

Erlanger Zoning Update Steering Committee

Meeting Agenda

1. Introductions
2. Why is the City undertaking this project?
3. What is the Steering Committee's role?
4. Project Timeline/Process
5. Myths/Hurdles
6. Existing Conditions – Map Review
7. Determine Project Boundary
8. Project Name
9. Zoning 101
10. Homework



Project Timeline

Task	2012				2013											
	Sep-12	Oct-12	Nov-12	Dec-12	Jan-13	Feb-13	Mar-13	Apr-13	May-13	Jun-13	Jul-13	Aug-13	Sep-13	Oct-13	Nov-13	Dec-13
I. Master Planning & Visioning																
a. Steering Committee	█	█	█													
b. Initial Investigation	█															
c. Design Workshop Preparation	█	█														
d. Design Workshop			* █													
e. Design Development				█	█	█										
II. Form Based Code																
a. Draft Code, Peer Review							█	█	█							
b. Develop Final Draft										█	█	█				
c. Public Input Meeting #2													* █			
d. Adoption/Public Hearings														█	█	█

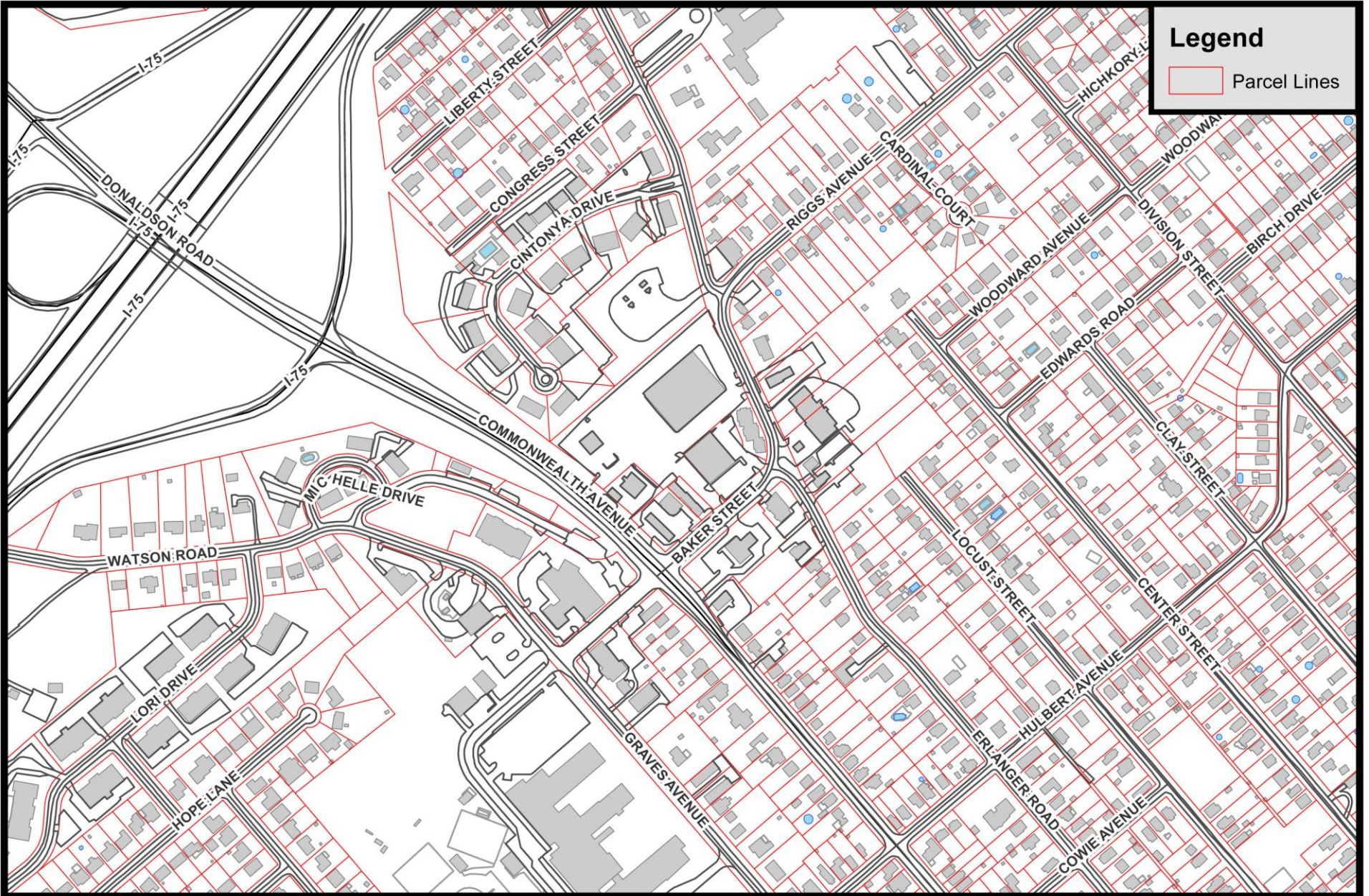
* Timeline may be adjusted if process changes.



History

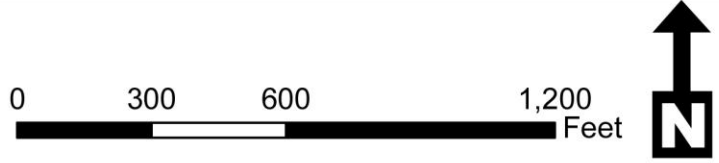
- Settled around 1807 when Bartlett Graves built a log cabin
- Larger scale community oriented settlement established after 1829 when the Covington-Lexington turnpike was chartered. The community became known as Timberlake, in honor of a local physician, William Timberlake
- When the Southern Railroad arrived in 1873, the depot became known as Silver Lake
- When a post office was established in 1882, both the post office and the depot were named Erlanger in honor of Baron Frederic Emile D'Erlanger, a German-born English financier who headed up a land syndicate created to develop the city.
- On May 31, 1887 the Erlanger Land Syndicate recorded in Kenton County Deed Book 47/64 their intention to create the Erlanger Proper Subdivision and divide the property into 220 lots. Thus began the City of Erlanger, Kentucky
- Other interesting information includes:
 - John Watkins and Robert Johnson – Original land owners
 - Bartlett Graves and John Stansifer – First settlers
 - Thornton Timberlake – War of 1812 general who built home in Erlanger, still standing @ 108 Stevenson
 - Sugar Grove – Original name of Timberlake's estate
 - David Riggs, Mary Riggs, J. Riggs – land owner (Riggs Avenue)
 - Caleb Stone Manley – 1850s property owner, house at Forest Lawn Memorial Park/Cemetery
 - James Garvey and Charles Judkin –Part of the Erlanger land syndicate that laid out street grid of Erlanger
 - Frank Dehner – City's first mayor
 - O.K. Price – City's second mayor
 - Miss Billings – City's first teacher
 - Mr. Greer – First person to buy lot when Erlanger was laid out by syndicate





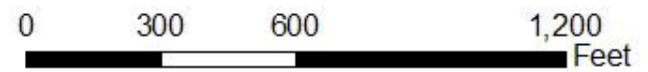
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Parcel Lines

**Existing Conditions
LOCATION MAP**





**Existing Conditions
AERIAL MAP**



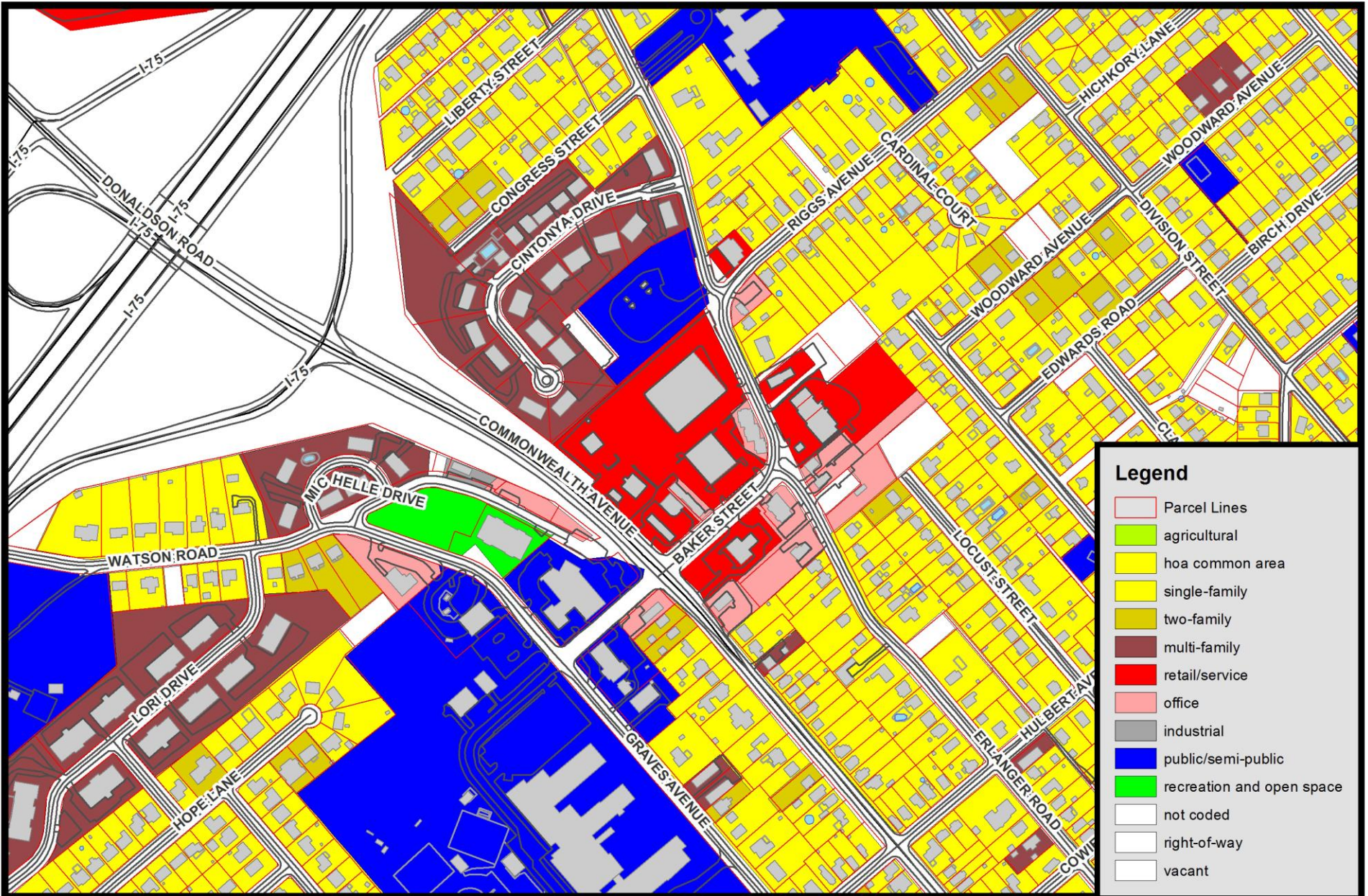


Existing Conditions
PICTOMETRY VIEW LOOKING NORTH

Existing Conditions

PICTOMETRY VIEW LOOKING EAST

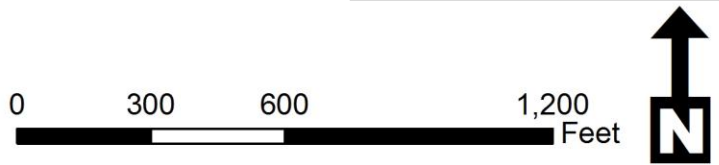


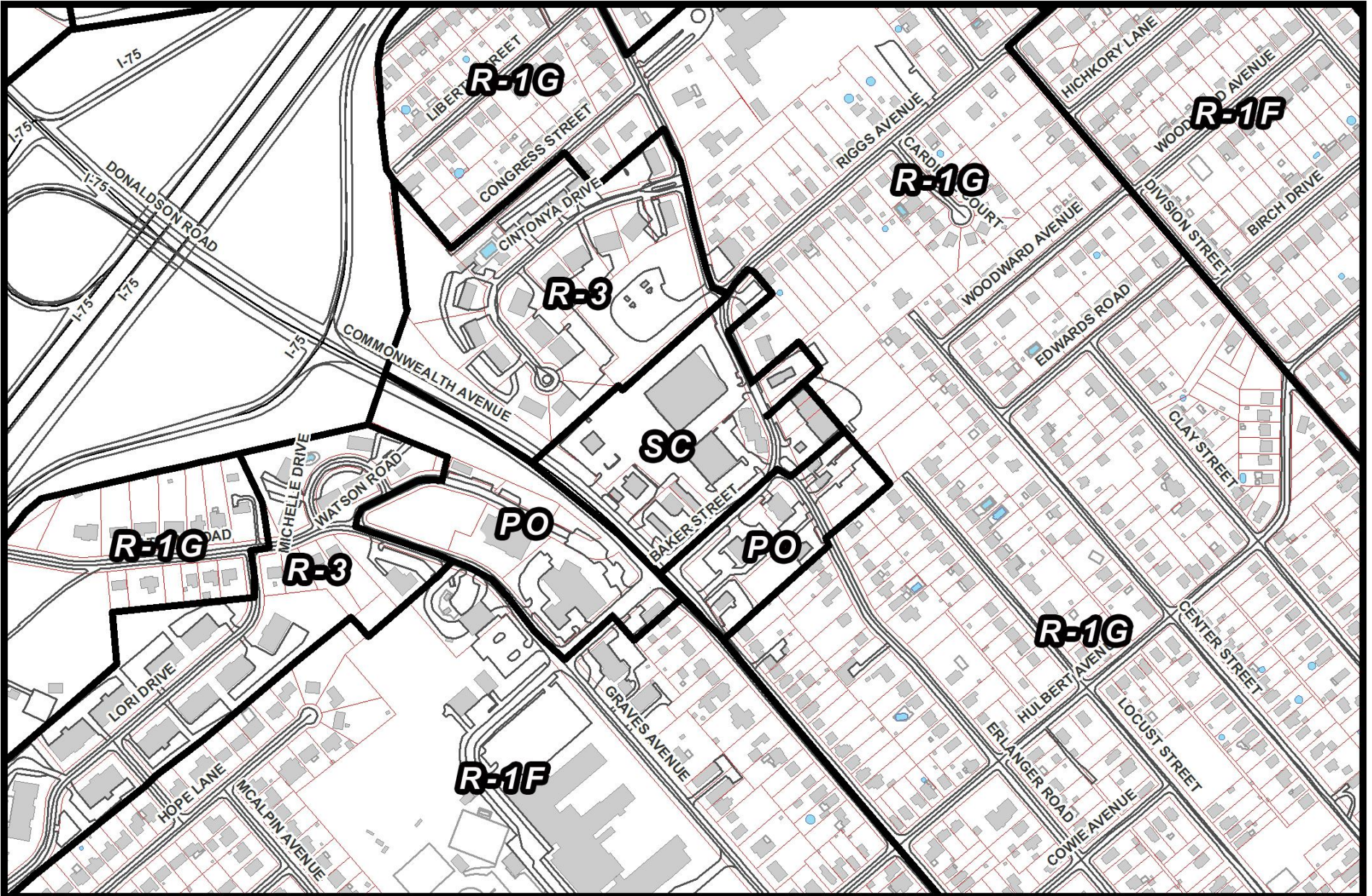


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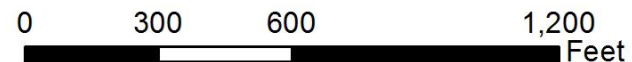
- Parcel Lines
- agricultural
- hoa common area
- single-family
- two-family
- multi-family
- retail/service
- office
- industrial
- public/semi-public
- recreation and open space
- not coded
- right-of-way
- vacant

Existing Conditions
EXISTING LAND USE





Existing Conditions
CURRENT ZONING



SC (SHOPPING CENTER) ZONE

A. PERMITTED USES

1. Apparel shop
2. Art supplies
3. Bakery and bakery goods store, provided the products are sold exclusively on the premises
4. Banks and other financial institutions, including savings, loan, and finance companies with drive-in windows
5. Barber shops
6. Beauty shops
7. Billiard or pool hall, bowling lanes
8. Book, stationery, or gift shop
9. Camera and photographic supplies
10. Candy store, soda fountain, ice cream store, excluding drive-ins
11. Child-care center
12. Delicatessen
13. Drug store
14. Dry cleaning and laundry pick-up station
15. Eating places, excluding drive-ins
16. Florist shop
17. Food store and supermarkets - no consumption of food or beverages
18. Furniture store
19. Garden supplies
20. Glass, china, or pottery store
21. Haberdashery
22. Hardware store
23. Health spas
24. Hobby shop
25. Household and electrical appliance store, including incidental repair
26. Interior decorating studio
27. Jewelry store, including repair
28. Laundromats and self-service washing and drying
29. Leather goods and luggage store
30. Library
31. Locksmith shop
32. Music, musical instruments, and records, including incidental repair
33. Off-street parking lots and/or garages
34. Offices
35. Opticians and optical goods
36. Package liquor and wine store
37. Paint and wallpaper store



38. Pet shop, excluding boarding and outside runs
39. Police and fire stations
40. Pools
41. Post office
42. Radio and television store, including repair
43. Shoe store and shoe repair
44. Skating rinks
45. Small printing establishments
46. Sporting goods
47. Studios for professional work or teaching of any form of fine arts, photography, music, drama, or dance
48. Tailor shop
49. Tennis courts
50. Theater, indoor
51. Toy store
52. Variety store, including notions and "five and ten" stores

B. ACCESSORY USES

1. Customary accessory uses
2. Fences and walls, as regulated by Article XIII of this ordinance
3. Signs, as regulated by Article XIV of this ordinance

C. CONDITIONAL USES: The following uses or any customary accessory buildings or uses, subject to the approval by the board of adjustment, as set forth in Sections 9.14 and 18.7 of this ordinance:

1. Taverns, provided the conditional use is not within one thousand (1,000) feet of another tavern, a structure used for a public or parochial school, or a church; and complies with all other federal, state, and local laws. Distances indicated are as measured in a straight line between those portions of the structure closest to each other.

D. AREA AND HEIGHT REGULATIONS: No building shall be erected or structurally altered hereafter except in accordance with the following regulations:

1. Minimum building site area - Four (4) acres and shall abut a deeded right-of-way. In the case of this zone, more than one principal building, as defined herein, may be permitted to be constructed within the minimum building site area



2. Minimum yard requirements - Fifty (50) feet for each front, side (on each side of the building site), and rear yards, except where the lot abuts an arterial street, as identified in the adopted comprehensive plan, then there shall be a minimum yard requirement of one hundred (100) feet
3. Maximum building height - Fifty (50) feet

E. OTHER DEVELOPMENT CONTROLS

1. Off-street parking and loading and/or unloading shall be provided in accordance with Articles XI and XII of this ordinance.
2. No outdoor storage of any material (usable or waste) shall be permitted in this zone except within enclosed containers.
3. No lighting shall be permitted which would glare from this zone onto any street, or into any adjacent property.
4. Where any yard of any use permitted in this zone abuts a residential zone, a minimum yard requirement of fifty (50) feet for each side and/or rear yard which abuts said zone shall be maintained by a screening area, as regulated by Section 9.17 of this ordinance, shall be provided.
5. No use producing objectionable odors, noise, or dust shall be permitted within five hundred (500) feet from the boundary of any residential zone.
6. All business activities permitted within this zone shall be conducted within a completely enclosed building, with the exception of off-street parking and loading and/or unloading areas and the outdoor play areas of child day care centers.
6. A site plan, as regulated by Section 9.19 of this ordinance, shall be required for any use permitted in this zone. Such site plan shall include the layout of the entire area of the proposed shopping center and shall take into consideration good shopping center design (i.e., internal and external good pedestrian and vehicle access) and functional relationships of uses within the shopping center.
7. All utilities must be underground when a new development occurs.



SECTION 10.13 PO (PROFESSIONAL OFFICE BUILDING) ZONE

A. PERMITTED USES

1. Banks and other financial institutions, including loan, savings and finance companies with drive - in windows
2. Bed and breakfast establishments
3. Clinics - medical or dental
4. Coffeeshouse, which may include a drive-thru window, and abuts an arterial street
5. Off - street parking lots and/or garages
6. Offices
7. Police and fire stations
8. Post offices

B. ACCESSORY USES

1. Customary accessory buildings and uses
2. Fences and walls, as regulated by Article XIII of this ordinance
3. Signs, as regulated by Article XIV of this ordinance
4. Uses as listed below, included within and entered from within any office building as a convenience to the occupants thereof, their patients, clients, or customers providing that the accessory uses shall not exceed ten (10) percent of the gross floor area of the permitted uses in the building and no exterior advertising displays for any of the accessory uses shall be visible from outside the building
 - a. Prescription pharmacies
 - b. Barber shops
 - c. Beauty shops
 - d. Medical and dental laboratories
 - e. News and confectionery stands
 - f. Eating establishments and taverns, excluding drive - ins

C. AREA AND HEIGHT REGULATIONS: No building shall be erected or structurally altered hereafter except in accordance with the following requirements:

1. Minimum Lot Area - Twenty two thousand five hundred (22,500) square feet, except for Bed and Breakfast Establishments which shall have a minimum lot area of ten thousand (10,000) square feet.

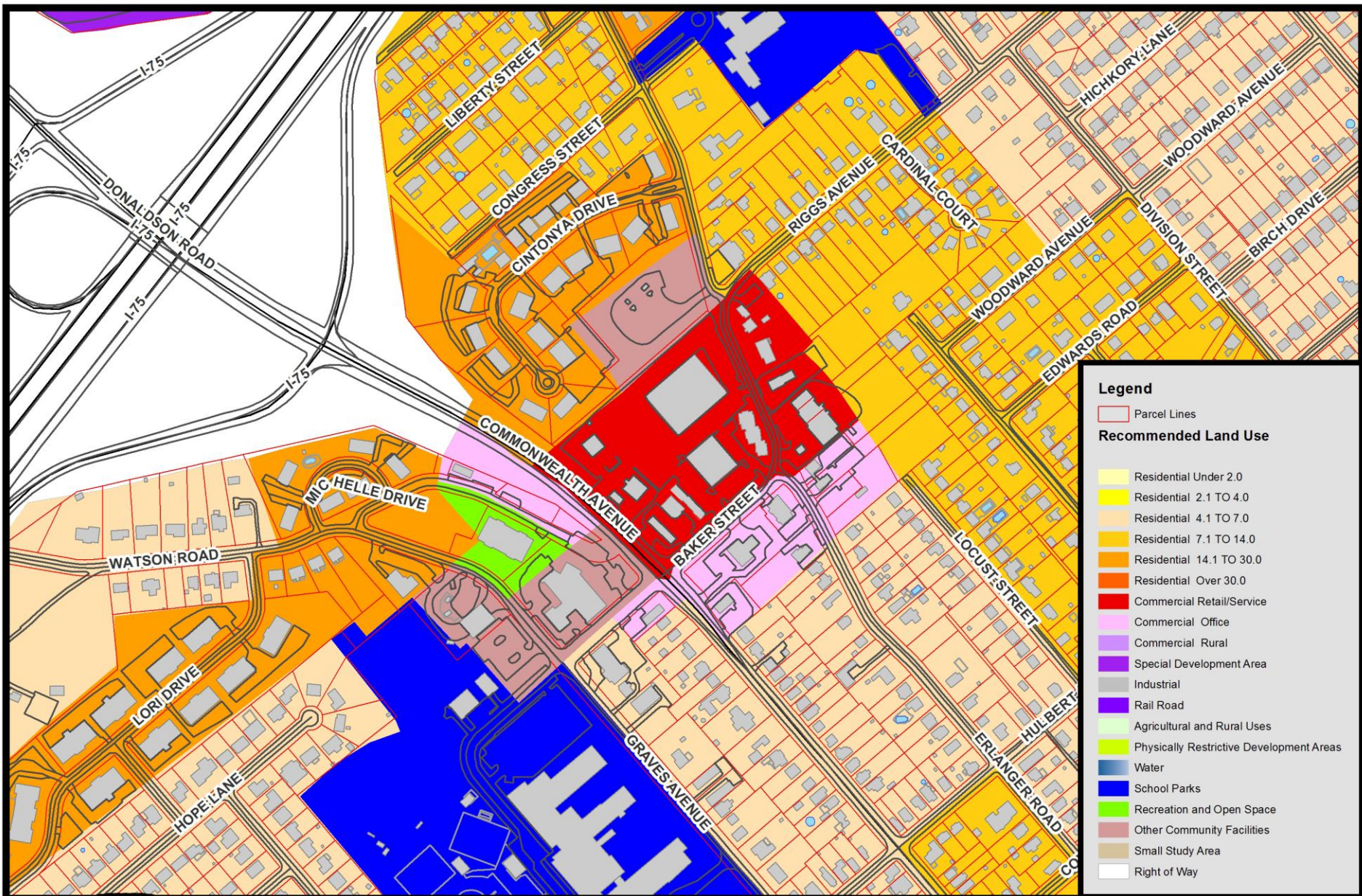


2. Minimum Lot Width at Building Setback Line - One hundred (100) feet, except for Bed and Breakfast Establishments which shall have a minimum lot width at building setback line of ninety (90) feet.
3. Minimum Front Yard Depth - Forty (40) feet.
4. Minimum Side Yard Width - Fifteen (15) feet.
5. Minimum Rear Yard Depth - Forty - five (45) feet.
6. Maximum Building Height - Fifty (50) feet.

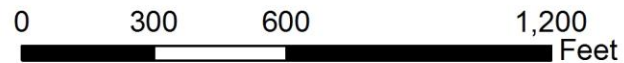
D. OTHER DEVELOPMENT CONTROLS

1. Off - street parking and loading and/or unloading shall be provided in accordance with Articles XI and XII of this ordinance.
2. No outdoor storage of any material (usable or waste) shall be permitted in this zone except within enclosed containers.
3. No lighting shall be permitted which would glare from this zone onto any dedicated street, or into any adjacent property.
4. Where any yard of any use permitted in this zone abuts a residential zone, a minimum yard requirement of fifty (50) feet for each side and/or rear yard which abuts said zone shall be provided, ten (10) feet of which shall be maintained by a screening area, as regulated by Section 9.17 of this ordinance.
5. A site plan, as regulated by Section 9.19 of this ordinance shall be required for any use in this zone.
6. No use producing objectionable odors, noise, or dust shall be permitted within five hundred (500) feet from the boundary of any residential zone.
7. All business activities permitted within this zone shall be conducted within a completely enclosed building with the exception of off - street parking and loading and/or unloading areas.
6. All utilities must be underground when new development occurs.





Existing Conditions
RECOMMENDED
LAND USE



A Primer on Form Based Zoning Codes

A form-based code is one that is based primarily on “form”—urban form, including the relationship of buildings to each other, to streets and to open space, rather than based primarily on land use. “A Form-Based Code is a development code that provides the developer/applicant greater flexibility in permitted land uses in exchange for more stringent regulations controlling urban form. These types of codes support mixed-use, pedestrian-friendly and mixed housing development more effectively than conventional codes do because they provide greater guidance on how buildings are expected to face the street, adjacent residential neighborhoods and open spaces. Form-Based Codes are becoming increasingly attractive to municipalities that want greater control over how buildings look and feel.

Cities that have adopted Form- Based Codes include Bend and Portland in Oregon; Petaluma, Pleasant Hill, Palo Alto and Hercules in California. Major cities such as Phoenix, AZ, Miami, FL, Denver, CO and Nashville, TN have also adopted Form Based Codes. Locally, Bellevue and Cincinnati are currently working on major zoning overhauls that take a Form Based Code approach.

COMPARISON OF CONVENTIONAL CODES AND FORM-BASED CODES

URBAN FORM GENERATING CHARACTERISTICS	
CONVENTIONAL CODES	FORM-BASED CODES
Include extensive lists of permitted, prohibited and conditional uses by zone. Many land uses in conventional codes lists are outdated and do not reflect the nature of contemporary employment models or dwelling types	Consider the building “walls” that frame the Right of Way (often referred to as the “public realm”) as one of the primary determinants of form
Often disallow a mix of uses	Regulating plan zone designations typically transition at the back of the lot
Prohibit adaptability of buildings to other uses over time	The same or similar development standards typically apply to both sides of the street
On zoning maps, land use designations typically begin and end at the center of the street or Right of Way	Land uses allow a much broader range of uses within a zone or subarea; also allow a greater mix of uses
	Many uses are allowed if they meet performance standards

GRAPHICS AND PROCESS CHARACTERISTICS

CONVENTIONAL CODES	FORM-BASED CODES
Development standards are not illustrated and in many conventional codes the built result of the development standards is not fully understood and/or has never been tested or modeled	Greater use of graphics to explain community goals and desired urban form to applicants, neighborhood groups and administrators
Abstract, hard to understand development standards such as FAR (Floor Area Ratio) are used to measure development capacity on site but do not provide a very clear picture of development that results	A Regulating Plan replaces the conventional code zoning map and land use designations; development standards are keyed to the Regulating Plan
Zoning map, land use designations and development standards are the primary tools of the conventional code	Development standards and expected building form is illustrated in plans, sections, 3-D models and/or axonometrics, and photos



	Other innovative tools are used by some form-based codes such as Building Types, which codify historic and/or desirable building types.
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What are the advantages of Form-Based Codes?

- Form-based codes are better at illustrating community plans and vision
- Building and street design is coordinated
- Urban form is more predictable.
- A more gradual transition between adjacent areas with different development intensities is easier to achieve
- Can specify the tapering of height, bulk, massing and lot coverage of buildings toward residential and/or natural edges
- High density development is more carefully designed, attractive and compatible

What are the pitfalls of Form-Based Codes?

- Cities must consider what approving bodies will administer the code and whether current review
- processes and review bodies will be adequate; rarely is a form-based code able to be administered without some modification
- Some cities have legal restrictions against using illustrations to set development standards; in these cases the illustrations are used to augment text and numerical standards but are not legally binding

What is a Hybrid Code?

- One that incorporates the form-based code approach toward form, but uses the provisions, processes and standards from the current code
- Often take the form of a chapter within the code, similar to a special district or an overlay
- Hybrid codes cross reference other sections of the existing code for development standards such as parking dimensions or landscaping standards
- Hybrid codes are more integrated—not stand alone codes. Some “pure” form-based codes that have been adopted are standalone codes and because of unresolved administration issues, they are optional for applicants; not mandatory

Resource Links:

- www.formbasedcodes.org
- www.cnu.org
- <http://planbuildlivecincinnati.com/>
- <http://www.bellevueky.org/Article%20XXI.pdf>

*Excerpts from Form Based Primer, serapdx.com



SECTION 10.6 R-1F (RESIDENTIAL ONE-F) ZONE

A. PERMITTED USES

1. Single-family residential dwellings (detached)
2. Qualified manufactured homes, subject to the compatibility standards established in Section 9.34 of this ordinance

B. ACCESSORY USES

1. Customary accessory buildings and uses
2. Fences and walls, as regulated by Article XIII
3. Home occupations, subject to the restrictions and limitations established in Section 9.11 of this ordinance
4. Signs, as regulated by Article XIV

C. CONDITIONAL USES: The following uses, or any customary accessory buildings or uses, subject to the approval of the board of adjustment, as set forth in Sections 9.14 and 18.7 of this ordinance:

1. Cemeteries
2. Churches and other buildings for the purpose of religious worship, providing they are located adjacent to an arterial street
3. Fire and police stations
4. Governmental offices
5. Institutions for higher education, providing they are located adjacent to an arterial street
6. Institutions for human medical care - hospitals, clinic sanitariums, convalescent homes, nursing homes, and homes for the aged, providing they are located adjacent to an arterial street
7. Nursery schools, providing they are located adjacent to an arterial or collector street
8. Public and parochial schools
9. Parks, playgrounds, golf courses, community recreational centers, swimming pools, and libraries, which are operated publicly or by a non-profit organization
10. Recreational uses other than those publicly owned and/or operated, as follows:
 - a. Golf courses
 - b. Country clubs
 - c. Swimming pools
11. Child-care center, adjacent to an arterial or collector street



12. Family child-care home
13. Fences in front yards on corner lots, per the conditions in Section 13.4.A.5

D. AREA AND HEIGHT REGULATIONS FOR PERMITTED USES

1. Minimum lot area - Six thousand five hundred (6,500) square feet
2. Minimum lot width at building setback line - Sixty (60) feet
3. Minimum front yard depth - Thirty (30) feet
4. Minimum side yard width - Total: Fifteen (15) feet; One Side: Five (5) feet
5. Minimum rear yard depth - Twenty-five (25) feet
6. Maximum building height - Thirty-five (35) feet

E. AREA AND HEIGHT REGULATIONS FOR CONDITIONALLY PERMITTED USES

1. Minimum lot area - Twenty-two thousand five hundred (22,500) square feet
2. Minimum lot width at building setback line - One hundred fifty (150) feet
3. Minimum front, side (on each side of lot), and rear yards - Fifty (50) feet
4. Maximum building height - Thirty-five (35) feet

F. OTHER DEVELOPMENT CONTROLS

1. Off-street parking and loading and/or unloading shall be provided in accordance with Articles XI and XII.
2. No outdoor storage of any material (usable or waste) shall be permitted in this zone, except within enclosed containers.
3. No lighting shall be permitted which would glare from this zone onto any street, or into any adjacent property.
4. Where any yard of any conditional use permitted in this zone abuts property in a single-family residential zone, a ten (10) foot wide screening area, as regulated by Section 9.17 of this ordinance, shall be required.
5. A minimum of one attached or detached garage shall be required for each dwelling unit that receives a zoning permit after September 24, 1986 for initial construction of that dwelling unit.
6. All utilities must be underground in a new subdivision when transmission lines have to be extended.



SECTION 10.7 R-1G (RESIDENTIAL ONE-G) ZONE

A. PERMITTED USES

1. Single-family residential dwellings (detached)
2. Housing for the elderly, provided they are served by more than one street. The maximum site for development shall be one acre; the maximum density shall not exceed 55 dwelling units per net acre; the building height should not exceed three stories
3. Qualified manufactured homes, subject to the compatibility standards established in Section 9.34 of this ordinance

B. ACCESSORY USES

1. Customary accessory buildings and uses
2. Fences and walls, as regulated by Article XIII
3. Home occupations, subject to the restrictions and limitations established in Section 9.11 of this ordinance
4. Signs, as regulated by Article XIV

C. CONDITIONAL USES: The following uses, or any customary accessory buildings or uses, subject to the approval of the board of adjustment, as set forth in Sections 9.14 and 18.7 of this ordinance:

1. Cemeteries
2. Churches and other buildings for the purpose of religious worship, providing they are located adjacent to an arterial street
3. Fire and police stations
4. Governmental services
5. Institutions for higher education, providing they are located adjacent to an arterial street
6. Institutions for human medical care - hospitals, clinic sanitariums, convalescent homes, nursing homes, and homes for the aged, providing they are located adjacent to an arterial street
7. Nursery schools, providing they are located adjacent to an arterial or collector street
8. Public and parochial schools
9. Parks, playgrounds, golf courses, community recreational centers, swimming pools, and libraries, which are operated publicly or by a non-profit organization



10. Recreational uses other than those publicly owned and/or operated, as follows:
 - a. Golf courses
 - b. Country clubs
 - c. Swimming pools
 - d. Campground
11. Child-care center, adjacent to an arterial or collector street
12. Family child-care home
13. Fences in front yards on corner lots, per the conditions in Section 13.4.A.5

D. AREA AND HEIGHT REGULATIONS FOR PERMITTED USES

1. Minimum lot area - Six thousand five hundred (6,500) square feet
2. Minimum lot width at building setback line - Fifty (50) feet
3. Minimum front yard depth - Thirty (30) feet
4. Minimum side yard width on each side of lot - Five (5) feet
5. Minimum rear yard depth - Twenty-five (25) feet
6. Maximum building height - Thirty-five (35) feet or two and one-half (2-1/2) stories

E. AREA AND HEIGHT REGULATIONS FOR CONDITIONALLY PERMITTED USES

1. Minimum lot area - Twenty-two thousand five hundred (22,500) square feet
2. Minimum lot width at building setback line - One hundred fifty (150) feet
3. Minimum front, side (on each side of lot), and rear yards - Fifty (50) feet
4. Maximum building height - Thirty-five (35) feet

F. OTHER DEVELOPMENT CONTROLS

1. Off-street parking and loading and/or unloading shall be provided in accordance with Articles XI and XII.
2. No outdoor storage of any material (usable or waste) shall be permitted in this zone, except within enclosed containers.
3. No lighting shall be permitted which would glare from this zone onto any street, or into any adjacent property.
4. Where any yard of any conditional use permitted in this zone abuts property in a single-family residential zone, a ten (10) foot wide screening area, as regulated by Section 9.17 of this ordinance, shall be required.



5. A minimum of one attached or detached garage shall be required for each dwelling unit that receives a zoning permit after September 24, 1986 for initial construction of that dwelling unit.
6. All utilities must be underground in a new subdivision when transmission lines have to be extended.



SECTION 10.10 R-3 (RESIDENTIAL THREE) ZONE

A. PERMITTED USES

1. Multi-family residential dwellings

B. ACCESSORY USES

1. Customary accessory buildings and uses
2. Fences and walls, as regulated by Article XIII
3. Home occupations, as regulated in Section 9.11 of this ordinance
4. Signs, as regulated by Article XIV

C. CONDITIONAL USES: The following uses, or any customary accessory buildings or uses, subject to the approval of the board of adjustment, as set forth in Sections 9.14 and 18.7 of this ordinance:

1. Cemeteries
2. Churches and other buildings for the purpose of religious worship, providing they are located adjacent to an arterial street
3. Fire and police stations
4. Governmental offices
5. Institutions for higher education, providing they are located adjacent to an arterial street
6. Institutions for human medical care - hospitals, clinic sanitariums, convalescent homes, nursing homes, and homes for the aged, providing they are located adjacent to an arterial street
7. Nursery schools, providing they are located adjacent to an arterial or collector street
8. Public and parochial schools;
9. Parks, playgrounds, golf courses, community recreational centers, swimming pools, and libraries, which are operated publicly or by a non-profit organization
10. Recreational uses other than those publicly owned and/or operated, as follows:
 - a. Golf courses
 - b. Country clubs
 - c. Swimming pools
11. Social service centers, provided they are located adjacent to an arterial street



12. Child-care center, adjacent to an arterial or collector street
13. Family child-care home

D. AREA AND HEIGHT REGULATIONS FOR PERMITTED USES: No buildings shall be erected or structurally altered hereafter, except in accordance with the following regulations:

1. Minimum lot area - Twelve thousand five hundred (12,500) square feet for the first four (4) dwelling units or less; two thousand (2,000) square feet shall be provided for every dwelling unit thereafter. In the case of this zone, more than one (1) principal building, as defined herein, may be permitted on one (1) lot
2. Minimum lot width at building setback line - One hundred (100) feet
3. Minimum front yard depth - Fifty (50) feet, except housing for the elderly which shall be forty (40) feet
4. Minimum side yard width on each side of lot - Fifteen (15) feet. Multi-family dwellings in addition to the above requirement, no off-street parking or access drive may be located closer than twenty-five (25) feet to a single-family residential zone or properties of separate ownership within the same zone. Off-street parking and access drive may extend to the property line when the adjoining property is in the same ownership. Common parking areas and access drives may be permitted when adjoining property is not in the same ownership provided agreements relative to use are provided
5. Minimum rear yard depth - Fifty (50) feet
6. maximum building height - Forty-five (45) feet
7. Maximum density - Conventional multi-family -- Twenty (20) dwelling units per net acre; Housing for the elderly -- Sixty (60) dwelling units per net acre
8. Off-street parking shall be prohibited within the required minimum front yard and the required minimum rear yards for multi-family dwellings
9. A minimum of one attached or detached garage shall be required for each dwelling unit that receives a zoning permit after September 24, 1986 for initial construction of that dwelling unit, except housing for the elderly

E. AREA AND HEIGHT REGULATIONS FOR CONDITIONALLY PERMITTED USES

1. Minimum lot area - Twenty-two thousand five hundred (22,500) square feet
2. Minimum lot width at building setback line - One hundred fifty (150) feet
3. Minimum front, side (on each side of lot), and rear yards - Fifty (50) feet
4. Maximum building height - Thirty-five (35) feet



F. OTHER DEVELOPMENT CONTROLS

1. Off-street parking and loading and/or unloading shall be provided in accordance with Articles XI and XII.
2. No outdoor storage of any material (usable or waste) shall be permitted in this zone, except within enclosed containers.
3. No lighting shall be permitted which would glare from this zone onto any street, or into any adjacent property.
4. Where any yard of any use permitted in this zone abuts property in a single-family residential zone, a ten (10) foot wide screening area, as regulated by Section 9.17 of this ordinance, shall be required.
5. A site plan, as regulated by Section 9.19 of this ordinance, shall be required for any use permitted in this zone.
6. All utilities must be underground in a new subdivision when transmission lines have to be extended.

