

**MINUTES OF A MEETING OF THE  
FORT THOMAS PLANNING COMMISSION  
FORT THOMAS COMMUNITY CENTER  
TUESDAY, SEPTEMBER 14, 2021  
6:30 P.M.**

**PRESENT:** Dan Fehler, Chairman  
Dan Gorman, Vice Chairman  
Dave Wormald, Secretary  
Tim Michel  
Jerry Noran  
Larry Schultz

**ABSENT:** Hans Tinkler

**ALSO PRESENT:** Kevin Barbian, Building & Zoning Administrator  
Ron Dill, City Administrative Officer  
Cheri Scherpenberg, Administrative Assistant  
Tim Schneider, City Attorney  
Alyssa Duffey Rogers, AICP, Principal Planner with CT Consultants  
Connie Grubbs, Council Member  
Pat Hagerty, Design & Review Board Member

Dan Fehler presided and called the business meeting to order at 6:30 p.m.

**6:30 Business Meeting**

**Minutes – July 28, 2021**

Members reviewed the minutes from the July meeting. A motion was made by Dan Fehler and seconded by Jerry Noran to approve the July 28, 2021 minutes as written. Motion carried 6-0.

**Proposed Text Amendment & Zoning Code Update**

Kevin Barbian Introduced Alyssa Duffey Rogers with CT Consultants to describe in detail and give a presentation on the proposed zoning code update. (Attachment available)

Ron Dill spoke about the community comprehensive plan update that was done 2 years ago. He discussed how this is usually followed up with looking at other tools, zoning ordinances, etc. Alyssa with CT Consultants is here to help facilitate that process, get a scope, approach, timeline and accommodate the potential changes.

Alyssa Duffey Rogers further discussed the comprehensive plan 2 years ago and the main implementation tool being the zoning code. She is requesting that the Planning Commission look at the process, what the engagement may look like, length of time and currently how they would like it to go forward as it relates to the zoning code update.

The presentation (see attached) covered the zoning tools that are utilized  
– Existing code is Euclidian or Conventional code that deals with land use (dates back to 1926 to separate incompatible land use such as smoke stacks next to residential.)

3 other types of zoning:

1. Form Based Code – Talked about most in our community plan and is mainly for nonresidential areas. This looks at the building form being the primary element.
2. Performance Zoning – Not used by many communities. Flexible and creative, looks at traffic, noise, light pollution, etc. (difficult to regulate standards)
3. Hybrid Codes – A combination of multiple codes

Form based code is recommended as best for our business districts. Our residential areas would likely be more traditional in nature. Discussion ensued about limitations of how we can best approach the business district. Alyssa Duffey Rogers emphasized the proposed zoning code update is not a complete rewrite and stated that we already have a good foundation. The end goal is to create or preserve what we want within nonresidential areas in regards to character (form based code)

Alyssa addressed the 5 Main elements of form based code:

1. Regulating Plan
2. Public Standards
3. Building Standards
4. Administration
5. Definitions

Discussion on the proposed Amendments was initiated:

The current code in the Central Business District & Downtown area states residential uses are only permitted above the ground floor. There is current interest in having residential in the Downtown district that is on the first floor.

What these amendments do is offer a couple of options for residential in the Downtown areas that create character and form. The proposed amendments are for row houses, live/work units, and multi-family with flex space. This would give additional residential density to support the businesses.

Alyssa with Ct Consultants discussed details of the setbacks, transparency, waiver granting ability and requirements with the Planning Commission

The Planning Commission spoke briefly about the role of the Design and Review Board in collaboration with the new amendments (paint, landscape, lighting, signage, etc.) this would not change.

The Commission addressed the need to define live/work units. The PC then discussed new employees that were gained due to Covid, working from home and the need to adjust the payroll tax. Questions were raised about how to deal with the live/work situation in the residential zone as well as how home occupations have changed. More deliveries have become the norm and are now an accepted nuisance.

Ct Consultants responded with the benefits to having live/work spaces in the community with the availability of patrons to frequent the local businesses.

Alyssa Duffey Rogers progressed on to a discussion about the multi-family with flex space and what that would entail.

Dave Wormald asked why this portion of the zoning code is being singled out specifically and why now instead of a more comprehensive amendment? A response was given with the recent interest of developers and the need to address and respond with the specifics and roadblocks to what may or may not be permitted.

Dan Fehler expressed concern with the new amendments. He informed the audience that eventually residential could overtake and drive out the business district. CT Consultants did agree that is was a possibility, however not likely.

The presentation drew attention to the need for critical mass to support the businesses. There is also a need to provide specific businesses tailored to the people of Ft. Thomas with being in a location that does not draw from surrounding areas and relies on walking and local traffic. Alyssa Duffey Rogers feels the proposed amendments would assist with that necessity.

There was a proposal by Dave Wormald to schedule a public informative meeting in response to asking if the Planning Commission was ready to make a motion on the proposed amendment updates. Commission members feel that the public would appreciate transparency and awareness and would benefit from hearing the presentation by CT Consultants and the recommendations that are being made. The motion was made by Jerry Noran and seconded by Dan Fehler to have a meeting October 20, 2021 at 6:30pm to address the public and take public input to ultimately determine the language for the following meeting.

The motion carried 5-0. (Dave Wormald absent for motion)

### **Adjournment**

With no further business to discuss, a motion was made by Tim Michel and seconded by Jerry Noran to adjourn the meeting. Motion carried 5-0.

Approved: \_\_\_\_\_  
Dan Fehler, Chair                      Date

Secretary: \_\_\_\_\_  
Dave Wormald, Secretary              Date