



LUDLOW ORDINANCE NO. 2019-11

AN ORDINANCE OF THE CITY OF LUDLOW, IN KENTON COUNTY, KENTUCKY, AMENDING THE LUDLOW ZONING ORDINANCE TO APPROVE A MAP AMENDMENT ADDING AN OVERLAY ZONE TO THE EXISTING ZONING CLASSIFICATIONS IN AN AREA OF APPROXIMATELY 89 ACRES BOUNDED BY BOTH SIDES OF ELM STREET TO THE SOUTH, THE RAILROAD TO THE EAST, ADELA AVENUE TO THE WEST, AND THE RIVER TO THE NORTH

WHEREAS, City Administrative Officer Scott Smith, on behalf of the City of Ludlow, submitted an application requesting that the Kenton County Planning Commission review and make recommendations on a proposed map amendment to the Ludlow Zoning Ordinance adding an overlay zone to the existing zoning classifications in an area of approximately 89 acres bounded by both sides of Elm Street to the south, the railroad to the east, Adela Avenue to the west, and the river to the north; and

WHEREAS, Planning and Development Services of Kenton County reviewed the application and recommended that the proposed map amendment be approved, subject to the inclusion of a declaration that the buildings, structures, or sites to be preserved are in fact of historical or architectural significance requiring protection against destruction and encroachment; and

WHEREAS, the Kenton County Planning Commission, upon reviewing the recommendations of Planning and Development Services of Kenton County and after holding a public hearing, voted to approve the map amendment, on the basis that the text amendments are consistent with the goals, objectives and recommendations of *Direction 2030: Your Voice. Your Choice*; and

WHEREAS, the Ludlow City Council, reviewing the Kenton County Planning Commission's staff comments, findings, and recommendations, finds that the proposed map amendment is in compliance with the comprehensive plan, and agrees with the recommendation to amend the Ludlow Zoning Ordinance as indicated in the caption of this Ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF LUDLOW, KENTUCKY, AS FOLLOWS:

SECTION I

That the Ludlow City Council hereby approves and adopts the findings set forth above and the findings of fact referenced in the Kenton County Planning Commission's Statement of Recommendations, which are attached hereto as **Exhibit A** and incorporated herein by reference.

SECTION II

That the Official Zoning Map of the City of Ludlow is hereby amended as follows:

There is added an HP-O (Historic Preservation Overlay) Zone to the existing zoning classifications in an area of approximately 89 acres bounded by both sides of Elm Street to the south, the railroad to the east, Adela Avenue to the west, and the river to the north. A map of the Historic Preservation Overlay Zone is attached hereto as **Exhibit B**.

SECTION III

That the buildings, structures, or sites to be preserved are in fact of historical or architectural significance requiring protection against destruction and encroachment.

SECTION IV

Any and all ordinances in conflict with this ordinance shall be, and hereby are, repealed to the extent of said conflict.

SECTION V

If any part of this ordinance or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this ordinance are severable.

SECTION VI

That this ordinance shall become effective upon its passage and shall be published under KRS §83A.060(9) and other applicable law. The ordinance may be published by summary.

Passed by City Council on September 12, 2019.

CITY OF LUDLOW, KENTUCKY

By: Joshua C. Boone
Josh Boone, Mayor

ATTEST:

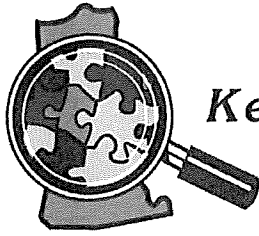
Laurie Sparks
Laurie Sparks, City Clerk

FIRST READING: 8/8/19

SECOND READING: 9/12/19

PUBLICATION: _____

OFFICIAL



Kenton County Planning Commission
MANY COMMUNITIES / ONE FUTURE

June 14, 2019

Scott Smith, City Administrator
City of Ludlow
51 Elm Street
Ludlow, KY 41016

Dear Mr. Smith:

NUMBER: PC1904-0005

Attached please find a copy of this Commission's action from its meeting on June 6, 2019 regarding a proposed map amendment to the Ludlow Zoning Ordinance. (The proposal was submitted by Scott Smith, City Administrator on behalf of the City of Ludlow). Copies of this action have been sent to those persons or agencies which may be affected by this matter.

Please notify Emi Randall, Director of Planning & Zoning, of the meeting time and date when this item is placed on your agenda. Once the city council acts on this map amendment, please provide our staff at PDS with a copy of your executed ordinance. For questions regarding our action or to request PDS staff representation at your meeting, please contact Emi Randall, AICP, RLA, Director of the Planning and Zoning Administration Department at PDS 859.331.8980 or erandall@pdskc.org.

Please note that per KRS 100, map amendments require action by the legislative body within 90 days of the Planning Commission's action. If no action is taken, the Planning Commission's recommendation shall become final and effective.

Thank you.

A handwritten signature in dark ink, appearing to read "P. J. Darpel". The signature is fluid and cursive, with a large, stylized "P" and "D".

Paul J. Darpel,
Chair

pb

attachment



**KENTON COUNTY PLANNING COMMISSION
STATEMENT OF ACTION AND RECOMMENDATION**

NUMBER: PC1904-0005

WHEREAS

Scott Smith, City Administrator, on behalf of the City of Ludlow, HAS SUBMITTED AN APPLICATION REQUESTING THE KENTON COUNTY PLANNING COMMISSION TO REVIEW AND MAKE RECOMMENDATIONS ON: A proposed map amendment to the Ludlow Zoning Ordinance adding an overlay zone to the existing zoning classifications in an area of approximately 89 acres bounded by both sides of Elm Street to the south, the railroad to the east, Adela Avenue to the west, and the river to the north; the City of Ludlow proposes to add an HP-O (Historic Preservation Overlay) Zone to provide additional protections to the exterior of structures in the area; AND

WHEREAS

A PUBLIC HEARING WAS HELD ON THIS APPLICATION ON THURSDAY, JUNE 6, 2019 AT 6:15 P.M., IN THE PLANNING AND DEVELOPMENT SERVICES OF KENTON COUNTY'S FIRST FLOOR MEETING ROOM, 2332 ROYAL DRIVE, FORT MITCHELL, KY.; AND A RECORD OF THAT HEARING IS ON FILE AT THE OFFICES OF THE KENTON COUNTY PLANNING COMMISSION, 2332 ROYAL DRIVE, FORT MITCHELL, KENTUCKY.

NOW, THEREFORE,

THE KENTON COUNTY PLANNING COMMISSION SUBMITS THE FOLLOWING RECOMMENDATIONS, ALONG WITH SUPPORTING INFORMATION AND COMPREHENSIVE PLAN DOCUMENTATION:

KCPC RECOMMENDATION – LUDLOW ZONING ORDINANCE:

Favorable recommendation on the proposed map amendment to the Ludlow Zoning Ordinance adding an HP-O (Historic Preservation Overlay) Zone to the existing zoning classifications in the described area.

COMPREHENSIVE PLAN DOCUMENTATION:

- Date of Adoption by the Kenton County Planning Commission: September 4, 2014.

SUPPORTING INFORMATION/BASES FOR KCPC ACTION AND RECOMMENDATION:

1. The requested map amendment is consistent with many of the goals, objectives and recommendations of *Direction 2030: Your Voice. Your Choice.* (the Kenton County Comprehensive Plan). Placing protections in the area will work to create unique environments to foster a sense of ownership, foster a sense of place and add to community pride, promote a vibrant built environment, and is an opportunity to create a unique place that will draw and retain people to Ludlow. The request will work to strengthen the vitality of the urban core through historic preservation and will build upon a strong sense of community.
 - a. The request is consistent with the Urban Subarea of the comprehensive plan by working to improve commercial and residential areas that have a potential for a high return on

investment. The Urban Design Review Board process will ensure that an individual's private investment will be protected over time. Historic properties may be able to seek federal and state tax credits for improvement projects. In addition, the city has identified the properties in this area as assets that contribute to the community's identity.

- b. The request is consistent with the Economy Element of the comprehensive plan by helping to maintain the quality of older commercial areas. The HP-O process will work to proactively avoid decline in Ludlow's older commercial area.
- c. The request is consistent with the Housing Element of the comprehensive plan by encouraging the enforcement of zoning and property codes to help maintain property values. All properties, including rental properties, will be held to the same standards of historic review.
- d. The request is also consistent with the Community Facilities element of the comprehensive plan. The city has recognized the significance of historic properties as cultural assets and that these assets can be used as economic drivers.
- e. Based on testimony provided during the public hearing held on June 6, 2019.

ADDITIONAL INFORMATION

1. The accompanying proposed text for the HP-O Zone states the following:
"If the City Council creates a Historic Preservation Overlay Zone, its action must include a declaration that the buildings, structures, or sites to be preserved are in fact of historical or architectural significance requiring protection against destruction and encroachment."

If adopted by City Council, a statement reflecting this declaration will need to be included in the ordinance.

**ATTACHMENT PC1904-0005****SUMMARY OF THE EVIDENCE AND TESTIMONY PRESENTED BY THE
PROPONENTS/OPPONENTS OF THE PROPOSED MAP AMENDMENTS**

(NOTE: This summary was compiled by the Commission's secretary in compliance with 100.211 (1). It is believed to be accurate, but has not been reviewed or approved by the Commission. A summary will be found in the officially approved minutes, which will be available following the next meeting of the Commission.)

ISSUE

A proposal by the City of Ludlow by signature of Scott Smith, City Administrator, for a proposed map amendment to the Ludlow zoning Ordinance adding an overlay zone to the existing city zoning classifications; the City of Ludlow proposes to add an HP-O (Historic Preservation Overlay) Zone to provide additional protections to the exterior of structures in the area.

PROPONENTS

A proponent for the issue addressed the Commission and stated he would defer unless someone had questions.

An additional proponent to the issue stated Ludlow is one of the river cities like Dayton, Bellevue, Covington and Newport that have historic overlay zones. He stated a lot of the houses in the district were there when it was formed and a lot are over 150 years old. The proponent further stated one of the reasons that he ran for office was to try to get the historic district back. He stated a lot of flippers come to Ludlow because they can come in and change things that they can't in Bellevue, Dayton, Newport and Covington. He commented it is important to protect these old buildings. He noted one of the things they are trying to do is increase the property values by having the historic district overlay zone.

Another proponent stated they were not included in the historic district. The proponent stated this is great because her homes are not historic. She stated however there is a downside and this has not been discussed anywhere here. She stated in a historical district that has vacant lots that stay empty. She further stated construction is more expensive in the historic zone.

An additional proponent to the issue stated he thinks a historic district would be very good for Ludlow. He stated it will help revitalize the city.

Another proponent addressed the Commission and stated she wanted to thank Staff and members of the community for doing a wonderful job with the issue. She stated forty-three years ago it would have made the process with their historic home so much easier. The proponent stated now they have a lot of preservation minded people in the city. She stated not only does it bring professional people into the city it brings revenue to the city as well as reinforces the zoning. The proponent stated Ludlow has a lot of that and she really hopes Ludlow gets their preservation area.



Another proponent addressed the Commission and stated she is currently serving as president of the Ludlow Historic Society. She stated the mission of the organization is to preserve the architecture character of the homes and business in Ludlow. She stated this is a way of preserving the integrity of the neighborhood. She further stated she feels they are attracting young professionals to the area. She further stated her organization strongly endorses the historic preservation zone.

OPPONENTS/NEUTRAL PARTIES

The opponents/neutral parties addressed the Commission and stated she is nervous about this because as a young person she is concerned that she won't be able to do what she wants to to her home.

Another party addressed the Commission and stated he's a little nervous about this and stated he probably should have registered as neutral and not against. He noted he has one of the few houses in Ludlow with the original wood siding. He stated there may come a time when it may not be practical to continue maintaining the wood. He stated he is just concerned with some of the ambiguity of some of the language. He further stated as the ordinance is right now, it is a little vague and needs clarification. He additionally stated it seems like it's a little too broad but he's cautiously optimistic about it.























An additional party addressed the Commission and stated he was born and raised in his house. He stated there was a comment about replacing the original windows etc. He stated it takes a lot to maintain those old windows and the bigger homes. He stated he thinks this is going to impact a lot of people and some of the people may not be able to afford what they have to do under the new guidelines.

Another party addressed the Commission and stated he is concerned about some of the code itself. In addition he didn't buy it because of what it looked like in the 1920's, he bought it because he bought it because of the way it looked in 2016.

An additional party addressed the Commission and stated he didn't think of living in Ludlow. He stated about nine years ago bought a house and has adopted Ludlow. He stated since then he has bought and renovated seven houses since then. He further stated they've had a lot of renovations in Ludlow. He commented that most people, if you leave them alone, will do the right thing. He stated he got a copy of the amendments and commented they don't even know what they will be advocating for. He stated he's not an advocate for more government unless you really need it.

Bases for Staff Recommendation: The PDS Staff Recommendation is on file at the PDS office.



<u>Building</u>	<u>Roads</u>	<u>Utilities</u>	<u>Topography</u>
 Building	 Paved Road	 Sewer	 Index Contour
 Pool	 Unpaved Road	 Sewer Structure	 Contour
 Tank	 Bridges	 Water Pipe	 Creek / Stream
 Concrete Pad	 Paved Parking	 Water Hydrant	 River / Lake
<u>Recreation</u>	 Unpaved Parking		
 Ball Fields	 Railroad		
 Playground/ General Rec			
 Tree/Green	<u>Boundaries</u>		
	 Parcel		
	 Zoning		



2332 Royal Drive
Fort Mitchell, KY 41017
859.331.8980
Office hours M-F 8-5
www.linkis.org

Parcel data provided by CCPVA,
PCPVA and LINK GIS.

Date: 4/29/2019

These GIS data are deemed reliable and every effort has been made to ensure their accuracy. They are, however, provided "as is" without warranty of correctness, timeliness, reliability, or completeness. Map elements do not represent a legal survey of land. Use of these data for any purposes should be with an acknowledgement of their limitations, including the fact that they are dynamic in nature and in a constant state of maintenance. Field investigation may be necessary.