

**CAMPBELL COUNTY & MUNICIPAL PLANNING & ZONING COMMISSION  
MINUTES OF THE SEPTEMBER 14, 2010 MEETING**

**MEMBERS PRESENT:**

Mr. Larry Barrow  
Mr. Tony Pfeffer  
Mr. Justin Verst  
Mr. Michael Williams  
Ms. Cindy Minter, Vice-Chair

**MEMBERS ABSENT:**

Ms. Kay Wright  
Mr. Robert Huck, TPO  
Ms. Debbie Blake, Chairperson

**STAFF PRESENT:**

Mr. Peter Klear, AICP, Director of Planning & Zoning  
Mr. Ryan Hutchinson, Principal Planner  
Mr. Matt Smith, Legal Counsel  
Ms. Stephanie Turner, Recording Secretary

Ms. Minter called the meeting to order at 7:00 PM. Ms. Minter asked for a roll call. Following roll call, a quorum was found to be present.

Ms. Minter asked if everyone had reviewed the August 10, 2010 meeting minutes and asked if there were any additions or corrections. There being none, Ms. Minter called for a motion. Mr. Williams made a motion to approve the August 10<sup>th</sup> meeting minutes as submitted. Mr. Verst seconded the motion. A roll call vote found Mr. Barrow, Mr. Pfeffer, Mr. Verst, and Mr. Williams in favor of the motion. Ms. Minter abstained. Motion passed.

Ms. Minter introduced case #84-10-PPD-01, Lloyd Redivision of Highview Subdivision Lots 2, 3 & 4, to the Planning Commission and asked Mr. Hutchinson to present the staff report and staff's recommendation to the Commission.

**SUBDIVISION:** 84-10-PPD-01 Lloyd Redivision of Highview Subdivision Lots 2, 3 & 4.  
**APPLICANT:** Robert & Helen Lloyd  
**LOCATION:** An approximate 1.032-acre area along Dodsworth Lane & Skyline Drive, City of Crestview.  
**REQUEST:** To approve a Preliminary Plat consisting of four (4) lots, with no public improvements.

**Considerations:**

1. The 2008 Campbell County Comprehensive Plan Update designates the site for Village Mixed Use. The City of Crestview Zoning Ordinance classifies the plat within the R-1F Zone, a Residential-1F Zone, requiring a minimum lot size of 6,000 sq. ft., lot widths of 50 feet, minimum setback dimension of 25 feet, side yard of 5 feet one each side, and a minimum rear yard depth of 25 feet.
2. Review of the Preliminary Plat in accord with the Comprehensive Plan, Zoning Ordinance and Subdivision Regulations results in the following issues:

- a) The Plat indicates a proposal to subdivide a 1.032-acres area between Dodsworth Lane & Skyline Drive for the creation of four lots, with no public improvements.
- b) The proposed lots are partially wooded and vacant.
- c) The Plat identifies water or sewer lines fronting the property along Skyline Drive.
- d) The Plat does not show a dedication statement for additional right-of-way lines fronting along the proposed plat to be dedicated.
- e) The Plat does not correctly note that the new building development on areas containing slopes of 20% or greater will require implementation of "Hillside Development Controls" contained within the Crestview Zoning Ordinance.
- f) The Plat does not identify a location for utilities to come off Skyline Drive to service the proposed new lots.
- g) The width of both Skyline Drive and Dodsworth Lane is 18 feet, in conflict with minimum county standards of 20 feet. The escrow funds required for widening this portion of road fronting the proposed Plat will need to be submitted.

**Recommendation:**

To approve the proposed Preliminary Plat with the following conditions:

1. That the Plat correctly note that the new building development on areas containing slopes of 20% or greater will require implementation of "Hillside Development Controls."
2. That the funds required to widen one-half (1/2) of Skyline Drive to a minimum of 10 feet in accord with minimum subdivision regulation standards, for the portion contiguous to the proposed development, be escrowed with the City of Crestview.
3. That the funds required to widen one-half (1/2) of Dodsworth Lane to a minimum of 10 feet in accord with minimum subdivision regulation standards, for the portion contiguous to the proposed development, be escrowed with the Campbell County Fiscal Court.
4. That the Final Plat shows any necessary utility easements for the proposed lots.
5. That the Preliminary Plat be resubmitted showing the dedication statement for right-of-way fronting the proposed Plat.

**Bases for Recommendation:**

The proposed subdivision is consistent with the recommendations of the 2008 Campbell County Comprehensive Plan Update, the Campbell County Subdivision Regulations and City of Crestview Zoning Ordinance, except as noted below:

1. CAMPBELL COUNTY SUBDIVISION REGULATIONS SECTION 7.3 states: "When a subdivision is located on only one side of an existing street, and where pavement width of such existing street is less than that required by these regulations, the subdivider may be required to construct one-half (1/2) the required pavement width, as per these regulations, along the side fronting his property on such street. The planning commission, in its discretion, may . . . require the subdivider to deposit sufficient funds within an escrow account, maintained by the Campbell County

Fiscal Court, to accomplish the street improvements contemplated by this ordinance, on the basis of the reasonably anticipated, future burden the development will have upon Dodsworth Land & Skyline Drive.

2. CITY OF CRESTVIEW ZONING ORDINANCE SECTION 9.23 HILLSIDE DEVELOPMENT CONTROLS states: "All land areas located within the County and identified on the Comprehensive Plan as "Physically Restrictive Development Areas" and any other areas, which have slopes of 20 percent, or greater shall require approval before development may occur."
3. CITY OF CRESTVIEW ZONING ORDINANCE SECTION 9.19., G.1., SITE PLAN REQUIREMENTS states: G. All utility lines and easements: 1. Water distribution systems including line sizes, width of easements, type of pipe, location of hydrants and valves, and other appurtenances.
4. CITY OF CRESTVIEW ZONING ORDINANCE SECTION 9.19., K.3., SITE PLAN REQUIREMENTS states: k.3. "Dedication of land to public use or set aside for common ownership."

Mr. Hutchinson advised the Commission that the applicant has already supplied him with revised drawings reflecting the addition of the dedication statement, the utility easement and the "Hillside Development Control" statements. Mr. Hutchinson added that there were surveyor statements regarding the measurements of Skyline Drive and Dodsworth Lane showing that Skyline Drive was already 20 feet wide in front of these proposed sites. Mr. Hutchinson stated that Skyline Drive would not require any escrow funds as stated in condition #2. Mr. Hutchinson stated that Dodsworth Lane was varying widths between 18 and 19.5 feet and would require escrow funds be deposited with the Fiscal Court as stated in condition #3. Mr. Hutchinson stated he would ask that the Commission to consider approving the preliminary plat with the conditions as stated in the staff report since all of these items were mission from the originally submitted preliminary plat at the time of the review was completed.

Ms. Minter asked if there were any questions for Staff. Mr. Verst asked Mr. Hutchinson to clarify condition #4. Mr. Verst wanted to know if there was a waterline present on Dodsworth Lane. Mr. Hutchinson replied that the waterline is at the intersection of Dodsworth Lane and Skyline Drive causing the applicant to either pull the waterline from that intersection or to pull directly from Skyline Drive requiring an easement upon the remainder property. Mr. Verst asked if there was sewage. Mr. Hutchinson stated it was located on the north side of Dodsworth.

Ms. Minter asked if the Commission had any other questions of Staff. There being none, Ms. Minter requested that the applicant come forward to address the Commission. Mr. Greg Schultz introduced himself as the representative and surveyor for the applicant. Ms. Minter asked if he had any comments or statements to make regarding the Staff Report. Mr. Schultz stated that the manhole sits approximately 1 foot from the edge of pavement of Dodsworth Lane and that the applicant intends to bring the sewage across Dodsworth because it is easier to flow downhill than uphill even though it would be cheaper to do it the other way. The waterline will be drawn down from Skyline Drive through an easement. Mr. Schultz added that Mr. Rick Carr is preparing the cost estimate for widening of Dodsworth Lane since the road is varying widths between 18 feet to 19.5 feet. Mr. Schultz asked if the Commission had any questions of him. There were none.

Ms. Minter asked if the Commission had any questions of the applicant. There being none, Ms. Minter opened the floor for discussion among the Commission. There was no discussion among the Commission. Ms. Minter called for a motion. Mr. Verst made a motion that the Planning Commission approve case #85-10-PPD-01, Lloyd Redivision of Highview Subdivision Lots 2, 3 & 4, with the following 5 conditions:

1. That the Plat correctly note that the new building development on areas containing slopes of 20% or greater will require implementation of "Hillside Development Controls."

2. That the funds required to widen one-half (1/2) of Skyline Drive to a minimum of 10 feet in accord with minimum subdivision regulation standards, for the portion contiguous to the proposed development, be escrowed with the City of Crestview.
3. That the funds required to widen one-half (1/2) of Dodsworth Lane to a minimum of 10 feet in accord with minimum subdivision regulation standards, for the portion contiguous to the proposed development, be escrowed with the Campbell County Fiscal Court.
4. That the Final Plat shows any necessary utility easements for the proposed lots.
5. That the Preliminary Plat be resubmitted showing the dedication statement for right-of-way fronting the proposed Plat.

Mr. Verst cited the following as the bases for his motion: the proposed subdivision is consistent with the recommendations of the 2008 Campbell County Comprehensive Plan Update, the Campbell County Subdivision Regulations and City of Crestview Zoning Ordinance, except as noted below:

1. CAMPBELL COUNTY SUBDIVISION REGULATIONS SECTION 7.3 states: "When a subdivision is located on only one side of an existing street, and where pavement width of such existing street is less than that required by these regulations, the subdivider may be required to construct one-half (1/2) the required pavement width, as per these regulations, along the side fronting his property on such street. The planning commission, in its discretion, may . . . require the subdivider to deposit sufficient funds within an escrow account, maintained by the Campbell County Fiscal Court, to accomplish the street improvements contemplated by this ordinance, on the basis of the reasonably anticipated, future burden the development will have upon Dodsworth Land & Skyline Drive.
2. CITY OF CRESTVIEW ZONING ORDINANCE SECTION 9.23 HILLSIDE DEVELOPMENT CONTROLS states: "All land areas located within the County and identified on the Comprehensive Plan as "Physically Restrictive Development Areas" and any other areas, which have slopes of 20 percent, or greater shall require approval before development may occur."
3. CITY OF CRESTVIEW ZONING ORDINANCE SECTION 9.19., G.1., SITE PLAN REQUIREMENTS states: G. All utility lines and easements: 1. Water distribution systems including line sizes, width of easements, type of pipe, location of hydrants and valves, and other appurtenances.
4. CITY OF CRESTVIEW ZONING ORDINANCE SECTION 9.19., K.3., SITE PLAN REQUIREMENTS states: k.3. "Dedication of land to public use or set aside for common ownership."

Mr. Williams seconded the motion. A roll call vote found Mr. Barrow, Mr. Pfeffer, Mr. Verst and Mr. Williams in favor of the motion. Ms. Minter abstained. Motion passed.

Ms. Minter advised the Commission that the next item on the agenda is a public hearing and reminded the audience that, if they wish to address the Commission, they needed to sign in with their name and address. With that, Ms. Minter introduced case #85-10-TXA-01, proposed text amendment adding a new Section 10.28 ACD Agricultural Cluster Development Overlay Zone, to the Commission, opening the public hearing and asked Mr. Klear to present the staff report.

**FILE NUMBER:** 85-10-TXA-01  
**APPLICANT:** Campbell County Planning Department on behalf of the Campbell County Administrator  
**REQUEST:** Proposed text amendment to the Campbell County Zoning Ordinance Article X Adding a new Section 10.28 ACD Agricultural Cluster Development Overlay Zone.

## BACKGROUND:

Campbell County leaders want to pursue a new policy for agricultural land. The intent is to allow for the division of agricultural land into a few parcels in a small cluster wherein the remaining acreage will be preserved for agricultural use.

It is envisioned that there will be a companion piece to this proposed zoning ordinance within the Campbell County Subdivision Regulations.

This proposed Agricultural Cluster Development Overlay Zone is modeled after the Residential Cluster Development Overlay Zone (Section 10.14).

## PROPOSED TEXT AMENDMENTS:

Per the attachment.

## RECOMMENDATION:

That the Planning Commission recommends that the Campbell County Fiscal Court adopt the proposed text amendment to the Campbell County Zoning Ordinance.

## SUPPORTING INFORMATION/BASES FOR STAFF RECOMMENDATION:

1. Per Kentucky Revised Statutes (KRS) 100.203, the Campbell County Fiscal Court has the authority to enact zoning regulations within its jurisdiction. This authority includes the provision to amend its zoning classifications, uses, etc.
2. Pursuant to the Campbell County Zoning Ordinance Article XVII AMENDMENT PROCEDURE, the Planning and Zoning Commission has the authority to amend the zoning ordinance.
3. Proper notice has been given in accordance with Article XVII Amendment Procedure of the Campbell County Zoning Ordinance.
4. The proposed text amendment is consistent with the general intent of the Campbell County Comprehensive Plan.

During the discussion of the background section of the staff report, Mr. Klear noted that the companion piece to the zoning ordinance would be a modification to the subdivision regulations. Specifically, properties with the A-1/ACD designation could install a private drive instead of a paved street. This private drive would be not less than twenty feet wide and would not be maintained by the county. A notation on the final plat would be required that this was a private drive, not maintained by the county.

Mr. Klear stated that he would not be reading the entire text amendment but the entire text should be included in the record. Instead, Mr. Klear highlighted certain elements of the proposed text amendment. Mr. Klear began by stating the purpose of the Agricultural Cluster Development (ACD) Overlay Zone is to preserve land used for agriculture through a method of land planning and design that allows for the clustering of a limited amount of detached, single-family residential units along with the creation of a conservation easement to retain a significant portion of the land for agricultural production and use. Mr. Klear continued to state that an Agricultural Cluster Development Overlay Zone may be permitted only to be superimposed over the A-1 Zone (no other zones) provided that all conditions and provisions of this section of the ordinance, the applicable requirements of the subdivision regulations, and any additional requirements as may be determined necessary to provide for the proper integration of the ACD Overlay Zone with the surrounding area are met, and a public hearing is held. The property must also be within an

Agricultural District (per KRS 262.850) prior to application for the ACD Overlay Zone. Mr. Klear advised the Commission that the County Administrator and Judge/Executive were requesting that the language beginning on page 1, half of line 15 and all of lines 16 and 17, stating "The property must also be within an Agricultural District (per KRS 262.850) prior to application for the ACD Overlay Zone." be removed from the text.

Mr. Klear noted that, as stated in the text amendment, this would be a two stage process. The first stage would be a technical zone map amendment including a general depiction of what is going to go on the property. The second stage would be a standard subdivision submittal. Mr. Klear continued to describe that the information listed under item "D" of the text amendment is the same information and requirements that are listed under the Residential Cluster Development Overlay Zone already in existence with one additional item. For this new zone, line 30 on page 2, a metes and bound description of the Conservation Easement Area is required. Since the Conservation Easement Area is not required under the Residential Cluster Development Overlay Zone, it was added to address the intention to preserve agricultural lands which is the purpose of this proposed text amendment. Mr. Klear stated that item "E" is the same situation as item "D". It is the same requirements for a subdivision submittal with the additional comment to provide a metes and bounds description of the Conservation Easement Area.

Mr. Klear addressed the Area Requirements listed within the text amendment. The applicant would need a minimum of 40 acres in order to qualify for this zone. The maximum number of single-family residential lots that could potentially be created would be 6 lots. Each lot must be a minimum of 1 acre, but no more than 5 acres. All lot area requirements are notated that they are to be "Per the requirements of the A-1 Zone." This was purposely stated in this manner so that if you made any changes to the A-1 Zone requirements, they would already be addressed in this zone without an additional text change.

Mr. Klear clarified that item "G" is the major item of concern for this text amendment. At least seventy-five percent (75%) of the total acreage (i.e. tract) of the proposed ACD Overlay Zone shall be retained for agricultural use under a conservation easement. The area placed within the easement shall not include any of the area of the new lots created within the tract or the access easement area for any private street. The Campbell County Conservancy shall be named as the grantee of the conservation easement.

Mr. Klear added that, the same as any other zone change request, there is an expiration clause for the zone change. At the end of 2 years, the Planning Commission has the option to return a parcel to its original zoning classification if items of this proposed new zone are not completed. With this, Mr. Klear concluded his presentation and asked if there were any questions of the Commission for him.

Mr. Verst asked how mobile homes would be addressed within this detached single family dwelling development. Mr. Klear advised that a mobile home would be considered and allowed within a Mobile Home Park Zone or an Agricultural Zone. With the way this text amendment is written, Mr. Klear acknowledged that a mobile home could be located within this zone. Mr. Klear reminded the Commission that mobile homes have an additional setback requirement and an additional road frontage requirement of 150 feet. Mr. Verst asked if a mobile home would count the front on the private drive as their road frontage. Mr. Klear stated yes, but the private drive must be excluded from the conservation area.

Mr. Verst asked why the statement regarding the agricultural district was being deleted. Mr. Klear advised the Commission that he could speak only on why it was added and that the deletion would be addressed by the applicant. Mr. Klear advised that the statement was added for the additional protection of the agricultural land from developers who might see this zone as a way to develop lots without the establishment of a dedicated street. Mr. Verst asked if Mr. Klear was aware if the Campbell County Conservancy has guidelines, responsibilities and/or requirements, but he is not personally aware of the specifics. Mr. Klear stated that the County Administrator recommended that the Campbell County Conservancy would be the recipient of the conservation easement as they are capable of dealing with these situations with an expertise in agricultural services not immediately available to other parties. Mr. Klear continued that the intent of the easement is to insure the area is used for agricultural purposes. Mr.

Klear stated as an example, the owner could not build a single family dwelling in the conservation area; however, they could build a barn if one was needed to support their agricultural pursuits.

Ms. Minter asked if there were any additional questions of staff. There being none Ms. Minter asked if the applicant would come forward and give their names and titles for the record. Mr. Robert Horine, Campbell County Administrator, and Mr. Steve Pendery, Campbell County Judge Executive, came forward to speak on behalf of the text amendment. Mr. Horine began by stating he was approached by some residents of Campbell County regarding their desire to subdivide their property to allow family members to build homes upon their farm and participate in agricultural pursuits. Mr. Horine stated the family's goal was to preserve agricultural land, but that they would be financial strapped if they were responsible to construct a paved, publicly dedicated road in order to subdivide the minimal lots needed. Mr. Horine stated that, after numerous discussions with staff, residents and others, the proposal for a zone classification that would allow other residents in this situation to have a potential solution seemed the answer. Mr. Horine drew two illustrations labeled as "A" and "B". Illustration "A" was demonstrative of a hypothetical 100 acre tract that could be purchased by a developer and cut in to many different lots with a paved road, but in effect eliminating open space or agricultural lands. Illustration "B" was drawn of the same hypothetical 100 acre tract reflecting its placement in the ACD Zone allowing for 75% of the land to be placed in conservancy to preserve the agricultural land and also allowing for a limited number of building sites to be divided along a private, gravel drive. Mr. Horine stated it was in the best interest of Campbell County to not add another road to be maintained when it served only a few select residents and accomplished the preservation of agricultural lands at the same time.

Mr. Horine addressed the question of why he was requesting the references to registering with an Agricultural Districts. Per Mr. Horine, to be part of an Agriculture District, you need to have a required minimum of 250 acres to be identified as a district. Several farms would need to join together to form an Agricultural District. For smaller farms or those isolated from other agricultural areas, Mr. Horine stated this was a stumbling block that could not be overcome. Ms. Minter asked Mr. Horine to label his drawings as "A" and "B" so that they can become part of the official record at least until the minutes are approved.

Mr. Pendery added that this was a problem that deserved a solution. Mr. Pendery stated this zone would not be something that many people would utilize, but it was a solution to several agricultural farmlands within Campbell County. Mr. Pendery stated that, if you look at the higher interest of Campbell County, the preservation of agricultural land is more valuable than the construction of a paved road. Mr. Pendery stated that the proposed home sites are actually quite a distance from the publicly dedicated and paved road. Mr. Pendery states this is not your normal residential subdivision and therefore should not be held to the same standard requiring a paved public road when only a few people would live along that road. Mr. Pendery advised that, if the Commission had concerns or issues they felt needed to be included in these provisions; their input would be gladly received and considered.

Ms. Minter asked if there were any questions of the applicant. Mr. Pfeffer asked for a clarification of the language they were asking to be deleted. Mr. Horine answered that the state certified Agricultural Districts required a minimum of 250 acres to be identified as a district. Mr. Horine stated this was an additional hurdle for the families to overcome. Mr. Horine stated that Campbell County currently has over 11,000 acres in Agricultural Districts. This is a totally separate thing than what is being proposed tonight. Mr. Horine stated this zone would allow for those agricultural activities that cannot meet the guidelines of the Agricultural Districts. Mr. Williams asked for a clarification of the types of actions that would break the conservancy easement. Mr. Smith stated that the existing grantee and existing grantor must be in agreement to rescind the conservation easement. Until that occurs, Mr. Smith stated this would be an easement that "runs with the land".

Ms. Minter asked if there were any additional questions for the applicant. There being none, Ms. Minter asked for public comment. The first person to sign in was asked to approach the podium and give their name and address for the record. Ms. Mary Lee Reis stepped up giving her address as 2251 Reis Ridge Road, California, KY. Ms. Reis stated she represented many farmers from southern Campbell County.

Ms. Reis stated her goal was to preserve their agricultural lands as much as possible while allowing her to divide a small portion off so that her children could live on their land and participate and even continue with their farming heritage. Ms. Reis was in support of the proposed text amendment. Ms. Reis had no further comments.

Ms. Minter identified Mr. Horine and Mr. Pendery as the next two names on the sign in sheet. Ms. Minter asked if they had any additional comments to add. Both Mr. Horine and Mr. Pendery declined any further comments. Ms. Minter requested the final signor to approach the podium and give his name and address for the record.

Mr. Larry Varney gave his address as 7041 Murnan Road, Cold Spring, KY. Mr. Varney stated he came to the meeting to support the text change, but he wanted any requirement to participate in an agricultural district to be removed. Mr. Varney stated that Mr. Horine and Mr. Pendery stole his thunder since they had already requested those requirements be removed. Mr. Varney had no other comments to make other than he fully supported this new zone creation.

Ms. Minter asked if there were any others wishing to speak on the proposed text amendment. There being no comments from the audience, Ms. Minter closed the public hearing and opened the floor for discussion among the Commission. Mr. Verst stated he had a few questions for staff. Ms. Minter consulted with Mr. Smith on the procedure. Ms. Minter re-opened the public hearing to allow for questions to be presented to staff. Mr. Verst asked Mr. Klear if Campbell County currently has a standard for creation or maintenance of a gravel road. Mr. Klear replied Campbell County currently does not allow for gravel roads and this would require an update to the Subdivision Regulations to address this issue which would occur at a later date. Mr. Verst asked what Mr. Klear believed a standard should be for a gravel road. Mr. Klear stated he believes it would at least have to be 20 feet wide, but that no one would measure the depth of the gravel or inspect to confirm a proper subbase was laid beneath the road. Mr. Klear stated that as a private road, it would not be subject to maintenance or inspection by the County. Mr. Klear continued that any development or maintenance issues would be a private matter for the court systems to resolve and not require any input or cost of the County. Mr. Verst asked for a clarification of the utilities that would need to be accessed to these potential home sites. Mr. Klear advised that part of the building permit process was to insure the applicants had utility access; however, Mr. Klear continued, this would be a private issue between the owners and the utility companies and would not involve the County in any aspect.

Mr. Barrows asked if this zone would eliminate flag lots from the Zoning Ordinance. Mr. Klear stated it would not. Mr. Klear stated that flag lots touch a publicly dedicated road. Mr. Klear stated the lots being created within this proposed zone would not touch publicly dedicated roads, but rather a private road. Mr. Verst asked if the Conservancy easement would be on the final plat. Mr. Klear stated that the easement could be, but was not required to be on the final plat. Mr. Klear stated that the only requirement is that the easement is recorded at the County Clerk's office.

Ms. Minter asked if there were any additional questions or comments. There being none, Ms. Minter once again closed the public hearing. Ms. Minter asked for comments from the Commission. Mr. Williams asked Mr. Verst what his take was. Mr. Verst stated he thought this was a great idea and was in favor of it in general. There were no other comments or discussion among the Commission. Mr. Verst made a motion to recommend to the Campbell County Fiscal Court adopt the proposed text amendment to the Campbell County Zoning Ordinance. Mr. Verst stated that with this motion he would further move that the language beginning on page 1, half of line 15 and all of lines 16 and 17, stating "The property must also be within an Agricultural District (per KRS 262.850) prior to application for the ACD Overlay Zone." be removed from the text. Mr. Klear asked for Mr. Verst to clarify if he also wanted to remove the language listed as "k." on page 2, lines 27 and 28 be removed. Mr. Verst amended his motion to include the removal of "k." on page 2, lines 27 and 28 be removed; as well as, "h." listed on page 3, lines 42 and 43. Mr. Klear advised Mr. Verst it may be simpler to stated "remove all references to an Agricultural district." Mr. Verst acknowledged and restated his motion to recommend to the Campbell County Fiscal Court adopt the proposed text amendment to the Campbell County Zoning Ordinance as

presented minus any reference to an Agricultural District. Mr. Verst stated the following as findings and as the basis for his motion:

1. Per Kentucky Revised Statutes (KRS) 100.203, the Campbell County Fiscal Court has the authority to enact zoning regulations within its jurisdiction. This authority includes the provision to amend its zoning classifications, uses, etc.
2. Pursuant to the Campbell County Zoning Ordinance Article XVII AMENDMENT PROCEDURE, the Planning and Zoning Commission has the authority to amend the zoning ordinance.
3. Proper notice has been given in accordance with Article XVII Amendment Procedure of the Campbell County Grove Zoning Ordinance.
4. The proposed text amendment is consistent with the general intent of the Campbell County Comprehensive Plan.

Mr. Williams seconded the motion. A roll call vote found Mr. Barrow, Mr. Pfeffer, Mr. Verst and Mr. Williams in favor of the motion. Ms. Minter abstained. Motion passed.

Mr. Klear advised the Commission and audience about the process of the text amendment. The staff report and meeting minutes would be compiled into a report and recommendation to the Fiscal Court. The Planning Commission will have to approve the meeting minutes prior to the submission to the Fiscal Court. As a text amendment, the submission to the Fiscal Court would be in the form of an ordinance and would require two readings.

There being no other items before the Commission, Ms. Minter recognized Mr. Klear to present the Director's Report.

## **DIRECTOR'S REPORT**

Mr. Klear advised the Commission that the meeting minutes from all 2010 meetings are now available online. Mr. Klear requested the Commission access them from the County's website at [www.campbellcountyky.org](http://www.campbellcountyky.org) and review them for any comments.

Mr. Klear introduced Mr. Matt Smith as the alternate representative from Ziegler & Schneider. Ms. Molly McEvoy Boh, our usual representative, had a baby boy and all are well. Mr. Klear and the Commission thanked Mr. Smith for his participation in the meeting tonight.

Mr. Klear advised the Commission that Mr. Williams had drafted a proposal for changes to the meeting minutes. Mr. Williams previously distributed his comments to the Commission. Mr. Klear stated the Commission should review his proposal and be prepared to discuss this issue at our next scheduled meeting.

Mr. Klear indicated that the Commission would be hearing an unusual request next month. A waiver of Subdivision Regulations was filed with staff and will be on the October agenda.

Mr. Klear also advised the Commission that members of the Board of Adjustment received training on the Planning and Zoning Primer presented to the Commission earlier this year. Mr. Verst made a motion to approve the training for the Board of Adjustment members. Mr. Barrow seconded that motion. A roll call vote found Mr. Barrow, Mr. Pfeffer, Mr. Verst and Mr. Williams in favor of the motion. Ms. Minter abstained. Motion passed.

Mr. Klear indicated he had no further issues to present. Ms. Minter asked the Commission if there were any additional items for discussion. There being none, Mr. Barrow made a motion to adjourn. Mr. Williams seconded the motion. An oral vote found everyone in favor. None opposed. Motion passed. Meeting adjourned at 8:10 PM.

Respectfully Submitted,

Approved:

  
\_\_\_\_\_  
Peter Klear, AICP  
Director of P&Z

  
\_\_\_\_\_  
Cynthia Minter  
Vice Chairperson