

GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION

AGENDA
JULY 14, 2022
6:00 p.m.

I. COMMISSION BUSINESS

- A. Approval of June invoices
- B. Approval of June 9, 2022 minutes
- C. Approval of July 14, 2022 agenda
- D. Items for postponement or withdrawal
- E. Consent Agenda

II. OLD BUSINESS

- A. ZMA-2022-33 Phil St. John Property - POSTPONED

III. NEW BUSINESS

- A. PDP-2022-35 Shed Squad & Sunshine Grow Shop - Preliminary Development Plan for display and sales of sheds and plants/flowers located at US 25 south Georgetown Road, north of Lisle Road.

IV. OTHER BUSINESS

- A. Update on Comprehensive Plan
- B. Campground Regulations
- C. Update of Previously Approved Projects and Agenda Items

**GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION
REGULAR MEETING
MINUTES
June 9, 2022**

The regular meeting was held in the Scott County Courthouse on June 9, 2022. The meeting was called to order by Chairman Mark Sulski at 6:00 p.m. Present also were Commissioners Duwan Garrett, David Vest, Charlie Mifflin, James Stone, Dann Smith, Brad Green, Director Joe Kane, Planners Matt Summers and Elise Ketz, Engineer Ben Krebs, and Attorney Charlie Perkins. Commissioners Mary Singer and Rhett Shirley were absent.

Motion by Mifflin, second by Stone, to approve the May invoices. Motion carried.

Motion by Smith second by Stone, to approve the May 12, 2022 minutes. Motion carried.

Motion by Garrett, second by Green, to approve the June agenda. Motion carried.

All those intending to speak before the Commission were sworn in by Mr. Perkins.

Consent Agenda

A representative of the Ray Property (FSP-2022-30) agreed with their conditions of approval, and no comments were made by the Commission or Public. Motion by Mifflin, second by Smith, to approve the application. Motion carried.

A representative of the Triple J Farm Addition (PDP-2022-31) agreed with their conditions of approval, and no comments were made by the Commission or Public. Motion by Stone, second by Garrett, to approve the application. Motion carried.

A representative of the Hamilton Office Building (PDP-2022-32) agreed with their conditions of approval, and no comments were made by the Commission or Public. Motion by Smith, second by Mifflin, to approve the application. Motion carried.

A representative of the Parkview Medical Offices, Phase 2 (PDP-2022-34) agreed with their conditions of approval, and no comments were made by the Commission or Public. Motion by Garrett, second by Vest, to approve the application. Motion carried.

Chairman Sulski adjourned the meeting.

Attest:

Mark Sulski, Chairman

Charlie Perkins, Secretary

SHED SQUAD AND SUNSHINE GROW SHOP PRELIMINARY DEVELOPMENT PLAN

Staff Report to the Georgetown-Scott County Planning Commission JULY 14, 2022

FILE NUMBER: PDP-2022-35

PROPOSAL: Preliminary Development Plan for display and sales of sheds and plants/flowers.

LOCATION: US 25 south Georgetown Road, north of Lisle Road

OWNER: James Dwyer

CONSULTANT: Brent Combs
Thoroughbred Eng.



STATISTICS:

Zone	B-2 (Highway Commercial)
Surrounding Zone(s)	A-1, I-2
Site Acreage (Net)	3.61 Acres
Building Height	one-story
Proposed Building Size	1200 Square Feet prefabricated office
Access	Georgetown Road (US 25South)
Variances/Waivers	Use of a Prefabricated Building for Office and Perimeter VUA landscaping

BACKGROUND:

The subject property is a 3.61-acre area on the east side of Georgetown Road, north of Lisle Road, that has been zoned B-2 (Highway Commercial) since 2001. The commercial area is part of a larger parcel that is also zoned A-1 and runs from Cincinnati Road to the west and includes an area that has been previously filled along Georgetown Road, and further to the east and north a mobile home subdivision and agricultural land. The commercially zoned area is proposed to be subdivided from the larger tract in the future and the proposed lot lines are shown on the Preliminary Development Plan.

The Applicant is seeking approval of a Preliminary Development Plan for a prefabricated shed sales (Shed Squad aka Country Cabins) and plant/flower display and sales business (Sunshine Grow Shop) on Georgetown Road at the Fayette/Scott County line. The applicant proposes to use a prefabricated building for a shared office and restroom on site.

The subject property was rezoned B-2 from B-1 (Neighborhood Commercial) in 2001. At the time, the applicant self-imposed a number of restrictions on the property in order to address some of the concerns of the Director and the Planning Commission at the time. The main relevant conditions agreed to by the applicant were that signage would conform to B-1 standards (monument sign only), Temporary structures (such as mobile homes) shall not be used for office space, lighting for the business uses would be directional or screened to confine lighting on premises and the plan would follow the US 25 Small Area Plan. There were other conditions as well that are either not relevant to this use or are being met.

The use proposed is outdoor sales and display, with the only permanent proposed improvement to be the paved parking lot and the utilities in the ground. The sales area for sheds and flowers and plants would be a temporary assembly. The office and restroom would be in two attached prefabricated buildings approximately 1200 square feet in size. It is the current Director's opinion that using new, high-quality prefabricated buildings for office and sales area and as a restroom would be acceptable based on the type of outdoor businesses proposed.

The condition requiring a permanent office was originally proposed to address aesthetic concerns and to improve the site's potential appearance at a highly visible gateway into Scott County.

PLAN REVIEW:

The Project Site is a partially graveled lot being used for temporary uses including fireworks sales during the summer and presently for temporary parking and storage of materials for utility projects.

The Preliminary Development Plan shows the proposed businesses will use the existing paved entrance which will be extended to a 48' x 100' paved parking lot for customer parking. The parking lot is proposed to include nine (9) 9'x18' parking spaces and one handicap space.

The remainder of the display and sales area is proposed to be supplemented with additional gravel to create a display and storage area of approximately an acre. The site will be shared by the two businesses with the Sunshine Grow Shop and portable office and bathroom adjacent to the parking lot to the south and the shed storage areas north and south of the Sunshine Grow Shop area.

A monument sign is proposed to the west of the parking lot facing US 25.

US 25 Small Area Plan:

An updated US 25 Small Area Plan was completed in 2013. The main recommendation from that plan was that commercial uses be screened from US 25 with a 25-foot landscape buffer and strip type commercial development be avoided. Additional recommendations included protecting Cane Run Creek and floodplain from development and limiting urban style development in general to areas already zoned for urban development.

Landscaping:

A 25' landscape buffer is shown along US 25 and in a 15' landscape buffer to the south along the county line. The buffer to the south is proposed to be planted with evergreen trees 15' on center. Because the proposed plan does not propose a parking lot greater than twenty spaces, there are no interior VUA landscape islands required. Perimeter VUA landscaping is required around parking lots

larger than 5 spaces or 1800 square feet. Perimeter site landscaping is required where the B-2 zone adjoins the A-1 zone, however the Landscape Ordinance allows the screening to be waived with concurrence of the adjoining property owner. In this case the adjoining A-1 area to the west and north is under the same ownership. The adjoining A-1 area south along the county line is under separate ownership. The applicant is showing a 25' landscape buffer along US 25 which will utilize existing trees as screening. Evergreen trees planted 15' on center are shown in the 15' landscape buffer to the south.

There are existing tree plantings in the US 25 ROW on either side of the entrance that were planted as part of the US 25 widening. These could be potentially counted towards the landscape requirements if the Planning Commission were to agree to allow it and the applicant were to agree to assume responsibility for maintenance and upkeep.

A hedge is shown along the parking lot boundary facing US 25. The Landscape Ordinance requires perimeter landscaping around all commercial parking lots equivalent to one tree every 40' and a continuous hedge 3' average height. The hedge and tree planting will be required around the entire parking lot or a variance will be required.

Staff would support the variance if additional screening were added to the 25' landscape buffer along US 25 to provide some screening or softening of the Shed display areas.

No landscaping is proposed along US 25 within the shown landscape buffer. There are approximately 16 trees that were planted by KYTC on either side of the entrance at the time of the US 25 widening. It is recommended that the applicant supplement the existing trees with additional screening that is similar to the hedges planted elsewhere by the state during the US 25 widening.

At this preliminary stage no specific plantings are proposed, but staff would be capable of working with the applicant to identify appropriate plantings and locations for additional screening.

Utilities

There is 35' wide gas pipeline easement along US 25 as well as a Kentucky American waterline along US 25 and in an easement perpendicular across the commercial area running to the trailer park to the east. One condition of the rezoning in 2001 is that the site connect to sanitary sewer when available. The site shall connect to public sewer when it is available and shall take steps to make that future permanent connection.

Currently the site has access to a private treatment plant for the mobile home park to the east that is being taken off-line this year by GMWSS who are extending a sewer line for that purpose from Georgetown.

Electric is overhead and will presumably be extended from the trailer park to the east. The county fire department has indicated a fire hydrant will be required near the existing entrance.

RECOMMENDATION:

Staff recommends **Approval** of the Preliminary Development Plan. Should the Planning Commission approve the application, staff recommends including the following variances and conditions of approval:

Variance:

1. Use of a prefabricated building for office, sales and restroom.
2. Variance to the perimeter VUA landscaping on the interior of the site.

Conditions of Approval:

1. All applicable requirements of the *Zoning Ordinance* and *Subdivision & Development Regulations*.
2. Hedge screening be added to the 25' landscape buffer along US 25 to provide additional screening of the shed storage areas. Specie-specific landscape plan shall be approved at time of Final Development Plan approval.
3. Applicant shall meet all requirements of County Fire Department regarding hydrant location.
4. Applicant shall connect to public sewer when available.
5. Any revisions or amendments to the approved Preliminary Development Plan shall be reviewed and approved by the Planning Commission staff (minor) or by the Planning Commission (major).
6. Prior to (as part of) the Final Development Plan approval, the applicant shall provide the Planning Commission staff (GIS division) with a digital copy of the approved plan.
7. Prior to any construction or grading, a Final Development Plan, including all required construction plans, shall be approved by the Planning Commission staff and the applicant shall schedule a Pre-Construction Meeting with the Planning Commission Engineering Department to review construction policies and to establish inspection schedules. This includes a Grading Permit with fee and a Land Disturbance Permit with erosion control surety.
8. This Preliminary Development Plan approval is valid for two years, subject to the requirements of Article 406 section A of the *Subdivision and Development Regulations*.

Campgrounds

Scott County, Kentucky

Background

Current zoning requirements allow "mobile home camping areas" as a conditional use in the B-2 districts or as an accessory use in recreational areas. There are no specific standards governing how many sites per acre, screening requirements, setbacks, or sanitary sewer requirements.

More specific and detailed regulations are needed to better define the outcomes the community expects from such developments. These regulations should be focused on the time, place, and manner of these developments.

Staff has been asked to look into amending the Zoning Ordinance to possibly move campgrounds into a new zoning district and draft some requirements to better assure Scott Countians and potential developers of what is required for this type of development.

A-1R Background

The A-1R zoning district was created in 1989 for the Deer Lake community. Currently there are only two areas where this district is used (Deer Lake and the preserved acreage of the Dream Chase Estates neighborhood). It currently has the following requirements:

1. Prime soils or soils of state-wide importance shall not be prevalent in the development.
2. The development may not have any full-time residences, i.e., a dwelling which is the primary and legal residence of its occupant, other than the residence of one full-time caretaker.
3. Dwellings within the development, including part-time recreational dwellings and a full-time caretaker's residence, shall not be permitted on tracts of less than five acres each.
4. The development shall have private roads which shall not be eligible for dedication to public use and governmental maintenance. These roads may be built on less than county specifications if the Commission finds that County Road specifications exceed the reasonable needs of the development.
5. The part-time recreational dwellings in the development may not be converted to full-time residences until the development is rezoned to the Agricultural, A-1, after required notice, publication and demonstration of adequate public facilities and road construction to county specifications.
6. It is recognized that an Agricultural Recreational development can adversely impact the surrounding properties and public facilities. Because of these potential impacts, the Commission shall review any proposed Agricultural Recreational development for impacts and impose such reasonable conditions

of approval as are necessary to alleviate any adverse impact on surrounding areas and public facilities. Adverse impact on surrounding areas which cannot be alleviated through reasonable conditions of approval shall be grounds for the Commission's denial of a requested zone classification change to A-1R.

Zoning Ordinance Recommendations

Staff recommends adding campgrounds 5 acres or larger to the list of uses in the A-1R (Agricultural Recreational Uses) zoning district. This district is ideal because it was created to allow for recreational uses. Small amendments are needed to better define how campgrounds can be developed in this district, but many of the above requirements already work well to define the time, place, and manner for a campground.

Density

Online resources indicate most campgrounds target about 10 camping sites per acre. A 5-acre campground could house approximately 50 campsites. Staff recommends capping the maximum density of a campground at 10 units per gross acre when served by public sanitary sewer. If not served by public sanitary sewer, a one unit per five acre density should apply.

Setbacks

Staff recommends all campsites and buildings follow the already established A-1 setbacks.

Infrastructure

Sewer: There is no reason to believe that campgrounds, while in use, would have less sanitary waste demands than a typical A-1 use. Therefore, public sanitary sewer should be required for all developments with a density greater than one (1) unit per five (5) acres.

Water: Campground developments must be able to be served by municipal water.

Fire Protection: Campgrounds must be able to have adequate water pressure and flow rates for fire protection. In addition, fire hydrants shall be installed when requested by the local fire department.

Screening

Screening for this use should follow the guidelines established for cluster neighborhoods. These include diamond mesh fencing and a double row of trees with a mixture of evergreens and deciduous. The fencing and trees should be contained in an easement area prohibiting the removal or disturbance of vegetation that is not sick or dead.

Text Amendments

Section 2.1 Definitions

Agricultural Use, Recreational: An outdoor recreational use, i.e., fishing, boating, hunting, riding, etc., involving a tract of real estate in excess of 250 acres which incorporates part-time residential use, e.g., hunting or fishing lodges which are not primary dwellings for the occupants. This also includes lots of 5 acres or larger to be developed as a Mobile Home Camp (as defined in this ordinance).

Section 2.51.1 (D) (2) Mobile Home Camps (or camping areas for trailers) are permitted in the A-1R zoning district, as a conditional use ~~only~~ in the B-2 district or as conditional accessory uses in major recreational areas.

Section 4.11 (E) (3) Dwellings within the development, including part-time recreational dwellings and a full-time caretaker's residence, shall not be permitted on tracts of less than five acres each unless as part of a Mobile Home Camp served by public sewer;

Section 4.11 (E) (7) Mobile Home Camps of 5 acres or larger are permitted in the A-1R zoning district.

- a. Mobile Home Camps shall have a maximum density of ten (10) units (or campsites) per gross acre when served by public sewer. Mobile Home Camps not on public sewer shall have a maximum density of one (1) unit per gross acre. The maximum density for the development shall include all permanent or temporary residences of caretakers.
- b. Setbacks for Mobile Home Camp structures and campsites shall be 50 feet from all property lines; except along U.S. Routes where the setback shall be 100 feet from the right-of-way except however U.S. 25 from Delaplain north and U.S. 62 from Oxford east where the minimum setback is 50 feet.
- c. Public sanitary sewer is required for all Mobile Home Camps with a density greater than one (1) unit or campsite per five (5) acres.
- d. Mobile Home Camps must be able to be served by municipal water.
- e. Mobile Home Camps must be able to have adequate water pressure and flow rates for fire protection. In addition, fire hydrants shall be installed when requested by the local fire department.
- f. Fencing: Mobile Home Camps must provide fencing along boundaries with A-1 zoned property with diamond mesh wire or equivalent with 16 ft. plank on top, and post spacing 8-ft. on center. The required fence may not be bonded.

- g. Landscaping: Establish a 50-ft. preservation easement by plat along the boundaries with non – A-1R zoned property. Such an easement will prohibit the removal or disturbance of existing vegetation unless demonstrated to be sick or dead. This easement shall contain any required fencing. It shall also contain the following tree lines:
 - i. A double row of trees evergreen and deciduous spaced 40 ft. on centers. The ratio of evergreens to deciduous shall not exceed 2:1. Where the campground abuts a public road, the trees shall be 30 ft. on center. All landscaping shall exclude any species that may be deemed harmful to livestock.