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TO: Kenton County Planning Commission Members

FROM: Emi Randall, AICP, RLA 
Director of Planning and Zoning

RE: Staff Recommendations for the Public Hearing

DATE: January 31, 2019

PDS submits the attached report and recommendation for your review prior to the scheduled February 7, 2019 public hearing. This information relates to the following agenda item:

FILE: PC1901-0002
APPLICANT: City of Bromley per Mike Denham, Mayor
REQUEST: Proposed text amendments to the Bromley Zoning Ordinance adding self-storage units and outdoor storage of boats, vehicles, and construction equipment to the list of permitted uses and adding development controls related to the outdoor storage within the I-4 (Industrial Four River) Zone.

Staff will be prepared to address your comments and/or questions regarding the project during the public hearing. If you need additional information or clarification prior to that time, don't hesitate to contact me.

cc: Mike Denham, Mayor





Text Amendment

Case No: PC1901-0002
Jurisdiction: Bromley
Applicant: City of Bromley per Mike Denham, Mayor
Project Manager: Jill Conniff

GENERAL CASE INFORMATION

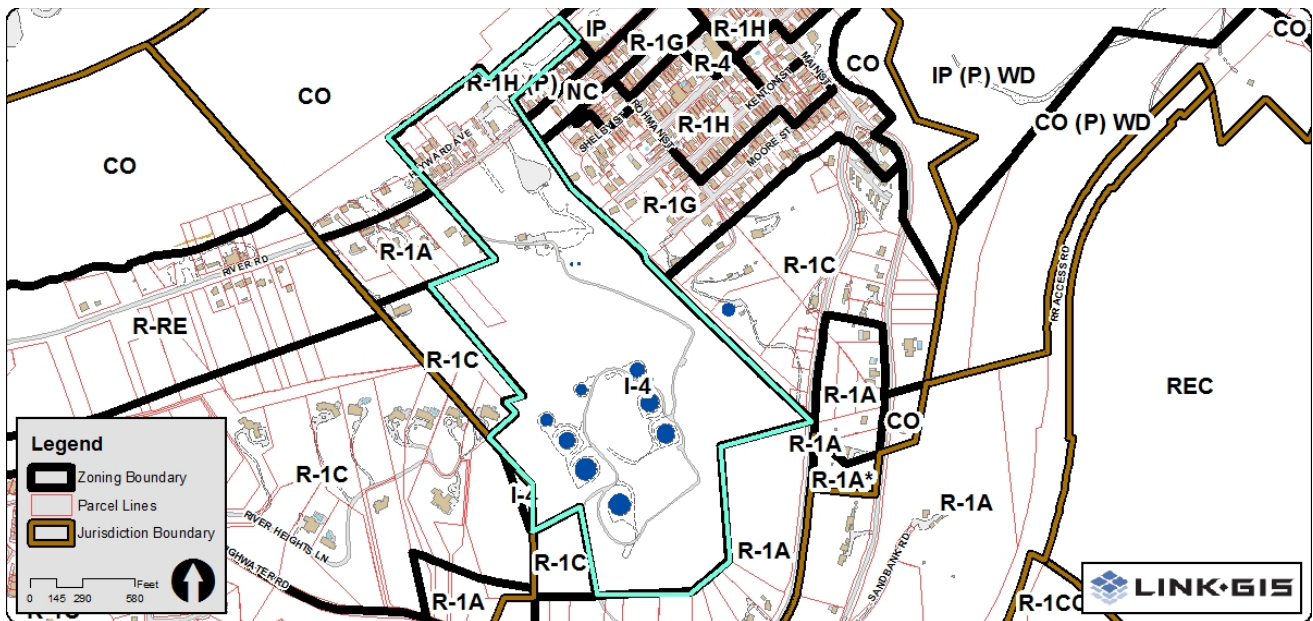
1. **Request:** Proposed text amendments to the Bromley Zoning Ordinance adding self-storage units and outdoor storage of boats, vehicles, and construction equipment to the list of permitted uses and adding development controls related to the outdoor storage within the I-4 (Industrial Four River) Zone.

HISTORY & BACKGROUND

1. In conjunction with the proposed text amendment, the city also submitted a proposed map amendment changing an area of approximately 7.63 acres from R-1A to an I-4 Zone (PC1901-0001).

ANALYSIS

1. **Petition Review:**
 - a. The intent of the I-4 Zone is to provide for industrial activities that orient towards the river, the railroad, and the highway, as a transportation point of exchange and distribution, and do not require extensive urban services.
 - b. There are currently five permitted uses within the I-4 Zone including bulk storage, storage yards, transportation facilities, and warehousing.
 - c. The Industrial Performance Standards currently require all uses to be operated within a completely enclosed building or within an area enclosed on all sides by a fence or wall. No goods, materials, or objects may be stacked higher than the fence or wall. The proposed text amendment will allow goods, material, or objects for self-storage units and outdoor storage of boats, vehicles, and construction equipment to be stacked higher than the height of the fence.
 - d. Under the current regulations, a chain link fence with three strands of barbed wire may be erected up to a height of 84 inches.
 - e. There is currently one area within Bromley zoned I-4. It is an area of approximately 69.48 acres located between the Ohio River and Highwater Road.



STATE STATUTE

1. Kentucky Revised Statute (KRS) 100.203 (1) states the allowable content of zoning regulations which cities and counties may enact.

STAFF RECOMMENDATION: Favorable recommendation on the proposed text amendments to the Bromley Zoning Ordinance adding self-storage units and outdoor storage of boats, vehicles, and construction equipment to the list of permitted uses and adding development controls related to the outdoor storage within the I-4 (Industrial Four River) Zone.

SUPPORTING INFORMATION/BASES FOR STAFF RECOMMENDATION

1. The proposed text amendments are consistent with the intent of the I-4 Zone. The proposed uses are oriented towards river and highway uses.
2. The proposed text amendments are reasonable. Personal storage units, and outdoor vehicle, boat, and construction equipment are similar in scale and intensity as other uses within the I-4 Zone, such as warehousing and storage yards. It is also reasonable to exempt this use from storing objects that are taller than a fence. Many RVs, boats, construction equipment, and other vehicles will exceed the 84 inch height limit of the fence.
3. The proposed text amendment will not have an adverse effect on the public health, safety, or welfare and will not be injurious to the public residing in or moving through the area. The added development controls require all storage to be within a fenced in area, as well as screening between the I-4 Zone and adjacent uses.

General Attachment Notice:

For ease of viewing, only those portions of the Zoning Ordinance pertaining to the requests within the submitted application have been included within these attachments. The complete zoning code can be viewed online at: www.pdskc.org

ATTACHMENT A

Proposed Text Amendments to the Bromley Zoning Ordinance.
Words to be **deleted** are [~~lined through~~]. Words to be **added** are underlined.

ARTICLE X

ZONES

SECTION 10.9 I-4 (INDUSTRIAL FOUR RIVER) ZONE

A. PERMITTED USES: It is the intent of this zone to provide for industrial activities that orient towards the river, the railroad, and the highway, as a transportation point of exchange and distribution and do not require extensive urban services. The following uses are permitted providing all uses are in compliance with the performance standards as set forth in Article XV of this ordinance.

1. Bulk storage and/or transfer stations for materials, excluding types of a flammable or explosive nature
2. Self-storage units and outdoor storage of boats, vehicles, and construction equipment
- [2]3. Carting, express, hauling, or storage yards
- [3]4. Freight terminals
- [4]5. Transportation facilities, including railroad rights-of-way, marshaling yards, maintenance, and fueling facilities
- [5]6. Warehousing

B. ACCESSORY USES

1. Customary accessory buildings and uses including operations required to maintain or support any permitted use in this zone on the same lot as the permitted use, such as maintenance shops, power plants, laboratories, offices, and machine shops
2. Fences and/or walls, as regulated by Article XIII of this ordinance
3. Signs, as regulated by Article XIV of this ordinance
4. Uses, as listed below, located and entered from within any permitted use in this zone as a convenience to the occupants thereof, and their customers, provided such accessory uses shall not exceed ten percent (10%) of the gross floor area of the permitted uses in the building and no exterior advertising displays shall be visible from outside the building:
 - a. Cafeterias
 - b. Coffee shops or refreshment stands
 - c. Soda or dairy bars

C. **CONDITIONAL USES:** No buildings or occupancy permits shall be issued for any of the following, nor shall any of the following uses or any customary accessory buildings and uses be permitted until and unless the location of said use shall have been applied for and approved of by the board of adjustment as set forth in Section 9.14.

1. Bulk storage and/or transfer stations for materials that are of a flammable or explosive nature
2. Land fill site operations

D. **AREA AND HEIGHT REGULATIONS:** No building shall be erected or structurally altered hereafter, except in accordance with the following regulations:

1. Minimum site for an industrial river zone - Ten (10) acres
2. Minimum lot area - One (1) acre
3. Minimum lot width at minimum building setback line - One hundred fifty (150) feet
4. Minimum front yard depth - Fifty (50) feet
5. Minimum side yard width - Fifteen (15) feet; forty (40) feet is required where a side yard abuts a street, road, highway, or deeded right-of-way
6. Minimum rear yard depth - Twenty-five (25) feet. No rear yard is required where a rail spur forms the rear property line
7. Maximum building height - Fifty (50) feet

E. **OTHER DEVELOPMENT CONTROLS**

1. Off-street parking and loading and/or unloading shall be provided in accordance with Articles XI and XII of this ordinance.
2. No lighting shall be permitted which would glare from this zone onto any street or into any adjacent residential zone.
3. Where any yard of any use permitted in this zone abuts a residential zone, a minimum requirement of seventy-five (75) feet for each side and/or rear yard which abuts said zone shall be provided, ten (10) feet of which shall be maintained by a screening area, as regulated by Section
4. 9.17 of this ordinance.
5. A development plan, as regulated by Section 9.19 of this ordinance, shall be required for any use in this zone, including layout of the entire minimum tract for industrial development.
6. All development in areas defined as "flood prone" (either the floodway or floodplain) must be developed in accordance with the regulations set forth in Section 9.25 of this ordinance.
7. The outdoor storage of boats, vehicles, and construction equipment must be completely within a fenced in area as regulated by Article XIII. In the case of this use, the requirement in Article XV that no goods, materials, or objects shall be stacked higher than the fence shall not apply