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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: August 28, 2019

PDS submits the attached report and recommendation for your review prior to the scheduled September 5, 2019 public hearing. This information relates to the following agenda item:

FILE: PC1907-0007
APPLICANT: Kenton County per Joe Shriver, County Administrator
REQUEST: Proposed text amendments to the Kenton County Zoning Ordinance: increasing the total impervious surface area permitted within front yards of single-family-zoned lots from 25 percent to 40 percent and 45 percent when the property is fronting a cul-de-sac turn around.

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.



Text Amendment

Case No: PC1907-0007
Jurisdiction: Kenton County
Applicant: Kenton County per Joe Shriver, County Administrator
Project Manager: Patrick Denbow, ACIP, Senior Planner

GENERAL CASE INFORMATION

1. **Request:** Proposed text amendments to the Kenton County Zoning Ordinance: increasing the total impervious surface area permitted within front yards of single-family-zoned lots from 25 percent to 40 percent and 45 percent when the property is fronting a cul-de-sac turn around.

HISTORY & BACKGROUND

1. Kenton County, along with most jurisdictions within the county, currently use a 3:1 ratio of impervious to pervious surface for determining how much of the front yard can consist of impervious surface within single-family residential zones. This ratio translates to 25 percent of the front yard. This requirement has been problematic for lots that front a cul-de-sac turn around area, which typically have less available front yard area. Recently, the developers of an already approved, but still developing subdivision in Kenton County, have stated that they may need to seek variances on potentially dozens of lots in order to install driveways of their desired size. In this case, the developers desire to install three-car garages which will cause them to exceed the 3:1 ratio.

ANALYSIS

1. **Petition Review:**
 - a. The proposed text amendment will increase the amount of impervious surface permitted within front yards of single-family-zoned lots from 25 percent to 40 percent, and 45 percent if the lot is fronting a cul-de-sac turn-around.
 - b. Staff conducted an analysis of a typical subdivision in Kenton County consisting of single-family houses on individual lots with 2-car garages. Using LinkGIS, staff found that for non-cul-de-sac lots, each lot was very near or right at meeting the 3:1 ratio with an average slightly above the requirement at 28 percent. For lots on a cul-de-sac turn around in this same subdivision, the existing driveways were all exceeding the 3:1 ratio at an average of 33 percent for two-car garages. This analysis shows that in general, lots on cul-de-sac turn arounds do require a higher percentage than lots that are not on the turn around. In any of these cases, the addition of impervious surface for a three-car garage would not be possible without seeking Board of Adjustment action.

STATE STATUTE

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 Kenton County Zoning Ordinance: increasing the total impervious surface area permitted within front yards of single-family-zoned lots from 25 percent to 40 percent and 45 percent when the property is fronting a cul-de-sac turn around.

SUPPORTING INFORMATION/BASES FOR STAFF RECOMMENDATION

1. The proposed text amendments will provide additional flexibility to property owners of single-family lots to provide more effective and desirable driveways. The proposed text amendment will allow lots that front cul-de-sac turn arounds to account for the loss of front yard area that commonly occurs due to their location along the right-of-way.

ADDITIONAL INFORMATION

1. The Z21 Blueprint (model regulations) is also addressing this same issue with similar language. Staff recommends the County consider adopting the recommended standards identified in the Blueprint which is as follows:
 - a. No more than 35 percent of any front yard may be covered with an impervious surface (e.g. parking, patio, etc.) with the exception of lots fronting a cul-de-sac turn around where up to 45 percent is allowed.
2. It should be noted that the existing regulations set the maximum width for an access point at 20 feet. If approved, any new single-family home will still be limited to a 20 foot wide access point. This does not prohibit the driveway/parking area from flaring out wider beyond the access point at the street right-of-way, subject to the impervious surface requirements.

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 **Kenton County** Zoning Ordinance
Words to be **deleted** are ~~lined through~~ – Words to be **added** are underlined

ARTICLE XI

OFF-STREET PARKING AND ACCESS CONTROL REGULATIONS

C. LOCATION OF OFF-STREET PARKING FACILITIES

1. Off-street parking facilities shall be located as follows:

- a. Single-Family Residential Zones – (A-1, A-2, R-RE, R-1A, R-1B, R-1C, R-1D, R-1DD, R-1E, R-1EE, R-1F, R-1G): Off-street parking may be permitted in driveways in the front, side, and rear yards of permitted uses in these zones, provided all requirements of this ordinance are met. Additionally, off-street parking located in the rear yard shall be set back a minimum of ten (10) feet from the rear lot line. No off-street parking area, located in the front yard in a single-family residential zone, may exceed four hundred (400) square feet (two parking spaces) except, however, the zoning administrator may allow additional off-street parking spaces to be located thereon, provided that no more than 40 percent of any front yard may be covered with an impervious surface (e.g. parking, patio, etc.) with the exception of lots fronting a cul-de-sac turn around where up to 45 percent is allowed. ~~[the additional parking spaces will not cause the ratio of unpaved area to paved area (parking and driveway areas) in the front yard to be less than 3:1.]~~