



To: City of Fort Thomas, KY Planning Commission  
From: Alisa Duffey Rogers, AICP  
Frank Twehues, P.E.  
Subject: Zoning Ordinance Update – Phase 3  
Date: January 11, 2024

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Attached is the Phase 3 draft of the Unified Development Ordinance (UDO), which includes updates to the existing Zoning and Subdivision Ordinances. Substantive revisions from the Phase 2 draft are indicated with **Additions** and ~~Deletions~~ marked as shown here.

During Phase 2, we identified several topics that required additional deliberation and discussion. Those topics as well as others that arose during the Coffee and Conversation sessions and in discussion with City staff are listed below for your consideration. In addition, we discussed many policy issues during Phase 2 that required text changes. Major text revisions resulting from those policy discussions are also listed below for your review.

The schedule for discussing this Phase 3 draft is listed in the following table. A joint meeting with City Council to discuss major outstanding policy items is scheduled for February 20, 2024.

UDO Article	Dates for Discussion
Articles I & VII	1/17/2024
Article V	2/21/2024
Article III	3/19 & 20/2024
Wrap up for all Articles	4/17/2024

While there are items for your consideration in all Articles of the Phase 3 draft of the Unified Development Code, below we only listed those items for Articles I and VII since we will be discussing those Articles on January 17, 2024.

▶ **Article I – General Provisions and Administration**

- Article I includes all of the administration related aspects of the UDO. At the Planning Commission meeting on January 17, we will review the various development review processes and discuss substantive changes from the Phase 2 draft of the UDO.



- Section 1.1 - Definitions and Measurements
  - This Section is new for Phase 3. It defines land uses and other key terms used throughout the UDO. As you review the Phase 3 draft UDO, please utilize this Section to determine if other key terms need to be included and to ensure that defined terms are clear and useful. Most definitions are new, but where we have replaced definitions, those replaced definitions are ~~lined out~~.
- Section 1.10 - Waivers, Modifications, and Equivalency
  - Please review the new sub-section 1.10.05, which describes Deviations, Waivers, and Modifications by the Design Review Board. This sub-section was added to clarify the process when the Design Review Board considers a waiver to the Design Review Standards included in the UDO.
  - Please review the new sub-section, 1.10.06, which describes Alternative Equivalency Review, and consider if the Ordinance sections listed in sub-section 1.10.06 B are appropriate.

## ▶ **Article VII – Subdivision Regulations**

- Please review the Definitions for Major and Minor Subdivisions as well as the definition for Identification Plat in sub-section 7.1.02. We will discuss the process implications of these definitions.
- To clarify the acceptance of public improvements, we added sub-section 7.2.15 B. Please review.
- Sub-section 7.2.16 – Please review the change made to sub-section 7.2.16 A. 2. Sub-section 7.2.16 outlines the process for Identification Plats. As we previously discussed, the reference to the “original tract of land existing prior to 1966” will no longer be a limiting factor to the use of an Identification Plat.
- Since the adoption of the Subdivision Ordinance in 1990, Appendices D and E were lost. We recreated these Appendices which list the certifications required on Identification and Final Plats.