

# Zoning Ordinance Update

CITY OF FORT THOMAS

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## January 18, 2023

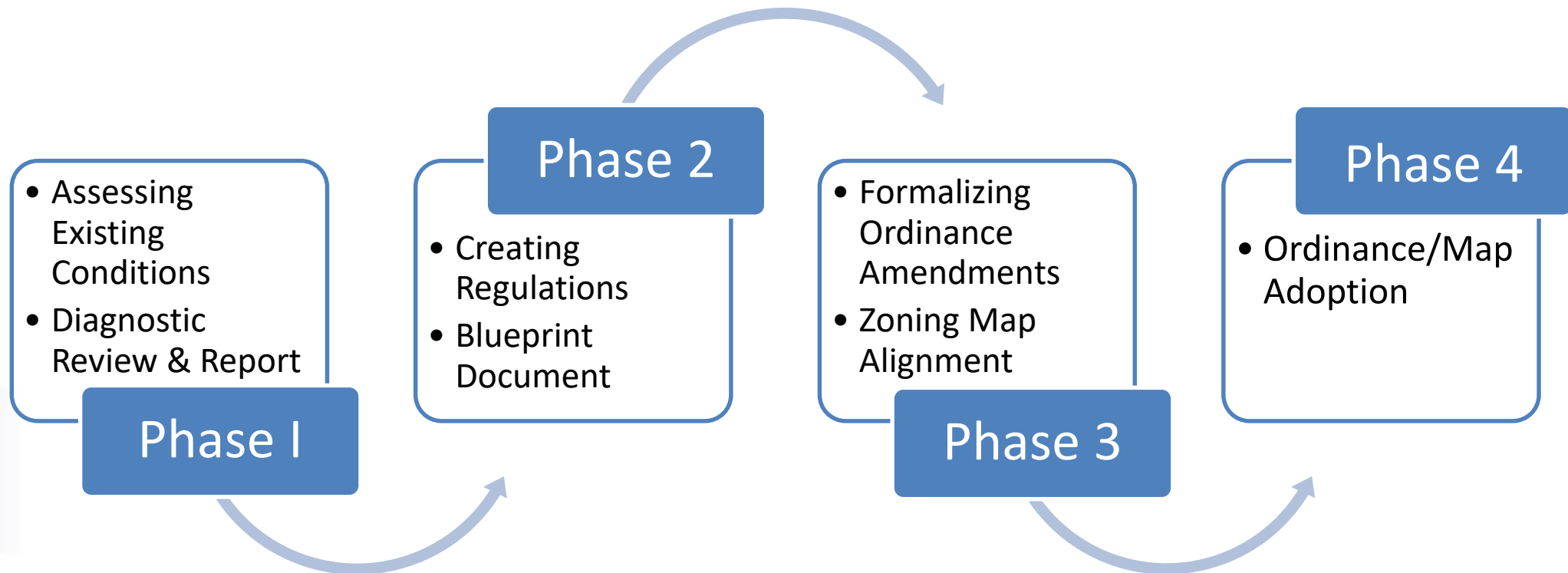


## Meeting Agenda

- Zoning Ordinance Update Process
- Review Draft Zoning Districts
- Discuss Central Business District
- Next Steps



## Zoning Ordinance Update Process



# Zoning Ordinance Update

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## Zoning Ordinance Update Schedule Phase II

February Planning Commission Meeting

January Planning Commission Meeting

March Planning Commission Meeting

April Planning Commission Meeting

### Article I – General Provisions and Administration

1.0	Title, Purpose, and Application
1.1	Definitions
1.2	Establishment of Districts and Map
1.3	Powers and Duties
1.4	Development Plan Review Procedures
1.5	Zoning Permits & Certificates of Zoning Compliance
1.6	Conditional Use Permits
1.7	Appeals & Variances
1.8	Amendments
1.9	Nonconforming Uses, Lots, Structures, & Site Conditions
1.10	Enforcement and Penalties

### Article III – Conventional Zoning Districts

3.0	River Preservation and Conservation Districts
3.1	Single-Family & Two-Family Residential Districts
3.2	Reserved
3.3	Residential Cluster Development Overlay Zone
3.4	Multi-family Residential Districts
3.5	Alexandria Pike Mixed Use District
3.6	Neighborhood Commercial/Office District
3.7	Central Business District

### Article V – Regulations Applicable to All Districts

5.0	General Regulations
5.1	Accessory and Temporary Uses
5.2	Environmental Regulations
5.3	Landscaping, Screening, and Lighting Regulations
5.4	Conditional Use and Restricted Use Regulations
5.5	Off-Street Parking, Loading, and Access Regulations
5.6	Wireless Telecommunication Facilities
5.7	Sign Regulations

### Article VII – Subdivision Regulations

	Procedures for Subdivision Approval
	Subdivision Construction & Design Standards

## Zoning Districts

- River Preservation and Conservation Districts
- Single-Family and Two-Family Districts
- Residential Cluster Development Overlay District
- Multi-family Residential Districts
- Alexandria Pike Mixed Use District
- Neighborhood Commercial/Office District
- Central Business District



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## 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



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## Single Family & Two Family Districts



Schedule 3.1.02 C.  
Permitted Uses in the Single-Family and Two-Family Districts

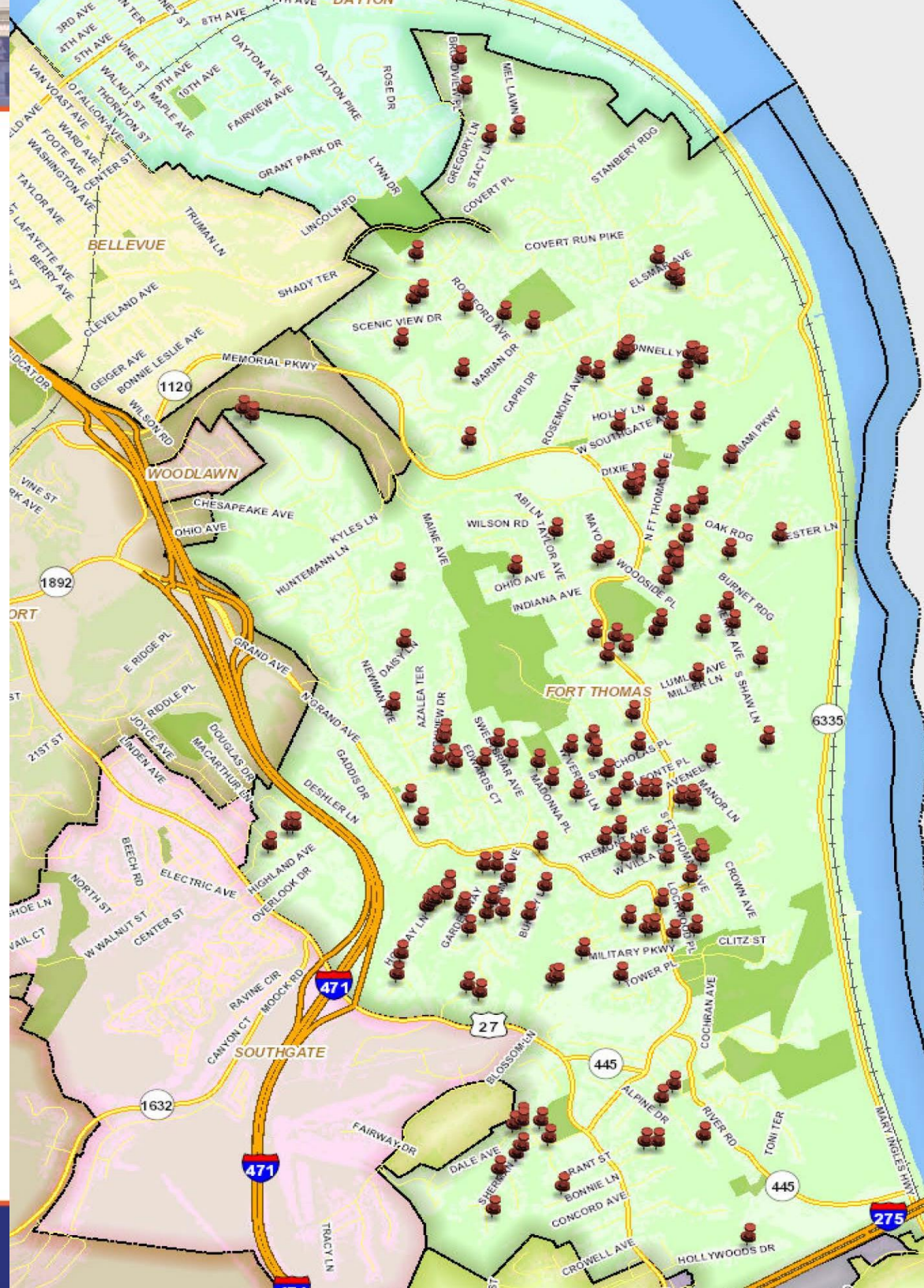
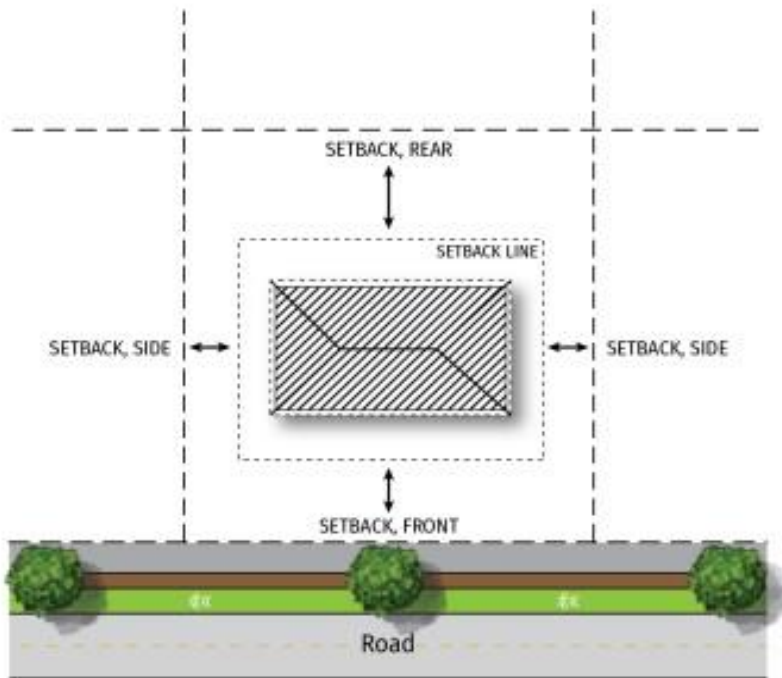
	R-1AA	R-1A	R-1B	R-1C	R-1D	R-1-CBD	R-2	Use-Specific Regulations
<b>1. Residential</b>								
a. Single-family dwelling, detached	P	P	P	P	P	P	P	
b. Two-family dwelling			<u>C/R?</u>	<u>C/R?</u>		<u>C/R/P?</u>	P	XX
c. Residential care facility for persons with disabilities	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<b>2. Community Facilities/Institutions</b>								
a. Community recreation center	<u>P C</u>	<u>P C</u>	<u>P C</u>	<u>P C</u>	<u>P C</u>		<u>P C</u>	XX
b. Day care center, adult or child	C	C	C	C	C			XX
c. Institutions for human medical care	C	C	C	C	C			XX
d. Places of worship	C	C	C	C	C		C	XX
e. Public facility (Government offices)	<u>P R</u>	<u>P R</u>	<u>P R</u>	<u>P R</u>	<u>P R</u>	<u>R</u>	<u>P R</u>	XX
f. Public park/playground	<u>P R</u>	<u>P R</u>	<u>P R</u>	<u>P R</u>	<u>P R</u>	<u>R</u>	<u>P R</u>	XX
a. School (public/private), college/university	C	C	C	C	C		C	XX
b. School (public/private), elementary/secondary	<u>P C</u>	<u>P C</u>	<u>P C</u>	<u>P C</u>	<u>P C</u>		<u>P C</u>	XX
g. Utility substation/distribution facility	C	C	C	C	C		C	XX
<b>3. Other</b>								
a. Cemetery	C	C	C	C	C		C	XX
b. Country club	C	C	C	C	C		C	XX
c. Funeral homes without crematorium				C	C		C	XX
d. Open space recreation area	C	C	C	C	C		C	XX
e. Telecommunication facility	See Section _____							
<b>4. Accessory Uses</b>								
a. Accessory dwelling unit	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	XX
b. Agriculture	R							XX
c. Fences, walls	A	A	A	A	A	<u>A</u>	A	XX
d. Home occupation	A	A	A	A	A	<u>A</u>	A	XX
e. Other accessory structures	A	A	A	A	A	<u>A</u>	A	XX
f. Short-term rental properties	A	A	A	A	A	<u>A</u>	A	XX
g. Signs	A	A	A	A	A	<u>A</u>	A	XX

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## Residential Variances from 2016 -2021





## Single Family & Two Family Districts

Schedule 3.1.03 B. Development Standards in the Single-Family and Two Family Districts							
	R-1AA	R-1A	R-1B	R-1C	R-1D	R-1-CBD	R-2
1. Minimum lot area (square feet)	43,560	9,500	7,500	7,000	13,000	<u>3,400</u>	8,000
2. Minimum lot width (feet)	150	75	65	60	85	<u>45</u>	75
3. Minimum principal building setback (feet)							
a. Minimum front	40 <sup>(a)</sup>	30 <sup>(a)</sup>	30 <sup>(a)</sup>	25 <sup>(a)</sup>	30 <sup>(a)</sup>	(b)	25 <sup>(a)</sup>
b. Minimum side	12	10	<del>9</del> <u>5</u>	<del>8</del> <u>5</u>	10	<u>3</u>	8
c. Combined minimum side setback for both sides	38	NA	<u>14</u>	<u>14</u>	NA	<u>9</u>	NA
d. Minimum rear	40	40	<del>35</del> <u>30</u>	<del>30</del> <u>25</u>	40	<u>20</u>	30
4. Minimum gross floor area per dwelling unit (square feet)	<u>1500</u>	<u>1000</u>	<u>800</u>	<u>800</u>	<u>1000</u>	<u>800</u>	<u>500</u>
5. Maximum height of principal building (feet)	35 feet or 2.5 stories	35 feet or 2.5 stories	35 feet or 2.5 stories	35 feet or 2.5 stories	35 feet or 2.5 stories	<u>35 feet or 2.5 stories</u>	35 feet or 2.5 stories
6. Maximum height of accessory building (feet)	15	15	15	15	15	15	15



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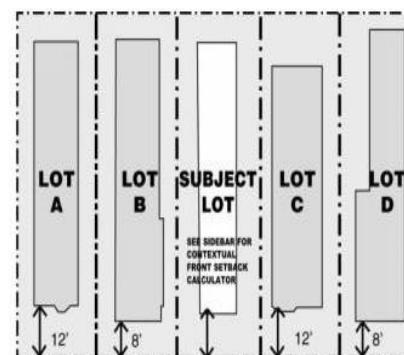
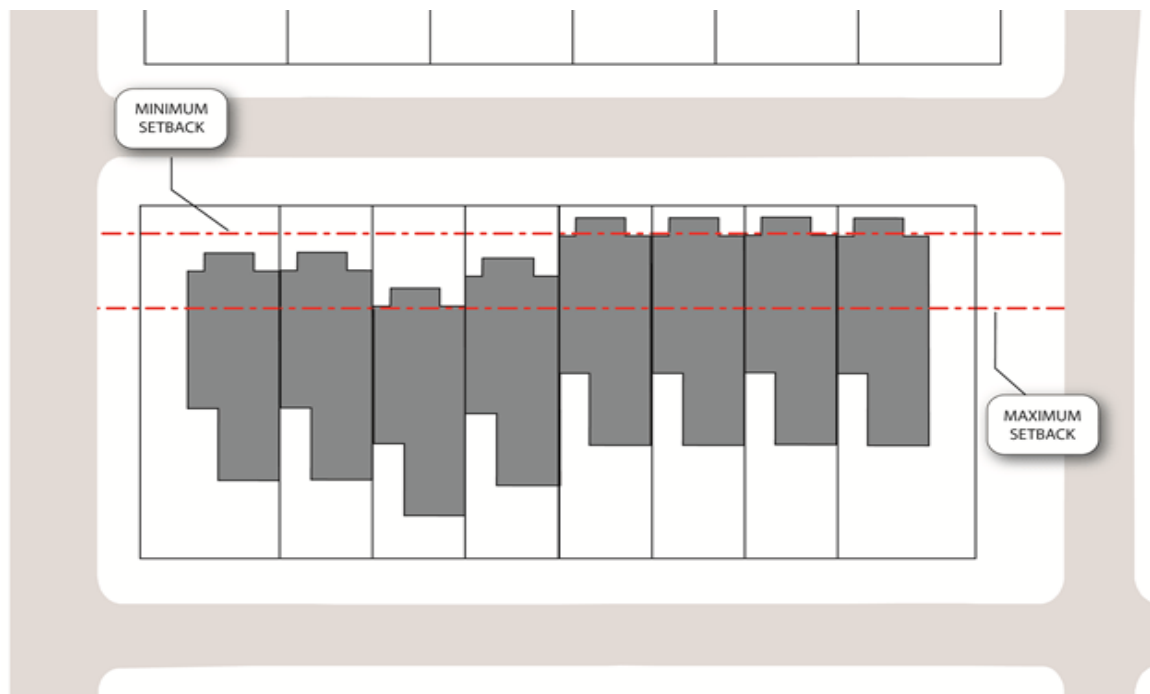
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## Single Family & Two Family Districts – R-1-CBD



## Single Family & Two Family Districts

### ❖ Mandating Maximum Front Setbacks for New Construction/Renovated Homes



Context 4 - A

Lot	Yard Depth (feet)
A	12
B	8
C	12
D	8
Total	40
Average	$40/4=10$

## Single Family & Two Family Districts

### ❖ Residential Contextual Standards

- Garages
- Building Orientation
- Side & Rear Facades

#### Key Questions:

- Applicable Zoning Districts
- Regulating the correct elements of home design
- Review process



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## Central Business District

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## Central Business District – Policy Considerations

- Prohibition on Residential uses of the first floor



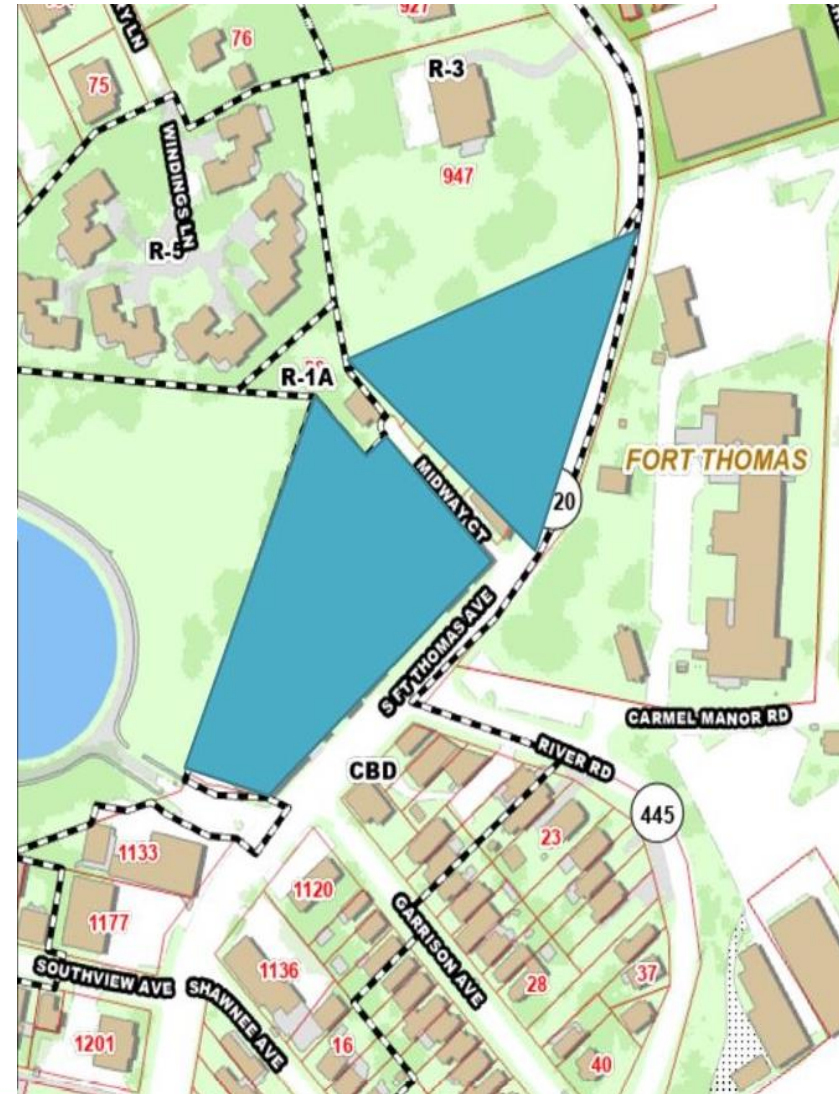
## Central Business District – Policy Considerations

- Downtown – 1<sup>st</sup> floor non-residential uses required



## Central Business District – Policy Considerations

- Midway – 1<sup>st</sup> floor non-residential uses required





## Central Business District – Policy Considerations

- Single-Family Detached Dwellings



## Central Business District – Policy Considerations

- Single-Family Detached Dwellings - Downtown



## Central Business District – Policy Considerations

- Single-Family Detached Dwellings - Midway



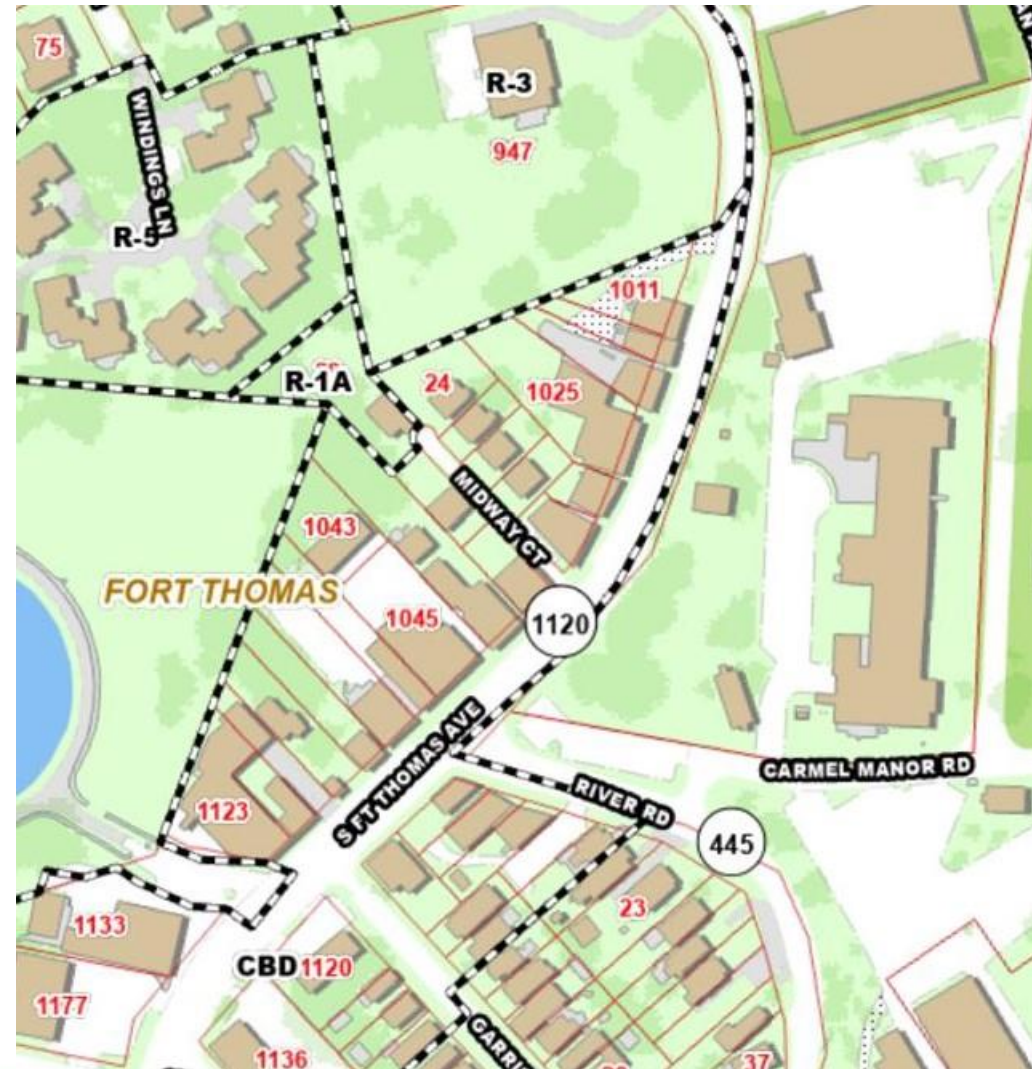
## Central Business District – Policy Considerations

- Encouraging New Housing on Midway Court



## Central Business District – Policy Considerations

- Expanding the Midway CBD



## Central Business District – Policy Considerations

- Design Standards in Midway & Downtown CBD

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### DESIGN STANDARDS

- Street level facades shall contain transparent or clear glazing that reveals the activities of the establishment. Transparent glazing does not include dark tinted or opaque glazing.
- Commercial building façades fronting on public streets or open space shall not be less than 60% clear glazing on the ground floor to reveal the activity of the building to pedestrians and to activate the street. All glazing shall have a minimum of sixty percent (60%) light transmittance factor at street level.
- No portion of the building façade shall have highly reflective glass (maximum reflectance factor of 0.25) and there shall be no reflective coatings on the exterior of the glass.



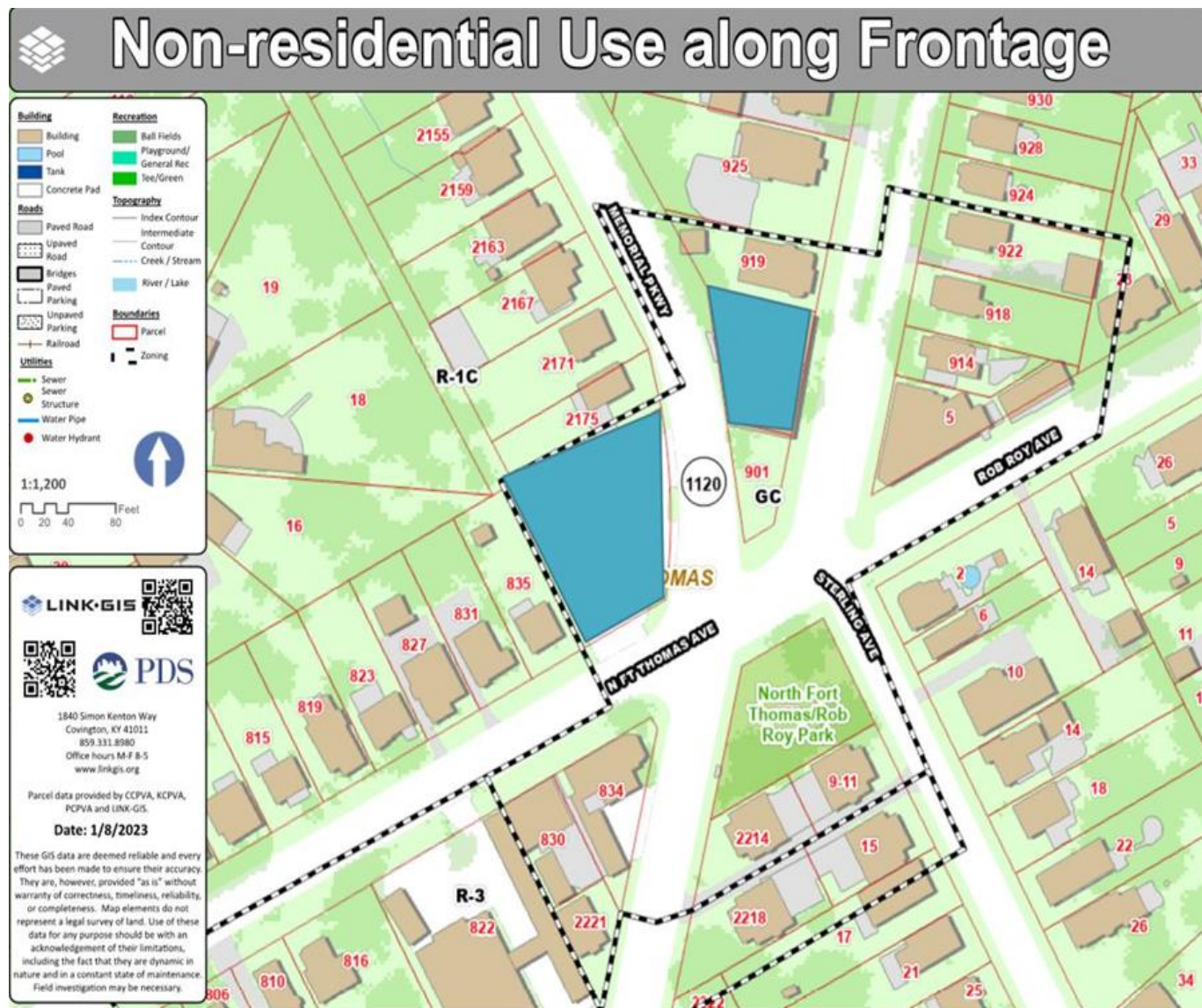
## Central Business District – Policy Considerations

- Rezone Inverness from General Commercial to CBD



## Central Business District – Policy Considerations

- Required Non-residential Frontage





# Zoning Ordinance Update

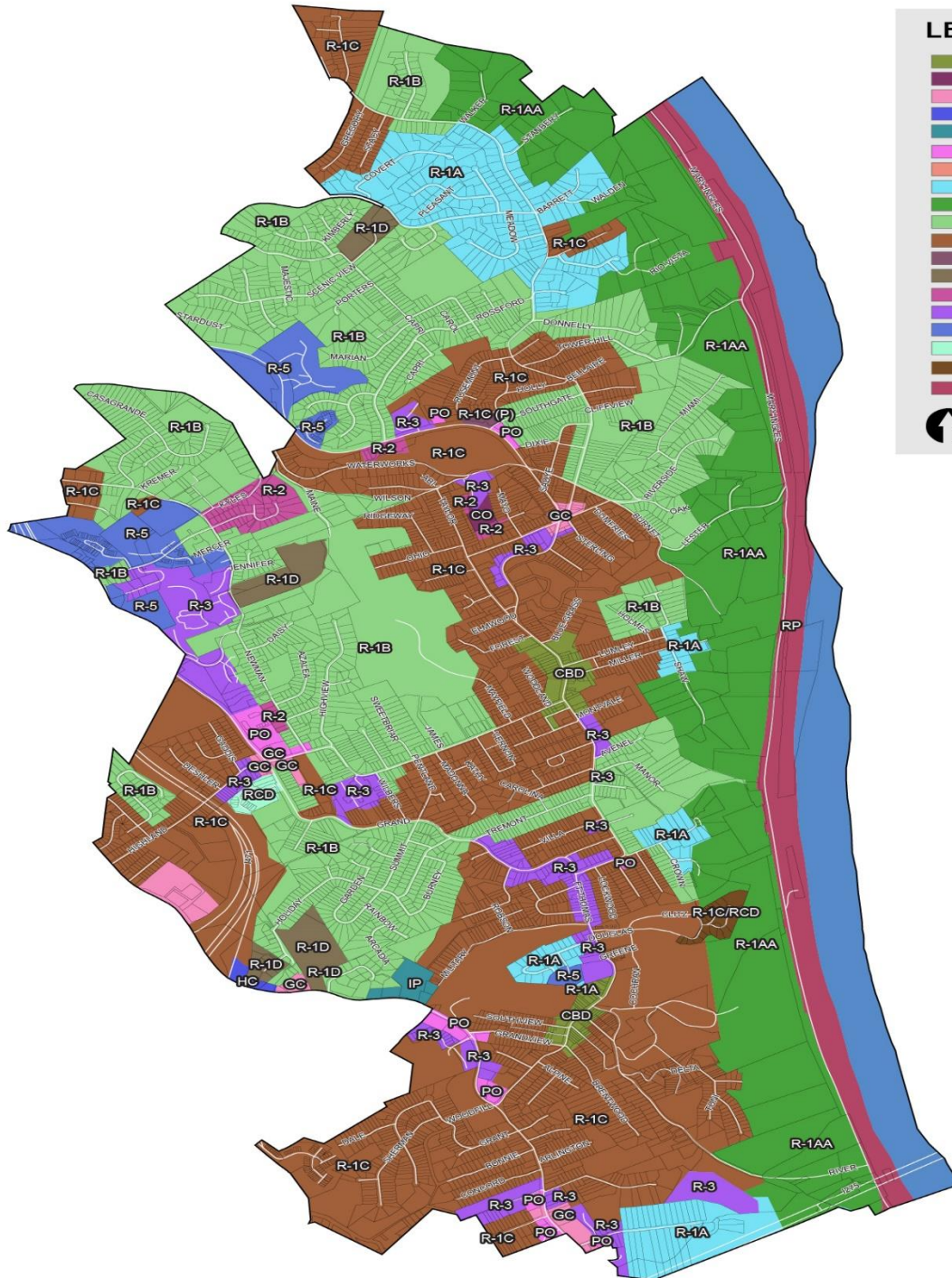
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# FORT THOMAS ZONING MAP



## 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



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## February 15, 2023

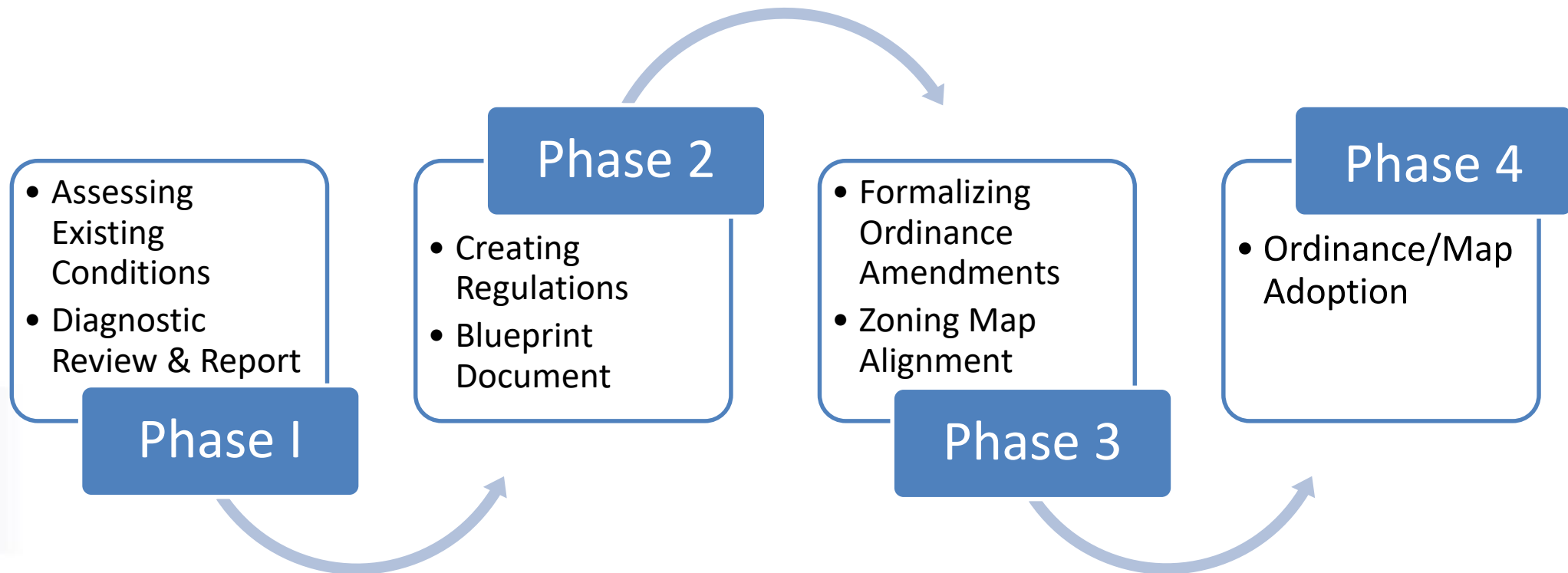


## Meeting Agenda

- Zoning Ordinance Update Process
- Review Draft Zoning Districts
- Review Administrative Procedures
- Next Steps



## Zoning Ordinance Update Process



## Zoning Districts

- River Preservation and Conservation Districts
- Single-Family and Two-Family Districts
- Residential Cluster Development Overlay District
- Multi-family Residential Districts
- Alexandria Pike Mixed Use District
- Neighborhood Commercial/Office District
- Central Business District

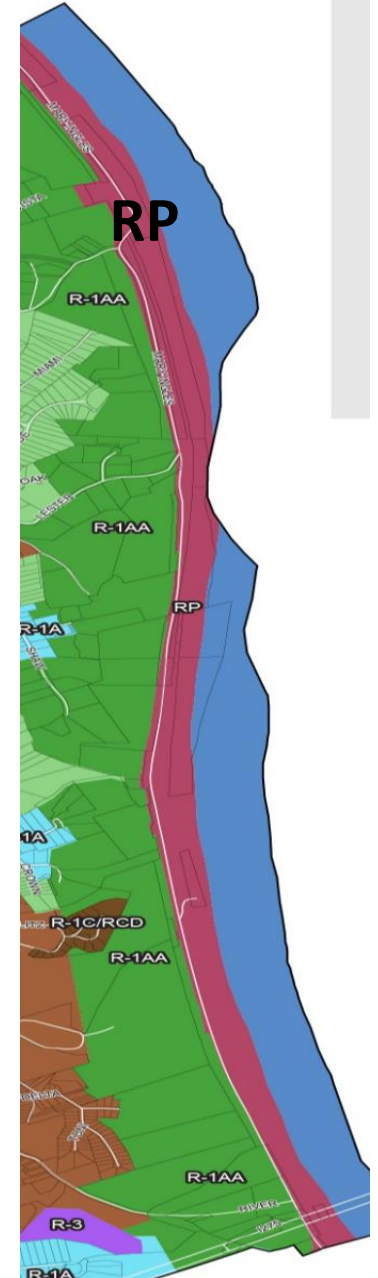
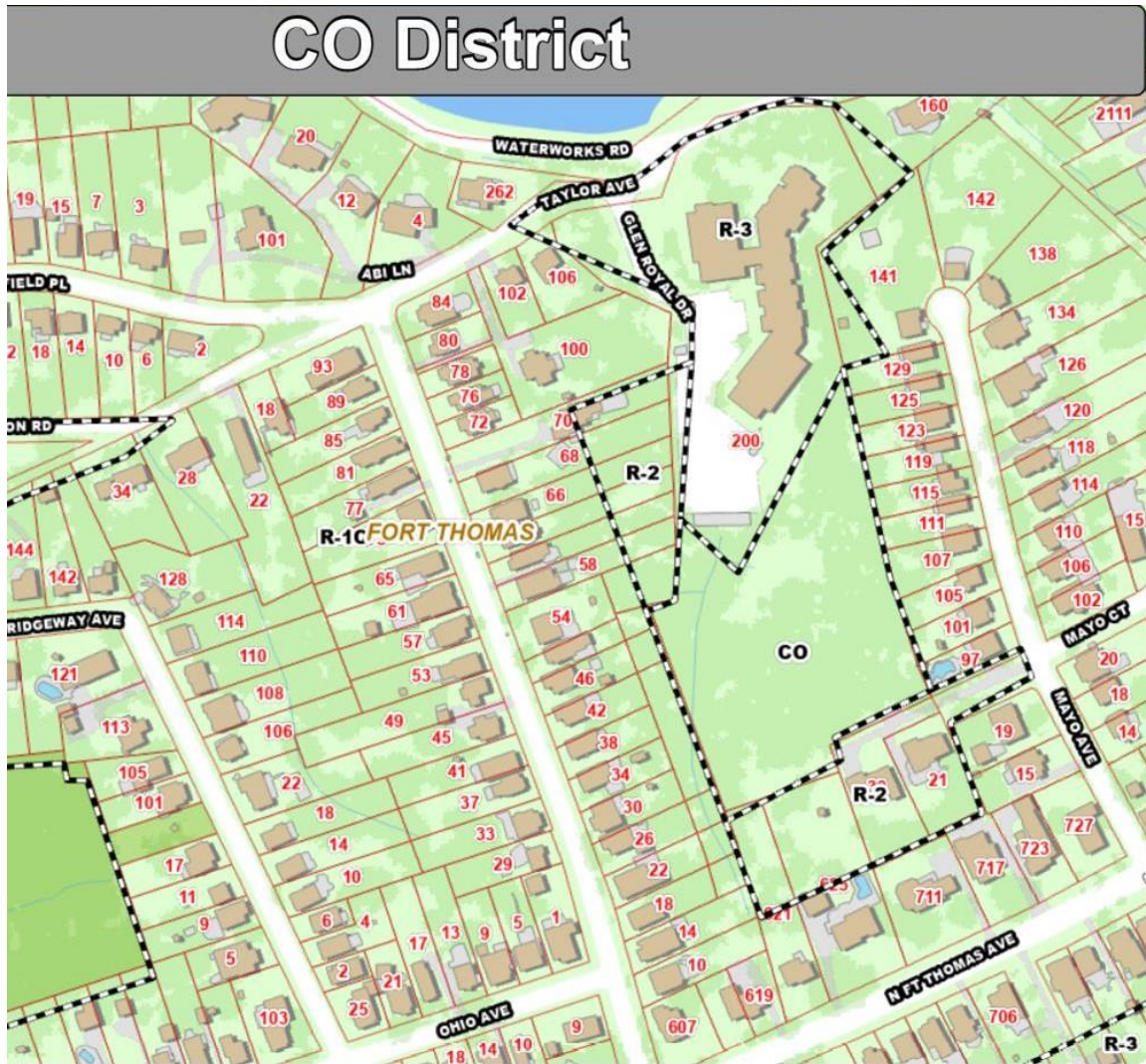


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## River Preservation (RP) & Conservation Districts (CO)

### CO District



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## River Preservation & Conservation Districts

Schedule 3.0.02 C. Permitted Uses in the River Preservation and Conservation Districts					
	River Preservation District (RP)		Conservation District (CO)		Use-Specific Regulations
	Existing	Proposed	Existing	Proposed	
<b>1. Community Facilities/Institutions</b>					
a. Community center		P			
b. Cultural institution		P			
c. Public facility		P		P	
d. Public park/playground	P	P	P	P	
e. Utility substation/distribution facility		C		C	XX
<b>2. Other</b>					
a. Agriculture	P	R	P	R	XX
b. Campground/Recreational vehicle park		C			XX
c. Country club	P	P	P		
d. Open space		P		P	
e. Open space, common		P		P	
f. Open space recreation area	P	C	P		
g. Pleasure boat harbors and marinas	C	C	C		XX
h. Public boat landing or launching facilities	C	C	C		XX
i. Recreational dockage facilities	C	C	C		XX
j. Riding academies and stables	C	C	C	C	XX
k. Sexually oriented businesses	P	P			
l. Telecommunication facility					See Section



**Key Question:**  
Permit  
Camping/RV  
facilities in the  
RP District?



## River Preservation & Conservation Districts

### Schedule 3.0.03 B.

#### Development Standards in the River Preservation and Conservation Districts

	River Preservation RP	Conservation CO
1. Minimum lot area	5 acres	5 acres
2. Minimum lot width	100 feet	300 feet <sup>(a)</sup>
3. Minimum front setback	25 feet	100 feet
4. Minimum principal building setback abutting a non-residential district		
a. Minimum side	15 feet	50 feet
b. Minimum rear	35 feet	50 feet
5. Minimum principal building setback abutting a residential district	100 feet	100 feet
6. <b>Minimum off-street parking area setback</b>		
a. <b><u>Public rights-of-way</u></b>	<b><u>50 feet</u></b>	<b><u>50 feet</u></b>
b. <b><u>Residential districts</u></b>	<b><u>50 feet</u></b>	<b><u>50 feet</u></b>
c. <b><u>All other lot lines</u></b>	<b><u>25 feet</u></b>	<b><u>25 feet</u></b>
7. Maximum height of principal building	25 feet	25 feet
8. <b>Maximum height of accessory building</b>	<b><u>25 feet</u></b>	<b><u>25 feet</u></b>

#### Notes to Schedule 3.0.03 B.

(a) See sub-section                      for lots used as open space and common open space.



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## Multi-Family Districts (R-3 & R-5)

Schedule 3.4.02 C. Permitted Uses in the Multi-Family Residential Districts			
	R-3	R-5	Use-Specific Regulations
<b>1. Residential</b>			
a. Single-family dwelling, detached	P		
b. <b>Single-family dwelling, attached</b>	R	P	XX
c. <b>Two-family dwellings Duplex</b>	P		
d. Multi-family dwellings	P	P	
e. <b>Residential care facility for persons with disabilities</b>	<u>P</u>	<u>P</u>	
<b>2. Community Facilities/Institutions</b>			
a. Community recreation center	<u>P</u> <u>C</u>	<u>P</u> <u>C</u>	XX
b. Day care center, <b>adult</b> or child	C	C	XX
c. Institutions for human medical care	C	C	XX
d. Places of worship	C	C	XX
e. <b>Public facility</b> (Government offices)	<u>P</u> <u>R</u>	<u>P</u> <u>R</u>	XX
f. Public park/playground	<u>P</u> <u>R</u>	<u>P</u> <u>R</u>	XX
g. School (public/private), college/university	C	C	XX
h. School (public/private), elementary/secondary	<u>P</u> <u>C</u>	<u>P</u> <u>C</u>	XX
<b>3. Other</b>			
a. Cemetery	C	C	XX
b. Country club	C	C	XX
c. Funeral Homes without crematorium	C	C	XX
d. Open space recreation area	C	C	XX
e. Telecommunication facility	See Section		
<b>4. Accessory Uses</b>			
a. <b>Accessory dwelling unit<sup>(a)</sup></b>	<u>A</u>		XX
b. Fences, walls	A	A	XX
c. Home occupation	A	A	XX
d. Other accessory structures	A	A	XX
e. Off-street parking lots and/or parking garages*	<u>€</u> <u>A</u>	<u>€</u> <u>A</u>	XX
f. Short-term rental properties	A	A	XX
g. Signs	A	A	XX
h. <b>Trash receptacle</b>	<u>A</u>	<u>A</u>	XX



### Key Questions:

- Parking Structures
- Funeral Homes

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## Multi-Family Districts (R-3 & R-5)



### Schedule 3.4.03 B. Development Standards in the Multi-family Residential Districts

	R-3	R-5
<b>1. Minimum lot area (square feet)</b>		
a. Single-family detached dwelling	8000	
b. Two-family dwelling	8000	
c. Multi-family dwelling	8000 sq. ft. for the first 4 dwelling units <del>and or less in one building</del> , 4,000 <del>improved square feet of land shall be provided</del> for every dwelling unit thereafter <del>in the same building</del>	<del>19,200 sq. ft. for the first 4 dwelling units or less in one building</del> 4,800 sq. ft. of land shall be provided for every dwelling unit <del>thereafter in the same building</del>
<b>2. Minimum lot width (feet)</b>		
a. Single-family detached dwelling	80	
b. Two-family dwelling	80	
c. Multi-family dwelling	80 feet plus 10 feet for every additional <del>family dwelling</del> unit over 4 up to a maximum of one hundred twenty (120) feet	80 feet plus 10 feet for every additional <del>family dwelling</del> unit over 4 up to a maximum of 120 feet
<b>3. Minimum principal building setback (feet)</b>		
a. Minimum front <sup>(a)</sup>	35	35
b. Minimum side		
i. Single-family detached dwelling	9	
ii. Two-family dwelling	<del>15-9</del>	
iii. Multi-family dwelling	15 feet + 10 feet for each additional story to a maximum of 35 feet	10 feet for the first four <del>dwelling</del> units + 2 <del>additional</del> feet for every additional <del>family dwelling</del> unit to a maximum of 20 feet
c. Minimum rear	35	35

### Key Questions:

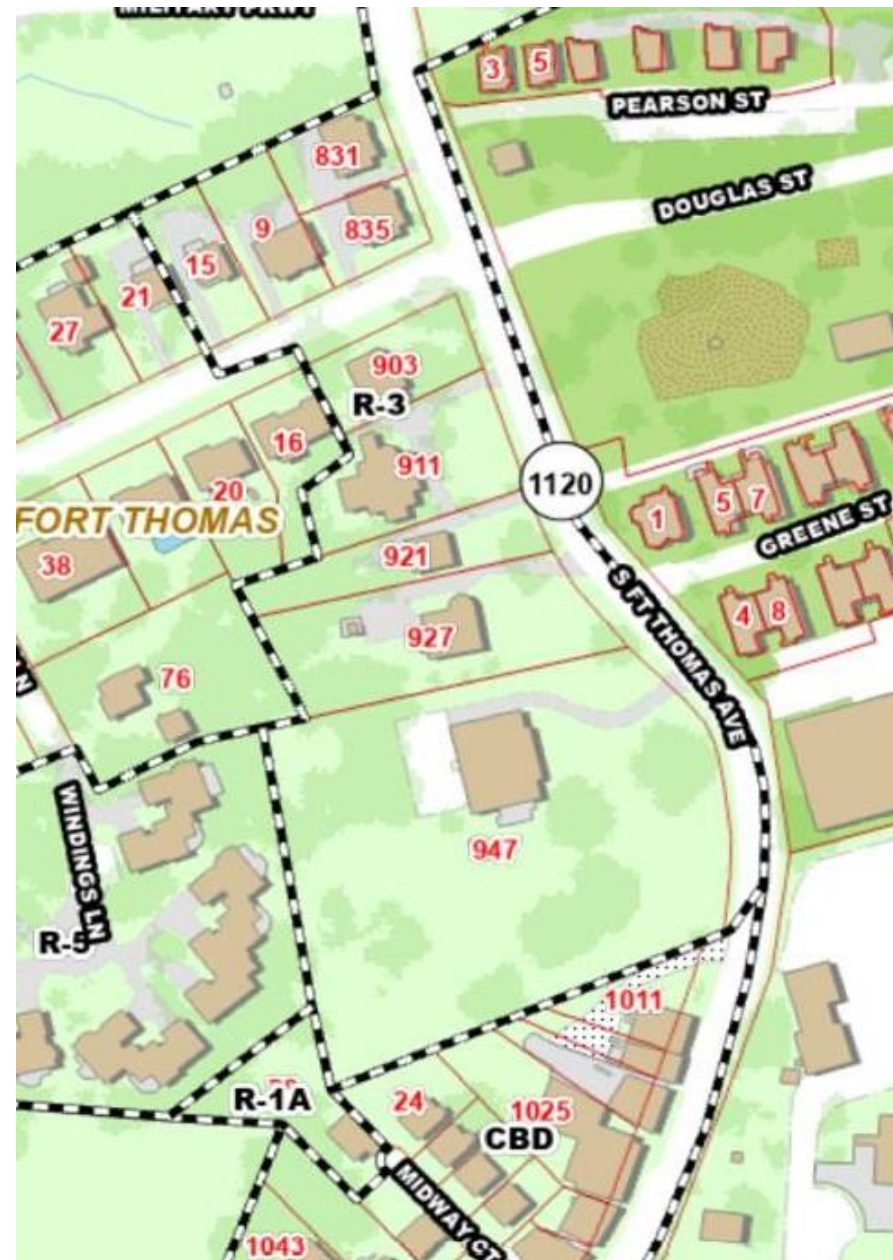
- More R-3/R-5 Development?
- Parking Setbacks

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## Multi-Family Districts (R-3 & R-5)

### Key Question:

- Appropriateness of Residential Contextual Standards for single-family detached dwellings in R-3 District?



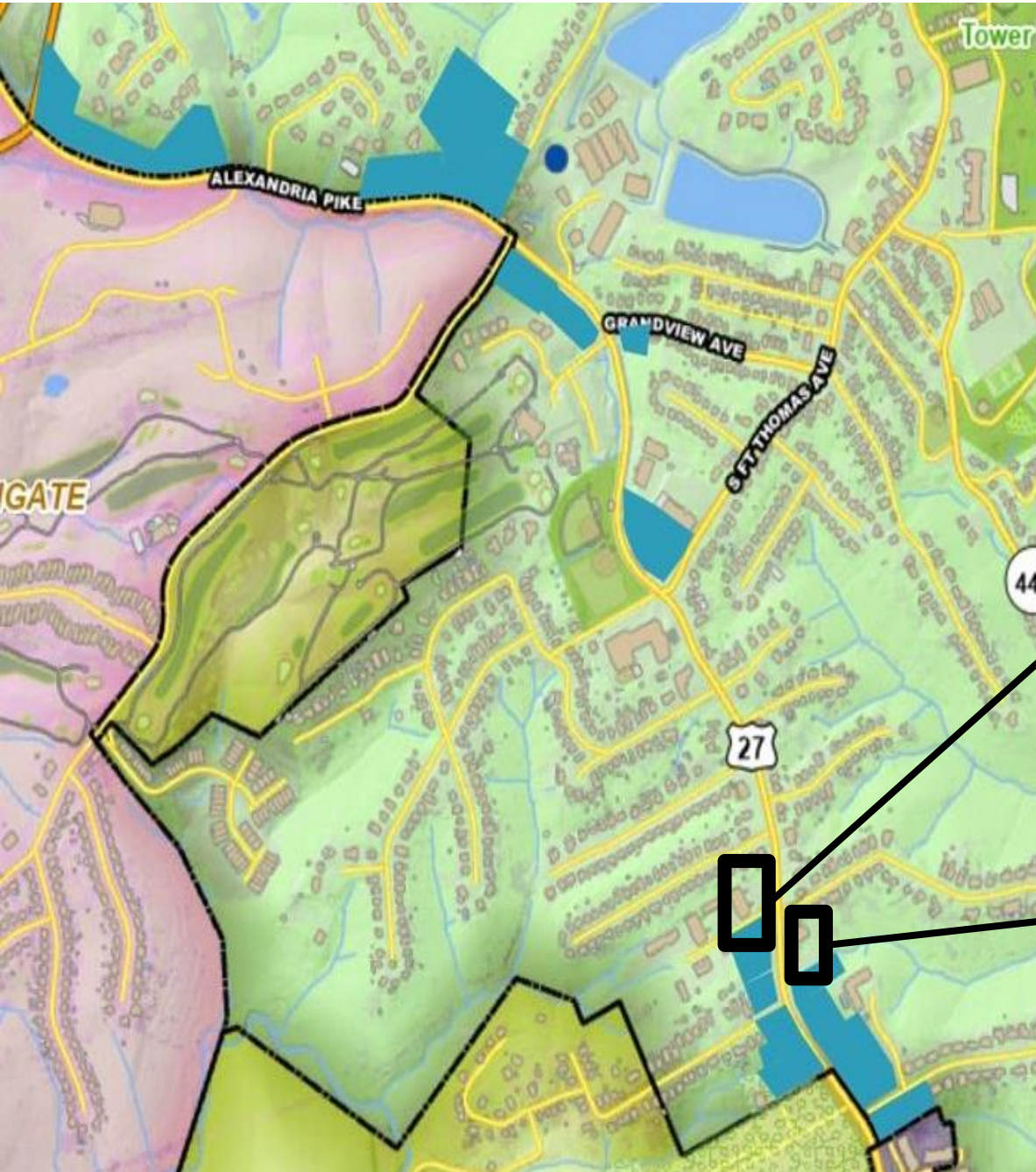
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- Create New Non-Residential Districts:
  - Alexandria Pike Mixed Use District
  - Neighborhood Commercial/Office District
- New Non-Residential Districts Replace:
  - General Commercial (GC)
  - Highway Commercial (HC)
  - Professional Office (PO)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





## Alexandria Pike Mixed Use District



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## Alexandria Pike Mixed Use District

Schedule 3.5.02 C. Permitted Uses in the Alexandria Pike Mixed Use District		
	AP-MX	Use-Specific Regulations
<b>1. Residential</b>		
a. Dwelling unit(s) above non-residential use	P	
<b>2. Community Facilities/Institutions</b>		
a. Community center	P	
b. Cultural institution	P	
c. Day care center, adult or child	P	
d. Institutions for human medical care	C	XX
e. Library	P	
f. Public facility (Government offices; public safety; water treatment facilities)	C	XX
g. Public park/playground	P	
a. School (public/private), elementary/secondary	R	XX
<b>3. Entertainment/Recreation</b>		
a. Assembly hall	P	
b. Health club	P	
c. Indoor commercial recreation	C	XX
d. School, specialty/personal instruction	P	
e. Theater, indoor	P	
<b>4. Office/Professional Services</b>		
a. Banking, financial institution	P	
b. Conference Center	P	
c. Medical/dental Clinic; Urgent Care	P	
d. Offices – administrative/professional	P	
e. Offices – medical/dental	P	
<b>5. Retail/Personal Services</b>		



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## Alexandria Pike Mixed Use District



### Schedule 3.5.02 C. Permitted Uses in the Alexandria Pike Mixed Use District

	AP-MX	Use-Specific Regulations
a. Animal hospital/veterinary clinics without outdoor runs and kennels	C	XX
b. Artist studio	P	
c. Brewpub	R	XX
d. Experiential retail establishment	P	
e. Personal service establishment (includes beauty & barber shops; seamstress/tailor)	P	
f. Restaurants	P	
g. Retail Establishments	P	
<b>6. Industrial</b>		
a. Artisan industrial	R	XX
b. Commercial kitchen	R	XX
c. Manufacturing, light	R	XX
d. Research and development facility	R	XX
<b>7. Vehicles and Equipment</b>		
a. Auto service stations	C	XX
b. Drive-thru facilities associated with a principal permitted use	C	XX
c. Freestanding drive-thru facilities	C	XX
d. Vehicle fueling stations	C	XX
<b>8. Other</b>		
a. Cemetery	C	XX
b. Funeral homes with cremation facilities	C	XX
c. Telecommunication facility	See Section	
<b>9. Accessory Uses</b>		
a. Electric vehicle charging stations	A	
b. Fences, walls	A	XX
c. Food trucks	R	XX
d. Home occupation	A	XX
e. Other accessory structures	A	XX
f. Off-street parking lots	A	XX
g. Outdoor dining in association with a principal permitted use	A	XX
h. Outdoor sales/display in association with a principal permitted use	A	XX
i. Parking garages*	C	XX
j. Short-term rental properties	A	XX
k. Signs	A	XX
l. Trash receptacle	A	XX

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# Zoning Ordinance Update

Schedule 3.5.03 B.<sup>(a)</sup>  
Development Standards in the Alexandria Pike Mixed Use District

	AP-MX
1. Minimum lot area (square feet)	7500
2. Minimum lot width (feet)	None
3. Maximum lot coverage	None <sup>(b)</sup>
4. Minimum principal building setback (feet)	
a. Minimum front	20
b. Maximum front	30
c. Minimum Setback Abutting Non-residential Districts	0
d. Minimum setback abutting R-1 Districts	25
e. Minimum setback abutting R-3 District	15
5. Percent of façade within build-to-zone	70%*
6. Minimum parking setback from:	
a. Public rights-of-way	(c)
b. Project boundary line abutting single-family detached dwellings	10
c. Project boundary line abutting all other uses <sup>(d)</sup>	5
7. Height of principal building (feet) <sup>(e)</sup>	
a. Minimum	24
b. Maximum	50
8. Maximum height of accessory building (feet)	20

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## Alexandria Pike Mixed Use District



## Alexandria Pike Mixed Use District

### ❖ Location of Off-Street Parking

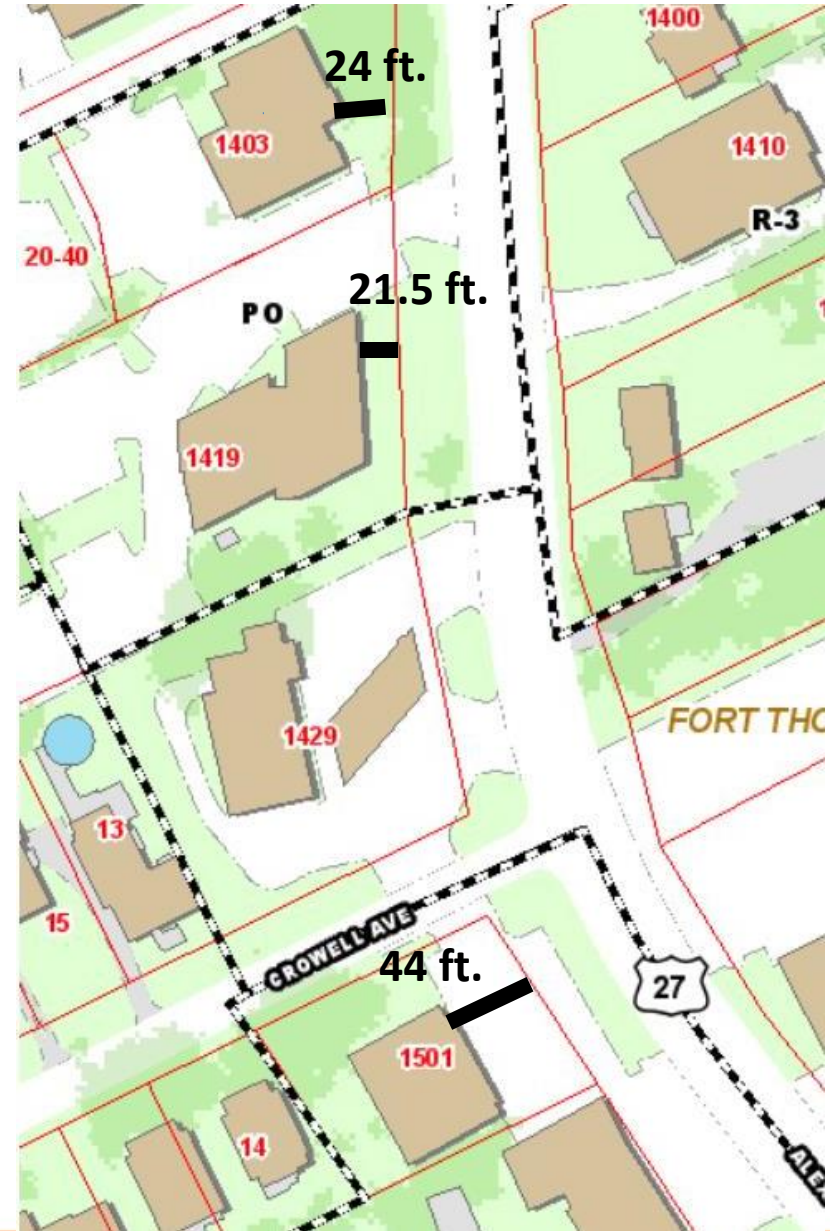


# Zoning Ordinance Update

CITY OF FORT THOMAS

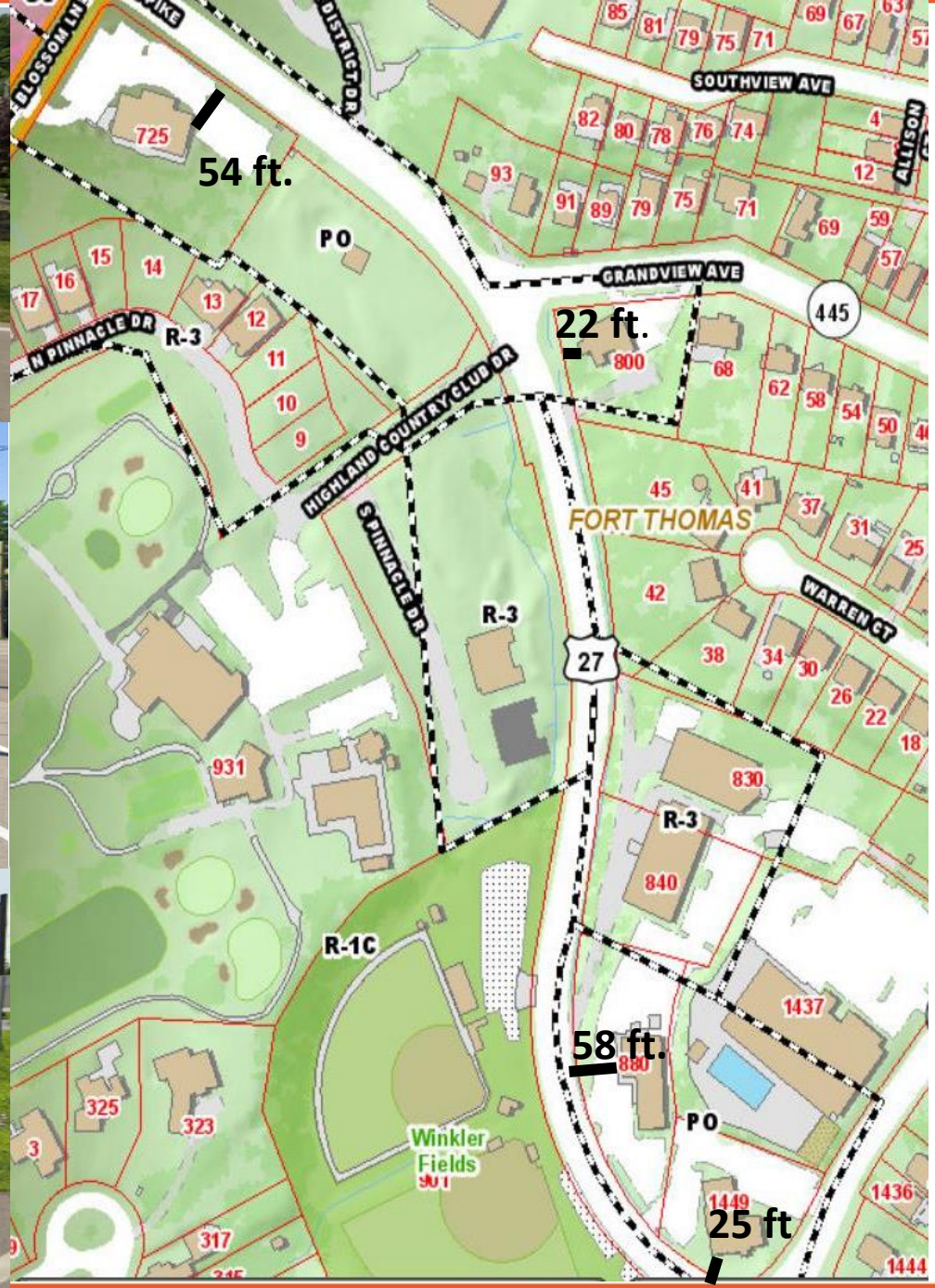
## Alexandria Pike Mixed Use District

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# Zoning Ordinance Update

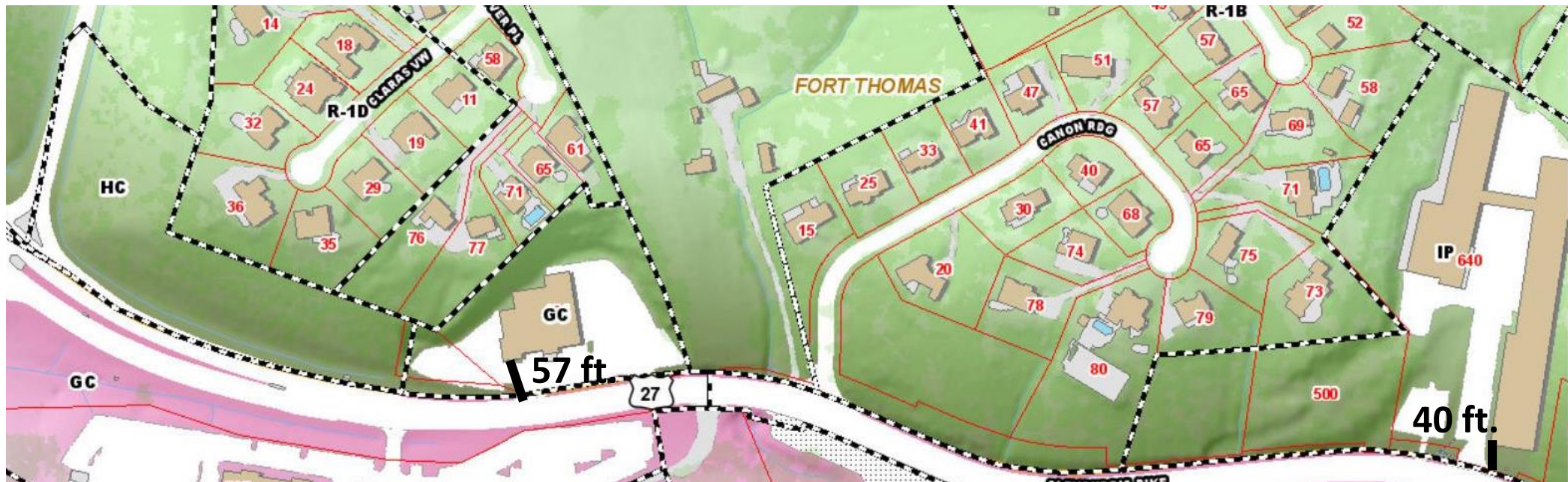


# Zoning Ordinance Update

CITY OF FORT THOMAS

## Alexandria Pike Mixed Use District

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## Alexandria Pike Mixed Use District

- ❖ Design Standards
- ❖ Incentivize Green and Low Impact Development/Improvements in the ROW



# Zoning Update

Buildings and principal building entrances shall be oriented toward the public street so as to define the street edge and contribute to a dynamic pedestrian and street environment.

All buildings shall provide at least one functional building or storefront entrance for every 60 feet of façade length located adjacent to Alexandria Pike. A corner entrance may be substituted if both street frontages measure eighty (80) lineal feet or less.

For the first floor, the front facade of every building shall have transparent areas, equal to 60 % of the front facade area (measured as the total area below the transition line). These transparent areas shall be between two (2) and nine (9) feet above the sidewalk or finished grade with glass paneled garage doors being permissible when such garage doors lower to sidewalk grade.

For all upper floors, each floor of the front facade of the building shall have glazed areas equal to 15%.

A transition line shall be provided between the first and second stories. The height of this transition line shall match the height of the transition line on the abutting or adjacent buildings. If adjoining properties are vacant or contain single-story buildings, then the ground floor shall be at least ten (10) feet in height measured from finished floor to finished ceiling.

Any part of the building that is visible from a private right-of-way, public circulation area, or public parking area shall have no more than six (6) feet of contiguous wall length devoid of windows, on any ground floor, unless the wall includes architectural features such as piers, columns, defined bays, or an undulation of the building so that a pedestrian scale, rhythm, and visual interest is created. In no case shall a continuous wall length be devoid of windows for more than 20 feet.

The pattern of architectural features, such as windows and doors, shall be placed upon the street facing facade of a building in a pattern that creates a building fenestration that has a constant rhythm, a harmonious appearance, and is proportional to one another and surrounding buildings, if applicable.

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## Alexandria Pike Mixed Use District



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# Zoning Update

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First floor windows shall permit pedestrians a view of the interior of the building. Windows shall remain transparent and shall not be blocked in any manner except for permitted window signage. Alternatively, display windows may be used provided these windows are a minimum of three (3) feet in depth, extend the full height of the glazing, and are internally lit.

Buildings shall have finish materials on all sides. Finish materials shall not include cinder block or vinyl siding.

A combination of materials, textures, colors, and finishes shall be utilized to create visual interest.

Facade openings, including windows and colonnades, shall be vertical in proportion.

Facades may be supplemented by awnings, which shall be straight sheds without side flaps, but shall not be cubed or curved.

Materials within ten (10) feet of the ground or the sidewalk shall be of a durable material to withstand pedestrian and vehicular traffic. If "dry vit" or E.I.F.S is used as an exterior building material, impact resistant E.I.F.S., as classified by EIMA (EIFS Industry Members Association), shall be used on all wall areas within ten (10) feet of the ground or sidewalk.

All roof top equipment shall be concealed in building materials that match the structure or shall be painted to be visually compatible with the structure.

The first 30 feet of ground floor building depth along Alexandria Pike shall be occupied space that is used for retail display, dining, lobby or waiting areas, fitness areas, open office, or other active uses.

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## Alexandria Pike Mixed Use District



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## Alexandria Pike Mixed Use District

- ❖ Incentivize Green and Low Impact Development/Improvements in the ROW



# 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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# Zoning Ordinance Update

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## Neighborhood Commercial/ Office District

### Schedule 3.6.02 C. Permitted Uses in the Neighborhood Commercial/Office District

	NC/O	Use-Specific Regulations
<b>1. Residential</b>		
a. Dwelling unit(s) above non-residential use	P	
<b>2. Community Facilities/Institutions</b>		
a. Community center	R	XX
b. Cultural institution	P	
c. Day care center, adult or child	R	XX
d. Library	P	
e. Institutions for human medical care	C	XX
f. Places of worship	R	XX
g. Public facility (Government offices)	R	XX
h. Public park/playground	P	
i. School (public/private), college/university	R	XX
j. School (public/private), elementary/secondary	R	XX
k. Trade or vocational school	R	XX
<b>3. Entertainment/Recreation</b>		
a. Assembly Hall	R	XX
b. Health club	R	XX
c. Indoor commercial recreation	C	XX
d. School, specialty/personal instruction	P	
e. Theater, indoor	R	XX
<b>4. Office/Professional Services</b>		
a. Banking, financial institution	P	
b. Medical/dental Clinic; Urgent Care	R	XX
c. Offices – administrative/professional	P	
d. Offices – medical/dental	P	



# Zoning Ordinance Update

## Schedule 3.6.02 C. Permitted Uses in the Neighborhood Commercial/Office District

	NC/O	Use-Specific Regulations
<b>5. Retail/Personal Services</b>		
a. Animal hospital/veterinary clinics without outdoor runs and kennels	C	XX
b. Artist studio	P	
c. Brewpub	R	XX
d. Experiential retail establishment	P	
e. Hotel	R	XX
f. Personal service establishment (includes beauty & barber shops; seamstress/tailor)	P	
g. Restaurants	P	
h. Retail Establishments	P	
<b>6. Industrial</b>		
a. Artisan industrial	R	XX
<b>7. Vehicles and Equipment</b>		
a. Drive-thru facilities associated with a principal permitted use	C	XX
b. Freestanding drive-thru facilities	C	XX
c. Vehicle fueling stations	C	XX
d. Vehicle sales/rental/service	C	XX
<b>8. Other</b>		
a. Funeral homes without crematorium	C	XX
b. Telecommunication facility	See Section	
<b>9. Accessory Uses</b>		
a. Electric vehicle charging stations	A	
b. Fences, walls	A	XX
c. Food trucks	R	XX
d. Home occupation	A	XX
e. Other accessory structures	A	XX
f. Off-street parking lots	A	XX
g. Outdoor dining in association with a principal permitted use	A	XX
h. Outdoor sales/display in association with a principal permitted use	A	XX
i. Parking garages	C	XX
j. Short-term rental properties	A	XX
k. Signs	A	XX
l. Trash receptacle	A	XX

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## Neighborhood Commercial/ Office District



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# Zoning Ordinance Update

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## Neighborhood Commercial/ Office District



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### Schedule 3.6.03 B. <sup>(a)</sup>

#### Development Standards in Neighborhood Commercial/Office District

	NC/O
1. Minimum lot area (square feet)	5000
2. Minimum lot width (feet)	None
3. Maximum lot coverage	None <sup>(b)</sup>
4. Minimum principal building setback (feet)	
a. Minimum front	None
b. Maximum front	45
c. Minimum Setback Abutting Non-residential Districts	0
d. Minimum setback abutting R-1 Districts	25
e. Minimum setback abutting R-2 and R-3 Districts	15
5. Minimum parking setback from:	
a. Public rights-of-way	(c)
b. Project boundary line abutting Nonresidential District <sup>(d)</sup>	10
c. Project boundary line abutting Residential District	15
6. Height of principal building (feet) <sup>(e)</sup>	
a. Minimum	24
b. Maximum	50
7. Maximum height of accessory building (feet)	20

- <sup>(a)</sup> The Planning Commission may grant a waiver to these requirements due to existing site and/or lot constraints pursuant to sub-section \_\_\_\_\_.
- <sup>(b)</sup> No restrictions except as required by the setback requirements of this district.
- <sup>(c)</sup> See sub-section 3.6.08 A. 1.
- <sup>(d)</sup> See sub-section 3.6.08 A. 3.
- <sup>(e)</sup> Rooftop equipment and access shall not count towards building height.

## Neighborhood Commercial/Office District

### ❖ Design Standards

- **Similar to Alexandria Pike Mixed Use**

*For all buildings located at the intersection of Highland and Grand Avenues, substantial renovations and new buildings shall comply with the following:*

- > *The primary building entrance shall face the primary or secondary frontage or be located on the corner, if the corner is chamfered.*
- > *The principal building shall occupy 70% of the lot frontage on the primary frontage and at least 40 feet of the frontage along the secondary frontage.*
- > *Parking shall be located behind the façade of the building on both the primary and secondary frontages. No parking shall be permitted between the building and Grand and Highland Avenues.*
- > *Architectural elements such as corner pediments and awnings or verandahs should be utilized to “hold the corner.” Corners should generally consist of one contiguous space user wrapping the corner.*

- **Applicability**



## Neighborhood Commercial/Office District

### ❖ Incentivize Gathering Places

#### Schedule 3.6.07 C.

#### Parking Requirement Reduction with the Provision of Civic Open Space

Civic Open Space	Reduction in Gross Floor area from Required Parking Calculation
Plaza	2500 square feet
Square less than ¼ acre	2500 square feet
Square ¼ acre or more	5000 square feet
Green less than ¼ acre	2500 square feet
Green ¼ acre or more	5000 square feet



## Neighborhood Commercial/Office District

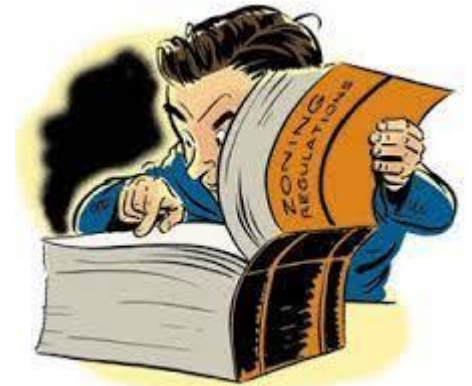
### ❖ Location of Off-Street Parking





## Article I - Administrative Chapters

- 1.0 Title, Purpose, and Application
- 1.1 Definitions
- 1.2 Establishment of Districts and Map
- 1.3 Powers and Duties
- 1.4 Development Plan Review Procedures
- 1.5 Zoning Permits & Certificates of Zoning Compliance
- 1.6 Conditional Use Permits
- 1.7 Appeals & Variances
- 1.8 Amendments
- 1.9 Nonconforming Uses, Lots, Structures, & Site Conditions
- 1.10 Waivers
- 1.11 Enforcement and Penalties



Schedule 1.2.01 Zoning Districts Established	
STANDARD ZONING DISTRICTS	
ZONING DISTRICT NAME	SYMBOL
<b>RESIDENTIAL DISTRICTS</b>	
Single-Family Residential-One AA Zone	R-1AA
Single-Family Residential-One A Zone	R-1A
Single-Family Residential-One B Zone	R-1B
Single-Family Residential-One C Zone	R-1C
Single-Family Residential-One D Zone	R-1D
<b>Single-Family Residential-Central Business District</b>	<b><u>R-1-CBD-1</u></b>
<b>Single-Family Residential-Central Business District</b>	<b><u>R-1-CBD-2</u></b>
Two-Family Residential-Two Zone	R-2
Multi-Family Residential-Three Zone	R-3
Multi-Family Residential-Five Zone	R-5
<b>BUSINESS and MIXED-USE DISTRICTS</b>	
General Commercial Zone	GC
Highway Commercial Zone	HC
Professional Office Zone	PO
Light Industrial Park-Research Zone	IP
Central Business District	CBD
<b>Alexandria Pike Mixed Use District</b>	<b><u>AP-MX</u></b>
<b>Neighborhood Commercial/Office District</b>	<b><u>NC/O</u></b>
<b>OTHER DISTRICTS</b>	
River Preservation District	R-P <u>RP</u>
Conservation District	C-O <u>CO</u>
<b>SPECIAL DISTRICTS</b>	
ZONING DISTRICT NAME	SYMBOL
Residential Cluster Development <b>Overlay</b> District	RCD

## Section 1.2 Establishment of Districts and Map

## Section 1.3 Powers and Duties

- Zoning Administrator
- City Engineer
- Planning Commission
- Board of Adjustment
- Design Review Board
- Tree Commission
- Board of Council



# Section 1.4-Development Plan Review Process



## Section 1.5

# Zoning Permits and Certificate of Zoning Compliance

- Zoning Permits – Issued before construction commences
- Certificate of Zoning Compliance Issued after construction complete



## Section 1.6 Conditional Use Permit

- Heard by the Board of Adjustment
- Procedures



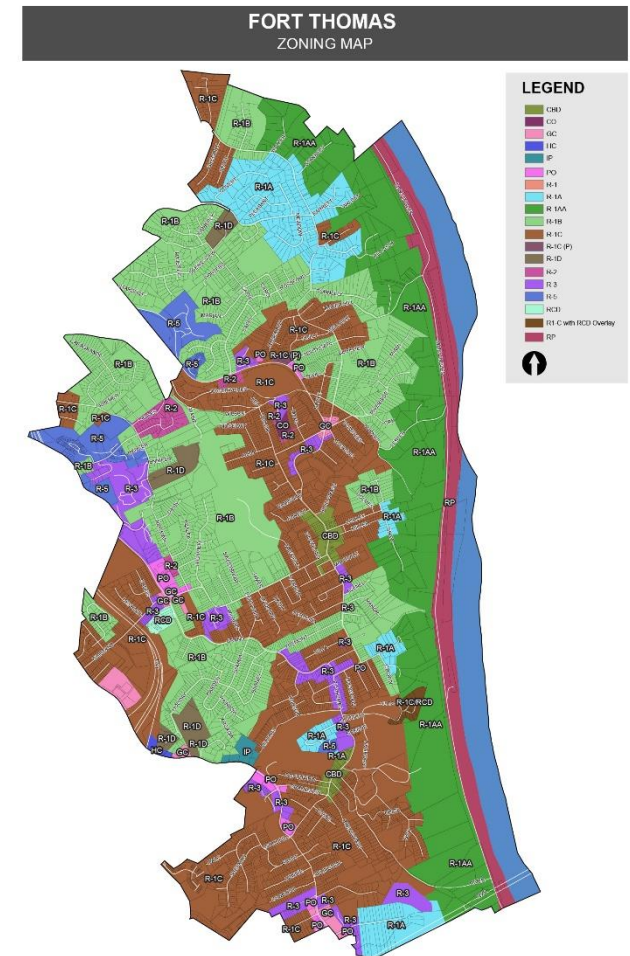
## Section 1.7 Appeals and Variances

- Appeals from Administrative Decisions
- Variances



## Section 1.8 Amendments

- Zoning Map Amendments
- Zoning Text Amendments
- Process



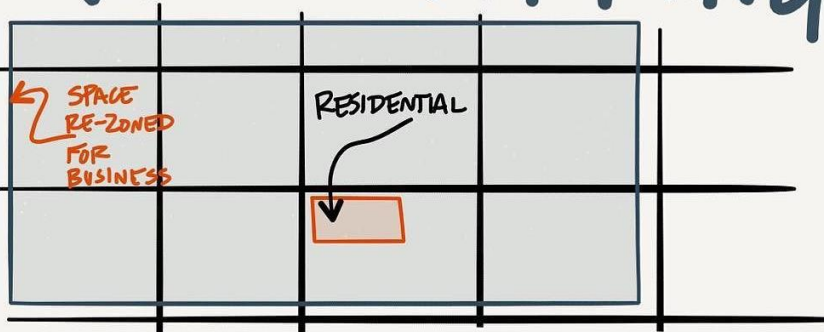


## Section 1.9

# Nonconforming Uses, Lots, Structures, & Site Conditions

- Nonconforming Lots of Record
- Nonconforming Uses
- Nonconforming Structures
- Nonconforming Site Conditions

# NONCONFORMING



# USES

IF AREA IS RE-ZONED, PRIOR ORIGINAL USE IS ALLOWED AND OLD CODES MAINTAINED SO LONG AS USE DOESN'T CHANGE.

## Section 1.10 Waivers

### VARIANCE

#### Definition

A device which grants a variation from the dimensional provisions of the Ordinance in instances where strict enforcement of the ordinance would cause undue hardship due to circumstances unique to the individual property under consideration.

#### Code

UDO

#### Public Hearing

Yes

#### Decision Maker

Board of Adjustment

### WAIVER

#### Code

UDO

#### Public Hearing

No

#### Decision Maker

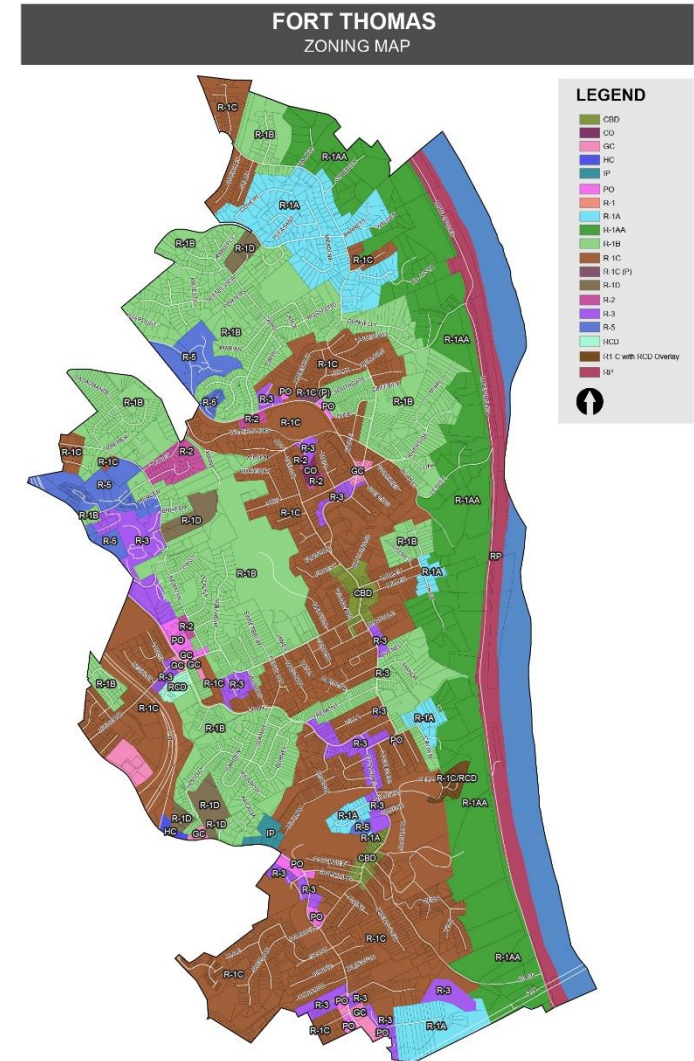
Planning Commission & Zoning Administrator

#### Definition

Permission from the Planning Commission or the Zoning Administrator to depart from the requirements of the Unified Development Ordinance (UDO).

## Section 1.10 Waivers

- Planning Commission
  - Certain standards?
  - Equivalency Provision?
- Zoning Administrator



## Section 1.11 Enforcement and Penalties

- Violations
- Enforcement Actions
- Penalties

# FORTTHOMASKY1  
PRACTICE ZONING ENFORCEMENT



# Zoning Ordinance Update

CITY OF FORT THOMAS

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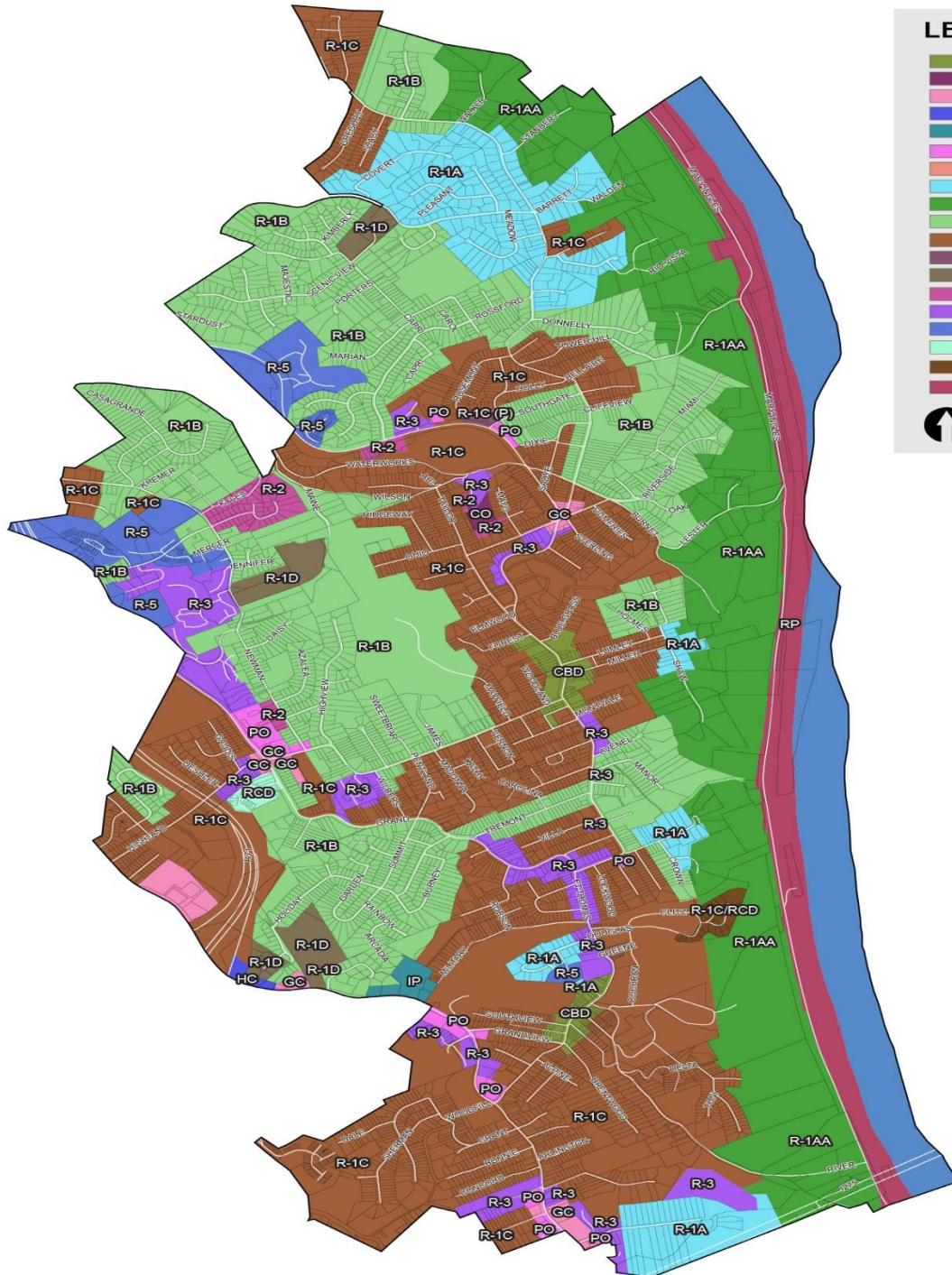


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# FORT THOMAS ZONING MAP



## 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



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# Zoning Ordinance Update

CITY OF FORT THOMAS

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## March 15, 2023



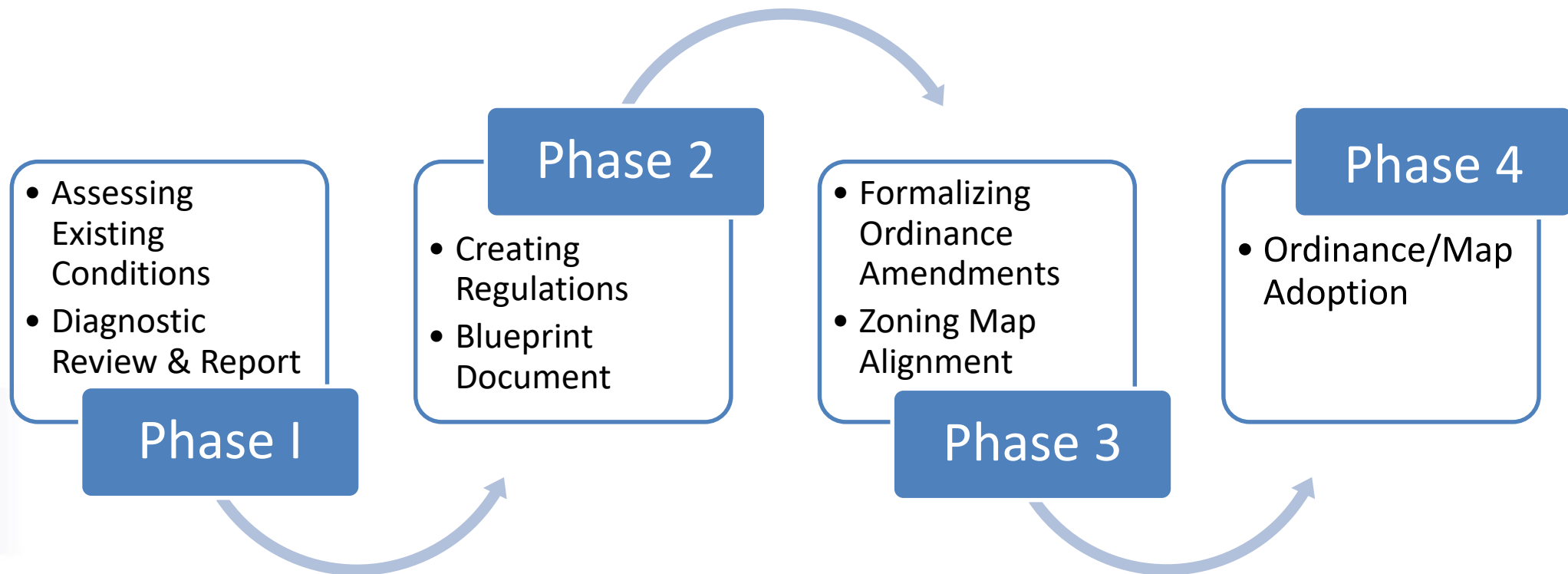
## Meeting Agenda

- Zoning Ordinance Update Process
- Review Draft Zoning Districts
- Review Administrative Procedures
- Next Steps





## Zoning Ordinance Update Process



## Zoning Districts

- River Preservation and Conservation Districts
- Single-Family and Two-Family Districts
- Residential Cluster Development Overlay District
- Multi-family Residential Districts
- Alexandria Pike Mixed Use District
- Neighborhood Commercial/Office District
- Central Business District



# Zoning Ordinance Update

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## Nighborhood Commercial/Office District

- Fort Thomas Plaza – currently zoned General Commercial
- Highland and Grand Avenues – Currently zoned both General Commercial and Professional Office
- Intersection of S. Fort Thomas & Bivouac Avenues – currently zoned Professional Office



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# Zoning Ordinance Update

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## Neighborhood Commercial/ Office District

### Schedule 3.6.02 C. Permitted Uses in the Neighborhood Commercial/Office District

	NC/O	Use-Specific Regulations
<b>1. Residential</b>		
a. Dwelling unit(s) above non-residential use	P	
<b>2. Community Facilities/Institutions</b>		
a. Community center	R	XX
b. Cultural institution	P	
c. Day care center, adult or child	R	XX
d. Library	P	
e. Institutions for human medical care	C	XX
f. Places of worship	R	XX
g. Public facility (Government offices)	R	XX
h. Public park/playground	P	
i. School (public/private), college/university	R	XX
j. School (public/private), elementary/secondary	R	XX
k. Trade or vocational school	R	XX
<b>3. Entertainment/Recreation</b>		
a. Assembly Hall	R	XX
b. Health club	R	XX
c. Indoor commercial recreation	C	XX
d. School, specialty/personal instruction	P	
e. Theater, indoor	R	XX
<b>4. Office/Professional Services</b>		
a. Banking, financial institution	P	
b. Medical/dental Clinic; Urgent Care	R	XX
c. Offices – administrative/professional	P	
d. Offices – medical/dental	P	



# Zoning Ordinance Update

## Schedule 3.6.02 C. Permitted Uses in the Neighborhood Commercial/Office District

	NC/O	Use-Specific Regulations
<b>5. Retail/Personal Services</b>		
a. Animal hospital/veterinary clinics without outdoor runs and kennels	C	XX
b. Artist studio	P	
c. Brewpub	R	XX
d. Experiential retail establishment	P	
e. Hotel	R	XX
f. Personal service establishment (includes beauty & barber shops; seamstress/tailor)	P	
g. Restaurants	P	
h. Retail Establishments	P	
<b>6. Industrial</b>		
a. Artisan industrial	R	XX
<b>7. Vehicles and Equipment</b>		
a. Drive-thru facilities associated with a principal permitted use	C	XX
b. Freestanding drive-thru facilities	C	XX
c. Vehicle fueling stations	C	XX
d. Vehicle sales/rental/service	C	XX
<b>8. Other</b>		
a. Funeral homes without crematorium	C	XX
b. Telecommunication facility	See Section	
<b>9. Accessory Uses</b>		
a. Electric vehicle charging stations	A	
b. Fences, walls	A	XX
c. Food trucks	R	XX
d. Home occupation	A	XX
e. Other accessory structures	A	XX
f. Off-street parking lots	A	XX
g. Outdoor dining in association with a principal permitted use	A	XX
h. Outdoor sales/display in association with a principal permitted use	A	XX
i. Parking garages	C	XX
j. Short-term rental properties	A	XX
k. Signs	A	XX
l. Trash receptacle	A	XX

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## Neighborhood Commercial/ Office District



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# Zoning Ordinance Update

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## Neighborhood Commercial/ Office District



Front setback approximately 20 feet



Front setback on Highland about 66 ft.  
Front setback on Grand about 48 ft.

### Schedule 3.6.03 B. <sup>(a)</sup>

#### Development Standards in Neighborhood Commercial/Office District

	NC/O
1. Minimum lot area (square feet)	5000
2. Minimum lot width (feet)	None
3. Maximum lot coverage	None <sup>(b)</sup>
4. Minimum principal building setback (feet)	
a. Minimum front	None
b. Maximum front	45
c. Minimum Setback Abutting Non-residential Districts	0
d. Minimum setback abutting R-1 Districts	25
e. Minimum setback abutting R-2 and R-3 Districts	15
5. Minimum parking setback from:	
a. Public rights-of-way	(c)
b. Project boundary line abutting Nonresidential District <sup>(d)</sup>	10
c. Project boundary line abutting Residential District	15
6. Height of principal building (feet) <sup>(e)</sup>	
a. Minimum	24
b. Maximum	50
7. Maximum height of accessory building (feet)	20

<sup>(a)</sup> The Planning Commission may grant a waiver to these requirements due to existing site and/or lot constraints pursuant to sub-section \_\_\_\_\_.

<sup>(b)</sup> No restrictions except as required by the setback requirements of this district.

<sup>(c)</sup> See sub-section 3.6.08 A. 1.

<sup>(d)</sup> See sub-section 3.6.08 A. 3.

<sup>(e)</sup> Rooftop equipment and access shall not count towards building height.

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# Zoning Ordinance Update

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## Neighborhood Commercial/ Office District



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### Schedule 3.6.03 B. <sup>(a)</sup>

#### Development Standards in Neighborhood Commercial/Office District

	NC/O
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4. Minimum principal building setback (feet)	
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b. Maximum front	45
c. Minimum Setback Abutting Non-residential Districts	0
d. Minimum setback abutting R-1 Districts	25
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5. Minimum parking setback from:	
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6. Height of principal building (feet) <sup>(e)</sup>	
a. Minimum	24
b. Maximum	50
7. Maximum height of accessory building (feet)	20

- (a) The Planning Commission may grant a waiver to these requirements due to existing site and/or lot constraints pursuant to sub-section \_\_\_\_\_.
- (b) No restrictions except as required by the setback requirements of this district.
- (c) See sub-section 3.6.08 A. 1.
- (d) See sub-section 3.6.08 A. 3.
- (e) Rooftop equipment and access shall not count towards building height.

## Neighborhood Commercial/Office District – Design Standards

### Schedule 3.6.04 E.

#### Required Design Standards in the Neighborhood Commercial/Office District

1. Buildings and principal building entrances shall be oriented toward the public street so as to define the street edge and contribute to a dynamic pedestrian and street environment.
2. All buildings shall provide at least one usable building or storefront entrance on each façade facing a public street.
3. For the first floor, the front facade of every building shall have transparent areas, equal to 50% of the front facade area (measured as the total area below the transition line). These transparent areas shall be between two (2) and nine (9) feet above the sidewalk or finished grade with glass paneled garage doors being permissible when such garage doors lower to sidewalk grade.
4. For all upper floors, each floor of the front facade of the building shall have glazed areas equal to 15%.
5. A transition line shall be provided between the first and second stories. The height of this transition line shall match the height of the transition line on the abutting or adjacent buildings. If adjoining properties are vacant or contain single-story buildings, then the ground floor shall be at least ten (10) feet in height measured from finished floor to finished ceiling.
6. Any part of the building that is visible from a private right-of-way, public circulation area, or public parking area shall have no more than six (6) feet of contiguous wall length devoid of windows, on any ground floor, unless the wall includes architectural features such as piers, columns, defined bays, or an undulation of the building so that a pedestrian scale, rhythm, and visual interest is created. In no case shall a continuous wall length be devoid of windows for more than 20 feet.
7. The pattern of architectural features, such as windows and doors, shall be placed upon the facade of a building in a pattern that creates a building fenestration that has a constant rhythm, a harmonious appearance, and is proportional to one another and surrounding buildings, if applicable.





# Zoning Ordinance Update

CITY OF FORT THOMAS

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## Neighborhood Commercial/Office District – Design Standards

8. First floor windows shall permit pedestrians a view of the interior of the building. Windows shall remain transparent and shall not be blocked in any manner except for permitted window signage.
9. Buildings shall have finish materials on all sides. Finish materials shall not include cinder block or vinyl siding.
10. A combination of materials, textures, colors, and finishes shall be utilized to create visual interest.
11. Facade openings, including windows and colonnades, shall be vertical in proportion.
12. Facades may be supplemented by awnings, which shall be straight sheds without side flaps, but shall not be cubed or curved.
13. Materials within ten (10) feet of the ground or the sidewalk shall be of a durable material to withstand pedestrian and vehicular traffic. If “dry vit” or E.I.F.S is used as an exterior building material, impact resistant E.I.F.S., as classified by EIMA (EIFS Industry Members Association), shall be used on all wall areas within ten (10) feet of the ground or sidewalk.
14. All roof top equipment shall be concealed in building materials that match the structure or shall be painted to be visually compatible with the structure.



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## Neighborhood Commercial/Office District

### ❖ Design Standards

- **Similar to Alexandria Pike Mixed Use**

*For all buildings located at the intersection of Highland and Grand Avenues, substantial renovations and new buildings shall comply with the following:*

- > *The primary building entrance shall face the primary or secondary frontage or be located on the corner, if the corner is chamfered.*
- > *The principal building shall occupy 70% of the lot frontage on the primary frontage and at least 40 feet of the frontage along the secondary frontage.*
- > *Parking shall be located behind the façade of the building on both the primary and secondary frontages. No parking shall be permitted between the building and Grand and Highland Avenues.*
- > *Architectural elements such as corner pediments and awnings or verandahs should be utilized to “hold the corner.” Corners should generally consist of one contiguous space user wrapping the corner.*

- **Applicability**



## Neighborhood Commercial/Office District

### ❖ Incentivize Gathering Places

#### Schedule 3.6.07 C.

#### Parking Requirement Reduction with the Provision of Civic Open Space

Civic Open Space

Reduction in Gross Floor area from Required Parking Calculation

Plaza	2500 square feet
Square less than ¼ acre	2500 square feet
Square ¼ acre or more	5000 square feet
Green less than ¼ acre	2500 square feet
Green ¼ acre or more	5000 square feet



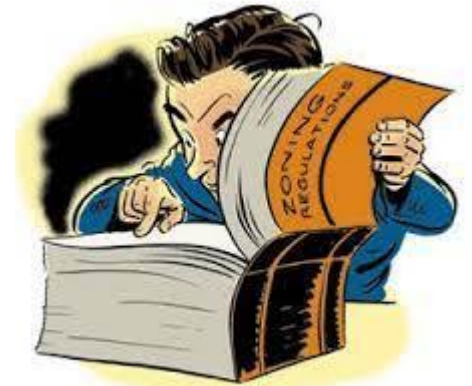
## Neighborhood Commercial/Office District

### ❖ Location of Off-Street Parking



## Article I - Administrative Chapters

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- 1.5 Zoning Permits & Certificates of Zoning Compliance
- 1.6 Conditional Use Permits
- 1.7 Appeals & Variances
- 1.8 Amendments
- 1.9 Nonconforming Uses, Lots, Structures, & Site Conditions
- 1.10 Waivers
- 1.11 Enforcement and Penalties



Schedule 1.2.01 Zoning Districts Established	
STANDARD ZONING DISTRICTS	
ZONING DISTRICT NAME	SYMBOL
<b>RESIDENTIAL DISTRICTS</b>	
Single-Family Residential-One AA Zone	R-1AA
Single-Family Residential-One A Zone	R-1A
Single-Family Residential-One B Zone	R-1B
Single-Family Residential-One C Zone	R-1C
Single-Family Residential-One D Zone	R-1D
<u>Single-Family Residential-Central Business District</u>	<u>R-1-CBD-1</u>
<u>Single-Family Residential-Central Business District</u>	<u>R-1-CBD-2</u>
Two-Family Residential-Two Zone	R-2
Multi-Family Residential-Three Zone	R-3
Multi-Family Residential-Five Zone	R-5
<b>BUSINESS and MIXED-USE DISTRICTS</b>	
General Commercial Zone	GC
Highway Commercial Zone	HC
Professional Office Zone	PO
Light Industrial Park-Research Zone	IP
Central Business District	CBD
<u>Alexandria Pike Mixed Use District</u>	<u>AP-MX</u>
<u>Neighborhood Commercial/Office District</u>	<u>NC/O</u>
<b>OTHER DISTRICTS</b>	
River Preservation District	R-P <u>RP</u>
Conservation District	C-O <u>CO</u>
<b>SPECIAL DISTRICTS</b>	
ZONING DISTRICT NAME	SYMBOL
Residential Cluster Development <u>Overlay</u> District	RCD

## Section 1.2 Establishment of Districts and Map

## Section 1.3 Powers and Duties

- Zoning Administrator
- City Engineer
- Planning Commission
- Board of Adjustment
- Design Review Board
- Tree Commission
- Board of Council



# Section 1.4-Development Plan Review Process





## Section 1.5

# Zoning Permits and Certificate of Zoning Compliance

- Zoning Permits – Issued before construction commences
- Certificate of Zoning Compliance Issued after construction complete



## Section 1.6 Conditional Use Permit

- Heard by the Board of Adjustment
- Procedures



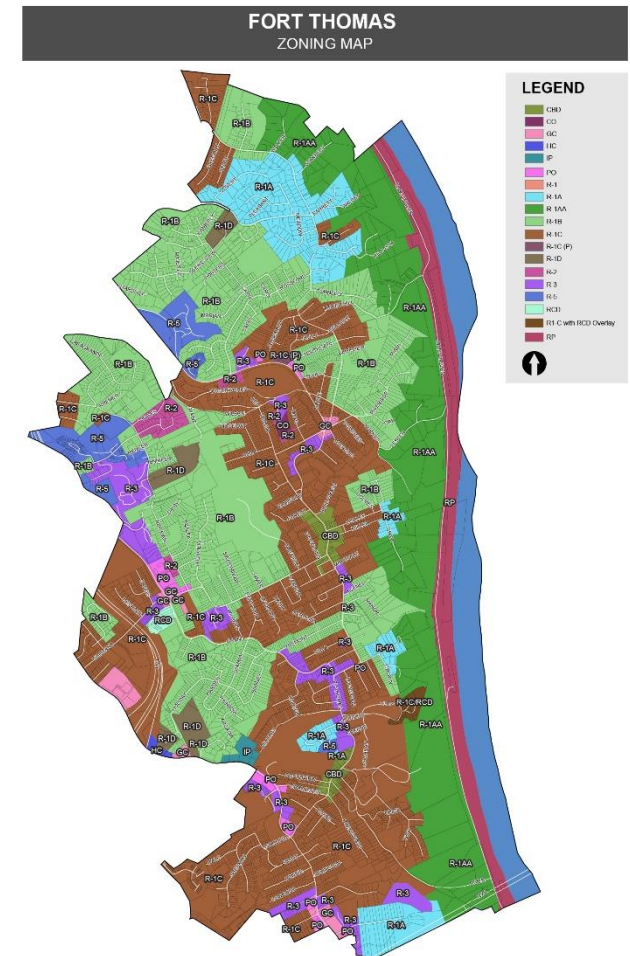
## Section 1.7 Appeals and Variances

- Appeals from Administrative Decisions
- Variances



## Section 1.8 Amendments

- Zoning Map Amendments
- Zoning Text Amendments
- Process

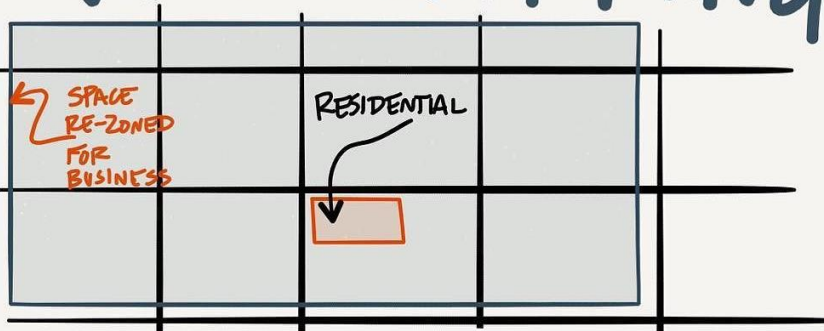


## Section 1.9

# Nonconforming Uses, Lots, Structures, & Site Conditions

- Nonconforming Lots of Record
- Nonconforming Uses
- Nonconforming Structures
- Nonconforming Site Conditions

# NONCONFORMING



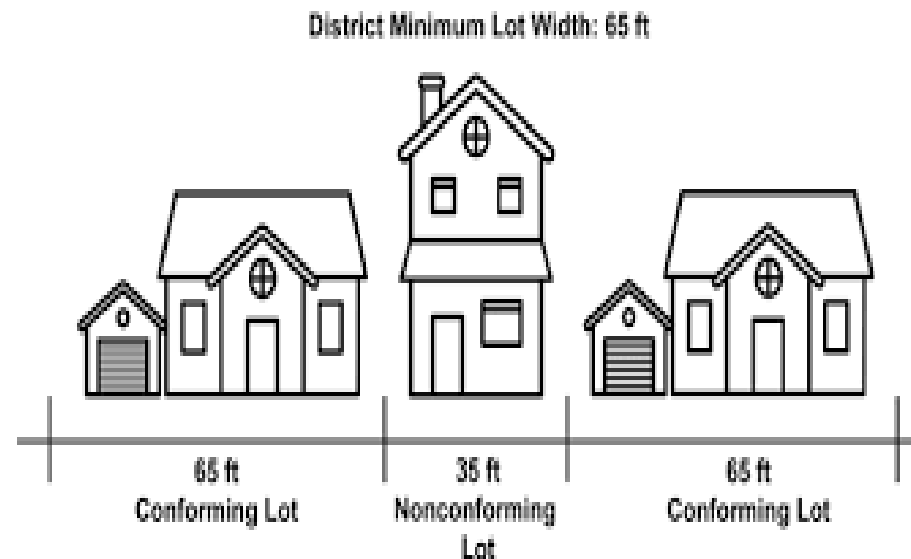
# USES

IF AREA IS RE-ZONED, PRIOR ORIGINAL USE IS ALLOWED AND OLD CODES MAINTAINED SO LONG AS USE DOESN'T CHANGE.

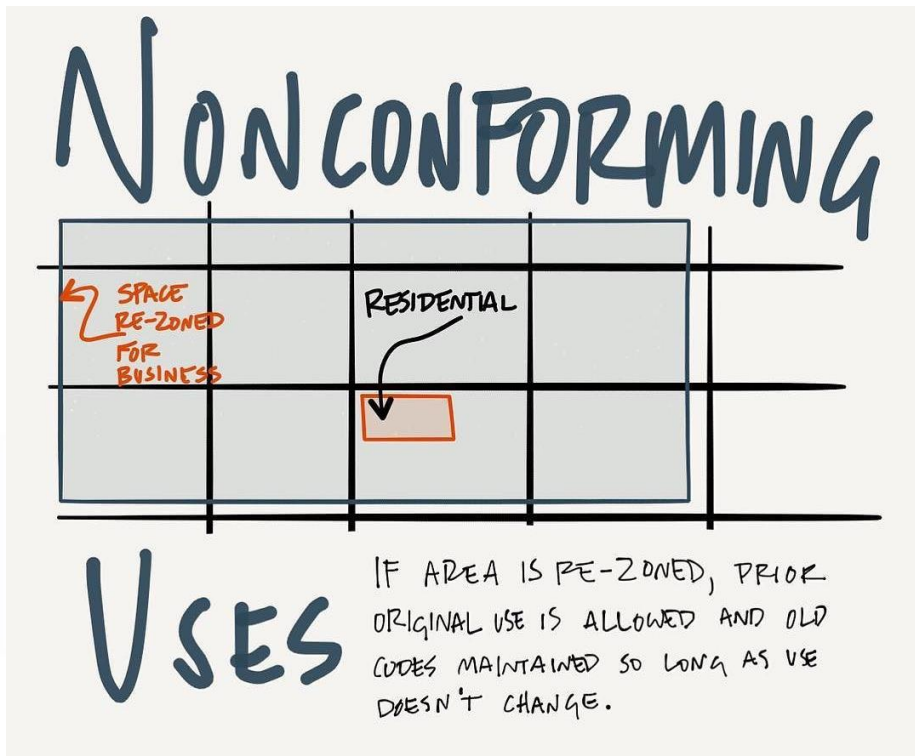
## Section 1.9

# Nonconforming Uses, Lots, Structures, & Site Conditions

- **Nonconforming Lots of Record**



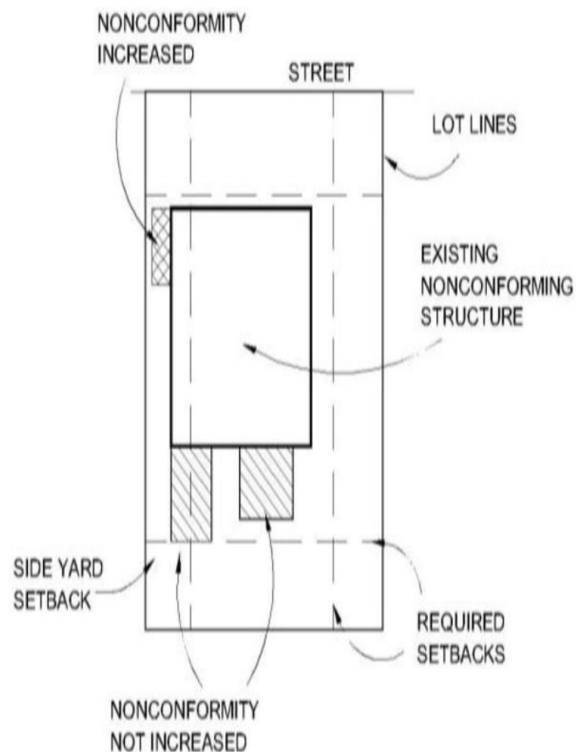
## Section 1.9 Nonconforming Uses, Lots, Structures, & Site Conditions



- Nonconforming Uses

## Section 1.9 Nonconforming Uses, Lots, Structures, & Site Conditions

ADDITIONS TO A NONCONFORMING STRUCTURE



- **Nonconforming Structures**



## Section 1.9

### Nonconforming Uses, Lots, Structures, & Site Conditions

“Non-conforming site condition” means a site improvement that was legally established, but no longer conforms with the regulations in the Zoning Ordinance.

- **Nonconforming Site Conditions**

## Section 1.10 Waivers

### VARIANCE

#### Definition

A device which grants a variation from the dimensional provisions of the Ordinance in instances where strict enforcement of the ordinance would cause undue hardship due to circumstances unique to the individual property under consideration.

#### Code

UDO

#### Public Hearing

Yes

#### Decision Maker

Board of Adjustment

### WAIVER

#### Code

UDO

#### Public Hearing

No

#### Decision Maker

Planning Commission & Zoning Administrator

#### Definition

Permission from the Planning Commission or the Zoning Administrator to depart from the requirements of the Unified Development Ordinance (UDO).

## Section 1.10 Waivers

- Planning Commission
- Certain standards?
- Equivalency Provision?

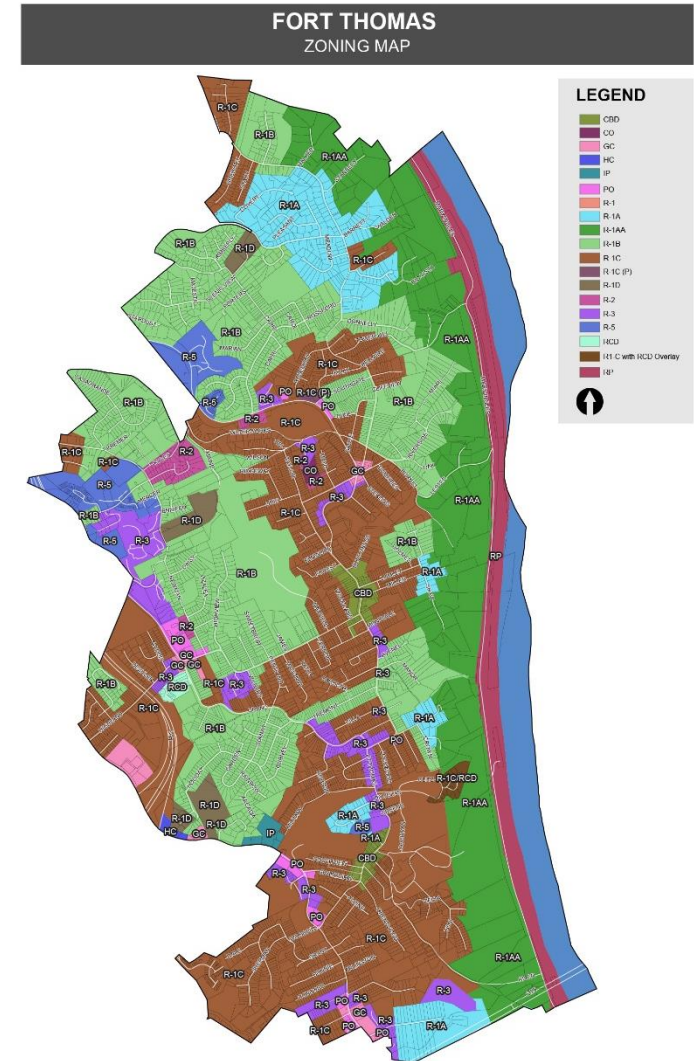
### **EQUIVALENCY PROVISION.**

In reviewing an application, the Planning Commission may find that a development plan either adheres to or is equivalent to the requirements of the Zoning Ordinance.

- (a) The Planning Commission may consider features of a development plan to be equivalent to a requirement in the Zoning Code if:
  - (1) The development plan substantially complies with the specific requirements and the purposes, intent, and objectives of the zoning district;
  - (2) Through imaginative and skillful design in the arrangement of buildings, open space, streets, access drives and other features shown on the plans, the proposal results in a development with features equivalent to or greater than the municipal standards and requirements; and
  - (3) The development has no significant adverse impact upon the surrounding property or upon the health, safety or general welfare of the City residents.
- (a) The applicant shall submit a written statement to the Planning Commission explaining how the equivalency requirements of this Section have been satisfied. The Planning Commission shall make a written finding stating and explaining how the proposal has satisfied the equivalency criteria. The Planning Commission may approve the application, including modifications from the municipal standards herein, if the application otherwise complies with municipal standards, specifications, ordinances and requirements of the Zoning Ordinance.
- (b) Approval of equivalent requirements is not a variance. This section allows the applicant to satisfy a requirement in a manner not anticipated by the City.

## Section 1.10 Waivers

- Zoning Administrator



## Section 1.11 Enforcement and Penalties

- Violations
- Enforcement Actions
- Penalties

# FORTTHOMASKY1  
PRACTICE ZONING ENFORCEMENT



# Zoning Ordinance Update

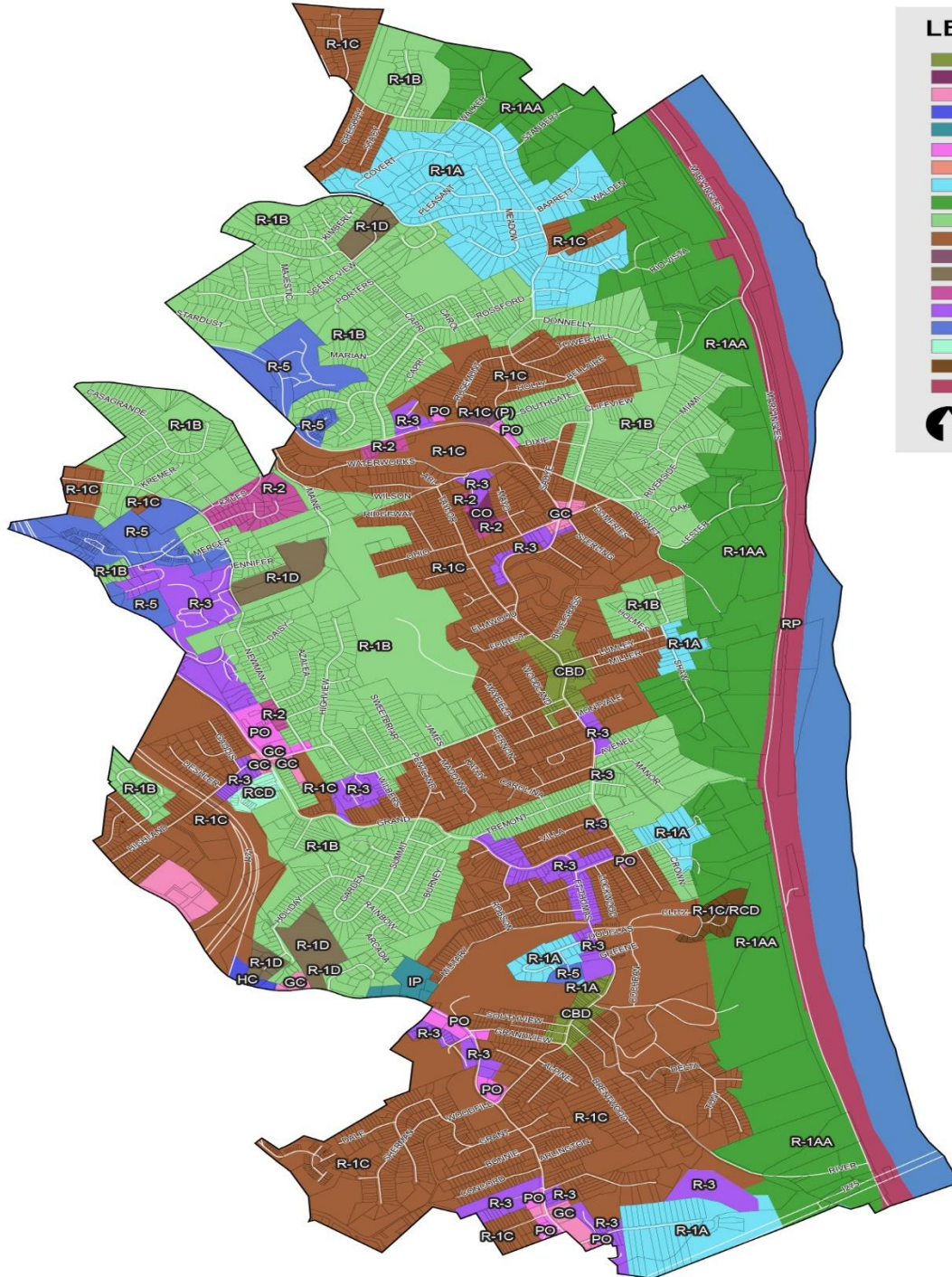
CITY OF FORT THOMAS

CT CONSULTANTS



Alisa Duffey Rogers  
[aduffeyrogers@ctconsultants.com](mailto:aduffeyrogers@ctconsultants.com)  
919-930-2860

# 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



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# Zoning Ordinance Update

CITY OF FORT THOMAS

CT CONSULTANTS

## April 19, 2023



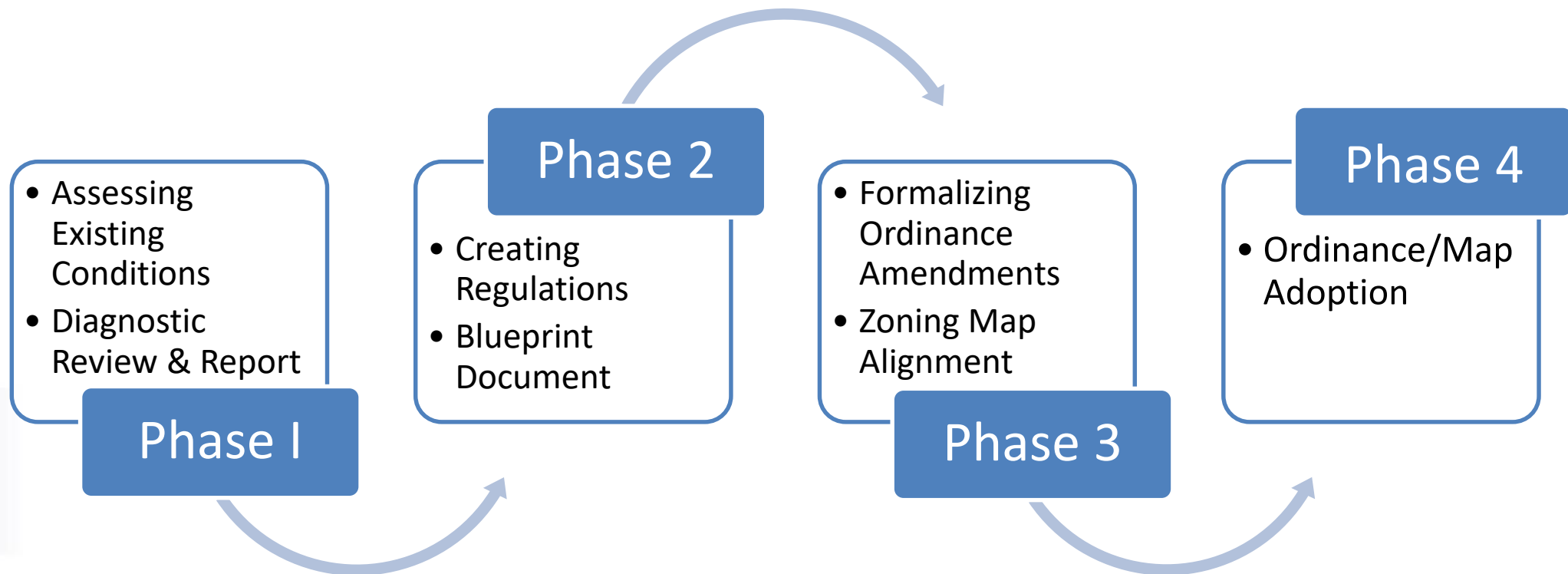


## Meeting Agenda

- **Zoning Ordinance Update Process**
- **Review Proposed Overlay Zoning Districts**
  - **Fort Thomas Avenue Overlay District**
  - **Central Business District Historic Overlay District**
  - **Tower Park Historic Overlay District**
- **Next Steps**



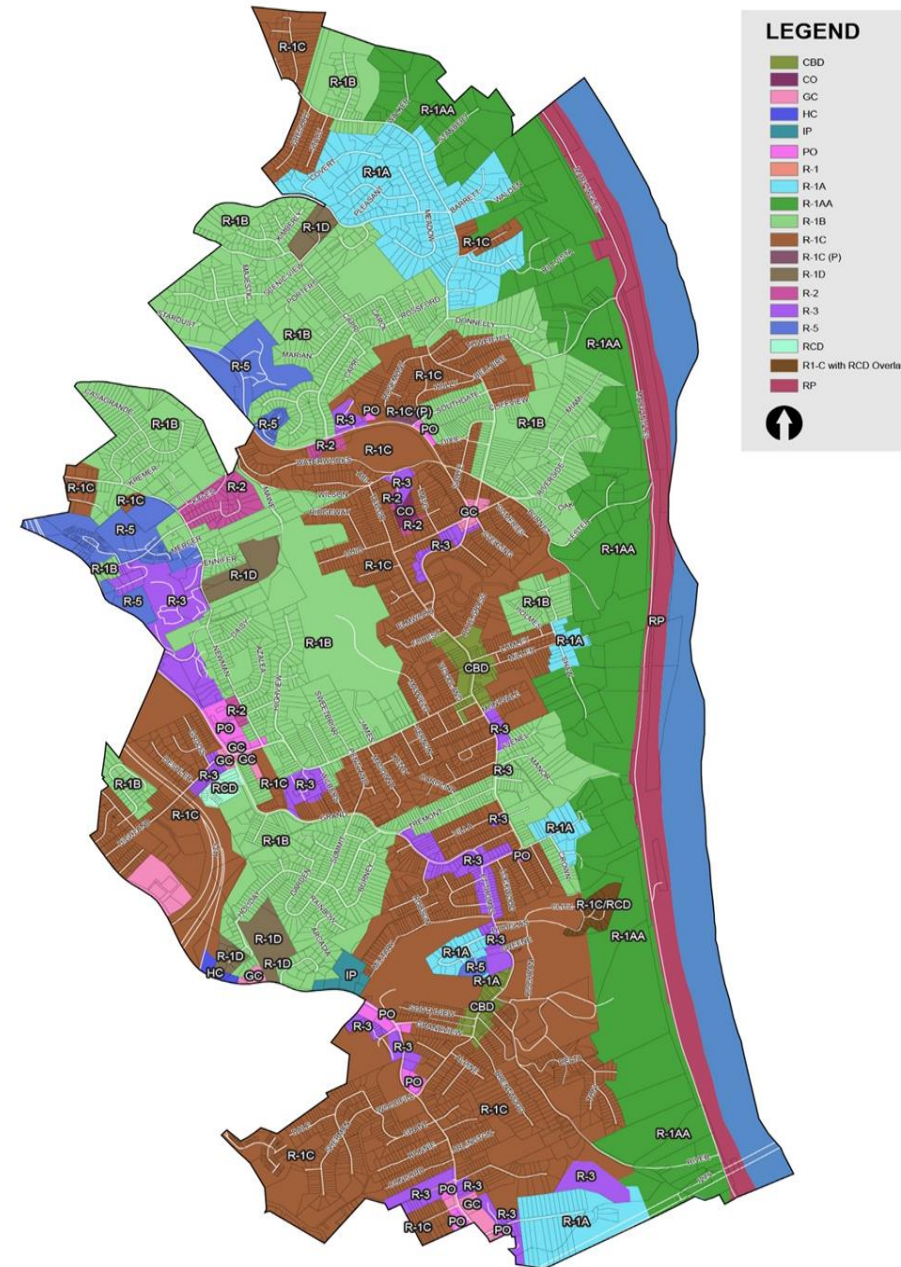
## Zoning Ordinance Update Process



## Zoning Districts

- River Preservation and Conservation Districts
- Single-Family and Two-Family Districts (R-1AA, R-1A, R-1B, R-1C, R-1D, R-1-CBD, R-2)
- Multi-family Residential Districts (R-3 & R-5)
- Alexandria Pike Mixed Use District
- Neighborhood Commercial/Office District
- Central Business District

FORT THOMAS  
ZONING MAP



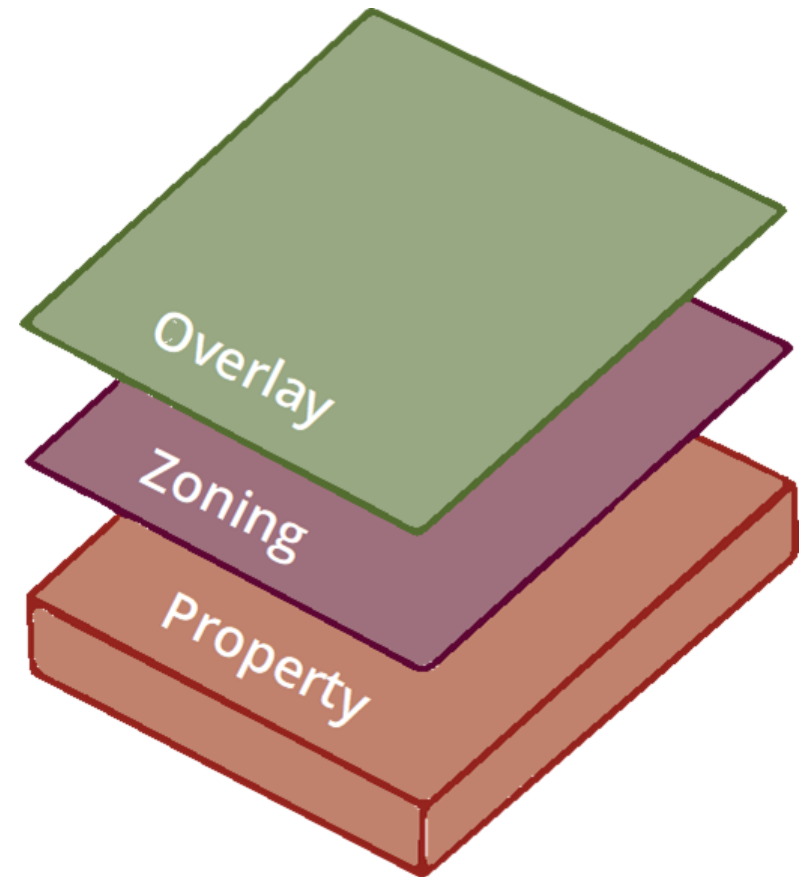
## Overlay Zoning Districts

- Residential Cluster Development Overlay District
- Fort Thomas Avenue Overlay District
- Central Business District Historic Overlay District
- Tower Park Historic Overlay District

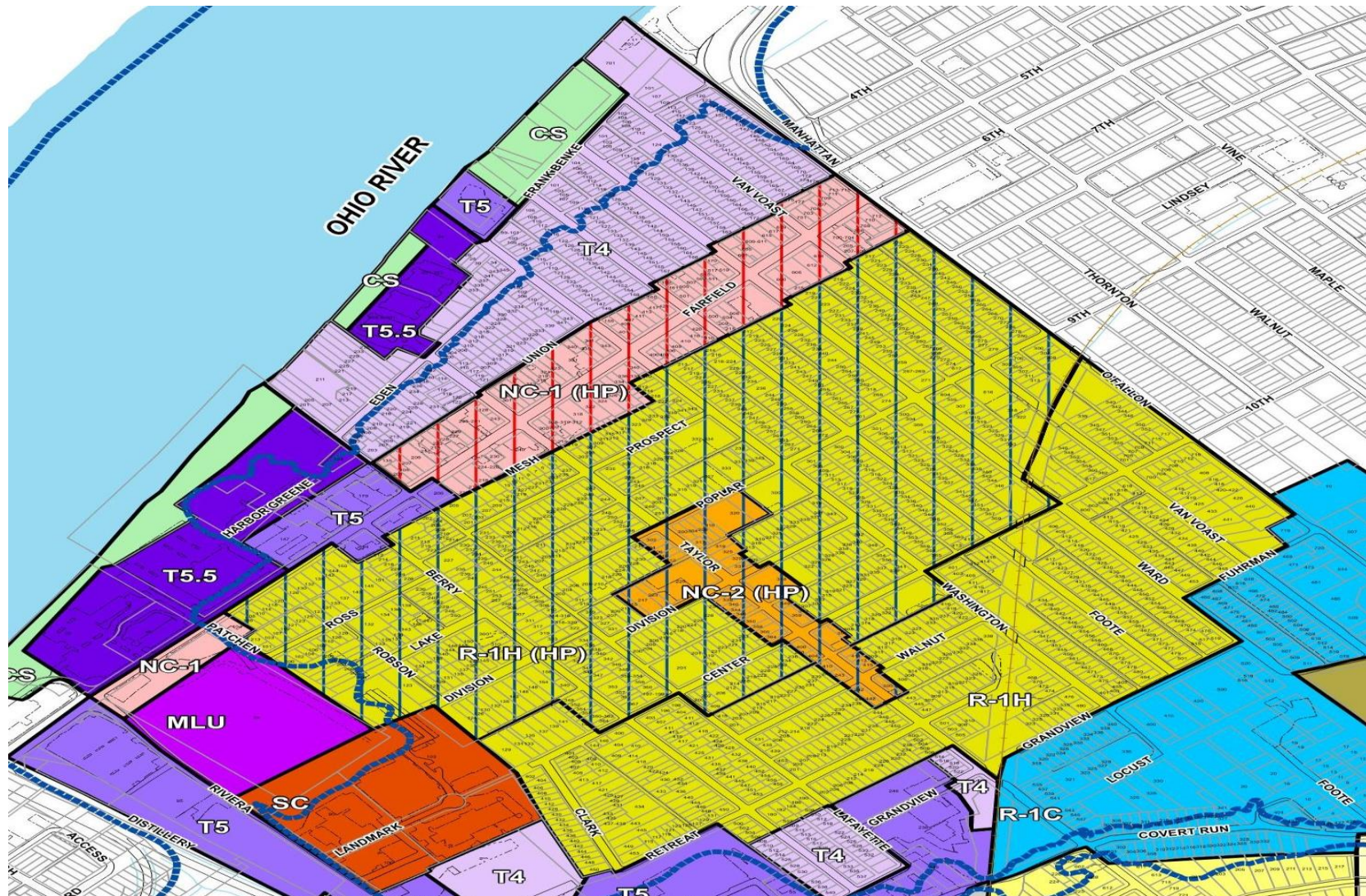


## Overlay Zoning Districts

- What are they?
- How do they work?
- Why use them?



# Overlay Zoning Districts



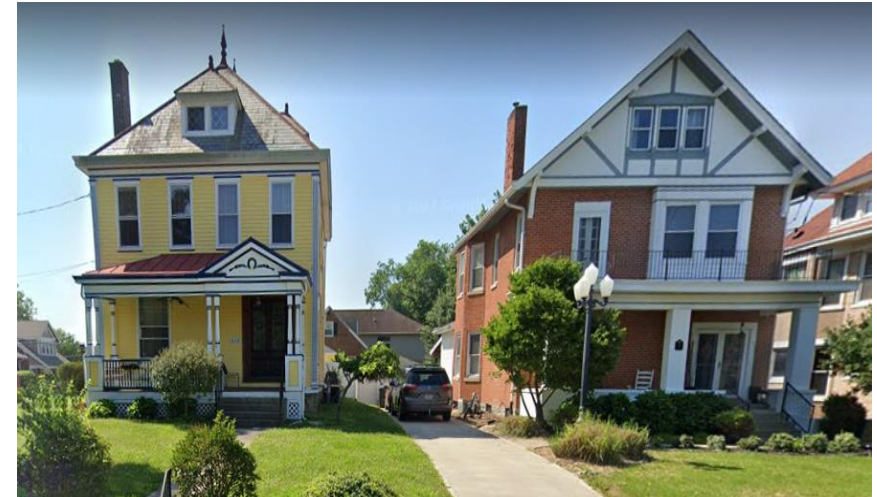
## Fort Thomas Avenue Overlay Zoning District- Intent

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 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.

## Fort Thomas Avenue Overlay Zoning District - Applicability

### Overlays

- R-1B
- R-1C
- R-3



### All properties occupied by:

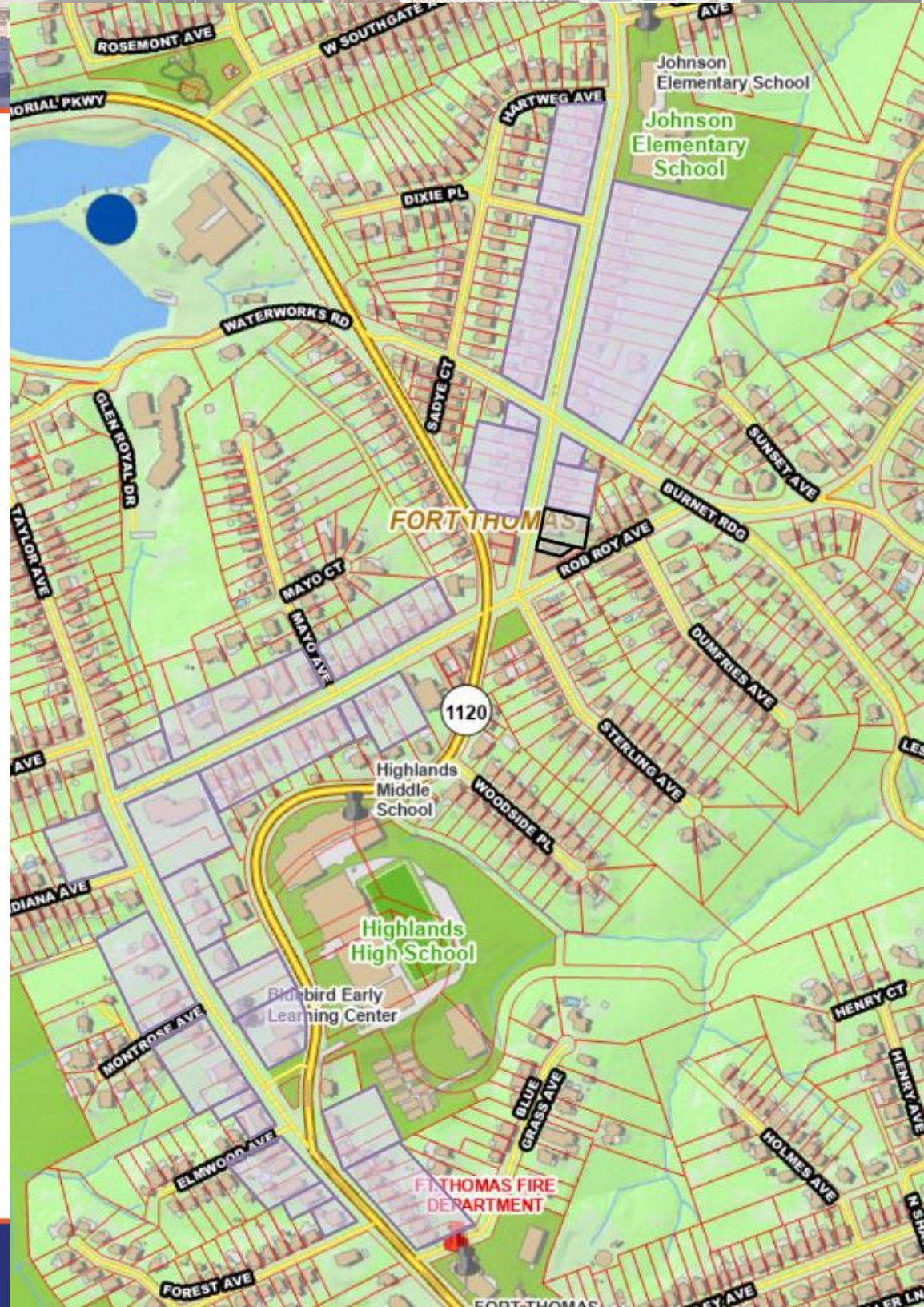
- Single-family Detached Dwellings
- Two-family dwellings
- Residential Care Facilities for Persons with Disabilities



# Zoning Update

CITY OF FORT THOMAS

## Fort Thomas Avenue Overlay Zoning District

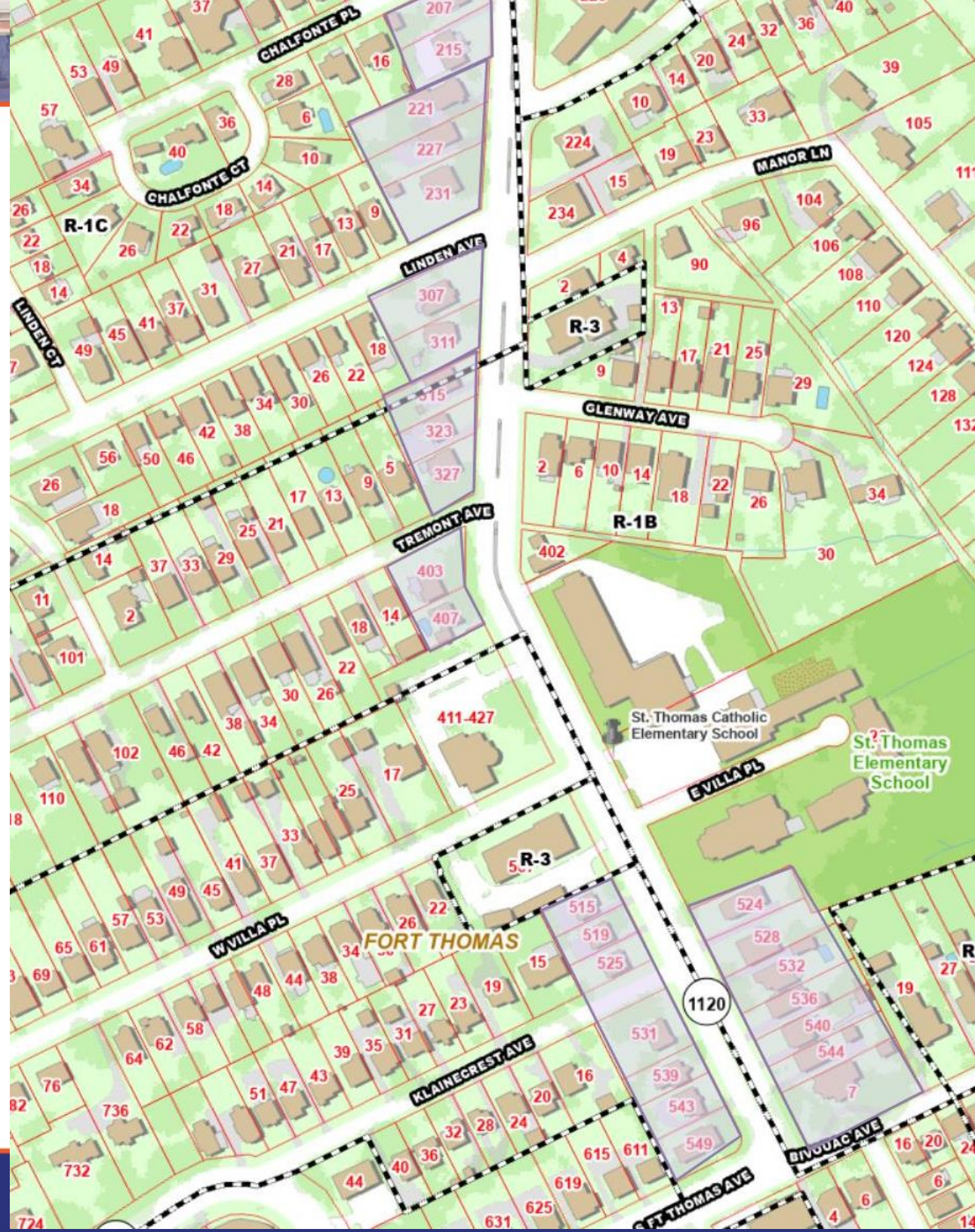


CITY OF FORT THOMAS

# Zoning Update

CITY OF FORT THOMAS

## Fort Thomas Avenue Overlay Zoning District



# Zoning Update

CITY OF FORT THOMAS

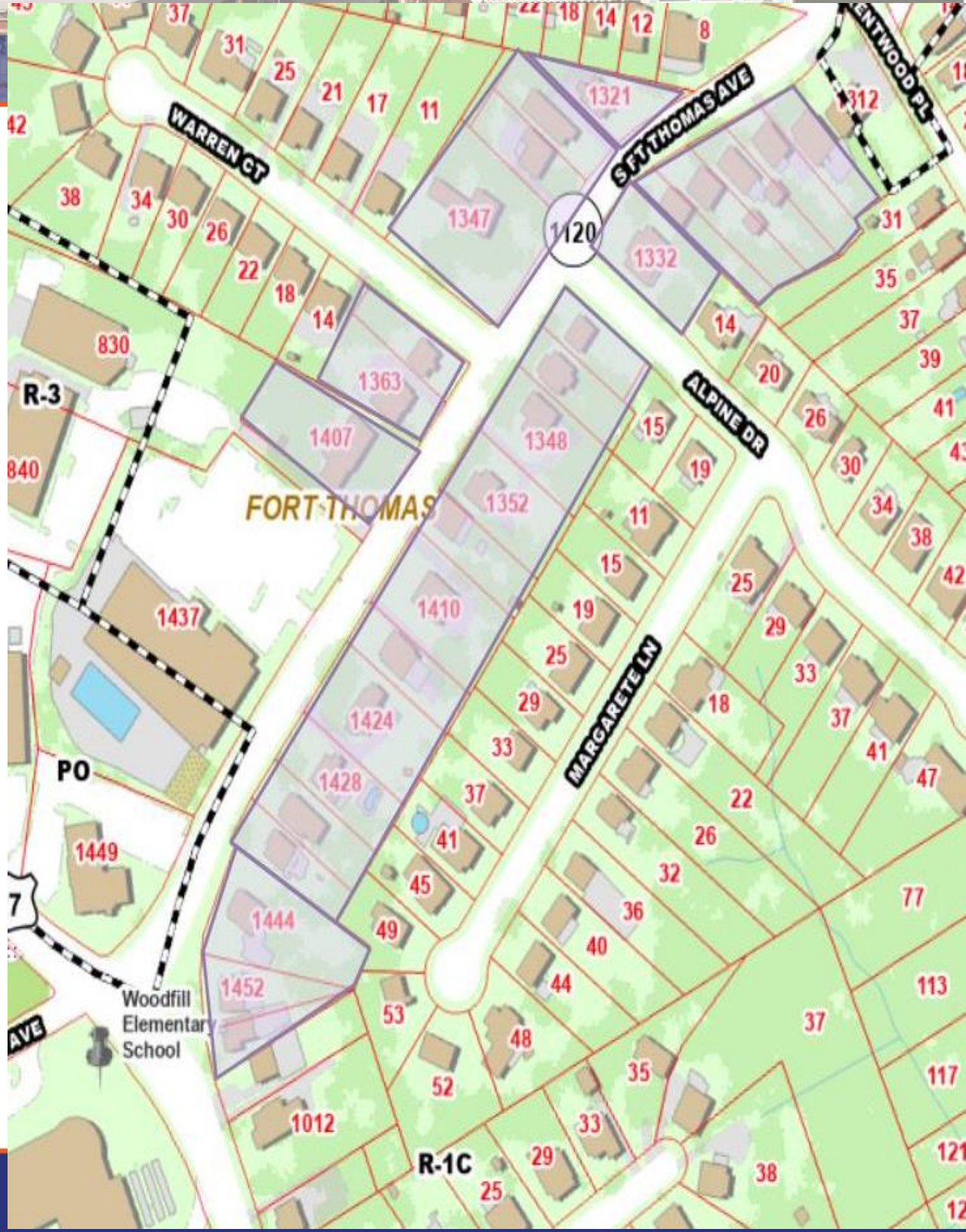
## Fort Thomas Avenue Overlay Zoning District



# Zoning Update

CITY OF FORT THOMAS

## Fort Thomas Avenue Overlay Zoning District



## Fort Thomas Avenue Overlay Zoning District – Applicability

### Improvements Regulated:

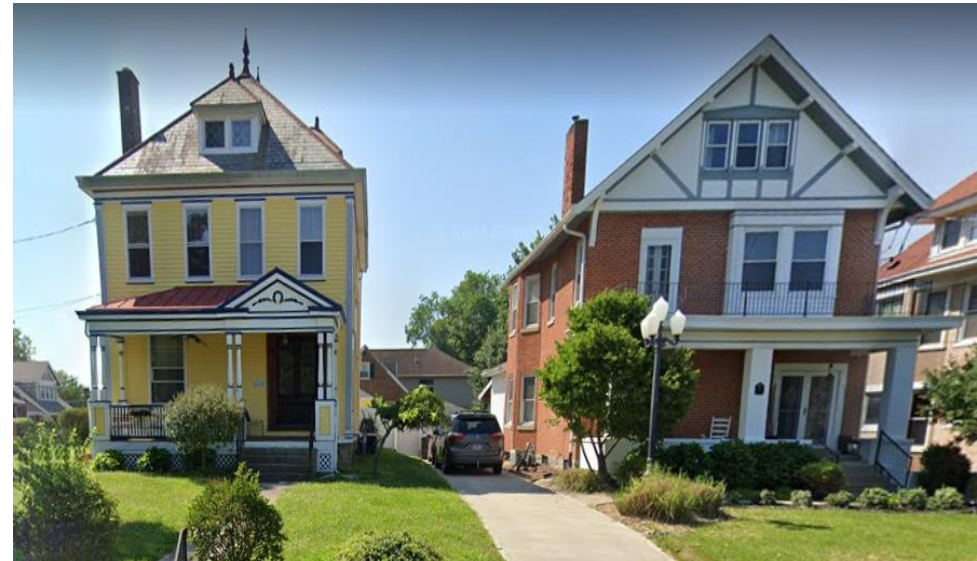
- New construction
- Substantial additions to existing properties. Substantial additions means any alteration to the front of a residential property or any alteration to the side of a residential property that is visible from Fort Thomas Avenue.



## Fort Thomas Avenue Overlay Zoning District

### Regulates:

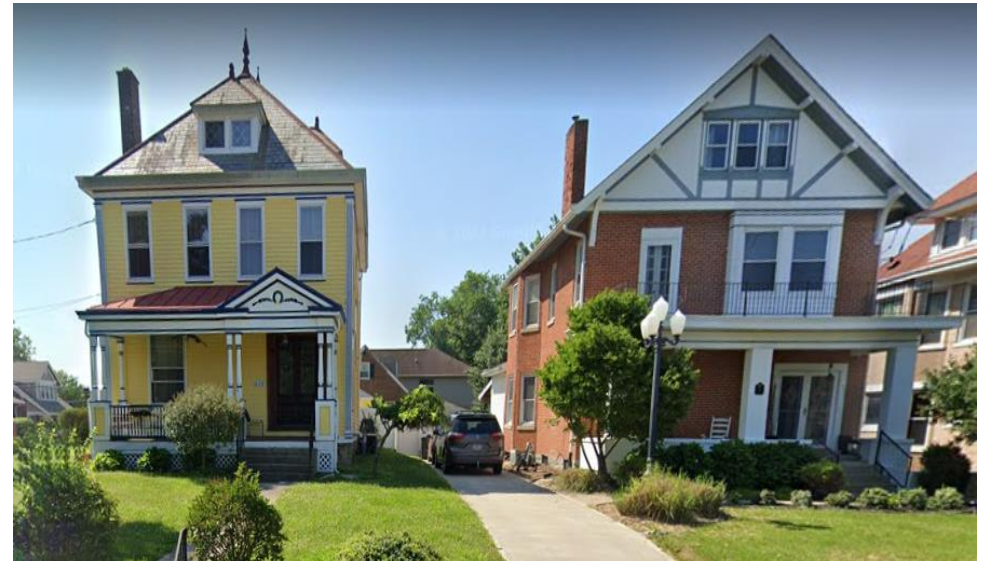
- Setback of the Principal Dwelling Unit
- Building Height
- Garage Orientation
- Carport Placement
- Roof Design
- Building Orientation
- Porches
- Façade Design (Transparency)



## Fort Thomas Avenue Overlay Zoning District

### Guidance:

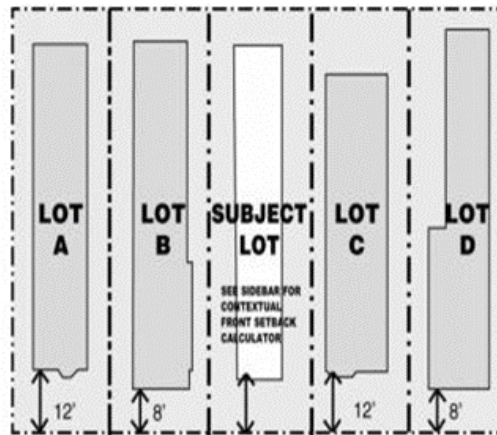
- Type of Garage
- Finished Floor Elevation
- Raised Entries



## Fort Thomas Avenue Overlay Zoning District – Development Standards

### Principal Front Setback:

- 3 feet of average of all homes within 300 feet



Lot	Front Setback
A	12
B	8
C	12
D	8
Total	40
Average	$40/4=10$



## Fort Thomas Avenue Overlay Zoning District – Development Standards

### Building Height:

- Not exceed average height of the principal structures within 300 feet



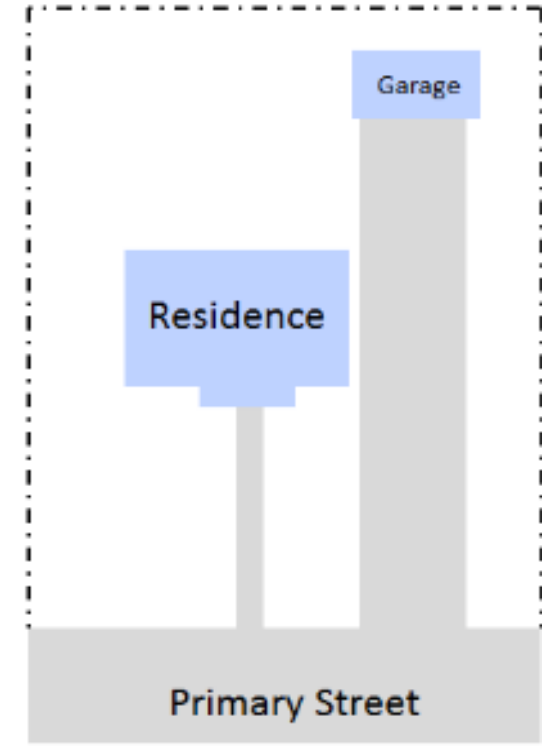
## Fort Thomas Avenue Overlay Zoning District – Residential Contextual Standards

### Garages

- Detached garages preferred

### Detached Garages

- Must be located to the rear of the dwelling



## Fort Thomas Avenue Overlay Zoning District – Residential Contextual Standards

### Attached Garages

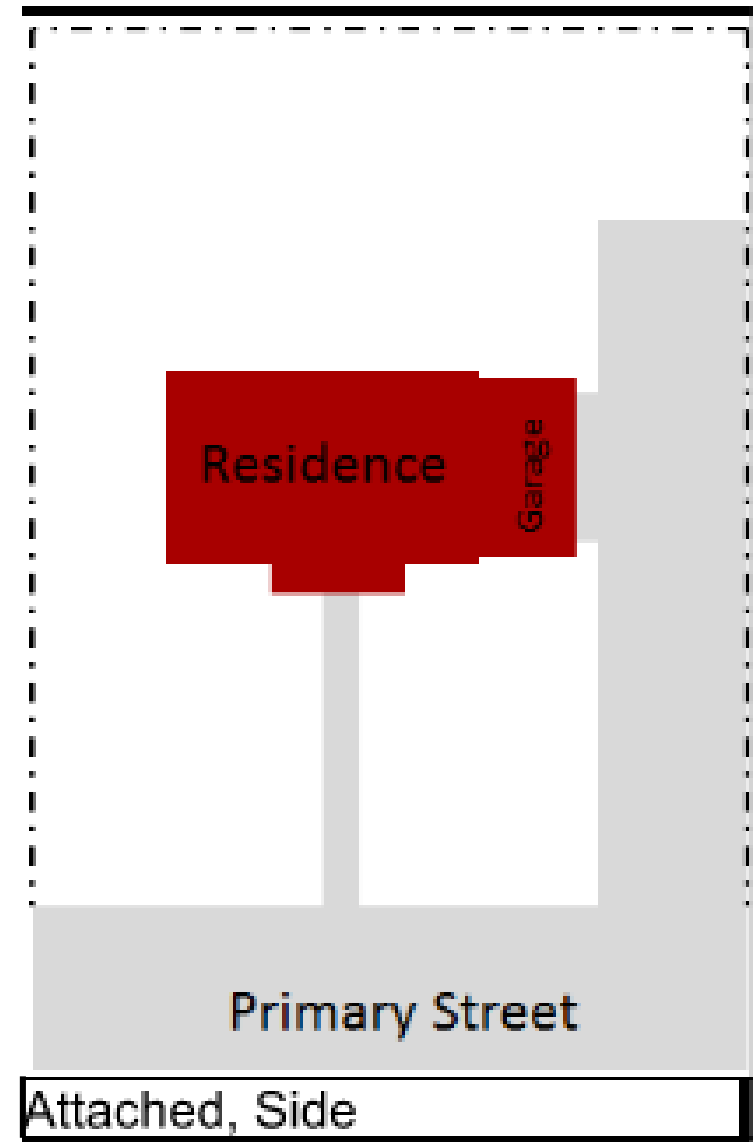
- Street-facing attached garages prohibited except for below grade, single-car garages



## Fort Thomas Avenue Overlay Zoning District – Residential Contextual Standards

### Attached Garages

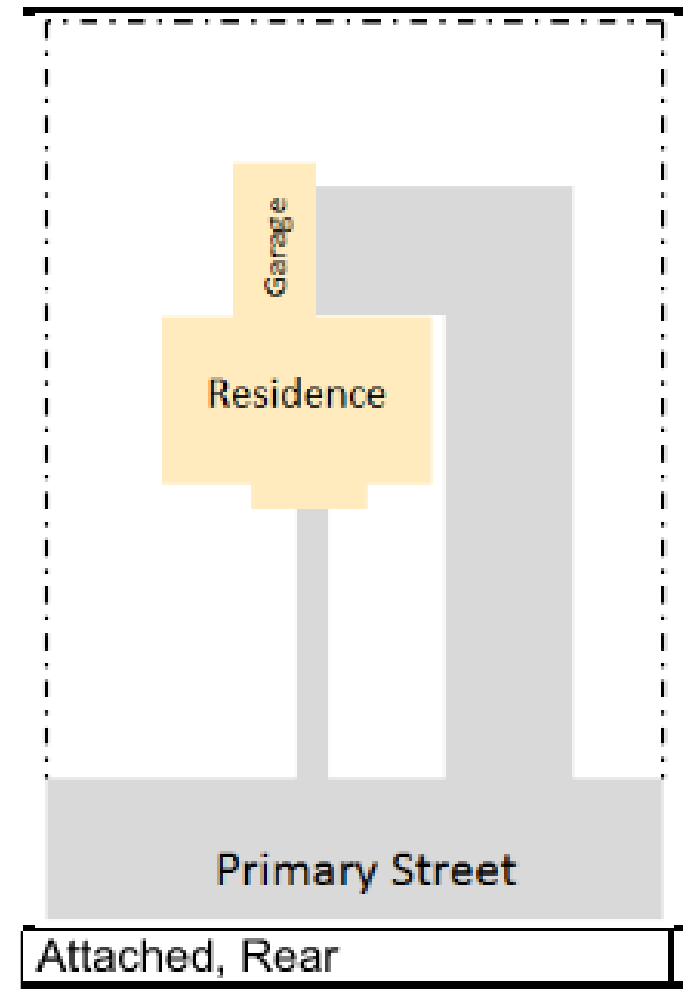
- Side-loaded garages must not protrude in front of the habitable portion of the dwelling unit



## Fort Thomas Avenue Overlay Zoning District – Residential Contextual Standards

### Attached Garages

- Rear-loaded garages permitted



## Fort Thomas Avenue Overlay Zoning District – Residential Contextual Standards

### Accessory Parking

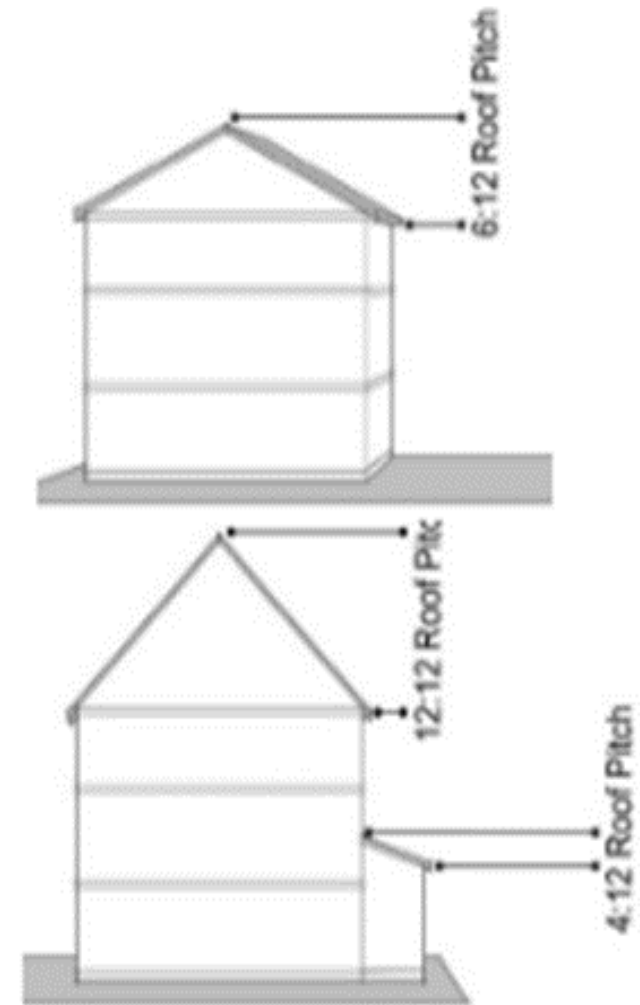
- Metal carports must not be visible from Fort Thomas Avenue
- Porte cochere are permissible



## Fort Thomas Avenue Overlay Zoning District – Residential Contextual Standards

### Roof Design

- Sloped roofs required
- Variations in roof planes encouraged
- Main roofs must have a pitch between 6:12 and 12:12
- Shed roofs may only be attached to the main wall



## Fort Thomas Avenue Overlay Zoning District – Residential Contextual Standards

### Porches

- Required if present on four adjacent homes
- Minimum depth of 4 feet
- Front porches must not be enclosed





## Fort Thomas Avenue Overlay Zoning District – Residential Contextual Standards

### Façade Design

- 15% of front façade must be windows or entrance doors
- All facades should have architectural detailing and windows



## Fort Thomas Avenue Overlay Zoning District

### Regulates:

- Setback of the Principal Dwelling Unit
- Building Height
- Garage Orientation
- Façade Design
- Carport Placement
- Roof Design
- Building Orientation
- Porches



## Fort Thomas Avenue Overlay Zoning District - Process

- Review by Zoning Administrator
- Deviations reviewed by Design Review Board



# Zoning Ordinance Update

CITY OF FORT THOMAS

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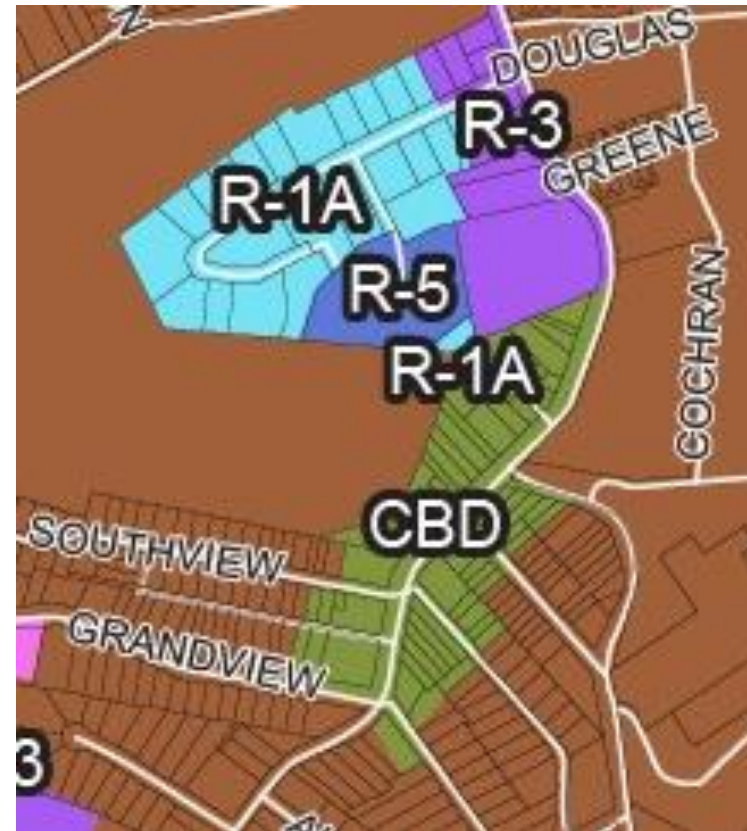


## Central Business District Historic Overlay District

## Central Business District Historic Overlay District



**Downtown (Town Center)**



**Midway**

## Central Business District Historic Overlay District - Intent

To safeguard the heritage of the City by protecting this local historic district through:

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

## Central Business District Historic Overlay District

- Retains:
  - Existing review process outlined in Code of Ordinances
  - Design Review Board considers most applications for a Certificate of Appropriateness
  - Continue to utilize CBD Design Guidelines



## Central Business District Historic Overlay District

- Protective Maintenance
  - Duty to maintain
  - Duty to repair
  - Maintenance without Certificate of Appropriateness





# Zoning Ordinance Update

CITY OF FORT THOMAS

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## Tower Park Historic Overlay District

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# Zoning Ordinance Update

## Tower Park Historic Overlay District



## Tower Park Historic Overlay District – Intent

To safeguard the history and heritage of the City and Tower Park by protecting and preserving this local historic district through:

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

## Tower Park Historic Overlay District – Application Review

- Review process consistent with CBD Historic Overlay District
- Alexander Circle and Cochran Avenue
  - Fort Thomas VA Homes Architectural Guidelines
  - Secretary of Interior’s Standards for Rehabilitation
- Greene and Pearson Streets
  - U.S. Secretary of Interior’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings

## Tower Park Historic Overlay District

- Protective Maintenance
  - Duty to maintain
  - Duty to repair
  - Maintenance without Certificate of Appropriateness



# Zoning Ordinance Update

CITY OF FORT THOMAS

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Alisa Duffey Rogers  
[aduffeyrogers@ctconsultants.com](mailto:aduffeyrogers@ctconsultants.com)

# Zoning Ordinance Update

CITY OF FORT THOMAS

CT CONSULTANTS

## May 17, 2023



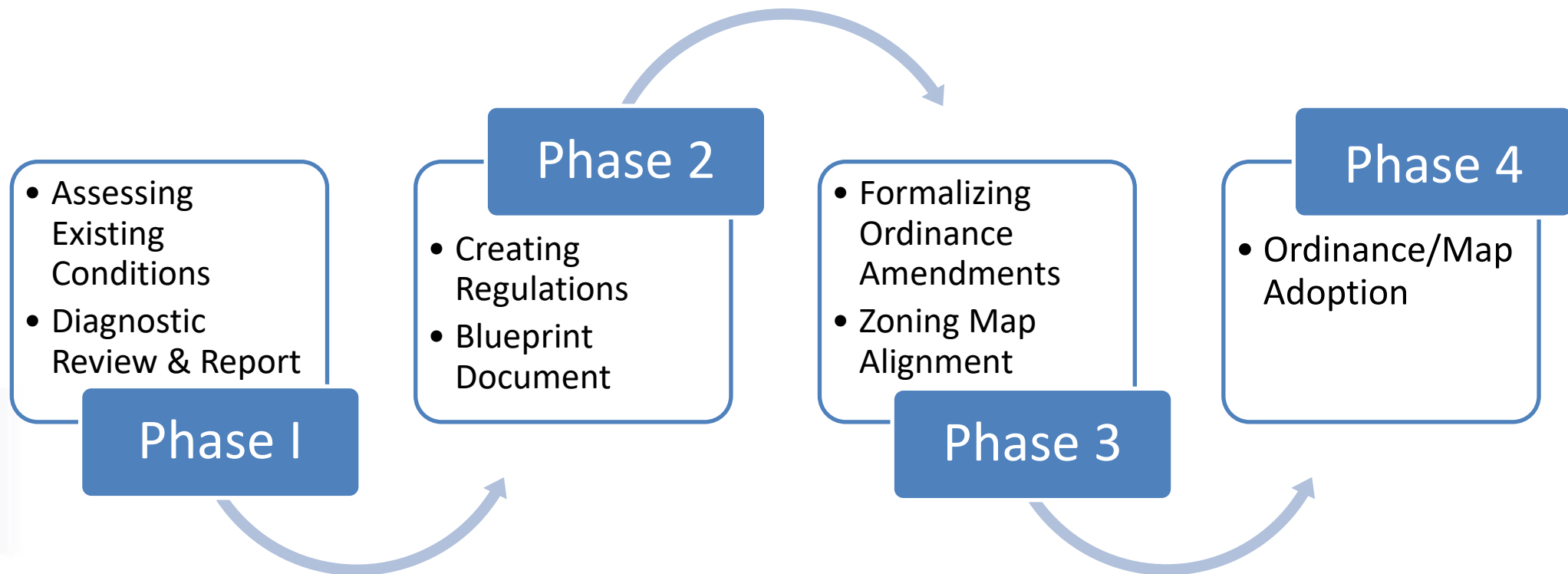
## Meeting Agenda

- **Zoning Ordinance Update Process**
- **Review Proposed Zoning Sections**
  - **Sign Regulations**
  - **Temporary and Accessory Use/Structure Regulations**
- **Next Steps**





## Zoning Ordinance Update Process



Constitutional Implications  
for Signage

Property Rights of  
Building/Land Owners

Community Aesthetics

Interest in Business Promotion/  
Promotion of Local Commerce

**Any Effective  
Signage  
Regulation Must  
Accommodate  
Multiple Distinct  
Priorities**

Protection of Public Safety for  
Motorists, Pedestrians, etc.

Advances in Signage  
Technology

Interests of Residents and  
Local Community Groups

Prevention of Proliferation of  
Excessive Signage



## Sign codes are challenging.

- Sensitive subject (aesthetics, business interests, safety)
- Complex, with lots of details
- Raise First Amendment/Free Speech issues
- Legal aspects are not always well understood & difficult to explain



## Signs - Legal Issues



## Legal Issues - First Amendment

Signs are protected by the First Amendment

First Amendment protects content but generally allows regulation of time, place, and manner

- **Time:** regulate the hours of illumination or display
- **Place:** regulate the location, setbacks, pedestrian clearance, or distance from residential districts
- **Manner:** size and types of signs; prohibit signs that flash, blink, rotate, or scroll



## Reed v. Town of Gilbert (US 2015)

Municipal sign code imposing more stringent restrictions on signs directing the public to the meeting of a non-profit group (a church) than on signs conveying other messages (such as political) is content-based regulation of speech that cannot survive the test of strict scrutiny.

## Legal Issues - First Amendment

### *Reed v. Town of Gilbert* (2015)

- In 2015, Supreme Court in this Arizona case said that ANY content-based distinctions are unconstitutional
- Many sign ordinances have content-based distinctions

## Quick Tour of Sign Types – Permanent, Freestanding Signs



## Ground Signs

## Quick Tour of Sign Types – Permanent, Freestanding Signs



### Pole Signs



## Quick Tour of Sign Types – Permanent, Freestanding Signs



## Pylon Signs

## Quick Tour of Sign Types – Permanent, Building-Mounted Signs



## Wall Signs

## Quick Tour of Sign Types – Permanent, Building-Mounted Signs



## Projecting Signs

## Quick Tour of Sign Types – Permanent, Building-Mounted Signs



## Canopy/Awning Signs

## Quick Tour of Sign Types – Building-Mounted Signs



## Window Signs

## Quick Tour of Sign Types – Temporary Signs



## Freestanding

## Quick Tour of Sign Types – Temporary Signs



## Building Mounted

## Quick Tour of Sign Types – Pedestrian Signs





## Quick Tour of Sign Types – Changeable Copy Signs



## Quick Tour of Sign Types – Electronic Message Center



## Section 5.7 – Sign Regulations

- 5.7.01 Intent.
- 5.7.02 General Provisions.
- 5.7.03 Classification of Signs.
- 5.7.04 Application of Sign Regulations.
- 5.7.05 Computations & Rules of Measurement.
- 5.7.06 Signs in Non-Residential Districts.
- 5.7.07 Signs in Residential Districts.
- 5.7.08 Murals.
- 5.7.09 Prohibited Signs.
- 5.7.10 Design Standards.
- 5.7.11 Sign Illumination, Construction & Maintenance Standards; Prohibitions.
- 5.7.12 Nonconforming Signs.
- 5.7.13 Administrative Provisions.
- 5.7.14 Violations & Enforcement.

## Signs in Residential and Conservation Districts

Schedule 5.7.07 A. Permanent Signs in the Residential and Conservation Districts						
Type	Permit Needed	Maximum Number Permitted	Maximum Area Per Sign	Lighting	Regulations for Freestanding signs	
					Maximum Height	Min. Setback
<b>Signs for Single-family Detached, Detached Dwellings in RCD-O, Residential Care Facility for Persons with Disabilities, Two-Family Dwellings</b>						
a. Wall Sign	<u>No</u>	<u>1/DU</u>	<u>2</u> sq. ft.	Not Permitted	NA	NA
b. Ground Sign for Residential Subdivision <sup>(1)</sup>	Yes	1/development entrance <sup>(4)</sup>	20 sq. ft.	External only	8 ft.	<u>5 ft.</u>
<b>Developments for Multi-Family Dwellings and Attached Single-Family Dwellings</b>						
a. Ground Sign <sup>(2)</sup>	Yes	1/development	40–25 sq. ft.	External only	8** <del>10</del> ft.	5 ft.
b. Wall sign	Yes	1/development	<u>25 sq. ft.</u> **	External only	NA	NA
<b>3. Non-residential Uses/Conditional Uses</b>						
a. Wall Sign	Yes	<u>1</u>	<u>16 sq. ft.</u>	<u>External only</u>	NA	NA
b. Ground Sign <sup>(2)(3)</sup>	Yes	1	25 sq. ft or 40 sq ft.**	Permitted	8 ft.	<u>5 ft.</u>

## Signs in Residential and Conservation Districts



Is it appropriate to prohibit pole & pylon signs in the multi-family districts?

## Signs in Residential & Conservation Districts



## Electronic Message Centers

## Signs in Residential & Conservation Districts



### May Regulate:

- Community character considerations
  - Specify zoning districts
  - Permit only on certain sign types
  - Percentage of sign with digital content
- Message hold time
- Transitions
- Brightness and Legibility

## Electronic Message Centers

## Signs in Residential & Conservation Districts



Should Electronic Message Centers be permitted for all Community Facilities/Institutions in Residential Districts?

## Electronic Message Centers

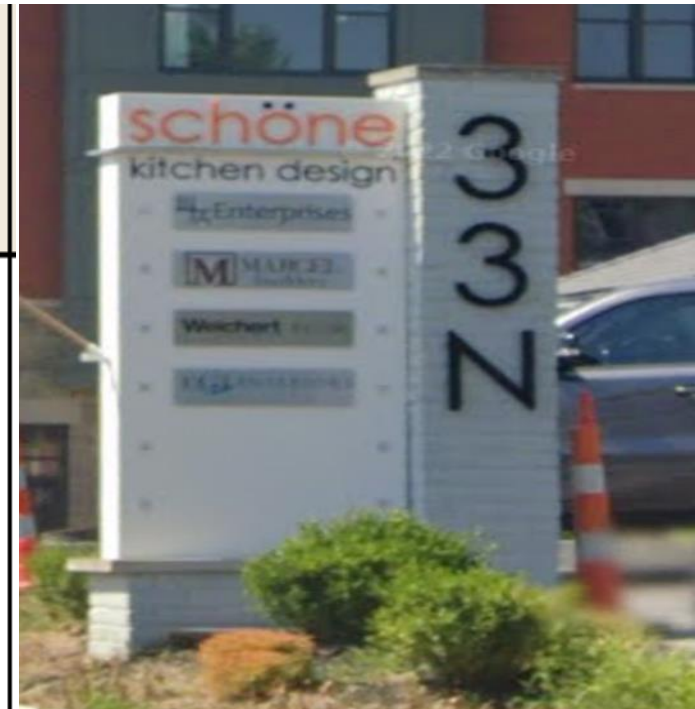


## Signs in Residential and Conservation Districts

Schedule 5.7.07 A. Permanent Signs in the Residential and Conservation Districts						
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					Maximum Height	Min. Setback
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a. Wall Sign	<u>No</u>	<u>1/DU</u>	<u>2</u> sq. ft.	Not Permitted	NA	NA
b. Ground Sign for Residential Subdivision <sup>(1)</sup>	Yes	1/development entrance <sup>(4)</sup>	20 sq. ft.	External only	8 ft.	<u>5 ft.</u>
<b>Developments for Multi-Family Dwellings and Attached Single-Family Dwellings</b>						
a. Ground Sign <sup>(2)</sup>	Yes	1/development	40–25 sq. ft.	External only	8** <del>10</del> ft.	5 ft.
b. Wall sign	Yes	1/development	<u>25 sq. ft.</u> **	External only	NA	NA
<b>3. Non-residential Uses/Conditional Uses</b>						
a. Wall Sign	Yes	<u>1</u>	<u>16 sq. ft.</u>	<u>External only</u>	NA	NA
b. Ground Sign <sup>(2)(3)</sup>	Yes	1	25 sq. ft or 40 sq ft.**	Permitted	8 ft.	<u>5 ft.</u>

## Freestanding Signs in Non-Residential Districts

Type of Sign	Permit Needed	Maximum Area	Illumination	Sign Placement		Maximum Number	Maximum Height
				Minimum Setback from Side Lot Line	Minimum Setback from Right-of-Way		
a. Ground <sup>(2)</sup>	Yes	<p><u>In the AP-MX, NC/O, &amp; RP Districts:</u> 40 square feet</p> <p><u>CBD:</u> ½ sq. foot per linear foot of lot frontage with a maximum of 40 sq. ft.</p>	Permitted, external or internal ( <del>Letters only</del> ) illumination	5 feet	<p>5 feet</p> <p><u>Equal to height of sign</u></p>	1 per <del>parcel</del> <u>zoning lot</u>	10 feet



Should the height of ground signs be reduced in CBD?

## Freestanding Signs in Non-Residential Districts

Type of Sign	Permit Needed	Maximum Area	Illumination
b. Pole/ Pylon <sup>(3)</sup>	Yes	<del>12 sq. ft.</del> <u>16 sq. ft.</u>	Permitted, external or <u>internal illumination with no flashing or animation</u>



Pole/Pylon signs only permitted for Menu Boards & along US-27 - Appropriate?

## Freestanding Signs in Non-Residential Districts

Type of Sign	Permit Needed	Maximum Area	Illumination	Sign Placement		Maximum Number	Maximum Height	Additional Requirements
				Minimum Setback from Side Lot Line	Minimum Setback from Right-of-Way			
c. <del>Sandwich Board</del> Pedestrian Sign	No	8 sq. ft. per side	Not Permitted; No animation	Shall allow 6 foot clear, <u>unobstructed</u> width on sidewalk <u>for safe pedestrian passage</u> , <del>be placed within 6 inches of the face of the curb,</del> not extend over curb line, <del>and not restrict ingress/egress for vehicles</del>		<del>One per Store Front</del> <u>One per tenant including upper floor tenants provided that such signs are spaced no less than 10 ft apart horizontally</u>	4 feet	Sign shall only be displayed during hours business is open



## Building Mounted Signs in Non-Residential Districts

Type of Sign	Permit	Maximum Area	Illumination	Sign Placement	Maximum Number	Additional Requirements
1. Hanging, Wall, Marquee <sup>(2)</sup>	Yes	1 square foot of area for each horizontal linear <del>foot</del> <b>frontage</b> of building wall upon which sign is to be located	Permitted, external or internal illumination with no flashing or animation  <b><u>Adjacent to Residential Uses: No illuminated wall signs on side or rear of building</u></b>	<b><u>The width of a wall &amp; hangings sign shall not exceed ninety percent (90%) of the width of the tenant space or length of the building frontage or tenant space. At least five percent (5%) at each end of the building frontage shall remain open and unoccupied by signage.</u></b>  <b><u>Wall, hanging &amp; marquee signs shall not</u></b> extend higher than the bottom of the sill of the second story window, or above the lowest point of the roof, or over 25 feet above grade (whichever is lowest) unless otherwise approved by the Design Review Board.	<b><u>None, except the total area of all wall, hanging, and marquee signs shall not exceed 1 square foot of signage for each linear foot of primary building frontage</u></b>	The entire sign should be affixed to one continuous, flat vertical, opaque surface or the sign may consist of individually mounted letters.  <b><u>See sub-section 5.7.06 B., Bonus Signs</u></b>  <b><u>Upper floor tenants may have wall/hanging signs.</u></b>  <b><u>For buildings with more than one occupant, the property owner shall designate which occupants may be identified on wall, hanging, and marquee signs.</u></b>

## Building Mounted Signs in Non-Residential Districts

<p><b>2. Projecting</b></p>	<p>Yes</p>	<p><del>42</del> <b>15</b> sq. ft. per sign face</p>	<p>Permitted, external or <b>internal</b> illumination with no flashing or animation</p>	<p>7 ft. of clearance above sidewalk</p> <p>Shall not project more than 6 feet from the building nor be closer than 18 inches <b><u>from the back of curb.</u></b></p> <p>The top of the sign <del>may</del> <b>shall</b> not extend not <b><u>extend above the parapet line or roof of a building higher than the lowest of:</u></b> The bottom of the sills of the second story window <del>The lowest point of the roof, 20 feet above grade</del></p>	<p><b><u>1 per tenant with minimum of 6 feet of separation between projecting signs</u></b></p>	<p>Maximum 2 sides</p> <p>No exposed guy wires or turnbuckles allowed</p>
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## Building Mounted Signs in Non-Residential Districts



<p><b>2. Projecting</b></p>	<p>Yes</p>	<p><del>42</del> <b>15</b> sq. ft. per sign face</p>	<p>Permitted, external or <b>internal</b> illumination with no flashing or animation</p>	<p>7 ft. of clearance above sidewalk</p> <p>Shall not project more than 6 feet from the building nor be closer than 18 inches <b>from the back of curb.</b></p> <p>The top of the sign <del>may</del> <b>shall</b> not extend not <b>extend above the parapet line or roof of a building higher than the lowest of:</b> The bottom of the sills of</p>	<p><b>1 per tenant with minimum of 6 feet of separation between projecting signs</b></p>	<p>Maximum 2 sides</p> <p>No exposed guy wires or turnbuckles allowed</p>
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## Building Mounted Signs in Non-Residential Districts

Should awning signage be permitted above windows on upper floors?





## Building Mounted Signs in Non-Residential Districts



Should wall signs be permitted above the first-floor sign band?

## Murals

- Should murals be permitted in non-residential districts outside of the CBD?
- Should the size of murals be limited?
- Should smaller murals not visible from public streets be permitted without approval of the Design Review Board? (These would be murals only visible from walking paths, etc.) Should murals be prohibited on front facades?



## Temporary Signs – Residential Districts

Schedule 5.7.07 E. 1 Temporary Signs for Single-family Detached Dwellings, Two-family dwellings, and Attached Single-family Dwellings	
	Requirement
a. Total of All Temporary Signs at any One Time	<u>Maximum of 16 sq. ft. per lot or parcel</u>
b. Number of Signs	<u>Unlimited except that the total area shall not exceed 16 sq. ft.</u>
c. Maximum Height of Freestanding Temporary Signs	<u>4 feet</u>

## Temporary Signs – Residential Districts

Schedule 5.7.07 E. 2 Temporary Signs for Non-residential Uses	
	Requirement
a. Total of All Temporary Signs at any One Time	<u>Maximum of 20 sq. ft.</u>
b. Number of Signs	<u>Unlimited except that the total area shall not exceed 20 sq. ft.</u>
c. Maximum Height of Freestanding Temporary Signs	<u>6 feet</u>



## Signs –Administrative Provisions

Should the Planning Commission be authorized to grant waivers to the Sign Regulations?

## SECTION 5.1

### Temporary and Accessory Use/Structure Regulations

- 5.1.01 Applicability.
- 5.1.02 Accessory Uses.
- 5.1.03 Temporary Uses.
- 5.1.04 Accessory Structures.

## SECTION 5.1

### Temporary and Accessory Use/Structure Regulations

### Home Occupations

- No persons other than the individual, or individuals, residing on the premises shall be engaged in such operation as herein defined.
- A home occupation shall be clearly incidental and subordinate to the use of a dwelling unit for residential purposes. No more than twenty-five percent (25%) of the total floor area ~~nor~~ or more than five hundred (500) square feet, whichever is ~~less~~ greater, of the dwelling unit may be used in connection with a home occupation.
- There shall be no change in the outside appearance of the building or premises
- A home occupation shall be operated wholly within the principal building. No outside storage or use of accessory structures.
- There shall be no goods or products sold upon the premises in connection with such home occupation.
- No traffic shall be generated by such home occupation in greater volumes than would normally be generated in a residential neighborhood.
- Delivery from a commercial supplier in a vehicle larger than a step van shall be limited to one delivery and one pickup each week and the delivery or pickup shall not restrict traffic flow.

## SECTION 5.1

### Temporary and Accessory Use/Structure Regulations

- Neither a home occupation nor any equipment used in conjunction with a home occupation shall produce heat, sound, vibration, light, glare, dust, odor, smoke, or fumes detectable to normal sensory perception by a person located off premises
- A home occupation shall not cause an increase in the use of any one or more utilities (water, sewer, electricity, waste collection, etc.)

Should these home occupation standards be updated?



## SECTION 5.1

### Temporary and Accessory Use/Structure Regulations Setback for HVAC Equipment

- Air Conditioning and Outside Mechanical Equipment. All air conditioning condenser units, heat pumps, or other mechanical devices placed outside of a building shall comply with minimum ~~yard~~ **setback** requirements for the zoning district in which they are located, except that they may be located within ~~five (5)~~ **three (3)** feet of a side property line if they are sound shielded and screened with fencing and/or shrubs equal in height to the height of the appliance

Should the setback be reduced to 3 feet?

## SECTION 5.1

### Temporary and Accessory Use/Structure Regulations Solar Energy Systems

- Integrated & Rooftop Solar Energy Systems (SES) - Permitted accessory structure under certain conditions
- **Integrated Solar Energy System** means an SES where the solar materials are incorporated into the building materials, such that the building and solar system are reasonably indistinguishable
- **Rooftop Solar Energy System** means an SES that is structurally mounted to the roof of a house, building, or other structure and does not qualify as an Integrated SES.

## **Solar Energy System (SES), Integrated & Rooftop**

- **Height Restrictions.**

- A rooftop SES may exceed the maximum permitted height for the structure type by no more than five (5) feet.
- A rooftop SES can't extend above or beyond the edge of any ridge, hip, valley, or eave, provided that where it is mounted on a sloped roof, the SES shall not vertically exceed the highest point of the roof to which it is attached by more than five (5) feet
- On the front of structure, panels shall be mounted at the same angle as the roof's surface with no more than 18 inches between the roof and the upper side of the SES.

## SECTION 5.1

### Temporary and Accessory Use/Structure Regulations Solar Energy Systems

- **Lighting** - Integrated and Rooftop SESs shall not be illuminated and shall be designed and installed to prevent off-site glare.
- Integrated SESs shall comply with all setback requirements for the structure type.
- **Glare** - SESs shall be placed and arranged such that reflected solar radiation or glare shall not be directed onto adjacent buildings, properties, or streets.

Are these appropriate standards for Integrated and Rooftop Solar Energy Systems, particularly the height exception?

# Zoning Ordinance Update

CITY OF FORT THOMAS

CT CONSULTANTS



Alisa Duffey Rogers  
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# Zoning Ordinance Update

CITY OF FORT THOMAS

CT CONSULTANTS

## July 19, 2023



## Meeting Agenda

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**Zoning Ordinance Update Process**

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**Central Business District & Traditional Business District**

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**General Regulations**

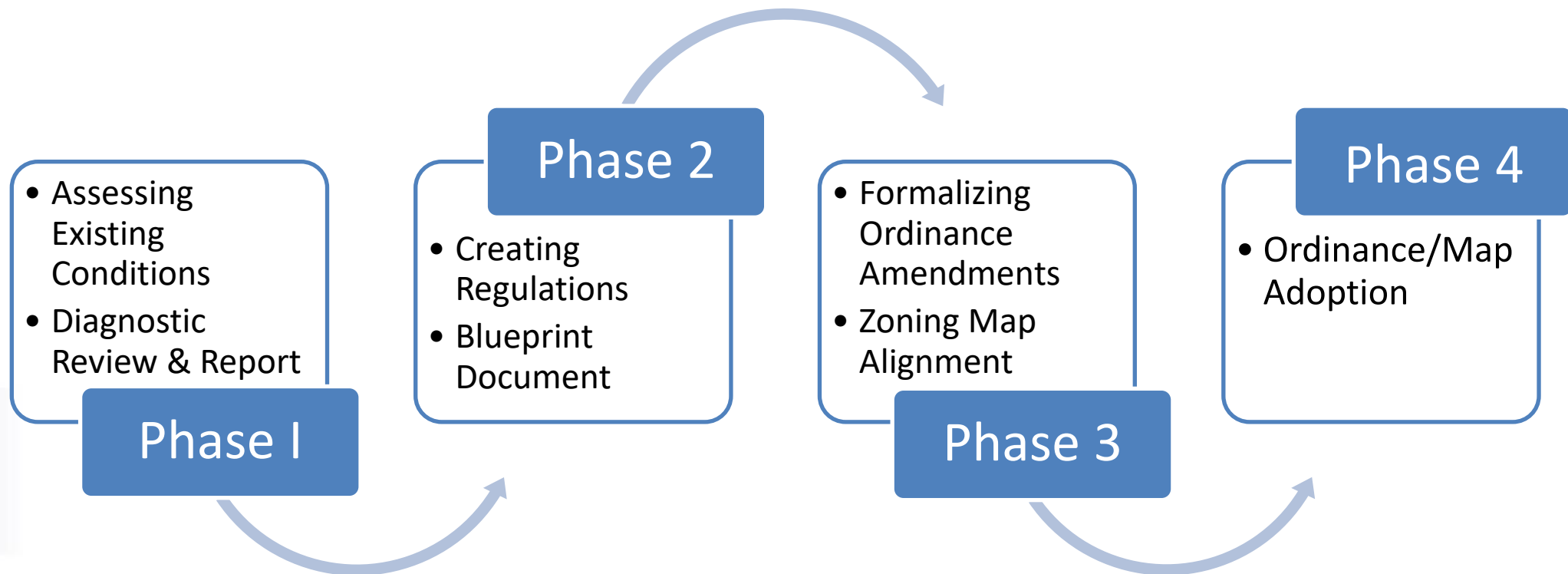
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**Temporary & Accessory Use/Structure Regulations**

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**Next Steps**

## Zoning Ordinance Update Process





Community  
Engagement



## Central Business District Traditional Business District





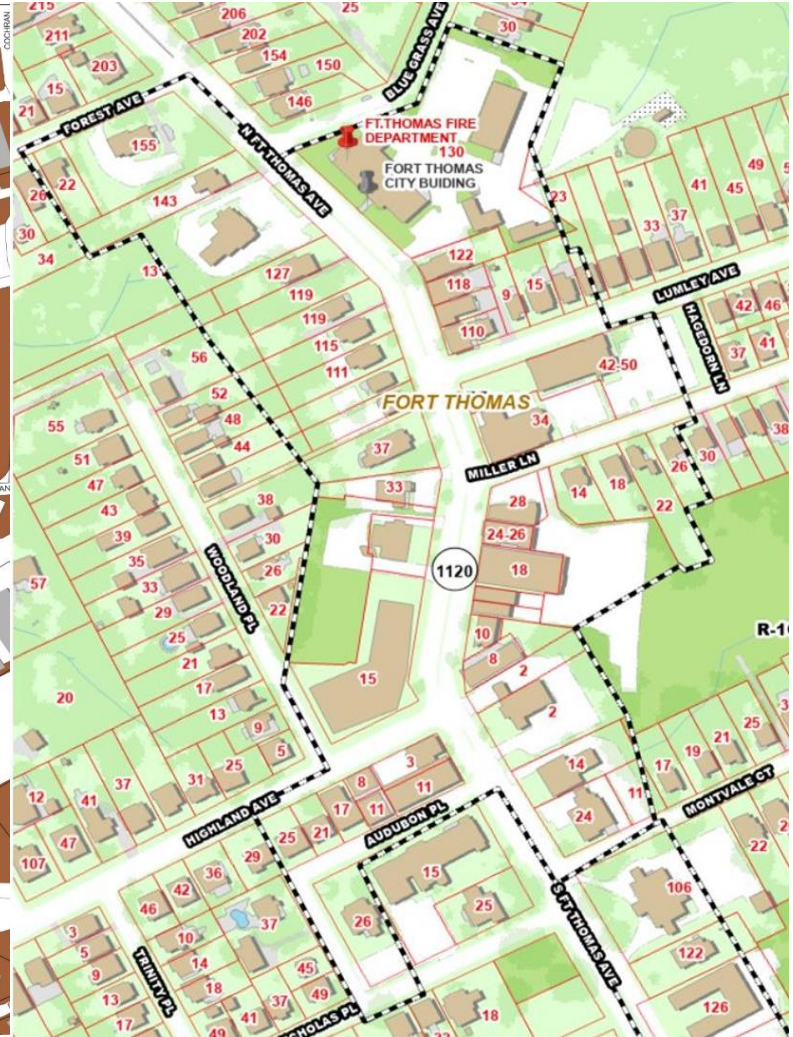
# CBD Today

## Midway



- Legend**
- CBD Central Business District
  - R-1C Single Family Residential
  - R-3 Multi-Family Residential
  - R-1A Single Family Residential
  - R-5 Multi-Family Residential

## Downtown



# Zoning Ordinance Update

## DISTRICT & INTENT

### Central Business District TOWN CENTER (CBD-TC)

To be a compact, thriving, and family friendly city center with 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 in some locations and as compatible free-standing buildings that contribute to a compact, walkable, and bikeable district.

## SUB-ZONING DISTRICT NAME & INTENT

### Town Center Core (CBD-TCC)

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



### Town Center Supporting (CBD-TCS)

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



### Town Center Residential (CBD-TCR)

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



# Zoning Ordinance

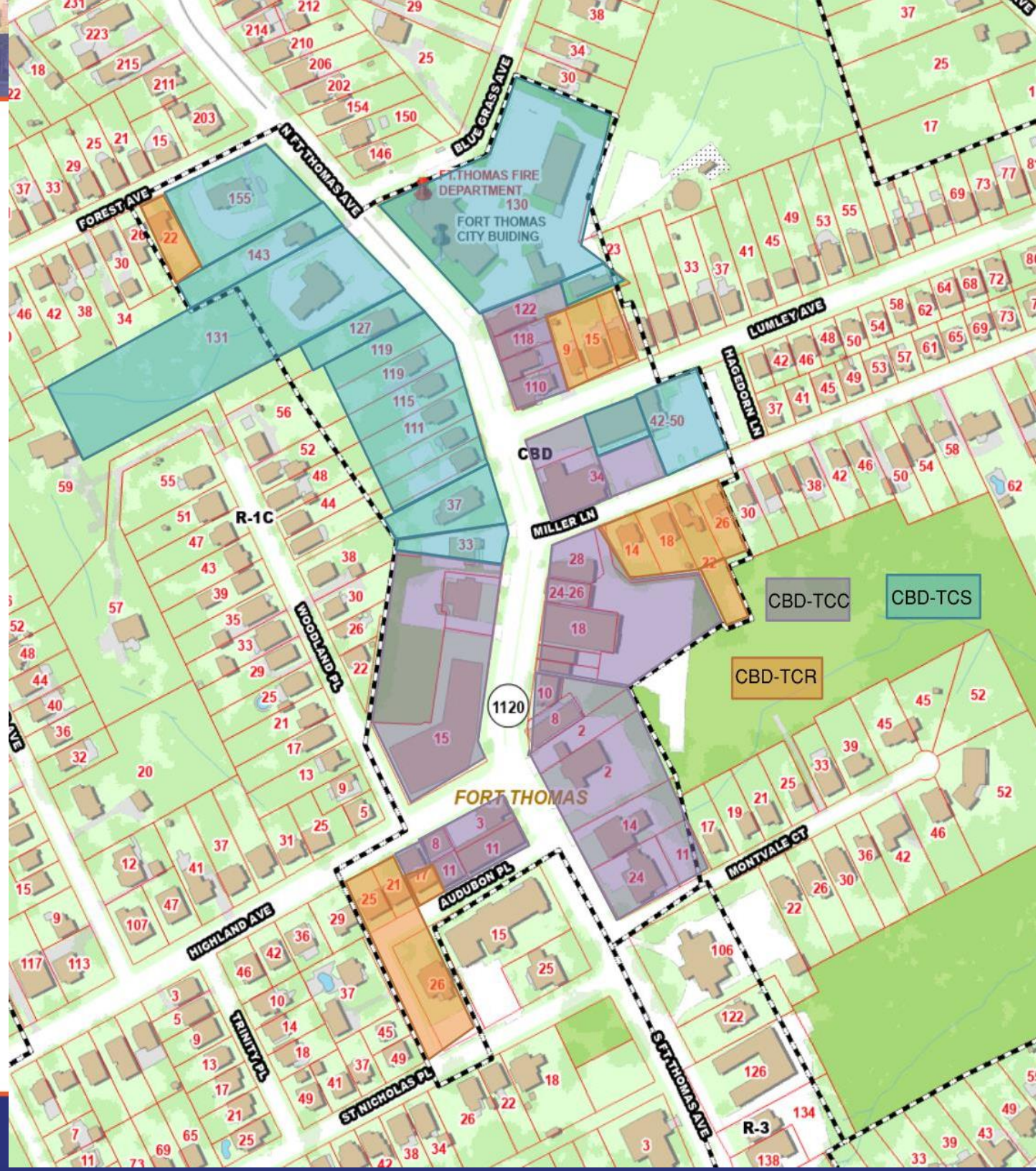
CITY OF FORT THOMAS

## Central Business District – Town Center (Downtown)

**CBD-TCC=Core**

**CBD-TCS=Supporting**

**CBD-TCR=Residential**



# Zoning Ordinance Update

CITY OF FORT THOMAS

Central  
Business  
District –  
Town Center

Required  
Non-  
Residential  
Frontage



### Midway Core-1 (CBD-MC1)

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 predominantly two-story buildings located close to the sidewalks.



### Central Business District MIDWAY BUSINESS DISTRICT (CBD-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 enriching the critical mass of retail/mixed uses and housing.

### Midway Core-3 (CBD-MC2)

The intent of this sub-zone is to be compatible with and supporting the Core by allowing relatively dense, pedestrian-friendly, mixed-use development that prioritizes streetscapes, inviting facades located close to the sidewalk while allowing more flexibility with single-use buildings.



### Midway Core-3 (CBD-MC3)

The intent of this sub-zone is to expand the Midway to include the sites currently housing the VA Hospital and the Cincinnati Bell to encourage housing, civic, and mixed uses that are integral to the vitality of the Midway area. This expansion of the CBD will support additional sites for parking in the Midway and will also enable the conversion of the VA Hospital into housing with some commercial uses or to facilitate other mixed-use development, if conversion proves unworkable.



## Midway Residential-1 (CBD- MR1)

The intent of this sub-zone is to sustain existing residential structures by permitting residential uses while also providing the flexibility to use these residential structures for non-residential uses thereby adding to the diversity of uses in Midway.



## Midway Residential-2 (CBD-MR2)

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





# Zoning Ordinance Update

CITY OF FORT THOMAS

## Central Business District – Midway

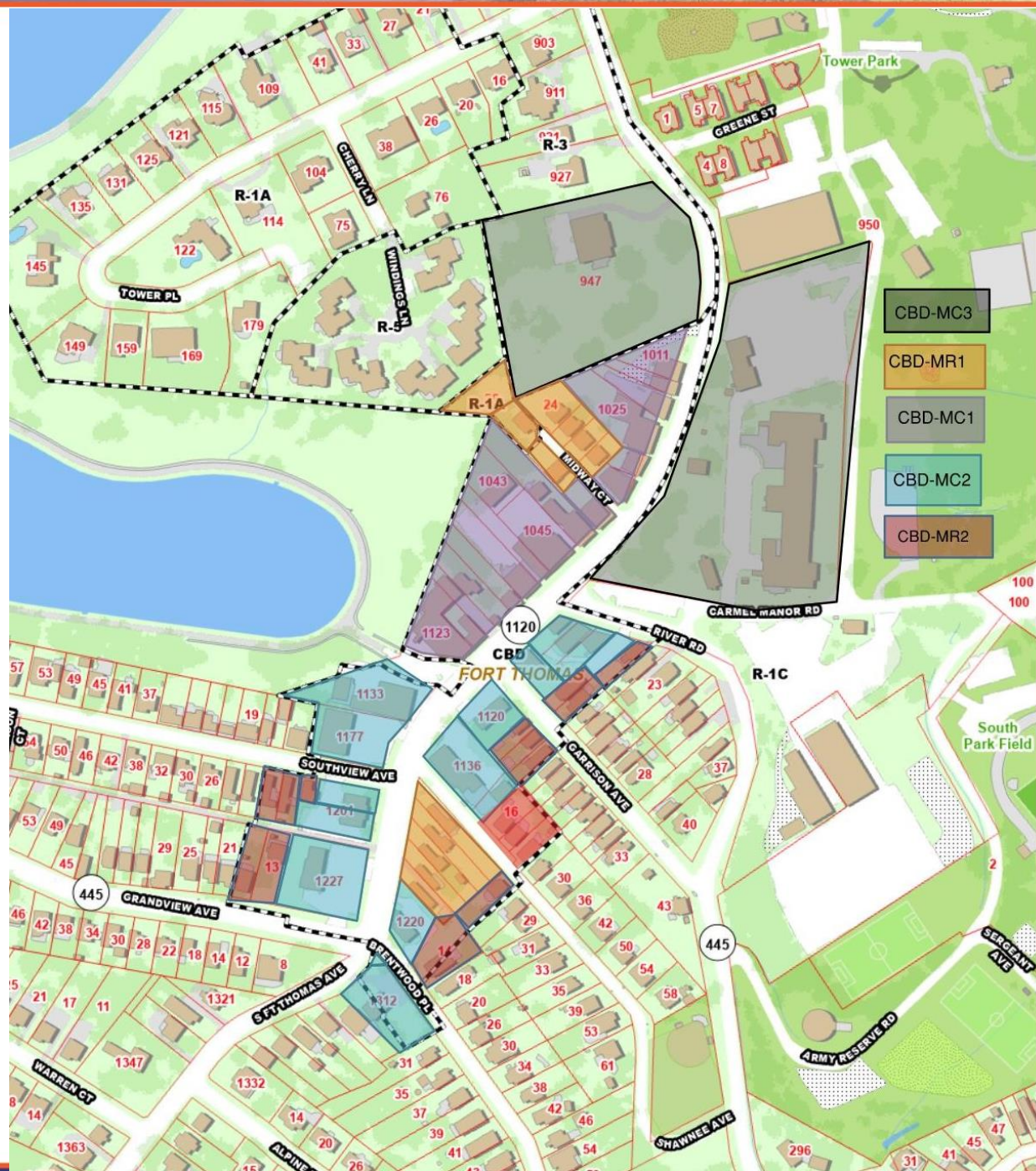
**CBD-MC1=Core 1**

**CBD-MC2=Core 2**

**CBD-MC3=Core 3**

**CBD-MR1=Residential 1**

**CBD-MR2=Residential 2**



# Zoning Ordinance Update

CITY OF FORT THOMAS

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Central  
Business  
District –  
Midway

Required  
Non-  
Residential  
Frontage



## Traditional Business District (TBD)

### Traditional Business District (TBD)

#### INVERNESS BUSINESS DISTRICT

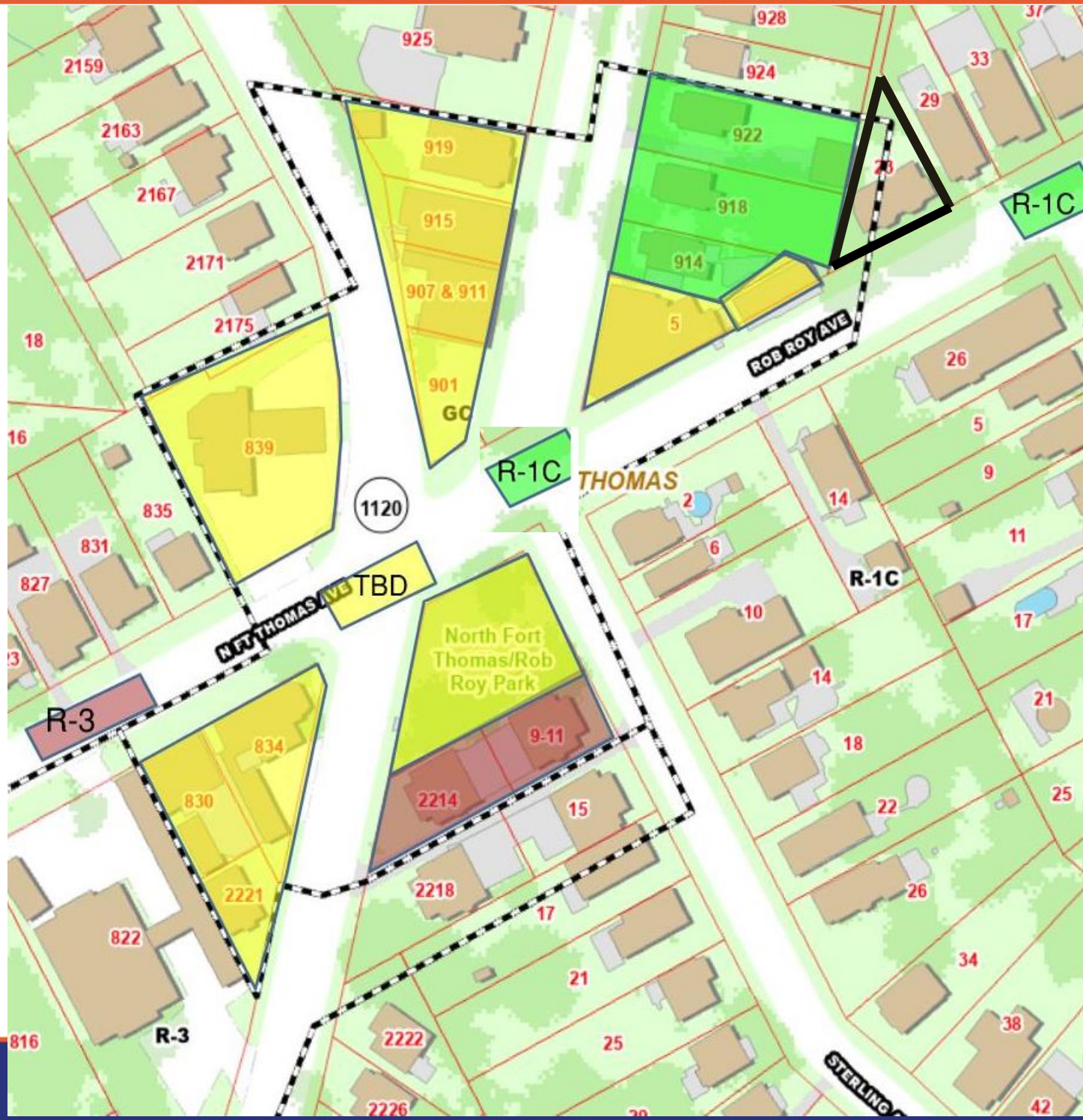
To foster investment, infill development, and redevelopment that enhances this pedestrian-friendly, vibrant, and resilient mixed-use business district, with its unique sense of place, that is oriented primarily to the needs of residents, and which includes a central gathering place.



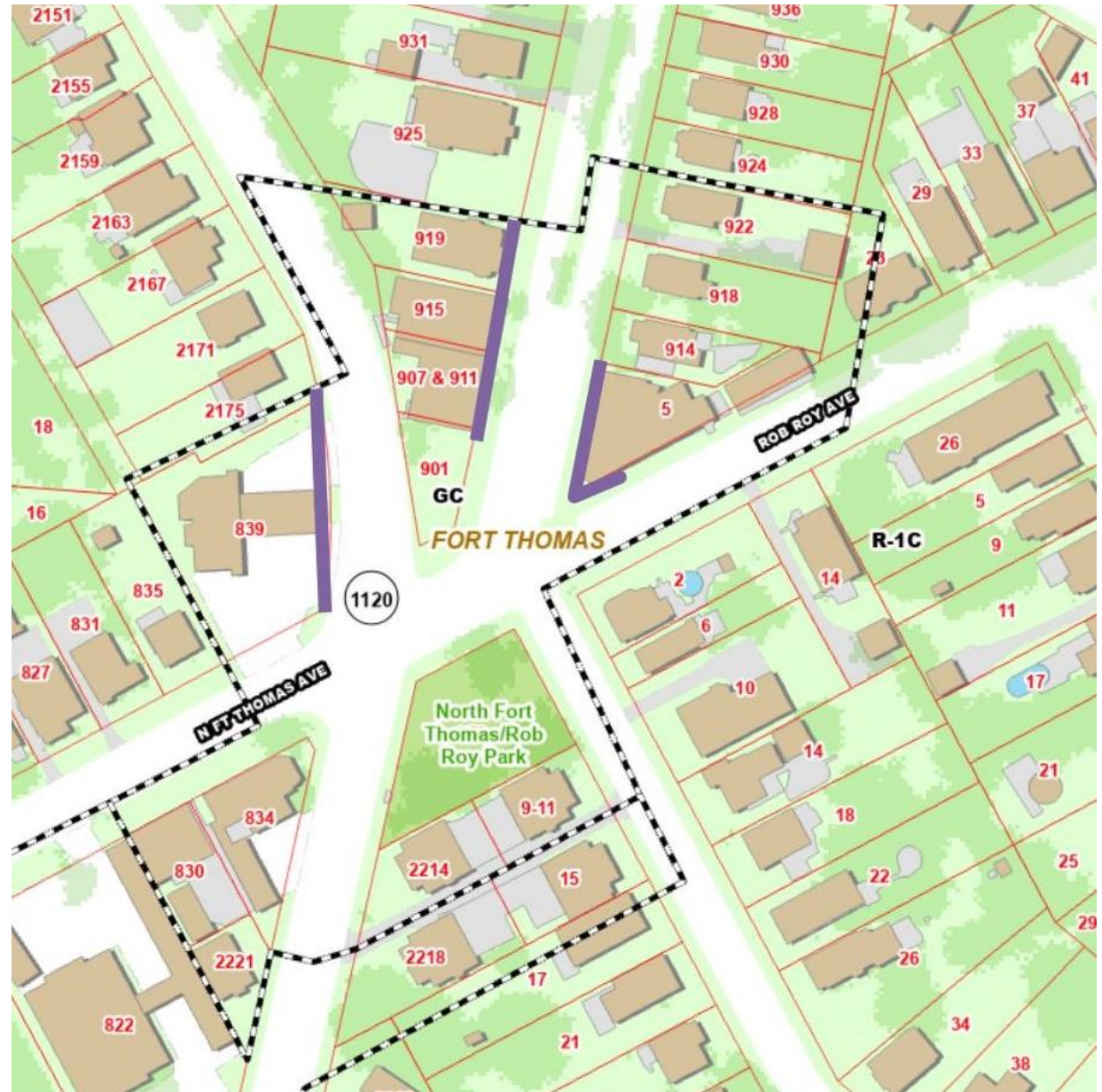
# Zoning Ordinance Update

CITY OF FORT THOMAS

## Traditional Business District (TBD)



Traditional  
Business  
District –  
Required  
Non-  
Residential  
Frontage



## Traditional Business District – Inverness

## Residential Uses

### 1. Residential

a. Single-family dwelling, detached

b. Two-family dwelling

c. Multi-family dwellings

d. Dwelling unit(s) above ground  
floor non-residential uses

e. Dwelling unit(s) behind ground  
floor non-residential uses

f. Residential care facility for  
persons with disabilities

R

P

P

## Traditional Business District – Inverness

## Community Facilities

### 2. Community Facilities/Institutions

a. Community center	P
b. Congregate care facility	R
c. Cultural institution	P
d. Day care center, child or adult	P
e. Institutions for human medical care	
f. Membership club	R
g. Places of worship	
h. Post office	
i. Public facility	P
j. Public park/playground	P
k. School (public/private) elementary/secondary	R
l. School (public/private), college/university	R

## Traditional Business District – Inverness

## Entertainment & Office Professional Service

<b>3. Entertainment/Recreation</b>	
a. Health club	P
b. Live music venue	R
c. School, specialty/personal instruction	P
<b>4. Office/Professional Services</b>	
a. Banking, financial intuition	P
b. Offices – administrative/professional	P
c. Offices – Medical/dental	P
d. Shop house	



## Traditional Business District – Inverness

## Retail/ Personal Services

5. Retail/Personal Services	
a. Artisan or craft workshops	R
b. Artisan production	R
c. Artist studio	P
d. Brewpub	R
e. Drinking establishment	P
f. Experiential retail establishment	P
g. Hotel	P
h. Micro- Brewery/Distillery/Winery	
i. Personal service establishment (includes beauty & barber shops; seamstress/tailor)	P
j. Restaurants	P
k. Retail establishments	P
l. Shop house	

Traditional  
Business  
District –  
Inverness

Other

7. Other	
a. Funeral homes	
b. Habitable roof – non-residential use	C
c. Habitable roof – residential use	P
d. Parking structure	
e. Telecommunication facility	

Are habitable roofs appropriate in Inverness?

# Zoning Ordinance Update

CITY OF FORT THOMAS

## Traditional Business District – Inverness Permitted Uses



## Central Business District – Town Center Residential

	TOWN CENTER		
	CBD-TCC	CBD-TCS	CBD-TCR
<b>1. Residential</b>			
a. Single-family dwelling, detached		R	P
b. Two-family dwelling			R
c. Multi-family dwellings	R	R	
d. Dwelling unit(s) above ground floor non-residential uses	P	P	
e. Dwelling unit(s) behind ground floor non-residential uses	P	P	
f. Residential care facility for persons with disabilities		P	P

## Central Business District – Town Center Community Facilities/Institutions

2. Community Facilities/Institutions	CBD-TCC	CBD-TCS	CBD-TCR
a. Community center	P	P	
b. Congregate care facility		P	
c. Cultural institution	P	P	
d. Day care center, child or adult		P	
e. Institutions for human medical care			
f. Membership club		P	
g. Places of worship			
h. Post office	P	P	
i. Public facility	P	P	P
j. Public park/playground	P	P	P
k. School (public/private) elementary/secondary			
l. School (public/private), college/university			

## Central Business District – Town Center Entertainment & Office/Professional Services

	CBD-TCC	CBD-TCS	CBD-TCR
<b>3. Entertainment/Recreation</b>			
a. Health club	P	P	
b. Live music venue	R		
c. School, specialty/personal instruction	P	P	
<b>4. Office/Professional Services</b>			
a. Banking, financial intuition	P	P	
b. Offices – administrative/professional	P	P	
c. Offices – Medical/dental	P	P	
d. Shop house		P	R

## Central Business District – Town Center Retail/Personal Services

	CBD-TCC	CBD-TCS	CBD-TCR
<b>5. Retail/Personal Services</b>			
a. Artisan or craft workshops	P	P	
b. Artisan production	P	R	
c. Artist studio	P	P	R
d. Brewpub	P		
e. Drinking establishment	P		
f. Experiential retail establishment	P	P	
g. Hotel	P	P	
h. Micro-Brewery/Distillery/Winery	R		
i. Personal service establishment (includes beauty & barber shops; seamstress/tailor)	P	P	
j. Restaurants	P	P	
k. Retail establishments	P	P	
l. Shop house		P	R

## Central Business District – Town Center Vehicle & Other

	CBD-TCC	CBD-TCS	CBD-TCR
<b>6. Vehicles and Equipment</b>			
a. Drive-thru facilities associated with a principal permitted use	C	C	
<b>7. Other</b>			
a. Funeral homes		C	
b. Habitable roof – non-residential use	R	R	
c. Habitable roof – residential use	P	P	P
d. Parking structure	C		
e. Telecommunication facility			

Should drive-thru uses be conditional uses or become non-conforming in the CBD-TCC? Are habitable roofs appropriate in Town Center?



## Central Business District – Town Center Permitted Uses in CBD-TCR

	CBD-TCC	CBD-TCS	CBD-TCR
Single-family dwelling, detached		R	P
Two-family dwelling			R
Multi-family dwellings	R	R	
Dwelling unit(s) above ground floor non-residential uses	P	P	
Dwelling unit(s) behind ground floor non-residential uses	P	P	
Residential care facility for persons with disabilities		P	P
Shop house		P	R
Artist studio	P	P	R

Are the uses appropriate for the CBD-TCR?

# Zoning Ordinance Update

CITY OF FORT THOMAS

## Central Business District – Town Center Permitted Uses



## Central Business District – Midway Residential

	MIDWAY				
	CBD-MC1	CBD-MC2	CBD-MC3	CBD-MR1	CBD-MR2
<b>1. Residential</b>					
a. Single-family dwelling, detached				P	P
b. Two-family dwelling				R	R
c. Multi-family dwellings		P	P		
d. Dwelling unit(s) above ground floor non-residential uses	P	P	P		
e. Dwelling unit(s) behind ground floor non-residential uses	P	P			
f. Residential care facility for persons with disabilities				P	

## Central Business District – Midway Community Facilities/ Institutions

	CBD-MC1	CBD-MC2	CBD-MC3	CBD-MR1	CBD-MR2
<b>2. Community Facilities/Institutions</b>					
a. Community center	P	P	P		
b. Congregate care facility		p	P		
c. Cultural institution	P	P	P		
d. Day care center, child or adult		p	P		
e. Institutions for human medical care			P		
f. Membership club		P			
g. Places of worship			P		
h. Post office					
i. Public facility	P	P	P	P	P
j. Public park/playground	P	P	P	P	
k. School (public/private) elementary/secondary			P		
l. School (public/private), college/university			P		

## Central Business District – Midway

## Entertainment & Office/ Professional Services

	CBD-MC1	CBD-MC2	CBD-MC3	CBD-MR1	CBD-MR2
<b>3. Entertainment/Recreation</b>					
a. Health club	P	P	P		
b. Live music venue	P	P	P		
c. School, specialty/personal instruction	P	P	P		
<b>4. Office/Professional Services</b>					
a. Banking, financial intuition	P	P	P		
b. Offices – administrative/professional	P	P	P		
c. Offices – Medical/dental	P	P	P		
d. Shop house				P	R



## Central Business District – Midway Retail/Personal Services

### 5. Retail/Personal Services

	CBD-MC1	CBD-MC2	CBD-MC3	CBD-MR1	CBD-MR2
a. Artisan or craft workshops	P	P	P		
b. Artisan production	P	P	P		
c. Artist studio	P	P	P		
d. Brewpub	P	P	P		
e. Drinking establishment	P	P	P		
f. Experiential retail establishment	P	P	P		
g. Hotel	P	P	P		
h. Micro-Brewery/Distillery/Winery	P	P	P		
i. Personal service establishment (includes beauty & barber shops; seamstress/tailor)	P	P	P		
j. Restaurants	P	P	P		
k. Retail establishments	P	P	P		
l. Shop house				P	R

## Central Business District – Midway Vehicle & Other

	CBD-MC1	CBD-MC2	CBD-MC3	CBD-MR1	CBD-MR2
<b>6. Vehicles and Equipment</b>					
a. Drive-thru facilities associated with a principal permitted use					
<b>7. Other</b>					
a. Funeral homes					
b. Habitable roof – non-residential use	R	R	R		
c. Habitable roof – residential use	P	P	P	P	P
d. Parking structure		C	C		
e. Telecommunication facility					

Are habitable roofs appropriate in Midway?

## Central Business District – Midway Permitted Uses in CBD-MR1 & 2

	MIDWAY				
	CBD-MC1	CBD-MC2	CBD-MC3	CBD-MR1	CBD-MR2
Single-family dwelling, detached				P	P
Two-family dwelling				R	R
Multi-family dwellings		P	P		
Dwelling unit(s) above ground floor non-residential uses	P	P	P		
Dwelling unit(s) behind ground floor non-residential uses	P	P			
Residential care facility for persons with disabilities				P	
Shop house				P	R

Are the uses appropriate for the CBD-MR1 & 2?



# Zoning Ordinance Update

CITY OF FORT THOMAS

## Central Business District – Midway Permitted Uses



# Zoning Ordinance Update

CITY OF FORT THOMAS

Central  
Business  
District &  
Traditional  
Business  
District –

Community  
Comments



# Zoning Ordinance Update

CITY OF FORT THOMAS

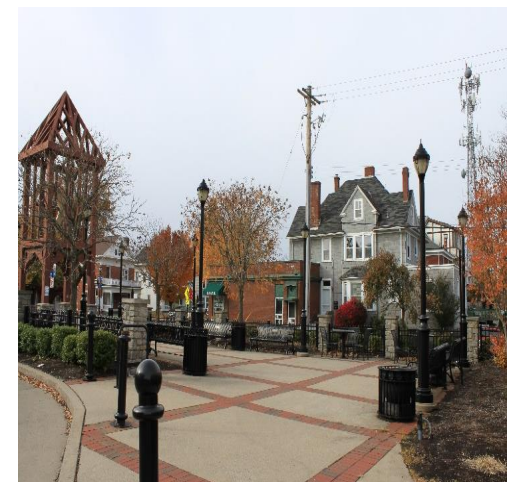
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	TBD/CBD-TCC CBD-MC1/CBD-MC2	CBD-TCS	CBD-MC3 <sup>(c)</sup>
<b>Height.</b>			
a. Principal building Height (feet) <sup>(e)</sup>	Minimum – 24 Maximum – <del>40-50</del> <sup>(g)</sup>	Minimum – None Maximum – <del>35</del> <sup>(g)</sup>	Minimum - 24 Maximum - 50
b. Minimum ground floor height <sup>(a)</sup> (Measured floor to floor) (feet)	10	NA	
c. Maximum ground floor height <sup>(a)</sup> (Measured floor to floor) (feet)	18	NA	
d. Minimum upper floor ceiling height (feet) <sup>(a)</sup>		9	
e. Maximum height of accessory buildings/structures (feet) <sup>(a)</sup>		15	



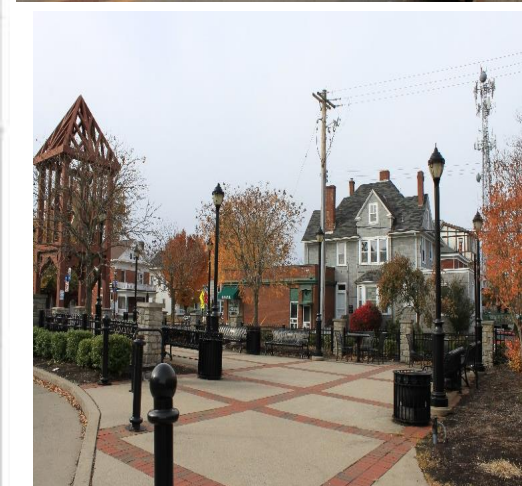
# Zoning Ordinance Update

	TBD/CBD-TCC CBD-MC1/CBD-MC2	CBD-TCS	CBD-MC3 <sup>(c)</sup>
Setback from back of sidewalk along Fort Thomas Avenue (feet)	Minimum - 0	Minimum - 25	Minimum - 0
	Maximum - 10	Maximum - 35	Maximum - 10
Fronting street setback (feet) <sup>(d)</sup>	Minimum - 0	NA	Minimum - 0
	Maximum - 20		Maximum - 50
Secondary street (Street other than Fronting or Ft. Thomas Ave.) setback (feet)	Minimum - 5		
	Maximum - 20		
Minimum side setback (feet)	Abutting lot in Non-Residential & R-3 Districts - 0	One side - 3	Abutting lot in Non-Residential & R-3 Districts - 0
	Abutting lot in R-1 District - 15	Total of both sides - 14	Abutting lot in R-1 District - 15
Minimum distance between principal buildings (feet)	NA	15	NA
Minimum rear setback (feet) -	Abutting lot in Non-Residential, R-3, & R-5 Districts - 0	25	Abutting lot in Non-Residential, R-3, & R-5 Districts - 0
	Abutting lot in R-1 District - 25		Abutting lot in R-1 District - 25
Maximum building width (feet)	185	75	None



# Zoning Ordinance Update

	TBD/CBD-TCC CBD-MC1/CBD-MC2	CBD-TCS	CBD-MC3 <sup>(c)</sup>
<b>Street Façade Requirements<sup>(i)</sup></b>			
a. Minimum transparency on ground story of building façade facing a street	75%	15%	30%
b. Minimum transparency per each story	15%	12%	
c. Blank wall limitations	Required per floor on all stories of street facing facades – See sub-section 3.7.03 D 2.	30 feet maximum	Required per floor on all stories of street facing facades – See sub-section 3.7.03 D 2.
d. Required principal entrance location	Front, street facing façade adjacent to sidewalk	Front, street facing facade	Front, street facing façade adjacent to sidewalk
e. Ground story entrance spacing	1 per each 70 feet of street facing facade	NA	1 per each 100 feet of street facing facade
f. Ground story vertical facade divisions	Minimum of every 30 feet of facade width	NA	1 per each 100 feet of front facade
a. Horizontal façade divisions	Required within 3 feet of the top of the ground story	NA	Required within 3 feet of the top of the ground story



# Zoning Ordinance Update

CITY OF FORT THOMAS

## Central Business District & Traditional Business District – Development Standards



# Zoning Ordinance Update

	CBD-TCR	CBD-MR1	CBD-MR2
<b>1. Lot Configuration.</b>			
a. Minimum lot area (sq. ft.)	5,000	4,000	3,000
b. Minimum lot width (feet)	40	35	30
<b>7. Minimum principal building setback (feet).</b>			
a. Minimum front	The minimum front setback shall be the average setback of adjacent principal buildings. Such minimum front setback shall be the average distance, or within three (3) feet of such average, of the front setbacks of the four lots, two on either side, of the lot in question.		
b. Minimum for one side	5	3	3
c. Combined minimum side setback for both sides	14	9	9
d. Minimum rear	25	25	25
<b>8. Other Development Standards.</b>			
a. Accessory building/structures location	Rear yard; prohibited in front and corner side yards in conformance with Section 5.1, Temporary & Accessory Use/Structure Regulations		
b. Minimum gross floor area per dwelling unit (square feet)	800		
<b>9. Height.</b>			
a. Maximum height of principal building	35 feet or 2.5 stories		
b. Maximum height of accessory buildings/structures (feet)	15		

## Notes to Schedule 3.7.02 C.:

- (a) Variances from the Development Standards in Schedule 3.7.03 C will be considered by the Board of Adjustment pursuant to Section 1.7.



# Central Business District & Traditional Business District

Required Design Standards for TBD, CBD-TCC, CBD-MC1 & 2 Sub-districts





# Zoning Ordinance Update

CITY OF FORT THOMAS



## Corner Treatment - Buildings located on corner lots shall:

- a. Occupy the corner as required by Schedule 3.7.03 B. and provide a minimum secondary lot line coverage of 60%
- b. Accentuate the corner's unique location with architectural features that actively engage the public realm and create a visual presence at the corner, such as, but not limited to the following:
  - i. Chamfered or rounded building corner or other architectural features to change the wall plane at the corner;
  - ii. Projecting and recessed balconies & entrances; and,
  - iii. Accentuating corner features including embellished doorways, recessed corner entries, volumetric building features (e.g. corner towers), and increased corner building height.



## Mass and Scale

- a. Buildings with approximately 150 feet or more of street frontage shall incorporate coordinated building massing techniques so that the building width is divided vertically and designed as two (2) or more separate and distinct facades of differing architectural treatment so that the building appears to be multiple buildings. Appropriate techniques are:
  - i. A facade plane change with a minimum depth or projection of 3 feet that extends the full height of the building or the lower story, if the building has upper floors;
  - ii. A building material or color change that extends the full height of the building or the lower story when the building has upper floor(s);
  - iii. A change in cornice, roof eave, or parapet;
  - iv. A change in wall material for each storefront or 30-foot Ground Story Vertical Façade Division mandated in Schedule 3.7.03 B; and,
  - v. Other techniques that achieve the overall intent of this Design Standard.
- b. All buildings over one (1) story shall evidence a design that illustrates a bottom, middle, and top of the building. Elements that demonstrate such building sections include, but are not limited to, cornices, changes in material, or other architectural expressions such as belt courses and fenestration.
- c. Horizontal ground floor facade elements shall, to the extent possible, align with horizontal ground floor facade elements of surrounding buildings in order to create continuity at the pedestrian level.
- d. The use of vertical cornice line elements is encouraged to create visual interest and articulate the building facade at the roof line.



## Façade Articulation/Design

- Scaling elements, architectural details, and other forms of facade articulation shall be integrated into building massing so they convey a sense of depth and texture rather than a thinly applied surface treatment.
- Façade articulation techniques used on the street level facade should coordinate with upper floor design elements to result in a cohesive building design.
- Articulate buildings with dimensions & elements that promote a sense of human scale.





## Materiality & Colors

- a. Street level facades shall be constructed of material that is durable and appropriate to pedestrian contact. Durable materials include masonry and other materials that require minimal or no maintenance. (Applicants may be required to prove the durability of unproven or unusual materials.)
- b. The following exterior building materials are prohibited. The use of any materials not specifically prohibited in this sub-section are subject to the review by the Design Review Board.
  - i. Plain concrete masonry units (CMU);
  - ii. Vinyl siding, aluminum, or wood-slat siding.
  - iii. Exterior Insulation Finish System, EIFS or "Dryvit" (non-masonry stucco products a.k.a. Artificial Stucco, Synthetic Stucco, Vinyl Stucco, and Latex Stucco).
  - iv. T-111 Composite plywood siding.
  - v. Utility-sized, king-size, or jumbo brick.
  - vi. Fiberglass or plastic.
  - vii. Exposed aggregate (rough finish) concrete wall panels.

Any expansions of structures existing as of the date of the adoption of this Ordinance may use the same building materials on the facade as the facade of the existing structure, even if such materials are not listed as permitted or are listed as prohibited in this sub-section. The use of such materials is subject to approval by the Design Review Board.

- c. Architectural cast-in-place concrete shall incorporate textural detailing, color, and finish elements to ensure a high-quality final surface.
- d. Exterior building materials & finishes shall be detailed to articulate texture and depth. Appropriate techniques include but are not limited to:
  - i. Adding visual interest through texture, depth, finish, and detailing; and,
  - ii. Applying materials in units, panels or modules that produce shadow lines to help convey a sense of scale.
- e. The color of materials should be kept to a minimum, preferably 3 or fewer excluding a neutral trim color.
- f. Wall materials appearing heavier in weight should be used below wall materials appearing lighter in weight. (For example, wood and metal above brick, and all three above stone)

## Windows & Transparency

- a. Display windows that do not provide views into the interior of the building may be counted towards satisfying up to 50 percent of the Minimum Transparency on Ground Story of Building Façade mandated in Schedule 3.7.03 B., provided that they are internally illuminated and are at least 3 feet in depth.
- b. The bottom of any window or product display window used to satisfy Minimum Transparency on Ground Story of Building Façade mandated in Schedule 3.7.03 B, shall not be more than 3 feet above the adjacent sidewalk.
- c. All glazing shall have a minimum of sixty percent (60%) light transmittance factor at street level.
- d. No portion of the building façade shall have highly reflective glass (maximum reflectance factor of 0.25) and there shall be no reflective coatings on the exterior of the glass.
- e. Required transparency on the street level façade shall not be blocked by furnishings, displays, graphics, or other obstructing elements.
- f. Illumination of windows, display windows and primary entrances shall not have any effects of movement, flashing, scintillation, rolling, dissolving, fading or similar effects.
- g. Required glazing shall not be aggregated into a single undivided area of glazing treatment. Individual glazing areas shall not span more than 15 linear feet.
- h. Display windows should be a minimum of 8 feet in height. Sills, bulkheads, or support walls at the bottom of display areas should be approximately 8-18 inches tall and generally no higher than 24 inches.



## Building Entries

- a. Entrances shall be easily differentiated from the adjacent facade.
- b. Entrances set back from the sidewalk by a plaza, entry court, or other outdoor spaces shall be visible and maintain direct, universal access from the sidewalk.
- c. Glass on entry doors shall be highly transparent using non-reflective and minimally tinted glass.
- d. Street Level building entries shall be emphasized. Appropriate techniques include, but are not limited to:
  - i. Recessed or projecting entries
  - ii. Recessed or projecting canopies or awnings
  - iii. Other design solutions that emphasize building entry prominence
- e. Entrances shall be recessed no more than 4 feet from the face of the storefront.
- f. Multi-family buildings shall provide entry from the public sidewalk to shared entry areas or lobbies.



## Awnings

- a. Awnings shall be an integral part of the architectural design of the buildings and facades to which they are attached while serving a purpose such as reducing solar gain, shadowing the pedestrian realm, emphasizing building entrances, creating a sense of human scale by helping to define the street level facade, and/or highlighting vertical/horizontal shifts in building massing.
- b. Stretched vinyl or materials similar in material, texture, or appearance are prohibited on awnings.
- c. Facades may be supplemented by awnings, which shall be straight sheds without side flaps, but shall not be cubed or curved.
- d. Only “goose-neck” or other similar forms of external lighting are permissible to illuminate awnings. Internally lit awnings are prohibited.
- e. Awnings shall not come within 2 feet from the back of the curb and shall not impede street tree growth.
- f. Awnings should be designed as individual components & not be continuous & uninterrupted along the street level façade.



CONSULTANTS



# Zoning Ordinance Update

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## Signs

- a. Box/Cabinet Signs are prohibited. (Face changes of existing box or cabinet signs are acceptable.)
- b. Power sources, raceways and conduit shall be concealed to minimize their visual impact.
- c. Sign character and sign materials that are expressive of the individual proprietor is encouraged.
- d. Signs located at building corners and corner entrances or in other highly visible locations should be creative & iconographic. Appropriate techniques include, but are not limited to:
  - i. Incorporating symbols or representations of products into sign design;
  - ii. Utilizing unique typography in sign design; and
  - iii. Integrating creative lighting into the sign design.





# Central Business District & Traditional Business District

Required Design  
Standards



# Central Business District & Traditional Business District

## Community Comments



# Zoning Ordinance Update

CITY OF FORT THOMAS

CT CONSULTANTS



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# Zoning Ordinance Update

CITY OF FORT THOMAS

CT CONSULTANTS

# DRAFT

# DRAFT

## August 16, 2023



## Meeting Agenda

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**Zoning Ordinance Update Process**

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**General Regulations**

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**Temporary & Accessory Use/Structure Regulations**

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**Environmental Regulations**

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**Landscaping, Screening & Lighting Regulations**

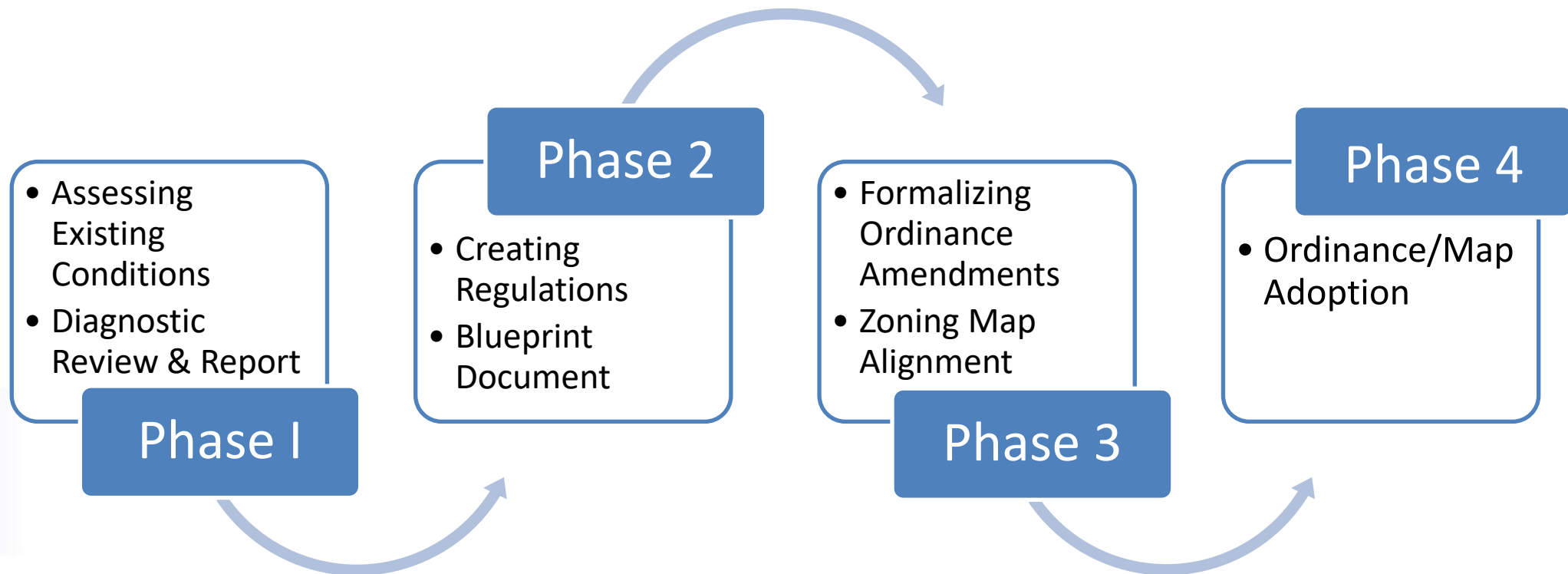
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**Off –Street Parking, Loading & Access Regulations**

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**Next Steps**

## Zoning Ordinance Update Process



Community  
Engagement



**COFFEE &  
CONVERSATION**  
**ZONING CODE UPDATE**  
**Q&A SESSION**  
Thursday, May 18  
10-11:45am & 6-8pm  
Fort Thomas Coffee Eagle Room



## SECTION 5.0 General Regulations

- 5.0.01 Purpose.
- 5.0.02 Reduction in Building Site Area.
- 5.0.03 Interference with Traffic Control Devices.
- 5.0.04 Vision Clearance at Intersections, Curb Cuts, Pedestrian & Railroad Crossings.
- 5.0.05 Corner Lots, Double Frontage Lots, Flag Lots.
- 5.0.06 Utilities Location.
- 5.0.07 Railroad Rights-of-Way.
- 5.0.08 Excavation, Filling or Grading Operations.
- 5.0.09 Unsightly or Unsanitary Storage.
- 5.0.10 Junkyard Location.
- 5.0.11 Application of Zoning Regulations.
- 5.0.12 Exceptions & Modifications.
- 5.0.13 Move and Set.
- 5.0.14 Phased Zoning Regulations.
- 5.0.15 Performance Standards.



## SECTION 5.0 General Regulations Performance Standards

Americans with Disabilities Act  
Lighting & Glare  
Heat  
Noise  
Vibration  
Smoke  
Odors  
Air Pollution

Fire Hazards  
Solid Waste  
Liquid Waste  
Noxious, Toxic or Corrosive Fumes  
Radioactive or Electrical Disturbances  
Infectious and Medical Waste  
Materials  
Underground Utilities

## SECTION 5.1

### Temporary and Accessory Use/Structure Regulations

- 5.1.01 Applicability.
- 5.1.02 Accessory Uses.
- 5.1.03 Temporary Uses.
- 5.1.04 Accessory Structures.

## SECTION 5.1 Temporary and Accessory Use/Structure Regulations Home Occupations

- No persons other than the individual, or individuals, residing on the premises shall be engaged in such operation as herein defined.
- A home occupation shall be clearly incidental and subordinate to the use of a dwelling unit for residential purposes. No more than twenty-five percent (25%) of the total floor area ~~nor~~ or more than five hundred (500) square feet, whichever is ~~less~~ greater, of the dwelling unit may be used in connection with a home occupation.
- There shall be no change in the outside appearance of the building or premises
- A home occupation shall be operated wholly within the principal building. No outside storage or use of accessory structures.
- There shall be no goods or products sold upon the premises in connection with such home occupation.

## SECTION 5.1

### Temporary and Accessory Use/Structure Regulations

- No traffic shall be generated by such home occupation in greater volumes than would normally be generated in a residential neighborhood.
- Delivery from a commercial supplier in a vehicle larger than a step van shall be limited to one delivery and one pickup each week and the delivery or pickup shall not restrict traffic flow.
- Neither a home occupation nor any equipment used in conjunction with a home occupation shall produce heat, sound, vibration, light, glare, dust, odor, smoke, or fumes detectable to normal sensory perception by a person located off premises
- A home occupation shall not cause an increase in the use of any one or more utilities (water, sewer, electricity, waste collection, etc.)

Should these home occupation standards be updated?

## SECTION 5.1

### Temporary and Accessory Use/Structure Regulations Setback for HVAC Equipment

- Air Conditioning and Outside Mechanical Equipment. All air conditioning condenser units, heat pumps, or other mechanical devices placed outside of a building shall comply with minimum ~~yard~~ setback requirements for the zoning district in which they are located, except that they may be located within ~~five (5)~~ three (3) feet of a side property line if they are sound shielded and screened with fencing and/or shrubs equal in height to the height of the appliance

Should the setback be reduced to 3 feet?

## SECTION 5.1

### Temporary and Accessory Use/Structure Regulations Accessory Dwelling Units (ADU)

An Accessory Dwelling Unit (ADU) - self-contained, smaller, secondary dwelling unit located on the same lot as the larger principal dwelling that contains a living/bedroom space, a kitchen, and a bathroom.

- Can be internal to the home such as in an upper or lower level; attached to the home; or a separate, detached accessory structure.
- Sometimes called “granny flats” or “in-law suites”

## SECTION 5.1

### Temporary and Accessory Use/Structure Regulations Accessory Dwelling Units (ADU)



## SECTION 5.1

### Temporary and Accessory Use/Structure Regulations Accessory Dwelling Units (ADU)



- Permitted by right in all R-1 Districts and the R-2 District
- Integrated ADUs are permitted on conforming lots
- Detached ADUs are prohibited
- Integrated ADUs must comply with principal building setbacks
- Only 1 ADU per lot
- Limited to 40% of the area of principal dwelling or 1,000 square feet, whichever is less



## SECTION 5.1

### Temporary and Accessory Use/Structure Regulations Accessory Dwelling Units (ADU)



- Exterior doors to the integrated unit ADU must be designed, located, and configured in a manner that is typical for secondary access to a residential dwelling (e.g. side doors, French doors, etc.)
- Exterior stairs to an ADU must be on the side or rear of the principal dwelling, not on the front of the principal dwelling
- Additions for an integrated ADUs must be compatible with the existing home
- Only 1 entrance on the front of the existing dwelling unless the home previously had two entrances on the front façade
- Additions for ADU must not exceed the height of the existing home

## SECTION 5.1

### Temporary and Accessory Use/Structure Regulations

### Accessory Dwelling Units (ADU)



- ADU and principal dwelling share a driveway
- 1 additional parking space required unless waived by the Planning Commission
- Short-term rentals are permitted in ADUs

## SECTION 5.1

### Temporary and Accessory Use/Structure Regulations Accessory Dwelling Units (ADU)

- Should ADUs be permitted by right or conditionally permitted? Should the classification vary by zoning district?
- Should detached ADUs be permitted? If so, what zoning district(s)? If so, by-right or conditionally?
- Should non-conforming lots be allowed to have an ADU?
- Is the floor area limitation appropriate?
- Are there any other appearance standards that should be added?
- Should parking be required?



INTERIOR (LOWER LEVEL)



INTERIOR (UPPER LEVEL)



GARAGE CONVERSION

## SECTION 5.1

### Temporary and Accessory Use/Structure Regulations Solar Energy Systems

- Integrated & Rooftop Solar Energy Systems (SES) - Permitted accessory structure under certain conditions
- **Integrated Solar Energy System** means an SES where the solar materials are incorporated into the building materials, such that the building material and solar energy system are reasonably indistinguishable
- **Rooftop Solar Energy System** means an SES that is structurally mounted to the roof of a house, building, or other structure and does not qualify as an Integrated SES.



## **Solar Energy System (SES), Integrated & Rooftop**

- **Height Restrictions.**

- A rooftop SES may exceed the maximum permitted height for the structure type by no more than five (5) feet.
- A rooftop SES can't extend above or beyond the edge of any ridge, hip, valley, or eave, provided that where it is mounted on a sloped roof, the SES shall not vertically exceed the highest point of the roof to which it is attached by more than five (5) feet
- On the front of structure, panels shall be mounted at the same angle as the roof's surface with no more than 18 inches between the roof and the upper side of the SES.

## SECTION 5.1

### Temporary and Accessory Use/Structure Regulations Solar Energy Systems

- **Lighting** - Integrated and Rooftop SESs shall not be illuminated and shall be designed and installed to prevent off-site glare.
- Integrated SESs shall comply with all setback requirements for the structure type.
- **Glare** - SESs shall be placed and arranged such that reflected solar radiation or glare shall not be directed onto adjacent buildings, properties, or streets.

Are these appropriate standards for Integrated and Rooftop Solar Energy Systems, particularly the height exception?

# Zoning Ordinance Update

CITY OF FORT THOMAS

General Use Regulations

Temporary & Accessory  
Use/Structure Regulations

Community Comments



## **SECTION 5.2**

### **Environmental Regulations**

- 5.2.01 Intent.
- 5.1.02 Applicability.
- 5.1.03 Hillside Development Controls.
- 5.1.04 Tree Conservation & Restoration Requirements.



## SECTION 5.2 Environmental Regulations



### 5.2.01 Intent.



The purpose of these standards is to:



Establish development standards to protect functions and values of environmentally sensitive features;



Protect unique, fragile & valuable elements of the environment by maintaining & promoting native biodiversity & habitat;



Preserve & enhance the natural beauty of the landscape & open ridgelines.

## Hillside Development Controls - Applicability

- Slopes of 20% or greater;
- Exposures of KOPE geologic formations;
- Prominent hillsides, which are readily viewable from a public thoroughfare located in a valley below the hillside;
- Hillsides, which provide views of a major stream or valley;
- Hillsides functioning as community separators or community boundaries;
- Hillsides which support a substantial natural wooded cover.



### Environmental Regulations Hillside Development Controls



Plans indicating existing topography & proposed physical changes including grading, erosion and sedimentation measures, areas to be cleared & other physical changes



Subsurface geo-technical report



Tree survey for trees over 8 inches



Plans indicating:

Tree conservation areas

Replacement trees

## Environmental Regulations Hillside Development Controls

Planning Commission shall consider the reports from City Staff & the "Hillside Development Guidelines" when reviewing the plan for acceptance or denial.

Cuts in hills should not leave cliff-like vertical slopes

Utilize small parking areas, rather than large parking areas

Fit buildings into hillsides, rather than altering hillsides to fit buildings

Comply with Landscaping, Screening, & Lighting Regulations.

## Environmental Regulations Hillside Development Controls

Planning Commission shall consider the reports from City Staff & the "Hillside Development Guidelines" when reviewing the plan for acceptance or denial.

Design buildings to take advantage of views, but not block views;

Avoid roof-top utilities;

Respect site's steepness, soil, bedrock & hydrology to ensure hillside stability;

## Environmental Regulations Hillside Development Controls

Planning Commission shall consider the reports from City Staff & the "Hillside Development Guidelines" when reviewing the plan for acceptance or denial.

Match scale of buildings to scale of terrain, stagger or step building units according to the topography;

Provide parking on the uphill side behind buildings;

Respect & retain natural site features such as streams, slopes, ridge lines, wildlife habitat, plant communities, & trees;

Employ techniques that create a variety of architectural solutions responsive to the limits & potentials of hillside development.

## Environmental Regulations Hillside Development Controls



Should these existing Hillside Development Controls be amended?



Have you had any issues effectively using these regulations in the past?



## **SECTION 5.2** **Environmental Regulations**

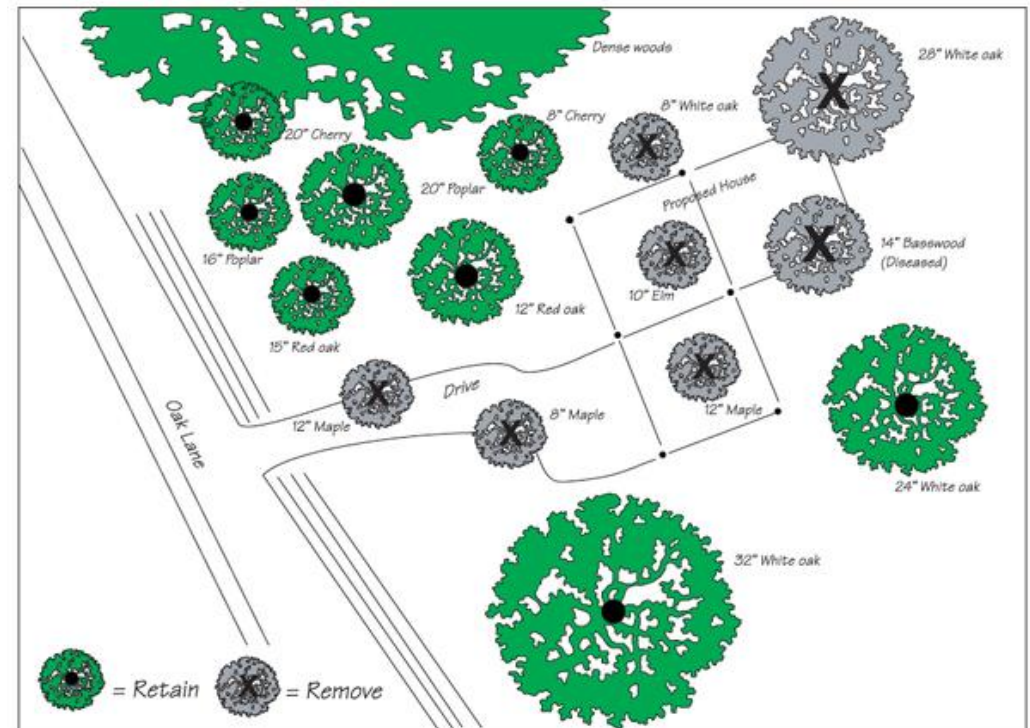
### **Tree Conservation & Restoration** **Requirements**





## SECTION 5.2 Environmental Regulations Tree Conservation & Restoration Requirements

- Major Subdivision
- Development Plans
- Recommendation by Tree Commission
- Planning Commission approves/denies



### Tree Conservation & Restoration Requirements

The following requirements apply for all major subdivisions & Development Plans in any zoning district:

- Tree Inventory Plan in compliance with Chapter 98, Trees in General Ordinances
- Protective tree barriers
- Utilities, grading access drives, & other similar site improvements should be placed between tree protective zones
- Construction activities, like material storage, not permitted in tree protection zones
- Landscape plan must depict number & location of trees to be planted

## Environmental Regulations

### Tree Conservation & Restoration Requirements

In addition to the landscaping requirements in Section 5.3, the following trees must be planted at a minimum of three (3) inches in diameter when planted.

- In the R-3, R-5, and RCD-O zones 1 tree shall be planted on the development site for every one unit approved.
- In the CBD-TC, CBD-M, TBD, AP-MX and NC/O zoning districts, 1 tree shall be planted for every 5 required parking spaces.
- In the R-1AA, R-1A, R-1B, R-1C, R-1D, R-1-TC and R-2 zones 1 tree shall be planted on each lot or on the public right-of-way in front of each lot, for every five thousand (5,000) square feet of lot area or fraction thereof.

## Environmental Regulations Tree Conservation & Restoration Requirements



Are these tree regulations, in concert Chap. 98, Trees, working well?

Are any modifications needed to the Zoning Ordinance requirements?



### Landscaping, Screening & Lighting Regulations

- 5.3.01 Intent.
- 5.3.02 Applicability.
- 5.3.03 Landscape Review.
- 5.3.04 Flexibility; Waiver/Deferral of Requirements.
- 5.3.05 Landscaping Along Street Frontage.
- 5.3.06 Vehicle Use Areas (VUA).
- 5.3.07 Building Landscaping.
- 5.3.08 Sign Landscaping.
- 5.3.09 Buffering & Screening Between Districts & Uses.
- 5.3.10 Ancillary Screening Requirements.
- 5.3.11 General Landscaping Requirements.
- 5.3.12 Approval Process for Landscaping, Fences, & Walls.
- 5.3.13 Lighting Regulations.
- 5.3.14 Additional Development Regulations that Apply.



## Landscaping, Screening & Lighting Regulations

The preservation of existing trees and vegetation and the planting of new trees and vegetation can significantly add to the quality of the physical environment of the City of Fort Thomas. The regulations in this Section are designed to foster development that will improve the appearance and character of the City and promote the health, safety, and welfare of the community by:

- Mitigating the potential impacts and hazards created through the development of incompatible uses adjacent to each other and to preserve and supplement the tree and vegetation cover and the ecological, environmental, and economical benefits they provide.
- Using landscaping shall be used to reduce adverse impacts, to provide separation of private vehicle use areas from the public street, and to otherwise buffer incompatible land uses.
- Requiring the proper utilization of landscaping and screening as a buffer between certain land uses to reduce the noise, glare, and the visual clutter associated with parking and service areas.
- Requiring landscaping in vehicular use areas to break up large expanses of pavement and reduce reflected heat and glare.
- Controlling the installation of exterior lighting fixtures to prevent light pollution in the forms of light trespass and glare and to preserve, protect, and enhance the character of the City and the lawful nighttime use and enjoyment of property located within the City.
- Improving the appearance of off-street parking areas and vehicular use areas and properties abutting public rights-of-way.
- Protecting, preserving, and promoting the aesthetic character valued by the residents of the City of Fort Thomas.
- Providing areas of permeable surfaces to reduce quantity of stormwater & increase quality of stormwater.

## Landscaping, Screening & Lighting Regulations

### Applicability:

- New Construction
- Improvements to existing sites
  - Extent of alteration/improvement
  - Substantial alterations to existing sites



## Landscaping, Screening & Lighting Regulations

### Landscape Review:

- Compliance with Chap. 98 of City Ordinances
- Landscape Plan

### Flexibility; Waiver/Deferral

- Flexibility
- Planning Commission waiver permitted





## Landscaping, Screening & Lighting Regulations

### Landscaping Along Street Frontage

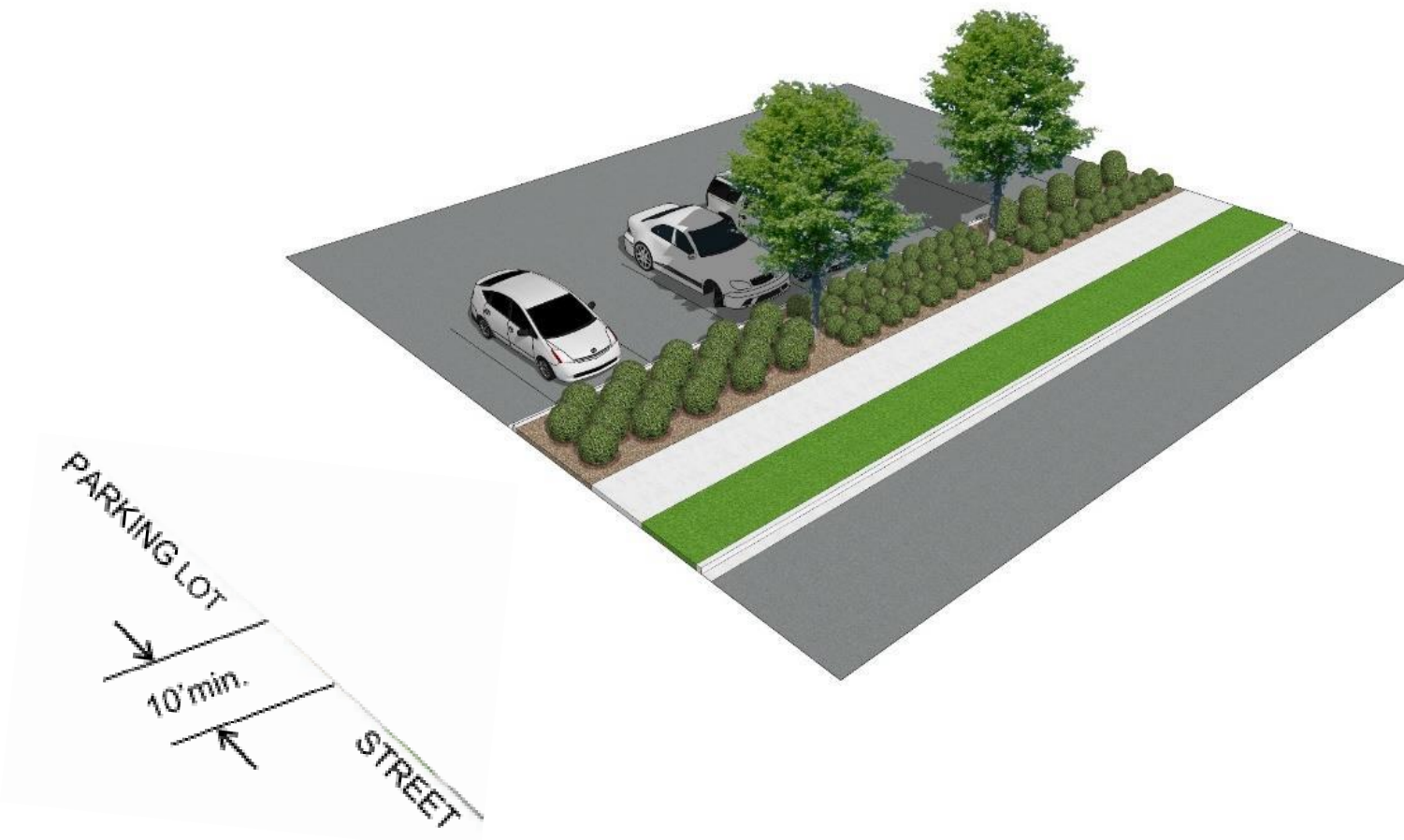
- 3 deciduous trees for every 100 linear ft of frontage
- 20 shrubs for every 100 linear ft of frontage

Street Frontage  
Landscaping



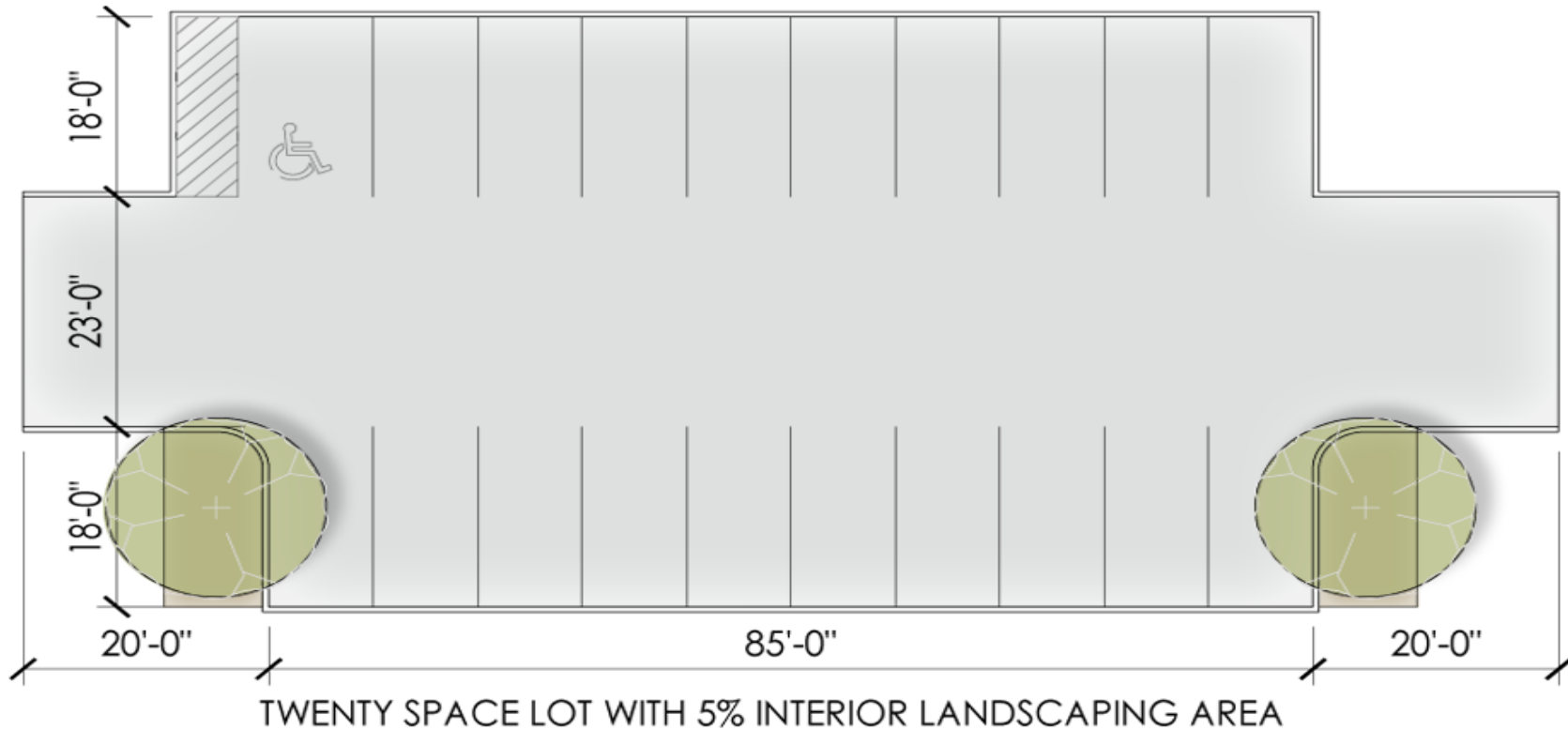
## Landscaping, Screening & Lighting Regulations

### Vehicle Use Areas (VUA) - Screening along Public Streets



## Landscaping, Screening & Lighting Regulations

### Vehicle Use Areas (VUA) –Interior Parking Lot Landscaping



## Landscaping, Screening & Lighting Regulations

Buffering & Screening Between Districts & Uses

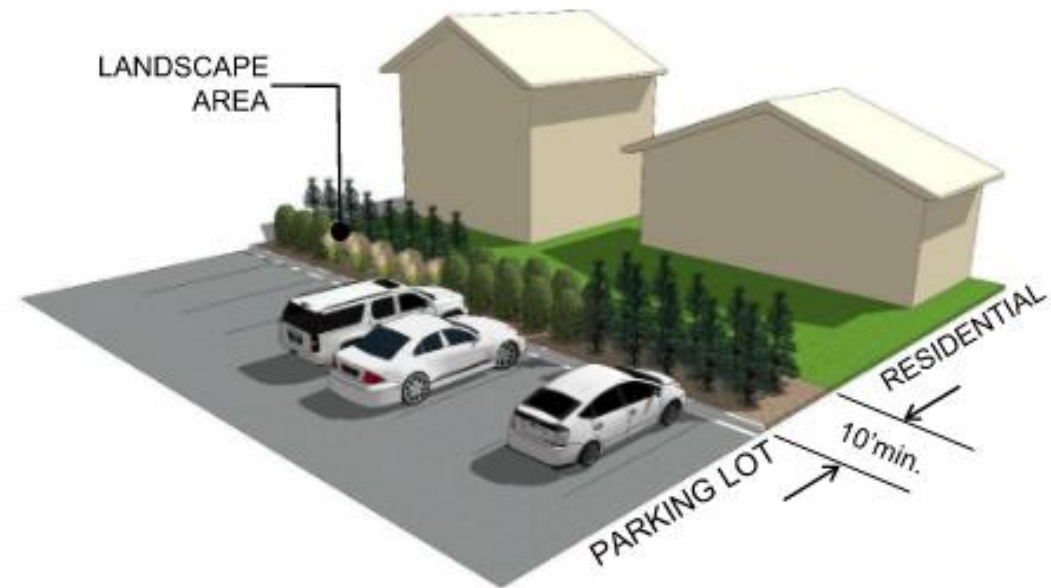
**Schedule 5.3.09 - Buffering and Screening Requirements<sup>(a)</sup>**

		Adjacent Zoning District					
		RP	R-1 Districts	R-2	R-3 & R-5	CBD & TBD	AP-MX & NC/O
Proposed Development or Zoning District	RP						
	R-1 Districts						
	R-2						
	R-3 & R-5 <sup>(b)</sup>		X	X	X <sup>(c)</sup>		
	CBD & TBD		X	X	X <sup>(c)</sup>		
	AP-MX & NC/O		X	X	X <sup>(c)</sup>		
	Non-residential use R-1 & R-2 Districts		X	X	X <sup>(c)</sup>		

## Landscaping, Screening & Lighting Regulations

### Screening:

- Solid visual screen
- 6 feet in height
- In place at time of occupancy



## Landscaping, Screening & Lighting Regulations

### OPTIONS FOR SCREENING FROM RESIDENTIAL DISTRICTS

	OPTION A	OPTION B	OPTION C	Option D
Minimum width of landscape area	10 feet	10 feet	10 feet	10 feet
Screening material	evergreen trees and/or tall shrubs*	Solid wall or fence with landscaping	Ornamental wall with landscaping	Landscape mound or berm

## Landscaping, Screening & Lighting Regulations



Modifications

Existing topography and/or  
vegetation

Innovative landscaping or  
architectural design

Site constraints;

Abutting property won't be  
developed for residential.

## Landscaping, Screening & Lighting Regulations

### The following areas shall be screened



All trash collection areas



Outdoor storage



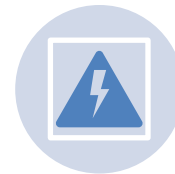
Off-street loading areas



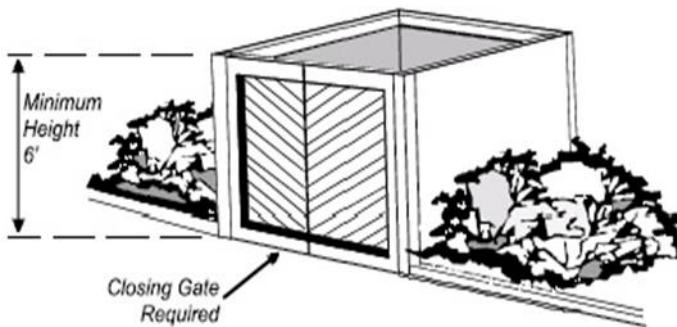
Pipes, conduit, and cables associated with the building or use



Outdoor service areas like outdoor freezers



Ground-level or façade-mounted mechanical equipment & utility structures





## Landscaping, Screening & Lighting Regulations



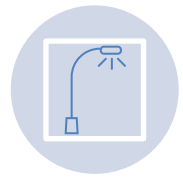
Do these landscaping, buffering, & screening requirements sufficiently landscape & screen?



Are any modifications needed?

## Landscaping, Screening & Lighting Regulations

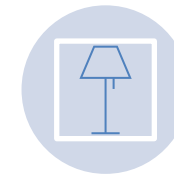
### Changes to Lighting Regulations



Prohibit direct lighting sky & abutting parcels



Prohibit light trespass & other negative effects



Lights must be extinguished at 11 PM with some exceptions



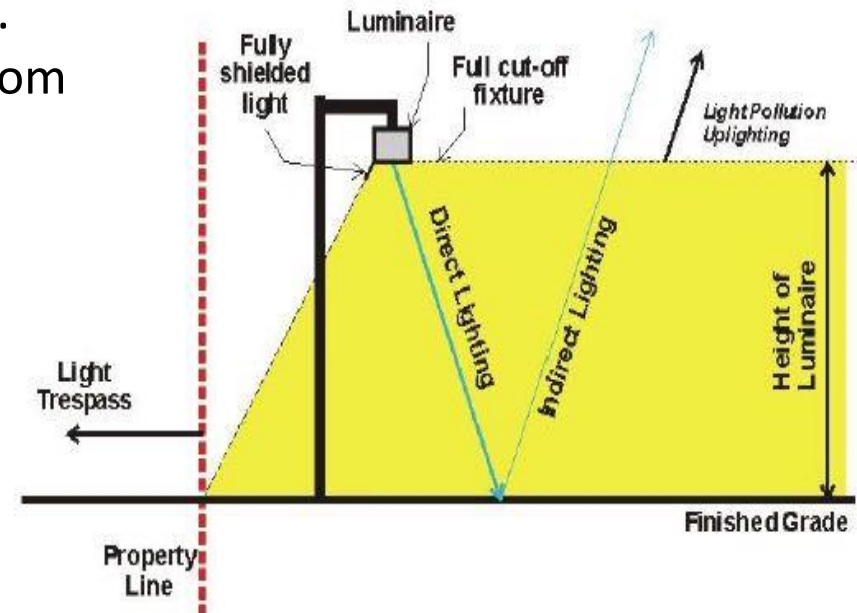
Sign lighting extinguished at 11 PM unless store open later



Reduced max. pole height from 41 ft. to 30 ft.



University of Texas, Austin



## Landscaping, Screening & Lighting Regulations



**Are the changes to the Lighting Regulations appropriate?**

# Zoning Ordinance Update

CITY OF FORT THOMAS

Environmental  
Regulations

Landscaping, Screening &  
Lighting Regulations

Community Comments



## Off-Street Parking, Loading, and Access Regulations

- 5.5.01 Intent.
- 5.5.02 Applicability.
- 5.5.03 Parking Facilities Required.
- 5.5.04 Expansion of Existing Parking Lots.
- 5.5.05 Units of Measure.
- 5.5.06 Off-Street Parking Standards.
- 5.5.07 Parking Requirements for the Central Business & Traditional Business Districts.
- 5.5.08 Parking Assessment.
- 5.5.09 Modification of Standards.
- 5.5.10 Deferred Construction of Required Spaces.
- 5.5.11 Allowance for Shared Parking for Non-Residential Uses.
- 5.5.12 Allowance for Off-Site Parking.
- 5.5.13 Parking Spaces for Persons with Disabilities.
- 5.5.14 Location of Required Parking Spaces.
- 5.5.15 General Requirements.
- 5.5.16 Design & Layout of Off-Street Parking Areas.
- 5.5.17 Access Control Regulations.
- 5.5.18 Street Loading and/or Unloading Regulations.

## Off-Street Parking, Loading, and Access Regulations

• <u>Banking; Financial Institutions</u>	<p><del>One (1) parking space for each three hundred (300) square feet of gross floor area</del></p> <p><b><u>One space per 350 square feet of floor area.</u></b></p>
• <u>Conference Center</u>	<p><u>1 space per 4 seats in the assembly rooms + other use requirements</u></p>
• Office - administrative/ professional;	<p><del>One (1) parking space for each three hundred (300) square feet of gross floor area</del></p> <p><b><u>1 space per 2000 square feet of floor area</u></b></p>
• Office – medical/dental	<p>Five (5) parking spaces per each practitioner plus one (1) parking space for each two (2) employees, or one (1) parking space per each <del>two hundred (200)</del> <b>300</b> square feet of gross floor area in the building plus one (1) parking space for each two (2) employees, whichever is greater.</p>

## Off-Street Parking, Loading, and Access Regulations

• Retail establishment; Personal services; Experiential retail establishment	One space per <del>300</del> <u>400</u> square feet of floor area
• Retail establishment – bulky items such as furniture	1 space for each <del>four hundred (400)</del> <u>450</u> square feet of floor area plus one (1) parking space for each two (2) employees
• <u>Restaurant carryout only</u>	<b><u>1 space per 300 square feet</u></b>
• Restaurant, indoor	<p><del>One (1) parking space for each: a. 50 square feet of gross floor area for taverns and bars (i.e. businesses with less than 50% of gross income from sale of food)</del></p> <p><del>b. 65 square feet of gross floor area for fast food restaurants</del></p> <p><del>c. 150 square feet for sit-down restaurants</del></p> <p><b><u>One space per 200 square feet of floor area or 1 parking spaces for every 5 persons of maximum occupancy, whichever requires the least number of spaces plus 1 space for each delivery vehicle</u></b></p>

## Off-Street Parking, Loading, and Access Regulations



**Most parking requirements have been reduced. Is this reduction appropriate?**



## Off-Street Parking, Loading, and Access Regulations PARKING REQUIREMENTS FOR THE TBD AND CBD

In making a determination for such a waiver, the Planning Commission shall consider the following criteria:

- The character of the proposed use as well as the ability of the proposed use to reinforce the character of the Central Business and Traditional Business Zoning Districts;
- The availability and accessibility of public parking spaces, both on-street and within public parking lots;
- The availability of parking areas on adjacent sites, considering the hours of operation of the proposed use compared to adjacent uses; and,
- The potential negative impact to the character of the Central Business and Traditional Business Districts and sub-districts if the requisite number of parking spaces are or are not provided.

Any request for a waiver from the parking requirements shall require submission of a parking study pursuant to the provisions of sub-section 5.5.08 Section 13.2 for “All Other Uses Not Listed Herein.” Additionally, the Planning Commission shall make findings supporting a hardship ~~the waiver~~ the waiver and include those findings with final action of the submitted Development Plan. In addition to the findings required by Section 1.10, Waivers and Modifications, the Planning Commission shall find that the waiver satisfies the parking demands of the use without burdening other available parking facilities in surrounding areas of the City.

## Off-Street Parking, Loading, and Access Regulations PARKING REQUIREMENTS FOR THE TBD AND CBD



**Should any other factors be considered when deciding to waive parking requirements in the TBD & CBD?**



## Off-Street Parking, Loading, and Access Regulations ALLOWANCE FOR SHARED PARKING FOR NON-RESIDENTIAL USES

- The minimum required number of parking spaces for the combined uses may be reduced by 20% for shared parking when hours of operation overlap.
- When the hours of operation DO NOT overlap, the parking facility to be shared shall contain the largest number of minimum required spaces for the uses sharing the lot.
- The parking facility to be shared shall be owned by the owner of one of the uses, leased for a 20-year minimum term or through a permanent easement by the owners of the uses being served. A lease or easement shall be approved by the City Attorney and the Planning Commission.
- A shared parking facility shall be located on the same lot as the use for which parking is provided, unless the parking facility complies with all the requirements of sub-section 5.5.12, Allowance for Off-site Parking
- The property owners involved in the joint use of off-street parking facilities shall submit a legal agreement approved by the attorney for the City of Fort Thomas

## Off-Street Parking, Loading, and Access Regulations ALLOWANCE FOR OFF-SITE PARKING FOR NON-RESIDENTIAL USES

- Provide at least 50% of the required parking spaces on the site unless waived by the Planning Commission
- Off-site spaces shall be within 800 feet walking distance
- Contiguous lots providing off street parking for more than one use shall provide sufficient parking spaces to comply with the combined total parking requirements for all uses unless an allowance for shared parking is granted
- Off-site lot may be located in another zoning district
- The lot used as an off-site parking facility shall be owned or leased for at least a 20-year term or acquired through a permanent easement by the owner of the use being served
- Any use of non-conforming parking lot shall be upgraded to comply with the Ordinance

## Off-Street Parking, Loading, and Access Regulations



**Any concerns about these standards for shared and off-site parking?**

# Zoning Ordinance Update

CITY OF FORT THOMAS

Off-Street Parking,  
Loading, and Access  
Regulations

Community Comments



# Zoning Ordinance Update

CITY OF FORT THOMAS

CT CONSULTANTS



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