 lots such as a farm that follows the lines of a creek, but that does not have a narrow strip of
42 access.

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44 Mr. Verst asked for the revisions made in the Front Yard definition to also be made to the
45 Minimum Front Yard Depth definition.

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Ms. Minter said she has split this case into two motions because they are two different documents: definitions in the Zoning Ordinance and items in the Subdivision Regulations. Staff recommends adopting the proposed amendments as presented and modified at the meeting for the Subdivision Regulations, and a second motion to adopt the proposed text amendments to the Zoning Ordinance and to forward those recommendations on to the Fiscal Court for consideration.

Mr. Verst clarified that the Commission has final say for the Subdivision Regulations, but for the Zoning Ordinance, they are just passing on a recommendation. Ms. Minter confirmed.

Mr. Verst made the motion for adopting the proposed text amendments as presented and as modified in the meeting to the Campbell County & Municipal Subdivision Regulations based on finding the changes consistent with the Campbell County Comprehensive Plan Update, the 2015 Goals and Objectives, and the supporting information being documentation provided by staff and the discussion at the meeting. The motion was seconded by Ms. Haynes. There was no discussion on the motion, so the clerk called the role. All present voted in favor, and the motion passed.

Mr. Verst made a separate motion to forward on the recommendation to the Campbell County Fiscal Court to adopt the proposed text amendments to the Campbell County Official Zoning Ordinance as presented and as modified at the meeting based on finding the changes consistent with the Comprehensive Plan Update and the rest of the Campbell County Zoning Ordinance, the supporting information provided by staff and the discussion at the meeting. This was seconded by Mr. Turner. There was no discussion on the motion, so the clerk called the roll. All present voted in favor, and the motion passed.

Mr. Peters said that concluded new business, and opened up the meeting for the Administrator’s Report.

Ms. Minter presented training hours obtained by Mr. Williams, Mr. Peters, and Mr. Verst, and asked to consider a motion approving the training for those individuals. Ms. Haynes moved to approve the training per the Administrator’s Report which was seconded by Mr. Barrow. There was no discussion on the motion, so the clerk called the role. All present voted in favor, and the motion passed.

Ms. Minter noted that legal notices were now able to be published online at LINKnky.com.

Mr. Williams shared some training resources he found online for planning & zoning information.

Mr. Verst asked Ms. Minter to remind the Commission of the training requirements for Commission Members. Ms. Minter said per HB 55, eight hours every two years.

Ms. Minter discussed scheduling for the next meetings.

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2 Mr. Williams moved to adjourn the meeting, and it was seconded by Mr. Verst. All voted in
3 favor with none opposed. The motion passed, and the meeting was officially adjourned at
4 approximately 7:24 PM.
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11 Respectfully Submitted,

12 *Cindy Minter*
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15 _____
16 Cindy Minter
Director

Approved:

CJ Peters

CJ Peters
Chair

