

**CAMPBELL COUNTY & MUNICIPAL PLANNING & ZONING COMMISSION
MINUTES OF THE MARCH 13, 2018 MEETING**

MEMBERS PRESENT:

Ms. Sharon Haynes
Mr. C J Peters
Mr. Edward Stubbs
Mr. Michael Williams, TPO
Mr. Larry Barrow, Vice Chair
Mr. Justin Verst, Chair

STAFF PRESENT:

Ms. Cynthia Minter, Director
Mr. Kirk Hunter, Principal Planner
Mr. Matt Smith, Legal Counsel
Ms. Stephanie Turner, Secretary

MEMBERS ABSENT:

Mr. Dennis Bass
Ms. Lauri Harding
Mr. Mark Turner

The audience was very large with every seat available taken, all folding chairs were brought out and were full, some audience members were standing around the entire chamber and in the door/entry way. There had already been several announcements that if they desired to speak tonight they would need to sign in so that we could get their information for preparation of the minutes. Mr. Verst reiterated this to the public and advised that anyone who wanted to speak would get the opportunity as soon as the staff had presented the staff report to the Commission.

With that, Mr. Verst called the meeting to order at 6:05 PM. Following the Pledge of Allegiance, Mr. Verst called for a roll call. The roll call found a quorum was present.

Mr. Verst thanked everyone for attending tonight's meeting. We don't usually have many guest for our meetings which we hope means that we are doing our jobs. Tonight's proposed text changes impact a lot more people than usual. We appreciate your comments so that we can make sure Campbell County stays a great place to live. Mr. Verst called Ms. Minter to present the staff report.

Ms. Minter began by offering her sincere apologies for what she felt may have been poor framing of the discussion related to this case and there has been a lot of misinformation given to the public. Ms. Minter stated she would like to clarify any questions the public may have. Mr. Verst interrupted at this point. There was an item on the Agenda to approve the meeting minutes which Mr. Verst inadvertently overlooked. Mr. Verst asked if everyone had reviewed the December 12, 2017 meeting minutes and if there were any additions or corrections. There being none, Mr. Verst called for a motion. Mr. Barrow made a motion to approve the December 12 meeting minutes as submitted. Mr. Stubbs seconded the motion. Mr. Verst called for a roll call vote. A roll call vote found Mr. Barrow, Mr. Williams and Mr. Verst in favor of the motion. Ms. Haynes, Mr. Peters and Mr. Stubbs abstained. No opposition. Motion passed.

Mr. Verst introduced the first case on the agenda as case #188-18-TXA-01, a proposed text amendment to the River Recreation/Conservation (R/CO) Zone regulations regarding temporary camping units, tents, and recreational vehicles in the Unincorporated Campbell County. The Commission is the applicant on this request. With that Mr. Verst called Ms. Minter to present the staff report.

Ms. Minter stated that many callers were wary because they felt a lack of notice had been issued to the public. Ms. Minter affirmed that notice of a public hearing was published in accordance with KRS Chapter 424 in the March 1, 2018 issue of the Campbell County Recorder newspaper.

Ms. Minter provided a brief review of KRS 100.253 and KRS 219.320. Copies of these Statutes are hereby attached to these minutes.

Ms. Minter stated there is no intention to add restrictions or burdens to these existing recreational areas and campgrounds. There is no intention to regulate camping in someone's backyard. The recreational developments along our rivers predate planning and zoning in Kentucky and Campbell County and are protected as such. Ms. Minter also stressed that the proposed text amendment was for property in the Unincorporated Campbell County and not within any city limits; for property in the River Recreation/Conservation (R/CO) Zone and not for any other zones.

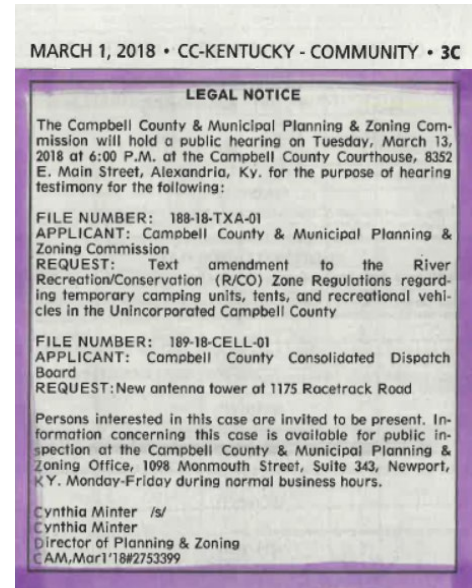
Ms. Minter thanked the large audience for the presence tonight and acknowledged that there was no previous text in the zoning ordinance to address campsites and that the draft she was presenting tonight was very rough. Since speaking with many campers and camp owners the past couple of weeks, she already found issues where the text either needed to be clarified or potentially removed from the text as proposed. Ms. Minter asked for their patience and welcomed their input tonight to try to determine how that clarification process would be completed.

Ms. Minter clarified for the Commission and the audience that this pertains only to those properties located within the River Recreation/Conservation (R/CO) Zone in the Unincorporated Campbell County. Ms. Minter referred to slides depicting the location of the areas with R/CO Zones. There are approximately three (3) locations along the Licking River [along Wolf Barry Lane; Licking Pike near AA Highway; and Licking River near Tippenhauer Road] and three (3) locations along the Ohio River [area adjacent to California, KY; area adjacent to Melbourne, KY; and portions of the Ohio River not inside any incorporated city limits]. To our knowledge, none of these Licking River areas are currently being used as campgrounds. Any property inside an incorporated city limit would be under the jurisdiction of that city and would not be subject to this proposed text. Any existing campgrounds within the Agricultural (A-1) Zone would not be subject to this proposed text.

Ms. Minter advised the biggest question she had received is why the text was being proposed. What happened? Ms. Minter pointed out that many campgrounds were unaware of what the current zoning regulations are for the R/CO Zone. This language has not been adjusted since the zoning ordinance went into effect decades ago. According to the official Zoning Ordinance for the Unincorporated Campbell County, the campgrounds are a Permitted Uses for the R/CO Zone are:

A. USES PERMITTED:

1. Agricultural uses.
2. Publicly owned and/or operated parks and/or recreation areas.



3. Private recreational uses other than those publicly owned and/or operated such as golf courses, country clubs, and camping areas.

For this zone, there are regulations pertaining to setbacks upon each lot.

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

1. Minimum Lot Area - One (1) acre
2. Minimum Lot Width - One hundred fifty (150) feet
3. Minimum Front Yard Depth - Fifty (50) feet
4. Minimum Side Yard Width - Twenty five (25) feet
5. Minimum Rear Yard Depth - Fifty (50) feet
6. Maximum Building Height - Twenty five (25) feet

The very first issue of concern is that the definition for "lot" as used in the Zoning Ordinance is not the same term many campgrounds use. For the Zoning Ordinance, "lot" is defined as:

"LOT: A parcel of land or any combination of several lots of record, occupied or intended to be occupied by a principal building or a building group, as permitted herein, together with their accessory buildings or uses and such access, yards, and open spaces required under this ordinance."

This means we are looking at a lot in terms of where the exterior property lines are placed and not in terms of interior individual campsite locations within those property lines. We are dealing with the entire acreage of the property.

Furthermore, each lot is subject to additional specific conditions:

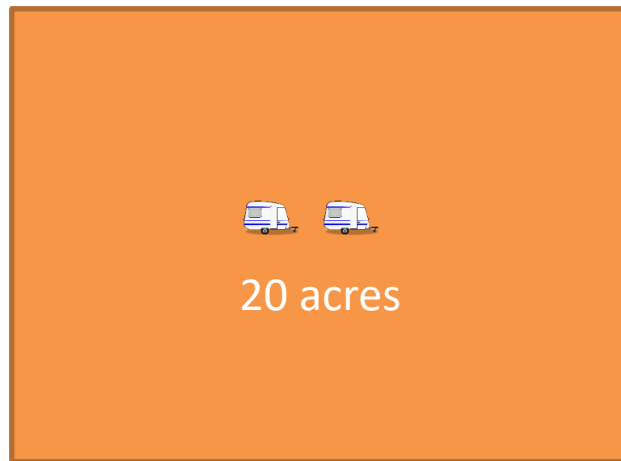
E. OTHER DEVELOPMENT CONTROLS:

1. All "Uses Permitted and Conditional Uses" permitted in this zone shall require a certificate of approval from the County Engineer, certifying his approval of the type of and manner of construction to be built (insuring that such construction shall not cause flood hazards, soil erosion, adverse changes in the natural drainage courses or unnecessary destruction of natural features)'. It shall be submitted to the Planning and Zoning Commission along with the description and/or site plan or the proposed use, at time of request.
2. Temporary camping units, tents, and recreational vehicles as defined in KRS 219.320 (8) shall be permitted; however, no such units shall be used for year-round habitation, and not more than two units may occupy any lot at one time.
- ~~3. Temporary camping units, tents, and recreational vehicles as defined in KRS 219.320 (8) shall be permitted; however, no such units shall be used for year-round habitation and not more than two (2) units may occupy any lot at one time.~~
4. Off-street parking shall be provided for any use within this zone, according to the provisions of Section XI of this ordinance.
5. No outdoor storage of any material (usable or waste) shall be permitted in this zone, except within enclosed containers.
6. No motor vehicle which is inoperable, mobile home, or trailer which is usable or unusable, shall be stored or used for storage of any items therein on any lot or parcel in this zone.

7. No use producing objectionable odors, noise, or dust, shall be permitted within five hundred (500) feet from the boundary of any residential zone.

There is a typographical error in the “Other Development Controls” in that condition #2 is listed twice (as both #2 and #3) so we need to delete the duplicate condition.

Looking closer at condition #2, you will see that it specifies “...no more than two units may occupy any lot at any one time.” This does not mean a limit of two (2) vehicles/tents/camps per campsite. It means that based on the total acreage of the site there are only two (2) units allowed on the entire property. For example, if you have a one (1) acre parcel, you can have two (2) units. If you have a twenty (20) acre parcel, you can have two (2) units.



This is a discrepancy that does not take into consideration the differences in lot sizes. Staff has received multiple request to permit new private recreational areas and allow more than two (2) campers per lot. This restriction is a deterrent to their use and enjoyment of their land. In addition, we have property owners who want to be legally conforming to the Zoning Ordinance, but are restricted in a manner that is not the result of their own actions.

In addition, adjacent homeowners have expressed concern regarding unlimited expansion or overcrowding, sanitation provisions, traffic on private shared driveways and abandoned units/blight.

Concern have also been flagged related to recreational vehicles being used as year-round affordable housing, additional housing in flood zones and permanent structures attach to or over units which restrict removals during flood events.

Ms. Minter felt it was important to take note of the many varying comments that have been received since the publication of their staff report. There have been comments from: citizens interested in opening and operating campgrounds along the river; homeowners adjacent to existing campgrounds; and general private citizens. Ms. Minter summarized the list to include:

- Do not make any changes to the zoning ordinance.
- Remove the restriction on the number of units in the R/CO Zone and make no other changes.
- Clarify which zones the changes would apply to (River Conservation, Agricultural, or all zones).

- Do not regulate camping which is an accessory use in any zone (backyard camping).
- Clarify if "unit" refers to the whole camp site or an individual recreational vehicle.
- Clarify if this text refers to individual camping or "Recreational Vehicle Communities" (campgrounds or camping areas).
- Define Recreational Vehicle Communities (see KRS 219.320).
- Do not regulate tent camping (handle blight as blight).
- Do not limit the camping season by month or duration (number of days).
- Allow camping facilities to self-regulate abandoned units.
- Allow camping facilities to self-regulate the duration and method of off-season storage of units.
- Unnecessary to repeat flood zone regulations which could be misinterpreted as expansion of regulations.
- Regulations related to licensing vehicles should be left to the applicable department (DMV or PVA), not zoning.
- Do not increase the setback requirements as the units are temporary; Setbacks should only be used for permanent structures.
- Confirm that the storage of Recreational Vehicles is permitted on site.
- Confirm that this will not affect my boat ramp or dock.
- Align the permitted number of units with those in existence.
- In considering density or to increased number of units, focus on open space requirements rather than acreage.
- In considering acreage, continue to allow two camping units on a site which is 1 acre in size, considering that the minimum lot area is 1 acre.
- Allow Kentucky Residential Building codes to regulate "room additions" rather than zoning.
- Allow Health Department to regulate sanitation issues rather than zoning.
- General concern that more restrictive language could later be applied to current sites despite grandfathering under KRS 100.253.

With this information in mind, Ms. Minter presented the staff report as follows:

CASE: 188-18-TXA-01
APPLICANT: Campbell County & Municipal Planning & Zoning Commission
REQUEST: Text amendment to the River Recreation/Conservation (R/CO) Zone Regulations regarding temporary camping units, tents, and recreational vehicles in the Unincorporated Campbell County

Proposed revisions:

ARTICLE X

ZONE REGULATIONS

SECTION 10.0 RIVER RECREATION/CONSERVATION (R/CO) ZONE:

E. OTHER DEVELOPMENT CONTROLS:

2. Temporary camping units, tents, and recreational vehicles as defined in KRS 219.320 and as regulated by Section IX.30 shall be permitted; ~~however, no such units shall be used for year-round habitation, and not more than two units may occupy any lot at one time.~~

ARTICLE IX
GENERAL REGULATIONS

SECTION 9.30 CAMPING UNITS

- A. PURPOSE: The purpose of this section is to regulate the seasonal or temporary occupancies of land by Camping Units such as recreational vehicles (RVs) and other temporary facilities such as tents on private property.
- B. Camping, shall mean the occupancy of a lot or parcel, for a 24-hour period or longer, for living, sleeping, and/or sanitation, within temporary structures such as a recreational vehicle, tents, canopies, tarps, or other shelters.
- C. Under no circumstances shall Camping Units be considered an extension of living space of a single family dwelling. No buildings may be attached to the camping units.
- D. No person shall camp on private property, or place or use any recreational vehicle on such property, except as provided in the zone in which the camping or RV use occur.
- E. If permitted within the zone, temporary or seasonal camping shall be subject to the following requirements:
 - 1. Seasonal camping may be permitted for up to a maximum of 179 consecutive days for recreational vehicles and up to a maximum of 30 consecutive days for tents or tarps.
 - 2. Tent camping is permissible only on parcels three (3) acres or larger, unless such camping is done as an accessory to a permitted single family dwelling on site. All portions of tents and associated camping equipment shall be a minimum of one-hundred (100) feet from all property lines.
 - 3. Recreational vehicle camping is permissible only on parcels three (3) acres or larger. All portions of recreational vehicles and associated camping equipment shall meet the minimum setbacks for the permitted zone. Recreational vehicles must have an active registration and license.
 - 4. No more than two camping units are permitted per three (3) acres.
 - 5. Support utilities may be provided on site. However, no permanent connections shall be permitted in association with the camping use. Sanitation facilities for the camping or recreational vehicles shall be either fully self-contained, or shall be connected to a fully permitted sewage disposal system serving the property.
 - 6. At the termination of the term of camping or recreational vehicle use, all camping units and associated camping equipment shall be placed into storage. All utility connections shall be removed and no occupancy may occur. Temporary camping units and associated camping equipment shall not be stored within a Flood Hazard

Area.

If a recreational vehicle is stored on a property, it shall not be connected to utilities, although a minor connection for the prevention of mildew may be considered, and shall not be used for occupancy. The connection to any utility may be considered as evidence of occupancy.

Ms. Minter concluded her report by asking if there were any questions she could answer for the Commission at this time. Mr. Verst asked the Commissioners if they had any questions of staff. Mr. Williams asked Ms. Minter to clarify the acreage restriction proposed in Section 9.30, E., 3. Ms. Minter stated it was not out of any particular insight to campgrounds. Campgrounds are a Conditional Use in the Agriculture (A-1) Zone with a required minimum lot area of three (3) acres. For continuity and correlation, staff proposed three (3) acres.

Mr. Verst asked if there were any other questions of staff. There being none, Mr. Verst advised the audience that he was opening the floor for public comment. He was given one (1) of two (2) sign in sheets. He advised he was going to send the second sign in sheet around the audience at this time so that anyone who initially did not wish to comment but now had a question or comment could sign in. In the meantime, Mr. Verst was going to start calling people off of the first sign in sheet. Mr. Verst asked the public that if some else voiced their question or concern, then to keep their comments to anything new and advise they agreed with the previous speaker.

Mr. Verst recognized Mr. Dave Schmidt, 9265 Indian Trace Road, Alexandria, KY. Mr. Schmidt stated he had no comments or questions at this time.

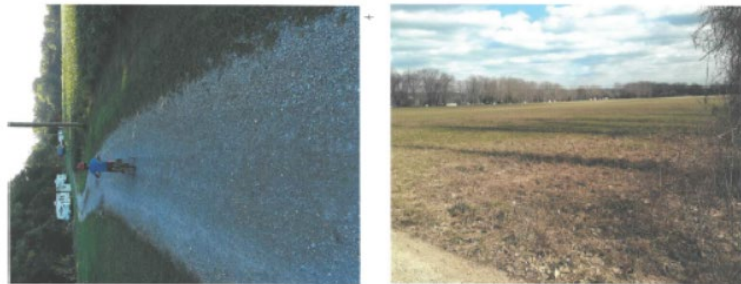
Mr. Verst recognized Ms. Holly Seever, 1441 Windy Oak Lane, Hebron, KY. Ms. Seever was speaking on behalf of her family who owns and operates a campground along the river. They own three (3) parcels totaling approximately one hundred (100) acres. They have been renting river lots since the 1960's. Ms. Seever stated that it is her opinion that the proposed text was poorly written and arbitrary for real life. As far as the restriction on the number of days that are allowed, we do limit the number of days for our campsites, but it is more to do with the weather and when we can go out and shut down the bath houses. I don't feel that putting an actual number like one hundred seventy-nine (179) days is a fair thing to do. If it is a result of the flooding, we do take care to get our units out or at least warning our renters that they need to move their trailers out. I feel these changes, if we are changing to "recreational vehicle community" then there shouldn't be any mention of tent camping. I read the sections of KRS that deal with recreational vehicle community and there is no mention of tents. I feel any mention of tents should be mention if this is really a recreational vehicle community.

Ms. Seever continued that as far as setbacks, my concern is that these are all temporary units and are not permanent structures. They are not going to remain. I don't see any need for a mention of setbacks for a tent or camper if it is not a permanent structure. I agree with several of Ms. Minter's comments about letting things like the Department of Motor Vehicles handle the license and registration of vehicles and storage being left to the owners. As far as the three (3) acres with two (2) units, over our approximate one hundred (100) acres they vary in size, but average to be about one-half (½) to one (1) acre per camper or recreational vehicle and that has seemed to always work. It gives plenty of open space to enjoy the nature and river that is there. I have here a permit from the Health Department that we get every year where they approve the land that is there for four hundred (400) recreational vehicle spaces which would be one-fourth

(¼) acre per recreational vehicle so that is a big difference from three (3) acres for two (2) units to a one-fourth (¼) acre for one (1) unit. I would ask that careful consideration be given to the size of the lots.

In the last item on the revision, it says “although a minor connection for the prevention of mildew may be considered, and shall not be used for occupancy. The connection to any utility may be considered as evidence of occupancy.” How can you say you can have minor connection but any connection is permanent occupancy? That needs to be further explained or deleted.

Mr. Verst asked about Ms. Seever’s comment on a typical lot size as one-half (½) to one (1) acre per unit as a lot of river camps. A property owner may have one hundred (100) acres but some of those acres may be so densely wooded or wetlands that you can’t make reasonable use of a portion of the property. If you are at full capacity, how many camps is that exactly? Is it thirty (30), eighty (80) or one hundred (100)? Do you know roughly? Ms. Seever did not know. Mr. Verst clarified that you may have one hundred (100) acres, but only about forty (40) to fifty (50) acres may be actual usable land. Ms. Seever conferred with her family and they advised they have about sixty (60) campsites. Mr. Verst stated that if you look at the unit itself, it may be sitting on approximately one-half (½) to one (1) acre, but if you look at the overall land then it may be quite different.



Ms. Seever advised that she did have photographs of approximately fifty (50) acres of their property with campsites shown if the Commission wants to get a better picture of the density. Mr. Verst advised that if the Commission looks at the photos, then Ms. Seever must be willing to allow them to become part of the permanent record meaning the photos would not be returned to her. Ms. Seever was ok with that and submitted the photos to the Commission. They have overall shots all from a fifty (50) acre parcel; some of the units were taken the other day and they did have some flooding. There are also shots taken of the recreational vehicles from past years.



Ms. Haynes stated that Ms. Seever commented that the Health Department approved four hundred (400) recreational vehicles. Was this based on the holding tanks of the sanitation or how did they arrive at the number four hundred (400)? Ms. Seever stated that they have three (3) parcels with one (1) bath house on each parcel and that is what they review. Their letter stated 400 units. Ms. Haynes asked if Ms. Seever could confirm, just so I understand, the four hundred

(400) units were based on the sanitation capacity. Ms. Seever stated she didn't know that for sure but would assume yes. Ms. Haynes asked what the sanitation situation was for their parcels. Ms. Seever stated we have bath houses with working toilets and sinks with running water.

Mr. Verst asked if it was a septic tank situation with leach lines. An audience member spoke. Mr. Verst advised that the speaker would need to come to the microphone and introduce himself or they could have Ms. Seever repeat the comment for the record. Ms. Minter clarified that the question is are you connected to the city sanitation system or do you have an individual septic system or do you have a private of treatment system. Ms. Haynes explained that she just wanted to make sure that during the discussion that she was comparing apples to apples when talking river camps. Mr. George Henderson, 3914 Dead Timber Road, California, KY stepped to the podium. He clarified that they have on site three (3) two thousand (2,000) gallons holding tank and then about one thousand five hundred (1,500) feet of leach chambers. We don't have city sanitation but do have city water.

Mr. Williams stated Ms. Seever was fairly emphatic that the words "tent camping" should not be reflected in the language. What difference does it make if "tent camping" were included or not? Ms. Seever stated that it was her opinion that "tent camping" seems a little extreme if you try to regulate a five (5) square foot tarp. If we are really talking recreational vehicles, tents are not in any a recreational vehicle.

Mr. Peters asked staff to clarify the one hundred seventy-nine (179) consecutive days. Is that the placement of a recreational vehicle in one (1) spot; or to check on it every one hundred seventy-nine (179) days; or is that only one hundred seventy-nine (179) days allowed to use that specific camp site? Ms. Minter explained that due to FEMA regulations every one hundred seventy-nine (179) days to actually check to make sure the recreational vehicle can be disconnected largely on those parcels in the flood zones. It does not mean that the use of the land has to stop. It is really just checking to make sure they can be disconnected. One hundred seventy-nine (179) was not a not a made up number, but rather a part of FEMA regulations.

Ms. Haynes wanted to follow up with Ms. Seever. Clearly the one hundred seventy-nine (179) days can be weather dependent, but if you want that suggestion changed, do you have any recommendations on what would be a more acceptable number. Ms. Seever stated that they actually keep the bath houses open an additional three (3) weeks beyond the camping dates because people will still come for day trips to just enjoy the nature and sit by the river for an afternoon before it gets too cold to come down by the river. The use of the bathroom facilities does go beyond just camping on the site. Ms. Seever was reading this text as after one hundred seventy-nine (179) days, the business is closed. Gates locked. No one could come back onto the property. That is where my object would be. There is still plenty of time left in the year for people to enjoy the riverfront and all the activities there are there.

Mr. Peters asked staff to clarify if he were to camp there for one hundred (100) days and then leave with his camper to go away for a week and then returned to the camp for another one hundred (100) days, would that be okay? Ms. Minter replied absolutely that would be allowed. It is not based on occupancy. It is based on if you are checking those connections to make sure you could leave the site in a hurry. It is because it is in a flood zone. There is no other reason for it. We just need to make sure they are able to disconnect in case of a flood. Mr. Peters asked if the camp ground remains open longer than one hundred seventy-nine (179) days that is acceptable. Ms. Minter replied it is absolutely allowed. We are not setting a time limit on how long their business can be open. Ms. Seever objected that the proposed text doesn't read that way. It says seasonal camping for up to one hundred seventy-nine (179) days. Mr. Verst stated

it is a valid concern if you read it as it is currently written. When the Commission enters their discussion phase, we can determine if there is some other way to verify that the camping vehicles are mobile or to change the number of days. It is just like a smoke detector. Every six (6) month you have to press that button to make sure it is still working. If you don't press the button, all kinds of bells and whistles go off.

Mr. Verst asked if there were any other questions or comments for Ms. Seever. There being none Mr. Verst recognized Mr. George Savoie, 2924 Grace Avenue, Dayton, OH. Mr. Savoie stated he has been playing around the river since he was a small child and he is fifty-one (51) years old now. Mr. Savoie heard someone say something about being "grandfathered" in. If you are "grandfathered" in, is that a part of this? If you had the land an "x" amount of time, none of this applies to you. Am I understanding that correctly? Ms. Minter went back to the slide of KRS 100.253. If your camp ground existed prior to implementation of Planning & Zoning Regulations, you would be considered a legal non-conforming use. If you have had a parcel that does not meet regulations and you have been in existence for ten (10) years or more without any administrative action then you can continue as legal non-conforming use. Ms. Minter stated that she had verified that there has not been an administrative [zoning] action on any camp ground. You are non-conforming, but a legal non-conforming use. Mr. Savoie stated from his understanding then his previous statement is correct. Mr. Verst provided the example that if you have three (3) campers on a one (1) acre lot and it has been there for fifteen (15) years. You get to continue as a result of this statute. You can use photographs to prove you have been there the fifteen (15) years. That way if a neighbor complains, you have proof of existence.

Mr. Savoie's stated that it seems like most people who have river camps are pretty decent people. They take care of the camps. They pull out when the river comes up. Was there something that happened? Was there a problem that brought all of this about? It seems like they take good care of their property. I'm just concerned on what happened that brought this together. Mr. Verst stated he was going to ask Ms. Minter to explain why the text was being reviewed. First though, I will say that most zoning ordinances do not affect most people. Most people are good people and they handle things properly. But this text was intended to make sure you don't have the bad apples come in where you have a nice camp. That a neighbor doesn't come in with forty (40) campers that are broken down and packs them into a five (5) acre parcel. It's to make sure you don't have someone doing something silly. It is to keep a reasonable regulation so that it protects the neighbors is really what it is for. Mr. Verst asked Ms. Minter to expand on his statement. Mr. Savoie stated that there was no need as he felt Mr. Verst did a good job explaining. He added that he does appreciate Mr. Verst doing that. His main concern is that a lot of people here probably are not affected and don't need to be here because they have had camps for such a long time. Mr. Verst stated that was probably correct. If you have had a camp a long time, keep your photographs sorted so that if anyone came to you to ask how long you have been located there that you can show it has been more than ten (10) years. Mr. Verst continue to ad that if you go on to the Planning & Zoning Department website, they have links to a mapping software called Link-GIS [LinkGIS.org]. It has aerial photographs and you can go back to older photos. Ms. Minter added that we can go back to 1962. Mr. Verst stated you could use this software to show the existence of your camp through the years. This way you have it on record. Ms. Minter stated she wanted to emphasize that you can upgrade the campers. If you have a camper and replace it with a newer camper, that is perfectly fine. Mr. Verst added that if you try to replace that one (1) camper with three (3) newer campers that would be an issue and you would need to speak with staff on how to handle this situation. Ms. Minter agreed.

Mr. Savoie moved away from the podium and continued to speak. Mr. Verst advised that if you want to speak on the record, you must speak into the microphone in order to be heard on the

recording. Mr. Savoie returned to the podium and explained that he does not feel you should be involving zoning in the licensing of campers. You should leave that to the Department of Motor Vehicles. If they are driving down the road, they are going to get pulled over that's my thoughts. Mr. Verst thanked Mr. Savoie for his comments and asked the Commission if they had any questions for Mr. Savoie. There being none, Mr. Verst called the next speaker as Mr. Paul Twehues.

Mr. Paul Twehues, 11 Locust Point, Cold Spring, KY. I am the co-manager of The Roost. It is property on State Route 8 just past Ross. It is owned by myself, my brother and three sisters and has been in our family since the 1960's. It has been in use as a camp ground all of that time. This is the first time that I have noticed any changes being brought to camp grounds. The first thing that I want to address is the issue of the "grandfather" clause in KRS 100. It basically states, from what I have seen, and makes everyone here tonight a legal non-conforming use. If you are a legal non-conforming use, you don't have the protection of the statutes and regulations. The problem with being a non-conforming use is that there is a whole body of law just related to non-conforming use. It's not as black and white as they say. If you were operating this way before, you are good forever. However, if you try to extend the use or try to enlarge it or if you vacate it, then you will have lost that non-conforming use status and you are, in effect, out of business. That is the real problem I have with this change.

Second problem is that when I heard about this, I started doing a little research on all of this stuff that has to do with campers and recreational vehicles. This is regulated not by the county, but by the state. This is in the statutes that Ms. Minter mentioned. In KAR (Kentucky Administrative Regulations), it says right there in the statute that the Secretary for Health and Family Services are tasked with setting forth those regulations for the administration. It doesn't say the county is. This is a situation where the state is taking priority to regulate the law in this area in our situation. It was hardly ever mentioned, but the Health District administers those regulations. Years ago, I don't know how many, but twenty (20) or so years ago, the Health Department came to us and stated you have to apply and qualify as a mobile home recreational vehicle park. We have seven (7) camps on the river and these are people that have been there for years and years. I disagreed with them, but wiser heads prevailed. We applied and we have continued to do so every year since then. Every year they come to The Roost and inspect the property. They have thirty-one (31) items they review including lot size. I could list them all if you want, but I want to try to make this brief. They are the ones responsible for this. Why would the county come in and want to regulate this as well? Why are there two (2) camps restricted to a three (3) acre lot? Those two (2) camps could be next to each other as long as they are on a three (3) acre lot. It doesn't make any sense to me. It's not for sanitation and not for any other reason that I can think of. Why would these trailers, and all we have at The Roost is trailers, have to be licensed and registered? They never go on the road. The state regulations don't say anything about that. I would ask that maybe we look at the Kentucky Administrative Regulations and see if these regulations are doing the job we need done to keep these recreational vehicles and these motor homes in compliance with what we want with sanitation, with cleanliness, and with lot size. If you look through them, I think you will have to agree with me and say that they do. The state has decided to take over the regulation of this area. Let the Health Department continue to do their inspections which they are going to do anyway. Don't add another level of bureaucracy to this thing when it is not needed. Thank you

Mr. Verst asked if there were any questions for Mr. Twehues. Mr. Williams asked Mr. Twehues if he was speaking of preemptions. Mr. Twehues indicated he was. KRS 219 actually says the Secretary shall adopt regulations regarding this and it continues to state mobile home parks and recreational vehicles and all the things we have talked about tonight. Mr. Williams asked if, in his experience, the state provides people to come up in this area to perform the inspections. Mr.

Twehues stated yes. Every year the Health Department comes up, raises the fees each year, but they bring a checklist with them and they check everything. There was a year that one (1) of the house numbers fell off. They notated that and you have to fix it. You can't leave your garbage there. They inspect for just about everything that we have talked about tonight, and they have done that for years and years.

Mr. Verst commented the concern expressed about non-conforming use, but the current regulations state for two (2) campers per lot. You are in fact, currently, a non-conforming use. Mr. Twehues replied that we only have one (1) unit per lot. Mr. Verst asked if their property was divided into seven (7) total lots. Mr. Twehues replied they were. The Roost has seven (7) lots each with their own trailer. If we had two (2) per lot, but actually they only let us have one (1) unit per lot, that is one of the things they check each year. Mr. Verst asked if The Roost was in the R/CO Zone. Mr. Twehues replied they were not. They are in the A-1 Zone. But these regulations are meant to be applied to all river camps.

Mr. Twehues stated that staff has indicated that it would only apply to the R/CO Zone, but they intend for it to cross all zones. It is placed under Article IX, General Regulations, which applies to all zones. Mr. Verst commented that this was not the Commission's intention. It is only for the R/CO Zone. Mr. Twehues stated that may very well be, but I am not reading that in the proposed text. By placing the text in Article IX, it is a General Regulation to be applied to all zones. Mr. Smith stated that was not correct. These regulations are limited to the R/CO Zone. Mr. Twehues stated that legal counsel may be right, but he is not reading that anywhere in here. Under Article IX, General Regulations, they are incorporated across all zones. Mr. Smith stated these are regulations that amend only the R/CO Zone under Article X. Furthermore, they are incorporating what staff is now calling "recreational vehicle community". Even though they are located in the General Regulations, they apply to only this specific zone. Mr. Twehues replied that, with all respect, he did not see that anywhere in there.

Ms. Minter added that Legal Counsel is correct, but based on the comments received from many different citizens, Mr. Twehues comments are the way it has been received by the public. I must admit it has been confusing to them so we may want to narrow it down to the items you want to go forward with and then move them back under Article X specifically to the R/CO Zone. There is an overarching concern that they may be misinterpreted to be applicable to all zones.

Mr. Smith commented on the reason the Commission has taken up the regulations. The Health Department is involved because they are responsible for the health concerns of sanitation. The State has basically mandated to the Planning Commissions across the state that the Commissions are tasked with promulgating the Kentucky Revised Statutes (KRS) Chapter 100. I'm sure you have been through the KRS. Our task is to regulate the use of land and determine what land uses are appropriate for specific areas rather you are in a commercial, industrial or river conservation. I do a lot of planning and zoning work throughout the Commonwealth and I don't think you can pick any city or county and find that they don't regulate in some measure recreational vehicles. That is just a small component of zoning regulations. Everybody does it differently, but it is the state who has put the responsibility on the Planning Commission to develop regulations that we send forward to cities or in this case the county for review and approval. Their purpose is to dictate all the permitted uses for the reasons our Chair has mentioned. Early, the design is for the protection of the community and the people around you so that you don't have a bad apple doing something next to you that hurts the valuation of your property or something like that. This is the proper purview of the Planning Commission and it is something they are supposed to be working on.

Mr. Twehues stated he respectfully understood what Legal Counsel is saying and appreciate it, but you know it is not as black and white as that. There is a lot of gray area and a lot of overlapping areas. I think this is one of those overlapping regulations with the State's regulation and the Zoning Regulations. Mr. Smith replied that the only entity who would have the authority to regulate the use of land, which this regulation pertains to, is through the Planning Commission through the Zoning Regulations. Mr. Twehues asked the Commission forgive him if they felt he was arguing with them as that is not his intent. He doesn't mean to, but just for example, the proposal that the trailers have to be licensed and regulated. Mr. Smith stated the Commission had already indicated that they were going to take that particular piece out. That is why we have public hearings. We get great input from the public. When we have a draft, we want to have public hearings and we appreciate the public coming here because you identify things not seen or encountered by the entity drafting the regulations. It has already been noted, and the Commission has noted, that this is not something that should be regulated in the Zoning Regulations because it is regulated elsewhere and not pertinent to the use of the land. I see though why it was included. It was intended to show that the vehicles were not a permanent structure on site. Mr. Twehues agreed that he could understand that very point where you have a trailer park along Interstate 75 and you are pulling trailers in and out fairly regularly. They should be licensed and regulated. When you are talking about river camps that rarely need to move a camper or trailer in or out, the very opposite is true and they should not be regulated.

Mr. Verst asked if there were any other questions or comments for Mr. Twehues. There being none, Mr. Verst recognized Mr. Jim Futscher, 22 Langview Drive, Wilder, KY. Mr. Futscher stated he had no comments or questions at this time.

Mr. Verst recognized Mr. Mark Muench, 6108 Four Mile Road, Melbourne, KY. Mr. Muench stated he was a little confused as we buzzed through the maps at the beginning of the meeting as to what is considered river recreation. Mr. Verst asked staff to return to the slides showing the R/CO Zones. Mr. Muench stated he thinks this may be a moot point for a lot of people. Wasn't it only really three (3) or four (4) small areas that are actually zoned as R/CO? I'm going to ask the commission if they can put those maps on their website. Then people can look up their own property and see if this applies to them. It may not affect most people here now. Mr. Verst agreed with Mr. Muench that many people here tonight are probably unaffected by this text change which is for the R/CO Zone only. The maps are available by going to the Planning & Zoning Department website. They have a link to a mapping software on their webpage. You can also go directly to the webpage at www.linkgis.org. LINK-GIS Map Viewer is an easy to use interactive map providing basic information for Campbell, Kenton and Pendleton Counties. You can use the tools to explore the data, while navigating through a variety of mapping layers. If you go to their site, you can zoom in on your property. It will tell you what zone your property is in. If your property has "A-1" on it that means you are in the Agricultural Zone. If it has "R/CO" on it then you are in the River Recreation/Conservation Zone. It will show if there is any portion of your property in the flood plain or flood way. It will also give you the approximate location of your property lines. It is not exact, but it does a very close approximation of the boundaries.

Mr. Muench repeated that he felt this text was going to be a moot point for many people in this room. In regards to what Mr. Twehues discussed, the regulation that is out there right now, many of the trailers are taxed as personal property. They defer putting a road license on them because they don't take them out. The Environment Protection Agency (EPA) and Board of Health regulates the health out there and the sanitation. When I was there fifty-five (55) years ago, you just dug a hole out there, but they have bathhouses out there now. Duke and Owen regulate the electric out there. If the rivers go up, the electric goes off and it will not go back on until Duke or Owen come and check out the box. One regulation that you have to give a lot of respect to is

people like Mr. Henderson and the other owners out there. It is their property and it is to their advantage that they keep the property maintained to keep the high value. I don't think there has to be a lot more regulations. I think there are a lot of advantages out there as well. They have much nicer landscaping than my home has. They clean up the riverbanks and the drift wood. I don't know if you get much opportunity, but get out down past California and take one of the side roads there and I think you would be pleasantly surprised. My main thing is if it isn't broke then don't fix it.

Mr. Verst asked if there were any questions or comments for Mr. Muench. There being none Mr. Verst recognized Ms. Karen Lipscomb, 602 Lake Watch Court, Cold Spring, KY. Ms. Lipscomb stated she didn't really have a lot to add to what has been said. She did get a lot of questions answered. Ms. Lipscomb stated that she hoped Mr. Muench is right about the R/CO Zone location and that they would not apply to us. But I agree with a lot that Ms. Seever said especially about items E. 1. And E. 3. of the proposed text. Ms. Minter confirmed that was not the intent. Ms. Lipscomb stated that if the utilities are turned off anyway then it shouldn't be an issue. She also commented that she would definitely be checking out Link-GIS. In regard to the number of parcels, I would like to know how they measure those. Do they start at the river banks and just go up to the railroad? How do they determine what a parcel is? Mr. Verst replied that Link-GIS will show you the size of your parcel, but if you own two (2) or three (3) pieces of property, it is not always accurate. You can ask the Property Valuation Administrator (PVA) for a clarification. Ms. Minter returned to the slide showing the R/CO Zones along the Ohio River and Licking River. These are examples of snapshots from Link-GIS. The blue line shows the R/CO Zone; the red line is the parcel zones – Mr. Verst corrected that the red lines are the parcel lines – Ms. Minter thanked him for his assistance and agreed he was correct. Ms. Minter stated that she has learned from the owners and tenants of these river camps that they refer to “lot” as their individual camping sites. This is different from “parcel” and how “lot” is actually defined from a zoning perspective. “Lot” from a zoning perspective is what is reflected on the deed and not what is contracted from a rental agreement for placement of a recreational vehicle or camping equipment. The deed defines what the property boundaries are and what they are from a taxing perspective.

Mr. Verst asked if there were any questions or comments for Ms. Lipscomb. There being none, Mr. Verst recommended that if anyone has trouble trying to use Link-GIS they should call Ms. Minter, Mr. Hunter or Ms. Turner and they will be able to help you get through the process. Ms. Minter added that staff has guided people step by step over the phone as long as they have a computer in front of them. If they want to stop by the office, we would be happy to assist them in getting their correct zone and/or flood plain information.

Mr. Verst recognized Mr. Jim Peluso, 51 Summer Hill Avenue, Newport, KY. Mr. Peluso thanked Ms. Minter and her staff for looking into this issue. The only reason we came here is because there are three partners. We collectively own approximately twenty (20) acres. We have had it for twenty-five (25) to thirty (30) years now. It came to our attention that we could not have anything but two (2) campers placed out there. Even our individual families would not be able to fit on the site with that restriction. Mr. Peluso assured the public that they were not looking for any changes to anybody's property. We just wanted it to be more equitable number of allowed campers for our property than what was permitted according to the Zoning Regulations. We are not going to be a mobile home park. Everything will have wheels attached and can be rolled right out of there. I think there is a big difference between a mobile home park and a recreational vehicle community and tents. They are definitely three (3) separate issues. We are more than willing to do whatever it takes to be legal in regards to sanitation or whatever. I think we already meet those requirements, but if they want more from us we would be happy to do it. Mr. Verst

summarized that Mr. Peluso's only concern is the number of units per lot. Mr. Peluso agreed that was his only concern.

Mr. Verst asked if there were any questions or comments for Mr. Peluso. There being none, Mr. Verst recognized Mr. Tom Guidugli, 100 Aspen Court, Newport, KY. Mr. Guidugli affirmed he was one of the partners with Mr. Peluso. Basically, I think you have had a great discussion here tonight. My kids and grandkids are interested in enjoying some recreation since we own the property. If just my kids come out, we won't have enough room to put any of our recreational vehicles. If we are there, there would not be any room for Mr. Peluso and his family to participate with us. Mr. Guidugli stated he felt the regulation was really restrictive. Now that I am at the age that I've got more time, I would surely like to do that.

Mr. Verst asked if there were any questions or comments for Mr. Guidugli. There being none, Mr. Verst recognized Ms. Madeline Rumker, 3889 Nine Mile Road, Melbourne, KY. Ms. Rumker stated she had no comments or questions at this time.

Mr. Verst recognized Mr. David Alexander, 11383 Mary Ingles Highway, California, KY. Mr. Alexander began by stating these guys all go to the river camps on the weekends, but I live it every day. That's where my house is. I have a shared driveway with three (3) properties. That's over a \$200,000 investment. Mr. Alexander stated he had a field in front of his house and another behind his house. They are nice farm fields. I really am asking for some kind of regulations that protect your neighbors; reasonable regulations. Mr. Alexander stated that he shouldn't have his house values devalued because of potential future incoming river camps. I'm pretty much representing people in California and Mentor, just outside the city limits. We are the ones down there that are in the flood zone already behind the railroad tracks with well water. The three (3) worst things to have when you are selling your home is: being located in the flood zone; being dependent up on well water; and being near river camps.

Mr. Alexander continued that if you own a single family home and then throw a river camp out in front or out in the back, your investment is done. Do you understand what I'm saying? I think we need to look into neighbors as far as oncoming river camps. There are seventeen (17) acres that just sold behind my house and it has been non-stop. Some of these guys here tonight probably looked at it wanting to buy it. If they do that, I'm staring at trailers and shelters. I love river camps. I go down to them all the time. I ride my quad down there. It isn't river camps, necessarily, as far as just location. I know they are running out of room in more rural area where there are no existing homes, but we definitely need to take that into consideration.

Mr. Verst asked Ms. Minter to clarify when we are talking about recreational vehicle communities and the R/CO Zone on the location of recreational vehicle river camps. What zones are they permitted it? Mr. Verst stated he assumed that a lot of the parcels along the river may be in the A-1 Zone. Can you build a river camp in the A-1 Zone? Ms. Minter asked Mr. Hunter to confirm but stated she believes in the A-1 Zone they are listed as Conditional Uses. This means if they wanted to operate a recreational vehicle community they would come before the Board of Adjustment (BOA) who would review the plans at a higher level of scrutiny. Mr. Verst commented to Mr. Alexander that this may help him. There are a few R/CO Zone parcels in Campbell County. A lot of people may have river camps and are probably in the A-1 Zone. There's not that many in the R/CO Zone because they would have had to seek that zone out and request a zone change to that zone. A conditional use means that you can do it in that zone, but you can't just go build it. You need the approval of the BOA and will need to show them your plans. They have some oversight to say that we think this plan fits in the A-1 Zone, but you have a neighbor over there so you have to put in a little more protection for that guy. We look at each individual parcel.

Ms. Minter stated that in the A-1 Zone under Conditional Uses it does list recreational uses other than those public owned or operated. This is not the exact same language as in R/CO Zone but that is where something like this would fall. It references golf courses, country clubs, swimming pools, tennis courts clubs, fishing lakes clubs and ranges. It also lists boat harbors and marinas and all those types of uses. Mr. Verst stated that is the purpose of the conditional uses. It is where we can say we think this will work in the A-1 Zone, but we want to look at those individual parcels and make sure it fits with the local community. If you have a neighbor that wants to put in one of those uses, there is a sign placed on the property so the public knows to come to the meeting if you want to speak about it. Ms. Minter corrected his statement. We do not post a sign on sites applying for conditional uses. That is only performed with zone changes. However, we do send each adjoining property owner a copy of the legal notice so they can come to the meeting. Mr. Verst thanked Ms. Minter.

Mr. Alexander asked to be recognized and Mr. Verst did so. Mr. Alexander stated that in about 2012, a river camp went in on a five (5) acre parcel that shares his driveway. We did not receive a letter or anything. I don't know when these statutes started. I had to deal with beer cans in the front yard for a while, but we now have that under control as well as the speeding down the driveway. They went in there in 2012 and we never received any contact about that camp. Neither did my neighbor, Peggy Fury, and she's the Mayor. Mr. Verst stated it was possible it was constructed without going through that process. We are complaint driven and it is possible they installed the camps without going through the proper processes. If someone does that and there is something allowed in the regulations, we will try and find a way to help you come back and meet those regulations. If it is an egregious use like putting a race track next to your house, it may not be considered appropriate and we will have to deal with that issue. As Ms. Minter mentioned, they would be an existing non-conforming use if it has been there for ten (10) years and no one complains. They have a right to be there. Mr. Alexander asked if it had to be a written complaint because he did call Planning & Zoning as soon as they started; before they put in the shelter. I was told that they were conforming. Mr. Verst stated they may have had a permit. Ms. Minter advised Mr. Alexander that she would be happy to follow up with him if he wanted to speak to her after the meeting. Mr. Alexander agreed.

Mr. Verst recognized the last person to sign in and asked once again that if anyone wanted to speak to please come up and sign in to help with the preparation of the minutes. With that, Mr. Verst recognized Mr. Tyler Owen, 23 Retreat Street, Southgate, KY. Mr. Owen stated he had a few questions for clarification. The first thing we talked about the line of demarcation sort of being three (3) acres. How many parcels actually in the conservation area fall under three (3) acres? I wouldn't imagine they would actually fall under that line looking at the map. Ms. Minter stated she did not know the lot sizes of all parcels in the R/CO Zone. Mr. Owen asked if we are saying that the properties under three (3) acres will still be held to the two (2) unit cap that it was or what? I see the intent to increase the limit with the acreage above that, but what are we looking at for below that line? Ms. Minter stated that was one of the points of discussion that the Commission needs to have tonight. Mr. Owens stated that from the stuff that he has witnessed tonight that my other question, and I know you don't have the numbers of lots less than three (3) acres, but my other question would be how many of those have the single home located on them and would qualify as an accessory use in that definition. I think there are just a lot of unanswered questions that go along with that language and you've acknowledged that. I think I just want to avoid unintended uses especially with acreage size and with the tent camping that you have already brought up.

Mr. Verst advised Ms. Minter that he thinks most people that have river camps are in the A-1 Zone and not the R/CO Zone. He encouraged everyone here tonight to look their property up and make sure they understand what zone they are in. Many people have been leaving intermittently since Mr. Twehues spoke. Mr. Verst encouraged anyone who wanted to stay to do so as the Commission would be discussing this tonight and hopefully recommending some language to be adjusted. Mr. Verst asked Ms. Minter if a lot of the properties are in the A-1 Zone is there a benefit for a person to be in the R/CO Zone? What are the main differences between those zones? Ms. Minter stated that in Article X the individual zones are defined.

The permitted uses are:

SECTION 10.0 RIVER RECREATION / CONSERVATION (R/CO) ZONE: A. Permitted Uses: 1. Agricultural uses. 2. Publicly owned and/or operated parks and/or recreation areas. 3. Private recreational uses other than those publicly owned and/or operated such as golf courses, country clubs, and camping areas.	SECTION 10.1 A-1 AGRICULTURE ZONE: A. Permitted Uses: 1. Agricultural uses. 2. Single-family dwellings (detached). 3. Manufactured homes subject to the requirements of Section 9.28 of this ordinance and KRS 100.203 (4). 4. Stands for sale of products that are raised, produced, and processed on the premises, provided that no roadside stands of any type for the sale or display of agricultural products shall be permitted within fifty (50) feet from any street. 5. Greenhouses and nurseries, including both wholesale and retail sales of products grown on the premises. 6. Stables and riding academies both public and private. 7. Taxidermy and other related wildlife resources and service, with sales portion not to exceed ten (10) percent of the gross floor area of the operations. 8. Animal hospitals and veterinary clinics. 9. Agritourism uses. 10. Butcher/meat processing in connection with other agricultural activities.
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Mr. Verst stated that the main difference is if you wanted to build a camp ground, in the agricultural zone, you have to apply and the BOA would look at it for a conditional use – it is not a fully permitted use in the A-1 Zone. You have to go before the BOA to make sure that you are in conformance with the agricultural uses around you. In the R/CO Zone, it is a permitted use. It is one of the intended uses for that zone so if you are in the R/CO Zone and you wanted to build a river camp then as long as you are meeting all the other regulations you are fully permitted to do so. Ms. Minter replied that was correct, if you are building something that requires a building permit, you need to apply for that building permit and you are good to go. If you are in the A-1 Zone you would need to apply to the BOA and then, if they approve it, you submit for your building permit. In the A-1 Zone, we have permitted uses including agriculture uses, but we also have single family homes detached, manufactured homes, stands for sale of produce, green houses, stables, taxidermy, animal hospital, vet clinics, agritourism and butchering/meat processing. They are two (2) very different zones from that perspective although they do share the commonality of agricultural uses. Agricultural uses are very common in our river areas. Mr. Verst asked if a

single family home detached was a permitted use in A-1 Zone and in the R/CO Zone. Ms. Minter replied that if you want a new single family home detached in the R/CO Zone, you would need to apply for a conditional use permit because single family homes detached are a conditional use for the R/CO Zone. You would need the approval of the BOA. Mr. Verst commented it is geared more towards recreational uses. Ms. Minter agreed it was geared to recreational and agricultural uses. Mr. Verst stated that the A-1 Zone is geared towards agricultural and single family homes. Ms. Minter agreed.

Mr. Verst recognized a new person who had just signed in to speak tonight. Mr. Verst recognized Mr. Greg Evans, 2226 Wilson Avenue, Highland Heights, KY. Mr. Evans stated that he guessed that he was a little bit confused on these zones. There seems to be three (3) sections: conditional, accessory and permitted. As long as you are private and you are using the land for recreational or agricultural uses for example if I'm having a party and I invite friends out and I have four (4) or five (5) friends that set up a tent then there is no issue because I am in that area. Mr. Smith asked what area his property was located. Mr. Evans stated the R/CO Zone. Is that what I'm reading? As long as it is for private use, I don't need anything. I may not be using the correct terminology. Mr. Smith asked staff to confirm that tents are not currently regulated? Ms. Minter stated that was correct. Tents are not currently regulated. Mr. Verst asked Mr. Evans to clarify if you wanted a couple of your buddies over for the weekend in their campers, is that what you are talking about? Mr. Evans replied that was correct. If they bring their campers over for the weekend, is that permitted? Mr. Smith explained that currently you would only be allowed two (2) campers per lot even if it is for private use with the regulations as they are currently written. Ms. Minter replied that the two (2) units are for the entire acreage. Mr. Smith stated that this proposed text was trying to expand to allow for additional recreational vehicles if you have additional acreage. Mr. Evans asked so if I have more than three (3) acres. Mr. Smith replied that is what is up for discussion among the commission. Mr. Evans what is a private use? Mr. Smith stated he believes that language was confusing and staff indicated they were striking that reference to private uses. Mr. Verst commented that if anyone had additional comments when we get to talking about it, just raise your hand and we will get to you as soon as we can.

Mr. Verst appreciated the audience comments. It's fantastic and we really appreciate the comments. Mr. Verst asked if anyone wanted to take a break. The Commission was good to go so discussions continued. Mr. Verst advised the public of the location of the bathrooms in the hall way. With that Mr. Verst opened the floor for discussion among the Commissioners. Ms. Haynes asked if the staff recommendation had been presented. Mr. Verst asked Ms. Minter to review the staff recommendation to the Commission. Ms. Minter stated the staff recommendation as was presented in the staff report. The Commission recommendation is to the Fiscal Court to adopt the changes for the Unincorporated Campbell County. The Fiscal Court would then have two (2) readings to adopt those changes.

Mr. Verst suggested that the Commission can discuss this issue tonight and offer changes. We can rewrite the entire regulation while we are here tonight. Since we had a lot of input from the public some of whom had to leave probably to go fix dinner, I would recommend we discuss some of the issues that we feel are really pertinent and then instruct staff to go back and redraft the language. Let's plan to come back in April to allow the public an opportunity to check out what zone they are in and if they have additional comments to the rewritten draft. This would be a lot cleaner than trying to stay here until we rewrite this regulation tonight.

Mr. Williams asked to be recognized and he was. Mr. Williams commented that the very beginning of the meeting the Chair stated that it really helps to hear public comments and sometimes those comments can teach us to see things in a different perspective. I guess this is what has happened

to me tonight. I don't question the fact that we do not have the authority to institute these regulations, but if there are state regulations already addressing issues then should we? We may have the authority, but should we? If the state already regulates that which we are attempting to regulate now I guess wouldn't that be inviting litigation? If some other agency already addresses this, do we need to? I have never heard and I am not privy to every complaint or comment that comes into staff's office, but does anyone know of any actual problems with these camp sites? Has it been reported that they are too crowded? Invite crime? Have terrible drug uses? Because if not then why do we need the regulations if the state already regulates this. If it is because of a problem or it is potentially reasonable that we will have problems on the horizon and you want to address them before they happen is one thing. I don't know if that is the case here in Campbell County. I do know that I have a real problem with the lot size. If you remember years ago before the AA Highway, I remember having a case in Maysville and driving up along the river I could see a lot of these places/sites. I can tell you right now they weren't one (1) or two (2) per acre or even two (2) acres. They were like the ones we saw tonight. I think they looked nice. I don't think they devalued the property next to them. I was always envious that they could do that. I have no personal knowledge of their effect on the surrounding properties. I would like to hear and know if river camps affect the properties. I will conclude with if the state is already regulating these sites then someone needs to convince me that Campbell County needs to regulate in addition to the state because I am not convinced.

Mr. Verst responded to Mr. Williams comments. Mr. Verst's understanding of the regulation is that there are some things that are duplication of the state and that has been brought to his attention and we are going to take care of those. But the state does not regulate the land use or the special aspects of how many units you can cram on a lot. The state regulates the function of sanitation to make sure you are not polluting the land; that you have proper facilities and are not a hazard in the river. They do not regulate the land use. That is delegated to us by the state. We do need to be careful some of these things overlap. I agree we do not need to regulate the vehicle licensure. It is in there to try to get to a certain point but it may be in the wrong way addressing our main concern. Our concern was to make sure the vehicles were mobile so they don't flood and wash down the river to the next guy's property. There is probably a better way to handle that. Mr. Verst asked Ms. Minter to clarify if there were any complaints. Ms. Minter stated she could not locate any administrative actions against any river camps. She consulted with the police department and they stated that, other than occasional complaints of loud music or that similar type, they have not had any other issues with river camps. They are very well behaved so other than the complaint we have from Mr. Alexander tonight, and I would like to follow up with that site later, we have really not had any actions against these camps. Mr. Verst stated that Mr. Savoie had a good point in that most people are probably good neighbors but we want to make sure that we don't have some bad apples.

Mr. Smith commented that what we are trying to address, and I view it in kind of a way of a complaint, is to limitation on density for lots that are twenty (20) acres or more with the inability to have more than two (2) recreational vehicles on the lot. Ms. Minter stated yes that was a complaint that they had received. Mr. Smith added that this complaint is the reason for the draft of these land use regulations. We always look at density and the appropriateness of the land uses. If they have twenty (20) acres or more, then why limit them as it currently stands to two (2) recreational vehicles? It just doesn't make any sense. If you can have two (2) recreational vehicles on a one (1) acre lot, why limit someone who has twenty (20) acres in the R/CO Zone to just two (2) recreational vehicles. I think this is the point that precipitated trying to relook at these regulations to see to open them up to allow additional vehicles on those larger tracts.

Ms. Haynes stated that the current regulations are antiquated and redundant and overlapping in taking on responsibilities that are frankly not within their potential power such as the licensing. Mr. Verst stated that he feel those are the proposed regulation we are looking at, but the regulations currently say two (2) vehicles per parcel rather your parcel is three (3) acres or one hundred (100) acres. That was the complaint we have been tasked to look at that. Should we change that? I think we are in agreement that we need to change that because it is not fair to the guy who has higher acreage if they can only put two (2) recreational vehicles on it. If we look at that and we relax that regulation, what safe guards do we need to put in place to make sure that someone does not take advantage? So that somebody doesn't put six (6) recreational vehicles on one (1) acre. That is where all of our regulations are pretty broad. It says two (2) per lot. We agree that is overly restrictive, but we need to make sure that by opening that can of worms up of saying ok we are going to allow more than two (2) per parcel then let's make sure we have some safe guards in there so that we don't have the bad apples in there that saying great now I can do whatever lets load up 60 trailers up close to my neighbor because I don't care about my neighbor. That is what we are looking at. How do we regulate the land use to make sure that it is equitable and fair for the neighbors and it keeps with the R/CO Zone community? People who have nice communities don't want the area to be a problem. Most of us agree that it sounds like most of the camps we have, maybe all the camps we have, in Campbell County are great camps. Mr. Verst asked the audience to talk to their neighbors and friends and then let Ms. Minter know "I have ten (10) acres and six (6) vehicles on it". Especially now that you know that, if you have been there a long time, you don't have to worry about someone knocking on your door. It would be helpful for us to know what is out there because as Mr. Williams commented he thought they looked nice. It would be nice to know that most of Campbell County has two (2) units per every acre or two (2) units per every six (6) acres. We can establish that would be appropriate for Campbell County especially if it is functioning now. We don't want to do anything that would be contrary to what is really out there. I would encourage anyone who has those number to let us know when we come back to take up this conversation again. Help to educate us a little bit more about this topic.

Mr. Williams replied that subdivision or even mobile home parks around communities such as Southgate or Ft. Thomas, I can see the problem with density. It looks bad or it may affect property values, but these river camps are different. If I have one right now and whoever owns the property lets too many people in, it's not like I've got a house that can't be moved. If I don't like how the river camp is being run, I just hitch it up to the trailer and pull it away. Mr. Verst replied unless you are the neighbor. If you own the next property over, and your neighbor puts sixty (60) trailers on his five (5) acres. You can't move because you are vested in the property and keeping it looking nice. Mr. Williams agreed up to a point. If I want to get out and get away and relax on the weekends or during the summer, I am not going to if I know that I am going to a camp with sixty (60) recreational vehicles. I'm not going to go there. I don't want to be there and that would drive customers/residents away. I just don't see the need to regulate how many can be on one (1) acre or two (2) acres. I think that would be consumer driven. Mr. Verst stated that's a good point, but I will point out we talked about complaints and Ms. Minter mentioned that we have an affordable housing concern in Campbell County. We have had issues in the past few years where someone will line up a whole bunch of trailers on a piece of land not for recreational use. It is being used as an alternative to affordable housing. If you have a piece of property and line up a row of trailers right up against each other, not for recreation, but because they need a place to live and that is all they can afford at that period of time. That is what can happen if we don't have some regulations in place that prevent people from cramming a whole bunch of units onto one piece of property. Mr. Williams sees a potential problem and referred the Commissioners to the pictures shared by Ms. Seever tonight. They had a line of trailers – is that the right word – trailers? Ms. Haynes added "rvs". Mr. Verst added "campers". Mr. Williams continued that there was

obviously more than two (2) or three (3) per acre, but they didn't look too dense to me or too crowded. They didn't detract from the atmosphere. Mr. Verst stated they did look nice but they had twenty (20) acres of agricultural fields behind them. If they had that row of campers and then another row right behind them and then another row right behind those, it might not look so nice anymore. But they had a large piece of property and their neighbor had an agricultural field between the campers and his home.

Ms. Minter interjected that the river camps are really used for family time enjoyment and relaxation. However, it is not a guarantee that it would be used for family time enjoyment at all times. It is really up to how the individual camps are managing themselves. We have really good managers right now. The people that want to get too rowdy or put too many people in together, the owners will self-manage. I camp frequently and I have seen it in other counties where you have too many people in that dense area and not everybody is there to relax. Some people are there for other forms of entertainment and it can be very disturbing to a neighbor if you are right on top of them. While we have and permit river camps and river recreational vehicle communities, we don't define what people use them for rather it be for relaxation or something else. We need to take that factor in so that we're allowing an appropriate level of recreational activity, but also not damaging the property next door. Ms. Minter added that things that you need to be looking for, at a land use perspective, are density and setbacks. When we get into the agricultural zones, that's why you have that conditional use. We can determine how close to the property lines the camping sites can be in relation to what is going on with the property next door.

Mr. Williams reminded the Commission that, unlike most of the decisions we make here, we have present right now people that have experience with these things. He would like to hear more from the audience. What do they think? How many units do they think needs to be on the land? What has their experience been? Mr. Williams stated he has never lived in one of these communities so other than to think that one-fourth ($\frac{1}{4}$) ac per recreational vehicle, for me as a city boy, sounds like plenty for the campers that I saw in the photographs. Would it be possible to get these folks to give us their opinion? Mr. Verst stated that a lot of people had left, but if those remaining could help us spread the word, tell us what you have and what do you think is good? Like I have twenty (20) acres and ten (10) units, but I could comfortably have up to fifteen (15) units.

Mr. Peters asked about the proposed text requiring at least three (3) acres. What process was used to determine that three (3) acres was acceptable? What is the importance of that number? Ms. Minter explained that, in the A-1 Zone where camps are a conditional use, all conditional uses must have a minimum of three (3) acres to apply for approval of that activity. Our only thought process behind recommending that number was to try to have consistency in the Zoning Regulations. Mr. Verst wanted to make certain all of Mr. Williams previous comments had been addressed. Mr. Verst summarized Mr. Williams comments were about: 1) complaints received on river camps; 2) duplication of regulations; 3) why regulate density; and 4) effects of river camps on property values for neighbors. Mr. Verst stated that would be good to hear from the public if they experienced any decrease in property values. Ms. Minter indicated that any decrease in property value is actually the responsibility of the PVA, but she would be happy to follow up with the PVA to see if they feel there has been reduction in property values.

Mr. Barrow was recognized by Mr. Verst. Mr. Barrow commented that firstly this is for new areas only and not for existing camps. Secondly, the twenty (20) acres being restricted to two (2) units is totally unacceptable to me. Even three (3) needs to be looked at quite heavily because you have families that will have five (5) acres, but they might have eight (8) campers that are going to be in a little circle so they can all visit with one another. There may be more campers in one (1) dense spot, but the density has to be based on the whole area and not where they are or how

many are there. I myself have daughters, sons, grand-daughters, grand-sons and even a great-grand-son and they all like to be together.

Mr. Barrow continued that the thing on the one hundred seventy-nine (179) days needs to be looked at. There have been some summers and some winters where I have been on the river on Thanksgiving Day because it was eighty-seven (87) degrees out. Mr. Barrow also confirm that tents are not part of this regulation. We just should not regulate tents. In regards to the parts of our discussions concerning utilities, I agree with the gentleman who made the statement that Duke watches the river. Yes, Duke does watch the river very heavily now; the Health Department takes care of the sanitation part of it. If you have a problem with odor or whatever and call the Health Department, they sometimes come out to look at the same day. I really don't think we have to worry too much about the utilities because it is taken care of by other people.

Mr. Verst stated it sounds like we were talking about the utility connections mainly to ensure that the recreational vehicles can be disconnected and be moved out of the R/CO Zone in case they were in a flood zone. They are recreational zones so they are intended to be temporary units and they are not intended to be single family homes for year round habitation. The language regarding the utilities is just a way of keeping them from becoming permanent. If you are hardwired into a panel and the flood is coming, you need to get an electrician out there to take the thing apart. Whereas, a temporary structure would just pull the plug and go. The same is true with sewer. If hard pipe into the septic tank, it is a little hard to get your camper out of there. I think that is the intention of the utility clause. Mr. Verst asked Ms. Minter to confirm that the utilities have to be "disconnect able" so you can move it if the flood is coming or if you need to move it for storage. Ms. Minter stated Mr. Verst was correct. Ms. Haynes stated it would be helpful if we follow through and ask the staff to study this and come up with a recommendation and give us what are the givens. If FEMA regulations are affected here, you said the one hundred seventy-nine (179) days was a FEMA requirement, then identify which issues are negotiable and which are nonnegotiable. Give us the facts. I believe you have attempted do so here with the parcels that you are aware of, but as much data as we can get would be more beneficial. A lot of good opinions, perspectives and experiences by people, but some of this is nonnegotiable if the requirement is from FEMA or the Health Department or even Duke Energy. Mr. Verst appreciated Ms. Haynes' comments. Ms. Minter stated that the one hundred seventy-nine (179) days mentioned is a FEMA requirement. Having said that, Ms. Minter thinks if staff just makes the reference, such as "must be compliant with the Flood Plain Ordinance" or something of that type, we can delete the referenced number of days. If it is already in the Flood Plain Ordinance, it would be redundant and confusing to repeat this in the Zoning Regulations. I really do think that needs to be struck. Ms. Haynes agreed that may be best, but let's also educate on what are the boundaries. We have a very archaic and dated regulation here that we have inherited. It has remained the same over the decades, but let's set the record straight for everybody and give them all of the facts.

Mr. Verst asked Ms. Minter to pull the proposed text changes up and let's start cutting the items we feel may be repetitive or redundant. Mr. Smith had a general comment for clarification and it goes to the point that one of the commissioners raised, and an audience member raised, and that is what are we trying to regulate? I think it would be wise to integrate a definition of what a "recreational vehicle community" is into the language of it. We are talking about parcels of land available to the public. I think there is a distinction to draw between an instance where you have family (rather they be brothers, sisters or parents) or even close friends coming over to enjoy recreational enjoyment of your property which it is my opinion would not be applicable to these regulations versus an instance where you are open and available to the public where we would want to regulate the property density. I view private recreational use as exempt from these proposed regulations. Is that staffs view as well? Ms. Minter agreed whole-heartedly. Staff has

no intention of trying to regulate recreational vehicles or camping on someone's private property. Ms. Minter added, for the record, the definitions used by staff are coming from KRS 219.320 where recreational vehicle community means a parcel of land available to the public in which two (2) or more recreational vehicle spaces are occupied or intended for occupancy by recreational vehicles for transient dwelling purposes includes any service building, structure or enclosure or other facility used as part of the community. If you are going to repeat a definition, I would definitely use that definition. It is what is in KRS and I want to keep as much consistency with them as possible.

Mr. Verst asked if we should start out by referring back to KRS. He hates to quote KRS because if they change and we are not aware it could be different than our interpretation. Mr. Smith recommended that we repeat their current definition in our definitions to prevent any confusion on the intent in the Zoning Regulation. Mr. Verst asked if he include whole definition instead of referring back to KRS to see what that definition is. Mr. Smith stated whichever way the Commission would like to capture their intention. Mr. Verst asked staff to reiterate the states definition in our regulations so that if they change, we are not out of compliance and we still have captured what our intention is. Ms. Minter stated she really thinks it would be helpful to go back and do another draft. I need feedback from this Commission on what topics to strike or what topics you want to keep. I'm hearing define recreational vehicles and recreational vehicle communities and that there is an issue of lot sizes. What other issues do you want addressed.

Mr. Verst asked Ms. Minter to pull up the text and let's begin to go through the text and delete what we don't want and make a list of items that need to be rewritten. Mr. Peters added that we did conclude that we wanted to delete the text from Article IX and put it all under the R/CO Zone in Article X. Is that correct? Mr. Verst replied yes that was the first and foremost change that needs to happen to prevent any confusion about which zone it is really relevant to. Mr. Smith agreed it would remove any ambiguity as to what the text was really pertaining to. Mr. Verst started that first we have the "purpose". Ms. Minter explained that if we move the text to Article X then we won't need a "purpose" statement. Mr. Verst agreed staff could strike that whole paragraph.

Ms. Minter confirmed staff insert definitions recreational vehicle community. Mr. Verst agreed. Ms. Minter proposed that if we have it in Article X then "camping" would be redundant since we are looking at just recreational vehicle communities. Mr. Verst agreed and asked that proposed paragraph b be deleted. Mr. Verst asked the Commissioners if everyone agreed with that change and they indicated they agreed. Ms. Minter stated if we leave in "no such unit shall be used for year round habitation", which is in the text right now, then I don't think at that point we need to define it is a twenty-four (24) hour period and we can get rid of both of those paragraphs. Mr. Verst agreed.

Mr. Smith stated that somewhere there is a definition for "camping unit". I think what we are really trying to emphasize is those recreational vehicles. Do they always have to be on tires? I mean I know they are campers and we don't want to get into regulating tents or tarps, but if there are campers that are transported by vehicle. Ms. Haynes stated they would have to be on wheels for an evacuation plan. Correct? Ms. Minter stated if they take off the wheels or place it on a foundation then they could potentially be crossing over from a "camper" to the realm of "manufactured homes". Mr. Smith stated it has camping units in there and I don't think we want to cross over to tents or tarps, but what about those units where they haul them behind a vehicle. Would that be considered recreational vehicle as well? Ms. Minter stated that she wanted to go back to the KRS definitions for a moment. KRS has, under item 11., recreational vehicles meaning a "travel trailer", a "pickup coach", a "motorhome", a "camping trailer", a "dependent

recreational vehicle”, and a “self-contained recreational vehicle”. I think there are some very good definitions. Mr. Smith asked if her intent is to include all those items in her definitions. Ms. Minter stated she could include all those items by reference to KRS or to include them verbatim into our text if the commission likes. Mr. Smith recommended that they each be included in our text. Mr. Williams asked what a “dependent recreational vehicle” meant. Ms. Minter replied it was a recreational vehicle that does not have a toilet, lavatory, or bathing facilities.

Mr. Verst asked about the “seasonal camping” and references to “179 days”. Ms. Minter replied that, as we have already discussed that the 179 days is part of the flood ordinance and is in reference to the mobility of the unit, I think it would be confusing to reference the number of days and that we should just delete this statement. Mr. Verst asked why we don’t put in a reference in here for properties in the flood zones to refer to the flood ordinance for requirements for mobility of vehicles. Ms. Haynes agreed.

Ms. Minter added that from the Commissions’ discussions we don’t want any references to tent camping. Mr. Verst agreed and asked Mr. Smith if the commission should add clarification that the intent of the Commission is it to make sure that this does not refer to “family” camping but to facilities open to the public. Mr. Smith replied it would be a very good idea. Mr. Verst continued that way if five (5) years down the road, there are Commission changes, and they were not be able to read what our intent was then we have lost something vital.

Ms. Minter cautioned the Commission on using the term “family”. Mr. Verst agreed and stated that if we can reference the difference between “public use” and “private use”. Ms. Minter stated that she KRS where defines a “person” as “an individual, or a firm, partnership, company, corporation, trustee, association, or any public or private entity owning or operating a community”. Mr. Verst commented that was a very broad definition. Mr. Smith we are just trying to highlight is to draw attention to the fact that we are not trying to regulate anything other than a public facility. Ms. Minter agreed and added that this is not so much as a “family” as a “community”. Mr. Verst asked her to propose a better way to express the Commissions’ intent. Mr. Peters asked if this would be someone into camping for profit versus someone that just wants to hang out with a few friends. Mr. Smith stated he would work with staff to provide clear direction.

Mr. Verst asked if Mr. Barrow has eighteen (18) kids and grandkids on a six (6) acre parcel is everyone ok with that many different campers on that site. Ms. Minter cautioned that there is a property in Campbell County that has over forty (40) owners. A relative died and left the parcel to all family members. This may be an issue to a site in this type of situation. Mr. Verst asked if we wanted to wait and see if there is an issue that arises and deal with it at that time or attempt to address any such issue now. Ms. Haynes stated that she feels a density measure needs to be included. How else would we be able to define what would or would not be a detriment to public safety and welfare and to the neighboring property owners? If you have forty (40) people on two (2) acres but they are all related, how will this affect the neighbor? Rather it be two (2) units for every acre. Mr. Smith asked if she felt it was for private use as well. Ms. Haynes stated absolutely. The neighbor doesn’t care if they are family or not. All he is concerned with is the density of campers on that lot. All of our other regulations have some form of measures, why would this not apply? They might be more lenient but it has to be measurable.

Mr. Savoie asked to be recognized and Mr. Verst did so. Mr. Savoie stated that he feels the Commission is heading in the right direction with the changes to the proposed texts. You stated you are complaint driven and this would apply to new camps going in, but I think you need to take into consideration that the people that are down there want the same thing. They want to be happy and enjoy their time on the river. They don’t want overcrowding, or crime or annoyances.

I have visited a lot of camps throughout my years and I have never seen a camp that I considered a “bad” camp or stated “I’m leaving this camp ground”. Now cross-country camping, I have had camps I’ve pulled into and then turned around and pulled right out of, but not in camps along the Ohio or Licking Rivers on both sides. There’s probably one out there, but I haven’t found it.

Mr. Verst recognized Mr. Chris Robinson, 408 Harrisburg Hill road, Alexandria, KY. Mr. Robinson stated that he spoke with Ms. Minter for some time on Friday. He doesn’t have a camper, doesn’t live on the river, don’t rent a river camp. What I would do is to recommend that you be very careful with the over reach on the usage of the land. I understand that your responsibility is the permanent structures and the safety and security of the people is key. However, when you start talking about how you are going to tell people privately how they can use their property for recreational purposes, you are getting into a gray area that I think is very difficult. The inverse of having a whole bunch of river camps that may cause a problem for a private neighbor in the Agriculture Zone, as an example, is that I can establish a hog farm or a slaughter operation that would impact their ability to use the recreational land as they want to as well but we allow that. It is a demand issue. These are governed by the Health Department, State of Kentucky and FEMA. The only issue that appears before you is density, and I don’t disagree, but I think when you are talking about a property owned by forty (40) owners you are going to have a very difficult time trying to create a fair and equitable use for the private property owners who are not opening it up to the public.

Mr. Verst asked staff to review how other communities are regulating density for similar issues if they are regulating recreational uses and find some examples of how they are handling that. Ms. Minter stated that, in her conversations with people, they never knew that we were limiting people to two (2) units per parcel. They want to be legal conforming and not legal non-conforming. I think it is really important that we hear from the public on how many acres they have and how many campsites they allow. A lot of these property are far off the road and I don’t have the right to go onto private property. Using aerial photography, it is very difficult to try to see if a structure is a camper or is it a shed when all I have to go on is the roof top. I really do need that information from the river camps. Ms. Haynes stated that the one good indication heard here tonight is from Ms. Seever who stated she had one hundred (100) acres but only sixty (60) river camps and that is not high density. Mr. Smith added that, to address the different comments that he has heard here tonight, there are two (2) different animals when you regulate public use of recreational vehicle for these types of communities. They need their own attention for those types of communities and, if there is a concern that it may get out of hand with private use on private land, we don’t want to inadvertently create a mass situation that could potentially happen now that we have opened the door to more than two (2) units per lot which is what we have indicated we are going to do. This needs to either be a subset of these regulations or they need to be dealt with by themselves because they are two (2) very different animals. Mr. Williams asked where we would go to find out if these camps are a detriment to property values. Mr. Smith recommended that realtors would likely give you an opinion. Ms. Minter stated that her only source to address that question would be the PVA and she is more than willing to go them and ask that question with regards to density and property values.

Mr. Savoie asked to be recognized and Mr. Verst did so. He advised the Commission to keep in mind that they come down in families. I come down my son and my daughter. They come with all their kids – that three (3) campers. If you say one (1) unit per acre, then that means I have to walk one (1) acre in one (1) direction to visit my daughter and then another acre in the opposite direction to visit my son. The whole point is that we want to be together as a family. I know that you are worried about density, but one (1) unit per acre doesn’t make any sense. Ms. Haynes was not inferring that it was a strict one (1) unit per acre of land area. Mr. Verst clarified that the

Commission is saying if it was one (1) unit per acre and you have ten (10) acres then you could have ten (10) units side by side if you wanted because then you would have the nine (9) remaining acres surrounding the camp sites to provide that buffer between the camps and any neighbors. Mr. Savoie you may have ten (10) acres and have three (3) campers in one (1) site then an acre away you have two (2) or three (3) campers and then another acre away you have another three (3) campers. People will group together however they want to group together. Mr. Verst agreed. Mr. Savoie stated that if you throw density out there you are going to have issues with people [families] that want to group together that's all I am saying.

Ms. Haynes stated that we need to arrive at some standard that clearly demonstrates that it is a fair and equitable standard to all property owners. Ms. Minter added another point for consideration which was not previously introduced to this conversation tonight is that you have to realize that if someone owns twenty (20) acres and they are limited to just two (2) units then what could happen is that they divide the parcel into one (1) acre lots and then you have forty (40) camp sites suddenly there. This could be overwhelming to the neighborhood. This is really not what we want in the R/CO Zone. We want to preserve and conserve as much of the green space as we can. When we say density, we are talking about the overall acreage and how many overall camp sites are out there. Not how many campsites are really located within a one (1) acre area. A gentleman from the audience spoke up that maybe instead of parcel or lot we say "overall acreage". Ms. Minter agreed.

Mr. Verst recognized Mr. Patrick Corman, 3512 Misty Creek Drive, Erlanger, KY. Mr. Corman was the person who made the suggestion of "overall acreage". Mr. Corman stated if you state one (1) acre and they can have two (2) units. If someone has one hundred (100) acres, they can have two hundred (200) camp sites. Let's be honest in that some of that acreage is probably unusable because of terrain or heavy forestation or because it is in the river. They still have enough to provide a buffer so it shouldn't limit their ability to have a higher number of river camp sites. Mr. Verst agreed and thanked Mr. Corman. Mr. Verst again commented that it would be greatly beneficial to have the neighbors report back to the Commission with the total number of acres they owned and how many camp sites they currently allow on their properties.

Ms. Minter stated that, in regards to two (2) camping units per some unknown acreage, staff is going to do their homework. Mr. Verst replied it must be some realistic density. Ms. Minter wanted to address the concerns about utilities. Using a single family dwelling as an example, if you come in and want to construct a single family dwelling, staff asks the question of how are you providing sanitation. Do you have a private septic system, if so then we want to see your permit from the Health Department for construction of a septic system? If you are providing sanitary sewer connections, then we want to see you become part of Sanitation District #1. We ask that sanitation question. When we are talking with river camps, it is fair for us to ask how are you providing sanitation, we don't care how you get because that is between you and the Health Department, but it is correct for us to ask that question. An existing community, for an existing house, we don't go back and say show us your papers. But if you are building a new house or if you are demolishing an existing structure, we say then go back to the Health Department and show us that the existing septic system has the capacity to treat the new structure being constructed. I think it is fair to say we need to see your sanitation, but we don't need to go any further than that.

Ms. Haynes asked about flood plain compliance, don't we want to say that they must remain in compliance with any FEMA regulations and sanitation regulations and leave it at that. Mr. Verst agreed that may be best that way we don't try to dictate anything contrary than what the Health Department or FEMA is recommending. The Commission agreed.

Mr. Verst was having trouble reading the slide. Ms. Minter stated that the next item was the setting of a "season". I think we have heard very distinctly from the camp owners that they don't want us to set a date deadline for what a season could be. They want to self-regulate their own opening and closing of the camp grounds. Just like the references to flood regulations, we want to make sure they are aware and following the flood regulations. I think in all honesty we can probably strike this section. Mr. Verst asked if the Commission wanted to strike the section or just state that the owners can self-regulate their season as long as it is maintained in a neat and orderly manner. Maybe just reference that any equipment stored in a flood zone must be compliant with all flood regulations.

Mr. Verst stated that the last item was getting to that permanent versus temporary connections. Are we trying to say if you are in a flood zone you have to have the ability to move that structure? Ms. Minter agreed that the statement made a couple of moments ago about storage of structures in the flood zone need to meet the flood regulations may have addressed this issue. Ms. Haynes asked if the utilities were different than the storage of equipment in the flood zone. Ms. Minter replied that you are allowed to have utilities in the flood zone, but there are certain measures you have to take to protect the utility connections. There's nothing wrong with having utilities in the flood zone at all. Ms. Minter stated that staff could work this concern in with the storage of equipment statement and we could probably strike this section as well.

Mr. Verst commented that we have pared down this text as well as we can at this time. Ms. Minter agreed that staff had some homework to do. She requested that staff be given the time to perform their review of the discussions tonight and perform their due diligence. Ms. Minter asked that staff be afforded an opportunity to get feedback from the existing camps, prepare a new draft of the language, have the time needed to get the draft out to the public and give them time to digest the new proposed language. If the Commission really wants to discuss this again in April, we can do this, but staff would prefer to be able to present their revised text to the public and then hold a regular meeting in May to reconsider this text. Mr. Verst and the Commission agreed. Mr. Verst advised the audience that their assistance would be needed to get the word out.

Mr. Verst asked for a motion to direct our staff to review the comments and questions raised tonight and that new parameters we have given them be considered. That staff bring something back before the Commission at the regularly scheduled May meeting. Mr. Barrow made the motion as stated by Mr. Verst. Ms. Haynes seconded the motion. Mr. Verst asked if there were any questions or comments regarding the motion. There being none, Mr. Verst called for an oral vote. An oral vote found all in favor, none opposed and none abstained. Motion passed.

Mr. Verst thanked the public for their participation and asked they advise their family, friends and neighbors to follow this case and provide some much needed feedback to staff regarding this issue. Mr. Verst advised the audience that this topic would not be discussed any further tonight. The Commission has other actions to take and the audience is more than welcome to stay for the entire proceeding or they may leave whichever they prefer.

Mr. Verst called for a five (5) minute recess beginning at 8:34 PM.

Mr. Verst called the Commission to reconvene at 8:41 PM.

Mr. Verst introduced the next item for consideration by the Commission as case #189-18-CELL-01, a new cellular antenna tower to be located at 1175 Race Track Road, in Unincorporated Campbell County, Kentucky. Mr. Verst asked staff to present the staff report.

Ms. Minter advised the Commission that, before she present her staff report, the applicant will be addressing the Commission. Ms. Minter and Legal Counsel will answer any questions the Commission may have after the applicant has spoken. Ms. Minter yielded the podium to Mr. Matt Elberfeld.

Mr. Matt Elberfeld introduced himself as the Campbell County Administrator, 1098 Monmouth Street, Newport, KY. The Campbell County Consolidated Dispatch Board (CCCDB) is the applicant, as well as the Campbell County Fiscal Court for this radio project. Campbell County owns the land and we have entered into a lease agreement with CCCDB. It is going to be located at the maintenance building for the Road Department. Just to give you some background, as a government entity, we are here just seeking the Commission's agreement that this project is in accordance with the adopted Comprehensive Plan. One of the goals for the Comprehensive Plan is for public utility services. This project would increase radio coverage for our first responders in the southern portion of Campbell County and would thereby qualify as a public facility.

Mr. Smith added that this is one of those unique areas in zoning when you have, what I consider, a public facility. A public facility is anything, and it can be on public or private land, in which the purpose of the structure or use is for a governmental purposes. The statute list and defines what a public facility is. It mentions library, schools, police and fire. Basically, anything for the general welfare of the public is exempt from zoning. It doesn't have to follow the general requirements of zoning other than there is case law interpreting it that the applicant should submit something to the local planning and zoning commission for their review so that the planning and zoning commission can in turn take a look at the project and review it to make a determination that it is consistent with the adopted comprehensive plan. That is our role here tonight. Since the public facility project such as this is exempt from zoning, this is just an advisory opinion. It is not binding on the applicant. The applicant would be free to ignore a recommendation one way or the other. It is just a procedural step they have to do when public bodies partner on public projects and public utilities as well.

Ms. Minter presented information on this project so that the Commission can feel comfortable making a determination that this project is consistent with our adopted Comprehensive Plan. With that, Ms. Minter presented the staff report as follows:

CASE: 189-18-CELL-01

APPLICANT: Campbell County Consolidated Dispatch Board

REQUEST: New antenna tower at 1175 Race Track Road

Overview:

Ms. Minter indicated on the site map where the proposed location of the cell tower would be located in relation to the Road Department's maintenance building off of Race Track Road in southern Campbell County. It is right next to the salt barn.

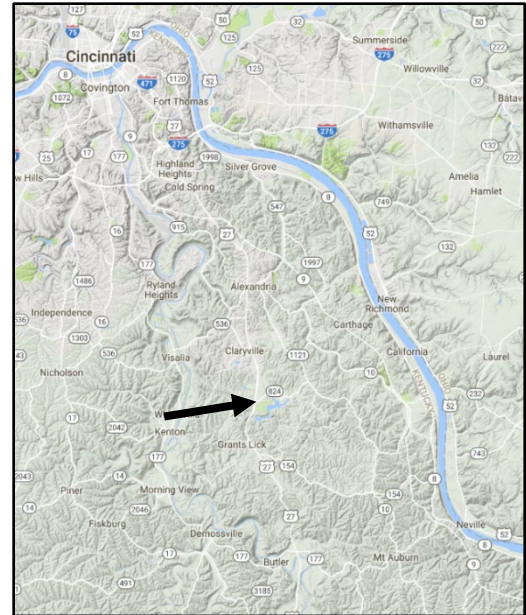
Zooming out on the mapping, you will see the site location within the County.



Because a portion of this project is considered to be located in the tip of A. J. Jolly Park, a public notice from the public parks perspective was issued as well as an environmental document. To the best of my knowledge, no comments were received in response to these items.

The applicant has submitted a Site Plan, Structure Design and Shelter Design prepared by a registered Kentucky Professional Engineer. A geotechnical report for the Tower was also submitted. The area surrounding Transportation Department Maintenance complex is heavily wooded area which provides a ground level visual barrier for the site. No additional landscaping or privacy screening is proposed.

Again, this project is not really regulated by this body, but we have a really good applicant that has provided us with a lot of good details and we feel comfortable issuing a building permit related to this. They have identified where the utilities are as well as what their soil erosion control is. All the different measures we need as part of reviewing a document, have been supplied to us including where they are going to get utilities and things of that nature.



Ms. Minter concluded that staff feels comfort that this project is consistent with the public utility needs of our community. We do have present tonight someone from the CCCDB who can tell you a little more. Mr. Verst stated he would like to know how many towers in total are going to be installed and where you are in the staging of this project.

Mr. Paul See introduced himself as the Project Coordinator for the CCCDB, 998 Monmouth Street, Newport, KY. This is part of a tri-county project between Boone, Kenton and Campbell Counties. All three (3) passed Interlocal Agreements approximately one (1) to one and a half (1 ½) years ago. They all decided they needed to upgrade their radio communications for public safety. They all went together so that rather than three (3) counties buying three (3) individual systems, we have three (3) counties partnering to purchase one (1) system and thereby saving a considerable amount of money. This is just one (1) step in that twenty-six (26) site system that's going to serve all of Northern Kentucky. For this site specifically, we looked around at different tower sites. We try to co-locate onto exist towers if able. In this area, there is a tower, but without the needed space to put the equipment we need to put on it to make it feasible. We also look at the integrity of the towers to make sure it would withstand the additional equipment. The existing tower would not work which is why we need to construct a new one. Mr. See continued that this is just the one (1) that will serve that part of Campbell County. In Campbell County, there will be a total of eight (8) tower sites with a few actually being located in Ohio because it is easier to go to the Ohio side and push the signal back towards Campbell County rather than attempting to place a tower in the river camp areas.

Mr. Verst asked if this tower was solely for the private use of the CCCDB or if it would be open to have other carriers co-locate onto this tower. Mr. See stated that it should be capable of additional equipment but the existing towers are already covering those different carriers already. While it is possible, it is unlikely, that another carrier would want to co-locate onto our tower. Our primary focus is for public safety.

Mr. Verst asked the Commission if they had any questions for Mr. See. Mr. Barrow stated he had no questions, but did want to comment on this project. Having worked in the communication field for quite some time, I just wanted to comment how desperately we have needed to have this upgrade in our communication services. It is at least fifteen (15) years overdue.

Mr. Verst commented that, looking at the application, it appears there are standards for setbacks and property lines and height of homes. It may be a little closer to the Parkside Subdivision than normal but, if the tower were to fall over, it won't hit any homes. Mr. See commented that the tower is being constructed to withstand 120 mile winds. That means there is enough concrete in the ground and the tower is strong enough even with the weight of the equipment on it that it won't fall over in 120 mile winds. We are building this tower to not fall down.

Ms. Minter concluded that the final action needed by this body is to determine if they agree that this project is in compliance with the adopted Comprehensive Plan. She reminded them that this is an advisory item to the public entity and does not bind the applicant to any recommendation made.

Mr. Verst called for a motion. Mr. Barrow made a motion to confirm that the proposed project does meet the parameters outlined in our adopted Comprehensive Plan. The bases for his motion is the information presented and discussed tonight. Mr. Verst asked if there were any questions or comments on the motion. There being none, Mr. Verst called for a second. Mr. Peters seconded the motion. Mr. Verst asked if there were any questions or comments. There being none, Mr. Verst called for a roll call vote. A roll call vote found Ms. Haynes, Mr. Peters, Mr. Stubbs, Mr. Williams, Mr. Barrow and Mr. Vest in favor of the motion. No one abstained. Motion passed.

Mr. Verst stated the next item of action was to approve training by the Commission, Board of Adjustment and staff. Ms. Minter presented the following training for approval by the Commission:

- P&Z
 - Dennis Bass (0.5 Hr.) APA Magazine: RLUIPA Compliance Tips (0.5 Hr.)
 - Sharon Haynes (3.0 Hrs.) Introduction to P&Z (3.0 Hrs.)
 - Charles J Peters (1.0 Hr.) Introduction to P&Z (1.0 Hr.)
- BOA
 - Roger Mason (1.5 Hrs.) APA Magazines: Running Efficient Meetings and Legitimate Land Use Planning; Independent Review: Comprehensive Plan, Zoning Board of Adjustment Roles and Responsibilities and Roberts Rules of Order (1.5 Hrs.)
- Staff
 - Cindy Minter (4.0 Hrs.) CRS Green Guide (1.5 Hrs.); Building CRS Capacity (1.5 Hrs.); Green Infrastructure (1.0 Hr.)

Mr. Verst called for a motion to approve training. Mr. Williams made a motion to approve the training identified above. Mr. Peters seconded the motion. Mr. Verst called for a roll call vote. A roll call vote found Ms. Haynes, Mr. Peters, Mr. Stubbs, Mr. Williams, Mr. Barrow and Mr. Verst in favor of the motion. No one abstained. Motion passed.

Director's Report

Next meeting we will address the election of officers.

Mr. Verst asked the Commission if there were any other comments or points for discussion. There being none, Mr. Verst asked for a motion to adjourn. Mr. Peters made to adjourn the meeting. Mr. Barrows seconded the motion. An oral vote found all in favor, none opposed and none abstained. Motion passed. Meeting adjourned at 8:55 PM.

Respectfully Submitted,

Approved:

Cindy Minter
Director

Justin Verst
Chair