

# Zoning Ordinance Update

CITY OF FORT THOMAS

CT CONSULTANTS

**DRAFT**

**September 20, 2023**



## Meeting Agenda

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**Zoning Ordinance Update Process**

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**Subdivision Regulations**

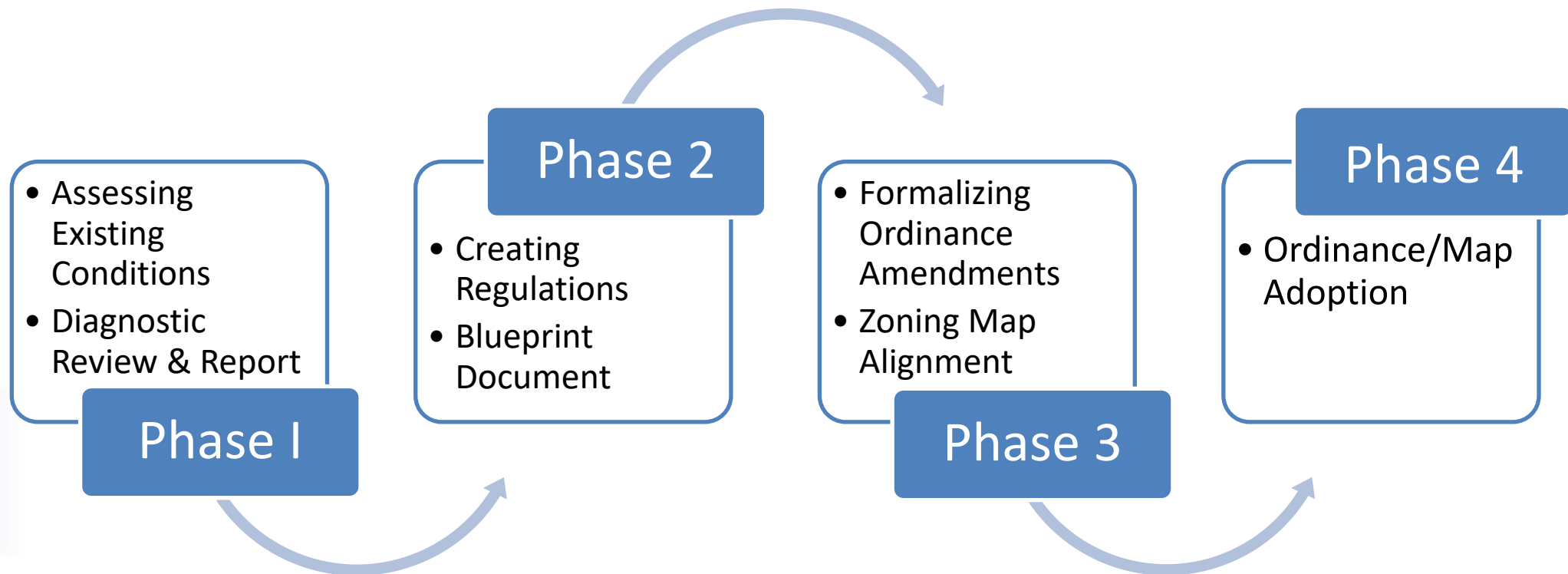
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**Conditional & Specific Use Regulations**

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**Next Steps**

## Zoning Ordinance Update Process

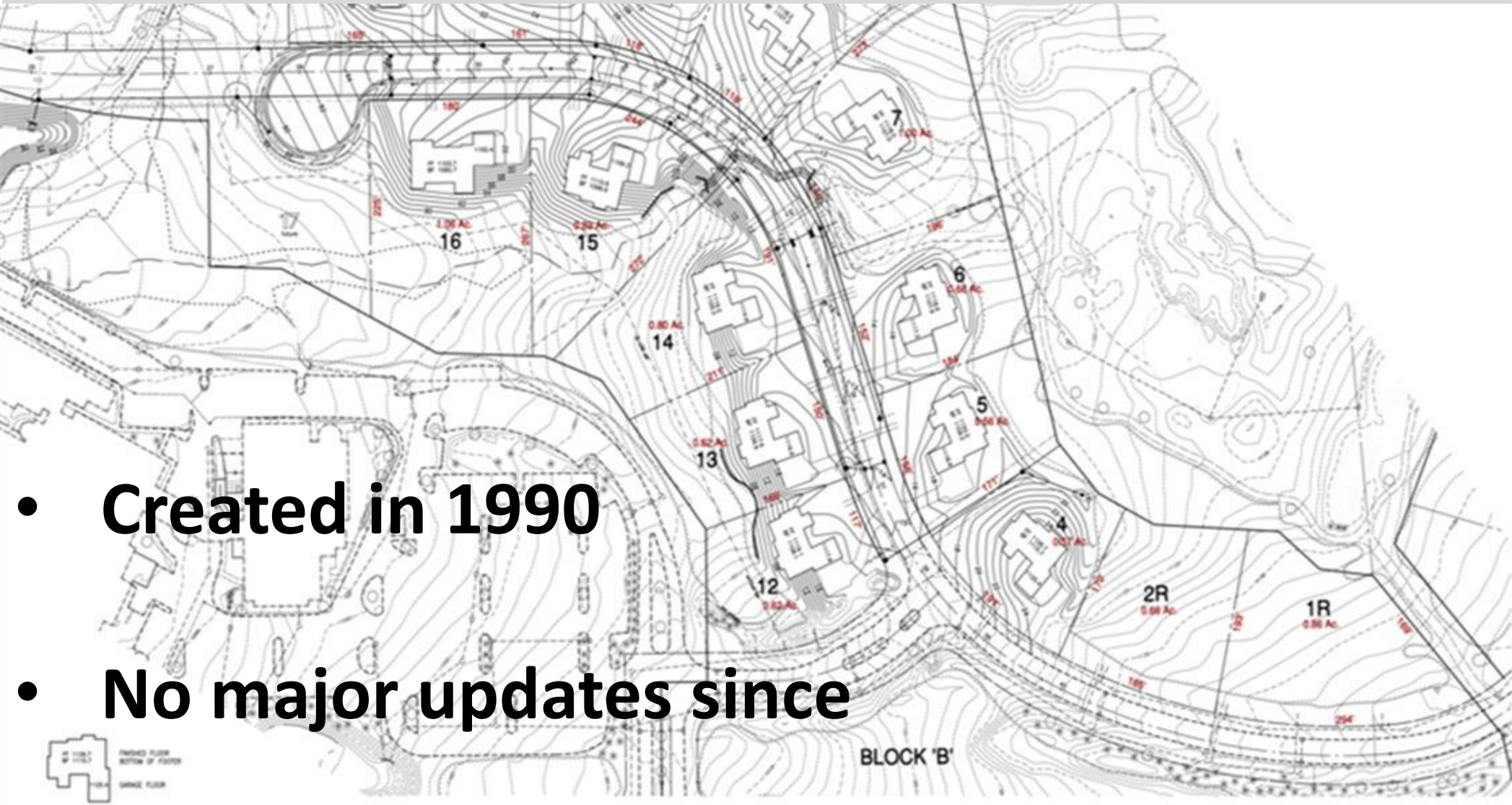


Community  
Engagement





## Article 7 Subdivision Regulations



- **Created in 1990**
- **No major updates since**

## Article 7 - Subdivision Regulations

**SECTION 7.0 – APPLICATION AND AUTHORITY OF REGULATIONS**

**SECTION 7.1 – DEFINITIONS**

**SECTION 7.2 – SUBDIVISION PROCEDURE**

**SECTION 7.3 – PRELIMINARY PLAT REQUIREMENTS**

**SECTION 7.4 – FINAL PLAT REQUIREMENTS INCLUDING  
IMPROVEMENT DRAWINGS & SPECIFICATIONS**

**SECTION 7.5 – DESIGN STANDARDS FOR THE LAYOUT OF SUBDIVISIONS**

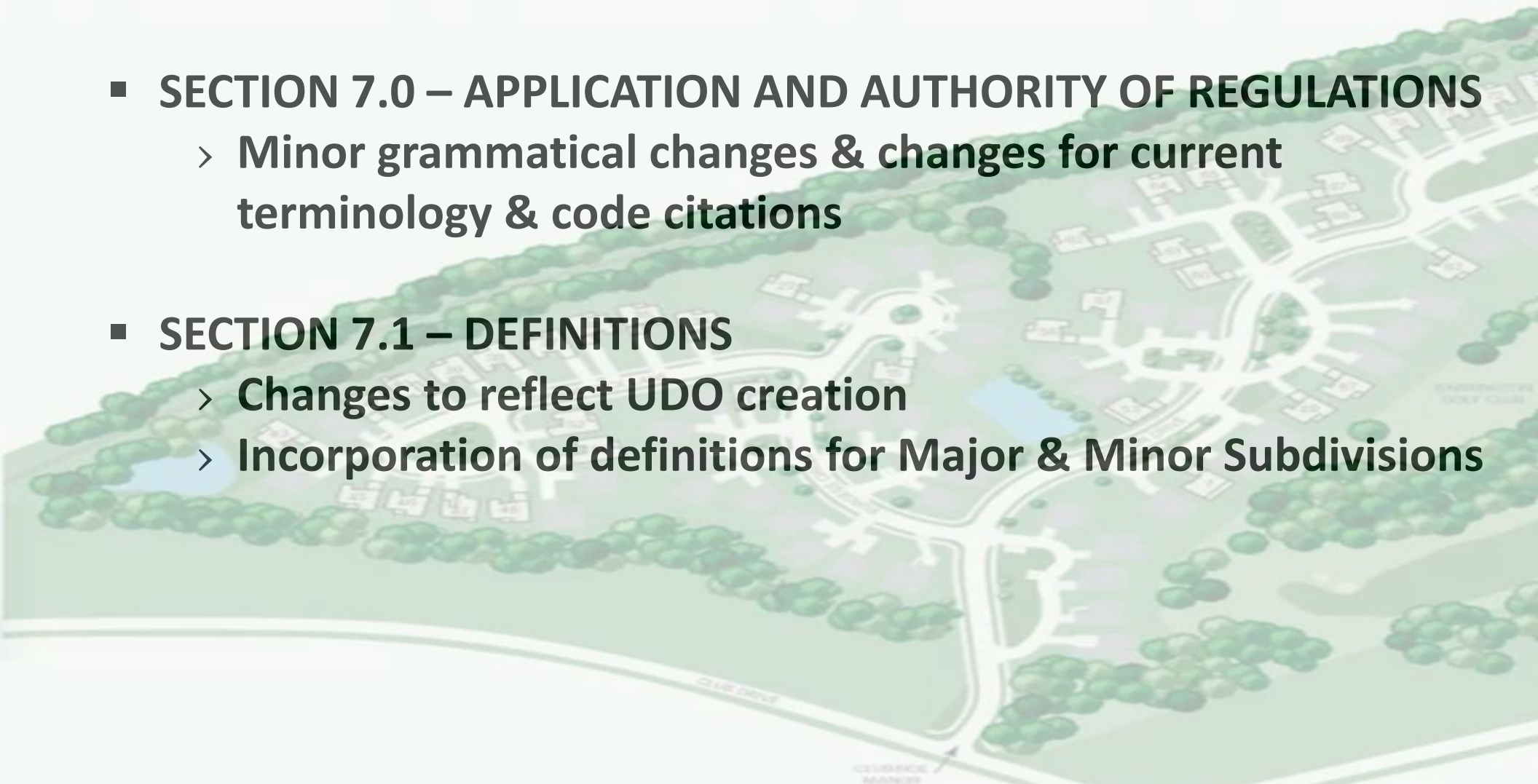
**SECTION 7.6 – IMPROVEMENTS**

**SECTION 7.7 – ADMINISTRATION AND ENFORCEMENT**

**APPENDICES (Engineering Specifications)**

## Subdivision Regulations – Sections 7.0 & 7.1

- **SECTION 7.0 – APPLICATION AND AUTHORITY OF REGULATIONS**
  - › Minor grammatical changes & changes for current terminology & code citations
  
- **SECTION 7.1 – DEFINITIONS**
  - › Changes to reflect UDO creation
  - › Incorporation of definitions for Major & Minor Subdivisions





# Zoning Ordinance Update

CITY OF FORT THOMAS

My Commission Expires: \_\_\_\_\_

An easement as shown on the record plat or plats for the Property, created for the benefit of Lot 13. The owner of Lot 13 will be allowed use of this area and shall be responsible for care and maintenance of the easement area. No structures are allowed in the easement.

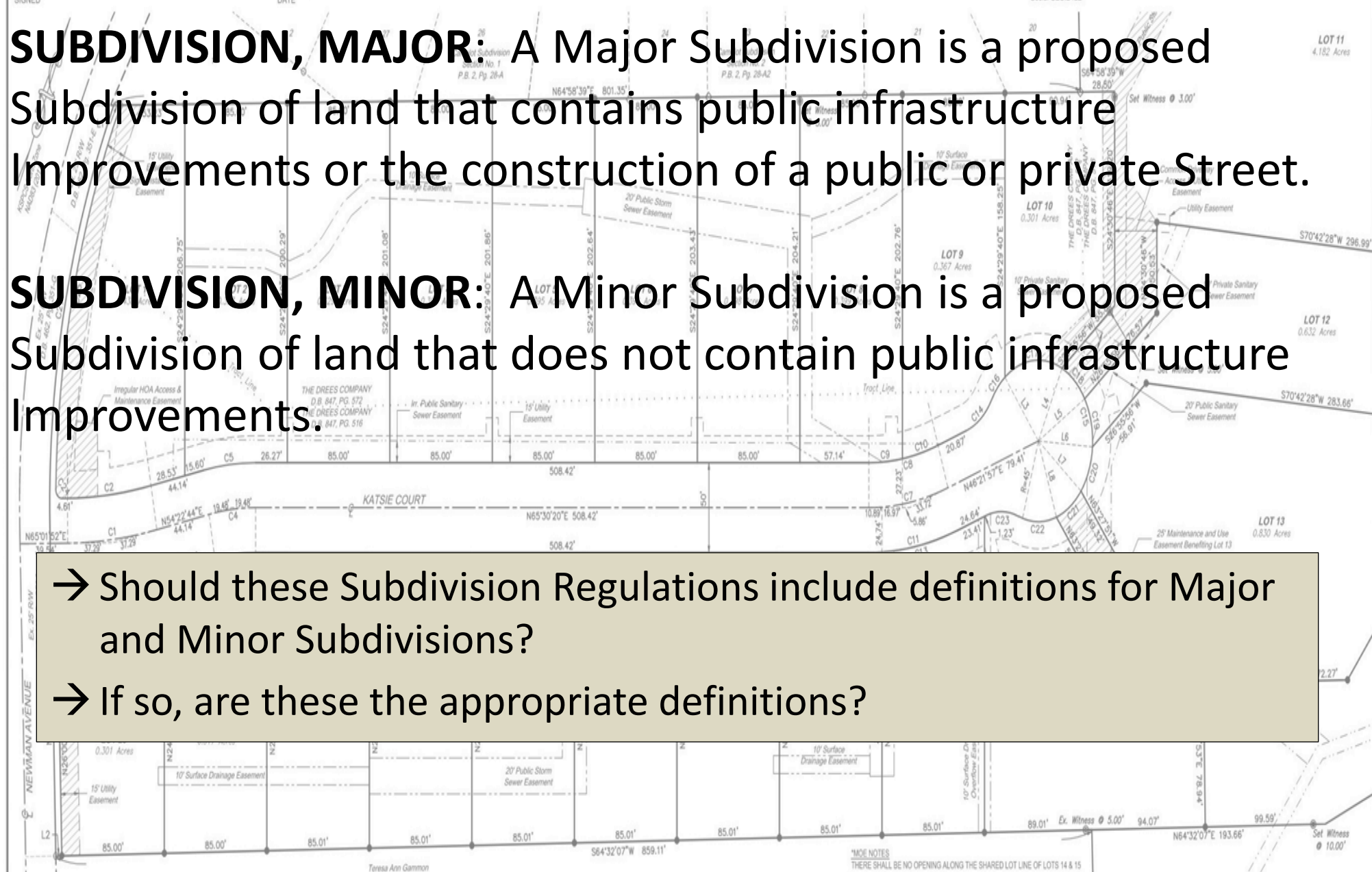
Network Adjusted Real Time Kinematic  
Horizontal Datum: NAD-83 (2011) KYSPCS North Zone  
Vertical Datum: NAVD-88  
Geoid: GEOID12B

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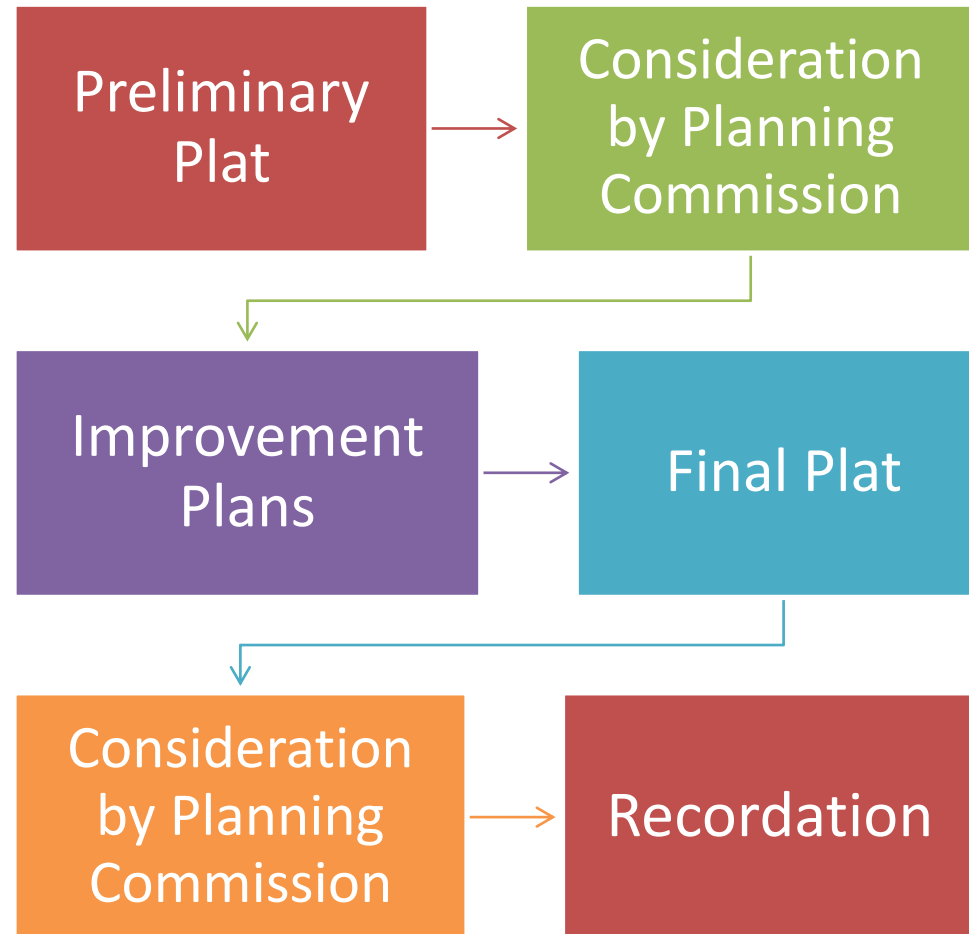
**SUBDIVISION, MAJOR:** A Major Subdivision is a proposed Subdivision of land that contains public infrastructure Improvements or the construction of a public or private Street.

**SUBDIVISION, MINOR:** A Minor Subdivision is a proposed Subdivision of land that does not contain public infrastructure Improvements.

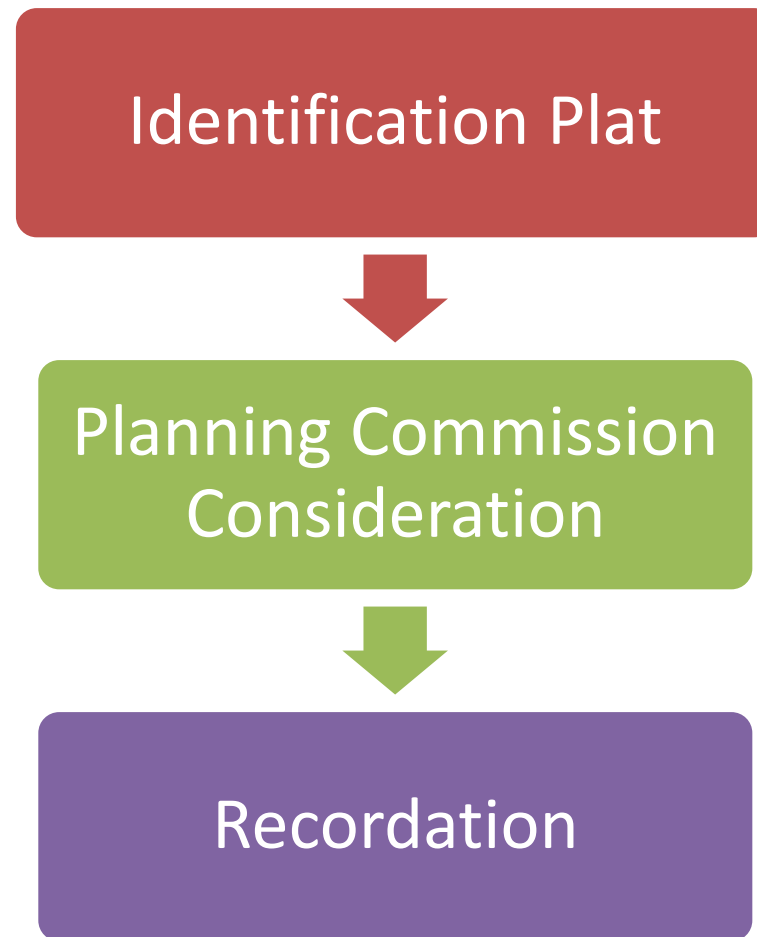
- Should these Subdivision Regulations include definitions for Major and Minor Subdivisions?
- If so, are these the appropriate definitions?



## Section 7.2 – PROCEDURES Major Subdivisions



## Section 7.2 – Procedures Minor Subdivisions or Identification Plat



## Section 7.2 – Procedures Identification Plat or Minor Subdivision

### To use an **Identification Plat**:

1. The parcel to be subdivided will not involve the construction of any public water lines, storm and sanitary sewers, and streets, etc.
2. Not more than two lots, including the residual parcel, may be subdivided from the original tract of land existing prior to 1966.
3. Lot lines that are to be adjusted in already recorded subdivisions shall not involve more than three contiguous lots. If more than three lots are involved then said lots shall be handled as a resubdivision and processed according to the applicable requirements of the Preliminary and Final Plats.
4. Except as noted in item (3) above, the identification plat process shall not be permitted in areas already approved or conditionally approved as a preliminary plat.

- Are the above requirements for an Identification Plat still appropriate?
- If not, what type of subdivision/lot line adjustments/etc. should be able to use the Identification Plat process?

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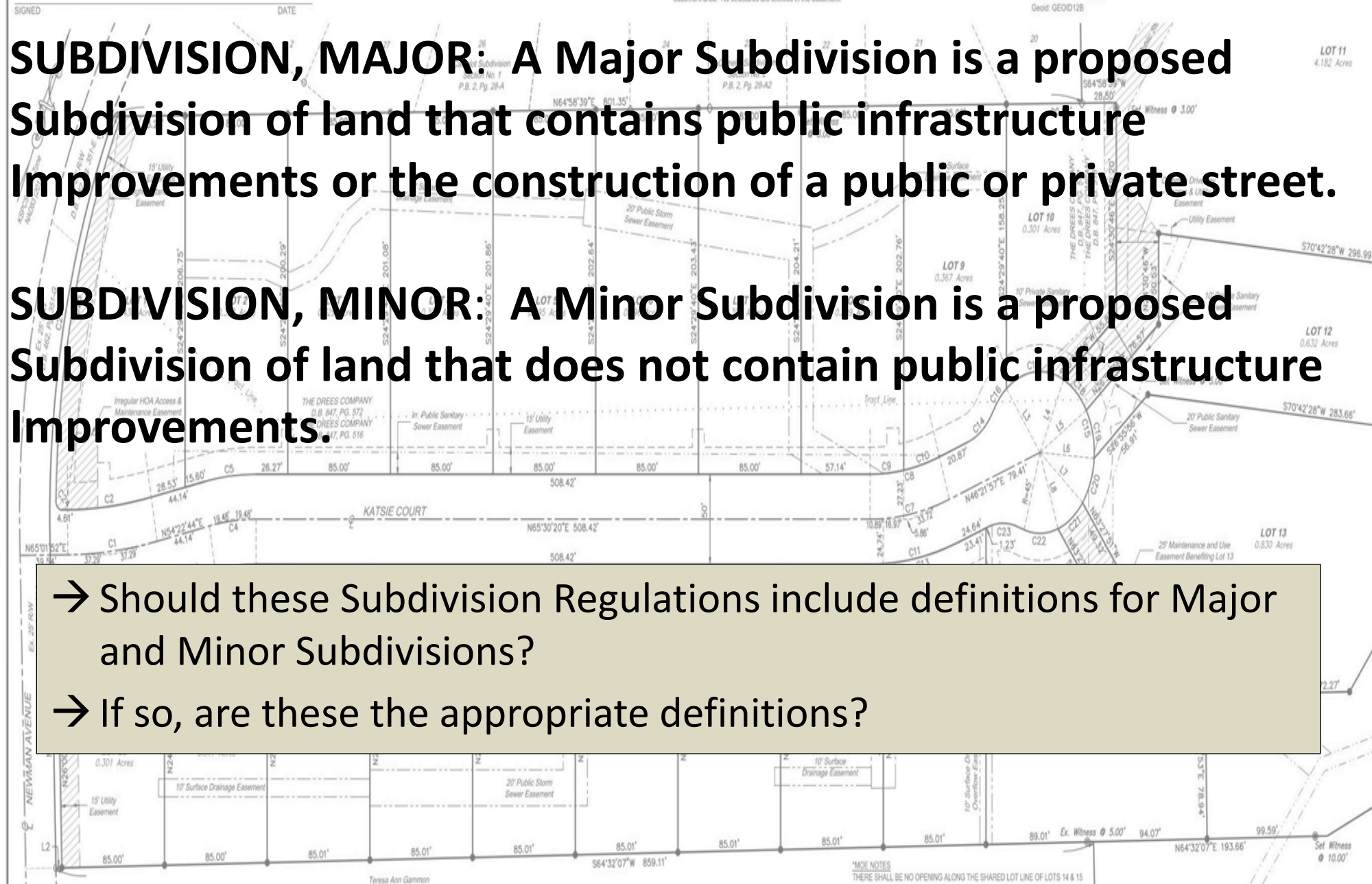
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Horizontal Datum: NAD-83 (2011) KYSPCS North Zone  
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**SUBDIVISION, MAJOR: A Major Subdivision is a proposed Subdivision of land that contains public infrastructure Improvements or the construction of a public or private street.**

**SUBDIVISION, MINOR: A Minor Subdivision is a proposed Subdivision of land that does not contain public infrastructure Improvements.**

- Should these Subdivision Regulations include definitions for Major and Minor Subdivisions?
- If so, are these the appropriate definitions?



NOTE NOTES  
THERE SHALL BE NO OPENING ALONG THE SHARED LOT LINE OF LOTS 14 & 15

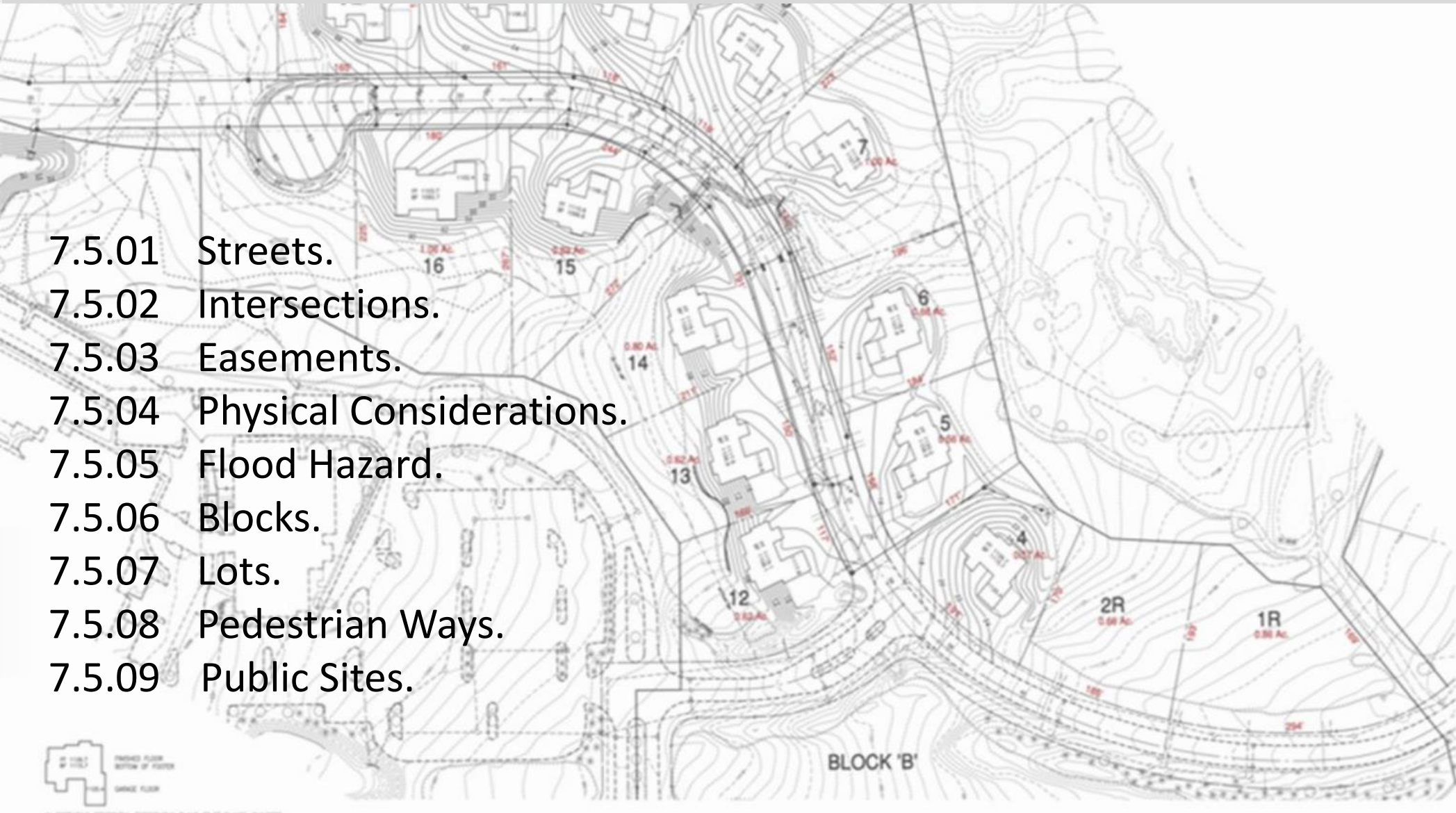
## Section 7.3 & 7.4 – Preliminary & Final Plat Submittal Requirements

- **No major changes**
  - › Minor changes for grammar, for current practices, & for code citations

## Section 7.5

### Design Standards for the Layout of Subdivisions

- 7.5.01 Streets.
- 7.5.02 Intersections.
- 7.5.03 Easements.
- 7.5.04 Physical Considerations.
- 7.5.05 Flood Hazard.
- 7.5.06 Blocks.
- 7.5.07 Lots.
- 7.5.08 Pedestrian Ways.
- 7.5.09 Public Sites.



## Section 7.5

# Design Standards for the Layout of Subdivisions

TABLE 4: IMPROVEMENT REQUIREMENTS BY TYPE OF STREET SERVING RESIDENTIAL SUBDIVISIONS (F)

TYPE OF STREET	NO. OF LOTS SERVED	RIGHT-OF-WAY (FT)	PAVEMENT WIDTH (FT)	CURB & GUTTER (C)	SIDEWALKS ALONG STREET (B)	ON-STREET PARKING REQUIRED	OFF-STREET PARKING REQUIRED	MINIMUM FRONT YARD DEPTH SETBACK REQUIRED (FT)	MINIMUM LOT WIDTH REQUIRED (FT)	MINIMUM PAVEMENT THICKNESS
COURTS TYPICAL OPTIONAL	Under 7	40 40	25 22	YES YES	ONE SIDE ONE SIDE	ONE SIDE NONE	(A) 4 SPACES (E)	(A) 35	(A) (A)	(G)
CUL-DE-SAC TYPICAL OPTIONAL	7-25	50 40	28 <del>25</del> 24	YES YES	BOTH SIDES BOTH SIDES (B)	ONE SIDE NONE	(A) 4 SPACES (E)	(A) 50	(A) (A)	(G)
LOCAL TYPICAL OPTIONAL	Under 100	50 40	28 <del>25</del> 24	YES YES	BOTH SIDES BOTH SIDES (B)	ONE SIDE NONE	(A) 4 SPACES (E)	(A) 50	(A) 100 (H)	(G)
SUBCOLLECTOR TYPICAL OPTIONAL	100-500	50 40	28 <del>25</del> 24	YES YES	BOTH SIDES BOTH SIDES (B)	ONE SIDE NONE	(A) 4 SPACES (E)	(A) 50	(A) 100	(G)
COLLECTOR (D) TYPICAL OPTIONAL	Over 500	60 60	40 36	YES YES	BOTH SIDES BOTH SIDES (B)	BOTH SIDES NONE	(A) 4 SPACES (E)	(A) 50	(A) 100	(G)

Is it appropriate to reduce the minimum pavement width, as shown in Table 4, given that the width of many City streets is less than 25 feet?



## Section 7.5

### Design Standards for the Layout of Subdivisions

**Lot Arrangement and Sizes.** The size, shape, and arrangement of lots in proposed subdivisions or developments shall be such as set forward in this Ordinance and these Subdivision Regulations. Rectangular shaped lots shall be encouraged in all zoning districts. Extremely irregularly shaped lots shall be avoided. Consideration of additional lot depth should be made when lots adjoin railroads, major utility easements, commercial or industrial areas, or other conflicting land uses. Except flag lots, lots shall be more or less rectangular in form; triangular, elongated or other shapes that restrict its use as a building site shall be avoided.



BLOCK 'B'

## Section 7.6 Improvements

- |        |   |        |  |
|--------|---|--------|--|
| 7.6.01 | Minimum Design Standards & Criteria for Storm Water Management. | 7.6.11 | Monumentation.   |
| 7.6.02 | Sanitary Sewer System.  | 7.6.12 | Plans for Future Expansion Extra Size & Off-Site Improvements. |
| 7.6.03 | Water System.   | 7.6.13 | Plans Required for the Control of Erosion & Sedimentation.     |
| 7.6.04 | Streets.  | 7.6.14 | Construction Inspections.                                      |
| 7.6.05 | Driveway Approaches.  | 7.6.15 | Construction Responsibilities.                                 |
| 7.6.06 | Off-Street Parking Areas.                                       | 7.6.16 | Final Cleaning Up.   |
| 7.6.07 | Private Utilities.  | 7.6.17 | Agreements & Guarantees.                                       |
| 7.6.08 | Street Signs.   |        |  |
| 7.6.09 | Street Lights.  |        |  |
| 7.6.10 | Planting Screen or Fences.                                      |        |  |

Image Landsat / Copernicus

## Section 7.7 Administration and Enforcement

Check the  
Subdivision  
Regulations

- 7.7.01 Administration.**
- 7.7.02 Fees for Plats and Plans.**
- 7.7.03 Payment of Fees.**
- 7.7.04 Recordation Fees in County Clerk's Office.**
- 7.7.05 Modifications.**
- 7.7.06 Enforcement.**
- 7.7.07 Appeals from the Planning Commission's Duly Authorized Representative.**

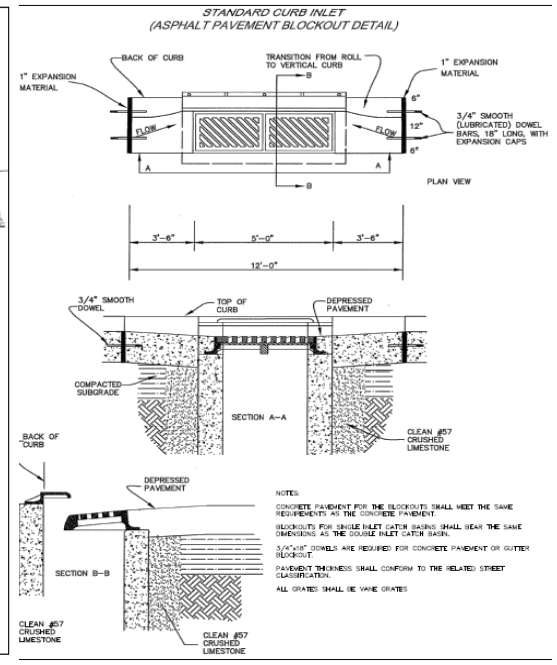
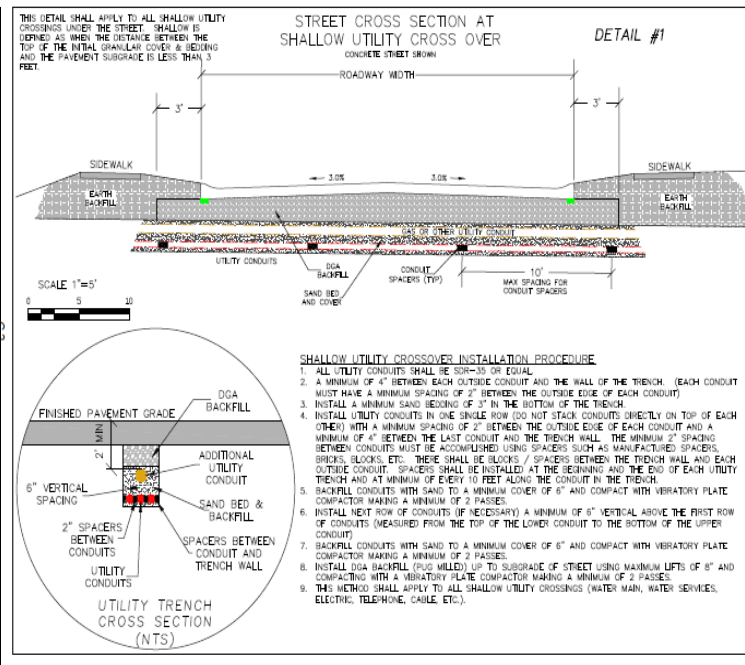
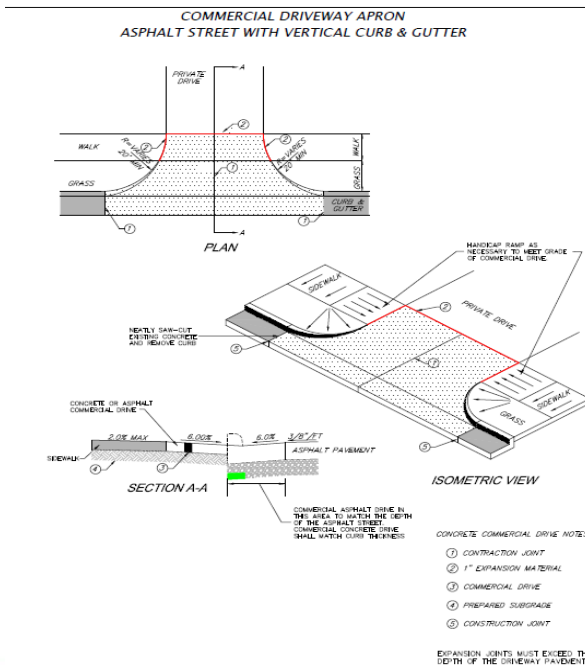
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## Appendices

APPENDIX "A" – PAVEMENT DESIGN

APPENDIX "B" – GEOTECHNICAL EXPLORATION AND EARTHWORK  
CONSTRUCTION REQUIREMENTS

APPENDIX "C" – STANDARD CONSTRUCTION DETAILS FOR STREETS,  
SIDEWALKS, AND DRIVEWAYS



## Subdivision Regulations

## Community Comments

ED STREET

LOG TO BE SET BACK A  
MINIMUM OF 20' FROM ANY  
SHALLOW TRANSVERSE  
UTILITY CROSSING

# Zoning Ordinance Update

CITY OF FORT THOMAS

## Conditional Use & Restricted Use Regulations



## SECTION 5.4

### Conditional Use and Restricted Use Regulations



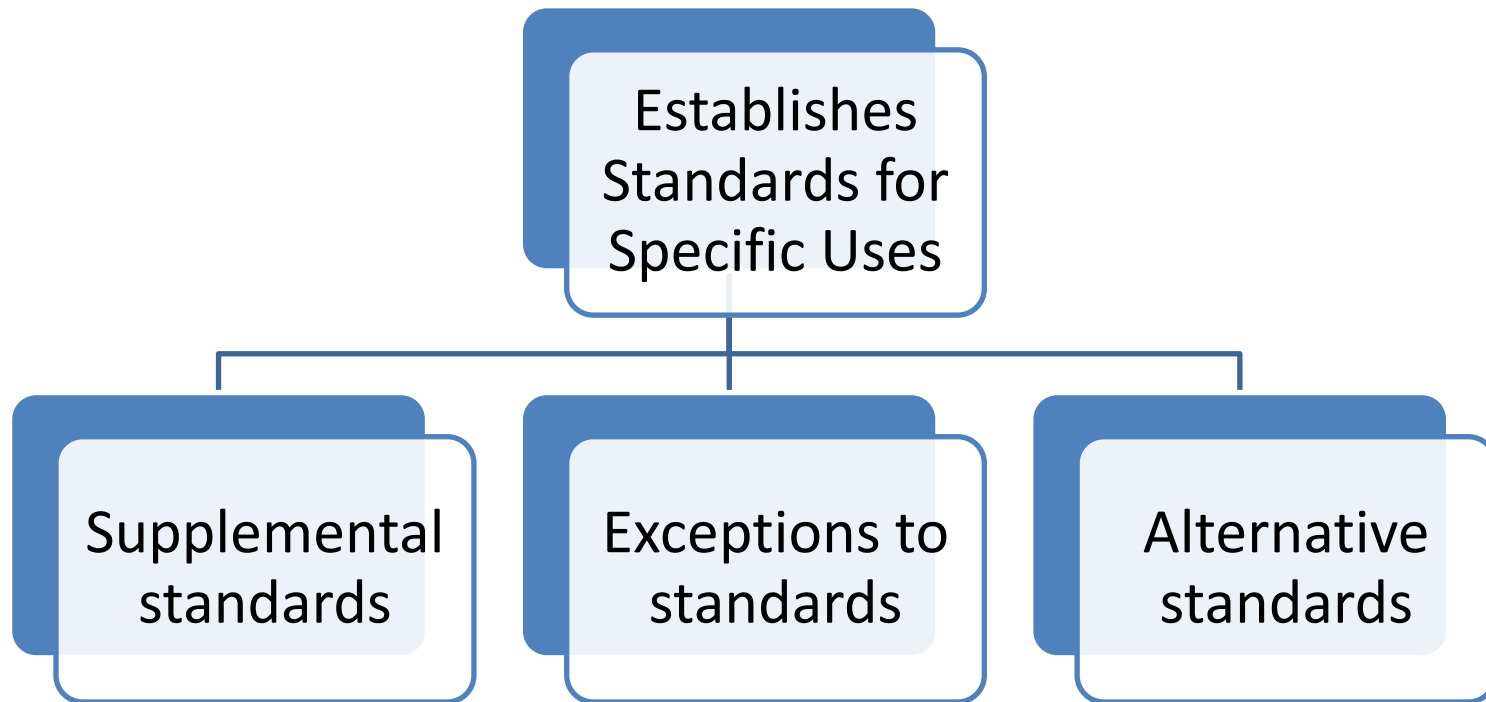
#### Restricted Uses

Conditional uses can be unpredictable in implementation. Restricted uses are a preferred method where the restrictions are clearly defined and can be implemented by right if complied with.

- (P) Use is permitted
- (R) Use is permitted, provided it complies with specific-use restrictions
- (C) Use may be permitted, subject to board approval
- (N) Use is not allowed

## SECTION 5.4

### Conditional Use and Restricted Use Regulations





## SECTION 5.4

### Conditional Use and Restricted Use Regulations

#### **RESIDENTIAL DISTRICTS**

Single-Family Residential = R-1AA, R-1A, R-1B, R-1C, R-1D, R-1-TC1, R-1-TC2

Two-Family Residential = R-2

Multi-Family Residential = R-3, R-5

#### **BUSINESS and MIXED-USE DISTRICTS**

Traditional Business District = TBD

Alexandria Pike Mixed Use District = AP-MX

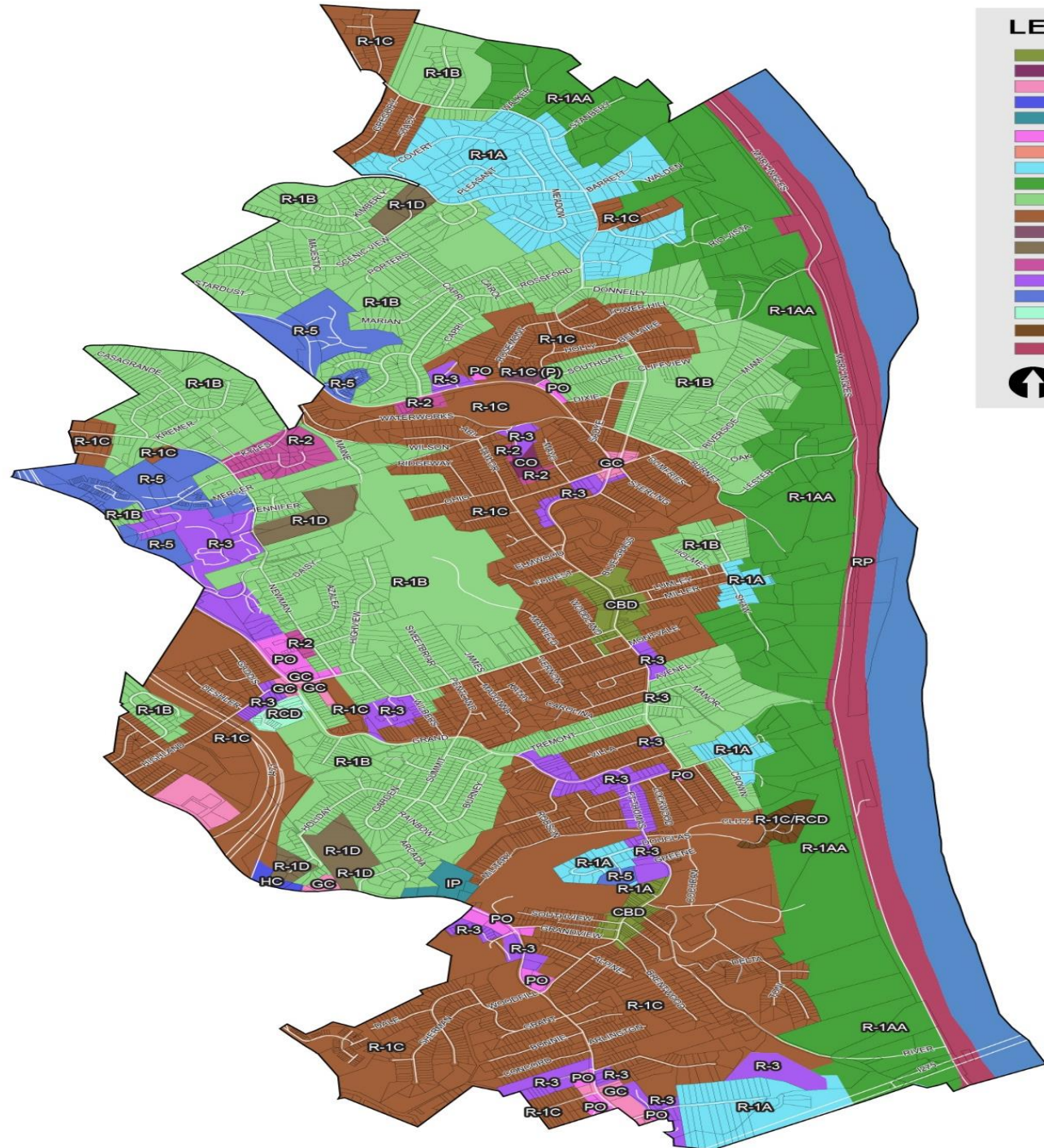
Neighborhood Commercial/Office District = NC/O

#### **OTHER DISTRICTS**

River Preservation District = RP

Conservation District = CO

# FORT THOMAS ZONING MAP

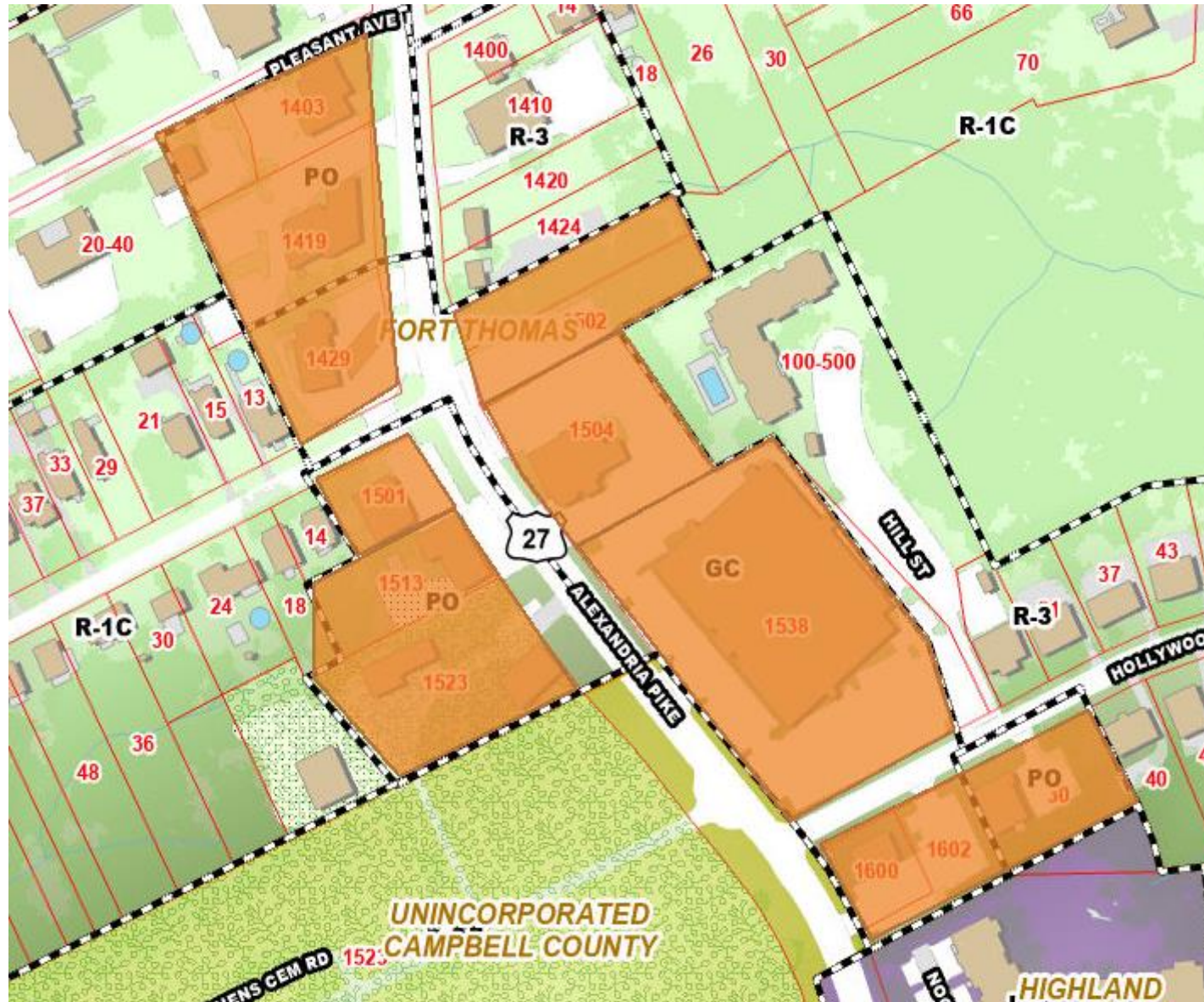


## LEGEND

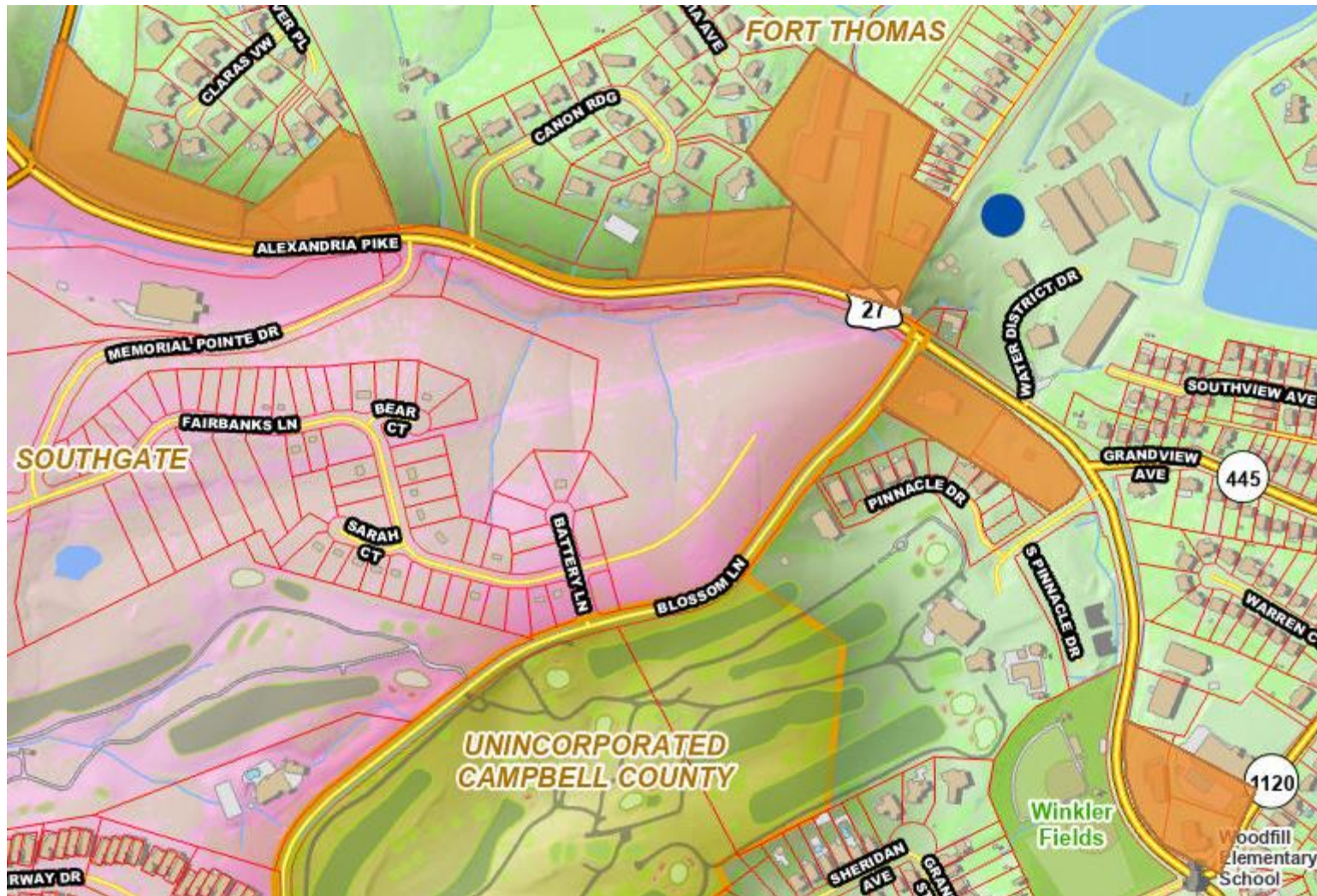
- CBD
- CO
- GC
- HC
- IP
- PO
- R-1
- R-1A
- R-1AA
- R-1B
- R-1C
- R-1C (P)
- R-1D
- R-2
- R-3
- R-5
- RCD
- R1-C with RCD Overlay
- RP



## Alexandria Pike Mixed Use District



## Alexandria Pike Mixed Use District



# Zoning Ordinance Update

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## Neighborhood Commercial/Office District

- Fort Thomas Plaza
- Highland and Grand Avenues
- Intersection of S. Fort Thomas & Bivouac Avenues



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## SECTION 5.4

### Conditional Use and Restricted Use Regulations

#### CBD DISTRICTS with SUB-ZONING DISTRICTS

Town  
Center  
CBD

- Town Center Core = CBD-TCC
- Town Center Supporting = CBD-TCS
- Town Center Residential = CBD-TCR

Midway  
CBD

- Midway Core-1 = CBD-MC1
- Midway Core-2 = CBD-MC2
- Midway Core-3 = CBD-MC3
- Midway Residential-1 = CBD-MR1
- Midway Residential-2 = CBD-MR2

## SECTION 5.4

### Conditional Use and Restricted Use Regulations



**CBD DISTRICTS with  
SUB-ZONING  
DISTRICTS**

**Town Center**

**CBD-TCS**

**CBD – Town Center Supporting**

**CBD-TCC**

**CBD – Town Center Core**

**CBD-TCR**

**CBD – Town Center Residential**



## SECTION 5.4

### Conditional Use and Restricted Use Regulations



## CBD DISTRICTS & SUB-ZONING DISTRICTS

### Midway

CBD-MC1=Core 1

CBD-MC2=Core 2

CBD-MC3=Core 3

CBD-MR1=Residential 1

CBD-MR2=Residential 2



## SECTION 5.4 Conditional Use & Restricted Use Regulations

	Conditional Use in District or Sub-Zoning District	Restricted Use in District or Sub-Zoning District
A. Agriculture		R-1AA RP CO
B. Animal Hospital/Veterinarian Clinic	AP-MX NC/O	
C. Artisan or Craft Workshop		CBD-TCR CBD-MR2 TBD
D. Artisan Industrial		AP-MX NC/O CBD-TCC CBD-TCS CBD-MC1 CBD-MC2 CBD-MC3 TBD
E. Artist Studio		CBD-TCR CBD-MR2 TBD
F. Assembly Hall		NC/O
G. Auto Service Stations	AP-MX	
H. Brewpubs		AP-MX NC/O CBD-TCC CBD-MC1 CBD-MC2 CBD-MC3 TBD
I. Campground/Recreational Vehicle Park	RP	
J. Cemetery	R-1 AA R-1 A, B, C, & D R-2 R-3 & R-5 AP-MX	
K. Commercial Kitchen		AP-MX
L. Commercial Recreation Facility, Indoors	AP-MX NC/O	
M. Community Center	R-1 AA R-1 A, B, C, & D R-2 R-3 & R-5	NC/O
N. Congregate Care Facility		TBD

## SECTION 5.4 Conditional Use & Restricted Use Regulations

	Conditional Use in District or Sub-Zoning District	Restricted Use in District or Sub-Zoning District
O. Country Club (public, private/semi-private) including golf courses	R-1 AA R-1 A, B, C, & D R-2 R-3 & R-5	
P. Day Care Center, Adult or Child	R-1 AA R-1 A, B, C, & D R-2 R-3 & R-5	
Q. Drive-thru Facility in Association with a Principal Permitted Use	AP-MX NC/O	
R. Electric Vehicle Charging Stations		CBD-TCC CBD-TCS CBD-MC1 CBD-MC2 CBD-MC3 TBD
S. Food Trucks		AP-MX NC/O
T. Freestanding Drive-thru Facility	AP-MX NC/O	
U. Funeral Homes	R-1C, & D R-2 R-3 & R-5 NC/O AP-MX CBD-TCS	
V. Habitable Roof – Non-Residential Use	TBD	CBD-TCC CBD-TCS CBD-MC1 CBD-MC2 CBD-MC3
W. Health Club		NC/O
X. Hotel		NC/O
Y. Institutions for Human Medical Care	R-1 AA R-1 A, B, C, & D R-3 & R-5 AP-MX NC/O	
Z. Live Entertainment Venue		CBD-TCC CBD-MC1 CBD-MC2 CBD-MC3 TBD
AA. Manufacturing, Light		AP-MX

## SECTION 5.4 Conditional Use & Restricted Use Regulations

	Conditional Use in District or Sub-Zoning District	Restricted Use in District or Sub-Zoning District
BB. Medical/Dental Clinic Urgent Care		NC/O
CC. Micro Production of Alcohol		CBD-TCC CBD-MC1 CBD-MC2 CBD-MC3
DD. Multi-family Dwellings		CBD-TCC CBD-TCS TBD
EE. Off-street Parking Lots		CBD-TCC CBD-TCS CBD-MC1 CBD-MC2 CBD-MC3 TBD
FF. Open Space Recreation Area	R-1 AA R-1 A, B, C, & D R-2 R-3 & R-5	
GG. Parking Structure - Accessory to a Principal Use	AP-MX NC/O	R-3 & R-5
HH. Parking Structure – Principal Use	CBD-TCC CBD-MC2 CBD-MC3	
II. Places of Worship	R-1 AA R-1 A, B, C, & D R-2 R-3 & R-5	NC/O
JJ. Pleasure boat harbors & marinas	RP	
KK. Public Boat Landing or Launching Facilities	RP	
LL. Public Facility		R-1 AA R-1 A, B, C, & D R-1-TC R-2 R-3 & R-5 AP-MX NC/O
MM. Public Park/Playground		R-1 AA R-1 A, B, C, & D R-1-TC R-2 R-3 & R-5
NN. Recreational Dockage Facilities	RP	

## SECTION 5.4 Conditional Use & Restricted Use Regulations

	Conditional Use in District or Sub-Zoning District	Restricted Use in District or Sub-Zoning District
OO. Research and Development Facility		AP-MX
PP. Riding Academies and Stables (Commercial)	RP CO	
QQ. Riding and Stables (Personal Use)	RP CO	
RR. School (public/private), College/University	R-1 AA R-1 A, B, C, & D R-2 R-3 & R-5	AP-MX NC/O TBD
SS. School (Public/Private) Elementary/Secondary	R-1 AA R-1 A, B, C, & D R-2 R-3 & R-5	AP-MX NC/O TBD
TT. Shop house		CBD-TCR CBD-MR2 TBD
UU. Single-family Dwelling, Attached		R-3 R-5
VV. Single-family Dwelling, Detached		CBD-TCS TBD
WW. Theater, Indoors		NC/O
XX. Trade or Vocational School		NC/O
YY. Two-Family Dwelling		R-1B, C, & D R-1-TC 1 & 2 CBD-TCR CBD-MR1 CBD-MR2
ZZ. Utility substation/distribution facility, indoor/outdoor	R-1 AA R-1 A, B, C, & D RP CO	
AAA. Vehicle Fueling Stations	AP-MX NC/O	
BBB. Vehicle Sales/Rental/Service Facilities	NC/O	

# Zoning Ordinance Update

## SECTION 5.4 - Conditional Use & Restricted Use Regulations Neighborhood Commercial/Office District – Restricted Uses

### Intersection of S. Fort Thomas & Bivouac Avenues

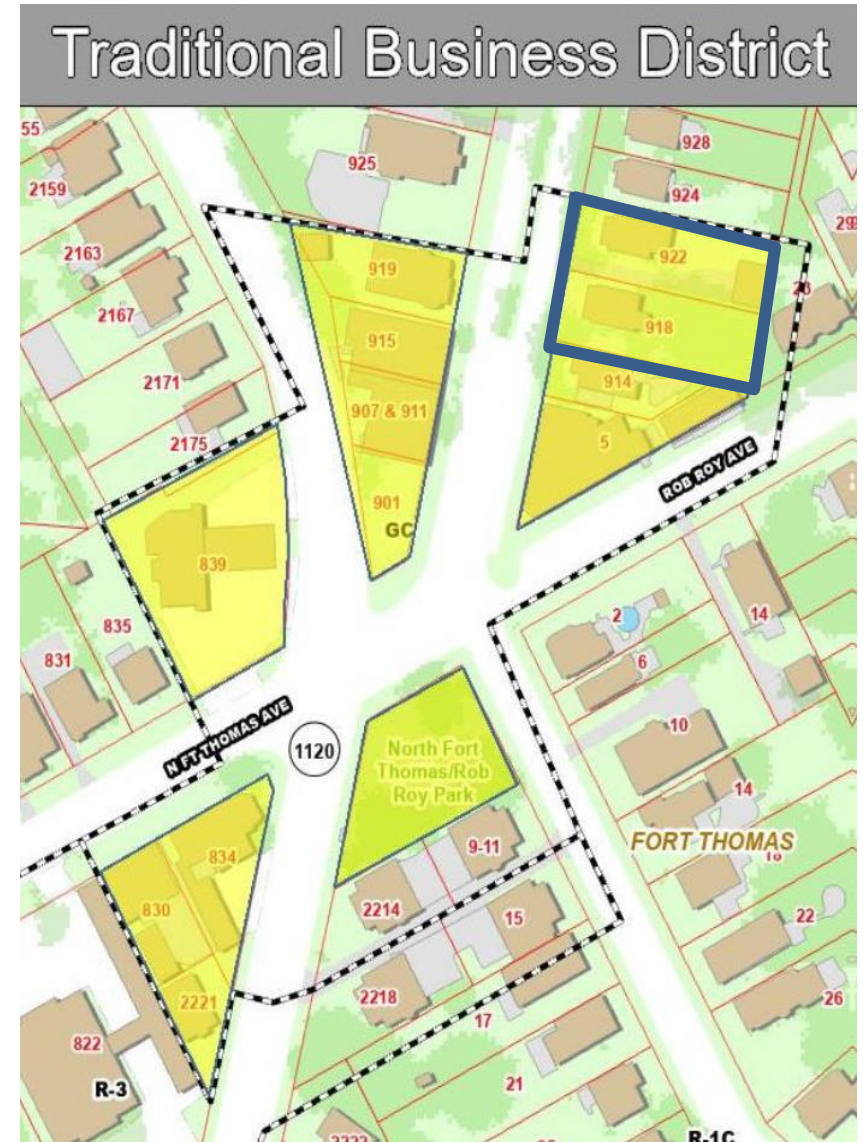
Restricted & Conditional Standards prohibit intensive use of this site

• Artisan Industrial	• Hotel
• Assembly Hall	• Medical/Dental Clinic; Urgent Care
• Brewpub	• Places of Worship
• Community Center	• Theater, Indoor
• Drive-Thru Facilities	• Trade or Vocational School
• Health Club	



# Zoning Ordinance Update

## SECTION 5.4 - Conditional Use & Restricted Use Regulations Single – Family Detached Dwellings – “P” or “R”?



## SECTION 5.4 - Conditional Use & Restricted Use Regulations Live-Work Units - Shop House etc.

- “P” in CBD-MR1; “R” in CBD-TCR, CBD-MR-2, & TBD
- Standards for “R” include:
  - › “Work” occupy less than 50% of the dwelling unit’s gross floor area
  - › Occupant of dwelling unit must operate the business
  - › Only 1 employee
  - › No altering residential appearance of the dwelling unit
  - › Common access for live/work spaces
  - › No outdoor display or storage
  - › Limited range of uses
  - › Signage limited to 4 square feet
  - › Must submit application detailing “work” activities
  - › Occupational license required







## SECTION 5.4

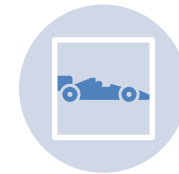
### Conditional Use and Restricted Use Regulations Drive-Thru Facilities – Conditional Uses



1 acre minimum  
lot size



Collector or  
arterial street  
required



Standards for  
stacking spaces  
for drive-thru lane



Traffic analysis may  
be required by BOA




Hours of  
operation may be  
limited by BOA



Loudspeaker  
evaluated


## SECTION 5.4


### Conditional Use and Restricted Use Regulations Day Care Facilities in Residential Districts – Conditional Use


 Site/Descriptive Plan submitted

 Protection & screening fencing

 Parking location regulated

 Signs submitted to BOA

 Lighting requirements – Residential in Character

 Demonstration of compatibility

Schedule 5.4.03 P. Minimum Lot Area for Day Care Center, Adult or Child	
Zoning District	Minimum Lot Area (Square Feet)
R-1AA	19,000
R-1A	19,000
R-1B	15,000
R-1C	14,000
R-1D	19,000
R-2	16,000
R-3	16,000
R-5	16,000

# Zoning Ordinance Update

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**Any concerns about the  
Conditional & Restricted Use  
Regulations?**

# Zoning Ordinance Update

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## SECTION 5.4

Conditional Use &  
Restricted Use  
Regulations

Community  
Comments



## Next Steps

### Phase 3 - Begin in January 2024

#### Policy Items to Discuss in Phase 3

- The future of Midway Court.
- Residential uses over non-residential uses along Alexandria Pike
- The future of the strip center on Miller Lane behind WesBanco



# Zoning Ordinance Update

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