

Independence

INDEPENDENCE ZONING UPDATE COMMITTEE MEETING #1 SUMMARY

Date: Thursday, April 15, 2010
Time: 7:00 pm – 8:30 pm
Location: The Independence Senior Citizen and Community Center

PRESENT

Committee

John Richardson
Bob Schroder
Rodney Crice
Jake Stremmel
Maura Snyder
Donna Yeager
Alex Mattingly
Carol Bach
Mary Pat Behler
Brian Davis

NKAPC Team Members

Andy Videkovich, AICP – Project Manager
Jenna Haverkos, AICP – Assistant Project Manager
Sharmili Reddy, AICP
Mike Ionna
Martin Scribner, AICP
Keith Logsdon, AICP

DISCUSSION POINTS

NKAPC Presentation

The Independence Community Small Area Study

The Independence Community Small Area Study adopted as a part of the Countywide Comprehensive Plan in July of 2007. The planning process helped the City to craft a vision for the future of their community through an open public process. This public process laid out a need for growth management, access to amenities, and a focus on neighborhood appearance and branding. The plan identified more than 80 recommendations and implementation strategies to be carried forward by various stakeholders within the community.

Through the planning process, a concept diagram was created to help convey the vision for the area. Key components of this diagram include a greenway buffer around New KY 17, the majority of commercial activity focused in the southern end of the study area, a core residential area, and a rural buffer. See Map C-2 of the small area study document for more description. Additionally, the concept diagram easily translates into the recommended land use map to help the City of Independence capture their vision through future development decisions.

From the concept diagram, the task force began to focus on four key areas within the study area. These four areas are the North Gateway Area, the Intersection of McCullem and New KY 17, the Historic Downtown area and the South Gateway area. Preliminary design guidelines were crafted through this small area study process and are recommended to be used as the starting point in the zoning update portion of the implementation process.

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Currently the Independence Strategic Action Committee (ISAC) is charged with championing this plan and works to see that the vision of Independence is brought to life. An update of the City's zoning code is the most recent undertaking of ISAC and all members sit on the zoning code update task force. This newly created task force, about 15 stakeholders, will work for the next several months to capture further public input regarding the vision of their City.

The Zoning Code Update Process

- The goal of this process is to draft a set of regulations that implements the Recommended Land Use component of the *Independence Community Small Area Study*
- The entire process will take twelve months (this does not include review and adoption by the City Council)
- Monthly meetings with the Steering Committee will be held
- Updates will be given to the Independence City Council
- Public input meetings will be held. The dates and formats of these meetings will be determined by the Steering Committee
- The Steering Committee will investigate several different tools to determine which should be used to implement the recommendations of the Small Area Study:

Traditional Zoning

At its core, zoning regulates how a parcel of land in a community may be used and the density of development. The emphasis of traditional zoning is on individual uses and the use of rigid development standards. The focus is on the individual site, not on how buildings relate to the street or to other buildings

Overlay Zoning

Overlay zones are a regulatory tool that creates a special zoning district, placed over an existing base zone(s), which identifies special provisions in addition to those in the underlying base zone.

Design Guidelines

Design guidelines are not mandatory, but rather advisory, and often contain subjective language. They are typically not incorporated into the text of the zoning ordinance, and since they are advisory, this can lead to inconsistent administration and enforcement.

Form-based Zoning

Form-based codes produce more consistent and predictable patterns of development in relationship to the public realm than typically achieved through conventional zoning regulations. The emphasis of form-based codes is on the form of buildings, rather than the specific use of a site.

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The Study Area and Boundary

The focus of these new regulations will be on the Downtown District, along McCullum Pike, and the McCullum Pike/New 17 intersection.

Future Meeting Dates

The Steering Committee will meet monthly on the third Thursday of every month. The meetings will be 6:00 pm to 7:30 pm at The Independence Senior Citizen and Community Center. Some of these regular meetings might be cancelled if there is no new information to discuss.

In addition to these meetings, there may be additional City Council and public input meetings. One or two Steering Committee members may be asked to attend the Council meetings, and everyone is encouraged to attend the public input meetings.

Form-Based Codes

The Independence Community Small Area Study does not specifically recommend that form-based codes be used to implement the Recommended Land Use component of the study, only investigated. Since these types of codes are new to the Northern Kentucky Area, there was much discussion about what these codes were, how they were different from traditional zoning, and what are the advantages and disadvantages.

Traditional zoning is typified by the segregation of different land uses into separate geographic areas. Each zoning district then has a list of permitted uses and development standards that apply. Traditional zoning has been relatively effective in terms of its primary goal (separating different land uses). Traditional zoning can also be applied to different areas with relative ease. Currently, there are several zoning districts within Independence that are used in almost every other jurisdiction in Kenton County.

Form-based zoning is a means of regulating development to achieve a specific building form. Rather than regulate specific uses and development standards, a form-based zone concerns itself primarily with the way buildings look, how they relate to each other, and how they address the public realm (i.e. street rights-of-way and sidewalks). Form-based zoning is effective at achieving a certain character for an area.

Here are some important points to remember if form-based zoning is pursued for these areas:

- There are certain aspects of a true form-based code that will probably not be feasible (such as eliminating the list of permitted uses). The reality is that the regulations will be a “hybrid” code, combining aspects of both a form-based code and traditional zoning.
- A larger part of form-based codes is defining the character of the area. They are tailored for a specific area. We will not try to fit a code that was done for a different city into Independence.
- These regulations can be as proscriptive as the Steering Committee sees fit.

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Communication

There was discussion on how best to communicate these new ideas with the public, without being too technical or overwhelming. With any new process or idea, clear and concise communication is the key to facilitating understanding. If the form-based code route is taken, communication between the NKAPC staff, the Steering Committee, the public, and the City Council becomes that much more paramount. As work moves forward, we will discuss strategies on how to best accomplish this task.

NEXT STEPS

The next Steering Committee meeting will be on May 20, 2010 from 6:00 pm to 7:30 pm at The Independence Senior Citizen and Community Center.