

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
BOONE COUNTY FISCAL COURTROOM
PUBLIC HEARING
OCTOBER 18, 2023
7:30 P.M.**

Chairman Rolfsen opened the Public Hearing at 7:36 p.m. and welcomed the audience to the Planning Commission's October 18, 2023 Public Hearings.

COMMISSION MEMBERS PRESENT:

Mr. Randy Bessler
Mrs. Kathy Clark
Ms. Corrin Gulick, Vice Chairwoman
Mr. Steve Harper, Temporary Presiding Officer
Mrs. Janet Kegley
Mr. Rick Lunnemann
Mr. Charlie Rolfsen, Chairman
Mrs. Jackie Steele, Secretary/Treasurer
Mr. Tom Szurlinski
Mr. Kenny Vaught

COMMISSION MEMBERS NOT PRESENT:

Mrs. Pamela Goetting
Mr. David Hincks
Mr. Eric Richardson
Mr. Bob Schwenke
Mr. Steve Turner

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

Mr. Michael Schwartz, Director, Zoning Services

Chairman Rolfsen introduced the first item on the Agenda:

TECHNICAL/DESIGN REVIEW – Rick Lunnemann, Chairman, Michael Schwartz, Staff

1. Request of the **Boone County Planning Commission Technical/Design Review Committee** to consider a series of amendments to the **Boone County Subdivision Regulations**.

Staff Member, Michael Schwartz, referred to his PowerPoint presentation (See Staff Report). He reviewed the process of updating the Comprehensive Plan followed by review of the Zoning Regulations and then updating the Subdivision Regulations. Staff began the evaluation of the update to the Subdivision Regulations between January – March, 2023. Between April – July, 2023, staff held meetings with stakeholders. In August, the Technical/Design Review Committee authorized the scheduling of a Public Hearing regarding the draft of the Subdivision Regulations. If the Public Hearing goes well, the Technical/Design Review Committee will draft the Committee Report at their November 1st Committee meeting with potential final action on November 15, 2023. Mr. Schwartz stated that we had 4 Staff meetings, 3 Technical/Design Review Committee meetings and 4 meetings with other stakeholders, including SD1, BIS of NKY and the City of Florence. The Subdivision Regulations update project information has been available on the Planning Commission's website since January, 2023. Public input has been available on the online draft and via email.

Mr. Schwartz reviewed the various Articles of the proposed set of Subdivision Regulations. Article 1 – Purpose and Authority. The text was reformatted and sections were added for Authorization and Transitional Rules. Article 2 – Administration and Procedures – Staff reformatted the text and added a section about penalties. The time for reviewing conveyance plats was reduced to 10 business days. Graphics were added for platting flow charts. The submission requirements were revised to require CAD files to be submitted to Staff before approval. A note was made to indicate that the CAD data was proprietary. It won't be released without the owner's permission. Article 3 deals with Enforcement and Inspection Fees. Minor modifications were made to the text. A new Article 4 was created. It deals with Design Standards. The width of a sub-collector right-of-way was widened to 60 feet. It matches a detail located later on in the document. The Guarantee section was rewritten to include the limits to complete public improvements. The section dealing with open space/cluster regulations was changed to match the same section in the Zoning Regulations. Major and Minor arterial roadways were eliminated. The proposed language just says arterials. Limited access collectors and sub-collectors were eliminated. There was also a reduction in the number of flag lots allowed in each section from 15% to 10%. New language was added to be consistent with State and Federal Regulations (ADA) as well as SD1 Regulations. At the request of the County Engineer, new language was added to strengthen traffic calming requirements. Article 5 involves all the certificates found on a plat. Three certificates were added at the request of SD1. In addition, the wording was modified for public streets. Article 6 involves public streets and utilities. At the request of the City of Florence, the Article was divided into 2 sections. The first section applies to unincorporated Boone County and the Cities of Union and Walton. Some details were changed to be more consistent with the State Highway Department. Language was modified for backfill requirements. Slope grades were proposed to be changed from 2.5:1 to 3:1 as requested by the County Engineer. The Technical/Design Review Committee recommended draft leaves the slope at 2.5:1. Regulations for geotechnical testing were added. These standards are similar to standards used in Campbell and Kenton Counties. The second part of the Article are proposed new standards that only apply to the City of Florence. They are very similar to ones used in Campbell and Kenton Counties. Geotechnical testing is required along with regulations dealing with pavement life cycle maintenance. In the Definitions section, a lot of graphics were added as well as identical language in both the Zoning and Subdivision

Regulations. Legislative action is not required for adoption of the Subdivision Regulations. Action by the Planning Commission is required and considered final.

At this time, Chairman Rolfsen asked if anyone in the audience had any questions or comments.

Mr. Brian Miller, Building Industry Association (BIA) NKY, asked if the recommendation was to keep 4 foot sidewalks? Mr. Schwartz replied yes. Is the 2.5:1 percent slope recommended to replace the 3:1 slope? Mr. Schwartz replied yes. Mr. Miller indicated that he has had more discussions with the County Engineer about truncated domes plates for ADA sidewalk ramps. He expressed a concern about broken domes due to construction equipment as well as their features being installed on both corners even though the other lot has not been completed. Mr. Miller expressed a concern about experimenting with the proposed changes but he doesn't want the clock to tick too long if things are not working. A lot of things that are being proposed are things they are doing now in Kenton County. Perhaps the Staff could set a goal or timetable to determine whether these new requirements are useable? In regard to the new Florence specifications, there are some inconsistencies when compared to Kenton County. One example is 4 inch perforated under drains under every street. Kenton County allow developers to use a more affordable product. Mr. Miller noted the inflationary price increases in the Cincinnati region. He mentioned that the market is missing small homes and apartments. He asked the Board to look at the proposed regulations. Anything that is going to be a cost driver in the new built environment should require a pause and find a way for people to find a place to live.

Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on November 1, 2023 at 6:00 P.M. This item will be on the Agenda for the Business Meeting on November 15, 2023 at 7:00 p.m. in the Fiscal Courtroom. Chairman Rolfsen closed the Public Hearing at 7:59 p.m.

APPROVED:

Charlie Rolfsen
Chairman

Attest:

Kevin P. Costello, AICP
Executive Director