INDEPENDENCE ZONING UPDATE COMMITTEE
MEETING #16 SUMMARY

Date: Monday, August 23, 2011
Time: 6:00 pm – 8:00 pm
Location: The Independence City Building

PRESENT
Committee
John Richardson, Chair
Bob Schroder
Dan Groth
Annie Wuestefeld

NKAPC Team Members
Chris Reinersman
Rodney Crice
Donna Yeager
Scott Hiles

Andy Videkovich, AICP
Jenna Haverkos, AICP
Martin Scribner, AICP

DISCUSSION POINTS
Conservation Development Single-Family Zone
Review of preliminary draft
- Open space maintenance
  - While dedicating land to the City is an option, can it be written that the City has the first right of refusal. It is not certain whether writing a statement like this into the regulations would be legal. In addition, in most cases, the City would probably not be willing to accept the open space due to the City’s limited ability to maintain the extra open space. Likewise, a developer may not actually prefer this option, but one of the other options listed in the regulations.
  - Conservation easements should be allowed as an option for open space maintenance. This means that the open space will be on private property and the private property owners would be responsible for maintaining the easement. Conservation easements are not perfect, like all options, but conservation easements may be more feasible for smaller developments.
- Is a 50’ perimeter setback necessary, especially adjacent to another residential zone?
  - The goal of the site perimeter setback is to create connected open spaces.
  - The 50’ site perimeter setback should be able to count towards the 50% open space, if it is not private.
  - The 50’ site perimeter setback should be reduced when adjacent to a collector street to provide street perspective continuity along Madison Pike.
- Stacked condos are not permitted.
- The regulations will only apply to major subdivisions, which are when streets are widened or extended, or public utilities are constructed.
  - If there is a development that is not a major subdivision, then it will have to meet the requirements of the R-1D Zone. This would apply to minor splits to give/sell to family members, etc.
    - What if someone splits 4 or 5 large lots, and each of those have to have utilities (sewers, etc.), wouldn’t that be a major subdivision? No, those would be extensions of private laterals, not an extension of a public utility.
  - The R-1D Zone does allow for higher density than the R-1C Zone that is on a portion of the area, but it is consistent with the zoning both to the north and south.
These regulations address the concerns that were heard about the existing property owners being able to split their land without meeting the conservation regulations.

- These regulations cannot supersede or ignore the Kenton County Subdivision Regulations. The Subdivision Regulations, which apply to the current zoning and have been in place for 33 years, may not allow for minor lot splits in certain situations.

  ○ Other comments
    - The purpose statement is editorialized. A few words can be changed to make it more objective.
    - The requirement for stub streets should be consistent with the wording in the Subdivision Regulations.

- The Design Review Board
  - The list of members will be amended to reflect two at-large members, and the ISAC member will be deleted.
  - The clause that a board member may be removed if absent from more than 1/3 of the meetings will be removed. Removal for excessive absenteeism is reserved by the Mayor, with City Council’s approval.
  - The City Council member’s term should be two years to coincide with their Council term.
  - There was a reference to historic preservation in the “Organization” section which will be removed.
  - It was decided that the DRB should meet at least once a year and as necessary. The current text state they must meet 4 times a year.
  - There is a conflict between the DRB’s hearing and action timeframe text and the text in the zoning districts. Also, there should be a timeframe for KCPC duly authorized representative/NKAPC staff approval.
  - The wording for filing an appeal will be clarified.

NEXT STEPS
The next Steering Committee meeting will be Thursday, September 22, 2011 from 6 pm – 8 pm at the Independence City Building. The purpose of this meeting will be to discuss the Gateway Commercial Zone. A draft of the Zone will be sent out to Committee members in the upcoming weeks.

Staff will begin planning a public input meeting in November. This will allow time to make any changes from the October meeting, post the drafts on the website, allow adequate time to notify residents of the meeting and hopefully allow enough time for them to review the drafts prior to the meeting. Staff will work with the City and with the Committee Chair to set this up.