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This is a new district, so no changes to existing standards are noted.

SECTION 3.8 Fort Thomas Avenue Overlay District Regulations

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| 3.8.01 Intent. | 3.8.04 Residential Contextual Standards. |
| 3.8.02 Applicability. | 3.8.05 Development Plan Review. |
| 3.8.03 Development Standards. | |

3.8.01 INTENT.

The Fort Thomas Avenue Overlay District (FTA-O) is a zoning overlay district dedicated to the protection of traditional development patterns and neighborhood character along Fort Thomas Avenue. Regulations promote the continuity of the existing built environment, the reduction of conflict between new construction and existing development, and the integrity of the rich history of Fort Thomas. The Fort Thomas Avenue Overlay District is comprised of the properties shown within the FTA-O area on the Zoning Map. The Overlay District is made up primarily of single-family detached homes. Many of the existing single-family homes remain well-kept with minor exterior alterations. This Overlay District seeks to protect the special character and charm of this significant area of Fort Thomas.

3.8.02 APPLICABILITY.

The provisions in this Section shall apply to all properties occupied by Single-family Detached Dwellings, Two-family dwellings, and Residential Care Facilities for Persons with Disabilities located within the Fort Thomas Avenue Overlay District as shown on the official Zoning Map for the following:

- A. New construction;
- B. Substantial additions to existing properties. Substantial additions shall mean any alteration to the front of a residential property or any alteration to the side of a residential property that is visible from Fort Thomas Avenue.

All regulations of the underlying zoning districts and other applicable Ordinance provisions apply to and control property located in the Fort Thomas Avenue Overlay District; however, the regulations of the Fort Thomas Avenue Overlay District, when in conflict with other provisions in the Zoning Ordinance, shall govern.

Example Development



For illustrative purposes only

Does this
Applicability
sub-section
apply the
FTA-O
correctly?

This is a new district, so no changes to existing standards are noted.

3.8.03 DEVELOPMENT STANDARDS.

- A. Principal Front Setback. The principal building setback shall be no more or no less than three (3) feet from the average established front setback of developed lots within three hundred (300) feet on each side of such lot, fronting on the same street as such lot, and within the FTA-O.

Is + or – three feet appropriate?

- B. Building Height. The building height shall not exceed the average height of the principal structures, regulated by this Section, on lots within three hundred (300) feet on each side of such lot, fronting on the same street as such lot, and within the FTA-O.

Should Building Height be regulated?

3.8.04 RESIDENTIAL CONTEXTUAL STANDARDS.

New construction and substantial additions, as mandated by sub-section 3.8.02, shall comply with the following Residential Contextual Standards. The following Residential Contextual Standards do not apply to ordinary maintenance or repair of the exterior of existing structures.

- A. Garages/Accessory Parking.
1. Detached Garages. Detached garages are preferred, and when provided, detached garages shall be located behind the principal structure.
 2. Attached Garages.
 - a. Along Fort Thomas Avenue, street-facing garages are prohibited except that below grade, single-car garages, which are located in the basement or below the first-floor of the dwelling, are permissible as shown in Figure 1.



Figure 1 - Illustration of Appropriately Designed Below Grade Street Facing Garage

This is a new district, so no changes to existing standards are noted.

- b. Side-loaded garages shall not protrude beyond the wall of the habitable portion of the dwelling.
 - c. Rear-loaded garages are permissible.
3. Carport. No metal carports visible from Fort Thomas Avenue shall be permitted. Metal carports shall be located behind the principal structure.
4. Porte Cochere. Porte Cochere that are architecturally compatible with and integral to the principal dwelling are permissible. See Figure 2.



Figure 2 - Illustration of Appropriately Designed Porte Cochere

B. Roof Design.

1. All principal, residential buildings shall have sloped roofs. Variations in roof planes are recommended to break up the large roof mass through the use of dormers, gables, or changes in elevation.
2. Main roofs shall have a pitch between 6:12 and 12:12. Shed roofs shall only be allowed if they are attached to the wall of the main building. No shed roof shall have a pitch less than 4:12. See Figure 3.

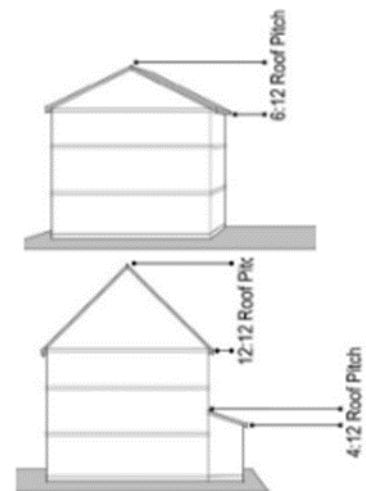


Figure 3 - Illustration of Appropriate Roof Pitch

- C. Building Orientation. The primary entrance to the residence shall face the public street, and the front wall of the principal structure shall be parallel to the street or to its tangent, if the street is curved.

This is a new district, so no changes to existing standards are noted.

- D. Finished Floor Elevation. New dwellings should be built with a raised foundation, a basement, or designed to suggest that there is a raised foundation equal to the foundation height of adjacent dwellings.
- E. Entrances.
 - 1. Porches.
 - a. Where new construction or an addition to the front of an existing principal building is proposed, such new principal building or building addition, shall have a front porch, if porches are present on the majority of the four homes, two on either side, of the dwelling under review.
 - b. If any of the four (4) lots used to determine if a front porch is required are vacant, then the presence or absence of a front porch on a majority of the remaining lots shall determine if a front stoop is required.
 - c. The minimum depth of the required porch shall be four (4) feet.
 - d. Existing front porches shall not be enclosed or screened in; however, existing screened in or glass enclosed front porches are permitted and may be repaired or replaced provided that transparent glass/screens are utilized and installed from the inside of the porch, behind the railing and other porch features.
 - 2. Raised Entries. To provide privacy and maintain the character of Fort Thomas Avenue, all residential entrances within eighteen (18) feet of the sidewalk paralleling the front property line should be raised above the average finished grade of the sidewalk a minimum of 1½ feet.
- F. Facade Design.
 - 1. Transparency. At least 15% of the area of each facade that faces Fort Thomas Avenue shall be windows or main entrance doors, as measured from the finished floor elevation to the eave.
 - 2. Although the street facing facade of a principal building is expected to be the primary focal point in terms of architectural character and features, all sides of a dwelling should incorporate architectural detailing and windows that complement the street facing facade and provide visual interest.

This is a new district, so no changes to existing standards are noted.

- G. Design Review. The Zoning Administrator shall review dwellings for compliance with the Residential Contextual Standards in this sub-section. If an applicant wishes to deviate from these standards, the application will be reviewed by 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.

Questions to consider: 1. Should we regulate more or less elements of single-family home design in the FTA-O? 2. Is the Zoning Administrator the appropriate reviewer? 3. Is it appropriate to send deviations to the Design Review Board?

3.8.05 DEVELOPMENT PLAN REVIEW.

Pursuant to Section 1.4, Development Plan Review Procedures, individually developed single-family detached, two-family, and residential care facilities for persons with disabilities are not required to seek Development Plan approval. Instead, a Zoning Permit is required for such uses. In addition to the standard submittal requirements for a Zoning Permit, applications in the Fort Thomas Avenue Overlay District shall also include building elevations.

This is a new district, so no changes to existing standards are noted.

SECTION 3.9 Central Business District Historic Overlay District Regulations

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| <p>3.9.01 Intent.</p> <p>3.9.02 Applicability.</p> <p>3.9.03 Making Changes to a Property in the Central Business District Historic Overlay District.</p> | <p>3.9.04 Protective Maintenance Required.</p> |
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3.9.01 INTENT.

The Central Business District Historic Overlay District (CBD-O) is a zoning overlay district that works in conjunction with the underlying zoning district to safeguard the heritage of the City by protecting this local historic district through:

- A. Recognizing the Central Business District for its history, architecture, and culture;
- B. Fostering civic beauty;
- C. Strengthening the local economy; and,
- D. Promoting this local historic district for the education, pleasure, and welfare of the residents of the City of Fort Thomas.

3.9.02 APPLICABILITY.

The provision and regulations of this Section shall apply to all parcels within the boundaries of the Central Business District Historic Overlay District, as shown on the Official Zoning Map.

All regulations of the underlying zoning district and other applicable Ordinance provisions apply to and control property located in the Central Business District Historic Overlay District.

3.9.03 MAKING CHANGES TO A PROPERTY IN THE CENTRAL BUSINESS DISTRICT HISTORIC OVERLAY DISTRICT.

New construction/additions, demolition, and alteration of a principal structure in the Central Business District Historic Overlay District shall be reviewed and considered as set forth in Sections 36.010 – 36.015 of the Code Ordinances of the City of Fort Thomas, Kentucky.

Example Buildings in the CBD Historic Overlay District



For illustrative purposes only

This is a new district, so no changes to existing standards are noted.

3.9.04 PROTECTIVE MAINTENANCE REQUIRED.

A. Maintenance Required.

1. The exterior and structural elements of every principal structure within the Central Business District Historic Overlay District shall be so maintained by the owner or person in control thereof so as to preserve the character of the District, promote the purpose of this Section, and so as not to have a detrimental effect upon the District. The exterior of every principal structure shall be maintained in conformance with the *International Property Maintenance Code* as adopted by the City and in a workmanlike manner, and all surfaces thereof shall be kept painted or protected with other approved coatings or materials. Exterior surfaces of every building shall be maintained free of broken, loose, rotting, crumbling, missing, or inadequately finished materials.
2. Duty to Repair. The owner or person in control of a principal structure within the Central Business District Historic Overlay District shall, upon written Notice of Violation, repair exterior features or structural elements if any exterior features or structural elements are materially deteriorating or if the condition of any such features or elements is contributing to material deterioration of the principal structure.

- B. The Design Review Board may request a meeting with the property owner when a principal structure in the Central Business District Historic Overlay District is in poor repair in order to discuss ways to improve the condition of the principal structure.

- C. Maintenance without Certificate of Appropriateness. Ordinary repairs and maintenance may be undertaken without a Certificate of Appropriateness provided this work on a property in the Central Business District Historic Overlay District does not change the exterior appearance that is visible from any public right-of-way.

- D. Emergency Measures. In any case where the Zoning Administrator determines that there are emergency conditions dangerous to life, health, or property affecting a building, structure, appurtenance, or place in the Central Business District Historic Overlay District, the Zoning Administrator may order the remedy of these conditions without the approval of the Design Review Board. The Zoning Administrator shall promptly notify the Chair of the Design Review Board of the action being taken.

Are these Protective Maintenance Requirements appropriate?

This is a new district, so no changes to existing standards are noted.

SECTION 3.10

Tower Park Historic Overlay District Regulations

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| 3.10.01 | Intent. | 3.10.04 | Protective Maintenance Required. |
| 3.10.02 | Applicability. | | |
| 3.10.03 | Making Changes to a Property in the Tower Park Historic Overlay District. | | |

3.10.01 INTENT.

The Tower Park Historic Overlay District (TP-O) is a zoning overlay district that works in conjunction with the underlying zoning district to safeguard the history and heritage of the City and Tower Park by protecting and preserving this local historic district through:

- A. Recognizing Tower Park for its architecture, unique character, development patterns, and connection to Fort Thomas' history;
- B. Fostering the beauty of the homes and open spaces within Tower Park;
- C. Sustaining the historic, visual, and aesthetic character of the dwellings within Tower Park;
- D. Accomplishing the preservation, protection, perpetuation, and use of historic structures within Tower Park;
- E. Fostering civic pride in the value of notable accomplishments of the City's past as shown throughout Tower Park;
- F. Promoting this local historic district for the education, pleasure, and welfare of the residents of the City of Fort Thomas.

3.10.02 APPLICABILITY.

The provision and regulations of this Section shall apply to all parcels within the boundaries of the Tower Park Historic Overlay District, as shown on the Official Zoning Map.

Example Buildings in the Tower Park Historic Overlay District



For illustrative purposes only

This is a new district, so no changes to existing standards are noted.

All regulations of the underlying zoning district and other applicable Ordinance provisions apply to and control property located in the Tower Park Historic Overlay District.

3.10.03 MAKING CHANGES TO A PROPERTY IN THE TOWER PARK HISTORIC OVERLAY DISTRICT.

- A. Application for Certificate of Appropriateness. New construction/additions, demolition, or alteration of any building, structure, appurtenance, or place in the Tower Park Historic Overlay District shall be reviewed as set forth in Section 36.014, Review Process, of the Code of Ordinances of the City of Fort Thomas, Kentucky according to the terms defined in Section 36.012 of the Code of Ordinances of the City of Fort Thomas, Kentucky. If any definitional conflicts exist between this Ordinance and the Code of Ordinances of the City of Fort Thomas, the definitions in this Ordinance shall govern.
- B. Application Review.
1. Applications on Alexander Circle and Cochran Avenue. New construction/additions, demolition, or alteration of any building, structure, appurtenance, or place abutting Alexander Circle and Cochran Avenue, as shown on the Official Zoning Map, shall be considered as required by sub-section 36.013 (L) of the Code of Ordinances of the City of Fort Thomas, Kentucky. This sub-section requires the Design Review Board to evaluate alterations using the "Fort Thomas VA Homes Architectural Guidelines," which are available at City Hall in the General Services office and the Secretary of Interior's Standards for Rehabilitation.
 2. Applications on Greene and Pearson Streets. No new construction/additions, demolition, or alteration of any building, structure, appurtenance, or place abutting Greene and Pearson Streets, as shown on the Official Zoning Map, is permitted unless the Zoning Administrator or Design Review Board, as appropriate, determines it to be consistent with the U.S. Secretary of Interior's "Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings." The U. S. Secretary for the Interior Standards for Rehabilitation are as follows and the Guidelines for Rehabilitating Historic Buildings are available at City Hall in the General Services office.
 - a. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces and spatial relationships.
 - b. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces and spatial relationships that characterize a property will be avoided.
 - c. Each property will be recognized as a physical record of its time, place

Any concerns with the review of applications in the Tower Park Historic Overlay District?

This is a new district, so no changes to existing standards are noted.

and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.

- d. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
- e. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
- f. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
- g. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
- h. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
- i. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
- j. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

3.10.04

PROTECTIVE MAINTENANCE REQUIRED.

A. Maintenance Required.

- 1. The exterior and structural elements of every principal structure within the Tower Park Historic Overlay District shall be so maintained by the owner or person in control thereof so as to preserve the character of the District, promote the purpose of this Section, and so as not to have a detrimental effect upon the District. The exterior of every principal structure shall be maintained in conformance with the *International Property Maintenance*

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Code as adopted by the City and in a workmanlike manner, and all surfaces thereof shall be kept painted or protected with other approved coatings or materials. Exterior surfaces of every building shall be maintained free of broken, loose, rotting, crumbling, missing, or inadequately finished materials.

2. Duty to Repair. The owner or person in control of a principal structure within the Tower Park Historic Overlay District shall, upon written Notice of Violation, repair exterior features or structural elements if any exterior features or structural elements are materially deteriorating or if the condition of any such features or elements is contributing to material deterioration of the principal structure.
- B. The Design Review Board may request a meeting with the property owner when a principal structure in the Tower Park Historic Overlay District is in poor repair in order to discuss ways to improve the condition of the principal structure.
- C. Maintenance without Certificate of Appropriateness. Ordinary repairs and maintenance may be undertaken without a Certificate of Appropriateness provided this work on a property in the Tower Park Historic Overlay District does not change the exterior appearance that is visible from public property and from any public or private right-of-way or street.
- D. Emergency Measures. In any case where the Zoning Administrator determines that there are emergency conditions dangerous to life, health, or property affecting a building, structure, appurtenance, or place in the Tower Park Historic Overlay District, the Zoning Administrator may order the remedy of these conditions without the approval of the Design Review Board. The Zoning Administrator shall promptly notify the Chair of the Design Review Board of the action being taken.

Are these Protective Maintenance Requirements appropriate?