New subdivision regulations scheduled for public hearing and final vote

March 10 is finally the date. After years of work, scores of meetings, and more debates aimed at consensus than can be recalled by participants, Kenton County’s totally new subdivision regulations are set for a public hearing. Members of the Kenton County Planning Commission will listen to final comments on March 10 beginning at 6:15 p.m.

The draft document is available for public review online.

Since 2010 staff has worked with a committee of planning commission members and various groups such as the Kenton County Mayors’ Group, Home Builders Association of Northern Kentucky, and a committee of pavement engineers to complete a comprehensive rewrite of the Kenton County Subdivision Regulations. The resulting draft represents the first time the document has been updated comprehensively since it was written in 1978.

Staff’s goals for the update were to produce a document that is efficient to use, provided design flexibility, coordinated better with other governmental agencies, and—most importantly—provided greater taxpayer protection through better street designs.

“We’re confident we accomplished our goals, particularly as they relate to requiring subdivision streets that last longer,” said Scott Hiles, CPC, PDS’ director of infrastructure engineering. “When subdivision streets fail and need repair, it’s the taxpayers who foot the bill to fix them.”

“We hope the Commission votes to approve the new regulations—as written with no changes,” said Hiles. “That will put the contents into effect immediately.”

If changes made during the March 10 public hearing, it’s likely the effective date of the regulations will be delayed until April 1st. Either way, staff is looking forward to closing this chapter in the process and beginning the business of enforcing the new regulations, according to Hiles.

Analytics, economic development to be focus of NKY mapLAB initiative
Recognizing that a good map can often inform an audience better than a voluminous spreadsheet of geographical data, PDS last month launched Northern Kentucky mapLAB. The initiative seeks to accomplish two critical goals: illustrate the robust analytical capabilities of LINK-GIS; and, use those capabilities to support Kenton County’s economic development program. Products of the program will be distributed via PDS’ broad range of social media tools.

“We’ll soon celebrate the thirtieth anniversary of LINK-GIS’ founding,” said Dennis Gordon, FAICP, executive director of PDS and managing partner of LINK-GIS/Kenton County. “That makes it one of the oldest GIS systems in this part of the country. And, because time has a way of translating into information for these systems, LINK-GIS is a veritable treasure trove of intelligence.”

Gordon is banking that when the community is exposed to ongoing examples of GIS analytics, more people will come to appreciate what PDS and its partners have built for the community. He asserts that outside interests will also come to appreciate its capabilities.

“There’s no secret to the fact that a geographic information system (GIS) can be one of the most potent tools a community can have in its arsenal when it comes to economic development,” said Gordon. “The ability to provide enormous amounts of geospatial data in short periods of time can mean the difference between winning or losing a prospect.”

Geospatial data is information that identifies the geographic location and characteristics of natural or constructed features and boundaries on the earth, typically represented by points, lines, polygons, and/or complex geographic features. It’s the type information critical to economic development programs whether you’re a company looking for a new home or a community desiring to be that new home.

Northern Kentucky mapLAB will produce and distribute maps on a monthly basis using data supplied by LINK-GIS. The inaugural map illustrated energy-efficient construction being pursued currently in Kenton County. Future maps will focus on a number of issues critical to economic development including quality of life. All published maps will be stored online for future reference.

“We’ve supported Tri-ED’s efforts for a number of years,” said Gordon. “Now that Kenton County has hired a professional to support its and the cities’ interests in this arena, we look forward to supporting them too.”

LINK-GIS is an interlocal partnership made up of Kenton County Fiscal Court, SD1, the Northern Kentucky Water District, and PDS.

PDS Council welcomes new members; elects officers, board members

The impacts of November’s elections were apparent last month when the PDS Council met for its annual organizational meeting. Someone other than the elected official who sat on the council in 2014 represented eight of the Council’s 20 jurisdictions. Edgewood Mayor John Link was elected the council’s president for 2015; Lakeside Park Mayor Dave Jansing was elected vice president and Elsmere Mayor Marty Lenhof was re-elected secretary. All terms run through January next year.

In another voting procedure, councilmembers elected three individuals to serve two-year terms on the PDS Management Board. Elected were County Commissioner Beth Sewell of Covington, Covington Mayor Sherry Carran, and former Taylor Mill mayor Mark Kreimborg.
Four other individuals serve on the management board, having been elected in 2014 to two-year terms. They are former Fort Wright mayor Tom Litzler, Crestview Hills Mayor Paul Meier, former Fort Mitchell mayor Bill Goetz, and former Independence mayor Chris Moriconi.

As directed by the Kentucky Revised Statutes, the PDS Council provides a forum in which Kenton County planning issues can be debated and consensus can be achieved. With a membership of elected officials only, the council is also responsible for final review of the organization’s annual budget and the tax rate that funds it.

The management board is the body that sets the organization’s general direction, oversees the county’s planning staff, and develops its annual work program and budget.

Others included on the ballot for seats on the management board were former Fort Wright mayor Gene Weaver and former Villa Hills mayor Mike Martin.

**Staffer elected chair of OKI intermodal coordinating committee**

In January, members of the Ohio-Kentucky-Indiana Regional Council of Governments’ (OKI) Intermodal Coordinating Committee (ICC) elected James Fausz, AICP, to be their chairperson. Fausz, who is a principal planner at PDS, previously served as the group’s first vice chair.

“I’ve been interested in transportation of all kinds since I was very young, so it’s exciting for me to serve as the chair for a group that works on multimodal mobility,” Fausz explained. “It’s also rewarding to work on bettering our community from the regional perspective.”

Fausz has worked on transportation-related projects throughout his career, which encompasses roles in both the private and public sector.

The ICC advises the OKI Board of Directors on technical issues related to regional transportation planning. With approximately 70 members, the roster encompasses a wide range of professionals in the region. Members include experts from local, state, and federal transportation agencies; governments from the eight-county OKI region; planning organizations; and, a wide array of business, civil, environmental, and utilities from the public and private sectors.

**KCPC, staff see increase in applications for communications towers**

There has been an increase in new cell tower applications in Kenton County. Following a five-year period during which no new cell towers were constructed, PDS staff has processed two applications within the past four months. Time will determine whether this trend continues.

Larry Perry, a nationally-recognized radio frequency engineer and consultant to PDS, states that this trend may continue as the economy improves, technology and data speeds increase, and wireless providers seek to fill the holes in their networks.

“Part of the reason the need for new towers is increasing is LTE (long-term evolution) technology that is so popular today,” says Perry. “LTE technology reduces signal coverage somewhat while increasing the speed of the data that is transmitted.”
In addition to new cell towers, PDS’ Building Codes Administration Department has also received numerous permit applications to upgrade equipment on existing cell towers and structures.

New cell towers are often the most contentious issues that a planning commission hears and decides. The two most common complaints and objections that the Kenton County Planning Commission (KCPC) hears at public hearings are the loss of property values and the aesthetics of towers.

These objections by themselves, however, are usually not sufficient for denying an application. To deny an application, the planning commission must have “substantial evidence” to deny an application. While property values and aesthetics are important concerns for residents and communities, often times little factual evidence is submitted to the planning commission as a basis for its decision.

Federal and State regulations regarding the placement of new cell towers severely limit the purview of the planning commission. The Federal Telecommunications Act of 1996 preserves the ability of the planning commission regarding the placement, construction, and modification of wireless service facilities for personal wireless service, subject to some very important federal limitations.

- **The planning commission cannot have the effect of denying Service.** The KCPC cannot develop policies that have the effect of denying an application once an applicant demonstrates a need to construct a tower in a location based on coverage or capacity needs and an inability to co-locate on existing towers.

- **The planning commission cannot discriminate.** The KCPC cannot favor one competitor over another competitor or, for example, base a denial because a carrier already has service in an area so there is no need for another carrier to provide service.

- **The planning commission cannot consider environmental effects.** The KCPC should not allow evidence of environmental effects at the public hearing.

Kentucky law (KRS 100) states that only the planning commission has the authority to review and approve the construction of new towers. The planning commission must hold a public hearing and make its decision within 60 days of an application being received. Because of the time limits and limitations placed on the planning commission, new cell towers are often very hotly debated within the community.

“[Another reason why more new towers may be built], the FCC has authorized a total of 13 carriers for transmission of mobile data (smart phones) and currently we have only five in our area,” says Perry. “The new carriers are going to need tower space for their equipment also, thus additional potential applications.”

With smart phone technology improving and being nearly a necessity in today’s society, Kenton County is likely to see more conflicts between new cell towers and residential areas of the county.

**Strengthening economy, mild weather spur building permit workload**

Most preseason forecasts for our winter weather seemed to include another polar vortex like what we endured last year. As of this week, however, we have had one very minor snow incident and this week’s measureable snowfall. Mild temperatures have been the norm in Kenton County. What does this mean to the construction industry? **Full speed ahead.**

PDS’ building department has seen an increase of 188 permits, 118 plan reviews, and 235 inspections during the three recent months of November through January from the same period the year before.
“Typically in the winter, we have a month or two where we can play catch up on old files right before the spring busy season hits but that hasn’t occurred this year,” said Brian Sims, CBO, PDS’ chief building official. “Hopefully, that is a sign of good things to come.”

Even with the increase in workload and the enforcement of new codes that went into effect last year, PDS is maintaining its commitment to a short turnaround times on plans as well as quick inspections out in the field.

**Planning manager named Outstanding Woman of Northern Kentucky**

Seven Outstanding Women of Northern Kentucky for 2015 will be honored at a ceremony in April. One of them is PDS’ own Sharmili Reddy, AICP, Planning Manager.

The annual awards celebrate women who exemplify notable achievements, outstanding service in their professions or to the Northern Kentucky community, and the qualities of personal integrity, perseverance and leadership.

Toyota, the presenting sponsor of the awards, released the honorees' names Monday.

Reddy was named in the Emerging Leaders category along with Claire E. Parsons, associate, Civil Rights litigation, Adams, Stepner, Woltermann & Dusing, PLLC.

Others named for 2015 awards include: Karen Cheser, deputy superintendent of Boone County Schools; Candace S. McGraw, CEO of the Cincinnati/Northern Kentucky International Airport; Kristi Nelson, general counsel and SVP of Shared Business Services; Donna Salyers, owner of Donna Salyers' Fabulous Furs; and, Dr. Lynne M. Saddler, M.D., MPH, district director of health, Northern Kentucky Health Department.

All winners will be recognized at a luncheon and awards ceremony beginning at noon April 16 at The METS Center, 3861 Olympic Blvd.

**Urban residents, groups gear up for Direction 2030 implementation**

Efforts to implement *Direction 2030*, Kenton County’s new comprehensive plan, are currently underway in the urban subarea of the county. The urban subarea is one of four such areas identified within *Direction 2030* as having a distinct development character and associated needs. It is the second subarea targeted for implementation by PDS staff. Other subareas are rural, suburban, and first-ring suburban.

Implementation will kick off with a series of meetings with city staff, local officials, and representatives from agencies and organizations in the urban project area which includes Ludlow, Bromley, and the urban areas of Covington.

While the project has just begun recently, the primary objectives have been set. They are to focus on action-oriented tasks which directly implement the recommendations of *Direction 2030*. The urban areas of Kenton County currently contain a number of agencies and organizations whose missions revolve around fostering better communities. Initial work includes meeting with stakeholders to identify those areas of implementation that would accelerate redevelopment efforts within the urban core.

“The momentum that has been generated by redevelopment projects coupled with increased demand for space within urban area provides a backdrop for building a dynamic area,” said Michael Ionna, AICP,
principal planner for PDS and project manager for urban implementation efforts. “We believe this can help initiate a true live, work, and play environment.”

Ionna asserts further that the subarea process allows staff to work on those key projects, across jurisdictions that will assist in creating a strong urban core.”

The initial life of the urban subarea project is anticipated to last between six to eight months. Following this phase of the project, staff will begin work on planning processes and collaborative efforts to implement solutions which provide the greatest impact to the residents of the urban subarea.

Efforts are currently underway to create a website that will provide information on all Direction 2030-related implementation efforts including those in the urban subarea and is anticipated to be launched in mid-March.

... for whatever it’s worth...

What's one of the simplest things a community can do to encourage walking? Build better sidewalks. In this short film from City Walk, we learn just how powerful this simple piece of infrastructure can be.

As always, we provide this information for whatever it’s worth.

Views expressed here do not reflect an official position or policy of PDS. The video clip is presented here to provide input for those interested in land use planning issues.

Calendar Events

**Pendleton County Joint City-County Planning Commission**
Monthly Business Meeting
Monday, February 23 at 7 p.m.
Pendleton County Courthouse in Falmouth

**PDS Management Board**
Monthly Business Meeting
Thursday, February 26 at 5:15 p.m.
Commission Chambers, PDS Building, Fort Mitchell

**Kenton County Planning Commission**
Monthly Public Hearing and Business Meeting
Thursday, March 5 at 6:15 p.m.
Commission Chambers, PDS Building, Fort Mitchell

**Kenton County Planning Commission**
Public Hearing: 2015 Subdivision Regulations
Tuesday, March 10 at 6:15 p.m.
Commission Chambers, PDS Building, Fort Mitchell

*For more meeting and event information, check out our online calendar.*

* Banner photo provided by Tri-ED