

THE PARK HILLS CITY COUNCIL HELD A BUSINESS MEETING ON MONDAY, MARCH 12, 2018 AT 7:00 P.M. AT ST. JOSEPH HEIGHTS, 1601 DIXIE HIGHWAY WITH MAYOR MATT MATTHEW MATTONE PRESIDING
COUNCILMEMBERS PRESENT: KATHY ZEMBRODT, PAMELA SPOOR, JASON RESER, GREG CLAYPOLE, STEVE ELKINS AND KARL OBERJOHN
ALSO PRESENT: CITY ATTORNEY, TODD MCMURTRY AND CITY ENGINEER, JAY BAYER

Call to Order

Pledge of Allegiance

Roll Call

I. Presenters

A. Ms. Liz St. Onge, PHCA president, went over the 2018 events:

March 31st – Easter egg hunt

May 28th – Memorial Day Parade

Saturdays in June – yoga in the park

June 16th – garden tour

July 21st – city wide yard sale

September 23rd – potluck picnic in the park

October 28th – pumpkin parade

The date for Christmas in the park is still being decided.

Motion to approve these dates was made by Mr. Claypole; second by Ms. Zembrodt

Roll call: all ayes

B. Ms. Julia Hughes, a junior at Notre Dame Academy who is on the student council and co-president of her class, gave a brief update on some of the things going on at the school. Her teacher, Ms. Amber Grayson, was also in attendance. The school is planning its orange and white flag football game to raise money for leukemia research. The drama team just went to the state competition at UK. The students did very well. The swim and dive team also went to state and placed third overall. Ms. Sophie Skinner, a senior, won the state title for the 100 yard free style. She has won this title four years in a row. The mock trial team went to their state competition. They placed fourth overall. Renovations are being made to the chapel and the collaborative learning center. The Uganda Pandas Club is holding a 5K on April 21st to raise money for children's education in Uganda. The spring musical is scheduled for April 20th through April 22nd. The school just had their Women Making a Difference Day last Thursday. Ms. Burgei won Counselor of the Year. Other teachers also won awards.

C. Mr. Mark Cooper thanked the Mayor and Council for the opportunity to speak. He began by saying, back in August, someone was upset about a bumper sticker. That person stated there was a car in his neighborhood with a sticker that said 'God made Adam and Eve, not Adam and Steve'. Mr. Cooper says, while he doesn't support this type of bumper sticker, the first Amendment supports free speech and freedom of religion. He asks why this is continually being brought up at almost every meeting for the past six months. He also mentioned the Municipal Order brought to Council by Mr. Reser

was because of the sticker. He also saw where some wished to create a Park Hills Human Rights Commission. Mr. Cooper believes the true victim of all this is the lady with the bumper sticker. He showed a picture of the bumper sticker in question that actually read 'Male and female, He created them. Genesis 127'. He went on to say; the person who was originally upset about the sticker wrote a letter to the city saying he lied about what the sticker said. He asked the Mayor and Council why six months have been spent talking about something that never happened. He asked the Mayor and Mr. Reser specifically, why they are pushing the bumper sticker issue when it never happened. He believes residents and news media have been misled.

D. Mr. Mike Haggard and Mr. Mike Baxley approached the Mayor and Council stating they would like to purchase the VFW and run it the same as it was ran in the past. They asked if Council would approve the transfer of the liquor license. Mr. McMurtry explained alcohol licensing is done through the state. He suggested they retain an attorney to provide some legal guidance. Mr. McMurtry advised them to go ahead and apply for the license and go from there. The city's ABC administrator, Ms. Alig, can sign the application for the local license.

E. Ms. Krista Morrison began by asking the status of the green space upkeep this year. She, along with several other volunteers, has helped Mr. VonHandorf in the past but the Canadian Thistle is a huge problem. Preening only works on the seeds and the roots of this plant can grow very deep. Three bids were received for cleanup work but Mr. Reser believes they were for a one time only cleanup. Mayor Mattone asked if preventative maintenance could be added. Ms. Spoor made a motion to expense up to \$8,000 to be available to maintain all the public green spaces in the city. Some of this money may come out of the Parks and Recreation reserve fund. Second by Mr. Claypole. Roll call: all ayes

II. Presenters

A. Mr. James Fausz, PDS, gave a presentation on 'Zoning for the 21st Century Initiative' (Z21). The Z21 will not require any money from cities and cities are not required to make changes they don't want. Mr. Fausz's presentation, along with FAQ's and goals and process, is attached as an addendum to the minutes.

III. Municipal Order No. 2, 2018; post proposed legislation to website prior to meetings was read by Attorney McMurtry. Motion to accept Order was made by Ms. Zembrodt; second by Ms. Spoor. Roll call: all ayes

IV. First Reading; Ordinance No. 3, 2018 setting committee meetings' locations, days and times was read in summary by Attorney McMurtry.

V. Department Reports

A. Police Department – Chief Cody Stanley

Chief Stanley passed out his report at the meeting. There are no major cases at this time. Congratulations to Chief Stanley on the birth of his granddaughter!

B. Fire Department – Chief John S. Rigney

Chief Rigney's monthly report included the following:

- A total of 30 calls for service were received during the month of February. The incidents are broken down by type on the activity report Council received.
- Members of the PHFD conducted CPR/AED and First Aid class for all police department personnel.
- The master pump drain on E601 was repaired and rebuilt by F.F. Sean Mulligan.
- FD crews assisted the resident at 1127 Audubon Road who suffered substantial flooding during the heavy rains on February 24th.
- Joint training was conducted with Ludlow F.D. on Aircraft Crash response.

C. Public Works – Dan VonHandorf

Mr. VonHandorf thanked Mayor and Council for another month.

- The gas main work on Arlington Road is starting tomorrow as well as the demolition of the old Park Hills school. No parking on Arlington will be strictly enforced.
- Two residents on Jackson Road are concerned about water runoff. Mr. VonHandorf would like to look at that closer this fall.
- Mulch has been delivered.
- Park Hills' cleanup day is scheduled for April 21st.

Mr. VonHandorf said Central Lawn Care put in a bid to do the mulching for \$3,050. Ms. Spoor asked if she, along with Mr. VonHandorf and members of the Parks Committee, could get together this week to discuss green space maintenance.

D. City Engineer – Jay Bayer

Projects in Construction Phase

1208 Audubon Road Storm Sewer Project

A formal punchlist walk has been scheduled for later this month. 5% retainage will be held until the restoration can be evaluated in the spring.

Old State Road Sidewalk

A formal punchlist has been issued to Len Riegler. 5% Retainage is being held until punchlist items have been addressed and restoration has been approved.

Projects in Design Phase

North Arlington Road Improvement Project

Following the receipt of all signed acknowledgments from affected residents, Bayer Becker will be able to issue the roadway plans for bid. The water district has approved the water main replacement plans and anticipates putting their project out to bid to be approved at their April board meeting. Duke Energy will be starting their gas main project the week of March 12th.

Jackson Road Improvement Project

SD1 has approved the 50/50 match for storm sewer infrastructure. The city has had initial discussions with affected property owners about proposed storm sewer easements. Bayer Becker has submitted easement documentation to the City Attorney and SD1. After the easements have been recorded, geotechnical exploration can begin.

Private Projects in the City

Gateway Development

An application was made to Kenton County Planning Commission for Map Amendment. The item was tabled at the March 1st meeting.

Mayor Mattone stated they submitted their stage one development plan to the KCPC for their April meeting. Following the meeting, they will meet with Park Hills and Covington. Demolition on the Gateway school is underway and they should be starting on the Park Hills demolition any day.

E. Treasurer's Report – Julie Alig

Motion to accept the February, 2018 financial reports was made by Ms. Spoor; second by Mr. Claypole. Roll call: all ayes

Motion to pay the Road Fund invoices in the amount of \$3,815.00 and the Municipal Road Aid invoices in the amount of \$3,917.50 was made by Ms. Zembrod; second by Mr. Oberjohn. Roll call: all ayes

VI. Delegation Discussions

1. Telecommunications Board of Northern KY – Richard Lange

Mr. Lange stated at the February meeting, they approved the four month franchise renewal extension. They also approved the appointment of Mr. Michael Brown to fill the vacant position in the operations department. Mr. Tim Broering has been meeting with cities to prepare for the transition for the collection of local franchise fees. They hope to have this accomplished by July 1st.

2. Code Enforcement Board – David Gray

Mr. Gray stated there was nothing on the agenda for Park Hills at the last meeting. He did add that he had spoken to Mr. Rob Himes, PDS, regarding the city's nuisance Ordinance. Mr. Himes said some of the language in Park Hills Ordinance was prior to HB 424 which went into effect in January. Mr. McMurtry stated he will look into this.

3. Audubon Forest/Berling Development

Mayor Mattone stated he reached out to Tony Berling. He said they have nothing to report right now. He talked with the Heritage Council and their office has the MOA. Their regular lawyer is on paternity leave so they are dealing with a different lawyer. They are still waiting to execute the MOA regarding the mitigation of the loss of the house.

4. Gateway Development/Zeltwanger

The KCPC presentation will be in April.

VII. Committee Reports

A. Tree Board

Ms. Sue Bennings stated they are still waiting on the invoice from Baeton Nursery for trees that were planted for the city. The board also hopes it will be budgeted again next year and any left over money from this year go into their reserve account.

She stated the North Arlington hill is in need of work. Décor can do the work as this is not a job for volunteers. The board had a good year planting around 18 trees.

Mayor Mattone would like to incorporate the Tree Board's Ordinance with a Landmark Tree Ordinance.

Ms. Bennings said she and her husband are willing to do some weeding. Mayor Mattone suggested school students who need community service hours.

B. Kenton County Planning Commission

Mr. Phil Ryan was not present at the meeting

C. Financial Oversight Committee

Ms. Zembrodt said the committee talked about sun setting the current vehicle fee Ordinance and perhaps raise the personal property tax. Discussion regarding this followed.

D. Infrastructure

Mr. Oberjohn thanked Mr. VonHandorf and Ms. Zembrodt for collecting the residents' forms regarding the North Arlington Road project. He relayed that Mr. Baker was at the last meeting to help the committee with its cash flow.

The committee asked Mr. Bayer to give a proposal to do a full pavement assessment.

They gave a price of \$4,620.00. Mr. Oberjohn is asking Council to approve the proposal. He added; Mr. Baker also believes this would be a good tool to use.

The committee is waiting on the final report from PDS regarding the sidewalk assessment.

Duke is working on a proposal for LED street lighting.

Motion to expense \$4,620.00 to Bayer Becker for a pavement assessment was made by Mr. Oberjohn; second by Mr. Claypole. Mr. Elkins asked if the city received any other bids. Mr. Oberjohn replied he believes the city would benefit more by having the city engineer do it and incorporate a traffic analysis. He added; this was also unanimous from the committee. Ms. Spoor asked if the results would be made available to the public. Mr. Bayer replied they would. Mr. Bayer stated it would take about 4 weeks to complete the assessment. Roll call: all ayes

Mr. Oberjohn finished by saying the committee will be taking a preliminary look at the next street that needs a deep fix. Possibly Hamilton or the portion of Lawton between Hillcrest and Amsterdam.

E. Communications

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Mr. Oberjohn thanked Mr. Conway with the Tree Board for his newsletter article. He has not received any others and asked everyone to get their article to him, or Sarah Froelich, by April 1st or 2nd. He would like it to be published the first week of May.

VIII. Old Business – None

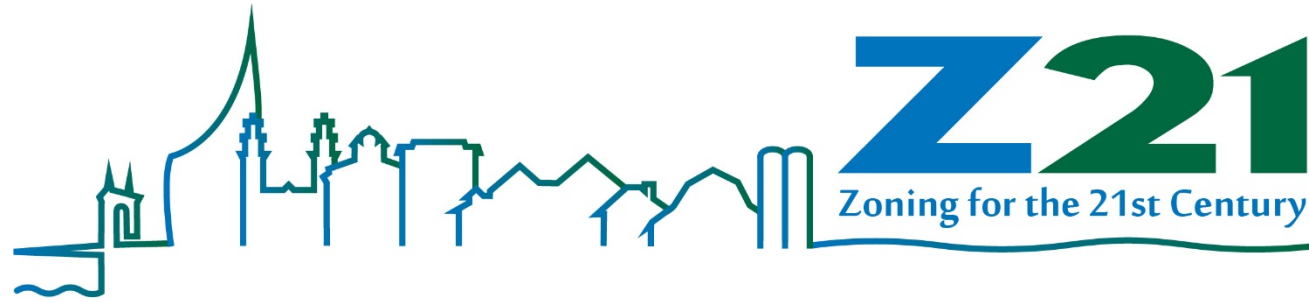
IX. New Business - None

8:37 Motion to adjourn from Business Meeting

Mayor, Matt Mattone

ATTEST:

City Clerk



Staff Update

City of Park Hills

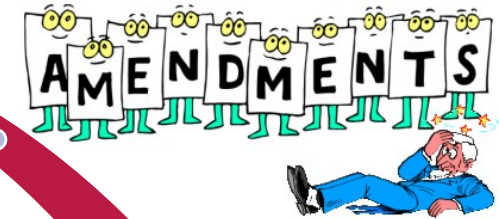


RUNDELL ERNSTBERGER ASSOCIATES
URBAN DESIGN + LANDSCAPE ARCHITECTURE + PLANNING



Introduction

- **Current Zoning Regulations**
 - Written/adopted in the early 1980's
 - Remain 80 percent identical
 - Amended over 500 times since 1980
- ***Direction 2030: Your Voice, Your Choice.***
 - Adopted in 2014
 - Called for new zoning ordinances
- **Zoning for the 21st Century Initiative (Z21)**



Z21 Beginnings

- **Kenton County Administrators' Group**

- Discussed the need with staff in mid 2016
- Developed consensus on how to proceed
- Recommended audits of zoning ordinances

- **PDS Management Board / Staff**

- Discussed recommendation of audits
- Agreed with recommendation
- Hired REA/Orion Planning Group
- Appointed a Task Force



Three Phase Initiative

PHASE 1:

Zoning Ordinance Audits

- Funded by PDS
- Completed
- Taskforce

PHASE 2:

Blueprint Code

- Funded by PDS
- December 2018
- Taskforce

PHASE 3:

Implementation

- Tailor and adopt
- 2019-2020
- Cities

Z21 Participation Does Not...

- **Require funding from participating jurisdictions**
 - PDS is using funds set aside in its reserves
- **Attempt to force one-size-fits-all solutions**
 - Each legislative body must decide what's best for its community
- **Commit participating jurisdictions to do anything**
 - *Direction 2030*, Administrators' Group are guiding this process
 - PDS staff is simply following mandate found in KRS 147
 - It's your zoning ordinance now. It will be your zoning ordinance when redone.

Z21 Common Themes

- **User/business friendly zoning regulations**
- **Legally-defensible goals and requirements**
- **Efficient/flexible/simple processes; predictable decisions**
- **Protection for environmental/cultural/historical resources**
- **Reduction in the number of nonconformities**
- **Simplified and consolidated zoning districts**
- **Provisions for compatible infill development**
- **Protections for community character**

Z21 Report Recommendations

- **Update Organization**
 - Improve sequencing
 - Consolidate sections and concepts
 - Improve readability and understanding
 - Provide electronic cross referencing
- **Streamline Processes**
 - Move all processes under one chapter
 - Eliminate delays that don't compromise public trust



Z21 Report Recommendations

- **Simplify Ordinance Language**
 - Remove legalese and professional jargon
 - Simplify language to improve readability



Simplify Ordinance Language

Existing

“Notwithstanding other provisions of this Ordinance, no lot, in any zone, may be reduced in area below the minimum lot area as specified herein for the zone within which said lot is located, except where such reduction has been brought about by the expansion or acquiring of rights - of - way for a street, road, or highway. If, however, by some means (e.g., misinterpretation of law, erroneous lot descriptions, etc.) the lot area is reduced below the minimum required lot area as specified herein for the zone, all of the uses and structures contained on the remaining portion of the area shall be subject to compliance with all other provisions of this Ordinance. In the event that the uses and structures cannot comply in such circumstances, the property owner shall seek relief from the Board of Adjustment, as provided for in Section 18.5 of this Ordinance.”

Suggested Fix

The minimum lot area in any zone shall not be reduced below the requirement of the zoning district. In cases where the lot area has been reduced below the minimum requirement, all uses and structures on the lot shall comply with all other provisions of the zoning ordinance, unless relief is sought.

Z21 Report Recommendations

- **Rely on Other Codes and Ordinances for Common Issues**
 - Move non-zoning issues elsewhere
 - Stick to KRS 100 provisions



Example: Section 9.2 Interference with Traffic Signals: No sign, structure, tree, planting, or vegetation, or any portion thereof, shall protrude over or into any street to create confusion around, or otherwise interfere with, traffic signals of any kind.

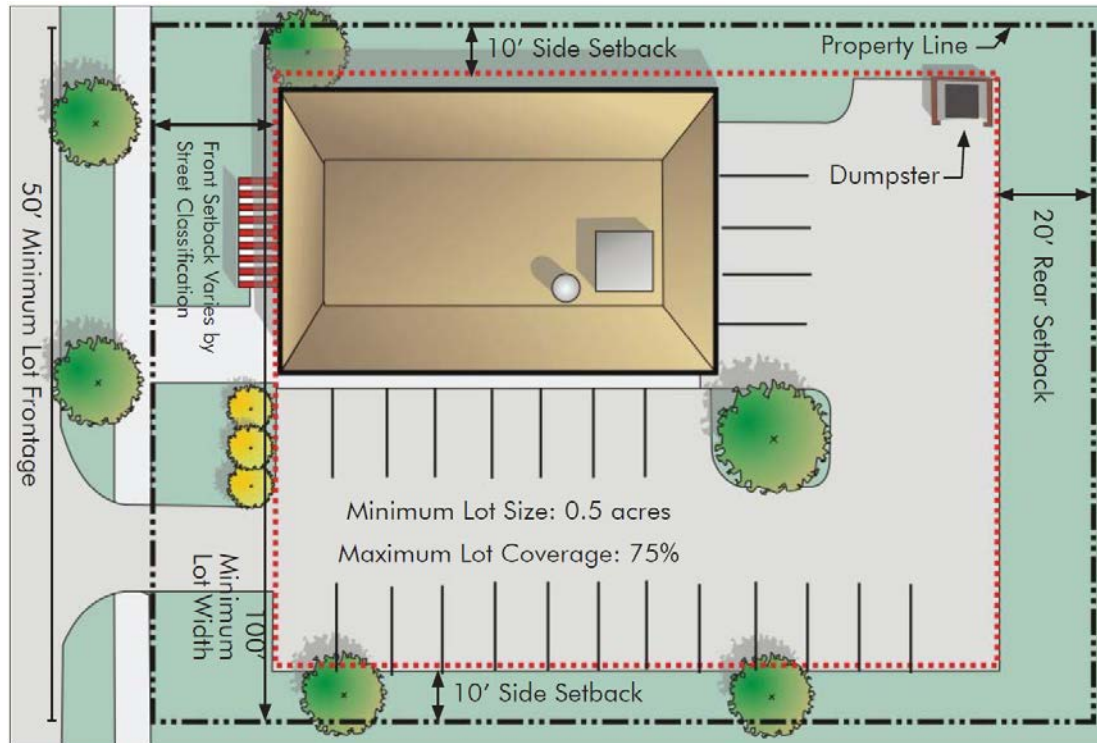
Z21 Report Recommendations

- **Ensure Consistent Organization, Punctuation, Spelling, and Capitalization**
 - Consistent, Consistent, Consistent



Z21 Report Recommendations

- Use Graphics and Tables Liberally



1.2

3.0 ZONING DISTRICTS ESTABLISHED

ZONING CODE

PURPOSE &
SCOPE

PROVISIONS

ZONING
DISTRICTS

USE
REGULATIONS

DEVELOPMENT
STANDARDS

STREET
STANDARDS

PARKING

SPACES

ADMINISTRATION

DEFINITIONS

3.5.3 R-8 SUBURBAN MEDIUM DENSITY NEIGHBORHOOD (R-8)

PURPOSE

The purpose of the R-8 Medium Density Neighborhood District is to provide areas for the development of medium density, single family residential and related uses. It is the intent of this ordinance that existing residential developments be protected from encroachment of undesirable and incompatible uses and that new developments be constructed according to sound, reasonable, and desirable regulations as stated within this ordinance.

TYPICAL BUILDING TYPE

PRINCIPAL INTENSITY AND DIMENSIONAL STANDARDS

Minimum lot area (sf)	8000
Minimum lot width (ft)	85
Minimum floor area per dwelling unit (sf)	1600
Maximum building coverage (% of lot area)	45%
Maximum height (ft)	40
Minimum front yard depth (ft)	25
Minimum side yard depth (ft)	5
Minimum rear yard depth (ft)	25
District Land Use	See Section 4
Development Standards	See Section 5
Mobility Standards	See Section 6
Parking Requirements	See Section 7

TYPICAL LOT PATTERN

NOTES: (sf = square foot, ft = foot)

Site plan review is required according to Section 9.9

Height limits shall not apply to spires, cupolas, antennas, chimneys, or other mechanical appendages usually required to be placed above the roof level and not intended for human occupancy or to be used for any commercial or advertising purposes.

TYPICAL DEVELOPMENT CONFIGURATION

Z21 Report Recommendations

- Use Graphics and Tables Abundantly

Article X Zones

10-4

SECTION 10.1 R-1C (SINGLE - FAMILY RESIDENTIAL - ONE C) ZONE

A. PERMITTED USES:

1. Single - family residential dwellings (detached).

B. ACCESSORY USES:

1. Customary accessory buildings and uses.
2. Fences and walls, as regulated by Article XVI of this Ordinance.
3. Home occupations, subject to the restrictions and limitations established in Section 9.23 of this Ordinance.
4. Signs, as regulated by Article XV of this Ordinance.

C. CONDITIONAL USES: No building or occupancy permit shall be issued for any of the following, nor shall any of the following uses or any customary accessory buildings or uses be permitted until and unless the location of said use shall have been applied for and approved of by the Board of Adjustment, as set forth in Section 9.13:

1. Cemeteries.
2. Churches and other buildings for the purpose of religious worship, provided they are located adjacent to an arterial street.
3. Institutions for higher education, provided they are located adjacent to an

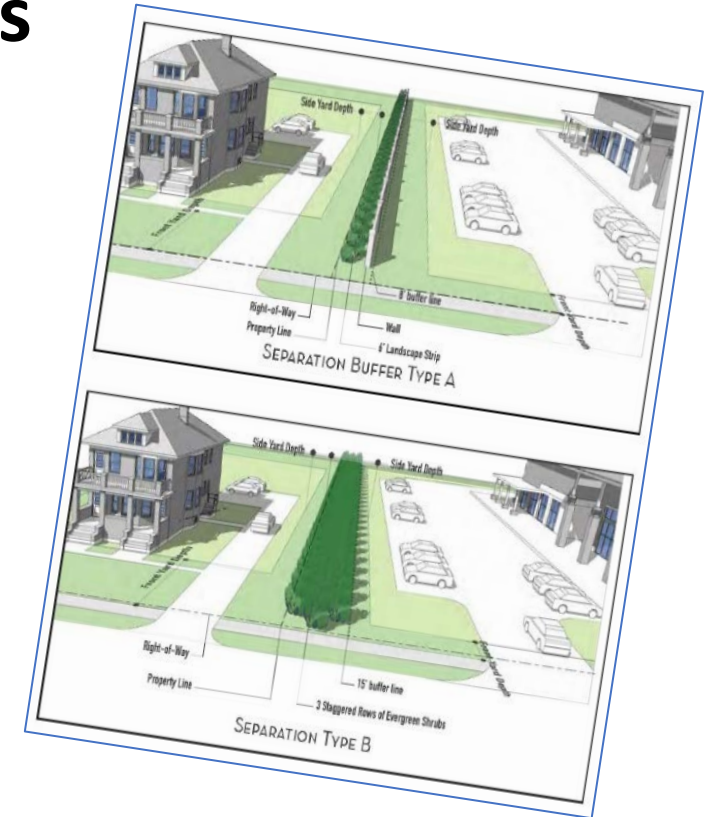
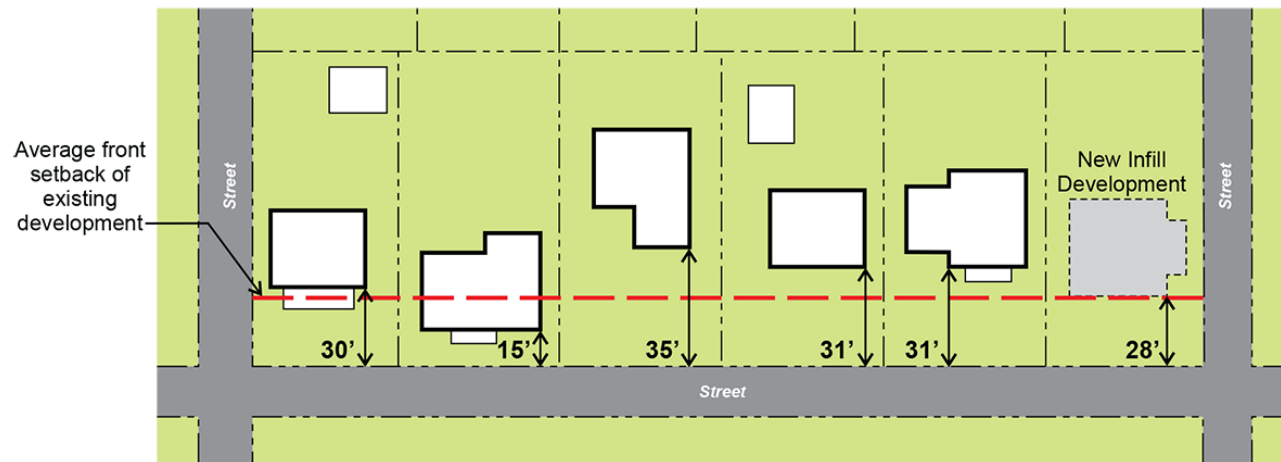
ZONING CODE

4.0 USES AND USE STANDARDS

PERMITTED USES TABLE																
Use	Zoning District															
	Residential							Commercial			Employment			Special Districts		
	RR	R-12	R-8	RM-8	RM-4	RH	MH	NC	CC	RC	I-1	I-2	ORC	VMU	PUD	TND
Agriculture																
Agriculture	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Residential																
Duplex	-	-	-	P	P	P	-	-	-	-	-	-	-	-	P	P
Manufactured home	C	C	-	-	-	-	P	-	-	-	-	-	-	-	-	-
Multifamily, four or fewer units	-	-	-	-	P	P	-	-	-	-	-	-	-	-	P	P
Multifamily, more than four units	-	-	-	-	-	P	-	-	-	-	-	-	-	P	P	P
Upper Floor Residential	-	-	-	-	-	-	-	P	P	-	-	-	-	P	P	P
Single family	P	P	P	P	P	P	-	-	-	-	-	-	-	P	P	P

Z21 Report Recommendations

- Insert Graphics to Illustrate Requirements



Z21 Report Recommendations

- **Update Zoning Districts**

	R-1C	R-1D	R-1E	R-1EE*	R-1FF*	R-2*	R-3*
Lot Size (sq.ft.)	12,500	22,500	7,500	7,500*	6,000*	20,000*	12,500*
Lot Width (ft)	85	150	70	60*	50*	100	100
Front Yard (ft)	35	50	30	30	25	40	40
Side Yard (ft)	12	50	10	7	5	15	15
Rear Yard (ft)	25	50	25	25	25	30	30
Height	35	35	35	35	35	45	45

***Two-Family Unit Standards – Standards may vary from those listed.**

Z21 Report Recommendations

- **Reduce Nonconformities**

- Improve standards for needed infill, remodels, and additions
- Preserve existing character



Reduce Nonconformities

Existing

Example: 9.12,B,1. “Continuance: Except as herein provided, the lawful use of any structure or land existing at the time of the adoption of this ordinance may be continued although such use does not conform to the provisions of this ordinance -- it shall become a legal nonconforming use. However, no nonconforming use or structure may be enlarged or extended beyond its area of use at the time it becomes a legal nonconforming use, unless and until the use is brought into conformance with all provisions of this ordinance.”

Suggested Fix

“Existing uses that were legally established prior to adoption or amendment of this ordinance shall be considered legal nonconforming uses but may not expand more than xx square feet (or percentage).”

Z21 Report Recommendations

- **Manage Flag Lots / Infill Development**

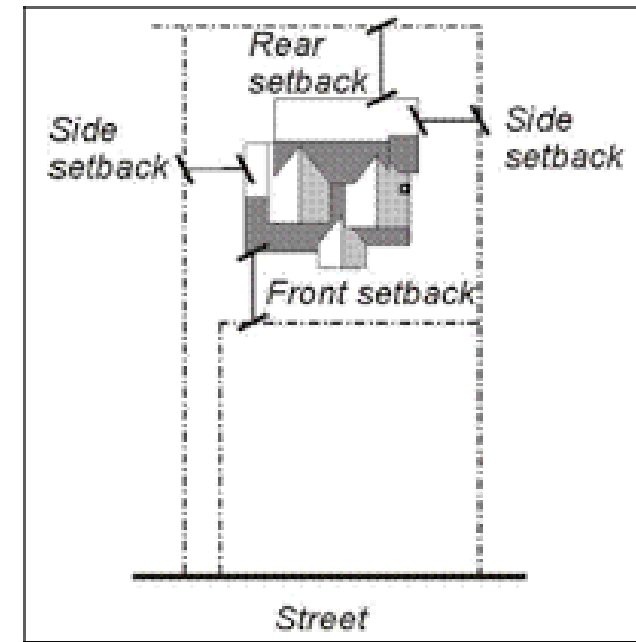
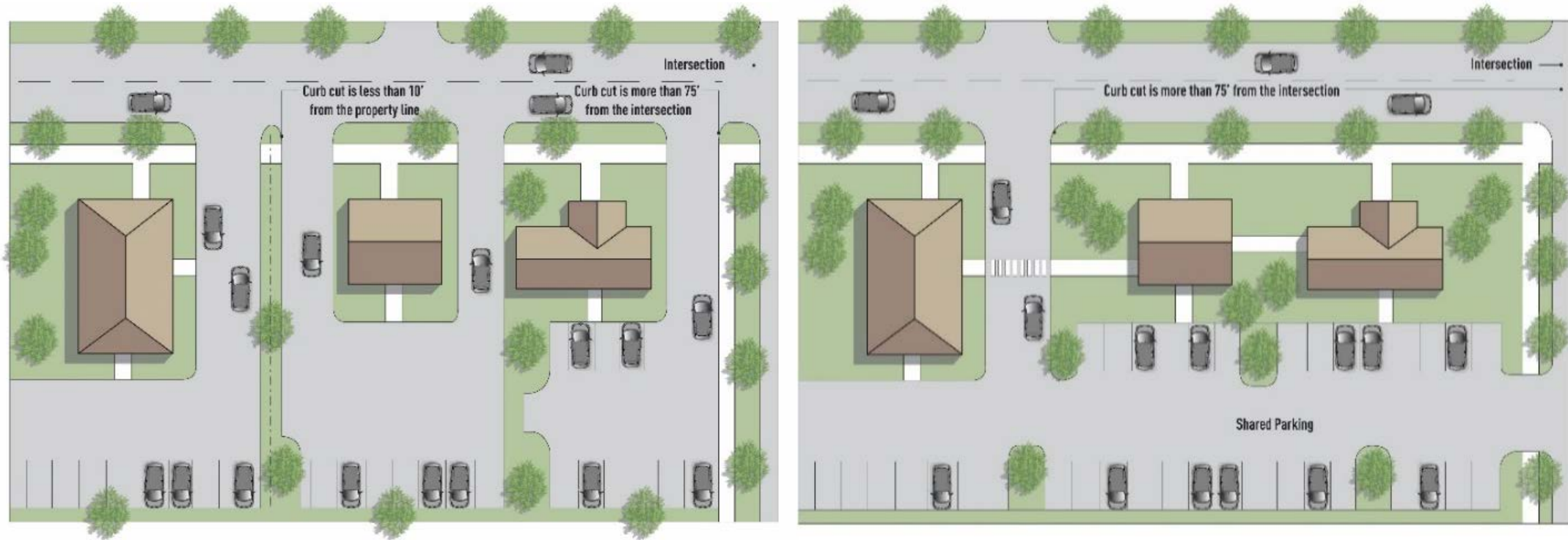


Figure 4-7 – Flag lot setbacks

Z21 Report Recommendations

- **Address Parking and Access Management**



Z21 Report Recommendations

• Simplify and Illustrate Signage Regulations

Land Development Code

SECTION 10 - SIGNS

SECTION 11

SECTION 12

SECTION 13

SECTION 14

SECTION 15

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Marquee Sign - A permanent structure attached to the front of a building which incorporates a large message center. Typically illuminated and often ornate in design, a marquee sign projects over the entrance of the building and provides a canopy over at least a portion of the sidewalk or street.

On-premises attached sign



Canopy Sign - Awnings and canopies are roof-like covers that project from the wall of a building or are freestanding for the purpose of shielding from the elements. Canopies may also be freestanding, such as a covering over a service station island. Canopy does not include marquee signs.

On-premises attached sign



Shopping Center and Multi-Tenant Sign - A freestanding sign that provides space for major tenants in a multi-tenant location, including shopping centers to advertise their business.

On-premises freestanding sign



SECTION 10 - SIGNS

Land Development Code

10.6 SIGNS STANDARDS BY ZONING DISTRICT

Table 10.6-1 sets forth the list of permitted signs by zoning district.

Table 10.6 - 1 Permitted Signs By Zoning District

■ = Permitted x = Not Permitted		Zone														
		Agricultural		Residential					Business					Industrial		
		A-1	A-2	R-1A	R-1B	R-1C	R-2	R-3	B-1	B-2	B-3	B-4	B-5	I-1	I-2	
Sign Type	On Premises Freestanding Sign															
	Ground*	x	x	■	■	■	■	■	■	■	■	■	x	■	■	■
	Pole	x	x	x	x	x	x	x	x	x	x	x	■	■	■	■
	Subdivision or Multi-family Sign	■	■	■	■	■	■	■	x	x	x	x	x	x	x	x
	On Premises Building Sign															
	Wall	x	x	■	■	■	■	■	■	■	■	■	■	■	■	■
	Projecting	x	x	x	x	x	x	x	x	■	x	■	■	■	x	x
	Marquee	x	x	x	x	x	x	x	x	■	■	■	■	■	x	x
	Canopy (door or window)	x	x	■	■	■	■	■	■	■	■	■	■	■	x	x
	Off Premises Freestanding Sign															
	Billboards	x	x	x	x	x	x	x	x	x	x	x	x	■	■	■
	Billboards, Digital	See Section 10.12														
	Off Premises Building Sign - Off Premises Building Signs are Not Permitted															
Wall	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
Projecting	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
Roof	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
Marquee	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
Canopy	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
Notes	* Ground signs in residential districts are limited to non-residential uses. See Section 10.8.2.5 for electronic message boards as a conditional use in the R-1A district.															

* Ground signs in residential districts are limited to non-residential uses. See Section 10.8.2.5 for electronic message boards as a conditional use in the R-1A district.

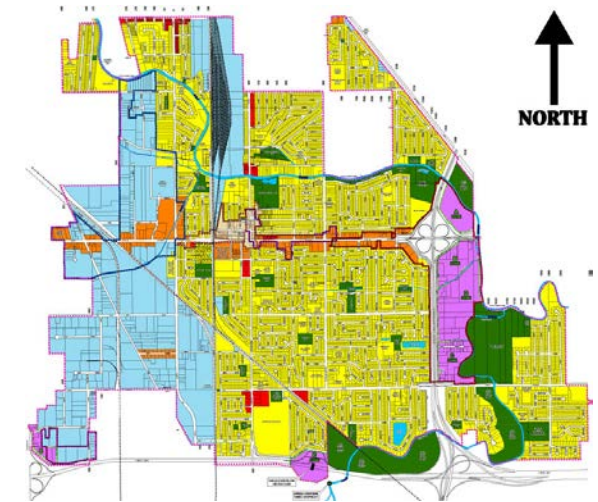
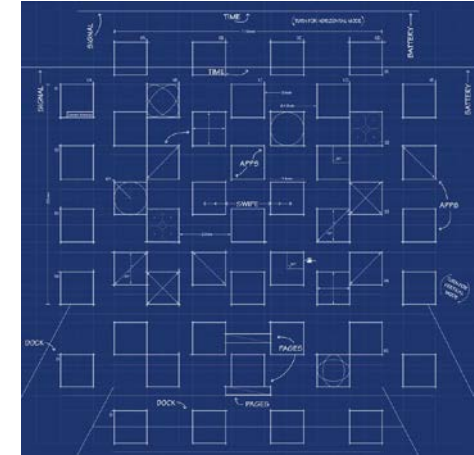
Z21 Next Steps

- **Phase 2**

- Create the Blueprint Code and options for each to use
- Completing by Dec. 2018

- **Phase 3**

- Select the options right for the community
- Proceed to adopt the new zoning ordinance
- Make needed changes to the zoning map



Z21 Further Information

- **Detailed Recommendations**

- Table detailing each article and section
- Comments specific to Park Hills
- Example of your community's table of contents

- **Three-Part Video Presentation by Z21 Consultants**

- <https://youtu.be/f6iv9tOZsjA>
- <https://youtu.be/zZzxPezt5n8>
- https://youtu.be/UtdP0_vnDmA



Questions?

