

Zoning Ordinance Update

CITY OF FORT THOMAS

CT CONSULTANTS

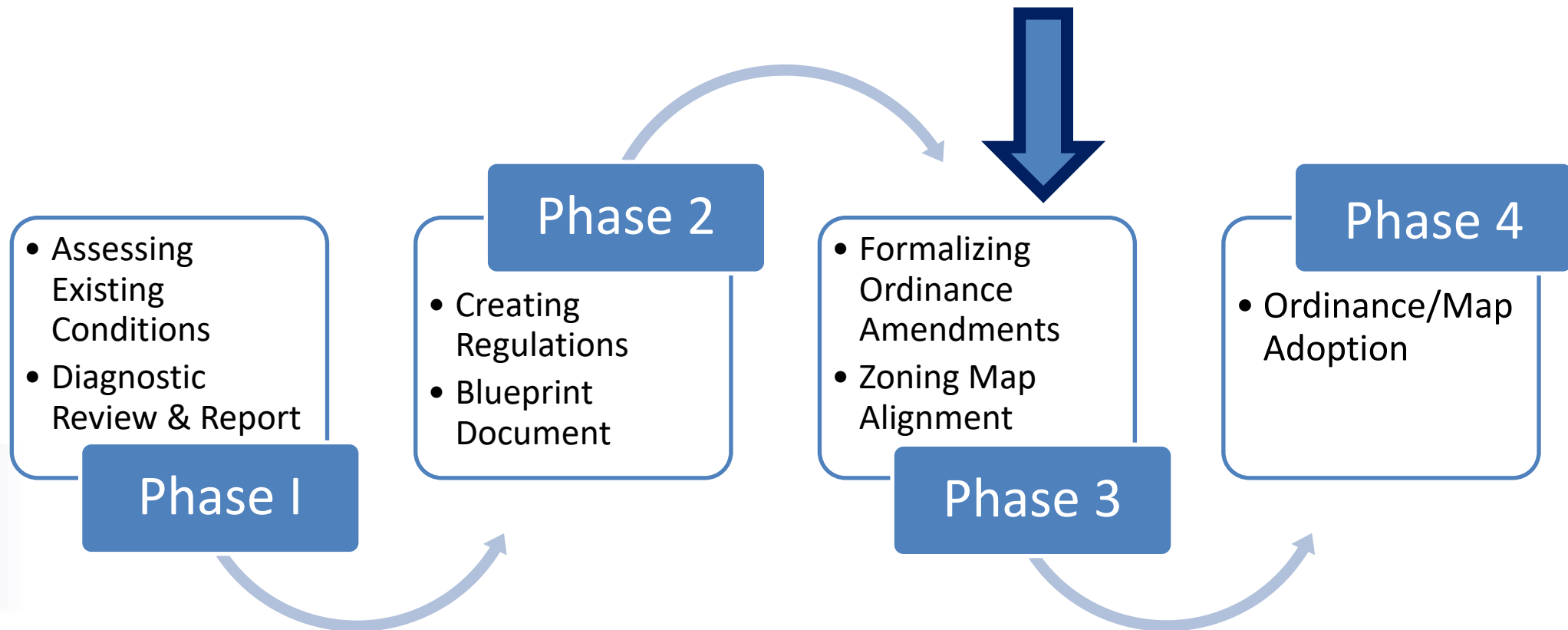
March 20, 2024



Meeting Agenda

- Zoning Ordinance Update Process
- Summary of Coffee and Conversation - 2/22/2024
- Zoning Districts
 - Alexandria Pike Mixed Use District (AP-MX)
 - Neighborhood Commercial/Office District (NC/O)
 - Traditional Business District (TBD)
 - Central Business District for Town Center and Midway
- Next Steps

Zoning Ordinance Update Process



Phase 3



Feb. 21, 2024

- **Article V**
- Regulations Applicable to All Districts



March 19 & 20, 2024

- **Article III**
- Zoning Districts



April 17, 2024

- **Wrap Up**
- Sign Regulations

Community
Engagement

**COFFEE &
CONVERSATION
ZONING CODE UPDATE
Q&A SESSION**



SECTION 3.5

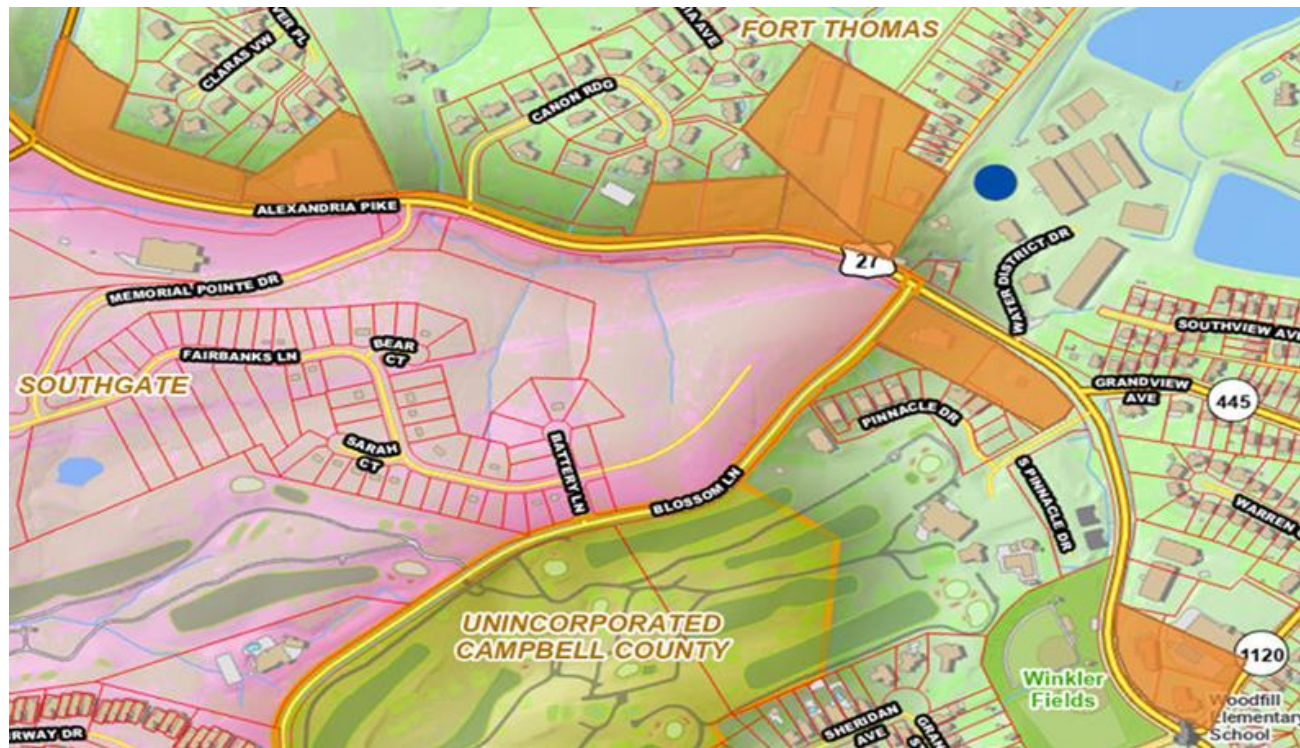
Alexandria Pike Mixed-Use District Bifurcating the District

- Alexandria Pike Mixed Use - 1



Alexandria Pike Mixed-Use District Bifurcating the District

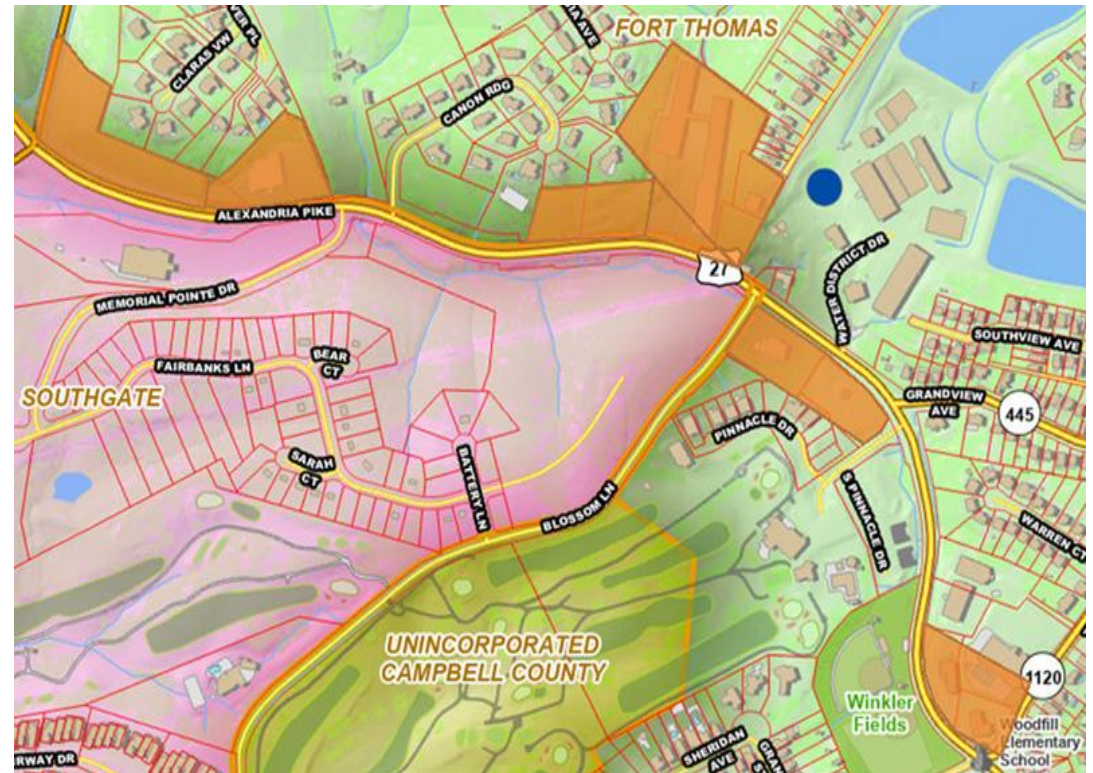
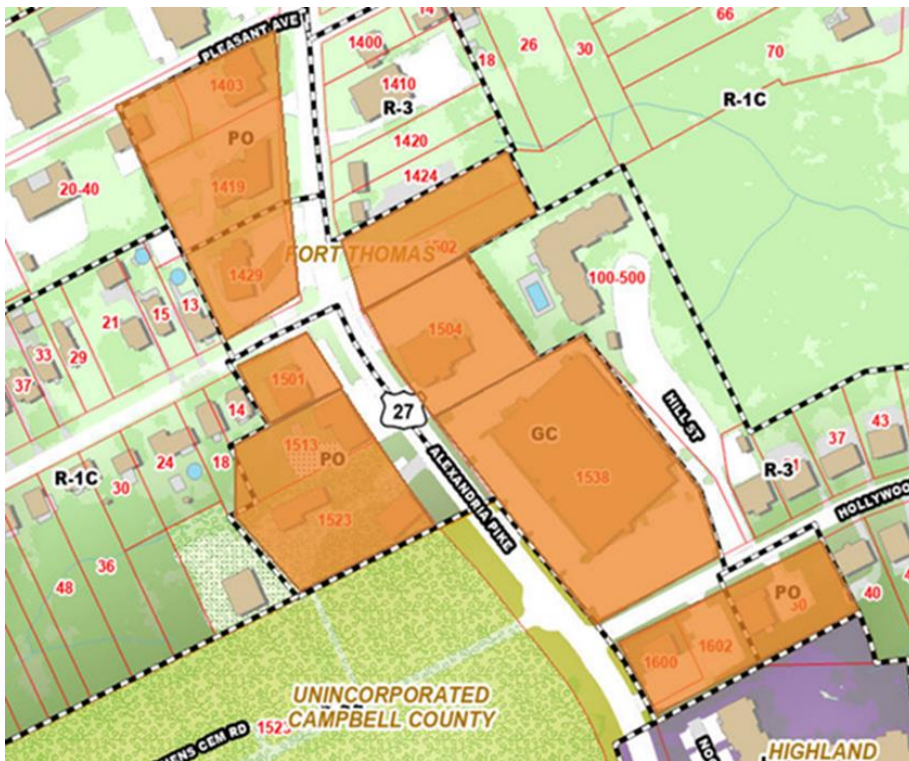
- Alexandria Pike Mixed Use - 2



SECTION 3.5

Alexandria Pike Mixed-Use District Bifurcating the District

- Alexandria Pike Mixed Use - 1 and 2



Alexandria Pike Mixed-Use District Permitted Uses

Alexandria Pike Mixed Use – 1 and 2

- In Phase 3 draft, Permitted Uses are the same in both sub-zoning districts.
- If desired, the sub-zoning districts could have different Permitted Uses
- Office & Retail uses are Permitted By-Right
- Light Industrial uses are Restricted Uses
- Vehicle and Equipment Uses are Conditional Uses

Alexandria Pike Mixed-Use District

Permitted Uses – Uses to Consider

Alexandria Pike Mixed Use – 1 and 2

- Hotels
- Co-working Spaces - A facility that contains workspaces that are made available to individuals and business for short-term intervals through a membership or rental arrangement. These spaces include shared business resources such as internet and office equipment and shared social, networking, conferencing, and gathering spaces. A Coworking Space may also include accessory Restaurant, accessory Retail Establishment or other similar accessory uses that are for the use of the individuals and businesses utilizing the Coworking Space.

Alexandria Pike Mixed-Use District

Permitted Uses – Uses to Consider

Alexandria Pike Mixed Use – 1 and 2

- Hotels
- Co-working Spaces



Should these uses be permitted in one or both sub-zoning districts? Should they be permitted by-right?

Alexandria Pike Mixed-Use District - Permitted Uses – Uses to Consider

MULTIFAMILY (3 FLOORS. WITH RETAIL)

1 BEDROOM = 1 PARKING STALLS PER UNIT
2 BEDROOM = 1.5 PARKING STALLS PER UNIT
RETAIL = 1 SPACE PER 400 SF

20 1-BEDROOM UNITS
21 2-BEDROOM UNITS

133 PARKING STALLS REQUIRED
167 PARKING STALLS PROPOSED

TOTAL RETAIL SPACE = 32,500 SF

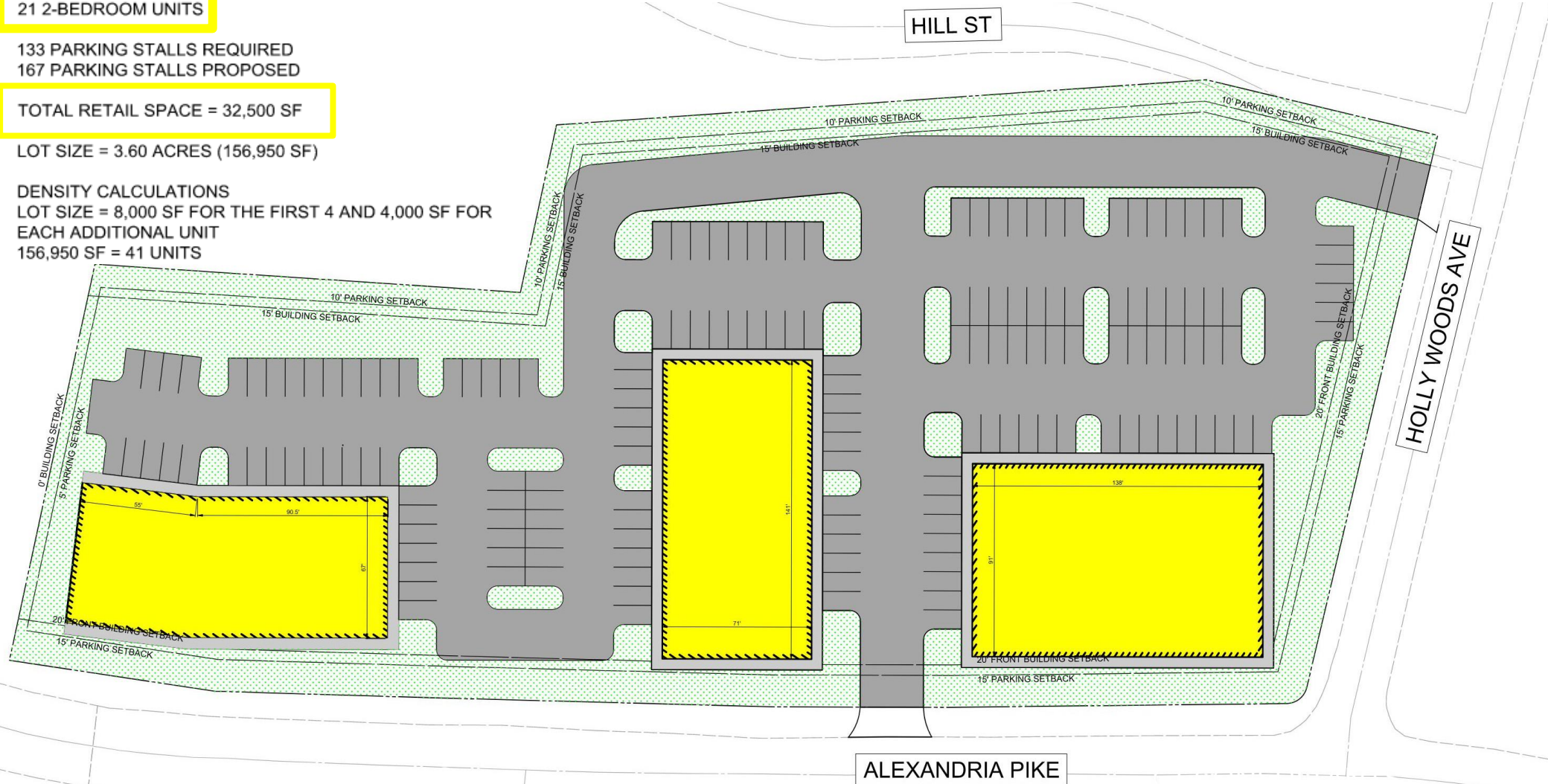
LOT SIZE = 3.60 ACRES (156,950 SF)

DENSITY CALCULATIONS

LOT SIZE = 8,000 SF FOR THE FIRST 4 AND 4,000 SF FOR EACH ADDITIONAL UNIT
156,950 SF = 41 UNITS

Alexandria Pike Mixed Use – 1 and 2

- Residential Over Non-Residential



Alexandria Pike Mixed-Use District - Permitted Uses – Uses to Consider

MULTIFAMILY (2 FLOORS, WITH RETAIL)

1 BEDROOM = 1 PARKING STALLS PER UNIT
2 BEDROOM = 1.5 PARKING STALLS PER UNIT
RETAIL = 1 SPACE PER 400 SF

17 1-BEDROOM UNITS
18 2-BEDROOM UNITS

154 PARKING STALLS REQUIRED
161 PARKING STALLS PROPOSED

TOTAL RETAIL SPACE = 44,000 SF

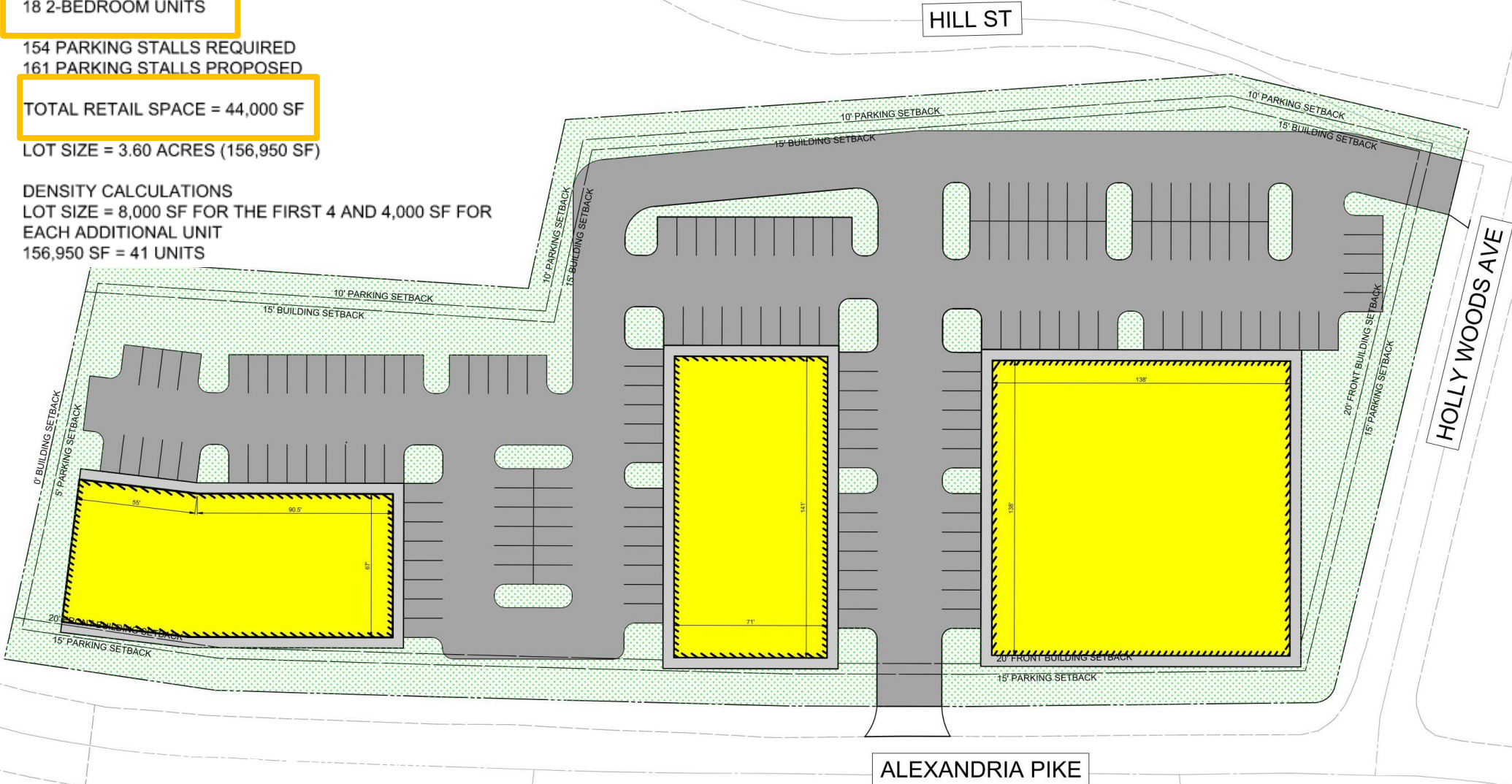
LOT SIZE = 3.60 ACRES (156,950 SF)

DENSITY CALCULATIONS

LOT SIZE = 8,000 SF FOR THE FIRST 4 AND 4,000 SF FOR EACH ADDITIONAL UNIT
156,950 SF = 41 UNITS

Alexandria Pike Mixed Use – 1 and 2

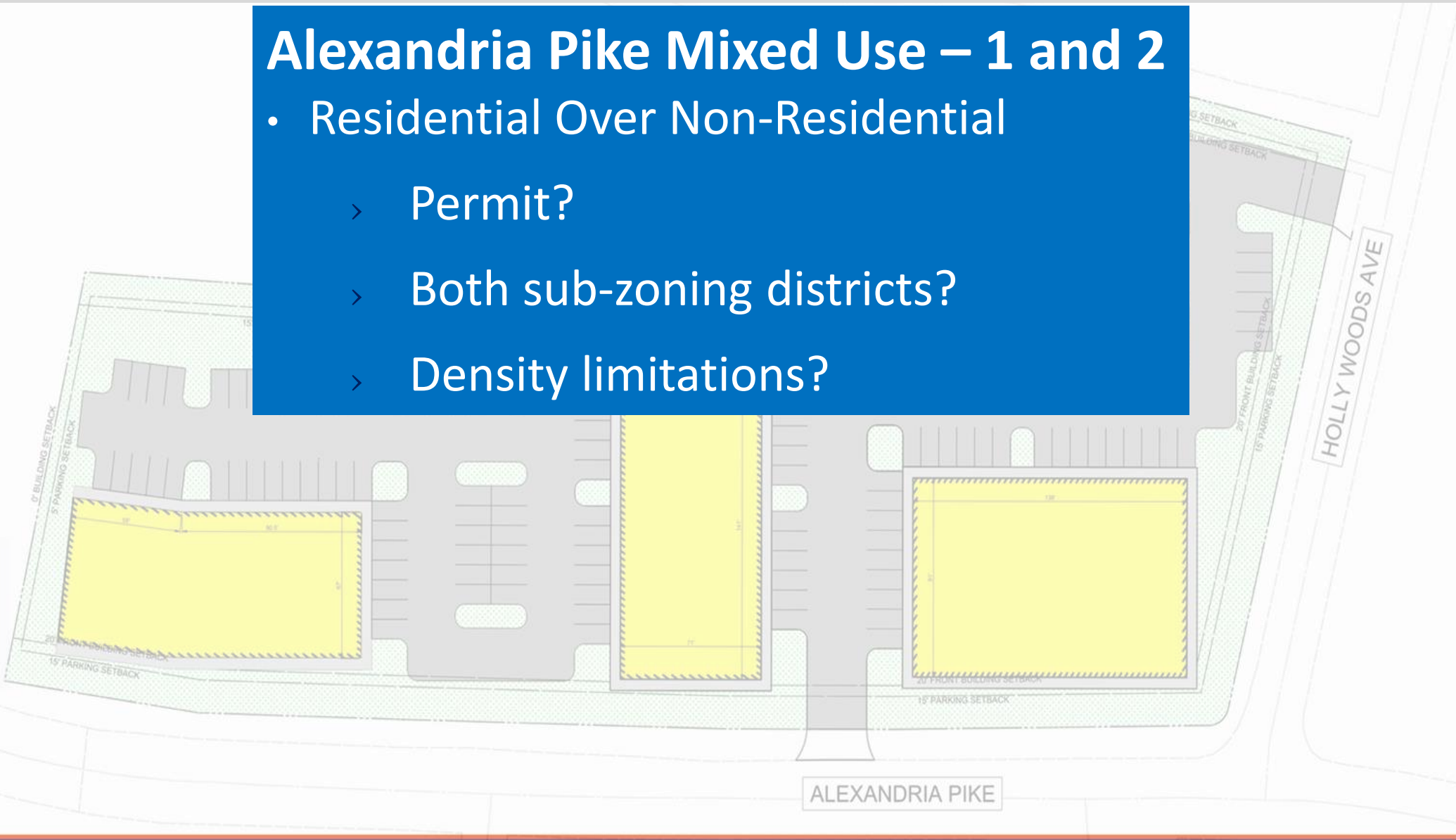
- Residential Over Non-Residential



Alexandria Pike Mixed-Use District - Permitted Uses – Uses to Consider

Alexandria Pike Mixed Use – 1 and 2

- Residential Over Non-Residential
 - Permit?
 - Both sub-zoning districts?
 - Density limitations?



Alexandria Pike Mixed-Use District

Alexandria Pike Mixed Use - 1



- Required Design Standards only apply in AP-MX-1



Figure 3.5-1 - Illustration of Required Design Standards

Key for Figure 3.5-1

(Item numbers reference Require Design Standards in Schedule 3.5.04 F.)

- | | |
|----|--|
| 1 | Buildings & entrances oriented toward the street |
| 2 | Usable entrances facing a public street |
| 3 | Transparent areas equal to a minimum of 60% of the front façade area on the ground floor |
| 4 | Glazing on upper floor equal to 15% of the floor area |
| 5 | Transition line between 1 st and 2 nd floors |
| 8 | 1 st floor windows allow view into the building |
| 10 | Combination of materials, textures, colors, & finishes create visual interest |
| 12 | Building materials within 10 feet of sidewalk must be durable |

Alexandria Pike Mixed-Use District

Alexandria Pike Mixed Use - 1



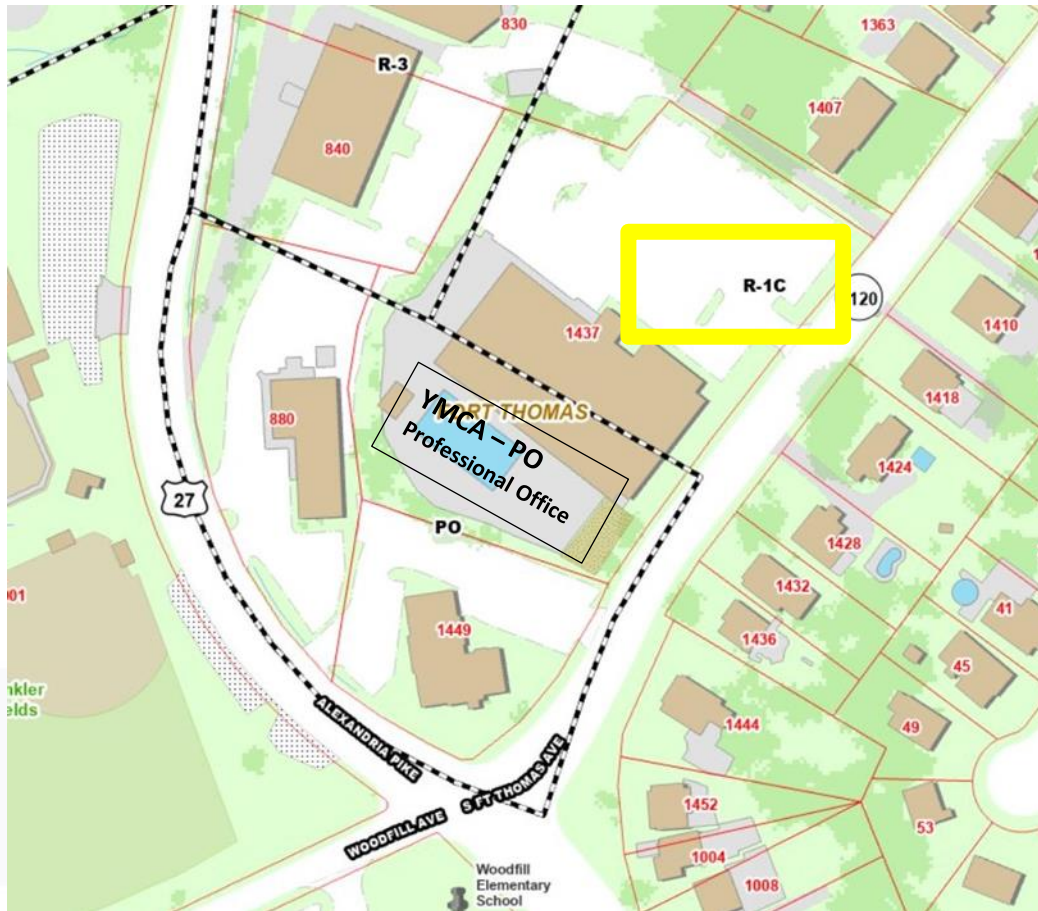
- Required Design Standards only apply in AP-MX-1
- Prohibition against front yard parking only applies in AP-MX-1

Are these limitations appropriate?

Should the Required Design Standards apply in AP-MX-2?

Should parking in the front yard be prohibited in AP-MX-2?

Alexandria Pike Mixed-Use District Zoning of Parcels in AP-MX



- YMCA currently split zoned
 - > R-1C & PO

What should the YMCA be zoned?
R-1C or Alexandria Pike Mixed Use-2?

Alexandria Pike Mixed-Use District

Zoning of Parcels in AP-MX

- Parcel currently split zoned
 - › Multi-family (R-3) and Professional Office (PO)



What should 20 Pleasant Avenue be zoned?
Is R-3 appropriate for the entire parcel?

Neighborhood 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**



Neighborhood Commercial/Office District 2000 Memorial Parkway



Neighborhood Commercial/Office District 1960 Memorial Parkway



Neighborhood Commercial/Office District Permitted Uses – Uses to Consider

- Co-working Spaces
- Places of Worship



Should these uses be permitted by-right?

SECTION 3.6 Neighborhood Commercial/Office District - Development Standards

The Planning Commission will not be authorized to grant a waiver for Maximum Height.

Schedule 3.6.03 B. ^(a) 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 ^(b)
4. Minimum principal building setback (feet)	
a. Minimum front	None
b. Maximum front	45 ^(f)
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 ^(d)	10
c. Project boundary line abutting Residential District	15
6. Height of principal building (feet) ^(e)	
a. Minimum	24
b. Maximum	50
7. Maximum height of accessory building (feet)	20
<p>^(a) The Planning Commission may grant a waiver to these requirements, except for Maximum Height due to existing site, building, and/or lot constraints pursuant to Section 1.10 - Waivers, Modifications, & Equivalency.</p> <p>^(b) No restrictions except as required by the setback requirements of this district.</p> <p>^(c) See sub-section 3.6.08 A. 1.</p> <p>^(d) See sub-section 3.6.08 A. 3. - Setbacks for Joint Parking Facilities</p> <p>^(e) Rooftop equipment and access shall not count towards minimum & maximum building height.</p> <p>^(f) <u>This Maximum Front Setback shall not apply to Vehicle sales/rental/service facilities.</u></p>	

Alexandria Pike Mixed Use & Neighborhood Commercial/Office Districts Short Term Rental Properties

- Existing regulations created in 2021
- Definition:

Short-Term Rental Properties: The accessory use of any residential dwelling unit that is advertised for rent for transient occupancy by guests for less than 30-consecutive days. A Short-Term Rental shall be clearly incidental and subordinate to the use of a Dwelling Unit for residential purposes. This definition shall not include Hotels.



SECTION 3.5 and 3.6 Alexandria Pike Mixed Use & Neighborhood Commercial/Office Districts Short Term Rental Properties

Short-Term Rental Properties. The operation of short-term rental units is subject to the following standards and conditions when permitted by this Ordinance:

- An annual permit/license from the city is required.
- A copy of a current business liability insurance policy is required to be submitted to the City each year at the time an application for a permit is filed.
- Occupational taxes shall be paid to the City.
- Each dwelling used for short-term rental shall be subject to inspection by the Building Inspector prior to the issuance of an annual business permit/license and at all renewals.
- Short-term rental units are permitted in attached single-family dwellings, detached single-family dwellings, two-family dwellings, ~~housing~~ **dwelling units** in the ~~Central Business and Traditional Business~~ **and Mixed-Use** Districts, condominiums, landominiums, **and** accessory dwelling units. Owners of rental properties shall consent to short term rental units. Condominium/Landominium owners shall have written permission from the homeowners' association.

SECTION 3.5 and 3.6 Alexandria Pike Mixed Use & Neighborhood Commercial/Office Districts Short Term Rental Properties

Short-Term Rental Properties. The operation of short-term rental units is subject to the following standards and conditions when permitted by this Ordinance:

- **In the R-1 and R-2 zoning districts,** short-term rental guests shall not stay more than twenty-nine (29) consecutive days in duration.
- All short-term rental buildings and units shall be in compliance with applicable building codes.
- Bed and Breakfasts shall be in compliance with their distinct building codes.
- Contact information for the owner(s) shall be posted in a conspicuous location within each unit of the short-term rental.
- Evacuation plan must be posted in a conspicuous location within each unit of the short-term rental permit.
- If property is subject to two (2) or more substantiated civil and/or criminal complaints, the Zoning Administrator may revoke the approval of the short-term rental permit/license.
- **Parking. In the R-1 and R-2 zoning districts, the** host shall provide one off-street parking space per guest room of short-term rental contract.
- **Number of Persons Allowed.** No more than two (2) adults per bedroom. Maximum of six (6) adults per home.

SECTION 3.5 and 3.6 Alexandria Pike Mixed Use & Neighborhood Commercial/Office Districts Short Term Rental Properties

Short-Term Rental Properties. The operation of short-term rental units is subject to the following standards and conditions when permitted by this Ordinance:

- Noise Ordinance. Each unit shall comply with the City's Noise Ordinance. A copy of said Ordinance shall be posted in a conspicuous place within the unit.
- The **property owner(s) or the operator of the short-term rental, as applicable,** ~~Host~~ is responsible for **and shall provide** ~~giving~~ adjoining neighbors **up to date** contact information.
- Any person who shall violate a provision of this Ordinance and this sub-section 5.1.02 shall be subject to a fine of Five Hundred Dollars (\$500.00),
- The City shall have the right to seek civil injunctive relief against any person(s) who rent(s) any rental unit in the absence of a valid rental license and the City shall recover the litigation costs and attorney fees incurred by the City therein.

SECTION 3.5 and 3.6 Alexandria Pike Mixed Use & Neighborhood Commercial/Office Districts Short Term Rental Properties

- Should Short-Term Rentals be permitted in the AP-MX and the NC/O District?
- If so, as a principal or accessory use?
- If principal use, then the Definition will need to be revised accordingly
- If permitted, should Short-Term Rentals be permitted as:
 - › By-right Use
 - › Restricted Use
 - › Conditional Use



SECTION 3.5 and 3.6

Alexandria Pike Mixed Use & Neighborhood Commercial/Office Districts

Short Term Rental Properties

- If Restricted or Conditional Use, what should the regulations address:
 - › Include appropriate existing regulations such as permit/license, occupational taxes, etc.
 - › Anything else?



Zoning Ordinance Update

CITY OF FORT THOMAS

Alexandria Pike Mixed-
Use

Neighborhood
Commercial/Office
Districts

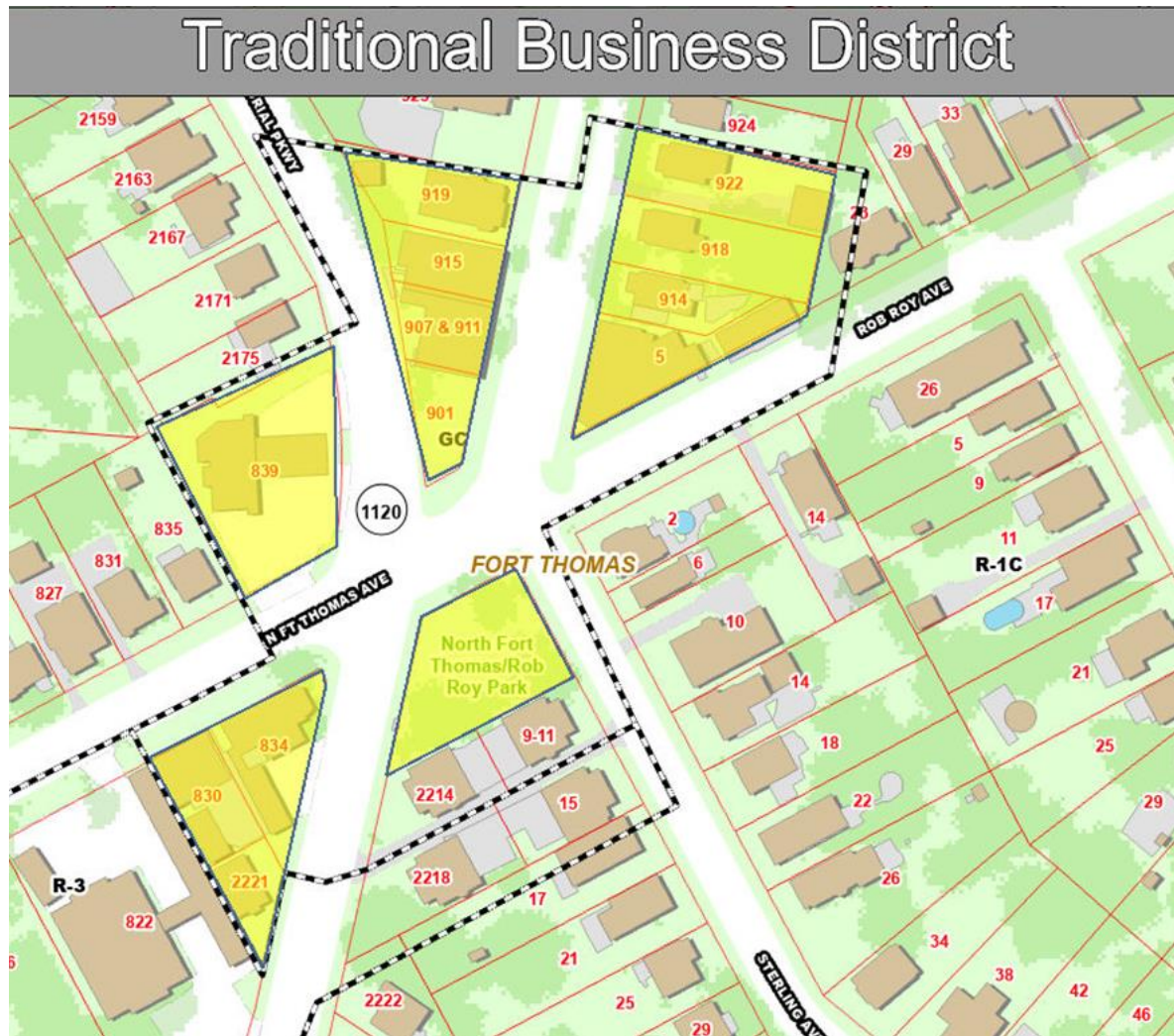
Community Comments

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Section 3.7

Traditional Business District (TBD) Regulations Permitted Uses



Section 3.7 Traditional Business District (TBD) Permitted Uses

- Hotels
- Co-working Spaces



Should hotels be permitted by right or as a Restricted Use?
Should Co-working Spaces be permitted by-right?

CBD-Town Center

Section 3.7 Central Business District – Town Center Permitted Uses

- Co-working Spaces
 - › Town Center Core?
 - › Town Center Supporting?
- By-right?



CBD-TCS
CBD – Town Center Supporting

CBD-TCC
CBD – Town Center Core

CBD-TCR
CBD – Town Center Residential



Section 3.7

Central Business District – Supporting (CBD-TCS) Permitted Uses

- Bed and Breakfast Establishments



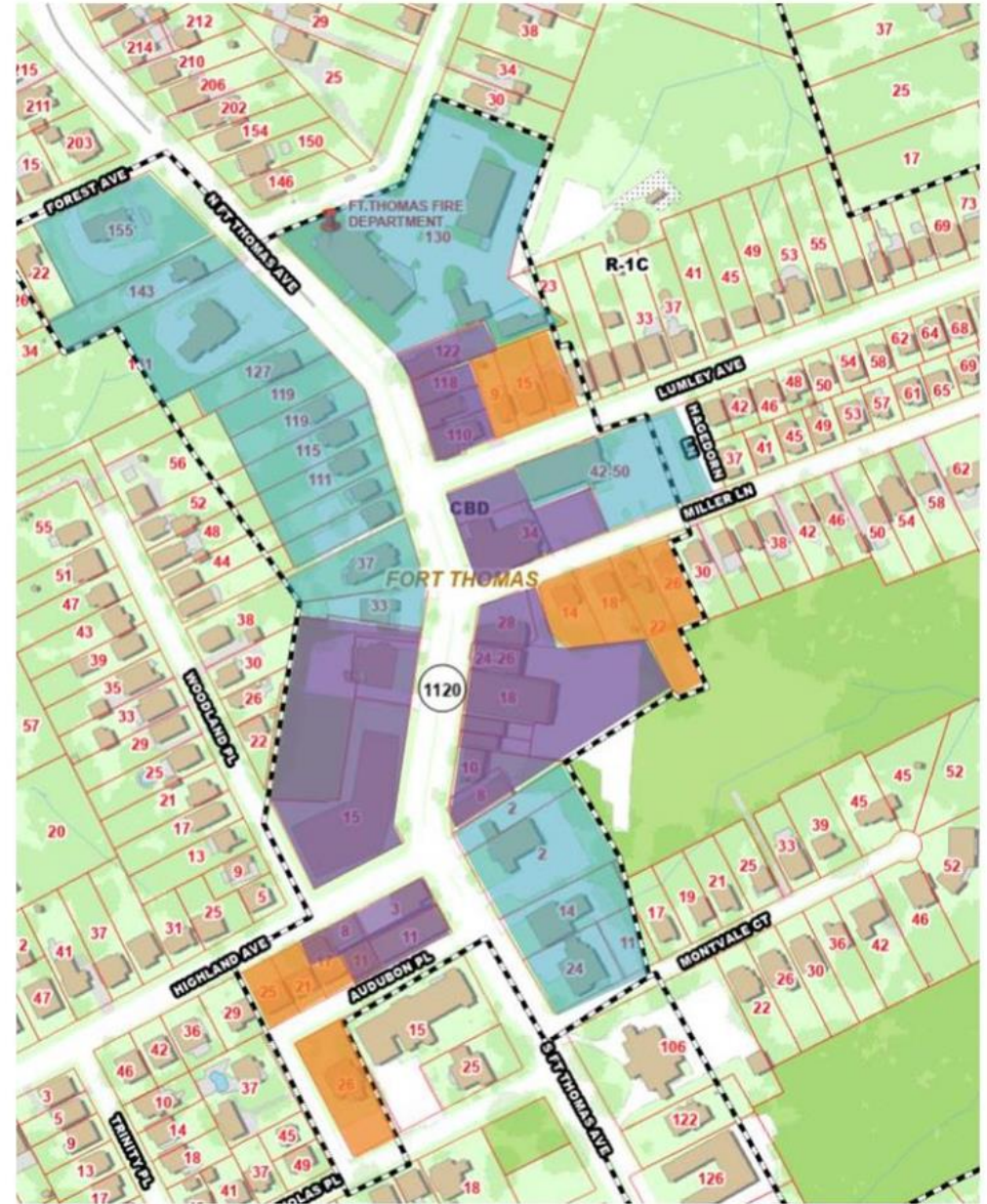
Should Bed and Breakfast Establishments be permitted in the CBD-Town Center Supporting Sub-zoning District?

If yes, should they be permitted by right, as a Restricted Use, or as a Conditional Use?

If Restricted or Conditional Use, what should be the nature of the regulations?

CBD-Town Center

Section 3.7 Central Business District – Town Center Permitted Uses



CBD-TCS
CBD – Town Center Supporting

CBD-TCC
CBD – Town Center Core

CBD-TCR
CBD – Town Center Residential

Zoning Update

CITY OF FORT THOMAS

Section 3.7 Central Business District - Midway Permitted Uses



Central Business District – Midway

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

Section 3.7

Central Business District – Midway and Town Center Permitted Uses



- Integrated Accessory Dwelling Units
 - › Added as an Accessory Use in the following sub-zoning districts
 - CBD-TCS
 - CBD-TCR
 - CBD-MR1
 - CBD-MR2

Does the Planning Commission have any concerns with adding ADU's as an accessory Use in these sub-zoning districts?



Section 3.7 Central Business District – Midway and Town Center Permitted Uses

Schedule 3.7.02 C. Permitted Uses in the Central Business & Traditional Business Districts										
USES	DISTRICT									
	TOWN CENTER			MIDWAY					Traditional Business	Use-Specific Regulations
	CBD-TCC	CBD-TCS	CBD-TCR	CBD-MC1	CBD-MC2	CBD-MC3	CBD-MR1	CBD-MR2	TBD	
1. Residential										
a. Single-family dwelling, detached		R	P				P	P	<u>R</u>	Section 5.4
b. Two-family dwelling		<u>R</u>	R				R	R	<u>R</u>	
c. Multi-family dwellings	R	R			P	P			R	
d. Dwelling unit(s) above ground floor non-residential uses	P	P		P	P	P			P	
e. Dwelling unit(s) behind ground floor non-residential uses <u>when located in the same building as the non-residential use</u>	P	P		P	P	<u>P</u>			P	Section 5.4

Does the Planning Commission have any concerns with how Multi-Family Dwellings are classified?

Zoning Update

Section 3.7 Central Business District Permitted Uses



	CBD-TCC	CBD-TCS	CBD-TCR	CBD-MC1	CBD-MC2	CBD-MC3	CBD-MR1	CBD-MR2
1. Residential								
a. Single-family dwelling, detached		R	P				P	P
b. Two-family dwelling		<u>R</u>	R				R	R
c. Multi-family dwellings	R	R			P	P		

Central Business District – Midway

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

Does the Planning Commission have any concerns with how Multi-Family Dwellings are classified?

SECTION 3.5 and 3.6

Central Business District – Midway & Town Center Permitted Uses – Short-Term Rentals

- How should Short-Term Rentals be classified and treated in the CBD?
- Should Short-Term Rentals be classified and treated differently in the various sub-zoning districts?



SECTION 3.5 and 3.6

Central Business District – Midway & Town Center Permitted Uses – Short-Term Rentals

- How should Short Term Rentals be classified in these sub-zoning districts and the Traditional Business District:

Schedule 3.7.02 C.
Permitted Uses in the Central Business & Traditional Business Districts

USES	DISTRICT								
	TOWN CENTER			MIDWAY				Traditional Business	
	CBD-TCC	CBD-TCS	CBD-TCR	CBD-MC1	CBD-MC2	CBD-MC3	CBD-MR1	CBD-MR2	TBD



Section 3.7 Central Business District – Town Center Required Design Standards

- Corner Treatment
- Mass and Scale
- Façade Articulation/Design
- Materiality & Colors
- Window & Transparency
- Building Entries
- Awnings
- Miscellaneous Requirements



Any building that terminates a view, as designated on the Zoning Map, shall provide distinct and prominent architectural features of enhanced character and visibility, which reflect the importance of the building's location and create a positive visual landmark and focal point. Appropriate treatments include but are not limited to a tower, a courtyard with a sculpture, pronounced increase in building height, or other similar treatment incorporating a distinct vertical element.

Any concerns with applying the Required Design Standards to the one parcel with a Terminated View?

Section 3.7

Central Business District – Midway & Town Center Required Design Standards

- Corner Treatment
- Mass and Scale
- Façade Articulation/Design
- Materiality & Colors
- Window & Transparency
- Building Entries
- Awnings
- Miscellaneous Requirements



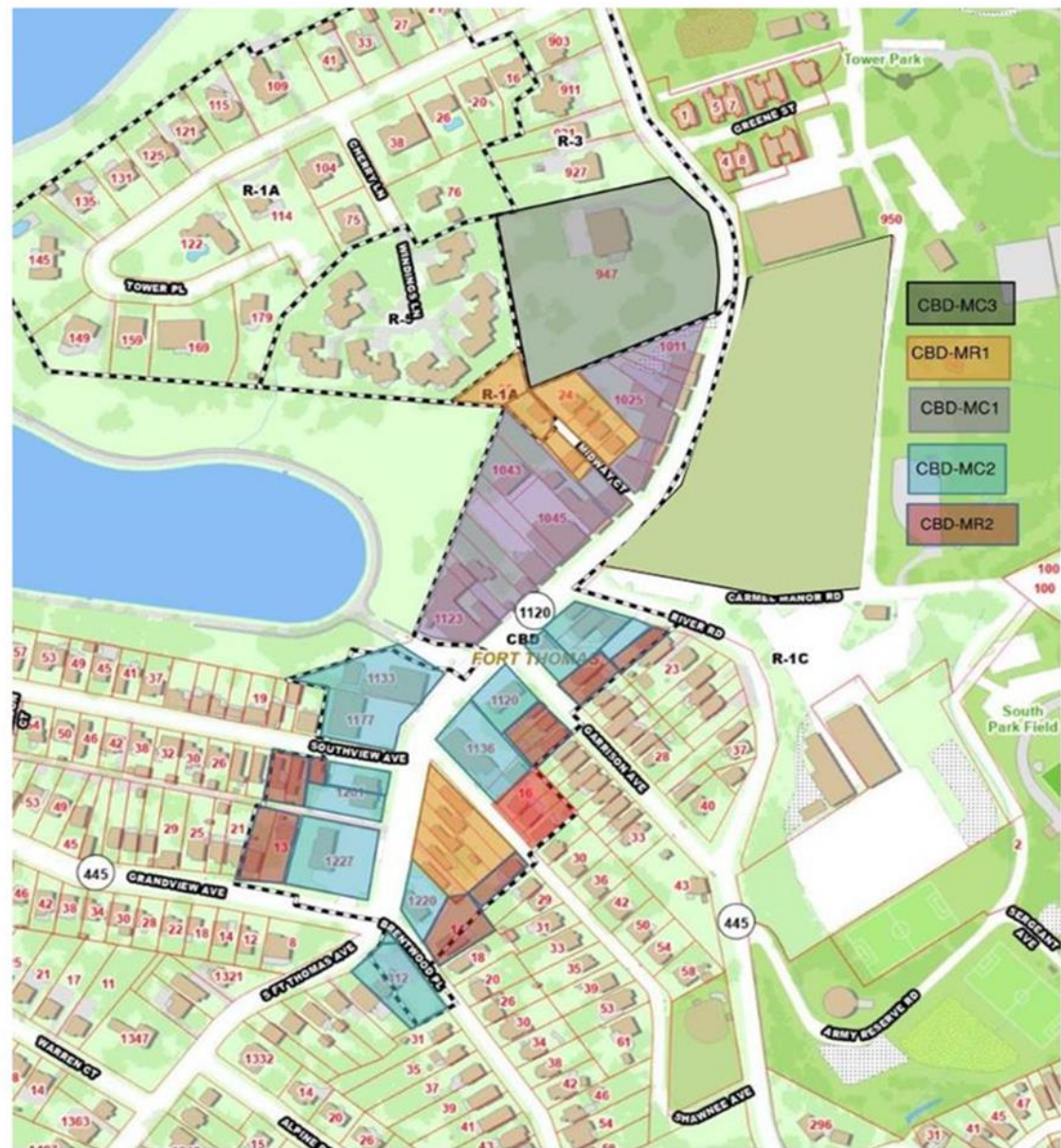
Should these Required Design Standards be applied to the CBD-MC3?

Central Business District – Midway

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

Section 3.7 Central Business District Community Comments

- 28 Midway Court
 - › Property owner requested that the R-1A zoning be retained
 - › Property rezoned to R-1A from CBD in 2012
 - › Because of the 2012 rezoning, parcel is not in the CBD local historic district



Central Business District – Midway

CBD-MC1=Core 1

CBD-MC2=Core 2

CBD-MC3=Core 3

CBD-MR1=Residential 1

CBD-MR2=Residential 2

Section 3.7 Central Business District Community Comments

- Incorporating a maximum number of stories, not just a Maximum Height regulation especially in the Core sub-zoning districts
- Reducing the Maximum Building Width regulation in the CBD-Town Center Core sub-zoning district (CBD-TCC). As drafted, the Maximum Building Width is 185 feet
- Permitting Single-Family Detached Dwellings by-right in the CBD-Town Center Supporting sub-zoning district (CBD-TCS)



Section 3.7 Central Business District Community Comments

- Removing the phrase “critical mass” from the Intent Statement for the Central Business District – Midway Business District (CBD-M)

Intent: 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.



Section 3.7 Central Business District Community Comments

Removing the following regulation:

In the **CBD-Town Center Core** and **CBD-Town Center Supporting** sub-districts, upper stories that are stepped back may exceed the Maximum Building Height by 10 feet if the step back is 100 feet from the back of the sidewalk and when approved by the Planning Commission and a COA is granted from the Design Review Board.



CBD-TCS
CBD – Town Center Supporting

CBD-TCC
CBD – Town Center Core

CBD-TRC
CBD – Town Center Residential

Community Comments

- The appropriateness of including - Intent Statements for the Zoning Districts in the UDO.
- Removing all references to the *Community Plan* from the UDO.



Zoning Ordinance Update

CITY OF FORT THOMAS

Central Business District –
Town Center

Central Business District –
Midway

Traditional Business District

Community Comments



Phase 3



Feb. 21, 2024

- **Article V**
- Regulations Applicable to All Districts



March 19 & 20, 2024

- **Article III**
- Zoning Districts



April 17, 2024

- **Wrap Up**
- Sign Regulations

Zoning Ordinance Update

CITY OF FORT THOMAS

CT CONSULTANTS



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