

Zoning Ordinance Update

CITY OF FORT THOMAS

CT CONSULTANTS

December 5, 2022



Meeting Agenda

1. Zoning Overview
2. Why is a Zoning Ordinance update needed?
3. Zoning Ordinance Update Process
4. Path Forward



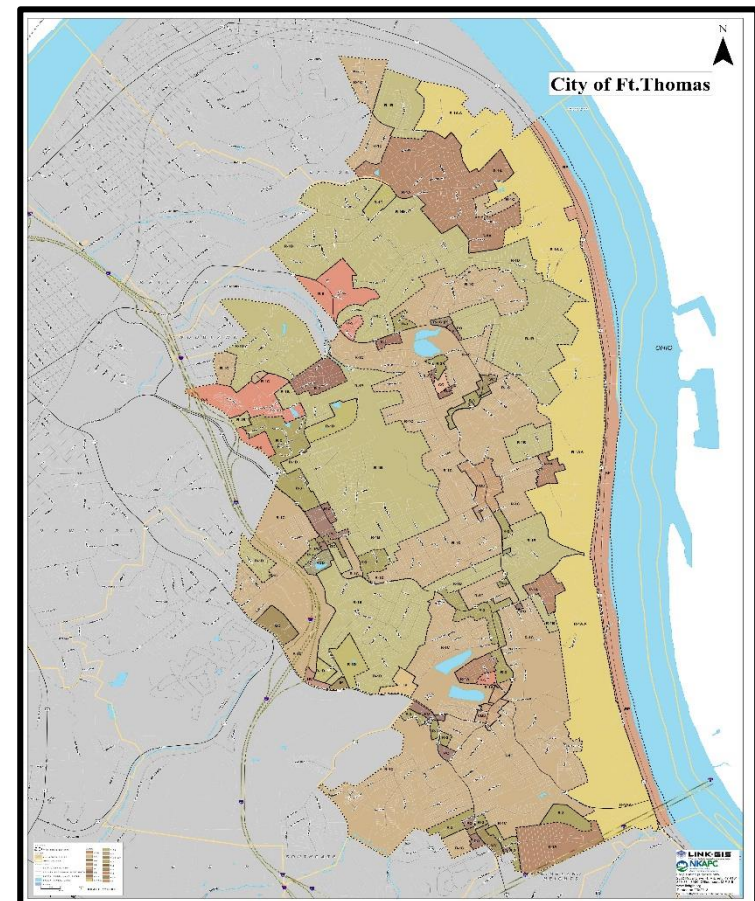
Zoning is the law that determines how land or property can be used in a city.

- Regulates the activities or uses that can take place on a property
- Regulates the size of buildings that can be built on a property

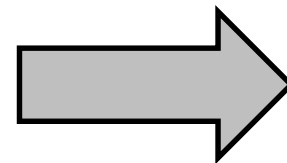


Zoning Consists of the Zoning Text & Map

OFFICIAL ZONING ORDINANCE	
CITY OF FORT THOMAS	
November 19, 2012	
MAYOR AND BOARD OF COUNCIL	
Mayor:	Mary H. Brown
COUNCIL MEMBERS	
Eric A. Haas	Roger L. Peterman
Thomas R. Lampe	Lisa C. Kelly
Kenneth Bowman	Jay Fossett
PLANNING COMMISSION	
Chairman:	Daniel C. Fehler
Vice-Chairman:	Robert A. Heil
Secretary:	David Wormald
	Daniel Gorman
	Brent Cooper
	Tim Michel
	Jerry Noran
STAFF MEMBERS	
City Administrative Officer:	Donald Martin
Director of General Services:	Ronald J. Dill
Building/Zoning Administrator:	Frank Twehues
City Attorney:	Jann Seidenfaden
City Engineer:	CDS Associates
City Clerk:	Melissa Kelly



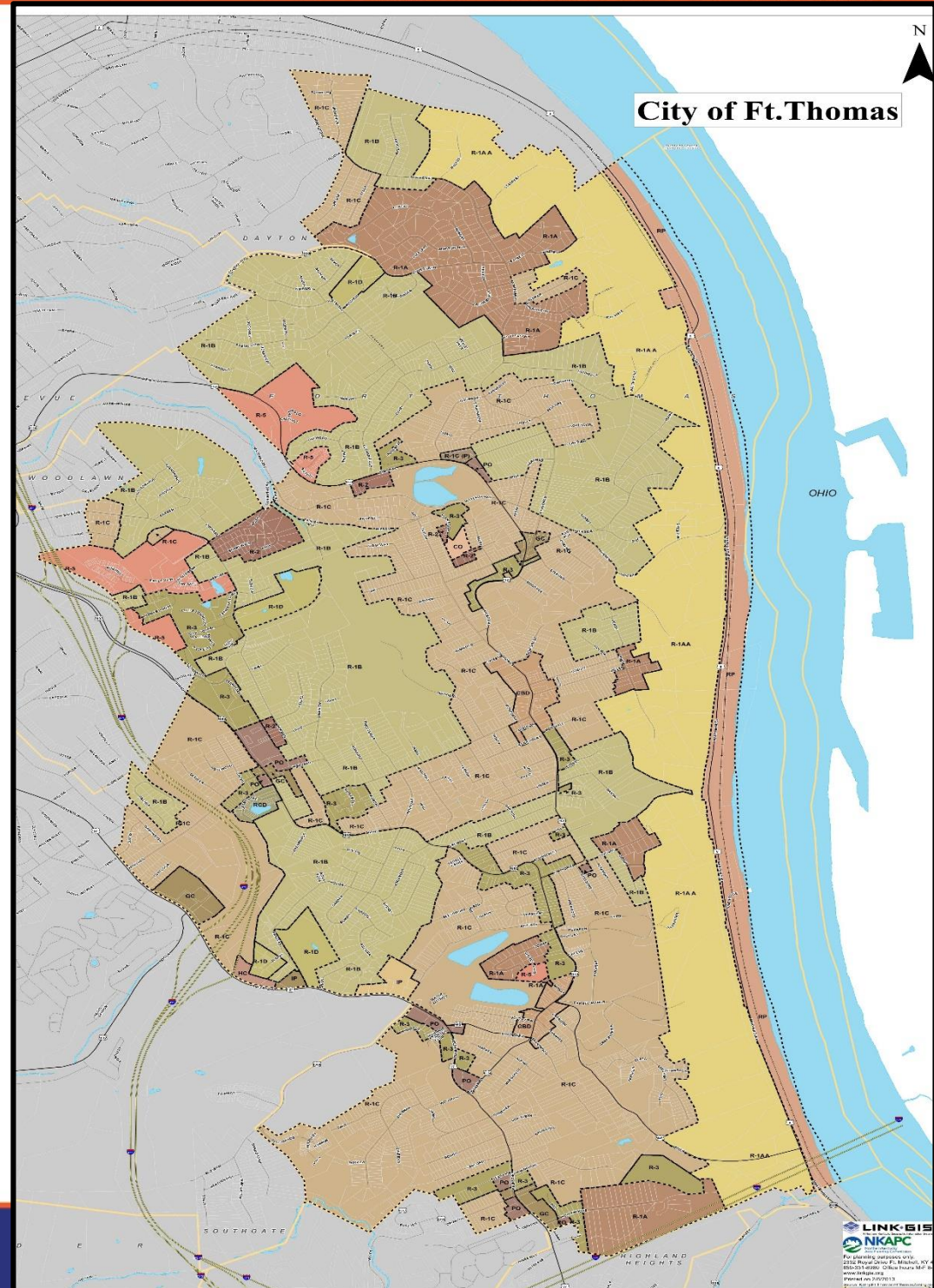
Zoning implements the Community Plan



Zoning Overview

CITY OF FORT THOMAS

The Zoning Map covers the entire city and includes many different zoning designations

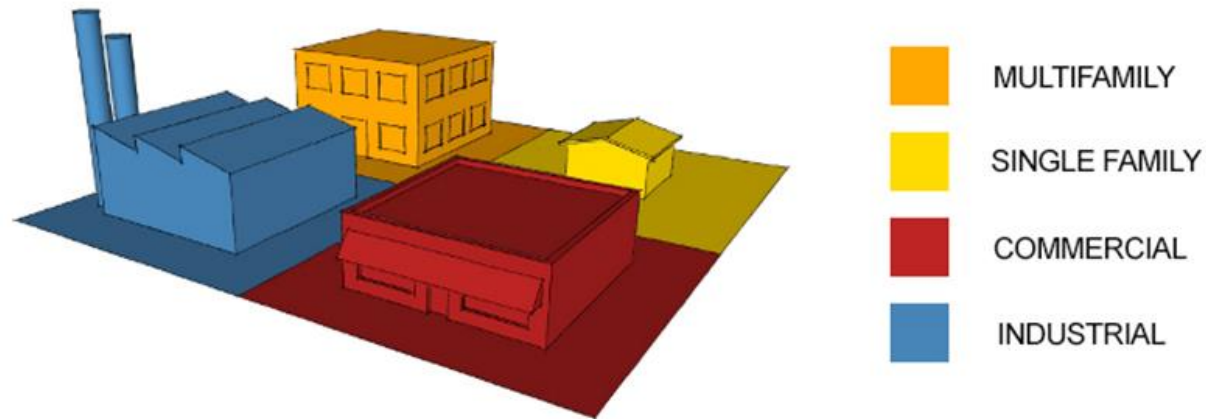


Euclidean or Conventional Zoning

Euclidean Zoning



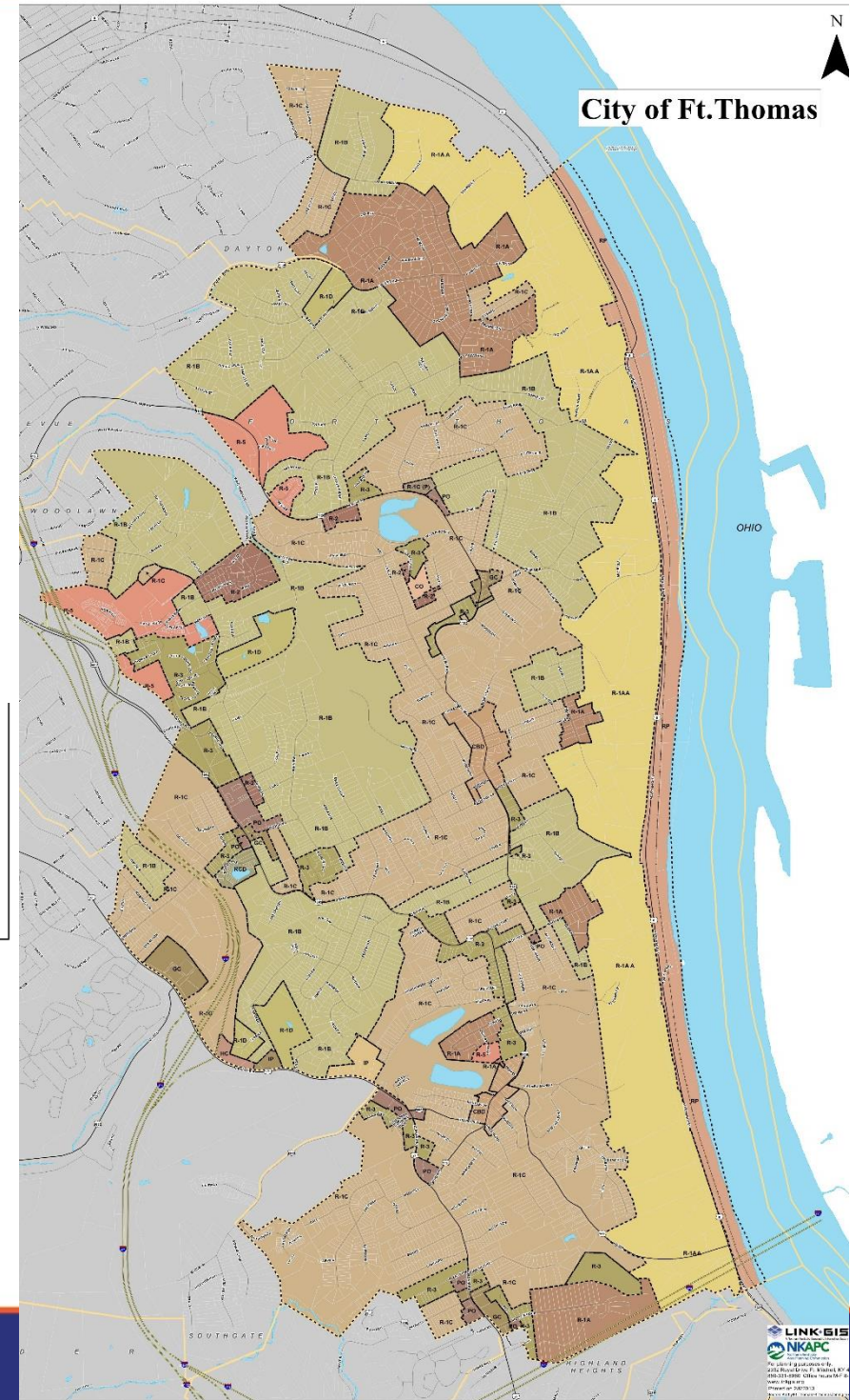
EUCLIDEAN ZONING



Zoning Overview

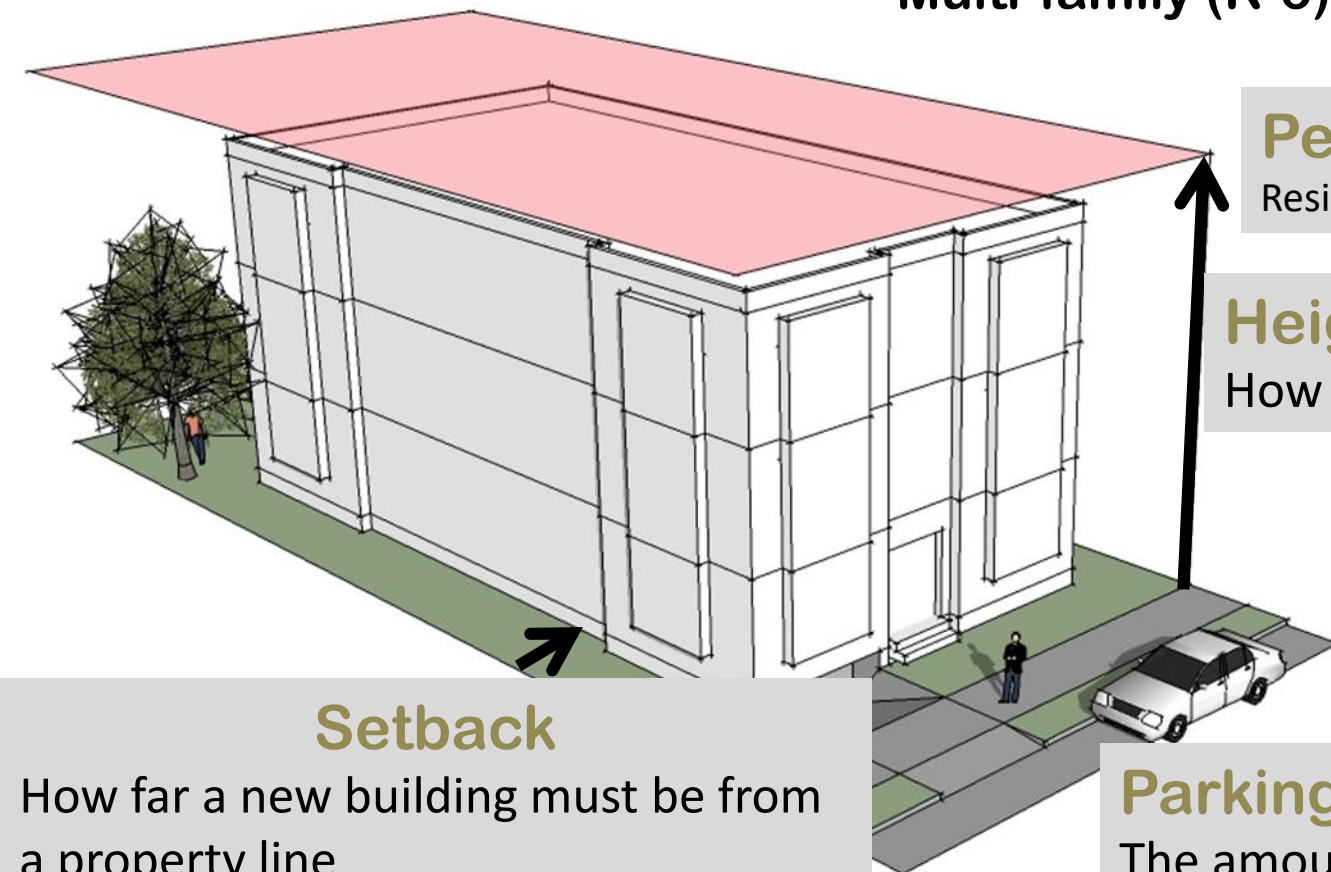
CITY OF FORT THOMAS

**Each Zoning District
includes Permitted &
Conditional Uses**



The Zoning Ordinance contains development standards that limit the uses and sizes of new buildings that can be built in any zone.

Multi-family (R-3) example



Permitted Uses

Residential and Civic uses are allowed by right

Height limit

How tall a new building can be

Setback

How far a new building must be from a property line

Parking

The amount and location of required parking

Authority to Zone – KRS 100

Kentucky
General Assembly

Search

Legislators ▾ Committees ▾ Bills Kentucky Law ▾ Public Services ▾ Legislative Research Commission ▾ Visitors & Education ▾

Kentucky Revised Statutes

KRS Chapter 100

Includes enactments through the 2022 Special Session
The KRS database was last updated on 11/16/2022

- .010 Renumbered as KRS 100.314.
- .020 Renumbered as KRS 100.316.
- .030 Repealed, 1942.
- .031 Repealed, 1966.
- .032 Repealed, 1966.
- .033 Repealed, 1966.
- .034 Repealed, 1966.
- .035 Repealed, 1966.
- .036 Repealed, 1966.
- .037 Repealed, 1966.

Limitations on Zoning

- KRS 100
 - Residential Care Facilities
- U.S. Constitution – Supreme Court Cases
 - Typically 1st Amendment



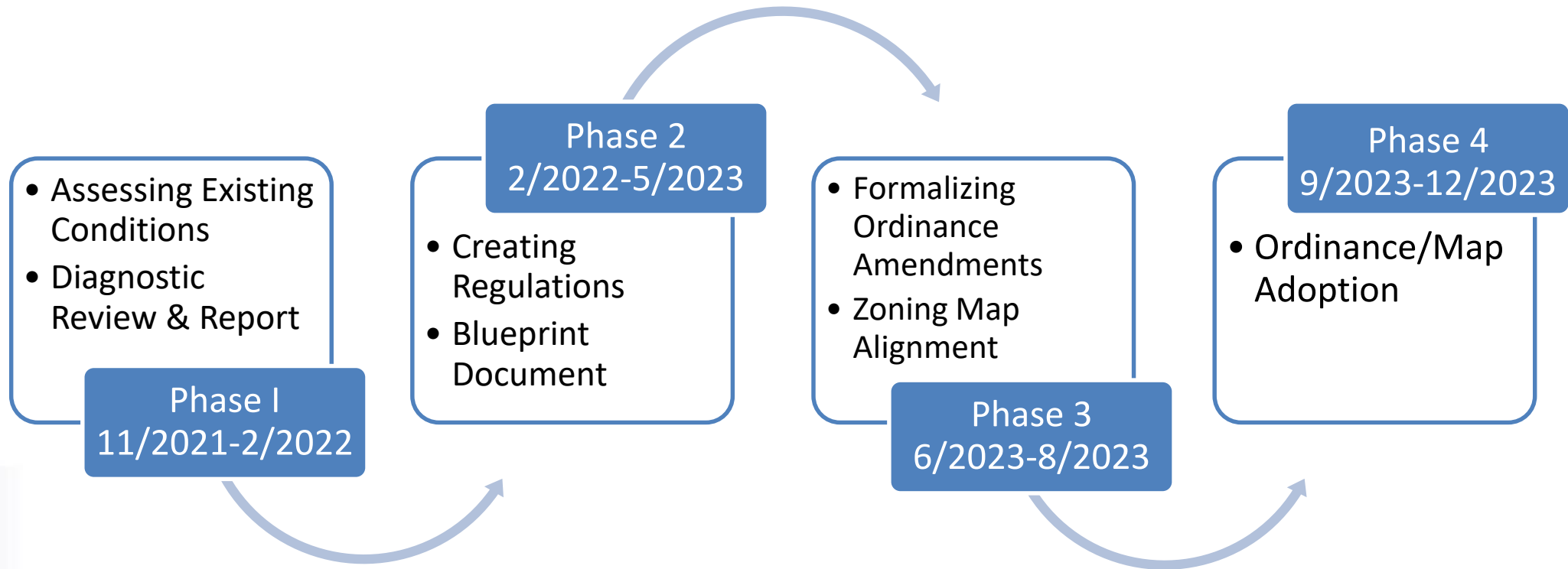
The screenshot shows the website for the Kentucky General Assembly. The header includes the text "Kentucky General Assembly" and a search bar. Below the header is a navigation menu with links for "Legislators", "Committees", "Bills", "Kentucky Law", "Public Services", "Legislative Research Commission", and "Visitors & Education". The main content area is titled "Kentucky Revised Statutes" and "KRS Chapter 100". It includes a sub-header "Includes enactments through the 2022 Special Session" and a note "The KRS database was last updated on 11/16/2022". A list of statutes is displayed, including .010, .020, .030, .031, .032, .033, .034, .035, .036, and .037, all of which are noted as "Repealed, 1966".



Zoning Ordinance Update

CITY OF FORT THOMAS

CT CONSULTANTS



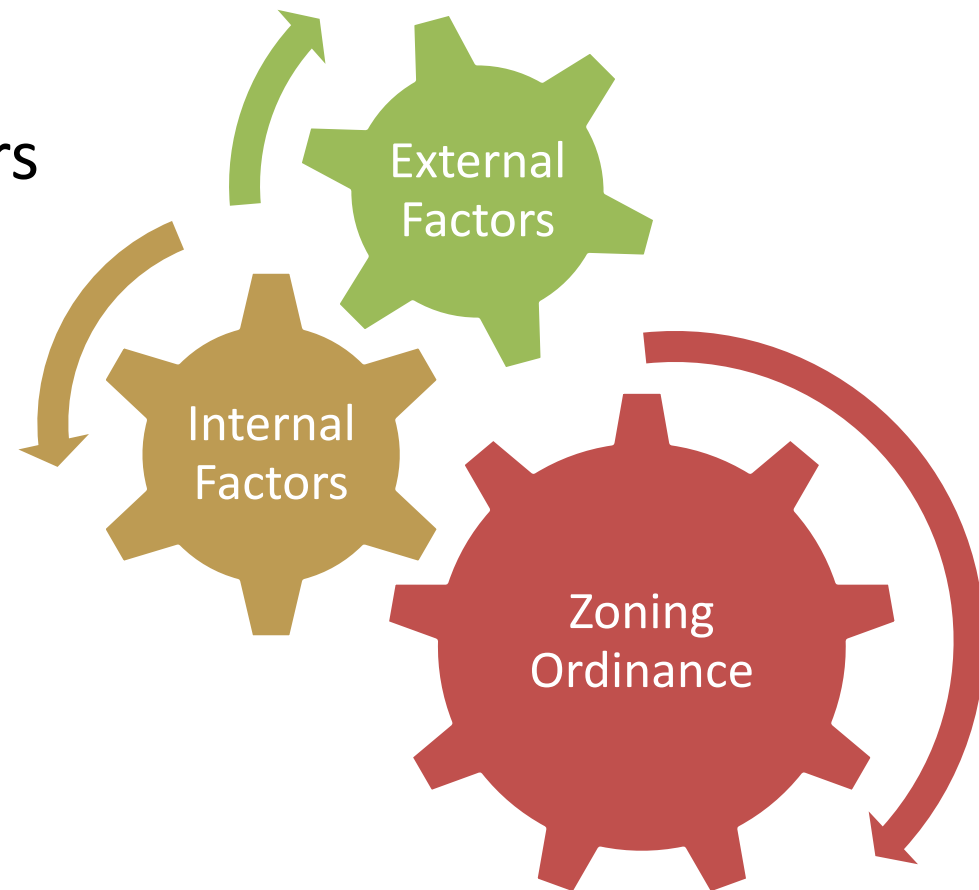
Phase I

Diagnostic Assessment & Report

- Comprehensively reviewed the existing Zoning & Subdivision Ordinances
- Conducted interviews with representatives from the City's administrative staff, Planning Commission, Design Review Board, Tree Commission, and several community members
- Extensively toured the City & reviewed its current development patterns
- Reviewed the recommendations in the *Fort Thomas Community Plan* (2018)
- Thoroughly analyzed historical residential variance data
- Applied CT's experience and understanding of "what works" and "what doesn't work" from a regulatory perspective

Why is a Zoning Ordinance Update Needed?

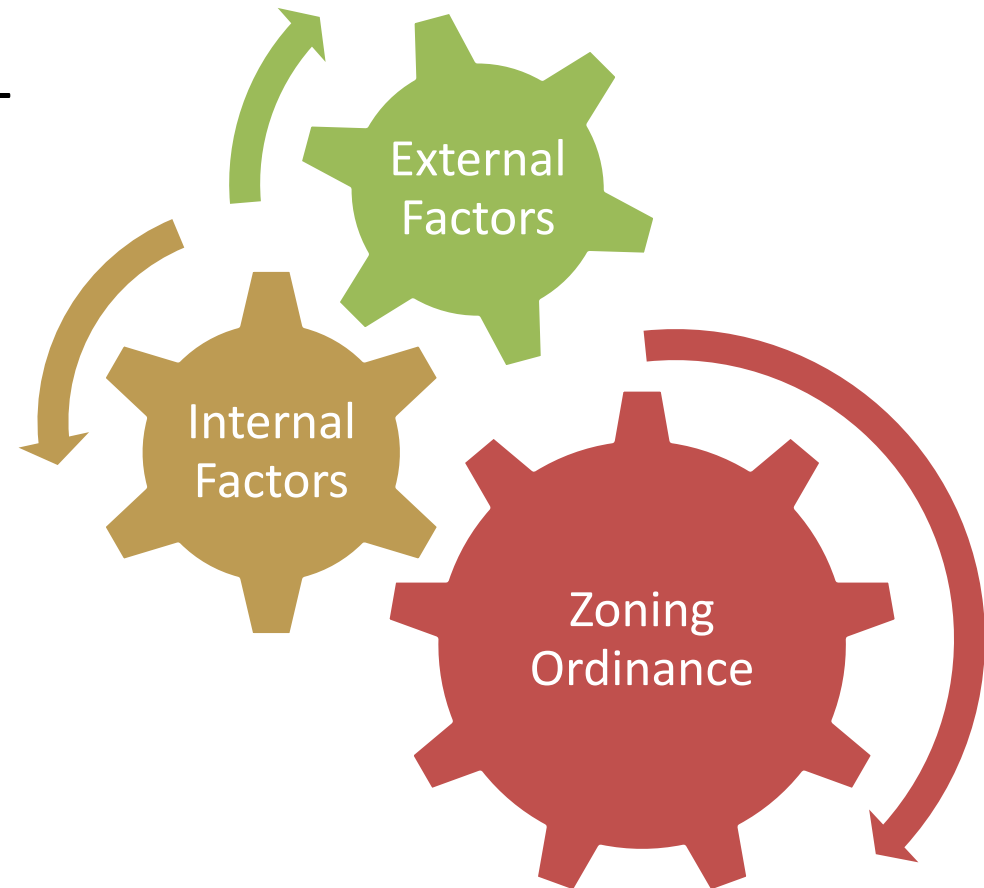
- Outside/External Factors
- Internal Factors



Why is a Zoning Ordinance Update Needed?

Outside/External Factors

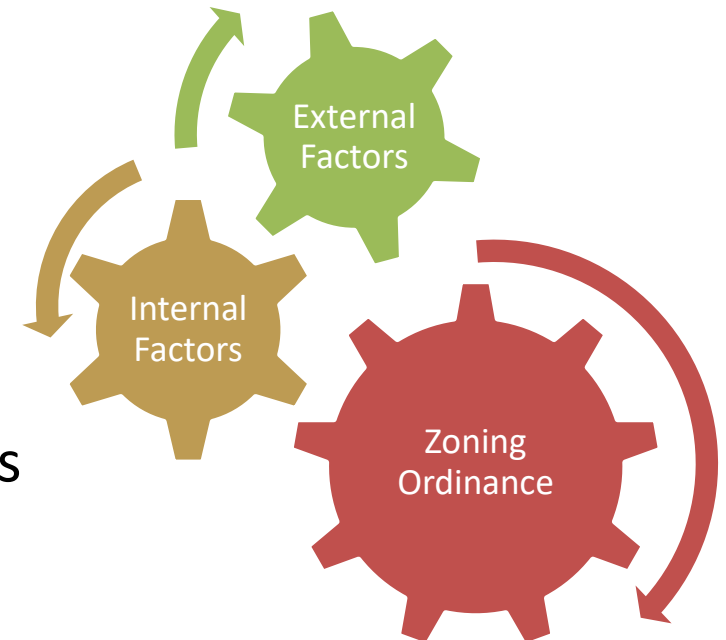
- U. S. Supreme Court Cases -
Reed v. Town of Gilbert (2015)
- KRS 100.987 -
Wireless Regulations (2016)



Why is a Zoning Ordinance Update Needed?

Internal Factors

- Constrained by Zoning Ordinance
 - Exhaustive list of permitted/conditional uses
 - Inappropriate development standards
 - Single-Family Residential Districts
 - Disjointed Non-Residential Districts
 - Incomplete & outmoded Definitions
 - Lack of Purpose Statements
- Outdated Subdivision Ordinance



Path Forward – Mechanics

- Create Unified Development Ordinance (UDO)
 - Zoning Ordinance
 - Subdivision Ordinance
- Retain and Tweak
 - Central Business District
 - Multi-family Districts (R-3 & R-5)



Path Forward –

Mechanics

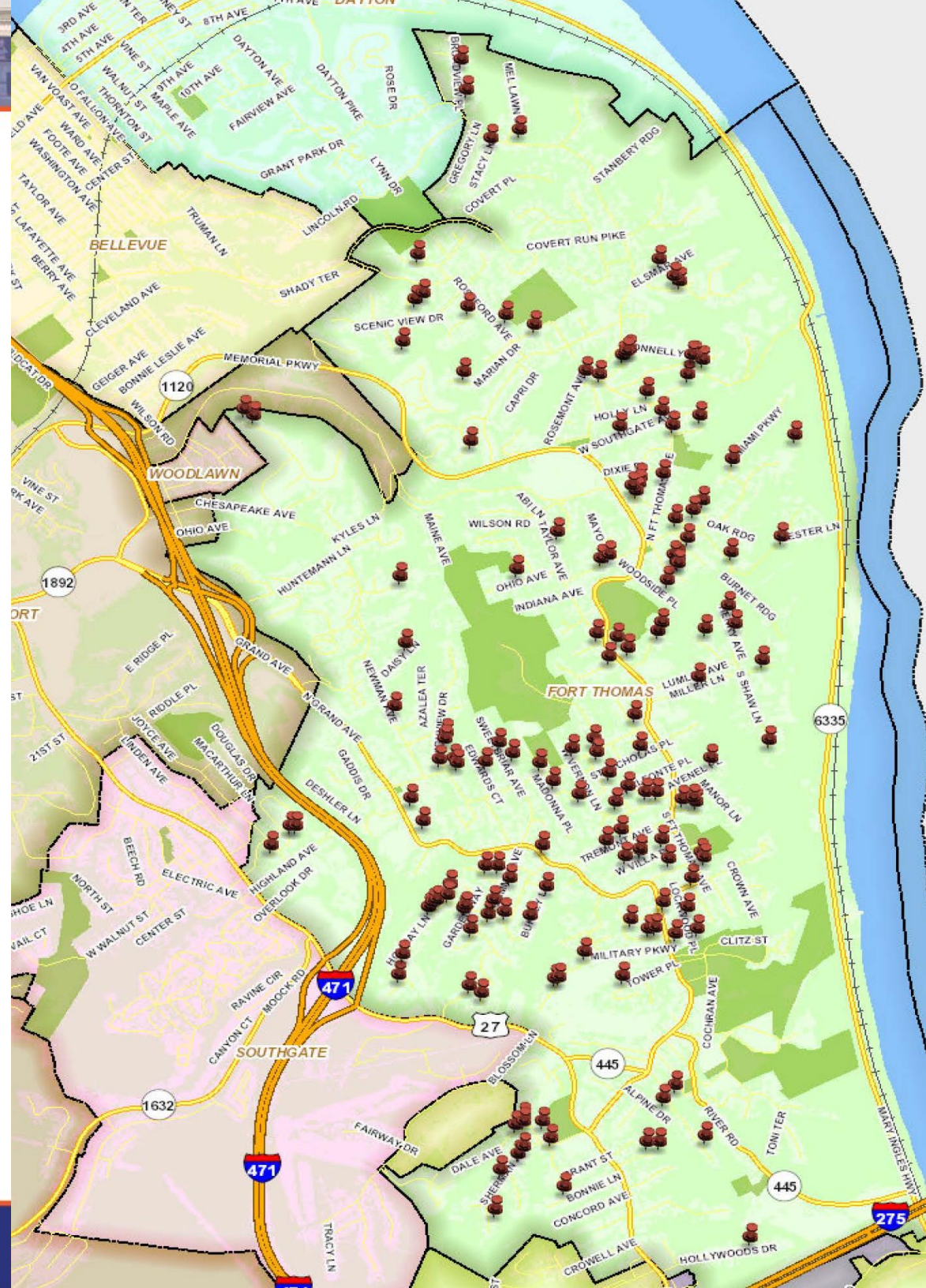
- Retain and Amend
 - Single Family Districts (R-1AA, R-1A, R-1B, R-1C, R-1D)
 - Two-Family District (R-2)



Zoning Ordinance Update

CITY OF FORT THOMAS

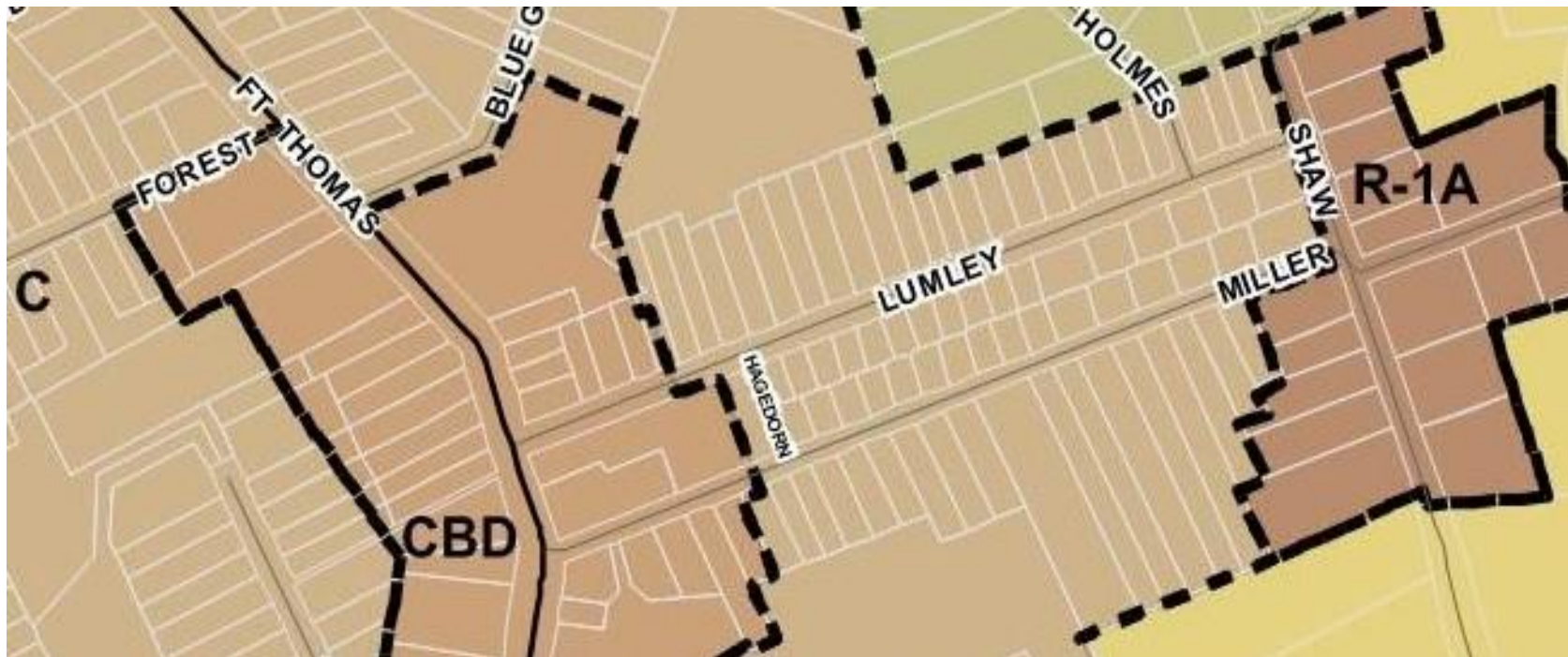
Residential Variances from 2016 -2021



Path Forward –

Mechanics

- Create a new Single-Family District:
 - R-1-CBD



Path Forward – Mechanics

- Create New Non-Residential Districts:
 - Alexandria Pike Mixed Use District
 - Neighborhood Commercial/Office District
- New Non-Residential Districts Replace:
 - General Commercial (GC)
 - Highway Commercial (HC)
 - Professional Office Multi-family Districts (PO)
 - Light Industrial Park Research (IP)



Path Forward – Mechanics

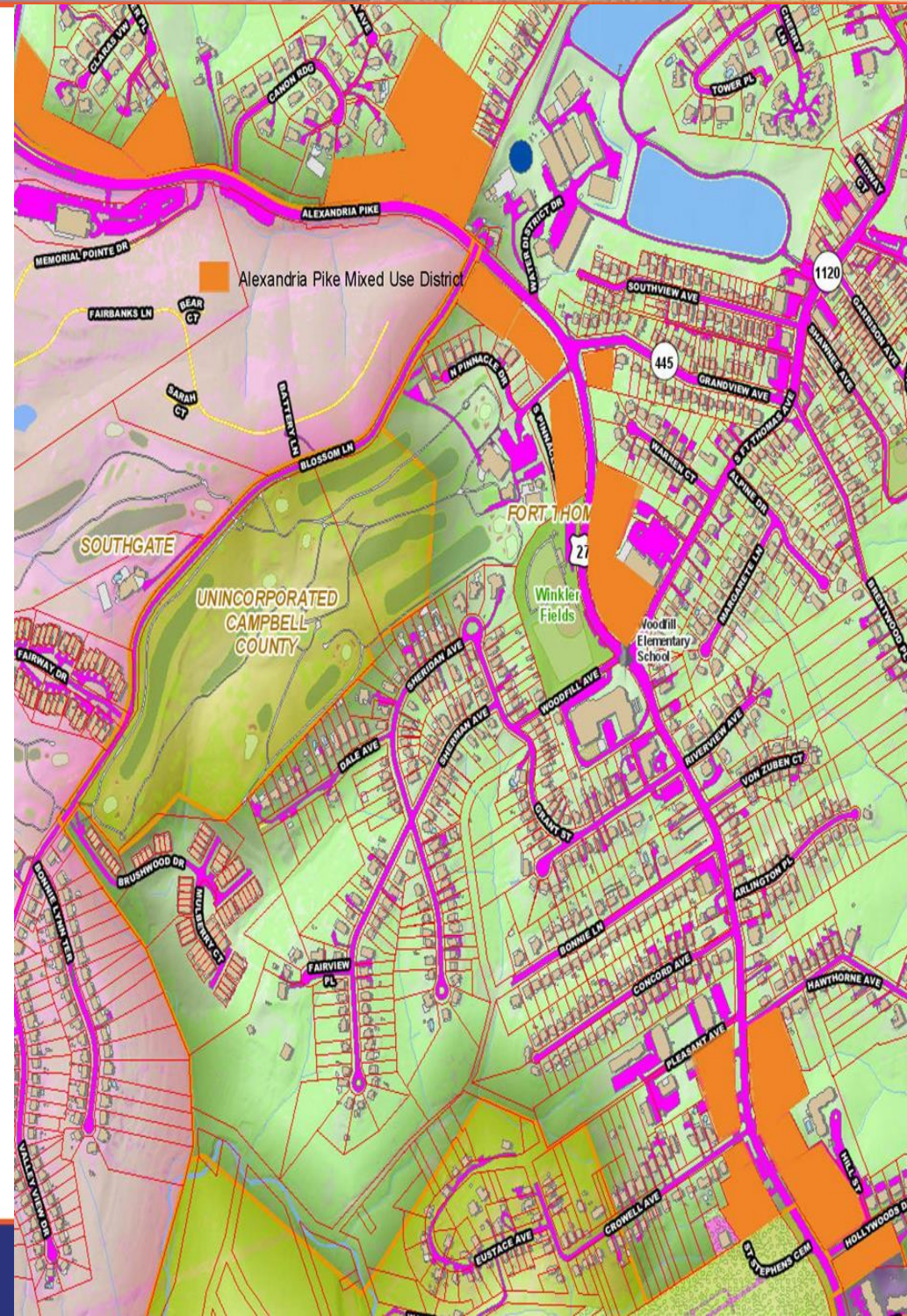
- Create New Non-Residential Districts:
 - Neighborhood Commercial/Office District
 - Fort Thomas Plaza
 - Highland and Grand Avenues
 - Intersection of S. Fort Thomas & Bivouac Avenues



Zoning Ordinance Update

CITY OF FORT THOMAS

- Create New Non-Residential Districts:
 - Alexandria Pike Mixed Use District



CITY OF FORT THOMAS

Path Forward – Engagement

- Planning Commission
- Pilot In-Person “Office Hours”



Zoning Ordinance Update

CITY OF FORT THOMAS

CT CONSULTANTS

Discussion



Zoning Ordinance Update

CITY OF FORT THOMAS

CT CONSULTANTS

Alisa Duffey Rogers

aduffeyrogers@ctconsultants.com

919-930-2860



CITY OF FORT THOMAS

CT CONSULTANTS