

July 2, 2022

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The Form-Based Districts are new, so no changes to existing provisions are noted.

SECTION 5.0

Purpose of and Regulating Maps for the Form-Based Zoning Districts

5.0.01	Introduction to & Applicability of Form-Based Zoning Districts.	5.0.04	Development Plan Review.
5.0.02	Regulating Maps for the Form-Based Zoning Districts.	5.0.05	Modifications.
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5.0.01 INTRODUCTION TO AND APPLICABILITY OF FORM-BASED ZONING DISTRICTS.

- A. Introduction to Form-Based Codes. The *Community Plan*, which was adopted by the City of Fort Thomas in 2018, discusses the use of Form-Based Zoning Districts for the Town Center (Downtown), Midway, and Inverness business districts. Form-based Zoning Districts are an alternative to traditional zoning codes, such as the Conventional Zoning Districts in Article III, that use land use or the use of land and buildings as the organizing principle. With traditional or conventional zoning codes, there is usually a strict separation of land uses and less emphasis on the form and siting of buildings. Whereas, form-based codes use the form and placement of a building on a lot as the organizing principle with land use being a secondary concern. In short, Form-Based Codes regulate both the form of development and the use of buildings and land.
- B. Applicability. The standards and provisions of Article V shall apply to all property within the Town Center, Midway, and Inverness Form-Based Districts and shall be considered in combination with all applicable requirements of this Ordinance. Where there is a conflict, the provisions in this Article shall apply.

In the Midway and Town Center Form-Based Districts, all new construction, building improvements and alterations shall be completed in conformance with the CBD Design Standards, and Development Plans shall be considered by the Design Review Board as outlined in this Ordinance.

Please note that the Inverness Form-Based District, is not included in the above paragraph because the existing Design Guidelines are not applicable.

The Form-Based Districts are new, so no changes to existing provisions are noted.

- C. How to Develop Under the Form-Based Zoning Districts. Below are the typical steps for development in the Form-Based Zoning Districts.

1. Locate parcel on Zoning Map to determine which Form-Based Zoning District the property is designated.

2. Review appropriate Regulating Map. Refer to Sub-section 5.0.02

3. Review the Vision and Intent of the applicable District. Refer to sub-section 5.0.03

4. Review Uses to determine permitted uses and find any applicable conditions. Refer to Section 5.1

5. Review Building Type Requirements. Refer to Sections 5.2 - 5.12

6. Review Article VII of this Ordinance to review any other applicable regulations.

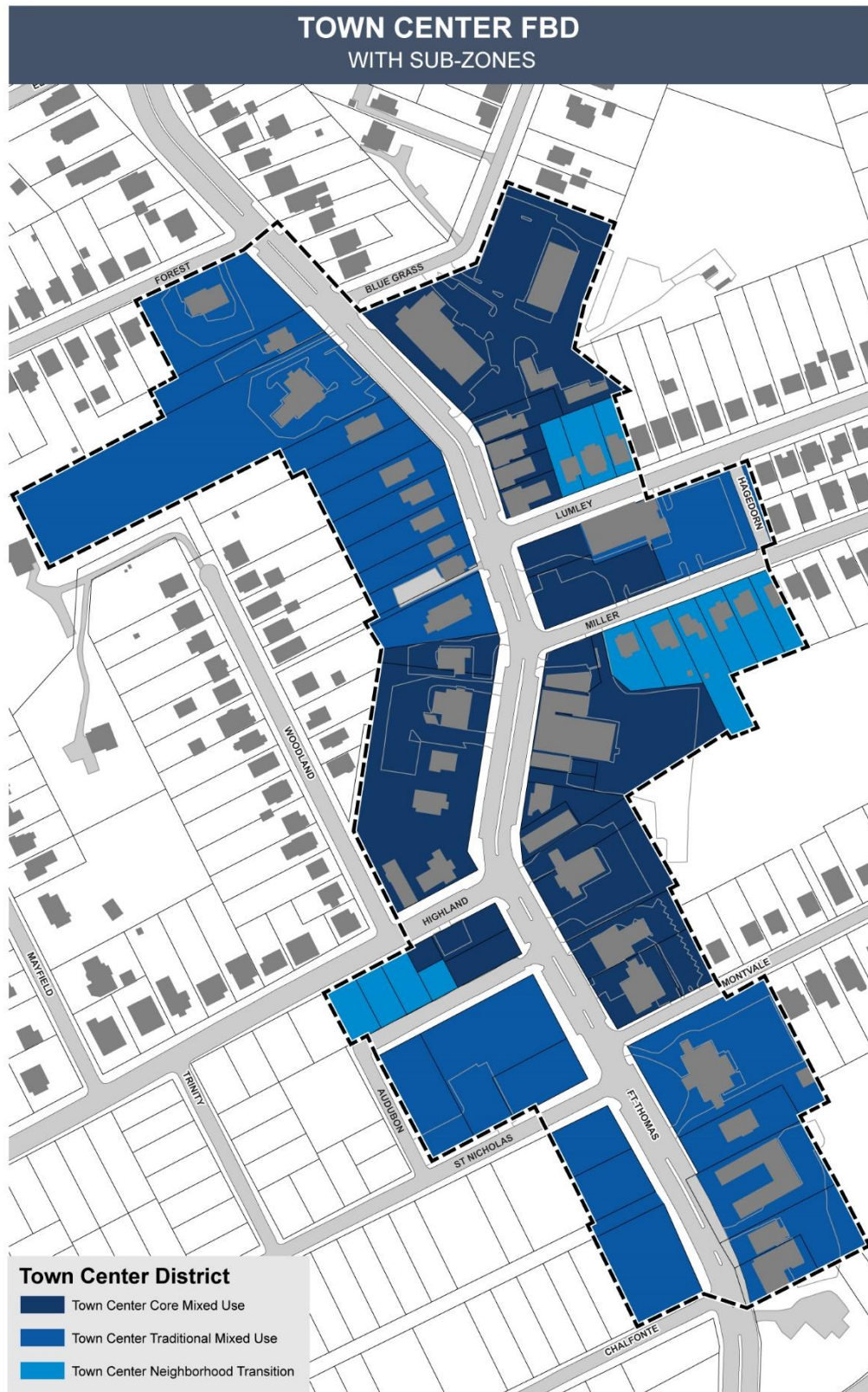
7. Review Article I, General Provisions & Administration, to determine the applicable development review process.

5.0.02 REGULATING MAPS FOR THE FORM-BASED ZONING DISTRICTS.

- A. Regulating Map for the Town Center Form-Based Zoning District. The Town Center Regulating Map, Figure 5.0.02 A., depicts the desired development configuration within the Town Center Form-Based Zoning District in order to achieve the vision for this District. This Regulating Map designates the locations of three sub-zoning districts based on the desired building forms or types and the existing and desired land uses. These sub-zoning districts specify the uses and building types permitted within each sub-zoning district.

The Form-Based Districts are new, so no changes to existing provisions are noted.

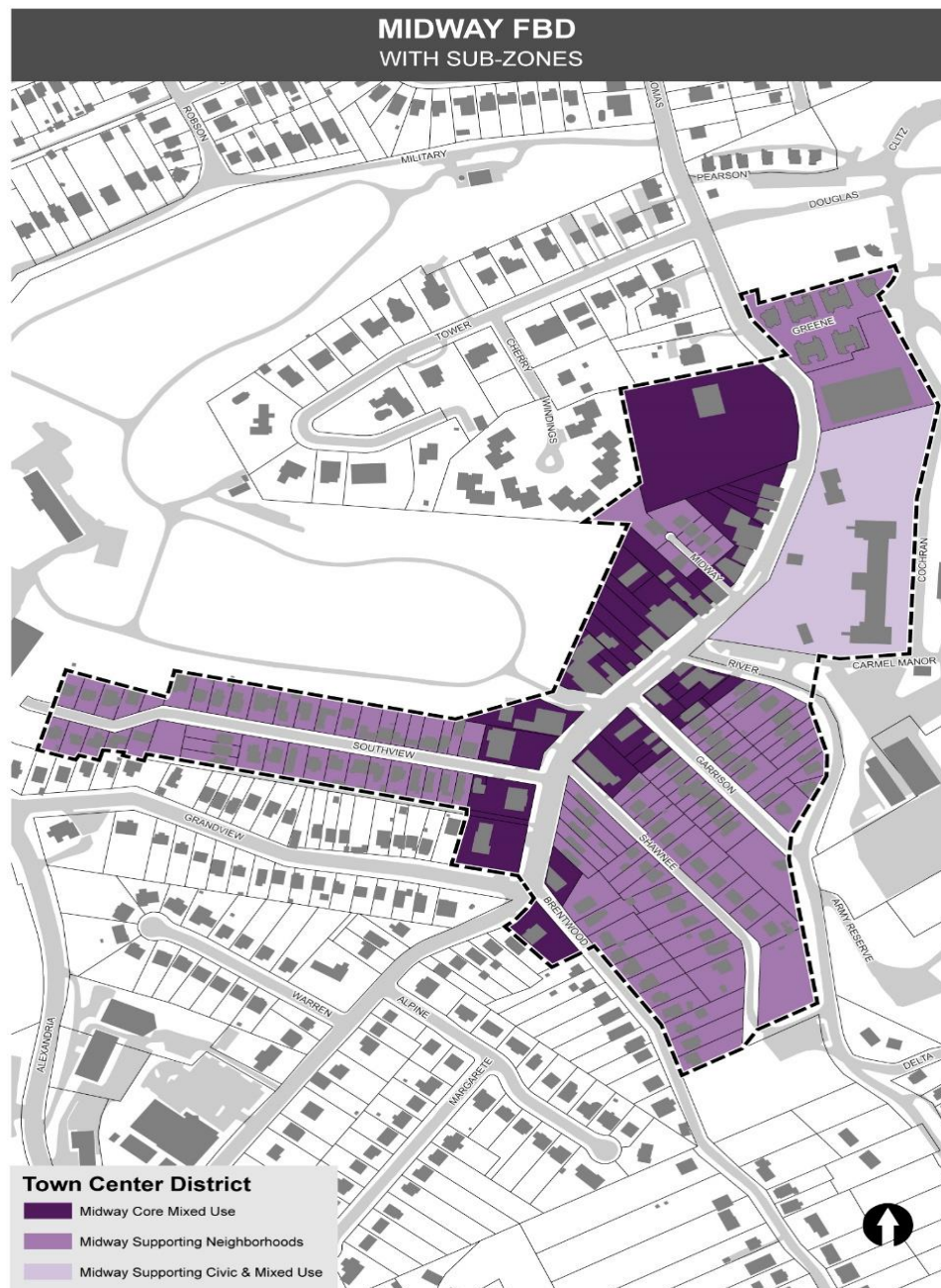
Figure 5.0.02 A. - Regulating Map for the Town Center Form Based Zoning District



The Form-Based Districts are new, so no changes to existing provisions are noted.

- B. Regulating Map for the Midway Business District Form-Based Zoning District. The Midway Business District Regulating Map, Figure 5.0.02 B., depicts the desired development configuration within the Midway Business District Form-Based Zoning District in order to achieve the vision for this District. This Regulating Map designates the locations of three sub-zoning districts based on the desired building forms or types and the existing and desired land uses. These sub-zoning districts specify the uses and building types permitted within each sub-zoning district.

Figure 5.0.02 B. - Regulating Map for the Midway Business District Form-Based Zoning District



The Form-Based Districts are new, so no changes to existing provisions are noted.

- C. Regulating Map for the Inverness Form-Based Zoning District. The Inverness Regulating Map, Figure 5.0.02 C., depicts the desired development configuration within the Inverness Form-Based Zoning District in order to achieve the vision for this District. This Regulating Map designates the locations of two sub-zoning districts based on the desired building forms or types and the existing and desired land uses. These sub-zoning districts specify the uses and building types permitted within each sub-zoning district.

Figure 5.0.02 C. - Regulating Map for the Inverness Form-Based Zoning District



The Form-Based Districts are new, so no changes to existing provisions are noted.

5.0.03 VISION AND INTENT OF FORM-BASED ZONING DISTRICTS.

- A. The areas and boundaries of the districts in Schedule 5.0.03 are established in Section 1.2, Establishment of Districts and Map, and are as shown in sub-section 5.0.02.
- B. Schedule 5.0.03 Form-Based Zoning Districts. Schedule 5.0.03 provides the vision for each Form-Based Zoning District and the intent for each sub-zoning district.

Schedule 5.0.03 Overview of Form-Based Zoning Districts and the Associated Sub-Zones

DISTRICT & VISION

SUB-ZONING DISTRICT NAME & INTENT

TOWN CENTER (TC)

To be a compact, thriving and family friendly city center with a critical mass of restaurants, convenient goods, services (e.g. small grocery and pharmacy) and other uses that meet the everyday needs of nearby residents, area employees and visitors, as well as a welcoming gathering place for families to go after games and other school events; with housing integrated in the district above first floor commercial and as compatible free-standing buildings that contribute to a compact, walkable and bikeable district.

Classification of Primary Streets (refer to the Regulating Map) in this district defines building orientation and prioritizes a high-quality pedestrian realm.

Core Mixed-Use (TC-CMX)

The intent of this sub-zone is to highlight, enhance, and activate the historic core of Fort Thomas by requiring first floor retail or office use in order to facilitate vertical mixed use in two and three story buildings located adjacent to the sidewalk.



Traditional Mixed Use (TC-TMX)

The intent of this sub-zone is to be compatible with the Core Mixed Use by providing flexibility that accommodates a diverse range of residential and non-residential uses and building types while reinforcing the existing walkable nature of the area and encouraging investment in existing and proposed two and three story buildings.



Neighborhood Transition (TC-NT)

The intent of this sub-zone is to support appropriate dense residential transitions between existing residential neighborhoods and the more active commercial areas in the Town Center.



The Form-Based Districts are new, so no changes to existing provisions are noted.

MIDWAY BUSINESS DISTRICT (M)

To be a fun entertainment/recreation destination for both residents and visitors while preserving the historic character and integrity of the area, enhancing the existing traditional main street character, and increasing the critical mass of retail/mixed uses and housing.

Classification of Primary Streets (refer to the Regulating Map) in this district defines building orientation and prioritizes a high-quality pedestrian realm.

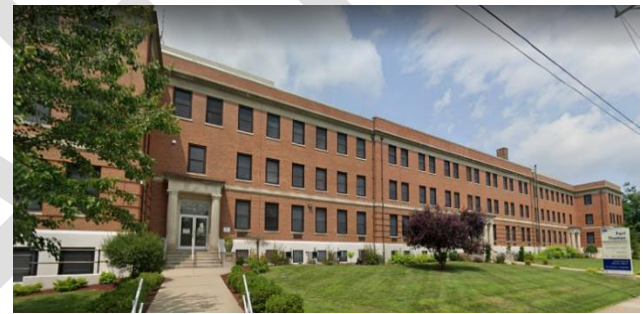
Core Mixed-Use (M-CMX)

The intent of this sub-zone is to support the fun entertainment/recreation destination envisioned by the *Community Plan* with mixed-use development characterized by pedestrian-priority streetscapes, inviting storefronts, ground level retail and other commercial services, and upper floor office and residential uses housed in two and three story buildings located close to the sidewalks.



Supporting Civic & Mixed Use (M-SCMX)

The intent of this sub-zone is to recognize that housing, civic, and mixed uses are integral to the vitality of the Midway area and to enable the conversion of the VA Hospital into housing with some commercial uses or to facilitate other mixed use development, if conversion proves unworkable.



Supporting Neighborhood (M-SN)

The intent of this sub-zone is to provide a variety of housing choices, as discussed in the *Comprehensive Plan*, on small lots that reinforce the walkable nature of these neighborhoods and support the Midway Business District. In addition, integrating the existing housing along Greene Street into this Midway sub-zone works to preserve these homes by applying zoning that is more appropriate to the existing use and built form.



The Form-Based Districts are new, so no changes to existing provisions are noted.

INVERNESS BUSINESS DISTRICT (I)

To foster investment, infill development and redevelopment that enhances this vibrant and resilient mixed-use business district, with its unique sense of place, that is oriented primarily to the needs of residents, and which includes a central gathering place.

Neighborhood Commercial Mixed Use (I-NBMX)

The Intent of this sub-zone is to allow relatively dense, pedestrian-friendly, primarily neighborhood commercial, mixed-use development that prioritizes streetscapes, inviting storefronts, ground level retail and other commercial services while allowing more flexibility with single-use form and height.



Residential Mixed Use (I-RMX)

The Intent of this sub-zone is to provide a diversity of housing choices, in small to large footprint buildings that includes a variety of residential building types, which reinforce the walkable nature of the Inverness area, while also allowing the flexibility to accommodate some neighborhood serving commercial uses.



5.0.04 DEVELOPMENT PLAN REVIEW.

All uses and building types in the Form-Based Zoning Districts, except those uses specifically excluded in sub-section 1.4.02 B., Exceptions, shall be permitted only after development plans have been reviewed and approved according to the procedures set forth in Section 1.4, Development Plan Review Procedures.

5.0.05 MODIFICATIONS.

The Form-Based Districts and the associated Development Standards are intended to create distinctive places within the City of Fort Thomas. In some instances, however, it may be necessary to vary the prescribed form in order to accommodate unique site and/or building circumstances in order to promote context-sensitive development. In such instances, an applicant may seek Zoning Administrator or Planning Commission approval for relief from the requirements as set forth in Article V. Any and all relief from the prescribed standards shall run with the land and be binding on the property owner and its/their successor and assigns. Applications requesting relief shall be made in writing and in the form as determined by the Zoning Administrator.

The Form-Based Districts are new, so no changes to existing provisions are noted.

- A. Minor Modifications. In addition to the provisions in sub-section 1.4.10, Minor Alterations Approved by the Zoning Administrator, the Zoning Administrator may, at the request of an applicant, consider certain minor deviations to Development Standards for the Building Types outlined in Article V. To offer some degree of flexibility, the Zoning Administrator has the authority to administratively alter any of the following Development Standards that are numerically based by no more than 5% provided the Zoning Administrator is able to make the written findings called for in sub-section 5.0.05 C.:

1. Lot Configuration;
2. Principal Building Siting;
3. Accessory Siting;
4. Height, except for Maximum Building Height; and,
5. Street Façade Requirements.

- B. Major Modifications. The Planning Commission may, at the request of the Zoning Administrator or applicant, consider certain major deviations to the Development Standards for the Building Types outlined in Article V. The Planning Commission may modify only the following Development Standards provided the Planning Commission is able to make the written findings called for in sub-section 5.0.05 C.:

1. Lot Configuration;
2. Principal Building Siting;
3. Accessory Siting;
4. Height, except for Maximum Building Height; and,
5. Street Façade Requirements.

Please note that there is no limitation on how much the Planning Commission can modify the Development Standards.

- C. Findings for Modifications. The applicable reviewing body shall find that modifications from the Development Standards for the Building Types in the Form-Based Districts:

1. Do not materially change the building location and circulation on the site;
2. Do not alter the relationship between the buildings and the street;
3. The departure is the minimum necessary to achieve the desired result;
4. The property will otherwise be developed consistent the purpose of this Ordinance, the Vision and Intent of the Form-Based District and the Sub-Zoning District, the intent and purpose of the requirement that the relief is being sought, and all other applicable standards;
5. Requested modifications result from any or all of the following:
 - a. Changed conditions;

The Form-Based Districts are new, so no changes to existing provisions are noted.

- b. Existing development patterns;
- c. Constraints related to topography, pattern of existing adjacent facades, lot dimensions, or right-of-way impediments;
- d. Requirements of the Building and Fire Safety Codes; and,
- e. Need to accommodate right-of-way improvements or stormwater considerations;

5.0.06 GENERAL PROVISIONS.

- A. Through Lots. Through lots require special consideration with regard to rear and side setback requirements, and the property owner may be allowed or required by the Zoning Administrator or the Planning Commission, as applicable: to meet some or all setback requirements on both street frontages of the lot; and to deviate from additional Building Type Development Standards to ensure that the intent of these regulations with respect to the occupation of the street, the relationship of the building and the street, and the proper functioning of a site for utility and other access is ensured.

The Form-Based Districts are new, so no changes to existing provisions are noted.

SECTION 5.1 Uses in the Form-Based Zoning Districts

5.1.01 General Provisions.

5.1.02 Use Regulations.

5.1.01 GENERAL PROVISIONS.

- A. Compliance with Standards. Although a use may be indicated as a permitted use in a particular district, it shall not be approved on a lot unless it can be located thereon in full compliance with all of the standards and other regulations of this Ordinance applicable to the specific use and lot in question, including but not limited to any supplemental use-specific standards cross-referenced in Schedule 5.1.02.
- B. Organization of Use Table. In Schedule 5.1.02, land uses are classified into general use categories and specific uses based on common physical or functional characteristics, such as type of dwelling unit, amount of activity generated by the use, and site conditions. Whenever a standard or reference is made to a general use category throughout this Ordinance, it shall include the specific uses in that category.
- C. Building Type. Each use shall be located within a permitted Building Type, unless otherwise specified. The uses permitted within the district may be further limited within the building types permitted in the District. See Section 5.2, Introduction to Building Types and Sections 5.3 – 5.12 for specifics of each Building Type.
- D. Principal Uses. A lot may contain more than one principal use, unless otherwise specified.
- E. Each use shall be located indoors (within a building) unless otherwise expressly stated.
- F. Similar Uses. Refer to Section 1.3.02 B. 15.

5.1.02 USE REGULATIONS.

Schedule 5.1.02 sets forth the uses allowed in the Form-Based Zoning Districts. The abbreviations used in the Schedule are defined in 1.2.02.

The Form-Based Districts are new, so no changes to existing provisions are noted.

Schedule 5.1.02 Permitted Uses in the Form-Based Zoning Districts									
USES	DISTRICT								
	TOWN CENTER (TC)			MIDWAY (M)			INVERNESS (I)		Use-Specific Regulations
	TC-CMX	TC-TMX	TC-NT	M-CMX	M-SCMX	M - SN	I-NBMX	I-RMX	
A. Residential									
1. Single-family dwelling, detached		P	P			P		P	
2. Duplex			P			P		P	
3. Rowhouses		P	R			P			XX
4. Multi-family dwellings		P	R		P		P	P	XX
5. Dwelling unit(s) above non-residential use	P	P		P	P		P	P	
6. Residential care facility for persons with disabilities		P	P			P		P	
B. Community Facilities/Institutions									
1. Community center	P	P		P	P				
2. Congregate care facility		P			P				
3. Cultural institution	P	P		P	P		P		
4. Day care center, child or adult		P			P				
5. Places of worship		P			P				
6. Post office	P								
7. Public facility	P	P		P	P				
8. Public park/playground	P	P	P	P	P	P	P	P	
9. School (public/private) elementary/secondary		P			P				
C. Entertainment/Recreation									
1. Health club	P			P	P		P		
2. School, specialty/personal instruction	P	P		P	P		P	R	XX
D. Office/Professional Services									
1. Banking/financial intuition	P			P	P		P		
2. Offices – administrative/professional	P	P		P	P		P	R	XX

The Form-Based Districts are new, so no changes to existing provisions are noted.

Schedule 5.1.02 Permitted Uses in the Form-Based Zoning Districts									
USES	DISTRICT								
	TOWN CENTER (TC)			MIDWAY (M)			INVERNESS (I)		Use-Specific Regulations
	TC-CMX	TC-TMX	TC-NT	M-CMX	M-SCMX	M - SN	I-NBMX	I-RMX	
3. Offices – Medical/dental	P	P		P	P		P	R	XX
4. Shophouse		P				R	P	P	XX
E. Retail/Personal Services									
1. Artist studio	P	p		P	P		p	R	XX
2. Drinking establishment	P	P		P	P		P		
3. Experiential retail establishment	P	P		P	P		P		
4. Hotel	P	P		P	P				
5. Personal service establishment (includes beauty & barber shops; seamstress/tailor)	p	p		P	P		P	R	XX
6. Restaurants	P	P		P	P		P		
7. Retail establishments	P	P		P	P		P	R	XX
8. Shophouse		P				R	P	P	XX
F. Vehicles and Equipment									
1. Drive-thru facilities associated with a principal permitted use	C								XX
G. Other									
1. Funeral homes		P							
2. Telecommunication facility									
H. Accessory Uses									
1. Electric vehicle charging stations	R	R		R	R		R		XX
2. Fences, walls	A	A	A	A	A	A	A	A	XX
3. Home occupation	A	A	A	A	A	A	A	A	XX
4. Other accessory structures		A	A			A	R	R	XX
5. Off-street parking lots	R	R	R	R	R	R	R	R	XX
6. Outdoor dining in association with a principal permitted use	A	A		A	A		A		XX

The Form-Based Districts are new, so no changes to existing provisions are noted.

Schedule 5.1.02 Permitted Uses in the Form-Based Zoning Districts									
USES	DISTRICT								
	TOWN CENTER (TC)			MIDWAY (M)			INVERNESS (I)		Use-Specific Regulations
	TC-CMX	TC-TMX	TC-NT	M-CMX	M-SCMX	M - SN	I-NBMX	I-RMX	
7. Outdoor sales/display in association with a principal permitted use	A	A		A	A		A	A	XX
8. Parking garages	C			C	C		C	C	XX
9. Short-term rental properties	A	A	A	A	A	A	A	A	XX
10. Signs	A	A	A	A	A	A	A	A	XX

Notes to Schedule 5.1.02:

P = Principal Permitted By-Right Use R=Restricted Use C=Conditional Use
 Blank Cell = Not Permitted A = Accessory Use

XX = Reference to Use-Specific Regulations will be added in Phase 3.

Please note that, as drafted, the gas station in the Inverness Business District would be a non-conforming use.

The Form-Based Districts are new, so no changes to existing provisions are noted.

SECTION 5.2 Building Types

5.2.01 Applicability.
5.2.02 General Requirements.

5.2.03 How to Read the Building Type Regulations.

5.2.01 APPLICABILITY.

The Building Types detailed in this Section, 5.2 Building Types, define the required building forms for new construction, renovation of existing structures, and redevelopment within all Form-Based zoning districts.

5.2.02 GENERAL REQUIREMENTS.

All Building Types shall fulfill the following requirements.

- A. Zoning districts. Each Building Type shall be constructed only within the Form-Based Zoning Districts where the Building Type is permitted. Schedule 5.2.02 sets forth the Building Types permitted in each Form-Based Zoning District.
- B. Uses. Each Building Type can house a variety of uses depending on the district in which it is located. Refer to Section 5.1, Uses in the Form-Based Zoning Districts, for uses permitted by District. Some Building Types have additional limitations on permitted uses.
- C. No Other Building Types. All buildings constructed shall fulfill the requirements of one of the Building Types permitted within the Form-Based Zoning District on the lot. Structures existing as of (Date of Adoption of the new Ordinance) that are not a permitted Building Type within a Form-Based Zoning District shall be considered a nonconforming structure. Refer to Section 1.9, Nonconforming Uses, Lots, Structures, & Site Conditions.
- D. Treatment of Yards. Paved vehicular areas are limited to specific locations per the Building Type. The following further defines the permitted treatments of the yard areas around the buildings. Refer to 1.7, Definitions, for definitions of yards.
 1. Landscape, Patio, Sidewalks. All yards shall contain either landscape areas, patio space, or sidewalk space, unless otherwise noted.
 2. Driveways.
 - a. Front & Corner Yards. Where permitted as access to the lot, driveways may cross perpendicularly through the front or corner side yards.
 - b. Perpendicular Crossing of Side & Rear Yards. Driveways are encouraged to and may cross perpendicularly through the side and rear yards to connect to parking facilities on adjacent lots.

The Form-Based Districts are new, so no changes to existing provisions are noted.

3. Side Yard Parking Lots. Some Building Types permit side yard parking lots. Note that side parking lots shall not encroach on the required setbacks adjacent to public rights-of-way. Parking lots shall conform to the requirements of the Building Type. Minimum side setback areas shall be landscaped.
 4. Rear Yards. Paved vehicular areas (parking lots, loading areas, drives) are typically required to be located in the rear yard; however, most Building Types specify the minimum parking setbacks. The minimum rear setback area shall only contain landscape, patio space, or sidewalk, unless otherwise permitted.
- E. Vehicular Access. Driveways shall be designed in accordance with this Ordinance and other applicable City requirements and shall be minimized to the extent practical and located to have the least impact on pedestrian accessibility, safety, and comfort.
1. Driveway Location. Permitted driveway locations are defined by Building Type.
 2. Shared Driveways. Shared driveways between abutting lots are encouraged.
- F. Accessory structures. Refer to Section _____, Accessory Structures. Detached accessory structures are permitted along with each Building Type in conformance with the following:
1. Detached accessory structures are prohibited in the front yard.
 2. Detached accessory structures shall be located behind the principal structure in the rear yard.

5.2.03 HOW TO READ THE BUILDING TYPE REGULATIONS.

The following explains the Building Type regulations.

- A. Building Types Permitted. Schedule 5.2.02, Permitted Building Types, lists which Building Types are permitted within the Form-Based Zoning Districts mapped in Section 5.0 and referenced on the City's Zoning Map.
- B. Building Type Sections. In Sections 5.3 through 5.12, four pages are provided for each of the Building Types.
 1. Description of Building Type. The first page for each Building Type Section provides a general description of the Building Type and several images of typical buildings in Fort Thomas indicative of multiple elements of the Building Type. The images are intended to be illustrative only and may not fully exemplify all of the requirements of the Building Type.

The Form-Based Districts are new, so no changes to existing provisions are noted.

Figure 5.2.03 will be inserted during Phase 3.

2. Schedule. The next several pages of each Building Type Section provide the key regulatory. Refer to Figure 5.2.03, How to Read the Building Type Schedule, for an explanation of the Building Type Schedule.
 3. Notes. The final section of each Building Type Schedule contains notes referenced in the Schedule regulations. Additional graphic diagrams of unique situations may also be provided.
- C. Explanation and Measurement of Regulations Specific to Building Types. In Section 5.13, an explanation of the regulations in the Building Type Schedule is provided as well as how to measure the requirement and other reference information.

Schedule 5.2.02 Permitted Building Types											
		Civic	Main Street Mixed Use	Multi-family with Flex Space	Stacked Flats	Large Multi-family	Small Multi-family	Rowhouse/Shophouse	Duplex	Traditional Single-Family Dwelling	Compact Single-Family Dwelling
Districts & Sub-Zoning Districts											
Town Center (TC)	TC-CMX	●	●								
	TC-TMX	●		●		●	●	●		●	
	TC-NT						●	●	●	●	●
Midway (M)	M-CMX	●	●								
	M-SCMX	●	●	?	●	?					
	M-SN	●						●	●	●	●
Inverness (I)	I-NBMX	●	●	●							
	I-RMX	●		●		●	●		●	●	
Notes to Schedule 5.2.02:											
● = Permitted Building Type in the Formed-Based Sub-Zoning District											

The Form-Based Districts are new, so no changes to existing provisions are noted.

SECTION 5.3

Main Street Mixed Use Building Type

5.3.01 Description & Intent.

5.3.02 Main Street Mixed Use Building Type Regulations.

5.3.01 DESCRIPTION & INTENT.

The Main Street Mixed Use building type is a small to medium-sized structure, typically attached, intended to provide a vertical mix of uses with ground-floor retail, service or office uses and upper-floor office or residential uses, but intensity may vary depending on the form-based sub-zone. The key features of this building type are its location abutting the sidewalk and the ground floor front façade with large amounts of glass and regularly spaced entrances. This Building Type makes up the primary component of Fort Thomas's traditional business districts, and is, therefore, a defining component of the City's character and contributes to walkability within these areas.



The Form-Based Districts are new, so no changes to existing provisions are noted.

5.3.02 MAIN STREET MIXED USE BUILDING TYPE REGULATIONS.

All buildings, parking areas, and land in the Form-Based Districts shall comply with the requirements set forth in Schedule 5.3.02. See Section _____, Specific-Use Regulations, for additional development regulations for Conditional and Restricted Uses.

Schedule 5.3.02 Development Standards for Main Street Mixed Use				
	TC-CMX	M-CMX	M-SCMX	I-NBMX
A. Lot Configuration.				
1. Minimum lot area (sq. ft.)	5,500			5,500
2. Minimum lot width (feet)	50			50
3. Minimum lot depth (feet)	100			100
4. Maximum lot coverage	None			None
B. Principal Building Siting.				
5. Multiple principal buildings	Not permitted	Permitted		Not permitted
6. Minimum primary lot line coverage – See Note 1	90%			80%
7. Occupation of corner	Required			
8. Setback from back of sidewalk along Fort Thomas Avenue (feet)	Minimum - 0			NA
	Maximum – 10			
9. Primary or Fronting Street setback (feet) – See Note 2	NA	Minimum - 0		
		Maximum – 10		
10. Secondary street (corner street) setback (feet)	Minimum - 0			
	Maximum - 10			
11. Minimum side setback (feet)	Adjacent to lot in Form-based Zoning District – 0			
	Adjacent to lot in Conventional Residential District - 15			
12. Minimum rear setback (feet) –	Adjacent to lot in Form-based Zoning District – 0			
	Adjacent to lot in Conventional Residential District - 20			
13. Maximum building width (feet) See Note 3	150	None		
14. Private open space	None			
15. Permitted vehicular access	One driveway permitted off each abutting secondary street; if no secondary street exists, then Planning Commission, in consultation with the City Engineer and the Zoning Administrator, will determine the appropriate primary street access.			
C. Accessory Siting.				
16. Parking location	Rear or within building; parking in the front yard is prohibited			

Regarding M-SCMX, should the lot requirements require the VA lot to be redeveloped as a whole or allow subdivision?

The Form-Based Districts are new, so no changes to existing provisions are noted.

Schedule 5.3.02 Development Standards for Main Street Mixed Use				
	TC-CMX	M-CMX	M-SCMX	I-NBMX
17. Minimum parking lot setback from the project boundary – See Note 4	Side – 0 feet; When adjacent to lot in Conventional Residential District – 7 feet Rear – 0 feet; When adjacent to lot in Conventional Residential District – 10 feet			
18. Accessory building/structures location	Rear yard; prohibited in front and corner side yards			
19. Accessory building/structure side & rear setback from boundary of development (feet)	5			
D. Height.				
20. Principal building -	Minimum – 2 stories			Minimum – 1 story
	Maximum – 4 stories or 50 feet			Maximum – 3 stories or 40 feet
21. Minimum ground floor ceiling height (feet)	12			10
22. Minimum upper floor ceiling height (feet)	9			
23. Maximum height of accessory buildings/structures (feet)	15			
E. Uses.				
24. Ground story	Retail/Personal Services; Office/Professional Services; Entertainment/Recreation		Any use permitted in the sub-zone	
25. Upper stories	Any use permitted in the sub-zone			
26. Rooftop	Habitable roof permitted			
27. Required occupied space	Minimum 30 feet deep on ground/first floor from the building’s façade(s)			
28. Parking within building	Permitted fully in any basement and in rear of ground floor			
29. Entry for parking within/attached to principal building	Rear façade, interior side façade permitted on lots wider than 100 feet, or corner side façade with approval of the Planning Commission after consultation with the City Engineer			
F. Street Façade Requirements				
30. Minimum transparency on ground story of building facade	75%			65%
31. Minimum transparency per each story	15%			

The Form-Based Districts are new, so no changes to existing provisions are noted.

Schedule 5.3.02 Development Standards for Main Street Mixed Use				
	TC-CMX	M-CMX	M-SCMX	I-NBMX
32. Blank wall limitations	Required per floor on all stories of street facing facades			
33. Front façade entrance type	Storefront, arcade			
34. Principal entrance location	Front facade			
35. Required number of street entrances	1 per each 75 feet of building facade			
36. Ground story vertical facade divisions	Minimum of every 30 feet of façade width			Minimum of every 50 feet of façade width
37. Horizontal façade divisions	Required within 3 feet of the top of the ground story and within 3 feet of top story over 3 stories			Required within 3 feet of the top of the ground story
38. Building encroachments	Refer to Sub-section 5.13.03			
39. Primary street façade prohibitions	Loading docks, overhead doors, & other service entries shall not be located on primary street facades			
Notes to Schedule 5.3.02:				
1. When parking access is not available on an alley, rear street, or side street and is only available at primary street, the required percentage indicated above may be reduced by the Planning Commission to allow parking access that is perpendicular to the front lot line and located behind the façade of the principal building.				
2. In the M-SCMX, Cochran Avenue is considered a Fronting Street, so a lot(s) with dual frontage on Cochran and Ft. Thomas Avenues shall comply with “Setback from Back of Sidewalk along Fort Thomas Avenue” and the “Fronting Street Setback.”				
3. Any buildings wider than 150’ must be designed to read as a series of buildings no wider than 75’ each.				
4. On corner lots, parking lots shall be behind the building façade and/or set back a minimum of 10 feet from the secondary street lot line and screened with a 3-foot masonry or continuous landscape wall.				
NA = Not Applicable				

The Form-Based Districts are new, so no changes to existing provisions are noted.

SECTION 5.4

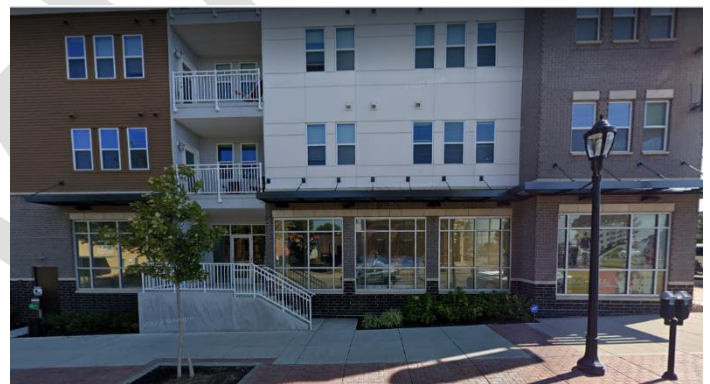
Multi-family with Flex Space Building Type

5.4.01 Description & Intent.

5.4.02 Multi-Family with Flex Space Building Type Regulations.

5.4.01 DESCRIPTION & INTENT.

Multi-family Dwellings with Flex Space are mid-rise buildings that are intentionally designed to accommodate ground floor non-residential uses. If such ground floor non-residential uses are not initially feasible, the common elements of the multi-family dwellings, such as conference and exercise rooms, lobbies, and offices are located within the building adjacent to the public sidewalk to provide interest and activation along the neighboring sidewalks. To further engage the pedestrian, façade requirements include transparent windows, a pedestrian entrance, and façade articulation. Well-designed Multi-Family Dwellings with Flex Space provide higher housing densities that are important to support the City's traditional business districts, to promote walkability, to provide for a broader choice of housing types within the City, and to provide space for future non-residential uses.



The Form-Based Districts are new, so no changes to existing provisions are noted.

5.4.02 MULTI-FAMILY WITH FLEX SPACE BUILDING TYPE REGULATIONS.

All buildings, parking areas, and land in the Form-Based Districts shall comply with the requirements set forth in Schedule 5.4.02. See Section _____, Specific-Use Regulations, for additional development regulations for Conditional and Restricted Uses.

Schedule 5.4.02 Development Standards for Multi-Family with Flex Space Building Type			
	TC-TMX	I-NBMX	I-RMX
A. Lot Configuration.			
1. Minimum lot area (sq. ft.)	5,500		
2. Minimum lot width (feet)	50		
3. Minimum lot depth (feet)	100		
4. Maximum lot coverage	None		
B. Principal Building Siting.			
5. Multiple principal buildings	Not permitted		
6. Minimum primary lot line coverage – See Note 1	90%	80%	75%
7. Occupation of corner	Required		
8. Setback from back of sidewalk along Fort Thomas Avenue (feet)	Minimum - 25	NA	
	Maximum - 35		
9. Setback from back of sidewalk along Miller Lane and Lumley Avenue (feet)	Minimum - 10	NA	
	Maximum - 20		
10. Primary or Fronting Street setback (feet)	NA	Minimum - 0	Minimum - 0
		Maximum - 10	Maximum - 20
11. Secondary street (corner street) setback (feet) – See Note 5	Minimum – 5		
	Maximum – 20		
12. Minimum side setback (feet)	Adjacent to lot in Form-based Zoning District – 0		
	Adjacent to lot in Conventional Residential District - 15		
13. Minimum rear setback (feet) – See Note 2	Adjacent to lot in Form-based Zoning District – 0		
	Adjacent to lot in Conventional Residential District - 20		
14. Maximum building width (feet) See Note 3	200	None	
15. Private open space	None		
16. Permitted vehicular access	One driveway permitted off each abutting secondary street; if no secondary street exists, then Planning Commission, in consultation with the City Engineer and the Zoning Administrator, will determine the appropriate primary street access.		

The Form-Based Districts are new, so no changes to existing provisions are noted.

Schedule 5.4.02 Development Standards for Multi-Family with Flex Space Building Type			
	TC-TMX	I-NBMX	I-RMX
C. Accessory Siting.			
17. Parking location	Rear or within building; parking in the front yard is prohibited		
18. Minimum parking lot setback from the project boundary – See Note 4	Side – 0 feet; When adjacent to lot in Conventional Residential District – 7 feet		
	Rear – 0 feet; When adjacent to lot in Conventional Residential District – 10 feet		
19. Accessory building/structures location	Rear yard; prohibited in front and corner side yards		
20. Accessory building/structure side & rear setback from boundary of development (feet)	5		
D. Height.			
21. Principal building -	Minimum – 2 stories	Minimum – 2 stories	
	Maximum – 4 stories or 50 feet	Maximum – 3 stories or 40 feet	
22. Minimum ground floor ceiling height (feet)	12	10	9
23. Minimum upper floor ceiling height (feet)	9		
24. Maximum height of accessory buildings/structures (feet)	15		
E. Uses.			
25. Ground story	Any use permitted in the sub-zone		
26. Upper stories	Any use permitted in the sub-zone		
27. Rooftop	Habitable roof permitted		
28. Required occupied space	Minimum 30 feet deep on ground/first floor from the building's façade(s)		
29. Parking within building	Permitted fully in any basement and in rear of ground floor		
30. Entry for parking within/attached to principal building	Rear façade, interior side façade permitted on lots wider than 100 feet, or corner side façade with approval of the Planning Commission after consultation with the City Engineer		
F. Street Façade Requirements.			
31. Minimum transparency on ground story of building facade	75%	65%	50%
32. Minimum transparency per each	15%		

The Form-Based Districts are new, so no changes to existing provisions are noted.

Schedule 5.4.02 Development Standards for Multi-Family with Flex Space Building Type			
	TC-TMX	I-NBMX	I-RMX
story			
33. Blank wall limitations	Required per floor on all stories of street facing facades		
34. Front façade entrance type	Storefront, arcade		
35. Principal entrance location	Front facade		
36. Required number of street entrances	1 per each 75 feet of building facade		
37. Ground story vertical facade divisions	Minimum of every 30 feet of façade width	Minimum of every 50 feet of façade width	
38. Horizontal façade divisions	Required within 3 feet of the top of the ground story and within 3 feet of top story over 3 stories	Required within 3 feet of the top of the ground story	
39. Building encroachments	Refer to Section 5.13		
40. Primary street façade prohibitions	Loading docks, overhead doors, & other service entries shall not be located on primary street facades		
Notes to Schedule 5.4.02:			
1. When parking access is not available on an alley, rear street, or side street and is only available at primary street, the required percentage indicated above may be reduced by the Planning Commission to allow parking access that is perpendicular to the front lot line and located behind the façade of the principal building.			
2. For through lots, refer to 5.0.06 A.			
3. Any buildings wider than 150’ must be designed to read as a series of buildings no wider than 75’ each.			
4. On corner lots, parking lots shall be behind the building façade and/or set back a minimum of 10 feet from the secondary street lot line and screened with a 3-foot masonry or continuous landscape wall.			
5. The Planning Commission may permit a minimum corner side setback of 0 feet when the adjacent corner lot is located in the TC-CMX sub-zone.			
NA = Not Applicable			

The Form-Based Districts are new, so no changes to existing provisions are noted.

SECTION 5.5

Stacked Flats Building Type

5.5.01 Description & Intent.

5.5.02 Stacked Flats Building Type Regulations.

5.5.01 DESCRIPTION & INTENT.

Stacked Flats are large-sized structures that consist of multiple dwelling units and are appropriate for adaptive re-use of former civic or institutional buildings. Each dwelling unit may have its own exterior individual entry or may share a common entry. Adaptive reuse of such buildings for housing and some commercial uses enables productive reuse of existing buildings, which is beneficial to the City's traditional business districts by increasing housing density within close proximity. Stacked Flats have landscaped front yards with parking located to the side and rear of the building.



The Form-Based Districts are new, so no changes to existing provisions are noted.

5.5.02 STACKED FLATS BUILDING TYPE REGULATIONS.

All buildings, parking areas, and land in the Form-Based Districts shall comply with the requirements set forth in Schedule 5.5.02. See Section _____, Specific-Use Regulations, for additional development regulations for Conditional and Restricted Uses.

Schedule 5.5.02 Development Standards for Stacked Flats	
	M-SCMX
A. Lot Configuration	
1. Minimum lot area (sq. ft.)	4.5 acres
2. Maximum lot coverage	65%
B. Principal Building Siting.	
3. Multiple principal buildings	Not permitted
4. Minimum lot line coverage adjacent to Cochran Avenue	45%
5. Occupation of Corner	Not Required
6. Setback for principal buildings along Cochran Avenue (feet)	Minimum - 35 Maximum - 65
7. Minimum secondary street (corner street) setback (feet)	25
8. Minimum side setback (feet)	10
9. Minimum rear setback (feet) [Setback from S. Fort Thomas Avenue]	75
10. Maximum building width (feet)	400
11. Private open space	None
12. Permitted vehicular access	Access is limited to Cochran Avenue and Carmel Manor Road
C. Accessory Siting.	
13. Parking location	Behind façades of building(s) adjacent to Cochran Avenue Minimum parking setback of 20 feet from Fort Thomas Avenue or behind building façades located abutting Fort Thomas Avenue
14. Minimum parking lot setback from the project boundary (feet) – See Note 1	12

Please note:

- Lot Configuration requirements.
- The Maximum building width permits only a small, side addition to the VA Hospital
- A rear addition would be permitted

The Form-Based Districts are new, so no changes to existing provisions are noted.

Schedule 5.5.02 Development Standards for Stacked Flats	
	M-SCMX
15. Accessory building/structures location	Behind façades of principal building abutting Cochran Avenue Minimum setback of 20 feet from Fort Thomas Avenue or behind building facades located abutting Fort Thomas Avenue
16. Accessory building/structure side & corner side setback from boundary of development (feet)	20
D. Height.	
17. Principal building	Minimum - 2 stories Maximum - 50 feet or 4 stories
18. Maximum height of accessory buildings (feet)	15
E. Uses.	
19. Ground story	Any use permitted in the sub-zone
20. Upper stories	Any use permitted in the sub-zone
21. Rooftop	Habitable roof permitted
22. Required occupied space	Minimum 30 feet deep on ground/first floor from the façade abutting Cochran Avenue
23. Parking within building	Permitted fully in any basement and in rear of ground and upper floors
24. Entry for parking within/attached to principal building	Rear façade, interior side façade, and/or corner side façade with approval of the Planning Commission after consultation with the City Engineer
F. Street Façade Requirements Abutting Cochran Avenue	
25. Minimum transparency per each story	15%
26. Blank wall limitations	Required per floor on all stories of street facing facades, except Carmel Manor Road
27. Front façade entrance type	Stoop, porch, storefront
28. Principal entrance location	Front or corner side façade
29. Minimum required number of street entrances fronting on Cochran Avenue	3
30. Ground story vertical facade divisions	Not required

The Form-Based Districts are new, so no changes to existing provisions are noted.

Schedule 5.5.02 Development Standards for Stacked Flats	
	M-SCMX
31. Horizontal façade divisions	Required within 3 feet of the top of the ground story and within 3 feet of top story over 2 stories
32. Building encroachments	Refer to Section 5.13
Notes to Schedule 5.5.02:	
1. On corner lots, parking lots shall be behind the building façade and/or set back a minimum of 20 feet from the corner street lot line and screened with a 2.5-foot masonry or continuous landscape wall.	

The Form-Based Districts are new, so no changes to existing provisions are noted.

SECTION 5.6

Large Multi-family Building Type

5.6.01 Description & Intent.

5.6.02 Large Multi-Family Building Type Regulations.

5.6.01 DESCRIPTION & INTENT.

The Large Multi-family building is a medium to large-sized structure that consists of six or more side-by-side and/or stacked dwelling units, which may have one shared entry, individual entries, or a court yard. This Building Type is appropriately scaled to be located within or adjacent to medium to higher density neighborhoods and enables well-designed higher densities when scaled to fit within the existing built environment. It broadens housing choices within Fort Thomas and promotes walkability when located on a lot with a small front setback that relates to the structure to the street and the neighborhood. Parking is located to the side and rear of the building and not between the building and the street.



The Form-Based Districts are new, so no changes to existing provisions are noted.

5.6.02 LARGE MULTI-FAMILY BUILDING TYPE REGULATIONS.

All buildings, parking areas, and land in the Form-Based Districts shall comply with the requirements set forth in Schedule 5.6.02. See Section _____, Specific-Use Regulations, for additional development regulations for Conditional and Restricted Uses.

Schedule 5.6.02 Development Standards for Large Multi-family		
	TC-TMX	I-RMX
A. Lot Configuration		
1. Minimum lot area (sq. ft.)		6,000
2. Minimum lot width (feet)	70	80
3. Minimum lot depth (feet)		100
4. Maximum lot coverage		None
B. Principal Building Siting.		
5. Multiple principal buildings	Not permitted	
6. Minimum primary lot line coverage – See Note 1	90%	75%
7. Occupation of corner	Required	
8. Setback from back of sidewalk along Fort Thomas Avenue (feet)	Minimum - 25	NA
	Maximum - 35	
9. Primary or fronting street setback (feet)	NA	Minimum - 0
		Maximum - 20
10. Secondary street (corner street) setback (feet) – See Note 2	Minimum – 5	
	Maximum – 20	
11. Minimum side setback (feet)	Adjacent to lot in Form-based Zoning District – 0	
	Adjacent to lot in Conventional Residential District - 15	
12. Minimum rear setback (feet) – See Note 3	Adjacent to lot in Form-based Zoning District – 0	
	Adjacent to lot in Conventional Residential District - 20	
13. Maximum building width (feet) See Note 4	200	None
14. Private open space per unit	None	
15. Permitted vehicular access	One driveway permitted off each abutting secondary street; if no secondary street exists, then Planning Commission, in consultation with the City Engineer and the Zoning Administrator, will determine the appropriate primary street access	
C. Accessory Siting.		
16. Parking location	Rear, perpendicular to principal building behind the front façade, or within building; parking in the front yard is prohibited	

The Form-Based Districts are new, so no changes to existing provisions are noted.

Schedule 5.6.02 Development Standards for Large Multi-family		
	TC-TMX	I-RMX
17. Minimum parking lot setback from the project boundary – See Note 5	Side – 0 feet;	
	When adjacent to lot in Conventional Residential District – 7 feet	
	Rear – 0 feet;	
	When adjacent to lot in Conventional Residential District – 10 feet	
18. Accessory building/structures location	Rear yard; prohibited in front and corner side yards	
19. Accessory building/structure side & rear setback from boundary of development (feet)	5	
D. Height.		
20. Principal building -	Minimum – 2 stories	Minimum – 2 stories
	Maximum – 4 stories or 50 feet	Maximum – 3 stories or 40 feet
21. Minimum ground floor ceiling height (feet)	12	9
22. Minimum upper floor ceiling height (feet)	9	
23. Maximum height of accessory buildings/structures (feet)	15	
E. Uses.		
24. All stories	Residential uses permitted in sub-zone; minimum of 6 units and a maximum of 18 units	
25. Rooftop	Habitable roof permitted	
26. Required occupied space	Minimum 30 feet deep on ground/first floor from the building’s façade	
27. Parking within building	Permitted fully in any basement and in rear of ground floor	
28. Entry for parking within/attached to principal building	Rear façade, interior side façade permitted on lots wider than 100 feet, or corner side façade with approval of the Planning Commission after consultation with the City Engineer	
F. Street Façade Requirements – See Note 6		
29. Minimum transparency on ground story of building facade	30%	30%
30. Minimum transparency per each story	15%	
31. Blank wall limitations	Required per floor on all stories of street facing facades	
32. Front façade entrance type	Stoop, porch	
33. Principal entrance location	Front facade	

The Form-Based Districts are new, so no changes to existing provisions are noted.

Schedule 5.6.02 Development Standards for Large Multi-family		
	TC-TMX	I-RMX
34. Required number of street entrances	Minimum of 1 entrance; each unit may have an individual entry, but no exterior stairs permitted on any street facade	
35. Ground story vertical facade divisions	Minimum of every 30 feet of facade width	Minimum of every 50 feet of facade width
36. Horizontal facade divisions	Required within 3 feet of the top of the ground story and within 3 feet of top story over 3 stories	Required within 3 feet of the top of the ground story
37. Building encroachments	Refer to Section 5.13	
38. Primary street facade prohibitions	Loading docks, overhead doors, & other service entries shall not be located on primary street facades	

Notes to Schedule 5.6.02:

1. When parking access is not available on an alley, rear street, or side street and is only available at primary street, the required percentage indicated above may be reduced by the Planning Commission to allow parking access that is perpendicular to the front lot line and located behind the facade of the principal building.
2. The Planning Commission may permit a minimum corner side setback of 0 feet when the adjacent corner lot is located in the TC-CMX sub-zone.
3. For through lots, see 5.0.06 A.
4. Any buildings wider than 150' must be designed to read as a series of buildings no wider than 75' each.
5. On corner lots, parking lots shall be behind the building facade and/or set back a minimum of 10 feet from the secondary street lot line and screened with a 3-foot masonry or continuous landscape wall.
6. A landscaped court is permitted and may contribute to the Minimum Primary Lot Line Coverage requirement. Courtyard facades shall fulfill the Street Façade Requirements.

NA = Not Applicable

The Form-Based Districts are new, so no changes to existing provisions are noted.

SECTION 5.7

Small Multi-family Building Type

5.7.01 Description & Intent.

5.7.02 Small Multi-family Building Type Regulations.

5.7.01 DESCRIPTION & INTENT.

The Small Multi-family building type is a medium-sized structure that generally consists of 3 to 6 side-by-side and/or stacked dwelling units, typically with one shared entry, but may have individual entries along the front. This Building Type has the appearance of a medium-sized family home and is scaled to fit at the entrance to primarily single-family neighborhoods where such neighborhoods abut the City's traditional business districts, along the City's busier streets, or into medium-density residential neighborhoods. This Building Type is typically one building located on a smaller lot with a small front setback. This smaller, detached multi-family building type enables appropriately-scaled, higher housing densities, which contributes to walkability and adds density adjacent to the City's business districts.



Small Multi-family Building Type

The Form-Based Districts are new, so no changes to existing provisions are noted.

5.7.02 SMALL MULTI-FAMILY BUILDING TYPE REGULATIONS.

All buildings, parking areas, and land in the Form-Based Districts shall comply with the requirements set forth in Schedule 5.7.02. See Section _____, Specific-Use Regulations, for additional development regulations for Conditional and Restricted Uses.

Schedule 5.7.02 Development Standards for Small Multi-family Building Type			
	TC-TMX	TC-NT	I-RMX
A. Lot Configuration.			
1. Minimum lot area (sq. ft.)	5,500	4,500	5,000
2. Minimum lot width (feet)	50	50	50
3. Minimum lot depth (feet)	100	100	100
4. Maximum lot coverage	None	None	None
B. Principal Building Siting.			
5. Multiple principal buildings	Not permitted		
6. Minimum primary lot line coverage – See Note 1	90%	75%	
7. Occupation of corner	Required		
8. Setback from back of sidewalk along Fort Thomas Avenue (feet)	Minimum - 25	NA	
	Maximum - 35		
9. Setback from back of sidewalk along Miller Lane and Lumley Avenue (feet)	NA	Minimum - 10	NA
		Maximum - 20	
10. Primary or fronting street setback (feet)	NA	Minimum - 0	Minimum - 0
		Maximum - 10	Maximum - 20
11. Secondary street (corner street) setback (feet) – See Note 2	Minimum – 5		
	Maximum – 20		
12. Minimum side setback (feet)	Adjacent to lot in Form-based Zoning District – 0		
	Adjacent to lot in Conventional Residential District - 15		
13. Minimum rear setback (feet) – See Note 3	Adjacent to lot in Form-based Zoning District – 0		
	Adjacent to lot in Conventional Residential District - 20		
14. Maximum building width (feet)	55		
15. Private open space per unit	None Required		
16. Permitted vehicular access – See Note 4	One driveway permitted off each abutting secondary street; if no secondary street exists, then Planning Commission, in consultation with the City Engineer and the Zoning Administrator, will determine the appropriate primary street access		

The Form-Based Districts are new, so no changes to existing provisions are noted.

Schedule 5.7.02 Development Standards for Small Multi-family Building Type			
	TC-TMX	TC-NT	I-RMX
C. Accessory Siting.			
17. Parking location	Rear, perpendicular to principal building behind the front façade, or within building; parking in the front yard is prohibited		
18. Minimum parking lot setback from the project boundary – See Note 5	Side – 0 feet; When adjacent to lot in Conventional Residential District – 7 feet		
	Rear – 0 feet; When adjacent to lot in Conventional Residential District – 10 feet		
19. Accessory building/structures location	Rear yard; prohibited in front and corner side yards		
20. Accessory building/structure side & rear setback from boundary of development (feet)	5		
D. Height.			
21. Principal building -	Minimum – 2 stories	Minimum – 2 stories	
	Maximum – 4 stories or 50 feet	Maximum – 3 stories or 40 feet	
22. Minimum ground floor ceiling height (feet)	10	9	
23. Minimum upper floor ceiling height (feet)	9		
24. Maximum height of accessory buildings/structures (feet)	15		
E. Uses.			
25. All stories	Residential uses permitted in sub-zone; minimum of 3 units with a maximum of 6 units		
26. Rooftop	Habitable roof permitted	Habitable roof prohibited	Habitable roof permitted
27. Required occupied space	Minimum 30 feet deep on ground/first floor from the building’s façade		
28. Parking within building	Permitted fully in any basement and in rear of ground floor		
29. Entry for parking within/attached to principal building	Rear façade, interior side façade permitted on lots wider than 100 feet, or corner side façade with approval of the Planning Commission after consultation with the City Engineer		
F. Street Façade Requirements			
30. Minimum transparency on ground story of building facade	30%	15%	30%
31. Minimum transparency per each story	12%		
32. Blank wall limitations	Required per floor on all stories of street facing facades		

The Form-Based Districts are new, so no changes to existing provisions are noted.

Schedule 5.7.02 Development Standards for Small Multi-family Building Type			
	TC-TMX	TC-NT	I-RMX
33. Front façade entrance type	Stoop, porch		
34. Principal entrance location	Front façade		
35. Required number of street entrances	Minimum of 1 entrance; each unit may have an individual entry, but no exterior stairs permitted on any street facade		
36. Ground story vertical facade divisions	None required		
37. Horizontal façade divisions	Required within 3 feet of the top of the ground story		
38. Building encroachments	Refer to Section 5.13		

Notes to Schedule 5.7.02:

1. When parking access is not available on an alley, rear street, or side street and is only available on a primary street, the required percentage indicated above may be reduced by the Planning Commission to allow parking access that is perpendicular to the front lot line and located behind the façade of the principal building.
2. The Planning Commission may permit a minimum corner side setback of 0 feet when the adjacent corner lot is located in the TC-CMX sub-zone.
3. For through lots, see 5.0.06 A.
4. When parking areas are accessed from the front, a single shared drive shall be provided and the width of the curb cut shall not exceed 20 feet.
5. On corner lots, parking lots shall be behind the building façade and/or set back a minimum of 10 feet from the secondary street and screened with a 3-foot masonry or continuous landscape wall.

NA = Not Applicable

The Form-Based Districts are new, so no changes to existing provisions are noted.

SECTION 5.8

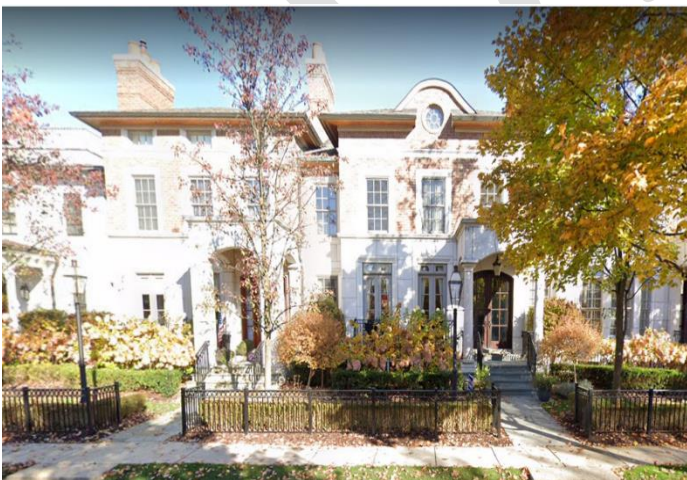
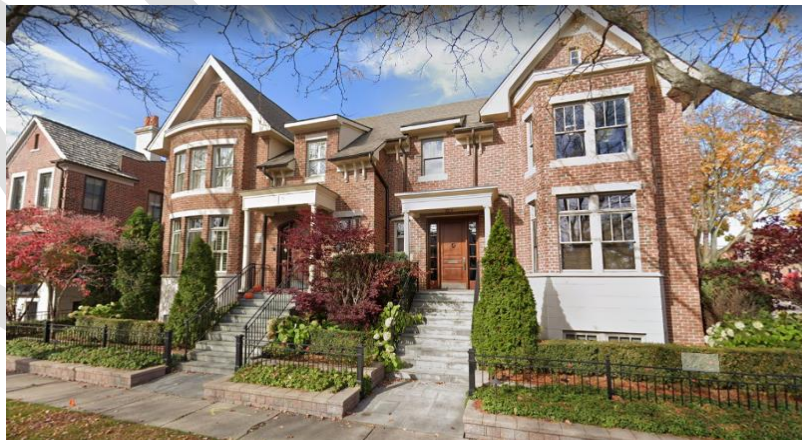
Rowhouse/Shophouse Building Type

5.8.01 Description & Intent.

5.8.02 Rowhouse/Shophouse Building Type Regulations.

5.8.01 DESCRIPTION & INTENT.

Rowhouses are small to medium-sized attached units, either all located on the same lot or on adjacent lots, which must have separate entrances directly on the fronting street. Rowhouses may be solely used as dwelling units but they may also be used for live/work units, referred to as Shophouses, when non-residential uses are permitted in the Form-Based sub-zoning district. Rowhouses are appropriate in medium-density neighborhoods or in a location within and adjacent to central business districts to provide well-designed higher housing densities that are important to support the City's traditional business districts, to promote walkability, and to provide for a broader choice of housing types within the City.



The Form-Based Districts are new, so no changes to existing provisions are noted.

5.8.02 ROWHOUSE/SHOPHOUSE BUILDING TYPE REGULATIONS.

All buildings, parking areas, and land in the Form-Based Districts shall comply with the requirements set forth in Schedule 5.8.02. See Section _____, Specific-Use Regulations, for additional development regulations for Conditional and Restricted Uses.

Schedule 5.8.02 Development Standards for Rowhouse/Shophouse Building Type			
	TC-TMX	TC-NT	M-SN
A. Lot Configuration for Rowhouse Development			
1. Maximum lot coverage for development	85%	75%	
B. Lot Configuration for Individual Rowhouse Lots			
2. Minimum lot width (feet)	Minimum – 18		
	Maximum - 36		
3. Minimum lot depth (feet)	80		
C. Principal Building Siting.			
4. Multiple principal buildings	Permitted		
5. Minimum primary lot line coverage – See Note 1	75%		
6. Occupation of corner	Not required		
7. Setback from back of sidewalk along to Fort Thomas Avenue (feet)	Minimum - 25	NA	
	Maximum - 35		
8. Setback from back of sidewalk along Miller Lane and Lumley Avenue (feet)	NA	Minimum - 10	NA
		Maximum - 20	
9. Primary or Fronting Street setback (feet) – See Note 2	NA	Minimum – 15	Minimum – 15
		Maximum – 25	Maximum – 25
10. Secondary street (corner street) setback (feet)	Minimum – 5		
	Maximum – 20		
11. Minimum side setback from boundary of development (feet) See Note 3	Adjacent to Form-based Zoning District – 10		
	Adjacent to Conventional Residential District - 15		
12. Minimum rear setback (feet)	20		
13. Minimum separation between buildings containing rowhouses/shophouses (feet)	10		
14. Private open space per unit See Note 5	Minimum width – 8 feet Minimum depth – 8 feet Minimum area – 100 square feet		

Please note setbacks adj. to Ft. Thomas Ave.

The Form-Based Districts are new, so no changes to existing provisions are noted.

Schedule 5.8.02 Development Standards for Rowhouse/Shophouse Building Type			
	TC-TMX	TC-NT	M-SN
15. Permitted vehicular access - See Note 4	One driveway permitted off each abutting secondary street; if no secondary street exists, then Planning Commission, in consultation with the City Engineer and the Zoning Administrator, will determine the appropriate primary street access		
D. Accessory Siting.			
16. Parking location	Rear and corner side yard or within building; parking in the front yard is prohibited		
17. Minimum parking lot setback from the project boundary (feet) – See Note 6	Side – 0 feet;		
	When adjacent to lot in Conventional Residential District – 7 feet		
18. Accessory building/structures location	Rear – 0 feet;		
	When adjacent to lot in Conventional Residential District – 10 feet		
19. Accessory building/structure side & rear setback from boundary of development (feet)	5		
E. Height.			
20. Principal building	Minimum - 2 stories	Minimum - 2 stories	
	Maximum – 4 stories or 50 feet	Maximum – 3 stories or 40 feet	
21. Maximum height of accessory buildings	15 feet		
22. Ground floor finish level above sidewalk for rowhouses	Minimum - 18 inches		
	Maximum – 7 feet		
23. Ground floor finish level for shophouses	May be flush with adjacent sidewalk		
F. Uses.			
24. Ground story	Any use permitted in the sub-zone	Residential uses permitted in the sub-zone	Residential uses permitted by the sub-zone; Live/Work on S. Fort Thomas Avenue
25. Upper stories	Residential uses permitted in the sub-zone		
26. Rooftop	Habitable roof permitted	Habitable roof prohibited	Habitable roof permitted for rowhouses/shophouses fronting on S. Fort Thomas Avenue; Habitable roof prohibited elsewhere in this sub-zone.

The Form-Based Districts are new, so no changes to existing provisions are noted.

Schedule 5.8.02 Development Standards for Rowhouse/Shophouse Building Type			
	TC-TMX	TC-NT	M-SN
27. Required occupied space	Minimum 30 feet deep on ground/first floor from the building's façade	Not required	
28. Parking within building	Permitted fully in any basement and in rear of ground floor		
29. Entry for parking within/attached to rowhouse/shophouse	Rear façade, interior side façade, or corner side facade		
G. Street Façade Requirements			
30. Minimum transparency per each story	15%	12%	
31. Blank wall limitations	Required per floor on all stories of street facing facades		
32. Front façade entrance type	Porch, stoop, dooryard		
33. Principal entrance location	Front or corner side façade		
34. Required number of street entrances	Each unit shall have an individual pedestrian entry facing a street		
35. Ground story vertical facade divisions	Not required		
36. Horizontal façade divisions	Not required		
37. Building encroachments	Refer to Section _____		
38. Number of units per building	Minimum – 2 units		
	Maximum – 6 units		
39. Width of each rowhouse/shophouse (feet)	Minimum – 18		
	Maximum – 36		
Notes to Schedule 5.8.02:			
<div>1. When parking access is not available on an alley, rear street, or side street and is only available at primary street, the required percentage indicated above may be reduced by the Planning Commission to allow parking access that is perpendicular to the front lot line and located behind the façade of the principal building.</div> <div>2. For rowhouses fronting on Greene Street, the minimum front setback shall be 7 feet, and the setback shall be measured from the back of the sidewalk.</div> <div>3. Side setback not required between attached rowhouses along a common lot line.</div> <div>4. When parking areas are accessed from the front, a single shared drive shall be provided and the width of the curb cut shall not exceed 20 feet.</div> <div>5. Required private open space shall be located behind the main body of the building and may include attached decks or porches. The Planning Commission may permit the private open space to be aggregated into a common open space area for the residents of the development when lot features prohibit the provision of private open space for each individual rowhouse/shophouse.</div> <div>6. On corner lots, parking lots shall be behind the building façade and/or set back a minimum of 10 feet from the secondary street lot line and screened with a 3-foot masonry or continuous landscape wall.</div>			
NA = Not Applicable			

The Form-Based Districts are new, so no changes to existing provisions are noted.

SECTION 5.9 Duplex Building Type

5.9.01 Description & Intent.

5.9.02 Duplex Building Type Regulations.

5.9.01 DESCRIPTION & INTENT.

The Duplex building type is a small to medium-sized building that consists of two side-by-side or stacked dwelling units, both facing the street, and within a single building massing. This Building Type has the appearance of a medium to large single-family home and is appropriately scaled to fit within single-family and medium-density neighborhoods. Parking is located to the side or rear of the structure in a detached structure or in the driveway. Duplexes enable appropriately scaled higher housing densities, which adds to broader housing choices and supports adjacent traditional business districts, while contributing to the walkability of the City's close-in neighborhoods.



The Form-Based Districts are new, so no changes to existing provisions are noted.

5.9.02 DUPLEX BUILDING TYPE REGULATIONS.

All buildings, parking areas, and land in the Form-Based Districts shall comply with the requirements set forth in Schedule 5.9.02. See Section _____, Specific-Use Regulations, for additional development regulations for Conditional and Restricted Uses.

Schedule 5.9.02 Development Standards for Duplex Building Type			
	TC-NT	M-SN	I-RMX
A. Lot Configuration.			
1. Minimum lot area (square feet)	5,000		
2. Minimum lot width (feet)	50		
3. Minimum lot depth (feet)	100		
4. Maximum impervious area in the front yard	Parking spaces shall not cause the ratio of unpaved area to paved area (parking and driveway areas) in the front yard to be less than 3:1.		
B. Principal Building Siting.			
5. Multiple principal buildings	Not Permitted		
6. Minimum primary lot line coverage	50%		
7. Occupation of corner	Not required		
8. Primary or Fronting Street Setback	Minimum - Average of adjacent Traditional or Compact Dwelling Building Types – See Note 1		
	Maximum - 5 feet behind the average of adjacent Traditional or Compact Dwelling Building Types		
9. Secondary street (corner street) setback (feet)	15		
10. Minimum side setback (feet) (Minimum of one side)	5 – See Note 2		
11. Combined minimum side setback for both sides (feet)	14 – See Note 2		
12. Minimum rear setback (feet)	25		
13. Maximum building width (feet)	55		
14. Private open space	Per unit	Minimum width - 8 feet Minimum depth - 8 feet Minimum area - 100 sq. ft.	
15. Permitted vehicular access	One driveway per lot		
16. Minimum gross floor area per dwelling unit (square feet)	500		
C. Accessory Siting.			
17. Parking location	Off-street parking is permitted in driveways in the front, side, and rear yards.		

Should 2 driveways be permitted?

The Form-Based Districts are new, so no changes to existing provisions are noted.

Schedule 5.9.02 Development Standards for Duplex Building Type			
	TC-NT	M-SN	I-RMX
18. Minimum parking setback	Off-street parking located in the rear yard shall be set back a minimum of ten (10) feet from the rear lot line.		
19. Accessory building/structure location	Detached garages shall be in the rear yard. For other accessory structures, see Section _____		
20. Accessory building/structure side & rear required setbacks	See Section _____		
D. Height.			
21. Maximum overall height of principal building	35 feet or 2.5 stories		
22. Maximum height of accessory building	15 ft.		
E. Uses.			
23. All stories	Residential uses permitted by the sub-zone		
24. Maximum number of units per building	2		
25. Attached garage	For principal buildings on lots of record that existed as of Jan 2023, one single car attached garage is permitted on the front façade; an attached garage of any size is permitted on the basement façade, corner side, interior side, or rear façade. Refer to Note 3.		
F. Street Façade Requirements			
26. Minimum transparency per each story	15%		
27. Blank wall limitations	Not required		
28. Front façade entrance type	Porch, stoop		
29. Principal entrance location	Entrance to at least one unit shall be on the front or corner side facade		
30. Required number of street entrances	Minimum one per principal building		
31. Ground story vertical façade divisions	Not required		
32. Horizontal façade divisions	Not required		
33. Building encroachments	Refer to Section _____		
Notes to Schedule 5.9.02:			
1. The minimum front setback shall be the average setback of adjacent principal dwelling units. When applicable, such minimum front setback shall be the average distance of the front setbacks of the four lots, two on either side, of the lot under review. When there are no adjacent principal dwelling units, the Zoning Administrator shall use the prevalent average setback on the same side of the street.			
2. Side setback not required between attached duplex units.			
3. An attached garage shall meet the setbacks for the principal building.			

The Form-Based Districts are new, so no changes to existing provisions are noted.

SECTION 5.10

Traditional Single-family Dwelling Building Type

5.10.01 Description & Intent.

5.10.02 Traditional Single-family Dwelling Building Type Regulations.

5.10.03 Residential Contextual Standards.

5.10.01 DESCRIPTION & INTENT.

The Traditional Single-Family Dwelling is a medium to large detached home that contains one principal dwelling unit and has a front entrance facing the street. It sits on a medium-sized private lot typically with a small front setback and narrow side setbacks. The garage is often detached and in the rear yard, but the home usually does not have a front loading garage that is visible from the street. Traditional Single-Family Dwellings are most commonly 2 to 2.5 stories with a front porch that adds to the walkable nature of the neighborhood, which is adjacent to one of Fort Thomas' traditional business districts. Where permitted by the Form-Based District, a Traditional Single-Family Dwelling building type may house a non-residential use solely or in combination with a residential use.



The Form-Based Districts are new, so no changes to existing provisions are noted.

5.10.02 TRADITIONAL SINGLE-FAMILY DWELLING BUILDING TYPE REGULATIONS.

All buildings, parking areas, and land in the Form-Based Districts shall comply with the requirements set forth in Schedule 5.10.02. See Section _____, Specific-Use Regulations, for additional development regulations for Conditional and Restricted Uses.

Schedule 5.10.02 Development Standards for Traditional Single-Family Dwelling				
	TC-TMX	TC-NT	M-SN	I-RMX
A. Lot Configuration.				
1. Minimum lot area (square feet)	8000	7500	7500	5500
2. Minimum lot width (feet)	40	40	50	50
3. Minimum lot depth (feet)	110	110	95	100
4. Maximum impervious area in the front yard	Not applicable; if building type used as a dwelling, shall comply with the requirement for the TC-NT and M-SN sub-zones.	Parking spaces shall not cause the ratio of unpaved area to paved area (parking and driveway areas) in the front yard to be less than 3:1.	Not applicable; if building type used as a dwelling, shall comply with the requirement for the TC-NT and M-SN sub-zones	
B. Principal Building Siting.				
5. Multiple principal buildings	Not Permitted			
6. Minimum front lot line coverage	50%			
7. Occupation of corner	Not required			
8. Primary or Fronting Street setback	Minimum - Average of adjacent Traditional or Compact Dwelling Building Types – See Note 1			
	Maximum - 5 feet behind the average of adjacent Traditional or Compact Dwelling Building Types			
9. Secondary street (corner street) setback (feet)	15			
10. Minimum side setback (feet) (minimum for one side)	4			
11. Combined minimum side setback for both sides (feet)	14			
12. Minimum rear setback (feet)	25			
13. Maximum building width (feet)	55			

The Form-Based Districts are new, so no changes to existing provisions are noted.

Schedule 5.10.02 Development Standards for Traditional Single-Family Dwelling				
	TC-TMX	TC-NT	M-SN	I-RMX
14. Private open space	Minimum width- 20 feet Minimum depth- 20 feet Minimum area- 450 sq. ft.	Minimum width - 15 feet Minimum depth - 15 feet Minimum area - 250 sq. ft.		
15. Permitted vehicular access	One driveway per lot			
16. Minimum gross floor area per dwelling unit (square feet)	1,000			
C. Accessory Siting.				
17. Parking location	Rear yard; If building type is used as a dwelling, shall comply with the parking location requirement in the TC-NT and M-SN sub-zones.	Off-street parking is permitted in driveways in the front, side, and rear yards.		Rear yard; If building type is used as a dwelling, shall comply with the parking location requirement in the TC-NT and M-SN sub-zones.
18. Minimum parking setback	Off-street parking located in the rear yard shall be set back a minimum of ten (10) feet from the rear lot line.			
19. Accessory building/structure location	Detached garages shall be in the rear yard. For other accessory structures, see Section _____			
20. Accessory building/structure side & rear required setbacks	See Section _____			
D. Height.				
21. Maximum overall height of principal building	35 feet or 2.5 stories			
22. Maximum height of accessory building	15 ft.			
E. Uses.				
23. All stories	Any use permitted in the sub-zone	Residential uses permitted by the sub-zone		Any use permitted in the sub-zone
24. Attached garage	For principal buildings on lots of record that existed as of Jan 2023, one single car attached garage is permitted on the front façade; an attached garage of any size is permitted on the basement façade, corner side, interior side, or rear façade. Refer to Note 2.			
F. Street Façade Requirements				
25. Minimum transparency per each story	15%			

The Form-Based Districts are new, so no changes to existing provisions are noted.

Schedule 5.10.02 Development Standards for Traditional Single-Family Dwelling				
	TC-TMX	TC-NT	M-SN	I-RMX
26. Blank wall limitations	Not required			
27. Front façade entrance type	Porch, stoop			
28. Principal entrance location	Front or corner side facade			
29. Required number of street entrances	Minimum one per principal building			
30. Ground story vertical façade divisions	Not required			
31. Horizontal façade divisions	Not required			
32. Building encroachments	Refer to Section _____			
Notes to Schedule 5.10.02:				
<div>1. The minimum front setback shall be the average setback of adjacent principal dwelling units. When applicable, such minimum front setback shall be the average distance of the front setbacks of the four lots, two on either side, of the lot under review. When there are no adjacent principal dwelling units, the Zoning Administrator shall use the prevalent average setback on the same side of the street.</div> <div>2. An attached garage shall meet the setbacks for the principal building. See Section 5.10.03.</div>				

5.10.03 RESIDENTIAL CONTEXTUAL STANDARDS.

The purpose of the following residential contextual standards is to further the goals of the City of Fort Thomas *Comprehensive Plan* and the Purpose Statements in this Section. The *Comprehensive Plan* sets out the following goals and objectives:

- Maintain and improve our housing stock and neighborhoods.
- Promote continued neighborhood investment through renovations and rehabilitation of homes, along with compatible additions and new infill construction and other improvements that help neighborhoods retain their viability and desirability.
- Encourage sensitive renovations to older homes as a way of retaining the original character of Fort Thomas neighborhoods.
- Ensure that new housing is compatible with the character of the surrounding area.

The regulations below are tailored to fulfill these goals and objectives so that infill development in the City's traditional neighborhoods retain and enhance the City's original residential built environment that is recognized and valued in the City's *Comprehensive Plan*.

- Applicability.** In the Form-Based zoning districts, all new single-family detached dwellings, constructed on lots of record that existed as of January 2023, shall comply with the regulations in this sub-section.

The Form-Based Districts are new, so no changes to existing provisions are noted.

1. Street-facing Garages.

- a. Street-facing garages are prohibited except one car attached garages may be permitted on lots that existed as of January 2023.
- b. When permitted, street-facing garages shall not:
 - i. Protrude beyond the wall of the livable portion of the dwelling;
 - ii. Occupy more than thirty percent (30%) of the street-facing building façade.
- c. Street-facing garages shall incorporate at least one (1) of the following design features:
 - i. Each garage door shall include transparent or opaque windows;
 - ii. Garage doors shall incorporate decorative hinges or hardware that may be functional or aesthetic;
 - iii. Garage doors shall include an overhang, eave, trellis, arbor, awning, or other similar architectural feature that projects at least 16 inches beyond the facade directly above the garage door(s);
 - iv. Garage doors shall be flanked on either side by vertical design elements like columns, pilasters, posts, or similar vertical feature.

2. Side-loading Garages. Only on lots greater than 70 feet in width, side-loaded garages may be closer to the street than the primary entrance to the dwelling, provided the garage facade facing the street includes compatible design features found on other building facades, including but not limited to:

- a. Windows;
- b. Eaves;
- c. Overhangs;
- d. Decorative trim;
- e. Material changes; or
- f. Other architectural features included for the sake of compatibility with the dwelling.

Should side-loaded garages be permitted in the Form-Based Districts?

- B. Design Review of New Single-Family Detached Dwellings. The Zoning Administrator shall review new single-family detached dwellings for compliance with the standards in this sub-section. If an applicant wishes to deviate from these standards, the application will be forwarded to the Design Review Board, and the Design Review Board may permit deviations when appropriate due to site constraints or applicant's request to meet the intent of the standard in an equal or better way than strict adherence to the standard.

The Form-Based Districts are new, so no changes to existing provisions are noted.

SECTION 5.11

Compact Single-Family Dwelling Building Type

5.11.01 Description & Intent.

5.11.02 Compact Single-Family Dwelling
Building Type Regulations.

5.11.03 Residential Contextual Standards.

5.11.01 DESCRIPTION & INTENT.

The Compact Single-Family Dwelling is a small, detached structure that contains one principal dwelling unit and has a front entrance facing the street. It sits on a small, private lot typically with a shallow front setback. The dwelling may not have a garage. If it does, it may be located behind the dwelling, but it will not be a distinguishing feature on the front of the home. Compact single-family dwellings permit higher, residential densities adjacent to business districts and promote walkability and housing choice.



The Form-Based Districts are new, so no changes to existing provisions are noted.

5.11.02 COMPACT SINGLE-FAMILY DWELLING BUILDING TYPE REGULATIONS.

All buildings, parking areas, and land in the Form-Based Districts shall comply with the requirements set forth in Schedule 5.11.02. See Section _____, Specific-Use Regulations, for additional development regulations for Conditional and Restricted Uses.

Schedule 5.11.02 Development Standards for Compact Single-Family Dwelling		
	TC-NT	M-SN
A. Lot Configuration.		
1. Minimum lot area (square feet)	5000	3000
2. Minimum lot width (feet)	40	30
3. Minimum lot depth (feet)	100	80
4. Maximum impervious area in the front yard	Parking spaces shall not cause the ratio of unpaved area to paved area (parking and driveway areas) in the front yard to be less than 3:1.	
B. Principal Building Siting.		
5. Multiple principal buildings	Not Permitted	
6. Minimum primary lot line coverage	50%	
7. Occupation of corner	Not required	
8. Primary or Fronting Street Setback	Minimum - Average of adjacent Traditional or Compact Dwelling Building Types – See Note 1	
	Maximum - 5 feet behind the average of adjacent Traditional or Compact Dwelling Building Types	
9. Secondary street (corner street) setback (feet)	15	
10. Minimum side setback (feet) (minimum for one side)	3	3
11. Combined minimum side setback for both sides (feet)	12	9
12. Minimum rear setback (feet)	25	20
13. Maximum building width	40 ft.	
14. Private open space	Minimum width - 10 feet Minimum depth - 10 feet Minimum area - 125 sq. ft.	
15. Permitted vehicular access	One driveway per lot	
16. Minimum gross floor area per dwelling unit (square feet)	800 sq. ft.	

The Form-Based Districts are new, so no changes to existing provisions are noted.

Schedule 5.11.02 Development Standards for Compact Single-Family Dwelling		
	TC-NT	M-SN
C. Accessory Siting.		
17. Parking location	Off-street parking is permitted in driveways in the front, side, and rear yards.	
18. Minimum parking setback	Off-street parking located in the rear yard shall be set back a minimum of ten (10) feet from the rear lot line.	
19. Accessory building/structure location	Detached garages shall be in the rear yard. For other accessory structures, see Section _____	
20. Accessory building/structure side & rear required setbacks	See Section _____	
D. Height.		
21. Maximum overall height of principal building	35 feet or 2.5 stories	
22. Maximum height of accessory building	15 ft.	
E. Uses		
23. All stories	Residential uses permitted by the sub-zone	Residential uses permitted by the sub-zone; Live/Work on S. Fort Thomas Avenue
24. Attached garage	For principal buildings on lots of record that existed as of Jan 2023, one single car attached garage is permitted on the front façade; an attached garage of any size is permitted on the basement façade, corner side, interior side, or rear façade. Refer to Note 2 and sub-section 5.11.03.	
F. Street Façade Requirements.		
25. Minimum transparency per each story	10%	
26. Blank wall limitations	Not required	
27. Front façade entrance type	Porch, stoop	
28. Principal entrance location	Front or corner side facade	
29. Required number of street entrances	Minimum one per principal building	
30. Ground story vertical façade divisions	Not required	
31. Horizontal façade divisions	Not required	
32. Building encroachments	Refer to Section _____	

The Form-Based Districts are new, so no changes to existing provisions are noted.

Schedule 5.11.02 Development Standards for Compact Single-Family Dwelling		
	TC-NT	M-SN
Notes to Schedule 5.11.02:		
<ol style="list-style-type: none"> 1. The minimum front setback shall be the average setback of adjacent principal dwelling units. When applicable, such minimum front setback shall be the average distance of the front setbacks of the four lots, two on either side, of the lot under review. When there are no adjacent principal dwelling units, the Zoning Administrator shall use the prevalent average setback on the same side of the street. 2. An attached garage shall meet the setbacks for the principal building. 		

5.11.03 RESIDENTIAL CONTEXTUAL STANDARDS.

The purpose of the following residential contextual standards is to further the goals of the City of Fort Thomas *Comprehensive Plan* and the Purpose Statements in this Section. The Comprehensive Plan sets out the following goals and objectives:

- Maintain and improve our housing stock and neighborhoods.
- Promote continued neighborhood investment through renovations and rehabilitation of homes, along with compatible additions and new infill construction and other improvements that help neighborhoods retain their viability and desirability.
- Encourage sensitive renovations to older homes as a way of retaining the original character of Fort Thomas neighborhoods.
- Ensure that new housing is compatible with the character of the surrounding area.

The regulations below are tailored to fulfill these goals and objectives so that infill development in the City's traditional neighborhoods retain and enhance the City's original residential built environment that is recognized and valued in the City's *Comprehensive Plan*.

- A. Applicability. In the Form-Based zoning districts, all new single-family detached dwellings, constructed on lots of record that existed as of January 2023, shall comply with the regulations in this sub-section.

1. Street-facing Garages.

- a. Street-facing garages are prohibited except one car attached garages may be permitted on lots that existed as of January 2023.
- b. When permitted, street-facing garages shall not protrude beyond the wall of the livable portion of the dwelling;
- c. Street-facing garages shall incorporate at least one (1) of the following design features:
 - i. Each garage door shall include transparent or opaque windows;

The Form-Based Districts are new, so no changes to existing provisions are noted.

- ii. Garage doors shall incorporate decorative hinges or hardware that may be functional or aesthetic;
- iii. Garage doors shall include an overhang, eave, trellis, arbor, awning, or other similar architectural feature that projects at least 16 inches beyond the facade directly above the garage door(s);
- iv. Garage doors shall be flanked on either side by vertical design elements like columns, pilasters, posts, or similar vertical feature.

2. Side-loading Garages. On lots greater than 70 feet in width, side-loaded garages may be closer to the street than the primary entrance to the dwelling, provided the garage facade facing the street includes compatible design features found on other building facades, including but not limited to:

Should side-loaded garages be permitted in the Form-Based Districts?

- a. Windows;
- b. Eaves;
- c. Overhangs;
- d. Decorative trim;
- e. Material changes; or
- f. Other architectural features included for the sake of compatibility with the dwelling.

- B. Design Review of New Single-Family Detached Dwellings. The Zoning Administrator shall review new single-family detached dwellings for compliance with the standards in this sub-section. If an applicant wishes to deviate from these standards, the application will be forwarded to the Design Review Board, and the Design Review Board may permit deviations when appropriate due to site constraints or applicant's request to meet the intent of the standard in an equal or better way than strict adherence to the standard.

The Form-Based Districts are new, so no changes to existing provisions are noted.

SECTION 5.12

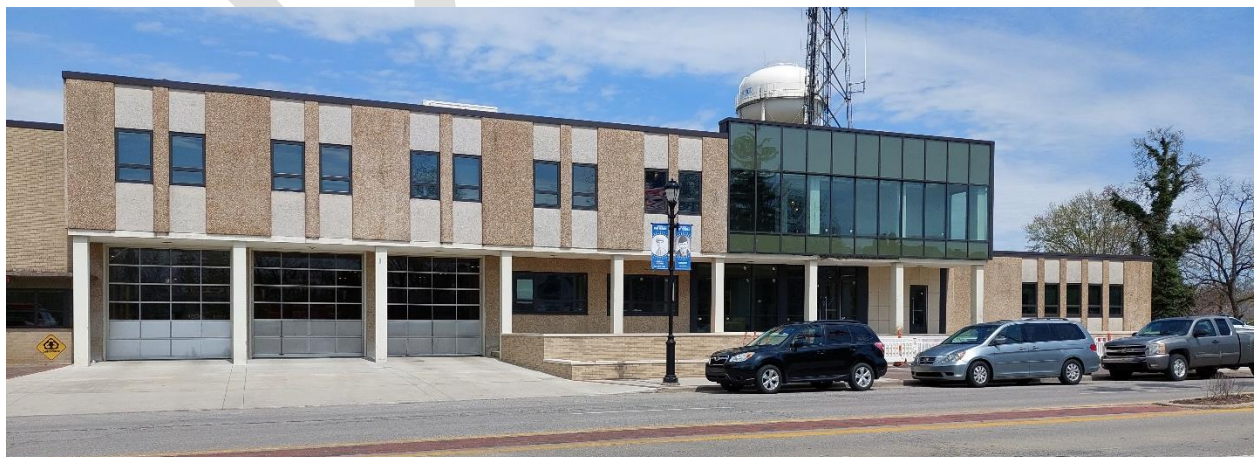
Civic Building Type

5.12.01 Description & Intent.

5.12.02 Civic Building Type Regulations.

5.12.01 DESCRIPTION & INTENT.

The Civic Building Type can be a small, medium or large-sized building(s) that incorporates public uses including, but not limited to municipal buildings, places of worship, libraries, and schools. Civic Building forms are less prescribed than other building types because their prominence within the City may necessitate more distinctive forms.



The Form-Based Districts are new, so no changes to existing provisions are noted.

5.12.02 CIVIC BUILDING TYPE REGULATIONS.

All buildings, parking areas, and land in the Form-Based Districts shall comply with the requirements set forth in Schedule 5.12.02. See Section _____, Specific-Use Regulations, for additional development regulations for Conditional and Restricted Uses.

Schedule 5.12.02 Development Standards for Civic Building Type							
	TC-CMX	TC-TMX	M-CMX	M-SCMX	M-SN	I-NBMX	I-RMX
A. Lot Configuration.							
1. Minimum lot area (sq. ft.)	5,500			22,500	5,500	5,500	22,500
2. Minimum lot width (feet)	50			50	50	50	50
3. Minimum lot depth (feet)	100			NA	100	100	NA
4. Maximum lot coverage	None			None	None	None	None
B. Principal Building Siting.							
5. Multiple principal buildings	Permitted						
6. Minimum primary lot line coverage	Not required						
7. Occupation of corner	Not required						
8. Setback from back of sidewalk along Fort Thomas Avenue (feet)	Minimum - 20	Minimum - 0		NA			
	Maximum - 50	Maximum - 15					
9. Primary or Fronting Street setback (feet) – See Note 1	NA				Minimum - 0		
					Maximum - 20		
10. Secondary street (corner street) setback (feet)	Minimum – 5						
	Maximum – 20						
11. Minimum side setback (feet)	Adjacent to lot in Form-based Zoning District – 0				50	Adjacent to lot in Form-based Zoning District – 0	50
	Adjacent to lot in Conventional Residential District - 15					Adjacent to lot in Conventional Residential District - 15	
12. Minimum rear setback (feet) –	Adjacent to lot in Form-based Zoning District – 0				50	Adjacent to lot in Form-based Zoning District – 0	50
	Adjacent to lot in Conventional Residential District - 15					Adjacent to lot in Conventional Residential District - 15	

The Form-Based Districts are new, so no changes to existing provisions are noted.

Schedule 5.12.02 Development Standards for Civic Building Type							
	TC-CMX	TC-TMX	M-CMX	M-SCMX	M-SN	I-NBMX	I-RMX
13. Maximum building width (feet)	None						
14. Private open space	Not required						
15. Permitted vehicular access	One driveway per street frontage unless the Planning Commission, after consultation with the City Engineer, approves a circular driveway or multiple curb cuts						
C. Accessory Siting.							
16. Parking location	Parking in the front yard is prohibited; parking shall be located behind the front façade of the principal building(s)						
17. Minimum parking lot setback from the project boundary (feet) – See Note 3	12						
18. Accessory building/structures location	Rear yard; prohibited in front and corner side yards						
19. Accessory building/structure side & rear setback from boundary of development (feet)	5						
D. Height.							
20. Maximum Principal building – See Note 2	4 stories or 50 feet				35 feet or 2.5 stories	3 stories or 40 feet	
21. Minimum ground floor ceiling height (feet)	10						
22. Minimum upper floor ceiling height (feet)	9						
23. Maximum height of accessory buildings/structures (feet)	15						
E. Uses.							
24. All stories	Only community facilities and institutional uses as noted in Schedule 5.1.02						
25. Rooftop	Habitable roof permitted				Habitable roof prohibited	Habitable roof permitted	
26. Required occupied space	Minimum of 30 feet deep on the first/ground floor from the front facade						
27. Parking within building	Permitted fully in the basement and in the rear of all floors						
28. Entry for parking within/attached to principal building	Rear or side facade						
F. Street Façade Requirements							
29. Minimum transparency per each story	10%						
30. Blank wall limitations	Required for ground/first floor of street facing facades						
31. Front façade entrance type	Stoop, porch, arcade						

The Form-Based Districts are new, so no changes to existing provisions are noted.

Schedule 5.12.02 Development Standards for Civic Building Type							
	TC-CMX	TC-TMX	M-CMX	M-SCMX	M-SN	I-NBMX	I-RMX
32. Principal entrance location	Front, corner side, or side facade						
33. Required number of street entrances	Minimum of one per principal building						
34. Ground story vertical facade divisions	No requirement						
35. Horizontal facade divisions	No requirement						
36. Building encroachments	Refer to Section 5.13						
37. Primary street facade prohibitions	Loading docks, overhead doors, & other service entries shall not be located on primary street facades						

Notes to Schedule 5.12.02:

1. In the M-SCMX, Cochran Avenue is considered a Fronting Street, so a lot(s) with dual frontage on Cochran and Ft. Thomas Avenues shall comply with "Setback from Back of Sidewalk along Fort Thomas Avenue" and the "Fronting Street Setback."
2. See _____, Exceptions to Height Limits.
3. On corner lots, parking lots shall be behind the building facade or set back a minimum of 20 feet from the secondary street, as applicable.

NA = Not Applicable

The Form-Based Districts are new, so no changes to existing provisions are noted.

SECTION 5.13

Explanation & Measurement of Regulations Specific to Building Types

5.13.01	Purpose of Section.	5.13.05	Height.
5.13.02	Lot Configuration.	5.13.06	Uses.
5.13.03	Principal Building Siting.	5.13.07	Street Façade Requirements.
5.13.04	Accessory Siting.	5.13.08	Entrance Types.

5.13.01 PURPOSE OF SECTION.

This Section explains and defines the regulations established in the Schedules for each Building Type. Refer to Sections 5.3 through 5.12 for the regulations for each permitted Building Type.

5.13.02 LOT CONFIGURATION.

The Lot Configuration line item in each Building Type Schedule lists the minimum and maximum Lot Configuration requirements for the specific Building Type. Please see Section 1.1, Definitions, for the definition of lot area, lot width, lot depth, and lot coverage.

5.13.03 PRINCIPAL BUILDING SITING.

The following sub-sections define some of the line item requirements within the Principal Building Siting sub-section in each Building Type Schedule. For those requirements not listed below, see Section 1.1, Definitions.

- A. Multiple Principal Buildings. The allowance of more than one principal structure on a lot.
 1. Not Permitted. When noted as such, the building type is limited to one principal building per lot.
 2. Permitted. When noted as such, the building type is permitted to have more than one principal building per lot. Each building shall fulfill the requirements of the building type, and combined shall fulfill Minimum Primary Lot Line Coverage, unless otherwise noted.
- B. Minimum Primary Lot Line Coverage. The Minimum Primary Lot Line Coverage specifies the percentage of the width of the building facade, measured along the adjacent primary or front right-of-way line, which shall be located within a Build-to Zone. A Build-to-Zone is the area between the minimum and maximum right-of-way setback lines.
- C. Occupation of Corner. When required, a principal building shall be located at the intersection of the front and corner side streets. Refer to Figure ____ Build-to Zone & Occupation of Corner.

Figures will be inserted in Phase 3.

The Form-Based Districts are new, so no changes to existing provisions are noted.

- D. Front or Primary Street Build-to-Zone. “Build-to-Zone (BTZ)” is the area on a lot, measured parallel from the front or primary lot line, where a structure must locate within the minimum and maximum range of setbacks prescribed for each Building Type. The building facade must be located within the Build-to-Zone.
1. Encroachments.
 - a. Building-supported awnings, canopies, balconies, bays, eaves, and cornices are permitted to encroach provided they allow a minimum of 8 feet vertical clearance in any public right-of-way. No additional support is permitted.
 - b. For permitted encroachments for Traditional Single-Family, Compact Single Family, Duplex, and Rowhouse/Shophouse Building Types, see Section _____.
 2. Determining Front Lot Line on Corner Lot. On corner lots, the front lot line is the primary street designation, when applicable. If no primary street designation, the front lot line shall be determined by the two abutting lots on each side of the lot under the direction of the Zoning Administrator.
- E. Corner or Secondary Street Build-to-Zone. The build-to zone or setback parallel to the corner lot line. Building-supported awnings, canopies, balconies, bays, eaves, and cornices are permitted to encroach provided they allow a minimum of 8 feet vertical clearance in any public right-of-way. No additional support is permitted.
- F. Minimum Side Setback. The minimum required building setback along a side lot line. Building-supported awnings, bays, eaves, and cornices are permitted to encroach beyond the building line up to two (2) feet into the required minimum side setback.
- G. Minimum Rear setback. The minimum required building setback from the rear lot line.
- H. Maximum Building Width. The maximum width of the building measured parallel to the front or Primary Street lot line.

Primary streets will be added to the Regulating Maps for each Form-Based Zoning District during Phase 3.

- I. Private Open Space. Private open space shall be composed of an outdoor area or areas designed for outdoor living, recreation or landscaping, including such areas on the ground and on decks, balconies, porches, and roofs. Private Open Space is an area or areas private to and designed for use by only one dwelling unit that is accessible from the dwelling units. Some Building Types permit the Planning

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Commission to aggregate Private Open Space into common open space. Required setbacks and driveways shall not be included in the private open space area calculation.

- J. Permitted Vehicular Access. The permitted means of vehicular ingress and egress to the lot. Refer to Section _____, Off-Street Parking Regulations.

5.13.04 ACCESSORY SITING.

The Accessory Siting line item in each Building Type Schedule specifies permitted off-street parking location, the minimum setback for off-street parking facilities as well as the permitted locations for accessory structures and the required setbacks for accessory structures. Please refer to Section 1.1, Definitions, for the terms referred to in this line item.

5.13.05 HEIGHT.

The following sub-sections define some of the line item requirements within the Height sub-section in each Building Type Schedule. For those requirements not listed below, see Section 1.1, Definitions.

- A. Minimum Principal Building Height. The minimum overall height for the building that shall be located within the build-to zone.
- B. Maximum Principal Building Height. The sum of a building's maximum total number of stories or total height measured in feet excluding accessory rooftop appurtenances as permitted in sub-section _____. Any appurtenance extending above the maximum height shall not be used for any use other than a use incidental to the principal use of the building.
- C. Ground Story and Upper Story, Minimum Height. Most Building Types include a required minimum height in feet for ground and upper floors for each story. See Figure _____, Measuring Height.
1. Floor height is measured in feet between the floor of a story to the floor of the story above it.
 2. Floor height requirements apply only to street facing facades, with the following provisions applied to ground story height requirements: For front facades, ground story height requirements shall be maintained for either the depth of an average minimum of thirty (30) feet or the depth of a public or common portion of the street facing use or uses, whichever depth is smaller.
 - a. Where site slope renders strict compliance with ground story floor height requirements impracticable, the Planning Commission may reasonably calculate average ground story heights across a reasonable portion of the ground floor, taking uses, front façade location, and the intent of these regulations into account.

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- b. For single story buildings and the uppermost story of a multiple story building, floor to floor height shall be measured from the floor of the story to the tallest point of the ceiling. One (1) foot may be deducted from the required minimum dimension for top stories.
- D. Ground Floor Finish Level. Height difference between the ground floor finished floor of residential or commercial space and the adjacent public walk.

5.13.06 USES.

The following sub-sections explain some of the line item requirements within the Uses sub-section in each Building Type Schedule. Refer to Section 5.1, Uses, for uses permitted within each Form-Based Zoning District.

- A. Ground and Upper Story. The uses or category of uses that may occupy the ground and/or upper story of a building. Uses permitted within the Building Type are permitted in the basement of the building.
- B. Rooftop. Some Building Types permit Habitable Roofs.
- C. Required Occupied Space. The minimum depth of space, as measured from the front or Primary Street facade into the building required to be designed as occupied space or interior building space regularly occupied by the building users. It does not include storage areas, utility space, or parking.
- D. Parking within Building. The area(s) of a building in which parking is permitted within the structure.
- E. Entrance to Parking within Building. Vehicular entrances to structured or internal parking or service areas within the building are permitted per facade.

5.13.07 STREET FAÇADE REQUIREMENTS.

The following sub-sections explain the line item requirements within the Street Façade Requirement sub-section in each Building Type Schedule. Street Façade Requirements apply only to building facades facing a public or private street right-of-way. Where noted, courtyards opening up to a street are also required to fulfill these requirements. The rear or interior side yard facades are not required to fulfill these standards unless otherwise stated.

- A. Minimum Ground Story and Upper Floor Transparency. The minimum amount of transparency required on street facades with street frontage. See Figure _____ Measuring Transparency.
 - 1. Ground Story Front Facade Transparency, when defined separately from the overall minimum transparency, shall be measured between two (2) feet and eight (8) feet from the average grade at the base of the front facade.

The Form-Based Districts are new, so no changes to existing provisions are noted.

2. A general minimum transparency requirement is measured from floor to floor of each story.
- B. Blank Wall limitations. A restriction of the amount of windowless area permitted on a facade with street frontage. If required, the following shall both be met for each story:
 1. No rectangular area greater than 30 percent of a story's facade, as measured from floor to floor, may be windowless; and
 2. No horizontal segment of a story's facade greater than fifteen (15) feet in width may be windowless.
- C. Front Façade Entrance Type. The Front Façade Entrance Type(s) permitted for the entrance(s) of a given building type. A mix of permitted Entrance Types may be utilized. Refer to sub-section 5.13.08, Entrance Types, for definition of and additional requirements for each Entrance Type.
- D. Principal Entrance Location. The facade on which the principal building entrance is to be located. Principal building entrance is the main public entrance to the majority of uses in the building.
- E. Required Number of Street Entrances. The minimum number of and maximum spacing between entrances on the ground floor building facade with street frontage.
- F. Ground Story Vertical Facade Divisions. The use of a vertically oriented expression line or building element to divide the ground story facade into increments no greater than the dimension shown, as measured along the base of the facade. Building elements may include a column, pilaster, or other continuous vertical ornamentation, all with a minimum depth of 2 inches and a minimum width of 3 inches. Refer to Section 1.1 for definition of Expression Line.
- G. Horizontal Facade Divisions. The use of a horizontally oriented expression line or building element to divide portions of the facade into horizontal divisions, extending a minimum of 80 percent of the full width of the facade. Building elements may include a cornice, belt course, molding, string courses, or other continuous horizontal ornamentation a minimum of one and a half inch depth and a minimum height of three (3) inches. Refer to Section 1.1 for definition of Expression Line.

5.13.08 ENTRANCE TYPES.

The following entrance types are permitted by Building Type, defined in the Building Type Schedule requirements contained in Sections 5.3 through 5.12. Entrance type standards apply to the ground story and visible basement of front facades of all Building Types as defined in this Section.

- A. General. The following provisions apply to all entrance types.

The Form-Based Districts are new, so no changes to existing provisions are noted.

1. Intent. To guide the design of the ground story of all buildings to relate appropriately to pedestrians on the street. Treatment of other portions of the building facades is detailed in each Building Type Schedule contained in Sections 5.3 through 5.12.
 2. Applicability. The entire ground story street-facing facade(s) of all buildings shall fulfill the requirements of at least one of the permitted entrance types, unless otherwise permitted.
 3. Measuring Transparency. Refer to Figure _____ Measuring Transparency for information on measuring building transparency.
 4. Visible Basements. Visible basements, permitted by entrance type, are optional. The visible basement shall be a maximum of one-half the height of the tallest story.
- B. Storefront Entrance Type. The Storefront entrance type is a highly transparent ground story treatment designed to serve primarily as the display area and primary entrance for retail, service, or office uses. Refer to Figure _____ Storefront Entrance Type.
1. Transparency. Minimum transparency is required per Building Type.
 2. Elevation. Storefront entrance threshold elevation shall be between zero and one (1) foot above sidewalk.
 3. Visible Basement. A visible basement is prohibited.
 4. Horizontal Facade Division. Horizontally define the ground story facade from the upper stories with an expression line.
 5. Entrance. Entries may be recessed from the front facade closest to the street.
 - a. Any recessed entrance shall be a minimum of three (3) feet and a maximum of eight (8) feet deep, measured from the portion of the front facade closest to the street.
 - b. When the recessed entrance falls behind the front build-to zone, the recess shall be no wider than 8 feet.
- C. Arcade Entrance Type. An Arcade entrance type is a covered pedestrian walkway within the recess of a ground story. Refer to Figure _____ Arcade Entrance Type.
1. Arcade. An open-air public walkway is required from the face of the building recessed into the building a minimum of eight (8) and a maximum of fifteen (15) feet.

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2. Build-to Zone. When the Arcade is utilized, the outside face of the Arcade shall be considered the front facade, located within the required build-to zone.
 3. Interior Facade. Storefront entrance type is required on the interior ground story facade.
 4. Column Spacing. Columns shall be spaced between eight (8) feet and twelve (12) feet on center.
 5. Column Width. Columns shall be a minimum of 1'-8" and a maximum 2'-4" in width.
 6. Horizontal Facade Division. Horizontally define the ground story facade from the upper stories with an Expression Line.
 7. Visible Basement. A visible basement is prohibited.
- D. Stoop Entrance Type. A stoop is an unroofed, open platform. Refer to Figure _____ Stoop Entrance Type.
1. Stoop Size. Stoops should be a minimum of four (4) feet deep and five (5) feet wide.
 2. Elevation. Stoop elevation shall be located a minimum of eighteen (18) inches above the sidewalk or the adjacent average grade.
 3. Visible Basement. A visible basement is permitted.
 4. Encroachment. Refer to sub-section _____ Encroachments.
 5. Miscellaneous.
 - a. Stairs may be perpendicular or parallel to the building facade.
 - b. Ramps should be parallel to facade or along the side of the building.
- E. Porch Entrance Type. A porch is a raised, roofed platform that may or may not be enclosed on all sides. Refer to Figure _____ Porch Entrance Type.
1. Transparency.
 - a. Minimum transparency per Building Type is required.
 - b. If enclosed, a minimum of 40 percent of the enclosed porch shall be comprised of highly transparent, low reflection windows.

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2. Porch Size. The porch should be a minimum of five (5) feet deep and eight (8) feet width with a minimum clear area for furniture of 4 feet x 6 feet.
 3. Elevation. Porch elevation shall be located a minimum of eighteen (18) inches above the sidewalk or the adjacent average grade.
 4. Visible Basement. A visible basement is permitted.
- F. Dooryard Entrance Type. In the Dooryard entrance type, the main facade of the building is set back a small distance and the frontage line is defined by a low wall, fence, or hedge, creating a small dooryard. The fencing in the dooryard may enclose individual dwelling units or a series of dwelling units. The dooryard shall not provide public circulation along a street. The dooryard may be raised, sunken, or at grade and is intended for ground floor residential. Refer to Figure _____ Dooryard Entrance Type.
1. Depth of Dooryard. The minimum depth shall be five (5) feet.
 2. Depth of Recessed Entries. The maximum depth of recessed entries shall be five (5) feet.
 3. Fencing. The maximum height of fencing shall be 2.5 feet as measured from the adjacent sidewalk. For sites with steep slopes, the Planning Commission may permit taller fencing where the Planning Commission finds that taller fencing is necessary to provide appropriate separate residential uses from an adjacent right-of-way.