

**TO:** Kenton County Planning Commission Members

**FROM:** Andy Videkovich, AICP, Planning Manager

**RE:** Staff Recommendations for the Public Hearing

**DATE:** June 30, 2025

PDS submits the attached report and recommendation for your review prior to the scheduled **July 08, 2025, SPECIAL** public hearing. This information relates to the following agenda item:

**FILE:** **PC-25-0006-TX**

**APPLICANT:** The City of Crestview Hills per Alex Mattingly, City Administrator

**REQUEST:** The City of Crestview Hills seeks to replace the current zoning ordinance with a new zoning ordinance that recognizes Crestview Hills' development patterns, streamlines processes, and addresses new development trends. ***A link to the full draft text and proposed zoning map can be found at <https://kcpcky.org/meetings/now-pending>.***

Staff will be prepared to address your comments and/or questions regarding the project during the public hearing. If you need additional information or clarification prior to that time, don't hesitate to contact me.

cc: Alex Mattingly, City Administrator

### Text Amendment

File No: PC-25-0006-TX

Jurisdiction: Crestview Hills

Applicant: The City of Crestview Hills per Alex Mattingly

Project Manager: Andy Videkovich, AICP, Planning Manager

## **GENERAL CASE INFORMATION**

**Request:** The City of Crestview Hills seeks to replace the current zoning ordinance with a new zoning ordinance that recognizes Crestview Hills' development patterns, streamlines processes, and addresses new development trends. ***A link to the full draft text and proposed zoning map can be found at <https://kcpcky.org/meetings/now-pending>.***

## **HISTORY & BACKGROUND**

1. In 2014, an entirely new Comprehensive Plan, *Direction 2030: Your Choice. Your Voice.*, was adopted for the County. Within the Goals and Recommendations of this plan, the need for updated zoning regulations is mentioned over 100 times.
2. In 2015, entirely new Subdivision Regulations were adopted for Kenton County.
3. The zoning ordinances are the last piece of Kenton County's planning infrastructure that need to be updated. The process of updating the zoning ordinance began in 2016. There are 13 participating jurisdictions. This project was divided into three phases:
  - a. Phase 1
    - i. A comprehensive professional audit of the zoning ordinance to identify issues, national trends, and develop recommendations.
  - b. Phase 2
    - i. Creation of a "blueprint" ordinance with standardized sections, comprehensive list of zoning districts, and options for various sections.
  - c. Phase 3
    - i. Tailor the code to meet each community's needs.
4. Throughout this process, the City of Crestview Hills had a committee comprised of City staff, elected officials, and community members to guide the process. This committee met throughout the process with PDS staff to develop the new zoning ordinance. On June 12, 2025, staff presented on the new zoning ordinance text and map to the Crestview Hills City Council and council authorized the City Administrator to apply to KCPC for the new zoning ordinance text and map.
5. On June 4, 2025, staff presented the new zoning ordinance to the KCPC Z21 Review Committee. After discussing the new ordinance with PDS and City staff, the Committee members recommended the adoption of the new zoning code and map to the full KCPC.

## **PETITION REVIEW**

1. The new zoning ordinance text and map represents and effort by the City to focus on maintaining community character and making the zoning ordinance more user-friendly. The new zoning ordinance text and map accomplishes these goals by:

- a) Consolidating 16 zones into 13 zones:

ZONE CATEGORIES	CURRENT ORDINANCE COUNT	PROPOSED ORDINANCE COUNT	CHANGE IN COUNT
Residential	7	5	-2
Commercial	2	2	0
Employment	4	3	-1
Other	2	2	0
Special	1	1	0
TOTAL	16	13	-3

- b) The Thomas More College campus will be brought under a single INST Zone (it is currently split between two zones).
- c) Using LINK-GIS to analyze the existing conditions and “right-size” the development standards within the zoning districts.
- d) Allowing for minor administrative modifications
- e) Adding residential and commercial design standards
- f) Adding site lighting standards
- g) Updating off-street parking standards to allow shared parking and parking flexibility
- h) Prohibiting short-term rentals in all zones.
- i) Allowing murals in the INST and CC Zones.
- j) Conditionally permitting Family Childcare Homes in all residential zones.
- k) Prohibiting two-family and three/four-family homes in all zones except for the R-MF zone.
- l) Allowing attached accessory dwellings within the R-LLS, R-CVS, R-CPS, and R-M zones if the lot is greater than 5,000 square feet.
- m) Will not include viewshed protection, stream and water quality buffers, green development, infill, and grayfield development.
- n) Updating accessory structures from 100 square feet to 120 square feet within residential zones
- o) Conditionally permitting drive throughs in the CC zone, only on lots with a freestanding building

## **COMPREHENSIVE PLAN**

1. **Comprehensive Plan:** A full review of the 2024 *Kenton County Comprehensive Plan*. goals, objectives, and recommendations was conducted by staff. The following is a summary of what staff finds to be the most relevant sections:
  - a. PDS staff finds that the submitted request is consistent with the following:
    - i. Goals and Objectives
    - ii. Suburban Sub Area Element
    - iii. Economy Element
    - iv. Housing Element

*Staff findings: Crestview Hills is a mostly built-out community with a few opportunities for new development. The new zoning ordinance places emphasis on maintaining the existing character of its neighborhoods through design standards and revised development standards to remove barriers for*

*existing homeowners. When new development does occur, it is important that it meets the City's long term goals.*

## **STATE STATUTE**

1. KRS 100.201 (2) states that when all required elements of the comprehensive plan have been adopted in accordance with the provisions of this chapter, then the legislative bodies and fiscal courts within the planning unit may enact permanent land use regulations, including zoning and other kinds of growth management regulations to promote public health, safety, morals, and general welfare of the planning unit, to facilitate orderly and harmonious development and the visual or historical character of the unit, and to regulate the density of population and intensity of land use in order to provide for adequate light and air. In addition, land use and zoning regulations may be employed to provide for vehicle parking and loading space, as well as to facilitate fire and police protection, and to prevent the overcrowding of land, blight, danger, and congestion in the circulation of people and commodities, and the loss of life, health, or property from fire, flood, or other dangers. Land use and zoning regulations may also be employed to protect airports, highways, and other transportation facilities, public facilities, schools, public grounds, historical districts, central business districts, prime agricultural land, and other natural resources; to regulate the use of sludge from water and wastewater treatment facilities in projects to improve soil quality; and to protect other specific areas of the planning unit which need special protection by the planning unit.
2. Kentucky Revised Statute (KRS) 100.203 (1) states the allowable content of zoning regulations which cities and counties may enact
3. KRS 100,207 (1) states that before a city enacts zoning regulations, as authorized by KRS 100.201, the planning commission shall prepare the text and map of all zoning regulations and shall hold at least one (1) public hearing. Notice of the public hearing shall be given in accordance with the provisions of KRS Chapter 424.

**STAFF RECOMMENDATION:** Favorable recommendation on the new Crestview Hills Zoning Ordinance, including new text and a new zoning map.

## **SUPPORTING INFORMATION/BASES FOR STAFF RECOMMENDATION**

1. The new Crestview Hills zoning ordinance text and map meets the requirements of the KRS 100.201 (2) and KRS 100.203 (1). The City is authorized to enact permanent land use regulations and other kinds of growth management regulations to promote the public health, safety, morals, and general welfare of the planning unit, to facilitate orderly and harmonious development and the visual or historical character of the unit, and to regulate the density of population and intensity of land use in order to provide adequate light and air.
2. The new Crestview Hills zoning ordinance text and map is generally consistent with the goals, objectives, and recommendations of The Kenton County Comprehensive Plan, as noted above.
3. The new Crestview Hills zoning ordinance text and map is generally consistent with the Recommended Land Use map of The Kenton County Comprehensive Plan, as note above.

**ATTACHMENT A**

**KENTON COUNTY PLANNING COMMISSION Z21 REVIEW COMMITTEE**

**GoToMeeting Virtual ID 343-612-653**

**DRAFT Meeting Minutes: June 04, 2025**

**Committee Members Present:** Gailen Bridges, Todd Berling; Matt Martin and Jeff Bethell

**Committee Members Absent:** Todd Herrmann

**Committee Member Vacancy:** Lakeside Park

**PDS Staff and Other interested parties in attendance:** Mayor Paul Meier, City of Crestview Hills; Alex Mattingly, City Administrator of Crestview Hills; Andy Videkovich, PDS Planning Manager, Kristen Martin, PDS Senior Zoning Official; and Pamela Bushelman, PDS Senior Secretary.

Chairman Bridges called the meeting to order at approximately 5:34 p.m. Ms. Bushelman called the roll, and four of the six committee members were present and the quorum was confirmed.

Chairman Bridges moved on to the approval of the review of the meeting held on December 5, 2023. There were no corrections or changes proposed. Commissioner Berling made a motion to approve the minutes as submitted, which was seconded by Commissioner Bethell. A voice vote indicated that everyone was in favor, and the motion carried.

Next, Chairman Bridges asked for a motion to accept the meeting notes from April 9, 2025, as written. Commissioner Bethell made the motion; seconded by Commissioner Martin. During the voice vote, Chairman Bridges, Commissioner Bethell, and Commissioner Martin voted in favor, while Commissioner Berling abstained. The motion passed.

Ms. Kristen Martin then began the presentation of the proposed zoning ordinance and zoning map for the City of Crestview Hills. She expressed her gratitude to the Z21 working group and provided a brief history of their efforts and activities. She mentioned that the working group consistently checked in with neighboring jurisdictions and announced that the presentation to the Crestview Hills City Council is scheduled for June 12th. Once approved, the ordinance will be presented at the KCPC meeting on July 8, 2025.

Ms. Martin reviewed the proposed zoning districts, noting that the new ordinance will reduce the number of districts from 16 to 13. She clarified that while the names of the zoning districts may change, areas currently designated as single-family will remain single-family, and those zoned for mixed use or commercial will continue to be zoned as such. Each area will be assigned to a zoning district that corresponds to its current designation.

She continued by reviewing the proposed residential zoning districts within the city:

1. **Residential Large Lot Subdivision (R-LLS):** This district will encompass most of the residential area in the city, allowing for low-density single-family residences.
2. **Residential Compact Subdivision (R-CPS):** This district will include single-family residences on smaller lots, particularly in the area of Campus Drive.
3. **Residential Conventional Subdivision (R-CVS):** This area allows single-family homes with varying lot sizes, located around Sorority Court, Fraternity Court, University Circle, Varsity Court, and College Park Drive.
4. **Residential Mixed (R-M):** This district permits a combination of single-family attached, single-

family detached, and multi-family residences, primarily in the areas of Palmer Court, Champions Way, and Nicklaus Lane.

5. **Residential Multi-Family (R-MF):** This district allows for a mix of single-family attached and detached residences, as well as two-family, three-family, and four-family homes, located in the areas of Tuscany Valley, Rhine Valley, and Napa Valley.

Ms. Martin then discussed the two proposed Commercial zones:

1. **Historical Commercial (HLC)** is a direct transfer from the existing code and refers to the area of Mansion Place.
2. **Community Commercial (CC)** corresponds to the current Shopping Center Zone, which includes Crestview Hills Town Center and Town Center Boulevard.

Next, Ms. Martin moved on to the Employment zones. The Employment Zoning Districts will comprise the BP-1, BP-2, and FI Zones.

1. **Business Park-1 (BP-1)** is currently designated as RP-1, allows for high-rise buildings.
2. **Business Park-2 (BP-2)** is currently known as PO-1, permits low-rise buildings.
3. **Flex Industrial (FI)** is situated in the northwestern area of the city, and aims to accommodate light manufacturing, assembly, research and development, and large-scale office spaces. This zone does not permit hazardous materials, chemicals, or processes that produce loud, offensive noise, odors, or vibrations.

Following this, Ms. Martin outlined other special zoning districts.

1. **Conservation Zone (CO)** remains unchanged.
2. **Institutional Zone (INST)** encompasses all of Thomas More University.
3. **Planned Unit Development (PUD)** includes Crown Point Circle.
4. **Mixed-Use Zone (MX)** this is included in the text of the code *but not yet mapped* and is a direct transfer from the existing code. Its intent is to support appropriately scaled redevelopment into two zones for mixed-use development aiming for a “live-work-play” atmosphere, featuring a mix of high-quality buildings, civic spaces, and well-designed landscapes and streetscapes.
  - a. **MX-1** is intended for Town Center, which will include shopping, limited residential, and limited office areas.
  - b. **MX-2** is designed for office park locations, including office buildings, corner shops/restaurants, and limited residential areas.

Ms. Martin then continued with a review of **ARTICLE 4: Uses**.

1. Accessory Dwelling Units are permitted in the R-LLS, R-CVS, R-CPS, and R-M zones, provided that the lot is greater than 5,000 square feet and that the units are attached to the primary structure.
2. Short-Term Rentals are currently not permitted or regulated by the zoning code and will instead be governed by the City’s Ordinance.
3. Family Childcare Homes are conditional in all residential zones.
4. Accessory Structures will see an increase in size allowance from 100 square feet to 120 square feet within residential zones.
5. CC zone drive-thrus will be considered a conditional use, but only on lots with a freestanding building.

During this discussion, Ms. Martin clarified that the City would be responsible for the regulation and enforcement of Short-Term Rentals. Mr. Mattingly noted that since the zoning code does not permit them but the ordinance does, the city will address its ordinance once the new zoning code has been adopted. A brief discussion followed, during which Mr. Mattingly confirmed that the city would ban short-term rentals, adding that the city’s parking restrictions make such rentals impractical.

Next, Ms. Martin reviewed **ARTICLE 5: Dimensional Requirements**.

1. A front porch (not rising above the first-floor height) is allowed to encroach a maximum of 5 feet into the setback.
2. A deck located in the rear yard is permitted to extend into the rear setback by up to 50% or a maximum of 5 feet, whichever is greater.
3. A 10% standard modification may be authorized by the Zoning Administrator.

Moving on, Ms. Martin addressed the following:

#### **ARTICLE 7: Character Standards**

Building material standards for new construction in the CC, R-LLS, R-CVS, and R-CPS zones.

#### **ARTICLE 7: Fences and Walls**

A new chart has been introduced for easier interpretation.

#### **ARTICLE 8: Natural Resources and Environment**

**Included:** Hillside Development Standards \* Flood Protection Development Standards \* Storm Water Management \* Odor, Noise, Dust, Vibration, Debris, and Glare Control

**Not included:** Viewshed Protection \* Stream and Water Quality Buffers \* Green Development \* Infill/Gray Field Development

#### **ARTICLE 10: Parking and Loading Standards**

Updated parking standards reflect the shift in retail towards online sales, allowing for more flexibility:

**Alternative 1:** Parking credits for bicycle parking or multi-tenant site parking. For example, a specified number of parking credits may reduce the off-street parking requirement by a designated amount.

**Alternative 2:** Property owners will provide a Traffic Impact Study demonstrating the parking demand for the property, which may reduce the off-street parking requirement.

#### **ARTICLE 11: Signs**

A new chart has been introduced.

Murals are now allowed in the INST and CC zones.

#### **ARTICLE 13: Processes and Procedures**

Streamlining processes for:

1. **Map Amendment/Concept Plan Procedure:\*\*** Maintaining the current process.
2. **Concurrent Processing of Variances and Conditional Uses:\*\*** Maintaining the current process.
3. **\*Final Development Plans (formerly called Stage II Development Plans):\*\*** These will be reviewed by staff, but the final decision will be made by the City Administrator. A final development plan approval will also equate to final zoning permit approval, which is currently required after Stage II approval.
  - a. Minor Amendments to the Final Development Plan will be made by the City Administrator.
  - b. Major Amendments will require approval from the City Administrator. If the City Administrator determines the change to be major, the applicant will need to file a new application for an amendment to the Concept Development Plan (Stage I).

Upon conclusion Ms. Martin asked if there were any questions from the Committee. Mr. Mattingly clarified the MX-1 and MX-2 zones are not currently mapped and noted that Thomas More owns some of the properties in the zone, but not all of them.

With no further questions, Mayor Meier and Mr. Mattingly expressed their gratitude to everyone involved in the project.

Chairman Bridges then moved on to the recommendation for approval from the committee to the full KCPC. The motion was made by Commissioner Martin and seconded by Commissioner Bethell. A roll call vote showed that all were in favor, and the motion was approved.

Mr. Videkovich confirmed the receipt of the city's application, which will be discussed at the KCPC meeting on July 8th, pending approval from the city council. With no additional topics to address, Commissioner Martin made a motion to adjourn, which was seconded by Commissioner Bethell. The motion passed by unanimous consent, and the meeting adjourned at 6:05 p.m.