

# City of Frankfort

## Zoning District Regulations



City of Frankfort, Kentucky  
Code of Ordinances:  
Title XV: Land Usage  
Chapter 152

*Adopted by  
Ordinance #8 -series 1983  
on  
July 12, 1983*

**[Amendments have been included within this ordinance as of May 6, 2020](#)**

ARTICLE 1

GENERAL PROVISIONS

- 1.01 Adoption. The zoning regulations adopted by ordinance of the Board of Commissioners of the City of Frankfort are confirmed and adopted in accordance with KRS Chapter 100 and reads as hereinafter set out.
- 1.02 Title. These regulations and the accompanying zoning district maps shall be known and may be cited as "The Zoning Regulations of the City of Frankfort, Kentucky".
- 1.03 Purpose. The purpose, scope and intent of these regulations shall be:
  - 1.031 To promote and protect the public health, safety, morals, convenience, and general welfare of the City of Frankfort.
  - 1.032 To facilitate orderly and harmonious development.
  - 1.033 To facilitate the visual and historic character of the City of Frankfort.
  - 1.034 To regulate the density of population and the intensity of land use.
  - 1.035 To provide for adequate light and air.
  - 1.036 To conserve energy.
  - 1.037 To provide for vehicle parking and loading.
  - 1.038 To prevent the overcrowding of land, blight, danger and congestion in the circulation of people and commodities.
  - 1.039 To prevent the loss of life, health, or property from flood, or other dangers.
  - 1.0310 To protect historical districts and central business districts.
  - 1.0311 To aid the implementation of the Frankfort/ Franklin County Comprehensive Plan.
- 1.04 Necessity. In order to accomplish the purposes and objectives of these regulations it is necessary to regulate:
  - 1.041 The most appropriate land use and the activity on the land.
  - 1.042 The size, width, height, bulk and locations of structures, buildings and signs.
  - 1.043 The areas of land or space which are to be left unoccupied and the space between buildings or structures.
  - 1.044 Intensity of use and density of population.

- 1.045 Districts of special interest, special use districts, historic districts, planned developments, environmental areas, residential, commercial, and industrial districts.
- 1.046 Fringe areas of districts making them compatible with adjoining districts.
- 1.047 The activities and structures on the land at or near major thoroughfares, streets or roads.
- 1.048 Flood plain areas and other areas having special character or use effecting their surroundings.
- 1.05 Application. This ordinance shall apply to all land use, buildings, signs, structures for residential, commercial, industrial, and other uses within the City of Frankfort. This regulation shall be read in terms of and shall be interpreted to include as an integral part thereof any and all other provisions of the Frankfort Municipal Code which are necessary for an understanding of this regulation and the attainment of its purposes.
- 1.06 Enactment. Except hereinafter provided no building shall be erected or structurally altered and no building or premises may be used for any purposes other than that permitted in the zoning district in which the building or premises is located. No land or lot area shall be so reduced or diminished that the yards or open space shall be smaller than prescribed herein; nor shall the lot area per family be reduced in any manner except in conformity with the area regulations hereby established for the district in which such building is located. No yard or other open space provided for any building for the purpose of complying with these regulations shall be considered as providing a yard or other open space for any other building.
- 1.07 Repeal of Conflicting Law. The Zoning Ordinance adopted by the City of Frankfort, October, 1973 and all amendments made thereto and all ordinances or parts of ordinances in conflict with this Zoning Regulation, or inconsistent with the provisions of the regulation, are hereby repealed.
- 1.08 Severability Clause. If any clause, sentence, paragraph, section or part of this Zoning Regulation be adjudged by any Court of competent jurisdiction to be invalid, such judgement shall not affect, impair or invalidate the remainder thereof.
- 1.09 PROVISION FOR WAIVERS AND MODIFICATIONS

Within the general limitations of the Comprehensive Plan, the spirit and intent of the regulations and the public interest, safety and welfare, the Planning Commission may adjust or modify these regulations only when:

- A. The request for modifications has been reviewed by the Technical Review Team **(when deemed necessary by the Planning Official)** and their comments have been forwarded to the Planning Commission for review; and *(PC interpretation 9-14-06)*

- B. The waiver or modification is consistent with the stated purpose and intent of these regulations and with the adopted **COMPREHENSIVE PLAN**; and
- C. The modification would not have a significantly adverse impact on the public interest; and
- D. The modification would not overburden or otherwise adversely impact public facilities.
- E. The applicant has clearly showed the existence of **one or more** of the following circumstances:
  - (1) Superior Alternatives - Where the proposed waiver/modification will provide an alternative that will achieve the purposes of the requirement through clearly superior design, efficiency, or performance.
  - (2) Protection of Significant Features - Where the waiver/modification is necessary to preserve or enhance significant existing environmental or cultural features, such as trees, scenic areas, historic sites or public facilities, related to the development site.
  - (3) Deprivation of Reasonable Use - Where the strict application of the requirement would effectively deprive the applicant of all reasonable use of the land, due to its unusual size, shape, topography, natural conditions, or location; provided:
    - a) Such effect upon the owner is not outweighed by a valid public purpose in imposing the requirement in a specific case, and
    - b) The unusual conditions involved are not personal to, nor the result of actions of the developer or property owner, which occurred after the effective date of these regulations.
  - (4) Technical Impracticality - Where strict application of the requirement would be technically impractical in terms of engineering, design, or construction practices, due to the unusual size, shape, topography, natural conditions, or location of the land or due to improved efficiency, performance, safety, or construction practices which will be realized by deferral of the installation of required improvements; provided:
    - a) The development will provide an alternative adequate design to achieve the purposes of the requirement, including performance guarantee for the current construction cost, adjusted for inflation, of any required improvements which may be deferred; and
    - b) Any unusual conditions creating the impracticality are not personal to, nor the result of the actions of the developer or property owner that occurred after the effective date of these regulations.
  - (5) No Relationship to the Development or its Impacts - Where all or any part of the requirement has no relationship to the needs of the development, or to the impact of the development on the public facilities, land use, traffic, public safety or

environment of the neighborhood and the general community, due to the location, scale, or type of development involved; provided that any specific modification requirements set forth in these regulations are met.

The Planning Commission may make reasonable conditions and additional or alternative requirements, including but not limited to those relating to the provision of adequate security to assure compliance, the dedication or reservation of land, or the provision of funds in lieu of installation of improvements or dedication or reservation of land, may be imposed in connection with the approval of any waiver/modification of any requirements under this zoning ordinance.

Furthermore, any adjustments can in no way be made to the basic zone district's permitted uses, bulk, density, and height requirements or to the maximum limits permitted in regard to square footage.

*(Amended 7-24-06 Ord. # 15-2006)*

2.01 Establishment and Purpose of Districts. These regulations establish the following zoning districts, the boundaries of which are shown on the maps, made a part of these regulations and which are designated as the “Official Zoning Map”. A description of each zone and uses permitted are indicated in Article 4 of these regulations.

2.02 Districts Established.

Agricultural District	AG
Single Family Residential District, Estate	RE
Single Family Large Lot	RA
Single Family Residential Suburban Density District	RB
Single Family Residential Urban Density District	RC
Special Design Single Family District	RS
Two Dwelling District	RD
Low Density Multifamily District	RL
High Density Multifamily District	RH
Mobile Home District	RM
Professional Office District	PO
Limited Commercial District	CL
General Commercial District	CG
Highway Commercial District	CH
Central Business District	CE
Industrial Commercial District	IC
General Industrial District	IG
Special Historic District	SH
Special Capitol District	SC
Special Government District	SG
Special Flood Plain District	SF
Special Environmental District	SE
Planned Residential District	PR
Planned Commercial District	PC
Planned Mixed Use District	PM
Urban Mixed Use District	UM

2.03 Zoning District Equivalency. For purpose of interpretation, districts established by these regulations shall replace districts previously established by the Zoning Regulations of October 1973. These districts generally shall be equivalent to previous districts:

- AG → AR
- RE → R – 1A
- RA → R – 1B
- RB → R – 1C
- RC → R – 1D
- RS → R – 1T (No Direct Equivalent)

RD → R - 2  
RL → R - 3  
RH → R - 4, R - 5  
RM → R - MHP, R - MHS  
PO → P - 1  
CL → B - 1  
CG → B- 2A, B - 3 (No Direct Equivalent)  
CH → B - 3, B - 5 (No Direct Equivalent)  
IC → B - 4, I - 1  
IG → I - 2  
SH → H  
SC → CC  
SG → G  
SF → None  
SE → None  
PR → None  
PC → B - 6 (No Direct Equivalent)  
PM → None

2.04 Application of Zone and District Regulations. The regulations set by this Zoning Regulation within each zone and district shall be minimum or maximum limitations, as appropriate to the case. These regulations shall apply uniformly to each class or kind of structure or land, except as hereinafter provided.

2.041 No part of a yard, open space, off street parking, loading space or other special use area required about or in connection with any building or land for the purpose of complying with this Zoning Regulation shall be included as part of a yard, open space, off street parking, loading space or other special use area similarly required for any other building or land unless otherwise specifically permitted in this Zoning Regulation.

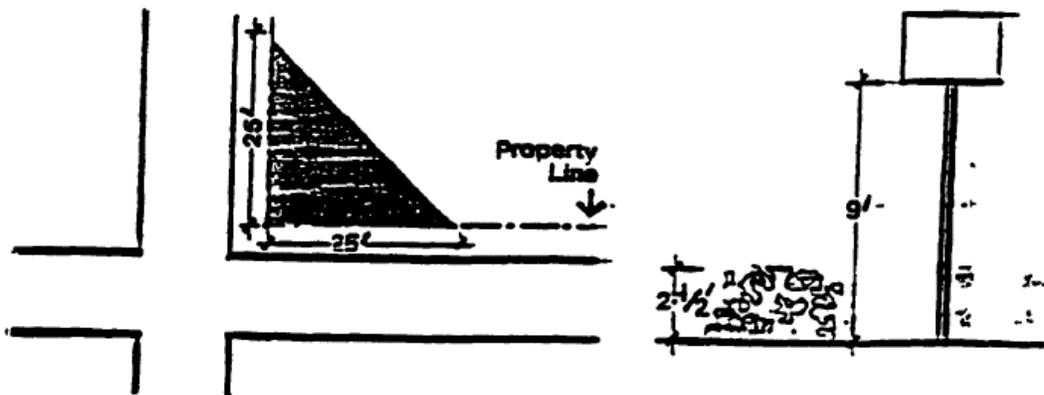
2.042 No yard or lot existing at the time of adoption of this Zoning Regulation shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created shall meet at least the minimum requirements established by this Zoning Regulation.

2.043 Only those uses specifically permitted or substantially similar to permitted uses are permitted in each zone or district, and all uses not permitted or substantially similar uses are prohibited.

2.044 No structure shall be erected on any lot or tract of land, which does not adjoin and have direct access to a street or other public right-of-way for at least twenty (20) feet unless otherwise specifically permitted in this Zoning Regulation.

2.045 Where conflicts may exist between an established setback and the setback required by the Zoning Regulation, the minimum established setback shall be observed. Appeal to this requirement shall be made before the City Planner or the Board of Zoning Adjustment.

- 2.05 Yard Requirements Along Less Restricted Zone Boundary Lines. Along any zone boundary line, any abutting side yard or rear yard on a lot adjoining such boundary line in the less restricted zone shall have a minimum width and depth equal to the required minimum width and depth for such yards in the more restricted zone.
- 2.06 Conversion of Dwellings. The conversion of any building into a dwelling, or the conversion of any dwelling so as to accommodate an increased number of dwelling units or families shall be permitted only within a zone in which a new building for similar occupancy would be permitted under this Zoning Regulation and only when the resulting occupancy will comply with the requirements governing new construction in such zone with respect to minimum lot size, floor area, dimensions of yards and other open spaces and off street parking. Each conversion shall be subject also to such requirements as may be specified hereinafter applying to such zone.
- 2.07 Safety and Vision. The following regulations provided for the maximum safety of persons using sidewalks and streets. On any corner lot or curb cut no wall, fence, structures, parking space or any plant growth which obstructs sight lines at the elevation between two and one-half ( 2 ½ ) feet and nine (9) feet above the crown of the adjacent roadway shall be placed or maintained within a triangular area twenty five (25) feet along each of the intersecting streets to be measured from the property line.



- 2.08 Reserved.
- 2.09 Reserved.
- 2.10 Zoning Map Atlas. The City of Frankfort is hereby divided into zones and districts as provided herein and as shown on the Zoning Map Atlas, which together with all explanatory material thereon, is hereby adopted by reference and declared to be a part of the Zoning Regulation.
- Said Zoning Map Atlas is generated via the City's GIS data base and is to be maintained regularly. The GIS version of the Zoning Map Atlas shall be the official record of the zoning status of all land in the City and be kept on file in the office of the Planning Department and shall be know as the " Zoning Map".
- 2.11 Zoning Map Atlas Amendments. Amendments to the Zoning Map Atlas changing the zoning status of an area made by ordinance by the Board of Commissioners of the City of Frankfort after the

effective date of said ordinance or resolution, shall be promptly posted on the appropriate map sheet of the Zoning Map Atlas. A proposal for amendment to the zoning district map may be filed by an individual, business or government body having written authorization from the owner of the subject property. The requirements for filing applications for amendments to the zoning district map are as defined in this article.

2.111 Application Form. Application form shall be submitted as provided by the Office of Planning and Community Development and all applicable information on the form must be completed. The property owner's signature and date shall be provided on the back of the application form.

2.112 Notification of Adjacent Property. All applications for an amendment to the zoning map shall include a list of each adjacent property owner and their current address. The Office of Planning and Community Development will notify the adjacent property owners by mail as to the date of the Public Hearing.

In addition to the Notice given to adjacent property owners for zone map amendments, applicants filing any request to be considered by the Planning Commission shall include a list of adjacent property owners and their mailing addresses with the completed application form. The Office of Planning and Community Development shall notify adjacent property owners by mail, at least seven (7) days in advance of the meeting, of the request and the date of the meeting of the Planning Commission.

2.113 Fee. All applications for amendment to the zoning map shall be required to submit with the application a nonrefundable fee as established by the Frankfort-Franklin County Planning Commission.

2.114 Legal Description. A legal description as recorded in the Franklin County Courthouse shall be provided as part of the application.

2.115 Concept Development Plan. A development plan shall be submitted as part of the application for amendments to the zoning map when required in accordance with Article 5. The Commission may condition any zone map amendment that a development plan be approved by the Planning Commission prior to issuance of any building permits for such property. Elements of the development plan are defined in the Subdivision and Development Plan Regulations. *(revised 8-2005)*

2.116 Submittal Deadline. The submittal deadlines for applications to be reviewed and considered by the Frankfort-Franklin County Planning Commission shall be established by the Commission as necessary to facilitate adequate review by the staff and proper notification of adjoining property owners and the public of items placed on the agenda.

2.117 Notice of Public Hearing. Notice of the time, place and reason for holding a public hearing shall be given by one publication in the newspaper of general circulation in Franklin County, Kentucky, not earlier than twenty-one (21) days or later than fourteen (14) days before the public hearing.

2.118 Posting Subject Property. The office of Planning and Community Development shall post a sign as defined in KRS 100 on the property of a zoning change request at least fourteen (14) days prior to the hearing date. The sign shall be located in a conspicuous location.

2.119 Public Hearing. Upon receipt of a completed application, notification of adjacent property owners, receipt of fee, submission of legal description and posting subject property, the Frankfort-Franklin County Planning Commission shall hold a public hearing on the proposed amendment.

2.11.10 Recommendation of Commission for Zoning Map Amendments.

Before making recommendation to the Board of Commissioners of the City of Frankfort, Kentucky, that an application for amendment to the Zoning Map be granted, the Commission shall find that the map amendment is in agreement with the Comprehensive Plan adopted by the Commission, or, in the absence of such a find that (1) the original zoning classification given to the property was inappropriate or improper, or (2) there have been major changes of an economic, physical or social nature within the area involved which were not anticipated in the Comprehensive Plan adopted by the Commission and which have substantially altered the basic character of such area. The findings in fact made by the Commission shall be recorded in the minutes and records of the Commission. After voting to recommend that an application for amendment to the Zoning Map be granted or denied, the Commission shall forward its findings of fact and recommendation in writing to the Board of Commissioners of the City of Frankfort, Kentucky, if the subject property is within the territorial jurisdiction of said City at the time the commission's recommendation is made thereon.

2.12 Rules for Interpretation of Zone and District Boundaries. Where uncertainty exists as to the boundaries of zones and districts as shown on the Zoning Map Atlas, the following rules shall apply:

2.121 Boundaries indicated as approximately following the centerlines of streets, highways or alleys shall be construed to follow centerlines.

2.122 Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.

2.123 Boundaries indicated as approximately following city limits shall be construed as following such city limits.

2.124 Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.

2.125 Boundaries indicated as following shore lines shall be construed to follow such shore lines, and in the vent of change in the shore lines shall be construed as moving with the actual shore line; boundaries indicated as approximately following the center lines of streams, river, lakes or other bodies of water shall be construed to follow such center lines.

- 2.126 Boundaries indicated as parallel to or extensions of features indicated in Sections 2.121 through 2.125 herein above shall be so construed. Distances not specifically indicated on the Zoning Map Atlas shall be determined by the scale of the map.
- 2.127 Where a zone or district boundary line divides a lot which was in single ownership at the time of passage of the regulations, the Board of Zoning Adjustment may permit, as a conditional use, the extensions of the regulations for either portion of the lot not to exceed fifty (50) feet beyond the zone or district line into the remaining portion of the lot.
- 2.128 Where the above stated rules do not indicate the exact location of the zone or district boundaries, then said boundaries shall be determined by appeal before the Board of Zoning Adjustment as provided by Article 18 herein below.

2.13 Establishment of Zoning District for Annexed Territory.

- 2.131 When a proposal to annex territory is made by the Board of Commissioners of the City of Frankfort, Kentucky, the Planning Commission shall recommend zoning classification for such territory.
- 2.132 At the first regular meeting after a proposal to annex is made by the Board of Commissioners of Frankfort, Kentucky, the Planning Commission shall hold a public hearing to determine the correct zoning district or districts for territory proposed for annexation.
- 2.133 A report of the findings of the Planning Commission and its recommendation for the establishment of zoning districts shall be made to the Board of Commissioners of Frankfort, Kentucky, prior to the reading of an ordinance to annex.
- 2.134 As part of the ordinance to annex territory, the City of Frankfort shall include designation of appropriate zoning districts.

3.01 DEFINITIONS. For the purpose of the Zoning, Regulation, certain terms are herewith defined. When not inconsistent with the context, words used in the present tense include the future, words in the singular number include the plural, words in the plural number include the singular; the word Person includes association, firm, partnership, trust, government body, corporation, organization, as well as an individual; the Structure includes building; the word Occupied includes arranged, designed or intended to be occupied; the word Used includes arranged, designed or intended to be used; the word Shall is always mandatory and not merely directive; the word May is permissive; and the word Lot includes plot or parcel. Other words and terms shall have the following respective meanings:

ACCESSORY USE OR STRUCTURE: A use or a structure subordinate to the principal use or building on a lot and serving a purpose customarily incidental thereto.

AGRICULTURE: The use of land for farming, dairying, pasturage, animal and poultry husbandry and other similar uses; and the necessary accessory uses for packaging or storing the produce, but not the commercial feeding of garbage or offal to swine or other animals.

ALLEY: A permanent public or private service way providing a secondary means of access to abutting lands.

APARTMENT: A suite or set of rooms with necessary appurtenances in a house, apartment building, hotel or motel occupied or suitable to be occupied as a dwelling unit.

ARCHITECTURAL FEATURE: Ornamentation or decorative features attached to or protruding from an exterior wall.

AUTO STORAGE YARD: A lot or a part thereof used for the temporary storage of motor vehicles.

BASE FLOOD: Or the 100 year flood: A flood having a one percent 1% chance of being equaled or exceeded in any given year.

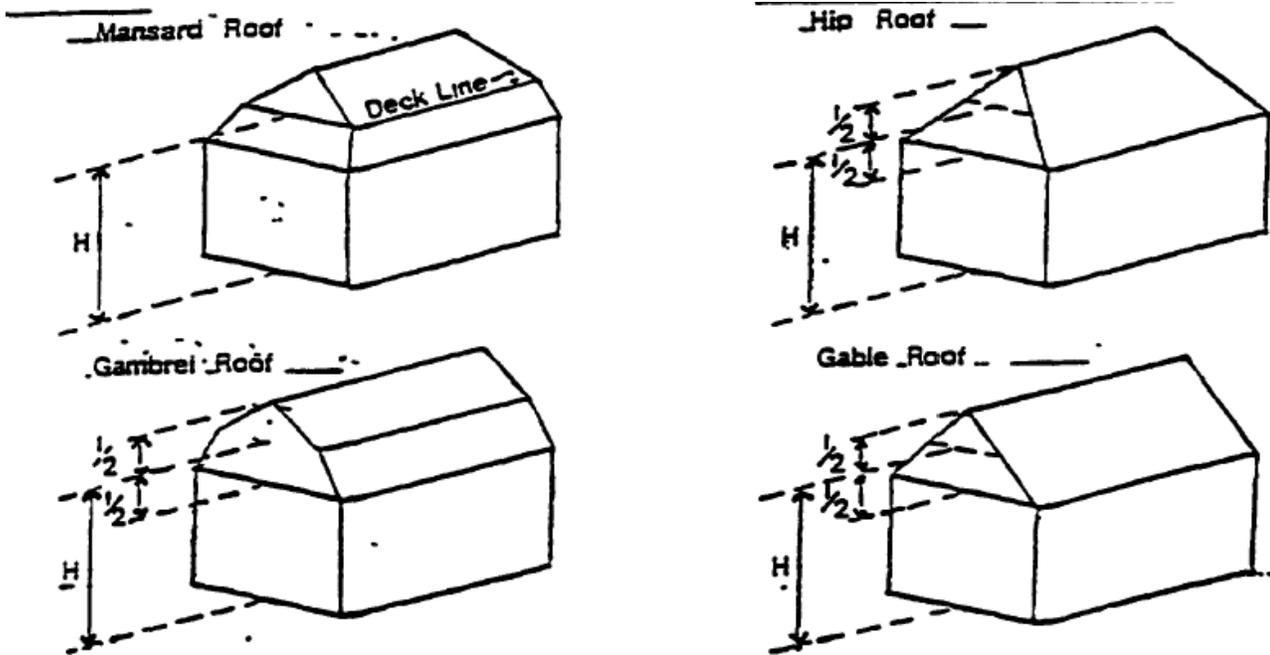
BOARD: The Board of Zoning Adjustments of the City of Frankfurt.

BUILDING: Any structure having a roof supported by column, walls or air pressure for the housing or enclosure of persons, animals or chattels. When any portion thereof is completely separated from every other person therein by a division wall without openings, then each portion therein shall be deemed to be a separate building.

BUILDING ATTACHED: A building of independent occupancy unit having more than one party wall common with an adjacent building, or an end unit having one party wall with an adjacent building which has more than one party wall.

BUILDING DETACHED: A building having no wall in common with another building.

**BUILDING, HEIGHT OF:** The vertical distance measured from the adjoining curb grade at point opposite the center of the principal frontage of the primary building to the highest point of ceiling of the top story; in the case of a flat roof, to the deck line of a mansard roof; and to the mean height level between the eaves and ridge of a gable, hip or gambrel roof where buildings are set back from the street line, the height of the building may be measured from the average elevation of the finished lot grade at the front of the building.



**BUILDING LINE SETBACK:** The linear distance between any property line and the closest portion of any building or structure to that line. Front building setbacks are measured from the public right-of-way where known or twenty - five (25) feet from the center line of a street in a residential zone or thirty (30) feet from the center line of a street in a nonresidential zone where exact right-of-way is unknown.

**BUILDING, SEMI-DETACHED:** A building having one party wall common with an adjacent building.

**CARPORT:** A permanent roofed structure with not more than two (2) enclosed sides used or intended to be used for automobiles.

**CEMETERY:** Land used for burial of the dead and dedicated for cemetery purposes, including columbariums, crematories, mausoleums and mortuaries when operated in conjunction with and within the boundary of such cemetery.

**CHANGE IN USE:** A new use in which is designated on a different horizontal line in the use table than the present use.

**CHURCH:** A building wherein persons regularly assemble for religious worship and which is controlled by a religious body organized to sustain public ownership, together with all accessory buildings and uses customarily associated with such primary use.

COMMISSION: City/County Planning Commission of the City of Frankfort and Franklin County.

CLUB, PRIVATE: Building or facilities for a social, educational or recreational purpose, generally open only to members, but not primarily for profit or to render a service which is customarily carried on as a business.

DAY CARE CENTER, NURSERY, KINDERGARTEN: Any facility, including a home or dwelling unit, which regularly provides care for four (4) or more children away from the child's own home. The operator's own children shall be included in the total number of children permitted.

DEVELOPMENT: Any man-made change to structure(s) or land including but not limited to erection, reconstruction, alteration, filling, grading, mining, drilling, excavation, paving, dumping or dredging operations.

DISTRICT: A portion of the territory within the City of Frankfort within certain regulations and requirements apply under the provisions of this Zoning Regulation in addition to other regulations and requirements for the property imposed by the zone in which said property is located.

DRIVE -IN USE OR DRIVE-THRU USE: Any use or portion (part) of a use which involves the delivery of services, goods, of other commodities to a customer who remains in an automobile, van, pick-up truck or other motor vehicle. This shall also include any other such use (i.e. gasoline service station) that involves servicing motor vehicles by the customer who may perform the service in a self-service manner. Any use which will create a line of motor vehicles waiting for a service is also included in this definition.

DWELLING: A building or portion thereof occupied exclusively for residential purposes, not including a mobile home or trailer.

DWELLING, SHARED FAMILY: Any building occupied by not more than four (4) residents, unrelated by blood or marriage, to which the common areas and facilities are shared. This does not include limited care/ treatment centers of halfway houses. (see KRS 100.984)

DWELLING, SINGLE FAMILY DETACHED: A single-family dwelling separated from other dwelling units by open space and conforming to the compatibility standards established in Article 4.05 contained herein. (Ord #17, 2003)

DWELLING, TWO FAMILY: A building occupied exclusively by two (2) families or two (2) housekeeping units commonly known as a duplex.

DWELLING, MULTIPLE FAMILY: A building or portion thereof occupied by more than two (2) families or more than two (2) housekeeping units.

DWELLING, UNIT: One room or rooms connected together, constituting a separate, independent housekeeping establishment for occupancy by a family as owner, by rental or lease on a weekly, monthly or longer basis and physically separated from any other rooms or dwelling units which may be in the same building and containing independent cooking and sleeping facilities.

EASEMENT: A grant by the property owner for the use of land.

**EXPANSION TO AN EXISTING MOBILE HOME PARK:** The preparation of additional sites by the construction facilities for servicing the lots on which the mobile homes are to be affixed (including the installation of utilities, final site grading or pouring of concrete pads, or the construction of new streets). Any expansion is considered "new construction".

**FENCE:** Any barrier constructed of wood, metal, masonry or similar material erected for the purpose of assuring privacy or protection, but excluding shrubbery and plantings.

**FLOOD BOUNDARY-FLOODWAY MAP:** Map issued by the Federal Emergency Management Agency for use during the Regular Phase of the National Flood Insurance Program which is the primary regulatory map to be used by a community with designated floodways. The Flood Boundary-Floodway Map illustrates the flood plain and floodway boundaries; and, in conjunction with the flood profiles and Floodway Data Table in the Flood Insurance Study, indicates the base flood elevations along different flood plain cross sections.

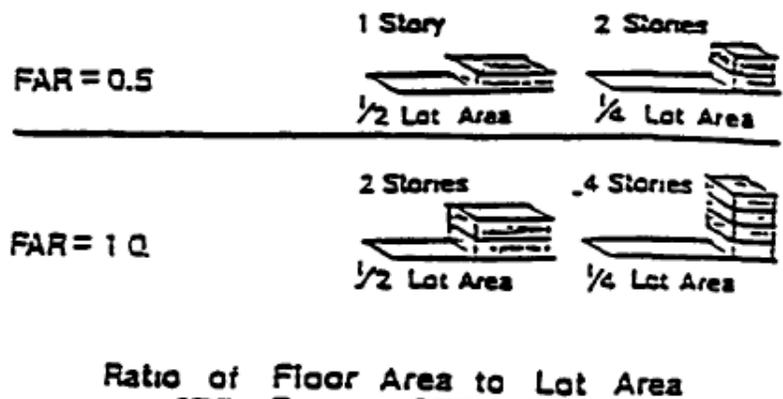
**FLOOD OR FLOODING:** A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters; or, the unusual and rapid accumulation of runoff of surface waters from any source.

**FLOOD PLAIN:** All areas of special flood hazard, including the "Floodway".

**FLOOR:** The top surface of an enclosed area in a building (including basement) – top of slab in concrete slab construction or top of wood flooring in wood frame construction. The term does not include the floor of a garage used solely for parking vehicles.

**FLOOR AREA, GROSS FLOOR AREA:** The total number of square feet of floor space within the surrounding walls of a building or structure (or portion thereof), exclusive of vents, shafts and courts.

**FLOOR AREA RATIO (FAR):** A ratio determined by dividing the total floor area of a building by the area of the lot upon which the building is located:



**FRATERNITIES AND SORORITIES:** An incorporated organization of persons which provides sleeping accommodations, with or without accessory common rooms and cooking and eating facilities for groups of unmarried students in attendance at an education institution. (See KRS 216.B.300-320)

GAME ROOM / AMUSEMENT ARCADE: A building or part of a building in which five or more pinball machines, video games, pool tables, and/or air hockey tables, etc. are located and are used for the commercial purposes of providing player operated amusement.

GARAGE, PRIVATE: A detached accessory building or portion of a main building used primarily for the storage of vehicles for the residents housed in the building to which such garage is accessory. Incidental storage of property owned by the residents of the principal building shall be permitted.

GARAGE, PUBLIC: A building or portion thereof, other than a private garage, designed or used for equipping, servicing, repairing, hiring or storing motor driven vehicles.

GASOLINE SERVICE STATIONS: A retail business providing automotive fuels and lubricants directly to customer vehicles. Incidental repair, replacement and servicing of customer vehicles shall be considered as accessory use. Removal and repair of major automotive components, the repair and painting of body parts and the machining of automotive parts shall not be considered as an accessory use.

GRADE, CURB: The elevation of the top of the face of the curb as fixed by the City.

HIGHEST ADJACENT GRADE: The highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a structure.

HOME OCCUPATION: Any use conducted entirely within a dwelling or attached garage and carried on by the occupants thereof, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof.

HOME OFFICE: A type of Home Occupation where only business office activities such as bookkeeping, record keeping, mail receipt and send out, and telephone contacts are conducted at the home. There shall be no persons engaged in this occupation other than residents of the home and there shall be no customers, clients, sales persons, or associates coming to the home in conjunction with this use. This use is incidental and secondary to the residential use of the dwelling.

HOSPITAL: An establishment providing accommodations, facilities and services on a continuous twenty-four (24) basis requiring obstetrical, medical or surgical services. Hospitals shall not include nursing homes, convalescent centers or extended health care facilities.

HOTEL: An establishment that provides transient lodging without provision for cooking within individual rooms and having a lobby and registration desk. This term does not include lodging house, rooming house, boarding house, or short term rentals. *(Amended 09-2018)*

JUNK YARD: Any area, lot structure or part thereof used for any or all of storage, collection, abandonment, processing, disassembly, reuse, purchase or resale of discarded matter including wastepaper, rags, scrap metal, wood, glass, machinery, two or more inoperable, unregistered motor vehicles or other type of waste.

KENNEL: Commercial business for the sale or temporary boarding of dogs, but not including the ownership and occasional sale of dogs at, in or adjoining a private residence.

LANDSCAPED BUFFER STRIP: A strip of evergreen or deciduous trees at least five (5) feet in height which will continually restrict a clear view beyond such planting.

LAUNDRY: A business that provides clothes cleaning services performed solely by employees.

LAUNDRY, SELF SERVICE: A business that provided facilities for clothes cleaning for use by customers on the premises.

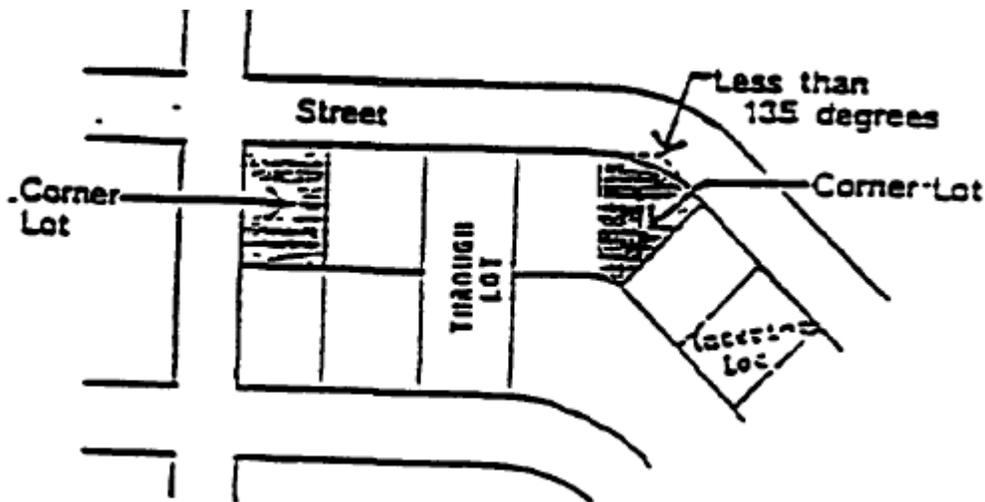
LIGHT, DIRECT: Light which travels directly from its source to the viewer's eye.

LIGHT, INDIRECT: Light which travels from its source to an intermediate object such as a sign surface before being seen by the viewer.

LODGINGHOUSE, ROOMING HOUSE: A building with more than two (2) but not more than ten (10) guest rooms where lodging with or without meals is provided for compensation or a single household dwelling occupied by more than five (5) adult individuals. This term does not include hotels, motels, or short term rentals.  
(Amended 09-2018)

LOT: A parcel of land defined by metes and bounds or boundary lines in a recorded deed or on a recorded plat. In determining lot area and boundary lines, no part thereof within the limits of the street shall be included. The word "lot" included the work "plot".

LOT, CORNER: A lot at the junction of and fronting on two (2) or more intersecting streets or a lot which fronts on one (1) street with a front lot line of less than 135.



LOT LINE, FRONT: The line separating a lot from any street right-of-way.

LOT LINE, REAR: Ordinarily, that lot line which is opposite and most distant from the front lot line. In the case of an irregular, triangular or gore shaped lot, a line ten (10) feet in length entirely within the lot, parallel to and most distant from the front lot line shall, for the purpose of this Regulation, be considered the rear lot line. In other cases not covered herein above, the Building Inspector shall designate the rear lot line.

LOT LINE, STREET OR ALLEY: A lot line separating the lot from a street or an alley.

LOT LINES: The property lines bounding the lot.

LOT, OF RECORD: A lot which is part of a subdivision, the plat of which has been recorded in the Office of the County Recorder, or a lot described by metes and bounds, the description of which has been recorded in said office at the time of adoption of the Zoning Ordinance.

LOT, THROUGH: A lot having frontage on two (2) parallel or approximately parallel streets.

LOT, WIDTH: This distance parallel to the front lot line through a building erected or to be erected, measured between a side lot line through the part of the building where the lot is narrowest.

LOWEST FLOOR: The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance.

MANUFACTURED HOME: A single-family residential dwelling constructed after June 15, 1976, in accordance with the National Manufactured Home Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, et seq., as amended, and designed to be used as a single-family residential dwelling with or without a permanent foundation when connected to the required utilities, and which includes the plumbing, heating, air conditioning, and electrical systems contained therein.  
(see KRS 100.348 (2) (c) – Ord #17, 2003)

MANUFACTURED HOME – QUALIFIED: A manufactured home that meets all the following criteria:

1. Is manufactured on or after July 15, 2002; and
2. Is affixed to a permanent foundation and is connected to the appropriate facilities and is installed in compliance with KRS 227.570; and
3. Has a width of at least twenty (20) feet at its smallest width measurement or is two (2) stories in height and oriented on the lot or parcel so that its main entrance door faces the street; and
4. Has a minimum total living area of nine hundred (900) square feet; and
5. Is not located in a manufactured home land-lease community; and
6. Supported by a permanent foundation that is:
  - a) Capable of transferring, without failure, into soil or bedrock, the maximum design load imposed by or upon the structure; and
  - b) Constructed of concrete; and
  - c) Placed at a depth below grade adequate to prevent frost damage.

(See KRS 100.348 (2) (d) – Ord #17, 2003)

MANUFACTURED HOME PARK: Any lot or tract of land other than a manufactured home subdivision or manufactured home sales or storage lot upon which three or more manufactured homes utilized for long-term residential occupancy are located. (Ord #17, 2003)

MANUFACTURED HOME SUBDIVISION: A subdivision of three or more lots designed and intended for residential use exclusively by manufactured homes on permanent foundations with wheels, tongue, lug bolts and hitch, if any, permanently removed and wherein each lot occupied by a manufactured home is owned by the owner of the manufactured home situated thereupon. (Ord #17, 2003)

MOBILE HOME: A structure manufactured prior to June 15, 1976, which was not required to be constructed in accordance with the federal act, which is transportable in one (1) or more sections, which, in the traveling mode, is eight (8) body feet or more in width and forty (40) body feet or more in length, or, when erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling, with or without a permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained therein. It may be used as a place of residence, business, profession, or trade by the owner, lessee, or their assigns and may consist of one (1) or more units that can be attached or joined together to comprise an integral unit or condominium structure.  
(See KRS 227.550 (10) – Ord #17, 2003)

MOTEL: A building or group of buildings containing individual sleeping or living units designed for the temporary occupancy of transient guests and including hotels, tourist courts, motor lodges, motor hotels or auto courts, but not including boarding or lodging houses and short term rentals.

*(Amended 09-2018)*

MURAL: A graphic illustration applied to an exterior wall façade or surface of a building and/or structure for aesthetic, renovative or advertising purposes.

NONCONFORMING USE: A legally existing use of or building which fails to comply with the regulations set forth in this article applicable to the district in which such use is located.

OCCUPANCY, CHANGE OF: A discontinuance of an existing use or occupant and a substitution of a different use or occupant.

OPEN SPACE: Total horizontal area of all portions of the lot not covered by buildings or structures.

PARKING AREA, PUBLIC: An area other than a street used for the temporary parking of more than four (4) automobiles and available for public use, whether free, for compensation or as an accommodation for clients or customers.

PARKING SPACE, ONE OFF-STREET: The area required for parking one (1) automobile.

PERSONAL SERVICE: A business or service carried out on an individual basis. Such use shall include but not be restricted to instruction in music, dance, arts and crafts; photographic services; tailoring, etc.

PLAT: A map or chart indicating the subdivision or re-subdivision of land intended to be filed for record.

RESTAURANT: An eating establishment where food and/or consumed only within the building.

**RESTAURANT, DRIVE-IN:** An eating establishment where food is generally served by employees or by self-service on the premises outside the building and generally consumed on the premises outside the building or off the premises.

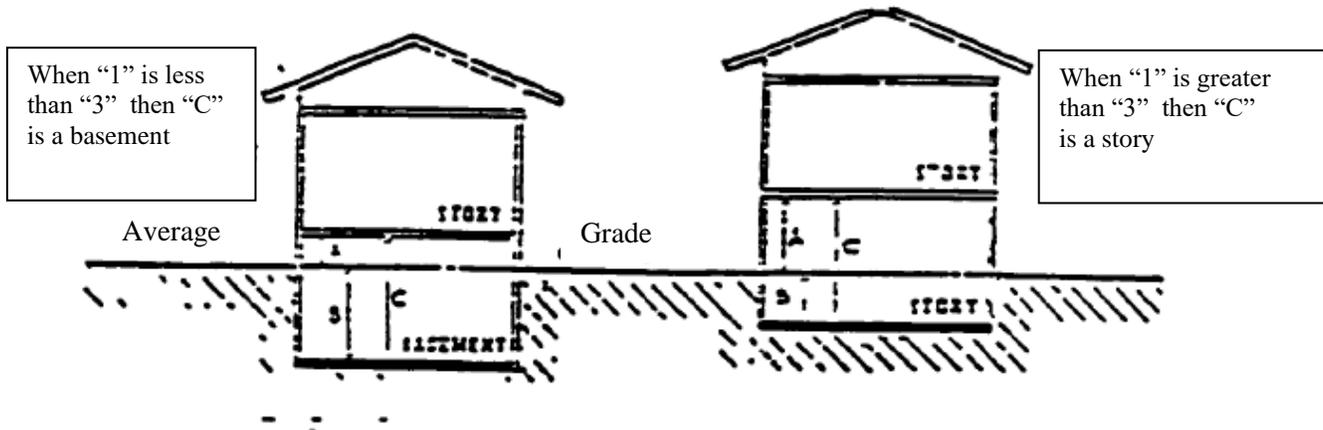
**SHORT TERM RENTAL – OWNER OCCUPIED:** A residential dwelling unit that is owner-occupied and is rented, leased, or otherwise assigned for a tenancy of less than 30 consecutive days duration for transient guests, where no meals are served. This term does not include hotel or motel rooms, bed and breakfast inns, or boarding and lodging houses.

**SHORT TERM RENTAL – NON-OWNER OCCUPIED:** A residential dwelling unit that is not owner-occupied and is rented, leased, or otherwise assigned for a tenancy of less than 30 consecutive days duration for transient guests, where no meals are served. This term does not include hotel or motel rooms, bed and breakfast inns, or boarding and lodging houses.

*(Amended 09-2018)*

**SIGN:** (SEE ARTICLE 13)

**STORY:** That portion of a building included between the upper surface of any floor and the upper surface of the floor next above; also, any portion of a building used for human occupancy between the topmost floor and the roof. A basement shall not be counted a story, unless the height surface of the first story is fifty percent (50%) above the average elevation of the finished lot grade.



**STREET:** A public way established by or maintained under public authority, a private way open for public uses and a private way plotted or laid out ultimately for public use, whether constructed or not.

**STREET, ARTERIAL:** A street designed primarily for the continuous movement of traffic through a planning unit or area. Major arterials may include freeways, expressways or other limited access facilities.

**STREET, COLLECTOR:** Roadway used for movement of vehicles and providing access to adjacent properties which is planned to assure minimum disturbance of moving traffic and serving as a link between arterial or other collector streets and local streets. Major collectors provide access to commercial developments or residential developments or residential developments in excess of 150 dwelling units. Minor collectors generally provide connections from local residential streets to other collectors or serve less than 150 dwelling units.

STREET, LOCAL: Streets whose primary function is to provide direct access to residential developments or lots.

STRUCTURE: Anything constructed, the use of which requires permanent location on the ground or attached to something having permanent location on the ground.

SUBSTANTIAL IMPROVEMENT: Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty percent of the market value of the structure with (1) before the improvement or repair is started, or (2) if the structure has been damaged and is being restored, before the damage occurred. For the purpose of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not include either (1) any project required to improve a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions, or (2) any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

TOWNHOUSE: A single family dwelling, attached or detached, each dwelling designed and erected as a unit on a separate lot and separated from another by a yard or common wall.

TRAILER: Any vehicular structure on wheels designed to be towed or hauled by another vehicle. Trailers can be used for temporary human occupancy or the transportation of equipment, goods or livestock. Definition includes automobile trailers, campers and horse trailers but not mobile homes.

USEABLE OPEN SPACE: That portion of the lot that is not covered by buildings, streets, parking areas or paved walkways. For the purposes of this ordinance outdoor roof gardens, patios and decks may counted providing a maximum of 100 square feet per dwelling unit may be included as usable open space. Pools and other recreational facilities may be included in the usable space provided that a minimum of thirty percent (30%) of the usable open space must be devoted to landscaping.

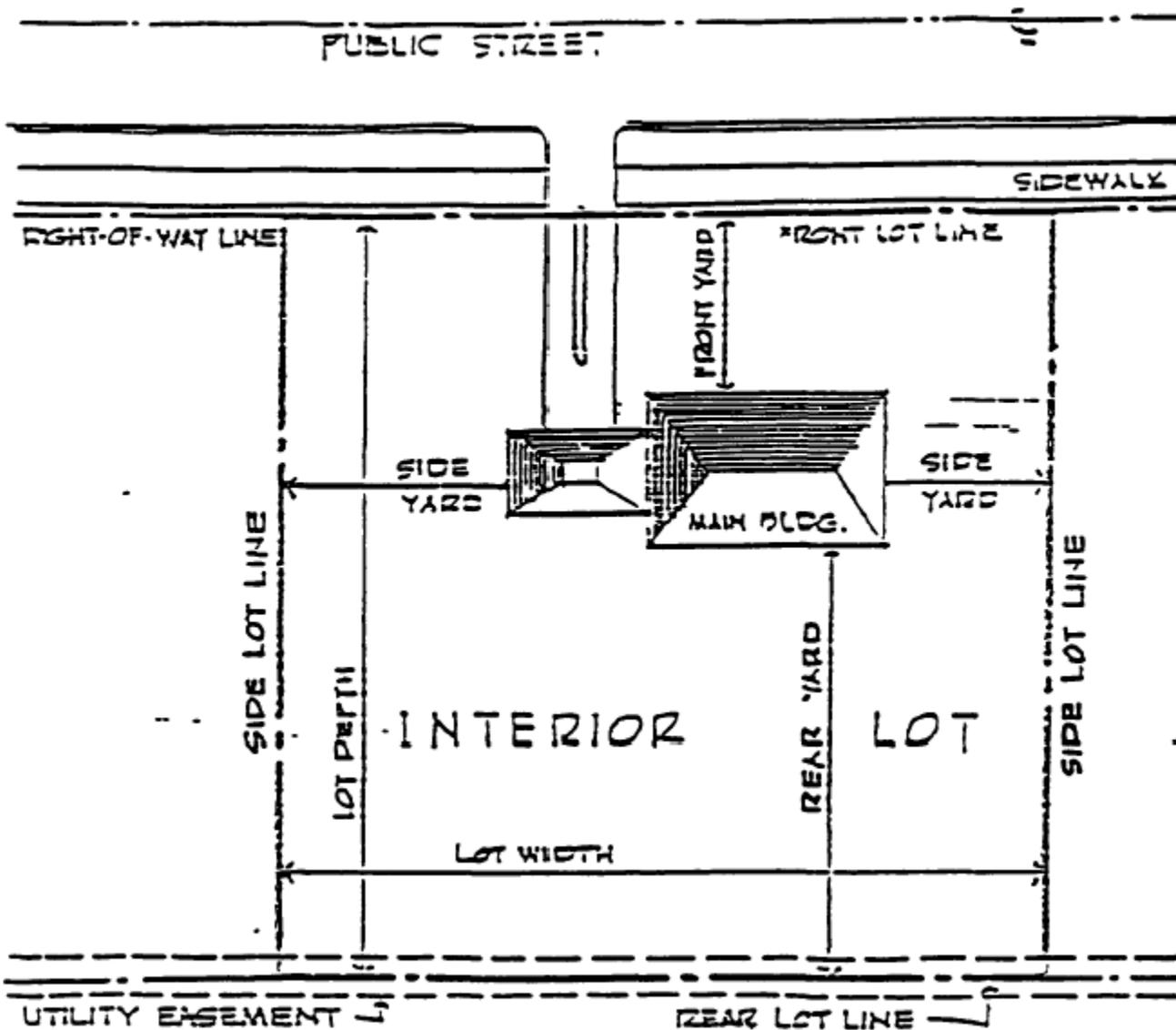
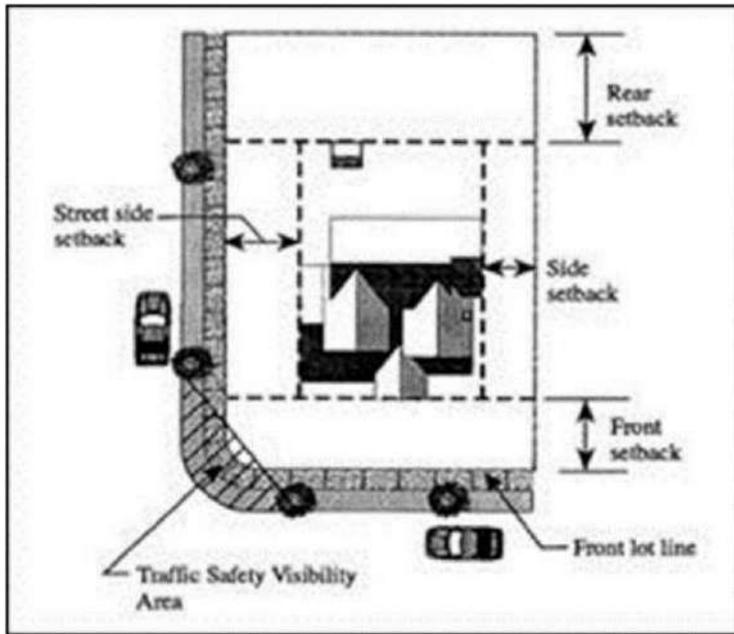
YARD: A space on the same lot with a main building; open, unoccupied and unobstructed by buildings or structures from the ground to the sky except as otherwise provided in this title.

YARD, FRONT: Any yard extending across the full width of the lot between any parts of a lot line which runs adjacent to a public street, not including the street side yard which is elsewhere defined.

YARD, REAR: Any yard extending across the full width of the lot between the rearmost portion of the main building and the rear lot line, the depth of which shall be the least distance between the rear lot line and the rear of such main building.

YARD, SIDE: A yard between the main building and the side lot line, extending from the front yard or front lot line, where no front yard is required.

YARD, STREET SIDE: A yard between the main building and the side lot line of a corner lot which abuts a side street extending from the front lot line to the rear lot line.



ZONE: A portion of the territory within the City of Frankfort within certain regulations and requirements apply under the provisions of this Zoning Regulation.

Zone – Agricultural: AG Zone

Zone – Commercial: PO, CL, CG, CE or PC Zone

Zone – Industrial: IC or IG Zone

Zone – Residential: RE, RA, RB, RC, RS, RD, RL, RH or RM Zone

Zone – Special: SH, SC, SF, SE, SG, PR, PC or PM Zone

## **ARTICLE 4**

### **PERMITTED USES**

4.01 Table of Permitted Uses. The charts and text on the following pages are adopted as the basic land use regulations for Frankfort. The uses shown on the charts are divided into basic categories:

1. Agricultural
2. Residential
3. Public & Institutional
4. Retail Sales
5. Business & Personal Service
6. Medical Service
7. Wholesale & Warehousing
8. Industrial Service & Manufacturing

4.02 Special Districts. In addition to the basic zoning districts which are intended to be established in predominantly developed sections of the community, a series of special or flexible zones may be established.

4.021 To consider special or unique character of an existing area: Special historic areas and Special Capital area.

4.022 To consider certain environmental problems: Floodways & floodway fringe and steep slope & conservation.

4.023 To consider special flexible design opportunities: Planned Development Districts and Mixed Use Districts.

4.03 Special Districts Governed by Performance Standards. Inasmuch as these districts are less guided by specified permitted uses and more dependent upon performance standards, the use table

does not specify permitted uses in special districts. Where special districts are applied, their use and conditions are explained in the text.

- 4.04 Interpretation of Use Table. To determine zoning districts where specific uses may be permitted:
- A. Find the use in the alphabetical list in the use in the use table.
  - B. Read across the table unit until a "P", a number, or a "C" appears.
  - C. Where a "P" appears, that use is permitted as a right in that zoning district, subject only to site plan approval.
  - D. If a number appears, the use is permitted, subject to certain conditions that are explained at the end of the use table. Each number refers to a condition identified by the same number.
  - E. If a "C" appears, that use is a conditional use requiring approval of "Board of Zoning Adjustments". Reference should be made in Article 19 Conditional Uses.

LAND USE	ZONING DISTRICTS																		
RESIDENTIAL	CODE	AG	RE	RA	RB	RC	RS	RD	RL	RH	RM	PO	CL	CG	CH	CB	UM	IC	IG
Single-family dwellings <sup>26</sup>	1	P3	P26	P26		P26	P26	C	P26	33	P								
Two-family dwellings	2					C	4	P	P	P		C	P	C	P	33	P		
Three or more family dwellings	03-05								P	P		P	C	C	C	P	P		
Boarding, Rooming & Fraternity houses	6							C	C	P		C	C	C	C	P	P		
Hotel, Motels	7													P	P	P	P		
Mobile & Manufactured homes	8	P									P								
Qualified Manufactured homes <sup>26</sup>	9	P26	P26	P26	P26	P26	C	P26											
Short term rental – Owner occupied ( <i>Amended 9-2018</i> )		P35	P35	P35	P35	P35	P35	P35	P35	P35									
Short term rental – Non-owner occupied ( <i>Amended 9-2018</i> )									C <sub>35</sub>	P <sub>35</sub>		P35	P35	P35	P35	P <sub>35</sub>	P35		
Extractive & Industrial Non-manufacturing	CODE	AG	RE	RA	RB	RC	RS	RD	RL	RH	RM	PO	CL	CG	CH	CB	UM	IC	IG
Field crop farms	101	P	1															P	
Fruit, Tree Nut & Vegetable farms	102	P	1															P	
Livestock farms	103	P2																2	
General farms	104	P	1																P
Non-commercial farms	108	P	1																P
Animal Husbandry services	112	P	2																P
Timber Tracts	121	P																	P
Forest nurseries & tree seed gathering & extracting	122	P																	P

Gathering of gums & barks	124	P																	P	
Forestry services	125	P																	P	
Gathering of forest products not elsewhere classified	126	P																	P	
Fisheries	131	P																	P	
Fishery services	138	P																	P	
<b>Mining</b>	<b>CODE</b>	<b>AG</b>	<b>RE</b>	<b>RA</b>	<b>RB</b>	<b>RC</b>	<b>RS</b>	<b>RD</b>	<b>RL</b>	<b>RH</b>	<b>RM</b>	<b>PO</b>	<b>CL</b>	<b>CG</b>	<b>CH</b>	<b>CB</b>	<b>UM</b>	<b>IC</b>	<b>IG</b>	
Dimension Stone Mining	141																		C	C
Crushed & Broken Stone	142																		C	C
Chemical & fertilizer mineral	143																		C	C
Sand & gravel	144																		C	C
Miscellaneous non-metallic minerals	145																			C
Crude petroleum & natural gas	147																		C	C
Metals	148																		C	C
Coal Mining	149																		C	C
<b>METALS &amp; MINERALS WHOLESALERS</b>	<b>CODE</b>	<b>AG</b>	<b>RE</b>	<b>RA</b>	<b>RB</b>	<b>RC</b>	<b>RS</b>	<b>RD</b>	<b>RL</b>	<b>RH</b>	<b>RM</b>	<b>PO</b>	<b>CL</b>	<b>CG</b>	<b>CH</b>	<b>CB</b>	<b>UM</b>	<b>IC</b>	<b>IG</b>	
Coal & other minerals, except petroleum	151																		C	P
Petroleum bulk stations and terminals	152																		C	P
<b>CONSTRUCTION-GENERAL CONTRACTORS</b>	<b>CODE</b>	<b>AG</b>	<b>RE</b>	<b>RA</b>	<b>RB</b>	<b>RC</b>	<b>RS</b>	<b>RD</b>	<b>RL</b>	<b>RH</b>	<b>RM</b>	<b>PO</b>	<b>CL</b>	<b>CG</b>	<b>CH</b>	<b>CB</b>	<b>UM</b>	<b>IC</b>	<b>IG</b>	
Highway & street construction	161												18	18	18	18			P	P
Heavy construction, except highway/street construction	162												18	18	18	18			P	P

General building contractors	163													18	18	18	18		P	P
<b>SPECIAL TRADE CONSTRUCTION</b>	<b>CODE</b>	<b>AG</b>	<b>RE</b>	<b>RA</b>	<b>RB</b>	<b>RC</b>	<b>RS</b>	<b>RD</b>	<b>RL</b>	<b>RH</b>	<b>RM</b>	<b>PO</b>	<b>CL</b>	<b>CG</b>	<b>CH</b>	<b>CB</b>	<b>UM</b>	<b>IC</b>	<b>IG</b>	
Plumbing, heating & air decorating	171												18	18	18	18		P	P	
Painting, paper hanging & decorating	172												18	18	18	18		P	P	
Electrical work	173												18	18	18	18		P	P	
Masonry, stonework, tile setting, plastering & lathing	174												18	18	18	18		P	P	
Carpentry	175												18	18	18	18		P	P	
Floor laying & Other floor work not elsewhere classified	175												18	18	18	18		P	P	
Roofing & sheet metal work	176												18	18	18	18		P	P	
Concrete work	177												18	18	18	18		P	P	
Oil & Water well drilling	178												18	18	18	18		P	P	
Misc. special contractors	179												18	18	18	18		P	P	
Junk Yards - Scrap & Waste wholesaling - see section 19.11	180																		C	
Other industrial non-manufacturing not elsewhere classified	190																	C	C	
<b>MANUFACTURING FOOD &amp; KINDRED PRODUCTS</b>	<b>CODE</b>	<b>AG</b>	<b>RE</b>	<b>RA</b>	<b>RB</b>	<b>RC</b>	<b>RS</b>	<b>RD</b>	<b>RL</b>	<b>RH</b>	<b>RM</b>	<b>PO</b>	<b>CL</b>	<b>CG</b>	<b>CH</b>	<b>CB</b>	<b>UM</b>	<b>IC</b>	<b>IG</b>	
Meat products	201																	11	11	
Dairy products	202																	P	P	

Canning & Preserving fruits, vegetables & seafoods	203															C 28	C 28	11	11	
Grain mill products	204																		P	P
Bakery products	205															C 28	C 28	P	P	
Sugar	206																		P	P
Confectionery & related products	207														25	25	25	P	P	
Beverage industries	208															C 29	C 29	P	P	
Miscellaneous food preparations & kindred products	209															C28	C28	C	P	
Microbrewery ( <i>Amended 09-2018</i> )	210												C28	C28	C28	C28	P	P	P	
Distilled Spirits/ Craft Distilleries	210															C28	P	P	P	
<b>TOBACCO MANUFACTURERS</b>	<b>CODE</b>	<b>AG</b>	<b>RE</b>	<b>RA</b>	<b>RB</b>	<b>RC</b>	<b>RS</b>	<b>RD</b>	<b>RL</b>	<b>RH</b>	<b>RM</b>	<b>PO</b>	<b>CL</b>	<b>CG</b>	<b>CH</b>	<b>CB</b>	<b>UM</b>	<b>IC</b>	<b>IG</b>	
Cigarettes	211																		P	P
Cigars	212															C28	C28	P	P	
Tobacco & snuff	213																		P	P
Tobacco stemming & redrying	214																		P	P
Textile Mill Products	220																			C
Dyeing & finishing textiles	226																			C
Floor covering mills	227																			C
Yarn & thread mills	228																			C

Miscellaneous textile goods	229																C28	C28		C
<b>APPAREL AND OTHER FINISHED PRODUCTS MADE FROM FABRICS AND SIMILAR MATERIALS</b>	<b>CODE</b>	<b>AG</b>	<b>RE</b>	<b>RA</b>	<b>RB</b>	<b>RC</b>	<b>RS</b>	<b>RD</b>	<b>RL</b>	<b>RH</b>	<b>RM</b>	<b>PO</b>	<b>CL</b>	<b>CG</b>	<b>CH</b>	<b>CB</b>	<b>UM</b>	<b>IC</b>	<b>IG</b>	
Men's, youth's boy's suits & Clothing	231																		P	P
Women's misses & Junior's Clothing	233																		P	P
Hats, caps & millinery	235																		P	P
Fur Goods	238																		P	P
Miscellaneous apparel & accessories	238																		P	P
Miscellaneous fabricated textile products	239																C28	C28	P	P
<b>LUMBER &amp; WOOD PRODUCTS, EXCEPT FURNITURE</b>	<b>CODE</b>	<b>AG</b>	<b>RE</b>	<b>RA</b>	<b>RB</b>	<b>RC</b>	<b>RS</b>	<b>RD</b>	<b>RL</b>	<b>RH</b>	<b>RM</b>	<b>PO</b>	<b>CL</b>	<b>CG</b>	<b>CH</b>	<b>CB</b>	<b>UM</b>	<b>IC</b>	<b>IG</b>	
Sawmills and planing mills	242																			P
Millwork, veneer, plywood & prefabricated structural wood products	243																			P
Wood Containers	244																			P
Miscellaneous wood products	249																			P
<b>FURNITURE &amp; FIXTURES</b>	<b>CODE</b>	<b>AG</b>	<b>RE</b>	<b>RA</b>	<b>RB</b>	<b>RC</b>	<b>RS</b>	<b>RD</b>	<b>RL</b>	<b>RH</b>	<b>RM</b>	<b>PO</b>	<b>CL</b>	<b>CG</b>	<b>CH</b>	<b>CB</b>	<b>UM</b>	<b>IC</b>	<b>IG</b>	
Household furniture	251													10	10	10	10	P	P	
Office furniture	252													10	10	10	10	P	P	
Public building & related furniture	253													10	10	10	10	P	P	

Partitions, shelving lockers & office & store fixtures	254														10	10	10	10	P	P
Miscellaneous furniture & fixtures	259														10	10	10	10	P	P
<b>PAPER &amp; ALLIED PRODUCTS</b>	<b>CODE</b>	<b>AG</b>	<b>RE</b>	<b>RA</b>	<b>RB</b>	<b>RC</b>	<b>RS</b>	<b>RD</b>	<b>RL</b>	<b>RH</b>	<b>RM</b>	<b>PO</b>	<b>CL</b>	<b>CG</b>	<b>CH</b>	<b>CB</b>	<b>UM</b>	<b>IC</b>	<b>IG</b>	
Pulp Mills	261																		C	P
Paper mills, except building paper mills	262																		C	P
Paperboard mills	263																		C	P
Converted paper & paperboard products, except containers and boxes	264																		C	P
Paperboard containers & boxes	265																		C	P
Building paper & building board mills	266																		C	P
<b>PRINTING, PUBLISHING &amp; ALLIED INDUSTRIES</b>	<b>CODE</b>	<b>AG</b>	<b>RE</b>	<b>RA</b>	<b>RB</b>	<b>RC</b>	<b>RS</b>	<b>RD</b>	<b>RL</b>	<b>RH</b>	<b>RM</b>	<b>PO</b>	<b>CL</b>	<b>CG</b>	<b>CH</b>	<b>CB</b>	<b>UM</b>	<b>IC</b>	<b>IG</b>	
Newspaper Publishing & Printing	271																19	19	P	P
Periodical publishing & printing	272																19	19	P	P
Books	273																19	19	P	P
Miscellaneous publishing	274																19	19	P	P
Commercial printing	275																19	19	P	P
Manifold business forms manufacturing	276																19	19	P	P
Greeting card manufacturing	277																19	19	P	P

Bookbinding and related industries	278																19	19	P	P	
Service industries for the printing trade	279																P	19	P	P	
<b>CHEMICAL AND ALLIED PRODUCTS</b>	<b>CODE</b>	<b>AG</b>	<b>RE</b>	<b>RA</b>	<b>RB</b>	<b>RC</b>	<b>RS</b>	<b>RD</b>	<b>RL</b>	<b>RH</b>	<b>RM</b>	<b>PO</b>	<b>CL</b>	<b>CG</b>	<b>CH</b>	<b>CB</b>	<b>UM</b>	<b>IC</b>	<b>IG</b>		
Industrial inorganic & organic chemicals	281																		C	P	
Plastics materials & synthetic resins, synthetic rubber & synthetic & other manmade fibers except glass	282																			C	P
Drugs	283																			C	P
Soaps, detergents & cleaning preparations; perfumes, cosmetics & other toilet preparations	284																			C	P
Paints, varnishes, lacquers, enamels & allied products	285																			C	P
Gum & wood chemicals	286																			C	P
Agricultural chemicals	287																			C	P
Miscellaneous chemical products																				C	P
<b>PETROLEUM REFINING &amp; RELATED INDUSTRIES</b>	<b>CODE</b>	<b>AG</b>	<b>RE</b>	<b>RA</b>	<b>RB</b>	<b>RC</b>	<b>RS</b>	<b>RD</b>	<b>RL</b>	<b>RH</b>	<b>RM</b>	<b>PO</b>	<b>CL</b>	<b>CG</b>	<b>CH</b>	<b>CB</b>	<b>UM</b>	<b>IC</b>	<b>IG</b>		
Petroleum refining	291																				C
Paving & roofing materials	295																				P
Misc. products of petroleum & coal	299																				C

<b>RUBBER &amp; MISCELLANEOUS PLASTIC PRODUCTS</b>	<b>CODE</b>	<b>AG</b>	<b>RE</b>	<b>RA</b>	<b>RB</b>	<b>RC</b>	<b>RS</b>	<b>RD</b>	<b>RL</b>	<b>RH</b>	<b>RM</b>	<b>PO</b>	<b>CL</b>	<b>CG</b>	<b>CH</b>	<b>CB</b>	<b>UM</b>	<b>IC</b>	<b>IG</b>
Tires, tubing & Recapping	301																		P
Rubber footwear	302																		P
Reclaimed rubber	303																		C
Fabricated rubber products	306																		P
Misc. plastics products	307																		P
<b>LEATHER &amp; LEATHER PRODUCTS</b>	<b>CODE</b>	<b>AG</b>	<b>RE</b>	<b>RA</b>	<b>RB</b>	<b>RC</b>	<b>RS</b>	<b>RD</b>	<b>RL</b>	<b>RH</b>	<b>RM</b>	<b>PO</b>	<b>CL</b>	<b>CG</b>	<b>CH</b>	<b>CB</b>	<b>UM</b>	<b>IC</b>	<b>IG</b>
Leather tanning & finishing	311																		C
Industrial leather belting & packing	312																		C
Boot & shoe cut stock	313																		C
Footwear, except rubber	314																	P	P
Gloves & mittens	315																	P	P
Luggage	316																	P	P
Handbags & other personal leather goods	317															P30		P	P
<b>STONE, CLAY &amp; GLASS PRODUCTS</b>	<b>CODE</b>	<b>AG</b>	<b>RE</b>	<b>RA</b>	<b>RB</b>	<b>RC</b>	<b>RS</b>	<b>RD</b>	<b>RL</b>	<b>RH</b>	<b>RM</b>	<b>PO</b>	<b>CL</b>	<b>CG</b>	<b>CH</b>	<b>CB</b>	<b>UM</b>	<b>IC</b>	<b>IG</b>
Flat glass	321																		C
Glass & glassware, pressed or blown	322															C20	C20		C
Glass products made of purchased glass	323															C20	C20		P
Cement, hydraulic	324																		P
Structural clay products	325																		C
Pottery & related products	326													20	20	C20	C20	P	P

Concrete, gypsum & plaster products	327																	C	P
Cut stone & stone products	328																	C	P
Abrasive & Miscellaneous nonmetallic mineral products	329																	C	P
<b>PRIMARY METALS INDUSTRIES</b>	<b>CODE</b>	<b>AG</b>	<b>RE</b>	<b>RA</b>	<b>RB</b>	<b>RC</b>	<b>RS</b>	<b>RD</b>	<b>RL</b>	<b>RH</b>	<b>RM</b>	<b>PO</b>	<b>CL</b>	<b>CG</b>	<b>CH</b>	<b>CB</b>	<b>UM</b>	<b>IC</b>	<b>IG</b>
Blast furnaces, steelworks & rolling & finishing mills	331																		C
Iron & steel foundries	332																		C
Primary smelting & refining of nonferrous metal alloys	333																		C
Secondary smelting & refining of nonferrous metals alloys	334																		C
Rolling, drawing & extruding of nonferrous metals	335																		C
Nonferrous foundries	336																		C
Misc. primary metals industries	339																		C
<b>FABRICATED METALS PRODUCTS EXCEPT ORDINANCE, MACHINERY &amp; TRANSPORTATION EQUIPMENT</b>	<b>CODE</b>	<b>AG</b>	<b>RE</b>	<b>RA</b>	<b>RB</b>	<b>RC</b>	<b>RS</b>	<b>RD</b>	<b>RL</b>	<b>RH</b>	<b>RM</b>	<b>PO</b>	<b>CL</b>	<b>CG</b>	<b>CH</b>	<b>CB</b>	<b>UM</b>	<b>IC</b>	<b>IG</b>
Metal cans	341													16	16	16	16	P	P
Cutlery, hand tools & general hardware	342													16	16	16	16	P	P
Heating apparatus	343													16	16	16	16	P	P

Fabricated structural metal products	344														16	16	16	16	P	P
Screw machine products & bolts, nuts, screws, rivets & washers	345														16	16	16	16	P	P
Metal stampings	346														16	16	16	16	P	P
Coating, engraving & allied services	347														16	16	16	16	P	P
Misc. fabricated wire products	348														16	16	16	16	P	P
Misc. fabricated metal products	349														16	16	16	16	P	P
<b>MACHINERY, EXCEPT ELECTRIC</b>	<b>CODE</b>	<b>AG</b>	<b>RE</b>	<b>RA</b>	<b>RB</b>	<b>RC</b>	<b>RS</b>	<b>RD</b>	<b>RL</b>	<b>RH</b>	<b>RM</b>	<b>PO</b>	<b>CL</b>	<b>CG</b>	<b>CH</b>	<b>CB</b>	<b>UM</b>	<b>IC</b>	<b>IG</b>	
Engines & turbines	351																			P
Farm machinery & equip.	352																			P
Construction, mining & materials handling, machinery & equipment	353																			P
Metalworking machinery and equipment	354																			P
Special industry machinery, except metalworking machinery	355																			P
General industrial machinery & equipment	356																			P
Office, computing & accounting machines	357																			P
Service industries machines	358																			P
Misc. machinery, except electrical	359																			P

<b>ELECTRICAL MACHINERY EQUIPMENT &amp; SUPPLIES</b>	<b>CODE</b>	<b>AG</b>	<b>RE</b>	<b>RA</b>	<b>RB</b>	<b>RC</b>	<b>RS</b>	<b>RD</b>	<b>RL</b>	<b>RH</b>	<b>RM</b>	<b>PO</b>	<b>CL</b>	<b>CG</b>	<b>CH</b>	<b>CB</b>	<b>UM</b>	<b>IC</b>	<b>IG</b>
Electrical transmission & distribution equipment	361																	9	P
Electrical industrial apparatus	362																	9	P
Household appliances	363																	9	P
Electrical lighting & wiring equipment	364																	9	P
Radio & Television receiving sets	365																	9	P
Communication equipment	366																	9	P
Electronics components & accessories	367																	9	P
Miscellaneous electrical machinery, equipment & supplies	369																	9	P
<b>TRANSPORTATION EQUIPMENT</b>	<b>CODE</b>	<b>AG</b>	<b>RE</b>	<b>RA</b>	<b>RB</b>	<b>RC</b>	<b>RS</b>	<b>RD</b>	<b>RL</b>	<b>RH</b>	<b>RM</b>	<b>PO</b>	<b>CL</b>	<b>CG</b>	<b>CH</b>	<b>CB</b>	<b>UM</b>	<b>IC</b>	<b>IG</b>
Motor Vehicles & Motor Vehicle Equipment	371																		P
Aircraft & parts	372																		P
Ship & boat-building & repairing	373																		P
Railroad equipment	374																		P
Motorcycles, bicycles & parts	375																		P
Misc. transportation equipment	379																		P

<b>PROFESSIONAL, SCIENTIFIC &amp; CONTROLLING INSTRUMENTS, PHOTOGRAPHIC &amp; OPTICAL GOODS, WATCHES &amp; CLOCKS</b>	<b>CODE</b>	<b>AG</b>	<b>RE</b>	<b>RA</b>	<b>RB</b>	<b>RC</b>	<b>RS</b>	<b>RD</b>	<b>RL</b>	<b>RH</b>	<b>RM</b>	<b>PO</b>	<b>CL</b>	<b>CG</b>	<b>CH</b>	<b>CB</b>	<b>UM</b>	<b>IC</b>	<b>IG</b>
Engineering laboratory & scientific research instruments & associated equipment	381													C	C			P	P
Instruments for measuring, controlling & indicating physical characteristics	382													C	C			P	P
Optical instruments & lenses	383													C	C			P	P
Surgical medical & dental instruments & supplies	384													C	C			P	P
Ophthalmic goods	385												21	C	C	21	21	P	P
Photographic equipment & supplies	386													C	C			P	P
Watches, clocks, & clockwork operated devices: parts	387													C	C			P	P
<b>MISC. MANUFACTURING INDUSTRIES</b>	<b>CODE</b>	<b>AG</b>	<b>RE</b>	<b>RA</b>	<b>RB</b>	<b>RC</b>	<b>RS</b>	<b>RD</b>	<b>RL</b>	<b>RH</b>	<b>RM</b>	<b>PO</b>	<b>CL</b>	<b>CG</b>	<b>CH</b>	<b>CB</b>	<b>UM</b>	<b>IC</b>	<b>IG</b>
Jewelry, silverware & plated ware	391															C28	C28	C	P
Musical instruments & parts	393															C28	C28	C	P
Toys, amusements, sporting & athletic goods	394																	C	P

Pens, pencils & other office & artists' materials	395																	C	P
Costume jewelry, costume novelties, buttons & misc. notions, except precious jewelry	396															C28	C28	C	P
Misc. manufacturing industries	398															C28	C28	C	P
Arts and Crafts such as candle making, soaps and metal sculpting																C28	C28	P	P
Ordnance & accessories	399																		C
<b>Transportation, Communications &amp; Utilities</b>	<b>CODE</b>	<b>AG</b>	<b>RE</b>	<b>RA</b>	<b>RB</b>	<b>RC</b>	<b>RS</b>	<b>RD</b>	<b>RL</b>	<b>RH</b>	<b>RM</b>	<b>PO</b>	<b>CL</b>	<b>CG</b>	<b>CH</b>	<b>CB</b>	<b>UM</b>	<b>IC</b>	<b>IG</b>
Local & suburban passenger transportation	411													P	P	P	P	P	P
Taxicabs	412													P	P	P	P	P	P
Intercity and rural highway passenger transportation	413													P	P	P	P	P	P
Passenger transportation charter service	414													P	P	P	P	P	P
Terminal & service facilities for motor freight transportation	417													C	C			P	P
Trucking transportation services	418													C	C			P	P
<b>STORAGE AND WAREHOUSING INDUSTRIES</b>	<b>CODE</b>	<b>AG</b>	<b>RE</b>	<b>RA</b>	<b>RB</b>	<b>RC</b>	<b>RS</b>	<b>RD</b>	<b>RL</b>	<b>RH</b>	<b>RM</b>	<b>PO</b>	<b>CL</b>	<b>CG</b>	<b>CH</b>	<b>CB</b>	<b>UM</b>	<b>IC</b>	<b>IG</b>
Farm product warehousing and storage	461	P																P	P

Refrigerated food warehousing except food lockers	462																	P	P
Food lockers, with or without food preparation facilities	463																	P	P
Household goods warehousing and storage	464																	P	P
General warehousing & storage	465																	P	P
Special warehousing & storage not elsewhere classified	466																	P	P
<b>TRANSPORTATION SERVICES</b>	<b>CODE</b>	<b>AG</b>	<b>RE</b>	<b>RA</b>	<b>RB</b>	<b>RC</b>	<b>RS</b>	<b>RD</b>	<b>RL</b>	<b>RH</b>	<b>RM</b>	<b>PO</b>	<b>CL</b>	<b>CG</b>	<b>CH</b>	<b>CB</b>	<b>UM</b>	<b>IC</b>	<b>IG</b>
Travel agents & bureaus	491												P	P	P	P	P	P	P
Customs brokers	491												P	P	P	P	P	P	P
Freight forwarders	491																	P	P
<b>COMMERCIAL WHOLESALE</b>	<b>CODE</b>	<b>AG</b>	<b>RE</b>	<b>RA</b>	<b>RB</b>	<b>RC</b>	<b>RS</b>	<b>RD</b>	<b>RL</b>	<b>RH</b>	<b>RM</b>	<b>PO</b>	<b>CL</b>	<b>CG</b>	<b>CH</b>	<b>CB</b>	<b>UM</b>	<b>IC</b>	<b>IG</b>
Motor Vehicles & automotive equipment	501													P	P			P	P
Drugs, chemicals & allied products	502																	P	P
Dry goods and apparel	503																	P	P
Groceries & related products	504																	P	P
Farm products--raw materials	505	P																P	P
Electrical	506																	P	P

Hardware & plumbing & heating and air conditioning & refrigeration equipment	507																	P	P
Machinery, equipment & supplies	508																	P	P
Miscellaneous wholesalers	509																	P	P
<b>RETAIL TRADE (BUILDING HARDWARE &amp; FARM EQUIPMENT)</b>	<b>CODE</b>	<b>AG</b>	<b>RE</b>	<b>RA</b>	<b>RB</b>	<b>RC</b>	<b>RS</b>	<b>RD</b>	<b>RL</b>	<b>RH</b>	<b>RM</b>	<b>PO</b>	<b>CL</b>	<b>CG</b>	<b>CH</b>	<b>CB</b>	<b>UM</b>	<b>IC</b>	<b>IG</b>
Lumber & other building materials dealers	521													P	P			P	P
Heating & plumbing equipment dealers	522													P	P			P	P
Paint, glass & wallpaper stores	523													P	P	P		P	P
Electrical supply stores	524													P	P			P	P
Hardware & farm equipment	525	P												P	P			P	P
<b>RETAIL TRADE (GENERAL MERCHANDISE)</b>	<b>CODE</b>	<b>AG</b>	<b>RE</b>	<b>RA</b>	<b>RB</b>	<b>RC</b>	<b>RS</b>	<b>RD</b>	<b>RL</b>	<b>RH</b>	<b>RM</b>	<b>PO</b>	<b>CL</b>	<b>CG</b>	<b>CH</b>	<b>CB</b>	<b>UM</b>	<b>IC</b>	<b>IG</b>
Department stores	531													P	P	P	P		
Mail order houses	532																	P	P
Limited price variety stores	533													P	P	P	P		
Merchandise vending machine operators	534															C 28	C 28	P	P
Direct selling organizations	535													P	P	P	P		
Misc. general merchandise stores	539													P	P	P	P		
<b>RETAIL TRADE - FOOD</b>	<b>CODE</b>	<b>AG</b>	<b>RE</b>	<b>RA</b>	<b>RB</b>	<b>RC</b>	<b>RS</b>	<b>RD</b>	<b>RL</b>	<b>RH</b>	<b>RM</b>	<b>PO</b>	<b>CL</b>	<b>CG</b>	<b>CH</b>	<b>CB</b>	<b>UM</b>	<b>IC</b>	<b>IG</b>
Grocery stores & delicatessens	541												P	P	P	P	P	P	

Meat & fish markets	542													P	P	P	P	P	P	
Fruit stores & vegetable markets	543													P	P	P	P	P	P	
Candy, nut & confectionery stores	544												C	P	P	P	P	P	P	
Dairy products stores	545													P	P	P	P	P	P	
Retail bakeries	546												C	P	P	P	P	P	P	
Miscellaneous food stores	549													P	P	P	P	P	P	
<b>AUTOMOTIVE DEALERS &amp; GASOLINE SERVICE STATIONS</b>	<b>CODE</b>	<b>AG</b>	<b>RE</b>	<b>RA</b>	<b>RB</b>	<b>RC</b>	<b>RS</b>	<b>RD</b>	<b>RL</b>	<b>RH</b>	<b>RM</b>	<b>PO</b>	<b>CL</b>	<b>CG</b>	<b>CH</b>	<b>CB</b>	<b>UM</b>	<b>IC</b>	<b>IG</b>	
Motor vehicle dealers, new & used	551													P	P			P		
Motor vehicle dealers, used only	552													P	P			P		
Tire, battery & accessory dealers	553													P	P			P		
Gasoline service stations	554												P	P	P			P	P	
Mobile home dealers, new & used	555														P			P		
Misc. aircraft, marine & automotive dealers	559													P	P			P		
<b>RETAIL TRADE - APPAREL &amp; ACCESSORIES</b>	<b>CODE</b>	<b>AG</b>	<b>RE</b>	<b>RA</b>	<b>RB</b>	<b>RC</b>	<b>RS</b>	<b>RD</b>	<b>RL</b>	<b>RH</b>	<b>RM</b>	<b>PO</b>	<b>CL</b>	<b>CG</b>	<b>CH</b>	<b>CB</b>	<b>UM</b>	<b>IC</b>	<b>IG</b>	
Men's & boy's clothing & furnishing stores	561												P	P	P	P	P			
Women's ready-to-wear stores	562												P	P	P	P	P			
Women's accessory & specialty stores	563												P	P	P	P	P			
Children's & infant's wear stores	564												P	P	P	P	P			

Family clothing stores	565													P	P	P	P	P		
Shoe Stores	566													P	P	P	P	P		
Custom tailors	567													P	P	P	P	P		
Furriers & fur shops	568													P	P	P	P	P		
Misc. apparel & accessory stores	569													P	P	P	P	P		
<b>RETAIL TRADE-FURNITURE HOME FURNISHING &amp; EQUIPMENT</b>	<b>CODE</b>	<b>AG</b>	<b>RE</b>	<b>RA</b>	<b>RB</b>	<b>RC</b>	<b>RS</b>	<b>RD</b>	<b>RL</b>	<b>RH</b>	<b>RM</b>	<b>PO</b>	<b>CL</b>	<b>CG</b>	<b>CH</b>	<b>CB</b>	<b>UM</b>	<b>IC</b>	<b>IG</b>	
Furniture, home furnishing & equipment stores	571													P	P	P	P	P	P	
Household appliance stores	572													P	P	P	P	P	P	
Radio, television & music stores	573													P	P	P	P	P	P	
<b>RETAIL TRADE-EATING &amp; DRINKING PLACES</b>	<b>CODE</b>	<b>AG</b>	<b>RE</b>	<b>RA</b>	<b>RB</b>	<b>RC</b>	<b>RS</b>	<b>RD</b>	<b>RL</b>	<b>RH</b>	<b>RM</b>	<b>PO</b>	<b>CL</b>	<b>CG</b>	<b>CH</b>	<b>CB</b>	<b>UM</b>	<b>IC</b>	<b>IG</b>	
Eating & drinking places	581												14	P	P	12	P	P		
<b>RETAIL TRADE-MISCELLANEOUS RETAIL STORES</b>	<b>CODE</b>	<b>AG</b>	<b>RE</b>	<b>RA</b>	<b>RB</b>	<b>RC</b>	<b>RS</b>	<b>RD</b>	<b>RL</b>	<b>RH</b>	<b>RM</b>	<b>PO</b>	<b>CL</b>	<b>CG</b>	<b>CH</b>	<b>CB</b>	<b>UM</b>	<b>IC</b>	<b>IG</b>	
Drugstore & Proprietary Stores	591									C		P	P	P	P	P	P			
Liquor Stores	592													P	P	P	P	P		
Antique stores & secondhand stores	593													P	P	P	P	P		
Bookstores & stationary stores	594													P	P	P	P	P		
Sporting goods stores & bicycle shops	595													P	P	P	P	P		
Farm & Garden supply stores	596	P													6	P	7	7	P	P

Jewelry stores	597												P	P	P	P	P		
Fuel & Ice dealers	598													P	P			P	P
Finance, insurance & real estate	600											13	P	P	P	P	P	P	
Credit agencies other than banks												13	P	P	P	P	P	P	
Security, commodity brokers, dealers exchanges services	602											13	P	P	P	P	P	P	
Insurance carriers	603								C	5			P	P	P	P	P	P	
Insurance agents	604								C	5			P	P	P	P	P	P	
Real Estate	605								C	5			P	P	P	P	P	P	
Combination of real estate insurance, loan or law office	606								C	5			P	P	P	P	P	P	
Holding & other investment companies	607								C	5			P	P	P	P	P	P	
Banking	608												13	P	P	P	P	P	P
<b>PERSONAL SERVICES</b>	<b>CODE</b>	<b>AG</b>	<b>RE</b>	<b>RA</b>	<b>RB</b>	<b>RC</b>	<b>RS</b>	<b>RD</b>	<b>RL</b>	<b>RH</b>	<b>RM</b>	<b>PO</b>	<b>CL</b>	<b>CG</b>	<b>CH</b>	<b>CB</b>	<b>UM</b>	<b>IC</b>	<b>IG</b>
Laundries, laundry services, cleaning & dyeing plants	611												8	P	P	P	P	P	
Arts and craft studios, supplies, services, and studios, including - commercial photography, arts/craft, candles, music, psychic/astrology *(allows accessory educational classes) -does not include taxidermy.	612												C32	P32	P32	P32	P32	P32	
Beauty shops	613									C			P	P	P	P	P	P	C
Barber shops	614									C			P	P	P	P	P	P	C

Shoe repair, shoe shine parlors, & hat cleaning shops	615												P	P	P	P	P	P		
Funeral Service	616												P		P	P	P	P		
<b>PERSONAL SERVICES - continued</b>	<b>CODE</b>	<b>AG</b>	<b>RE</b>	<b>RA</b>	<b>RB</b>	<b>RC</b>	<b>RS</b>	<b>RD</b>	<b>RL</b>	<b>RH</b>	<b>RM</b>	<b>PO</b>	<b>CL</b>	<b>CG</b>	<b>CH</b>	<b>CB</b>	<b>UM</b>	<b>IC</b>	<b>IG</b>	
Crematories																		P	P	
Pressing, alteration & garment repair	617												8	8	P	P	P	P	P	
Catering Services													C	P	P	P	P	P	P	
Advertising	621												P	P	P	P	P	P	P	
Consumer credit reporting agencies, Mercantile Reporting Agencies, Adjustment & Collection Agencies	622												P	P	P			P	P	
Duplicating, addressing, blueprinting, photocopying mailing, mailing list & stenographic services	623												P	P	P			P	P	
News syndicates	625												P	P	P	P	P	P	P	
Private employment agencies	626												P	P	P	P	P	P	P	
<b>AUTOMOBILE REPAIR, SERVICE &amp; GARAGES</b>	<b>CODE</b>	<b>AG</b>	<b>RE</b>	<b>RA</b>	<b>RB</b>	<b>RC</b>	<b>RS</b>	<b>RD</b>	<b>RL</b>	<b>RH</b>	<b>RM</b>	<b>PO</b>	<b>CL</b>	<b>CG</b>	<b>CH</b>	<b>CB</b>	<b>UM</b>	<b>IC</b>	<b>IG</b>	
Automobile rentals, without drivers & driveways	631												P	P	P			P		
Automobile parking *(see also section 19.11)	632												C	P	P	P	P	P31	C	C
Automobile repair shops *(see also section 19.11)	633														P	P			P	

Automobile services, except repair (includes auto wash) *(see Section 19.11	634	22												P	P	P			P	
Trailer rentals (moving van self-rentals)	635	22												P	P	P			P	
<b>MISCELLANEOUS REPAIR SERVICES</b>	<b>CODE</b>	<b>AG</b>	<b>RE</b>	<b>RA</b>	<b>RB</b>	<b>RC</b>	<b>RS</b>	<b>RD</b>	<b>RL</b>	<b>RH</b>	<b>RM</b>	<b>PO</b>	<b>CL</b>	<b>CG</b>	<b>CH</b>	<b>CB</b>	<b>UM</b>	<b>IC</b>	<b>IG</b>	
Electrical Repair Shops	642												P	P	P	P	P			
Watch, clock & jewelry repair shops	643												P	P	P	P	P			
Reupholstery & furniture repair shops	644													P	P	P			P	
Miscellaneous repair shops & related services	649													P	P	C			P	
<b>INDOOR COMMERCIAL AMUSEMENT SERVICES</b>	<b>CODE</b>	<b>AG</b>	<b>RE</b>	<b>RA</b>	<b>RB</b>	<b>RC</b>	<b>RS</b>	<b>RD</b>	<b>RL</b>	<b>RH</b>	<b>RM</b>	<b>PO</b>	<b>CL</b>	<b>CG</b>	<b>CH</b>	<b>CB</b>	<b>UM</b>	<b>IC</b>	<b>IG</b>	
Dance Halls, studios & schools	651												P	P	P	P	P			
Reception / assembly halls															31	31	31			
Theatrical producers (except motion picture), bands, orchestras	652													P	P	P	P			
Bowling Alleys	653													P	P	P	P			
Billiard & Pool Parlors and Game Rooms	653													17	17	C	C	C	C	
Motion picture production and distribution	655													P	P				P	
Motion picture service industries	656													P	P				P	
Motion picture theaters	657													P	P	P	P			

Misc. indoor recreation, not elsewhere classified	659													P	P	C	C		
<b>MEDICAL, HEALTH &amp; LEGAL SERVICES</b>	<b>CODE</b>	<b>AG</b>	<b>RE</b>	<b>RA</b>	<b>RB</b>	<b>RC</b>	<b>RS</b>	<b>RD</b>	<b>RL</b>	<b>RH</b>	<b>RM</b>	<b>PO</b>	<b>CL</b>	<b>CG</b>	<b>CH</b>	<b>CB</b>	<b>UM</b>	<b>IC</b>	<b>IG</b>
Offices of physicians & surgeons	671	C										P	P	P	P	P	P		
Offices of dentists & dental surgeons	672	C										P	P	P	P	P	P		
Offices of osteopathic physicians	673	C										P	P	P	P	P	P		
Offices of chiropractors	674	C										P	P	P	P	P	P		
Legal Services	675	C								5		P	P	P	P	P	P		
Medical & dental laboratories	676											P	P	P	P	P	P	P	
Health & allied services * not elsewhere classified, except hospitals, sanatoria, convalescent homes & rest homes (*includes tattoo parlor)	677											P	P	P	P	P	P	P	
<b>OTHER PROFESSIONAL SERVICES</b>	<b>CODE</b>	<b>AG</b>	<b>RE</b>	<b>RA</b>	<b>RB</b>	<b>RC</b>	<b>RS</b>	<b>RD</b>	<b>RL</b>	<b>RH</b>	<b>RM</b>	<b>PO</b>	<b>CL</b>	<b>CG</b>	<b>CH</b>	<b>CB</b>	<b>UM</b>	<b>IC</b>	<b>IG</b>
Engineering & architectural services	681									5		P	P	P	P	P	P		
Nonprofit educational & scientific research agencies	682									5		C	P	P	P	P	P		
Accounting, auditing & bookkeeping services	683									5		P	P	P	P	P	P		
<b>PUBLIC &amp; QUASI-PUBLIC SERVICES PRIVATE SCHOOLS</b>	<b>CODE</b>	<b>AG</b>	<b>RE</b>	<b>RA</b>	<b>RB</b>	<b>RC</b>	<b>RS</b>	<b>RD</b>	<b>RL</b>	<b>RH</b>	<b>RM</b>	<b>PO</b>	<b>CL</b>	<b>CG</b>	<b>CH</b>	<b>CB</b>	<b>UM</b>	<b>IC</b>	<b>IG</b>
Private colleges/universities	751	C								C		C	C	P	P	P	P		

Private junior colleges	752	C									C		C	C	P	P	P	P		
Private high schools	753	C									C		C	C	P	P	P	P		
Private junior high schools	754	C									C		C	C	P	P	P	P		
Private elementary schools	755	C									C		C	C	P	P	P	P		
Private correspondence & vocational schools	757	C											C	C	P	P	P	P		
Private schools not elsewhere classified	759	C											C	C	P	P	P	P	P	P
<b>MUSEUM, ART GALLERIES, ARBORETA, LIBRARIES</b>	<b>CODE</b>	<b>AG</b>	<b>RE</b>	<b>RA</b>	<b>RB</b>	<b>RC</b>	<b>RS</b>	<b>RD</b>	<b>RL</b>	<b>RH</b>	<b>RM</b>	<b>PO</b>	<b>CL</b>	<b>CG</b>	<b>CH</b>	<b>CB</b>	<b>UM</b>	<b>IC</b>	<b>IG</b>	
Museums & Art Galleries	761	C										P	P	P	P	P	P	P	P	
Arboreta, botanical & zoological gardens	762	P										P	P	P	P	P	P	P	P	
Libraries	763	C										P	P	P	P	P	P	P	P	
Churches	764	P	5	5	5	5	5	5	5	5	5	5	P	P	P	P	P	P	C	C
Cultural services not elsewhere classified	766												P	P	P	P	P			
Cemeteries	767														C				C	
<b>HOSPITALS, SANATORIA, CONVALESCENT HOMES &amp; REST HOMES</b>	<b>CODE</b>	<b>AG</b>	<b>RE</b>	<b>RA</b>	<b>RB</b>	<b>RC</b>	<b>RS</b>	<b>RD</b>	<b>RL</b>	<b>RH</b>	<b>RM</b>	<b>PO</b>	<b>CL</b>	<b>CG</b>	<b>CH</b>	<b>CB</b>	<b>UM</b>	<b>IC</b>	<b>IG</b>	
General Hospitals	771											5	P	P	P					
Mental institutions	772	C										5	P	P	P					
Special Hospitals not elsewhere classified	773											5	P	P	P	C				
Sanatoria, convalescent homes & rest homes	774	C										5	P	P	P	C				
<b>NONPROFIT ORGANIZATIONS</b>	<b>CODE</b>	<b>AG</b>	<b>RE</b>	<b>RA</b>	<b>RB</b>	<b>RC</b>	<b>RS</b>	<b>RD</b>	<b>RL</b>	<b>RH</b>	<b>RM</b>	<b>PO</b>	<b>CL</b>	<b>CG</b>	<b>CH</b>	<b>CB</b>	<b>UM</b>	<b>IC</b>	<b>IG</b>	

Business Associations	781	P											P	P	P	P	P	P	P	
Professional membership organizations	782	P											P	P	P	P	P	P	P	
Labor Unions & Related organizations	783	P											P	P	P	P	P	P	P	
Civic social & fraternal associations	784	P											P	P	P	P	P	P	P	
Political organizations	785	P											P	P	P	P	P	P	P	
Charitable organizations	786	P											P	P	P	P	P	P	P	
Nonprofit membership organizations, not elsewhere classified	787	P											P	P	P	P	P	P	P	
<b>RECREATION OUTDOOR PUBLIC LAND RECREATION</b>	<b>CODE</b>	<b>AG</b>	<b>RE</b>	<b>RA</b>	<b>RB</b>	<b>RC</b>	<b>RS</b>	<b>RD</b>	<b>RL</b>	<b>RH</b>	<b>RM</b>	<b>PO</b>	<b>CL</b>	<b>CG</b>	<b>CH</b>	<b>CB</b>	<b>UM</b>	<b>IC</b>	<b>IG</b>	
Playgrounds, play fields & tot lots	801	C	C	C	C	C	C	C	C	C	C	C	C	C	C					
Major Parks (5 or more acres)	802	C											C	C	C			C	C	
Minor Parks (less than 5 acres)	803	C											C	C	C			C	C	
Stadia & fairgrounds	804	C												C	C			C	C	
Camps & campgrounds	805	C											C	C	C					
Golf Courses	806	C	C																	
Skating rinks	808													C	C					
Outdoor public land recreation not elsewhere classified	809												C	C	C					
<b>OUTDOOR WATER BASED PUBLIC RECREATION</b>	<b>CODE</b>	<b>AG</b>	<b>RE</b>	<b>RA</b>	<b>RB</b>	<b>RC</b>	<b>RS</b>	<b>RD</b>	<b>RL</b>	<b>RH</b>	<b>RM</b>	<b>PO</b>	<b>CL</b>	<b>CG</b>	<b>CH</b>	<b>CB</b>	<b>UM</b>	<b>IC</b>	<b>IG</b>	
Boating areas	811	C												C	C	C	C			

Beach areas	812	C												C	C	C	C		
Fishing sites	813	C															C		
Swimming pools - outdoor	814	C												C	C		C		
<b>INDOOR PUBLIC RECREATION</b>	<b>CODE</b>	<b>AG</b>	<b>RE</b>	<b>RA</b>	<b>RB</b>	<b>RC</b>	<b>RS</b>	<b>RD</b>	<b>RL</b>	<b>RH</b>	<b>RM</b>	<b>PO</b>	<b>CL</b>	<b>CG</b>	<b>CH</b>	<b>CB</b>	<b>UM</b>	<b>IC</b>	<b>IG</b>
Swimming Pools	821	C												C	C	C	C		
Arenas	822	C														C	C		
Skating rinks	823	C												C	C	C	C		
Community Centers	824	C												C	C	C	C		
<b>OUTDOOR PRIVATE LAND RECREATION (OPERATED FOR PROFIT)</b>	<b>CODE</b>	<b>AG</b>	<b>RE</b>	<b>RA</b>	<b>RB</b>	<b>RC</b>	<b>RS</b>	<b>RD</b>	<b>RL</b>	<b>RH</b>	<b>RM</b>	<b>PO</b>	<b>CL</b>	<b>CG</b>	<b>CH</b>	<b>CB</b>	<b>UM</b>	<b>IC</b>	<b>IG</b>
Stadia	831	C																C	C
Race Tracks	832	C																C	C
Camps & campgrounds	833	C											C	C	C				
Riding academics	834	C																	
Skating rinks	835	C												C	C				
Drive-in Theaters		C													C			C	
<b>OUTDOOR WATER-BASED PRIVATE RECREATION</b>	<b>CODE</b>	<b>AG</b>	<b>RE</b>	<b>RA</b>	<b>RB</b>	<b>RC</b>	<b>RS</b>	<b>RD</b>	<b>RL</b>	<b>RH</b>	<b>RM</b>	<b>PO</b>	<b>CL</b>	<b>CG</b>	<b>CH</b>	<b>CB</b>	<b>UM</b>	<b>IC</b>	<b>IG</b>
Boating areas	841	C											C	C	C	C	C		
Beaches	842	C												C	C	C	C		
Fishing sites	843	C											C	C	C	C	C		
Swimming pools, outdoor	844	C											C	C	C				
<b>INDOOR PRIVATE RECREATION</b>	<b>CODE</b>	<b>AG</b>	<b>RE</b>	<b>RA</b>	<b>RB</b>	<b>RC</b>	<b>RS</b>	<b>RD</b>	<b>RL</b>	<b>RH</b>	<b>RM</b>	<b>PO</b>	<b>CL</b>	<b>CG</b>	<b>CH</b>	<b>CB</b>	<b>UM</b>	<b>IC</b>	<b>IG</b>
Swimming pools	851	C											C	C	C	C	C		
Arenas	852	C														C	C		
Skating rinks	853	C												C	C	C	C		

<b>OPEN LANDS</b>	<b>CODE</b>	<b>AG</b>	<b>RE</b>	<b>RA</b>	<b>RB</b>	<b>RC</b>	<b>RS</b>	<b>RD</b>	<b>RL</b>	<b>RH</b>	<b>RM</b>	<b>PO</b>	<b>CL</b>	<b>CG</b>	<b>CH</b>	<b>CB</b>	<b>UM</b>	<b>IC</b>	<b>IG</b>	
Conversation lands	861	C																		
Wildlife areas	862	C																		
Forest preserves	863	C																		
<b>PRIVATE NONPROFIT RECREATION</b>	<b>CODE</b>	<b>AG</b>	<b>RE</b>	<b>RA</b>	<b>RB</b>	<b>RC</b>	<b>RS</b>	<b>RD</b>	<b>RL</b>	<b>RH</b>	<b>RM</b>	<b>PO</b>	<b>CL</b>	<b>CG</b>	<b>CH</b>	<b>CB</b>	<b>UM</b>	<b>IC</b>	<b>IG</b>	
Subdivision parks	871	C	C	C	C	C	C	C	C	C	C									
Subdivision community centers	872	C	C	C	C	C	C	C	C	C	C		C							
Camps (Boy Scouts, etc.)	873	C											C	C	C					
Golf Course, country clubs, etc.	874	C	C	C	C	C	C	C	C	C	C									
<b>MISCELLANEOUS</b>	<b>CODE</b>	<b>AG</b>	<b>RE</b>	<b>RA</b>	<b>RB</b>	<b>RC</b>	<b>RS</b>	<b>RD</b>	<b>RL</b>	<b>RH</b>	<b>RM</b>	<b>PO</b>	<b>CL</b>	<b>CG</b>	<b>CH</b>	<b>CB</b>	<b>UM</b>	<b>IC</b>	<b>IG</b>	
Charitable Indigent Limited Care Facility			15			15	15	15	15	15		15	15	C15	15	15	15	15	C15	C15
Day Care Centers		24	C	C	C	C	C	C	C	24	24	24	24	24	24	24	24	24	24	24
Shared Family Dwelling/ Mini Nursing Homes								C	C	P		C				C	C			
Bed & breakfast		C								C						C	C			
Mini-warehouse/ self-storage facilities		P											C <sup>27</sup>	C <sup>27</sup>	C <sup>27</sup>	C <sup>27</sup>		P	P	
Computer Processing Center																			23	
Arts and craft studios, studies, supplies, & education - Such as candle making, artwork, jewelry, music and similar uses (non-manufacturing)														P32	P32	P32	P32	P	P	

4.06 Noted Special Conditions:

1. Garden crop but no sales structures.
2. Livestock only on lots over five (5) acres.
3. More than one dwelling may be permitted on any farm lot provided it is required for additional family members or for tenants who work on the farm.
4. Semi-Attached and attached single units permitted on individual lots. Two (2) units on the same lot permitted only with approval of the Board of Zoning Adjustments.
5. Permitted only where principal access is to a street designated at least a collector. "RA" and "RB" zone districts included per Ordinance No. 9, 1987 Series.
6. All operations must be confined to an enclosed building, or enclosed and fully covered on all sides by an opaque ornamental screen, and shall comply with all height and setback requirements, and shall be included in the maximum lot coverage calculations. The sale of automobiles and trucks is exempted from this rule, but all outdoor display areas shall comply with the Parking Regulations in Article 12.
7. Home garden equipment and supplies confined within the structure. No sale of farm equipment or products.
8. Laundry and dry clean pick up stations including clothes cleaning establishments of not more than forty (40) pound capacity and using a closed system process.
9. Manufacturing of products from already prepared materials.
10. Custom shops and upholstery shops in "CG", "CH" and "CB".
11. Processing or freezing of food, dressed meat or poultry, slaughter, rendering or animal processing only as permitted by the BZA and only in the "IG" zone.
12. Table service only. Drive in fast food service not permitted.
13. Drive in facilities prohibited.
14. Conditional use permit required for restaurants with live entertainment, bar, wine, and or liquor by the drink sales.
15. Permitted as an accessory use in any existing church facility and any existing American Red Cross of Salvation Army facility provided that all criteria listed under Article 19.14 are met, and that no new construction is involved to accommodate a use previously vacated within the Church or other building to allow space for Charitable Indigent Limited Care Facility. This in no way implies that these are conditional uses.

This use is permitted as a conditional use in any building within the CG (General Commercial), IC (Industrial Commercial), and the IG (General Industrial) zone districts provided that all criteria in Article 19.01 and Article 19.14 are met and property does not abut any property currently used or zoned as residential.

16. A Conditional use Permit is required, and the following minimum conditions shall be met:
  - A. All operations must be confined to a fully enclosed building and not storage or display of goods or materials is permitted outside the fully enclosed building.
  - B. All operations shall be clearly ancillary to a retail building materials use within the same building or within a building on the same lot.
  - C. The use shall not occupy over fifty percent (50%) of the total floor area of all building on the lot.
17. Game Rooms/ Amusement Arcades are permitted only within a shopping center. Game Rooms/ Amusement Arcades are prohibited from locating in a building under separate ownership or on a single lot.
18. Permitted for business office portion of use only. No equipment used may be located, either temporarily or permanently, at this location.
19. Areas for loading and unloading must be provided off-street.
20. Change of use requires building permit and fire department approval
21. Permitted in conjunction with the sale of eyeglasses.
22. Must be located along a street classified at least a Major Arterial.
23. The building or site must be used for the input and processing of data via telecommunications, with little to no data entry by personnel at the property. Off-site storage areas are typically required of a computer processing center. The building size for this center shall be not less than 10,000 square feet. This size limitation shall not be waived.
24. Day Care Centers, Nurseries and Kindergartens shall be permitted for up to 35 children, provided that all requirements of Section 19.06 of the Conditional Use Regulations are met. If the day care center, nursery, or kindergarten proposed abuts property zoned or used for residential purposes, a Conditional Use Permit shall be required.

If the proposed day care center, nursery or kindergarten will have more than 35 children, a Conditional Use Permit shall be required.
25. Confectionery manufacture, confectionery and related materials storage facility, confectionery offices, confectionery truck parking, and/or confectionery retail will be permitted subject to the following conditions:

- A. Demolition of existing principal buildings shall not be permitted.
- B. New construction will be permitted subject to approval of a Final Development Plan, in accordance with Article 5, Development Plan Requirements, by the Frankfort/ Franklin County Planning Commission.
- C. Additions to existing buildings will be permitted subject to approval of a Final Development Plan, filed in accordance with Article 5, Development Plan Requirements, by the Frankfort/ Franklin County Planning Commission.

26. COMPATIBILITY STANDARDS: APPROVAL STANDARDS FOR SINGLE-FAMILY DETACHED DWELLINGS ON INDIVIDUAL LOTS

All single-family detached dwellings on individual lots in residential districts, outside of Manufactured Home Parks or subdivisions, shall conform to these standards. Structures that fail to meet the following standards shall require approval from the Board of Zoning Adjustments prior to the issuance of a building permit.

- A. Foundation The dwelling shall be set on a permanent perimeter foundation that forms a complete enclosure under the exterior walls. If the structure is not designed to be supported by a perimeter foundation, a wall constructed of brick, stone or concrete block shall be installed to give the appearance of a permanent foundation.
- B. Roof The roof pitch shall not be less than a 1:4 ratio except over porches, garages and carports. The roofing material shall be of a type or shall resemble a type commonly found on site-built dwellings.
- C. Minimum width The narrowest portion of the main part of the dwelling shall be no less than twenty (20) feet in width.
- D. Exterior walls The exterior covering of the dwelling unit shall be similar in appearance to materials commonly found on site built dwellings. It shall not reflect light to any greater degree than siding coated with white gloss exterior enamel paint.
- E. Faces Street The longest dimension of the dwelling shall be parallel to the street; unless site built dwellings are common in the surrounding area or unless the Board of Zoning Adjustments determines such orientation would be compatible in the area.
- F. Installations The dwelling shall be properly connected to utilities and, if manufactured off-site, shall be installed on site in accordance with the manufacture's specifications.

27. SELF-STORAGE / MINI-WAREHOUSE: Any proposed such use within the CL, CG, or CH may be permitted by a **conditional use permit**, provided the following design guidelines are satisfied within a development plan:

- A. The subject property shall have frontage and access from a Collector or higher rated street. This shall not be waived or modified.
- B. Demolition of existing principal buildings shall not be authorized by administrative authority, rather only permitted when a development plan is reviewed and approved by the Planning Commission.
- C. New construction will be permitted subject to approval of a Development Plan in accordance with the adopted Subdivision and Development Plan Regulations.
- D. A 100 foot landscaped buffer/easement shall be required for any property adjoining a street right-of-way or residentially zoned property. This 100' landscaped buffer/easement shall contain at a minimum a **triple** row of staggered evergreen trees at not less than 15' off center nor greater than 20' off center. No variance or modification to the dimension of the 100' wide buffer/easement shall be granted, other than as stated in (I) below. Modifications or variances to the plant material shall only be considered after review by the Landscape Committee and approval by the Planning Commission. Interior or perimeter access drives shall not be located inside the 100' buffer/ easement. (This landscape buffer/easement is in addition to any landscaping required within Article 7)

Table for the 100' landscape Buffer/easement:

<b>When</b>	<b>Adjoining</b>	<b>Minimum Buffer/ Easement</b>	<b>Plant Material</b>
Any conditional use permit relating to mini-warehouse / self-storage	Any residential zone or street right-of-way	100'	Triple row, staggered, planting of evergreen trees (C) at 15'-20'OC

- E. No outside storage yard (boat, trailer, RV, etc.) shall be located inside of any required landscape buffer/easement. Any outside storage yard area that is not located adjacent to a residential zone or right-of-way, shall be set back a minimum of 25 feet from the property line. The outside storage yard area shall be further screened by a 6' privacy fence plus a 3' tall hedge (at time of planting) on all exterior sides located along the immediate perimeter of such storage yard, other than the entrance gate(s),

Table for outside storage yard screening:

<b>When</b>	<b>Adjoining</b>	<b>Minimum setback</b>	<b>Plant Material</b>
Any conditional use permit relating to mini-warehouse / self-storage with outside storage area.	Any residential zone or street right-of-way	100'	Same as "D" above, plus 6' tall privacy fence and 3' hedge
	Any other zone	25'	6' tall privacy fence and 3' hedge

- F. The maximum height of any building shall be 16 feet. The height shall be determined as defined within Article 3.

- G. Access to each unit shall be limited to only internal drives.
- H. Apart from the primary access drive, perimeter access drives shall be setback a minimum of 12 feet when no landscape buffer/easement is required; and perimeter access drive shall not encroach into any required landscape buffer/easement.
- I. Exceptions to the above guidelines:
  - 1. When the entire exterior perimeter of the buildings facing residential zoned property or street right-of-way are constructed with brick or split face cement blocks and the roof(s) are gable or hip contain shingles, the project may be administratively exempt from subsections B, D, & F above. However, the standard landscape requirements within Article 7 shall be required; OR
  - 2. When all storage units are contained within a single building that are fully enclosed, heated and cooled, and provide all access to the units from the interior of the building, the project may be administratively exempt from subsections B, D, & F above. However, the standard landscape requirements within Article 7 shall be required.
- J. When an applicant is seeking Planning Commission review concerning any of the above items, such review shall be completed prior to the Board of Zoning Adjustment's review of the requested Conditional Use Permit.

*(Amended 10-30-06)*

- 28. Accessory Manufacturing:
  - a. Permitted as accessory use to retail sales on the first floor;
  - b. Demolition of existing principal buildings shall not be permitted.
  - c. Not allowed as part of a home occupation of any residential use.
  - d. Those within CH shall be an ancillary use to an eating and drinking principal use and products shall be non-distributed.
  - e. New construction or additions will be permitted subject to approval of a Final Development Plan, with full review by the Frankfort/ Franklin County Planning Commission.
- 29. Shall not be distributed outside of the CB District.
- 30. Materials shall be pre-cured, tinted, and tanned.
- 31. Permitted provided the use is not located closer than 500' from a single family detached residence, unless a conditional use permit is approved.
- 32. When manufacture of such products is proposed as part of the studio, then a conditional use permit shall be required. Any arts and crafts which include metal work, welding, melting or the like shall require a conditional use permit.
- 33. Permitted Use Conditions: Existing one and two story structures that are documented as single family or duplex; and existing structures that have maintained the exterior form and design of a residence, may be permitted and used as a single family or duplex use.

Conditional Use Conditions: The conversion of an existing commercial building into single family or duplex use (in addition to meeting Article 19 of these regulations), the following shall apply:

- a. The existing building must currently be two (2) stories or less
- b. The exterior storefront of the building shall not be removed, enclosed, or altered in any manner other than as a storefront
- c. The owner shall record a notice that any tenants or future owners understand that any residential use at this location is within a central business district that encourages mixed uses, special events, parades, live entertainment, and other such non-residential uses. Excessive noise and outside events are likely and tenants and owners of this property is hereby noticed of such likely non-residential uses may exist.
- d. No new construction as single family or duplex

*(Amended 7-2017)*

34.
  - a. There shall be no more than 15 transient rooms per structure.
  - b. Accessory units shall not be converted to accommodate a transient room as part of the operation of the hotel.
  - c. No structure shall be enlarged through building addition to accommodate any part of the operation of the hotel.
  - d. Each hotel shall comply with the Kentucky Building Code.
  - e. If a hotel proposes to provide food services, approval from the Health Department for food services shall be provided to the Department of Planning & Community Development prior to beginning the food services operation. Food services shall only be provided to guests of the hotel.
  - f. If a hotel proposes to provide liquor sales, approval from the Kentucky Alcoholic Beverage Control office will be required. Liquor sales shall only be provided to guests of the hotel.
  - g. A minimum of one-half (1/2) of the required parking shall be provided on-site. The remainder of the parking may be provided through on-street parking. If new on-site parking is to be provided, the parking surface shall be permeable and shall be screened from view from the street and adjacent properties.
  - h. With the exception of ADA requirements, there shall be no exterior changes to the building to accommodate the use.
  - i. Any signage proposed shall comply with Section 4.406.

*(Amended 9-2018)*

35. Short term rental hosts are required to fulfill the conditions as listed in Section 19.15 of these zoning regulations. *(Amended 9-2018)*

- 4.07 Planning Commission Interpretations. The use table included herein is not intended to be comprehensive or all inclusive. The Planning Commission or their agent shall interpret the appropriate zone for any land use not specifically listed in the table. Standard land use code numbers are provided in the table to assist in the determination of appropriate comparable or compatible land uses.

4.08 BULK, DENSITY, AND HEIGHT TABLE

ZONE	LOT AREA				SETBACK				SPACE	HEIGHT	FAR	DENSITY	
	MIN. AREA SQ. FT.	1ST UNIT	ADD. UNITS	MIN. WIDTH AT R.O.W.	FRONT	STREET SIDE	SIDE	REAR	LOT COVERAGE	USABLE OPEN SPACE	MAX HEIGHT	MAX F . A. R .	MAX UNITS/AC
AG	1.5 AC	1.5 AC	1.5 AC	200'	50' ROW / 80' C/L	N/A	25'	25'	X	X	35'	0.15	1/1.5
RE	1.5 AC	1.5 AC	X	100'	35' ROW / 60' C/L	22'	10'	40'	10%	X	35'	0.15	1/1.5
RA	15000	15000	X	80'	30'	20'	10'	40'	20%	X	35'	0.4	2.9
RB	9000	9000	X	65'	25'	15'	8'	25'	25%	X	35'	0.5	4.84
RC	5000	5000	X	40'	15'	10'	6'	25'	40%	X	35'	0.4	8.71
RS	6000	(2)	(2)	50'	15' (3)	N/A	(4)	25'	40%	X	35'	X	8.7
RD	6000	6000	2500	60' (5)	15'	N/A	6'	25'	30%	X	35'	X	10.24
RL	6000	6000	2500	75' (5)	20'	N/A	6' (6)	20'	30%	1500/DU FAR	35'	0.6	14.4
RH	6000	6000	1600	85' (5)	15'	N/A	6' (7)	20'	30%	750/DU FAR	35'	1.0	24
RM	4000	4000	X	32'	10'	N/A	6'	20'	X	X	20'	X	X
CL	NONE	6000	2500	75' (9)	20'	N/A	10' (10)	20'	X	X	35'	X	X
CG	NONE	6000	(11)	0	20'	N/A	5'	5'	50%	X	75'	2.4	X
CH	NONE	X	X	65'	30'	N/A	0 (12)	0	40%	X	NONE	1.2	X
CB	NONE	NONE	NONE	NONE	(13)	N/A	0	(14)	80%	X	50'	3.2	X
IC	NONE	X	X	NONE	15'	N/A	12'	20' (15)	50%	X	50'	1.5	X
IG	20000	X	X	100'	40'	N/A	12'	20' (20)	70%	X	50'	2.1	X

\*S, P, & UM \* ALL S, P, UM ZONES are governed by specific bulk, density, and design provisions included in that zone description.

4.09 Special Notes for Bulk, Density & Height:

1. Where ROW is 50' or greater and platted, setback shall be measured from ROW. Where ROW is less than 50' or unknown, setback shall be measured from center line.
2. Minimum lot for single dwelling: 6,000 square feet. Second dwelling on same lot: 1,000 square feet. Each townhouse or attached dwelling: 2,500 square feet.
3. For attached units staggered front building lines shall have an average front yard of at least 18 feet and at least 15 front yard.
4. Detached single dwellings permitted with "0" lot line on one side provided opposite side yard is 16 feet. Total of both side yards must be 16 feet. Each unit of townhouse complex or semi-attached structures must be 10 feet.
5. Minimum width of single dwelling lot may be 50 feet.
6. Side yard shall be increased by one foot for every two feet of height over 20 feet.
7. Side yard shall be increased by one foot for every three feet of height over 20 feet.
8. Front yard setback minimum of 10 feet on any interior street of a mobile home court or mobile home subdivision. Entire park or subdivision shall set back 25 feet from an peripheral street.
9. No minimum for each unit in a building complex least width for single structure or building complex 75 feet.
10. No side yard for interior units in building complex with common walls. End units or individual buildings 10 foot side yard.
11. Residential units shall have same requirements as those in abutting residential district.
12. No side yard required but if provided shall be 10 feet.
13. No setback is required and setback in excess of five (5) feet shall be prohibited along 200 and 300 blocks of West Main Street, St. Clair Street, and 200 & 300 blocks of West Broadway on the south side of the street.
14. No rear yard is required except where parking is provided at the rear of the buildings. A rear yard of 25 feet shall be provided to insure vehicular maneuverability.
15. When loading is provided from a rail siding at the rear of a structure, no rear yard shall be required.

4.10 Agricultural District "AG"

4.101 Purpose. This district is intended to recognize agricultural land to establish regulations which emphasize agricultural production and preserve a rural character.

4.102 General Uses Intended are the raising of agricultural crops or livestock, forestry and hunting or game preserves. Ancillary services inherent to farming are also permitted (see use table). Single dwelling residences, churches, elementary and secondary schools.

4.103 Accessory Uses. More than one dwelling may be permitted on each agricultural lot, providing additional dwellings are required for family members or employees who farm the land.

4.104 Conditional Uses may be permitted by the Board of Zoning Adjustments. Uses which may be so permitted are indicated in the use table.

4.105 Bulk Density and Height

- |    |  |           |
|----|--|-----------|
| A) | Minimum lot size   | 1 ½ acres |
| B) | Minimum lot frontage                                       | 200 feet  |
| C) | Minimum front yard   | 50 feet   |
| D) | Minimum side yard  | 25 feet   |
| E) | Minimum rear yard  | 25 feet   |
| F) | Minimum spacing between any two dwellings<br>on same tract | 30 feet   |
| G) | Maximum height   | 35 feet   |
- Except barns, silos, steeples, water towers, windmills,  
Communication tower and other structures excepted general  
height exceptions.

\* For additional requirements, see Section 4.08, Bulk Density and Height Table.

4.106 Off Street Parking. Determined by use in Article 12.

4.107 Agricultural Land Use Exemptions- Notwithstanding any other provision of this Zoning Regulation , land which is used solely for agricultural, farming, dairying, stock raising or similar purposes shall have no regulations imposed as to building permits, certificates of occupancy, height, yard, location or courts requirements for agricultural buildings except that setback may be required for the protection of existing and proposed roads, streets and highways and that all buildings in a designated floodway or flood plain or which tend to increase flood heights or obstruct the flow of flood waters may be fully regulated.

4.11 Residential "E" District "RE"

4.111 Purpose. It is the intent of this district to establish and preserve a quite single family home neighborhood, free from other uses except those which are convenient to and compatible with the residences of such neighborhood. This district is intended to be of very low density and will customarily be located in areas where public sewer facilities are not available or planned.

4.112 General Uses Permitted. Detached single family dwelling units.

4.113 Conditional Uses Permitted. Permitted with approval of Board of Adjustments and subject to conditions defined in Article 19. Home Occupations, nursery schools and day care centers, elementary and secondary schools, parks and public recreation facilities.

4.114 Bulk Density and Height

A)	Minimum lot area	1 ½ acres
B)	Minimum lot frontage	100 feet
C)	Minimum front yard	35 feet *
D)	Minimum street side yard	22 feet
E)	Minimum side yard	10 feet
F)	Minimum rear yard	40 feet
G)	Maximum lot coverage	10 %
H)	Maximum height	35 feet

4.115 Off-street Parking. Two spaces per residential dwelling unit, others as required in Article 12.

\* For Additional requirements, see Section 4.08, Bulk Density and Height Table.

4.12 Residential "A" District "RA"

4.121 Purpose. The purpose of this district is to establish and preserve a quiet single family dwelling neighborhood, free from other uses except those which are convenient to and compatible with the residences of such neighborhood. This district is a low density, large lot, single family dwelling district but requires a full range of community facilities.

4.122 General Uses Permitted. Detached single dwelling residential units; churches in accordance with Section 4.06 (5).

4.123 Conditional Uses Permitted. With approval of the Board of Zoning Adjustments and subject to conditions defined in Article 19, home occupations, nursery schools, day care centers, elementary and secondary schools, parks and public recreation facilities.

4.124 Bulk Density and Height. \*

A)	Minimum lot area	15,000 sq feet
B)	Minimum lot frontage	80 feet
C)	Minimum front yard	30 feet
D)	Minimum street side yard	20 feet
E)	Minimum side yard	10 feet
F)	Minimum rear yard	40 feet
G)	Maximum lot coverage	20 %
H)	Maximum height	35 feet

4.125 Off-Street Parking. Two spaces per dwelling unit, other uses as required in Article 12.

\* For Additional requirements, see Section 4.08, Bulk Density and Height Table.

4.13 Residential "B" District "RB"

4.131 Purpose. It is the intent of this district to establish and preserve a quiet single family home neighborhood free from other uses except those which are convenient to and compatible with the residences of such neighborhood. This district is a medium density single dwelling district but requires a full range of community facilities.

4.132 General Uses Permitted. Detached single family dwelling units; churches in accordance with Section 4.06 (5).

4.133 Conditional Uses Permitted. With the approval of the Board of Zoning Adjustments and subject to conditions defined in Article 19. Home occupations, nursery schools, day care centers, elementary and secondary schools, parks and public recreation facilities.

4.134 Bulk Density and Height. \*

A)	Minimum lot area	9,000 sq feet
B)	Minimum lot frontage	65 feet
C)	Minimum front yard	25 feet
D)	Minimum street side yard	15 feet
E)	Minimum side yard	8 feet
F)	Minimum rear yard	25 feet
G)	Maximum lot coverage	25 %
H)	Maximum height	35 feet

4.135 Off-Street Parking. Two spaces per dwelling unit, other uses as required in Article 12.

\* For Additional requirements, see Section 4.08, Bulk Density and Height Table.

4.14 Residential "C" District "RC"

4.141 Purpose. It is the intent of this district to establish and preserve a quiet single family home neighborhood, free from other uses except those which are convenient to and compatible with the residence of such neighborhood. This district is intended to provide a medium density single family environment on small lots. It is particularly appropriate to more densely developed areas of Frankfort, but may be suited to new developments where higher density is desirable.

4.142 Permitted Uses. Detached single family dwelling units.

4.143 Conditional Uses Permitted. With approval of the Board of Zoning Adjustments and subject to conditions defined in Article 19, home occupations, nursery schools and day care facilities, elementary and secondary schools, parks and recreation facilities, semi-attached dwellings.

4.144 Bulk Density and Height \*

A)	Minimum lot area	5,000 sq feet
B)	Minimum lot frontage	40 feet
C)	Minimum front yard	15 feet
D)	Minimum street side yard	10 feet
E)	Minimum side yard	6 feet
F)	Minimum rear yard	25 feet
G)	Maximum lot coverage	40 %
H)	Maximum height	35 feet

4.145 Off-street parking. Two spaces per dwelling unit.

\* For Additional requirements, see Section 4.08, Bulk Density and Height Table.

4.15 Special Residential "RS"

4.151 Purpose. To establish and preserve quiet neighborhood single family and attached single dwellings, free from other uses which are not compatible with residential, but permitting certain non-residential uses which are compatible with and convenient to the residents. The purpose of these districts is to provide an opportunity to develop single dwelling housing in a variety of housing types not found in conventional house and lot arrangements.

4.152 Permitted Uses. Detached, semi-attached, and attached (townhouse) single dwelling units.

4.153 Conditional Uses. Detached or semi-attached two family units, churches, elementary or secondary schools, parks, playgrounds and recreational facilities, and home occupations.

4.154 Bulk Density and Height \*

A)	Lot area for each dwelling	
	Detached single dwelling	6,000 sq. ft.
	Semi-attached	5,000 sq. ft.
	Attached	2,500 sq. ft.
	Permitted second dwelling on same lot	4,000 sq. ft.
B)	Minimum lot frontage for each dwelling	
	Detached	50 ft.
	Semi-attached	40 ft.
	Attached end units	40 ft.
	Interior units	16 ft.
C)	Front yard	
	Minimum front yard (detached)	25 ft.*
	Attached and semi-attached units shall average at least	15 ft. *
D)	Side yard	
	Detached, least yard	0 ft.
	Detached, minimum combined side yards	16 ft.
	Semi-attached, unattached side	10 ft.
	Attached, end units	10 ft.
E)	Minimum rear yard	25 ft.
F)	Maximum lot coverage	40 %
G)	Maximum height	35 ft.

\* For Additional requirements, see Section 4.08, Bulk Density and Height Table.

- 4.155 Off-street Parking. Two spaces per dwelling unit.
- 4.156 Design Criteria. At the time of application for a Special Residential "RS" zoning district classification, the applicant shall submit a proposed plan for development to the Planning Commission.
- A) The plan shall clearly identify those lots to be developed.
    - 1. For detached dwellings
    - 2. With "0" lot line
    - 3. As semi-attached dwellings
    - 4. As attached (townhouse) dwellings
    - 5. With two dwellings per lot
  - B) All streets, sidewalks, drives, and parking areas shall be shown.
  - C) Any permitted non-residential uses shall be shown.
  - D) Landscape areas to be provided in accordance with Article 7, Landscape Regulations.
  - E) Lots including two dwellings per lot shall be limited to 20% of the development.
  - F) An architectural rendering of a typical building shall be submitted for each type of structure to be included in the development.
  - G) Where townhouse units are proposed, not more than two (2) such contiguous units shall be established at the same setback. Each break in the fascia plane shall be at least three (3) feet.

4.16 Two Dwelling District "RD"

4.161 Purpose. To establish and preserve quiet neighborhoods of single and two family homes, free from other uses except those kinds which are both compatible with and convenient to the residents of such districts. It is expected the overall density of the "RD" districts to be relatively low, averaging about ten (10) units per acre.

4.162 Permitted Uses. Single family dwellings and two family dwellings.

4.163 Conditional Uses. Parks, recreation facilities, elementary and secondary schools, day care facilities and nurseries, home occupations, other uses indicated in the use table, all as approved by the Board of Zoning Adjustments.

4.164 Bulk Density and Height \*

A)	Lot area requirements	
	Minimum area, first unit	6,000 sq. ft.
	Additional area, second unit	2,500 sq. ft.
B)	Minimum lot frontage	
	One unit	50 ft.
	Two units	60 ft.
C)	Minimum front yard	15 ft.
D)	Minimum side yard	6 ft.
E)	Minimum rear yard	25 ft.
F)	Minimum lot coverage	30%

4.165 Off-Street Parking. Two spaces per dwelling unit, or as otherwise required in Article 12.

\* For Additional requirements, see Section 4.08, Bulk Density and Height Table.

4.17 Low Density Multifamily District "RL"

4.171 Purpose. To establish and preserve a medium density district primarily of low density multi-family dwellings and excluding uses which are not compatible with residential uses. Certain non-residential uses which are of particular convenience to the residents may be permitted. Approximate density for the "RL" district is 16 dwelling units per acre.

4.172 Permitted Uses. Two family dwellings, multifamily dwellings, townhouses and churches.

4.173 Conditional Uses. Parks, recreation facilities, schools, day care centers, nurseries, home occupation, professional offices.

4.174 Bulk Density and Height\*

A)	Lot area requirements	
	Minimum lot area, first unit	6,000 sq. ft.
	Lot area, each additional unit	2,500 sq. ft.
B)	Minimum lot frontage	
	Single dwelling	50 ft.
	Multiple dwelling	75 ft.
C)	Minimum front yard	20 ft.
D)	Minimum side yard	6 ft. *
E)	Minimum rear yard	20 ft.
F)	Usable open space, per unit	1,500 sq. ft.
G)	Maximum height	2:1 height to yard ratio *
H)	Maximum lot coverage	30 %

\* For Additional requirements, see Section 4.08, Bulk Density and Height Table.

4.175 Off-Street Parking. One space per dwelling unit plus ½ space each bedroom. Others as indicated in Article 12.

4.176 Special Design Considerations

- A) Townhouse units shall comply with the same bulk and density standards as set out in the "RS" zone.
- B) Landscape areas to be provided in accordance with Article 7, Landscape Regulations.

- C) On any RL lots abutting, adjacent to, or on the same street as, any RA, RB, RC, RS, or RD district, parking shall be prohibited in front of structures.
- D) Principal access to any RL district should be from a collector street.

4.18 High Density Multifamily District "RH"

4.181 Purpose. To establish and preserve a high density multi-family residential district. Approximate density for the "RH" district is 24 dwelling units per acre.

4.182 Permitted Uses. Two family dwellings, multifamily dwellings, townhouses, churches, professional offices in accordance with 4.186 and 4.187 elementary and secondary schools, convenience retail and personal service facilities.

4.183 Conditional Uses. Day care centers, nurseries, home occupations, nursing homes, convalescent centers, Bed and Breakfast Homes within a single family residence.

4.184 Bulk Density and Height \*

A)	Lot area requirements	
	First dwelling unit	6,000 sq. ft.
	Each additional unit	1,600 sq. ft.
B)	Minimum lot frontage	
	Single dwelling	50 ft.
	Multiple dwelling	85 ft.
C)	Minimum front yard	15 ft.
D)	Minimum side yard	6 ft. *
E)	Minimum rear yard	20 ft.
F)	Usable open space, per unit	750 sq. ft.
G)	Maximum lot coverage	30 %
H)	Maximum height	3:1 height to yard ratio *

\* For Additional requirements, see Section 4.08, Bulk Density and Height Table.

4.185 Off-Street Parking. One space per unit, plus ½ space for each bedroom; others as indicated in Article 12.

4.186 Design Requirements.

- A) Townhouse units shall comply with bulk and density regulations in the "RS" district.
- B) Landscaping to be provided in accordance with Article 7, Landscape Regulations.
- C) Parking shall be prohibited in front of any structure in any "RH" district along the same street as any "RA, RB, RC, RS or RD" District.

- D) Principal access to any "RH" district shall be from at least a collector street.
- E) Regardless of building orientation on its lot a front yard setback shall be required adjacent to any wall containing a building entrance and a rear yard setback shall be required adjacent to the opposite wall.

4.187 Special Use Regulations.

- A) Professional office structures shall be limited to 5,000 square feet.
- B) Professional offices within any multi-family residential structure shall be limited to the first story and shall have their entrance from inside the building.
- C) Retail or personal service uses shall be limited to the first floor of a residential structure, and have their entrance from an interior building corridor. No sign or advertising may be located outside the building. Only uses listed in this use table may be permitted.

4.19 Mobile Home District "RM"

4.191 Purpose. To establish and provide for districts for mobile home subdivisions and mobile home parks in a residential neighborhood free from incompatible uses and in a safe, sanitary, attractive environment.

4.192 Permitted Uses. Mobile homes on individual lots or mobile homes within a mobile home park.

4.193 Conditional Uses. Laundries, storage buildings, recreational facilities, offices for the park or subdivision administration, home occupations, incidental retail uses for convenience of residents, provided laundries and incidental retail uses shall be limited to 3,000 square feet of structure for each 100 mobile units and to a maximum of 10,000 square feet.

4.194 Bulk Density and Height\*

A)	Minimum lot area	5,000 sq. ft.
B)	Minimum lot frontage	32 ft.
C)	Minimum front yard	
	Street entrance	25 ft.
	Interior Street	10 ft.
D)	Minimum side yard	6 ft.
E)	Minimum rear yard	20 ft.
F)	Maximum height	20 ft.

\* For Additional requirements, see Section 4.08, Bulk Density and Height Table.

4.195 Off-Street Parking. Two spaces per mobile homes, or as indicated in Article 12.

4.196 Design Criteria for Subdivision shall be the same as required by the Frankfort/ Franklin County Subdivision Regulations except:

- A) Lot sizes are permitted as indicated in 4.194.
- B) Lot lines are not required to be at right angles to streets.
- C) All streets shall be constructed collector street standards for base and pavement thickness.

4.197 Design Criteria for Mobile Home Parks

- A) Lot, block and street requirements shall be the same as 4.196.

- B) There shall be a 25 foot landscaped buffer area around the periphery of any mobile home parks, to be in accordance with the requirements for High-density residential in Article 7, Landscape Regulations.
- C) Each mobile home park shall provide and maintain a recreation area equal to 500 sq. ft. for each mobile home park.
- D) Minimum size for any mobile home parks shall be ten (10) acres.
- E) Minimum number of mobile homes sites available for occupancy shall be 10.
- F) All utilities and wires shall be underground.
- G) Each mobile home site shall be provided with a concrete pad consisting of a 6 inch thick poured Portland cement apron not less than width and length of the mobile home to be maintained thereon.
- H) As an alternative to off street parking, required parking may be provided on streets within a mobile home park provided such street is at least thirty six (36) feet wide, curb to curb, and provided the average width of a mobile home lot is at least forty (40) feet.
- I) All mobile homes shall be skirted to cover the undercarriage or wheels.
- J) All mobile home sites shall be provided with tie downs.
- K) All mobile home parks shall comply with the City of Frankfort Site Plan Regulations.

4.198 Enlargement of Existing Mobile Home Parks. Any enlargement or extension or any existing mobile home park shall comply with these regulations.

4.199 Mobile Homes in Other Zones. Unless specifically listed as a permitted use, no mobile home shall be parked or maintained and used as a dwelling in any zone other than "RM".

4.20 Professional Office District "PO"

4.201 Purpose. To establish and provide for office and related uses serving as an incentive to remodel older residential structures which may not be appropriate to maintain as dwellings. Retail sales shall be prohibited.

4.202 Permitted Uses. In general, offices for business professionals, medical and dental, banks, savings and loan companies, brokers and credit agencies where drive-in facilities are not permitted.

4.203 Conditional Uses. Veterinarians offices, banks, credit agencies, savings loan companies with drive-in facilities, nursery schools, day nurseries, child care centers, privately owned parking lots or structures , mixed use with residential units above, and uses noted in the use table.

4.204 Bulk Density and Height for residential uses shall comply with 4.174 "RL" district regulations. Non-residential or mixed uses are as follows:\*

- |    |   |                          |
|----|---|--------------------------|
| A) | Minimum lot area  | 7,000 sq. ft.            |
| B) | Minimum lot frontage  | 60 ft.                   |
| C) | Minimum front yard  | 25 ft.                   |
| D) | Minimum side yard   | 12 ft.                   |
| E) | Minimum rear yard   | 12 ft.                   |
| F) | Maximum lot coverage  | 35 %                     |
| G) | Maximum building height   | 3:1 height to yard ratio |
| H) | Minimum open space  | n/a                      |
| I) | Properties located between the Kentucky River and Third Street and west of Capital Avenue and east of Ewing St. may continue the use the existing front, side, and/or rear setback for additions, without the need of a variance. |                          |

\* For Additional requirements, see Section 4.08, Bulk Density and Height Table.

4.205 Off-Street Parking as required in Article 12. Exception: Properties located between the Kentucky River and Third Street and west of Capital Avenue and East of Ewing St. are allowed to meet the parking requirements found within the SC district.

4.206 Design Requirements. Landscaping shall be provided in accordance with Article 7, Landscape Regulations.

#### 4.21 Limited Commercial District "CL"

4.211 Purpose. To establish and preserve districts of limited and low intensity commercial uses. This zone is intended to provide retail goods and services required for the regular convenience of neighborhood residence or to provide a transition between residential development and other more intense land use districts. Certain design requirements are established to insure compatibility with residential uses. Drive-in sales of any type are prohibited except as provided under Section 4.213.

4.212 Permitted Uses. Retail uses, offices and multifamily residences, as all indicated in the use table.

4.213 Conditional Uses. Animal hospitals and veterinary clinics, bars and taverns, automated and self-serve car washes provided that property does not abut any parcel currently used or zoned for residential purposes, that surface water from such establishments shall not drain onto adjacent streets or property, and that adequate onsite storage lanes and parking facilities shall be provided so that no public way shall be used for such purposes.

Drive-in uses provided that property does not abut any parcel currently used or zoned for residential purposes, and that adequate onsite storage lanes and parking facilities shall be provided so that no public way shall be used for such purposes.

4.214 Bulk Density and Height for residential uses shall comply with 4.174 "RL" district regulations. Nonresidential uses are as follows: \*

A)	Minimum lot area	None
B)	Minimum Lot Frontage	
	Each building group	75 ft.
	Each unit	None
C)	Minimum front yard	20 ft.
D)	Minimum side yard	10 ft-end unit of group-10 ft.
E)	Minimum rear yard	20 ft.
F)	Maximum lot coverage	None
G)	Maximum height	35 ft.
H)	Minimum landscape area	20 %

\* For Additional requirements, see Section 4.08, Bulk Density and Height Table.

4.215 Off-street Parking as required in Article 12.

4.216 Design Requirements

- A) Principal means of access shall be to a collector street or arterial street.
- B) All structures shall be designed to be compatible with residences in adjoining districts.
  - 1) All roofs shall have pitch equal to the average pitch of roofs on the same block.

- 2) No structure may have an exposed exterior wall of block or construction walls. All exterior surfaces shall be faced with an architectural siding.
- C) Landscaping shall be provided in accordance with Article 7, Landscape Regulations.

4.22 General Commercial District "CG"

4.221 Purpose. To permit commercial development of community serving nature predominantly in areas already developed and where a change in development pattern is in accordance with the comprehensive plan. To preserve the carrying capacity of streets and to insure adequate parking. To provide concentrations of general commercial activities.

4.222 Permitted Uses. In general; retail, office and service uses are permitted. Detailed uses are listed in the use table.

4.223 Conditional Uses. Helicopter landing pads, tire recapping, warehousing facilities in conjunction with permitted principal uses, multifamily residential uses when abutting a residential district, mixed use with residential units above, and uses noted in the use table.

4.224 Bulk Density and Height\*

- |    |  |          |
|----|--|----------|
| A) | Minimum lot area   | None     |
| B) | Minimum lot Frontage   | 40 ft.   |
| C) | Minimum front bldg. line setback   | 20 ft. * |
| D) | Minimum side yard  | 5 ft. *  |
| E) | Minimum rear yard  | 5 ft. *  |
| F) | Maximum lot coverage   | 50 % *   |
| G) | Maximum height   | 75 ft.   |
| H) | Minimum floor area ratio   | 2.4 *    |
| I) | * Properties located between the Kentucky River and Third Street and west of Logan Street and east of Ewing St. are allowed the following exceptions by right:<br>(1) Buildings additions may continue to use the existing side and/or rear setback for additions;<br>(2) Building additions or new construction shall have a maximum front setback of 3 feet from the front property line;<br>(3) lot coverage is allowed up to 90% and no floor area ratio required;<br>(4) These 3 exceptions may be administratively approved without the need of a variance, any requests contrary to these 3 exceptions shall require the full review and approval of a development plan by the Planning Commission. |          |

\* For Additional requirements, see Section 4.08, Bulk Density and Height Table.

*(amended 10-27-14)*

4.225 Off-street Parking. In accordance with use and requirements of Article 12 Exception: Properties located between the Kentucky River and Third Street and west of Logan St. and East of Ewing St. are allowed to administratively meet the parking requirements found within the CB district. However, should parking be provided on site, then the following shall apply for this area:

- (A) New parking areas shall be located at the rear of the building and toward the rear property line

- (B) If parking is provided within the building or contrary to (A) above – then the Planning Commission shall review and approve the development plan to ensure the compatibility of the parking and building is in compliance to the character of this specific area.

*(amended 10-27-14)*

4.226 Design Requirements

- A) In any newly proposed “CG” district, cross access to adjacent land or development site should be provided. Direct access from an arterial street shall be discouraged.  
*(amended 7-24-06 Ord # 15, 2006)*
- B) Landscaping shall be provided in accordance with Article 7, Landscape Regulations.
- C) Any residential uses provided in the “CG” district shall comply with the standards established in the “RH” district (Section 4.18).

4.23 Highway Commercial District Zone "CH"

4.231 Purpose. To establish and provide commercial districts which cater primarily to the needs of vehicular oriented trade. To provide orderly development of and concentration of highway oriented uses near interchanges. To recognize the need for larger land masses required for commercial facilities serving a traveling public.

4.232 Permitted Uses. In accordance with the use table generally being retail, office and service uses with emphasis on the needs of traveling and motoring public.

4.233 Conditional Uses. Helicopter pads, tire, recapping warehousing in conjunction with principal permitted uses or as indicated in the use table.

4.234 Bulk Density and Height\*

A)	Minimum lot size	None
B)	Minimum width	65 ft.
C)	Minimum front bldg. line setback	30 ft.
D)	Minimum side yard 0, if free standing bldg. end unit	10 ft.
E)	Minimum rear yard	None
F)	Maximum lot coverage	40 %
G)	Maximum height	None.

\* For Additional requirements, see Section 4.08, Bulk Density and Height Table.

4.235 Off-street Parking. To be provided in accordance with use and Article 12.

4.236 Design Requirements

- A. All "CH" districts shall front along an arterial highway.
- B. Principle access to individual parcels in the "CH" zone should be from an interior or frontage road. Cross access to adjacent land or development site should be provided. (amended 7-24-06 Ord # 15, 2006)
- C. All yard and setback areas shall be landscaped. Front yard should be adjacent to R.O.W.
- D. Landscape areas shall be provided in accordance with Article 7, Landscape Regulations.
- E. Developed parcels in any "CH" district established by this ordinance may continue as constructed. Future redevelopment of any such parcel shall conform to these regulations.

#### 4.24 Central Business District "CB"

4.241 Purpose. To establish and preserve a central business district convenient and attractive for a wide range of retail uses, business offices, government and professional offices in a setting conducive to a volume of pedestrian traffic. To protect the historic character of downtown Frankfort by granting the Architectural Review Board the power to review permits for all construction, building additions, remodeling, demolition or moving of structures into or out of the Central Business District.

4.242 Permitted Uses. Retail, office, multi-family residential uses, mixed uses (to encourage live above work opportunities), churches and schools, as well as other uses as indicated in the use table but specifically excluding automotive service uses.

4.243 Conditional Uses. Parking lots and parking structures.

4.244 Bulk Density and Height \*

- A) Minimum lot size – None
- B) Minimum frontage – None
- C) Front yard requirements – No front yard requirements, except front yards with a setback or no more than five (5) feet shall be permitted along 200 and 300 blocks of West Main Street, St. Clair Street and the 200 and 300 blocks of Broadway.
- D) Minimum rear yard – None, except where parking is provided in rear of building, minimum shall be twenty-five (25) feet.
- E) Maximum lot coverage – 80 % with side or rear access and 100 % with front access only.
- F) Maximum height – 40 feet, within 10 percent of the average height of existing adjacent buildings or any height deemed appropriate by the Architectural Review Board provided that the relationship between the width and height of street façade elevations is proportional to the relationships of street façade elevations of existing adjacent buildings.
- G) Maximum floor area ratio – 3.2

\* For Additional requirements, see Section 4.08, Bulk Density and Height Table.

4.245 Off-street Parking. No off-street parking is required.

4.246 Design Criteria. The central business district in Frankfort is listed on the National Register of Historic Places as a Historic Commercial District. Development and redevelopment should be aimed at preserving that character. The following guidelines shall be used by the Architectural Review Board in determining if new construction, moving a structure into the district, exterior renovations, or demolition is appropriate to the district.

- A) No permit for the construction, demolition, building additions or moving of a structure in the central business district shall be issued by the building inspector unless the Architectural Review Board certifies that the building permit or

demolition permit may be issued. The procedure for issuance of such a certificate shall be the same as provided in Article 17.

- B) The exterior rehabilitation of a structure shall complement the architectural integrity of the façade and shall be compatible with the faces of nearby buildings. For additional design guidelines, reference is made to the City of Frankfort's "A Guide for Downtown Improvements" published April 1981 and the Central Business Zoning District Design Guidelines, dated November 2018. The Central Business Zoning District Design Guidelines, dated November 2018, shall prevail in the case of any conflicts between the two guidelines.
- C) Vacant lots resulting from demolition shall be filled and smooth graded to street grade. Street frontages at least five (5) feet deep shall be landscaped and maintained until new construction had been started, in accordance with perimeter landscaping requirements for vehicular use area in Article 7, Landscape Ordinance.
- D) The establishment of courts, plazas and extra building setbacks along West Main St., St. Clair and the 200 to 300 blocks of Broadway are prohibited. Courts and plazas shall be encouraged at the interior or rear of the sites fronting these streets.

4.247 Bonuses for New Construction. To encourage new construction compatible with the intent of the district the following bonuses may be granted:

- A) For providing off street parking within a building but not along frontage of a retail street, lot coverage permitted may be increased to 100 % and the area devoted to parking shall not be included in determining the floor area ratio (F.A.R.) in 4.244.G.
- B) For providing pedestrian plazas or landscaped or open spaces in interior courts or along the Kentucky River, height may be increased twenty-five percent (25 %) and F.A.R. may be increased to 4.0.
- C) For providing retail facility on street frontage of office or residential structures, the F.A.R. may be increased to 4.0.

4.248 Central Business District – Sign Regulations

- A) No signs shall obstruct window or door openings or cover architectural detailing in a manner which alters the integrity of the building.
- B) One sign shall be permitted per street frontage or per tenant.
- C) A maximum of five percent (5%) of the storefront area of any building may be devoted to signs. In instances of multiple tenants, multiple signs may exist provided the total area of sign space does not exceed this limit. In no case shall a tenant be restricted to less than two (2) square feet of sign. The responsibility to see that each tenant receives a portion of this allowable sign space rests solely with the property owner.

- D) Where the property owner chooses to use a portion of the sign area to give the building a specific name (i.e.. – ABC Office Building), each tenant will be permitted one (1) sign, not to exceed two (2) square feet, to be flush mounted on the façade. The sum total of such signs shall not exceed five (5%) of the storefront area of the building to which they are attached.
- E) Fascia signs are permitted provided they are placed on the lintel above the storefront or in the transom window area. Such signs must be flush mounted. See the illustration at the end of this section for the permitted locations of fascia signs. Exceptions-when the building does not include the architectural detail(s) of a lintel or transom, an alternative location may be determined by the planning staff-with consultation of the Architectural Review Board chairperson, when the proposed sign is appropriate and compatible to the building's design.
- F) Window signs are permitted provided such signs do not exceed five percent (5 %) of the display window area. By definition, window signs shall include those painted on the window surface, both inside and outside, as well as those located within the display area in order to direct attention to the use. One window sign per display window is permitted; however, the total square footage of each permitted window shall not be combined into a single sign. See the illustration at the end of this section for the permitted location of window signs.
- G) No sign shall be internally illuminated.
- H) Signs painted directly on the wall surface of a building shall require the approval of the Architectural Review Board.
- I) Except as provided above, signs not placed on lintels, transoms or display windows shall require Architectural Review Board approval before a sign permit can be issued.
- J) Hanging signs which are four (4) square feet or less and do not extend further than thirty-two (32) inches from the face of the building with a minimum of 8 feet of vertical clearance or 14 feet of vertical clearance when no sidewalk is present shall be administratively approved. Hanging signs which do not meet any part of this criteria shall require Board approval. (ORD 12-1997)
- K) For additional sign regulations, see Article 13

*(amended 9-27-10)*



#### 4.25 Urban Mixed Use District "UM"

4.251 Purpose. The Urban Mixed Use District is established to provide for a district that will allow for the development of a variety of different uses that can be compatible within an urban setting and/or will provide a compact, efficient land use pattern. This district will create new development that is livable, diverse and sustainable, and will promote efficient and economic uses of land. The Urban Mixed Use District will promote development patterns that encourage walkable circulation patterns and conserve energy and will offer residents an excellent opportunity for the ability to live, work, shop and have entertainment and recreational opportunities within a short commute of their residence. This district will also provide ability for the redevelopment and/or quality infill opportunities within areas of the community that may be underutilized and in compliance with the Comprehensive Plan.

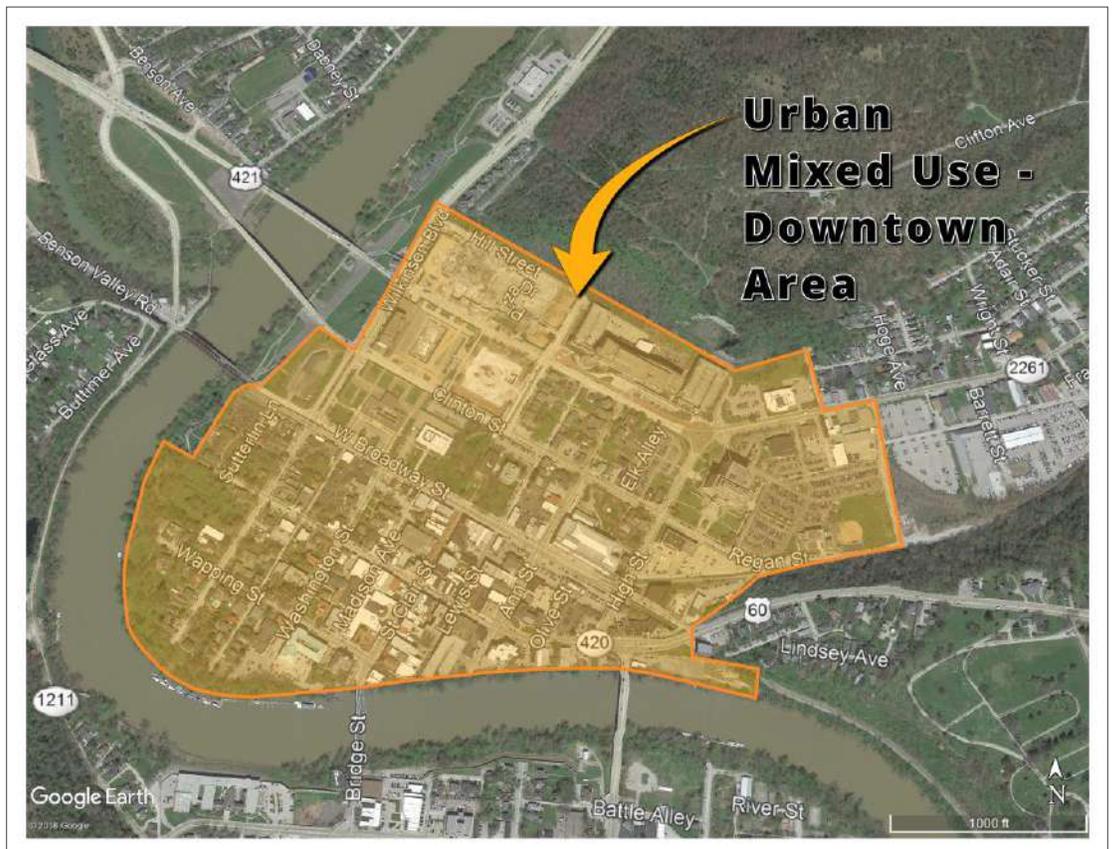
Requirements contained within the City of Frankfort Subdivision and Development Plan Regulations remain in force in "UM" districts in addition to these requirements.

4.252 Definitions. For the purposes of the language contained within this section of the Zoning Ordinance the following terms are defined as follows:

Abutting Property – Touching and sharing a common point or line. This term shall not be deemed to include parcels which are across a street or public right-of-way from each other.

Adjacent Structure – Adjacent structures are defined as structures that touch each other, have the same wall or border or are only separated by a drive, alley, patio or are directly across a non-divided street from one another (with the exception of Saint Clair Street from its intersection with Clinton Street to its intersection with Mero Street. Structures that are part of the same "UM" development are not considered adjacent.

Downtown Area  
– The downtown area is defined for the purposes of this regulation by the following map.



Principal Frontage – On corner lots, the principal frontage is the frontage that contains the principal entrance(s) to the building, the one designated to bear the address of the building or the highest classification street the structure fronts.

Secondary Frontage – On corner lots, the frontage that is not the principal frontage.

Storefront – A portion of the frontage of a building generally for retail use, with substantial glazing and often with an awning, and containing the primary entrance to the retail use of that portion of the building. The design of the storefront will generally stand out from the architectural style of the rest of the façade(s) of the building.

4.252 Permitted Uses. Generally, retail, office, eating and drinking establishments, microbreweries, craft distilleries, hotels, residential, multi-family, churches, libraries, museums. Refer to Section 4.05, Chart of Permitted Uses, for a complete listing of all uses permitted in the Urban Mixed-Use District.

4.253 Conditional Uses. Those uses indicated as a Conditional Use in the “UM” district in Section 4.05, Chart of Permitted Uses.

4.254 Accessory Uses.

- a. Outdoor patios, which are accessory to any permitted eating and drinking establishment or hotel.
- b. Conference centers, banquet facilities and convention facilities, when accessory to a hotel or motel.
- c. Parking lots or parking garages.

4.255 Required Mixture of Uses.

- a. Each “UM” Development shall include a mixture of both residential and non-residential uses.

4.256 Bulk, Density and Height\*

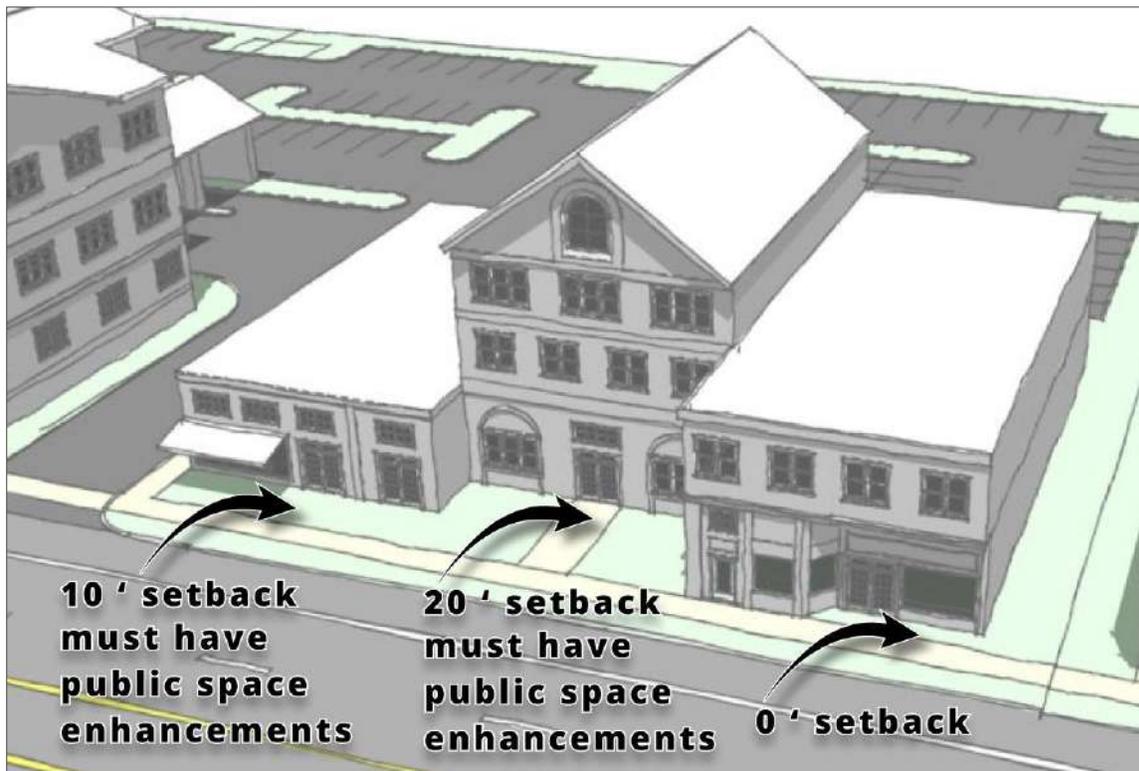
- a. Minimum lot size – None
- b. Minimum lot frontage – None
- c. Minimum front yard setback –

Downtown – None, urban buildings shall be built to the front property line along the street. Buildings may be setback up to 20' when necessary to include public space design enhancements such as public art installations, wide sidewalks, pedestrian plazas, or patio/seating area.



Non-Downtown – None required but buildings may be setback up to 30' when necessary to include public space design enhancements such as pedestrian plazas/facilities, patios, or shared common open space for the development.

*Commentary: Building to the front property line or close to it with pedestrian scale storefronts is a typical part of the fabric of a traditional urban downtown. There may be cases where a building could appropriately be set back from the property line but staff believes that we should guide/control when and how that occurs. For example, a building in an UM zone downtown that is relatively tall might be appropriately setback further from the property line with public space/patios/plazas/cafes within the setback to avoid being overwhelming to the overall streetscape and surrounding buildings.*



- d. Minimum side yard – None
- e. Minimum rear yard – None.
- f. Maximum lot coverage – None
- g. Maximum height – 65 feet Maximum, but height shall respect the average height of adjacent structures. For structures built with zero setback any stories above 125% of the average height of adjacent structures must be setback at least 10' per additional story. Any proposed structure taller than 65 feet shall require Planning Commission review.
- h. Minimum height of principal structures 20' or 2 stories. Minimum height does not apply to accessory structures within "UM" zones.

*Note: Average height calculation is a non-weighted calculation of all adjacent structures as defined in this Article.*

*Commentary: While the 65' maximum height may be acceptable in some locations depending on the surrounding area there may be locations or portions of a development location that the 65' (especially with no setback requirement) would not be the most appropriate for the surrounding area. It also may be that on a large parcel the building which is closest to external adjacent properties may fittingly be kept to an appropriate height but the building(s) further away or on an interior portion of the development may be permitted to be taller.*

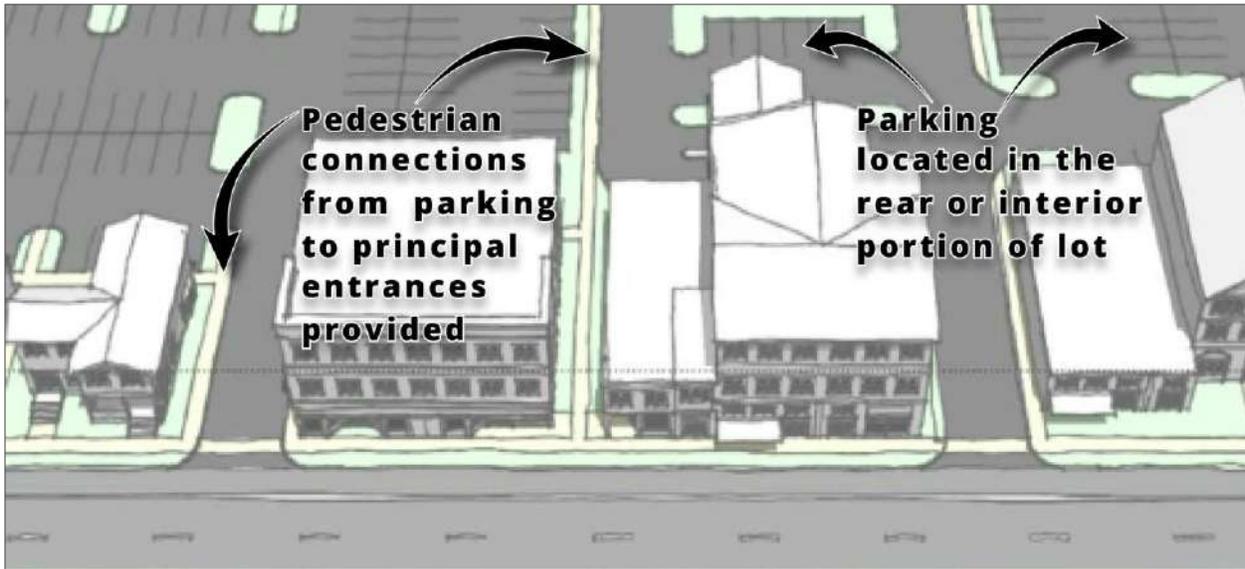
#### 4.257 Relationship to Surrounding Area

- a. "UM" developments in the Downtown Area shall connect to and extend the existing street grid.
- b. "UM" developments shall incorporate their interior pedestrian facilities into the outside network. Interior pedestrian facilities/connections should provide access from outside the development as well as from within.
- c. Curb cuts in redeveloped parcels shall be placed in the original alley position if applicable.

*Commentary: Connectivity has been a significant concern brought up in the public input for the Downtown Master Plan. The identified "guiding principles" included improved traffic circulation, encouraging walkability, and fostering a greater connectivity. Another part of encouraging the pedestrian friendly nature of urban spaces is by having appropriately sized city blocks. It is recommended that block length in "UM" districts mimic existing downtown block lengths (generally less than 500') as much as possible.*

#### 4.258 Off-Street Parking

- a. For UM districts developed within the Downtown Area, as designated in this regulation, no parking shall be required on individual parcels.
- b. Any off-street parking provided in UM districts shall not be placed in the front yard. Off Street parking shall be placed on the interior of blocks or behind buildings which front the public right-of-way. In the event that off-street parking is desired in the side yard it must be shielded from the front yard/right-of-way with a combination wall and/or fence with landscaping placed along the lot frontage to continue the adjoining streetscape and to maintain walls of continuity.



- c. Off street parking shall be screened from view from the public right-of-way.
- d. Shared driveways for shared off street parking lots should be used as much as possible to minimize curb cuts.

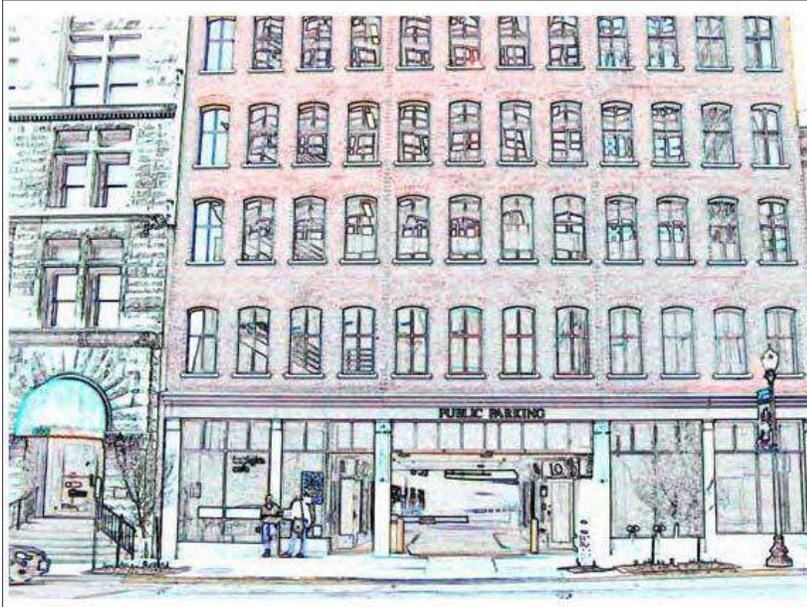


*Parking is located along frontage in the side yard but is shielded from the front yard/right-of-way with a combination wall and/or fence with landscaping placed along the lot frontage to continue the adjoining streetscape and to maintain walls of continuity.*

- e. For UM districts developed outside of the Downtown Area, as designated in this regulation, parking shall be required at the rate of 0.5 space per dwelling unit for residential uses and one (1) space per 400 square feet for non-residential uses; except for restaurants, which shall provide the greater of one (1) space per 200 square feet or one (1) space per every four (4) indoor seats. Parking provided shall not exceed the minimum required number of spaces plus 25% of the minimum. The required parking does not necessarily have to be met per parcel, but rather is encouraged to be provided in shared parking areas in “UM” districts.
- f. Parking Structures in the Downtown Area – Height – 65 feet Maximum, but height shall respect the average height of adjacent structures. For structures built with zero setback any stories above 125% of the average height of adjacent structures must be setback at

least 10' per additional story. Any proposed structure taller than 65 feet shall require Planning Commission review.

- g. Parking Structures in the Downtown Area – Frontage – Parking structures may be located along the Principal Frontage as long as they provide first floor commercial space along the right-of-way with the exception of the locations of any ingress egress points or driveways. Parking structures may be located along the Secondary Frontage. Portions of structures visible from either frontage shall be designed so that they are complementary regarding massing and use of materials of their surrounding structures.



*Parking structure is located along frontage but has commercial space on the first floor and architectural treatment that helps it blend with surrounding buildings*

#### 4.259 Signs.

- a. Three signs shall be permitted per street frontage or per tenant.
- b. The fascia sign area is calculated using the linear distance of the primary storefront at a 1:1 ratio. The calculated fascia sign area may be applied upon the primary storefront, secondary storefront and one elevation containing the exact style, finish, material type and design as the primary storefront.
- c. Hanging signs which are four (4) square feet or less and do not extend further than thirty-two (32) inches from the face of the building with a minimum of 7 feet of vertical clearance or 14 feet of vertical clearance when no sidewalk is present are permitted.
- d. Signs on Awnings are permitted in the same size ratio as set forth in subsection 4.258 B of this section.
- e. Freestanding Signs are not permitted in "UM" districts in the Downtown Area.
- f. No sign in the downtown area shall be internally illuminated.
- g. Signage in "UM" Districts outside of the Downtown Area shall follow the signage regulations contained in Article 13 of the City of Frankfort Zoning Ordinance.

#### 4.260 Design Standards for UM Zones in the Downtown Area

The site design and architectural standards of the UM district are meant to ensure high quality development near the historic downtown area. UM zones that may occur in the Downtown Area shall be constructed to complement these valuable historic assets. While these developments cannot be held to

the same standards as existing historic structures, some standards are necessary to ensure compatible high-quality development in some of our most valuable neighborhoods.

## 1. Design Standards

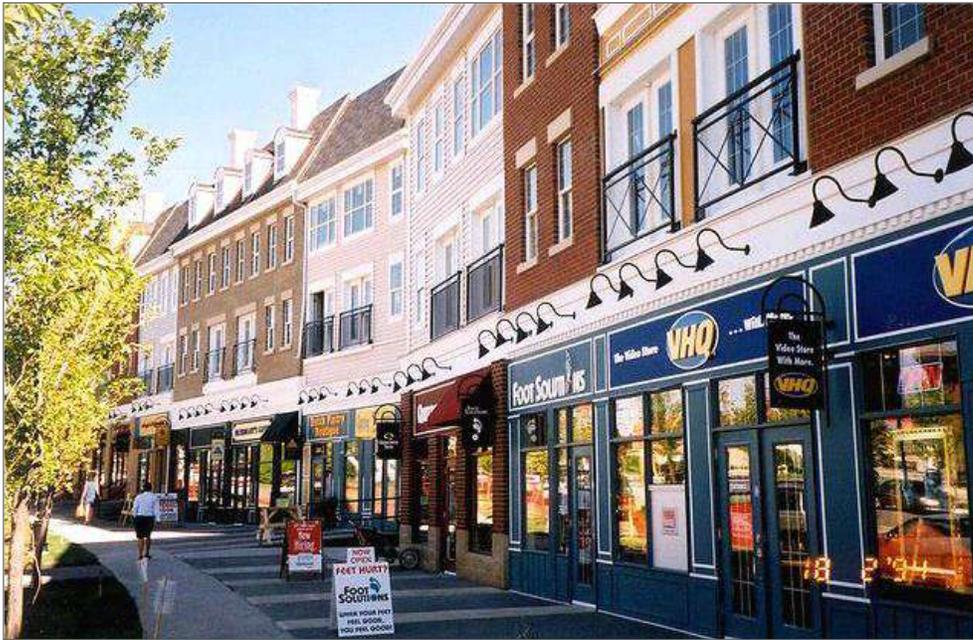
- a. Building Materials – New buildings in UM zones should be built using high quality materials. UM zones that occur in the downtown area have a particular need to include materials and architectural features that complement the surrounding historic architecture and neighborhoods.

*Commentary: This is not to say that buildings in these zones should attempt to copy historic architectural styles or avoid using modern materials. Whether using modern materials or similar materials to historic structures these building materials guidelines are meant to encourage the use of durable materials with long functional life spans. In fact, it is appropriate for these zones to use modern materials to highlight the differences between modern architecture and materials and that of the surrounding historic structures.*

- b. The use of brick, fiber-cement board, stone, stucco (with the exception of EIFS, which is not permitted), or steel (or combinations thereof) are encouraged. Vinyl siding is prohibited in the downtown area. Glass which is not a part of the window and/or storefront design may be used as building material.
- c. On facades along street frontage the use of only a single building material on a facade with no secondary material, accent or trim differentiation is prohibited.

*Commentary – By requiring the use of some mix of building materials along facades it should help in avoiding any large monolithic structures. The Compatibility Standards for large commercial buildings in the Zoning Ordinance have similar language concerning the incorporation of at least 2 exterior materials.*

- d. Fencing – Maximum height 6' in front yard, 8' in rear and side yards. Chain link fencing is not permitted. Wooden privacy fences (6') should only be used as necessary for screening of mechanical equipment, utility equipment or dumpster enclosures.
- e. Building materials and articulated detailing, or other appropriate architectural detailing, should be used to establish a base, middle and top portion for the building to help visually break down the scale of large buildings.
- f. Facades & Storefronts
  - i. Storefront window glass shall be clear. Mirrored or shaded glass shall not be used.
  - ii. The storefront shall be designed with large quantities of clear glass – 75% of the storefront area.
  - iii. Buildings should be “pedestrian-friendly.” Design building façade elements that promote a pedestrian-friendly environment including: building to the edge of sidewalk, large storefront window openings at the ground floor, awnings, canopies, lighting, and entrances that face the street.



*This shows a consistent streetwall as well as the use of varying materials and a distinction between the 1st floor commercial uses and the upper story residential uses. The commercial uses also have large transparent storefronts on a pedestrian scale.*

4.261 Design Standards for UM Zones Not in the Downtown Area

UM zones that are not located within the Downtown Area should be high quality development while allowing some additional flexibility than UM zones in the urban area. Non-Downtown UM zones may utilize more flexibility in site design including more open space, varied setbacks, off street parking and building materials and architectural styles.

1. Design Standards

- a. The use of brick, fiber-cement board, stone or stucco, steel, (or combinations thereof) are encouraged.
- b. Buildings should integrate multiple building materials as appropriate, particularly when utilizing vinyl siding.
- c. On facades along street frontage the use of only a single building material on a facade with no secondary material, accent or trim differentiation is prohibited.

*Commentary – By requiring the use of some mix of building materials along facades it should help in avoiding any large monolithic structures. The Compatibility Standards for large commercial buildings in the Zoning Ordinance have similar language concerning the incorporation of at least 2 exterior materials.*

- d. Variation in building setback of multiple buildings may be desirable on long straight street blocks to provide visual relief.

*Commentary: This references different buildings along one frontage having varied setback.*

- e. For each 100 linear feet (horizontal) of building façade there shall be provided a minimum of a 5’ in depth and 25’ in width recess or projection. Upon review, staff may waive this requirement for structures that have been designed to have a lengthy façade as a deliberate architectural purpose or those that create variability through other design features.

*Commentary: This is for creating variability within single larger buildings. This requirement is taken from Article 11 Compatibility and Design Standards contained within the City of Frankfort Zoning Ordinance.*

- f. Building materials and articulated detailing, or other appropriate architectural detailing, should be used to establish a base, middle and top portion for the building to help visually break down the scale of large buildings.

g. Facades & Storefronts-

- i. Storefront window glass shall be clear. Mirrored or shaded glass shall not be used.
- ii. The storefront shall be designed with large quantities of clear glass, 75% of the storefront area.
- iii. Buildings should be "pedestrian-friendly." Design building façade elements that promote a pedestrian-friendly environment including: building to the edge of sidewalk, large storefront window openings at the ground floor, awnings, canopies, lighting, entrances that face the street and in cases where the storefront is not placed at the edge of sidewalk appropriate facilities shall be in place to keep the storefront pedestrian-friendly.



*This shows the use of varying materials and a distinction between the 1<sup>st</sup> floor commercial uses and the upper story residential uses. The structures also have varying setbacks and pedestrian scale amenities such as benches and landscaping. Also note on-street parking but no parking lots in front of buildings.*

4.262 Landscaping Standards for UM Zones in the Downtown Area

1. Landscape buffering between land uses on the same mixed-use development is not required. When a mixed-use development is abutting any existing residential land use, a 5' minimum landscape easement is required with either 1 tree (A or B) @ 35' OC + a single row 6' hedge (E) or a 6' wall or fence + 1 tree (A or B) @ 35' OC.
2. All other landscaping requirements shall follow Article 7 of this zoning ordinance. In cases where the requirements of this Article conflict with requirements in Article 7 conformance shall be maintained with this Article.

4.263 Landscaping Standards for UM Zones Not in the Downtown Area

1. Site landscaping shall be required along all property boundaries, except where side yards are less than 3 feet; where front yards are less than 6 feet; or where approved shared-parking lots adjoin abutting properties.
2. Landscape buffering between land uses on the same mixed-use development is not required. When a mixed-use development adjoins any existing residential land use, landscaping will be

provided in accordance with the requirements for any commercial zone or land use adjoining any residential use contained in Article 7.13.

3. All other landscaping requirements shall follow Article 7 of this zoning ordinance. In cases where the requirements of this Article conflict with requirements in Article 7 conformance shall be maintained with this Article.

#### 4.30 Industrial Commercial Districts "IC"

4.301 Purpose. The Industrial Commercial District is established to provide an area for wholesaling, warehousing, distribution of goods and certain retail and service functions. Light manufacturing, processing assembly of goods, and products where such process involves only the manufacturing or assembly from pre-manufactured parts or goods is also permitted. Manufacture from raw materials is discouraged. It is intended that all operations be conducted within enclosed buildings and that all uses should be compatible with any adjacent commercial or residential use.

4.302 Permitted Uses. Wholesaling, warehousing, distribution, limited retail sales and services. Manufacturing from pre-manufactured parts all in accordance with the use table.

4.303 Conditional Uses. Residences for caretakers or watchmen, churches, schools, retail sales of used merchandise.

#### 4.304 Bulk Density and Height\*

A)	Minimum lot size	None
B)	Minimum lot width	None
C)	Minimum front yard	15 ft.
D)	Minimum side yard	12 ft.
E)	Minimum space between bldg.	24 ft.
F)	Minimum rear yard	20 ft.
	Except when loading from a rail siding	0
G)	Maximum lot coverage	50 %
H)	Maximum height	50 ft.
I)	F.A.R.	1.5

\* For Additional requirements, see Section 4.08, Bulk Density and Height Table.

4.305 Off-street Parking in accordance with use and Article 12.

#### 4.306 Design Criteria

- A) Landscape areas shall be provided in accordance with Article 7, Landscape Regulations.
- B) Any standards for noise, odor or air pollution adopted by the City of Frankfort shall be applicable and shall be measured at any zone district boundary.
- C) All "IC" districts shall front along an arterial highway. Principle access to individual parcels in the "IC" zone should be from an interior or frontage road. Cross access to adjacent land or development site should be provided.

*(amended 7-24-06 Ord # 15, 2006)*

4.31 General Industrial District "IG"

4.311 Purpose. To establish and preserve areas in Frankfort for the purpose of industrial land use and industrial growth. To limit such areas to functions related to the production of goods and such ancillary uses as are compatible with industry. To provide standards which will protect this community from obnoxious activities associated with industrial production.

4.312 Permitted Uses. Assembly of goods from pre-manufactured parts, manufacturing of goods from raw materials, processing of food products, wholesaling and warehousing.

4.313 Conditional Uses. Production of chemicals or petroleum products, processing animal wastes, storage and processing of food products, wholesaling and warehousing.

4.314 Bulk Density and Height\*

A)	Minimum lot size	20,000 sq. ft.
B)	Minimum lot width	100 ft.
C)	Minimum front yard	40 ft.
D)	Minimum side yard	12 ft. (4.316)
E)	Minimum space between bldg.	24 ft.
F)	Minimum rear yard	20 ft. (4.316)
G)	Maximum lot coverage	70 %
H)	Maximum height	50 ft.
I)	F.A.R.	2.1

\* For Additional requirements, see Section 4.08, Bulk Density and Height Table.

4.315 Off-street Parking. One space for each two employees on the largest two combined shifts. See Article 12.

4.316 Design Criteria

- A) Landscaping shall be provided in accordance with Article 7, Landscape Regulations.
- B) Any standards for noise, odor or air pollution adopted by the City of Frankfort shall be applicable and shall be measured at any zone district boundary.
- C) Principal access to any "IG" district should be from at least a collector road.

#### 4.40 Special Historic Districts

4.401 Purpose. To protect certain areas of the City of Frankfort having significant historic or architectural character by granting the Architectural Review Board the power to review permits for all variances, conditional use permits, construction, demolition or moving of structures within the district.

#### 4.402 Permitted Uses.

- A. Residential Uses:
  - 1) Single, detached dwelling and owner occupied short term rentals
- B. Public/ Semi-Public:
  - 1) Churches
  - 2) Libraries and museums
  - 3) Charitable Indigent Limited Care Facility, provided that use shall comply with all criteria in Article 4.06 (20).

#### 4.403 Conditional Uses.

- A. Public/Semi-Public:
  - 1) Day Care and child nursery (per Article 19 - RS District)
  - 2) Home occupations
  - 3) Parks and playgrounds
  - 4) Private clubs
  - 5) Schools
- B. Retail Sales, Services:
  - 1) Antiques
  - 2) Apparel and fabric
  - 3) Flower, gift, jewelry
  - 4) Specialty
  - 5) Restaurant
- C. Funeral Services
- D. Parking lots and parking structures
- E. Multiple dwellings and townhouses, attached
- F. Business and professional offices
- G. Two dwelling, semi-attached
- H. Mixed use of professional office use or retail uses on the first floor and residential use(s) on the second/third floors.
- I. Bed and Breakfast facility per Article 19
- J. Hotels per 4.06, Noted Special Conditions, Subsection 34 of this Ordinance
- K. Short term rental – non-owner occupied

4.404 Bulk and Density. Because of the wide range of existing density and lot sizes in older neighborhoods, no specific density or setbacks shall be established. Development and

redevelopment shall be consistent with the character and density of the neighborhood. The bulk and density of new uses or structures shall be determined by the Architectural Review Board, with the exception to setbacks, which can be administratively approved for fences or walls; and for additions or accessory structures that meet the existing setbacks on the property.

4.405 Height requirements: maximum height is 45 feet.

4.406 Signs. One (1) non-illuminated or indirectly illuminated identification sign limited to one (1) for each street frontage not to exceed four (4) square feet in area and indicating only the name and address of the building and the name of the management. If free standing, the sign shall be set back from the street a distance of at least ten (10) feet from the curb line. Maximum height of free standing sign shall be eight (8) feet.

One (1) non-illuminated business for each tenant or lessee located on the premises, limited to two (2) square feet in area, mounted on the façade of the building and not projecting more than six (6) inches from the façade of the building unless otherwise approved by the Architectural Review Board.

4.407 Off-street Parking. In accordance to Article 12.

4.408 Design Criteria. The Special Historic Districts in Frankfort may be listed on the National Register of Historic Places as historic districts. Development and Redevelopment shall observe the following design criteria:

- A) Assure the continuity of architectural styles, building mass and density, as well as the overall character of the area.
- B) Protect the open space and landscape features of the district.
- C) Conform to the applicable requirements of Article 17 of this ordinance.

4.409 Bonuses for New Construction. To encourage new construction compatible with the intent of the district the following bonuses may be granted:

- A. For providing off street parking within a building but not long frontage of a retail street, lot coverage permitted may increase to 100% and the area devoted to parking shall not be included in determining the floor area ratio (F.A.R.).
- B. For providing pedestrian plazas or landscaped or open spaces in interior courts or along the Kentucky River, height may be increased twenty five percent (25%) and F.A.R. may be increased to 4.0.
- C. For providing retail facility on street frontage of office or residential structures, the F.A.R. may be increased to 4.0.

#### 4.41 Special Capital District

4.411 Purpose. To establish a zoning district to encourage the renovation, rehabilitation and preservation of older neighborhoods in Frankfort that have special or unique features or important associations with the City's historical development. These neighborhoods may not have the substantial architectural and historical significance of the Special Capital District, but have a definable characteristic, architectural period or living environment substantially different from those existing or intended in regular zoning districts. The Architectural Review Board shall have the power to review permits for all conditional uses, variances, construction, demolition or moving of structures within the district.

4.412 Permitted Uses. Single or two family dwelling units and owner occupied short term rentals. *(Amended 09-2018)*

4.413 Conditional Uses. The Architectural Review Board may grant conditional use permits for the following uses.

- A. Mixed use such as professional office use or retail uses with residential unit or units within the same building – provided all other applicable requirements within this Article and Article 17 are satisfied.
- B. Multi-family units in new or existing structures provided that the density requirements of the RL zone not be exceeded and provided that usable open space at least be as much as the average of other structures within the same block.
- C. Professional offices limited to the conversion of existing structures and provided that open space, exclusive of building or other paved area, is at least equal to the average of open space for structures within the same block, but not less than twenty percent (20%) of lot area.
- D. Retail commercial when limited to 3,000 square feet of floor area for retail use or sit down restaurant/café when limited to a gross floor area of 1,500 sq. ft. Any such use must directly service the surrounding neighborhood and must be located on a collector or arterial street; or located on Second Street between Capital Avenue and Logan Street.
- E. New syndicates provided that no manufacturing or distribution takes place on site.
- F. Community Centers provided that parking is provided and that landscaping is provided.
- G. Child day care facilities meeting all requirements of Article 19 - RS District.
- H. Bed and Breakfast facility per Article 19.
- I. Confectionery Manufacturing with associated retail and storage provided the following conditions are met:

1. A demolition of existing principal building(s) shall not be permitted.
2. New construction of additions related to the use of confectionery will be permitted subject to a certificate of appropriateness issued by the Architectural Review Board and a Final Development Plan (per Article 5) being approved by the Planning Commission.

J. Short term rental – non-owner occupied.

*(Amended 09-2018)*

4.414 Bulk and Density. Because of the wide range of existing density and lot sizes in older neighborhoods, no specific density or setbacks shall be established. Development and redevelopment shall be consistent with the character and density of the neighborhood. The bulk and density of new uses or structures shall be determined by the Architectural Review Board. (ORD 5-2003), with the exception to setbacks, which can be administratively approved for fences and walls; and for additions or accessory structures that meet the existing setbacks on the property.

4.415 Maximum Height. Forty-five (45) feet.

4.416 Signs.

- A. For any nonresidential use within a residential structure signs are limited to two (2) square feet and shall be mounted flush on the façade of the structure.
- B. Identification signs for any residential complex may be two (2) square feet for each 100 feet of street frontage to a maximum of eight (8) square feet and may be flush mounted fascia or ground signs.
- C. Identification of professional offices may be two (2) square feet for each 100 feet of street frontage to a maximum of eight (8) square feet and may be fascia or ground mounted. In addition, each separate office may have a sign limited to two (2) square feet fascia mounted.
- D. Retail commercial uses may have signs as permitted in article 13, however shall be limited to only fascia mounted and non-internally illuminated.
- E. All pole signs are prohibited.

4.417 Off Street Parking. Off street parking for a proposed land use shall be provided in accordance with the requirements of Article 12.

4.418 Design Criteria. At the time of application for any building, remodeling, demolition or moving a structure, or variance or change of use permit when a conditional use permit is required, or for any permit for new construction, the Architectural Review Board shall review and building and site plans to:

- A. Assure the continuity of architectural styles, building mass and density, as well as the overall character of the area and its relationship to the Capital Complex.
- B. Protect the open space and landscape features of the district.
- C. Conform to the applicable requirements of the Article 17 of this ordinance.

4.419 In review of plans proposed for conditional uses or variances, the Board of Architectural Review shall be governed by the guidelines as required by Article 18.  
(amended 4-28-08)

#### 4.42 Special Government District "SG"

- 4.420 Intent. The purpose of this zone is to identify property owned by federal, state, county or municipal governments or by government owned public corporations or agencies, , for the purpose of putting the public on notice that the areas so zoned are outside the jurisdiction of the administrators of this Zoning Regulation and the development thereon is at the discretion of the government owning the property. The same lack of jurisdiction applies to government owned property in the "SH" Historic and the "SC" Special Capitol Districts; however, a greater degree of public concern may temper the proposals for development in those areas and serve to encourage government conformity to the standards for those districts.
- 4.421 Extent. By definition, this zoning classification applies to all property owned by governments and government owned public corporations or agencies, other than those in the "SH" Historic District and the "SC" Special Capitol District; therefore this zoning classification of any property acquired by such government or government owned public corporation or agency, concurrently with such acquisition.
- 4.422 Rights of Government Not Conveyable: The rights of government which prevent it from being subject to the provisions of this Zoning Regulation are not conveyable to an individual, partnership, private corporation or other non-public organization or association, and upon sale or other final release of public property to an individual or other non-public body. any use of that property which does not conform to the current uses and regulations in force for the zoning district to which such property reverts, becomes a non-conforming use subject to the restrictions of Article 15 of this Zoning Regulation. Any redevelopment or change of use shall adhere to the zoning regulations for the district of which such property reverts upon the sale to a non-governmental agency.
- 4.423 Rights of Government Extend to Lessee: The rights of government which prevent it from being subject to the provisions of this Zoning Regulation permit it to develop its property at its own discretion, subject to statutes and regulations based on health and safety, and development of publicly owned property in this zoning district by lessees, whether public or private, shall be subject only to the discretion of the government or government owned public corporation or agency owning the property and such statutes and regulations as are based on health and safety.
- 4.424 Sale, Transfer or Non-Governmental Use. Upon the sale, transfer or release of property by any government of any property included in the (SG) Special Government District, the former zoning district shall be reinstated effective immediately, provided it is consistent with the adopted Comprehensive Plan. Should the planning staff be unable to determine the former zoning district or if the zoning district is not compatible with the Comprehensive Plan, then the Planning Commission shall evaluate the property and recommend the most appropriate zoning district available under this ordinance for that land. Such Planning Commission shall be accomplished in accordance with the procedures for map amendments and public hearings required by those regulations.

(amended 1-25-10)

5.01 Conceptual Development Plan Required for Certain Zone Map Amendment Request.

Applicants requesting a zone map amendment to any Planned Unit Development District, Commercial District or Industrial District shall be required to submit a traffic impact study and a corresponding conceptual Development Plan with the zone change application. *(See also RS District)* The conceptual development plan shall contain the following:

- A. Survey of the property with written legal description. The survey shall be completed not more than 12 months prior to the submittal of the zone map amendment, unless authorized by the Planning Director; and
- B. A site plan drawn to scale showing the proposed building size and location; use; parking layout; setbacks; landscaping buffers; and driveway connections; and
- C. Any variance, conditional use, or waiver requests shall also be noted and shown on the plan.

5.02 Projects Requiring Planning Commission Review.

Any project, which meets any of the following criteria, shall require review of a development plan by the Planning Commission. Contents of said plan shall be those found in the adopted "Subdivision and Development Plan Regulations".

- A. Projects that substantially amend a preliminary or final development plan that had previously been reviewed and approved by the Planning Commission.
- B. Projects that were previously conditioned by any City of Frankfort Board or Commission to undergo a review by the Planning Commission.

5.03 Exemptions.

- A. Applications for amendment to the Zoning District Map which are initiated by the Planning Commission or the City Commission, may be exempt from the required traffic study and development plan found in Section 5.01 above.
- B. Conceptual Development Plan Alternative: Preliminary subdivision plats submitted in conjunction with a proposed zoning map amendment for a residential use, shall be accepted in lieu of the conceptual development plan required in this Article. Regulations pertaining to said plats in the Subdivision and Development Plan Regulations shall be followed in addition to applicable regulations in this Ordinance.

5.04 Avoiding Duplicate Hearings/Meetings.

Variance or Conditional Use Permits: At the time of filing of an application for a zone map amendment, the applicant may elect to have any variances or conditional use permits for the

same development to be heard and finally decided by the Planning Commission, per K.R.S. 100.203(5), at the same public hearing set for the map amendment. The application requirements for such conditional use permits or variances shall be the same as if it were filed for a decision by the Board of Adjustments.

5.05 Agreement to Development Plan Conditions:

The filing of an application for any zoning district map amendment shall constitute an agreement by the owner and applicant, their heirs, successors and assigns that if the zoning district map amendment is enacted by the legislative body having zoning authority over the property in question, any building permits for improvement of any such property shall be issued only when the building permit application conforms to the approved development plan and said plan conforms to these regulations and the Subdivision and Development Plan regulations. Violations shall be enforceable in the same manner as the Zoning District Regulations.

5.06 Scope of Planning Commission Review.

The Planning Commission shall consider, but not be limited to, the following factors in review of a development plan:

- A. The conservation of natural resources on the property proposed for development, including: trees and other living vegetation, steep slopes, water courses, flood plains, soils, air quality, scenic views and historic sites;
- B. The provisions for safe and efficient vehicular and pedestrian transportation both within the development and community;
- C. The provision of sufficient open space (scenic and recreational) to meet the needs of the proposed development;
- D. The provision of adequate drainage facilities on the subject site in order to prevent drainage problems from occurring on the subject site or within the community;
- E. The compatibility of the overall site design (location of buildings, parking lots, screening, landscaping, and all provisions within article 11) and land use or uses with the existing and projected future development of the area;
- F. Conformance of the development plan with the Comprehensive Plan , Zoning District Regulations, and the Subdivision and Development Plan Regulations.

*(Amended 6-26-06)*

ARTICLE 6 BULK, DENSITY, HEIGHT AND AREA PROVISIONS

6.01 General Area Provisions. Except as hereinafter provided in this article, no building or structure shall be erected or enlarged on a lot unless such building, structure or enlargement conforms with the area regulations of the zone in which it is located.

6.02 Charts and Notes. The following chart and notes are adopted as basic height and area regulations. Read across the chart opposite the specific zone; the bulk, density or height requirements are shown in the appropriate column. A numerical designation refers to the number of feet, lot width or setback or the number of square feet of lot area or usable open space. Percent figures apply to maximum lot coverage. Where a number appears in parentheses it refers to a special condition noted in Section 6.07. An "X" in column indicates that that item is not applicable to the zoning district in question. When "FAR" appears in the table the floor area ratio for that zone governs the height and bulk. (See 4.08)

6.03 Special Requirements. Special requirements are established to clarify certain conditions pertaining to the use of lots and access points.

6.031 Division of a lot: No recorded lot shall be divided into two or more lots unless such division results in the creation of lots, each of which conforms to all zoning and subdivision regulations.

6.032 Lot of record: Any substandard lot of record recorded at the time of adoption of these regulations shall be permitted to exist in its present dimensions, and construction on any such lot may have reduced side yard requirements as follows:

- 6' side yard to 4'
- 8' side yard to 5'
- 10' side yard to 6'

In any non-residential zone: half of basic requirements.

6.033 Where the dedicated street right-of-way is less than 50 feet, the depth of the front yard shall be measured starting at a point 25 feet from the centerline of the street right-of-way.

6.034 Outdoor display of merchandise, where permitted shall setback from street right-of-way lines not less than one-half the distance of the required building setback, as set out in the bulk, density, height and area chart included in this chapter. See Article 11 for additional requirements.

6.04 General Exceptions to Bulk, Density, Height and Area Regulations. The following requirements are intended to provide exceptions or qualify and supplement, as the case may be, the specific district regulations set forth.

6.041 Height Exceptions. The following structures or parts thereof are hereby exempt from the height limitations set forth in the zoning districts:

- A. Barns, silos, windmills, chimneys, spires, flagpoles, ventilators, skylights, derricks, conveyors and cooling towers, radio and television antennae and towers, observation towers, power transmission towers and water tanks.
- B. Churches, schools, hospitals, sanatoriums, and other public and semi-public buildings may exceed the height limitations of the district if the minimum depth or the front, side, and rear yards required in the district increased one (1) foot for each two (2) feet by which the height of such structure exceeds the prescribed height limits.
- C. Airport hazard districts. Height restrictions in the areas adjacent to the Capital City Airport are regulated by the Federal Aviation Administration Guidelines.

6.042 Yard, Building Setback, and Open Space Exceptions. The following requirements are intended to provide exceptions or qualify and supplement, as the case may be, the specific district regulations:

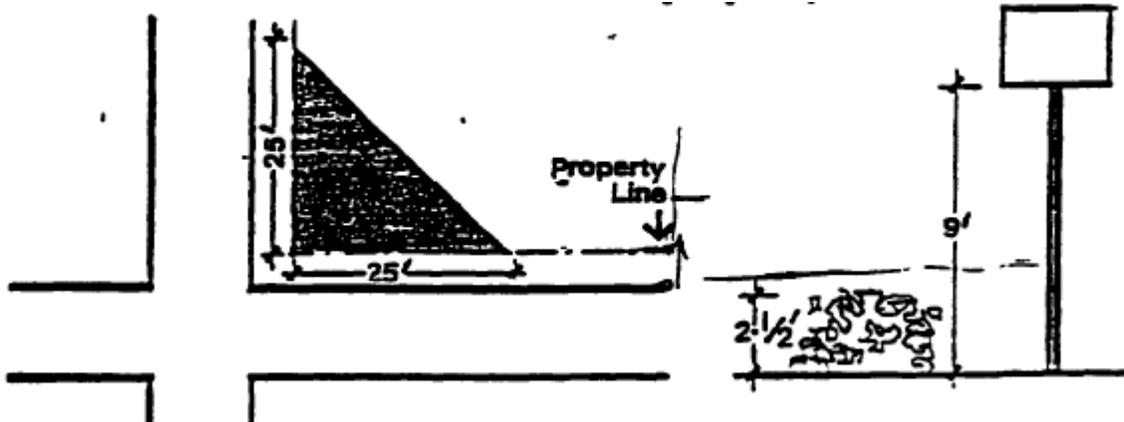
- A. No yard, open space, or lot area required for a building or structure shall, during its life, be occupied by, or counted as open space for, any other building or structure.

The following structures shall be allowed to project into the required yard or beyond the building setback line, subject to conditions in the following table.

<b><u>Projecting Use</u></b>	<b><u>Projection Allowed</u></b>
Architectural Features	3 ft.
Awnings, Canopies <i>(7 ft. clearance above streets or walks)</i>	5 ft.
Bay Windows, Chimneys	2 ft.
Fire Escapes	5 ft.
Steps and Porches (non-enclosed)	6 ft.

6.05 Safety and Vision. The following regulations provide the maximum safety of persons using sidewalks and streets.

On any corner lot or curb cut, no wall, fence, structure, parking space, or any plant growth which obstructs sight lines at elevations between two and one-half (2 ½) feet and nine (9) feet above the crown of the adjacent roadway shall be placed or maintained within a triangular area 25 feet along each of the intersecting streets to be measured from the property line.



6.06 Wall and Fences. Walls and fences are permitted in any zoning district in accordance with the following provisions, as well as those found in Article 11. (Amended 6-26-06)

6.061 Any wall or fence shall be constructed entirely within the lot lines of any lot or parcel.

6.062 No barbed wire fence shall be permitted in any residential ( R ) district or special (S) district.

6.063 Maximum height for walls or fences shall be in accordance with the following table:

<b><u>Zoning</u></b>	<b><u>Front Yard</u></b>	<b><u>Side Yard</u></b>	<b><u>Rear Yard</u></b>
RE, RA, RB, RC RD & RS	4 feet	6 feet	6 feet
RL, RH & RM	4 feet	8 feet	8 feet
CL, CG, CH, CB	6 feet	8 feet	8 feet
IC, IG	8 feet	8 feet	8 feet
Any S or P	designed in accordance with plan.		

6.07 City of Frankfort Wireless Communications Regulations

6.07.01 Purpose:

The purpose of these regulations is to allow for cellular antenna towers to be located in the City of Frankfort in order to meet the increasing demands for wireless communication services, and as codified in Ky Revised Statutes Chapter 100 and 278, and with the intention of providing:

- \* the safest and most efficient integration of cellular antenna
- \* facilities in compliance with the recommendations of the comprehensive plan;
- \* promotion of co-location;

- \* facilities compatible with adjacent land use;
- \* facilities that further the public health, safety, and general welfare.

6.07.02 Definitions:

For the purposes of these regulations, the following definitions shall apply:

1. CELLULAR ANTENNA TOWER: A tower constructed for, or an existing facility that has been adapted for, the location of transmission or related equipment to be used in the provision of cellular telecommunications services or personal communications services.
2. CELLULAR TELECOMMUNICATIONS SERVICES: A retail telecommunications service that uses radio signals transmitted through cell sites and mobile switching stations.
3. CO-LOCATION: Locating two (2) or more transmission antennas or related equipment on the same cellular antenna tower.
4. FAA: Means the Federal Aviation Administration.
5. FCC: Means the Federal Communication Commission.
6. GUYED TOWER: Means a telecommunication tower that is supported, in whole or in part, by guy wire and ground anchors.
7. HEIGHT: Means the vertical distance of any tower as measured from the bottom of the base of the tower ground level to the highest point of such tower.
8. LATTICE TOWER: Means a telecommunication tower that has open-framed supports on three or four sides and is constructed without guy wires and ground anchors.
9. MONOPOLE TOWER: Means a telecommunication tower constructed of a single pole, without guy wires or ground anchors.
10. PERSONAL COMMUNICATION SERVICE: As defined in 47 U.S.C. sec. 332 (c).
11. TOWER: Means a vertical structure on which is or can be located one or more antennas for the purpose of transmitting or receiving telecommunications as authorized by the FCC.
12. UNIFORM APPLICATION: means an application for a certificate of convenience and necessity issued under KRS 278.020 submitted by a utility to the Public Service Commission to construct an antenna tower for cellular telecommunications services or personal communications service in a jurisdiction, that has adopted planning and zoning regulations in accordance with KRS Chapter 100, except for any county that contains a city of the first class.
13. UTILITY: Any person except a city, who owns, controls, or operates or manages any facility used or to be used for or in connection with: the transmission or conveyance over wire, in air or otherwise, of any message by telephone or telegraph for the public, for compensation: (KRS 278.010 (3)).

14. STEALTH TECHNOLOGY: cellular antenna tower is camouflaged, such as in a steeple or flagpole, to make it less visible.

6.07.03 General:

- A. A cellular antenna tower for cellular telecommunications services or personal communications services may be allowed in any zone after a review by the Frankfort/Franklin County Planning Commission, in accordance with the adopted goals and objectives of the Frankfort/Franklin County Comprehensive Plan and the regulations contained within the Frankfort Zoning Ordinance, and after being granted a Certificate of Necessity and Convenience by the Public Service Commission. Co-location of service facilities is preferred. Co-location objectives may be satisfied by configuration of new facilities for multiple carriers or by co-location on existing facilities. Any request for review of a proposal to construct such an antenna tower or to reconfigure, enlarge or reconstruct an existing antenna tower, shall be made only in accordance with these regulations.
- B. Telecommunication antennae shall not be allowed on any building or structure located within the City's historic zoning districts or identified on the National Register of Historic Places, unless approved by the Architectural Review Board. Towers are not allowed within 2,000 feet of any historic building or historic zoning district.
- C. However, if the property is subject to an existing Conditional Use Permit, the property owner shall obtain approval of the appropriate modification request. Such request shall be filed simultaneously with the antenna tower for cellular telecommunications services or personal communications services request filed pursuant to this section. Review of the Conditional Use Permit plan shall be limited to a determination of the impact of the antenna tower for cellular telecommunications services or personal communications services construction on the requirements of the Conditional Use Permit. The property owner shall be responsible for making alternative provision for any alteration of Conditional Use Permit or shall obtain a variance or waiver of the Permit requirement affected by the location of the tower on the site. (Editor's Note: As authorized in KRS 100, the Planning Commission may modify an existing Conditional Use Permit in conjunction with a request for review of a proposal to construct an antenna tower for cellular telecommunications services or personal communications services.)
- D. Commencing from the time that a utility files a uniform application with the Public Service Commission, all information contained in the uniform application and any updates, except for information that specifically identifies the proposed location of the cellular antenna tower then being reviewed by the applying utility, shall be deemed confidential and proprietary within the meaning of KRS 61.878. The Public Service Commission and the local Planning Commission shall deny any public request for the inspection of this information, whether submitted under Kentucky's Open Records Act or otherwise, except when ordered to release the information by a court of competent jurisdiction. Any person in violation this subsection shall be guilty of official misconduct in the second degree as provided under KRS 522.030.

6.07.04 Application Process:

Applications for the construction of cellular antenna towers or co-location of cellular antennas for cellular telecommunications services or personal communications services shall be processed as follows:

- A. **APPLICABILITY:** Every utility, or a company that is engaged in the business of providing the required infrastructure to a utility, that proposes to construct an antenna tower or co-locate an antenna for cellular telecommunications services or personal communications services, and has officially registered with the Public Service Commission, shall submit a copy of the utility's completed uniform application to the Frankfort/Franklin County Joint Planning Commission within five (5) consecutive days of applying to the Public Service Commission for a certificate of necessity and convenience, as required by KRS 278.020 (1).

For applicants who are requesting co-location, all requirements in these regulations apply, except those that are specifically waived in Section IV D.

B. **CO-LOCATION:**

1. A utility planning to co-locate its antennas on an existing tower or to augment an existing structure to enable it to place its antennas on that structure shall file with the Planning Office its intent to do so, including the name and address of the utility, name of the owner of the structure, the latitude and longitude of the structure, and a description of the plan to augment or co-locate, if:
  - a) The proposed augmentation, if any, of the existing structure shall not increase the height of the structure more than twenty (20) percent; and
  - b) The proposed augmentation, if any, of the existing structure will not result in altering lighting requirements for a structure on which lighting is not currently required.
2. For facilities located on previously approved sites, a representative of the Frankfort/Franklin County Planning Commission shall review the application for its conformity with these regulations and the regulations contained within the City's Zoning Ordinance. If the representative determines that the application is in conformity with these regulations and the regulations contained within the Frankfort Zoning Ordinance, an administrative approval may be granted. This administrative approval shall not be considered final until it is ratified by a vote of the full commission.
3. If the representative of the Planning Commission determines that the application is not in conformity with these regulations and the regulations contained within the Frankfort Zoning Ordinance, a public hearing, pursuant to section IV. C., of these regulations, shall be scheduled.

C. **NOTICES AND POSTINGS:**

At least one (1) public hearing on the proposal shall be held, at which time interested parties and citizens shall have the opportunity to be heard. It is the responsibility of the

applicant to send and post information about the hearing, and certify to the Planning Commission office that the notices and postings have been done.

a) Notice of the hearing shall be sent by first class mail to the owner of every parcel of property within 500 feet of the tower site's property boundaries, to the owner of every parcel of property adjoining at any point the property form which the applicant proposes to create the tower site, and to the owner of every parcel of property directly across the street from said property. If the property is in a cooperative form of ownership or has co-owners, notice may be in the manner described in KRS 100. 214 (2) for such ownership. Notice shall also be sent by the applicant to the Mayor of Frankfort, depending on which jurisdiction the proposed site is located. Such notices shall include the date, place and time of the public hearing, the address and telephone number of the Planning commission's office, and a statement that the recipient has the right to submit testimony to the Planning Commission, either in writing or by appearance at any Committee or Commission meeting scheduled for review of the request. Such notices by first class mail shall be mailed no sooner than the date of acceptance of the application by the Planning Commission and no later than fourteen (14) days in advance of the hearing.

b) Notice of the date, time and place of such hearing shall be published at least once, but may be published two (2) or more times, in a newspaper of general circulation in the county, provided that one (1) publication occurs not less than seven (7) calendar days nor more than twenty-one (21) calendar days before the occurrence of such hearing.

c) Notice of such hearing shall be posted in a visible location on the proposed site of the telecommunications facility and in a visible location on the nearest public road at the same time that notice by first class mail is sent for a minimum of fourteen (14) consecutive days immediately prior tot he hearing. The notices shall remain until the Planning Commission issues its final decision or 60 days has passed since acceptance of the request by the Planning Commission, whichever occurs first. Said posting shall be as follows:

1. Each sign shall be at least two (2) feet by four (4) feet in size;

2. Such signs shall be constructed of durable material, and depicting the following information in a minimum of one (1) inch high lettering except for the words "tower" or "Monopole" which shall be printed letters at least four 4 inches high: "(Name of applicant) proposes to construct a telecommunications ("tower" or "monopole") on this site. If you have questions, please contact (name, address, and telephone number of applicant) or the Executive Director, Public Service Commission, 730 Schenkel Lane, P.O. Box 615, Frankfort, KY 40602. (refer to assigned docket number)". Such notices shall include the date, place and time of the public hearing, the address and telephone number of the Planning Commission's office, where additional information regarding the hearing may be obtained.

D. APPLICATION REQUIREMENTS: An application for the construction of a cellular antenna tower on a site not previously approved shall include the following:

1. All information that the applicant is required to submit to the Public Service Commission, per the requirements of the uniform application. The uniform application shall include a grid map that shows the location of all existing cellular antenna towers and that indicates the general position of proposed construction sites for new cellular antenna towers within an area that includes:

a) Franklin County and

b) a one-half (1/2) mile area outside of the boundaries of the county's jurisdiction, if that area contains either existing or proposed construction sites for cellular antenna towers;

2. A copy of the applicant's FCC license, or, if the applicant is not an FCC license holder, a copy of at least one letter of commitment from a FCC license holder to locate at least one antenna on the applicant's tower.

3. Clear directions from the county seat to the proposed site, including highway numbers and street names, if applicable with the telephone number of the person who prepared the directions.

4. Radio frequency requirements, as follows:

a) general coverage area, including overlap ("hand-off") area with other sites.

b) specific (targeted) coverage area(s) and required field strength(s).

c) system specifications of the proposed site and adjoining sites, including;

(1) Number of antennas and sectors

(2) Geographical coordinates of tower location.

5. Unless co-locating, certification, supported by evidence, that co-location of the proposed facility with an existing approved tower or facility cannot be accommodated. The applicant's certification shall include a listing of all existing towers and facilities, a description of each existing site, according to the following:

a) No existing towers or facilities are located within a three (3) mile radius of the proposed tower location.

b) Existing towers or facilities are not of sufficient height to meet the applicant's engineering requirements.

c) Existing towers or facilities do not have sufficient structural strength to support the applicant's proposed antenna(s) or related equipment.

d) The applicant's planned equipment would cause frequency interference with other existing or planned equipment of the tower or facility, or the existing or planned equipment of the tower or facility would cause frequency interference with the applicant's planned equipment, and which cannot be reasonably prevented.

e) Unwillingness of the owner/owners of the existing tower/towers or facility/facilities to entertain a co-location proposal.

f) Existing towers are not located within a reasonable distance to provide the necessary coverage.

6. Unless co-locating, certification, supported by evidence, that there is no other site which is materially better from a land use perspective within the immediate area for the location of the telecommunications facility. The applicant's certification shall include a listing of potential sites within a one (1) mile radius of the proposed tower location, a description of potential sites, and a discussion of the ability or inability of the sites to host a cellular antenna tower.

Potential sites that should be considered (in order from most preferred to least preferred) include: existing utility towers, highway rights-of-way (except designated parkways), industrial districts, airports, public facilities, office towers, commercial districts and commercial centers, agricultural districts and residential towers. Desirable locations include water towers, radio, and television towers, tall buildings, signs, steeples, and flag poles. Stealth technology is encouraged.

Reasons for not locating on a potential site would include, but not be limited to, the following:

- a) unwillingness of the site owner to entertain a telecommunications facility;
- b) economically impractical;
- c) topographic limitations of the site;
- d) adjacent impediments that would obstruct adequate cellular telecommunications and/or personal communications transmission;
- e) physical site constraints that would preclude the sign construction of a telecommunications facility;
- f) technical limitations of the telecommunications system;
- g) existing potential sites do not provide an acceptable location for requisite coverage for the applicant's communications network;

7. A statement demonstrating that the proposal is in agreement with the adopted Frankfort/Franklin County Comprehensive Plan and is in conformity with these regulations.

8. A site development plan, signed and sealed by a professional engineer registered in Kentucky, drawn to a scale not smaller than one (1) inch equals one hundred (100) feet, showing the following information, where applicable.

- a) The total area of the site in question;
- b) All public and private rights-of-way and easement lines located on or adjacent to the subject property within 500 feet of the proposed tower;
- c) Existing topography, and approximate delineation of any topographical changes shown by contour with intervals not to exceed five feet
- d) Location, height, arrangement, and identification of all structures on or adjacent to the subject property within 500 feet of the proposed tower,
- e) Property owner names of subject property and adjacent properties within 500 feet of the proposed tower;
- f) Uses on the subject property and adjacent properties within 500 feet of the proposed tower;
- g) Location and arrangement of all common open space areas, and methods of ownership and operation and maintenance of such lands shall be identified;

- h) Landscaping features, including identification of existing landscaping, proposed landscaping, proposed walls and fence, and heights;
- i) Location of signs, indicating their orientation, size, and height;
- j) All utility lines and easements:
  - 1. Water distribution systems, including line sizes, width of easements, type of pipe, location of hydrants and valves, and other appurtenances;
  - 2. Sanitary sewer system, including pipe sizes, width of easements, gradients, type of pipes, invert elevations, location and type of manholes, the location, type, size of all lift or pumping stations, capacity, and process of any necessary treatment facilities, and other appurtenances;
  - 3. Storm sewer and natural drainage system, including pipe and culvert sizes, gradients, location of open drainage courses, width of easements, location and size of inlets and catch basins, location and size of retention and/or sedimentation basins;
  - 4. Other utilities (e.g., electric, telephone, etc.) including the type of service and the width of easements;
- k) Location of all off-street parking, loading and/or unloading, and driveway areas, including typical cross sections, the type of surfacing, dimensions, and the number and arrangement of off-street parking and loading and/or unloading spaces;
- l) Circulation System:
  - 1. Pedestrian walkways, including alignment, grades, type of surfacing, and width;
  - 2. Streets, including alignment, grades, type of surfacing, width of pavement and right-of-way, geometric details, and typical cross sections;
- m) Provisions for control of stormwater detention/retention, erosion, hillside slippage and sedimentation, indicating the temporary and permanent control practices and measures which will be implemented during all phases of clearing, grading, and construction;
- n) Demonstration of the failure characteristics of the tower and that the site, setbacks, and separation from other uses is of adequate in terms of distance.

9. Certification that a geotechnical investigation report was performed by a professional engineer registered in Kentucky that includes borings, foundation design recommendations, and a finding as to the proximity of the proposed site to flood hazard areas (the utility may file findings prepared by a land surveyor as to the proximity of the proposed site to flood hazard areas).

10. Certification that the applicant notified property owners and governmental officials as described in Section C. Also that notices were posted, as described in Section C. The names and addresses of those notified shall be given to the Planning Commission.

#### E. EVALUATION:

The Planning Commission shall, within sixty (60) days commencing from the date that the application is received by the Planning Commission, or within a date specified in a written agreement between the Planning Commission and the applicant, make its final decision to approve or disapprove the uniform application. The Planning Commission shall submit to the Public Service Commission, along with their action, the basis for their decision, along with

suggestions which, in its opinion, better accomplish the objectives of the Comprehensive Plan and the Zoning Regulations. If the Planning Commission fails to issue a final decision within sixty (60) days, and if there is no written agreement between the Planning Commission and the utility to a specific date for the Planning Commission to issue a decision, it is presumed that the Planning Commission has approved the utility's uniform application.

The Planning Commission's Technical Review Committee will review the application, then forward their comments to the Commission. The evaluation will be based on the following criteria:

1. The Planning Commission will deny a uniform application to construct a cellular antenna tower based on an applicants' unwillingness to attempt to co-locate additional transmitting or related equipment on any new or existing towers.
2. Agreement with the various elements of the Frankfort/Franklin County Comprehensive Plan, and where applicable, any other adopted plans.
3. Extent to which the proposal is consistent with the purposes of these regulations.
4. Adequacy of the proposed site, considering such factors as the sufficiency of the size of the site to comply with the established Design Standards listed in Section II of these regulations.
5. Extent to which the proposal responds to the impact of the proposed development on adjacent land uses, especially in terms of visual impact.
6. Extent to which the proposed facility is integrated with existing structures, or the extent to which the proposed cellular antenna tower uses stealth technology.

#### F. AMENDMENTS:

Any amendments to the site development plans, except for minor adjustments as determined by the Planning Commission Chairman shall be made in accordance with the procedure required by Subsection C., above, subject to the same limitations and requirements as those under which such plans were originally approved.

#### 6.07.05 Design Standards:

A. At the time of application submittal, the applicant shall provide information demonstrating compliance with the following requirements. Where the Planning Commission, or its duly authorized representative, finds that circumstances or conditions relating to the particular application are such that one or more of the requirements listed below are not necessary or desirable for the protection of surrounding property or the public health, safety, and general welfare, and that such special conditions or circumstances make one or more said requirements unreasonable, the Planning Commission, or its duly authorized representative, may modify or waive such requirement, either permanently or on a temporary basis. Any such modification or waiver shall be requested by the applicant, and the applicant shall submit a written justification for each requested modification or waiver.

- B. The site configuration should be formed by logical boundaries (e.g., topography, natural features, streets, relationship of adjacent uses, etc.).
- C. All structures, except fences and other screening, shall be located at least fifty (50) feet from the property line or lease line of any residentially zoned property.
- D. A cellular antenna tower, or alternative antenna tower structure, may be constructed to a maximum height of two hundred (200) feet regardless of the maximum height requirements listed in the specific zoning district. This also applies to any tower taller than fifteen (15) feet constructed on the top of another building or structure, with the height being the overall height of building/structure and tower together, measured from the grade to the highest point. The Planning Commission may allow antennas greater than two hundred (200) feet in height upon review of the applicants justification that the additional height meets the criteria identified in Subsection F., above.
- E. When any cellular antenna tower, or alternative antenna tower structure is proposed, the applicant shall furnish the Planning Commission with a certification from an engineer registered in the Commonwealth of Kentucky that the tower will meet the current ANSI/EIA/TIA 222-F standards and other applicable state standards.
- F. Cellular antenna towers shall not be illuminated, except in accord with other state or federal regulations.
- G. The site shall be unstaffed. Personnel may periodically visit the site for maintenance, equipment modification, or repairs. To accommodate such visits, ingress/egress shall only be from approved access points.
- H. The tower shall be enclosed by a six (6) high fence constructed of pressure-treated wood warranted for 20 year period or a masonry wall. The use of barbed wire or sharp pointed fences shall be prohibited. Fencing may be located within the front, side, or rear yard.
- I. Towers sites shall be landscaped with a buffer of plant materials, of an evergreen variety, to completely screen the visibility of the site from adjacent residential land uses or residential zones. Berms may also be used in conjunction with the evergreen plantings to assist in providing screening. Angles of sight from existing and future residents should be taken into consideration in providing screening. The Frankfort Landscape Regulations shall be used in guiding the landscape plan for the tower site. In any zone, whenever possible, all antenna towers shall be designed and constructed so as to minimize any potential negative aesthetic, environmental or visual impacts.
- J. Any site to be purchased or leased for the installation of a cellular antenna tower, or alternative antenna tower, and ancillary facilities, shall be at least five thousand (5,000) square feet in area.
- K. Surfacing of all driveways and off-street parking areas shall comply with the requirements of the applicable local zoning ordinance.
- L. There shall be no signs permitted, except those displaying emergency information, owner contact information, warning or safety instructions, or signs which are required by a federal, state, or local agency. Such signs shall not exceed five (5) square feet in area.

M. All new cellular antenna towers shall be designed and constructed to reasonably accommodate a minimum of three (3) service providers.

N. All option and site lease agreements shall not prohibit the possibility of collocation.

O. Any monopole, guyed, lattice, or similar type cellular antenna tower and any alternative cellular antenna tower structure similar to these towers, such as light poles, shall be maintained in either galvanized steel finish or be painted light gray or light blue in color. Alternative sections of aviation orange and aviation white paint may be used ONLY when the FAA finds that none of the alternatives to such marking are acceptable.

P. In residential districts, all antenna towers and related structures shall comply with the setback of that district or a minimum of twenty-five (25) feet, whichever is greater; plus one (1) foot for each two (2) feet of height the tower exceeds the maximum allowable building height.

Q. In agricultural districts, all antenna towers and related structures shall be setback from all property lines in accordance with the required setbacks of the district plus one (1) foot for each two (2) feet of height the tower exceeds the maximum allowable building height.

R. In all commercial, industrial and professional office districts, all antenna towers and related structures shall adhere to the adopted building setbacks plus one (1) foot for each two (2) feet of height the tower exceeds fifty (50) feet in height. In those districts where no setbacks are required, a minimum of twenty-five (25) feet plus one (1) foot for each two (2) feet of height the tower exceeds fifty (50) feet in height shall be required.

S. All antenna towers located within a commercial, industrial or professional office district, where adjacent to a residential or agricultural district, the setback requirements for the adjacent district shall apply along those property lines for that portion of the site.

#### 6.07.06 Existing Telecommunications Facilities:

Telecommunications facilities in existence on the date of the adoption of this ordinance which comply with this ordinance ("existing telecommunications facilities") are subject to the following provisions:

A. Existing telecommunication facilities may continue in use for the purpose now used, but may not be expanded or replaced without complying with this ordinance, except as further provided in this section.

B. Existing telecommunications facilities which are hereafter damaged or destroyed due to any reason or cause may be repaired and restored to their former use, location and physical dimensions subject to obtaining a building permit therefor, but without otherwise complying with this ordinance.

C. The owner of any existing telecommunications facility may replace, repair, rebuild and/or expand such telecommunications facility to accommodate co-located antennas or facilities, or to upgrade the facilities current engineering, technological or communications standards by obtaining a building permit therefore, and without having to conform to the provisions of this ordinance (including, but not limited to, provisions of this ordinance regarding notice to local zoning authorities or posting of signs) or to otherwise request local zoning approvals, so long as such facilities are not increased in height by more than 50% and or setbacks are not decreased by more than 50%.

D. Any such replacement, repair, reconstruction or enlargement shall not violate the design standards described in B.2 above beyond that existing at the date of the adoption of this ordinance.

E. Any legally permitted and constructed telecommunications tower shall be exempt from these regulations; except when discontinued for a period of twelve (12) months. In such cases, the applicant or utility shall be required to follow the procedures listed herein.

#### 6.07.07 Maintenance and Removal:

A. Include in any contract with an owner of property upon which a cellular antenna tower is to be constructed, a provision that specifies, in the case of abandonment, a method that the utility will follow in dismantling and removing a cellular antenna tower including a timetable for removal.

B. To insure the removal of all improvements at any abandoned telecommunications facility, any applicant filing a request under these regulations shall, at the time of the submittal, deposit with the Planning Commission, and to the benefit of the Planning Commission, a letter of credit, a performance bond, or other security acceptable to the Planning Commission in the amount equal to the cost of demolition and removal of the facility. An applicant having multiple telecommunications facilities within the Planning Commission's jurisdiction may deposit a single guarantee in the amount equal to the cost of demolition and removal of the one facility it owns which would cost the most to demolish and remove until such time as the number of its multiple facilities exceeds four (4) such facilities. At such time as the approved number of the applicant's multiple facilities exceeds four (4) such facilities, the applicant shall increase the amount on deposit to an amount equal to the cost of the most costly demolition and removal plus twenty-five (25) percent of the cost of demolition and removal of the applicant's other existing facilities. Any guarantee submitted shall be irrevocable and shall provide for the Planning Commission to collect the full amount of the guarantee if the applicant fails to maintain the guarantee.

C. If the use of any cellular antenna or cellular antenna tower or alternative cellular antenna tower structure is discontinued, the owner shall provide the Planning Commission with a copy of the notice to the FCC of intent to cease operations within 30 days of such notice to the FCC. If the cellular antenna or cellular antenna tower or alternative cellular antenna tower structure will not be reused, the owner shall have 180 days from submittal of the FCC notice to the Planning Commission to obtain a demolition permit and remove the antenna or tower that will not be reused. If the cellular antenna or cellular antenna tower or alternative cellular antenna tower structure is to be reused, the owner shall have no more than twelve (12) months from submittal of the FCC notice to the Planning Commission in which to commence new operation of the antenna or tower to be reused. Upon failure to commence new operation of the antenna or cellular antenna tower or alternative cellular antenna tower structure shall be presumed abandoned, and the owner shall obtain within 90 days of the expiration of the twelve (12) month period, a demolition permit and remove the antenna or tower that is presumed abandoned within 60 days of obtaining the demolition permit. If the owner fails to remove an antenna or tower in the time provided by this paragraph, the Planning Commission may, on grounds of public safety, health, and welfare, cause the demolition and removal of the antenna or tower and recover its costs of demolition and removal.

#### 6.07.08 Necessity and Function:

To establish policy and outline for construction review or inspection procedures including scope of inspections, qualifications of inspectors, continuing professional development and training, and construction review standard forms such as: (a) Daily Reports; (b) Testing reports; (c) scheduled Notices; (d) Final Punch Lists; (e) Deviation Notices; (f) Violation Notices; (g) status reports; (h) Certifications-Acceptance for Maintenance; and (i) Guarantee Reduction or Release Certifications.

6.07.09 Severability:

That if any clause, section, or other part of this Ordinance shall be held invalid or unconstitutional by any court or competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

6.08 Reserved.

6.09 Accessory Uses.

6.091 Uses Permitted. Customary accessory uses shall be permitted in any zoning districts provided such use is directly related to the principal use.

6.092 Height and Setback. Unless otherwise indicated the following table the height and setback required for accessory uses shall be the same as for the principal permitted use.

6.093 Table of Special Height and Setback.

Accessory Use to	Use	Setback			
		Front	Side	Rear	Height
Agriculture Residence	Barn & Out Bldgs.	Z	10'	10'	Z
	Pet House	X	2'	2'	N/A
	Garage (1)	Z	2'	2'	15'
	Utility Bldgs.	X	2'	2'	12'
	Swimming Pool	X	2'	2'	N/A
	TV Satellite ReceiversX	6'	6'	8'	
	Solar Collectors	X	6'	6'	N/A
Churches	Parsonage (2) Z	Z	Z	Z	
	Education Bldg. (2)	Z	Z	Z	Z
Schools	Dormitories (2)	35'	12'	25'	Z
	Teachers Quarters (2)	Z	8'	10'	Z
	Power Plants 35'	12'	30'	N/A	
	Stadiums	35'	12'	30'	N/A
Hospital	Staff Quarters (2)	Z	8'	10'	Z
	Chapels (2)	35'	12'	10'	Z
	Schools (2)	35'	12'	10'	Z
Industrial	Caretaker Quarters (2)	35'	6'	10'	Z
Notes:					

"X" Not Permitted

"Z" Same Requirements Basic Zone

(1) Free standing garages shall be located at least ten (10) feet from principal residence. Attached structures or structures closer than ten (10) feet shall have setbacks same as basic zoning district.

(2) Each structure shall be separated from the principal structure or other structure by at least 20 feet.

6.10 Special Devices. Special devices now known such as TV microwave dish receivers are now not currently anticipated by this ordinance may be permitted in any professional, commercial or industrial zoning district provided that:

- A. No such device may be located in front of any structure.
- B. In any professional, commercial or industrial zoning district, ground mounted satellite dish antennas may be permitted subject to the following criteria:
  - 1. All principal use installations or accessory use installations that abut land zoned or used for residential purposes shall comply with the principal setback requirements specified in the applicable zone district requirements. However, no satellite dish antenna will be permitted in the front of a structure.
  - 2. All installations shall comply with the maximum height restrictions imposed upon principal uses.
  - 3. All installations shall comply with the maximum height restrictions imposed upon principal uses.

In any professional, commercial or industrial zoning district, roof mounted satellite dish antennas may be permitted subject to the following conditions.

- 1. On any property that abuts land zoned or used for residential purposes, satellite dish antennas will not be permitted to locate on the roof of a building.
- 2. The height of the proposed installation does not exceed the maximum height restriction imposed for principal uses within the district; except the buildings within the Central Business District may be permitted roof top installations so long as the diameter of the antenna does not exceed 25% of the existing height of the building.

ARTICLE 7 LANDSCAPE ORDINANCE (Amended July 23, 2018)

7.01 **Purpose**

The purpose of these regulations is to protect and improve the general welfare of Frankfort and Franklin County citizens and visitors by:

- reducing noise, air and visual pollution;
- mitigating the impact of the glare from automobile lights to adjoining and adjacent properties;
- improving the appearance and functionality of vehicular use areas and property adjoining public rights-of-way;
- increasing land values by providing landscaping as a capital asset;
- providing and protecting habitat for wildlife and natural vegetation;
- buffering land uses to reduce or eliminate impacts between different types and intensities; and
- maintaining a quality of life and community character that are important to the livability and economic vitality of Frankfort as the capital of the Commonwealth of Kentucky and Franklin County.

These regulations provide minimum requirements related to site and vehicular use area landscape design, land use buffers, tree preservation, preferred and prohibited landscape materials, and installation and maintenance of required landscape and buffer materials. These regulations are in addition to and supplement the regulations contained in all other Articles of these Zoning Regulations.

7.02 Sites Affected

Landscaping as required in the Landscape Requirements Matrix, Section 7.13, shall be required as follows:

1. All new building development and construction.
2. Existing sites:
  - A. All new parking lot construction, including the expansion, moving or relocation of existing parking. These requirements shall only affect those newly paved areas of five (5) spaces or larger, or any paved area larger than 1500 square feet. The number of parking spaces added shall also include any spaces added within one (1) calendar year prior to the building permit application for the new spaces. These requirements shall, in no instance, be deemed as retroactively affecting sites prior to the adoption of this amendment.
  - B. Repair/replacement of existing parking lots with new parking material, either smaller, same size, or larger. This does not apply when repairing, installing an overlay and/or restriping or when only a new seal coating is applied to the site.
  - C. Substantial additions to an existing building. Substantial building will be defined per the criteria established below:

When Existing Structure is..... / Substantial Increase-An Addition of...

0 – 1,000 sq. ft.	/	50% or greater
1,001 – 10,000 sq. ft.	/	40% or greater
10,001 – 25,000 sq. ft.	/	30% or greater
25,001 – 50,000 sq. ft.	/	20% or greater
50,001 + sq. ft.	/	10 % or greater

If this does not involve new parking lot construction, interior landscaping is not required.

- D. When a land use changes to a different land use requiring the construction of additional parking.

NOTE: Perimeter landscaping is the landscape application surrounding a land use or a vehicular use area. Perimeter landscaping will be required only where the addition of building or parking is adjoining properties of a more restrictive zone, land use, or public or private street. See diagram # 1 for Clarification of Perimeter Landscaping.

7.03 Vehicular Use Area (VUA)

Any outdoor (open or enclosed) area containing more than 1,800 square feet and/or used by two or more vehicles for parking, loading/unloading, sales and/or service areas, or driving. See the Landscape Requirements Matrix, Section 7.13.

7.04 Who Provides Landscaping

Landscaping required to fulfill this ordinance shall be provided by the property owner. If an adjacent property or right-of-way has landscaping fulfilling parking lot perimeter screening, and/or zone to zone, or land use to land use screening requirements, the requirement for perimeter landscaping along the common boundary may be waived if deemed appropriate by the Planning and Community Development Department.

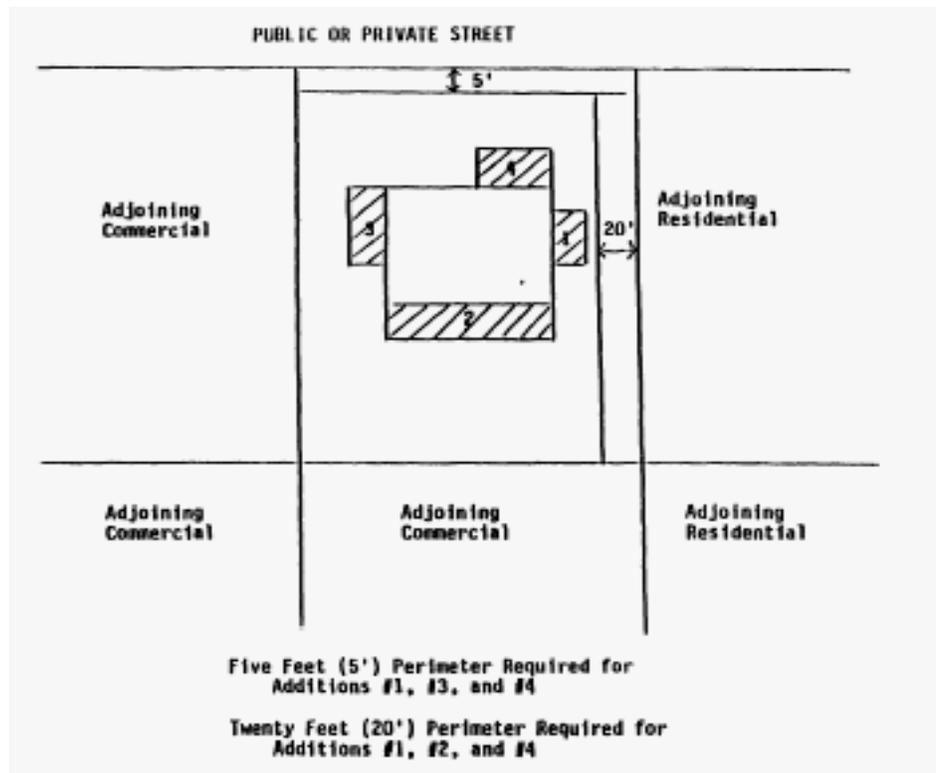
7.05 Conflicts In Requirements

When an activity or land use falls under more than one of the categories listed in the matrix, the most stringent of the requirements shall be applied.

7.06 Easements, Right-Of-Way and Setbacks

Required landscaping may be placed wholly or partially in utility of other easements providing all requirements can be fulfilled and approval is granted by the holder of the easements. Trees placed under overhead utility wires must be from List B. The rights-of-way of any public street may also be utilized for the required landscaping provided that the approval is granted by the appropriate government. It must be noted that an Encroachment Permit shall be required from the Kentucky Department of Transportation to plant on State right-of-way.

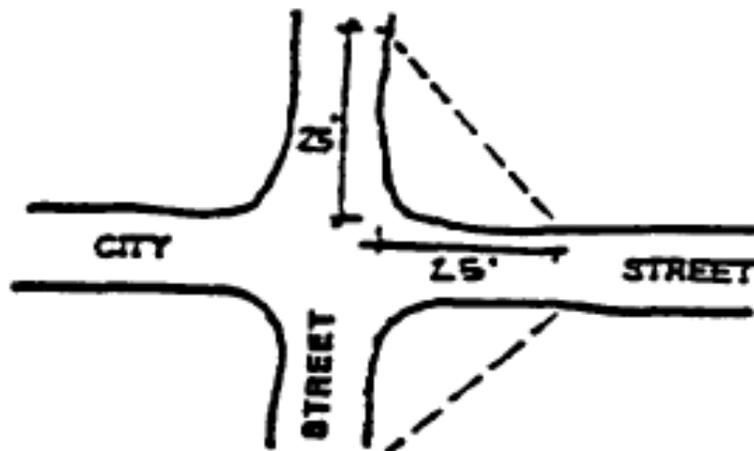
Landscaping must also be placed in the required area between the property line and the front, rear and side yard setbacks.



## 7.07 Sight Triangle

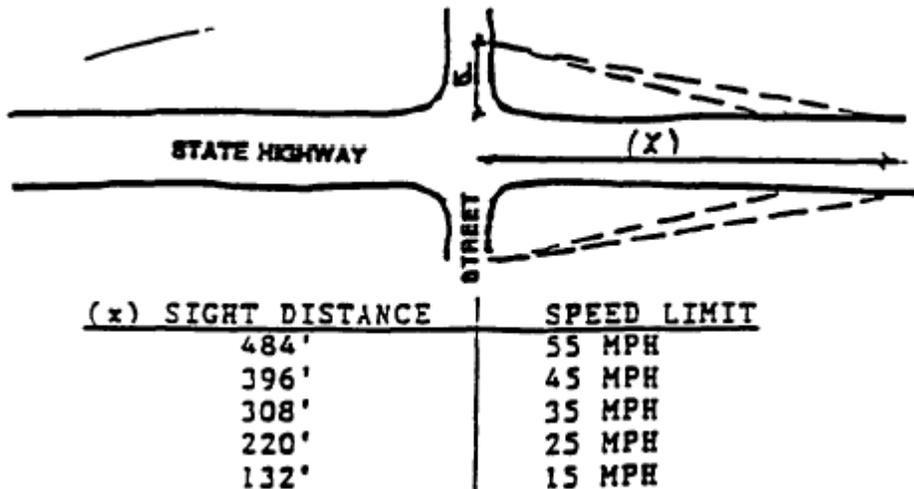
The area at a street or drive intersection where all landscaping is prohibited except ground cover and trees that are without limbs from the ground up seven feet.

7.07.1 City Streets. When two city streets intersect or a driveway intersects a city street, the sight triangle shall consist of the area between points twenty-five feet along both street from the intersection of the edges of the pavement.



7.07.2 State Highway.

Where a city street, driveway or other entrance intersects with a state highway, the sight triangle shall consist of the area between a point ten feet along the street or driveway edge of pavement and a point located along the edge of the state highway pavement the distance of an automobile traveling the speed limit can go in six seconds. An Encroachment Permit from the Kentucky Department of Transportation is required to plant in the State right-of-way.



7.08 Landscape Materials

7.08.1 Walls and Fences.

When walls or fences are used to fulfill screening requirements, they shall be detailed on the plan. They are to be of weatherproof materials. This includes pressure treating or painting of lumber if it is not redwood or cedar and using aluminum or galvanized hardware. All footers are to be 18" deep minimum and distance between posts on wood fencing shall be 8' maximum. Chain link fences with wood or synthetic slat material shall not be allowed.

7.08.2 Plants.

All plants are to living and part of the acceptable plants listed in the Planting Manual. A plant manual should be obtained from the Department of Planning and Community Development that outlines recommended plant material.

7.08.2a Quality.

Plant materials used in conformance with provision of this Ordinance shall conform to the standards of the American Association of Nurserymen which is on file at the Planning and Community Development Department and shall have passed any inspection required under State regulations. Bare root plants, with the exception of shrubs and hedges, vines and ground covers shall be prohibited. This includes all plants not balled and burlapped or containerized.

7.08.2b Deciduous Trees (trees which normally shed their leaves in the Fall).

Shall be species having an average mature crown spread or greater than fifteen (15) in Franklin County and having trunk(s) which can be maintained with over seven (7) feet of clear wood in areas which have visibility requirements. Trees having an average mature spread of crown less than fifteen (15) feet may be substituted by grouping of the same so as to create the equivalent of a fifteen (15) foot crown spread. A minimum of six to eight (6-8) feet overall height or a minimum caliper (trunk diameter, measure by 6 inches above ground for trees up to 4 inches caliper) of a least 1 inch immediately after planting shall be required. Trees of species whose roots are known to cause damage to public roadways or other public works shall not be planted closer than fifteen (15) feet to such public works, unless the tree root system is completely contained within a barrier for which to minimum interior container dimensions shall be five (5) feet square and five (5) feet deep and for which the construction requirements shall be four (4) inches thick, reinforced concrete.

7.08.2c Evergreen Trees.

Shall be a minimum of five (5) feet high with a minimum caliper of 1-1/2 inches immediately after planting.

7.08.2d Shrubs and Hedges.

Shall be at least 15" – 20" in average height when installed. All plants shall conform to opacity, mature height, and other requirements within four (4) years after the date of the final approval of each planting or replanting. Privet, Ligustrum species cannot meet the opacity requirements and may not be issued to satisfy the requirements of this Article. The height of the planting shall be measured from the level of the surface of the vehicular use area at the edge closest to the screening.

7.08.2e Ground or Grass Cover.

Grass of the fescues (Gramineae) or Bluegrass (Poaceae) shall be planted in species normally grown as permanent lawns in Franklin County, and may be sodded, plugged, sprigged, or seeded; except in swales or other areas subject to erosion where soiled sod, erosion reducing net, or suitable mulch shall be used, nurse-grass seed shall be sown for immediate protection until complete coverage otherwise is achieved. Grass sod shall be clean and free of weeds and noxious pests or diseases. Ground cover shall be planted not more than 15 inches on center and in such a manner as to present and have 75% of complete coverage after two (2) complete growing seasons.

7.08.3 Earth Mounds.

Earth mounds shall be barriers which block a view consisting of earth and covered with grass or other ground cover. Differences in elevation between areas requiring screening does not constitute an earth mound.

7.08.4 Maintenance and Installation.

All landscaping materials shall be installed according to accepted planting procedures. The Owner of the property shall be responsible for the continued property maintenance of all landscaping materials, and shall keep them in a proper, neat and orderly appearance, free from refuse and debris at all times. All unhealthy or dead plant material shall be replaced within one year, or by the next planting period, whichever comes first; while other defective landscape material shall be replaced or repaired within three months. Topping trees or the severe cutting of limbs to stubs larger than three (3) inches in diameter within the tree

crown to such a degree as to remove the normal canopy shall not be considered proper for the maintenance of trees as required by this Article. Tree pruning cuts shall be made sufficiently close to the trunk or parent limb without cutting into branch collar or leaving a protruding stub so that closure can readily start under normal conditions. All branches that are so heavy as to cause bark splitting or peeling are to be precut. Violations of these installation and maintenance provisions shall be ground for the Division of Planning and Community Development to refuse a building occupancy permit, require replacement of landscape material or institute legal proceedings to enforce the provisions of this Article.

#### 7.08.5 Landscape Manual.

The Planning and Community Development Department shall have on file a manual that outlines recommended plant materials. Illustrations of landscape ordinance applications and minimum requirements for other landscape materials. This manual should be used as a guideline to anyone preparing a landscape plan in order to meet this Landscape Ordinance.

Please note that with the exception of Plant List F, unacceptable plants, the plant lists included in the manual are only suggestions of use groups that have been successful in this region for urban landscaping. The choice of plant materials is not limited to those of the lists. No plants on Plant List F will be permitted.

### 7.09 Submission Requirements

#### 7.09.1 Plan Content.

The landscape plan shall be drawn to a readable scale and shall include all property lines, a north arrow, a scale, all easements, all existing and proposed structures, dumpsters, all vehicular use areas labeled, the names and addresses of the owners and plan preparers, and either topographic contour or spot elevations where elevation changes occur in areas to be landscaped. Also included shall be a Planting Schedule listing existing and proposed plants, the botanical and common names, the size, quantity and planting condition of the plants. A statement certifying that the property owner shall conform to the requirements on the plan shall be attached to the plan.

#### 7.09.2 Building Permit.

A building permit shall not be issued until the required landscape plans have been approved. A Certificate of occupancy shall not be issued unless either:

1. All landscaping has been installed and accepted by the Building Inspector, or
2. A full cash bond or irrevocable letter of credit (on an approved bank) has been posted in an amount equal to the cost of contracting the purchase and installation of the landscaping, plus 25%.

The owner shall have up to 90 days, as determined by the Department of Planning and Community Development to install the required landscaping. If, after the established time frame, the landscaping is not installed, the City of Frankfort will contract the

landscaping using the posted bond. Two one-month extensions of the bond may be allowed beyond the established deadline if it is determined that planting will be detrimental to the plant material.

3. When street trees are required, in accordance with the subdivision of property, a full cash bond or irrevocable letter of credit in the amount of 125% of the cost or contracting the purchase and installation of the landscaping shall be required to be posted by the developer. If the developer chooses, this bond or letter of credit may be separate from that surety posted for all other public improvements. This bond, or letter of credit, shall be posted at the same time as the surety is posted for other public improvements and shall be posted for a time frame of one (1) year.

If at the end of the one (1) year time frame, all of the required landscaping is not in place, a second bond or letter of credit may be posted for the remaining cost of landscaping and installation plus 25% if it is determined by the Planning and Community Development that the developer is make substantial progress in installing the trees as required.

#### 7.09.3 Variances.

If the property owner wishes to request a variance of the Landscape Requirements of this article, a variance application shall be filed with the Board of Zoning Adjustments.

The variance request shall be reviewed by the Landscape Advisory Committee of the Board of Adjustment. The Landscape Advisory Committee shall assist the Board of Adjustment by reviewing each variance requested as outlined in Section 7.09.4 and shall forward recommendation of their findings to the Board of Adjustments who shall make a final ruling on the variance request at a regularly scheduled meeting.

The Landscape Advisory Committee shall be made up of seven (7) members appointed by the Planning Commission. The length of term shall be three years, except at initial appointment. At that time, three members shall be appointed for three years and four members for two years. This committee shall consist of:

- One representative of the nursery of horticultural profession
- One representative from the Board of Adjustment
- One representative of the real estate/building profession
- One representative of a garden club
- One representative from the Planning Commission
- Two at -large citizen members

#### 7.09.3a Committee to Review Development Plans.

When projects requiring approval by the Planning Commission ie; development plans; and the applicant is requesting a variance from these regulations during the review process required under the Zoning Ordinance, the Landscape Advisory Committee shall review the landscape plan and report comments and recommendations to the Planning Commission prior to the final approval for the Development Plan.

#### 7.09.4 Variance Conditions.

Variations may be granted only if one of the following are applicable. Findings of Fact must be made by the Board of Zoning Adjustments prior to granting any variance. In the absence of a finding, no variance can be granted.

7.09.4a – The need for the variance is due to circumstances typical of the land in the general vicinity of the site or in the same zone.

7.09.4b – The strict application of the Landscape Ordinance would deprive the applicant of a reasonable use of the land or create an unnecessary hardship.

7.09.4c – Circumstances necessitating a variance are not the result of an action by the applicant subsequent to the passage of the Landscape Ordinance.

7.09.4d – Adherence to the Landscape Ordinance will adversely affect the health, safety and welfare of the public or will adversely alter the general character of the general vicinity.

## 7.10 Tree Preservation.

Mature trees contribute long-term aesthetic, environmental, and economic benefits to the City. It is the goal of this section to preserve and protect these highly valued trees and allow reasonable development to occur.

### 7.10.1 **Tree Preservation:**

A. Healthy, desirable trees that have a DBH of 24" or more shall be identified on a development plan and shall be preserved when possible.

B. Existing wooded ridgelines and wooded steep slopes shall remain as tree preservation areas. These areas shall not be developed, cleared, graded, or otherwise disturbed (except for the limited removal of dead or invasive trees), unless approved by the Planning Commission.

C. Tree protection fencing or other approved method must be installed prior to and maintained during construction, for any tree or tree areas identified as to be preserved on the development plan. Removal of any tree preservation area during construction shall require review by the Planning Commission, who shall have the authority to assess mitigation and/or fines.

### 7.10.2 Tree Replacement requirements (not diseased, dangerous, or dead):

A. Removal of **an existing and previously required tree(s)** or required landscape material within a commercial or industrial development:

1) Any time a healthy required landscape tree or required landscape material is proposed to be removed and/or replaced, an updated landscape plan shall be required. The request shall also be approved by the Planning Commission when the Planning Commission approved the original plan, prior to staff approving the revised landscape plan. The Planning Commission may require additional trees or larger DBH trees at time of planting for any existing required tree desired to be replaced.

2) A bond shall be provided at time of permit submittal with the costs of 125% of the proposed tree/landscape material affected. The bond shall be for a period of no more

than 7 months. This is to cover the city's costs, should the landscape plan be approved and the owner removes the trees, but fails to install the approved replacement trees.

7.11 Joint Driveways

If two properties share a driveway or vehicular use area and have a written reciprocal access agreement, no vehicular use area screening shall be required along the paved portion or the common boundary. Interior landscape shall be required on the property submitting plans.

7.12 Dumpsters

Dumpsters shall be located no less than ten feet from a property line and shall be screened on three sides according to the following matrix:

7.12.1 Dumpster Screening Matrix

<b>Dumpster Occurs In</b>	<b>Which Adjoins</b>	<b>Required Screening</b>
Any zone or land use other than residential	Any zone or land use other than residential	Fencing as per City specifications
Any residential land use or zone	Any zone or land use	Fencing as per City specifications plus hedge on three sides from List D or E
Any zone or land use	Any residential zone or land use	Fencing as per City specifications plus hedge on three sides from List D or E

When dumpster occurs less than ten feet from an un-windowed portion of a building on the same property, landscape screening may be waived for the side of the dumpster facing that building wall. Fencing shall be required on that side.

7.13 Landscape Requirements - Matrix

<b>When</b>	<b>Adjoining</b>	<b>Min. Easement</b>	<b>Plant Material</b>
Any commercial or professional zone or land use	Any residential zone or land use	20'	Either 1 tree (A or B) @ 35' OC + a double row 6' hedge (E) or 6' wall or fence or earthmound + hedge (D) + 1 tree (A or B) @ 40' OC or double row, staggered, planting of trees (C) 15' OC
Any industrial zone or land use	Any residential, commercial or professional zone	100' side and rear yard	36' wide, 6' tall earthen berm + a double row of staggered trees (C) @ 15' OC  Storage Yard - 6' fence or wall + hedge (E) facing front yard only and/or street or drive
Any high density residential (3 units or greater density) zone or land use	Any single family residential zone or land use	20'	Either 1 tree (A or B) @ 45' OC + a double row 6' hedge (E) or 6' wall or fence or earthmound + a hedge (D) or continuous staggered double row planting of trees (C) 15' OC
Any duplex (except in the RD zone district*)	Any single family residential zone land use (except in the RD zone district*)	5' side 10' rear	Continuous 6' hedge row (E) + 1 tree (A or B) @ 35' OC or 6' wall or fence + 1 tree (A or B) @ 35' OC
A junk, salvage refuse or parts yard or recycling center	Any zone or street (public or private)	20'	6' solid wall or fence + a single row (D or E) + trees (A or B) @ 35' OC or 6' solid fence or wall + staggered double row evergreens (C) @ 15' OC
Subdivision lots requiring sidewalks	The public right of way (street)	4' between curb & sidewalk or edge of pavement or sidewalk	1 tree (A) @ 40' OC or 1 tree (B) @ 30' OC
Any general commercial zone or highway zone or land use	The public right of way, public or private street	10% of total front yard must be landscaped	Trees, shrubs, planting beds, and/or perennials in a motif designed by owner. This is in addition to other required landscaping**

<b>When</b>	<b>Adjoins</b>	<b>Min. Easement</b>	<b>Plant Material</b>
A vehicular use area	Any public or	5' perimeter	Trees (A) or 40' OC + shrubs (D or

associated with any zone or land use except single family residences, banks, savings & loan, mortgage companies & auto dealerships	private street	screening easement	E) @ 3' OC or trees (B) @ 25' OC + shrubs (D or E) @ 3' OC (1 tree minimum)
	In all cases	plus 5% interior landscaped area**	Plus 1 tree** (A or B) per 250 sq. ft. or interior landscaped area (1 tree minimum)
A vehicular use area at a bank savings & loan, mortgage company or automobile dealership	Any public or private street	5' perimeter screening easement	Trees (B) at 20' OC
	In all cases	plus 5% interior landscaped area **	Plus 1 tree** (A or B) per 250 sq. ft. of interior landscaped area (1 tree minimum)
A non-residential land use in the Special Capital or Historic Districts (1,2)	Any residential or land use	5'	Either 1 tree (A or B) @ 35' OC + a single row 6' hedge (E) or a 6' wall or fence + 1 tree (A or B) @ 35' OC

1. In this situation, the property perimeter screening may also count as V.U.A. perimeter screening.
2. The design of all fences and /or walls are to be approved by the Architectural Review Board.

\* Duplex and single family residences are both permitted in the RD zone district. No landscaping is required between these uses when both exist side by side within the RD zone district.

\*\*Interior requirements are not required on parking lots smaller than 5 spaces. Interior landscape areas must be 65 sq. ft. minimum in size. Plants may be no closer than 30" to pavement in the V.U.A. unless concrete wheel stops are used to prevent plant damage by cars.

Note: When subdivision street trees are required, the total number of trees shall be listed on the final plat. The developer must post surety (i.e.: bond or letter of credit) for the planting of the trees along with other public improvements. It shall be the developer of the subdivision's responsibility to install the trees as indicated on the final plat. Bond for trees will be kept one year from date of acceptance of the improvements. The amount of the bond will be for the cost of each tree, the actual cost of installation and guaranteeing trees for one year. The Letter of Credit or Bond may be extended for an additional period, not to exceed one (1) year, if it is determined by the Department of Planning and Community Development that the developer is making adequate attempts to install the landscaping, as required. If trees are absent or dead after one year, or if the developer is not making substantial progress in planting the trees, the City will contract the planting. After the one year, if the trees are installed and living and the City has released the bond or letter of credit, the continued maintenance of the trees shall be the property owner's responsibility. Trees replaced by the property owners at a later date shall be from the same category as listed in the Landscape Manual. The City encourages developers to use a thematic approach to tree selection, but to avoid the use of the same tree species.

\*\*\* If the V.U.A. is located in the front yard, the required interior V.U.A. landscaping and the 5' perimeter screening easement will be included as counting toward the total front yard landscaping required.

# PLANTING MANUAL AND LANDSCAPE ORDINANCE GUIDELINES

## CITY OF FRANKFORT, KENTUCKY

### I. INTRODUCTION

The following charts, graphic details, specifications and guidelines are provided to assist persons in conforming to the Frankfort Landscape Ordinance, Article 7 of the Zoning Regulations. The plant lists that are provided are suggested plant materials for the various use groups and are plants that have been successful in this region for urban landscaping. The plant list is not limited to the plant materials indicated in this manual. The graphic details and planting specifications are not mandatory but are guidelines that are helpful in completing a landscape project in a proper manner. The plan submission guidelines should be helpful for those submitting landscape plans and also helpful to the Building Inspection personnel in reviewing and approving plans.

Legend of Plant List:

Example:

Anglojap Yew	Common Plant Name
Taxus x media	Plant Botanical Name
Brownii	
Hicksii	Specie Cultivars
Wardii	

### II. PLAN SUBMISSION REQUIREMENTS

A landscape plan must be submitted to indicate new project conformity to the Landscape Ordinance. The plan must be a scaled drawing preferably no smaller than 1" - 30'.

- A.
1. The following is information required to be contained on each landscape plan submitted for review by the Building Inspections Department:
  2. All property lines with meets and bounds shall be shown for the project parcel.
  3. All adjacent property owners, land zones/uses and rights-of-way must be identified on the plan.
  4. Location of all existing and proposed buildings and structures.
  5. Location of all driveways, parking areas, loading areas and adjacent offsite roads and streets.
  6. Location of dumpster and trash facilities.
  7. Location of existing trees and vegetation.
  8. Location of underground and overhead utility lines in addition to location of utility easements.
  9. Proposed grading/excavation information – contour lines would be preferable.
  10. Dumpster screening details.
  11. Location of all proposed plant material keyed to a plant schedule.
  12. Plant schedule that shall contain information as follows: Plan common and botanical name, plant size (height, spread, caliper, or container size) quantity of each specie to be planted and any specific planting notes.
  13. Indication of areas for sodding and seeding.



**Bald Cypress***Taxodium distichum***Bur Oak***Quercus macrocarpa***Chinkapin Oak***Quercus muchlenbergii***English Oak***Quercus robur***European Beech***Fagus Sylvatica***Ginkgo***Ginkgo biloba (male only)**Autumn Gold**Fastigiata**Sentry***Littleleaf Linden***Tilia cordata**Chancellor**Greenspire**June Bride***Red Maple***Acer rubrum**Autumn Flame**October Glory**Red Sunset***Red Oak***Quercus rubra***Japanese Pagoda Tree***Sophora Japonica**Regent***Japanese Zelkova***Zelkova serrata***London Plane Tree***Platanus acerifolia***Scarlet Oak***Quercus coccinea***Shingle Oak***Quercus imbricaria***Shudmard Oak***Quercus shumardii***Sourwood***Oxydendron arboreum***Sugar Maple***Acer saccharum***Sweetgum***Liquidambar styraciflua***Thornless Honey Locust***Gleditsia triacanthos**Shademaster**Skyline**Sundial***Tulip Poplar***Liriodendron tulipifera***Water Oak***Quercus nigra***Willow Oak***Quercus phellos***White Oak***Quercus alba***Yellowwood***Cladrastis kentukea*

\*\*\*Trees near powerlines – the Frankfort Plant Board has provided a list of trees that are generally acceptable under or near powerlines – please refer to their website.

<http://fpb.cc/tree-id/>

**PLANT LIST B**  
**FLOWERING TREES**

Trees that are hardy in zones 5 – 6 are deciduous and reach a height of greater than 30 feet. These trees survive better in shady, sheltered conditions and would not be acceptable unless planted on the north or east of a building. Please note that this is not a comprehensive or all-inclusive list. Other trees may be approved by the Arborist.

**Crabapple**

*Malus varieties*

*Bob White*

*Sargeant*

*Snowdrift*

*White Angel*

**Eastern Redbud**

*Cercis canadensis*

*Flame*

*Forest Pansy*

*Royal*

**Dogwood\***

*Cornus florida*

*Cornus kousa*

*Cornus mas*

**Green Hawthorne**

*Crataegus viridis*

*Winter King*

**Sargent Cherry**

*Prunus sargentii*

*Columnaris*

*Kwanzan*

**Saucer Magnolia\***

*Magnolia soulangiana*

**Star Magnolia\***

*Magnolis stellata*

**PLANT LIST C**  
**EVERGREEN TREES**

Trees that are hardy in zones 5 – 6 are evergreen, can reach a height over 30 feet and if not limbed up can create a screen from the ground level up.

**American Holly**

*Ilex opaca*

*Xanthocarpa*

**Austrian Pine**

*Pinus nigra*

**Canadian Hemlock**

*Tsuga canadensis*

**Carolina Hemlock**

*Tsuga caroliniana*

**Eastern Red Cedar**

*Juniperus virginiana*

**Colorado Blue Spruce**

*Picea pungens*

*Glauca*

**Norway Spruce**

*Picea abies*

**Scotch Pine**

*Pinus sylvestris*

**Southern Magnolia**

*Magnolia grandiflora*

**White Fir**

*Abies concolor*

**White Pine**

*Pinus strobus*

**PLANT LIST D**  
**DECIDUOUS SHRUBS**

Perennial woody plants that grow at least 3 feet in height, are tolerant in zones 5 -6 and are deciduous. Please note that this is not a comprehensive or all-inclusive list. Other shrubs may be approved by the Arborist.

**Spirea Species**

**Doublefile Viburnum**

*Viburnum plicatum tomentosum*

**Shrub Cinquefoil**

*Potentilla Fruticosa*

**Spreading Cotoneaster**

*Cotoneaster divaricata*

**Quince**

*Chaenomeles speciosa*

**Glossy Abelia**

*Abelia grandiflora*

**PLANT LIST E**  
**EVERGREEN SHRUBS**

Perennial, woody plants that grow at least 3 feet in height are tolerant in zones 5 -6 and are evergreen.

Please note that this is not a comprehensive or all-inclusive list. Other shrubs may be approved by the Arborist.

*Pinus Mugho*

**Anglojap Yew**

*Taxus x media*

*Brownii*

*Densiformis*

*Hicksii*

*Wardii*

**Spreading Yew**

*Taxus baccata*

**Blue Holly**

*Ilex x meserveae*

*Blue Angel*

*Blue Prince*

*Blue Princess*

**Chinese Juniper**

*Juniperis chinensis*

*Hetzii*

*Keteleeri*

*Mint Julep*

*Robusta Green*

**Japanese Holly**

*Ilex crenata*

*Microphylla*

*Rotundifolia*

**Japanese Yew**

*Taxus cuspidata*

*Capitata*

*Intermedia*

*Nana*

**Korean Boxwood**

*Buxus microphylla koreana*

**Leatherleaf Viburnum**

*Viburnum rhytidophyllum*

**Mugho Pine**

## PLANT LIST F

### UNACCEPTABLE PLANTS

Trees and shrubs that are not hardy in zones 5 – 6 may have excessive fruits, leaf or limb drop, may interfere with underground utilities, attract excessive insects or are weak wooded, disease prone, pollution intolerant, noxious or require excessive maintenance.

#### **Apple (common)**

*Malus pumila*

#### **Mountain Ash**

*Sorbus species*

#### **Black Locust**

*Robinia pseudoacacia*

#### **Osage Orange**

*Maclura pomifera*

#### **Box Elder**

*Acer negundo*

#### **Mulberry**

*Morus species*

#### **Chinese Holly**

*Ilex cornuta*

#### **Privet**

*Ligustrum species*

#### **Devil's Walking Stick**

*Aralia spinosa*

#### **Poplars**

*Populus species*

#### **Elms (except Chinese & American)**

*Ulmus species*

#### **Silver Maple**

*Acer saccharinum*

#### **Ginkgo (female)**

*Ginkgo biloba*

#### **Sycamore**

*Plantanus occidentalis*

#### **Hickory**

*Carya species*

#### **Tartarian Honeysuckle**

*Lonicera tartarica*

#### **Honeylocust (common)**

*Gleditsia triacanthos*

#### **Tree of Heaven**

*Ailanthus altissima*

#### **Horse Chestnut**

*Aesculus species*

#### **Walnut**

*Juglans species*

#### **Kentucky Coffee Tree (female)**

*Gymnocledus dioicus*

#### **Weeping Willow**

*Salix babylonica*

#### **Linden or Basswood**

*Tilia americana*

#### **Weigela**

*Weigela florida*

#### **Mimosa**

*Albizza julibrisson*

#### **Norway Maple**

*Acer platanoides*

*Crimson King*

*Summershade*

**Pin Oak**

*Quercus palustris*

*Crown Rite*

*Sovereign*

**Green Ash**

*Fraxinus pennsylvanica lanceolate*

*Marshall Seedless*

**White Ash**

*Fraxinum Americana*

*Autumn purple*

**Golden Raintree**

*Koelreutaria paniculata*

**Wintergreen Barberry**

*Berberis julianae*

**Burning Bush**

*Euonymus alata*

*Euonymus compacta*

**Forsythia Species****English Ivy****Winter Creeper**

Note: If mature trees exist on site prior to development, they may be accepted by the Planning and Community Development Department.

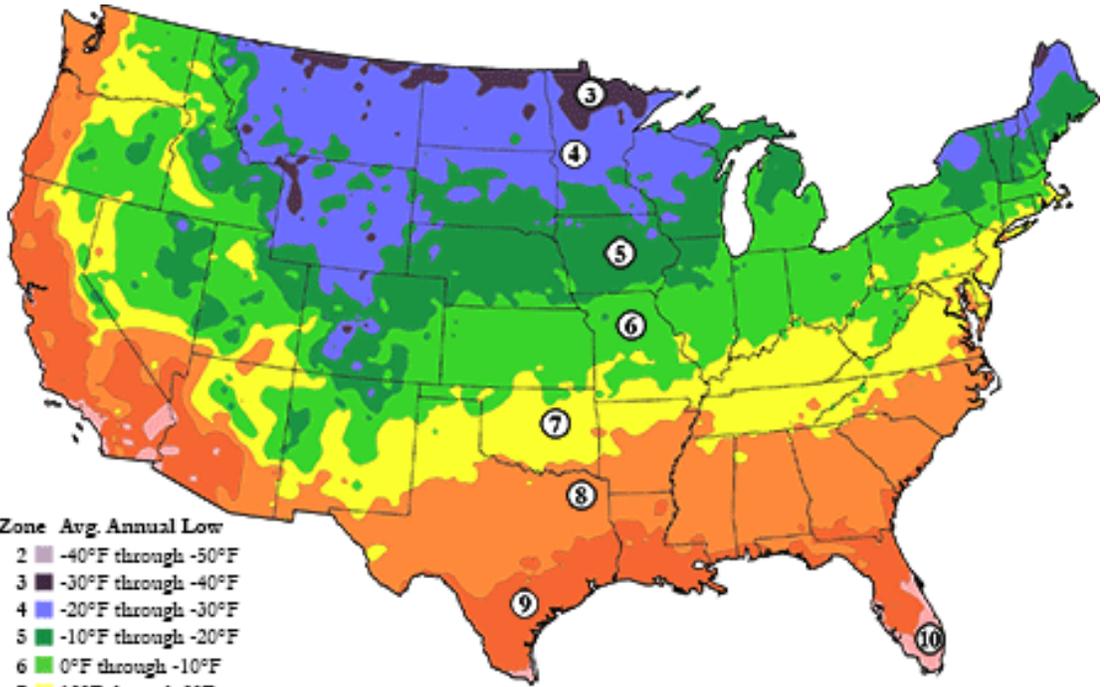
**PLANT MATERIAL REFERENCE BOOKS**

Barbour, Rover W. and Wharton, Mary E., *Trees and Shrubs of Kentucky*. The University Press of Kentucky, 1973.

Dirr, Michael A., *Manual of Woody Landscape Plants*. Stipes Publishing Company, 1977.

City of Louisville, *Thirty Recommended Trees for Louisville*

Lexington-Fayette Urban County Government, Division of Streets, Roads & Forestry, *Street Tree Selection and Care*.



- Zone Avg. Annual Low**
- 2 -40°F through -50°F
  - 3 -30°F through -40°F
  - 4 -20°F through -30°F
  - 5 -10°F through -20°F
  - 6 0°F through -10°F
  - 7 10°F through 0°F
  - 8 20°F through 10°F
  - 9 30°F through 20°F
  - 10 40°F through 30°F

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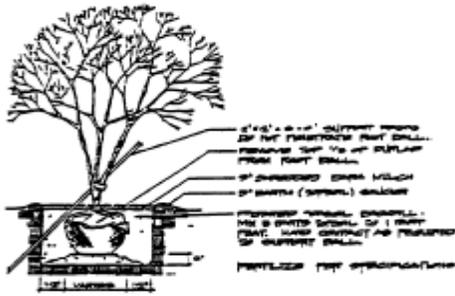
**PLANTING SCHEDULE**

Key	Botanical Name	Common Name	Quantity	Size	Height	Comments

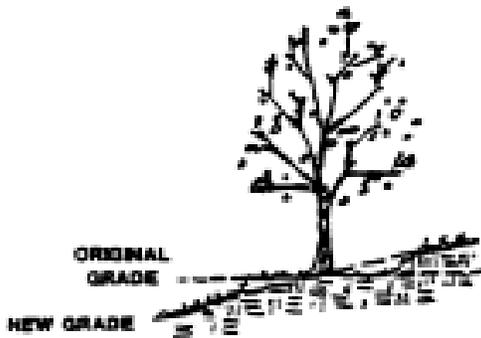
**Landscape Statistics (Minimum Statistics Required)**

Vehicular Use Area \_\_\_\_\_ Square feet  
 Interior Landscape Area Required \_\_\_\_\_ Square feet  
 Interior Landscape Area Provided \_\_\_\_\_ Square feet  
 # Interior Trees Required \_\_\_\_\_  
 # Interior Trees Provided \_\_\_\_\_  
 Project Zoning \_\_\_\_\_

**TYPICAL PLANTING DETAILS**



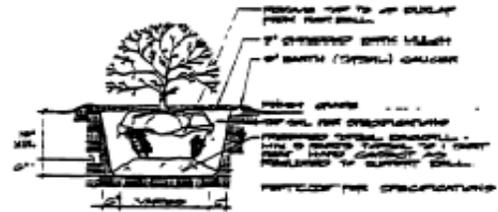
**TYPICAL SMALL TREE PLANTING**



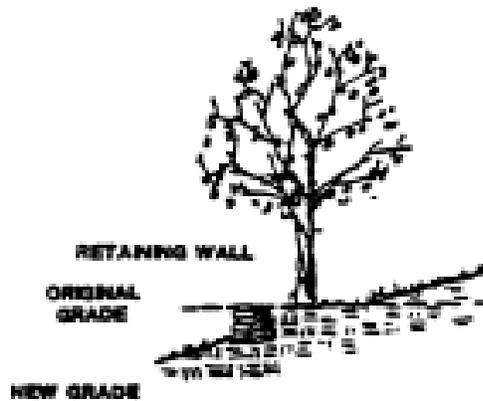
**Terracing**

**NOTE:**  
 CUSTOMER CHOOSE PLANT MATERIAL  
 SIZE OR SUBSTITUTED WITH  
 EQUIV. MATERIAL

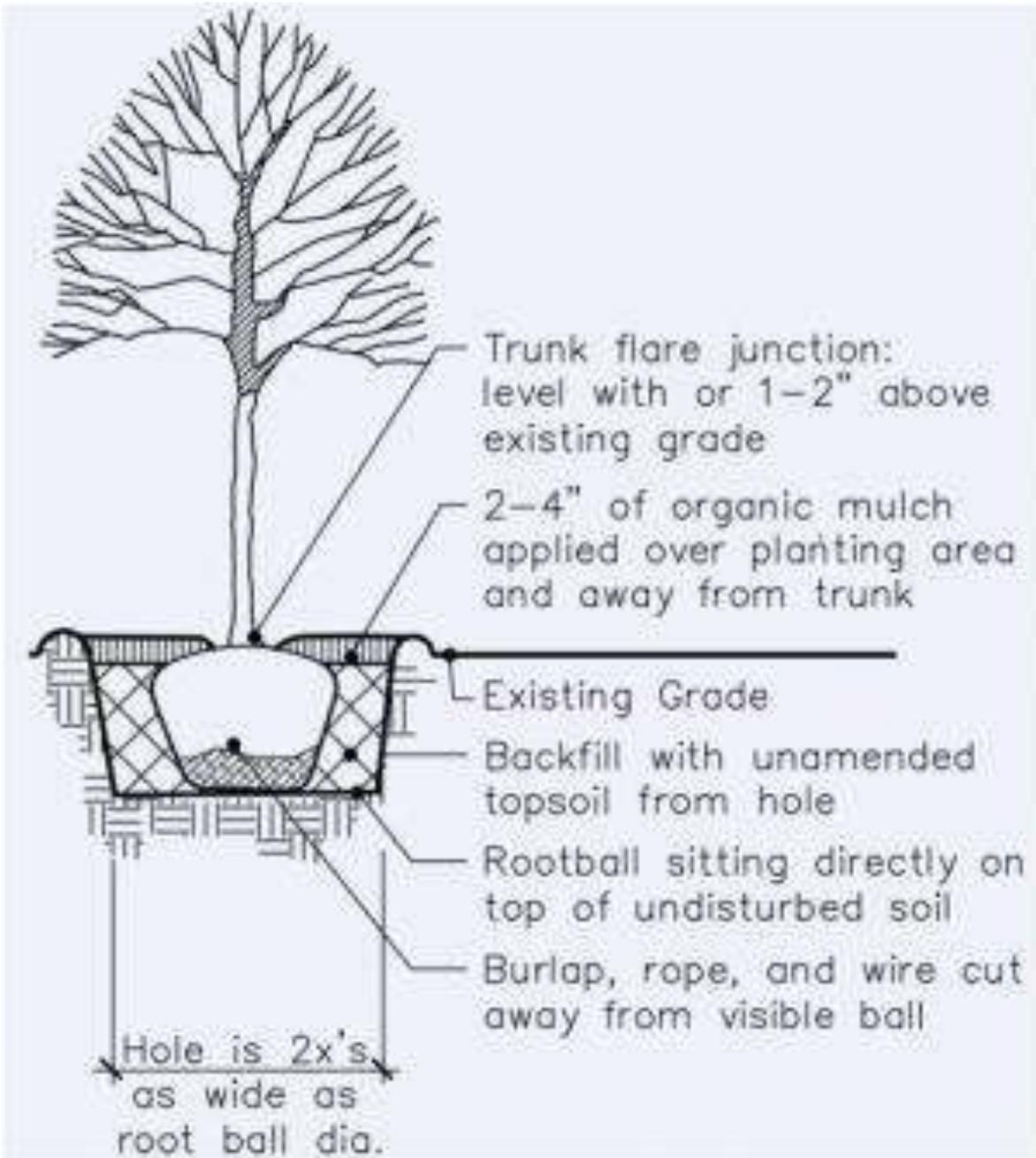
PLANT MATERIAL SHALL NOT BE  
 PLANTED PRIOR TO INSTALLATION /  
 AFTER PLANTING SHALL BE  
 INSTALLED WITH PLANT SHALL  
 BE TRIMMED FOR UNIFORMITY



**TYPICAL SHRUB PLANTING**

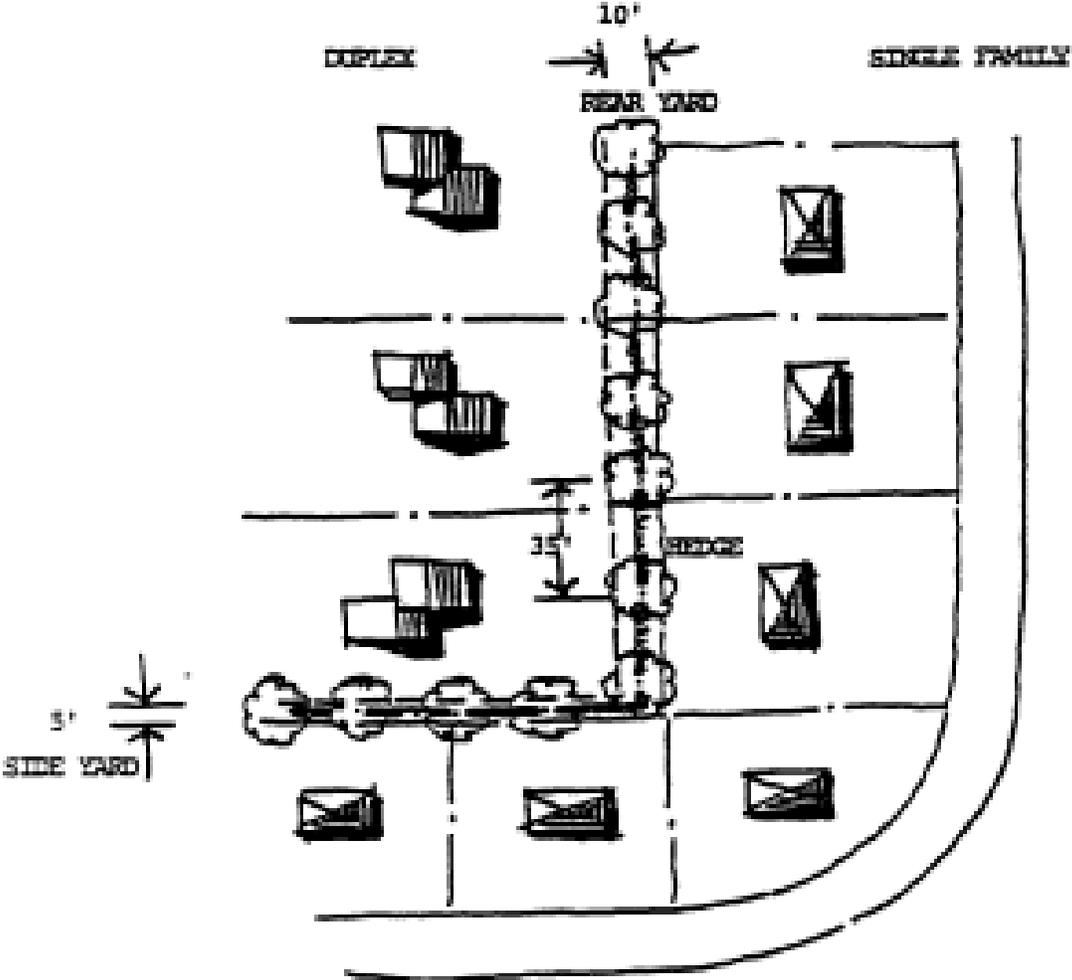


**Retaining Wall**

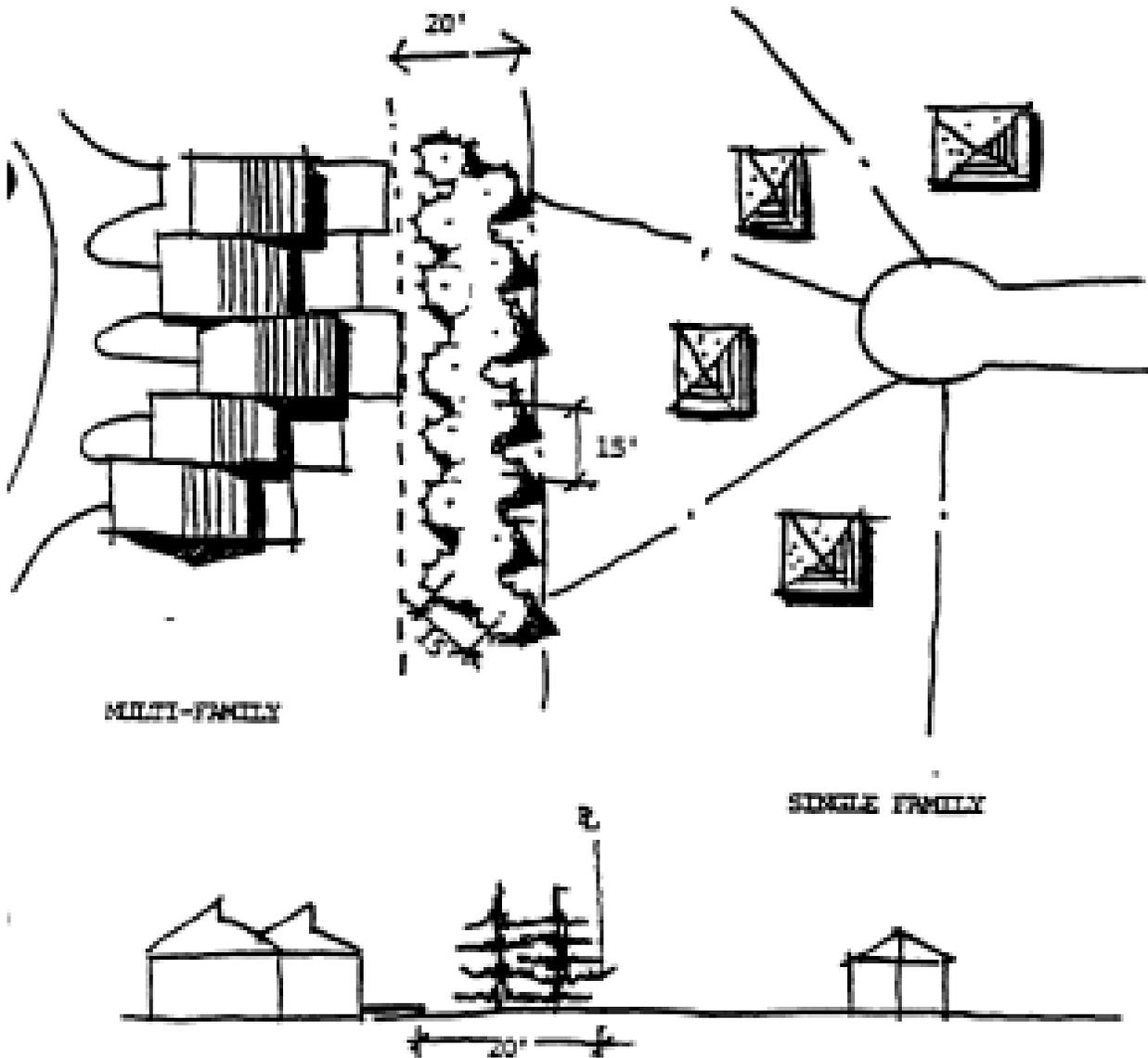


When	Adjoins	Min. Easement	Plant Material
Any duplex (except in the RD zone district*)	Any single family residential zone or land use (except the RD zone district*)	5' side 10' rear	Continuous 6' hedge row(E) + 1 tree (A or B) @ 35' OC or 6' wall or fence +1 tree (A or B) @ 35' OC

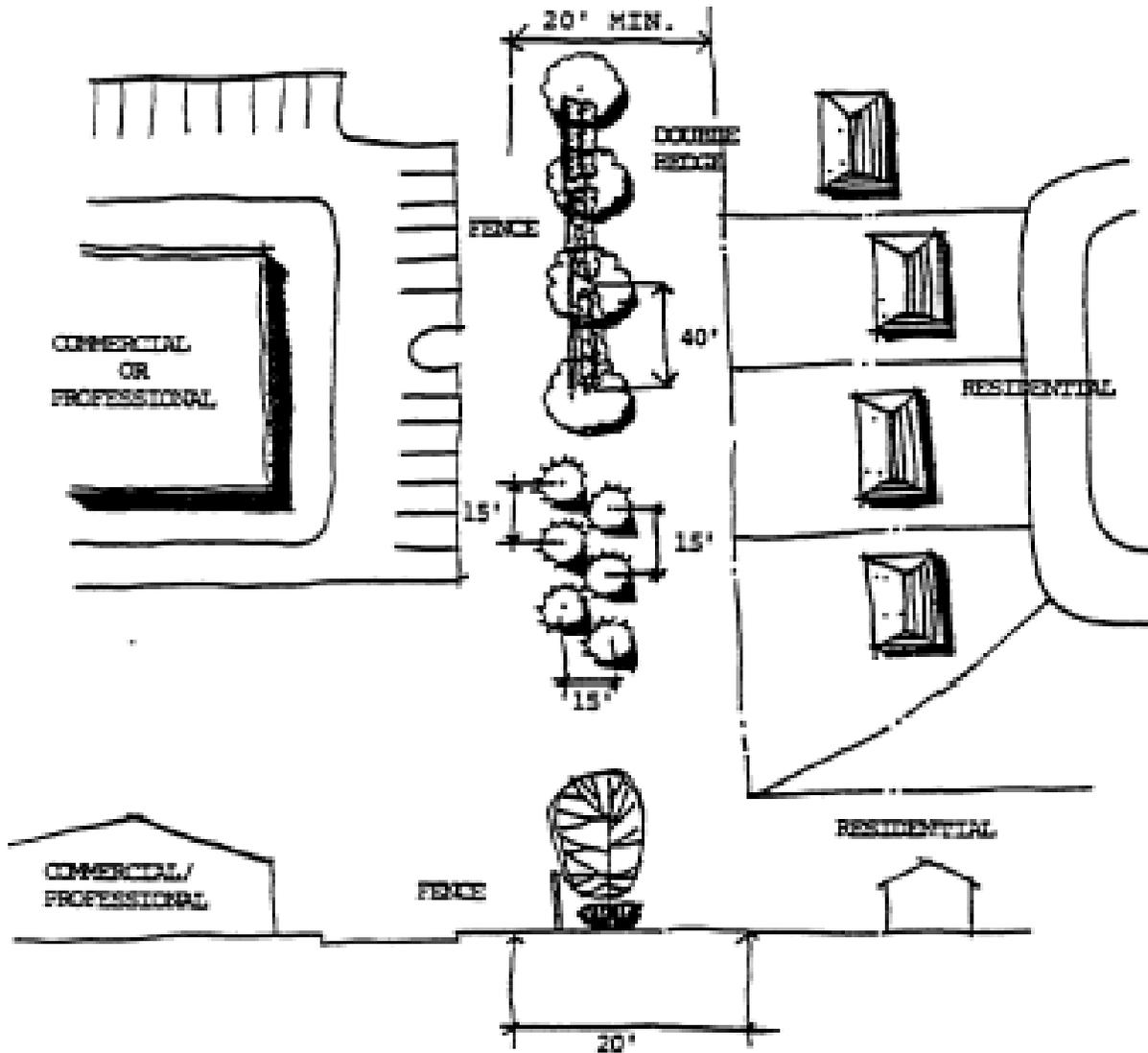
\* Duplex and single family residences are both permitted in the RD zone district. No landscaping is required between these uses when both exist side by side within the RD zone district.



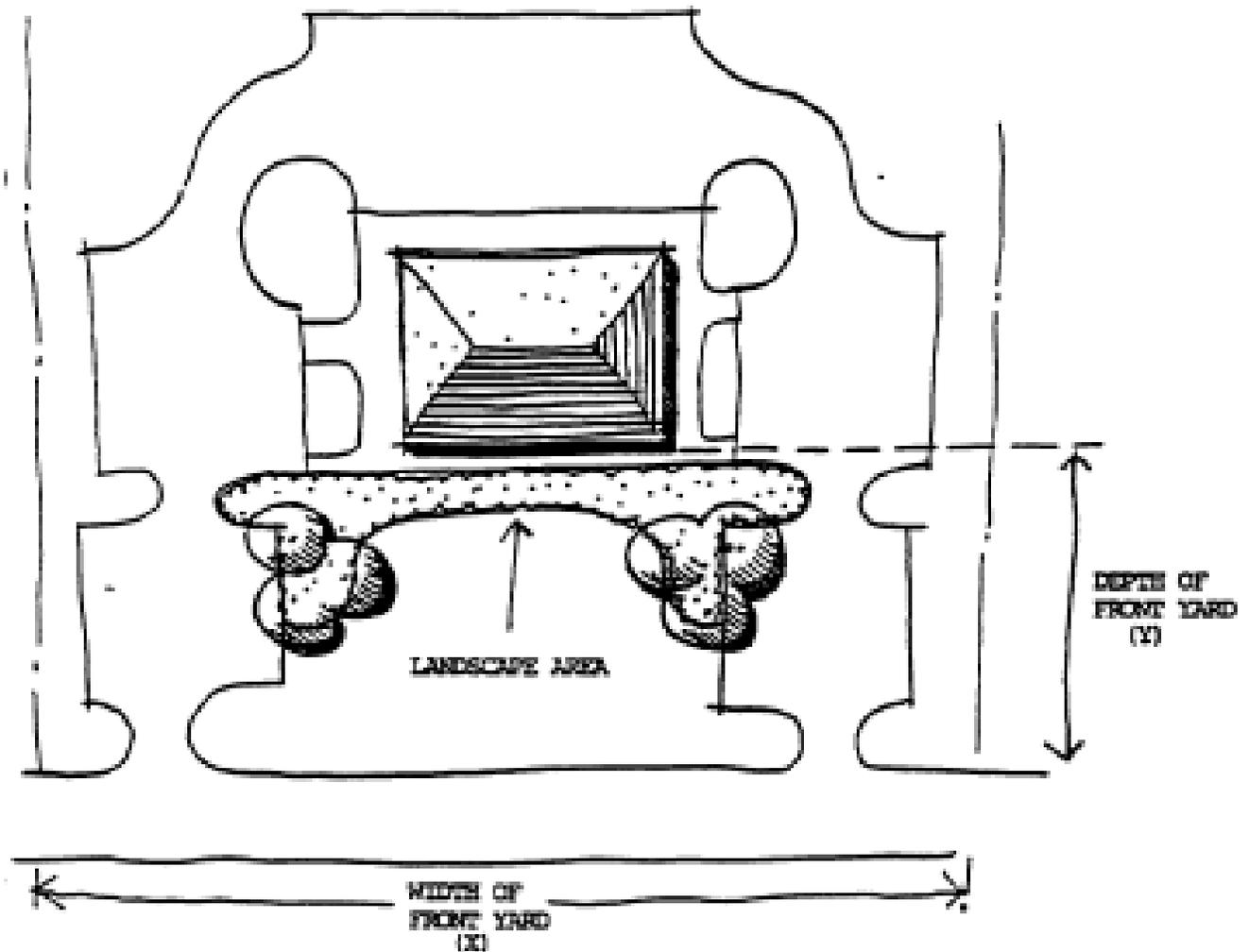
When	Adjoins	Min. Easement	Plant Material
Any high density residential (3 units or greater density) zone or land use	Any single family residential zone or land use	20'	Either 1 tree (A or B) @ 45' OC + a double row 6' hedge (E) or 6' wall or fence or earthmound + a hedge (D) or continuous staggered double row planting of trees (C) 15' OC



When	Adjoins	Min. Easement	Plant Material
Any commercial or professional zone or land use	Any residential zone or land use	20'	Either 1 tree (A or B) @ 35' OC + a double row 6' hedge (E) or 6' wall or fence or earthmound + hedge (D) + 1 tree (A or B) @ 40' OC or double row, staggered, planting of trees (C) 15' OC

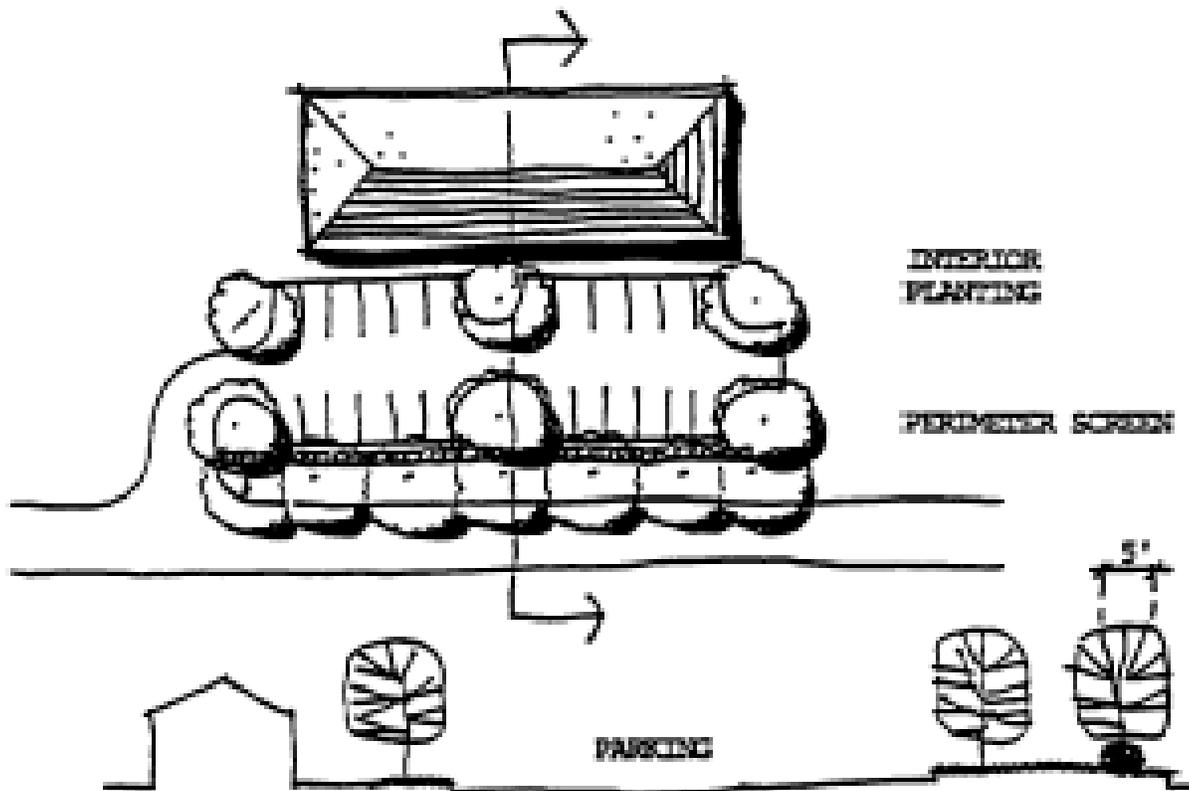


When	Adjoins	Min. Easement	Plant Material
Any general commercial zone or highway zone or land use	The public right of way, public or private street	10% of total front yard area must be landscaped	Trees, shrubs planting beds, and/or perennials in a motif designed by owner. This is in addition to other required landscaping



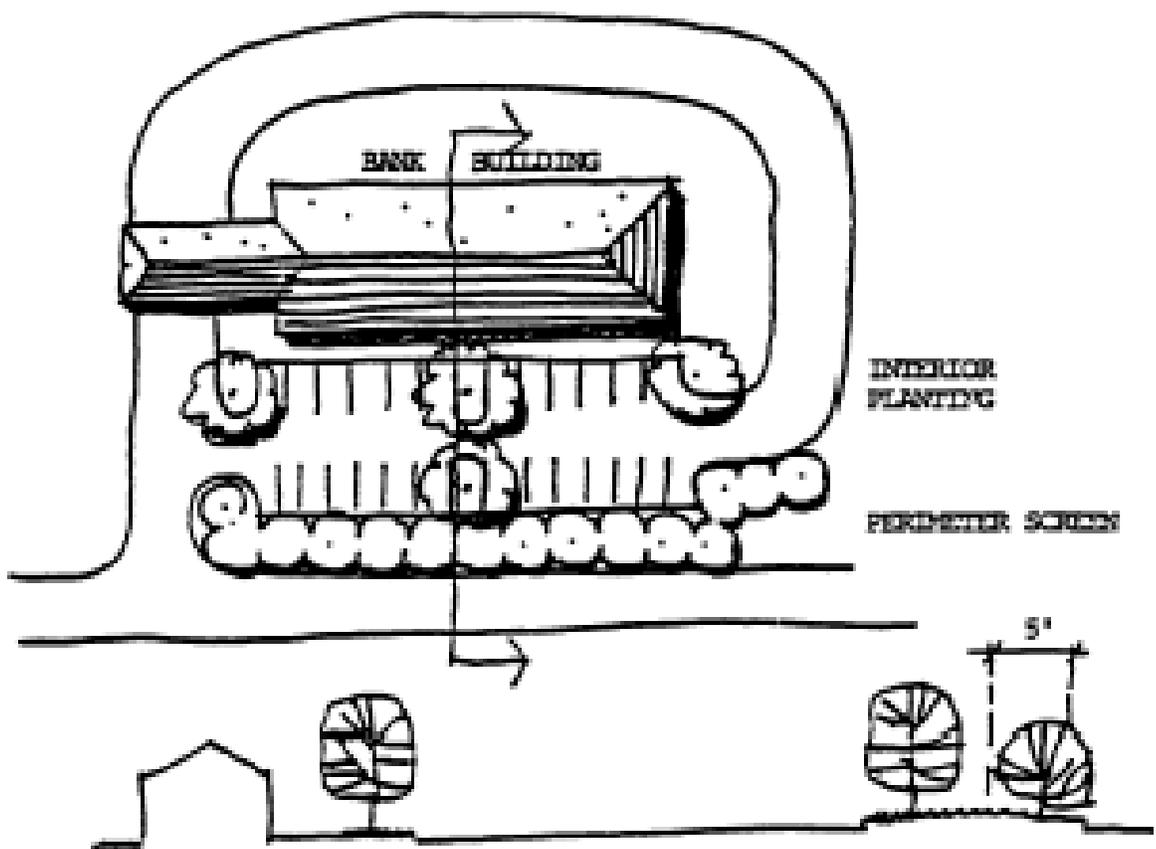
Required Front Yard Landscaping  
 In Addition to VUA Landscaping =  $(X) \times (Y) + 10$

When	Adjoins	Min. Easement	Plant Material
A Vehicular use area associated with an zone or land use except single family residences, banks, savings & loan, mortgage companies & auto dealerships	Any public or private street	5' perimeter screening easement <hr/> plus 5% interior landscaped area**	Trees (A) @ 40' OC plus shrubs (D or E) @ 3' OC Or Trees (B) @ 25' OC plus shrubs (D or E) @ 3' OC (1 tree minimum) <hr/> Plus 1 tree** (A or B) per 250 sq. ft. of interior landscaped area (1 tree min.)

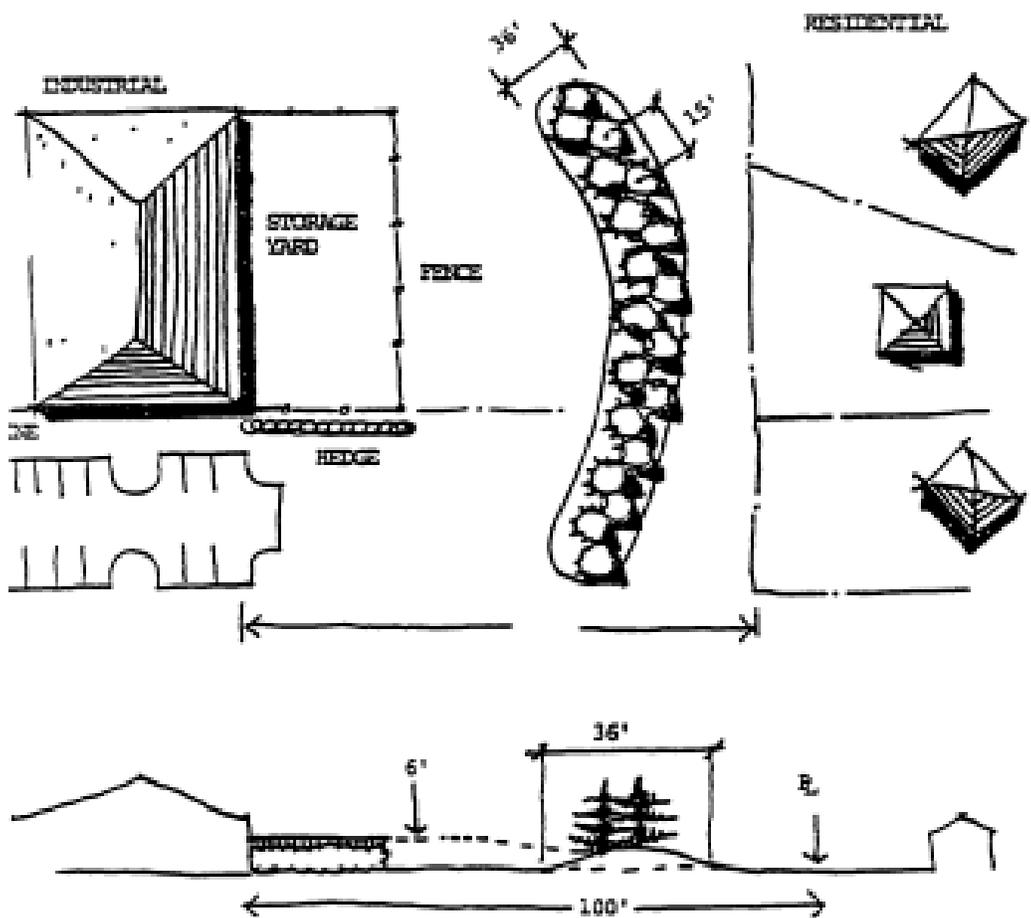


When	Adjoins	Min. Easement	Plant Material
A Vehicular use area at a bank, savings & loan, mortgage company or automobile dealership	Any public or private street	5' perimeter screening easement  Plus 5% interior landscaped area**	Trees (B) @ 20' OC  Plus 1 tree**( A or B) per 250 sq. ft. of interior landscaped area ( 1 tree min.)

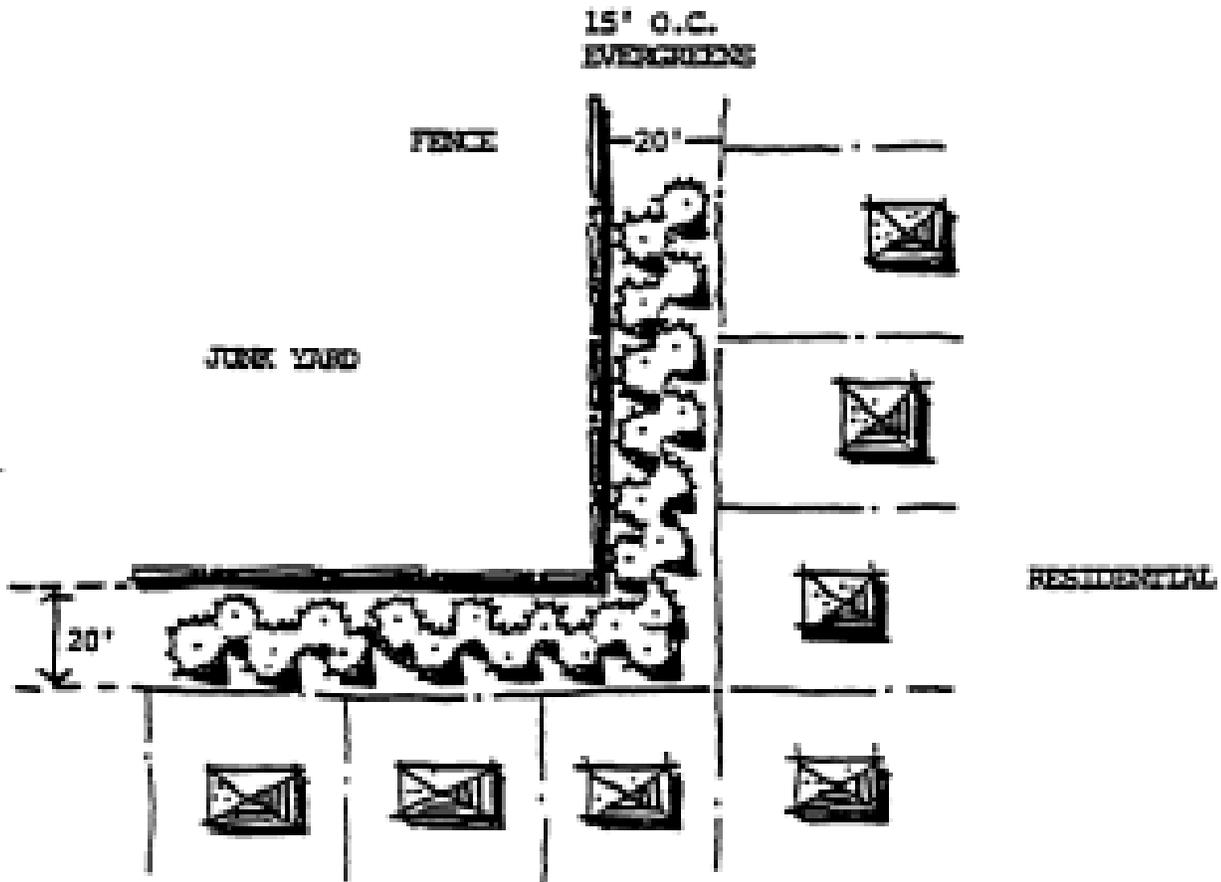
\*\* Interior requirements are not required on parking lots smaller than 5 spaces. Interior landscape areas must be 64 sq. ft. minimum in size. Plants may be no closer than 30" to pavement in the V.U.A. unless concrete wheel stops are used to prevent plant damage by cars.



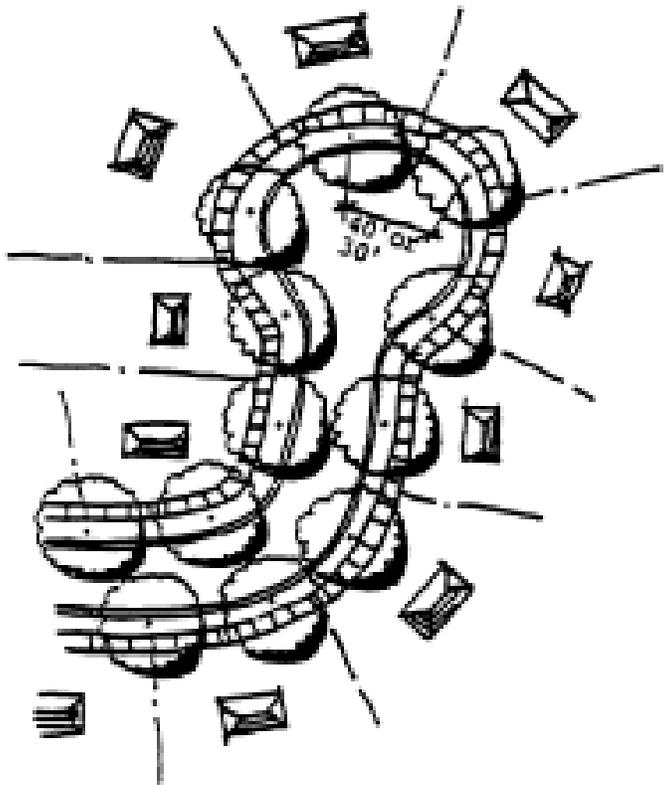
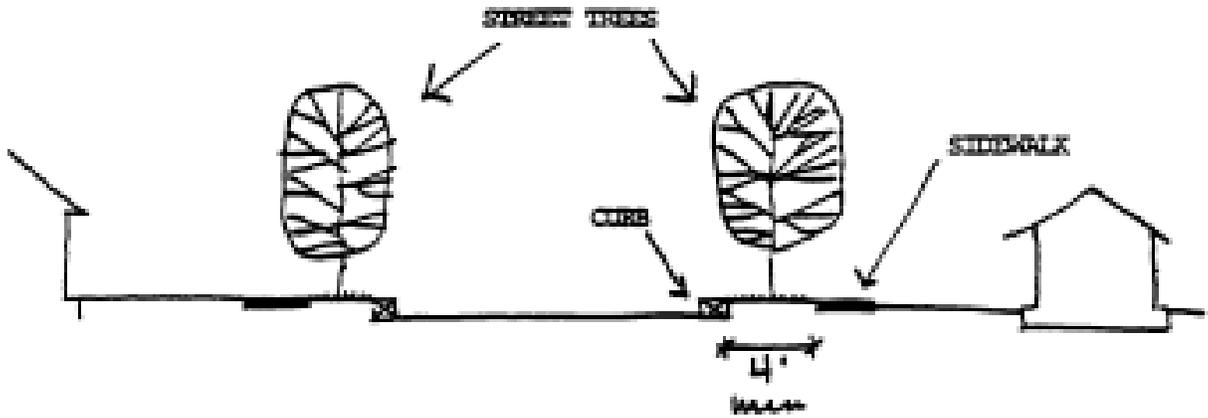
When	Adjoins	Min. Easement	Plant Material
Any industrial zone or and use	Any residential, commercial or professional zone or land use	100' side and rear yard	36' wide 6' tall earthen berm + a double row of staggered trees (C) @ 15' OC  Storage Yard - 6' fence or wall + hedge (E) facing front yard only and/or street or drive



When	Adjoins	Min. Easement	Plant Material
A junk, salvage, refuse or parts yard or recycling center	Any zone or street (public or private)	20'	6' solid wall or fence + a single row (D or E) + trees (A or B) @ 35' OC or 6' solid fence or wall + staggered double row evergreens (C) @ 15' OC

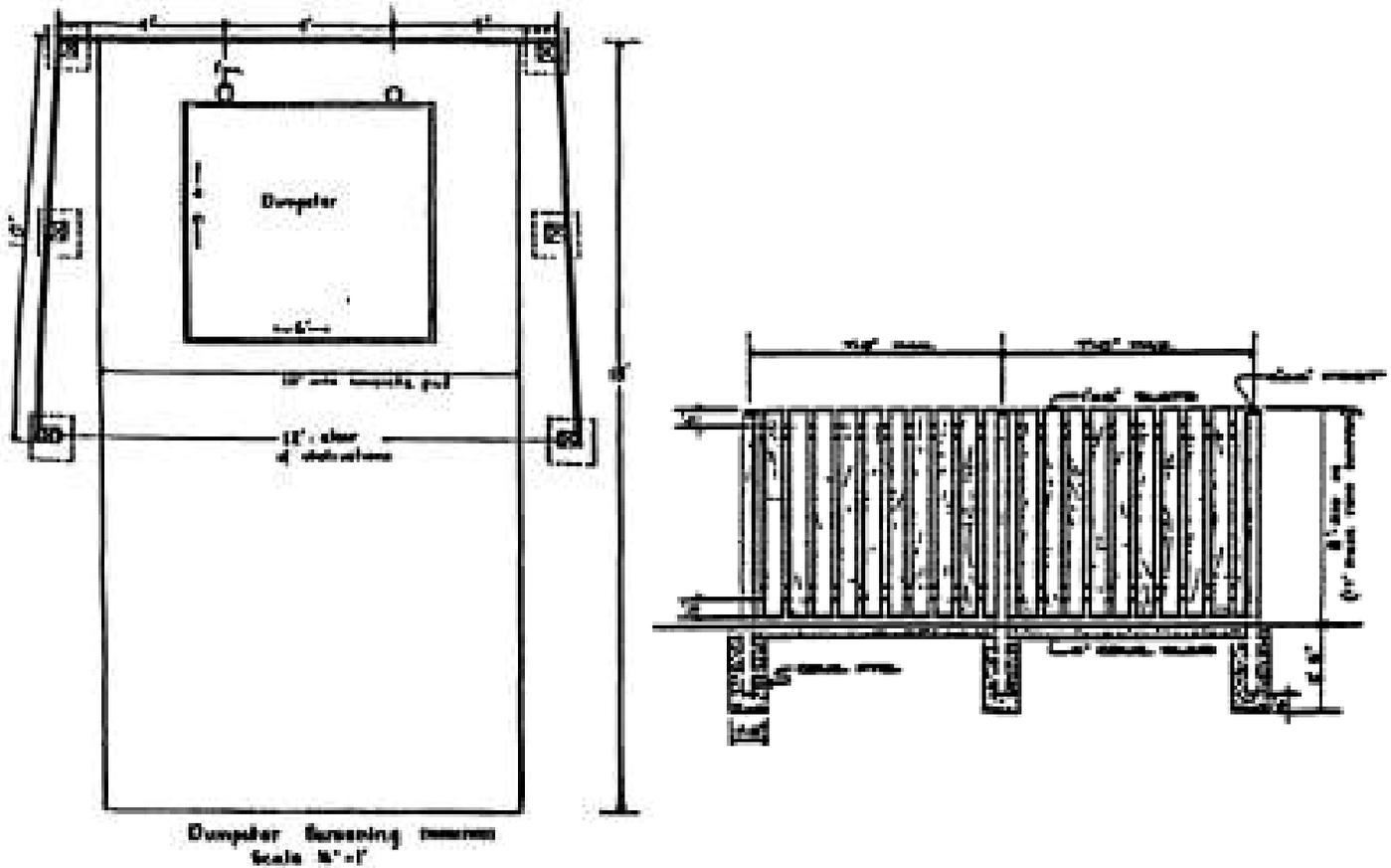


When	Adjoins	Min. Easement	Plant Material
Subdivision lots requiring sidewalks	The public right-of-way (street)	4' between curb & sidewalk or edge of pavement & sidewalk	1 tree (A) @ 40' OC or 1 tree (B) @ 30' OC



## DUMPSTER SCREENING

Screens shall consist of stone, brick, block, wood, or plant material. Chain link fencing is not recommended as a screen. If plants are to be used as screening material they should be planted so as to reach the required height in one year (planting of mature plants recommended.) Plants which die must be promptly replaced.



## Article 8 PLANNED UNIT DEVELOPMENT

- 8.01 Purpose. The purpose of Planned Unit Development article of the City zoning ordinance is to encourage flexibility in the development of land in order to promote its most appropriate use; to improve design, character, and quality of new development; to facilitate the adequate and economic provision of streets and utilities; and to preserve the natural and scenic features of open areas alongside major developments.
- 8.02 Definition. A “Planned Unit Development” involves a project area devoted to a particular group of uses; residential, commercial, or industrial or a mixture of uses, located on a lot or contiguous group of lots held under single, joint, or common ownership.
- 8.03 Applicability of Dimensional Requirements. The lot area, lot width, yard, and usable open space requirements of this ordinance shall not apply to planned unit developments, and the siting and location of buildings; improvements, structures, and common open spaces within the area of the planned unit development shall be controlled by the development plans which are approved for the planned unit development.
- 8.04 Zoning Designation of Planned Development Areas. Areas in Frankfort may be designated by the City Commission upon the recommendation of the Planning Commission.
- 8.041 An area may be zoned if the original request for such designation is made by the City Commission or by the Planning Commission. When a planned area is so zoned, any construction or development proposed shall have a development plan submitted to and approved by the Planning Commission before any building permit shall be issued. Since any such zoned area may encompass several lots under several ownership, the Planning Commission may approve individual development plans for individual parcels providing they first assure that each plan so approved is interrelated with plans for adjoining parcels or is capable of being extended to adjoining parcels of land. (Rev. 12/14/92)
- 8.042 An area may be zoned as a Planned Development based upon applications for such designation by an owner, developer or contiguous owners or developers. Such application shall include:
- A. Conceptual Development Plan: This plan shall include all requirements for a concept plan as found in Article 5 and shall include all the area designated as a planned unit.
  - B. Written Statement: The written statement to accompany the preliminary development plan shall contain the following information:
    - 1. Description of the planned development
    - 2. Land ownership
    - 3. Relationship to surrounding neighborhood
- 8.05 PUD Zoning Designation. Applications for approval of the planned developments shall be submitted to the Planning Commission in accordance with the rules for change of zone. The

Planning Department shall review any such plan and forward a report to the Planning Commission. The Planning Commission shall hold a public hearing on the requested PUD zone designation.

8.051 Upon conclusion of its public hearings, the Planning Commission shall forward its recommendations, together with the Planning Department report and such other documents as may be pertinent to the City Commission.

8.052 The City Commission may then pass an ordinance establishing a zoning district designating the land included in the development plan as a Planned Development District on the zoning map. (Rev. 12/14/92)

8.053 Planned Development Districts shall be designated one of the following:

- A. PR – Planned Residential District
- B. PM – Planned Mixed Use District
- C. PC – Planned Commercial District

#### 8.10 Planned Residential Development (PR).

8.101 Definition. A Planned Residential development “PR” is a group of building constructed for residential use and ancillary commercial use, located on a lot or contiguous group of lots held under single, joint, or common ownership, covering at least ten (10) acres.

8.102 Criteria for Approval. Uses permitted in a planned unit development may be of the following, provided two (2) or more residential uses are included in each PR zoned land and further provided that the building arrangement, site design and mixture of uses is appropriate to the area in which the planned unit development is located.

- A. Single household detached dwellings.
- B. Single household semi-attached or attached (townhouses) dwellings.
- C. Two household dwellings.
- D. Apartments.
- E. Recreation uses subject to requirements of these regulations.
- F. Commercial uses subject to the approval of the Planning Commission, but limited to the uses listed in the “CL” district.
- G. Community facilities deemed necessary by the Planning Commission.

8.103 Total Open Space. The total of all open space in any PR zoned land shall not be less than 50 percent. Open space for this purpose shall include all areas not covered by structures, streets or parking.

8.104 Ratio of Use. In any planned residential development the mixture of uses permitted should include at least two or more different residential types.

8.105 Commercial Uses. Commercial uses in a Planned Residential Development permitted by the Planning Commission shall be limited to those permitted in any “CL” zone. Commercial

facilities provided in a Residential PUD shall be capable of being supported by the residences in that development.

8.106 Density. Dwelling unit densities shall be compatible with the zoning districts and the neighborhood in which the Planned Unit Development is located. The Planning Commission may permit an increase in density of up to 25% greater than the density permitted in any adjacent zoning district.

## 8.20 Planned Mixed Use Development (PM)

8.201 Definition. A Planned Mixed Use Development "PM" is a group of buildings constructed for residential and/or commercial use, located on a lot or contiguous group of lots held under single, joint, or common ownership, covering at least ten (10) acres.

8.202 Criteria for Approval. Uses permitted in a planned mixed use development may be of the following, provided two (2) or more uses are included in each PM zone and further provided that the building arrangement, site design and mixture of uses is appropriate to the area in which the planned mixed use development is located:

- A. Single household detached dwellings.
- B. Single household semi-attached or attached (townhouse) dwellings.
- C. Apartment.
- D. Recreation uses subject to requirements of these regulations.
- E. Commercial uses as identified by and listed in the "CG" district, but not including conditional uses.
- F. Community facilities deemed necessary by the Planning Commission.

## 8.203 Bulk and Area Regulations.

- A. Lot Size: Minimum lot size for a planned mixed use development shall be ten (10) acres.
- B. Setback: Minimum setback for any structure shall be the setback required in the zone adjacent.
- C. Open Space: The total of all open space in any PM district shall not be less than 40%. Residential areas shall have at least 50% open space and commercial areas shall include at least 25% landscaped open space.
- D. Height: In general, height shall be limited to 45 feet. However, to permit the greatest flexibility of design the Planning Commission may approve greater heights provided such height is an integral part of the building grouping and enhances the design of the entire project.
- E. Density: Residential densities should not exceed 10 units per acre in single dwelling areas and 16 units per acre over all. Commercial areas should not exceed a FAR of 1.5.

8.204 Parking. No parking shall be permitted in the front yard of any structure constructed on an individual lot unless such parking area is landscaped with trees, shrubs and grass islands to prevent the appearance of open parking lots. All parking and loading requirements shall be in accordance with regulations specified in Article 12 of this Ordinance.

8.205 Storage. Outdoor storage shall be prohibited unless fully screened on all sides by an opaque ornamental screen.

8.206 Landscaping. A landscape plan for the entire development shall be prepared and presented to the Planning Commission for approval. This plan shall show the type and location of plantings, locate and show the purpose of visual screens and establish a means to insure the accomplishment of the landscape plan. The landscaping plan shall meet or exceed all landscape regulations found in this ordinance.

8.207 Access to the planned mixed use complex shall be designed to minimize conflicts in traffic. Insofar as possible, all lot should be designed to front on streets within development.

8.208 Street Standards. All streets within the planned mixed use development shall be designed at least to standards of collector streets.

8.209 Loading Requirements. One off-street loading area for standing loading, or unloading shall be provided for each 25,000 square feet of usable floor space for each commercial building or contiguous group of commercial buildings.

All loading and unloading facilities must have appropriate means of access to a street or alley and must have adequate area for maneuvering vehicles.

8.210 Pedestrian Access. This must be arranged so as to provide safe and convenient routes to, from and within a planned development, and must interconnected by a common pedestrian system, and must separate pedestrian traffic from automotive traffic.

8.211 Trees, Ground Cover, Streams and Woodland. These and all other natural features must be preserved, so far as practicable. In addition, adequate landscaping areas must be provided which are appropriate to the commercial development giving consideration to the height, location, siting of buildings, type and configuration of materials used, and the maintenance they require. Adequate landscaping is required for all off-street parking areas.

### 8.30 Requirements for Planned Commercial Development (PC)

8.301 Purpose. The purpose of this section is intended to encourage a unified grouping of commercial and/or industrial buildings which do not require or desire a central location.

8.302 Definition. A planned commercial development is a building, structure or grouping of buildings or structures constructed predominantly for commercial or industrial uses located on a lot or contiguous group of lots held under single, joint, or common ownership or lease.

8.303 Uses Permitted. It is not the intent of the zone to restrict potential development by limiting uses. In Planned Commercial Zones, uses permitted by include offices, commercial services, shopping centers and light distribution centers and ancillary residential dwellings. In planned industrial zones uses permitted may include manufacturing, distribution, research and development office and subordinate services. Since some permitted uses may be incompatible with others, the developer of a planned commercial complex shall provide the Planning Commission with a list of specific uses proposed in his development which shall be compatible with each other and neighboring uses. In general, planned commercial/industrial developments will fall into one of the following categories:

- A. Neighborhood Retail Centers
- B. Community Shopping Centers
- C. Regional Shopping Centers
- D. Planned Office Parks
- E. Research and Development Parks
- F. Distribution and Warehousing Centers
- G. Industrial Parks

8.304 Bulk and Area Regulations.

- A. Lot size: Minimum lot size for a planned commercial development shall be five (5) acres.
- B. Setback: Minimum setback for any structure shall be the setback required in the zone adjacent.
- C. Lot Coverage: Maximum lot covered by buildings or structures shall be 50% at ultimate expansion potential.
- D. Height: In general, height shall be limited to 45 feet; however, to permit the greatest flexibility of design, the Planning Commission may approve greater heights provided such height is an integral part of the building grouping and enhances the design of the entire project.
- E. Floor Area Ratio: The floor area ratio shall not exceed (1.5).

8.305 Parking. No parking shall be permitted in the front yard of any structure constructed on an individual lot unless such parking area is landscaped with trees, shrubs, and grass islands to prevent the appearance of open parking lot. All parking and loading requirements shall be in accordance with regulations specified in Article 12 of this Ordinance.

8.306 Storage. Outdoor storage shall be prohibited unless fully screened on all sides by an opaque ornamental screen. Additional requirements for larger buildings are found in Article 11. *(Amended by ordinance on 6-26-06)*

8.307 Landscaping. A landscape plan for the entire development shall be prepared and presented to the Planning Commission for approval. This plan shall show the type and location of plantings, locate and show the purpose of visual screens and establish a means

to ensure the accomplishment of the landscape plan. The landscaping plan shall meet or exceed all appropriate landscaping regulations found in this Ordinance.

8.308 Access to the planned commercial complex shall be designed to minimize conflicts in traffic. Insofar as possible all lots should be designed to front on streets within commercial development. Lots should not have direct access to existing streets, roads, or highways.

8.309 Street Standards. All streets within the planned commercial or planned industrial development shall be designed at least to standards of collector streets.

8.310 Loading Requirements. One off-street loading area for standing, loading, or unloading shall be provided for each 25,000 square feet of usable floor space for each building or contiguous group of buildings. Minimum dimensions for such loading space should be 60 feet (depth) by 14 feet (width) by 14 feet (height clearance).

8.311 Pedestrian Access. This must be arranged as to provide safe, and convenient routes to, from, and within a planned development, and must be interconnected by a common pedestrian system, and must separate pedestrian traffic from automotive traffic.

8.312 Off-Street Parking. These areas must provide safe, and convenient access to streets and thoroughfares, and must be convenient to building groups, and must allow for adequate internal circulation of vehicles.

8.313 Trees, Ground Cover, Streams and Woodland. These and all other natural features must be preserved, so far as practicable. In addition, adequate landscaping areas must be provided which are appropriate to the commercial development giving consideration to the height, location, siting of buildings type and configuration of materials used, and the maintenance they require. Adequate landscaping is required for all off-street parking areas.

#### 8.40 Development Plan Approval

8.401 Approval of the Planned Unit Development Plan. Following the approval of the zone map amendment to a Planned Unit Development, the applicant shall submit to the Planning Commission a development plan, in accordance with the Subdivision and Development Plan Regulations, covering all of the zoned area.

8.402 Contents of the Development Plan. The final development plan shall contain all of the following information:

- A. All requirements for a development plan as found in the adopted Subdivision and Development Plan Regulations; and
- B. Elevation and perspective drawings for each building, and
- C. Detailed maps of areas to be conveyed as common open space, and of any improvements to be constructed therein, and

- D. Agreements and covenants which shall govern the use, maintenance, and continued protection of the planned development and its common open space, and
- F. A development schedule indicating the stages of the planned development and the anticipated rate of development.
- G. All requirements found in Article 11. (*Amended 6-26-06*)
- H. All requirements found in the Subdivision and Development Plan Regulations.

8.403 Planning Commission Review. The Planning Commission shall review the development plan at a public hearing held in accordance with the rules of procedure of the Planning Commission. At that time, the Planning Commission will review each type of development by use of the relevant substantive requirements found in Article 8, and Article 5 - Section 5.06 and the additional criteria below:

- A. Adequate spacing must be provided between buildings, and structures, giving consideration to their height, design, location and siting; to the placement and extend of facing window areas; and to intervening streets, land contours, topography, and such other natural features as will assure privacy and amenity.
- B. The planned unit development is appropriately related to the surrounding neighborhood and there is a buffer area of at least 30 feet between the planned unit development and any adjacent residential use district of a lower density. The buffer area must be free of buildings, streets, or parking and must be landscaped screened, or protected by natural features so that adverse effects on surrounding areas are minimized.

8.404 Reserved

8.405 Waivers and Modifications. In granting these waiver, the Planning Commission shall follow the same guidelines as specified in Section 1.09, Provisions for Waivers and Modifications contained in these regulations.

8.406 Fee Schedule. The Planning Commission may establish a fee schedule for planned development applications to cover the cost of processing and review.

8.407 Building Permits and Certificates of Occupancy. The Building Official shall issue building permits for buildings and structures in the area covered by the approved development plan if they are in conformity with the development plan as recorded, and within all other ordinances and regulations. (*Rev. 12/14/92*)

8.408 Lapse of Development Plan. If no building, structure, or other improvement has been substantially completed in the planned development within two (2) years of the approval of the development plan, the development plan will automatically be revoked and a new development plan will be required for approval prior to issuing a building permit.

8.409 Development Plan to Govern. After the approval of the development plan the use of land and the construction, reconstruction, modification or alteration of any buildings, structures,

or improvements within the planned development shall be governed by the development plan rather than by the provisions of this Zoning Ordinance.

## Article 9 - FLOOD DAMAGE PREVENTION

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## **ARTICLE 9. FLOOD DAMAGE PREVENTION**

### **9.1 STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND OBJECTIVES**

#### **9.1.1 STATUTORY AUTHORIZATION**

The Legislature of the Commonwealth of Kentucky has in Kentucky Revised Statutes (KRS 100.203) delegated to local government units the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the Board of City Commissioners of Frankfort, Kentucky, hereby adopts the following Floodplain Management Regulations, as follows:

#### **9.1.2 FINDINGS OF FACT**

- A. The flood hazard areas of the City of Frankfort are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all which adversely affect the public health, safety, and general welfare.
- B. These flood losses are caused by the cumulative effect of obstructions in floodplains causing increased flood height and velocity, and by the location in flood hazard areas of uses vulnerable to floods or hazardous to other lands which are inadequately elevated, flood-proofed, or otherwise protected from flood damage.

#### **9.1.3 STATEMENT OF PURPOSE**

It is the purpose of this Article is to promote the public health, safety, and general welfare and to minimize public and private loss due to flooding by provisions designed to:

- A. Restrict or prohibit uses which are dangerous to health, safety, and property due to water erosion hazards, or which result in damaging increases in erosion or in flood height or velocity;
- B. Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- C. Control the alteration of natural floodplains, stream channels, and natural protective barriers which accommodate or channel flood waters;
- D. Control filling, grading, dredging, and other development which may increase erosion or flood damage, and;
- E. Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other areas.

#### **9.1.4 OBJECTIVES**

The objectives of this article are to:

- A. Protect human life and health;

- B. Minimize expenditure of public money for costly flood control projects;
- C. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- D. Minimize prolonged business interruptions;
- E. Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines; streets and bridges located in areas of special flood hazard;
- F. Help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard or other flood-prone areas in such a manner as to minimize future flood blighted areas caused by flooding; and,
- G. Ensure that potential homebuyers are on notice that property is in a Special Flood Hazard Area.
- H. Ensure that those who occupy a Special Flood Hazard Area assume responsibility for their actions.

## **9.2. APPLICABILITY**

### **9.2.1 LANDS TO WHICH THIS ARTICLE APPLIES**

This article shall apply to all Special Flood Hazard Areas (SFHA), areas applicable to KRS 151.250 and, as determined by the Floodplain Administrator or other delegated, designated, or qualified community official as determined by the Board of City Commissioners of the City of Frankfort, Kentucky, from available technical studies, historical information, and other available and reliable sources, areas within the jurisdiction of the Board of City Commissioners of the City of Frankfort which may be subject to periodic inundation by floodwaters that can adversely affect the public health, safety, and general welfare of the citizens of Frankfort.

### **9.2.2 BASIS FOR ESTABLISHING THE SPECIAL FLOOD HAZARD AREAS**

The areas of special flood hazard identified by the Federal Emergency Management Agency (FEMA) in the Flood Insurance Study (FIS) for Franklin County, dated September 28, 2007 date, with the accompanying Flood Insurance Rate Maps (FIRMS), other supporting data and any subsequent amendments thereto, are hereby adopted by reference and declared to be a part of these regulations by the City of Frankfort, and for those land areas acquired by the City of Frankfort through annexation. This FIS and attendant mapping is the minimum area of applicability of this ordinance and may be supplemented by studies for other areas which allow implementation of this ordinance and which are recommended to the City Council by the Floodplain Administrator and are enacted by City Council pursuant to statutes governing land use management regulations. The FIS and/or FIRM are permanent records of the City of Frankfort and are on file and available for review by the public during regular business hours at the Planning and Community Development Department at City Hall 315 W. Second St, Frankfort, KY. These FIRM maps are also available for review at the Paul Sawyer Public Library and the City of Frankfort's web site.

## **9.3. GENERAL PROVISIONS**

### 9.3.1 ESTABLISHMENT OF A FLOODPLAIN DEVELOPMENT PERMIT

A Floodplain Development Permit shall be required in conformance with the provision of this article prior to the commencement of any development activities in the special flood hazard areas (SFHA).

### 9.3.2 FLOODPLAIN DEVELOPMENT PERMIT REQUIREMENTS

Application for a floodplain development permit shall be made on forms furnished by the Floodplain Administrator available at the Planning and Community Development Department or at the City's website. The permit application will include, but not be limited to, the following: plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities; and the location of the foregoing. Endorsement of local administrator is required before a state floodplain construction permit can be processed. Specifically, the following information is required.

#### A. Application Stage

- 1) Proposed elevation in relation to Mean Sea Level (MSL) of the proposed lowest floor (including basement) of all structures in Zone A and elevation of highest adjacent grade; or
- 2) Proposed elevation in relation to Mean Sea Level to which any non-residential structure will be flood-proofed;
- 3) All appropriate certifications from a registered professional engineer or architect that the non-residential flood-proofed structure will meet the flood-proofing criteria in Section 9.5;
- 4) Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

#### B. Construction Stage

Upon placement of the lowest floor, **and before construction continues**, or flood proofing by whatever construction means, it shall be the duty of the permit holder to submit to the Floodplain Administrator and to the State a certification of the elevation of the lowest floor or flood-proofed elevation, as built, in relation to Mean Sea Level. In AE, A1-30, AH, and A zones where the Community has adopted a regulatory Base Flood Elevation, said certification shall be prepared by or under the direct supervision of a registered land surveyor or professional engineer and certified by same.

When flood proofing is utilized for a particular structure, said certification shall be prepared by or under the direct supervision of a certified professional engineer or architect. Any continued work undertaken prior to the submission of the certification shall be at the permit holder's risk. The Floodplain Administrator shall review the lowest floor and flood proofing elevation survey data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further progressive work being permitted to proceed. Failure to submit the survey or failure to make said corrections required hereby, shall be cause to issue a stop-work order for the project.

### **9.3.3 COMPLIANCE**

No structure or land shall hereafter be constructed, located, extended, converted or structurally altered without full compliance with the terms of this article and other applicable state regulations. Violation of the requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Nothing herein shall prevent the City of Frankfort from taking such lawful action as is necessary to prevent or remedy any violation.

### **9.3.4 ABROGATION AND GREATER RESTRICTIONS**

This article is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this article and another ordinance, easement, covenant or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

### **9.3.5 INTERPRETATION**

In the interpretation and application of this article, all provisions shall be:

- 1) Considered minimum requirements;
- 2) Liberally construed in favor of the governing body; and,
- 3) Deemed neither to limit nor repeal any other powers granted under state statutes.

### **9.3.6 WARNING AND DISCLAIMER OF LIABILITY**

The degree of flood protection required by this article is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This article does not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damage. This article shall not create liability on the part of the Board of City Commissioners of the City of Frankfort, any officer or employee, the Commonwealth of Kentucky, the Federal Insurance Administration, or the Federal Emergency Management Agency, thereof for any flood damages that result from reliance on this article or any administrative decision lawfully made hereunder.

### **9.3.7 ENFORCEMENT, VIOLATION NOTICE AND PENALTIES**

- A. Civil Offense: If, at any time, development occurs which is not in accordance with the provisions of this article including obtaining or complying with the terms and conditions of a floodplain construction permit and any approved modifications, such development shall constitute a civil offense.
- B. Notice of Violation: If, at any time, a duly authorized employee or agent of the Floodplain Administrator has reasonable cause to believe that a person has caused development to occur which is not in accordance with the provisions of this article including obtaining or complying with the terms and conditions of a floodplain construction permit and any approved modifications thereof, a duly authorized employee of the Floodplain Administrator shall issue a notice to the person responsible for the violation and/or the property owner, stating the facts of the offense or violation, the section of this ordinance and/or of the permit violated, when it occurred, how the violation is to be remedied to bring the development into conformity with this article or with the

approved permit, and within what period of time the remedy is to occur, which period of time shall be reasonable and shall be determined by the nature of the violation and whether or not it creates a nuisance or hazard. The remedy may include an order to stop work on the development. The notice shall also state that a citation may be forthcoming in the event that the requested remedies and corrective actions are not taken, which citation will request a civil monetary fine and shall state the maximum fine which could be imposed. See below.

- C. Notice of Citation: If, at any time, a duly authorized employee or agent of the Floodplain Administrator has reasonable cause to believe that a person has caused development to occur which is not in accordance with the provisions of this article including obtaining or complying with the terms and conditions of a floodplain construction permit and any approved modifications thereof, a duly authorized employee of the Floodplain Administrator may issue a citation to the offender stating the violation, prior notices of violation issued, how the violation is to be remedied to bring the development into conformity with this article or with the approved permit, and within what period of time the remedy is to occur, and what penalty or penalties are recommended. When a citation is issued, the person to whom the citation is issued shall respond to the citation within seven (7) days of the date the citation is issued by either carrying out the remedies and corrections set forth in the citation, paying the civil fine set forth in the citation or requesting a hearing before the governing body. If the person to whom the citation is issued does not respond to the citation within seven (7) days, that person shall be deemed to have waived the right to a hearing and the determination that a violation occurred shall be considered final.
- D. Penalties: Violation of the provisions of this article or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with granting of a variance or special exceptions, shall constitute a misdemeanor civil offense. Any person who violates this article or fails to comply with any of its requirements shall, upon conviction thereof, be fined no less than \$100.00 and no more than \$500.00 and in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the Floodplain Administrator from taking such other lawful action as is necessary to prevent or remedy any violation.

## **9.4 ADMINISTRATION**

### **9.4.1 DESIGNATION OF LOCAL ADMINISTRATOR**

The Board of City Commissioners of the City of Frankfort hereby appoints the Planning and Community Development Director, and/or their designee, to administer, implement, and enforce the provisions of this article by granting or denying floodplain development permits in accordance with its provisions, and is herein referred to as the Floodplain Administrator.

### **9.4.2 DUTIES AND RESPONSIBILITIES OF THE LOCAL ADMINISTRATOR**

The Floodplain Administrator and/or staff is hereby appointed, authorized and directed to administer, implement and enforce the provisions of this article. The Floodplain Administrator is further authorized to render interpretations of this article, which are consistent with its spirit and purpose by granting or denying development permits in accordance with its provisions.

The duties and responsibilities of the Floodplain Administrator shall include, but not be limited to the following:

**A. Permit Review:** Review all floodplain development permits to ensure that:

- 1) Permit requirements of this article have been satisfied;
- 2) All other required state and federal permits have been obtained: review proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law, including section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S. C 1334;
- 3) Flood damages will be reduced in the best possible manner;
- 4) The proposed development does not adversely affect the carrying capacity of affected watercourses. For purposes of this article, "adversely affects" means that the cumulative effect of the proposed development when combined with all other existing and anticipated development will increase the water surface elevation of the base flood more than one foot at any point.

**B. Review and Use of Any Other Base Flood Data.**

When base flood elevation data has not been provided in accordance with Section 9.2.2, the Floodplain Administrator shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a federal or state agency, or other source, in order to administer Section 9.5. Any such information shall be submitted to the Board of City Commissioners for adoption.

**C. Notification of Other Agencies**

- 1) Notify adjacent communities, the Kentucky Division of Water, and any other federal and/or state agencies with statutory or regulatory authority prior to any alteration or relocation of the watercourse, and
- 2) Submit evidence of such notification to the Federal Insurance Administration, Federal Emergency Management Agency (FEMA); and
- 3) Assure that the flood carrying capacity within the altered or relocated portion of said watercourse is maintained.

**D. Documentation of Floodplain Development.** Obtain and maintain for public inspection and make available as needed the following:

- 1) Certification required by Section 9.5.2 (lowest floor elevations) as shown on a completed and certified **Elevation Certificate**. Verify and record the actual elevation

- (in relation to Mean Sea Level) of the lowest floor (including basement) of all new or substantially improved structures, in accordance with 9.3.1;
- 2) Certification required by Section 9.5.2 (elevation or floodproofing of nonresidential structures) as shown on a completed and certified floodproofing certificate. Verify and record the actual elevation (in relation to Mean Sea Level) to which the new or substantially improved structures have been flood-proofed, in accordance with 9.3.1;
  - 3) Certification required by 9.5.2.C (elevated structures),
  - 4) Certification of elevation required by 9.5.5 (subdivision standards),
  - 5) Certification required by 9.5.2.E (floodway encroachments),
  - 6) Assure that maintenance is provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is not diminished;
  - 7) Review certified plans and specifications for compliance;
  - 8) Remedial Action. Take action to remedy violations of this article as specified in Section 9.3.6.

#### **E. Map Determinations.**

Make interpretations where needed, as to the exact location of the boundaries of the special flood hazard areas, for example, where there appears to be a conflict between a mapped boundary and actual field conditions.

- 1) Where interpretation is needed as to the exact location of boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the Floodplain Administrator shall make the necessary interpretation. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in Section 9.6;
- 2) When base flood elevation data or floodway data have not been provided in accordance with Article 3, Section B, then the Floodplain Administrator shall obtain, review, and reasonable utilize any base flood elevation and floodway data available from a federal, state, or other source, in order to administer the provisions of Section 9.5;
- 3) When flood-proofing is utilized for a particular structure, the Floodplain Administrator shall obtain certification from a registered professional engineer or architect, in accordance with a floodproofing certificate - Section 9.5.2.B;
- 4) All records pertaining to the provisions of this article shall be maintained in the office of the Floodplain Administrator and shall be open for public inspection.

## **F. Right of Entry**

- 1) Whenever necessary to make an inspection to enforce any of the provisions of this article, or whenever the administrator has reasonable cause to believe that there exists in any structure or upon any premises any condition or ordinance violation which makes such building, structure or premises unsafe, dangerous or hazardous, the administrator may enter such building, structure or premises at all reasonable times to inspect the same or perform any duty imposed upon the administrator by this article.
- 2) If such structure or premises are occupied, he/she shall first present proper credentials and request entry. If such building, structure, or premises are unoccupied, he shall first make a reasonable effort to locate the owner or other persons having charge or control of such request entry.
- 3) If entry is refused, the administrator shall have recourse to every remedy provided by law to secure entry.
- 4) When the administrator shall have first obtained a proper inspection warrant or other remedy provided by law to secure entry, no owner or occupant or any other persons having charge, care or control of any building, structure, or premises shall fail or neglect, after proper request is made as herein provided, to promptly permit entry therein by the administrator for the purpose of inspection and examination pursuant to this article.

**G. Stop Work Orders.** Upon notice from the administrator, work on any building, structure or premises that is being done contrary to the provisions of this article shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to his agent, or to the person doing the work, and shall state the conditions under which work may be resumed.

## **H. Revocation of Permits**

- 1) The administrator may revoke a permit or approval, issued under the provisions of this article, in case there has been any false statement or misrepresentation as to the material fact in the application or plans on which the permit or approval was based.
- 2) The administrator may revoke a permit upon determination by the administrator that the construction, erection, alteration, repair, moving, demolition, installation, or replacement of the structure for which the permit was issued is in violation of, or not in conformity with, the provisions of this article.

**I. Liability** Any officer, employee, or member of the floodplain administrator's staff, charged with the enforcement of this article, acting for the applicable governing authority in the discharge of his duties, shall not thereby render himself personally liable, and is hereby relieved from all personal liability, for any damage that may accrue to persons or property as a result of any act required or

permitted in the discharge of his duties. Any suit brought against any officer, employee, or member because of such act performed by him or her in the enforcement of any provision of this article shall be defended by the department of law until the final termination of the proceedings.

- J. Expiration of Floodplain Construction Permit** A floodplain construction permit, and all provisions contained therein, shall expire if the holder of a floodplain construction permit has not commenced construction within one hundred and eighty (180) calendar days from the date of its issuance by the Floodplain Administrator.

## **9.5. PROVISIONS FOR FLOOD HAZARD REDUCTION**

### **9.5.1. GENERAL CONSTRUCTION STANDARDS**

In all **Special Flood Hazard Areas** the following provisions are required:

- A. All new construction and substantial improvements shall be adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
- B. Manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable state requirements for resisting wind forces.
- C. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage;
- D. New construction and substantial improvements shall be constructed by methods and practices that minimize flood damage;
- E. Electrical, heating, ventilation, plumbing, air condition equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding; and if
- F. Within Zones AH or AO, so that there are adequate drainage paths around structures on slopes to guide flood waters around and away from proposed structures.
- G. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
- H. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters;
- I. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding; and,

- J. Any alteration, repair, reconstruction, or improvements to a structure, which is not in compliance with the provisions of this article shall meet the requirements of “new construction” as contained in this article;
- K. Any alteration, repair, reconstruction, or improvements to a structure, which is not in compliance with the provisions of this article, shall be undertaken only if said non-conformity is not furthered, extended, or replaced.

### 9.5.2. SPECIFIC STANDARDS

In all special flood hazard areas where base flood elevation data have been provided, as set forth in Section 9.2.2, the following provisions are required:

A. **Residential Construction.** New construction or substantial improvement of any residential structure (or manufactured home) shall have the lowest floor, including basement, mechanical equipment, and ductwork elevated no lower than 1 foot above the base flood elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the unimpeded movements of floodwaters shall be provided in accordance with standards of Section 9.5.2.C.

- 1) In an AO zone, elevated above the highest adjacent grade to a height equal to or exceeding 1 foot above the depth number specified in feet on the FIRM, or elevated at least 2 feet above the highest adjacent grade if no depth number is specified.
- 2) In an A zone, where no technical data has been produced by the Federal Emergency Management Agency, elevated 1 foot above the base flood elevation, as determined by this community. The Floodplain Administrator will determine the method by which base flood elevations are determined. Methods include but are not limited to detailed hydrologic and hydraulic analyses, use of existing data available from other sources, use of historical data, best supportable and reasonable judgment in the event no data can be produced. Title 401 KAR (Kentucky Administrative Regulations) Chapter 4, Regulation 060, states as a part of the technical requirements for a State Floodplain Permit: The applicant shall provide cross sections for determining floodway boundaries (and thereby Base Flood Elevations) at any proposed construction site where FEMA maps are not available. All cross sections shall be referenced to mean sea level and shall have vertical error tolerances of no more than + five-tenths (0.5) foot. Cross sections elevations shall be taken at those points which represent significant breaks in slope and at points where hydraulic characteristics of the base floodplain change. Each cross section shall extend across the entire base floodplain and shall be in the number and at the locations specified by the cabinet. If necessary to ensure that significant flood damage will not occur, the cabinet may require additional cross sections or specific site elevations which extend beyond those needed for making routine regulatory floodway boundary calculations.

In all other A zones, elevated 1 foot above base flood elevation.

- 3) Upon the completion of the structure, the elevation of the lowest floor including basement shall be certified by a registered professional engineer or surveyor, and verified by the community building inspection department to be properly elevated. Such certification and verification shall be provided to the Floodplain Administrator.

**B. Non-residential Construction.** New construction or substantial improvement of any commercial, industrial, or non-residential structure (including manufactured homes used for non-residential purposes) shall be elevated to conform with Section 9.5.2 or together with attendant utility and sanitary facilities:

- 1) Be floodproofed below an elevation 1 foot above the level of the base flood elevation so that the structure is watertight with walls substantially impermeable to the passage of water;
- 2) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;
- 3) Have the lowest floor, including basement, mechanical equipment, and ductwork, elevated no lower than 1 foot above the level of the base flood elevation, or;
- 4) A registered professional engineer or architect shall certify that the standards of this subsection are satisfied. Such certification shall be provided to the official as set forth in 9.3.1.
- 5) Manufactured homes shall meet the standards in 9.5.2.D.
- 6) All new construction and substantial improvement with fully enclosed areas below the lowest floor (excluding basements) that are usable solely for parking of vehicles, building access or storage, and which are subject to flooding, shall be constructed of flood resistant materials below an elevation 1 foot above the base flood elevation, and, shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwater. Opening sizes (FEMA Technical Bulletin 1-93) for meeting this requirement must meet or exceed the following minimum criteria:
  - a) Be certified by a registered professional engineer or architect; or
  - b) Have a minimum of two openings with a total net area of not less than one square inch for every square foot of enclosed area subject to flooding. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, valves or other coverings or devices provided that they permit the automatic entry and exit of floodwater.

**C. Elevated Structures.** New construction or substantial improvements of elevated structures on columns, posts, or pilings (e.g.) that include fully enclosed areas formed by foundation and other exterior walls below the base flood elevation shall be designed to preclude finished living

space and designed to allow for the entry and exit of floodwaters to automatically equalize hydrostatic flood forces on exterior walls.

- 1) Opening sizes for complying with this requirement must either be certified by a professional engineer or architect AND meet the following minimum criteria:
  - a) Provide a minimum of two (2) openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
  - b) The bottom of all openings shall be no higher than one foot above foundation interior grade (which must be equal to in elevation or higher than the exterior foundation grade); and,
  - c) Openings may be equipped with screens, louvers, valves, or other coverings or devices provided they permit the automatic flow of floodwaters in both directions.
- 2) Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the living area (stairway or elevator); and,
- 3) The interior portion of such enclosed areas shall not be partitioned or finished into separate rooms; and no such area should exceed 300 sq.ft.
- 4) For enclosed areas greater than seven (7) feet in interior height, where elevation requirements exceed six (6) feet above the highest adjacent grade, a certificate of land use restriction or deed restriction shall be provided that stipulates the prohibition of converting the area below the lowest floor to a use or dimension contrary to the structures' original approved design. A copy of such deed restriction or certificate of land use restriction shall be provided prior to the issuance of any certificate of occupancy.

**D. Standards for Manufactured Homes and Recreational Vehicles.**

- 1) All new or substantially improved manufactured homes placed on sites located within A, A1-30, AO, AH, and AE on the community's Flood Insurance Rate Map (FIRM) must meet all the requirements for new construction, including elevation and anchoring. Locations include:
  - a) On individual lots or parcels,
  - b) In expansions to existing manufactured home parks or subdivisions,
  - c) In new manufactured home parks or subdivisions or
  - d) In substantially improved manufactured home parks or subdivisions, or
  - e) Outside of a manufactured home park or subdivision,
  - f) In an existing manufactured home park or subdivision on a site upon which a manufactured home has incurred "substantial damage" as the result of a flood,
- 2) All Manufactured homes must be:

- a) Elevated on a permanent foundation, and
  - b) Have its lowest floor elevated no lower than 1 foot above the level of the base flood elevation, and
  - c) Be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement.
- 3) Except manufactured homes that have incurred substantial damage as a result of a flood, all manufactured homes placed or substantially improved in an existing manufactured home park or subdivision must be elevated so that:
- a) The manufactured home is securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement, so that either the:
    - The lowest floor of the manufactured home is elevated no lower than 1 feet above the level of the base flood elevation, or
    - The manufactured home chassis is supported by reinforced piers or other foundation elements of at least an equivalent strength, of no less than 36 inches in height above the highest adjacent grade.
- 4) All recreational vehicles placed on sites located within A, A1-30, AO, AH, and AE on the community's Flood Insurance Rate Map (FIRM) must either:
- a) Be on the site for fewer than 180 consecutive days,
  - b) Be fully licensed and ready for highway use, or
  - c) Meet the permit requirements for new construction of this article, including anchoring and elevation requirements for "manufactured homes".

A recreational vehicle is ready for highway use if it is licensed and insured in accordance with the State of Kentucky motor vehicle regulations, is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

- E. Floodways.** Located within areas of special flood hazard established in 9.2.2, are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles, and has erosion potential, the following additional provisions shall apply:

Prohibit encroachments, including fill, new construction, substantial improvements, and other developments unless certification (with supporting technical data) by a registered professional engineer is provided demonstrating that encroachments shall not result in any increase in the base flood elevation levels during occurrence of base flood discharge;

Note: If 9.5.2.E is satisfied, all new construction and substantial improvements and other proposed new development shall comply with all applicable flood hazard reduction provisions of 9.5.

**F. RESERVED.**

**G. Structures Elevated on Fill**

A residential or non-residential structure may be constructed on permanent fill in accordance with the following:

- 1) The lowest floor including basement of the structure or addition shall be no lower than 1 foot above the base flood elevation;
- 2) The fill shall be placed in layers no greater than one foot deep before compacting and should extend at least 10 feet beyond the foundation of the structure before sloping below the base flood elevation. The slope shall be no greater than a 2:1 ratio unless a stability analysis is provided by a registered professional engineer;
- 3) The 10 foot minimum in G.2) above may be administratively waived if a structural engineer certifies an alternative method to protect the structure from damage due to erosion, scour, and other hydrodynamic forces;
- 4) The fill shall not adversely affect the flow or surface drainage from or onto neighboring properties;
- 5) All new structures built on fill must be constructed on properly designed and compacted fill (ASTM D-698 or equivalent) and must satisfy G.2) above.

**H. Vegetative buffer strips (Riparian Zones)**

For all activities involving construction within 25 feet of the channel of a creek, stream, wetland, pond, or river, shall meet the additional criteria:

- 1) A natural vegetative buffer strip shall be preserved within at least 25 feet of the mean high water level of any creek, stream, wetland, pond, or river; and
- 2) Where it is impossible to protect this buffer strip during construction of an appropriate use, a vegetated buffer strip shall be installed prior to the issuance of a certificate of occupancy.
- 3) The use of native riparian vegetation is preferred in the buffer strip. Access through this buffer strip shall be provided for maintenance purposes.

**9.5.3. STANDARDS FOR STREAMS WITHOUT ESTABLISHED BASE FLOOD ELEVATION (UNNUMBERED A ZONES) AND/OR FLOODWAYS**

Located within the special flood hazard areas established in 9.2.2, where streams exist but where no base flood data has been provided or where base flood data has been provided without floodways, the following provisions apply:

- A. No encroachments, including fill material or structures shall be located within special flood hazard areas, unless certification by a registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development will not increase the water surface elevation of the base flood more than

one foot at any point within the community. The engineering certification should be supported by technical data that conforms to standard hydraulic engineering principles.

- B. New construction or substantial improvements of structures shall be elevated or flood proofed to elevations established in accordance with 9.2.2.

#### **9.5.4. STANDARDS FOR SHALLOW FLOODING ZONES**

Located within the special flood hazard areas established in 9.2.2, are areas designated as shallow flooding areas. These areas have flood hazards associated with base flood depths of one to three feet (1 – 3'), where a clearly defined channel does not exist and the water path of flooding is unpredictable and indeterminate; therefore, the following provisions apply:

- A. All new construction and substantial improvements of residential structures shall:

- 1) Have the lowest floor, including basement, elevated to or above either the base flood elevation or in Zone AO the flood depth specified on the Flood Insurance Rate Map above the highest adjacent grade. In Zone AO, if no flood depth is specified, the lowest floor, including basement, shall be elevated no less than two (2) feet above the highest adjacent grade.

- B. All new construction and substantial improvements of non-residential structures shall:

- 1) Have the lowest floor, including basement, elevated to or above either the base flood elevation or in Zone AO the flood depth specified on the Flood Insurance Rate Map, above the highest adjacent grade. In Zone AO, if no flood depth is specified, the lowest floor, including basement, shall be elevated no less than two (2) feet above the highest adjacent grade.
- 2) Together with attendant utility and sanitary facilities be completely floodproofed either to the base flood elevation or above or, in Zone AO, to or above the specified flood depth plus a minimum of one foot so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. Certification is required as stated in 9.5.2.B.

#### **9.5.5. STANDARDS FOR SUBDIVISION PROPOSALS**

- A. All preliminary subdivision proposals shall identify the flood hazard area and the elevation of the base flood and be consistent with the need to minimize flood damage;
- B. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage;
- C. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards; and,

- D. In areas where base flood elevation and floodway data is not available (Zone A or unmapped streams), base flood elevation and floodway data for subdivision proposals and other proposed development (including manufactured home parks and subdivisions) greater than 50 lots or 5 acres, whichever is the lesser, shall be provided.
- E. All subdivision plans will include the elevation of proposed structure(s) and lowest adjacent grade. If the site is filled above the base flood elevation, the lowest floor and lowest adjacent grade elevations shall be certified by a registered professional engineer or surveyor and provided to the Floodplain Administrator.
- F. All new subdivision proposals shall document and identify that new public streets will be subject to no more than 6 inches of flood waters during the 1% annual chance flood (100-year flood). Such documentation shall be provided by a registered professional engineer.

**9.5.6. STANDARDS FOR ACCESSORY STRUCTURES IN ALL ZONES BEGINNING WITH THE LETTER 'A'**

For all accessory structures in special flood hazard areas designated 'A' the following provisions shall apply:

- A. Structure must be non-habitable;
- B. Must be anchored to resist floatation forces;
- C. Will require flood openings/vents no more than one foot above grade, total openings are to be one square inch per one square foot of floor area, at least two openings required on opposite walls;
- D. Built of flood resistant materials below a level 1 foot above the base flood elevation;
- E. Must elevate utilities above the base flood elevation;
- F. Can only be used for storage or parking;
- G. Cannot be modified for a different use after permitting.

**9.5.7 CRITICAL FACILITIES**

- A. Construction of new critical facilities shall be, to the extent possible, located outside the limits of the SFHA (100-year floodplain). Construction of new critical facilities shall not be permissible within the floodway; however, they may be permissible within the SFHA if no feasible alternative site is available. Critical facilities constructed within the SFHA shall have the lowest floor elevated 1 foot or more above the level of the base flood elevation at the site. Floodproofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters. Access routes elevated to or above the level of the base flood elevation shall be provided to all critical facilities to the extent possible.

## **9.6. APPEALS AND VARIANCE PROCEDURES**

### **9.6.1 Nature of Variances**

The variance criteria set forth in this section of the article are based on the general principle of zoning law that variances pertain to a piece of property and are not personal in nature. A variance may be granted for a parcel of property with physical characteristics so unusual that complying with the requirements of this article would create an exceptional hardship to the applicant or the surrounding property owners. The characteristics must be unique to the property and not be shared by adjacent parcels. The unique characteristic must pertain to the land itself, not to the structure, its inhabitants, or the property owners.

It is the duty of the Board of City Commissioners to help protect its citizens from flooding. This need is so compelling and the implications of the cost of insuring a structure built below flood level is so serious that variances from the flood elevation or from other requirements in the flood ordinance are quite rare. The long-term goal of preventing and reducing flood loss and damage can only be met if variances are strictly limited. Therefore, the variance guidelines provided in this article are more detailed and contain multiple provisions that must be met before a variance can be properly granted. The criteria are designed to screen out those situations in which alternatives other than a variance are more appropriate.

### **9.6.2 Designation of variance and appeal board**

The Board of City Commissioners of the City of Frankfort hereby establishes a Flood Damage Prevention Appeal Board (FDP Appeal Board) consisting of the five City appointed Planning Commission members. The member with the most time served as a Planning Commission member shall be the designated Chairperson of the FDP Appeal Board.

### **9.6.3 Duties of variance and appeals board**

- A. The FDP Appeal Board shall hear and decide requests for variances from the requirements of this article and appeals of decisions or determinations made by the Floodplain Administrator in the enforcement or administration of this article. The FDP Appeal Board shall require public notice and hearing procedures that are exactly that same as those required by the Board of Zoning Adjustment – detailed in Article 18, Section 18.02.
- B. Any person aggrieved by the decision of the FDP Appeal Board or any taxpayer may appeal such decision to the Franklin County District Court, as provided in Kentucky Revised Statutes.

### **9.6.4 Appeals/Variance Procedures**

In reviewing such applications, the FDP Appeal Board shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this Article, and the:

- Danger that materials may be swept onto other lands to the injury of others;
- Danger to life and property due to flooding or erosion damage;

- Susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the existing individual owner and future owners of the property;
- Importance to the community of the services provided by the proposed facility;
- Necessity that the facility be located on a waterfront, in the case of functionally dependent facility;
- Availability of alternative locations which are not subject to flooding or erosion damage;
- Compatibility of the proposed use with existing and anticipated development;
- Relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
- Safety of access to the property in times of flood for ordinary and emergency vehicles;
- Expected height, velocity, duration, rate of rise, and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and,

Costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, water systems, streets, and bridges.

#### **9.6.5 Conditions for Variances**

Upon consideration of the factors listed above and the purposes of this article, the FDP Appeal Board may attach such conditions to the granting of variances as it deems necessary to further the purposes of this article.

- A. Variances shall not be issued within any mapped regulatory floodway if any increase in flood levels during the base flood discharge would result.
- B. Variances shall only be issued upon a determination that the variance is the "minimum necessary" to afford relief considering the flood hazard. "Minimum necessary" means to afford relief with a minimum of deviation from the requirements of this article. For example, in the case of variances to an elevation requirement, this means the Board of City Commissioners need not grant permission for the applicant to build at grade, or even to whatever elevation the applicant proposes, but only to that elevation which the Board of City Commissioners believes will both provide relief and preserve the integrity of the local ordinance.
- C. Variances shall only be issued upon a determination that the variance is the "minimum necessary" to afford relief considering the flood hazard. In the instance of an historical

structure, a determination shall be made that the variance is the minimum necessary to afford relief and not destroy the historic character and design of the structure.

D. Variances shall only be issued upon:

- 1) A showing of good and sufficient cause;
- 2) A determination that failure to grant the variance would result in exceptional hardship to the applicant (as defined in this article); and
- 3) A determination that the granting of a variance will not result in increased flood height, additional threats to public safety, cause extraordinary public expense, create nuisance (as defined in the definition section under "Public safety and nuisance"), cause fraud or victimization of the public (as defined in the definition section) or conflict with existing local laws or ordinances.

E. Any applicant to whom a variance is granted shall be given written notice specifying the difference between the base flood elevation and the elevation to which the structure is to be built and stating that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

F. The Floodplain Administrator shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency (FEMA) and the Federal Insurance Administration (FIA) upon request

G. Variances may be issued for new construction, substantial improvement, and other proposed new development necessary for the conduct of a functionally dependent use provided that the provisions of Sections 6.3 A through 6.3 E are satisfied and that the structure or other development is protected by methods that minimize flood damages during the base flood and does not result in additional threats to public safety and does not create a public nuisance.

#### **9.6.6 Variance Notification**

Any applicant to whom a variance is granted shall be given written notice over the signature of a community official that:

- a) The issuance of a variance to construct a structure below the base flood elevation will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage, and;
- b) Such construction below the base flood level increases risks to life and property.
- c) A copy of the notice shall be recorded by the Floodplain Administrator in the Office of the Franklin County Recorder and shall be recorded in a manner so that it appears in the chain of title of the affected parcel of land.

- d) The Floodplain Administrator shall maintain a record of all variance actions, including justification for their issuance, and report such variances issued in the community's biennial report submission to the Federal Emergency Management Agency.

### **9.6.7 Historic Structures**

Variances may be issued for the repair or rehabilitation of "historic structures" (see definition) upon determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as an historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.

### **9.6.8 No Impact Certification within the Floodway**

Variances shall not be issued within any mapped or designated floodway if any increase in flood levels during the base flood discharge would result.

## **9.7. DEFINITIONS**

Unless specifically defined below, words or phrases used in this article shall be interpreted to give them the meaning they have in common usage and to give this article its most reasonable application.

**A Zone** - Portions of the special flood hazard area (SFHA) in which the principle source of flooding is runoff from rainfall, snowmelt, or a combination of both. In A zones, floodwaters may move slowly or rapidly, but waves are usually not a significant threat to structures. Areas of 100-year flood, base flood elevations and flood hazard factors are not determined.

**Accessory structure (Appurtenant structure)** - A structure located on the same parcel of property as the principle structure, the use of which is incidental to the use of the principle structure. Accessory structures should constitute a minimal initial investment, may not be used for human habitation, and should be designed to have minimal flood damage potential. Examples of accessory structures are detached garages, carports, storage sheds, pole barns, and hay sheds.

**Accessory use** - A use which is incidental and subordinate to the principal use of the parcel of land on which it is located.

**Addition (to an existing structure)** - Any walled and roofed expansion to the perimeter of a structure in which the addition is connected by a common load-bearing wall other than a firewall. Any walled and roofed addition, which is connected by a firewall or is separated by independent perimeter load-bearing walls, is new construction.

**A1-30 and AE zones** - Special Flood Hazard Areas inundated by the 1% annual chance flood (100-year flood.) Base flood elevations (BFEs) are determined.

**AH zone** - An area of 100-year shallow flooding where depths are between 1 and 3 feet (usually shallow ponding). Base flood elevations are shown.

**AO zone** - An area of 100-year shallow flooding where water depth is between one and three feet (usually sheet flow on sloping terrain) Flood depths are shown.

**Appeal** - A request for a review of the Floodplain Administrator's interpretation of any provision of this article or from the floodplain administrator's ruling on a request for a variance.

**AR/A1 - A30, AR/AE, AR/AH, AR/AO, and AR/A zones** - Special Flood Hazard Areas (SFHAs) that result from the de-certification of a previously accredited flood protection system that is in the process of being restored to provide a 100-year or greater level of flood protection. After restoration is complete these areas will still experience residual flooding from other flooding sources.

**A99 zone** - That part of the SFHA inundated by the 100-year flood which is to be protected from the 100-year flood by a Federal flood protection system under construction. No base flood elevations are determined.

**Area of shallow flooding** - A designated AO or AH Zone on a community's Flood Insurance Rate Map (FIRM) where the base flood depths range from one to three feet, there is no clearly defined channel, the path of flooding is unpredictable and indeterminate; and velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

**B and X zones (shaded)** - Areas of the 0.2% annual chance (500-year) flood, areas subject to the 100-year flood with average depths of less than one foot or with contributing drainage area less than 1 square mile, and areas protected by levees from the base flood.

**Base flood** - A flood which has a one percent chance of being equaled or exceeded in any given year (also called the "100-year flood"). Base flood is the term used throughout this article.

**Base Flood Elevation (BFE)** - The elevation shown on the Flood Insurance Rate Map (FIRM) for Zones AE, AH, A1-30, AR, AR/A, AR/AE, AR/A1-A30, AR/AH, and AR/AO that indicates the water surface elevation resulting from a flood that has a 1-percent or greater chance of being equaled or exceeded in any given year.

**Basement** - That portion of a structure having its floor subgrade (below ground level) on all four sides.

**Building** - A walled and roofed structure that is principally aboveground; including a manufactured home, gas or liquid storage tank, or other man-made facility or infrastructure. See definition for structure.

**C and X (unshaded) zones** - Areas determined to be outside the 500-year floodplain.

**Community** - A political entity having the authority to adopt and enforce floodplain ordinances for the area under its jurisdiction.

**Community Rating System (CRS)** - A program developed by the Federal Insurance Administration to provide incentives to those communities in the Regular Program to go beyond the minimum floodplain management requirements to develop extra measures for protection from flooding.

**Community Flood Hazard Area (CFHA)** - An area that has been determined by the Floodplain Administrator (or other delegated, designated, or qualified community official) from available technical studies, historical information, and other available and reliable sources, which may be subject to periodic inundation by floodwaters that can adversely affect the public health, safety and general welfare. Included are areas downstream from dams.

**Critical facility** - Any property that, if flooded, would result in severe consequences to public health and safety or a facility which, if unusable or unreachable because of flooding, would seriously and adversely affect the health and safety of the public. Critical facilities include, but are not limited to: housing likely to contain occupants not sufficiently mobile to avoid injury or death unaided during a flood; schools, nursing homes, hospitals, police, fire and emergency response installations, vehicle and equipment storage facilities, emergency operations centers likely to be called upon before, during and after a flood, public and private utility facilities important to maintaining or restoring normal services before, during and after a flood, and those facilities or installations which produce, use or store volatile, flammable, explosive, toxic and/or water-reactive materials, hazardous materials or hazardous waste.

**D zone** - An area in which the flood hazard is undetermined.

**Development** - Any manmade change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations, or storage of materials or equipment.

**Elevated structure** - A non-basement structure built to have the lowest floor elevated above ground level by means of fill, solid foundation perimeter walls, piling, columns (post and piers), shear walls, or breakaway walls. (See freeboard requirements for residential and non-residential structures.)

**Elevation Certificate** - A statement certified by a registered professional engineer or surveyor on the FEMA-approved form in effect at the time of certification that verifies a structure's elevation and other related information to verify compliance with this article.

**Emergency Program** - The initial phase under which a community participates in the NFIP, intended to provide a first layer amount of insurance at subsidized rates on all insurable structures in that community before the effective date of the initial FIRM.

**Enclosure** - That portion of a structure below the Base Flood Elevation (BFE) used solely for parking of vehicles, limited storage, or access to the structure.

**Encroachment** - The physical advance or infringement of uses, plant growth, fill, excavation, structures, permanent structures or development into a floodplain, which may impede or alter the flow capacity of a floodplain.

**Existing construction** - Any structure for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. "Existing construction" may also be referred to as "Existing structures".

**Existing Manufactured Home Park or Subdivision** - A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the first floodplain management ordinance adopted by the City of Frankfort based on specific technical base flood elevation data which established the area of special flood hazards.

**Expansion to an existing Manufactured Home Park or Subdivision** - The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

**Five-Hundred Year Flood** - The flood that has a 0.2 percent chance of being equaled or exceeded in any year. Areas subject to the 500-year flood have a moderate to low risk of flooding.

**Flood, Flooding, or Flood Water:**

- 1) A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters; the unusual and rapid accumulation or runoff of surface waters from any source; and/or mudslides (i.e. mudflows). See Mudslides.
- 2) The condition resulting from flood-related erosion. See flood-related erosion.

**Flood Boundary and Floodway Map (FBFM)** -A map on which the Federal Emergency Management Agency (FEMA) or Federal Insurance Administration (FIA) has delineated the areas of flood hazards and the regulatory floodway.

**Flood Hazard Boundary Map (FHBM)** -A map on which the boundaries of the flood, mudslide (i.e. mudflow), and flood-related erosion areas having special hazards have been designated as Zones A, M, and/or E by the Federal Emergency Management Agency (FEMA) or Federal Insurance Administration (FIA).

**Flood Insurance Rate Map (FIRM)** - A map on which the Federal Emergency Management Agency (FEMA) or Federal Insurance Administration (FIA) has delineated special flood hazard areas and risk premium zones.

**Flood Insurance Study** - The report provided by the Federal Emergency Management Agency (FEMA) or Federal Insurance Administration (FIA) containing flood profiles, the Flood Insurance Rate Map (FIRM), and/or the Flood Boundary Floodway Map (FBFM), and the water surface elevation of the base flood.

**Floodplain or flood-prone area** - Any land area susceptible to being inundated by flood waters from any source.

**Floodplain Administrator** - The individual appointed by a NFIP participating community to administer and enforce the floodplain management ordinances.

**Floodplain Management** - The operation of an overall program of corrective and preventive measures for reducing flood damage and preserving and enhancing natural resources in the floodplain, including

but not limited to emergency preparedness plans, flood control works, floodplain management ordinances, and open space plans.

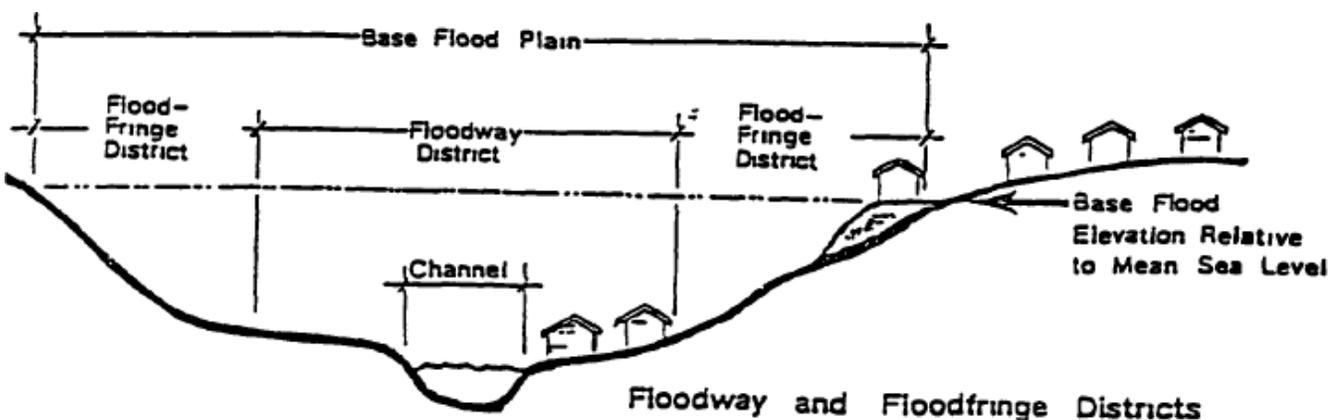
**Floodplain Management Regulations** - This article and other zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as grading and erosion control), and other applications of police power, which control development in flood-prone areas. This term describes federal, state and/or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

**Floodproofing** - Any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitation facilities, structures, and their contents.

**Floodproofing Certificate** - A certification by a registered professional engineer or architect, on a FEMA-approved form in effect at the time of certification stating that a non-residential structure, together with attendant utilities and sanitary facilities is watertight to a specified design elevation with walls that are substantially impermeable to the passage of water and all structural components are capable of resisting hydrostatic and hydrodynamic flood forces, including the effects of buoyancy and anticipated debris impact forces.

**Floodway** - The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot. Also referred to as the "regulatory floodway".

**Floodway fringe** - That area of the floodplain on either side of the regulatory floodway where encroachment may be permitted without additional hydraulic and/or hydrologic analysis.



**Freeboard** - A factor of safety, usually expressed in feet above the BFE, which is applied for the purposes of floodplain management. It is used to compensate for the many unknown factors that could contribute to flood heights greater than those calculated for the base flood. Freeboard must be applied not just to the elevation of the lowest floor or floodproofing level, but also to the level of protection provided to all components of the structure, such as building utilities, HVAC components, etc.

**Fraud and victimization** - As related in Section 9.6, Appeals and Variance Procedures, of this article, means that the variance granted must not cause fraud on or victimization of the public. In examining this requirement, the Board of City Commissioners will consider the fact that every newly constructed structure adds to government responsibilities and remains a part of the community for fifty to one hundred years. Structures that are permitted to be constructed below the base flood elevation are subject during all those years to increased risk of damage from floods, while future owners of the property and the community as a whole are subject to all the costs, inconvenience, danger, and suffering that those increased flood damages may incur. In addition, future owners may purchase the property, unaware that it is subject to potential flood damage, and can be insured only at very high flood insurance rates.

**Functionally dependent use facility** - A facility, structure, or other development, which cannot be used for its intended purpose unless it is located or carried out in close proximity to water. The term includes only a docking or port facility necessary for the loading and unloading of cargo or passengers, shipbuilding, ship repair, or seafood processing facilities. The term does not include long-term storage, manufacture, sales, or service facilities.

**Governing body** - The local governing unit, i.e. county or municipality that is empowered to adopt and implement ordinances to provide for the public health, safety and general welfare of its citizenry.

**Hazard potential** - The possible adverse incremental consequences that result from the release of water or stored contents due to failure of a dam or misoperation of a dam or appurtenances. The hazard potential classification of a dam does not reflect in any way the current condition of a dam and its appurtenant structures (e.g., safety, structural integrity, flood routing capacity).

**Highest adjacent grade** - The highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a structure.

**Historic Structure** - Any structure that is:

- 1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- 2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district.
- 3) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- 4) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
  - a) By an approved state program as determined by the Secretary of the Interior, or
  - b) Directly by the Secretary of the Interior in states without approved programs.

**Increased Cost of Compliance (ICC)** – Increased cost of compliance coverage provides for the payment of a claim for the cost to comply with State or community floodplain management laws or ordinances after a direct physical loss by flood. When a building covered by a Standard Flood Insurance Policy under the NFIP sustains a loss and the state or community declares the building to be substantially or repetitively damaged, ICC will help pay up to \$30,000 for the cost to elevate, floodproof, demolish, or remove the building.

ICC coverage is available on residential and non-residential buildings (this category includes public or government buildings, such as schools, libraries, and municipal buildings) insured under the NFIP.

**Kentucky Revised Statute 151.250 - Plans for dams, levees, etc. to be approved and permit issued by cabinet – (Environmental and Public Protection Cabinet)**

(1) Notwithstanding any other provision of law, no person and no city, county, or other political subdivision of the state, including levee districts, drainage districts, flood control districts or systems, or similar bodies, shall commence the construction, reconstruction, relocation or improvement of any dam, embankment, levee, dike, bridge, fill or other obstruction (except those constructed by the Department of Highways) across or along any stream, or in the floodway of any stream, unless the plans and specifications for such work have been submitted by the person or political subdivision responsible for the construction, reconstruction or improvement and such plans and specifications have been approved in writing by the cabinet and a permit issued. However, the cabinet by regulation may exempt those dams, embankments or other obstructions which are not of such size or type as to require approval by the cabinet in the interest of safety or retention of water supply.

(2) No person, city, county or other political subdivision of the state shall commence the filling of any area with earth, debris, or any other material, or raise the level of any area in any manner, or place a building, barrier or obstruction of any sort on any area located adjacent to a river or stream or in the floodway of the stream so that such filling, raising or obstruction will in any way affect the flow of water in the channel or in the floodway of the stream unless plans and specifications for such work have been submitted to and approved by the cabinet and a permit issued as required in subsection (1) above.

(3) Nothing in this section is intended to give the cabinet any jurisdiction or control over the construction, reconstruction, improvement, enlargement, maintenance or operation of any drainage district, ditch, or system established for agricultural purposes, or to require approval of the same except where such obstruction of the stream or floodway is determined by the cabinet to be a detriment or hindrance to the beneficial use of water resources in the area, and the person or political subdivision in control thereof so notified. The Department for Natural Resources through KRS Chapter 350 shall have exclusive jurisdiction over KRS Chapter 151 concerning the regulation of dams, levees, embankments, dikes, bridges, fills, or other obstructions across or along any stream or in the floodway of any stream which structures are permitted under KRS Chapter 350 for surface coal mining operations.

**Kentucky Revised Statute 151.320 - Officers required to enforce law.**

(1) The mayor or chief executive officer of each city and the county judge/executive of each county, shall have the concurrent duty of enforcing with the cabinet, within their respective cities and counties, the provisions of KRS 151.250, 151.280 and 151.310 and rules and regulations issued thereunder.

(2) When a violation of KRS 151.250, 151.280 or 151.310 within his jurisdiction is brought to the attention of a mayor or chief executive officer of a city or a county judge/executive, he shall immediately notify the cabinet of the location and details of such violation.

**Letter of Map Change (LOMC)** – Is an official FEMA determination, by letter, to amend or revise effective Flood Insurance Rate Maps, Flood Boundary and Floodway Maps, and Flood Insurance Studies. LOMC's include the following categories:

- 1) **Letter of Map Amendment (LOMA)** – A revision based on technical data showing that a property was incorrectly included in a designated SFHA. A LOMA amends the current effective FIRM and establishes that a specific property is not located in a SFHA.
- 2) **Letter of Map Revision (LOMR)** - A revision based on technical data that, usually due to manmade changes, shows changes to flood zones, flood elevations, floodplain and floodway delineations, and planimetric features.
- 3) **Letter of Map Revision – Fill (LOMR F)** – A determination that a structure or parcel has been elevated by properly placed engineered fill above the BFE and is, therefore, excluded from the SFHA.

**Levee** - A man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

**Levee System** - A flood protection system that consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

For a levee system to be recognized, the following criteria must be met:

- 1) All closure devices or mechanical systems for internal drainage, whether manual or automatic, must be operated in accordance with an officially adopted operation manual (a copy of which must be provided to FEMA by the operator when levee or drainage system recognition is being sought or revised).
- 2) All operations must be under the jurisdiction of a Federal or State agency, an agency created by Federal or State law, or an agency of a community participating in the NFIP.

**Limited storage** - An area used for storage and intended to be limited to incidental items which can withstand exposure to the elements and have low flood damage potential. Such an area must be of flood resistant material, void of utilities except for essential lighting, and cannot be temperature controlled.

**Lowest adjacent grade** - The elevation of the sidewalk, patio, deck support, or basement entryway immediately next to the structure and after the completion of construction. It does not include earth that is emplaced for aesthetic or landscape reasons around a foundation wall. It does include natural ground or properly compacted fill that comprises a component of a structure's foundation system.

**Lowest Floor** - The lowest floor of the lowest enclosed area including basement. An unfinished or flood resistant enclosure, usable solely for parking of vehicles, structure access, or storage in an area other than a basement area is not considered a structure's lowest floor, provided that such enclosure is not

built so as to render the structure in violation of the applicable non-elevation design requirements of this article.

**Manufactured Home** - A structure, transportable in one or more sections, which is built on a permanent chassis and is designed to be used with or without a permanent foundation when connected or attached to the required utilities. The term also includes park trailers, travel trailers, and similar transportable structures placed on a site for 180 consecutive days or longer and intended to be improved property. The term “manufactured home” does not include a “recreational vehicle” (see Recreational Vehicle).

**Manufactured home park or subdivision** - A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

**Map** - The Flood Hazard Boundary Map (FHBM) or the Flood Insurance Rate Map (FIRM) for a community issued by the Federal Emergency Management Agency (FEMA).

**Map Panel Number** - The four-digit number on a flood map, followed by a letter suffix, assigned by FEMA. The first four digits represent the map panel. The letter suffix represents the number of times the map panel has been revised. (The letter “A” is not used by FEMA, the letter “B” is the first revision.)

**Market value** - The structure value, excluding the land (as agreed between a willing buyer and seller), as established by what the local real estate market will bear. Market value can be established by independent certified appraisal, replacement cost depreciated by age of structure (Actual Cash Value) or adjusted assessed values.

**Mean Sea Level (MSL)** - The average height of the sea for all stages of the tide. For the purposes of the National Flood Insurance Program, the MSL is used as a reference for establishing various elevations within the floodplain as shown on a community’s FIRM. For purposes of this article, the term is synonymous with either National Geodetic Vertical Datum (NGVD) 1929 or North American Vertical Datum (NAVD) 1988.

**Mitigation** - Sustained actions taken to reduce or eliminate long-term risk to people and property from hazards and their effects. The purpose of mitigation is twofold: to protect people and structures, and to minimize the costs of disaster response and recovery.

**Mudslide (i.e. mudflow)** - Describes a condition where there is a river, flow, or inundation of liquid mud down a hillside, usually as a result of a dual condition of loss of brush cover and the subsequent accumulation of water on the ground, preceded by a period of unusually heavy or sustained rain. A mudslide (i.e. mudflow) may occur as a distinct phenomenon while a landslide is in progress, and will be recognized as such by the Floodplain Administrator only if the mudflow, and not the landslide, is the proximate cause of damage that occurs.

**Mudslide (i.e. mudflow) area management** - The operation of and overall program of corrective and preventative measures for reducing mudslide (i.e. mudflow) damage, including but not limited to emergency preparedness plans, mudslide control works, and floodplain management regulations.

**Mudslide (i.e. mudflow) prone area** - An area with land surfaces and slopes of unconsolidated material where the history, geology, and climate indicate a potential for mudflow.

**National Flood Insurance Program (NFIP)** - The federal program that makes flood insurance available to owners of property in participating communities nationwide through the cooperative efforts of the federal government and the private insurance industry.

**National Geodetic Vertical Datum (NGVD)** - As corrected in 1929, a vertical control used as a reference for establishing varying elevations within the floodplain. (Generally used as the vertical datum on the older FIRM's. Refer to FIRM legend panel for correct datum.)

**New Construction** - Structures for which the start of construction commenced on or after the effective date of City of Frankfort's floodplain management regulations and includes any subsequent improvements to such structures.

**New manufactured home park or subdivision** - A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of City of Frankfort's adopted floodplain management ordinances.

**Non-Residential** - Structures that are not designed for human habitation, including but is not limited to: small business concerns, churches, schools, farm structures (including grain bins and silos), pool houses, clubhouses, recreational structures, mercantile structures, agricultural and industrial structures, warehouses, and hotels or motels with normal room rentals for less than 6 months duration.

**North American Vertical Datum (NAVD)** - As corrected in 1988, a vertical control used as a reference for establishing varying elevations within the floodplain. (Generally used on the newer FIRM's and Digitally Referenced FIRM's (DFIRM's). (Refer to FIRM or DFIRM legend panel for correct datum.)

**Obstruction** - Includes but is not limited to any dam, wall, embankment, levee, dike, pile, abutment, protection, excavation, channelization, bridge, conduit, culvert, structure, wire, fence, rock, gravel, refuse, fill, structure, vegetation or other material in, along, across or projecting into any watercourse which may alter, impede, retard or change the direction and/or velocity of the flow of water, due to its location, its propensity to snare or collect debris carried by the flow of water, or its likelihood of being carried downstream.

**One-Hundred Year Flood** (100-Year Flood) (see Base Flood) - The flood that has a 1-percent or greater chance of being equaled or exceeded in any given year. Any flood zone that begins with the letter A is subject to the 100-year flood. Over the life of a 30-year loan, there is a 26-percent chance of experiencing such a flood with the SFHA.

**Participating Community** - A community that voluntarily elects to participate in the NFIP by adopting and enforcing floodplain management regulations that are consistent with the standards of the NFIP.

**Pre-FIRM Construction** - Construction or substantial improvement, which started on or before December 31, 1974, or before the effective date of the initial FIRM of the community, whichever is later.

**Post-FIRM Construction** - Construction or substantial improvement that started on or after the effective date of the initial FIRM of the community or after December 31, 1974, whichever is later.

**Probation** - A means of formally notifying participating NFIP communities of violations and deficiencies in the administration and enforcement of the local floodplain management regulations. During periods of probation, each insurance policy is subject to a \$50 surcharge.

**Program Deficiency** - A defect in a community's floodplain management regulations or administrative procedures that impairs effective implementation of those floodplain management standards or of the standards of 44 CFR 60.3, 60.4, 60.5, and/or 60.6.

**Public Safety and Nuisance** - Anything which is injurious to safety or health of an entire community or neighborhood, or any considerable number of persons, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, or river, bay, stream, canal, or basin.

**Recreational Vehicle** - A vehicle that is:

- 1) Built on a single chassis;
- 2) 400 square feet or less when measured at the largest horizontal projection;
- 3) Designed to be self-propelled or permanently towable to a light duty truck; and
- 4) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

**Regular Program** - The phase of a community's participation in the NFIP where more comprehensive floodplain management requirements are imposed and higher amounts of insurance are available based upon risk zones and elevations determined in a FIS.

**Regulatory floodway** - The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot. See Base Flood.

**Remedy a violation** - The process by which a community brings a structure or other development into compliance with State or local floodplain management regulations, or, if this is not possible, to reduce the impact of non-compliance. Reduced impact may include protecting the structure or other affected development from flood damages, implementing the enforcement provisions of the article or otherwise deterring future similar violations, or reducing state or federal financing exposure with regard to the structure or other development.

**Repair** - The reconstruction or renewal of any part of an existing structure.

**Repetitive Loss** - Flood-related damages sustained by a structure on two or more separate occasions during a 10-year period where the value of damages equals or exceeds an average of 50% of the current value of the structure, beginning on the date when the damage first occurred, or, four or more flood

losses of \$1000.00 or more over the life of the structure, or, three or more flood losses over the life of the structure that are equal to or greater than the current value of the structure.

**Riverine** - Relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

**Section 1316** - That section of the National Flood Insurance Act of 1968, as amended, which states that no new or renewal flood insurance coverage shall be provided for any property that the Administrator finds has been declared by a duly constituted state or local zoning authority or other authorized public body to be in violation of state or local laws, regulations, or ordinances that are intended to discourage or otherwise restrict land development or occupancy in flood-prone areas.

**Sheet flow area** - see "**Area of shallow flooding**".

**Special flood hazard area (SFHA)** - That portion of the floodplain subject to inundation by the base flood and/or flood-related erosion hazards as shown on a FHBM or FIRM as Zone A, AE, A1 – A30, AH, AO, or AR.

**Start of Construction** (includes substantial improvement and other proposed new development) - The date a building permit is issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement or other improvement is within 180 days of the permit date. The actual start means the first placement of permanent construction of a structure (including manufactured home) on a site, such as the pouring of slabs or footings, the installation of piles, construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; the installation on the property of accessory structures, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the structure.

**Structure** - A walled and roofed building that is principally above ground; including manufactured homes, gas or liquid storage tanks, or other man-made facilities or infrastructures. See Building.

**Subdivision** - Any division, for the purposes of sale, lease, or development, either on the installment plan or upon any and all other plans, terms and conditions, of any tract or parcel of land into two (2) or more lots or parcels.

**Subrogation** - An action brought by FEMA to recover insurance money paid out where all or part of the damage can be attributed to acts or omissions by a community or other third party.

**Substantial Damage** - Means any damage to a building for which the cost of repairs equals or exceeds fifty percent of the market value of the building prior to the damage occurring. This term includes structures that are categorized as repetitive loss.

For the purposes of this definition, “repair” is considered to occur when the first repair or reconstruction of any wall, ceiling, floor, or other structural part of the building commences.

The term does not apply to:

- a.) Any project for improvement of a building required to comply with existing health, sanitary, or safety code specifications which have been identified by the Code Enforcement Official and which are solely necessary to assure safe living conditions, or
- b.) Any alteration of a “historic structure” provided that the alteration will not preclude the structure’s continued designation as a “historic structure”.

**Substantial Improvement** - Means any combination of reconstruction, alteration, or improvement to a building, taking place during a 1 year period in which the cumulative percentage of improvement equals or exceeds fifty percent of the current market value of the building. For the purposes of this definition, an improvement occurs when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the building.

The term does not apply to:

- a.) Any project for improvement of a building required to comply with existing health, sanitary, or safety code specifications which have been identified by the Code Enforcement Official and which are solely necessary to assure safe living conditions, or
- b.) Any alteration of a “historic structure” provided that the alteration will not preclude the structure’s continued designation as a “historic structure.” Or
- c.) Any building that has been damaged from any source or is categorized as repetitive loss.

**Substantially improved existing manufactured home parks or subdivisions** - Repair, reconstruction, rehabilitation, or improvement of the streets, utilities, and pads equaling or exceeding 50 percent of the value of the streets, utilities, and pads before the repair, reconstruction, or improvement commenced.

**Suspension** - Removal of a participating community from the NFIP for failure to enact and/or enforce floodplain management regulations required for participation in the NFIP. New or renewal flood insurance policies are no longer available in suspended communities.

**Utilities** - Includes electrical, heating, ventilation, plumbing, and air conditioning equipment.

**Variance** - Relief from some or all of the requirements of this article.

**Violation** - Failure of a structure or other development to fully comply with this article. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in this article is presumed to be in violation until such time as that documentation is provided.

**Watercourse** - A lake, river, creek, stream, wash, channel or other topographic feature on or over which water flows at least periodically.

**Water surface elevation** - The height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, (or other datum, where specified) of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

**Watershed** - All the area within a geographic boundary from which water, sediments, dissolved materials, and other transportable materials drain or are carried by water to a common outlet, such as a point on a larger stream, lake, or underlying aquifer.

**X zone** - The area where the flood hazard is less than that in the SFHA. Shaded X zones shown on recent FIRMs (B zones on older FIRMs) designate areas subject to inundation by the flood with a 0.2-percent probability of being equaled or exceeded (the 500-year flood) in any year. Unshaded X zones (C zones on older FIRMs) designate areas where the annual exceedance probability of flooding is less than 0.2 percent.

**Zone** - A geographical area shown on a Flood Hazard Boundary Map or a Flood Insurance Rate Map that reflects the severity or type of flooding in the area.

#### **9.8. SEVERABILITY**

This article and the various parts thereof are hereby declared to be severable. Should any section of this article be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any portion thereof other than the section so declared to be unconstitutional or invalid.

If any section, clause, sentence, or phrase of the Article is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall not affect the validity of the article as a whole, or any portion thereof other than the section so declared to be unconstitutional or invalid.

**ARTICLE 10**            **ENVIRONMENTAL REGULATIONS**

10.01 SE Environmental District.

10.011 Purpose. To protect and enhance areas of the community which have environmental problems whether by nature of steep slope, unstable soils, karst geology or other conditions to regulate development in such areas so as to protect the property, the health, the safety and the general welfare of the community.

10.012 Establishment of Special Environmental District. A Special Environmental "SE" District is hereby established to overlay any Zoning District of the Frankfort/Franklin County Zoning Map.

10.013 Uses Permitted. All uses permitted in the basic zoning districts shall be permitted in the "SE" district, provided the regulations governing "SE" lands have been met.

10.02 Steep Slope Regulations. Development is allowed in areas of Frankfort having slope in excess of 15% provided that:

10.021            Thirty percent (30%) of any lot or lots with a minimum of 2,000 square feet per lot shall have a slope of less than 15%.

10.022 All steep lots must be served by public sewer and water.

10.023            Cut and fill permitted on any steep lot be based upon soil conditions and stability as determined by the City Engineer.

10.024            Any lot not having thirty percent (30%) less than fifteen percent (15%) slope shall have a minimum area of three (3) acres.

10.025            A soil engineer shall certify that any proposed steep slope development shall not endanger private or public property or result in the deposit of sediment or debris or interfere with any existing drainage.

10.026            Roads and streets shall be designed to conform with natural topography. To minimize cut and fill, the Planning Commission may authorize development of one-way streets of ½ normal right-of-way and pavement width of 18'. Design of such streets shall be in accordance with engineering standards approved by the City Engineer.

10.027            Drainage, storm drainage and runoff from impervious surfaces shall be diverted to an outlet approved by the City Engineer. Methods used to prevent erosion can include but not be limited to filtration beds, subsurface conduit or surface storm drainage systems.

10.03 Unstable Soil. Wherever soil conditions, as identified by the U.S. Soil Conservation Service Soil Survey for Frankfort are not found to be sufficiently stable to support buildings or structures then no building permit shall be issued unless:

10.031 An engineering report approved by the City Engineer indicates that sufficient stability exists to permit building.

10.032 Any proposed structure is engineered and designed to avoid or mitigate the adverse impact of unsuitable soil stability. Plans for any such structure must be approved by the City Engineer.

10.04 Areas of Karst Topography. Development in karst areas should be discouraged, however, since underground caves and drainage ways are not fully identified, building may be permitted provided:

10.041 No building or structure shall be constructed within 50' of the rim of any identified "sink hole".

10.042 No drainage plan for any lot or combination of lots may utilize a sink hole or underground natural drain as any part of that drainage system to carry runoff or storm drainage from the lot or lots.

10.043 The rate of runoff into any natural underground drain system resulting from the construction on any lot or lots shall not be increased above the rate for those lots in an undeveloped state.

10.05 Preservation of Natural Cover. Land to be developed shall be designed and improved in conformance with existing natural features in order to minimize runoff and erosion.

10.051 Developments on one or more lots shall follow existing natural contours.

10.052 As far as possible existing natural vegetation shall be preserved.

10.053 Finish land grades shall be such that there is not ponding of water and that surface runoff will not cause serious erosion.

10.20 Solar Energy.

10.21 Purpose. To permit and encourage development within the community which will permit use of solar power as a means of energy conservation.

10.22 Applicability. Benefits outlined in this section may be made available to development in any zoning district providing the overall structural design is not incompatible with existing development.

10.23 Solar Orientation. New developments are encouraged to be designed with proper solar orientation. New streets should be laid out with a predominant E/W alignment. Cross streets should be N/S.

10.231 Lots fronting E/W street should have a structure site with a southern exposure along the long building axis.

10.232 To improve solar access the Planning Commission may:

- A. Reduce front yard requirements for lots along the south side of E/W streets.
- B. Reduce the rear yard requirements of lots along the north side of E/W streets.
- C. Reduce either front or rear yard requirements but increase lot width and side yard requirements for lots along N/S streets.

10.233 To determine modification of lot size or yard width a site plan shall be submitted to Planning Commission which meets the requirements of the "Site Plan Regulations" and:

- A. Specifies bulk and height of building on any lot.
- B. Delineates solar shadow pattern for each model of building.

10.24 Landscaping street trees, screen trees and other landscape required by the site plan may be modified to insure better solar access.

10.241 Trees planted along the south side of buildings should be deciduous varieties. Trees whose leaves may continue to cling to branches through the winter, such as oak, should be discouraged. This provide solar access during the winter and summer shade.

10.242 If active solar heating and cooling is proposed trees should not shade solar collectors.

10.25 Bonuses. To encourage use of solar access the Planning Commission may allow a bonus of 10% reduction in lot area for developments designed for solar access. Such bonus can compensate for additional right-of-way which may be required to achieve proper solar orientation.

10.26 Solar Orientation on Existing Lots of Record.

10.261 To encourage proper solar orientation on existing lots the Board of Adjustment may grant variances of front, side or rear yard requirements where such requirements would make it impractical to orient the proposed structure with proper solar access.

10.262 When any such variance is requested the applicant shall provide the board with a site plan showing:

- A. Proposed structure location site indicating solar access.
- B. Height of structure.
- C. Shadow pattern of structure and neighboring structures or other features which may affect solar access.

10.27 Environmental Buffer Regulation.

10.271 In order to facilitate provisions for the compatibility of land uses, where it is necessary to deter acoustic, air and visual pollution, the Planning Commission shall require a landscape buffer area. This landscape buffer area must be provided in accordance with Article 7, Landscape Regulations or may require the additional requirements found in Article 11.

*(Amended 6-26-06)*

## **ARTICLE 11 COMPATIBILITY AND DESIGN STANDARDS**

### **11.01 GENERALLY**

The regulations contained in this Article provide minimum land use compatibility, design and performance standards and requirements for non-residential developments. This article is applicable to specific uses that are either commercial, industrial, or the redevelopment of existing commercial or industrial zoned property. These regulations are in addition to and supplement the regulations contained in all other Articles of these Zoning Regulations.

### **11.02 Purpose**

These compatibility and design requirements of this Article are intended to: protect the health, safety and welfare of property owners, residents and visitors; prevent the creation of nuisances and/or reduce the potential adverse impacts associated with the use of lands; and, protect and preserve natural and man-made resources for the continued use and enjoyment by the community.

### **11.03 Relationship to Comprehensive Plan**

These regulations serve to implement the following adopted Goals and Policies of the Comprehensive Plan: Goal 5 (and Policies 1 through 6), to “protect the integrity of the natural environment, including water, air, and land quality”; Goal 6 (and Policy 3), to “promote the stability, preservation, and vitality of existing residential neighborhoods”; and Goal 7 (including Policies 3 and 5), to “promote high quality development that strengthens community character and pride”.

### **11.04 Compatibility Standards**

#### **11.04.1 All new commercial or industrial development within any zone shall be required to satisfy the following criteria:**

##### **A. Exterior Lighting:**

- 1) All exterior lighting shall be recessed or shielded (directionally or entirely).
- 2) Parking, street, and security lighting shall not exceed (35) feet in height, unless otherwise approved by the Planning Commission.
- 3) Nuisance glare is prohibited. Developer/applicant shall provide the photometric data or study showing the angle of light emission and documentation verifying light distribution along the subject property line does not exceed more than half (1/2) a foot-candle for adjoining residentially zoned property or no more than one (1.0) foot-candle for all other adjoining uses or zones.
- 4) Applicant shall provide a description of the luminaries, including lamps, poles or other supports and shielding devices (manufacture catalog cutout or equivalent details shall be provided).
- 5) All luminaries mounted on or recessed into the lower surface of canopies, pavilions, or drive-through bays shall be fully shielded so the light bulb is not directly visible.

##### **B. Parking lot design**

- 1) Continuous parking rows shall not exceed 17 parking spaces, unless separated by landscaped islands with a minimum width and depth equal to a parking space.

- 2) Every parking row end shall provide a landscaped island not less in size of a standard parking space.

**C. Exterior Construction Hours Limited:**

Exterior Construction of an approved development or building permit, including any grading, blasting, or excavation work, shall not take place during the hours of 10:00 p.m. through 6:00 a.m. This restriction is applicable seven (7) days a week. Special exceptions to this restriction may only be granted by either the City Manager for property within the city limits or the County Judge Executive for properties within Franklin County and outside of the city limits.

**11.04.2 Additional Design and Compatibility requirements for specific Commercial Development within the following zoning districts: CL, CG, CH, PC, or PM.**

A. Applicability

- 1) Development of commercial uses that contains a proposed single building of 40,000 sq.ft. or more and has not obtained a final development plan approval as of December 31, 2005, shall be required to satisfy section 11.05 of this article.
- 2) EXCEPTIONS: property owned by the government and the area used as the main assembly of worship for religious institutions.

**11.04 Additional Design and Compatibility requirements for specific Industrial Development Requirements within the following zoning districts: IC, IG, or PC.**

A. Applicability

- 1) Development of industrial uses that contains a proposed single building of 40,000 sq.ft. or more and has not obtained a final development plan approval as of December 31, 2005, shall be required to satisfy section 11.05 of this article.
- 2) EXCEPTIONS: property owned by the government, the area used as the main assembly of worship for religious institutions, and property within an approved Industrial Park that is managed by CCEIDA (Capital Community Economic/Industrial Development Authority).

**11.05 Additional Design and Compatibility requirements for specific Redevelopment of non-residentially zoned property within the following zoning districts: CL, CG, CH, PC, PM, IC, or IG.**

A. Applicability

- 1) Any existing structure that does not meet section 11.1 of this Article is hereby determined as a non-complying structure. Any maintenance, repairs, or replacement due to damage of such structure shall comply with Article 15, Section 15.07 of this

Zoning ordinance.

- 2) The redevelopment of any existing structure by more than 50% of its fair market value of the building – either pre or post improvements - (as determined by a property appraiser), shall require the entire structure to be brought into compliance with this Article.
- 3) EXCEPTIONS: property owned by the government, the area used as the main assembly of worship for religious institutions, historic structures or historic zoned property, and properties managed by the CCEIDA.

**11.06 Additional Design and Compatibility requirements for specific development of non-residentially zoned property within the Central Business - Special Historic zoning district (CB).**

A. Applicability

- 1) ***Reserved***

**11.05 Community Impact Analysis**

These requirements are intended to protect the health, safety and welfare of residents as well as: avoiding adverse impacts to adjoining or adjacent sites and land uses; reducing light pollution in urban, suburban and rural areas; provide standards for the control and mitigation of noise, odor and vibration that may be associated with individual land uses; define appropriate hours of operation of land uses that protects adjoining property owners and residents from unwanted noise and other potential nuisance elements associated with the operation of a land use; and provide specific design standards for large scale non-residential development (40,000 sq.ft. or more) to ensure their compatibility with the surrounding area and community.

**11.05.1 Community Impact Analysis required for Large Scale Developments**

The following requirements of the Community Impact Analysis shall be required to be fulfilled by the applicant for any proposed **non-residential** development identified in Section 11.04.2, 11.04.3 or 11.04.4 of this Article to assist in determining the compatibility of the project.

- A. Narrative description summarizing the project and land uses, positive impact of the development; adverse impacts and mitigation provided; identify the features or improvements of the project that qualifies it as compatible to the area; and findings of why the project should be supported; and
- B. Applicant Impact: Written background information regarding the developer/applicant/corporation representatives, with detailed information about prior development experience; and
- C. Traffic Impact: A traffic report: shall include but not limited to - pre and post average daily trips generated, AM and PM peak hours- with phases identified; sight distances, on-site traffic circulation and parking layout – to reduce internal turning movement conflicts; pedestrian movement, traffic controls, identify any required or suggested mitigation

improvements; and pre and post LOS for effected roadways. [NOTE: a finding of a negative impact of any one of these items does not mandate the denial of the overall project]; and

- D. Utility/Service Impact: Complete the Adequate Public Facilities and Services certificate/study review process, even if exempted by the Subdivision and Site Plan Regulations; and
- E. Environmental Impact: identify and evaluate the potential impacts and required mitigation concerning the existing ecological and physical characteristics of the site (pre and post), to include karst topography, wetlands, sink holes, endangered or rare species or plants, water recharge areas or reservoirs, flood plains, streams/creeks, ridgeline protection; air quality, noise, vibration, and exterior lighting; and
- F. Neighborhood impact: describe the anticipated number and types of jobs to be created, amount of local labor to be used, the anticipated impact on the community including surrounding neighborhoods, natural resources, costs anticipated to the community resulting from increased public services (police, fire, ambulance, E911, public works), and projected tax revenue generated by the project.
- G. A development plan in accordance with the adopted regulations; and

#### **11.05.02 Specific design standards for large scale developments**

- A. Building Mass and Architecture requirements

##### **1) Building Façade/mass:**

- a) Each 100 linear feet (horizontal) shall provide a minimum of a 5 feet in depth and 25 feet in width recess or projection.
- b) Every primary access shall provide a distinctive roof form plus one or more of the following elements: Display windows, arcades, arches, canopies, or overhangs.
- c) Building façades facing streets, adjoining developments or visible from residential properties shall have architectural features and patterns, which promote the reduction of the building's mass. These features shall include two (2) or more of the following: change to the wall plan by reveals, projecting ribs, or offsets; change of color, change of building material (stone, brick, or stucco). Furthermore, 50 percent of such façades shall contain features such as windows, entrances, arcades, arbors or awnings.
- d) All other building façades shall contain the same building material, color or theme as the primary façade.
- e) Any new building over 85,000 sq.ft. shall not be located closer than 250 feet from any Residentially zoned property.

## **2) Roof Form:**

- a) Building's roof line along the façade (parapet wall) shall be varied with a change in height and architectural details every 100 linear feet (horizontal) to reduce the appearance of the building mass. This can be accomplished by providing at least two of the following: projecting gables/dormers; overhanging eaves by three (3) feet or more beyond the supporting wall; parapet walls with three-dimensional cornice treatment extending no more than 1/3 of the height of the supporting wall; three (3) or more roof slope planes.
- b) No mechanical equipment placed upon a roof shall be visible from any public streets, adjoining developments or visible from residential property, to the maximum extent possible with consideration given to adjacent topography.
- c) Alternating lengths and or alternate designs may be deemed acceptable by the Planning Commission during a public meeting.

## **3) Entryways: these elements should enhance the building orientation and aesthetically pleasing character of the buildings.**

- a) Entryways are encouraged to be located and part of Subsection A.1)a. above.
- b) Entryways shall be designed to further implement Subsection A.1)c. above.

## **4) Building material:**

- a) The design of the building shall incorporate at least two (2) of the following exterior materials to provide visual interest at the sidewalk level for pedestrians such as Brick; Stucco; Stone; or Tinted, textured masonry block (excluding smooth-faced gray and tilt-up panels), drivet/EFIS, or other material as approved by the Planning Commission.
- b) Metal , except as provided in (a) above, may only be used as roof material or as a trim feature. If used as a trim feature, the metal material shall not cover more than ten percent (10%) of the façade area.
- c) Façade and visible roof colors shall be non-florescent colors.
- d) All buildings within a development, including out lots and any lot or parcel that was part of an overall development plan shall be architecturally unified (all buildings shall be related in architectural style, color scheme, and/or building materials.)

## 5) Fences/walls:

- a) Freestanding walls, including retaining walls, shall be constructed of high-quality materials, such as tinted, textured masonry blocks; brick; or stone; and shall compliment the buildings design, overall development, and surrounding properties. Exposed cinder block walls are prohibited, unless otherwise approved by the Planning Commission during a public meeting.
- b) Fences shall be constructed with material such as treated wood, PVC, vinyl, or ornamental metal , or other material if approved by the Planning Commission on a case by case basis. Chain link, including those with slats, are discouraged. Such fences shall compliment the building design and overall development. Any use of PVC or Vinyl fencing shall be the same color as the primary material of the building. Fences limited to area for a specific recreational use, such as tennis courts or ball fields may be authorized to use chain link.
- c) Continuation of design: Fences and walls, including retaining walls, shall provide columns, landscaping pockets, change of material type, reveals, projecting ribs or offsets to break up continuous lengths of fences or walls at an average of each forty (40) foot interval.

### 11.05.03 Public spaces:

- A. A safe and landscaped pedestrian circulation system shall be provided on site that connects each building and out lot to each other from the public street sidewalk.
- B. Pedestrian walkways within the development shall be differentiated from driving surfaces (i.e. a change in elevated materials.)
- C. At least one pedestrian amenity shall be provided in addition to a public transit pull-off and shelter, for each 60,000 sq.ft. of gross building area. These amenities may include bicycle racks, outdoor seating areas, maintained green space/play area, or courtyard, which may be combined into one or more locations in order to create a larger amenity. These public spaces shall have direct access to the pedestrian circulation system of the development.

### 11.05.04 Parking lot standards:

- A. Surface parking lots shall not exceed 150 parking spaces, unless divided into two (2) or more sub-areas by an internal landscaped drive, buildings, or landscaped pedestrian walkway. The Planning Commission may approve an alternative design, provided sufficient safe and landscaped pedestrian walkways are provided.
- B. Surface parking areas shall not be located closer than 100' from any Agriculture zone or any residentially used or zoned property.

**11.05.05 Exterior display and storage area** - Loading areas and outdoor storage/sale areas can exert negative impacts on surrounding neighborhoods. These areas, when visible from adjoining residential properties and/or public streets, should be screened, recessed or enclosed. Appropriate locations for outdoor storage areas shall be proposed within all new development and redevelopment.

**A. Standards:**

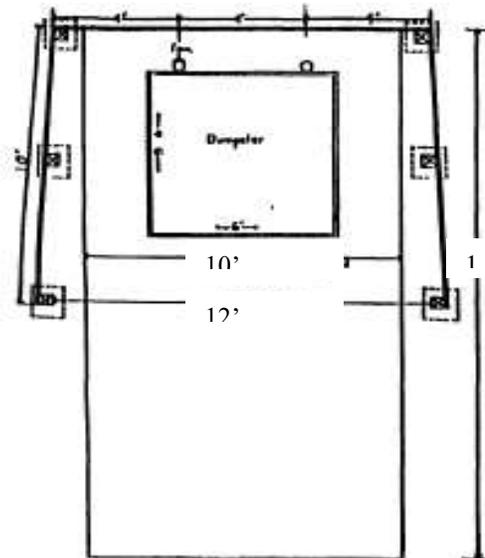
- 1) No areas for outdoor storage, trash collection or compaction, loading, or other such uses shall be located within 20 feet of any street right-of-way or property line.
- 2) Loading docks, outdoor storage, utility meters, HVAC equipment, trash dumpsters, trash compaction, and other service functions shall be incorporated into the overall design of the building and the landscaping so that the visual and acoustic impacts of these features are properly screened. The use of screening materials shall be compatible and consistent to the principal materials of the building and landscape.
- 3) Non-enclosed areas for the permanent storage and sale of inventory shall be identified on plans and screened with walls, knee walls and decorative fencing (i.e. wrought iron), landscaping or combination thereof (see illustrative examples below). Materials, colors, and designs of screening shall conform to those used as permanent and predominant materials and colors of the building.
- 4) Display merchandise may not extend above or be stacked higher than the screened area enclosure.
- 5) Temporary sales/displays or seasonal merchandise
  - a) Shall be designated on the development plan and located immediately adjacent to the building
  - b) Shall provide a minimum of a 6' wide pedestrian walkway (clear zone) between the seasonal display area and any drive isle.
  - c) The 6' wide pedestrian walkway (clear zone) shall contain permanent ground markings to identify the clear zone from the temporary display areas.
  - d) If proposed within the parking lot: Any areas planned to be used temporarily within the parking lot area shall be required to provide a minimum of a 6' solid screening by the means of a wall or fence. The material shall be brick, decorative blocks, or decorative fencing (PVC/Vinyl) as approved by the Planning Director; however, this does not apply to itinerate merchants such as firework displays or Christmas tree sales. The length of time/duration of such sales/displays shall be reviewed and approved by the Planning Director or appointed designee. Such areas shall also be identified on a development plan to ensure the safe, health, and welfare concerns are addressed.
- 6) The above screening requirements are not required for the following goods displayed for sale: new or used vehicles, trailers, boats, or utility buildings. However, screening shall be required, if such goods are for storage only or associated with a salvage yard.

## B. Illustrative examples of screening for outdoor storage/sales



### 11.05.06

**Refuse and grease collection** - all refuse collection areas (as well as above ground grease traps) shall be built to the standards below, however, the material of such screening shall be consistent with the principle exterior material of the buildings (i.e. Brick, stone, stucco, textured masonry block). Additional landscaping shall be provided to shield the direct view from a public street. Alternative designs may be approved by the director when such designs are determined to provide a more compatible design with the principle structure.



### 11.05.07 Noise, odor, and vibration:

- A. Commercial loading or service bays shall not be located closer than 200 feet from any residentially zoned or used property.
- B. Outdoor intercom or PA systems shall not be used or installed closer than 200 feet from any residentially zoned or used property and shall not be directed toward such property.
- C. No outdoor loading or unloading of material or merchandise that requires the use of a motorized forklift or similar device shall occur after 10:00 p.m. or before 7:00 a.m.
- D. Delivery and or Semi-trucks shall not be parked overnight (after 11:00 p.m. or before 6:00 a.m.) within 200 feet from residential zoned property.

- E. The Planning Commission may modify these noise and vibration requirements if they determine that the developer has provided sufficient data and design mitigation to adequately address the noise and vibration impacts during a public meeting.

Odor requirements – ***reserved***

*(Article 11 Adopted 6-26-06)*

## **ARTICLE 12 MINIMUM OFF STREET PARKING REQUIREMENTS**

*(amended 07-23-12 Ord # 11, 2012)*

- 12.01 Parking Required in Various Zoning Districts. In all districts there shall be provided adequate off-street parking areas in accordance with the requirements of this article whenever there is an addition or enlargement of an existing building, change of use or number of employees, or increase in floor area or development of any new structure.
- 12.011 In all zones except SC, CB and SH, parking for any residential structure, single dwelling or multiple dwelling shall be provided in accordance with requirements in these tables on the same site as the residential structure.
- 12.012 In SC, CB or SH zones adequate parking may be provided by the business or residence, or may be commercial, public or on street parking along the site. Provision of parking is not required in individual business in the SH or CB zones. Parking for residences may be ½ that required in other districts. All parking spaces, including driveways, within the SC, CB, or SH that is located off-street is highly recommended to be constructed from pavers, rather than solid concrete or asphalt, in order to assist in reducing the total impervious surface of the site.
- 12.013 Parking for any business shall be in a Professional Office (PO) or Commercial (C) zoning district; parking for any industrial use shall be in an Industrial (I) district. No industrial or commercial parking may be permitted in any residential district. All required parking shall be provided on the same site as the principal use or within 200 feet of such site.

**12.02 Table of Required Parking. Off-street parking shall be required for various uses in accordance with the following table.**

**TABLE OF REQUIRED PARKING**

<b>LAND USE</b>	<b>PARKING SPACES REQUIRED</b>	<b>PER UNIT</b>
1. Dwelling Units		
Single Unit	2.0	Dwelling Unit
Duplex	2.0	Dwelling Unit
Townhouse	2.0	Dwelling Unit
Apartments	1 plus 0.5 per bedroom	Dwelling Unit
Studio/efficiency Apts.	1.0	Per studio/efficiency unit.
2. Auto & Truck Repair	4.0	1,000 sq. ft. service area
3. Auto Sales **	1.25** (see footnote below)	1,000 sq. ft. building exclusive of repair and service areas but in no case less than 5 spaces
4. Banks	3.0	1,000 sq. ft. gross floor area
5. Barber & Beauty Shops	3.0	Chair
6. Bowling Alley	4.0	Alley/lane
7. Country Clubs & Private Clubs	1.0 6	4 members or 1,000 sq.ft. gfa, whichever is less.
8. Churches	1.0	4 seats or 50 sq. ft.
9. Dormitories, Group Quarters	1.0	3 beds
10. Funeral Parlors	1.0	4 seats or 32 sq. ft. floor area
11. Greenhouse/Nurseries	1.5	1,000 sq. ft. floor area
12. Hospital/Nursing Home	1.0	2 beds
13. Indoor Recreation (includes athletic and exercise facilities)	4.0	1,000 sq. ft. gross floor area
14. Laboratories, Studios	1.0	2 employees
15. Laundry, Dry Cleaning	3.0	1,000 sq. ft. gross floor area
16. Manufacturing, Industrial	1.0	2 employees, combined 2 shifts
17. Medical Office/clinics (includes veterinarians)	2.5	per exam room
18. Dental Office	2.5	per exam room
19. Other Professional Offices (includes art/photo studios)	3.0	1,000 sq. ft. gross floor area
20. Motel, Hotel	1.0	Room or unit
21. Museum, Art Galleries	1.5	1,000 sq. ft.
22. Penal or Correctional Institution	1.0	2 employees
23. Race Tracks	1.0	3 seats
24. Outside Recreation:		

Golf Courses	1.5	Hole
Swimming Pools	1.0	30 sq. ft. water surface
Tennis Courts	4.0	Court
Shooting range	1.0	Target station
25. Retail, high intensity (i.e.:grocery,meat,apparel, drugs, variety, similar)	5.0	1,000 sq. ft. gross floor area
26. Convenience stores with fuel pumps*	5.0 * (see footnote * below for credit of parking at pump)	1,000 sq.ft. gross floor area
27. Retail, low intensity (i.e.: appliance,furniture,T.V.)	3.0	1,000 sq. ft. display floor area
28. Restaurant, table service	8.0	1,000 sq. ft. gross floor area plus 0.5 spaces per outside service table when provided
29. Restaurant, fast food	8.0	1,000 sq. ft. gross floor area plus 0.5 spaces per outside service table when provided
30. Schools:		
Nursery	3 + 1.0	Employee
Elementary	1.0	Classroom
Secondary & College	5.0	Classroom
Trade & Vocational	5.0	Classroom
31. Shopping Centers ***	4.0 3.0	1,000 sq. ft. leasable floor area under 400,000 sq.ft. 1,000 sq. ft. leasable floor area 400,000 sq.ft or more
32. Theaters, Auditoriums	1.0/or 36	5 seats/or per screen (whichever is less)
33. Warehouse & Freight Terminals	1.0	2 employees
34. Wholesale Sales	30.0	1,000 sq. ft. Customer Service
35. Self-Storage Facility	1.51	Per 100 storage units with a minimum of 3 spaces
36. Car Wash – auto or self	0	none
37. Coffee shop/ ice cream parlor – no drive thru	5	1,000 sq.ft. gross floor area
38. Other retail or service uses not specified	5.0	1,000 sq. ft. of gross floor area

(Amended 2017)

Footnotes and special conditions for above table:

- A. Footnote: 26\* (Any pump service area that accommodates a 22 foot in length parking stall will count toward the required parking spaces – however, a minimum of one striped handicap parking space meeting ADA requirements shall be provided on site.)
- B. Footnote: 3\*\* (Any areas for service or repairs shall provide parking for that use in addition to sales. The required parking listed for Auto Sales facilities is meant to be separate from the proposed area(s) for sales/display area)
- C. Footnote: 31\*\*\* (In order to qualify for the Shopping Center parking requirements, Shopping Centers shall contain a minimum of 3 tenants within the same building. When restaurant uses contain 50% or more floor area within a building – then the parking calculation shall be based on restaurant use rather than shopping center for that space. Free standing buildings or out lots within a shopping center development shall provide parking based on individual uses.)
- D. Total number of parking spaces required maybe reduced by one (1) space for every one permanently constructed bicycle rack with a maximum credit of up to 5%. (no credit allowed for any reduction in number of handicap spaces required)
- E. Parking lots that provide more than 15 parking stalls shall construct 25% of the total spaces provided using permeable pavement options, in accordance with Section 12.045 below.
- F. Parking lots that construct 50% of the on-site parking using permeable pavement options, in accordance with Section 12.045 below, shall administratively be allowed a 10% reduction of the total number of required spaces.
- G. Parking lots that construct 100% of the on-site parking using permeable pavement options, in accordance with Section 12.045 below, shall administratively be allowed a 15% reduction of the total number of required spaces.
- H. Any parking stalls that have been previously approved as temporary seasonal display areas are authorized to become permanent display areas (with issuance of an amended development plan) if the parking stalls effected by the display area is re-constructed using permeable pavement listed in Section 12.045 and screening complies with Article 11.

12.03 General Regulations.

- 12.031 Any area once designated as required off-street parking shall not be changed to any other use unless and until equal facilities are provided elsewhere.
- 12.032 Two or more buildings or uses may collectively provide the required off-street parking in which case the required number of parking spaces shall not be less than the sum of the requirements for the several individual uses computed separately.
- 12.033 Every company car, truck, tractor, and trailer normally stored at a business site shall be provided with off-street parking space in a reserved area reserved for the use as

determined by the Planning Commission. Such space shall not be counted as meeting parking requirements.

12.034 In cases of dual functioning off-street parking, where operating hours do not overlap, the Planning Commission may waive the total parking required provided said parking is sufficient to meet the requirements of the greatest demand or largest combined demands.

12.035 Such parking spaces as required in Article 12 shall not be counted as meeting off-street loading requirements of this Article.

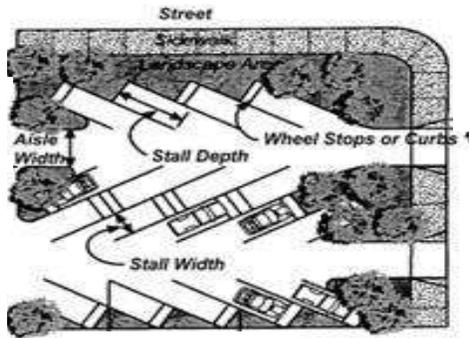
12.04 Off-Street Parking, Lot Layout, Construction and Maintenance. Whenever the required off-street parking requires the building of a parking lot, and wherever a parking lot is built, such parking lot shall be laid out, constructed and maintained in accordance with the following regulations. New development should be encouraged to place the parking facilities behind buildings in order to place focal emphasis on the uses themselves rather than the parking areas.

12.041 Back-Out Parking Prohibited. Except for parcels of land devoted to one (1) and two (2) dwelling uses, all areas devoted to off-street parking shall be designed and be of such size that no vehicle is required to back into a public street to obtain egress. Only exceptions may be given for loading spaces within the historic districts, when supported by the Public Works Department.

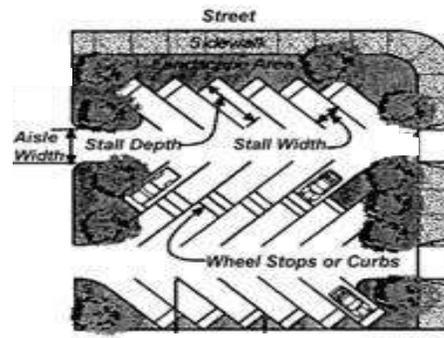
12.042 Parking Stalls and Drive Widths. Each parking area shall provide painted parking stalls of minimum width and length and drive area of minimum width as indicated on the following table.

**TABLE OF PARKING STANDARDS**

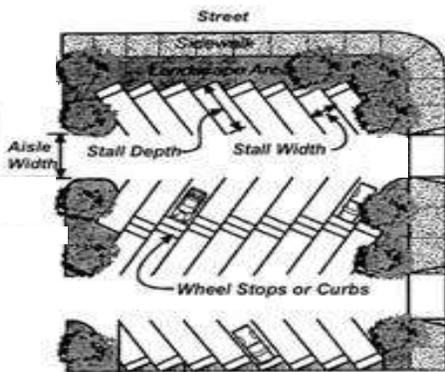
ANGLE OF PARKING	STALL WIDTH	STALL DEPTH	DRIVE TWO WAY WIDTH	ISLE WAY	DRIVE ONE WAY WIDTH	ISLE WAY
61° - 90°	9'	18'	24'		18'	
46° - 60 °	9'	18'	22'		15'	
0°- 45°	8 ½'	18'	22'		12'	
Parallel	8'	22'	22'		12'	



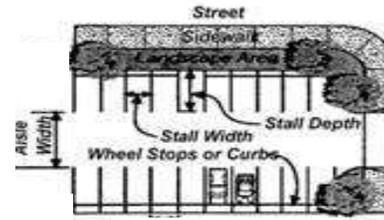
**30 Degree Angle Parking**



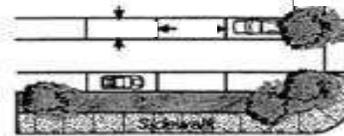
**45 Degree Angle Parking**



**60 Degree Angle Parking**



**90 Degree Parking**



**Parallel Parking**

Note: Where practical, wheel stops shall be provided for all parking stalls. If wheel stops are provided with no raised curb, then the pavement requirement of the parking space may be reduced from 18' to 16', allowing a 2' overhang.

For purposes of measurement, drives with parking on one side only shall be considered one-way drives.

12.043 Drive Through Drive Aisle Design. All drive aisles constructed to access a drive through facility (i.e.: bank, atm, restaurant, pharmacy) shall be designed to eliminate any possibility of interference with safe and efficient circulation (both pedestrian and vehicular) of the development site or abutting right-of-way.

A. Spaces required:

Use	Minimum Queue Space	Measured From
Automated Teller Machine (ATM)	2 per lane	Teller Machine
Eating and/or Drinking use - including packaged alcohol	6 / 3 per lane	6 From pick up window - with minimum 3 from place of ordering.
All others	3 per lane	Pick up window

B. Minimum Dimensions. Each queue space shall be at least ten feet (10') in width and twenty feet (20') in length

12.044 Parking Stalls for Small Cars. Where parking can be restricted to compact, sub-compact or mini-compact vehicles, stall depth may be reduced to 15' and width to 8' provided all stalls shall be designated for small cars with signs and surface markings. No more than 30% of all required spaces may be designated as compact spaces for sites providing up to 100 spaces. For sites providing more than 100 spaces, 30% of the total parking area shall be required to be designated as compact spaces. Compact parking stalls should be placed on the same side of a drive isle and adequately identified as compact.

12.045 Parking Surface. All parking surfaces shall be so constructed and maintained to meeting the following standards.

- A. All areas devoted to off-street parking as required under this article shall be of a paved surface construction such as plant mix asphalt, penetrating asphalt, concrete or pervious concrete, brick, or pervious - and impervious pavers, when designed to vehicular traffic standards. (Main aisles of parking lots may be required to be asphalt or concrete when deemed necessary by the Public Works Department.)
- B. The parking lot shall be drained to eliminate standing surface water.
- C. All surfaces shall be maintained to installed acceptable standards.

12.046 Pedestrian Safety. In any parking lot where more than one aisle of parking stalls is to be provided a pedestrian system should be provided which separates pedestrian movement from vehicular circulation. The pedestrian system shall provide access through the parking facility from the main entrance of the building on site to the adjacent right-of-way, to any adjacent pedestrian facility that may exist (i.e. trails, or other sidewalks not immediately adjacent to the right-of-way), or to the nearest public transit shelter or pick-up location. See also Article 11, for additional requirements.

12.047 Landscaping. Landscaping in parking lots shall be provided in accordance with Article 7, Landscape Regulations. See also Article 11, Section 11.04.1.B.

12.05 Setback Requirement.

12.051 Setback. All parking facilities except for single dwelling residences shall set back from all public rights-of-way lines at least ½ of the setback requirements of the applicable zone. Parking provided to the side or rear of a structure shall set back from all lot lines a distance at least one-half of the side or rear yard setback.

12.052 Wheelstop. All setback areas shall be landscaped and wheel stops or raised curb shall be provided to prohibit the encroachment of vehicles into the setback area. Vehicles shall not overhang by more than 2' into any landscaped area. Setback areas separating parking areas from more restrictive zones shall be planted with trees or shrubs of sufficient height to provide a visual screen of the parking area.

12.06 Parking Facility Ingress and Egress Standards.

12.061 Clearly defined driveways shall be provided for ingress and egress. Driveways shall be located and constructed subject to the following criteria or such standards as established by the City Engineer.

<b>DRIVEWAY STANDARD</b>	<b>SINGLE &amp; DUPLEX RESIDENTIAL</b>	<b>OTHER RESIDENTIAL</b>	<b>NON-RESIDENTIAL</b>
Max. width at street row	24'	25'	40'
Min. width per drive lane	10'	10'	12'
Min. distance from interior lot line	2' *	2' *	**
Min. distance from street intersection	30'	30'	30'
Min. space between two drives/same property	25'	25'	25'
Radius of curb return			
Minimum	5'	5'	5'
Maximum	15'	20'	20'
When drives are located closer than 2' to any structure, the drive lane shall be constructed to drain away from the structure and safety bollards may also be required.			

\* A common drive between two lots may be permitted, but 4 feet space required between any two drives on separate properties.

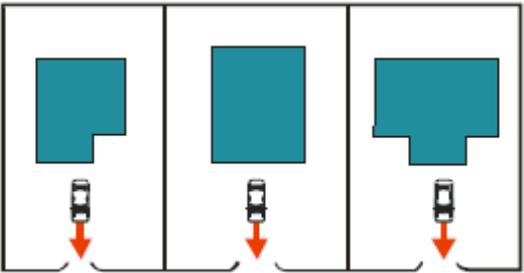
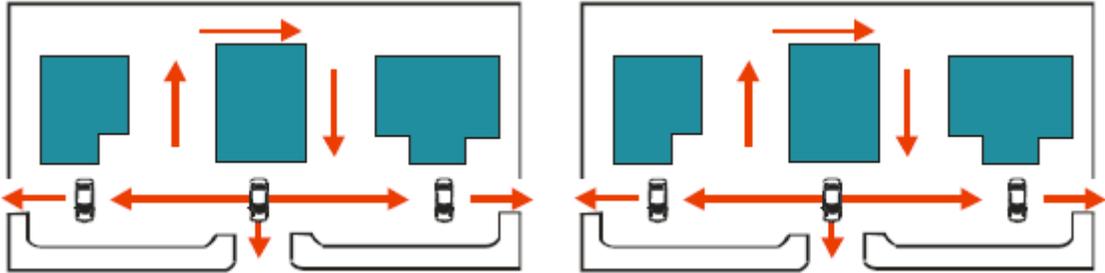
\*\* ½ the required setback for applicable zone.

12.062 Where parking areas have more than two (2) parking bays, drives contiguous to the front of commercial structures shall provide an eight (8) ft. painted fire lane, two (2) – twelve (12) foot traffic lanes and be separated from parking areas by an aisle, island or identifiable marking at least three (3) feet in width.

12.063 Entrance/Exit locations: Entrance or exit drive aisles in parking facilities shall not be located to discharge traffic directly into any portion of a turning lane, taper or intersection. At the discretion of the Public Works Director, entrance or exit drive aisles may be placed discharging into an intersection only if the intersection is marked/signaled/signed in such a way that the drive aisle is treated as an additional right-of-way turning movement in the intersection.

12.064 Connections between lots (cross-access). Where practical, neighboring parking lots on different parcels shall be connected to eliminate the necessity of utilizing the public right-of-way for cross-movements between the uses. This practice also helps to reduce the number of necessary driveways which reduces the number of pedestrian/vehicle movement conflict points.

# Encouraged



# Not encouraged

12.07 Off-Street Loading.

12.071 In all zoning districts, except residential districts, one (1) off-street parking loading area for standing, loading and unloading shall be provided for each building or for each 25,000 square feet of usable floor area of grouped contiguous buildings.

12.072 When trailer trucks are required for such loading and unloading the space provided shall be 60 feet (depth) by 14 feet (width) by 14 feet (height).

12.073 No such loading space required in this section shall be provided in the front yard of any building or contiguous group of buildings, exceptions may be granted when the front yard is a secondary front yard such as an alley.

12.08 Parking or Loading Spaces Established Prior to Adoption or Amendment of This Zoning Regulation.

12.081 Existing Parking to Remain. Any parking or loading spaces established prior to the adoption or amendment of this Zoning Regulation and which are used or intended to be used in connection with any main building, structure or use, or any spaces designed and intended to comply with the requirements of this Zoning Regulation for any such main building or structure erected after such adoption or amendment date shall hereafter be maintained so long as said building, structure or use remains, unless the owner provides and maintains in another location an equivalent number of required spaces in conformance with the provisions of this Zoning Regulation.

12.082 Change of Use. Where the principal use is changed and five (5) or more additional parking spaces are required under the terms of this Zoning Regulation as a result of such change, it shall be unlawful to begin or maintain such altered use until such time as the required off-street parking is provided.

12.09 Parking of Special Vehicles in Residential Districts.

12.091 Living in Vehicles. No such equipment or trailers or vehicle shall be used for living, sleeping or housekeeping purposes when parked or stored on a residential lot, or in any location not approved for such use.

12.092 Trucks. No vehicle requiring a commercial driver's license or is classified as over one (1) ton with 3 or more axles, shall be parked or stored, unless within an enclosed building, in any residential (R) or Special Capital (SC) zoning district.

## **ARTICLE 13      SIGN REGULATIONS**

*(amended July 2015)*

### 13.01 Purpose.

Signs use private land and the sight lines created by the public right-of-way to inform and persuade the general public by publishing a message. The purpose of these sign regulations is to provide the minimum control of signs to ensure the health, safety, and welfare of the general public. This is done by:

- (a) promoting the safety of persons and property by providing signs that do not create a hazard due to collapse, fire, collision, decay or abandonment; do not obstruct firefighting or police surveillance; and do not create traffic hazards by confusing or distracting motorists, or by impairing the driver's ability to see pedestrians, obstacles or other vehicles, or to read traffic signs;
- (b) promoting the efficient transfer of information in sign messages by providing signs which provide messages and information most needed and sought by the public are given priorities; businesses and services may identify themselves; customers and other persons may locate a business or service; no person or group is arbitrarily denied the use of the sight lines from the public right-of-way for communication purposes; and persons exposed to signs are not overwhelmed by the number of messages presented, and are able to exercise freedom of choice to observe or ignore such messages, according to the observer's purpose; and
- (c) protecting the public welfare and to enhance the appearance and economic value by providing that signs do not interfere with scenic views; do not create a nuisance to persons using the public rights-of-way; do not constitute a nuisance to occupancy of adjacent and contiguous property by their brightness, size, height or movement; are not detrimental to land or property values; and contribute to the special character of particular areas or districts within the City, helping the observer to understand the City and orient himself/herself within it.

### 13.02 Definitions.

For the purposes of this Article, the following terms, words, phrases, abbreviations and their derivations shall have the meaning herein given. When not inconsistent with the context, words used in the present tense include the future tense, words in the plural number include the singular number and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory. Words not defined shall be given their common or ordinary meaning.

Administrator: The officer or other designated authority, or their duly authorized representative charged with the administration and enforcement of these regulations.

Billboard sign: A sign which directs attention to a business, commodity, service, or entertainment conducted, sold, or offered at a location other than the premises on which the sign is located or which contains personal messages unrelated to the premises.

Character: Any letter of the alphabet, any numeral or Greek letter.

City: The City of Frankfort, Kentucky

Commercially developed parcel: A parcel of property on which there is at least one walled and roofed structure used, or designed to be used, for other than residential purposes.

Copy: The linguistic or graphic content of a sign.

Election Campaign Sign: A temporary sign directly associated with local, state, or national elections.

Facade: Any separate face of a building, including parapet walls and omitted wall lines, or any part of a building, which encloses or covers usable space. Where separate faces are oriented in the same direction, or in the directions within forty-five degrees of one another, they are to be considered as part of a single facade.

Frontage. The length of any property line or of any one parcel along a street on which it borders.

Height: As applied to a sign, shall be measured as the vertical distance between the lowest part of the sign, including its supporting structure at the average grade of the ground where the sign is located to the highest part of the sign or its supporting structure, whichever is higher.

Intersection: The junction of the centerlines of any two public rights-of-ways or the point at which any expressway interchange ramp intersects the expressway travel pavement.

Major thoroughfare: Any public right-of-way designated by the Comprehensive Plan of the City as an arterial.

Mansard-style roof: A decorative structure that is attached to the fascia of a building, but is not structurally integral to the building. Often creates a false front or parapet on a flat-roofed building.

Occupancy: The purpose for which a building is used or intended to be used. The term shall also include the building or room housing such use. Change of occupancy is not intended to include change of tenants or proprietors.

Premise: Any lot or unplatted tract, or any combination of contiguous lots or unplatted tracts held under single ownership.

Sign: Any object, device, display or structure, or part thereof, situated outdoors, which is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event or location, by any means, including words, letters, figures, designs, symbols, fixtures, or images, but excluding striping not integral to the sign.

Sign, air activated: A sign, all or part of which is designed to be moved by action of the air for the purpose of attracting attention, including signs with spangles or moveable colored disks but excluding flags, banner signs and festoons.

Sign area: The total area of the sign face, which is used to display a message, not including its supporting poles or structures. Measurement of sign area is addressed in Section 13.20.

Sign, awning: A sign painted on or attached directly to any part of an awning.

Sign, banner: A temporary sign composed of lightweight material either enclosed or not enclosed in a rigid frame and secured or mounted so as to allow movement of the sign caused by movement of the atmosphere.

Sign, canopy: A sign, other than an under canopy sign, attached to or constructed in or on a canopy.

Sign, changeable copy: A sign designed for frequent changes of message copy, including bulletin boards and kiosks; outdoor advertising signs; changing signs; other signs with electronically-displayed messages, removable letters, or poster panels.

Sign clearance: The vertical distance to grade from the lowest edge of a sign excluding any pole or support structure attached to the ground.

Sign, construction: A non-illuminated sign displayed prior to or during construction and removed thereafter that identifies a building for which a building permit has been issued and which is under construction together with such information as the owner, manager, contractor and subcontractors, architect and engineer, source of financing, projected date of completion, major tenants and related information.

Sign, directional: A nonpremise sign that serves solely to direct pedestrian or vehicular traffic or parking within a premises or to provide related instructions or facility information but that contains no advertising other than the name and logo of the business on the premises

Sign, facing: The surface of a sign upon, against or through which the message is displayed or illustrated.

Signs, Fascia: Any sign attached to, applied on, or supported by, any part of a building façade, such as a wall, window, canopy, awning, or marquee which encloses or covers usable space. No fascia sign shall be allowed to project further than 12" from the face of the building to which it is attached.

Sign, freestanding: A sign that is supported by one or more poles, uprights, pylons, braces or other support(s) on the ground and not attached to a building.

Sign, government-mandated: Any sign or exterior display required to be displayed by government order or regulation including construction signs for government assisted projects.

Sign, government or utility: An informational sign or display maintained by a government body or public utility, including traffic or parking regulating devices, legal notices, warning of hazards and similar displays.

Sign, height: The vertical distance measured from the curb level of the closest public street from which the sign is intended to be viewed to the highest point of the sign.

Sign, illegal: A sign which was not in compliance with this or other applicable ordinance when it was erected, installed, altered, or displayed.

Sign, illuminated: A sign illuminated by a source of artificial light having the principle purpose of furnishing illumination for the sign whether or not such source is part of the structure of the sign.

Sign, incidental: A sign, generally informational, that has a purpose secondary to the use of the lot on which it is located, such as "No Parking," "Entrance," "Loading Only," "Telephone," and other similar directives. No sign with a commercial message legible from a position off the lot on which the sign is located shall be considered incidental. Incidental signs do not require a permit.

Sign, message board: A sign or portion thereof with characters, letters or illustrations that can be changed or rearranged without altering the face or the surface of the sign and that is attached to either a wall, monument or freestanding sign for the purpose of displaying advertising or other notices.

Sign, menu board: A sign used to display a selection of goods or services offered at a business establishment for the convenience of drive-up or walk-up customers, such as at a drive-in restaurant.

Sign, monument: Any permanent sign, other than a pole sign, in which the entire bottom is in contact with or is close to the ground and is independent of any other structure.

Sign, name-plate: A non-illuminated sign that states only the names, addresses and professions of the businesses or occupants of the lot where the sign is placed.

Sign, on-premise: A sign directing attention to a business, profession, commodity, service, entertainment, person, cause, event or organization conducted, sold, offered, operation or having premises upon the same lot.

Sign, nonconforming: A sign that was erected, installed or displayed in compliance with previous sign regulations, but which is not in compliance with this ordinance, and which has not been reconstructed, altered or otherwise modified since the adoption of this ordinance, except to bring the sign into compliance with the provisions of this ordinance.

Sign, nonpremise: Any sign which is not a premise sign.

Sign, outdoor advertisement (Billboard): A sign that directs attention to a business, profession, commodity, service, entertainment, person, cause, event or organization conducted, sold, offered, operation or having premises elsewhere than on the lot on which the sign is located, and only incidentally, if at all, on such lot.

Sign, Political: Any type of nonpremise sign which refers only to the issues or candidates involved in a political election.

Sign, portable: A sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported including, but not limited to, reader boards, signs designed to be transported by means of wheels, signs converted to "A" or "T" frames; or balloons used as signs. These are addressed as "Special Purpose Signs" in these regulations.

Sign, Premise: Any sign, the content of which relates to the premises on which it is located, referring exclusively to the name, location, products, persons, acclamations, services or activities of or on those premises, or the sale, lease or construction of those premises.

Sign, real estate: A non-illuminated sign used to offer for sale, lease or rent the property upon which or within which the sign is placed or to announce an open house or that the property has been sold.

Sign, roof: A sign erected and constructed either wholly, or in part, upon, against, or above the roof of a building. For purposes of this ordinance, any portion of a building above or behind the fascia or parapet of a building shall be considered part of the roof.

Sign, setback: See Section 13.23.

Sign, Special Purpose: A sign temporarily supplementing the permanent signs on the premises. Included in this classification are banners, streamers, flags, inflatable figures, pennants, temporary retail promotional posters, and reader boards, etc. that are portable and not considered monument or pole signs. The total square footage of these signs shall be counted in the maximum square footage allowed in Table 13.3.

Sign, Support: Any pole, post, strut, cable or other structural fixture or framework necessary to hold and secure a sign, providing that such fixture or framework is not imprinted with any picture, symbol or work using characters in excess of one inch in height, or is internally or decoratively illuminated.

Signs, temporary: A sign, including paper, cardboard and fabric signs, which is used for a limited period of time and is not permanently mounted. These signs may include but are not limited to election signs, and are addressed as "Special Purpose and Temporary Signs" in this ordinance.

Sign, trailer: A portable sign mounted on a trailer designed for support and movement of the sign.

Sign, vehicle: A sign on or within a parked motor vehicle, boat, recreational vehicle, manufactured home or similar vehicle designed to be conspicuously visible for advertising or information purposes from outside the vehicle, other than trailer signs as defined herein; informational, identification or advertising lettering permanently painted on or attached to trucks or other commercial vehicles; transit advertising on buses or taxi cabs; election campaign signs; signs identifying trailer housed offices or displays on construction sites; and bumper stickers.

Sign, wall: A sign erected upon or parallel to an outside building wall which does not exceed more than twelve (12) inches from the face of the wall or higher than the highest point of the roof.

Sign, window: A sign that is placed inside a window, or applied or attached to window panes or glass, and which is visible from the exterior of the window and may or may not be permanently painted or otherwise permanently affixed to the window.

Storefront, primary: An entrance to a building designed and intended for use by the public as the principle means of ingress and egress as determined by the Director of Planning and Community Development. A solid wall (brick, concrete, etc.) without windows and/or public entrances shall not be considered a storefront.

Storefront, secondary: An entrance to a building providing additional ingress and egress to the general public not constituting a primary storefront and not located on the same building elevation as the primary storefront.

Street frontage: The distance along which a lot line adjoins a public street right-of way from one lot line intersecting the street to the furthest distant lot line intersecting the same street.

Tenant: Anyone who has the occupation or temporary possession of lands or tenements of another.

13.03 Imitation of Traffic and Emergency Sign Prohibited. No person shall cause to be erected or maintained any sign using any combination of forms, words, colors or lights, which imitates standard public traffic regulatory, emergency signs or signals.

13.04 Sign Supports within Right-of-Way Prohibited. No sign support shall be located within the public right-of-way and no sign shall project over any public right-of-way or across the public right-of-way line unless otherwise specified herein.

13.05 Relationship to building and electrical codes. These sign regulations are intended to complement the requirements of the building and electrical codes adopted by the city. Wherever there is inconsistency between these regulations and the building code or electrical code adopted by the city, the more stringent requirement shall apply.

13.06 Sign Maintenance. All signs, including their supports, braces, guys and anchors, electrical parts and lighting fixtures, and all painted and display areas, shall be maintained in accordance with this code and the building and electrical codes adopted by the city, and shall present a neat and clean appearance. The vegetation around, in front of, behind and underneath the base of ground signs for a distance of ten feet shall be neatly trimmed and free of unsightly weeds, and no rubbish or debris that would constitute a fire or health hazard shall be permitted under or near the sign.

13.07 Other Codes Not in Conflict Applicable. All signs erected or maintained pursuant to the provisions of this article shall do so in compliance with all applicable State laws, with the Kentucky Building Code and the National Electric Code, and other applicable Municipal Codes not in conflict with the provisions of this article.

13.08 Government Signs. Nothing in this chapter shall be construed to prevent the display of a national or state flag or to limit government flags, government insignia, legal notices or informational, directional or traffic signs which are legally required or necessary to the essential functions of government agencies.

13.09 Variances and Appeals Except for signs proposed within a Planned Unit Development, variances and appeals to these sign regulations shall be as provided in Articles 17 and 18 of the zoning ordinance. The Board of Zoning Adjustments shall have the power to grant variances from the height, area or setback provisions of this article, in accordance with the variance provisions outlined in K.R.S. 100.243, Findings Necessary for Granting a Variance. However, the Board of Zoning Adjustments shall not grant a sign variance that permits the continuance of any nonconformity.

13.10 Violation, Penalty, and Enforcement. If upon inspection the Planning Director or Building Inspector, or designee finds that any sign is abandoned, unsafe or in any way not in compliance with City ordinances, he or she shall issue a written order to the property owner stating the nature of the violation and requiring the repair, replacement or removal of the sign within thirty (30) days of the date of the order. A violation of the provisions of this article shall be penalized in accordance with Section 21.09 of the Zoning Regulations.

13.11 Permits. A permit, issued by the Department of Planning and Community Development, is required to erect all signs not explicitly exempted by the provisions of this article. Any sign for which a permit is issued shall have a footer inspection, if applicable, and final inspection prior to issuance of a certificate of completion. . If the on-site construction and/or installation of the sign has not commenced within six-months after issuance of the sign permit, the permit shall become null and void. (*Amended 2007*)

13.12 Permit Applications. All applications for permits shall include a statement indicating the purpose of the sign (which may include but are not limited to such purposes as retail sales, election, changes of address, or relocation), a drawing indicating the dimensions of the sign, and all existing signs maintained on the premises, a drawing of the lot or building façade indicating the proposed location of the sign, and specifications for its construction, lighting, motion and wiring, if any.

13.13 Location and Placement. In addition to other requirements contained herein regarding the location and placement of signs and graphic displays, the Public Works Department and Planning and Community Development Department shall have the authority to modify these provisions to ensure that the public health, safety and welfare are preserved.

13.14 In Special districts. All nonexempt signs proposed within the Special Capitol and Special Historic districts shall require review and approval by the Architectural Review Board and the issuance of a Certificate of Appropriateness prior to the issuance of a sign permit.

**Table 13.1: REGULATORY STATUS OF SIGN TYPES**

	EXEMPT	PERMITTED	PROHIBITED
Awning signs		X	
Apartment building Identification signs		X	
Balloons and air-activated signs:			
Temporary		X	
Permanent			X
Banner signs:			
Temporary		X	
Permanent			X
Billboard			X
Canopy signs		X	
Changing signs		X	
Construction signs		X	
Copy change on sign		X	
Directional signs:			
Non-illuminated	X		
Illuminated	X		
Election campaign signs	X		
Flags & institutional insignias	X		
Flashing signs			X
Free-standing signs		X	
Government or utility signs	X		
Government mandated signs	X		
Help wanted signs	X		
Home occupation signs		X	
Industrial park entrance signs		X	
Institutional/government announcement board	X		
Institutional use signs			
Temporary	X		
Permanent		X	
Maintenance, cleaning, repair or painting of sign:			
On-site (b)	X		
Off-site		X	
Moving signs, Rotating			X

Mural signs:			
On walls		X	
Elsewhere			X
No trespassing signs	X		
Portable signs		X	
Projecting signs			
In CB or SH districts		X	
Elsewhere			X
Real estate signs			
8 sq. ft. or less	X		
Over 8 sq. ft.		X	
Residential development entrance signs		X	
Roof signs			X
Sandwich type signs, permanent			X
Scoreboards, athletic	X		
Search and beacon lights, temporary		X	
Seasonal displays	X		
Service station signs		X	
Shopping center signs		X	
Sidewalk or curb signs			X
Signs in SC, SH & CB districts		X	
Streamers, festoons, pennants, permanent			X
Street clocks		X	
Street numbers	X		
Strings of lights, permanent			X
Temporary signs, all other		X	
Under canopy signs		X	
Vehicle signs			X
Vending machine signs	X		
Window signs:			
Temporary	X		
Permanent	X		
Yard sale signs	X		

***(see notes for table on next page)***

## Notes for Table 13.1

Table 13.1 is for general reference purposes only and is not intended to be all inclusive.

- (a) Change in copy of a changeable copy sign or face replacement on a sign not involving structural change, a change in any dimension thereof, removal of all or any part of the sign support structure, or any change of use.
- (b) No sign permit shall be required for maintenance operations, such as removal and reinstallation of sign faces, that do not involve removal of all or any part of the sign support structure
- (c) A sign permit shall be required for:
  - 1. Any maintenance or repair involving removal and reinstallation of all or any part of the sign support structure; or
  - 2. Any structural repair or alteration to the support structure.

### 13.15. Prohibited signs.

*Generally.* It shall be unlawful to erect, cause to be erected, maintain or cause to be maintained, any sign not expressly authorized by, or exempted from, this code.

*Specifically.* The following signs are expressly prohibited unless exempted by section 13.16, or expressly authorized elsewhere in this Article. Requests of waivers shall not be allowed for any prohibited sign.

- A. Signs that are in violation of the building code or electrical code adopted by the city.
- B. Any sign in the professional opinion of the building inspector that is declared to be physically unsafe or unlawful by reason of physical condition and constitutes a safety hazard.
- C. Signs that obstruct the vision of pedestrians, cyclists or motorists traveling on or entering public streets.
- D. Signs tacked, nailed, posted, pasted, glued, or otherwise attached to trees, utility poles or fences.
- E. Signs that emit audible sound, odor, or visible matter such as smoke or steam.
- F. Signs with lights or illumination that flash, move, rotate, blink, flicker, or vary in intensity or color except for time-temperature-date signs and electronically controlled message centers.
- G. Strings of lightbulbs not mounted to a rigid background used on commercially developed parcels for commercial purposes, other than traditional holiday decorations and strings of lights used to enhance landscaping.
- H. Signs with visible moving, revolving, or rotating parts or visible mechanical movement of any description or other apparent visible movement achieved by electronic or mechanical

means, except for traditional "barber poles" and "Trivision" permanent outdoor advertising signs.

- I. Advertising content of abandoned signs.
- J. Signs or sign structures that interfere in any way with free use of any fire escape, emergency exit, or that obstruct any window to such an extent that the light or ventilation is reduced to a point below that required by any provision of this code or other ordinances of the city.
- K. Signs that resemble any official sign or marker erected by any governmental agency, or that by reason of position, shape, or color, would conflict with the proper functioning of any traffic sign or signal, or be of a size, location, movement, content, color, or illumination that may be reasonably confused with or construed as, or conceal, a traffic control device.
- L. Signs that are of such intensity or brilliance as to cause glare or impair the vision of any motorist, cyclist, or pedestrian using or entering a public way, or that are a hazard or a nuisance to occupants of any property because of glare or other characteristics.
- M. Signs that are painted, pasted, or printed on any curbstone, flagstone, pavement, retaining wall, or any portion of any sidewalk or street, except house numbers and traffic control signs.
- N. Signs placed upon benches, bus shelters or public waste receptacles, unless written authorization is granted by the City Manager, for a prescribed period of time.
- O. Signs erected on public property, including within the City, County, or State right-of-way within the City of Frankfort, unless written authorization is granted by the City Manager, for a prescribed period of time.
- P. Signs erected over or across any public street, except governmental signs erected by or on the order of a public officer.
- Q. Sign(s) determined as off-site advertising signs or billboards. No person shall construct or erect an off-site sign, billboard or permanent outdoor advertising sign within the City of Frankfort.

13.16. Exempt signs. In addition to the signs listed specifically in Table 13.1, the following signs are exempt from the requirements in this code, except for maintenance and relationship to building and electrical codes; and no permit shall be required to be obtained for the erection of such exempted signs, provided they are not placed or constructed so as to create a hazard of any kind, nor located within any right-of-way, unless expressly allowed, and provided that they satisfy the restrictions imposed by this section and other relevant parts of this code. Note: Any exempt sign not complying with the requirements of this section is illegal and subject to immediate removal.

- A. Signs necessary to promote health, safety and welfare and other regulatory, statutory, traffic control or directional signs erected on public property with permission as appropriate from the State or Local Government.
- B. Legal notices and official instruments.
- C. Decorative flags, banners, or other type of signs for a celebration, convention or commemoration of significance to the entire community when authorized by the city manager or his designee for a prescribed period of time
- D. Holiday lights and decorations, provided it does not constitute a sign prohibited by section 13.15 of this code.
- E. Merchandise displays behind storefront windows so long as no part of the display contains flashing lights.
- F. Religious displays.
- G. Memorial signs or tablets, names of buildings and dates of erection when cut into any masonry surface or when constructed of bronze or other incombustible materials and attached to the surface of a building. Additional standards apply in the Special Capitol and Special Historic Districts.
- H. Signs incorporated into machinery or equipment by a manufacturer or distributor, which identify or advertise only the product or service dispensed by the machine or equipment, such as signs customarily affixed to vending machines, newspaper racks, telephone booths, and gasoline pumps.
- I. Public warning signs to indicate the dangers of trespassing, swimming, animals, or similar hazards.
- J. Works of art that do not constitute advertising.
- K. Signs carried by a person.
- L. Signs, including banners, to announce or advertise such temporary events as fairs, carnivals, circuses, revivals, sporting events, farmer markets, a campaign event, or any public, charitable, educational or religious event or function. Such sign shall be removed within five (5) days after the special campaign, drive or event.
- M. Flags of the United States, State of Kentucky or other governmental flags shall not be considered a sign nor require a permit, unless such flag is installed with a pole over 35-feet tall. Flags of a business or institution emblems or insignias must obtain a sign permit with review and approval by the Planning Commission Chairperson, who shall have the right to independently approve or require a vote of the majority of the Planning Commission. Poles over 35' tall shall obtain a building permit.

**Table 13.2: STANDARDS FOR EXEMPT SIGNS**

	Number Permitted per Lot	Maximum Area (sq. ft.)	Maximum Height (feet)	Minimum Setback (feet)	Other Requirements
<b>Permanent Signs</b>					
Directional signs	--	4	3	--	(a), (b)
Flags and Institutional insignias	--	--	--	--	(c)
Institutional/Government announcement boards	1	16	--	--	--
No Trespassing signs	2	2	--	--	(e)
Flags, business or institutional	1	32	35	10	--
<b>Temporary Signs</b>					
Construction signs	1	32	8	5	(l)
Election Campaign signs	--	32	6	--	(f)
Institutional temporary sign,	--	--	--	--	(i)(j)
Help Wanted signs	1	8	--	--	--
Real Estate signs	--	8	--	5	--
Window signs	--	50%	--	--	(k)
Yard Sale signs	--	4	--	--	(g)
Banner signs	-1	32	--	5	(h) (i)

**Notes for Table 13.2**

- No restriction except as specified in definitions, footnotes or elsewhere in this zoning ordinance.
- (a) Information on location of entrances and exits, parking, traffic movement and the like. No advertising content other than name and logo of establishment. Shall not be counted as part of allowable sign area.
- (b) Commercial, office and industrial use only.
- (c) The flag, pennant or insignia of any governmental or educational institution.
- (d) Per home occupation or business establishment.
- (e) Includes no hunting, dumping or similar uses.
- (f) Must be removed within five (5) days after date of election.
- (g) Displayed on the premises of the yard sale. Shall not be displayed more than two (2) days prior to the event and shall be removed no later than two days after the event.
- (h) Temporary banners or other temporary signs are permitted only for commercial, office and industrial uses and shall have only one temporary sign on the same property. No temporary sign shall be erected on a premises for a cumulative total of more than sixty (60) days per calendar year. Any applicant that proposes to maintain the same banner sign for a period greater than sixty (60) days per calendar year shall obtain approval from the Planning Commission. However, within the national historic districts, banners may remain longer than

60 days, provided the banner is properly maintained, remains in good condition, and shall not conceal decorative features. *(Amended July 2015 ordinance no. 11, 2015 series)*

- (i) Not permitted for residential uses.
- (j) Announcing a special event of a religious, educational or philanthropic institution and displayed only on property controlled by the institution and for a maximum of fifteen days before the event.
- (k) Percentage of signage allowed is based on each window area containing signage.
- (l) Per street frontage.

### 13.17 Permitted permanent accessory signs.

13.17.1 Sign types allowed. The following types of permanent accessory signs are allowed, provided that they meet all of the requirements of this code

- A. Historic Zoned property: Any ground sign in the Special Historic and Special Capitol zoning districts shall be reviewed and approved by the Architectural Review Board. All ground signs in these districts shall be monument, constructed with brick or decorative stone, not exceed 6' in height, compatible and consistent with other ground signs in the district, and if lighting is provided, shall be external. See specific guidelines within each zoning district category in Articles 4 & 17.
- B. Ground/fascia signs: Ground and fascia signs are permitted permanent accessory signs provided they comply with the requirements contained herein. Applications for signs that satisfy these guidelines shall be administrative approved through issuance of a sign permit. Applications for signs that deviate from the requirements contained herein, not located within a Planned Unit Development, shall require the review and approval by the Frankfort/Franklin County Board of Zoning Adjustments.
- C. Signs in Planned Unit Developments (PUD): Signs proposed or changes to existing signs shall follow the requirements contained in Article 13.21 contained herein.

**Table 13.3: STANDARDS FOR PERMITTED PERMANENT SIGNS**

	Number Permitted per lot	Maximum Area (sq. ft.)	Maximum Height (feet)	Minimum Setback (feet)	Other Requirements
<b>General</b>					
Construction signs	1(7)	32			
Interstate business signs	1	150	55	☆	(5)
Home occupation signs	1	2			(16)
Real Estate signs	1	32	12	5	(4)
Signs in CB district	--	--	--	--	(15)
Signs in SC & SH districts	--	--	6	--	(14)
<b>Residential Uses</b>					
Apartment building ID sign	(13)	8	--	--	--
Development entrance sign	1(19)	32	6	10	(12)
<b>Institutional Uses</b>					
	1	32	6	5	(7)
<b>Commercial, Office &amp; Industrial Uses: ◆</b>					
Fascia and awning signs (2)					
Single occupant building: (22)					
A primary storefront	3	200 (20) (3)	25	--	(6)(11)
A secondary storefront	3	-- (3)	12	--	(6)(11)
Multiple occupant building:(22)					
Building Identification sign – Storefront	1	10% of façade area or 200	25	--	(6)
Individual tenant sign, storefront	3	200 (20) (3)	25	--	(6)(11)
<b>Commercial, Office &amp; Industrial Uses:◆</b>					
<i>Freestanding signs</i>					
Message Board	1(8)	(8)	--	--	(17)
Service Station rate sign	1	20	25	(1)	(9)
All other signs	1	100	25	(1)	(7) *
Shopping Center sign	1	150	25	(1)	(7)(10)(21)
Monument signs	1	40	9	(1)	(7)(18)*

**(see notes for table on next page)**

(amended 7-24-06 Ord # 16, 2006)

### Notes for Table 13.3

- No restriction except as specified in definitions, footnotes or elsewhere in this zoning ordinance.
  - \* Individual lots shall not contain both a freestanding sign and monument sign.
  - ☆ As required in Article 13.28 contained herein.
  - ◆ See 13.21 for site affected.
1. ½ distance of required building setback of zoning district. Shall not be less than five feet in any district. Monument signs shall have a minimum setback of 5' from property lines.
  2. Canopy signage is deducted from the total area of fascia signage for the property. There is no maximum number of canopy signs for the property.
  3. The fascia sign area is calculated using the linear distance of the primary storefront at a 1:1 ratio up to a maximum of 200 square feet of signage per building, or in the case of a multiple occupant building, the fascia sign area is calculated using the linear distance of the primary storefront at a 1:1 ratio up to a maximum of 200 square feet of signage per tenant. The calculated fascia sign area may be applied upon the primary storefront, secondary storefront and one elevation containing the exact style, finish, material type and design as the primary storefront.
  4. Shall not be illuminated.
  5. Allowed only in areas designated in map 13-1. Shall have a minimum spacing of one hundred (100) feet from any residential zoning boundary and a spacing of six hundred (600) feet from any other outdoor advertising sign. No internal illumination permitted. The property owner may waive the right to install an interstate business sign and apply the square footage to any other permitted sign on the property.
  6. Shall not extend beyond the perimeter of wall, fascia or face of canopy or awning to which sign is attached. Shall not project above roofline, parapet, top or side of canopy or awning. Height may be increased if the building is more than two (2) stories above grade or more than three hundred (300) feet from a public right-of-way.
  7. Per street frontage per lot.
  8. Shall be permitted only as part of a freestanding or wall sign and subject to the height and area requirements contained herein.
  9. Permitted at automobile service stations in addition to other signs permitted herein.
  10. Shall be the only freestanding sign in the shopping center and may include a message board or directory sign.
  11. Up to three (3) additional fascia sign(s) may be located upon one separate building elevation containing the exact style, finish, material type and design as the primary storefront. The square footage of such signs shall not exceed that allotted to the primary storefront.
  12. Per entrance or exit to or from street, alley or parking area. Sign shall have a minimum clearance of one (1) foot from bottom of sign to grade. Minimum rear setback of fifty-feet required.
  13. 1 per building within complex.
  14. Permitted only after review and approval by the Architectural Review Board and issuance of a Certificate of Appropriateness. Shall be constructed with materials compatible with the overall character of the district. Any illumination shall be external. Setback shall be determined by the Architectural Review Board. See additional design requirements in Article 4 of this zoning ordinance.
  15. Subject to requirements established in Article 4.248
  16. Per Home Occupation or business establishment.

17. Shall have a minimum clearance of nine (9) feet. Multiple occupant signs may include, but are not required to include, the development name of the project. The use of a development name as part of the signage shall count as part of the allowed sign area.
18. Shall have a maximum clearance of one (1) foot.
19. One sign is allowed per property unless the sign is less than 8 square feet, then two signs of 8 square feet or less may be allowed.
20. No occupant shall be deprived of less than twenty-five (25) square feet of wall signage.
21. May contain individual tenant panels identifying businesses within the shopping center.
22. Any business requesting more than three signs per storefront shall be required to submit a Sign Package application to the Planning Commission for consideration.

### 13.18 Additional Provisions

13.18.1 Each frontage of a development site may have one ground sign or may combine the allowed signage to increase the overall height and/or width up to 150% of the allowed size requirement for one ground sign only.

13.18.2 Each parcel of land may have two ground signs when the parcel of land has more than 250 lineal feet of public road frontage, provided each sign is a minimum of 100' apart from any sign on the same or adjacent parcel. The owner of such parcel may combine the allowed signage to increase the allowed height or width up to 150% of the allowed size requirement, provided only one ground sign is provided for the site.

13.18.3 When a final development plan is approved for more than one parcel or tract of land and the owners of each parcel or tract agrees in writing, then the allowed ground signage may be shared by the parcels; provided that for each shared ground sign, the size does not exceed 150% of the allowed size requirement and that there is a reduction of at least one ground sign for each shared sign. (Example (1) if 4 parcels of a final development plan each having one frontage of less than 200' desire to combine their signage, then one ground sign of 150% of the allowed size would be authorized for the site and no other ground signs. Example (2) if 2 of the same 4 parcels desire to share a sign, then the overall development would be allowed three ground signs rather than 4 separate signs.) When parcels of a common final development plan propose to combine signage, such signage shall not be considered as off-site advertising. (This additional provision may also be applied to fascia signs so that end lots may provide signage for interior lots/units within the same block/development when part of an approved sign package plan). *(Amended July 2015 ordinance no. 11, 2015 series)*

### 13.19 Removal of Non-Conforming Signs.

- A. Any temporary or exempt sign that does not meet the requirements of this ordinance shall be removed by the owner within thirty days of written notification by the City of Frankfort.
- B. Any business which has ceased operation (expiration of business license) for sixty (60) days shall, for the purposes of this article, be determined to be abandoned. All signs associated with such an abandoned business shall be removed by the owner of the property upon

which the sign is located within thirty (30) days of written notification by the City of Frankfort.

C. All other nonconforming signs shall adhere to the provisions of Article 15 contained herein.

13.20 Computations: The following principles shall control the computations of sign area and sign height.

A. Computation of Area of Single-Sided Signs.

The area of a sign face, shall be computed by means of the smallest square, circle, rectangle, triangle or parallelogram that will encompass the extreme limits of the writing, representation, emblem, or other display, but not including any supporting bracing or decorative features not related to the sign. Specifically, the area within a frame holding the sign panel; when channel letters are used, a geometric shape shall encompass all portions of the letters in a single shape consisting of not more than two (2) of the above mentioned shapes. The area of an awning sign, canopy sign or a sign consisting of individual letters or symbols against a wall shall be the sum of the area within a rectangular envelope completely enclosing the attached group.

B. Computation of Area of Multifaced Sign.

The sign area for a sign with more than one face shall be computed by adding together the area of all sign faces visible from any one point. When two identical sign faces are placed back-to-back so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure and are not more than forty-two (42) inches apart, the sign area shall be computed by the measurement of only one of the faces.

C. Computation of Height.

The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of: (1) existing grade prior to construction, or (2) the newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign. In cases in which the normal grade cannot reasonably be determined, the average of the grade at the sign base and the grade 6 feet from the sign, shall be determined as the normal grade.

D. Computation of setback.

The setback shall be determined by measuring the shortest horizontal distance between a lot line and the closest part or projection of the sign and/or support structure.

13.21 Sign Package Plan Required in Planned Unit Development Zone District (PR, PM, PC).

In any newly proposed or existing Planned Unit Development Zone District, a Sign Package Plan shall be prepared by the developer and approved by the Planning Commission at the same time the Final Development Plan is approved. In the event that an existing Planned Unit Development shopping center does not have an approved development plan, a Sign Package Plan only will be required for Planning Commission approval for the entire development, not per individual tenant. The Director of Planning can administratively approve signage when proposal is consistent and compatible with other signage in the overall development

The Sign Package Plan shall establish the maximum size, the prototypical design, and the number of signs that will be allowed within the subject planned development. After the Planning Commission has approved the Sign Package Plan, the Frankfort Planning and Community Development Department shall be authorized to issue sign permits for businesses when the requested sign is in compliance with the approved Sign Package Plan. No permit for any sign shall be issued unless it is in compliance with the approved Sign Package Plan.

The sign package plan shall include the following information:

- A. Front building elevation(s), indicating lengths of individual storefronts, location(s) of signs, and the maximum sign area for each individual business sign.
- B. Location of development identification sign, if any, indicating the setbacks, and maximum sign area for this sign.
- C. Drawings, to scale, of all signs proposed for the Planned Unit Development, including dimensions (height and width).
- D. Color Schemes and Designs for all Signs
- E. The types of structures that will be used to support each sign.

The Sign Package Plan, once approved, shall become a part of the Final Development Plan. Any change to this portion of the plan shall require that an Amended Final Development Plan be submitted by the Developer/Owner of the Planned Unit Development for approval by the Planning Commission. However, a change to the name or occupant shall not require a submittal of an amended sign package plan, if the replacement sign is in compliance with the original approved plan.

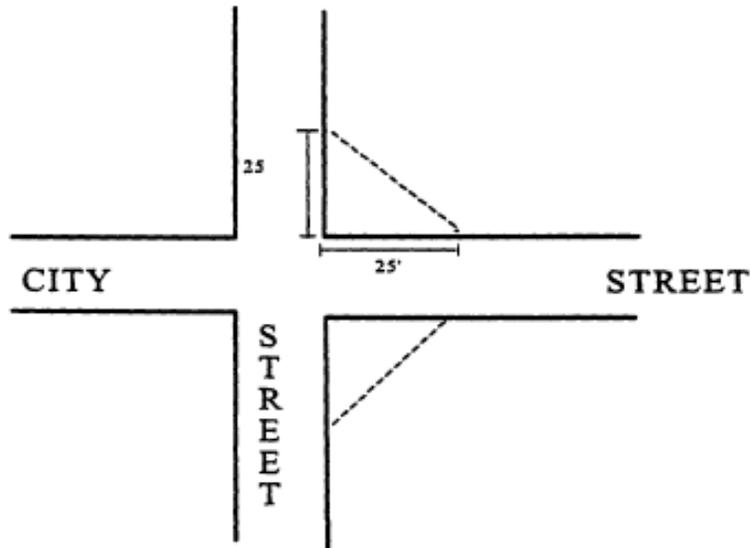
13.22 Special Purpose Signs shall be permitted on a temporary basis only, for no more than ten (10) days at any one time and for no more than six (6) times in any one calendar year (January 1 to December 31). The square footage of these signs shall be included in the calculations determining the maximum limits allowable under Table 13.2.

13.23 Setbacks. Except as otherwise noted herein, the setback for all ground-mounted and pole signs shall be one-half the distance required in the Basic Zone District's Bulk, Density and Height Table. Entrance/Exit signs may be located at the right-of-way, but in no instance shall they project into the right-of-way and shall not be greater than three (3) feet in height.

13.24 Sight Distance Triangle. No ground-mounted business identification sign shall be placed within the sight distance of a street intersection or the intersection of the entrance/exit to a business and the public street. If a pole sign is proposed within this sight triangle, the minimum distance from the ground to the bottom of the sign shall be 15 feet. For the purpose of this section, the following sight distance triangle measurements shall be used:

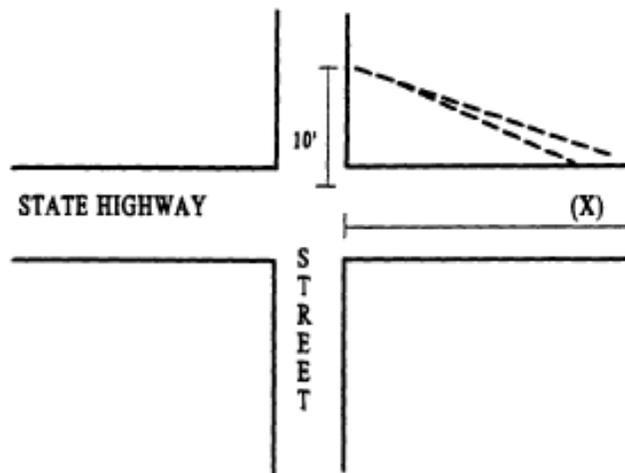
### CITY STREETS

When two city streets intersect or a driveway intersects a city street, the sight triangle shall consist of the area between points twenty-five feet (25') along both streets from the intersection of the edges of the pavement.



### STATE HIGHWAY

Where a city street, driveway or other entrance intersects with a state highway, the sight triangle shall consist of the area between a point ten (10') feet along the street or driveway edge of pavement and a point located along the edge of the state highway pavement, the distance an automobile traveling the speed limit can go in six seconds, as indicated in the table below.



<u>(X) SIGHT DISTANCE</u>	<u>SPEED LIMIT</u>
484'	55 MPH
396'	45 MPH
308'	35 MPH
220'	25 MPH
132'	15 MPH

13.25 Projection. No sign determined to be a fascia sign shall be allowed to project further than twelve inches (12") from the face of the building.

### 13.26 Non-Premise Advertising Signs

13.261 Non-premise or advertising signs, including billboards and poster boards shall not be permitted, except as provided for in section 13.27.

13.27 Non-Profit, Church, Organizational Signs (in right-of-way or off site) Non-profit enterprise, charitable organizations or church directional signs are permitted, provided they meet the following criteria:

- A. No sign may be greater than six (6) square feet.
- B. Such signs shall only:
  - 1. Identify the church, non-profit enterprise, or charitable organization,
  - 2. Direct the traffic pattern in the direction of its location,
  - 3. Indicate the distance necessary to be traveled to reach the location,
  - 4. Have a minimum spacing of one hundred feet (100') from any other non-profit, charitable organization or church designated directional sign.
- C. No such sign shall be located closer than twenty feet (20') from the roadway and shall have a distance of five feet (5') from the ground to the bottom of the sign.
- D. Written consent of the owner must be submitted to the City of Frankfort's Inspection Office when the proposed sign is to be located on private property. Such sign shall not count in the total sign allocation for that business or property.

### 13.28 Interstate Business Signs

13.281 Purpose. The purpose of the Interstate Business Sign section is to allow for business establishments offering goods and services in the interest of the traveling public to inform the motorist of the travel related goods and services available along the Interstate. The Interstate Business Sign regulations shall apply only for pole signs on the individual business site. Regulations for fascia signs shall conform to other sections within this ordinance.

13.282 Definition. For the purpose of this section, Interstate shall be defined as a fully controlled access highway, which gives preference to through traffic and has access only at selected public roads and that has no at-highway grade crossings or intersections.

13.283 Sites Affected. Interstate business signs may be located within a 2,500 foot radius of the center point of the intersection of U.S. Highway 127, South and Interstate 64. No interstate signs are permitted or allowed at any other I-64 intersection for properties within the City limits. A map (Map 13-1) is attached to this section to serve as a general reference in determining eligible properties. The property owner may relinquish the right to an Interstate Business Sign and add 150 square feet of sign area to the subject property for any permitted sign(s) on the property. The Planning Commission shall review the transfer of

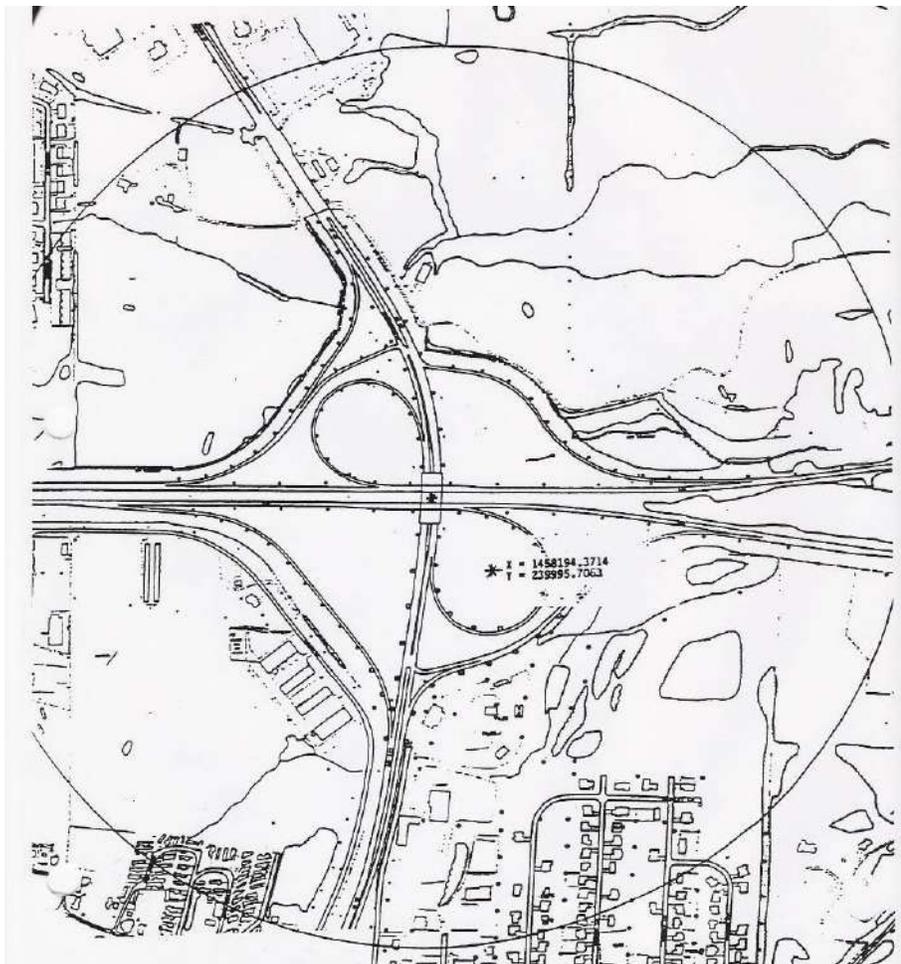
such square footage and reserves the right to have recorded in the office of the Franklin County Clerk a Certificate of Land Use restriction or other similar documentation evidencing the applicant's relinquishment of an Interstate Business Sign.

13.284 Permit Procedures. A business located within the area identified in Map 13-1 may apply for a building permit to erect an interstate sign. This sign shall meet the height, size, and location requirements contained elsewhere in this section. No sign shall be erected without first applying for and receiving a permit for the erection of this sign.

13.285 Location.  
The interstate business sign shall be located on the same site as the business. These signs must meet the following setbacks, as measured from the property lines:

- 100-feet from any residential use or zone as measured from the property line.
- 25-feet from all property lines

Map 13.1



**ARTICLE 14            RESERVED**

**ARTICLE 15            NON-CONFORMING USE AND NON-COMPLYING STRUCTURE**

15.01 Non-Conforming Uses. Any lawful use, whether of a building, structure or tract of land existing at the time of the enactment of this ordinance which does not conform to one or more of the provisions of this zoning ordinance.

15.02 Continuance of Non-Conforming Uses. A non-conforming use existing lawfully at the time of enactment of this ordinance may be continued except as restricted in this article.

15.021            Repairs, Alterations. Nothing in this ordinance shall be interpreted to prevent normal repair or maintenance of any building occupied by a non-conforming use. Alterations may be made in such a building when necessary in the interest of public health or safety or appearance.

15.022            Extension, Enlargement or Relocation. A non-conforming use shall not be extended, enlarged or placed on a different portion of the lot occupied by such use on date of enactment of the ordinance.

15.03 Changes to Other Uses.

15.031            Change of Conforming Use. A non-conforming use may be changed to any conforming use.

15.032            Change to a Less Non-Conforming Use. A non-conforming use may be changed to another non-conforming use provided the new use is less non-conforming than the original use.

A. Any change to a less non-conforming use shall be interpreted to be a change to any use which is first listed in the use table at least one column in which the non-conforming use is first listed.

B. Any change to another, less non-conforming use must be approved by the Board of Adjustments.

C. In considering changes to lessor non-conforming use the Board shall consider the impact upon the surrounding area, the site design of the proposed use and the rehabilitation of the structure.

D. Any change shall only be permitted if adequate provisions for required off-street parking are assured.

15.04 Cessation. If, for a continuous period of six months, a non-conforming use has ceased of the furnishings of a non-conforming use are removed and not replaced, the building or land shall

thereafter be used only for a conforming use or less non-conforming use as provided in 15.03 unless an extension has been granted by the Board of Adjustments.

15.05 District Changes. Whenever the boundaries of a district shall be changed so as to transfer an area from one district to another district of a different classification, the foregoing provisions shall also apply to any non-conforming uses existing therein.

15.06 Amortization of Land and Structures. The non-conforming use of land where no building is involved shall be discontinued within five (5) years from the date of adoption of these regulations except where farming is the primary use lawfully existing at the time this article became effective.

15.07 Non-Complying Structures. Any structure which does not comply with one or more of the applicable district height, bulk and density regulations or off-street parking requirements either on date of enactment of this ordinance or as a result of any subsequent amendments to this article shall be a non-complying structure.

15.071 Continuance of Non-Complying Structures. The use of a non-complying structure may be continued subject to provisions of this article.

A. Maintenance, Repairs. Nothing in this article shall be interpreted to prevent normal maintenance and repair when necessary in the interest of public health, safety or appearance.

B. Enlargement. A non-complying structure shall not be enlarged in any way which would either (a) create a new non-compliance or (b) increase the degree of and off-street parking requirements.

C. Ground and pole signs (freestanding signs): Freestanding signs that are non-conforming due to the size, height, or location shall adhere to A. & B. above, with the following exception: the cabinet frame that holds the sign panel is not considered part of the structural integrity of the sign and therefore, may be removed and/or replaced with a new cabinet provided it does not increase the applicable non-conforming element of height, size or location of the sign. These cabinets may be altered to reduce the non-conformity by reducing the size, changing the shape, or may be identical to the previous cabinet.

15.072 Replaced Damaged Buildings. Any non-complying building or structure damaged more than sixty percent (60%) of its then fair market value (as determined by an insurance companies appraiser) by fire, collapse, explosion or acts of God shall not be restored or reconstructed in any non-complying form except that such building may be rebuilt but not to exceed its original non-conformity providing that the building and site plan are approved by the Planning Commission. If damage is less than sixty percent (60%), it may be reconstructed as before, provided that a building permit is issued within six (6) months.

A. Exceptions:

1) This section does not apply to the a sign cabinet/frame for freestanding signs, see 15.071.C. above

- 2) Redevelopment of property that is part of a City's "Home Focus Community Grant" program - these properties shall be allowed to be rebuilt per the same requirements for those damaged by fire, collapse, explosions, or acts of God and administratively approved.

15.08 Non-Conforming Lots of Record.

15.081 Substandard Lots. In any residential zone or district permitted uses may be erected or enlarged on any single lot of record at the date of adoption of these zoning regulations even though such lot fails to meet the requirements for area or frontage or both:

- A. Such lot must be in separate ownership and not of continuous frontage with other lots of the same ownership.
- B. Dimensional requirements other than those applying to area or frontage, or both of the lots shall conform to the regulations of the zone or district in which such lot is located

15.082 Combination of Lots. If two or more lots or combinations of lots and portions of lots with continuous frontage in single ownership are of record at the date of adoption or amendment of this zoning regulation and do not meet the requirements established for lot width or area, the land involved shall be considered to be an undivided parcel for the purposes of this zoning regulation.

15.083 Subdivision of Lots. Non subdivision of such parcel shall be made which creates a lot with width or area below the requirements stated in this zoning regulation.

15.09 Conditional Uses Not Non-Conforming Uses. Any existing principal permitted use at the date of the adoption or amendment of this zoning regulation which would thereafter require a conditional use permit shall without further action be deemed a conforming use, but any enlargement or replacement of such use in buildings or on land, shall require a conditional use permit as provided.

<b>ANY USE WHICH IS FIRST PERMITTED IN THE DISTRICTS BELOW</b>	<b>AND WHICH EXIST AS NON-CONFORMING USES IN DISTRICTS BELOW</b>	<b>MAY BE CHANGED TO ANY USE PERMITTED IN ZONING DISTRICT</b>
IG or IC	IC,CH or CG	Any conforming use
IG or IC	CL	CH or RH
IG or IC	RH,RL, RD	CL or RH
CH,CG,CL	IC or IG	CH
CH,CG	CL or CB	CG
CH,CG,CL or CB	RH,RL, RD	CL or RH
CH,CG, CL or CB	RE, RA, RB, RC	CL or RL
RH or RL	RG or IC	IC, CH, RH
RH or RL	CH, CG	CG or RH
RH, RL, RD, RC	CL, CB	RH, RL, RD, RC
RH, RL	RE, RA, RB, RC, RD	RL, RD, RC

**ARTICLE 16 Historic Preservation Design Guidelines for properties within the Special Historic (SH) Zoning District and Central Business (CB) Zoning District**

*(adopted Sept. 2016; amended Nov. 2018)*

16.01 Special Historic Zoning District Guidelines: For properties located within the Special Historic Zoning District (SH) the adopted and attached by reference historic preservation design guidelines, dated February 2016, shall apply. These guidelines replace Article 17, Sections 17.10. and Section 17.11 which shall not apply to properties zoned SH.

16.02 Central Business District Zoning District Guidelines: For properties located within the Central Business Zoning District (CB) the adopted and attached by reference historic preservation design guidelines, dated November 2018, shall apply. These guidelines replace Article 17, Sections 17.10. and Section 17.11 which shall not apply to properties zoned CB.

16.03 RESERVED

16.04 PROVISION FOR PROJECTS NOT MEETING THE HISTORIC DESIGN GUIDELINES: Within the general limitations of the Comprehensive Plan, the spirit and intent of the regulations and the public interest, safety and welfare, the Architectural Review Board may approve an applicant's request to deviate from the attached design guidelines, dated February 2016, for the local Special Historic (SH) zoning district and from the attached design guidelines, dated November 2018, for the Central Business District (CB) zoning district when:

- 1) The request for deviation of these guidelines have been reviewed by the Planning Department and their findings have been provided in a written staff report and forwarded to the Architectural Review Board for review; and
- 2) The requested exterior alteration is consistent with the stated purpose and intent of these guidelines and with the adopted COMPREHENSIVE PLAN; and
- 3) The proposed exterior changes will not have an adverse impact on the architectural character or historic integrity of the structure and property; and
- 4) That the proposed project and structure will remain as compatible with other properties in this District in terms of form, proportion, mass, configuration, scale, and setbacks; and
- 5) The Architectural Review Board has found that the proposed alterations are necessary for the physical functioning of the building or due to health and safety reasons; and no reasonable alternative is available to fully meet the guidelines.

## ARTICLE 17

## ARCHITECTURAL REVIEW BOARD

17.01 Intent. To establish a board to review development proposals and to provide more design controls in designated older sections of the City of Frankfort. The actions of the board will aid in the prevention of intrusions of undesirable design characteristics, in the protection of desirable and unique physical features in older neighborhoods, in the protection and stabilization of property values and in the prevention of blighting caused by insensitive redevelopment. In addition, this Board is to expand the knowledge of the community on the historic background of Frankfort. This will be accomplished by an ongoing survey and inventory of historic sites within the City of Frankfort. From this information, sites and districts can receive recognition as local landmarks or National Register of Historic Places status. By accomplishing these goals, the City will qualify as a Certified Local Government.

17.02 Membership. The Board of Architectural Review shall consist of seven (7) citizen members all whom are to have a demonstrated interest in historic preservation. Six (6) members shall be appointed by the mayor, with the approval of the Board of Commissioners. One (1) member shall be appointed by the Frankfort-Franklin County Planning Commission. The members shall serve with compensation in the same amount as that of the Board of Zoning Adjustments members.

The seven (7) members to the Architectural Review Board shall consist of:

- a) Two (2) members that are preservation-related professional members (professions of architecture, history, archaeology, architectural history, planning or related disciplines);
- b) Two (2) property owners within of any one of three (Special Capital, Special Historic, or Central Business) local historic zone districts;
- c) Two (2) members of the construction and/or land development industry or Board of Realtors or Downtown Frankfort Incorporated (DFI)
- d) The Planning Commission shall appoint one (1) of its members to the Architectural Review Board (ARB).

All members of the Frankfort Architectural Review Board shall reside within the corporate limits of the City of Frankfort, Kentucky.

Each member should be appointed from a list of at least three (3) nominees submitted to the Mayor by the respective organizations. If any organization entitled to make a nomination shall fail to make the same within thirty (30) days after written request by the City Clerk, then the Mayor, with the approval of the Board of Commissioners, shall seek qualifying members and make the appointment. The term of office of these members shall expire within three (3) years of the date of appointment. These terms are to be staggered. An appointment to fill a vacancy shall be for only the unexpired portion of the term. Such vacancies shall be filled within sixty (60) days. Exception – the term of office for the member representing the Planning Commission shall follow the same term length as when appointed on the Planning Commission.

17.03 General Duties of the Review Board. The Board shall be responsible for accomplishing the following:

- A. Review all applications for new construction, including building additions and demolition in the Central Business, Special Capital and Special Historic zoning districts and advise the zoning administrator regarding the issuance of permits in such districts. The Architectural Review Board shall be guided by the standards and restrictions of the Comprehensive Plan and by the regulations governing the Special Capital, Special Historic and Central Business zoning districts, and by the Design Guidelines contained in Section 17.10.
- B. In accordance with K.R.S. 100.217, the Architectural Review Board shall act as a Board of Zoning Adjustment in hearing and deciding upon requests for Conditional Use Permits, Variances and Appeals for property located within the Special Historic, Special Capital, and Central Business zone districts.
- C. Review all applications for Local Landmark and National Register designation.
- D. Act in an advisory role to officials and departments of local government regarding the protection of local cultural resources.
- E. Act as a liaison between individuals and groups interested in historic preservation and local government agencies.
- F. Attend at least one informational/educational meeting per year, as approved by the Kentucky Heritage Council. The information gathered from such meetings to be used to further educate the general public on preservation issues.
- F. Attend sufficient training annually to satisfy HB-55 requirements. [8 hours of qualifying planning training hours every two (2) years].

17.04 General Procedures. The Board shall function along the following guidelines:

17.041 Bylaws. The Board shall cause a set of bylaws to be adopted. These bylaws shall be kept on file in the offices of the Department of Planning and Community Development and shall be available to the general public.

17.042 Meetings. The Board shall meet on a monthly basis as specified in the bylaws. These meetings shall be held in the Council Chambers of the Frankfort Municipal Building or other public location as required. All meetings shall be open to the general public. The chairman of the Architectural Review Board may call special meetings as necessary to conduct the business of the Architectural Review Board. These meetings will aid in obtaining prompt decisions for the applicant.

17.043 Notice of Meeting. All meetings are to be advertised in the local newspaper at least seven (7) days prior to the meeting. This advertisement shall contain the date, time and location of the meeting, as well as the agenda. In addition to the advertisement in the newspaper, all adjoining property owners to a request being considered by the Architectural Review Board shall be given written notice of the request and date, time and location of the meeting which will be held to consider the

request. Records of ownership in the Property Valuation Administrator's office shall be used for determining the names of the adjacent and contiguous property owners.

17.044 Annual Reports. At the end of each calendar year, the Board shall cause an annual report to be prepared. This report will review all requests reviewed by the Board and action taken. The report will be kept on file in the offices of the Department of Planning and Community Development and shall be available to the general public.

17.05 Review Board Powers: New Construction, Building Additions, exterior renovations, Demolition, and those of the Board of Zoning Adjustment.

17.051 Building Permits. The Board shall not consider any interior alterations or remodeling in their review of permits unless the interior remodeling affects the exterior appearance of the structure. Exterior remodeling as governed by this article shall be deemed to include any change in the design, material or exterior treatment of a structure. The Planning and Community Development Department shall not issue building permits in the Special Historic District, Special Capital District, and Central Business District for any new construction, building additions or moving of any structure unless and until:

1. The Architectural Review Board shall have reviewed the recommended approval of such plans and specifications of such structures as it deems necessary in the circumstances of the particular case, and
2. The Architectural Review Board shall have issued a Certificate of Appropriateness. The Certificate of Appropriateness shall state the reasons for approval by citing how the work proposed in the application is appropriate in regards to the guidelines for review in Section 17.10 and the intent of the respective zoning district contained within each respective zoning district, or
3. The Department of Planning and Community Development Department shall have issued a Certificate of No Exterior Effect. The Certificate of No Exterior Effect shall state the reasons for approval.

17.052 Demolition Permits. No permit for the demolition of a principle structure in a Special Historic District, Special Capital District or the Central Business District shall be issued by the Planning and Community Development Department unless ordered by a Court; or unless approved by the Code Enforcement Board; or unless the Architectural Review Board issues a Certificate of Appropriateness. the Certificate of Appropriateness shall state the reasons for approval by stating how the proposed demolition is appropriate in regard to the guidelines for review for demolition permits, which are contained within each respective zoning district.

17.06 Review Board Procedures

17.061 Certificate of No Exterior Effect--Administrative Approval

A Certificate of No Exterior Effect shall be issued by the Department of Planning and Community Development for all work, including exterior remodeling and minor additions to a property,

proposed within the Special Capital, Special Historic, and Central Business zone districts, except for new construction, building additions, moving a structure, or building demolition. The Director of Planning and Community Development shall use the Design Guidelines contained within each separate zone district in determining if a Certificate of No Exterior Effect can be issued.

In the event that the Department of Planning and Community Development finds that an application does not meet the design guidelines required for the issuance of a Certificate of No Exterior Effect, the application shall be forwarded to the Architectural Review Board for its consideration and recommendations.

17.062 Review Board Procedures: New Construction, Building Additions, Exterior Remodeling, Moving a Structure Into or Out of, and Demolition Within the Special Capital, Central Business, or Special Historic Zone Districts. Whenever application for a building permit is made for new construction, building addition, or the demolition of any structure, or the moving of a structure in a designated Special Historic District, Special Capital District, or Central Business District, the Architectural Review Board shall be notified of such application, and the Board or its designee shall promptly notify the applicant of the date, time and place of a public hearing and shall hold the hearing within sixty (60) days of the filing of such a complete application. An application is determined as complete upon sufficient submittal of all required documentation required within this section, the application, and associated fees. The Board, or its designated representative, where it deems necessary in order to review a particular application, may require the submission of any or all of the following items: architectural plans, plot plans, landscape plans, plans for off street parking, elevations of all portions of proposed structures facing streets, and elevation photographs or perspective drawings showing proposed structures and all such existing structures as are substantially related to it visually or by function, traffic generation or other influencing characteristics. The Board shall vote to approve or disapprove the application within ninety (90) days after the hearing is held. Unless a mutual agreement between the Architectural Review Board and the applicant has been made for an extension of said time, the application shall be deemed to be disapproved if not acted upon within ninety (90) days.

17.07 Approval by Architectural Review Board: New Construction, Building Additions, Moving of a Structure, Exterior Remodeling and Demolition. If the Architectural Review Board approved the application for a building permit or demolition permit, it shall promptly cause a Certificate of Appropriateness to be issued to the applicant, and shall at the same time transmit a copy of said Certificate to the Building Inspector. Upon receipt of the Certificate of Appropriateness or Certificate of No Exterior Effect, the Building Inspector shall issue the building permit or demolition permit if it meets all other requirements of law.

The Certificate of Appropriateness shall be valid for one year from the date of approval by the Architectural Review Board. If, after that time frame, the proposed work has not been completed, the Certificate of Appropriateness shall be null and void, unless an application is filed (at least 30 days prior to the expiration date) to the Architectural Review Board requesting an extension. If the Certificate of appropriateness has been voided, the Office of Planning and Community Development shall notify the applicant of that fact and indicate that a new application must be submitted and approved by the Architectural Review Board prior to any work commencing on the project.

If an applicant finds that the approved work will not be initiated by the issuance of a building permit within the one year time frame, they may request an extension of time from the Architectural Review Board. If the Board finds that the applicant is in fact working toward completion of the project, they may approve an extension of the time allowed for completion of the work.

17.08 Disapproval by Architectural Review Board: New Construction, Building Additions, Moving a Structure, Exterior Remodeling and Demolition. If the Board of Architectural Review disapproves the application for a building permit or demolition permit, it shall promptly transmit a written report stating the reasons for such disapproval to the applicant. In said written report, the Board shall make recommendations in regard to the intent of the Special Historic District, Special Capital District or Central Business District regulations and the guidelines for review outlined in Section 17.10 of this Article.

If an application has been denied by the Architectural Review Board, an applicant shall not be allowed to submit an application for the same work proposed for a period of one calendar year.

17.09 Appeal from Action of the Architectural Review Board: Appeals from actions of the Architectural Review Board may be taken by any person or entity claiming to be injuriously affected or aggrieved by the granting or denial of an application made to the Architectural Review Board. Such appeal shall be filled within thirty (30) days after the decision is made by the Architectural Review Board, by filing with the court of local jurisdiction. *(amended 9-2016)*

#### 17.10 DESIGN GUIDELINES FOR EXTERIOR REMODELING

The following guidelines shall be used by an applicant within the SC zoning district in filing applications for approval for exterior remodeling and shall be used by the Director of the Planning and Community Development Department in determining if a Certificate of No Exterior Effect may be issued for the proposed work. Building permit applications that meet these guidelines may be administratively approved, while those not meeting these guidelines shall require the review and approval of the Architectural Review Board prior to issuance of any building permit for work not meeting these guidelines.

##### **1. Masonry**

Masonry is one of the most durable building materials and can last for centuries. Brick, stone, terra cotta, stucco, concrete, and mortar are all examples of masonry. Masonry is used primarily for wall surfaces, but is also used for cornices, pediments, window lintels and sills, and other decorative building elements. The color, texture and patterns of the masonry and mortar joints help define the character of a building.

- A. Original architectural materials such as brick and stone, wood siding and trim, cast and wrought iron, and sheet metal shall be repaired, restored, and reused whenever possible. Original materials shall not be removed or covered. Where necessary, missing or deteriorated material shall be replaced with appropriate recycled or new materials that match the original as closely as possible. When the exterior masonry of a structure must be repaired, the color, texture, and

pattern (where applicable) and composition of the masonry and the composition, color and tooling of the mortar shall duplicate the original

- B. Existing architectural features that give buildings their character, such as decorative piers, columns, brackets and cornice work, decorative brickwork, and terra cotta shall be preserved.
- C. The addition of inappropriate and out of character features shall be avoided.
- D. Existing architectural elements or portions of the original features shall be retained, repaired or replicated.
- E. If an original detail, such as a cornice, is deteriorated beyond repair or missing, it shall be replaced with a newly designed detail appropriate in scale, material, proportion and accuracy of detail. A simplified design may be used.
- F. Cleaning masonry shall be done by the least damaging method available, ranging from washing with a mild detergent and soft bristle brushes to chemical cleaning.
- G. Sandblasting is not an acceptable method for cleaning and shall not be permitted because it destroys brick and reduces the life of buildings.
- H. Sealants, such as water repellent coatings, shall not be used unless there is actual water penetration through the masonry units themselves, and the problem is not caused by faulty or missing mortar, poorly functioning gutters and downspouts, or rising ground water. If water is penetrating through the masonry to interior surfaces, then only the affected area shall be treated, and only after the masonry has been allowed to dry. Paint is more permanent and provides a good measure of waterproofing to masonry walls. Painting is recommended for building in the Special Capital Business zone district that have been previously painted.
- I. Tuck pointing shall be completed with a soft mortar, simulating the old lime and sand mortars in appearance and composition. A mixture consisting of one part lime, and seven to nine parts of the smallest available mesh sand (to match the original sand) is recommended. The use of this mortar will ensure that expansion and contraction characteristics of the brick and mortar will be approximated.
- J. The original joint type shall be matched by new tuck pointing. In general, the mortar joint shall be concave because this allows for the greatest bond of mortar to brick.
  - 1) The mortar shall be tinted to match the color of the original materials as closely as possible.
  - 2) If brick needs to be replaced, it shall match the original as closely as possible.

## 2. Siding

Wood is a common building material in the historic areas, used for structural framing, protective siding and decorative elements. Wood can be easily shaped by sawing, planing, and carving, and it is used for a broad range of building elements such as cornices, brackets, shutters, columns, porches, doors and windows, and other decorative building elements. For the purposes of these guidelines, siding shall mean all wood siding, shingles, decorative wooden elements and framing.

- A. Wood clapboard siding shall be used as the repair or replacement material on wood frame buildings.
- B. With the exception of accessory structures less than 200 s.f., rough-sawn wood, diagonally-oriented wood or plywood siding (i.e. T-111) is inappropriate and shall be prohibited for exterior walls, trim and ornamentation. *(amended 9-2016)*
- C. Aluminum, fiber cement, or vinyl siding shall be permitted for any structure within the Special Capital zone district. The following guidelines shall be followed in installing aluminum or vinyl siding in the Special Capital zone district:
  - 1. Corner boards for artificial siding shall be the same size as the existing corner boards.
  - 2. All new window and door trim shall be the same width as the original trim.
  - 3. Architectural features must be covered in a manner that will allow for the same proportion after coverage as before coverage.
  - 4. All artificial siding shall run in the same direction as the original siding.
  - 5. Frieze and soffit boards must be covered in the same widths as exists on the building.
  - 6. All detailing which is not flush with the siding or surface must bear the same proportion after coverage as before coverage.
  - 7. All exterior façade shingles shall remain and must not be covered or altered.
  - 8. All decorative porch posts, railings, brackets, cornices, and cornice trim must remain uncovered.
  - 9. Existing shutters consistent with the style of the building shall be returned to the original location after the artificial siding is applied.
  - 10. All masonry must remain uncovered.
  - 11. The width of artificial siding must have approximately the same width and shape as the original, and generally should be 4" to 6" wide.
  - 12. Artificial siding shall not be installed over rotted wood – all original siding, trim, fascia and drip items shall be repaired or replaced.
  - 13. All artificial siding shall be the original color of the building, if possible
  - 14. Siding materials with a stamped or molded design which imitates masonry or wood grain may be used when it matches the existing design.

## 3. Roofs

- A. The original roof shape shall be preserved on the principle building. *(amended 9-2016)*

- B. Changes to the original roof shape or adding features inappropriate to the character of the roof, such as oversized dormer windows, is discouraged. Skylights, roof decks and roof gardens may be permitted if they do not detract from the architectural integrity of the building. Generally, the use of skylights, roof decks or roof gardens on the main façade of the building is discouraged.
- C. Whenever possible, original roofing materials shall be retained. New roofing shall be appropriate to the style and period of the building and neighborhood and should match the old in composition, size, shape, color and texture. Retain or replace, where necessary, all architectural features that give the roof its essential character, such as dormer windows, cupolas, cornices, brackets, chimneys, cresting and weather vanes. Full replacement of roof with material other than existing shall be only approved by the Board and after the applicant has submitted documentation and evidence of why the existing roof material cannot be repaired and/or replaced with the same material.
- D. Architectural details that will change the character of the roof and the structure are discouraged. Television antennae, satellite dishes or similar items and mechanical equipment such as air conditioning units shall be placed in an inconspicuous location where they will not detract from the character of the building

#### **4. Gutters and Downspouts**

- A. Box gutters shall be preserved and repaired or replaced with the same style box gutters on all elevations visible from a public right-of-way. Box gutters that cannot be repaired on elevations not visible from a public right-of-way ,may be replaced with half-round hanging gutters and round downspouts, ,
- B. Finish Treatment: Hanging gutters and downspouts, unless made of copper, shall be painted the same color as the house or the trim. To prevent the paint from flaking and peeling within a short period of time, new non-galvanized metal or aluminum gutters or downspouts shall be coated with a galvanized steel primer before applying the finishing coats of paint.
- C. Style: All hanging gutters and downspouts may be repaired or replaced with the same style and design. All new Hanging gutters shall be half-round and new downspouts shall be round unless otherwise approved by the Architectural Review Board; however, modern K-style gutters are allowed within the SC district, with the exception of historically contributing structures. PVC style gutters shall not be allowed in any historic district.
- D. Any ornamental roof accessories shall be cleaned, repaired and painted.

#### **5. Windows**

- A. The original pattern of window openings and their shape and configuration shall not be altered.

- B. Original windows shall be retained when possible, and repaired as needed.
- C. When replacement windows are used, they shall match the original in size, shape and design. Wood with vinyl clad or aluminum exteriors are allowed within the SC district. (*amended 9-2016*)
- D. Existing 6-over-6, 4-over-4, or 2-over-2 window sash may be replaced with 1-over-1 window sashes.
- E. Snap-in grids or grids between panels of glass that give a false appearance of a multi-pane sash are discouraged. (*amended 9-2016*)
- F. Windows of a style or era different than the house shall not be used.
- G. New storm windows shall be of wood or anodized aluminum with a painted finish.
- H. Window openings shall not be reduced, enlarged, or filled in on street facades.
- I. If original openings are filled in on the side or rear, the outline of the original opening shall remain apparent by setting infill material back from the surface and leaving original sills and lintels in place. Original openings on the side and rear may be blocked by attaching shutters in a closed position to maintain the appearance of a window.
- J. Installation of new window openings shall match the existing window openings as much as possible, especially on the primary elevations. New openings shall be of the same size and at the same height as existing openings. Board review and approval is required when such new window openings are proposed on street façade elevations.

## **6. Shutters**

- A. Original shutters shall be retained or repaired.
- B. New shutters shall match the old in composition, size, shape, color and texture. Vinyl shutters shall only be allowed within the Special Capital District when vinyl siding exists on the same elevation.
- C. Shutters that detract from the character and appearance of the building shall not be installed. Shutters shall look as if they could work; they shall be big enough to cover the entire window when closed and they shall not overlap when open.

## **7. Doors**

- A. Whenever possible, the building's original door(s) and door trim shall be retained and/or repaired. If a new door is required, the size, proportion, shape and configuration of the original door shall be duplicated as closely as possible. New doors shall match the material and hardware of the original.

- B. Any original hardware on the door shall also be repaired or retained whenever possible.
- C. Door openings shall not be reduced, enlarged, or filled in on street facades. Original transoms shall be retained.
- D. If it is not possible to retain original door openings, the door may be fixed in place so as to retain the original appearance. If original openings are filled in on the side or rear, the outline of the original opening shall remain apparent by setting infill material back from the surface and leaving original sills and lintels in place.
- E. In instances where new doors are proposed to be installed where there are no existing openings, the new doors shall match the existing doors as much as possible. New openings shall be of the same size and at the same height as existing openings.

## **8. Porches and Decks**

- A. Porches or additions reflecting a later architectural style are often important to the building's historical integrity and shall be retained.
- B. Porches and steps appropriate to the building and its development shall be retained.
- C. When a new porch is added where one does not exist, the porch shall be compatible with the building in terms of the materials and their texture, color, scale and detailing.
- D. The detailing of the components of the porch, including roofs, railings and trim shall be compatible with the existing building.
- E. Decks on the rear and side elevations of a structure are permissible. These decks and porches shall follow the guidelines for new construction.
- F. Any addition of an exterior handicap ramp shall not require the Board approval for a determination of setback. The material and design shall be compatible with the existing building to the maximum extent possible.

## **9. Site Features**

Private site elements include driveways, walkways, garages and out-buildings, lighting, fences, walls, benches, terraces, signs, fountains, berms, drainage ditches, trees, plantings and archaeological features. The relationship between historic buildings and the site features within a property's boundary helps define the historic character and shall be considered an important part of any project.

### **A. Walls and Fences**

- 1) Walls and fences, including gates, are a consistent and dominant element throughout the historic areas. Cast iron and wrought iron fences and gates are the most frequent existing materials and their use shall be continued where

appropriate. Existing wrought iron or cast iron fences and masonry walls shall be repaired and retained whenever possible.

Picket fencing shall be no more than 4' in height and shall have no more than a 4" separation between pickets. Privacy fencing, commonly used in other areas of the City, shall only be used in the side and rear of the property.

- 2) Within the front yard, fence materials shall be masonry (stone or brick), wrought iron or wood. New fences shall be compatible with existing fences in the historic areas. Fences in front yards shall be no more than 4' in height. The use of picket fencing in front yards shall be encouraged whenever possible. Picket fencing shall have no more than a 4" separation between pickets. Chain link fencing shall not be permitted in the front yard of any structure.
- 3) Exception within the Special Capital District only:
  - a.) When replacing an existing wood fence, the owner may choose to replace wooden fences with white vinyl fence material.
  - b.) When installing new fences, the owner may choose to install vinyl fence material provided a portion of the exterior of the principle building also contains vinyl material and no other fence material exists on the same property – when other types of fence material exists on the same property, the architectural review board shall review and approve any proposed vinyl fence material.
  - c.) Any vinyl fence material shall consist of the following minimum standards:
    - (1) Picket style shall not exceed 4' in height and shall have not more than a 4" separation between pickets.
    - (2) Vinyl lattice fencing shall only be an accent upon the top portion of a vinyl privacy fence material and is limited to the required height restrictions.
    - (3) Posts, Post caps and end caps shall be provided in same vinyl material.
    - (4) Railing along porches may also be made of white vinyl material – provided a portion of the exterior of the principle building also contains vinyl material.
    - (5) Vinyl post and rail fencing is not allowed.
    - (6) Vinyl fencing shall not be painted.
  - d.) Existing metal or masonry fences/walls shall not be replaced with other materials, unless authorized by the Architectural Review Board.

#### B. Landscaping

Whenever possible, existing walkways or garden ornaments shall be retained and repaired. Landscaping consistent with the historic area and compatible with the architecture is encouraged.

#### C. Ground Surfaces

Ground surface materials, such as paving, ground cover planting, terraces, etc., shall be compatible with the existing and adjacent sites, existing site conditions and the character

of the building. Use of materials compatible with the existing public sidewalks is encouraged.

The use of ground surfaces that vary significantly from the surrounding conditions, that do not fit the site configuration, or that detract from the character of the building are discouraged. For example, front yards which have an extensive mixture of paving materials and walks with little grass or ground cover shall be avoided, especially where the surrounding sites have large areas of grass or ground cover and few paved areas. Hard surfaced paving such as walks should not conflict in character with adjacent sidewalk materials.

#### D. Plantings

Large trees on private property along the streets and sidewalks contribute to an "avenue" effect. The continuation of this precedent is encouraged. Periodic maintenance shall be carried out to ensure the proper health and appearance of landscaping. The removal of trees where they contribute to the continuity of street trees is discouraged.

#### E. Awnings

- 1) Awnings are encouraged as part of the overall design concept for buildings.
- 2) The installation of canvas canopies and awnings is encouraged on both commercial and residential buildings. However, they shall not obscure significant architectural features or require their removal.
- 3) Existing canvas awnings shall be retained and repaired whenever possible.
- 4) New awnings shall be designed and constructed with appropriate materials that respect the original character of the building and area.
- 5) New awnings shall be of a size, shape, color and texture which is compatible with the building's architectural style.
- 6) Awnings shall be constructed of canvas or other pliable material that meet Fire Codes. Metal or other rigid awnings shall not be used. Flame retardant canvas and or self-extinguishing materials that resemble canvas such as 100% acrylic are acceptable. Vinyl materials shall not be allowed.
- 7) On commercial buildings, awnings may incorporate signs, as long as the sign does not exceed the size requirement for a fascia sign.

### **10. Facades/Storefronts**

Traditionally, commercial buildings have a well-defined opening that contained the original storefront and is usually exclusively confined to the first floor of the building. Storefronts shall

never be enlarged to encompass additional floors, unless it can be determined that this was the original design of the building.

- A. Piers or columns that divide the storefront into bays, and lintels or cornices that separate the storefront from the upper floors shall not be covered or removed
- B. Windows shall not be filled in and the existing sill height shall be maintained.
- C. Original transoms, window configurations, doors, and ornamentation shall be retained and repaired whenever possible, or replaced with similar materials as needed. Where no original materials or detailing remains, new work shall be compatible with the original character of the building.
- D. Storefronts shall be located in the plane of the front façade. Storefronts which have major projections beyond the front façade of the building are not appropriate and shall be avoided. The entry to the building shall, however, be slightly recessed to provide a sheltered entry to the building. For exterior swing doors, the depth of the recess shall be greater than the width of the proposed door.
- E. Storefronts that are not original but have their own unique or historic character or design shall be retained and repaired.
- F. In the event that the original storefront has been removed or irreparably damaged, a new front consistent with the architectural style of the overall structure shall be constructed.
- G. When designing new storefronts, scale, materials, proportion, color and number and size of window openings shall all be considered.
- H. Inappropriate historical themes shall be avoided. Detailing such as coach lanterns, colonial doors, storefront shutters, small window panes and window openings shall be avoided.
- I. Materials and design elements such as mansard roofs with wooden shingles, rough textured wood siding, and fake bricks or stone are not appropriate materials for commercial storefronts and shall be avoided.
- J. The storefront shall be designed with large quantities of clear glass, approximately 75% of the storefront area.
- K. Storefront window glass shall be clear. Mirrored or shaded glass shall not be used, unless substantial evidence that the original building contained such glass.
- L. Appropriate materials shall be selected to repair and replace storefronts. Materials such as vinyl and aluminum siding are not appropriate. Where aluminum window

frames are used to replace those that were originally wood, the exterior frames shall be either anodized aluminum or painted.

- M. The proportions of the elements of the storefront shall be appropriate to the overall design of the building, as well as to the original storefront. Vertical proportions are much more common than horizontal. Proportions of the storefront cornice, the window elements and the door openings are all important considerations, and these individual elements were often constructed with similar proportions. Alterations to the original architecture shall not be made to "improve" the design of the building.
- N. Storefronts shall not be placed on buildings or portions of buildings that were not originally designed as commercial buildings.

#### 17.11 DESIGN GUIDELINES FOR NEW CONSTRUCTION OR MOVING OF A STRUCTURE INTO THE HISTORIC DISTRICTS:

- A. Proportion of Building's Street Front Façade: The existing relationship between the width and height of the street front elevation(s) of the building (s) in the immediate area shall be maintained.
- B. Proportion of Windows and Other Openings Within the Façade: The relationship of width to height of windows, doors and other openings of the facades of building(s) in the immediate area shall be maintained.
- C. Rhythm of Solids in Street Front Facades: Rhythm being an ordered recurrent alternation of strong and weak elements. Moving by an individual building, one experiences a rhythm of masses to openings. This rhythm shall be maintained.
- D. Rhythm of Spacing of Buildings Along Streets: Past a sequence of buildings, one experiences a rhythm of recurrent building masses to spaces between them. This rhythm shall be maintained.
- E. Rhythm of Entrance and/or Projections: The relationships of entrances to sidewalks. Moving past a sequence of structures, one experiences a rhythm of entrances and projects (such as porches) at an intimate scale. This rhythm shall be maintained.
- F. Relationship of Materials: Within the immediate area, the predominant material may be brick, stone, stucco, wood siding or other material. This relationship shall be maintained.
- G. Relationship of Textures: The predominant texture within an area may be smooth, rough, horizontal, vertical or other texture or a combination of these textures. This relationship shall be maintained..
- H. Relationship of Color: Within an area, the predominant color may be that of natural materials, or the patina of materials colored by time. The accent of blending colors of trim may also be predominant. This relationship shall be maintained.

- I. Relationship of Architectural Details: Predominant details within an area may include cornices, lintels, arches, quoins, balustrades, wrought iron work, chimneys, and other significant design elements. The relationship of architectural details shall be maintained.
- J. Walls of Continuity: Within an area, physical elements, such as brick walls, wrought iron fences, landscaping masses, building facades, or combinations of these, may form a cohesive enclosure or sense of enclosure along a street. These walls of continuity shall be maintained.
- K. Relationship of Landscaping and Landscape Elements: There may be a predominance of a particular quality and quantity of landscaping and landscape elements within an area. These landscaping and landscape elements may combine to provide a certain mass and continuity. This relationship shall be maintained.
- L. Ground Cover: Within an area, there may be a predominance in the use of ground cover, such as brick pavers, cobble stones, granite blocks, tabby grass, moss, or other materials. The predominance of these materials shall be maintained.
- M. Scale and Units of Scale: Scale, within an area, is created by the size of structures, landscaping, landscaping elements, and architectural details which may relate to the human size, monumentality or some other order of proportion. Scale is also determined by structural, landscape or other such masses and their relationships to open space. The predominant elements of scale may be brick or stone units, windows or door openings, porches or balconies, landscape massings, roof pitches, eave lines, etc. The ambient scale of an area and its units of scale shall be maintained.
- N. Directional Expression of Building Facades: Structural shape, placement of openings, and architectural detailing may provide a predominantly vertical, horizontal, or a non-directional character to the building facades. This directional expression shall be maintained.

17.12 Demolition of Structures: The following guidelines are to be used by the Architectural Review Board in making its determination when an application has been filed for the demolition of a structure.

- A. Any applicant requesting approval for the demolition of a principle building shall be required to submit the following information with their application:
  - 1) The architectural and historical importance of the structure and its significance to the history, character, and/or fabric of the designated area. (This information shall be presented in a report prepared by an Architect or an Architectural Historian)
  - 2) The physical condition and structural integrity of the structure. (This information shall be presented in a report prepared by an Architect or Structural Engineer)
  - 3) The cost of reasonable rehabilitation, renovation or restoration of the structure to allow the structure to continue in a useful function or to continue its contribution to the designated district. Also, the cost of demolition and disposal of the structure. ( Two quotes addressing the minimum standards shall be submitted. The quotes shall be

prepared by an Architect or Professional Property Appraiser. This information may also be provided by estimates from three independent Construction Contractors licensed to do business by the City of Frankfort, Kentucky.)

- 4) The existing and/or potential usefulness of the structure, including the potential reasonable economic return from the use of the structure. (This information shall be presented in a report prepared by an experienced Real Estate Professional or other competent Professional and shall include information about the value of similar structures in the designated district.)
- 5) The applicant shall submit information on the amount paid for the property in all sales in the previous five (5) years; the assessed value of the land and improvements; the real estate taxes paid; the annual debt service, if any; and all appraisals obtained within the previous two (2) years.

B. When an application for demolition is for an accessory structure, the Board, through its Chairman, may waive the detailed application outlined above, and authorize the issuance of a “no exterior effect” by staff.

C. The Architectural Review Board shall consider the relationship between the structure to be demolished and its site, other structures on the site, and other property in the designated district. In evaluating this relationship, the Board shall consider the historical and architectural significance, architectural style, design, arrangement, texture, materials, and color.

D. If economic hardship or the lack of reasonable return is a concern of the applicant, the Board should consider the following items to be provided by the applicant: the annual gross income for the previous two (2) years; itemized operating and maintenance expenses for the previous two (2) years; and annual cash flow for the previous two (2) years.

E. If a “Certificate of Appropriateness” for demolition is granted, the Board may require any or all of the following:

- 1) Documentation of the structure by the applicant through photographs and/or measure drawings, including material on detailed features of the structure.
- 2) Preservation of valued architectural details and materials of the structure by the applicant. If details or materials are to be preserved the Board may negotiate with the applicant as to the methods of preservation.

17.13 In-Progress Inspections/Stop Work Orders. All work performed pursuant to the issuance of a Certificate of No Exterior Effect or Certificate of Appropriateness shall conform to the requirements of such certificate. It shall be the duty of the Department of Planning and Community Development to inspect from time to time any work performed pursuant to such certificate to assure compliance. In the event that work performed is not in accordance with such certificate, the Director, Department of Planning and Community Development or his designated representative shall issue a stop work order

and all work shall cease. No person, firm or corporation shall undertake any work on such project while the stop work order is in effect.

17.14 Emergency Conditions. In any case where the Building Inspector, in consultation with the Director of the Department of Planning and Community Development, determines that there are emergency conditions dangerous to life, health, or property affecting a property in a historic district, he may order the remedying of these conditions (given priority to stabilization prior to demolition) without the approval of the Architectural Review Board. The Director shall promptly notify the property owner and Chairman of the Architectural Review Board of the action being taken.

#### 17.15 Review Board Powers: Local and National Register Designation

17.15.1 Local Landmarks and Districts. The Board shall consider all applications for local designation of individual sites and districts within the City of Frankfort. These shall be defined as sites or districts that are significant to the history and development of Frankfort, but do not qualify for inclusion on the National Register of Historic Places. Such a designation does not automatically grant the Board review powers for new construction, exterior remodeling and demolition. This designation will be considered for future rezoning requests.

17.15.2 National Register of Historic Places. The Board shall consider all applications for National Register listing within the City of Frankfort, except those that are part of an awarded grant issued by the Kentucky Heritage Council, where the City is the applicant. Once individual sites or districts are listed on the National Register, the Board will not automatically obtain review powers for new construction, exterior remodeling and demolition. This designation will be considered for future rezoning requests.

17.15.3 Review Board Procedures: Local and National Register Designation. Whenever an application for a local or national designation is received (except for those excluded in 17.15.2), the Board shall be notified. The Board shall promptly notify the applicant of the date, time and place of a public hearing within sixty (60) days of the filing of such application. The board shall require the submission of a completed nomination form and representative photographs of the property (electronic jpeg format is acceptable), as well as any other documentation the Board may deem necessary. The Board shall vote to approve or disapprove the application within ninety days after the application has been filed. Unless a mutual agreement exists between the Board and the applicant, the application shall be deemed disapproved if not acted on in ninety (90) days.

17.15.4 Approval by Architectural Review Board: Local and National Register Designation. If the Board approves the nomination of a site or district, the applicant will be notified by letter of the action. At the same time, the City Commission will be notified of the action for their review. The City Commission will then review the application, consider the comments and actions of the Board, and render a final decision. If the application is for National Register designation, the City Commission will forward its decision and all comments to the Kentucky Heritage Council within sixty (60) days, for submission to the Kentucky Historic Preservation Review Board.

The Kentucky Historic Preservation Review Board, after considering all opinions, will make its recommendation to the State Historic Preservation Officer. The Board, the City Commission, or the

property owner may appeal this final decision by the procedure outlined in the National Historic Preservation Amendment Act of 1980 (36CFR8).

17.15.5 Disapproval by Architectural Review Board: Local and National Register Designation. If the Board disapproves the application for a site or district, it shall promptly transmit a written report stating the reasons for such action to the applicant. A copy of this report will be forwarded to the City Clerk and the Kentucky Heritage Council. If both the Board and the City Commission recommend that a site or district not be nominated, it will notify the Kentucky Heritage Council of this decision. The Council will then notify the property owner, the State Review Board, and the State Historic Preservation Officer. The property will then not be nominated unless an appeal is filed with the State Historic Preservation Officer. This appeal procedure is outlined in the Historic Preservation Amendment Act of 1980 (36CFR8).

17.15.6 Appeal from Actions of the Architectural Review Board: Local and National Register Designation. In the event the Board disapproves an application for designation, the applicant may appeal the decision to the City Commission.

17.15.7 Criteria for Local Landmark Designation. The criteria for local designation will be based on criteria similar to that established by the Department of the Interior for inclusion on the National Register of Historic Places. In such cases, more weight will be given to local significance.

17.15.8 Criteria for National Register Designation. The criteria for National Register designation shall be the same as those established by the Department of the Interior.

17.16 Definitions. As used in this Article, the following terms shall mean:

- a. Certified Local Government: A government meeting the requirements of the National Historic Preservation Amendment Act of 1980 (P.L. 96-515) and the implementing regulations of the U.S. Department of the Interior and the Kentucky Heritage Council.
- b. Board: The Frankfort Architectural Review Board
- c. Demolition: Any act that destroys in whole or in part a landmark or a building in a historic district or a landmark site.
- d. Exterior Remodeling: Any change in the design, material, or exterior treatment of a structure that requires a building permit.
- e. Historic District: An area meeting one or more of the criteria contained in Section 17.15.8 of this Article.
- f. Landmark: A building or structure meeting one or more of the criteria outlined in Section 17.15.7 of this Article.
- g. Minor Additions: A deck, patio, porch, accessory storage building, garage, etc.

## ARTICLE 18

## BOARD OF ADJUSTMENT

18.01 Establishment. The Board of Adjustment as constituted at the time of the adoption of this zoning regulation shall continue in power. Future appointments shall be made as required by KRS 100.217 and by the City of Frankfort and Franklin County Joining Planning Commission agreement.

18.02 Proceedings. The Board of Adjustment shall conduct meetings at the call of the Chairman who shall give written or oral notice to all members of the Board at least seven (7) days prior to the meeting, which notice shall contain the date, time and place of the meeting, and the subject or subjects which will be discussed. A simple majority of the total membership of the Board of Adjustment shall continue a quorum. The Board shall keep minutes and records of all proceedings, including regulations, transactions, findings, determinations, the number of votes for and against each question, whether any member is absent or abstains from voting, all of which shall, immediately after adoption, be filed in the office of the Board. A transcript of the minutes of the Board of Adjustments meeting shall be provided if requested by a party, at the expense of the requesting party, and the transcript shall constitute the record.

All applicants shall be required to provide with their application a list of all property owners adjacent to the subject property, and their mailing addresses. The Office of Planning and Zoning shall send notice of the request, including the date, time and place of the meeting of the Board of Adjustments, to these adjacent property owners. This notice shall be by first class mail and shall be sent at least seven (7) days prior to the meeting.

18.03 Powers. The Board of Adjustment shall have the following powers:

18.031 General Powers. The Board of Adjustment may employ or contract with planners or other persons as it deems necessary to accomplish its assigned duties. The Board shall have the right to receive, hold and spend funds which it may legally receive from any and every source in and out of the Commonwealth of Kentucky, including the United States Government, for the purpose of carrying out the provisions of this zoning regulation. The Board shall have the power to issue subpoenas to compel witnesses to attend its meetings and give the evidence bearing upon the questions before it. The Chairman of the Board of Adjustment shall have the power to administer oaths to witnesses prior to their testifying before the Board on any issue.

18.032 The Board of Adjustment shall have the power to grant conditional use permits, approve dimensional variances or to hear appeals from administrative decisions.

18.033 The Board of Adjustment shall have no power or authority to grant any use variance which permits any use of land or structure not permitted by this ordinance, or to grant any conditional use not indicated in these zoning regulations; and it is specifically prohibited from doing.

18.04 Conditional Use Permits. The Board shall have the power to hear and decide applications for conditional use permits to allow the proper integration into the planning area of uses which are

specifically named in this zoning regulation which may be suitable only in specific locations in the zone only if certain conditions are met.

18.041 The Board may approve, modify or deny any application for a conditional use permit. If it approves such permit, it may attach necessary conditions such as time limitation, requirements that one or more things be done before the request can be initiated, or conditions shall be recorded in the Board's minutes and on the conditional use permit, along with a reference to the specific section in this zoning regulation to the specific section in this zoning regulation listing the conditional use under consideration. The Board shall have the power to revoke conditional use permits or variance for non-compliance with the condition thereof. Furthermore, the Board shall have a right of action to compel offending structures or uses removed at the cost of the violator and may have judgement in persona for such cost.

18.042 The granting of a conditional use permit does not exempt the applicant from complying with all the requirements of building, housing and other regulations.

18.043 In any cases where a conditional use permit has not been exercised within the time limit set by the Board, or within one year, if no specific time limit has been set, the granting of such conditional use permit shall be reconsidered by the Board of Adjustment at a public hearing with notice as required.

18.044 Once the Board of Adjustment has granted conditional use permit and all of the conditions have been satisfied, then a building or occupancy permit may be issued and the use will be treated as a permitted use subject to the following limitations:

- A. The permitted use applies only to the specific use approved.
- B. The use is permitted only at the location approved.
- C. The permitted use is granted only to the person to whom the Board issued the conditional use permit.
- D. The use is permitted only subject to any continuing conditions specified by the Board.
- E. The permitted conditional use is not transferable with neglect to use, location or person. Any change in ownership, person or use shall be subject to new consideration by the Board of Zoning Adjustments.

18.05 Dimensional Variances. The Board shall have the power to hear and decide on applications for the dimensional variances where, by reason of the exceptional narrowness, shallowness or unusual shape of a site on the date of adoption or amendment of this zoning regulation or by reason of exceptional topographic conditions, or some other extraordinary situation or condition of that site, the literal enforcement of the dimensional requirements (height or width of building

or size of yards, but not population density) of this zoning regulation would deprive the applicant of reasonable capacity to make use of the land in a manner equivalent to the use permitted other landowners at the same zone. The Board may impose any reasonable conditions or restrictions on any variance it decided to grant.

18.051 Before any variance is granted, the Board must find all of the following which shall be recorded along with any imposed conditions or restrictions in minutes and records and issued in written form to the applicant to constitute proof of the dimensional variance:

- A. The specific conditions in detail which are unique to the applicant's land and do not exist on other land in the same zone.
- B. The manner in which the strict application of the provisions of this zoning regulation would deprive the applicant of a reasonable use of the land in the manner equivalent to the use permitted over landowners in the same zone.
- C. That the unique conditions and circumstances are not the result of actions of the applicant taken subsequent to the adoption or amendment of this zoning regulation.
- D. Reasons that the variance will preserve, not harm the public safety and welfare, and will not alter the essential character of the neighborhood and, if within a Floodplain Zone would not increase the flood heights.
- E. For dimensional variances of lowest floor elevations (including basement) from the regulatory flood elevation in a Flood Fringe District only: The property on which the structure is to be located is an isolated lot of one-half acre or less, contiguous to and surrounded by existing structures constructed below such required first floor elevation or a structure listed on the National Register of Historic Places or a State Inventory of Historic Places is to be restored or reconstructed.

18.052 A dimensional variance applied to the property for which it is granted and not the individual who applied for it. A variance also runs with the land and is transferable to any future owner of the land but it cannot be transferred by the applicant to a different site.

18.06 Administrative Review. The Board of Adjustment shall have the power to hear and decide cases where it is alleged by an applicant, that there is an error in any order, requirement, decision, grant or refusal made by the Building Inspector in the enforcement of this zoning regulation. Appeals under this section must be taken within thirty (30) days of the date of official action by the Building Inspector.

18.07 Appeals to the Board may be taken by any person, or entity claiming to be injuriously affected or aggrieved by an official action or decisions of the zoning enforcement officer. Such appeal shall be taken within thirty (30) days after the applicant or his agent receives notice of the action appealed from by filing with said officer and with the Board a notice of appeal specifying the

ground thereof, and giving notice of such appeal to any and all parties of record. Said officer shall forthwith transmit to the Board all papers constituting the record upon which the action appealed from was taken and shall be treated as and be the respondent in such further proceedings. At any hearing by the Board any interested person may appear and enter his appearance and all shall be given an opportunity to be heard. The Board shall fix a reasonable time for hearing the appeal and give public notice in accordance with KRS Chapter 424, as well as written notice to the applicant and the Building Inspector at least one week prior to the hearing, and shall decide it within sixty (60) days. The affected party may appear at the hearing in person or by an authorized representative.

**ARTICLE 19**            **CONDITIONAL USES**

19.01 General. Wherever any conditional use is considered by the Board of Zoning Adjustments, the Board shall determine that the following conditions have been met.

19.011            That street or road capacity and condition is adequate to serve anticipated additional traffic.

19.012 That public facilities required are available.

19.013            That the conditional use proposed is in accordance with the intent of the zoning district within which it will be located.

19.014            That the proposed use will have no adverse effect upon the adjacent or surrounding property.

19.015            That appropriate screening or buffering is provided in accordance with Article 7, Landscape Regulations.

19.016            That any sign requirement specified in Article 13 will have been met and that no sign for any conditional use in any residential zoning district exceeds two (2) square feet.

19.017            That all specific conditions enumerated in this Article Section 19.02 through 19.15 will have been fulfilled.

19.018            That the use and development of land complies with the adopted Comprehensive Plan.

19.02 Specific Conditions. In addition to the above general conditions the Board shall evaluate the standards and conditions for those uses which follow and for which specific conditions are established.

19.03 Cemeteries and Mausoleums.

19.031            Location. A cemetery or mausoleum may be granted a conditional use by the Board of Zoning Adjustments to locate in any AG, CH or IC Zone.

19.032 Site Plan. Any proposal for a cemetery or mausoleum shall be accompanied by a site plan showing all ingress, egress, building sites, external road system and such information as may be required by the Board of Zoning Adjustments.

19.033            Accessory Uses. Any accessory uses included on the site must be clearly defined and all such accessory uses must be compatible with the surrounding uses and be no more objectionable than the principal use.

19.034            Area. Any new cemetery shall be located on a site containing not less than twenty (20) acres.

- 19.035 Setback. All structures including but not limited to mausoleums, permanent monuments or maintenance building shall be set back not less than thirty five (35) feet from any property line or street right-of-way and all graves or burial lots shall be set back not less than twenty five (25) feet from any property line or street right-of-way.
- 19.036 Landscaping. Landscaping shall be provided in accordance with Article 7, Landscape Regulations.
- 19.037 Compatibility. The proposed use must be entirely compatible with adjacent and surrounding land uses.
- 19.038 Access. Access to the proposed site must be adequate in order that traffic and funeral processions to the site will create a minimum of interference with normal traffic operations. All principal entrances shall be from at least a collector street.
- 19.04 Civic, Community or Private Clubs. The Board of Zoning Adjustments shall hold a public hearing before issuing a conditional use permit for civic or community clubs. Such hearing shall determine that:
- 19.041 The design of the structure is compatible with the surrounding neighborhood.
- 19.042 Off-street parking meets requirements in Chapter 12.
- 19.043 Adequate access is provided to an arterial or collector street and traffic is not required to travel through a residential neighborhood. Principal access is prohibited to local neighborhood streets.
- 19.044 The civic or community club is organized as a non-profit service oriented association.
- 19.05 Reserved.
- 19.06 Day Care Centers, Nurseries, Kindergartens. *(amended October 22, 2007)*
- 19.061 Location. A day care center, nursery or kindergarten may be granted a conditional use in the RD, RA, RB, RC, RS and RD zone districts and shall contain no more than six (6) children. A day care center, nursery or kindergarten may be granted a conditional use in the RL and RH zone districts, but shall contain no more than twelve (12) children. Any day care center, nursery or kindergarten proposed to be located within a Church in any residential ( R ) zone district may be granted a conditional use for more than six (6) or twelve (12) children provided that all requirements listed under Section 19.06 are met. Signs shall not be permitted to advertise this business. No day care center, nursery or kindergarten may be located within a dwelling unit of a multi-family building.

Day care centers, nurseries or kindergartens shall be permitted in the PO, CL, CG, CH, CB, IC, IG and AG zone districts for up to thirty five (35) children. Within such zones – the Applicant shall comply with all requirements of Section 19.06. When said day care center abuts property zoned or used for residential purposes, a Conditional Use Permit shall be required. If a day care center, nursery or kindergarten in the PO, CL, CG, CH, CB, IC, IG and AG zone districts proposes to have over thirty five (35) children, a conditional use permit shall be required, and all requirements of Section 19.06 shall be satisfied.

19.062 Site Plan. Any proposed day care center, nursery or kindergarten shall provide a site plan showing all ingress and egress, parking, structures on site and play area, and landscaping required as provided in Article 7, Landscape Regulations.

19.063 Total Area. The total lot area of any day care center, nursery or kindergarten shall not be less than 5,000 square feet.

19.064 Play Area. All day care centers, nurseries and kindergartens shall provide a play area (indoors and outdoors) based on the following table:

<b>Age of children</b>	<b>Minimum sq.ft. play area</b>	<b>Minimum play area inside</b>	<b>Minimum play area outside</b>
<b>0-23 months</b>	<b>33 sq.ft. / child</b>	<b>75% of total capacity of facility</b>	<b>33% of total capacity of facility</b>
<b>24 - 35 months</b>	<b>50 sq.ft. / child</b>	<b>75% of total capacity of facility</b>	<b>33% of total capacity of facility</b>
<b>3 years or older</b>	<b>75 sq.ft./child</b>	<b>75% of total capacity of facility</b>	<b>33% of total capacity of facility</b>
<b>Additional requirement: no total indoor play area shall be less than that required by the State’s Cabinet for Health and Safety and Family Services (60 sq.ft. per child – regardless of age)</b>			

No portion of the exterior play area including fencing shall be closer than thirty-five feet to any public street. Any indoor play area provided to satisfy this section shall be exclusively for recreational play that is not considered to be part of the required usable interior space identified in 19.065. Should the indoor play area be proposed within multiple areas of the building, then no one designated indoor play area shall be less than 33% of the total capacity of the facility based on the total indoor sq.ft. of play area required.

Exception to exterior play area: If the outdoor play area can not be provided on site due to physical impracticalities of the site – then the required indoor play area shall be increased by the amount of play area that would have been required outside. No variance or

modification shall be allowed to reduce the amount of interior play area, when no exterior play area is provided.

19.065 Interior Space. Usable interior space within any child care facility shall be not less than thirty five (35) square feet per child. Kitchen, bath, restroom or passageways shall not be counted as usable space.

19.066 Day Care Centers, nurseries or kindergartens in residential zone districts shall be staffed only by residents of the home.

19.067 No Day Care facility, Nurseries, or Kindergartens shall be allowed or approved to be located less than 1,000 feet from an established residence of a registered sex offender.

19.068 Should the State's Cabinet for Health and Safety and Family Services require more stringent requirements than identified above, then the more restrictive requirements shall be required.

## 19.07 Home Occupations.

### 19.071 Purpose and Location

A home occupation is an accessory use which is incidental to the use of the dwelling for residential purposes. Regulations governing home occupations are intended to protect residential districts from commercial encroachment, maintain the character of the neighborhood, prevent an undue increase in traffic or parking problems on local streets but at the same time provide a means for individuals to operate businesses customarily conducted from private homes. Such permits may be granted in any zoning district where residences are permitted.

### 19.072 Classification

Home occupations will be categorized into two different types: Minor Home Occupations and Major Home Occupations. Minor Home Occupations may be administratively approved provided that the applicant meets all criteria set forth in Section 19.07. Major Home Occupations shall require a Conditional Use Permit by the Board of Zoning Adjustment prior to the issuance of a Business License.

- A. Minor Home Occupations may be administratively approved when the following conditions are met:
1. No person other than a resident of the dwelling unit shall be engaged or employed in the home occupation
  2. There shall be no visible exterior evidence of the conduct of the occupation
  3. No advertisement shall be placed in any media (newspaper, magazine, telephone directory, radio television) containing the address to the property.
  4. No customers/students/clients will be allowed on site.
  5. The home occupation shall not create the need for off-street parking beyond normal dwelling needs and will not generate additional traffic.

No Business License shall be issued for the conduct of a Minor Home Occupation until the applicant has shown that all criteria and conditions of Section 19.07 have been met.

- B. Major Home Occupations shall require approval of a Conditional Use Permit from the Board of Zoning Adjustments. In order for the Board of Zoning Adjustments to approve a Major Home Occupation the following conditions must be met:
1. Employees working or meeting at the home occupation site shall be limited to persons who reside in the dwelling unit except that one nonresident employee shall be permitted to be at the site at any one time.
  2. No more than two customers, clients or pupils shall be permitted on the site at any one time except that an occupant of a single-family dwelling may provide group or professional therapy for no more than four individuals at one time.
  3. Any Major Home occupation that accommodates customers, clients or pupils on the site shall not be permitted to operate between the hours of 9 P.M and 7 A.M.
  4. No nonresident employee may work at a home occupation between the hours of 9 P.M and 7 A.M.
  5. The home occupation shall not have more than one non-illuminated sign not exceeding two (2) square feet in area, and this sign shall not be freestanding.
  6. Deliveries associated with the home occupation shall not be made using tractor-trailers. No more than two commercial deliveries (e.g. UPS, Federal Express, and U.S. Postal Service Express Mail) shall be made in any 24-hour period.

#### 19.073 Permit

No Business License for a Major Home Occupation shall be issued unless either a Conditional Use Permit has been issued by the Board of Zoning Adjustments for Major Home Occupation or in the case of Minor Home Occupations the applicant has shown that all conditions listed under section 19.07 have been met.

#### 19.074 Permit, Not Transferable

A special permit for a home occupation is not transferable. A new permit must be applied for whenever there is a change in the occupations, occupant or address.

#### 19.075 Retail Activities

Generally, only handmade items, crafts made in the home, and sale items in conjunction with the services may be offered for sale on the premises. No other goods, products, or commodities bought for the express purpose of resale shall be sold at retail or wholesale on the premises, nor shall such goods or products be stored or displayed on the premises or distributed to other locations. This provision is not meant to prohibit the storage of goods sold through a mail-order or online sales business as long as the storage of those goods does not violate any other provision of this regulation.

#### 19.076 Occupation Types

The following uses are prohibited as home occupations; automobile and small engine repair, wrecking and hauling of motor vehicles, medical or dental office other than psychiatry/psychology, home cooking and catering, private clubs, eating and drinking establishments, fortune tellers,

hotels/motels, wholesale and retail, kennels. If, in the opinion of the permit issuing authority, a use or activity that is proposed as a home occupation is not specifically listed as prohibited, but has characteristics of a use or uses that are listed and could negatively impact the residential character of the neighborhood in which it is proposed, then that use/activity shall be prohibited as a home occupation. Such determinations may be appealed to the Board of Zoning Adjustment.

*Note: Agriculture related "homebased processing & microprocessing" taking place in accordance with HB391 and KRS 217.0005 through KRS 217.219 shall not be prohibited by the preceding list of occupation types.*

#### 19.077 Limitation on Area

The use of the dwelling for the home occupation shall be clearly incidental and subordinate to the use of the dwelling for residential purposes. A home occupation shall occupy less than 50 percent of the floor area of the principal dwelling unit, when the occupation is located in an accessory structure the area of the accessory structure may be counted towards the floor area of the principal dwelling unit.

#### 19.078 Location

The operation of Home Occupations shall be limited to the dwelling unit (including the basement and attached garage) and one roofed and fully enclosed accessory structure located on the site.

#### 19.079 Parking

Parking facilities required by this ordinance have been provided and shall not alter the residential character of the lot.

#### 19.0710 Alteration of Structure

No residential structure shall be altered or added to in such a manner that the alteration would conflict with the residential nature of the structure were no home occupation in use.

#### 19.0711 No Products or Processing

Except for the creation and production of arts and crafts there shall be no good, samples, materials or objects sold, stored, displayed, manufactured or processed on the premises in connection with the operation, however, this article shall not prohibit dressmaking or tailoring wherein goods are not manufactured or processed as stock for sale or distribution, nor shall it prohibit the production and incidental sale of arts and crafts which have been created by the occupant of the premises.

#### 19.0712

No electrical or mechanical equipment or processes that would change the fire rating of the dwelling unit shall be permitted. No home occupation may cause odor, vibrations, fumes, or glare which is beyond the scope of odors, vibration, fumes, or glare which could result from typical behaviors in a residential setting. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises or causes fluctuations in line voltage off the premises.

### 19.0713 Beauty and Barber Shops

Beauty and Barber Shops are considered a major home occupation (personal service) and require the approval of a conditional use permit. This also includes licensed massage therapist. This type of major home occupation shall be restricted to allowing only one chair/booth; shall have no on site signage; shall meet all other agency requirements; and shall have the owner's written approval for such use at the time of submittal for the conditional use permit. Dog, cat, or other pet grooming is only allowed as a major home occupation, when such use is done solely off site at the customer's location. *(July 23, 2012-Ordinance #12, 2012)*

### 19.08 Schools, Parks, Playgrounds and Related Facilities.

19.081 The Board of Zoning Adjustments may issue a conditional use permit for schools, parks, playground or outdoor recreational facilities in any zone, listed in Chart of Permitted Uses, after first holding a hearing to determine compatibility with the surrounding development.

19.082 Each site or facility must be proposed in accordance with the Comprehensive Plan for Frankfort and Franklin County.

19.083 Elementary Schools, parks and playgrounds providing active and passive participant recreation for a neighborhood can be located in any zone provided adequate access is provided to such a facility.

19.084 Off-street parking is provided.

19.085 Adequate provision is made for safe loading and unloading of children on site.

### 19.09 Retail Uses in Multifamily Residence Zones.

19.091 Purpose. Limited retail facilities may be permitted within multifamily residential structures only to provide a needed facility to resident of that multifamily complex.

19.092 Access. Retail facilities so permitted shall be within a residential building and have access only from an interior corridor and court. No such facility may have direct access or exposure from a public street.

19.093 Location. All such facilities shall be limited to the ground floor of any residential structure.

19.094 Signs. In addition to other regulations governing signs in general or signs for conditional uses, any sign for commercial uses in a residential district shall be limited to six (6) square feet exposed only to interior corridor or court. In addition, a sign limited to 2 square feet may be permitted along a public street on which the residential complex fronts.

### 19.10 Drive-In Theaters.

- 19.101 Location. Drive-In theaters may be permitted in AG, CH or IC zoning districts.
- 19.102 Access. The site must have direct access to an arterial road as identified on the functional street classification map. In addition to the required setbacks from street and highways, all yards shall be planted and maintained as a landscaped strip.
- 19.103 Screening and Visibility. The theater viewing screen shall not be visible from any public street within fifteen hundred (1,500) feet. In addition, cars parked in the viewing area shall be screened on all sides by a wall, fence or densely planted evergreen hedge not less than six (6) feet in height.
- 19.104 Stacking and Loading. Loading space for patrons waiting for admission to the theater shall be equal to twenty (20) percent of the capacity of the theater. All entrances and exists shall be separated and internal circulation shall be laid out to provide one way traffic.
- 19.105 Accessory Sales. Sale of refreshments shall be limited to patrons of the theater. Amusement parks or kiddy lands shall be accessible only to patrons of the theater.
- 19.106 Lighting. All parking areas and access ways shall be adequately lighted provided, however, that such lighting shall be shielded to prevent any glare or reflection onto a public street or onto neighboring properties.
- 19.107 Noise. No central loudspeakers shall be permitted.

19.11 Junk, Wrecking and Automobile Storage Yards.

- 19.111 Location. Because of the nature and character of junk, wrecking and automobile storage yards, the Board of Zoning Adjustments may issue special exceptions for such uses in the IG zones.
- 19.112 Processing. Except for processing of metal salvage all other waste processing shall be entirely within an enclosed building. No processing operation shall be permitted closer than three hundred (300) feet from established residential district.
- 19.113 Screening. All outdoor storage of salvage and wrecking operations shall be conducted entirely within an enclosed opaque fence or wall, except driveway areas, designed to obscure the view of any wrecked cars from the road. Such fence or wall shall be constructed on or inside the front, side and rear yard setback lines required within the district in which located and shall be constructed in such a manner that no outdoor storage or salvage operations shall be visible from an adjacent property, street or highway. Storage, either temporary or permanent, between such fence or wall and property line is expressly prohibited.
- 19.114 Access. One access driveway shall be permitted on any single street frontage.

## 19.12 Shared Family Dwelling and/or Mini-Nursing Homes

19.121 Purpose. Regulations governing shared family dwellings are intended to provide opportunities for safe, sanitary and affordable housing to single parents, elderly and disabled persons allowing a "Sharing" of the dwelling. They are also intended to provide for security, companionship and sharing of household tasks and savings in household expenses. The residents of such a facility are to be more or less permanent in nature and such a dwelling shall not be used to provide temporary or transient housing. No portion of these regulations is to be interpreted as applying to limited care/treatment centers or half-way houses.

19.122 Definition. Shared family dwellings (for the developmentally disabled)/ mini nursing homes shall be any building occupied by not more than four (4) developmentally disabled residents, who shall be supervised and monitored in their daily activities by a recognized local social services agency, in which the common areas and facilities are shared, thus meeting their household needs.

19.1221 In order to ensure compliance with the above definition and the intended use of shared family dwelling/ mini nursing homes the Board of Zoning Adjustments shall determine provided adequate conditions for each conditional use permit issued as follows:

- A. Determine that the recognized local social services agency is in fact an agency currently operating in Frankfort-Franklin County.
- B. Attach reasonable conditions to ensure that each such dwelling is monitored on a regular basis by the recognized local social services agency, such schedule to be determined by the Board. Any change in site location or monitoring agency will cause the conditional use permit to become null and void.

19.123 Location. Shared family dwellings/mini nursing homes are permitted in any multi-family district, except shall be permitted only as conditional uses in the following zone districts, PO (Professional Office), RD (Two Dwelling District), RL (Low Density Multi-Family) and SC (Special Capital).

19.124 Limitation of Occupancy. A shared family dwelling/mini nursing home shall consist of two (2) or more private spaces for the exclusive use of an individual "family unit" and common spaces shared by these "families". These common spaces shall include kitchen, dining and living areas.

19.125 Alteration of Structure. No residential structure shall be altered or enlarged beyond its existing exterior walls in order to accommodate the shared family use. In addition, no structure shall be internally remodeled to accommodate the addition of more bedrooms for a shared family use than those that originally existed except that a three (3) bedroom house may be enlarged, via interior remodeling only, to a four (4) bedroom house.

19.126 Parking. All shared family dwellings shall provide ½ space of off-street

parking per resident on site. This requirement shall not be waived.

### 19.13 Charitable Indigent Limited Care Facility

19.131 Purpose. Provide services to individuals and families on a temporary basis only, who are indigent, and are existing in a level of poverty in which real hardship and deprivation are suffered and the comforts of life are wholly lacking. Such facilities shall be operated only by recognized local charitable organizations.

19.132 Definition. A Charitable Indigent Limited Care Facility shall be any part of a building or building in which a recognized local charitable organization (such as a church, church group, coalition of local churches, Salvation Army, or American Red Cross) operates a facility to meet the needs of indigent individuals and families on a temporary basis only. No full-time living quarters are to be provided for either indigents or staff in said facility. A Charitable Indigent Limited Care Facility is an organization whose purpose is to provide temporary care for the indigent of the community and help them find additional assistance with other agencies within the community.

19.133 Conditions. The following minimum conditions must be met prior to using any building for a Charitable Indigent Limited Care Facility:

- A. A minimum of forty (40) square feet of usable area must be provided for each person housed, not to include square footage of the church sanctuary, mechanical areas, kitchen, bathrooms, hallways or offices. Maximum number of overnight inhabitants shall not exceed thirty (30).
- B. Must provide off-street parking for three (3) vehicles, plus one (1) for every two (2) full-time employees. Parking must be in a designated area and within walking distance of the facility. If parking area is not owned by facility operator, written consent must be provided by the property owner.

### 19.14 Bed and Breakfast Homes

19.141 Purpose. The regulations governing Bed and Breakfast Homes are Designed to allow a homeowner in the Special Capital (SC), Special Historic (SH), and High Density Multi-family residential (RH) zone districts to operate a transient overnight lodging business strictly as an accessory use to the residence with approval by the Board of Zoning Adjustments.

19.142 Definition. A Bed and Breakfast Home is defined as a single-family Resident in which overnight accommodations are provided or offered for transient guests for compensation, and in which no more than two (2) family style meals are provided per twenty-four (24) hour period.

19.143 In order to ensure compliance with the above definition and the intended use of a Bed and Breakfast Home, the Board of Zoning Adjustments shall determine that the following conditions for each conditional use permit are met:

- A. Location. Bed and Breakfast Homes may be located in any single-family residential structure in the Special Capital (SC), and Special Historic (SH) and High Density Multi-Family (RH) Zone District, provided that a Conditional Use Permit has been issued by the Board of Zoning Adjustments.
- B. Limitation of Occupancy. A Bed and Breakfast Home shall be limited to four (4) lodging units or bedrooms provided for guest accommodations. The maximum length of stay for any guest shall be four (4) nights. The resident owner shall keep a current guest register including names, addresses and dates of occupancy of all guests.
- C. Owner Residency. The owner of any single-family residential structure where a Bed and Breakfast Home is located must reside at the home.
- D. Alteration of Structure. No structure shall be altered or enlarged beyond its existing exterior walls in order to accommodate the Bed and Breakfast use.
- E. Parking. Parking for this Bed and Breakfast use shall be provided in accordance with Article 12, Parking Regulations. Each Bed and Breakfast shall be required to provide one (1) parking space per each lodging unit or bedroom provided for overnight accommodations.
- F. Signs. Any sign that is provided for this use shall not exceed two (2) square feet and shall be flush mounted to the façade. Any such sign shall not be illuminated.
- G. Licensing. The owner of the Bed and Breakfast shall be required to obtain approval and licensing from the State Health Department.

#### 19.15 Short term rentals

19.151 Purpose. This section provides standards for the establishment of short-term rentals. The regulations are intended to allow for a more efficient use of residential structures without detracting from neighborhood character.

19.152 Definition. A dwelling unit that is rented, leased, or otherwise assigned for a tenancy of less than 30 consecutive days duration, where no meals are served. This term does not include hotel or motel rooms, bed and breakfast inns or boarding and lodging houses.

19.153 Location. In accordance with Table 4.04 - Land Use Table.

#### 19.154 Standards

To ensure compliance of short term rentals, the following requirements shall be fulfilled.

- A. The maximum stay for a short term rental shall be 29 consecutive days for the same occupant.
- B. The dwelling unit shall be limited to a single short term rental contract at a time.
- C. The maximum number of persons residing in the short term shall not exceed two times the number of bedrooms plus four individuals.

- D. No food or alcoholic beverages shall be prepared for or served to the guest by the host.
- E. Outdoor signage in conjunction with the short term rental is prohibited.
- F. If the short term rental is not the primary residence of the host, they shall provide information on how to be contacted by phone, email, and address. This information shall be provided in a conspicuous location within the short term rental.
- G. Each short term rental shall provide an evacuation plan and provide smoke detectors in compliance with the Kentucky Residential Code.
- H. Parking for short term rentals shall be provided in accordance with Article 12. Hosts shall provide one (1) parking space per short term rental contract.
- I. The short-term rental shall comply with the City's Noise Regulations established in the Code of Ordinances – Section 131.01. Guests with pets are subject to the City's provisions regarding animals, found in Chapter 90 of the Code of Ordinances. If the property is subject to two (2) or more substantiated civil and/or criminal complaints, the Planning Director may revoke the approval of the short term rental.
- J. All short term rental hosts must submit an annual registration form to the Department of Planning and Community Development to ensure that all requirements of Section 19.15 have been met, as well as obtain a business license through the City's Finance Department.
- K. The short term rental host shall request a rental housing inspection at the time of annual registration through the Department of Planning and Community Development.
- L. If the short term rental ceases operations they shall notify the Department of Planning and Community Development in order to keep an up-to-date record of operating short term rentals within the City.

ARTICLE 20

RESERVED

**ARTICLE 21**

**ADMINISTRATION, ENFORCEMENT AND VIOLATIONS**

- 21.01 Administration and Enforcement. The Planning Director and/or Zoning Enforcement Officer of the City of Frankfort shall administer and enforce this Zoning Regulation except as otherwise provided herein.
- 21.011 The Planning Director and/or the Zoning Officer shall promptly investigate complaints of violations and report his findings and actions to complainants. He shall use his best efforts to prevent violations and to detect and secure the correction of violations.
- 21.012 If he shall find any of the provisions of these Zoning Regulation are being violated, he shall notify in writing, the person responsible for such violations indicating the nature of the violation and ordering the action necessary to correct it.

- 21.013 He shall order discontinuance of illegal use of land, buildings, or structures; removal of illegal buildings or structures or of illegal additions, alterations, or structural changes; discontinuance of any illegal work being done.
- 21.014 He shall take or cause to be taken any other action authorized by this Zoning Regulation to insure compliance with, and prevent violations of, the provisions thereof.
- 21.02 Building Permit Required. No building or structures shall be erected, moved, added to or structurally altered, nor shall any of said activities be commenced without a building permit therefore issued by the Building Inspector having properly vested authority under the Kentucky Building Code. No Building permit shall be issued by him except in conformity with the provisions of this Zoning Regulation unless he has a written order from the Board of Adjustments in the form of an administrative review decision, a conditional use permit or dimensional variance.
- 21.021 Application for Building Permits. All applications for building permits shall be accompanied by plans in duplicate, drawn to scale and showing the actual shape and dimensions of the lot to be built upon; the exact size and location on the lot of any existing principle buildings and accessory buildings; the lines within which the proposed building or structure is to be erected or altered; the proposed height; the existing and intended use of each building or part of building and the number of families or housekeeping units. The building is designed to accommodate and such other information with regard to the lot and neighboring lots as may be necessary to determine and provide for the enforcement of this Zoning Regulation.
- 21.022 One copy of the plans shall be returned to the applicant by the Building Inspector, after he shall have marked such copy either as "Approved" or "Disapproved" and attested to same by signature on such copy. The original, similarly marked, shall be retained by the Building Inspector.
- 21.03 Certificate of Occupancy Required. Except as allowed by this Regulation, no person shall use or permit the use of any structure or premises or part thereof hereafter created, erected, changed, converted, enlarged or moved, wholly or partly, until a certificate of occupancy shall have been issued by the Building Inspector having properly vested authority under the Kentucky Building Code. Such certificate shall show that the structure or use, or both, on the premises, or the affected part thereof, are in conformity with the provisions of this Zoning Regulation. It shall be the duty of the Building Inspector to issue such certificate if he finds that all of the provisions of this Zoning Regulation have been met, and to withhold such certificate unless all requirements of this Zoning Regulation have been met.
- 21.031 Temporary Certificates of Occupancy. A temporary certificate of occupancy may be issued by the Building Inspector for a period not exceeding six (6) months during alterations or partial occupancy of a building pending its completion.

- 21.032 Certificate of Occupancy for Existing Uses or Structures. Upon written application from the owner or tenant, and upon inspection to determine the facts in the case, the Building Inspector shall issue a certificate of occupancy for any building; premises or use, certifying that the building; premises or use is in conformity with the provisions of this Zoning Regulation or that a legal non conformity exists as specified in the certificate.
- 21.033 Structure and Uses to be as Provided in Building Permits, Plans and Certificates of Occupancy. Building Permits or certificates of occupancy issued on the basis of plans and applications provided by the Building Inspector authorize only the use, arrangement and construction set forth in such permits, plans and certificates and no other. The use; arrangement or construction at variance with that authorized shall be deemed a violation of this Zoning Regulation.
- 21.04 Reconstruction of Unsafe Walls. Nothing in this title shall prevent the reconstruction of a wall or other structural parts of a building declared unsafe by the State Fire Marshall.
- 21.05 Amending the Zoning Map. The Planning Commission may recommend a change of zone to the City Commission if after a public hearing; it determines that the new zone requested meets all established criteria. The fee for a change of zone application shall be established by the Planning Commission.
- 21.06 Review of the Zoning Ordinance.
- 21.061 Upon adoption of these regulations, the Planning Commission shall periodically review both the text of this ordinance and the accompanying maps.
- 21.062 Such periodic review shall be on a regular schedule by the Planning Commission, but not less frequently than once every five (5) years and after any amendment to the Comprehensive Plan.
- 21.063 Upon review of the text and maps, the Planning Commission shall recommend all appropriate changes to the Zoning Regulations. Such changes shall be presented to the City Commission as proposed amendments to the Zoning Regulations.
- 21.07 Enforcement. All departments, officials and public employees of the City which are vested with the duty or authority to review and issue permits or licenses shall do so in conformance with the provisions of this regulation. Any permit or license issued for any use, buildings or purpose which is in conflict with the regulations, shall be considered null and void.
- 21.08 Interpretation. In interpreting and applying the provisions of this ordinance, it shall be held to be the minimum requirements for the promotion of health, safety, morals, convenience or the general welfare. The Planning Commission or their agent is responsible for all interpretations. Whenever this ordinance imposes a greater restriction than is imposed or required by other provisions of law or by other rules or regulations or resolutions, the provisions of this ordinance shall govern.

21.09 Penalties and Violations. Violation of the provisions of this Zoning Regulation or failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with grants of variances or conditional uses) shall constitute a misdemeanor, and each day such violation or non-compliance continues shall be a separate offense.

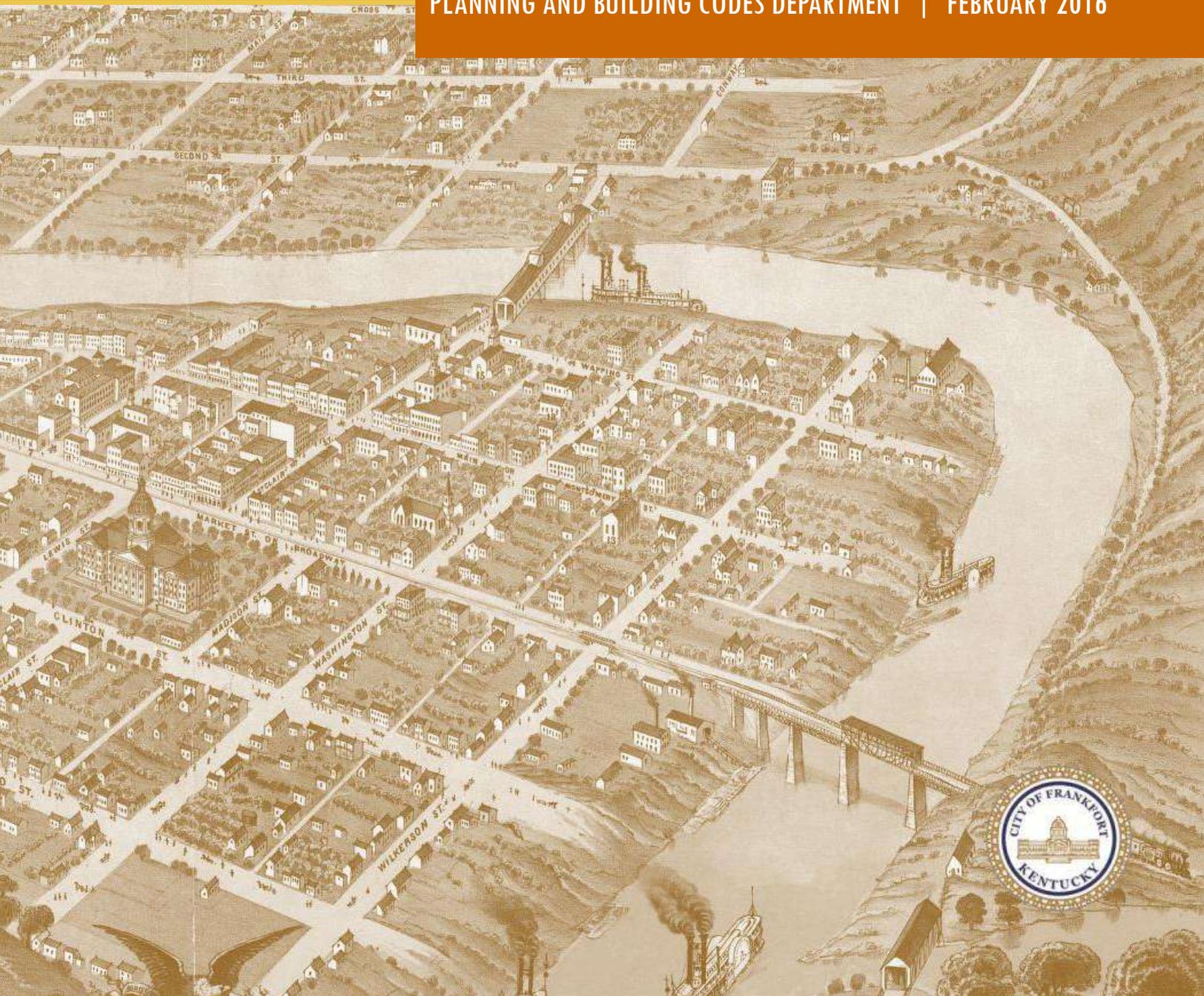
21.091 Any person who so violates this Zoning Regulation or fails to comply with any of its requirements except as provided in Section 19.092 herein below shall upon conviction thereof be fined not less than Ten Dollars (\$10.00) but no more than Five Hundred Dollars (\$500.00) for each conviction. Each day of violation shall constitute a separate offense.

21.092 Any person shall upon conviction be fined not less than One Hundred Dollars (\$100.00) but no more than Five Hundred Dollars (\$500.00) for each lot or parcel which was the subject of sale or transfer, or contract therefor, which constitutes a violation of this Zoning Regulation.

# SPECIAL HISTORIC ZONING DISTRICT DESIGN GUIDELINES

## FRANKFORT, KENTUCKY

PLANNING AND BUILDING CODES DEPARTMENT | FEBRUARY 2016





# SPECIAL HISTORIC ZONING DISTRICT DESIGN GUIDELINES

CITY OF FRANKFORT, KENTUCKY

FEBRUARY 2016

PLANNING AND BUILDING CODES DEPARTMENT  
CITY OF FRANKFORT  
315 WEST SECOND STREET  
FRANKFORT, KENTUCKY 40601

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### **SPECIAL THANKS TO**

Frankfort-Franklin County Planning Commission

City of Frankfort Architectural Review Board

City of Frankfort Zoning Update Committee

Kentucky Heritage Council

## **FUNDING**

This publication was funded in part with Federal funds from the National Park Service, U.S. Department of the Interior, and administered by the Kentucky Heritage Council. The contents and opinions do not necessarily reflect the views or policies of the Department of the Interior, nor does the mention of trade names or commercial products constitute endorsement or recommendation by the Department of the Interior. The U.S. Department of the Interior prohibits discrimination on the basis of race, color, national origin, disability, or age. Any person who believes that he or she has been discriminated against should contact: Office of Equal Opportunity, U.S. Department of the Interior, National Park Service, 1849 C Street NW, Washington, D.C. 20240.

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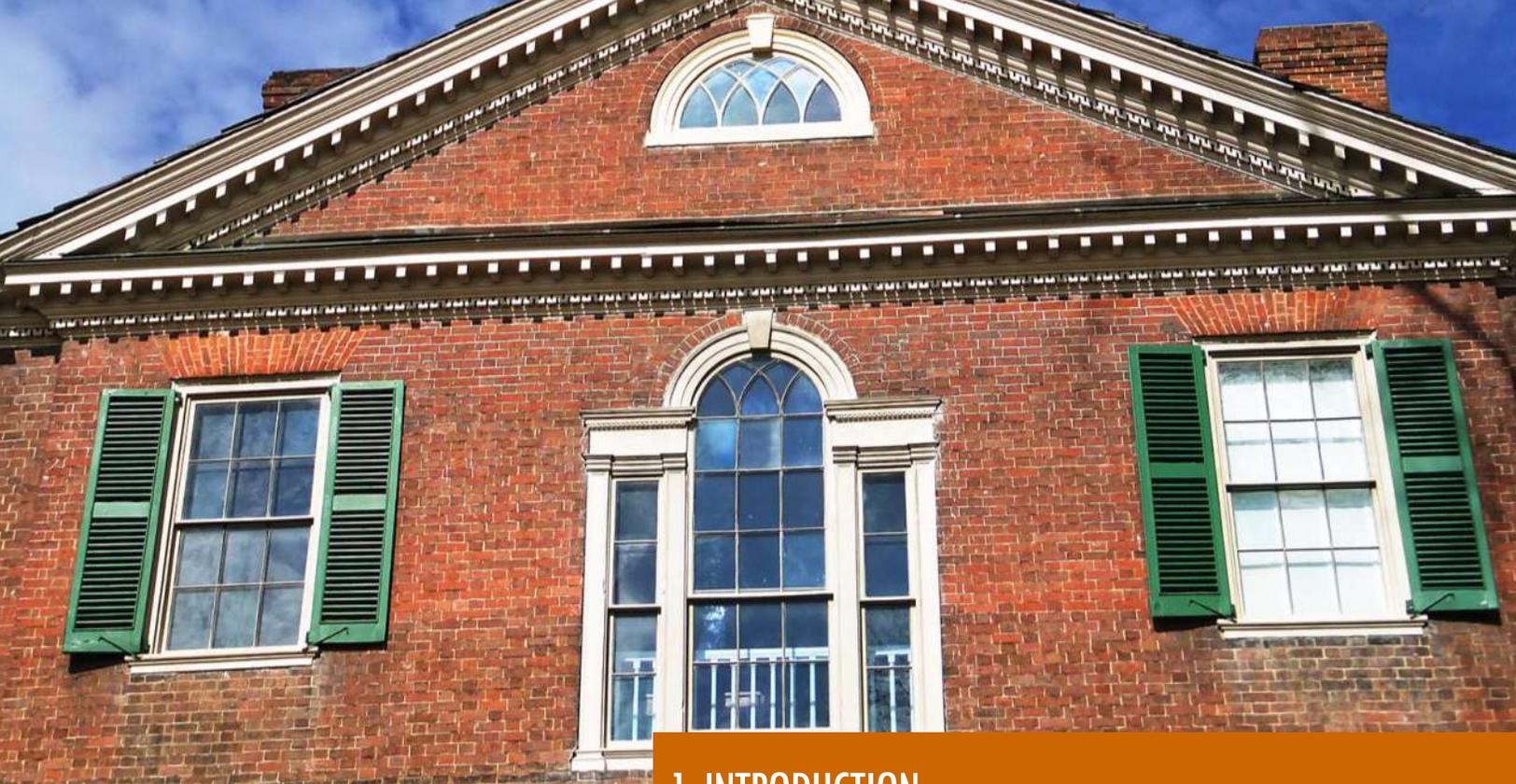
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## 1. INTRODUCTION

### IN THIS SECTION

#### 1.1 Historic Preservation in Frankfort

- The Certified Local Government Program
- Local Designation as a Preservation Strategy

#### 1.2 Understanding the Design Guidelines

- Guiding Principles
- Using the Guidelines

#### 1.3 Preservation and Sustainability

- Preservation as a Sustainable Practice
- Balancing Preservation and Sustainability

### 1.1 HISTORIC PRESERVATION IN FRANKFORT

The City of Frankfort has a rich history that is reflected in its diverse collection of buildings, structures, and landscapes. These irreplaceable resources define the character of our community and serve as visual anchors that provide a link to our past.

The City of Frankfort recognizes the power of such places in defining our unique community identity and encourages their preservation and use. In fact, recognition of the importance of preservation is woven into the City of Frankfort-Franklin County Comprehensive Plan, which stresses the importance of promoting the “stability, preservation, and vitality” of existing neighborhoods by establishing stabilization, improvement, and revitalization programs; maintaining existing structures and providing incentives for rehabilitation; and preserving historic buildings and areas that contribute to community character.

Through the Planning and Building Codes Department, the City of Frankfort has established preservation planning programs and processes and routinely works with organizations and private property owners to meet the goal of preserving, protecting, and celebrating our historic places. Recognizing the City of Frankfort’s commitment to historic preservation, the City has been designated as a Certified Local Government by the Kentucky Heritage Council and National Park Service, linking it to communities throughout the Commonwealth that share the goal of protecting local history.

## THE CERTIFIED LOCAL GOVERNMENT PROGRAM

A Federal-state-local partnership authorized by Congress in 1980, the Certified Local Government (CLG) program falls under the guidance of the National Park Service and is administered locally by the Kentucky Heritage Council (State Historic Preservation Office). Designed to encourage proactive efforts by municipalities to plan for and protect our irreplaceable historic places, the CLG program helps ensure that historic preservation is appropriately integrated into local planning and decision-making processes and provides communities such as Frankfort with a network of technical support.

As a CLG community, the City of Frankfort must meet the requirements of the program, which include, but are not limited to, the following:

- Adopting and enforcing a local historic preservation ordinance that supports designation and protection of historic properties;
- Establishing and maintaining an adequate and qualified architectural review board;
- Maintaining a system for the survey and inventory of historic properties; and
- Providing for adequate public participation in the local historic preservation program.

## LOCAL DESIGNATION AS A PRESERVATION STRATEGY

As has been demonstrated by the CLG program, protection of historic properties is best accomplished at the local level where historic preservation can be woven into the fabric of local planning efforts. It is also at the local level where the value of preservation and related priorities are defined directly by the community, which drives the direction of guidelines put in place to safeguard our historic assets.

Among the most effective and proven of local preservation tools is the historic zoning district, a planning mechanism designed to protect the historic architectural character of individual sites and neighborhoods through a guided design review process. Three such local historic zoning districts have been established in Frankfort under Article 4 of the City of Frankfort Zoning Regulations: the Central Business (CB) Zoning District (4.24), the Special Historic (SH) Zoning District (4.40), and the Special Capital Zoning District (4.41). Design review within these areas

is administered under Article 17 of the Zoning Regulations, which establishes the Architectural Review Board (ARB), outlines guidelines for exterior changes within the districts, and formalizes the process for seeking approval for exterior changes within local historic districts.

## Local Historic Districts

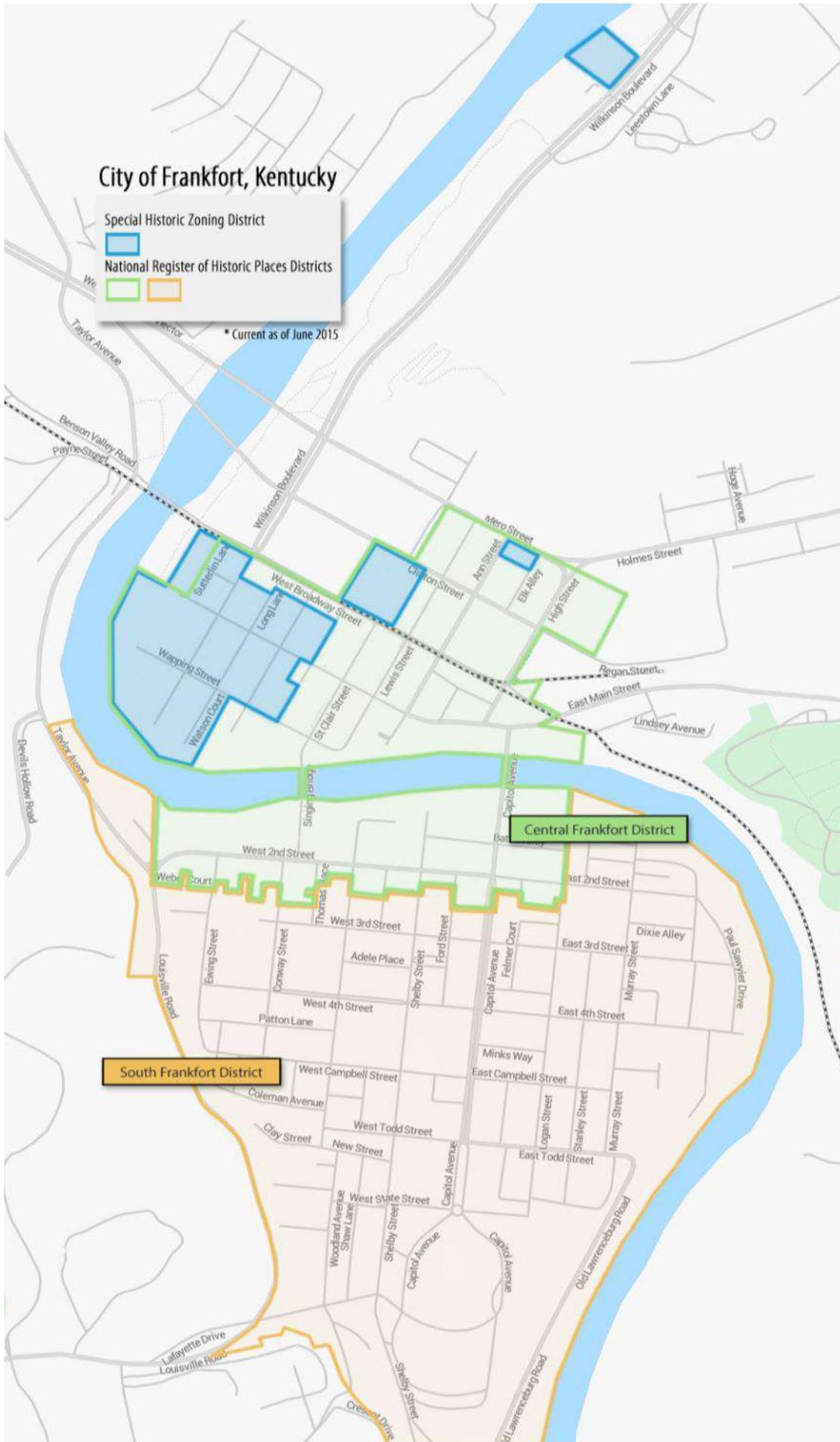
Local historic zoning district designation broadly seeks to define and protect historic sites and neighborhoods. Specifically, such districts are established “to protect certain areas of the City of Frankfort having significant historic or architectural character by granting the Architectural Review Board the power to review permits for all variances, conditional use permits, construction, demolition, or moving of structures within the district.” These areas are among the most historically and/or architecturally significant in Frankfort and, as such, warrant particular consideration in protecting their unique character.

The goal of establishing local historic districts and reviewing proposed projects within them is not to freeze time, delay changes, or prevent improvements to the community. In fact, when preservation is provided for in a meaningful way through a historic zoning district, it promotes a vibrant, culturally-rich community that supports appropriate changes and allows for the contemporary use of historic buildings in a responsible and sensitive way that respects the larger community’s agreed-upon goals and priorities.



## HISTORIC ZONING DISTRICT DESIGNATION VS. THE NATIONAL REGISTER OF HISTORIC PLACES

Many of the properties locally designated as part of a local historic zoning district are also located in the Central Business Historic District or the South Frankfort Historic District, which are listed in the National Register of Historic Places. Administered by the National Park Service, the National Register of Historic Places is an honorary listing that provides recognition to historically and architecturally significant places throughout the nation. It imposes no obligations upon the property owner to restore properties, open them to the public, or maintain them in certain ways.



Overview map of the City of Frankfort showing the relationship between designated Special Historic zoning areas and the city's National Register of Historic Places-listed historic districts. Additional maps are available in Appendix B.

## Benefits of Historic Preservation

Historic preservation is about more than preserving individual pieces of our history. It is about enhancing our neighborhoods, promoting our community identity, and leveraging our historic places as cultural and economic assets that serve not only as visual links to our past but also as viable, sustainable components of the future. Through such activities, our historic places contribute to the long-term stability and cultural, social, environmental, and economic vitality of our community.

- *Preservation Supports Strong Communities*

Designation and preservation of local historic districts strengthens neighborhoods by protecting their character and preventing unwelcome changes, which support and enhance property values, promote community identity and pride, and make historic neighborhoods unique and desirable places to live and work.

- *Preservation Supports Sustainable Initiatives*

Historic preservation is inherently linked with sustainable development and environmental stewardship. Through preservation, communities are able to take advantage of existing infrastructure and reduce energy use and waste associated with new development.

- *Preservation Supports the Local Economy*

Historic preservation has the power to leverage private capital, revitalize areas, foster small business growth, and stimulate a wide range of economic opportunities. Historic preservation, on average, also creates more jobs than new construction.

- *Preservation Supports Tourism in the Commonwealth*

Historic preservation promotes the retention of unique community features and sites, historic neighborhoods, and vibrant commercial districts, the total of which draws heritage travelers seeking special experiences in local communities.

- *Preservation Supports Learning Opportunities*

As tangible assets of our past, historic places provide an unmatched opportunity for first-hand understanding of the history, art, and architecture of our community.

## Preservation Incentives for Property Owners

Beyond benefits for the larger community, numerous incentives exist for individual property owners restoring or rehabilitating historic properties in Frankfort. Among these incentives are the three most commonly used programs described below:

- *Federal Historic Rehabilitation Tax Credit*

Administered by the National Park Service, the Federal Historic Rehabilitation Tax Credit program provides a 20% Federal investment tax credit for the qualified rehabilitation of a certified historic property. Such a property must be income-producing and listed in the National Register of Historic Places, and the rehabilitation must be certified by the National Park Service.

- *Kentucky State Historic Preservation Tax Credit*

Administered by the Kentucky Heritage Council, this program provides a credit of up to 30% of qualified rehabilitation expenses for owner-occupied residential properties or up to 20% for all other properties. Properties must be listed in the National Register of Historic Places or located within a National Register historic district, and the rehabilitation must be reviewed and approved by the Kentucky Heritage Council.

- *City of Frankfort Property Tax Moratorium*

The City of Frankfort offers a tax moratorium program for qualified restoration, rehabilitation, and stabilization, which maintains property taxes at the pre-improvement assessment value of the property for five years. Commercial properties or mixed-use buildings must be at least 25 years old and residential buildings must be at least 50 years old, listed in the National Register of Historic Places, located within a historic zoning district, or be in an area designated as an urban development area under KRS Chapter 99.



### HISTORIC PRESERVATION INCENTIVES IN KENTUCKY

For more information on available preservation incentives, contact the Planning and Building Codes Department or the Kentucky Heritage Council (KHC). KHC's Tax Credits & Incentives page also provides valuable information and data:

<http://heritage.ky.gov/incentives/>

## 1.2 UNDERSTANDING THE DESIGN GUIDELINES

Each locally designated historic zoning district in Frankfort is subject to a variation of the regulations for exterior work included in Article 17 of the Zoning Code, which provide a framework for achieving the design goals and objectives of the community.

These design guidelines have been developed specifically for properties within areas designated as local historic zoning districts to provide a common language for navigating and understanding Article 17 regulations. Drafted with input from property owners, these guidelines represent the vision of the community in maintaining its historic character and provide the standards that help to achieve the goals of that vision. It is important to note that the guidelines are not intended to dictate specific solutions; rather, the guidelines are intended to provide a range of appropriate responses to specific design issues.

The guidelines have been developed in recognition of the critical role that property owners play in ensuring that the historic fabric of properties in historic districts is appropriately preserved. As stewards of historic properties, those caring for them must make daily decisions on how best to accommodate modern-day needs while undertaking maintenance and rehabilitation of character-defining features and

materials. While such decisions should be made with the historic value of the building in mind, they must also be grounded in sound and practical guidance. Rooted in accepted preservation standards, the guidelines serve this role and provide a common language and consistent direction for all parties that work with historic buildings (e.g., property owners, ARB members, City staff, and contractors) in local historic districts. Specifically, the design guidelines:

- Clarify preservation standards for property owners to enable them to make informed decisions;
- Provide an agreed-upon community-values approach for the treatment of historic places;
- Foster coordination among architects, contractors, and others that work on historic buildings; and
- Provide a consistent basis for the Architectural Review Board (ARB) to make defensible decisions.



### APPLYING THE GUIDELINES

Chapters 1–3 of this document apply broadly to all properties in Frankfort’s local historic districts. Chapters 4–8 apply *only* to properties in Special Historic (SH) Zoning Districts.

### The Purpose of Design Guidelines

There are often many misconceptions about the purpose and goals of design guidelines. As such, before referencing the guidelines for a project, it is important to understand what the design guidelines are intended to do and what they do not try to do. Additional clarification can be provided by the Planning and Building Codes Department upon request.

#### DESIGN GUIDELINES DO:

- Provide a framework for the community to achieve its vision for retaining an area’s historic character;
- Provide flexible, goal-oriented approaches to addressing the particular needs of an individual property;
- Provide guidance for accommodating contemporary use of a building while maintaining its historic character;
- Reduce the potential for adverse impacts resulting from inappropriate treatments; and
- Promote consistent, defensible decision-making by property owners and the ARB.

#### DESIGN GUIDELINES DO NOT:

- Stipulate prescribed levels of required maintenance;
- Require involuntary rehabilitation or restoration;
- Regulate the use of a property;
- Make recommendations for changes to a building’s interior;
- Stipulate the use of specific paint colors;
- Stipulate the use of specific products; or
- Dictate a specific outcome.



## GUIDING PRINCIPLES

The design guidelines have been developed in reference to the *Secretary of the Interior's Standards for the Treatment of Historic Properties* (hereafter referred to as the *Standards*). Developed by the National Park Service, the *Standards* provide a broad framework intended to promote responsible preservation practices that respect and protect our historic places. This framework serves as the national standard for working with historic places and forms the foundation for specific guidance included in local design guidelines throughout the country; this includes the City of Frankfort, where the *Standards* provide the rationale for the language presented in Article 17 of the City of Frankfort's Zoning Code, which outlines design review procedures for the city's historic districts, and the content presented in this document.

The *Standards* present four accepted treatment philosophies for historic properties: preservation, rehabilitation, restoration, and reconstruction. Of these, rehabilitation is the most commonly used approach. As defined by the National Park Service, rehabilitation is:

“the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values.”

Put simply, rehabilitation allows for modern-day use of historic buildings and structures while also retaining their most important historical and architectural features. This is accomplished through appropriate maintenance of historical materials and carefully-considered, well-planned changes that support continued use of our historic places.

The *Standards* include 10 guiding principles for rehabilitation of historic places. Purposely broad so as to be applicable to all types, styles, and vintages of properties, the rehabilitation standards provide a consistent structure for selecting the most appropriate path forward in working with historic buildings, structures, and landscapes. These principles are integrated into the guidelines found throughout this document.

## Secretary of the Interior's Standards for Rehabilitation

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new features shall match the old design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials, shall not be used. The cleaning of surfaces, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archaeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures should be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would remain unimpaired.

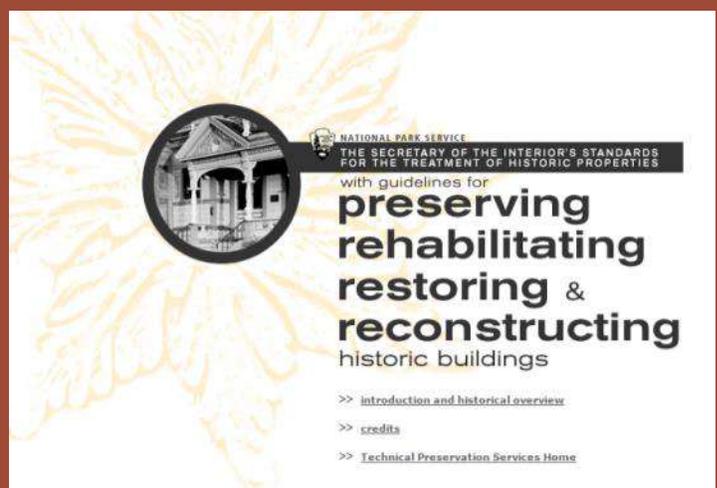


### NATIONAL PARK SERVICE AND THE STANDARDS FOR THE TREATMENT OF HISTORIC PROPERTIES

Over the years, the United States Department of the Interior, through the National Park Service, has developed various publications and other forms of guidance related to the *Standards* in order to provide user-friendly guidance to the public and those that work with historic properties.

Presently, the most comprehensive guidance for the *Standards* is an interactive website maintained by the Technical Preservation Services division of the National Park Service: <http://www.nps.gov/tps/standards/four-treatments.htm>. This website walks the user through the decision-making process and provides guidance on accepted preservation treatments and strategies for buildings, structures, and landscapes.

Additional guidance is provided on the website for those using the *Standards* and rehabilitation guidelines to pursue Federal Historic Rehabilitation Tax Credits through the National Park Service.



Other guidance incorporated into this document comes from related National Park Service materials such as the Preservation Briefs (<http://www.nps.gov/tps/how-to-preserve/briefs.htm>), a collection of more than 40 easy-to-read publications that provide guidance for common issues faced in preserving, rehabilitating, and restoring historic places, from repairing wooden windows to making historic buildings accessible. Also considered in the development of guidelines presented in this document are the National Park Service's *Illustrated Guidelines on Sustainability for Rehabilitating Historic Buildings* (<http://www.nps.gov/tps/sustainability.htm>), developed in 2011, as a comprehensive update to the guidance related to energy conservation originally included in the 1992 version of the *Secretary of the Interior's Standards for Rehabilitation and Illustrated Guidelines for Rehabilitating Historic Buildings*.

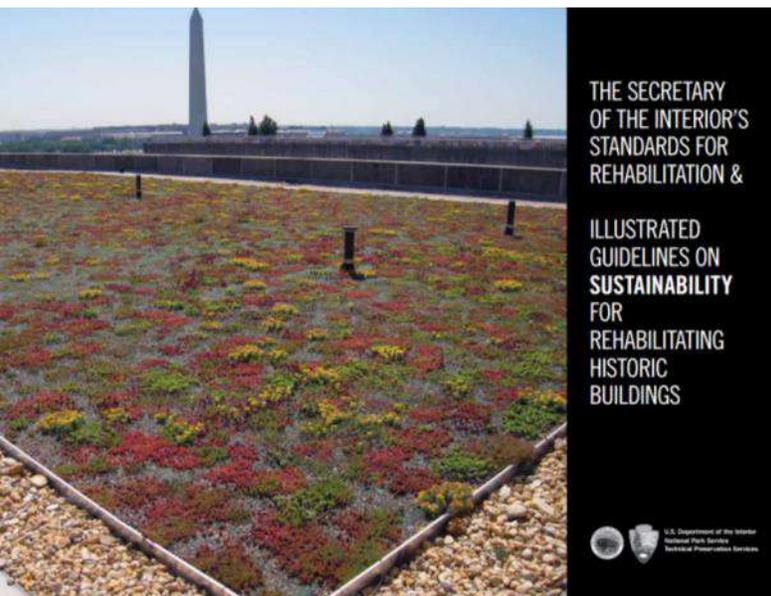
## Applying the Standards

As noted, the *Standards* were developed by the National Park Service to provide a broad philosophical framework for all properties rather than exact guidance for very specific issues. As described by the National Park Service:

“The Standards are neither technical nor prescriptive, but are intended to promote responsible preservation practices that help protect our Nation’s irreplaceable cultural resources. For example, they cannot, in and of themselves, be used to make essential decisions about which features of the historic building should be saved and which can be saved. But once a treatment is selected, the Standards provide philosophical consistency to the work.”

The *Standards* serve as the mechanism for formulating the design guidelines in this document, which address specific issues for a particular place, and also serve as the mechanism by which the appropriateness and applicability of the guidelines are evaluated by property owners, the City of Frankfort Planning and Building Codes Department, and the Architectural Review Board. Distilled into the most fundamental concepts included in the *Standards* and promoted by the National Park Service, the principles applied in the definition of these guidelines include:

- Planning projects with an understanding of a building’s significant architectural features;
- Understanding how a project potentially affects the larger community setting in which it is located;
- Preserving significant historic features and materials through regular, appropriate maintenance;
- Repairing durable historic materials rather than replacing them;
- Replacing deteriorated or missing components and features, when appropriate, with in-kind materials;
- Designing alterations and additions so that they do not cover or destroy significant features;
- Avoiding irreversible damage to historic materials and features; and
- Incorporating sustainable products and technologies when appropriate.



Prepared in 2011, the *Illustrated Guidelines on Sustainability for Rehabilitating Historic Buildings* provide a framework for addressing sustainability and improving energy conservation.

## USING THE GUIDELINES

The design guidelines serve as a user-friendly complement to the legal direction provided in Article 17 of the City of Frankfort's Zoning Code, reinforcing and expanding the information therein to more comprehensively address issues affecting historic properties in local historic districts. It is important to note, though, that the guidelines are designed to be applicable to all building styles and types and are not intended to address rare and unusual situations.

Property owners should consult the guidelines for any project that affects the exterior of a property within a local historic district, from maintenance and repair to construction of an addition, as well as new construction and demolition. It is important that the guidelines be consulted early in the planning process (for more information see *Chapter 2. Project Planning and Design Review*) in order to avoid getting too far along with a project that might be considered inappropriate. Such early review can help save time and money in receiving approval for a project.

The guidelines are likewise intended for use by the Architectural Review Board. While the ARB must consider the particular circumstances and context of a specific property for any individual review, the ARB uses the guidelines as a basis for their approval or denial of a proposed project to ensure it employs an appropriate approach. Use of the guidelines helps ensure that such review is conducted according to consistent, fair, and well-publicized standards.

### Organization, Format, and Language

This document is organized into three distinct sections that walk the user through interpreting and applying the guidelines:

- *Section 1 (Chapters 1–3)*: Section 1 presents the rationale for the guidelines, the framework for understanding community character, and an outline for engaging the design review process.
- *Section 2 (Chapters 4–8)*: Section 2 presents specific guidelines for maintenance and rehabilitation of existing structures, new construction and demolition, and changes to a property's setting.
- *Section 3 (Appendices)*: Section 3 presents additional reference materials such as a glossary, bibliography, and forms associated with the design review process.



### USE THE GUIDELINES WHEN PLANNING TO:

- Alter, restore, or replace exterior features;
- Install new cladding materials;
- Replace windows or doors or add a new window or door opening;
- Install exterior energy-efficient measures such as solar collectors;
- Construct an addition;
- Construct a new building (including outbuildings);
- Demolish, in whole or in part, an existing building; or
- Relocate an existing building.

### Who Uses the Design Guidelines?

- *Property Owners and their Design Professionals*  
Property owners (in association with their chosen architects, engineers, and other contractors) use the guidelines when planning and undertaking a project in order to ensure it meets the intent of the applicable guidelines.
- *City of Frankfort Planning and Building Codes Department Staff*  
Staff of the Planning and Building Codes Department use the guidelines when providing guidance to property owners, determining if administrative approval is appropriate for a project, and making recommendations to the Architectural Review Board.
- *Architectural Review Board Members*  
Members of the Architectural Review Board use the guidelines when reviewing proposed exterior alterations by applicants in order to determine if the project should be approved or denied based on the proposal.
- *Community Members*  
The public uses the guidelines to express desires for their neighborhood and the larger community and to help guide the direction of future changes and development.

## Anatomy of a Design Guideline

Each section of the guidelines follows a standard outline that provides an easy-to-navigate, tiered arrangement, which ties together individual points of guidance under important concepts. Such an arrangement places an emphasis on understanding how individual points of guidance relate to one another, making their relevance more readily apparent. An example follows:



### 1 PORCHES

Porches are both a significant aesthetic and functional component of a building, and many areas of the community are defined by the rhythm of porches along the streetscape.

#### 2 1. Retain and preserve original porches, including individual components.

- Maintain all porches that contribute to the historic character of the building, including individual components such as railings, balusters, and steps.
- Maintain paint and stain on wood components in order to provide a weather-resistant protective coating.

1 *Section Title:* Each section begins with a brief explanation of the topic, its importance, and a summary statement on important principles.

2 *Guideline:* Within each section, individual guidelines provide direction for specific project components.

3 *Clarification:* Points of clarification under each guideline reinforce the principal concept and provide additional guidance regarding treatments.

4 *Illustrations:* Each section is fully illustrated with line drawings and representative photographs.

The language presented in the guidelines has been purposely selected to convey specific meanings. The following definitions are particularly important to keep in mind in applying the guidelines:

- *Appropriate/Recommended/Encouraged:* These terms denote suggested design solutions that are known to be compliant with preservation principles. Applicants may also propose alternatives.
- *Shall:* "Shall" means that compliance with that particular guideline is required unless unusual circumstances apply, which the applicant must be able to demonstrate.
- *Shall Not/Prohibited:* "Shall not" and "prohibited" mean that an action is impermissible and would not be approved by the Architectural Review Board.

## Special Information

While a great deal of information is presented in the body of this document, items of particular interest or reinforcement are frequently presented in highlighted sidebars for the benefit of the reader. These are further denoted by specific icons:

! *Noteworthy information for the property owner*

? *Suggestions for additional guidance and technical information*

\* *Additional guidance on issues of sustainability*

### 1.3 PRESERVATION AND SUSTAINABILITY

The City of Frankfort recognizes sustainability as a critical issue affecting the entire community, from our environmental health to our social well-being. The City also recognizes the intimate and critical connection between historic preservation and sustainability, mutually-reinforcing practices that together support the betterment of our community. To this end, the City has integrated flexible, solution-oriented approaches for balancing mutually-beneficial goals of sustainability and historic preservation into the content of the design guidelines.

#### EMBRACING PRESERVATION AS A SUSTAINABLE PRACTICE

Historic preservation and sustainability have always been closely linked, and historic preservation in and of itself is a sustainable practice to be embraced by the community and property owners alike. The reasons for embracing the preservation of historic buildings as a sustainable practice are multitude and start with an understanding of original design features that promote energy efficiency. For example, historic buildings were typically designed for their particular environment, which influenced the placement of

porches, windows, and other features that connect the building to its setting. The introduction of these features was typically a very conscious decision intended to maximize their effectiveness, allowing buildings to take advantage of passive features such as natural shade and carefully-placed window and door openings that provided efficient, natural ventilation and lighting. Or, consider architectural features such as the prismatic glass blocks historically found above the doorway of early-twentieth century storefronts. These blocks were cast with prisms inset along one side to disperse sunlight deep into the long, narrow interior of the store, magnifying the effect of the natural light between 5 and 50 times. With the rise of ever-present electricity, however, such features fell out of favor.

Historic preservation as a sustainable practice also works because it retains the “embodied” or “already present” energy within existing buildings. From the production of goods to the physical labor needed for construction, every building represents a tremendous expenditure of energy and resources. This expenditure is most often captured in the harvesting and refinement of durable materials such as old growth lumber and masonry, which can last for decades if properly maintained, as opposed to many

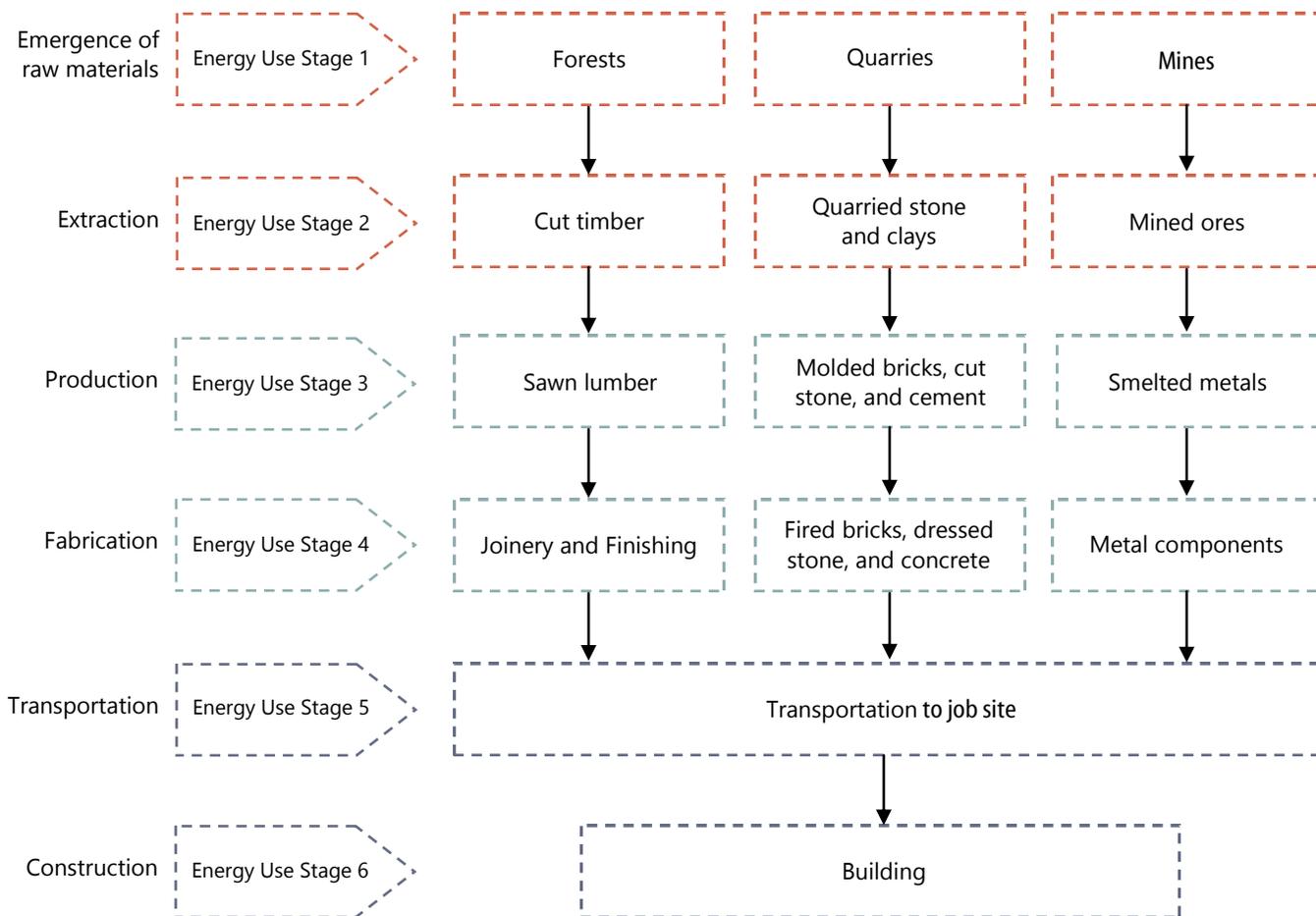
Many historic buildings have original design features that were designed to take advantage of the natural environment and maximize passive sustainability in an era before near-constant use of energy. For example, deep-set open porches helped moderate temperature fluctuations between the interior and exterior, and tall, operable, double-hung windows facilitated the intake of cool air and pushing out of warm air.



## Understanding Embodied Energy

Each individual component of a building, whether a single floorboard or a cast iron handrail, once began its life as a raw material. When you consider the path from harvesting the raw material to actually constructing a building, it becomes apparent that it is an extensive, resource-intensive process that reflects the investment of large amounts of time and energy. This process can be broadly broken into six distinct but related stages, each representing a substantial investment of energy. When we preserve a building, we continue to recycle and make use of that already-invested energy rather than throw away unrecoverable resources and force the expenditure of new energy in the production of new materials.

### Six Stages of Energy Use Representing Embodied Energy



contemporary manufactured materials, which are not only unsustainable in their production but have a comparatively shorter lifespan than traditional materials. Preserving a building and appropriately maintaining its individual features respects this embodied energy and minimizes the need for the expenditure of large amounts of additional energy to produce new materials. It also minimizes needless waste that casts aside the unrecoverable embodied energy represented by in-use building materials.

If a historic building is demolished to make way for a new building, even when designed as sustainably as possible, new construction can take decades of incremental savings to simply recover the embodied energy represented in a demolished building. In addition, it takes years for new construction to offset the substantial material waste associated with demolition and disposal of the materials of the former building. Based on this reasoning, replacement of historic buildings, even with sustainable architecture,

not only makes little financial sense but also destroys an irreplaceable component of our architectural heritage. A more responsible approach is to embrace preservation as an environmentally-sound policy that makes the most of historic resources and limits the need for new large-scale energy use in the production of materials and disposal of waste.

## BALANCING SUSTAINABILITY AND HISTORIC PRESERVATION

Recognizing the connection between historic preservation and sustainability and the desire of property owners to have energy-efficient dwellings, the design guidelines are intended to balance flexibility in allowing for alternative materials and designs while also preserving the historic character of individual buildings and the community as a whole. While guidelines for specific building features and sustainable measures are found throughout the document, it is important to establish a basic framework for considering what actions make the most sense in improving the energy efficiency of a property.

### Sustainable Considerations in the Project Planning Process

Considering goals for energy savings at the beginning of a project is particularly important in making sure that the project balances efficiency with limiting any negative impacts to the historic character of a property. In other words, energy-efficient approaches should not be an afterthought. It may be useful to have an expert conduct an energy audit, which is a comprehensive and systematic overview of how energy is used and distributed in a building. This can be a tremendously useful tool in assessing which upgrades will provide the most benefit in consideration of existing features of a particular building.

### Take Advantage of the Green Features of Historic Buildings

As noted, many historic buildings incorporated design features that promote energy efficiency but are now being overlooked. When developing a project and incorporating new sustainable technology, a property owner should first develop an understanding of the already-present sustainable qualities of their property and establish a plan so as to ensure that their effectiveness will not be reduced. For example, obstructing or even rendering inoperable features such as windows, shutters, chimneys, and transoms can limit the effectiveness of naturally occurring and passive sustainable features of historic buildings.



## IS YOUR HISTORIC BUILDING “GREEN”?

By their design, most historic buildings already possess numerous “green” features that promote energy efficiency. However, many of these features are often overlooked when considering energy conservation and planning sustainable upgrades. When planning a project, look for these already-present sustainable qualities:

- Substantial tree canopy that provides natural shade and cooling;
- Operable, double-hung windows that allow cool air to flow in and warm air to pass out;
- Windows arranged so as to take advantage of natural lighting, as well as passive heating in the winter;
- Symmetrical window and door arrangements that allow for cross-ventilation;
- Deep-set porches that moderate temperature fluctuations between interior and exterior spaces;
- Deep eaves that provide for seasonal shading;
- Steeply-pitched roofs that allow for heat to pass upward away from the living space, while also facilitating rainwater collection;
- Operable shutters that can be used to block solar heat gain;
- Heavy masonry materials with natural insulating properties;
- Operable chimneys that allow non-mechanical heating and facilitate even distribution of temperatures in used spaces; and
- High ceilings that facilitate movement of air and distribution of heat.

### Embrace Repair and Reuse of Historic Materials as a Priority

Preserving existing building fabric in sound condition should be a priority not only to retain historic character, but also to limit the need to expend energy in the production of new materials. Long-term, sustainable use of original building fabric begins with routine maintenance in accordance with accepted treatments and timely repair of materials, which minimizes the potential for significant deterioration. During a repair or renovation project, historic building

materials should be protected to avoid accidental damage that may cause a need for replacement. Temporary removal of materials to make repairs or renovate is not recommended, but, if it becomes necessary, materials should be removed with enough care to allow reinstallation. In rare instances where structurally-sound building materials will not be reused as part of a project, they should either be retained by the owner for future reuse, provided to another property owner, or donated to a non-profit organization that may be able to use them on a property of comparable vintage.

### **Incorporate Sustainable Measures in Consideration of the Building's Historic Character**

While the design guidelines are flexible in allowing for sustainable measures such as solar panels, storm windows, and rainwater collection systems, it is important that any added features do not detract from the historic character of the building or the community. Locating new features out of view from the public right-of-way or incorporating screening measures is recommended as a strategy for minimizing their potential to detract. In addition, as with all modifications to a historic building, newly-added features should be installed so that they can be removed in the future without harm.

### **Engage a Sensible Approach to Sustainable Design Solutions**

While embracing sustainable solutions as part of the project planning process is important in realizing energy savings as an end product, it is equally important that measures are carried out in consideration of a holistic approach to sustainability:

- Where replacement or new materials are incorporated into a project, they should, to the extent feasible, be produced locally and without use of harmful chemicals or other treatments that are adverse to the environment. Ideally, materials should also be matched to the local climate, as was often the case with original building materials.
- Replacement and new materials should also be chosen in consideration of their durability and their ability to be repaired. Using high-quality, durable materials will limit the frequency of future replacement cycles.
- Project activities should also be carried out in a way that minimizes waste, particularly of sound materials. Materials should only be removed as necessary. If a component is damaged, only remove the damaged section. Where possible, removed materials should be recycled or made available for reuse on another project.



## 2. UNDERSTANDING COMMUNITY CHARACTER

### 2.1 ABBREVIATED HISTORY OF FRANKFORT

The Virginia Legislature passed an act on December 31, 1776, creating Kentucky County from portions of Virginia. By May of 1780, Kentucky consisted of three counties: Jefferson, Fayette, and Lincoln. When Kentucky was officially entered into statehood in 1792 and became the Commonwealth of Kentucky, it was comprised of nine counties. Franklin County was established two years later, in 1794.

Christopher Gist, who was employed by the Ohio Land Company of Virginia in the 1750s, was one of Franklin County's first explorers. Other explorers followed Gist, including John Finley, Daniel Boone, Robert McAfee, Hancock Taylor, George Rogers Clark, Nicholas Cresswell, and Hancock Lee. In 1775, Hancock Lee, established the county's first settlement, Leestown, on the Kentucky River a mile downstream from modern-day Frankfort. Lee gave Willis A. Lee, Jr., the son of the first County Clerk of Franklin County, a tract of land along the river just south of Leestown. Lee, Jr., constructed a log house, which he later replaced with a brick house he called "Glen Willis," living here until his death in 1824. The Lee family sold the property to Humphrey Marshall, a Revolutionary War Officer, in 1832. The house still overlooks the Kentucky River.

In 1780, Native Americans attacked a group of men traveling from Bryan's Station in Fayette County to Mann's Lick in Jefferson County near a ford in the Kentucky River. Stephen

#### IN THIS SECTION

2.1 Abbreviated History of Frankfort

2.2 Architecture of Frankfort

Federal/Adam

Gothic Revival

Italianate

Stick

Folk Victorian

Shingle

Shotgun

Colonial Revival

Neoclassical

Tudor Revival

American Foursquare

Craftsman

Ranch

Frank was the group's only casualty, and the site, located along a tract of McAfee family land, became known as "Frank's Ford." In 1785, the vacant tract passed to Humphrey Marshall, who sold it to General James Wilkinson the following year. General Wilkinson, born in Maryland in 1757, had served as a soldier under Washington. Wilkinson worked his way up through the ranks, and by 1796, he was Commander-in-Chief of the U.S. Army. In 1805, he served as the Governor of Louisiana. Prior to General Wilkinson's departure from Kentucky, he owned a tract of land along the Kentucky River on which he operated a shipping business. River trade was an important industry in Franklin County during the first half of the nineteenth century. Steamboats were constructed in the county specifically for Kentucky River trade. These vessels were used to ship agricultural products from the county along the Ohio and Mississippi Rivers to markets in the South, particularly New Orleans, making Frankfort a central hub for river trade by the 1820s.

The town of Frankfort was chartered on 100 acres of General Wilkinson's land by the Virginia legislature at the end of 1786. From 1795 to 1796, with the help of soldiers under his command, General Wilkinson drained the swampy area of the newly-established town, making it more habitable. The land was first vested in a group of trustees. The trustees were comprised of Caleb Wallace, Thomas Marshall, Joseph

Crockett, John Fowler, Jr., John Craig, Robert Johnson, and Benjamin Roberts. The trustees laid the land out into lots and auctioned them with the stipulation that the buyer would construct a house with a stone or brick chimney. The deeds to these lots were stored in Fayette County, as this was the county the land was situated in, as Franklin County had yet to be established; however, a fire in the early nineteenth century destroyed the records. Thus, the names of the first purchasers of town lots are unknown. It is believed that most of the lots were sold to current or former officers and soldiers of the army, many of whom had served under General Wilkinson during the Revolutionary War. The trustees, all of whom had served under Wilkinson during the war, most likely purchased lots as well.

The trustees named many of the streets after prominent Revolutionary War generals. Washington Street was named for General George Washington; St. Clair Street was named for General Arthur St. Clair who served under General Wolf at Quebec and was a close friend of Washington; Ann Street was named after General Wilkinson's wife; and Madison Avenue was named after James Madison. Wapping Street was given its name by Englishman John Instone, who built boats for General Wilkinson. Instone named the street after its London counterpart. Main Street was initially given the name of Montgomery after General Richard

Early-twentieth century markers at key intersections in Frankfort's residential core prominently denote the streets named after influential persons of the eighteenth century.





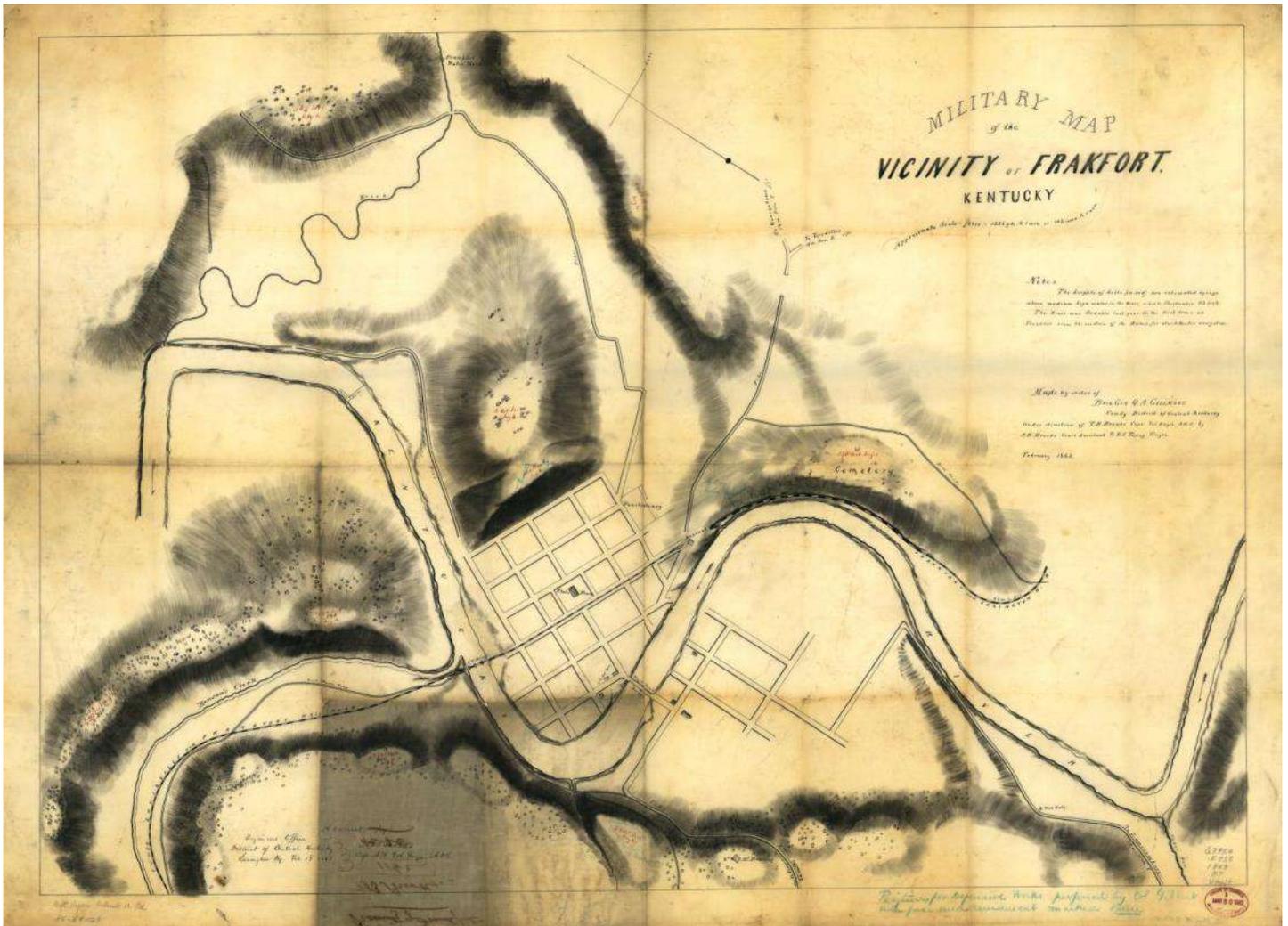
Liberty Hall, built in 1796 by statesman John Brown. Historic American Buildings Survey (HABS KY-20-2), Library of Congress Prints and Photographs Division.

Montgomery. Broadway, the widest street, was first known as Market Street as the first market house was located in the middle of its street. Clinton and Mero (Miro) Streets were also laid out at the time. Clinton Street was named for General George Clinton and Miro Street was named for Esteban Miro, the governor-general of the Spanish territory in America.

By the 1790s, farmers in the region produced large quantities of tobacco, but had no collection or inspection facility. In 1791, the Virginia legislature granted Wilkinson permission to establish a tobacco warehouse and inspection station on his land in Frankfort. The next year, Wilkinson sold his warehouse to Andrew Holmes for 300,000 pounds of tobacco. Holmes then offered town lots, rents from the warehouse, and building materials to the new state's

leaders as an inducement to locate the state capital in Frankfort. The General Assembly approved the town as the capital on December 8, 1792, and then started holding meetings at Holmes' house. The first statehouse was constructed in 1794, solidifying Frankfort's place as the state capital. The statehouse burned in 1813, and a new structure was built in 1816, which subsequently burned in 1824. What is known as the Old Capitol, designed by Gideon Shryock, was constructed in 1830 and functioned as the statehouse for 80 years. It still stands as a prominent reminder of Frankfort's place in Kentucky's democratic process.

Between the War of 1812 and the Civil War, Frankfort saw significant growth. Glass, boxes, hemp products, jean cloth, steamboats, fishing reels, and farm implements were produced in the community. In the



1863 military map of the vicinity of Frankfort, Kentucky.  
Library of Congress Geography and Map Division.

first part of the nineteenth century, these products were shipped via the Kentucky River. By the 1840s, the Lexington and Ohio Railroad passed through Frankfort, changing the way goods were shipped. The rail line was reorganized in 1858, as the Lexington, Frankfort, and Louisville Railroad; it was eventually absorbed by the Louisville and Nashville Railroad. The Frankfort and Cincinnati Railroad also played a role in the shipment of goods in the late nineteenth century and into the early twentieth century.

The Civil War divided the state. Frankfort was captured by the Confederate Army in September 1862, and held until the Battle of Perryville on October 8 of the same year. In June of 1864, the capital city was successfully defended from an attack by General John Hunt Morgan's cavalry by David W. Lindsey, inspector general of Kentucky. While the post-Civil War years were not without racial and political violence, the city did see significant growth during this period. Growth

was particularly significant in the lumber and flour milling, meat packing, barrel making, and distilling industries.

Many important figures from the nineteenth century and early twentieth century have either lived in Frankfort's core or spent significant time there, particularly within the area known as Frankfort's Corner in Celebrities. This area, a portion of the land which the trustees laid out at the end of the eighteenth century, retains much of its historic building stock dating to the early vestiges of Kentucky's governing body. The residences of once well-known political figures, doctors, attorneys, merchants, entrepreneurs, and emancipators are still evident as are historic ecclesiastical buildings. Prominent figures whose residences still stand include: Orlando Brown, Thomas Carneal, John Glover South, Simeon Willis, Thomas L. Crittenden, John Jordan Crittenden, James Garrard, John B. Bibb, Justice Thomas Todd, Charles Morehead,

George Madison, Emily Thomas Tubman, Graham Vreeland, George B. Macklin, Lawrence Tobin, Dr. William Barber Rodman, and Leopald Labrot.

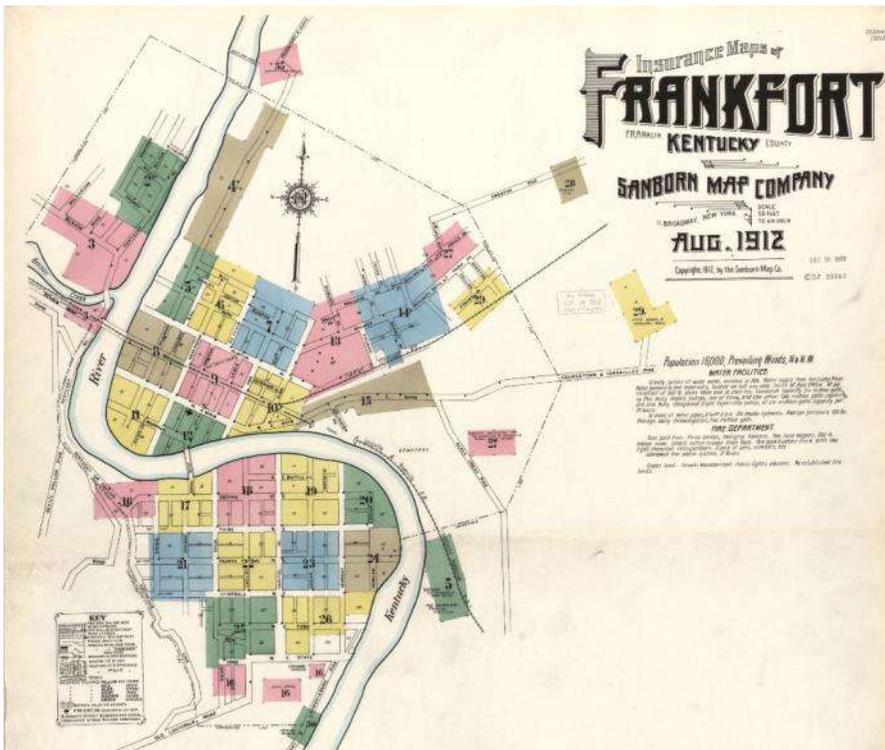
The capital city continued to grow into the twentieth century, even if only characterized by nominal increases in population. Development in the city was partially the result of the improved transportation network developing in Frankfort during the last decade of the nineteenth century. This included the completion of the St. Clair Bridge in 1893, known locally as the “singing bridge,” which replaced a wooden covered bridge and provided a permanent crossing for the Kentucky River in the heart of Frankfort. Improvements also included the beginnings of Frankfort’s streetcar system, which began operations in 1894 and spurred increased residential and commercial development, particularly on the south side of the river. By 1900, Frankfort was also served by three railroads: the Louisville and Nashville Railroad, Chesapeake and Ohio Railroad, and Frankfort and Cincinnati Railroad.

The expansion of state government in the early decades of the twentieth century also fostered continued growth of the city’s core, both north and south of the river. A new capitol building was constructed in south Frankfort from 1905 to 1909 and dedicated in June of 1910, which reemphasized Frankfort’s role as the heart of the Commonwealth. State government would continue to contribute to growth throughout the twentieth century, as is evidenced in the construction of several governmental buildings: an 11-story state office building (1941), the capitol annex (dedicated in 1952), and the Capital Plaza (1972–1984).

The twentieth century also brought changes to Frankfort, particularly in dealing with the effects of Prohibition, which shuttered the county’s distilleries – the leading industry at the time. This was followed by the Great Depression and World War II, which, like many places throughout the country, experienced subsequent periods of turmoil and upswings, with the post-World War II period witnessing a resurgence of economic activity. This activity, however, occurred largely outside of the historic core of Frankfort as the increasing pressure of new development forced residents and businesses to the city’s fringe.

Through Frankfort’s history, the core of the community’s historic residential and business sectors have remained largely intact despite periods of redevelopment and some loss of historic fabric over time. Indeed, walking through Frankfort’s historic neighborhoods, one can easily interpret the past through the architecture that remains, which provides an irreplaceable link to our past. From the unparalleled architecture found in Frankfort’s oldest residential neighborhood located between Broadway and the bend of the Kentucky River to the commercial core along Main and St. Clair Streets to the early-to-mid-twentieth century neighborhoods located throughout South Frankfort, we are surrounded by a history unique to Frankfort.

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August 1912 Sanborn Fire Insurance Company map depicting the expansion of the core of Frankfort by the early-twentieth century. Library of Congress Geography and Map Division.

## 2.2 ARCHITECTURE OF FRANKFORT

Understanding the architectural style, building form, and character-defining features of a particular property is critical to understanding how a proposed project might impact the historic character of a building. The architecture within Frankfort's historic core represents a stunning collection of eighteenth- to twentieth-century design that reflects the aesthetic values of successive generations of citizens. While much of the architecture can be viewed as a unique artistic expression of the period, many examples also show the evolution of national design tastes, from grand homes of the nineteenth century to the broadly popular forms that emerged during the late nineteenth and early twentieth centuries and came to proliferate through pattern books, mail order catalogs, and regional tradesmen.

Architecture also goes deeper than the design, reflecting the lives of Frankfort's citizens. Whether considering the economic and social standing of those occupants who originally lived there, the successfulness of the merchant who built the business, or the prominence of the congregation that supported construction of the church, Frankfort's architecture captures the lives of those who lived and worked in the city's core, serving as the backdrop for more than two

hundred years of history. Architecture is ingrained in the fabric of the community, shaping the lives of those who call Frankfort home. We, in turn, shape the legacy of this architecture through our actions, both past and present, as we preserve, restore, and rehabilitate these irreplaceable components of our history.

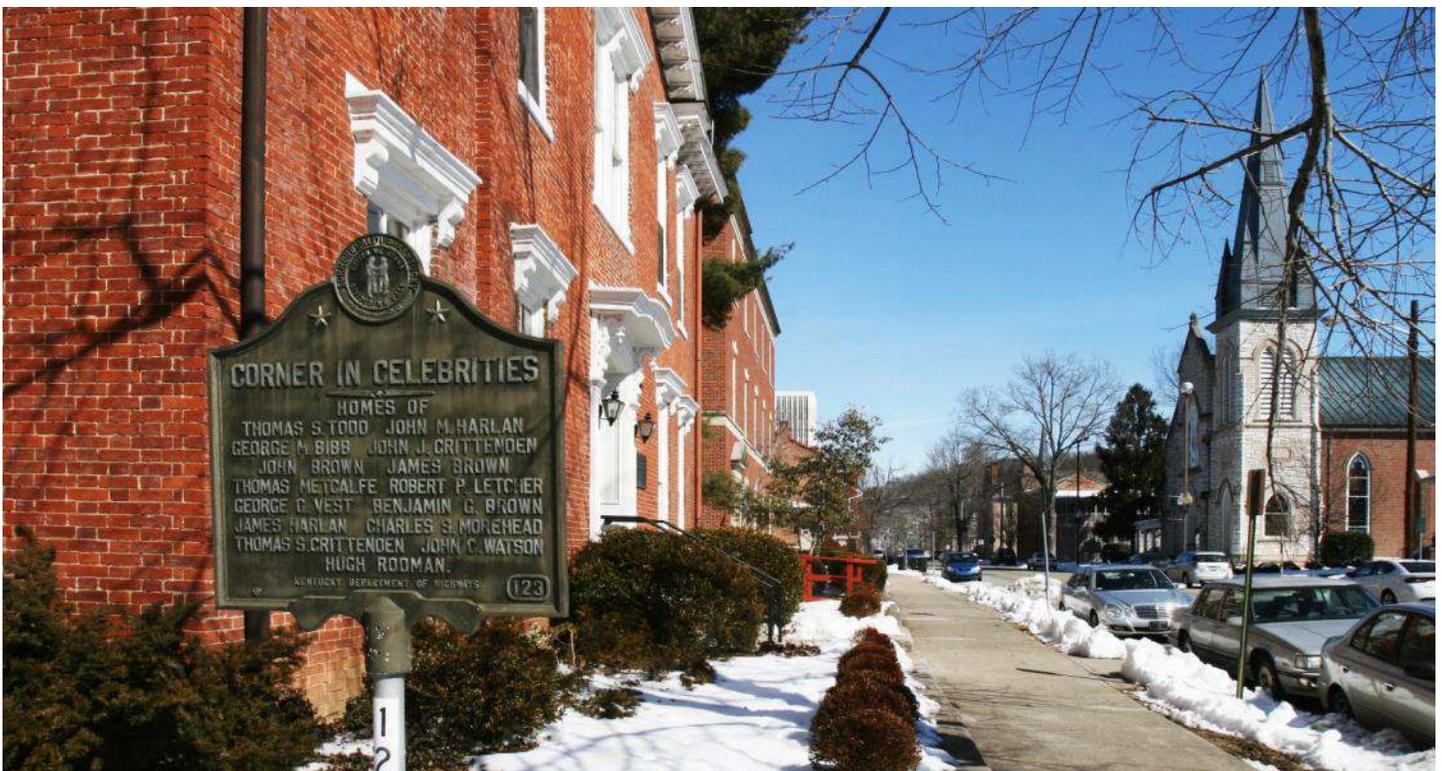
The following styles guide has been created for the benefit of the property owner in beginning to understand the architectural character of the community. It is important to note that the guide is not intended to capture every architectural movement since the late eighteenth century, but rather is to identify the most prominent architectural styles and building forms located in the city's Special Historic district. Additional resources that more fully describe all architectural trends are identified in the bibliography (Appendix I).



### ARCHITECTURAL TERMINOLOGY

If you are unsure what a particular architectural term used in this document means, check the glossary (Appendix D) for a list of commonly used definitions.

Frankfort's historic core is defined by a rich variety of architectural styles and building types.



## FEDERAL/ADAM (c. 1780–1820)

The Federal style, also known as Adam style, evolved as a refinement of earlier Georgian architecture, adopting the basic form but replacing heavy elements with more delicate counterparts. The Federal style was influenced by contemporary European trends, especially the work of Robert Adam, who traveled to Italy and the Mediterranean to study classical buildings. Many Federal-style buildings have been modified with elements of subsequent styles, such as Greek Revival architecture.

### COMMON FEATURES TO LOOK FOR INCLUDE:

- Typically a simple box form, two or more rooms deep
- Symmetrical façade, typically five bays wide but occasionally three or seven bays wide
- Moderately-pitched side-gable, hip, or center gable roof
- Elaborate crowns or entablature with a decorative cornice
- Brick or frame clad with weatherboard
- Central entry with a paneled door and sidelights
- Semi-circular or elliptical fanlights
- Six-over-six, double-hung sash windows with thin muntins
- Three-part Palladian windows



## GREEK REVIVAL (c. 1825–1865)

The Greek Revival style, which rose to prominence as a classical symbol of democracy, dominated architecture during the mid-nineteenth century. The Grecian-inspired architecture became known as the “National Style” due its popularity in the rapidly-developing eastern and southern United States, with institutional and public buildings characterized by classical forms inspired by Greek temples and dwellings featuring clean, classical moldings and trimwork.

### COMMON FEATURES TO LOOK FOR INCLUDE:

- Symmetrical façade, but entry is often to one side
- Low-pitched gable or hip roof
- Heavy cornice is emphasized with a wide band of trim
- Entry of full-width porch supported by square or Doric, Ionic, or Corinthian columns
- Elaborate door surround with sidelights and transom
- Wide, flat trim around windows and doors
- Windows exhibit six-over-six light, double-hung sashes
- Small frieze-band windows are often found along the wide band below the cornice



## GOTHIC REVIVAL (c. 1840–1880)

While not as popular as the contemporaneous Greek Revival and Italianate styles, Gothic Revival architecture found its place with those who wanted to break free from the rigidity of classicism. The style was promoted heavily by Andrew Jackson Downing, who emphasized it for rural residences. The pointed arches and light wood frame of such residences became known as the subset Carpenter Gothic. Gothic Revival architecture is commonly found in ecclesiastical structures.

### COMMON FEATURES TO LOOK FOR INCLUDE:

- Steeply-pitched side-gable roof with cross gable(s) in residences
- Steeply-pitched front-gable roof with prominent crenellated, square tower in ecclesiastical structures
- Deep eaves with open cornices
- Asymmetrical plan
- Decorated vergeboard
- Broad one-story porches
- Tall, slim chimneys
- Pointed arches as decorative elements and in windows
- Drip molds above window openings



## ITALIANATE (c. 1840–1885)

Like the Gothic Revival style, the Italianate style began in England as part of the Picturesque movement. An interpretation of Italian Renaissance architecture and prompted by a reaction against classicism, the Italianate style gained more momentum than the Gothic Revival style and dominated American domestic architecture from 1850 to 1880. Elements of the style, such as cornice brackets, were commonly applied to earlier structures during the period.

### COMMON FEATURES TO LOOK FOR INCLUDE:

- Two or three stories
- Low-pitched hip roof with wide eaves and decorative brackets
- Symmetrical facades
- Tall narrow window openings
- Double-hung, one-over-one or two-over-two windows
- Paired and tripled windows and window bays
- Heavy hood moldings over window openings
- One story porch supported with square beveled or decorative posts
- May feature a cupola or tower
- Wood frame clad in clapboard or brick



## STICK / EASTLAKE (c. 1860—1910)

The Stick style emerged during the mid-nineteenth century as part of the Picturesque movement, with its basic tenants promoted by the widely circulated pattern books of Andrew Jackson Downing and the emergence of mechanized woodworking techniques that made elaborate woodwork affordable. Even though it was simply applied ornamentation, the use of “sticks” or thin wood elements was to reference the underlying bones of a structure.

### COMMON FEATURES TO LOOK FOR INCLUDE:

- Two or three stories with an emphasis on verticality
- Asymmetrical façade and plans
- Complex steeply-pitched gable roofs with broad eaves
- Exposed rafters
- Frame construction clad in clapboard
- Decorative stickwork, often in gable ends
- Extensive porches
- Large one-over-one and two-over-two windows
- Corbeled chimneys



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## FOLK VICTORIAN (c. 1880—1910)

Emerging as a more vernacular version that utilized elements of other Victorian-era (Stick, Eastlake, Queen Anne) architecture, Folk Victorian architecture provided a more simple interpretation of the period’s tastes. It spread widely through the availability of mass-produced wood features and decorative components, which could be quickly transported to the site by the expanding rail network and easily applied to common building forms such as the one-story cottage.

### COMMON FEATURES TO LOOK FOR INCLUDE:

- Asymmetrical plans and façade
- Complex roof shapes, often hip with gables
- Mixing of stylistic details from the period
- Wood clapboard with decorative wood shingle siding and textured wall patterns
- Pierced, cut, turned, and other patterned wood trim
- Large one-over-one and two-over-two windows
- Porches as integral elements with spindlework detailing
- Bay windows
- Corbeled chimneys



## SHINGLE STYLE (c. 1880–1900)

Developed in New England, the Shingle style borrowed features from other Victorian-era architecture but featured wall surfaces clad in wood shingles. Associated with early seaside resorts and typically found in architect-designed buildings along the Atlantic seaboard, the Shingle style had limited influence on local building trends throughout the country and never rose to popularity among the public, although isolated examples are found in communities such as Frankfort.

### COMMON FEATURES TO LOOK FOR INCLUDE:

- Two or three stories
- Exterior walls clad with wood shingles, commonly only on the upper story
- Moderately-pitched gable, hip, or gambrel roof
- Asymmetrical façade
- Irregular roofline
- No corner boards
- Porches with simple wood posts or brick columns
- Little or no applied ornamentation



## SHOTGUN (c. 1880–1930)

The Shotgun house was a common house form found in modest urban areas in the South, popular amongst recently-freed slaves who migrated following the Civil War. The origin of the shotgun house is debated, but similar forms are found in the West Indies and can be traced from Africa to early Haitian influences in New Orleans, where the form arrived during the first decades of the nineteenth century.

### COMMON FEATURES TO LOOK FOR INCLUDE:

- Typically one story
- Rectangular footprint
- One-room wide and several rooms deep
- Front-gable or hip roof
- Typically frame construction clad in clapboard
- Typically exhibit little or no ornamentation
- Entry or full-width porch
- One-over-one or two-over-two double-hung windows



## COLONIAL REVIVAL (c. 1880—1955)

The Colonial Revival style dominated architecture during the first half of the twentieth century. Arising from a resurgent interest in colonial heritage stemming from the Centennial Exposition of 1876, Colonial Revival architecture reprised the early English and Dutch styles found along the Atlantic seaboard, which included the Georgian and Federal styles. Pure replicas of colonial architecture are uncommon; rather details of various styles were mixed, resulting in eclectic arrangements.

### COMMON FEATURES TO LOOK FOR INCLUDE:

- Symmetrical façade
- Gable, hip, or gambrel roof
- Central entry, commonly with sidelights and fanlight
- Entry or full-width porch with classical columns
- Pedimented door, windows, or dormers
- Cornice with dentils or modillions
- Pilasters, quoins, and cornice returns
- Multi-light double-hung windows, located singly and in pairs
- One-story wings



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## NEOCLASSICAL (c. 1895—1950)

The Neoclassical style rose to popularity following the Columbian Exposition held in Chicago in 1893, where a renewed interest in classical forms was promoted by well-known architects. Stylistic elements, typically from the Greek Revival style, were of a larger scale than their earlier counterparts. Reintroducing the concept of monumentality, the style was applied commonly to public and institutional buildings, but found limited use in residential architecture.

### COMMON FEATURES TO LOOK FOR INCLUDE:

- Formal, symmetrical façade
- Low or moderately-pitched roof
- Masonry construction, commonly with accentuated water table
- Heavy cornice with dentils
- Façade porch with classical columns with Ionic or Corinthian capitals
- Pedimented entry
- Decorative door surrounds
- Side portico
- One-over-one or two-over-two double-hung windows



## TUDOR REVIVAL (c. 1890–1940)

Tudor Revival architecture rose to popularity as part of a wave of eclectic revival styles. A picturesque reinterpretation of a mix of Medieval English building traditions, the style was particularly popular after World War I, during the 1920s and 1930s, as masonry veneer technology became widespread, with the style spread through pattern books and mail order catalogs.



### COMMON FEATURES TO LOOK FOR INCLUDE:

- One, one-and-one-half, and two-story forms
- Steeply-pitched roof, typically side-gabled with a steep cross gable
- Masonry, brick veneer, or stucco
- Patterned stone or brickwork
- Decorative half-timbering
- Prominent chimneys
- Tall, narrow multi-light windows, often found in groups
- Small entry porch, often with an arched doorway

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## AMERICAN FOURSQUARE (c. 1900–1920)

The American Foursquare was a strictly residential form that was widely popular for a brief period in response to changing public tastes that desired simpler forms with less ornamentation. Often related to Prairie-style trends that rejected classicism, the American Foursquare spread throughout the country via pattern books and popular magazines and provided an efficient, moderately-priced home for the average family in newly-developing areas of the period.



### COMMON FEATURES TO LOOK FOR INCLUDE:

- Two-story, square form
- Low-pitched hip roof, often punctuated by dormers
- Broad, overhanging eaves
- Off-center entry
- Three-quarter or full-width façade porch with columns, brick piers, or battered posts
- Wide, one-over-one, double-hung windows, often in pairs
- Wood clapboard, stucco, brick, or rock-faced concrete block
- Contrasting building materials
- May incorporate classical detailing of other period styles



## BUNGALOW/CRAFTSMAN (c. 1905–1930)

The Bungalow form and related Craftsman style, with details inspired by the Arts and Crafts movement, which prompted a renewed interest in natural, hand-crafted materials, rose to popularity first in southern California and quickly spread across the nation via mail order catalogs and popular magazines of the period. The one-and-one-half-story version of the bungalow quickly became the most popular house type in the nation, often constructed in large groupings or as infill.

### COMMON FEATURES TO LOOK FOR INCLUDE:

- One, one-and-one-half, or two stories
- Square or rectangular plan
- Low-pitched gable or hip roof
- Broad eaves, typically with exposed rafter tails
- Prominent dormers
- Natural, exposed materials
- Decorative beams or knee braces
- Full or partial-width porch with massive columns or piers
- Multi-light windows, often with geometric patterns in upper sash



## RANCH (c. 1950–1990)

The Ranch house can be traced to Frank Lloyd Wright's Usonian architecture, which were one-story homes with a low, horizontal profile that was integrated with the landscape of the site. Spurred by advances in prefabrication and mechanization following World War II, the Ranch house was constructed in large numbers throughout the country to meet the needs of a rapidly-growing population and became a hallmark of the automobile and suburban culture.

### COMMON FEATURES TO LOOK FOR INCLUDE:

- One-story, low-profile linear plan
- Low-pitched gable or hip roof
- Broad eaves
- Entry stoop or shallow linear porch along facade
- Massive integrated chimney
- Clad with contrasting materials
- One-over-one and picture windows
- Integrated carport/garage







## 3. PROJECT PLANNING AND DESIGN REVIEW

### IN THIS SECTION

#### 3.1 Planning Your Project

Planning a Successful Project

Establishing a Maintenance Plan

#### 3.2 Design Review in Frankfort

Design Review Basics

Design Review Process

### 3.1 PLANNING YOUR PROJECT

Every project is unique. Just as no two buildings are exactly the same, no two solutions are exactly the same. In any given scenario, the strategy that best meets the needs of the property owner while also retaining the historic character of the community will be dependent on a number of factors that must be considered as part of the project planning process. These factors include, for example, the architectural character of the building, existing conditions of the property, features of the surrounding community, and visibility of the proposed project.

While every property and project is different, engaging a standard approach to project planning can help achieve the best possible outcome, both in terms of meeting owner needs and recognizing the special character of a particular place. Employing a standard approach, rooted in accepted preservation principles and carried out in consideration of the many factors that influence design choices, also promotes purposeful inclusion of the design standards presented in Article 17 of the City of Frankfort's Zoning Code, and can help save time and money; facilitate compliance with the design guidelines and applicable building codes; and foster a smooth design review process.

A recommended model for project planning, tied into the City of Frankfort's design review process, is presented here for the benefit of property owners in Frankfort's local historic districts.

## PLANNING A SUCCESSFUL PROJECT

The goal for any project in a local historic district is to preserve important or character-defining features, while providing for a sustainable contemporary use. There are four basic steps that every property owner can take when engaging a project in order to best arrive at an appropriate, informed solution for achieving this goal.

### Step 1. Develop an Understanding of Your Property

A thorough understanding of one's property should serve as the foundation for any decision making and project plans. This includes an understanding of the character-defining features and materials of your building, as well as the condition of those features and materials, which relate to the significance and integrity of the property and your neighborhood.

Historical research and on-site investigation are the two critical components for developing an understanding of your property. Research can help you identify how your building fits into the story of the community and provides a comparative base for properties of similar style and vintage, from which you can begin to discern commonly-found and significant features (see *Chapter 2. Understanding Community Character* for an introduction to Frankfort's architecture).

Research should be complemented by an on-site investigation of your property. With thorough review of the property, you can identify those key features that are original and those that have been altered or added over time. You can also account for issues



## SIGNIFICANCE AND INTEGRITY

Understanding why a property is significant and if it retains integrity is key in determining how the guidelines are applied. Your property may be individually noteworthy in history or architecture, and/or it may derive its significance from its contribution to neighborhood character. Keep in mind how proposed work might affect someone's ability to interpret the significance of the property.

Integrity is defined as the ability of a property to convey its significance through its original setting, design, key features, and materials, among other factors. Projects that undermine the integrity of an individual property or the larger community are discouraged.



## LOCATING INFORMATION ON YOUR PROPERTY

Researching your property is a process of gathering various resources – such as maps, photographs, and deed records – and reviewing information in the collections of local libraries and historical societies. Basic information on many properties was also compiled as part of a 2008-09 architectural survey and in preparation of National Register of Historic Places nominations for the city. For more information on these resources contact the Planning and Building Codes Department.

### Contributing vs. Non-contributing Properties

Each property in a local historic district is classified as either "contributing" or "non-contributing," and it is important to understand the difference between the two in establishing a foundation for your project plans.

A "contributing" property is one that is determined to be significant and contributes to the character of the area in which it is located. These properties possess sufficient integrity and contribute to the understanding of the architectural and historical significance of a particular place. While these properties may have undergone some changes in the past, they retain their major character-defining features. Since a priority is placed on maintaining such contributing properties

intact, they are held to the highest standard of the design guidelines.

A "non-contributing" property is any property that does not contribute to the historical or architectural significance of the area and/or does not retain sufficient integrity. Properties may have been constructed after the period of significance (for example, modern infill) or may be so altered that the historic design is indistinguishable. More leniency is provided to such properties for building-scale changes; however, changes that have the potential to impact the larger community still receive close review.

associated with individual building components and begin to plan for any needed property maintenance. Should you so choose, it is suggested that you photograph your building during the review, which will serve as an important record of work completed over time and help with future project planning.

Since some projects (such as porch replacements) can result in changes to the streetscape and impact the larger community, the on-site investigation should also consider the character of the surrounding area. Particular attention should be given to how your property relates to adjacent buildings, streetscapes, and landscapes. Identifying notable features will enable you to understand how your property fits in the community and appropriately plan future projects.

## Step 2. Determine Your Needs and Priorities

After assessing the features and condition of your property, you will have a solid foundation for evaluating your short- and long-term needs and determining what options exist. For example, you may originally be thinking that an addition is needed but ultimately discover that you can reconfigure interior spaces to address needs and avoid changing exterior features. Or, you may think that you need to replace an entire porch column but discover that you only need to patch a small section of deterioration.

With information in hand, you can develop a prioritization plan for potential improvements in consideration of your ongoing needs, budget, and lifestyle. Typically, you should first address those problems that affect the safety and livability or use of your property. Then, you should plan for any minor maintenance and repairs to minimize potential significant issues in the future. Finally, you should identify and plan for any areas that you want to improve for aesthetic reasons or functional needs. Working through these items in consideration of your property's character will allow you to establish a series of short- and long-term goals and objectives, help you plot out a path for carrying out your actions, and provide a framework for beginning to develop individual project concepts.

## Step 3. Determine if Your Project Requires Approval

When you reach the point of planning an individual project and begin to establish a framework for what you would like to do, it is critical that you determine if your project will require staff approval or a more formal

## Planning Projects in a Logical Order

While it may be tempting to jump into a substantial project that will dramatically improve the aesthetic of your property or provide much needed functionality, it is important that projects be prioritized in consideration of your particular property's needs. In general, the following prioritization is recommended to support the longevity of your property:

- Priority 1: Life-safety and issues that compromise the livability of a property, such as foundation instability or significantly deteriorated roofing materials.
- Priority 2: Condition issues that have the potential to evolve into a more serious problem if not addressed appropriately, such as deteriorated coatings on wood elements.
- Priority 3: Typical maintenance to address normal wear and tear associated with use of a property.
- Priority 4: Improvements that solely improve aesthetics or provide additional functionality.

In some instances, it may make sense to address these needs concurrently. In such cases, projects should be phased so as to ensure that, if necessary, issues of life-safety and the causes of such issues are appropriately resolved first.



The individual features and condition of a particular property and the needs of a property owner will guide priorities during the project planning process. However, in all instances, significant deterioration and structural instability (health and safety issues) – such as a collapsing porch roof – should take priority over all other concerns and projects.

design review approval in accordance with Article 17 of the Zoning Code. Doing so during the initial stages of project planning will allow you to identify specific requirements and adjusted timeframes before you get too far into a project.

Broadly speaking, the design review process is applicable to all properties within a local historic district, regardless of whether the property is considered a “contributing” or “non-contributing” resource (see page 32). The process is concerned with exterior alterations and repairs that require a building permit and/or affect the exterior integrity of a property. **Building permits cannot be issued for properties within local historic districts until the formal design review process, if required, has been completed.** Several routine maintenance (see page 38) and exterior changes such as landscaping and painting of non-masonry items do not require review. Interior changes also are not reviewed, although you should verify the need for any building permits before beginning work. A listing of the most common projects and the requirements for design review is provided here (opposite page) for the benefit of the property owner.

#### Step 4. Plan Your Project with the Guidelines

As you begin to work through the details of your project, it is imperative that you do so in consideration



### UNDERSTANDING APPROVAL REQUIREMENTS

If you need additional help determining if your project will require approval, contact the City of Frankfort Planning and Building Codes Department before beginning your project.

of the design guidelines. The guidelines form the basis for review of your project by Planning and Building Codes Department staff and, if necessary, the Architectural Review Board. As such, you should consider them as a guide for identifying which design solutions may be appropriate and which solutions might not be appropriate in the context of your particular property and its character, as assessed during step one of the planning process. Following the guidelines from the outset will facilitate a smoother design review process.

Begin by reviewing the basic concepts of the design guidelines and then the guiding principles (see pages 7-10) that provide the foundation for all guidance in this document. Also determine which chapters apply to your project and begin to develop an understanding of the rationale for the guidelines for specific building components. Developing an understanding of the guidelines and their reasoning

### — Which Chapters Apply to Your Project? —

PROJECT TYPE	Chapter 1: Introduction	Chapter 2: Understanding Community Character	Chapter 3: Project Planning and Design Review	Chapter 4: Rehabilitation Guidelines	Chapter 5: Accessory Buildings	Chapter 6: New Construction	Chapter 7: Site and Setting	Chapter 8: Demolition and Relocation
Routine maintenance	X	X	X	X				
Exterior changes to a primary structure	X	X	X	X				
Exterior changes to an accessory structure	X	X	X	X	X			
New additions to primary structures	X	X	X			X	X	
Construction of a new primary structure	X	X	X			X	X	
Construction of a new accessory structure	X	X	X		X		X	
Changes to the site (fencing, signs, etc.)	X	X	X				X	
Installation of energy efficient mechanisms	X	X	X	X			X	
Demolition or relocation	X	X	X					X

— Common Projects and Design Review Requirements (Broad Overview) —

PROJECT TYPE	DESIGN REVIEW NOT REQUIRED	DESIGN REVIEW REQUIRED
<b>EXISTING PRIMARY BUILDINGS</b>		
Awnings	Repair of existing awnings with in-kind materials and design	Installation of new awnings and replacement of existing awnings
Cornices, soffits, and eaves	Repair of deteriorated features with in-kind materials and design	Replacement of existing features with new materials or design
Decks and patios	Repair of existing features	Installation and removal of decks and patios
Doors	Repair of deteriorated components with in-kind materials and design	Replacement of existing doors, removal of existing openings, and addition of new openings
Gutters and downspouts	Repair of existing features with in-kind materials and design	All other gutter repair, installation, replacement, and removal
Masonry	—	All masonry cleaning, repair, and alterations
Painting	All painting, excluding unpainted masonry	All painting of unpainted masonry surfaces
Porches	Installation of fixtures such as flag brackets, mailboxes, and house numbers	Repair, replacement, and removal of existing features and construction of new porches
Roofs	Repair and replacement with in-kind materials and design	All other roof repair and replacement
Siding	Repair and replacement with in-kind materials and design	All other siding repair, replacement, installation and removal
Windows	Repair of existing features with in-kind materials and design; replacement of windows without a change in materials or design; installation and removal of window openings not visible from the right-of-way or within public view	All replacement of windows that results in a change in materials or design, and installation and removal of windows openings visible from the right-of-way or within public view.
<b>NEW CONSTRUCTION</b>		
—	—	All new construction
<b>ACCESSORY STRUCTURES</b>		
—	Repair of existing buildings with no change in design	Repair of existing buildings with new materials and design, construction of new buildings, and removal of existing buildings
<b>DEMOLITION AND RELOCATION</b>		
Principal Structures	—	All demolition, in whole or in part, and relocation
Accessory Structures	Demolition, in whole or in part, and relocation of non-contributing resources	Demolition, in whole or in part, and relocation of contributing resources
<b>SITE AND SETTING</b>		
Fencing and walls	Maintenance and repair with no change in design and materials	All other fence work, including replacement, installation, and removal
Fire Escapes	—	All fire escapes
Landscaping	All landscaping	—
Parking lots and paved areas	—	All parking lots and paved areas on private property
Signs	Repair and removal of signs	Installation of signs

\* This chart is intended only to provide a broad overview of general review requirements. For a detailed breakdown, see Appendix F and/or contact the Planning and Building Codes Department.



## WORKING WITH DESIGN PROFESSIONALS, CONTRACTORS, AND OTHER SPECIALISTS

There will be times when it makes sense to engage the services of a professional in planning and designing your project or completing it. Architects and other professionals experienced in working with historic buildings can be particularly valuable in helping illuminate appropriate solutions for meeting project needs. When considering a professional for the first time, meet with them to discuss your anticipated needs and assess their knowledge and experience. Seeking information on similar past work is also recommended. If working with a large company, make sure the individual person that you will be working with has appropriate knowledge and experience. Ideally, over time, you and your chosen professional will establish a familiarity with one another and your property, which will facilitate their ability to help you achieve your long-term goals.

will help you better evaluate how a potential project may or may not impact the character of a particular building or area within a local historic district. If you need help interpreting the guidelines, Planning and Building Codes Department staff can provide insight or you may benefit from engaging the assistance of an architect, historical contractor, or other specialist who can provide recommendations for potential design solutions.

With a clear understanding of the guidelines applicable to your project, you can identify the individual actions that make the most sense in terms of your needs and the character of the area. Careful consideration of these actions is particularly important in developing an overall approach that respects the character-defining features of a place. In broad terms, actions that require the least intervention or change (i.e., preservation in place or rehabilitation with in-kind materials) are preferred over those that result in more dramatic changes. Such is at the heart of the following principles, which form the basis for the guidelines for individual components throughout this document:

- Retain intact features and materials.
- Repair deteriorated features or materials to their original condition.
- Replace only when repair is not feasible and do so with in-kind materials and design.
- Reconstruct missing features only when appropriate and when based on documentary evidence.
- Respect original design features and setting when adding new features, additions, or new construction.

One of the most important considerations in planning your actions is the visibility of the area in which you are working and the prominence of particular design

### Considerations When Planning to Replace, Remove, or Add Features or Materials

As part of the project planning process, it is important to evaluate how changes might impact the historic character of a particular place. Questions to consider when evaluating whether to replace, remove, or add features or materials include:

- Is it a significant character-defining element that helps convey the building's style and period of construction?
- Is it of low-quality construction or materials?
- Is it original or was it added later?
- If it was added later, is it appropriate to the original design of the building?
- Is it architecturally unique or is it common?
- Is it highly visible from the public right-of-way?
- Is the proposed replacement or addition typical of those found on properties of similar vintage/style in the district?
- Would the building's character be significantly altered if the feature/material was removed or replaced?
- Would the proposed replacement or addition affect perception of the building's style or period of construction?
- Would the proposed replacement or addition detract from the original design of the building, particularly those areas visible from the public right-of-way?
- Would the proposed replacement or addition be compatible with the surrounding district?

elements and materials. The visibility of your project and how it affects perception of a particular building and the neighborhood from the public right-of-way will be a major factor during the design review process. As such, it is recommended that you give careful upfront consideration to the location and nature of your project during the planning phase. Walking around your property and viewing it from various perspectives along the public right-of-way may be useful in helping you assess how your project might be considered during the design review process.

For most buildings, the front elevation (or façade) is the most important element, and preserving it intact should be considered a priority. Side elevations can also be important to the character of a building, particularly those that are located on corner lots or are a prominent civic or institutional building. Although commonly visible from alleys, rear elevations are typically the least important and, in most instances, provide the best location for alterations and additions.

### Considering the Location of Your Project: Visibility and Design Review

Before planning the details of a project, it is critical that you consider the location where the improvement is planned and how such changes might affect the character of the property. Changes that are planned on the façade (front elevation) or a highly-visible secondary elevation will have less flexibility in what is allowable than those that are planned for locations that are less visible from the public right-of-way – such as the sidewalk, street, or alley – or public grounds such as those associated with Liberty Hall or the Old State Capital.

It is important to note that lots within Frankfort’s historic districts have a wide range of dimensions, with many affording wide views of a property’s side and rear elevations, while others have a fairly tight viewing window from the public right-of-way. As such, it is important to consider the particular setting of your individual property and assess the visibility of your project and how it impacts perception of the property from all points within public view. **You should not simply assume that any project occurring on a secondary elevation or rear elevation will be approved as part of the design review process.** Planning and Building Codes staff and the ARB are encouraged to visit the project site and review the potential visibility of a project as part of the design review process to ensure it will not compromise a property’s integrity.

Many properties within Frankfort’s local historic districts feature prominent side elevations that are as visible and architecturally significant as the façade. Property owners must practice diligence in planning their projects to maintain integrity of all significant features.



## Establishing a Maintenance Plan

It is important that the concept of maintenance not be overlooked in planning your short- and long-term goals and project actions. Implementing regular and preventative maintenance on a routine schedule is the easiest and cheapest way to ensure a property retains its value and minimize the potential for severe and costly repairs in the future. Unfortunately, many properties are overlooked on maintenance until a problem surfaces.

Preventative maintenance starts with establishing a regular schedule for inspection and, ideally, keeping a record of the inspections. It is recommended that you inspect your property at least every fall and spring to facilitate early identification of issues, minimizing their potential to develop into a significant concern. Using an inspection checklist is recommended as it provides a structured approach to the process and limits the potential for critical building systems or features to be overlooked during review of the property. Regular use of a systematic checklist also provides a mechanism for monitoring deterioration over time and evaluating the successfulness of past maintenance and repair efforts.

A typical (not required) maintenance and inspection checklist has been provided (see Appendix E) for the benefit of the property owner. It is important to note, though, that the example checklist is broad in its scope and not intended to capture every distinct element of every property; the checklist should be adapted to address the unique features of your property.

### Routine Maintenance

Route maintenance and basic repair are necessary parts of owning any property in order to fix elements that have deteriorated due to the passage of time, weather, the environment, or human interaction. When dealing with a historic property, the prospect of proper and regular maintenance and repair is an even more critical issue as unresolved deterioration can quickly evolve into a more significant problem. Inappropriate maintenance and repair solutions can also exacerbate problems rather than correct them. Property owners are encouraged to appropriately address routine maintenance items in order to protect the longevity of their properties and the importance of the local historic district.

## Inspecting Your Property

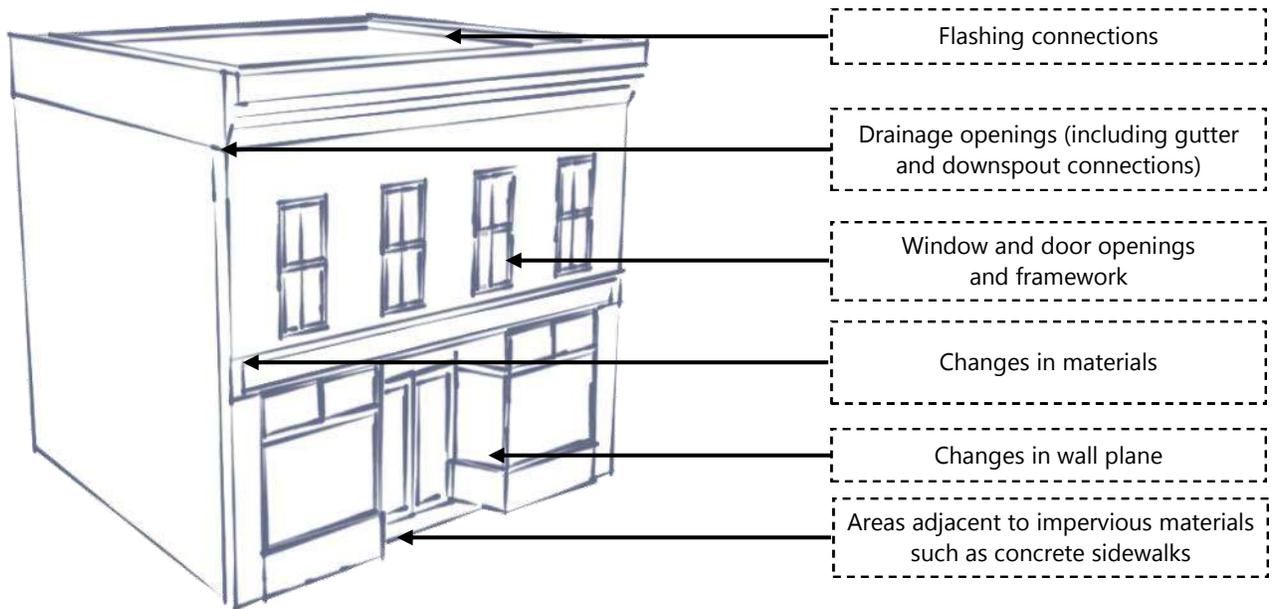
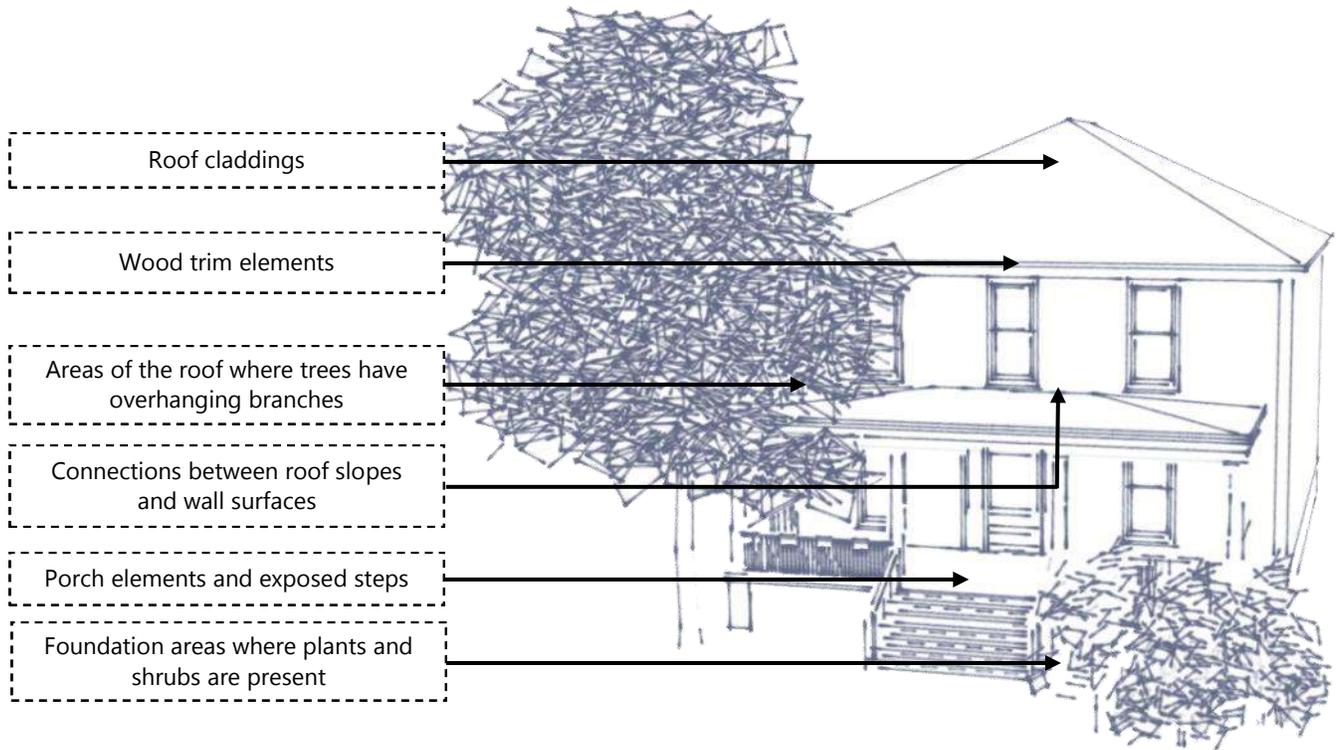
Establishing a maintenance plan is an important first step, but its overall effectiveness is dependent on regular review and use by the property owner. Properly used, a maintenance plan is the most frugal and effective means of planning for the long-term care of your property. Consider the following when developing your plan and inspecting your property:

- Develop an inspection checklist (or adapt the example checklist provided in this document) that accounts for the unique features, spaces, and materials of your property.
- Determine how often you will inspect each identified element.
- Identify which items you can safely inspect yourself and those for which you might require professional assistance.
- Conduct your investigation, recording your observations on the checklist and, if so desired, through photography.
- Work logically and thoroughly, starting from the ground and examining each elevation in turn.
- Avoid damaging intact building elements (e.g., propping a ladder against fragile materials or haphazardly dragging a ladder across the face of a building).
- Develop a timetable and priorities for maintaining and improving items that need attention.
- Maintain a list of qualified professionals, contractors, and tradespersons that can be contracted for advice or project assistance.
- Review and update your inspection according to your defined inspection timetable.

**Routine maintenance – considered as any minor repair or replacement to correct ordinary deterioration, decay, or damage that does not involve a change in the design, materials, or general appearance of a property – within local historic districts does not require design review (for additional guidance on maintenance items, see the detailed classification of project review requirements [Appendix F]).**

## — Understanding Your Property's Vulnerabilities

Being aware of those elements of your property that are most susceptible to deterioration and damage is important in conducting a thorough investigation of your property and developing your maintenance plan. While identifying these areas is dependent on the features and setting of your property, some of the most common areas where deterioration is likely to occur are identified below.



## 3.2 DESIGN REVIEW IN FRANKFORT

The design review process is not intended to be a burden on property owners or others involved in the process but rather to be viewed as a team effort on the part of property owners, Planning and Building Codes staff, and the Architectural Review Board, with the common goals of preserving the unique architectural character of the community and meeting the needs of property owners. When engaged as intended – and in consideration of the design guidelines applicable to your particular project – the design review process facilitates and enhances the community’s preservation goals and provides an efficient mechanism by which projects can proceed in a timely manner.

### DESIGN REVIEW BASICS

While the design review process has been set up to be a straightforward series of steps, it is important to be familiar with its underlying concepts, the entities involved in the process, and how everything fits together in the context of completing work on historic buildings in Frankfort’s local historic districts.

#### Applicability

The design review process is applicable to all properties within the city’s local historic districts, regardless of whether an individual property is considered “contributing” or “non-contributing.” Design review is required for exterior alterations and repairs that result in a material change to the outward appearance of a property. This includes new construction of primary and secondary structures, additions, demolition, and relocation. Interior changes that do not impact the exterior appearance of a property are not reviewed, although building permits may still need to be obtained from the Planning and Building Codes Department.

#### Responsibility of Property Owners

Property owners in local historic districts are expected to be familiar with the design guidelines and design review process and are encouraged to actively participate in the process while they have a project under review. Responsibility for complying with the design review process ultimately lies with the property owner, who is responsible for being familiar with Article 17 of the Zoning Code and the design guidelines and initiating submittal of their project to the Planning and Building Codes Department.



### COMPLIANCE WITH OTHER CITY REQUIREMENTS

Projects undertaken in local historic districts must also be in compliance with all other applicable building, zoning, and fire codes. Compliance with and approval under Article 17 of the Zoning Code does not remove requirements associated with the city’s other codes and regulations.

Applications also do not take the place of a building permit, which must be obtained before constructing, substantially altering, adding onto, removing, or demolishing any structure in the City of Frankfort. All applicable building permits must be obtained once your project has been approved through the design review process.

### Certificates of No Exterior Effect and Appropriateness

The Certificate of No Exterior Effect and Certificate of Appropriateness (COA) serve as the record of approval for a proposed project and provide the documentation necessary to obtain building permits for projects within local historic districts. These Certificates result from one of two types of review.

Minor projects that meet certain criteria can be administratively reviewed by Planning and Building Codes staff. If the project is determined to be in compliance with the applicable design guidelines, staff can issue a Certificate of No Exterior Effect, which does not require that the applicant go through the full design review process.

More substantial projects (for example, new construction, major alterations, and demolition) and those not in compliance with the design guidelines must go before the Architectural Review Board prior to the issuance of a Certificate of Appropriateness.

Once issued, a Certificate is valid for twelve (12) months from the date of approval. After one (1) year, the Certificate is null and void unless an application is filed for an extension. Once the Certificate has been voided, a new application must be submitted and approved prior to any work commencing on the project.

## Violations

Within a local historic district, a project that is begun without a valid Certificate or is started after a Certificate has expired is in violation of the City's Zoning Code. It is in the property owner's best interest to be aware of the formalities of the design review process and to work with Planning and Building Codes Department staff on any such project requiring approval. Should a property owner begin work without a Certificate and this is reported to the Planning and Building Codes Department, the office may place a stop work order on the project until it can be reviewed. Work completed that is not compatible with the design guidelines may have to be undone, and the property owner may be subject to fines.

## THE DESIGN REVIEW PROCESS

The design review process provides a consistent means by which all proposed projects can be submitted to and reviewed by the Planning and Building Codes Department and, as applicable, the Architectural Review Board. The process follows a regulated series of steps that provides property owners with known expectations and promotes consistent and fair decision-making by Planning and Building Codes Department staff and the Architectural Review Board in the review of proposed projects, no matter the property. For properties subject to design review, the entire process must be completed and a Certificate must be issued before work can begin. This process is described in detail below and summarized in the included flowchart (see page 42).

### Step 1. Plan Your Project

As previously noted, design review begins with careful project planning in consideration of the design guidelines (see page 32). Proper project planning – which includes developing an understanding of your property and evaluating how a potential project might impact the character of the property and district – saves time and money and will also help you in preparing thorough application materials for submission to the Planning and Building Codes Department. Carefully planning your project and being able to speak to the intricacies of your property and how the design guidelines have or have not been met will also illustrate due diligence to Planning and Building Codes staff and the Architectural Review Board.

## Who is Involved in the Design Review Process?

- *Applicants/Property Owners*

The applicant is the person that submits information for a proposed project to the Planning and Building Codes Department to initiate the design review process. In most instances, the applicant is the property owner but it may also be a lessee or someone under contract to purchase a property. If the applicant is someone other than the property owner, the property owner must also give permission to the individual to submit the project for design review. Ultimately it is the responsibility of the property owner to comply with the design guidelines and the requirements of the design review process.

- *Architects/Engineers and Other Professionals*

Applicants may choose to have their chosen design professionals support them during the design review process by providing information for the application packet or attending the public hearing, when applicable, during which their project will be reviewed.

- *City of Frankfort Planning and Building Codes Department*

Staff of the Planning and Building Codes Department is the primary contact for the design review process and will determine if a Certificate of No Exterior Effect is appropriate. If a project is forwarded for full design review to the Architectural Review Board, staff will also provide recommendations to the board regarding the appropriateness of the proposed project.

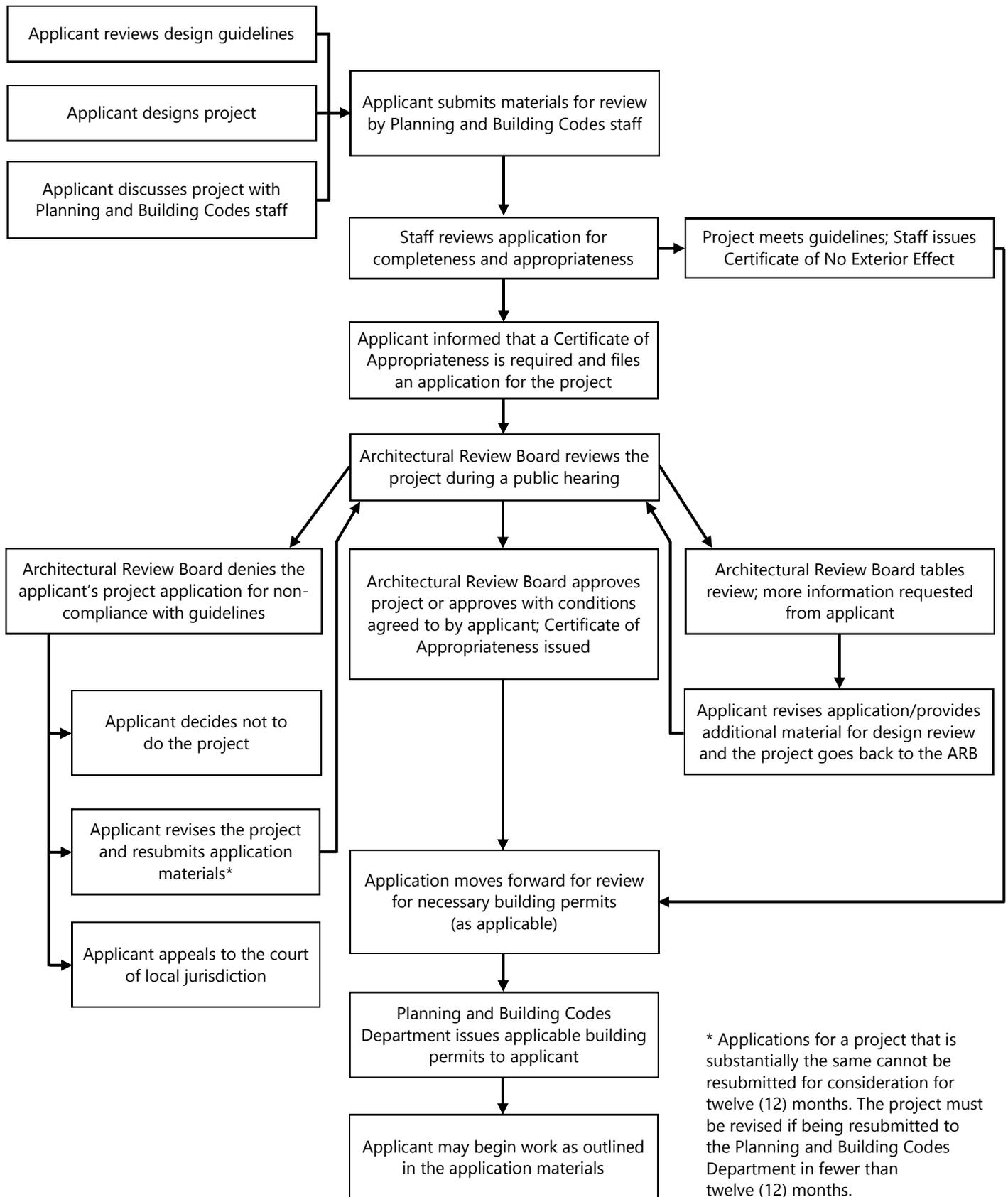
- *Architectural Review Board*

The Architectural Review Board is a seven member entity responsible for reviewing projects that do not meet the criteria for administrative approval. In such instances, it is the ARB that has the authority to approve or deny a proposed project based on the presented information.

- *Public*

Reviews conducted by the Architectural Review Board are open to the public. As such, neighbors from the district or anyone from the general public is welcome to attend the hearing and raise any questions or concerns.

— City of Frankfort Design Review Process



## Step 2. Coordinate with Planning and Building Codes

### Department Staff

Planning and Building Codes staff will serve as your contact during the design review process and is available to answer questions and provide guidance in properly preparing applications for review. Staff can also provide preliminary insight into what may or may not be appropriate for your project in consideration of the design guidelines and guidance regarding what level of design review will be required for your project, whether it qualifies for administrative approval or will require review by the Architectural Review Board. Staff can also provide information on submission deadlines and meeting dates, which will help you appropriately plan for timely submission of your application.

## Step 3. Prepare Necessary Application Materials

The City of Frankfort has developed a project application that is to be used for all levels of exterior work in local historic districts requiring design review. The form is intended to provide Planning and Building Codes staff and the Architectural Review Board with a thorough understanding of your proposed project. Specific submittal requirements depend on the nature of the proposed project but generally include sketches, photographs, and written descriptions of proposed work. Product samples and specifications may also be needed. Depending on the complexity of the proposed project, professional drawings or renderings may also be recommended to effectively convey details of the project. Applications should focus on how the proposed project complies with the guidelines or

### What Materials Do I Need to Submit with My Application?

In order for a project to be reviewed by the Planning and Building Codes Department, the applicant must submit a thorough, completed application that appropriately details the proposed scope of the project. A standardized application form is required for all projects, but additional materials may also be necessary depending on the extent and complexity of your project. It is best to inquire with staff during step two of the design review process (see above) regarding what is necessary for your project. In general, the following requirements must be met:

#### *For all projects:*

- Vicinity map with location of subject property marked
- A letter describing the nature of the request, in detail
- A list of adjoining property owners and their mailing address. This list should include properties adjacent on all sides (including across the street). This information may be obtained from the Property Valuation Administrator's Office at the Franklin County Courthouse Annex (315 W. Main Street)
- Appropriate filing fee (checks should be made payable to the City of Frankfort)
- A letter from the property owner agreeing to the application (if applicant is not the owner)

#### *Exterior remodeling:*

- Drawings showing proposed appearance, with all materials labeled

#### *New construction and additions:*

- Site plan with existing and proposed construction indicated, materials labeled, setbacks from property lines labeled, floor plans, and façade elevation drawings

#### *Fences, driveways, and miscellaneous site changes:*

- Site plan with existing and proposed features

#### *Lot subdivision or consolidations:*

- Plat prepared by a professional land surveyor

#### *Relocation of a building*

- Site plan of proposed building location

#### *Demolition:*

- An architect's or architectural historian's report on the architectural and historical significance of the building.
- An architect's or structural engineer's report on the structural integrity of the building.
- A detailed estimate of the cost to renovate the building, prepared by an architect or professional estimator.
- A report on the existing or potential usefulness of the building, prepared by an experienced real estate professional.
- A report detailing all sales in previous 5 years; assessed value of the property; annual debt service; and any appraisals, operating and maintenance expenses, and annual rental income for previous 2 years.

explain why certain portions do not or cannot comply with the guidelines.

The applicant must submit the completed and signed form, fee, and all supporting materials to the Planning and Building Codes Department before it will be reviewed. Applications are due six (6) Mondays prior to the scheduled Architectural Review Board meeting; applications for demolitions must be submitted forty-five (45) days prior to the scheduled meeting. Specific application deadlines are available from the Planning and Building Codes Department office or website.

#### **Step 4. Staff Review of Application Materials and Certificate of No Exterior Effect Applicability**

Once you submit a completed project application, Planning and Building Codes staff will review it and consider the proposed project in consideration of the design guidelines. Depending on the nature of the project and the comprehensiveness of submitted materials, staff may need to visit the property as part of their review in order to view existing conditions firsthand.

As noted, in order to expedite the review process for minor work, the Planning and Building Codes Department has an administrative authority procedure that allows the department to approve specific projects and work such as minor alterations, as long as the proposed work is consistent with the guidelines (see the classification of work chart in Appendix F). For these projects that will not result in substantial change to the exterior appearance of a property, staff will issue a Certificate of No Exterior Effect once appropriate documentation has been submitted. Issuance of the Certificate allows you to proceed (Step 6) with obtaining any required building permits and begin your project without formal review by the Architectural Review Board.

If the application is for a more substantial project or Planning and Building Codes staff determines that it is not proposed in accordance with the guidelines, the project will be scheduled for consideration during a meeting of the Architectural Review Board, which must issue a Certificate of Appropriateness before a permit can be issued. Staff will prepare a summary report on the proposed project and provide a recommendation to the Architectural Review Board regarding its appropriateness seven days prior to the meeting.

#### **Step 5. Architectural Review Board Public Hearing**

All completed applications referred to the Architectural Review Board will be reviewed in a public hearing

during the next available monthly meeting. Planning and Building Codes staff will inform you when the project has been placed on the agenda. Attendance at the meeting is required for review or approval, as the applicant is to present to the project to Architectural Review Board, address any questions or concerns, or discuss conditions for approval. Having your chosen architect or other professional attend the meeting with you may also be appropriate depending on the complexity of the proposed project. The public and adjoining property owners are also notified of the hearing and may provide testimony in favor or opposition to the project.

Following discussion, the Architectural Review Board will vote on the proposed project to issue a determination. One of four determinations will be made:

1. Approval: The project is approved as proposed. No changes are required, and a Certificate of Appropriateness will be issued.
2. Conditional Approval: The Architectural Review Board may propose an alteration or limitation to

#### **Who is the Architectural Review Board?**

The Architectural Review Board consists of seven (7) citizen members appointed for overlapping three (3) year terms. Members are residents of the City of Frankfort and have demonstrated knowledge and/or interest in historic preservation and/or architecture. Six (6) members are appointed by the mayor with the approval of the city commissioners, and one (1) member is appointed by the Frankfort-Franklin County Planning Commission. The makeup of the Architectural Review Board must consist of the following:

- Two (2) members that are preservation-related professionals (employed in the professions of architecture, history, archaeology, architectural history, planning, or related disciplines);
- Two (2) property owners within any of Frankfort's three (Special Capital (SC), Special Historic (SH), or Central Business (CB)) local historic zoning districts;
- Two (2) members of the construction and/or land development industry or of the Board of Realtors or Downtown Frankfort Incorporated; and
- One (1) Planning Commission member.

the proposed project in order to bring it into alignment with the design guidelines and choose to approve the project only if that condition is met. If you agree to the proposed condition, a Certificate of Appropriateness will be issued.

3. **Table Application:** If the Architectural Review Board determines that it has not received enough information about a project to either approve or deny it, a recommendation may be made to table the application for future consideration. Planning and Building Codes staff will notify you of this decision and request the necessary information so that review of the application can be rescheduled.
4. **Denial:** If the Architectural Review Board determines that a project does not meet the intent of Article 17 of the Zoning Code or the design guidelines, the application will be denied and a Certificate of Appropriateness will not be issued for the project.

### What Are My Options if My Project is Denied?

If the Architectural Review Board denies your project and does not issue a Certificate of Appropriateness, you cannot resubmit the same project, as proposed, for consideration for twelve (12) months. In general, you have four options you may pursue:

1. You may choose not to move forward with the project.
2. You may modify the proposed project to bring it into alignment with the design guidelines and recommendations of the Architectural Review Board for resubmission to the Planning and Building Codes Department. Staff will reschedule the project for design review.
3. You may apply for an economic hardship exemption from one or more of the guidelines. The burden of proof is on the applicant to prove the hardship in accordance with Article 17 of the Zoning Code.
4. You may appeal to circuit court the Architectural Review Board's finding if you feel that the rules and procedures were not properly followed or that a fair decision was not made in consideration of the design guidelines.

### Step 6. Apply for Required Permits

Once a COA or Certificate of No Exterior Effect has been issued for a project, you may apply for any required permits necessary for your project. The Certificate should be presented when applying for your permit.

### Step 7. Proceed with Your Project

Following issuance of the Certificate and appropriate permits, you may proceed with the project as outlined in the design review application. Your Certificate is valid for twelve (12) months from the approval date. Should you determine that a change in the scope of the project is necessary or that the project will extend past the Certificate's date of validity, it is your responsibility to notify Planning and Building Codes staff as soon as possible in order to determine if additional review will be required. Extensions are only granted by the ARB for any project processed through the ARB.



### SPECIFICS TO KEEP IN MIND

- *Applications*  
Applications will not be reviewed unless they are complete with all required supporting materials and filing fee.
- *Application Deadlines*  
Completed applications must be submitted six (6) Mondays prior to the scheduled meeting; demolition applications must be submitted forty-five (45) days prior to the meeting.
- *Meeting Frequency*  
Meetings are held monthly, on the third Tuesday of each month, at City Hall.
- *Certificate Validity*  
Certificates are valid for twelve (12) months from their approval date. Renewals must be applied for thirty (30) days prior to a Certificate's expiration.





## 4. REHABILITATION GUIDELINES

### IN THIS SECTION

- 4.1 Universal Guidelines
- 4.2 Masonry
- 4.3 Wood
- 4.4 Metals
- 4.5 Roofs
- 4.6 Porches
- 4.7 Entrances and Doors
- 4.8 Windows
- 4.9 Commercial Entries
- 4.10 Utilities and Equipment
- 4.11 Accessibility

### 4.1 Universal Guidelines for Historic Materials and Features

The character of a building is defined by the total of features and materials used in its construction. Whether a building's wall materials or a significant feature such as a porch, the elements that define a building help convey its architectural style and place it within a certain period of time. They also reflect patterns of development, advancements in technology, and the evolution of trends and tastes over the course of more than two hundred years of architecture. A building's features also affect how we interact with a building. For example, how we approach and enter into a building is defined by the character of the entry—whether a simple single-door entry with stoop or a formal double-door entry sheltered by a colonnaded porch with steps.

Given the importance of individual elements in defining the overall character of a building, it is important to give appropriate consideration to how a proposed change—even if seemingly minor— may affect the historic character of a building. As such, maintenance and rehabilitation projects should not be viewed as isolated actions but rather as a series of related activities that, over time, affect our perception of the historic places that define our community. By adhering to a set of universal principles founded in accepted preservation treatments, we can more readily ensure that the total of our actions respect and maintain the unique character of our heritage assets.

## 4.1.1 RETAIN AND PRESERVE HISTORIC BUILDING MATERIALS AND FEATURES

- A. Original architectural materials such as brick and stone, wood siding and trim, cast and wrought iron, and sheet metal should be repaired, restored, and reused.
- B. Historic architectural features and decorative elements should be retained and repaired rather than replaced.
- C. Intact or repairable historic materials and features should not be removed or covered from view.
- D. Adding features not historically present is not appropriate as it conveys a false sense of history and shall be prohibited.



Maintaining historic buildings requires a delicate balance between respecting the building's architectural character and ensuring continued, modern use. While extensively renovating a property with new materials may seem tempting, such actions have the potential to completely strip a property of its unique character (left). Through sensitive upkeep and rehabilitation over time, however, historic buildings can continue to both serve their occupants and reflect their past, as evidenced by the many properties in Frankfort's core (above).

#### 4.1.2 USE THE GENTLEST MEANS POSSIBLE WHEN CLEANING HISTORIC MATERIALS

- A. Maintain protective weather-proof coatings such as paint or stain on historic materials. Always remove deteriorated coatings to the next intact layer before applying new coatings to ensure adherence.
- B. Clean historic materials only when necessary to stop deterioration or remove graffiti, heavy soiling, or biological growth. Water cleaning shall otherwise be avoided so as not to unnecessarily introduce moisture into the building's materials.
- C. Select a test patch before cleaning to ensure that the chosen method will not cause damage to historic materials.
- D. Start with a low pressure washing and a soft, natural bristle brush when cleaning is necessary. Abrasive cleaning methods such as high pressure water washing and sandblasting, which can damage historic materials and lead to additional deterioration, shall not be used.

#### 4.1.3 REPAIR DETERIORATED BUT REPAIRABLE HISTORIC MATERIALS BEFORE CONSIDERING REPLACEMENT

- A. Deteriorated but serviceable materials and features shall be repaired by using accepted preservation treatments rather than being replaced.
- B. Repairs shall be completed using in-kind new or recycled materials that match the original materials in appearance, dimension, profile, texture, and finish as closely as possible.
- C. If disassembly of a historic building feature is necessary in order to complete a repair or avoid inadvertent damage to surrounding features, document the configuration of the feature before disassembly to facilitate reinstallation following repairs.
- D. Removing or covering historic materials and features, particularly those visible from the right-of-way, instead of appropriately repairing them is not appropriate and shall be prohibited.



Protective coatings on wood materials such as siding and trim boards, which are subject to extensive weathering, should be maintained in order to maximize the life of materials. Deteriorated coatings should be scraped and defects in the wood, such as holes and hairline cracks, should be filled before applying a new protective coating.



Abrasive cleaning methods such as sandblasting can irreversibly damage materials, which affects the building's aesthetic and can lead to additional deterioration as a result of the loss of protective surface material.

#### 4.1.4 WHEN REPLACEMENT OF HISTORIC MATERIALS AND FEATURES IS NECESSARY, REPLACE IN-KIND

- A. Only the portions of a feature that are deteriorated beyond repair shall be replaced. Wholesale replacement of otherwise intact features or materials shall be prohibited.
- B. Deteriorated materials shall be replaced with new or salvaged materials that match the original in dimension, detail, profile, texture, and finish.
- C. Alternative materials shall be considered on a case-by-case basis in consideration of the building feature and its location and the proposed material's durability and compatibility.
- D. Synthetic materials such as vinyl and aluminum siding or faux stone and wood shall be avoided.

#### 4.1.5 CONSIDER REMOVAL OF REPLACEMENT MATERIALS AND FINISHES THAT COVER HISTORIC MATERIALS

- A. Carefully remove replacement finishes so as not to cause inadvertent damage to underlying materials.
- B. Uncovered historic materials shall be repaired in accordance with the guidelines.
- C. When removing paint, stain, stucco, or other claddings, select a localized area to test the removal process and ensure that underlying materials will not be damaged.

Original building materials and features are often hidden beneath layers of replacement materials that were installed to mask deterioration or as an inexpensive means of updating a property. Such is the case with the property at the right where the removal of aluminum siding revealed original clapboard and infilled window openings. Consideration should be given to restoring uncovered features and materials rather than once again covering them.

#### 4.1.6 ENSURE COMPATIBILITY WHEN RECONSTRUCTING MISSING FEATURES

- A. Designs based on historical, photographic, and/or physical evidence and documentation shall be used to reconstruct missing components.
- B. In the absence of appropriate documentation, a simplified design that is compatible to the building in scale, profile, materials, and finish shall be used. Nearby buildings of similar vintage and style may be used as a reference for developing an appropriate design.
- C. The addition of features that are out of scale with the property or not compatible with the character of the building shall be prohibited.



#### DEVELOPING SIMPLIFIED REPLACEMENT DESIGNS

While elements from buildings of a similar style may be used as a reference for reconstructing missing features such as a porch, designs should not simply replicate those found on other buildings. Planning and Building Codes staff can provide guidance on appropriate design solutions.





## 4.2 MASONRY

Masonry is found in both structural and decorative applications and includes brick and stone, as well as terra cotta, tile, and cementitious products such as concrete and stucco. Buildings with masonry structural walls dating to the early establishment of the city are prevalent in Frankfort’s historic core, but masonry lintels, sills, cornices, quoins, pediments, porch elements, and other decorative components are also commonly found in the area. The total of masonry features and their individual characteristics—color, texture, patterns—contribute to the architectural character and variety of the city.

Masonry materials and features are to be retained and maintained as character-defining features. When properly maintained, historic masonry materials such as brick and stone can last for centuries. Masonry materials are not to be needlessly removed or covered with other materials and repairs should be undertaken with an understanding of the differences between historic masonry materials and modern masonry materials, which have differing structural and physical characteristics and are not always compatible.

### 4.2.1 PROTECT AND MAINTAIN ORIGINAL MASONRY SURFACES AND FEATURES

- A. Historic masonry features – such as piers, columns, cornices, and decorative brick and tilework – shall be retained.
- B. Cleaning shall be completed by the least damaging method available, ranging from washing with a mild detergent and soft bristle brushes to chemical cleaning. Sandblasting destroys masonry surfaces, reduces the life of buildings, and shall not be permitted.
- C. Siding and veneers shall not be used to cover or replace masonry walls.
- D. Sealants shall not be used unless there is actual water penetration through masonry. If water is penetrating the masonry to the interior, then only the affected area shall be treated and only after the masonry is dry.
- E. Maintain paint on buildings that have historically been painted. Painting masonry that has not historically been painted shall not be permitted.

## MASONRY SEALANTS

Applying waterproof or water repellent coatings to masonry is generally not appropriate. Not only can such coatings alter the appearance of masonry, but sealing a foundation can also prohibit the natural movement of moisture through masonry, ultimately causing additional deterioration. Sealants shall not be used as a substitute for appropriately repairing deteriorated materials. Sealants are only to be applied in rare circumstances where moisture can be demonstrated to be infiltrating masonry and when the method of infiltration is understood.

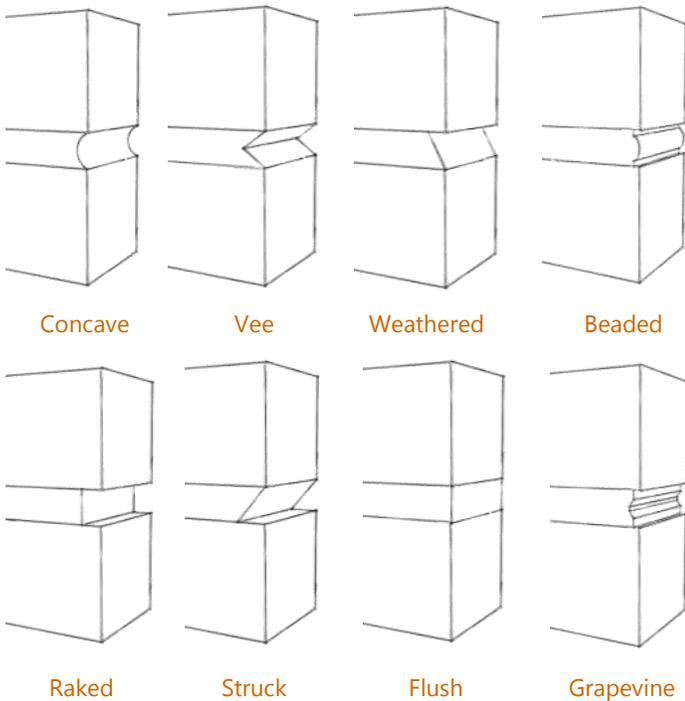
In instances where use of a sealant is determined appropriate, coat only the masonry that is affected. It is not appropriate to seal masonry that has no demonstrated infiltration. Sealants shall only be applied on dry masonry. Treating masonry while damp can trap moisture inside the masonry.

## 4.2.2 REPOINT DETERIORATED MORTAR JOINTS

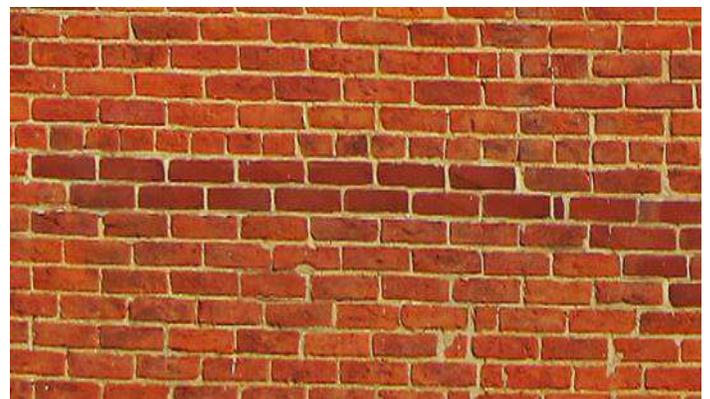
- A. Remove deteriorated mortar and clean the joint with hand tools. Using power tools can cause inadvertent damage to surrounding masonry and is generally not appropriate.
- B. Tuckpointing shall be completed with a soft mortar, simulating historic lime and sand mortars in appearance and composition. The use of such mortars will allow for proper expansion and contraction of masonry units.
- C. New tuckpointing shall match the original joint type. Unless demonstrated to be historically different, the mortar joint shall be concave because it allows for the tightest bond between mortar and masonry.
- D. New mortar shall be tooled and tinted to match the color of the original materials as closely as possible.

## 4.2.3 REPLACE DETERIORATED OR MISSING MASONRY UNITS OR FEATURES IN-KIND

- A. The color, texture, and pattern (where applicable) and composition of replacement masonry shall duplicate the original; the composition, color, and tooling of existing mortar shall also be duplicated around new masonry units.
- B. If an original detail is deteriorated beyond repair or missing, it shall be replaced with a newly-designed detail appropriate in scale, proportion, and character.



Unless otherwise demonstrated to have had a different mortar profile, masonry shall be tuckpointed using a concave joint, which provides the tightest bond between mortar and masonry and allows for proper water runoff. Vee joints have similar properties but can allow moisture penetration if the point is not perfectly tooled. Profiles with recessed joints that expose the flat surface of the masonry unit (weathered, raked, and struck) increase the possibility of moisture penetration and shall not be used unless historically present. Flush joints, which are typically not perfectly even, can create a shelf between the mortar and masonry, allowing for water to settle. Decorative joints (beaded and grapevine) create a distinctive profile and shall not be used unless historically present.



When replacing deteriorated masonry with new units, it is important that the new units be selected in consideration of the original masonry's character. While it may seem like a minor repair, the installation of modern materials of differing character can greatly affect the aesthetic of the building (above).

## TUCKPOINTING AND REPLICATING HISTORIC MORTARS

While tuckpointing historically referred to a very specific application, both it and repointing are commonly used interchangeably to refer to the replacement of missing or deteriorated mortar with new mortar. It is important both for the aesthetics of the building and the longevity of original masonry materials that replacement mortar matches as closely as possible the structural characteristics of the original lime-based mortars, which accommodate natural expansion and contraction resulting from fluctuating temperature cycles. Mortar that is too hard and does not allow for proper expansion and contraction forces the tension to be placed on the masonry units, which can lead to the development of cracks and cause the face of the masonry to break apart.

In general, new mortar should be softer than the surrounding masonry and no harder than the original mortar. While mortars should ideally be custom matched to the existing mortar on a building, a mixture consisting of one part lime to two parts of the smallest available mesh sand is recommended as a general starting point. While Portland cement may be added to improve the workability of the mixture, no more than 20% of the total volume of the mortar mixture should consist of Portland cement. Larger concentrations of Portland cement will cause the mortar to be too hard.

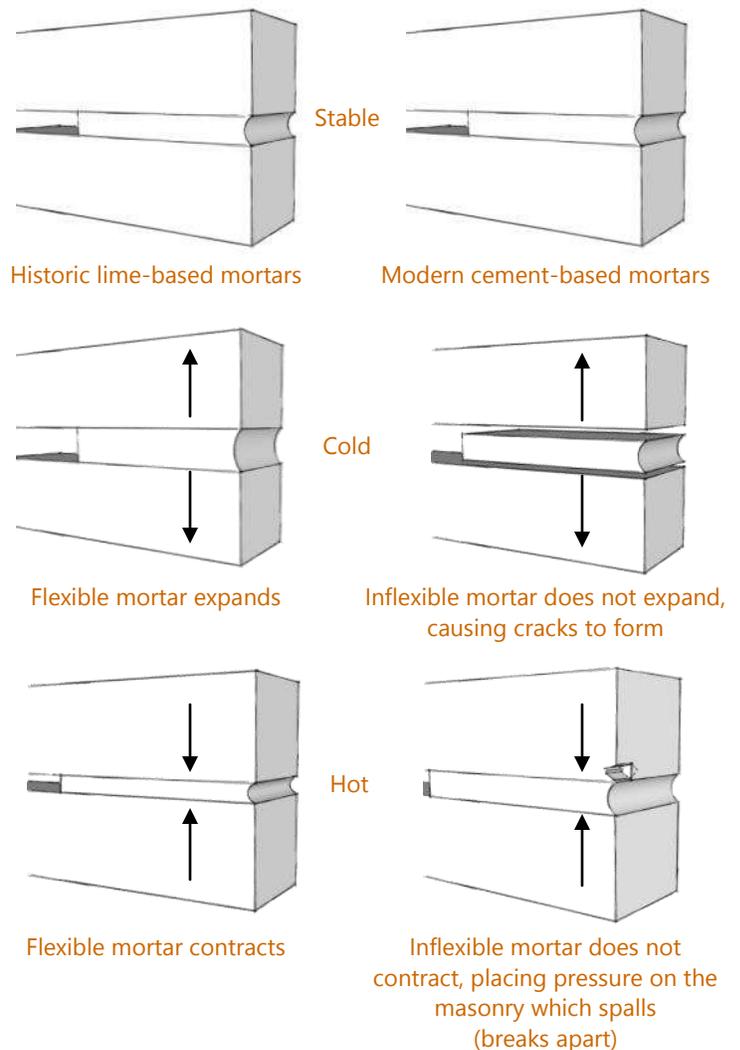
To repoint deteriorated masonry:

- Remove deteriorated mortar—with hand tools to the extent possible—to a depth of 2-1/2 times the height of the mortar joint (typically 1/2" to 1").
- Remove stray, loose mortar from the joint with a soft stream of water and brush.
- Prepare mortar mixture matching the existing mortar in color and composition (use within 30 minutes of mixing).
- Pre-hydrate the mixture and set into the clean joint in thin 1/4" layers.
- Once the mortar is semi-hardened, tool the joint to replicate the original mortar profile.
- Use a nylon or natural bristle brush to clean excess mortar from the joint and surrounding masonry. Do not leave excess mortar on the masonry as it can lead to deterioration.



Repointing that does not match the characteristics of the original mortar can cause it to stand out from the surrounding masonry, detracting from the aesthetic of the building, as is shown above where cement-rich, bright white mortar was used to repoint the mortar around the window to the left.

### Properties of historic lime-based mortars vs. modern cement-based mortars





## 4.3 WOOD

Wood is found in a variety of applications—structural framing, siding, trim boards, cornices, shutters, doors and windows, porch columns and posts, and decorative features such as brackets, dentils, door surrounds, and window hoods. At the hands of a craftsman, it can take on both simple and complex forms, from planed siding to intricate scrollwork, and can be installed in a variety of configurations that result in unique patterns, profiles, and textures.

While wood features can be susceptible to weather damage, insects, and biological growth, properly maintained components that have a protective coating can last for many years before replacement is necessary. This is particularly true for historic features constructed of highly-durable, dense old growth lumber. When wood components become deteriorated, selective repair or replacement of isolated sections is often a viable option, leaving the intact section of original materials in place.

### 4.3.1 IDENTIFY, RETAIN, AND MAINTAIN HISTORIC WOOD SIDING, TRIM, AND ARCHITECTURAL FEATURES

- A. Wood surfaces and features shall be protected from deterioration by providing a weather-resistant coat of paint or stain.
- B. Identify, evaluate, and treat the causes of wood deterioration, including faulty flashing, leaking gutters, cracks and holes, deteriorated caulking at seams, plant materials, and insect or fungus infestation.
- C. Apply chemical preservatives as appropriate to historically exposed wood features such as the ends of beams or rafters.
- D. Hand scraping shall be used to remove deteriorated protective coatings to the next sound layer for repainting of the substrate. Damaging methods such as propane torches shall not be used.
- E. Stripping surfaces to bare wood or applying a stain where surfaces were historically painted shall be avoided.

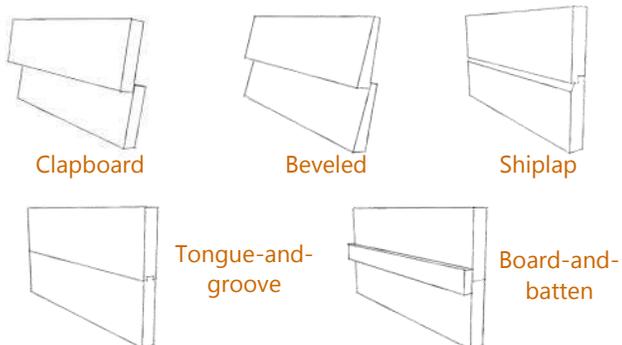
### 4.3.2 REPAIR DETERIORATED BUT SERVICEABLE WOOD ELEMENTS AS CHARACTER-DEFINING FEATURES

- A. Deteriorated wood surfaces shall be repaired by patching, consolidating, splicing, or otherwise reinforcing deteriorated sections.
- B. Repairs shall be matched to the original materials in appearance, profile, texture, and finish.
- C. When patching or splicing deteriorated wood components, timber that matches the grain and density of original materials shall be used.
- D. Unique details such as beaded edges and bevels shall be retained when repairing deteriorated wood components.

### 4.3.3 MAINTAIN COMPATIBILITY WHEN REPLACING WOOD FEATURES THAT ARE DETERIORATED BEYOND REPAIR

- A. Wood siding shall be used as the repair or replacement material on frame buildings where feasible. Fiber cement board may be utilized if the alternative adequately simulates the original material. Faux wood-grained finishes shall not be used.
- B. The siding profile shall be maintained.
- C. Rough-sawn wood or plywood siding (i.e., T-111) shall be prohibited for exterior walls, trim, and ornamentation.
- D. Vinyl and aluminum siding shall not be permitted. Buildings already having artificial stone, asbestos, asphalt shingles, and other similar materials shall be permitted to use similar materials in resurfacing or repair.

When deteriorated wood siding needs to be repaired or replaced, the configuration and profile of the original siding is to be retained as a character-defining feature.



### SALVAGED TIMBER

When undertaking repairs or replacing deteriorated sections of wood features, using salvaged timber goods can be a viable option in many instances. Salvaged timber of old growth materials can be found in many architectural salvage yards and can be reclaimed for reinstallation, reducing the impact of timber harvesting and making use of the embodied energy in previously harvested goods. Before installing salvaged timber, prepare it by removing all paint and finishes and sanding to a smooth, feathered edge. Fill any holes or minor cracks with epoxy filler and finish the timber to match existing materials.



### “DETERIORATED BEYOND REPAIR”

While each material has a different threshold, “deteriorated beyond repair” generally means that more than 50% of a material feature is no longer in serviceable condition and that it is no longer feasible to repair a feature by patching, splicing, or otherwise reinforcing deteriorated materials. The burden of proof in demonstrating that a material is deteriorated beyond repair lies with the project applicant. Planning and Building Codes staff and/or the ARB may request detailed photographic evidence and/or request to visually inspect a property in order to confirm the level of deterioration.



Deteriorated coatings and wood features should be repaired using appropriate preservation treatments. Covering deteriorated materials instead of repairing them (left) is not appropriate.

## The Simple Truth: Vinyl Siding

Under no circumstances is the installation of vinyl replacement siding an appropriate design solution in Frankfort's designated Special Historic district, whether for a whole building or only a section thereof. Not only is vinyl an extremely environmentally-unfriendly product, but it also dramatically changes the character of the building to which it is applied, as well as the overall streetscape. Perhaps most importantly, despite what many marketing materials claim, vinyl siding is not a cure-all that will remedy problems with wall materials or bring an end to needed maintenance. In fact, vinyl siding introduces its own set of problems:

- Composed primarily of polyvinyl chloride, vinyl siding does not provide a sustainable rehabilitation option and its manufacturing process results in the release of dioxins and furans, two of the most harmful industrial pollutants.
- Vinyl siding will not get rid of existing problems evident in stone or wood wall materials, it will just mask them. Often, the installation of vinyl siding can actually cause the problem to worsen; with the problem hidden and out of sight, the homeowner is more likely to ignore or forget about the deterioration, which will continue. The presence of vinyl siding will prevent the property owner from being able to easily access and correct the problem in the future.
- Artificial claddings such as vinyl siding are considered a non-permeable material. While moisture cannot penetrate the material, it also means that any moisture that gets behind the cladding will be trapped and unable to dry out to the surface.
- "Maintenance-free" simply means that the material is not easily repairable. Just like every other material—natural or synthetic—vinyl siding deteriorates. Over time it will dent, warp, crack, fade, discolor, or sag. While traditional materials such as masonry and timber can be patched and repaired on a localized basis as needed, vinyl siding cannot be repaired. When a piece deteriorates, it must be fully replaced.
- Vinyl siding dramatically alters the character of the building and the overall streetscape. The installation of vinyl siding destroys the integrity of a historic building, changing the scale, composition, texture, and profile of finishes that historically characterized a property. Often, the installation of vinyl siding results in changes to the depth of window and door openings and necessitates the removal or concealing of architecture features, which leads to bland, undifferentiated architecture.



Vinyl siding has a dramatic effect on historic buildings, stripping them of their unique character and resulting in bland architecture that is undistinguishable from that of any other location (top). The installation of vinyl siding also often results in changes to the profile of door and window openings and requires removal of or changes around trim elements (bottom), which significantly diminishes a building's integrity and alters its appearance along the streetscape.



## 4.4 METALS

Architectural metals are versatile and distinctive materials that can be used in a variety of applications — porches, cornices, roof claddings, light fixtures, wall anchors, shutter latches, fences, cresting, railings, brackets, and window hoods — and sculpted into a variety of designs and patterns, resulting in a rich variety of colors, textures, and shapes. As particularly unique features of a building, it is important that historic architectural metal elements are retained and maintained as character-defining features.

Critical in determining an appropriate approach for metal features is understanding the characteristics of the particular metal being addressed. Soft metals (tin, zinc, copper, bronze, and aluminum) and hard metals (cast iron, wrought iron, and steel) react very differently to different types of cleaning and different types of coatings, and using the inappropriate method can unintentionally accelerate deterioration rather than correct it. Before any work is done, it is recommended that methods be tested on a localized area to ensure that inadvertent damage will not be done to the material.

### 4.4.1 RETAIN AND PRESERVE HISTORIC ARCHITECTURAL METAL FEATURES

- A. Historic architectural metals such as copper, tin, and wrought iron used in architectural details and ornamentation shall be maintained.
- B. Altering, obscuring, or removing historic architectural metal features shall be avoided.
- C. Protective coatings, where historically present, on metal surfaces shall be maintained in order to extend the life of the material. Exposing historically coated metals can accelerate deterioration and shall not be permitted.
- D. Painting historically exposed metals such as copper and bronze is not appropriate and shall be avoided.
- E. Removing naturally-occurring patina—which acts as a protective coating—on historic metals such as copper shall be avoided.



Architectural metals are found in a variety of forms in Frankfort's historic core, each contributing to the unique character of a particular building. Historic metal components are to be retained as significant components that contribute to the architectural integrity of the area.

#### 4.4.2 CLEAN AND REPAIR LOCALIZED DETERIORATION TO MAINTAIN ARCHITECTURAL INTEGRITY

- A. Clean metals prior to reapplying protective coatings to improve longevity of the coating.
- B. Clean soft metals such as copper with chemical solutions, starting by testing localized areas. Abrasive methods such as grit blasting shall be avoided.
- C. Clean hard metals such as cast and wrought iron with the gentlest means possible — start with hand scraping and wire brushing before to determine if more abrasive methods are necessary.
- D. Deteriorated features shall be repaired by patching or reinforcing the original fabric with components of compatible material. Substitute materials that alter the visual appearance of the intact portions shall not be permitted.

#### 4.4.3 MAINTAIN COMPATIBILITY WHEN REPLACING DETERIORATED OR MISSING FEATURES

- A. If a portion of an architectural metal feature is deteriorated beyond repair, only the deteriorated section shall be replaced. Wholesale replacement of the entire component when only isolated deterioration is present shall be avoided.
- B. Replacement pieces shall match original materials in-kind in terms of design, dimension, and texture. When in-kind materials are not feasible, a substitute material that replicates the design, dimension, and profile of the original material may be considered.
- C. If an architectural metal feature is missing, it shall be replaced with a new feature based on accurate documentation of the original design or with a simplified design that is compatible in scale, size, material, and color.
- D. When replacing metal elements, avoid contact between two different types of metals as this can cause a chemical reaction that will accelerate corrosion. Ensure all fasteners are also chemically compatible with the substrate.



## 4.5 ROOFS AND RELATED FEATURES

The roof shape and pitch play a role in defining a building’s massing and volume and form an important component of the architectural character of a building. Roofs also affect our perception of space along a streetscape. Defined by features such as chimneys, dormers, cornices, brackets, and cresting, roofs and their associated components also help convey the architectural style and vintage of a particular building and contribute to the rich variety of architecture within Frankfort’s historic core. A wide variety of roofing materials—such as slate, wood shingles, tile, and metal—were historically used, but most have been replaced with modern asphalt shingles over time.

While many original roofing materials have been replaced, where they remain, critical consideration should be given to maintaining them as unique and increasingly rare distinguishing features of the roof. For all other buildings, emphasis is to be placed on retaining the original roof shape and pitch, as well as associated features, as changes to the roof and alterations or removal of associated features can significantly alter the character of the entire building.

### 4.5.1 RETAIN ORIGINAL ROOF SHAPES, MATERIALS, AND ASSOCIATED CHARACTERISTICS

- A. The original roof shape shall be preserved.
- B. Whenever possible, original roofing materials shall be retained.
- C. Original architectural features that give the roof its character – such as dormer windows, cupolas, cornices, brackets, chimneys, cresting and weathervanes – shall be retained.

### 4.5.2 RETAIN AND MAINTAIN ORIGINAL CHIMNEYS

- A. Original chimneys, particularly those that are visible from the public right-of-way, shall be retained.
- B. Maintaining chimneys in working order to take advantage of their ventilating properties is recommended. In instances where a chimney cannot be used, install a chimney cap to protect the chimney. The cap shall be installed so that it does not diminish the original design, require removal of decorative features, or damage historic materials.

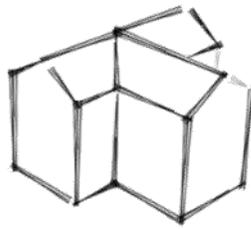
## Common Roof Forms



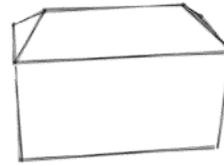
Side Gable



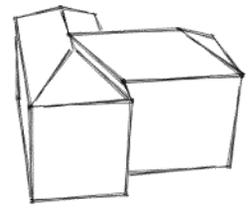
Front Gable



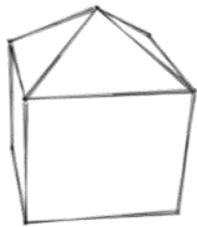
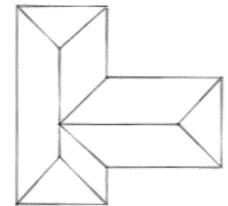
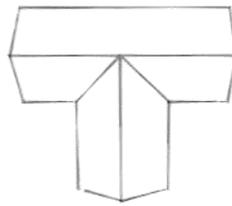
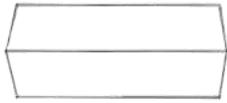
Cross Gable



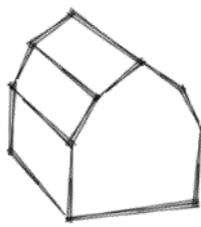
Hip



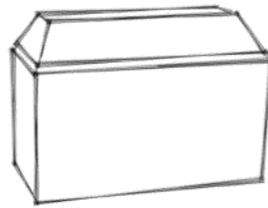
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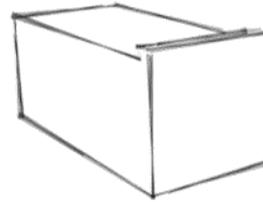
Pyramidal



Gambrel



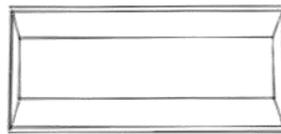
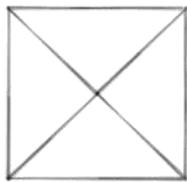
Mansard



Flat with parapet



Shed



- C. If rebuilding a chimney is necessary, historically appropriate materials such as brick or stone shall be used. Materials that simulate masonry shall not be permitted.
- D. Altering the character of a chimney by painting, parging, wrapping in siding, or otherwise covering historically-exposed masonry materials visible from the right-of-way is not appropriate and shall be avoided.
- E. Shortening or removing original chimneys when they become deteriorated is not appropriate, particularly when readily visible from the public right-of-way, and shall be avoided. Deteriorated masonry shall be repaired in accordance with the guidelines.



Chimneys are among the most distinctive features of the rooflines in Frankfort's historic core and should be maintained as character-defining features. Masonry should be tuckpointed and repaired as necessary to extend a chimney's useful life.

#### 4.5.3 REPAIR ORIGINAL ROOFING MATERIALS AND FEATURES UNLESS SUBSTANTIAL DETERIORATION WARRANTS REPLACEMENT

- A. Original specialty materials such as tile, slate, and metal shall be repaired by replacing only deteriorated sections unless more than 35% of the total surface is deteriorated.
- B. In-kind materials shall be used when repairing localized areas of deteriorated roofing.
- C. Deteriorated flashing shall be repaired by installing new flashing to match existing materials. Unfinished metal shall not be used.
- D. Removing or replacing features that are deteriorated but repairable shall be avoided.

#### 4.5.4 REPLACE DETERIORATED ROOFING MATERIALS WITH COMPATIBLE COUNTERPARTS

- A. The original roof shape and configuration shall be retained when installing new cladding materials.
- B. Deteriorated roofing shall be replaced with in-kind materials appropriate to the style and

period of the building and neighborhood and match the original in appearance, pattern, color, composition, size, and shape.

- C. New metal roofing shall be standing seam with 15-inch wide panels at minimum. Corrugated roofing shall be prohibited.
- D. Where large sections of specialty materials such as slate or tile are deteriorated on primary slopes, consider consolidating intact units from the rear slope for use in the deteriorated area.
- E. Full replacement of a roof with materials other than those existing shall only be approved after the applicant has submitted evidence and documentation of why the existing roof material cannot be repaired and/or replaced with the same material.
- F. Compatible substitute materials may be used if determined an appropriate match for traditional roofing materials. Low-profile asphalt or fiberglass shingles in dark shades are more appropriate.

#### Specialty Roofing Materials

While very few intact examples remain today, specialty roofing materials such as slate, tile, and wooden shakes provide distinction and contribute to the unique character of a particular building. As such, careful consideration should be given when replacement of such materials is necessary. While replacement with in-kind materials is preferred and encouraged, it is recognized that in-kind replacement will not always be feasible and that a broad range of material changes have already permeated Frankfort's historic core. As such, allowances for compatible substitute materials may be made in consideration of the character of a particular building. Keep in mind the following guidance when evaluating replacement of specialty materials:

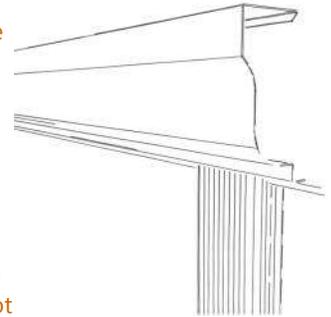
- Consider consolidating intact units from the rear slope for use on primary elevations and using compatible replacement materials on the rear elevation away from the right-of-way.
- When replacing specialty roofing materials, consider salvaging intact units for reuse on another project or by other property owners, ultimately reducing landfill waste and promoting reuse of historic fabric.
- Selective repair or replacement of specialty materials is preferred over wholesale replacement. If replacement is necessary, first consideration should be given to installing of a new roof of in-kind materials matching the characteristics of the original roof.
- When in-kind materials are not feasible, alternative materials such as metal or concrete shingles that mimic the appearance of original materials such as slate may be appropriate. When considering the appropriateness of the material, the Architectural Review Board will consider the cost, texture, pattern, durability, and dimensions of the proposed material.
- A final option to consider if in-kind materials or alternative systems that mimic traditional materials are not appropriate or feasible is replacement with an asphalt or fiberglass shingle. Dimensional shingles are preferred over standard 3-tab shingles as they provide a more appropriate profile. The color and texture of the finish should be considered in reference to the original materials that are being replaced.

#### 4.5.5 UTILIZE GUTTERS AND DOWNSPOUTS THAT ARE NON-INTRUSIVE TO THE DESIGN OF THE BUILDING

- A. Box gutters shall be preserved and repaired or replaced with the same style box gutters on all elevations visible from the public right-of-way.
- B. Box gutters that are deteriorated beyond repair on elevations not visible from the right-of-way may be replaced with half-round hanging gutters and round downspouts.
- C. Hanging gutters and downspouts, unless made of copper, shall be painted the same color as the house or the trim. To prevent the paint from flaking and peeling within a short period of time, non-galvanized metal or aluminum gutters or downspouts shall be coated with a galvanized steel primer before applying the finishing coats of paint.
- D. All new hanging gutters shall be half-round and new downspouts shall be round unless otherwise approved. K-style and PVC style gutters shall not be permitted.

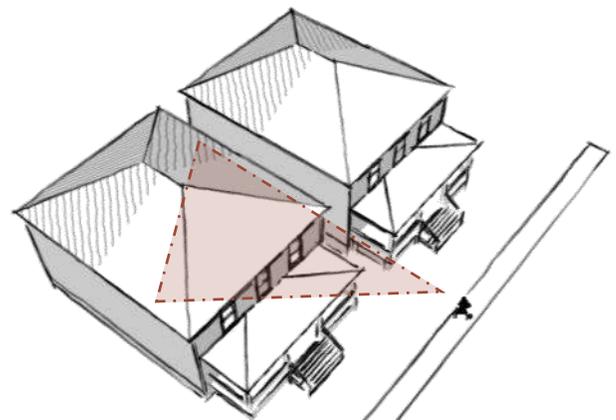
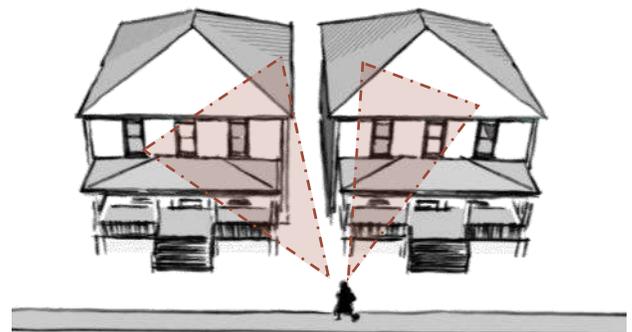


Box gutters integrated into the cornice (above left) are to be retained where present. Half-round gutters and round downspouts (above right) provide an appropriate option for hanging gutters. K-style and other molded gutters and corrugated downspouts (right) are not appropriate and are not permitted in the SH district.



#### 4.5.6 MINIMIZE THE IMPACT OF ROOFTOP ADDITIONS, EQUIPMENT, AND OTHER CHANGES

- A. Substantial rooftop additions are generally discouraged in predominately residential areas.
- B. Changes to the original roof shape or adding features inappropriate to the character of the roof, such as oversized dormer windows, shall be avoided.
- C. Skylights, roof gardens, television antennae, satellite dishes, and mechanical equipment such as air conditioning units shall be placed in an inconspicuous location where they will not detract from the character of the building. Generally, they shall not be placed on an elevation prominently visible from the right-of-way. Installation on façade roof slopes shall be prohibited.
- D. Architectural details such as decorative cornices, cupolas, and brackets that were not historically present on a building shall not be added as they convey a false sense of history.



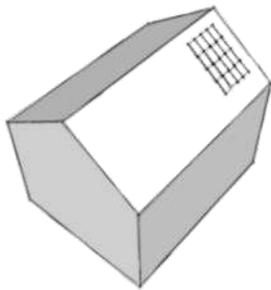
Critical consideration should be given to the location of any proposed rooftop change, particularly in a pedestrian-oriented neighborhood setting. The rear third of secondary elevations and the rear elevation (above, shaded), outside of view from most locations along the public right-of-way, are the most appropriate locations when changes are necessary.



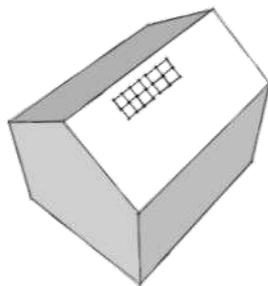
## INSTALLING ROOFTOP SOLAR COLLECTORS

Rooftop solar collectors—either solar panels or solar shingles—that translate the sun’s energy into usable power for a building may provide a viable option for some property owners that desire to reduce energy consumption. Use of such features as an energy-efficient mechanism is permitted and encouraged when it can be demonstrated that the installation will not diminish the integrity of the building on which it is located. Consider the following when assessing the feasibility of rooftop solar collectors to minimize the potential for the building’s character to be negatively impacted:

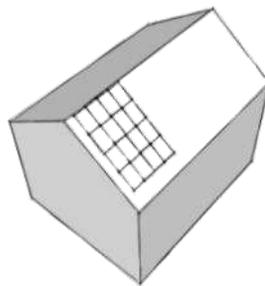
- Make sure that the roof structure can support the added weight of solar collectors.
- Give first consideration to installing solar collectors on rear roof slopes so that they are not visible from the public right-of-way.
- If a building’s orientation will limit the productivity of solar collectors, consider the rear portion of secondary elevations as an alternative.
- Wherever feasible, place solar collectors behind features such as parapets, dormers and chimneys in order to minimize their visibility from the right-of-way.
- Secondary buildings at the rear of a lot may provide a viable alternative for locating solar collectors.
- Size the solar collectors and select an arrangement that is compatible with the scale and form of the building.
- Select collectors and mounting systems that are similar in color to existing roof materials to minimize their appearance.
- Install solar collectors so that they lay as parallel as possible to the roof surface. In general, solar collectors should not be positioned more than 6” away from the roof surface.
- Install solar collectors so that they do not cause irreversible damage to the roof structure or require the removal or alteration of character-defining features such as dormers, chimneys, and cornices.



Recommended—  
Rear of secondary elevations



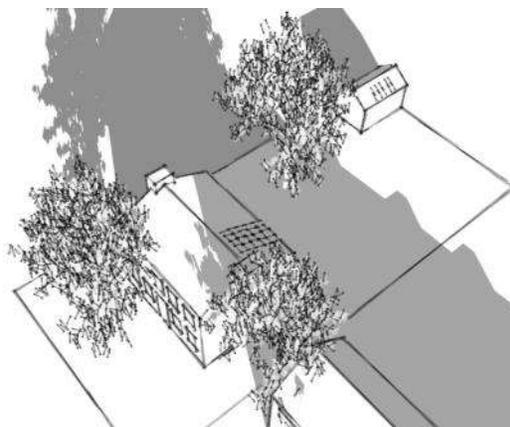
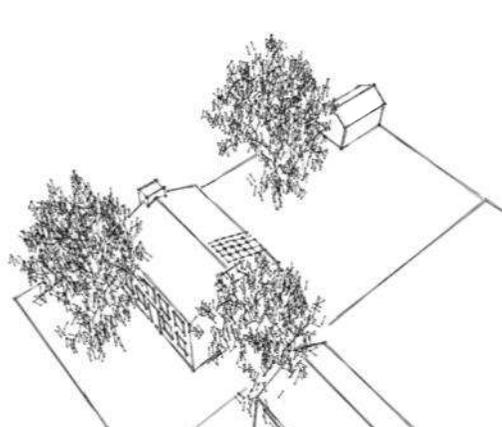
Acceptable—  
Small panels with spacing off the ridge



Not Appropriate—  
Large panels on the ridge at the front of the roof

Energy efficient measures such as solar collectors can be viable means for enhancing the sustainable qualities of a building, but careful consideration must be given to the location of installations.

For front-gabled and hip-roof buildings, installation at the rear of secondary elevations is most appropriate (left). However, if site constraints limit the utility of this location, small installations off the ridge near the middle of the slope may be appropriate (middle). Large installations near the façade are not appropriate (right) and should be avoided.



For side-gabled buildings, solar collectors should be placed on the rear slope (left). However, the siting of some buildings and nearby tree canopy may limit the utility of such locations (right). In such instances, consider placing collectors on secondary buildings with proper solar exposure at the rear of the lot. Installation on the front roof slope of the primary building is not appropriate.



## 4.6 PORCHES

Porches are not only important functional elements but are also significant architectural features that contribute to the character of a property and help define a building's style, whether it features simple wood posts or monumental columns. Many of Frankfort's historic neighborhoods are also defined by the rhythm of porches along the streetscape. Providing transition space between interior and exterior, porches tie a building into the landscape and connect it to the larger setting of the community. Historically, porches also played a role in the social life of the community, serving as a place for neighbors to gather.

Porches are comprised of many individual elements that work together to define its character. Changes to any one component can significantly alter the appearance of the porch, and, if not appropriately completed, severely detract from the overall aesthetic of the property. As such, historic fabric is to be maintained and preserved, and any changes to a porch or its individual components must be carefully evaluated for their potential impact on the character of the building and streetscape.

### 4.6.1 RETAIN AND PRESERVE ORIGINAL PORCHES, INCLUDING INDIVIDUAL COMPONENTS

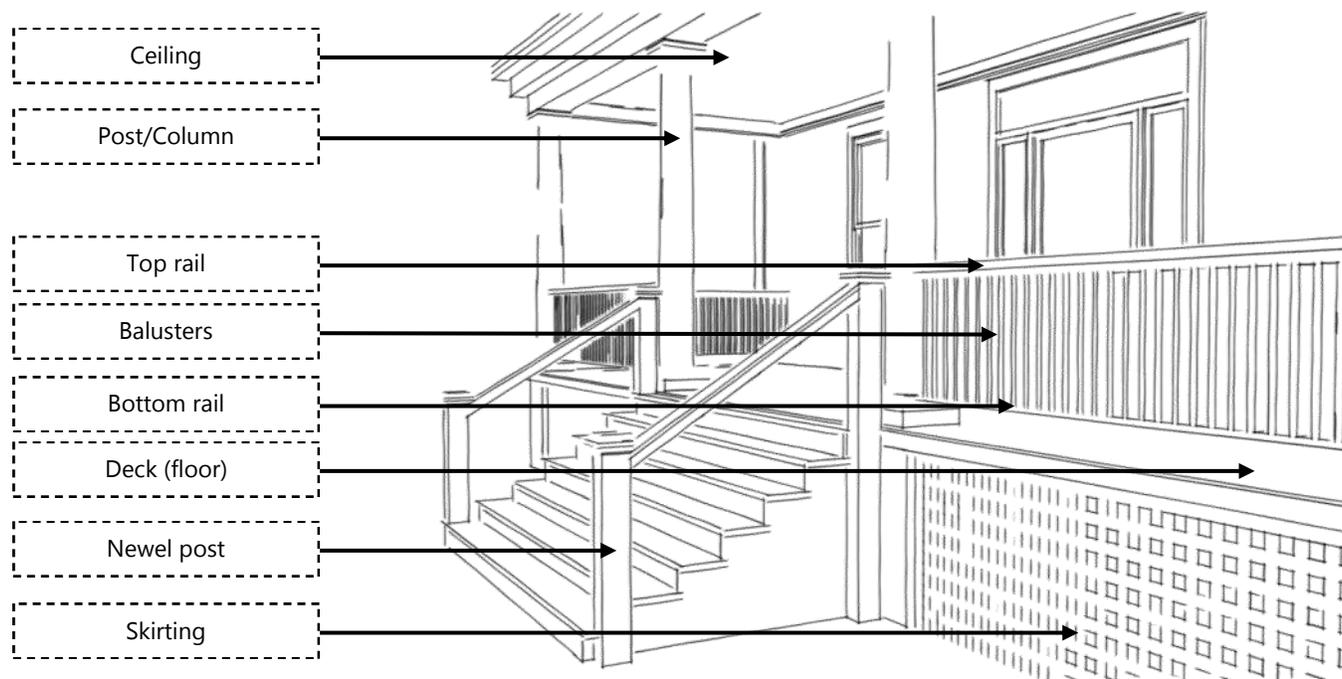
- A. All porches that contribute to the historical character of the building – including original porches and added but historic porches that reflect the evolution of architecture – shall be retained unless historic documentation is provided to support removal or alteration.
- B. Individual components of historic porches, including railings, balusters, steps, posts, and ornamentation, shall be retained and repaired in accordance with the materials guidelines.
- C. Maintain paint on wood components and finishes on metal components to provide a weather-resistant protective coating.
- D. The location, character, and material of historic porch steps shall be retained.

### 4.6.2 REPAIR OR REPLACE DETERIORATED OR MISSING PORCH COMPONENTS ON AN INDIVIDUAL BASIS

- A. Repair or replace only the deteriorated or missing section of a porch component.

## Individual Porch Components

Porches are comprised of a large number of individual components that, taken together, define the character of the porch and contribute to the architecture of the building. As such, it is important to understand how changes to one feature might impact the overall aesthetic and seek appropriate treatments that respect the integrity of the entire structure. Consider the following guidelines for individual components when undertaking a porch project.



### *Porch materials*

Historic porches in Frankfort's neighborhoods are constructed of wood, masonry, and metal, or a combination of materials. Materials shall be retained and repaired in accordance with the respective material guidelines. Replacing historic masonry or metal components with components of other materials is not appropriate and shall be avoided. Vinyl porch components shall not be used for replacement.

### *Ceilings*

Maintain original porch ceilings, including soffits and any trimwork. Enwrapping wood soffits or replacing historic tongue-and-groove or beadboard ceilings with vinyl counterparts is not appropriate.

### *Columns, posts, and piers*

A porch roof may be supported by full-height columns or posts or a short column set on a pier. Replacement columns and posts shall match the original component in material, profile, design, and texture. Replacing full-height columns with short columns set on piers shall be avoided. Reconstruction of missing original features

shall be based on photographic or documentary evidence or shall be based on nearby properties of similar vintage and style.

### *Balustrades and related components*

Balustrades are comprised of rails and balusters, and, sometimes, newel posts. When replacing original wood components or reconstructing missing features, consider the following:

- **Newel posts:**

Match the profile (square or round) to that of the balusters unless it can be demonstrated through physical or documentary evidence to have been different.

Only use turned newel posts where historically present. Using turned newel posts where square or round profiles were originally present shall be avoided.

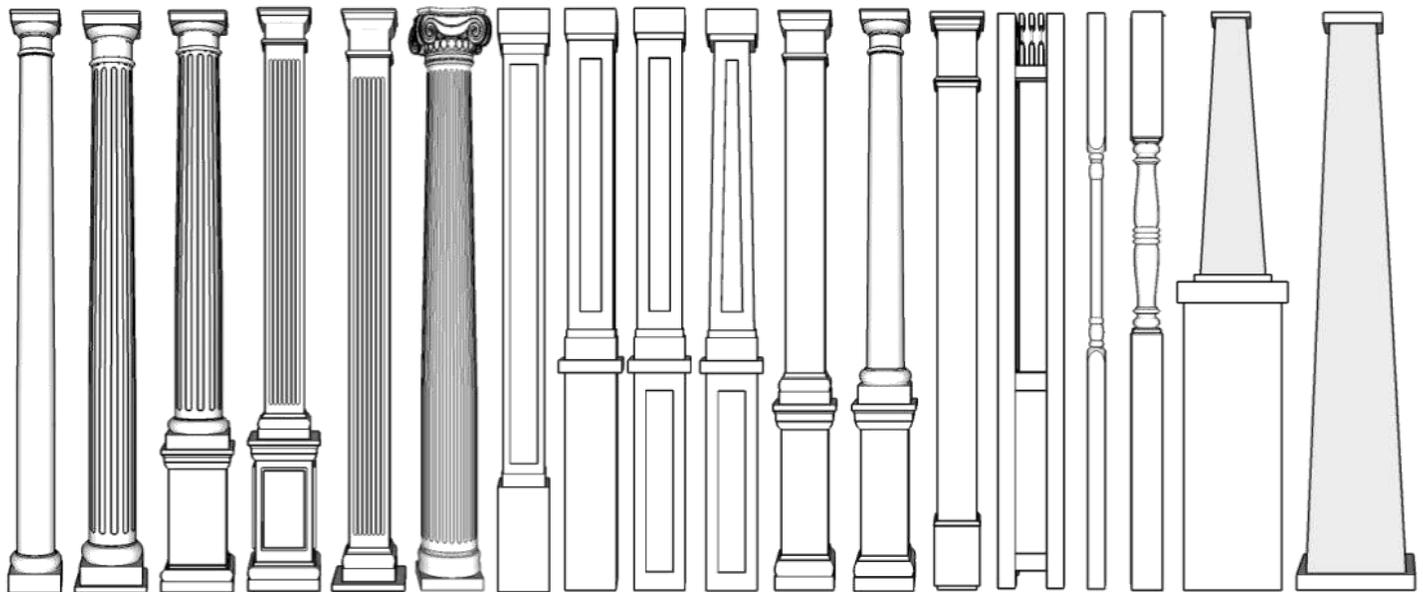
Unless the top rail extends across the top of the newel post, finish the post with either a flat or decorative cap based on documentation or precedent on properties of similar style.



Properties in Frankfort's historic core are defined by a wide variety of porch materials, types, and styles. Among the most distinctive features of Frankfort's porches are the posts, columns, and piers that support the porch roofs and help define the rhythm of the space.

When undertaking a porch project, it is important that the profile and details of original posts, columns, and piers be retained as changes to these elements can significantly alter the aesthetic of the entire porch structure.

In instances where original porch columns have been removed and owners want to replace existing supports, they are encouraged to reconstruct features that duplicate original profiles and details based on historical or photographic documentation. Where such documentation does not exist, it is appropriate to consider the type and style of supports on properties of similar vintage and style. Some of the more common posts, columns, and piers historically found on porches are depicted below.



## Individual Porch Components (continued)

- Balusters:

Repair or replace only deteriorated balusters. Wholesale replacement of intact balusters shall be avoided.

The profile of historic balusters shall be duplicated when selecting replacement components for deteriorated balusters.

When reconstructing a missing element, the design shall be based on photographic or documentary evidence. In the absence of documentation, use a simplified design scaled to the house and porch.

When reconstructing missing or deteriorated balustrades, baluster spacing shall be consistent with building code requirements unless a design with wider spacing can be documented as historically being present.

- Rails:

The profile of the historic top rail shall be duplicated when replacing deteriorated components.

When reconstructing a missing element, the profile shall be based on photographic or documentary evidence. In the absence of documentation, use a simple profile.

The design of the bottom rail shall be consistent with the design of the top rail.

### *Deck/Floor*

Retain and repair original porch floors. Deteriorated components should be selectively repaired or replaced. Entire replacement of a porch floor is not appropriate when individual pieces or isolated areas can be addressed. Where a concrete floor is present, do not stain, paint, or otherwise permanently cover it.

### *Steps*

Retain and repair original porch steps, whether wood or masonry. Only deteriorated sections should be repaired or replaced as necessary. When new wood steps are constructed, use closed risers and maintain a scale appropriate to the porch and house unless an alternative design can be documented as being historically present. Replacing wood steps with masonry counterparts is not appropriate. Using pre-cast concrete as a replacement material for porch steps is not appropriate unless it was historically present.

Wholesale replacement of intact components such as railings when only a small or isolated section is deteriorated shall be avoided.

- B. Deteriorated porch components shall be repaired with in-kind materials to match existing components in size, proportion, color, finish, and texture.
- C. Deteriorated materials shall be repaired in accordance with the guidelines for those respective materials.
- D. Where materials are determined to be deteriorated beyond repair, existing fabric shall be used as the basis for selecting replacement components. Stock materials that do not match the character of existing fabric shall be avoided.
- E. Where individual components are missing, their replacement shall be based on historical, photographic, or physical evidence. In the absence of such evidence, porches on nearby structures of similar style and vintage may be used as a reference to create a simplified design that is visually compatible with the property.
- F. Consider replacing altered and non-original porch components with features appropriate to the original design whenever possible.
- G. Pressure-treated wood is not appropriate on porches visible from the public right-of-way except where it comes into contact with the ground and is concealed from view. It shall otherwise be avoided.



## PORCHES AND ALTERNATIVE MATERIALS

Porches are common targets for the use of alternative materials, with vinyl, fiberglass, and full or partial composites as commonly proposed replacements for wood elements. In no instance shall vinyl be permitted. All other materials will be reviewed on an individual basis with consideration given to the location and visibility of the feature proposed to be replaced and the replacement material's texture, finish, and reflectivity. All replacement features shall match the profile and scale of the original feature being replaced.

### 4.6.3 CAREFULLY ASSESS PORCH ENCLOSURES IN CONSIDERATION OF A BUILDING'S CHARACTER

- A. Open porches on the façade shall be retained.
- B. Porches at the rear of secondary elevations or on the rear elevation may be enclosed with full-height glass and minimal framing to retain a sense of transparency.
- C. When enclosing a porch, historic porch elements such as columns, railings, and ornamentation shall be retained in place.
- D. Aligning vertical and horizontal framing members with existing porch elements such as columns is recommended to minimize the visual effect of the enclosure.
- E. Reopening previously-enclosed porches on highly-visible elevations is encouraged.

### 4.6.4 NEW PORCHES SHALL NOT DISRUPT THE CHARACTER OF THE BUILDING OR SETTING

- A. New front porches shall only be added when there is documentary or physical evidence that one historically existed, or when there is precedent in the neighborhood for porches on buildings of similar style and vintage.
- B. When a new porch is added where one does not exist, the porch shall be compatible with the building in terms of the materials and their texture, color, scale, and detailing.
- C. Reconstructing a previously removed porch shall be based on historical or photographic documentation. In the absence of sufficient documentation, a simplified design that is compatible with the building in scale, material, and detail shall be used.
- D. The detailing and scale of new porch components, including roofs, railings, and trim, shall be compatible with the building.
- E. A new porch shall be distinguished from the original building so that it does not create a false sense of historical appearance. Porches of a simplified design are recommended in places where a porch did not historically exist or where no documentary evidence exists for an original porch.
- F. The shape and materials of a porch roof shall be compatible with the overall style and form of the building.



When enclosing historic porches on secondary elevations, it is important to leave original columns and trimwork in place. Also, using full-height glass or screen panels helps preserve the sense of transparency and openness associated with a porch so that it does not appear as a closed-off room.

#### Handrails

Few porch steps originally had handrails. Today, handrails are common and may be necessary for safety or ease of access. Where handrails are necessary, they should be designed to be as non-intrusive as possible to the original design of the porch. Simple round or square profiles should always be used. Consider the following when designing and installing a new handrail:



This residence appropriately uses a simple metal handrail with minimal supports, which minimizes the railing against the backdrop of the porch.

- If the porch and steps are wood, handrails should also be wood and mounted on wood posts. Paint to match existing trim to minimize its presence.
- If the porch and steps are masonry, either wood or metal handrails are appropriate.
- If the porch is metal, select a metal handrail and paint black or to match existing components. Metal intended for gas or plumbing purposes shall be prohibited as handrails or railings.

#### **4.6.5 DECKS SHALL NOT DISRUPT THE CHARACTER OF THE BUILDING OR SETTING**

- A. Decks shall be located in inconspicuous areas such as the rear elevation or minimally visible secondary elevations. Decks on the façade or highly-visible secondary elevations shall be prohibited.
- B. Decks shall be located so that they do not require the removal or alteration of character-defining features or materials.
- C. Decks shall be installed so that they are structurally self-supporting and can be removed in the future without resulting in damage to the building.
- D. Decks shall be simple in character and in scale with the building so as not to visually compete with the historic character of the property. Traditional-style wood balustrades are recommended for railings.
- E. Decks should align with the height of the building's first floor. Decks above the first floor level of a building are discouraged.
- F. Decks should be in scale with the site so as not to significantly alter the proportion of open space to occupied space on a property.
- G. Using an opaque stain or painting to blend in with the building and site is recommended.
- H. Using lattice panels at the foundation to screen deck framing is encouraged.
- I. Screening decks through plantings is also encouraged, particular for those within public view.



## 4.7 ENTRANCES AND DOORS

Entrances, particularly on the façade, are one of the most distinctive features of a building. From the style and configuration of the door to the inclusion of decorative and functional features such as pilasters, transoms, and sidelights, entries within Frankfort’s historic neighborhoods vary widely, reflecting the tastes of the property owner and the architectural style of the building. Providing a connection between interior and exterior, the façade entry also greatly affects our perception of and interaction with a particular building.

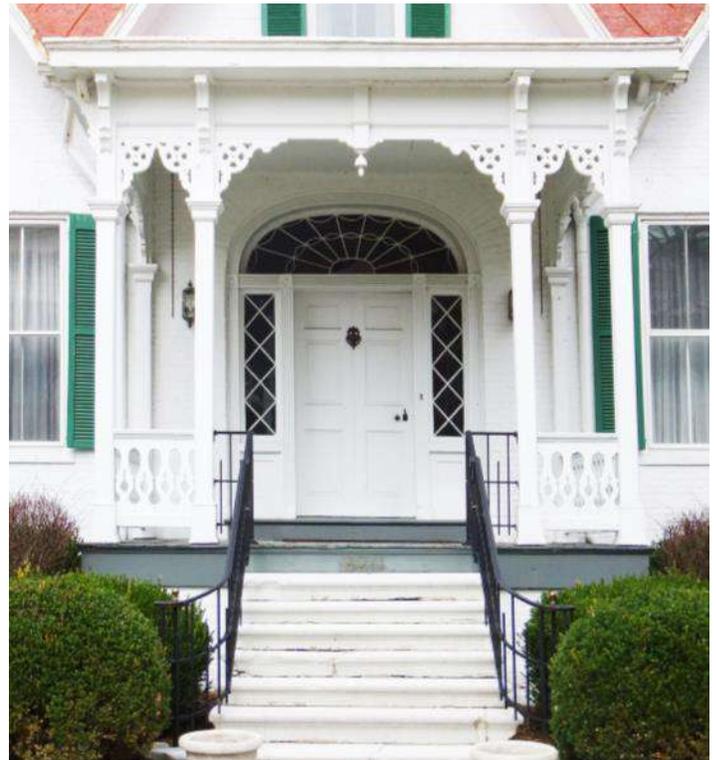
Given the importance of entries in defining the character of a property, it is critical that the historic features of an entry – including door, sidelights, transoms, and decorative elements – be retained and repaired as necessary. Changes to an entry, particularly on the façade, should be carefully considered during the project planning process, and substantial changes such as the removal of intact entry components or enclosure of façade door openings should be avoided as they can significantly compromise the character of the building.

### 4.7.1 RETAIN THE LOCATION AND CHARACTER OF HISTORIC DOOR OPENINGS

- A. The location, size, proportion, and shape of original door openings shall be retained.
- B. Door openings on the façade shall not be reduced, enlarged, or filled in. If it is not possible to retain original door openings on the façade, the door may be fixed in place so as to retain the original appearance.
- C. If original openings are filled in on the side or rear elevations, the outline of the original opening shall remain apparent by setting infill material back from the face and leaving original sills and lintels in place.
- D. Consider restoring previously altered door openings on the façade.
- E. Boarding-over of historic door openings is not appropriate and shall be prohibited.
- F. Altering secondary or service entries to make them appear more formal by adding elaborate doors, transoms, sidelights, or other elements not historically present shall be avoided.

#### 4.7.2 RETAIN AND MAINTAIN ORIGINAL DOORS AND ENTRY FEATURES

- A. Original doors and door trim shall be retained and repaired unless determined to be deteriorated beyond repair.
- B. Original transoms, sidelights, and decorative features shall be retained.
- C. Maintain protective surface coatings on historic wood components. Carefully scrape, prime, and repaint deteriorated coatings to provide a weather-resistant coating.
- D. Historic storm and screen doors shall be retained and repaired unless determined to be deteriorated beyond repair.
- E. Removing historic leaded, art, stained, or prismatic glass is not appropriate and shall be prohibited.
- F. Adding decorative details not historically present to entries shall be avoided.



#### 4.7.3 REPAIR DETERIORATED BUT REPAIRABLE HISTORIC MATERIALS BEFORE CONSIDERING REPLACEMENT

- A. Historic entry components – including doors, transoms, sidelights, surrounds, and trim – that are deteriorated yet still serviceable shall be repaired rather than replaced.
- B. Repair only the deteriorated section of components in accordance with the materials guidelines. If removal of intact features is required, document their location for reinstallation following repairs.
- C. Original door hardware shall be retained and repaired whenever feasible.
- D. Only clear glass shall be used when repairing damaged glazing on façade entries. Frosted, tinted, reflective, opaque, and patterned glass is not appropriate and shall be avoided unless it was historically present.

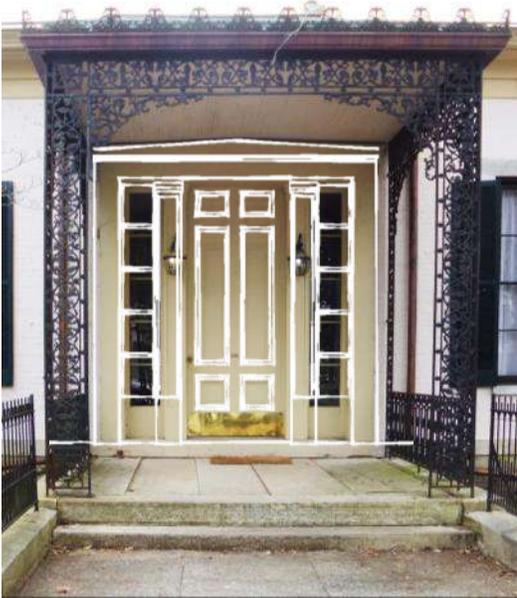
Entries are found in endless configurations and are among the most distinctive features of a historic building. It is critical that entry surrounds, doors, trim, sidelights, and transoms be retained as character-defining features of a property (above, right). Stripping buildings of their historic entry features and installing generic doors (below) destroys their unique character and is to be avoided.



#### 4.7.4 WHERE NECESSARY, SELECT REPLACEMENT DOORS THAT ARE COMPATIBLE WITH THE CHARACTER OF THE BUILDING

- A. Historic doors shall only be replaced when they are determined to be deteriorated beyond repair.
- B. If a new door is required, the size, proportion, shape, glazing, and configuration of the



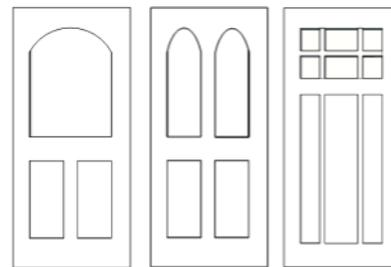
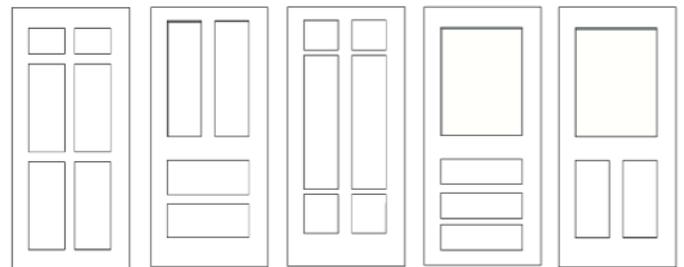


When historic doors are deteriorated beyond repair and warrant replacement, select a new door based on the character of the opening. Duplicating the original design is most appropriate (above). Installing generic stock doors or doors historically associated with a different style disrupts the character of the entry and is not appropriate (right).

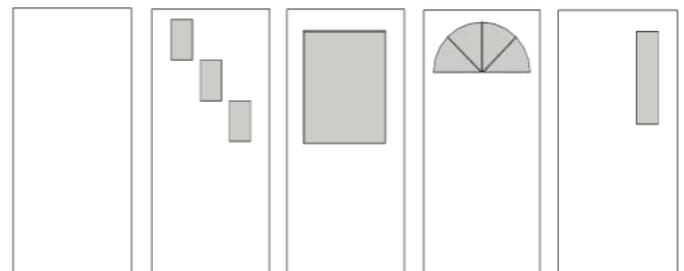


original door shall be duplicated as closely as possible. New doors shall match the material and hardware of the original.

- C. Replacement doors on the façade shall be wood unless it can be demonstrated that another material was historically used. Vinyl, fiberglass, vinyl-clad wood, and metal doors are not appropriate replacement materials for wood and shall be avoided.
- D. In the absence of historic hardware, hardware that is simple, unobtrusive, and compatible with the style of the building shall be used.
- E. Consider replacing deteriorated doors on secondary elevations with new doors that match the original. Alternative designs compatible with the character of the house may also be appropriate on secondary elevations.
- F. Enlarging or partially enclosing an original opening to accommodate the installation of a replacement door shall be prohibited.
- G. Installing an undistinguished flush door on elevations visible from the public right-of-way shall be avoided.



Paneled wood doors, with or without lights, were historically used and should serve as models for replacement designs (above, left). Flush doors or doors with lights in non-historic configurations are not appropriate (below).



- H. Consider replacing non-original façade doors that are not compatible with the character of the building. Use a design based on historical, photographic, or physical evidence, if available. In the absence of documentation, select a design that is compatible with the style and period of the building. Using nearby buildings of similar vintage and style as a reference is appropriate.

#### 4.7.5 DESIGN NEW DOOR OPENINGS TO BE AS INCONSPICUOUS AS POSSIBLE TO THE ORIGINAL DESIGN OF THE BUILDING

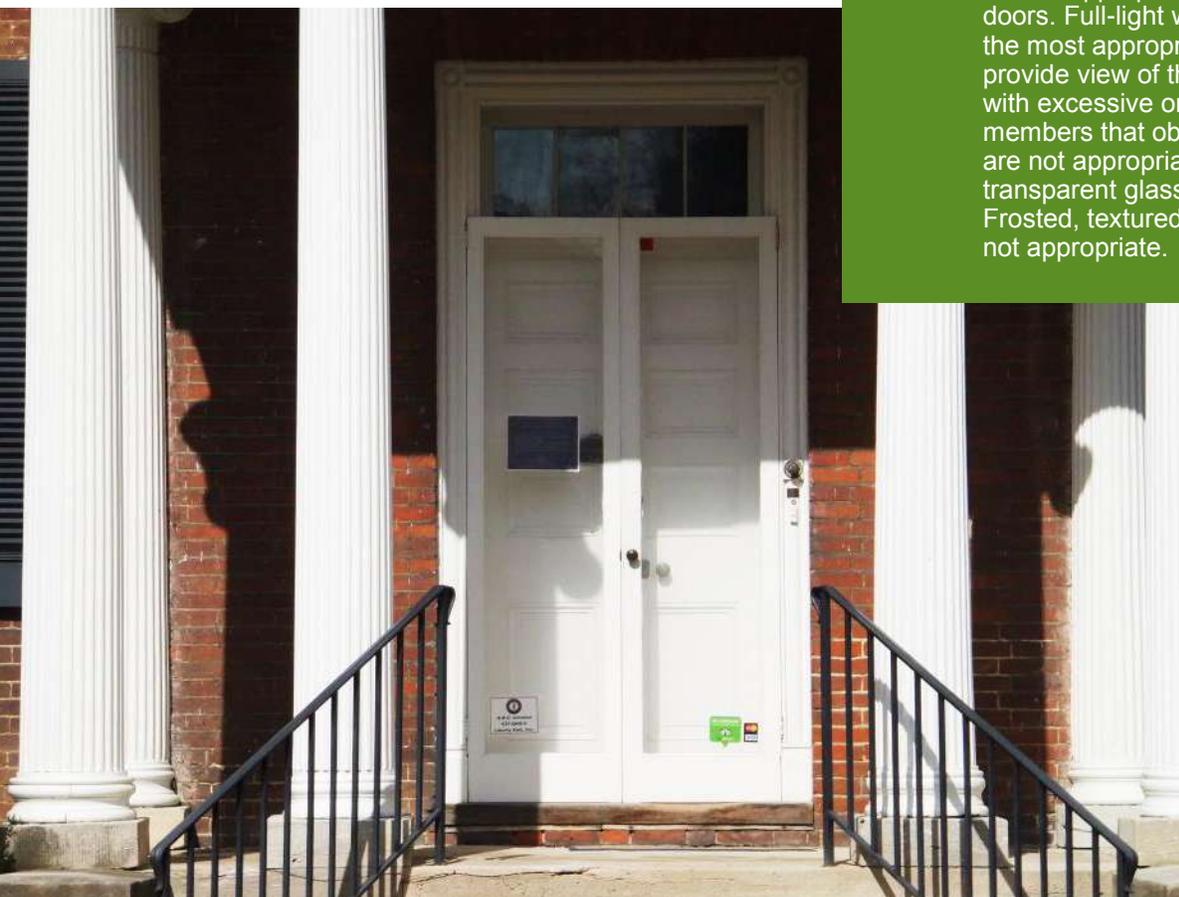
- A. In instances where new doors are proposed to be installed where there are no existing openings, the new openings shall match existing openings on the building. New openings shall be of the same size and at the same height as existing openings.
- B. New openings shall be limited to the rear third of a side elevation or on the rear elevation away from the public right-of-way.
- C. Cutting new openings into the façade or prominent secondary elevations visible from the public right-of-way shall be prohibited.



### IMPROVING ENERGY EFFICIENCY

While historic solid-core wood doors are great insulators, entry doors are often common targets for replacement for property owners that want to improve energy efficiency. If an owner wants to minimize heat loss and further improve energy efficiency, the most important step to take is not to replace the historic door but to reduce air leakage around the door. Consider the following when seeking to improve the energy efficiency of an entry:

- Ensure the door is properly fitted to the jamb and threshold.
- If the door has lights, remove and replace deteriorated glazing putty.
- Install weather-stripping along the frame and at the base of the door, ensuring all joints are tight and sealed, to reduce air infiltration.
- Low-e or other light-absorbing coatings are only appropriate on glazing when it can be demonstrated that there will be no change in the original appearance of the glass.
- Retain and repair historic storm doors. Where appropriate, install new storm doors. Full-light wood storm doors are the most appropriate option as they provide view of the original door. Doors with excessive ornamentation or framing members that obscure the primary door are not appropriate. Only fully-transparent glass should be used. Frosted, textured, or patterned glass is not appropriate.



Full-light storm doors with minimal framing provide an unobstructed view of the primary door and are the most appropriate option when selecting a storm door that is sensitive to the historic character of the building.



## 4.8 WINDOWS

While windows are largely thought of as a purely functional element of a building—providing ventilation for interior spaces—windows are actually one of the most distinctive components of a building and should be treated as character-defining features. Windows come in a variety of shapes, sizes, and configurations and help relate the relationship between the interior and exterior of a building in their placement and spacing, providing clues as to the construction and layout of a building. Windows may be further defined by the lintels and sills, inclusion of shutters, and decorative patterned, leaded, and stained glass.

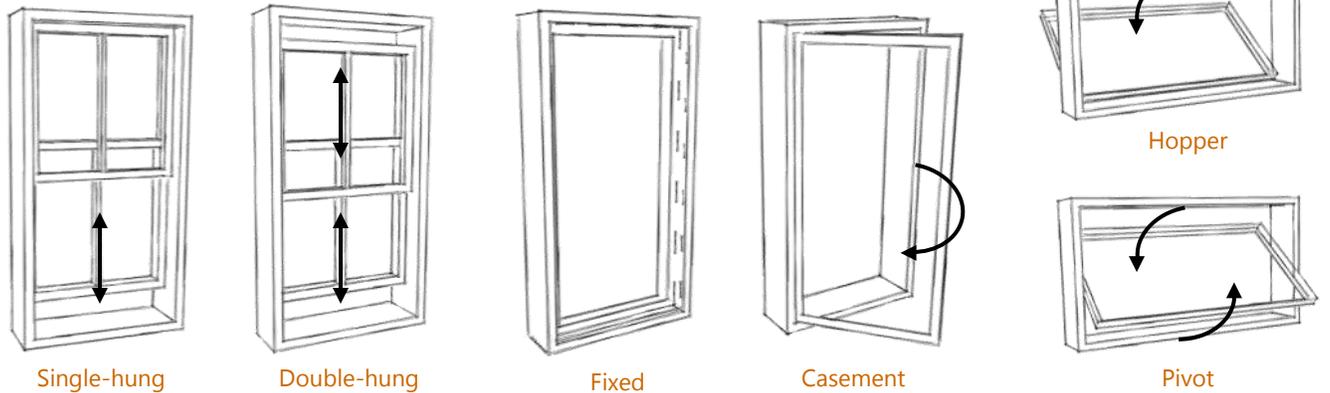
Original window openings should not be altered and preserving historic window components should be considered a priority as inappropriate changes can diminish the integrity of the entire building. While arguments are commonly made against the energy efficiency of historic windows, properly-sealed wood windows with an efficient storm window can perform just as well—if not better—than a new off-the-shelf window and can last for more than one hundred years if properly maintained.

### 4.8.1 RETAIN THE CHARACTER AND ARRANGEMENT OF WINDOW OPENINGS

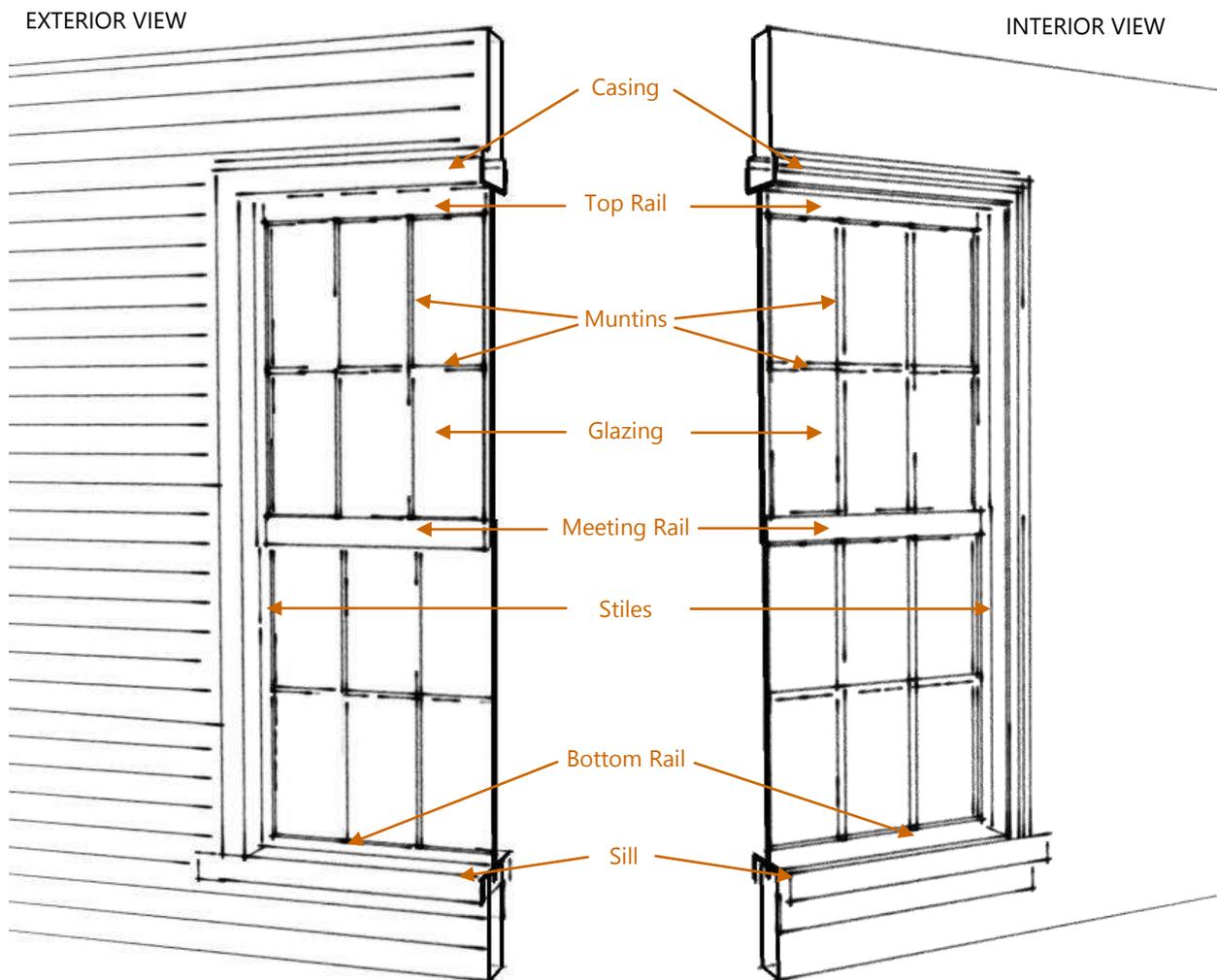
- A. The original pattern of window openings and their shape and configuration shall not be altered.
- B. Window openings shall not be reduced, enlarged, or filled in on the façade or prominent secondary elevations visible from the right-of-way.
- C. Consider restoring previously altered window openings on the primary façade.
- D. Permanent boarding over of window openings shall be prohibited.
- E. If original openings are filled in at the rear of side elevations or on the rear elevation, the outline of the original opening shall remain apparent by setting infill material back from the surface and leaving original sills and lintels in place. Original openings on the side and rear may be blocked by attaching shutters in a closed position to maintain the appearance of a window.

## Basic Window Terminology

A basic understanding of window terminology is important in sharing a common language among property owners, architects and contractors, and the ARB when discussing projects. While windows are found in a variety of configurations and operation style, often linked with buildings of a particular vintage or style, and are comprised of a large number of individual elements, common window configurations and basic window components are identified here for the benefit of the property owner.



### Basic Window Components





While enclosing window openings is discouraged, when necessary, it is appropriate to fix shutters in a closed position to maintain the appearance of an intact window opening.

#### 4.8.2 RETAIN AND MAINTAIN ORIGINAL WINDOWS AND ASSOCIATED FEATURES

- A. Original windows shall be retained when possible, and repaired as needed, including all functional and decorative elements such as the sash, hardware, casing, and any decorative moldings or hoods.
- B. Protective surface coatings shall be maintained. Carefully scrape, prime, and repaint deteriorated coatings to provide a weather-resistant coating.
- C. Historic storm and screen windows shall be maintained and repaired.
- D. Removing historic leaded, art, stained, or prismatic glass shall be prohibited.

#### 4.8.3 IMPROVE THE ENERGY EFFICIENCY OF INTACT HISTORIC WINDOWS RATHER THAN REPLACING THEM WITH NEW WINDOWS

- A. Maintain caulk and glazing putty in good condition, providing weather-tight seals.



Windows come in a variety of shapes and sizes, and Frankfort's historic core is full of buildings with architecturally unique windows that contribute to the visual interest of the area. While retaining all historic windows should be a priority, it is particularly important to retain windows of unique shapes and those featuring specialty glass.



- B. Maintain windows in good working condition. Keep surfaces free of debris and paint buildup for smoother operation.
- C. Apply weather-stripping, ensuring all joints are tight and sealed, to reduce air infiltration.
- D. Low-e or light-absorbing coatings are only appropriate on the façade when it can be demonstrated that there will be no change in the original appearance of the glass.
- E. Enhance energy efficiency by installing storm windows. Storm windows shall be aligned within the original opening. Altering an opening to install a storm window shall be prohibited.
- F. New storm windows shall be of wood or anodized aluminum with a painted finish that matches the house's trim. Bare aluminum sashes shall be prohibited.
- G. Storm windows shall allow for a full-view of the primary window or have a meeting rail that aligns with that of the primary window. Storm windows shall have no other divisions.
- H. Interior storm windows are encouraged but shall be installed in a manner that limits the potential for damaging condensation to form on the primary window. Incorporating air-tight gaskets, ventilating holes, and/or removal clips is recommended.



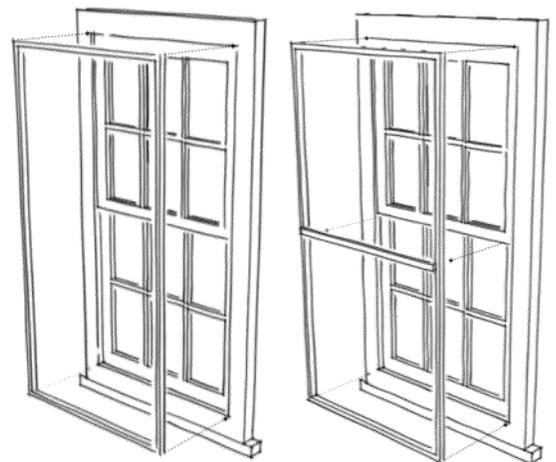
## SIMPLE SUSTAINABLE SOLUTIONS

While we typically think of incorporating sustainable solutions as a large endeavor, there are small things that every property owner can do to promote energy efficiency and sustainable approaches in window projects:

- Maintain and preserve existing old growth wood windows to the extent possible, which minimizes the need to harvest new timber and eliminates landfill waste.
- When using wood for repair or in replacement windows, choose timber from sustainably managed forests.
- Lock your windows. It not only provides security but also creates a tight seal between sashes and reduces air infiltration.
- Maintain glazing putty and sealants in good condition to minimize air and moisture penetration. Adding weather-stripping can reduce infiltration by as much as 50%.
- Installing storm windows provides a tremendous boost in efficiency. In fact, the combination of a historic wood window and a properly sealed storm window can, in many instances, provide better value than a brand-new double-pane sash.



Historic storm windows are to be retained (left), while new storm windows are to respect the character of the underlying sash. New storm windows that provide for a full view of the original window and are painted a complementary color to the building's trim are most appropriate (below).



New storm windows should have either no meeting rail (above, left) or a meeting rail that aligns with the meeting rail of the existing sash (above, right) to minimize perception of the storm window.

#### 4.8.4 REPAIR DETERIORATED BUT HISTORIC MATERIALS BEFORE CONSIDERING REPLACEMENT

- A. Original window components that are deteriorated yet still serviceable shall be repaired rather than replaced.
- B. Only the deteriorated section of a window shall be repaired, removing as little historic material as possible.
- C. If necessary, remove a sash from its frame before repairing in order to minimize inadvertent damage to other components. Identify and record the components of the window before dismantling for repair.
- D. Only clear glass shall be used when repairing damaged units. Tinted, reflective, opaque, or patterned glass shall not be used unless it was historically present.

#### 4.8.5 WHEN NECESSARY, REPLACE HISTORIC MATERIALS IN-KIND TO MAINTAIN INTEGRITY

- A. Historic window sashes shall only be replaced when they are determined to be deteriorated beyond repair.
- B. Only the deteriorated component of a window (such as the sash) shall be replaced. Wholesale replacement of the entire assembly shall be avoided when only isolated deterioration is present.
- C. When replacement windows are used, they shall match the original in size, shape, configuration, material, and design.
- D. New window sashes shall be properly recessed within the original opening to protect the window, maintain water runoff, and preserve historic profiles.

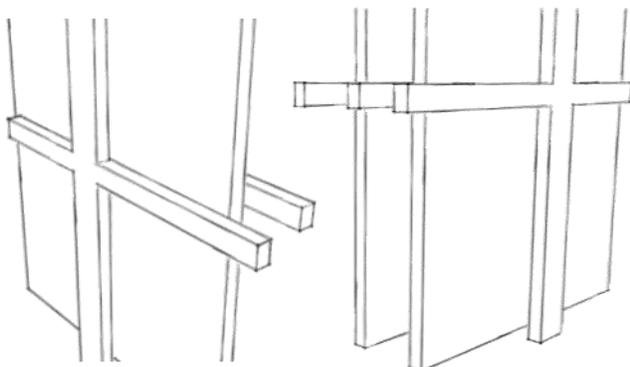
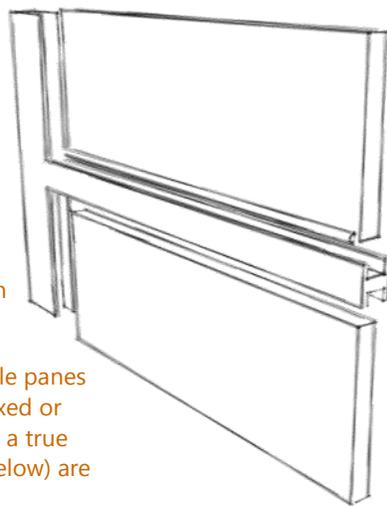


When evaluating a potential window project, it is important to give consideration to what actually needs to be done rather than assuming that a window needs to be replaced. Rarely does the entire window assembly need to be replaced. In fact, one of the many benefits of historic wood windows is that deteriorated components—such as broken sash cords, broken glazing, and deteriorated wood framing components—can be selectively repaired or replaced in-kind to maintain the integrity of the entire unit. For example, a Dutchman—an inset replacement section of wood—can easily be used to repair localized areas of rot (bottom right) instead of replacing the entire component.

- E. Replacement windows should match the operation (e.g., double-hung) of the original window.
- F. Replacement windows on the façade and character-defining secondary elevations shall be wood unless it can be demonstrated that another material was historically used on properties of such vintage and style. Vinyl, vinyl-clad wood, and metal windows are not appropriate replacements for wood windows on the facade. Aluminum-clad wood windows may be appropriate – subject to ARB review for secondary or rear elevations so long as the window maintains existing profiles.
- G. Deteriorated sashes on elevations visible from the public right-of-way shall be replaced with true divided light sashes or simulated divided light sashes with dimensional muntins permanently affixed to the exterior of the glass. Snap-in grids or grids between panels of glass that give a false appearance of a multi-pane sash are discouraged and shall not be administratively approved.

True divided light windows (right) with individual panes of glass separated by muntins are to be used for replacement windows on primary elevations.

Windows with large single panes of glass set between affixed or snap-in grids, simulating a true divided light window, (below) are not appropriate.



## STEPS FOR CONSIDERING REPLACEMENT WINDOWS

Replacing historic windows with inappropriate counterparts can significantly detract from the historic character of a building. As such, property owners are encouraged to give careful consideration when evaluating the merits of a window replacement project. The following approach is recommended:

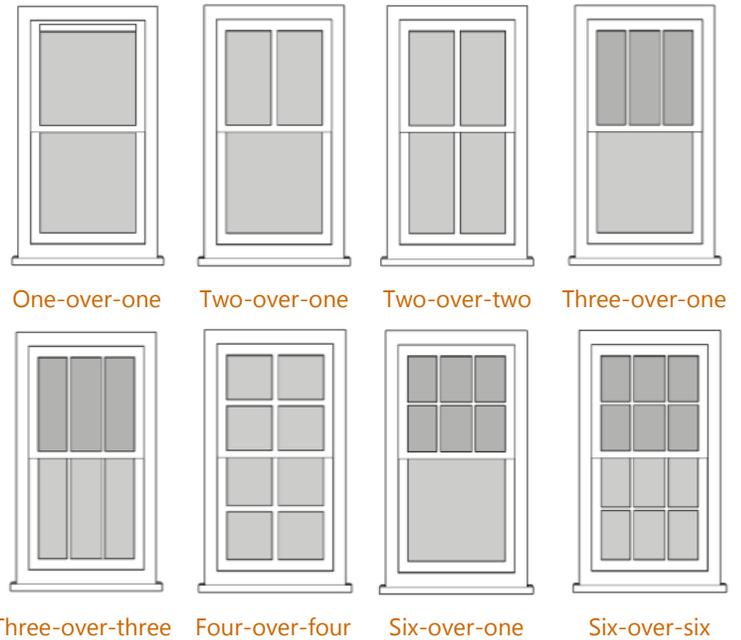
- *Prepare an inventory of windows:* The first step in developing a window replacement project is completing an inventory of your building’s windows and their existing conditions, which can be used to make evaluations regarding appropriate treatment strategies. Such an inventory can also be used to support the rationale for the project that will be included in your COA application.
- *Consider what needs to be replaced:* When evaluating your windows and treatment options, carefully consider what exactly it is that needs to be replaced and why. In some instances, you may find that the window simply needs to be re-sealed while in others you may find that replacement of a particular component, such as the sash, is necessary. Rarely does the entire window assembly need to be replaced. Intact components of the window are to be retained.
- *Gather evidence for your project:* Once you have evaluated your windows and the actions necessary, gather documentary evidence depicting the condition of the window components to be replaced. This evidence can be used in support of your COA application so that you can appropriately demonstrate your project needs and illustrate that decisions have been made based on due diligence in considering all available options.
- *Find a suitable replacement:* The final step in preparing your materials for your window replacement project is finding an appropriate replacement component, whether that is just the sash or an entire assembly. Replacement components on the façade and elevations visible from the public right-of-way are to match existing historic windows in-kind as character-defining features of the building.

## Replacement Window Materials and Designs

Windows on the façade and highly-visible secondary elevations that are determined to be deteriorated beyond repair should be replaced with wood counterparts matching the original design unless it is proven to be technically or economically infeasible to do so. In instances where alternative materials (such as aluminum-clad or fiberglass-clad wood) are proposed for window replacement, the ARB will review them on an individual basis in consideration of the following:

- Documentation of current conditions and infeasibility of wood replacements;
- Significance and visibility of the windows proposed for replacement;
- Appearance (including texture, finish, and profile) of the replacement material;
- Architectural compatibility of the replacement material with the building and the district; and
- Durability and performance of the replacement material.

Replacement windows on secondary elevations that have limited visibility shall match the historic window in size, configuration, and general characteristics, though finer details may not need to be duplicated and substitute materials may be considered.



Changes in window configuration can significantly alter perception of a building along the streetscape. Replacement windows – regardless of their location on the building – shall match the configuration of the original window.



Historic windows are full of character (above). As distinguished elements of a building, they are characterized by a variety of materials and textures, provide a sense of depth to a building, and help define historic profiles and lines of sight.

Generic off-the-shelf replacement windows (right) are completely opposite in character. Installed flat along the face of a building, they lack depth and profile. They also often require the alteration of historic window openings or result in the simplification of trim around an opening, resulting in bland architecture. Such windows are not appropriate in the Special Historic district.



- H. Windows of a style or era different than the building shall not be used.
- I. Double-pane glass may be used as long as it does not alter the reflective quality or color of the original window.

#### 4.8.6 CONSIDER REPLACING NON-ORIGINAL WINDOWS THAT ARE NOT COMPATIBLE WITH THE BUILDING

- A. Employ a design consistent with the remaining original windows on the building.
- B. In the absence of other intact windows on the building, reference window designs on similar properties within the district.

#### 4.8.7 DESIGN NEW WINDOW OPENINGS TO BE AS INCONSPICUOUS AS POSSIBLE TO THE ORIGINAL DESIGN OF THE BUILDING

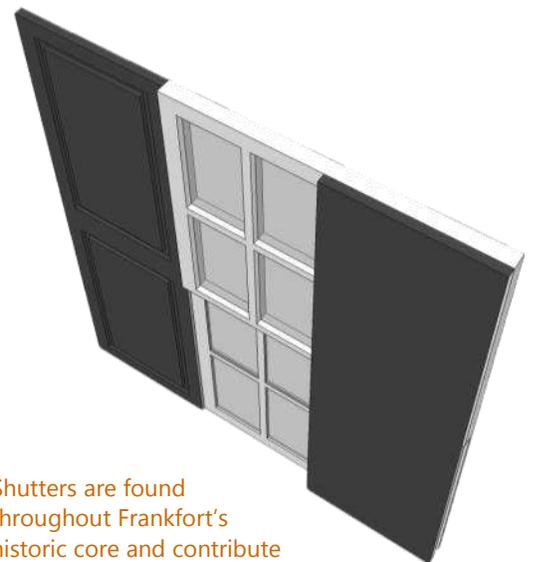
- A. Where a new window opening is considered necessary, openings shall be limited to the rear third of a side elevation or on the rear elevation away from the public right-of-way. Cutting new openings into the façade or prominent secondary elevations shall be avoided.
- B. Installation of new window openings shall match the existing window openings as

much as possible, especially on the primary elevations. New openings shall be of the same size and at the same height as existing openings. Board approval is required when such new window openings are proposed on street façade elevations.

- C. New windows to converted attic spaces shall be installed at secondary or rear elevations only. Windows shall be appropriate to the scale of the building.

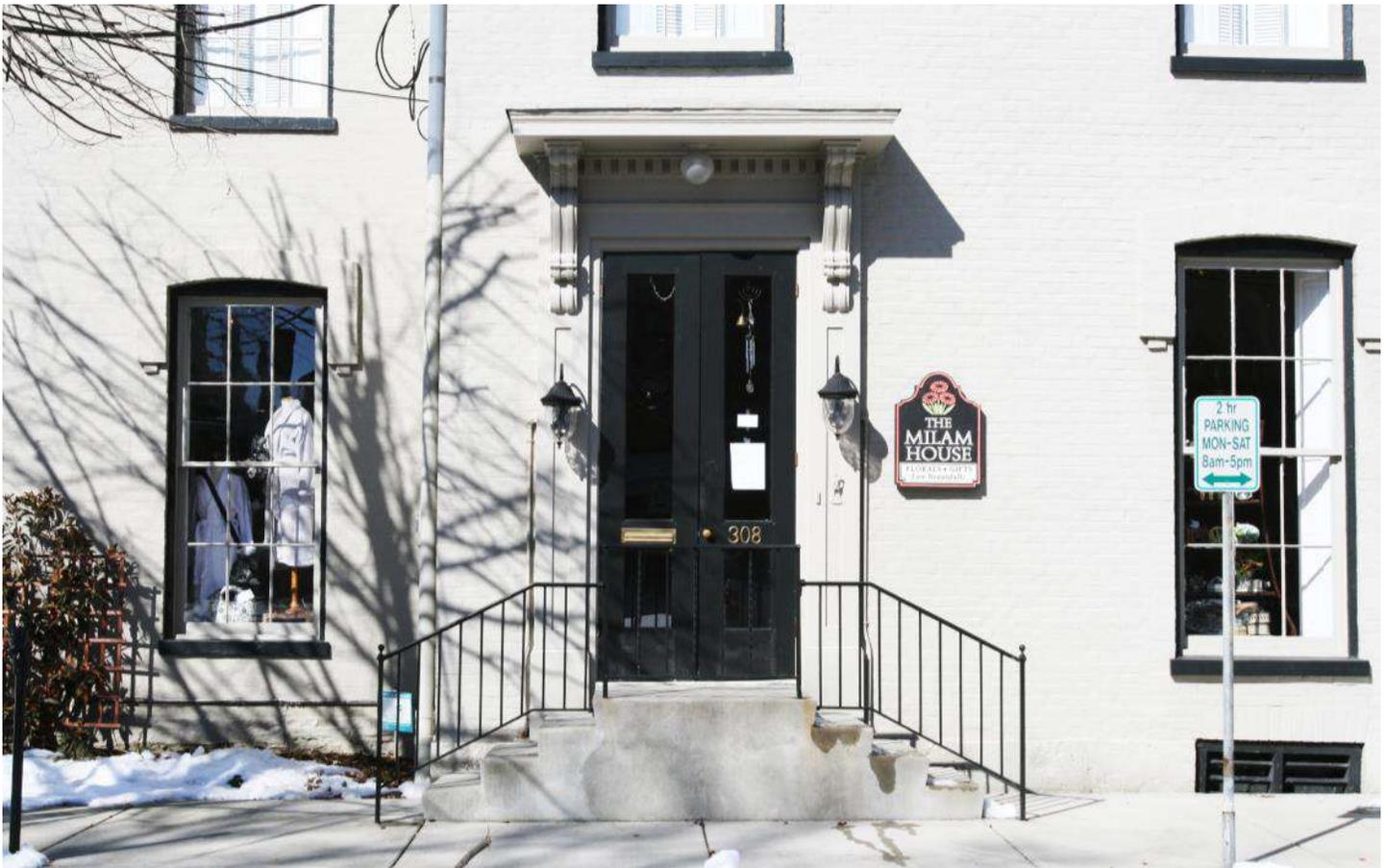
#### 4.8.8 UTILIZE SHUTTERS THAT COMPLEMENT THE HISTORIC CHARACTER OF THE BUILDING

- A. Original shutters shall be retained and deteriorated but serviceable shutters shall be repaired in accordance with the materials guidelines.
- B. Where existing shutters are deteriorated beyond repair, new shutters shall match the old in composition, size, shape, color, and texture.
- C. Vinyl shutters shall be prohibited.
- D. Shutters shall look as if they could work; they shall be sized to cover the entire window when closed and they shall not overlap when open. Shutters that are out of character or scale with the building shall not be used.



Shutters are found throughout Frankfort's historic core and contribute to the character of window openings (left). Historic shutters are to be retained.

Replacement and new shutters are to correspond to the size of the window. Each shutter shall be sized to cover exactly one-half of the window (above) even if they are not intended to be used.



## 4.9 COMMERCIAL ENTRIES

Located outside of the historic commercial core, commercial entries in Frankfort’s designated Special Historic district are primarily limited to certain historically residential buildings that have been converted for the purposes of offices or other business activity; traditional storefronts are not present in the district. While not original to the building, careful rehabilitation for commercial purposes can breathe new life into a building, supporting its continued use as an asset to the community. Such properties also contribute to the vibrancy of Frankfort’s historic core, characterized by a wide variety of residential, civic, and commercial activity.

Where buildings are converted for commercial purposes, careful consideration must be given to how best to respect the character of the original fabric while accommodating a new use. Decisions should revolve around how to work with the existing fabric of an entry rather than how it might be reconfigured. Significant changes to the character of the original entry are not appropriate and are to be avoided.

### 4.9.1 MINIMIZE THE IMPACT OF COMMERCIAL ENTRY FEATURES ON THE FABRIC OF THE BUILDING

- A. Historic porches, stoops, and related features shall be retained and repaired in place.
- B. Historic entry surrounds, transoms, and sidelights and their materials shall be retained and repaired in place. Removing character-defining features of the entry to accommodate a new entry is not appropriate and shall be prohibited.
- C. Handrails, balusters, and other elements added to existing steps, porches, and stoops to comply with building code shall be simple in character and finish.
- D. Doors shall be sized to fit the original opening. Enlarging or partially enclosing an opening to accommodate a commercial door shall be prohibited.
- E. Commercial doors shall be simple in character and unobtrusive to the original design of the building. Doors with full-view glass and wood or metal frames are recommended. Wood

shall be painted and metal shall be painted or have a baked-on enamel finish compatible with the trim color of the building. Exposed aluminum storefront doors are not appropriate and shall be prohibited.

- F. The depth and profile of the original entry shall be maintained. Locating commercial entries flush with exterior walls or excessively recessing entries within the building face to create a vestibule is not appropriate.
- G. Lighting and signage added as part of the entry shall be installed in such a manner that it does not require the removal or destruction of character-defining features.

Commercial entries in Frankfort's historic core are limited to a few residential buildings that have been converted for office use or other business purposes. These conversions have respected the original character and fabric of the buildings, minimizing the impacts of subtle changes to the entries. These existing buildings serve as appropriate models for future conversions.

#### 4.9.2 MINIMIZE THE IMPACT OF COMMERCIAL ENTRY FEATURES ON THE VISUAL QUALITIES OF THE DISTRICT

- A. The scale and proportion of the original entry shall be maintained.
- B. Existing setbacks shall be retained. Entries that project beyond the façade of the building—unless a historic porch or stoop is present—are not appropriate and shall be avoided.
- C. Materials and design elements such as mansard roofs, rough textured wood siding, and faux brick or stone are not found within the area and shall be avoided.
- D. Window glass shall be clear. Mirrored or shaded glass is not appropriate.
- E. Reorienting the building through the installation of a commercial entry is not appropriate. Existing relationships to the street shall be retained.





## 4.10 UTILITIES AND EQUIPMENT

It is a recognized fact that making allowances for modern systems is an critical factor in the continued use of historic buildings. Such systems may include heating, ventilation, air-conditioning, plumbing, satellite dishes and antennae, and green technologies such as solar collectors and wind turbines.

It is important that the repair, replacement, and installation of modern systems do not negatively impact the character of a historic building or alter the overall visual qualities of the area. Systems should be installed in inconspicuous locations away from the public right-of-way so that their effect on a building is minimized. It is also important that, for example, modern systems work in conjunction with original features such as porches, operable windows, and operable chimneys, which historically provided for many of the comforts now supported by modern equipment. New systems should be designed in consideration of such features, with an emphasis on their retention instead of replacement.

### 4.10.1 ENHANCE BUILDINGS RATHER THAN REPLACE OR REMOVE ORIGINAL MATERIALS FEATURES TO MAXIMIZE ENERGY CONSERVATION

- A. Retaining mature shade trees, porches, awnings, operable windows, transoms, breezeways, and other such historic features is appropriate and encouraged.
- B. Enhancing the energy efficiency of existing features by installing weather stripping and maintaining tight seals by caulking is encouraged.
- C. Introducing features such as storm windows and doors in accordance with the guidelines to maximize the efficiency of features is encouraged.
- D. Insulating attic spaces can provide energy savings and is encouraged.
- E. Installing draft plate sealers to electrical outlets and switches is appropriate. Filling electrical, plumbing, and ventilation chases with insulation is also appropriate.

- F. Sealing around holes in foundations and walls used for service lines is appropriate so long as it does not destroy or lead to deterioration in exterior materials. Spray foam shall not be used on masonry.

#### **4.10.2 PLACE MODERN SYSTEMS AND EQUIPMENT IN LOCATIONS THAT MINIMIZE AESTHETIC IMPACTS**

- A. Placing ground-mounted equipment such as air-conditioning units at the rear of secondary elevations or at the rear of a building is encouraged.
- B. Screening ground-mounted equipment from view along the public right-of-way with appropriately scaled landscaping or fencing is appropriate.
- C. Locating new utility systems such as water, gas, and electric meters at the rear of the property is encouraged.
- D. Antennae and satellite dishes shall be located at the rear of secondary roof slopes or on the rear roof slope. Installation on a front-facing slope shall be avoided.
- E. Consider screening antennae and satellite dishes from view by placing behind chimneys or dormers.
- F. Consider painting systems and equipment to blend with the house or landscape.
- G. Installing runs of ducts, pipes, or cables on the exterior of a building is not appropriate.
- H. Installation of communication towers within the boundaries of the district shall be avoided.
- I. Installing window air-conditioning units on the façade or secondary elevations visible from the public right-of-way is not appropriate and shall be avoided.

#### **4.10.3 INSTALL MODERN SYSTEMS AND EQUIPMENT IN A MANNER THAT AVOIDS OR MINIMIZES DAMAGE TO HISTORIC MATERIALS AND FEATURES**

- A. When installing roof-mounted systems, methods that do not damage historic fabric or require removal of character-defining features shall be used (see page 65 for guidelines on roof-mounted solar collectors).

- B. Equipment shall be installed in such a way that it can be easily removed in the future without damaging historic fabric.
- C. Cutting holes in masonry or features such as decorative cornices or rake boards shall be avoided.
- D. Installing interior mechanical systems in a manner that requires the installation of drop ceilings and the partial filling in or covering over of historic window openings perceivable from the exterior is not appropriate.
- E. Historic features and materials shall be protected from inadvertent damage when repairing existing systems or installing new systems.

#### **4.10.4 INSTALL PASSIVE ENERGY COLLECTION SYSTEMS IN A MANNER THAT DOES NOT DIMINISH THE CHARACTER OF THE BUILDING**

- A. Free-standing or detached rain barrels, solar collectors, and wind turbines shall be installed in areas that minimize visibility from the public right-of-way.
- B. Locate passive systems in secondary locations such as along rear elevations or additions, at secondary structures, or in the rear yard.
- C. Finishes for exposed hardware, frames, and piping shall be selected so as to blend in with the building or landscaping. Finishes that detract from the character of the building or area are not appropriate.
- D. Framing systems with reflective surfaces draw unnecessary attention to the system and shall be avoided. Matte finishes of black, brown, and gray are appropriate.



## 4.11 ACCESSIBILITY AND SAFETY

The City of Frankfort recognizes the need to accommodate and provide for access for all persons, and all such work should meet requisite codes, laws, and regulations. While providing universal access can sometimes be a challenge when working with historic buildings, through proper planning it is possible to provide appropriate access and ensure that new elements do not diminish a building's historic architectural character or integrity. As such, careful thought must go into decisions related to access to provide for a feature that both meets the goals of the project and is compatible with the character of the building and site.

### 4.11.1 MINIMIZE THE IMPACT OF HEALTH AND SAFETY FEATURES ON THE VISUAL QUALITIES OF THE DISTRICT

- A. Locate ramps and other means of access adjacent to the face of the building to the extent feasible to minimize its affect on the visual qualities of the district. Ramps and means of access that unnecessarily or excessively extend into yards are not appropriate.
- B. For public and commercial buildings, accessible entrances should be provided at the primary public entrance if possible without causing significant loss or damage to historic fabric. If access cannot be provided at a primary entry, provide access at an easily -accessible secondary entrance identified through appropriate signage.
- C. Features shall be of an appropriate scale to the historic building to which it is being added.
- D. Wood or concrete ramps that have simple, non-intrusive detailing are most appropriate.

Wood ramps shall be stained or painted to better blend into the landscape.

- E. Handrails, balusters, and other elements shall be of metal or wood and simple in character and finish. Finishes that blend with a building's trim are most appropriate. Wire and cable handrails are not appropriate.
- F. Lifts should be located and installed to be as inconspicuous as possible. To the extent feasible, lifts should recede into the ground or be built into a landscape feature that partially screens it from view.
- G. Consider using temporary or portable means of access as an alternative to constructing permanent access where feasible.
- H. Consider using landscaping to screen new elements.

#### 4.11.2 MINIMIZE THE IMPACT OF HEALTH AND SAFETY FEATURES ON THE FABRIC OF THE BUILDING

- A. New elements shall have as little impact on the historic fabric of the building as possible.
- B. New elements shall be designed and installed so that they do not require removal of character-defining features. It is not appropriate to install ramps or other means of access that require changes to the original entry or porch.
- C. New elements shall be designed and installed so that they can be removed in the future without damaging historic fabric.
- D. In instances where installation of new elements requires construction over an existing stoop or porch, the existing stoop or porch shall be retained below.
- E. In instances where original entry doors must be widened to accommodate access, give primary consideration to entries on secondary elevations rather than on the façade when it may result in the loss or damage of historic fabric or significantly alter the character of the entry.



### ACCESSIBILITY AND CODE REQUIREMENTS

The design guidelines are simply that—guidelines. They are not descriptions of legal requirements or other responsibilities regarding accessibility to buildings. The property owner is responsible for ensuring that all projects meet federal, state, and local accessibility requirements. Always consult appropriate codes, laws, and regulations before engaging a new project.



The goal of universal access to historic buildings can generally be accomplished through careful consideration and site planning. Through the use of appropriately-marked features of simple character, access can be provided and the effects on the historic building and overall site can be minimized. Such is the case in the photograph above where the ramp has been aligned alongside a secondary elevation and employs simple materials and finishes that result in seamless integration into the landscape of the site.





## 5. ACCESSORY BUILDINGS

### IN THIS SECTION

5.1 Existing Structures

5.2 New Accessory Structures

### 5.1 Existing Structures

Historic accessory buildings and secondary structures are prevalent in Frankfort's historic core, characterizing individual properties and the alleys that bisect the street network. Such structures include carriage houses, garages, sheds, and workshops that reflect how property owners have used a property over time. Such structures also influence the perception of space within an area and help define the relationship of open space to occupied space on an individual property and within the area as a whole. As such, historic (contributing) secondary structures are to be considered character-defining features of a property that contribute to the aesthetic and feeling of the area.

Historic secondary structures are to be retained and maintained to the extent feasible to promote their continued use as character-defining features of a site. While typically of more subdued character than the primary building on a site, the features and materials that comprise the secondary structure are to be addressed in the same manner as those on historic primary buildings as discussed in Chapter 4. Unnecessary removal of features, replacement of materials, relocation, or demolition is not appropriate and is to be avoided.

### 5.1.1 RETAIN AND PRESERVE HISTORIC SECONDARY STRUCTURES AND ACCESSORY BUILDINGS

- A. Historic secondary structures shall be maintained in their original locations. Removing or relocating historic secondary structures shall be avoided.
- B. Historic materials and configuration, including massing, scale, roof shape and pitch, and placement of doors and windows, shall be maintained.
- C. Historic sidings shall be repaired using in-kind materials where feasible. Smooth-finished fiber cement board may be used as a replacement for wood siding on historic secondary structures as long as it is of traditional dimensions.
- D. Historic doors (particularly garage and carriage doors) and windows on secondary structures shall be retained and repaired. Elements that are deteriorated beyond repair shall be replaced with new units that are compatible with the design and vintage of the structure.
- E. Altering the design of historic secondary structures to be inconsistent with their original character shall be avoided.

### 5.1.2 CONSIDER ADAPTING HISTORIC SECONDARY STRUCTURES FOR CURRENT NEEDS BY ADDING AN ADDITION RATHER THAN DEMOLISHING AND REPLACING

- A. Additions shall be designed so that they are subordinate to the original mass of the secondary structure. Designs that are larger than the original structure are not appropriate and shall be avoided.
- B. Designs that are simple in character shall be employed.
- C. Additions shall be located below the roof ridge of the original mass and use a roof shape consistent with the original structure.
- D. Additions shall be located so that they are not visible from the public right-of-way.
- E. Additions shall be set back from the façade of the secondary structure.



### REHABILITATION OF HISTORIC SECONDARY STRUCTURES

Historic secondary structures that are considered contributing structures to designated Special Historic areas and reflect patterns of use in the community are to be retained as character-defining features of a property. Individual features—such as windows, doors, and trim—and materials—such as masonry and wood—are to be retained and maintained in accordance with the guidelines applicable to historic primary buildings.



Accessory structures in Frankfort's historic core vary widely in size, character, and function—from workshops and sheds to large carriage houses. These structures reflect how properties were used over time and provide interest along the alleys that characterize many streets. They are to be retained as significant components of an individual property. Alterations to the character, features, or materials of historic accessory structures are generally not appropriate.



## 5.2 NEW SECONDARY STRUCTURES

Constructing new accessory structures may be necessary to maximize the use of a property and provide space for additional activity not appropriate for the primary building. As with all new construction, new accessory structures should be designed through careful planning and in consideration of the total property and the area in which it is located. Such consideration will help ensure that the structure is compatible in character, massing, and scale with the primary building on the lot and that historic precedents for accessory structures are maintained.

### 5.2.1 RESPECT THE CHARACTER OF THE SITE WHEN DESIGNING A NEW SECONDARY STRUCTURE

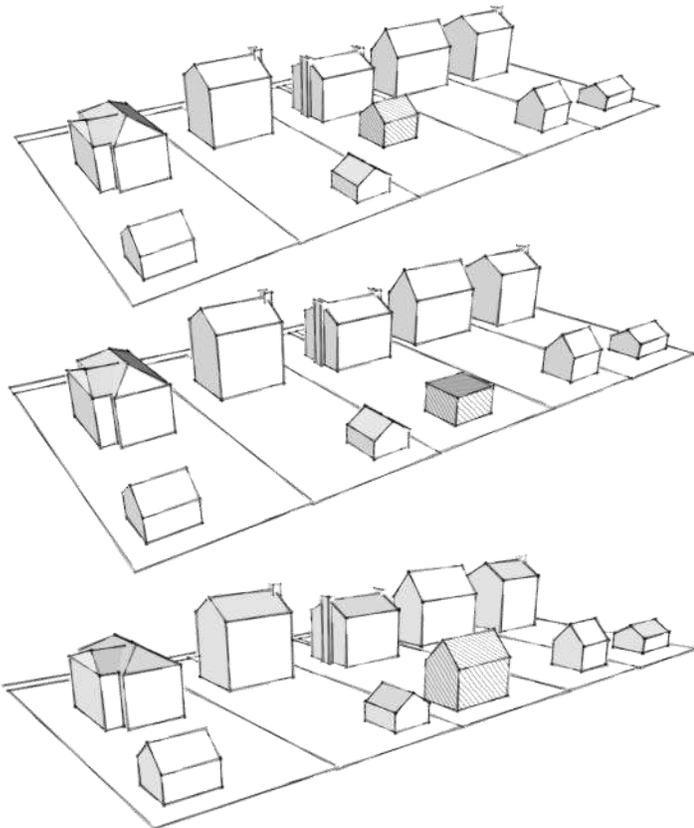
- A. The historic relationship between the primary building, open lawn, and landscape features shall be retained when locating a new secondary structure.
- B. New secondary structures shall be located in rear yards or along alleys unless precedent exists for other locations.
- C. Placing new accessory structures in side or front yards is not appropriate and shall be prohibited.
- D. Locating new garages so that they do not require new curb cuts along the street is recommended.

### 5.2.2 DESIGN NEW SECONDARY STRUCTURES TO BE COMPATIBLE WITH THE PRIMARY BUILDING

- A. New construction that is visually compatible with the property and the district in terms of scale, size, design, and materials shall be used. Simplified designs are preferred. The

accessory structure should not visually compete with the primary building.

- B. Designs shall utilize a roof shape and pitch that is consistent with secondary structures historically found in the area or with that of the primary building.
- C. Designs shall employ a building height that is consistent with those historically found on other secondary structures in the area. Generally, one story secondary buildings are most appropriate.
- D. Exterior wall and roof materials that are compatible with historic materials found in the area shall be used. Fiber cement board may be used as an alternative for wood siding on new secondary structures.
- E. Windows and doors that are proportionately consistent with the size of the structure shall be used.
- F. Accessory structures that are out of scale with the primary building on the site are not appropriate and shall be avoided.
- G. Selecting generic prefabricated outbuildings is not appropriate.



## Considering New Accessory Structures

When evaluating the appropriateness and compatibility of a new accessory structure, it is important to consider whether the structure conforms with the general characteristics of the area and can be constructed without diminishing the character of that particular property or disrupting the larger neighborhood. Asking the following questions may help you decide whether or not your proposed structure is appropriate:

- *Does the proposed structure require demolition of existing buildings or removal of significant site features such as mature landscaping or historic fencing or walls?*

New construction that requires demolition of existing buildings or removal of a historic site feature is generally not appropriate.

- *Does the location of the proposed structure respect the character of the site?*

The structure should not negatively impact the relationship of buildings to green space characteristic of the area.

- *Is the height of the proposed structure compatible with the surrounding area?*

The structure should be scaled to the primary building on the lot and, in general, should not exceed one story in height.

- *Does the proposed structure utilize a simple, non-intrusive design?*

New construction that is overtly modern or conveys a false historic appearance is not appropriate. Designs should likewise not visually compete with the primary building on a lot.

- *Are traditional materials or compatible alternatives proposed for the structure?*

New secondary structures should utilize either traditional materials or alternatives that are compatible in scale, texture, and durability.

New accessory structures are to be constructed and located in consideration of existing precedent within the area. Accessory structures that are located outside of the general acceptable placement on a lot (top), of a form not consistent with the primary building or other accessory structures in the area (middle), or of a non-appropriate scale (bottom) shall be avoided.

## Garage Doors

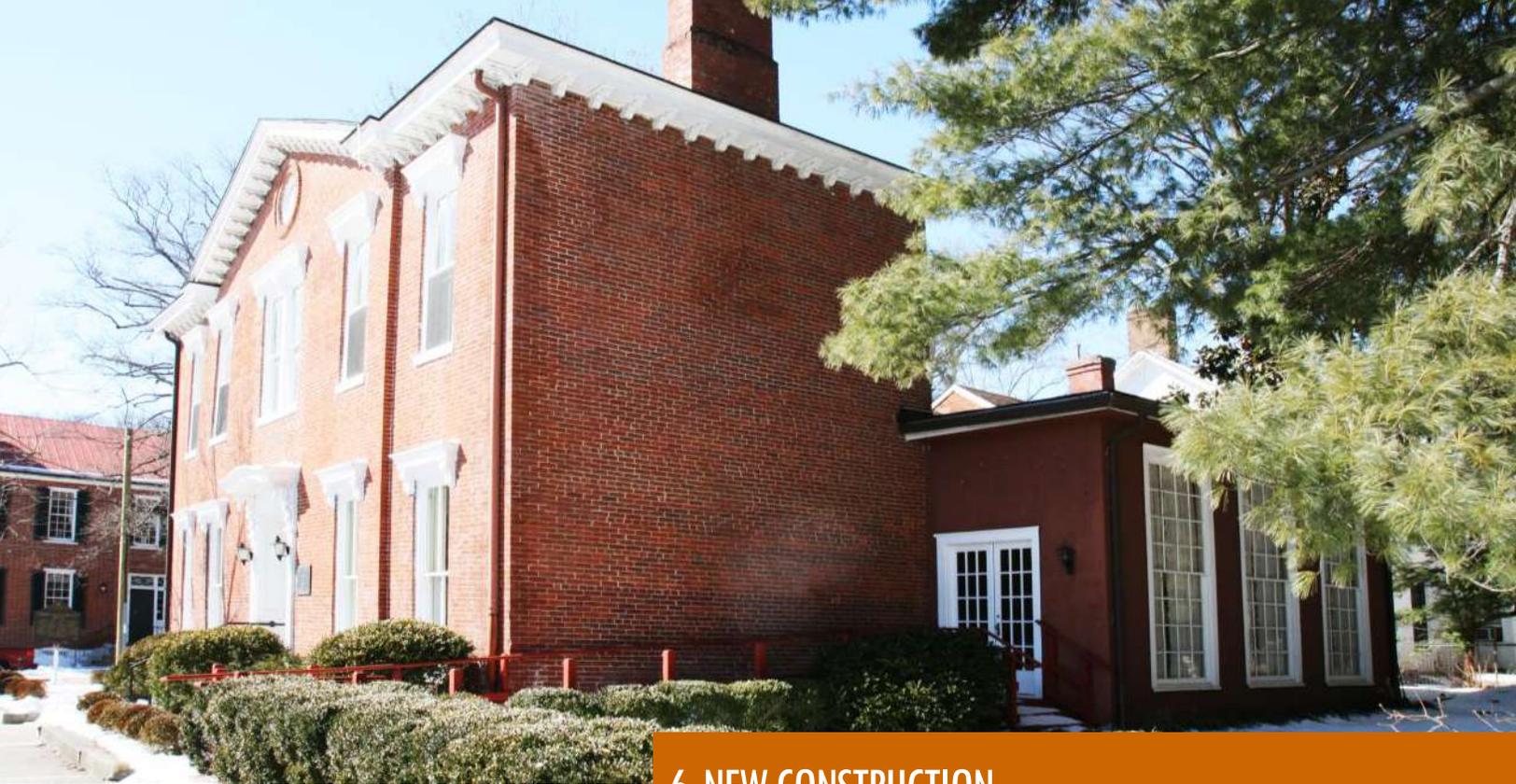
While there are no specific requirements for the design of replacement doors or doors on new garages introduced into the area, generic off-the-shelf metal and vinyl doors are generally discouraged. Instead, select a garage door that is compatible with the architecture of the area and enhances the visual interest of the neighborhood. Other recommendations include:

- Retaining and repairing original garage doors.
- Replacing missing doors or doors deteriorated beyond repair with new doors compatible with the style and vintage of the building. New doors should match the original in scale, shape, and proportions.
- Utilizing wood for replacement doors to the extent feasible.
- Selecting replacement doors or new doors that include panels, windows, and traditional detailing to promote visual interest. Generic, flush doors or doors with simulated panels are not recommended.



To the extent feasible, garage doors should promote visual interest and reflect traditional styling and details. Representative examples of recommended designs include those with windows, panels, and trimwork.





## 6. NEW CONSTRUCTION

### IN THIS SECTION

6.1 Additions

6.2 Infill Construction

### 6.1 Additions

During the life of a building, there may be a need to adapt a building to provide additional space to meet new needs. While most buildings can accommodate a new addition in some capacity, the character and location of the addition must be carefully planned so that it does not disrupt the character of the original building or substantially alter the character of the lot on which it is located. With proper planning—which starts with an understanding of how a property fits into the larger landscape of the area and is perceived from the public right-of-way—an addition can provide much needed space and be appropriately compatible with the character of the district. However, if proper consideration is not given to how an addition may affect the property and it is designed without concern for the historic character of the original building, it can diminish the integrity of the property and/or result in a loss of historic fabric and features.

### 6.1.1 LOCATE ADDITIONS TO MINIMIZE VISUAL IMPACT TO THE ORIGINAL BUILDING AND THE DISTRICT

- A. Additions shall be located on the rear elevation or at the rear quarter of a side elevation to the extent feasible.
- B. Additions shall be located so that they do not conceal, destroy, or require removal of character-defining features of the original building. Additions that require removal of character-defining features shall be prohibited.
- C. Additions shall be located so that significant landscape features (such as mature trees) and historic accessory buildings are not damaged or removed.
- D. Additions should be located so that they can be removed if the future, in so desired, without causing damage to the character-defining features of the original building.
- E. Additions shall be designed so that they do not dramatically alter the relationship of open to occupied space on a property.
- F. Constructing an addition that significantly alters the original structural system of a building is not appropriate.
- G. Constructing an addition that changes the orientation of the primary entry shall not be permitted.

### 6.1.2 EMPLOY A BUILDING FORM THAT RESPECTS THE MASSING AND SCALE OF THE ORIGINAL BUILDING AND SURROUNDING STRUCTURES

- A. Additions shall be designed so that they are compatible with the size, scale, setback, and massing of the building to which they are attached.
- B. Additions shall be designed so that they are subordinate to the volume of the primary mass.
- C. The size of an addition shall be limited so that it does not diminish or visually detract from the building or streetscape. Additions that exceed one-third of the building's original footprint are not appropriate.



### CONSIDERATIONS WHEN PLANNING AN ADDITION TO A HISTORIC BUILDING

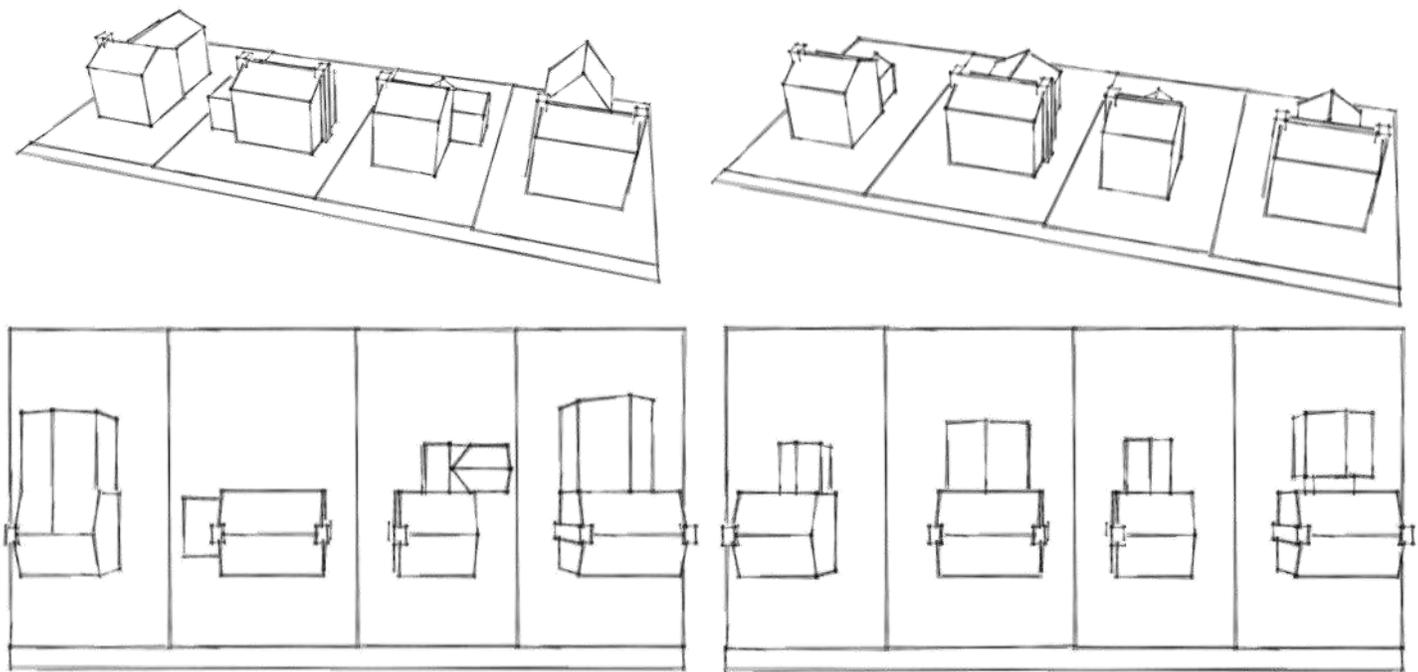
When evaluating the appropriateness of planning for the construction of an addition to a historic building, it is important to consider factors similar to those that will be evaluated by the ARB as part of the design review process. Questions that the ARB may consider include:

- How visible will the addition be from the public right-of-way?
- Does the addition diminish one's ability to interpret the character and age of the original building?
- Does the addition disrupt one's perception of adjacent properties and the larger streetscape?
- Does the addition require significant alterations to the original building or removal of character-defining features?
- Does the addition require significant structural changes to the original building?
- Is the addition subordinate to the original building?
- Is the addition set back from the original building and the public right-of-way?
- Is the addition of a simple design that is compatible with the original building?
- Is the addition of high-quality design and materials?
- Could the addition be removed in the future without causing irreversible damage to the original building?

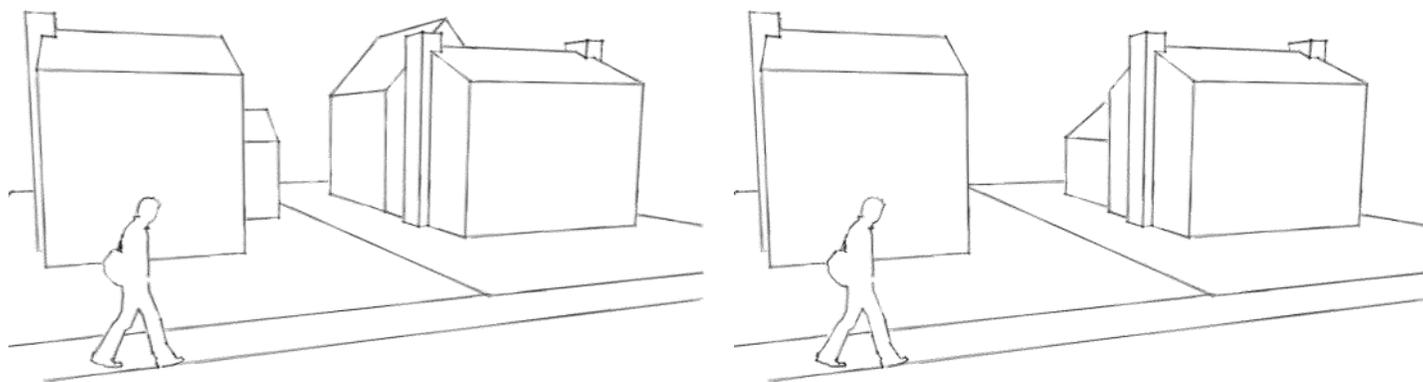


### RECYCLING REMOVED HISTORIC FABRIC

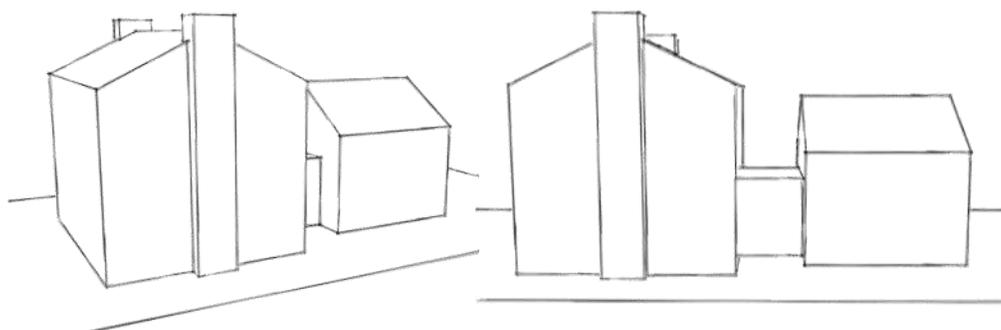
While every effort should be made to limit the amount of historic fabric removed when constructing an addition, make sustainable decisions with the materials, features, and details that must be removed. If the removed materials are sound or repairable, retain them for future projects or consider donating them to someone else who might be able to use them.



Additions can have a major impact on the character of an area as perceived from the public right-of-way, particularly if the character of an addition is not given careful consideration during the project planning process. Additions that are out-of-scale with the existing building, highly-visible from the public right-of-way, or undistinguishable from the original building (left) disrupt the character of the area and are not appropriate. Instead, design an addition with reference to the massing of the original building and in consideration of how visible it will be along the streetscape, which can effectively minimize the impact that the addition has on the original building and surrounding structures (right).



When planning an addition, viewing your property from various points along the streetscape can be an effective means for beginning to visualize how a proposed change might affect the character of the building and overall streetscape. Through such visualization you will better be equipped to understand how inappropriate additions (left) can negatively impact one's perception of a building and how more appropriate additions (right) can add needed space to a building while not detracting from the character of the original building.



Consider linking larger additions to the original building by a connecting corridor, which provides a clear distinction between original and modern components and minimizes the addition's visual impact on the original mass.

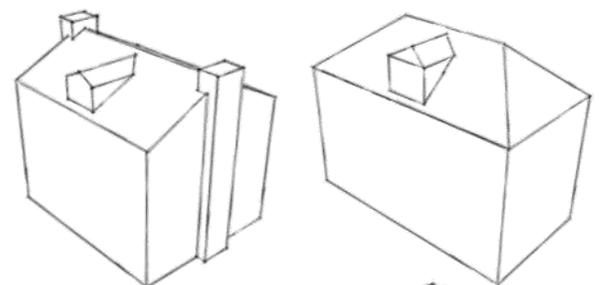
- D. Additions shall be designed with walls that are setback from those of the primary mass in order to differentiate the two.
- E. Consider separating a large addition from the primary mass by a small linking corridor that distinguishes the two forms from one another.
- F. Additions shall be designed with reference to the roof shape, pitch, and complexity of the original building. The roof of an addition shall not require changes to the shape of the primary roof and shall not extend above the existing roofline.

### 6.1.3 SELECT A DESIGN THAT IS COMPATIBLE WITH THE CHARACTER AND MATERIALS OF THE ORIGINAL BUILDING

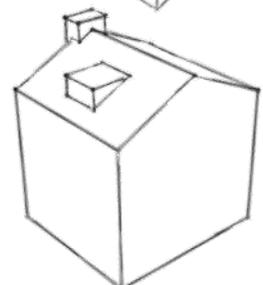
- A. Additions shall be designed so that they are compatible with the character of the primary mass but so that they stand as a product of their own time. It should be clear what is historic and what is new. Subtle changes in setback, material, and architectural details are appropriate means for distinguishing additions from the original building.
- B. Simplified details that reference the character of the original building are appropriate.
- C. Door and window openings that conform to the proportion, size, and rhythm of those on the original building shall be used.
- D. Exposed foundation lines shall be generally consistent with those on the original building, differentiated with only a minor jog.
- E. Materials historically found on the original building or compatible alternative materials that are consistent in color, texture, and scale shall be used.
- F. Duplicating details found on original buildings, thus creating a false sense of historical development, is not appropriate and shall be prohibited.
- G. Designs that starkly contrast the original mass and call undue attention to the addition are not appropriate and shall be prohibited.

### 6.1.4 CAREFULLY CONSIDER THE LOCATION AND CHARACTER OF ROOFTOP ADDITIONS TO MINIMIZE THE VISUAL IMPACT.

- A. Appropriate rooftop additions are generally limited to dormers for converted attic spaces.
- B. The locations of dormers and rooftop additions shall be limited to places where they were historically present on buildings of similar design and vintage. Rear and side slopes are preferred.
- C. A rooftop addition shall be set back to reduce its prominence and impact on the original building.
- D. Rooftop additions shall be scaled to the original building so that they are proportionately consistent. Large rooftop additions that dramatically alter the perception of the original mass shall not be permitted.
- E. Removing or concealing character-defining features of the roof—such as finials, chimneys, or cresting—when adding a rooftop addition shall be prohibited.



Dormers added to converted attic spaces should be located on the rear roof slope and should be scaled to the roof. Gabled and shed dormers are most appropriate on gabled roofs; hipped dormers should only be used on hip roofs.





## 6.2 INFILL CONSTRUCTION

Designing a new primary building to fit within a historic area is not an easy task. Careful planning and a thorough understanding of the qualities that make the area unique are necessary to determine the basic features necessary so that new construction enhances—not detracts from—the area’s sense of place. It is particularly important that qualities and precedents of location, setback, form, massing, scale, and height be understood so that new construction can be designed to be compatible with existing building stock. The composition and scale of façade elements is particularly important.

The goal of new construction within the Special Historic district, however, is not to design a new building that replicates historic buildings. Rather, the new building should relate to the essential characteristics of the area but provide for a contemporary design that stands as a product of its own time.

### 6.2.1 DESIGN NEW CONSTRUCTION SO THAT IT IS COMPATIBLE WITH THE EXISTING SITE

- A. Site features such as mature trees that are important to the overall character of the community shall be retained.
- B. Significantly altering the existing topography of a site to accommodate a new structure is not appropriate and shall be avoided.
- C. Pedestrian-friendly street edges shall be maintained.
- D. Consolidating lots into a larger property in order to accommodate a larger structure disrupts the pattern of properties within the community and shall be avoided.
- E. Lots with new infill shall maintain the predominance of ground cover such as brick pavers, cobble stones, granite blocks, tabby grass, moss, and other materials, where such elements are present.

## New Construction and Zoning Conflicts

It is recognized that historic precedents of building setback, height, and massing and precedents of lot coverage may conflict with the modern base zoning for a particular area. The designation of Special Historic properties and areas provides a mechanism for addressing such conflicts. Specifically, through these design guidelines, standards are established for new construction that helps maintain compatibility with the significant character-defining features of the community, which include how buildings fit into the streetscape. Elements such as building massing, height, and setback are to conform with the stipulations of these design guidelines where guidance is provided. In the absence of specific criteria in this document, base zoning shall apply. It is recommended that any applicant proposing new construction work with Planning and Building Codes staff early in the project planning process to identify applicable zoning issues prior to advancing too far with a project. Staff can provide insight regarding any necessary variances that might be required for a particular project.

### 6.2.2 LOCATE NEW CONSTRUCTION IN A MANNER THAT IS COMPATIBLE WITH ESTABLISHED PRECEDENTS OF BUILDING PLACEMENT WITHIN THE COMMUNITY

- A. The historic relationship between buildings, landscape features, and open space within the community shall be retained by basing the location of a new building on patterns of existing setbacks, orientation, spacing, and distance of buildings.
- B. The existing spacing of front and side yard setbacks shall be retained.
- C. The front entrance shall be oriented toward the street.
- D. A building shall be designed so that it is parallel to existing lot lines.
- E. New sidewalks, entrances, steps, and porches shall be designed to be consistent with the rhythm present in the community.
- F. Related accessory buildings shall be located toward the rear of the lot, consistent with existing structures in the surrounding community.

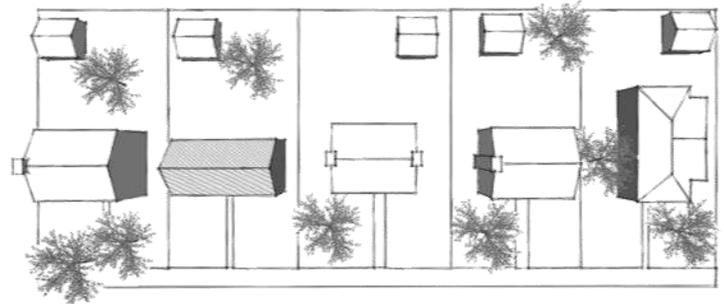
### 6.2.3 DESIGN NEW CONSTRUCTION SO THAT ITS SIZE, SCALE, AND MASSING IS COMPATIBLE WITH EXISTING BUILDINGS

- A. The established height and scale of the street shall be maintained by designing buildings to be within the typical range of heights and forms present.
- B. Design a building with massing similar to those traditionally found within the district.

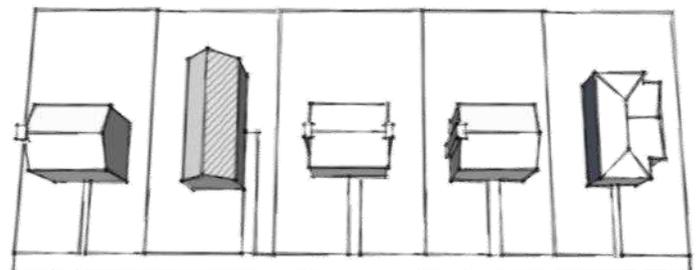
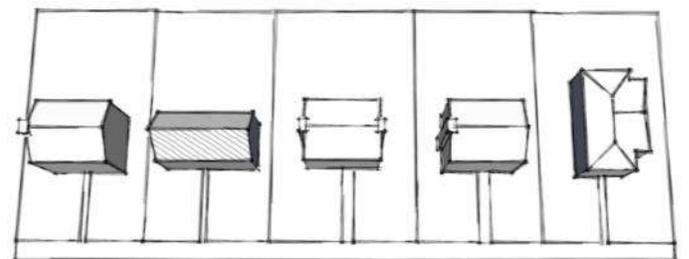


### NEW CONSTRUCTION CHECKLIST

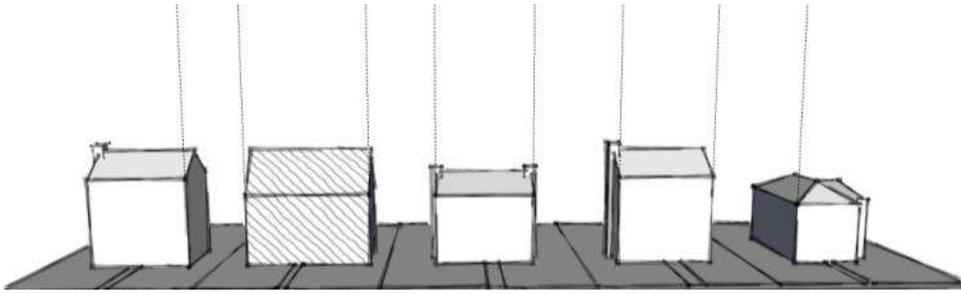
An easy-to-use quick reference list for new construction has been provided as Appendix G for use by property owners and the ARB in considering the key criteria of new construction.



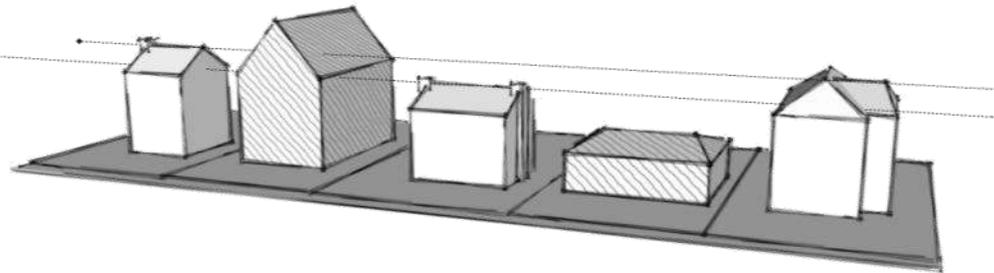
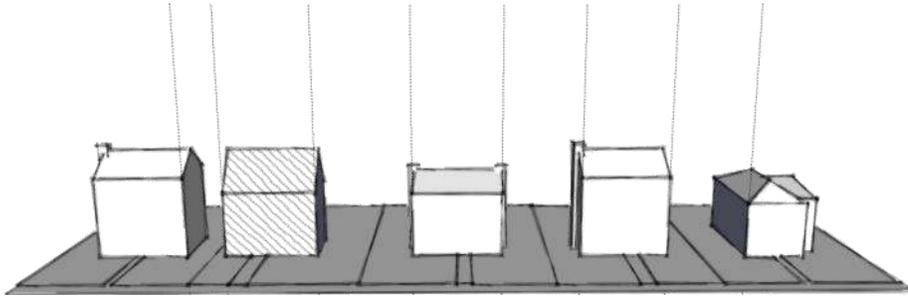
New construction should maintain the existing relationship of properties within the community by employing similar lot coverages, setbacks, and spacing.



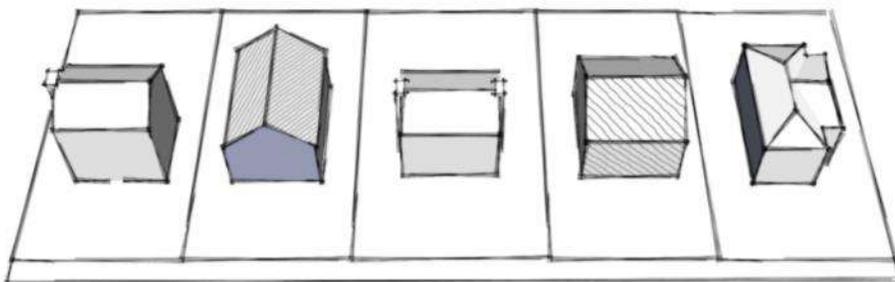
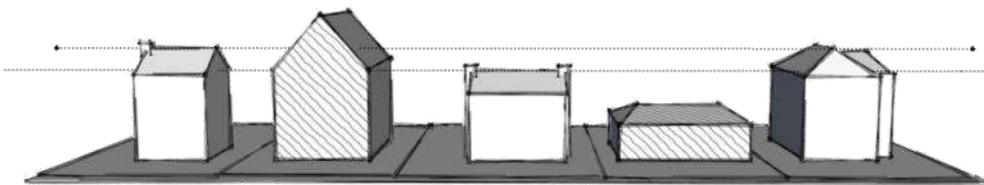
New construction shall employ a front entrance oriented to the street (top) unless precedent otherwise exists. Orienting a building away from the street is not appropriate (bottom).



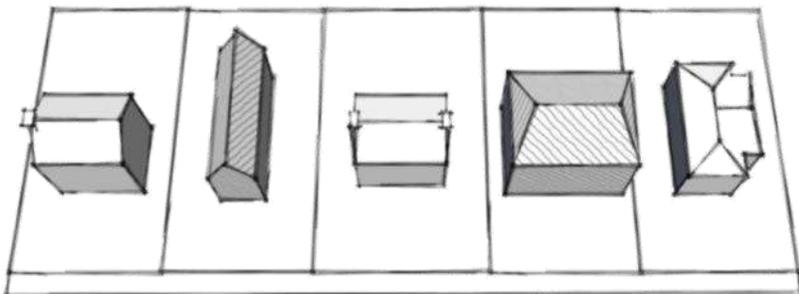
New construction should maintain existing precedents of spacing and lot coverage within an area (left, top). Buildings that are not compatible with existing patterns and place buildings outside of the acceptable range of locations are not appropriate (left, bottom).



New construction should be of compatible height to other buildings in the area. While new buildings do not need to be the same height as adjacent buildings, they should fall within the typical range of heights found in the area. Buildings that are too tall or too short are not appropriate (left).



New construction should be compatible with historic precedents of massing found in the area. Buildings should be compatible with existing buildings in terms of the overall footprint, horizontal or vertical emphasis, and roof shape and pitch (left, top). Buildings that employ too small or too large of massing are not appropriate (left, bottom).



- C. Designs shall employ floor-to-ceiling heights that are consistent with those present in existing buildings.
- D. Designs shall use a building form that has a similar complexity to those within its immediate vicinity.
- E. Large masses shall be broken up through vertical and horizontal articulation in order to reduce its visual dominance along the street.
- F. The rear of a new building may be taller than traditional precedent within the community if it will not be visible from the right-of-way.

#### 6.2.4 INCORPORATE FEATURES THAT FALL WITHIN THE RHYTHM AND PROPORTIONS OF EXISTING FEATURES

- A. New buildings shall employ a human scale in their design by including pedestrian-oriented features such as porches.
- B. The scale and proportion of façade features shall be consistent with those historically found in the area.
- C. Materials with traditional dimensions shall be used. Out-of-scale materials such as oversized masonry units are not appropriate.
- D. Traditional ratios of **solid** wall space to openings shall be maintained, particularly on the façade.
- E. Window and door openings shall be compatible with those on surrounding buildings in placement, spacing, scale, proportion, and size. Windows with vertical emphasis are preferred.
- F. Traditional scales shall be used for elements such as porches, which help define the overall aesthetic of the district.

#### 6.2.5 SELECT A ROOF FORM AND PITCH THAT IS COMPATIBLE WITH ESTABLISHED PRECEDENT IN THE AREA

- A. Roof forms similar to those traditionally present in the area shall be used.
- B. The roof pitch and shape shall be appropriately scaled to the building and neighboring structures.



### APPLYING THE GUIDELINES FOR NEW CONSTRUCTION

The guidelines for new construction are not intended to define a specific style or set of features required for new buildings within areas designated as Special Historic. Rather, the guidelines are intended to promote an understanding of the general characteristics that are important to consider in designing a new building that is compatible with established precedents; the goal is not to promote duplication of existing buildings but to promote construction of high-quality buildings that enhance the architectural character of the area, not detract from or draw attention away from the unifying features of the community. The following may be considered by the ARB when reviewing proposed new construction:

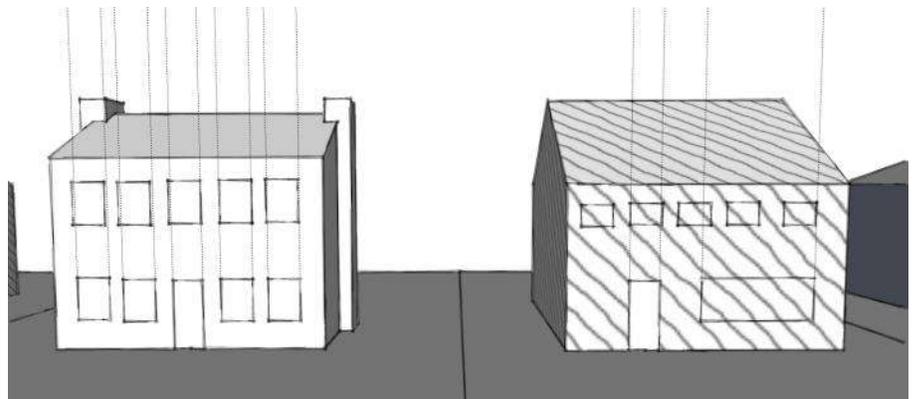
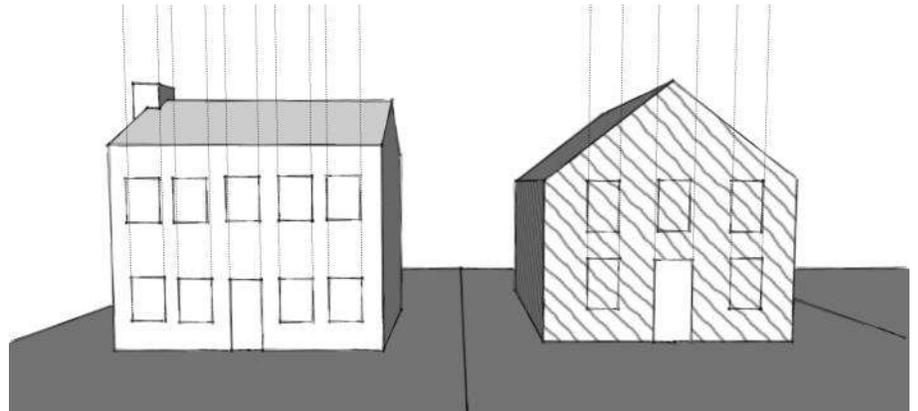
- Does the building maintain the street plan?
- Does the building fall within the established rhythm along the street?
- Is the building orientation and setback consistent with existing buildings?
- Is the entrance oriented to the street?
- Does the building's massing fall within the established range in the community?
- Does the façade incorporate human-scale features?
- Is the ratio of solid wall to openings—particularly on the façade—consistent with that of surrounding buildings?
- Is the complexity of the building appropriate within its context?
- Is the roof shape and pitch consistent with those existing within the area?
- Are materials of an appropriate scale and comprised of traditional materials or modern counterparts with proven durability?
- Does the building refrain from duplicating historic features yet incorporate architectural details that promote visual interest?



New construction should be compatible with surrounding buildings in terms of its scale and proportions, relationship to the right-of-way, and inclusion of human-scale features such as porches that help relate the building to the streetscape. Elements of the façade are particularly important and should be consistent with the scale of features historically found in the area (left, top). New construction that does not maintain patterns of existing relationships with the right-of-way, does not conform to accepted patterns, and does not include human-scale features such as porches where precedent for such exists are not appropriate (left, bottom).



Traditional ratios and proportions of building elements—particularly on the façade—shall be maintained in new construction. In particular, ratios of solid wall space to openings should be compatible with existing patterns; window and door openings should likewise be compatible with existing patterns in placement, scale, and proportions (right, top). New construction with elements that fall outside of the acceptable range of precedents affect the overall aesthetic and continuity of the streetscape and are not appropriate (right, bottom).



- C. New metal roofing shall be standing seam with 15-inch wide panels at minimum. Corrugated roofing shall be prohibited.
- D. Contemporary interpretations of traditional features such as cornices, rake boards, and chimneys are recommended to establish visual interest.

### 6.2.6 DESIGN NEW CONSTRUCTION TO BE COMPATIBLE IN CHARACTER BUT DISTINGUISHABLE AS A PRODUCT OF ITS OWN TIME

- A. Employing contemporary interpretations of historic designs or using a simple contemporary design that conforms to established characteristics of massing, scale, and proportions is recommended.
- B. Including architectural details or building articulation such as cornices, lintels, brackets, and chimneys is recommended. Contemporary interpretations of traditional details are encouraged but oversimplified, bland buildings that stand in stark contrast to the rich architectural variety of the area shall not be permitted.
- C. Duplicating historic styles, which creates a false sense of history, is not appropriate and shall be prohibited.

### 6.2.7 EMPLOY TRADITIONAL MATERIALS OR ALTERNATIVE MATERIALS THAT ARE COMPATIBLE TO THOSE FOUND WITHIN THE AREA

- A. Materials that are compatible in scale, profile, texture, and finish to those already existing in the area shall be used.
- B. Materials and textures that are compatible with the surrounding area, promote a sense of human scale, and have proven durability shall be used.
- C. Where wood siding is installed, trim boards, which show depth and reflect high-quality construction, shall be used.
- D. Masonry that is compatible with the character of traditional masonry materials in size, texture, and color shall be used. Using



## ENVIRONMENTAL STEWARDSHIP IN NEW CONSTRUCTION

As with rehabilitating an existing building, the construction of a new building should be carefully planned to include a sustainable approach and maximize energy efficiency. While the details of any particular new construction project will vary greatly, a few general considerations will be applicable to most projects:

- Maintain site features such as mature trees that provide natural shade.
- Locate a building on a lot to take advantage of passive solar gain in the winter and heat deflection in the summer.
- Incorporate features such as porches where there is a precedent.
- Select locally-sourced or recycled materials that are compatible with traditional materials in the area.
- Employ a roof form that allows for installation of solar collectors on the rear elevation.
- Design and locate gutter systems that allow for harvesting of water runoff.

oversized masonry materials or finishes that are not consistent with the character of the area shall be avoided.

- E. Alternative materials such as fiber cement board and cast concrete are appropriate for new construction where maintaining compatibility with traditional materials is a priority.
- F. Where fiber cement board is the selected material, a smooth-finish and a 4" reveal compatible with historic details shall be employed. Fiber cement board that has a faux wood grain is not appropriate and shall be prohibited.



## 7. SITE AND SETTING

### IN THIS SECTION

- 7.1 Universal Guidelines
- 7.2 Landscaping and Hardscape Elements
- 7.3 Fences and Walls
- 7.4 Lighting
- 7.5 Signage

### 7.1 UNIVERSAL GUIDELINES

Frankfort’s historic core is defined by a rich setting characterized not only by the building stock that lines the streets but also by the natural and designed features of the larger environment. Such elements include, for example, the relationship of buildings to one another and to the streetscape, prominent views, fences and walls, the configuration and materials of driveways, walkways, and sidewalks, the tree canopy, plantings, and alleyways. While each element is distinct in its individual character, they all work together to create the special character of the area and define its overall aesthetic and feeling.

While the setting includes elements of both the private sphere—those located on private property—and the public sphere—those located within the public right-of-way and managed by the municipality—they are interrelated with one another and changes in one sphere can impact the character of the other. As such, the Planning and Building Codes Department encourages sensitive consideration to the overall setting in both spheres in order to retain the unique sense of place that defines the community. While there are no specific requirements or prohibitions for certain elements—such as plantings, lighting, or public infrastructure—recommendations are provided for actions that appropriately consider the role that each plays in contributing to the setting of properties within the Special Historic district.

## 7.1.1 MAINTAIN AND RESPECT THE CHARACTER-DEFINING FEATURES OF THE OVERALL SETTING

- A. Maintaining the traditional character of the streetscape as a pedestrian-friendly corridor is encouraged.
- B. Maintaining existing street and road patterns, and topography is encouraged. Designing new construction and additions to accommodate existing topography is encouraged.
- C. Maintaining the location, character, and scale of existing alleys is encouraged. Continuing the precedent of locating secondary structures, fences, and walls along the alley to maintain its edge is encouraged.
- D. Maintaining open viewsheds and lines of sight throughout the community is encouraged.
- E. Maintaining established relationships among buildings, streets, and landscapes is encouraged. Significantly altering existing relationships or locating new construction outside of accepted precedents, which disrupts these relationships, is not appropriate.
- F. Maintaining ratios of green space — including front, side, and rear yards and tree lawns (the area between the sidewalk and street) — in keeping with the historic character of the district is encouraged.
- G. Maintaining the location and character of site features such as sidewalks and walkways, light fixtures, historic planters and water features, and furnishings is encouraged.
- H. Minor changes in the grade of an individual site that are designed to correct drainage issues may be appropriate. However, significantly altering the grade of an individual site is discouraged as it can detract from the overall aesthetic of the area and may also introduce inadvertent damage to a property through erosion.
- I. Limiting the installation of new curb cuts is encouraged.



Frankfort's historic core is characterized by a number of setting types that all contribute to the overall aesthetic of the area, from the wide thoroughfares with tree-lined sidewalks to the utilitarian alleys and the more sparse streetscapes at the fringe of the commercial district. No matter the individual characteristics, though, each setting and its individual components contributes to the overall sense of place in which properties are located and should be maintained and respected.



## 7.2 LANDSCAPING AND HARDSCAPE ELEMENTS

The combination of landscaping features and hardscape elements combine to define the character of the district and provide an hierarchy to the use of space within the community. Whether planted in an informal design or set at regular intervals, mature trees are located throughout Frankfort’s historic core on private property and along the tree lawn, contributing to the feeling of an “avenue” in many areas. The retention and care of such elements of the landscape are encouraged in support of the character of the area.

Hardscape elements include sidewalks, walkways, curbs, and gutters. They help define circulation patterns within the Special Historic district, contribute to the order of space, and bring continuity to the area. They may also be constructed of unique materials, such as brick pavers, which further contribute to the visual interest of the community. Maintaining the existing relationship and character of hardscape elements is encouraged as insensitive changes can dramatically affect one’s perception of the individual site, as well as the larger setting.

### 7.2.1 MAINTAIN MATURE TREES AND LANDSCAPING PATTERNS THAT CONTRIBUTE TO THE CHARACTER OF THE AREA

- A. Preserving and maintaining mature trees and plantings is encouraged to ensure their health and appearance.
- B. Removal of mature trees and character-defining plantings is discouraged unless they are irreversibly damaged, aged, or diseased. Replacing trees that must be removed—using native species— is encouraged.

### 7.2.2 RESPECT THE CHARACTER OF THE AREA AND ARCHITECTURE WHEN DESIGNING NEW LANDSCAPING

- A. Consider recreating historic planting schemes where documentation for such exists.
- B. Landscaping that is appropriate with the scale and character of the property is encouraged. Plantings that block the windows of a property are discouraged.
- C. Avoiding new plantings that may contribute to the deterioration of structures or streetscape features is encouraged. Large

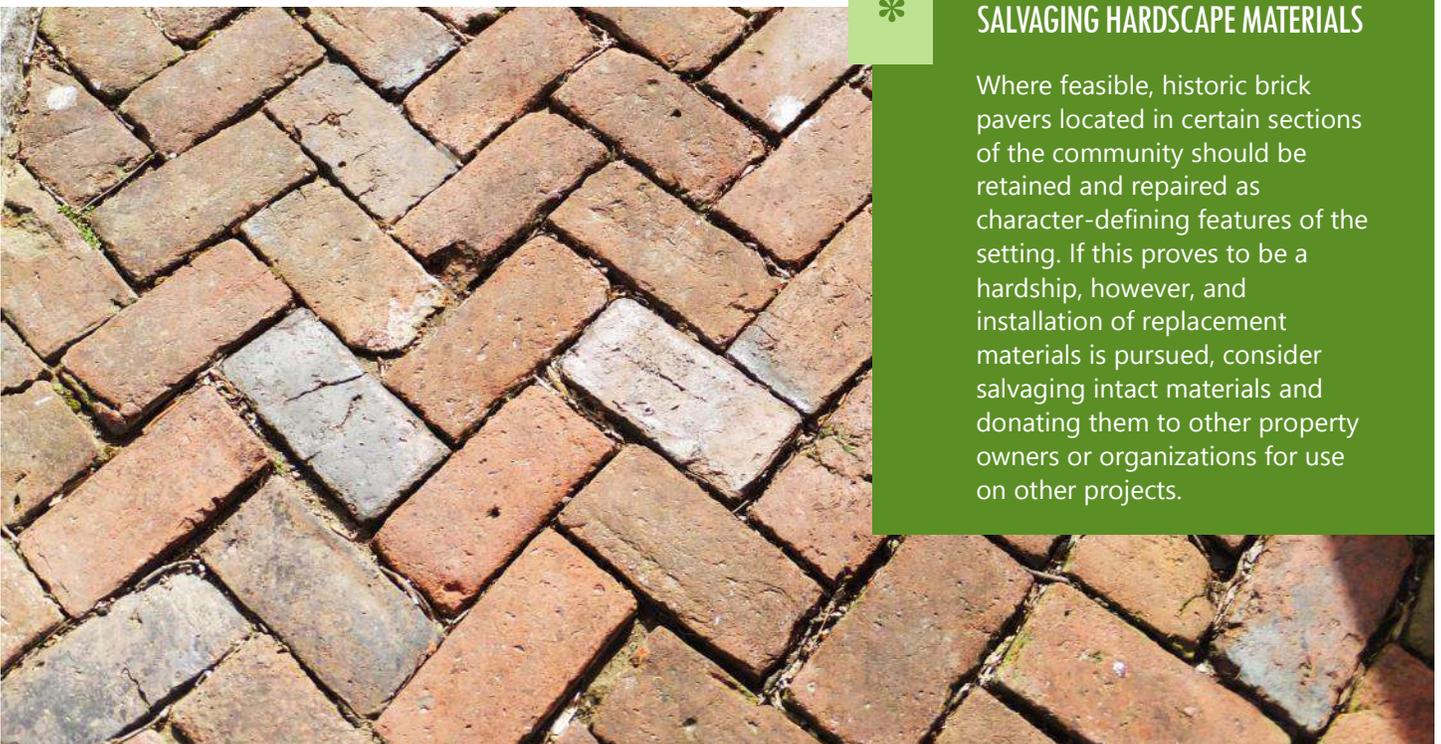
foundation plantings can create damp conditions that introduce moisture into masonry and are discouraged.

### 7.2.3 RETAIN AND REPAIR HISTORIC HARDSCAPE ELEMENTS THAT DEFINE THE COMMUNITY

- A. Maintaining historic curbs, steps, and gutters and repairing deteriorated materials in-kind, as needed, is encouraged.
- B. When feasible, replacing deteriorated materials and features—such as limestone or granite curbs— with like materials is encouraged.
- C. Maintaining the existing scale, profile, height, proportions, and texture of historic hardscape elements is encouraged when replacement of deteriorated components is necessary.
- D. When it is not feasible to use in-kind materials, considering alternative materials that simulate the original material—such as tinted concrete pavers or stamped concrete— may be appropriate.
- E. Installing new hardscape elements that are consistent in size with historic features—to the extent allowable by local code and regulations—is encouraged to maintain the continuity of the area.

### 7.2.4 MAINTAIN EXISTING RELATIONSHIPS OF DRIVEWAYS AND PARKING AREAS

- A. Preserving historic driveways, including materials, in their original location and configuration is encouraged.
- B. When feasible, replacing deteriorated driveways with like materials is encouraged.
- C. When it is not feasible to use in-kind materials, consider alternatives such as tinted asphalt and stamped concrete that limit the harsh visual effects of standard concrete and asphalt.
- D. Porous paving materials are encouraged to limit excessive water run-off.
- E. Limiting parking areas and large areas of paving to the rear of a property is encouraged. Screening such elements with landscaping to minimize their appearance may be appropriate.
- F. Introducing large paved areas and parking areas—including drive-through circles—in a front or side yard where there is no precedent for such is not appropriate.



#### SALVAGING HARDSCAPE MATERIALS

Where feasible, historic brick pavers located in certain sections of the community should be retained and repaired as character-defining features of the setting. If this proves to be a hardship, however, and installation of replacement materials is pursued, consider salvaging intact materials and donating them to other property owners or organizations for use on other projects.



## 7.3 LIGHTING

Lighting includes lanterns on individual buildings, outdoor lighting on individual properties, and street lighting. While typically a feature viewed as part of the background, lighting can significantly impact the area, both in terms of its effects on the character of the area and its impacts to adjacent properties. Historic fixtures are to be maintained where present and new fixtures should be designed to complement the character of the building and site and limit light spill onto adjacent properties through the use of appropriate heights, directional shields, and lamps of appropriate wattage and color.

Street lighting, important in predominately residential settings, should likewise be given appropriate consideration. While features such as street lighting are planned and installed in accordance with local and state design standards, it is important to evaluate how standard high-intensity fixtures on wooden poles affect the character of the area. Intended for suburban settings, replacing such fixtures with appropriately-scaled lighting or compatible character may be a worthwhile future consideration.

### 7.3.1 MAINTAIN AND PRESERVE HISTORIC LIGHTING

- A. Where present, the retention and maintenance of historic lighting fixtures is encouraged.
- B. Repairing fixture materials in accordance with the applicable materials guidelines is encouraged.

### 7.3.2 MINIMIZE THE IMPACT OF NEW LIGHTING ON THE SETTING AND ADJACENT PROPERTIES

- A. Selecting fixtures that are compatible with the setting and individual properties in scale, placement, color, and profile is encouraged.
- B. Locating light fixtures in consideration of their impacts to the setting is encouraged. Excessive use of lighting is not appropriate.
- C. Light fixtures that direct light downward are encouraged to avoid light spill onto adjacent properties.
- D. The use of colored lamps in light fixtures is not appropriate and is discouraged.



## 7.4 WALLS AND FENCES

Fences and walls are consistent elements of Frankfort's core and, like the architecture of the community, come in a wide variety of materials and designs and contribute to the character of the community. Cast iron and wrought iron fences and gates are the most frequent site element but wood counterparts and masonry walls are also present. Such features contribute to the sense of continuity throughout the area, help define the boundary between public and private space, and are significant architectural elements.

Historic fences and walls throughout the community are to be preserved and maintained as significant and prominent character-defining features. New fences and walls should be designed to complement the traditional character of the area and the principal structure on a property, respecting established precedents of location, materials, and design.

### 7.4.1 MAINTAIN AND PRESERVE HISTORIC FENCES, GATES, AND WALLS AS CHARACTER-DEFINING FEATURES

- A. Historic fences, gates, and walls shall be retained and repaired as character-defining features of individual sites and the setting. Repairs shall be made in accordance with the respective materials guidelines.
- B. The height of historic fences, gates, and walls shall be maintained. Increasing the height of such features to create a privacy screen is not appropriate.
- C. Distinctive details of fences, gates, and walls shall be retained.
- D. Protective finishes on metal and wood elements shall be maintained in order to extend the useful life of the feature.
- E. Only those portions of features that are deteriorated beyond repair shall be replaced. Wholesale replacement of an entire element when only a localized section is deteriorated is not appropriate and shall be avoided.

- F. When replacement is necessary, replacement materials shall match the original in color, texture, size, profile, and finish. Alternative materials may be considered at the discretion of the Architectural Review Board.
- G. Painting historic masonry walls or covering them with a cementitious coating is not appropriate and shall be avoided.

- E. Replicating historic designs in fences is not appropriate as it conveys a false sense of history. Simplified contemporary interpretations of traditional fence designs are encouraged.
- F. Where used, picket fencing shall have no more than a 4 inch separation between pickets.
- G. Chain-link, unfinished horizontal board, plastic, vinyl, and concrete block fences shall be prohibited.

**7.4.2 DESIGN NEW FENCES, GATES, AND WALLS TO BE COMPATIBLE WITH THE CHARACTER OF THE STREETScape**

- A. New fences and walls shall be compatible in scale and materials to those historically present in the area and to the building with which they are associated.
- B. Traditional materials such as masonry, wrought iron, and wood shall be used for new fences, gates, and walls to maintain the continuity of the area. Use of railroad ties, unfinished lumber, and concrete block is not appropriate and shall be avoided.
- C. Front yard walls and fences shall not exceed 48 inches in height.
- D. Front yard fences shall promote a sense of transparency, allowing view between vertical members.

**7.4.3 LIMIT THE VISUAL IMPACT OF PRIVACY FENCES**

- A. Privacy fences shall only be located at the rear of a property. Privacy fences in front yards and prominently visible side yards—particularly for those properties on corner lots—are prohibited. New privacy fences at the rear of properties are to comply with local code.
- B. Removing chain-link and privacy fences that are visible from the public right-of-way is encouraged.
- C. Planting hedgerows as an alternative to a privacy fence in rear and side yards may be appropriate.



The fences, gates, and walls located throughout Frankfort’s historic core are as rich in variety and character as the buildings with which they are associated. Such features should be retained and repaired as character-defining features of the landscape.

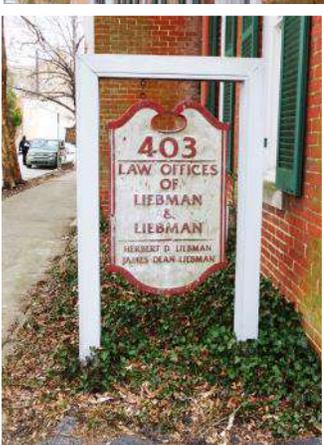
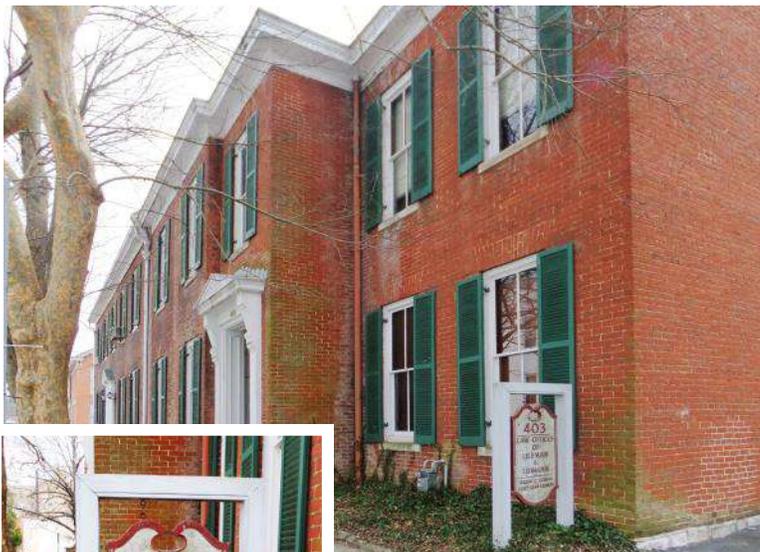


## 7.5 SIGNAGE

Predominately residential in character, signage within Frankfort’s Special Historic district is limited to certain buildings that have been converted for business and office use. Signage throughout all of Frankfort—including in areas with historic district designation—is regulated by Article 13 of the City’s Zoning Code. As such, signage is to conform with the applicable requirements of the code. However, certain recommendations are made for signage within Frankfort’s historic core in order to ensure that they are compatible in character with the architecture and setting of the area and do not detract from the overall aesthetic of the community.

### 7.5.1 DESIGN AND LOCATE SIGNS SO THAT THEY ARE SUBORDINATE ELEMENTS OF THE SITE

- A. Employing designs that are simple in character is encouraged.
- B. Scaling signs to be compatible with the site and building are encouraged.
- C. For building-mounted signs, scaling signs to the façade and adjacent elements is encouraged. Limiting the number of anchor points is encouraged. Removing or covering character-defining features or materials to install a sign is not appropriate.
- D. Selecting colors, materials, and details that are unobtrusive to the building and site is encouraged. Designs and reflective materials that visually compete with a building are discouraged.
- E. Selecting high-quality, durable materials is encouraged.
- F. Integrating free-standing signage into landscaping or site features is encouraged.



Using simple designs and colors and traditional materials such as wood is encouraged when designing a new sign. Signage that is appropriately scaled to the building and site so that it does not overpower the property is also encouraged.



As with free-standing signs, building-mounted signs that employ a simple design and color are encouraged. Scaling signage to fit within the context of adjacent façade elements as a complementing feature is appropriate.



Incorporating signage into permanent, high-quality landscape features that are compatible with the surrounding area provides an appropriate option for free-standing signage, limiting the need to erect additional elements on the site.





## 8. DEMOLITION AND RELOCATION

### IN THIS SECTION

- 8.1 Demolition
- 8.2 Relocation

### 8.1 Demolition

While demolition of non-historic buildings that are not contributing to the significance of the area may be appropriate, demolition—in whole or in part—of a historic building that contributes to the historical and architectural integrity of the area is an irreversible action that removes a component of our history from the landscape and leaves a void in the fabric of the community. Every alternative should be evaluated prior to applying for demolition of a historic building to promote continued use of historic building stock. Working with the Planning and Building Codes Department, Kentucky Heritage Council, and other such entities is encouraged to explore potential alternatives for the building. No demolition shall be approved unless ordered by a Court, approved by the Code Enforcement Board, or cleared through the receipt of a Certificate of Appropriateness by the Architectural Review Board.

### 8.1.1 CAREFULLY CONSIDER THE EFFECTS OF DEMOLISHING A HISTORIC BUILDING PRIOR TO PURSUING DEMOLITION

- A. Historic buildings are to be maintained and preserved. Demolition of contributing buildings—particularly those that are structurally sound—is not appropriate and shall be prohibited.
- B. Evaluating alternatives to demolition—such as rehabilitation and reuse or sale of the property to another entity—is encouraged prior to pursuing demolition. Seeking advice from the Planning and Building Codes Department is also encouraged.
- C. Consider stabilization and mothballing of historic buildings rather than demolition. Mothballing shall be accomplished by securing the exterior of the structure to prevent damage from inclement conditions, pests, and vandalism.

### 8.1.2 IN RARE CIRCUMSTANCES WHERE DEMOLITION IS APPROVED, CARRY OUT DEMOLITION WITH RESPECT TO THE BUILDING, SITE, AND OVERALL AREA

- A. Recording the building in its original setting and documenting existing conditions through photography and/or drawings is encouraged.
- B. Salvaging of intact and significant architectural materials and features such as windows, doors, hardware, masonry, and siding that could be reused is encouraged.
- C. Protect significant site features such as mature trees, fencing, and walls from inadvertent damage. Avoid damage to neighboring properties.
- D. Promptly clear the site of all debris following demolition.
- E. Select a redevelopment plan for the site that is compatible with the existing character of the area.



### DEMOLITION AND NON-CONTRIBUTING BUILDINGS

These guidelines are intended principally for historic buildings in the Special Historic district that are considered contributing to its significance. Non-contributing buildings and additions—which may include those constructed outside the period of significance and those that have undergone significant alteration and no longer reflect their historic character—and buildings with conditions that have substantially deteriorated, undermining the structural integrity, may have more lean thresholds for approval of demolition at the discretion of the Architectural Review Board.

### CONSIDERATIONS FOR APPROVAL

The Planning and Building Codes Department and the ARB take demolition of historic buildings very seriously and there are specific requirements for what must be submitted for review of a proposed demolition (see page 43). Applications will be intently evaluated in consideration of the following:

- What is the historic and architectural significance of the building proposed for demolition? Is it particularly unique to the area or is it of individual noteworthy significance?
- Does the building contribute to the district?
- Is the building structurally sound?
- Have all efforts been exhausted in considering alternatives to demolition?
- What effect will the demolition have on neighboring properties, the streetscape, and the overall area?
- Is there new development planned for the site?
- Is the new development compatible with the guidelines for new construction?

In all instances, if demolition is approved, the actual demolition permit shall not be issued until a permit for construction has been reviewed, approved, and issued by the Planning and Building Codes Department. While recordation of the building prior to demolition and salvaging of intact architectural features is encouraged in all instances, it may be required as a condition of approval for demolition by the Architectural Review Board at its discretion.



## 8.2 RELOCATION

Buildings are to be preserved in their original location on their original site. Relocation of a building from its original site not only compromises the integrity of the relocated building by changing its context but it also disrupts the character of the surrounding area. As such, relocation is generally prohibited unless the building is threatened with demolition.

A complicated and expensive process, relocation—where permitted—should be carefully evaluated and planned to avoid inadvertent damage to the building or surrounding landscape features. The building should be properly protected and secured before, during, and after the move to minimize potential harm. It is preferable in all situations that buildings be relocated in one piece rather than being disassembled. If the building is relocated to another site within the Special Historic district, the proposed site and alterations must be reviewed and approved.

### 8.2.1 CONSIDER ALL ALTERNATIVES PRIOR TO PURSUING RELOCATION OF A BUILDING

- A. Relocation—particularly of contributing buildings—is not appropriate and should be considered only as a last resort when faced with demolition. Relocating structurally sound buildings that are not threatened with demolition or redevelopment is not appropriate.
- B. Evaluating potential reuse strategies or sale opportunities prior to relocating a building is encouraged.
- C. Buildings should not be unnecessarily relocated when there are no plans for new construction on a property. New construction must follow applicable guidelines.
- D. Documentation of the building in its original setting through photographs prior to relocation is encouraged to create a record of the property.

## 8.2.2 MINIMIZE IMPACTS TO THE RELOCATED BUILDING, THE SITE TO BE VACATED, AND THE OVERALL AREA

- A. Protect the building before, during, and after the move by thoroughly evaluating the structural condition of the property and properly securing it from vandalism, exposure to weather and adverse conditions, and shifting during the moving process.
- B. Protect significant site features such as mature trees, fences, and walls on the original site and along the route of the move. If site features must be removed to relocate the building, they shall be reinstalled in their original location following the move.
- C. Protect adjacent structures from inadvertent damage.
- D. Significantly altering the existing topography of the original site to facilitate relocation of the building is not appropriate.
- E. Selecting a relocation site with similar characteristics as the original site is recommended.
- F. Planning for new construction on the original site of the relocated building that is compatible with the area rather than leaving a vacant parcel is encouraged.



### CONSIDERING RELOCATION

When considering applications for the relocations of buildings within the Special Historic district, the Architectural Review Board may consider the following:

- The significance of the building proposed for relocation and whether it is contributing to the area.
- The condition and integrity of the building proposed for relocation.
- Whether the building is faced with potential threats of demolition.
- Whether there are concrete plans for redevelopment of the lot.
- Whether the building can be relocated without causing damage to the building.
- Whether the building can be relocated without causing damage to significant site features.
- If it is to be relocated within the district, whether the proposed relocation site is compatible with the character of the building.

## APPENDIX A. FREQUENTLY ASKED QUESTIONS

### 1. DOES MY PROJECT REQUIRE DESIGN REVIEW?

If you are proposing exterior changes (beyond routine maintenance or painting already painted surfaces) to your building and it is located within the designated Special Historic Zoning District you are required to go through the design review process and receive a Certificate of No Exterior Effect or Certificate of Appropriateness before you begin work. Interior work does not typically require design review; however, if interior work will affect the exterior appearance of the building (such as enclosing a window opening), you will be required to go through the review process.

### 2. WHERE SHOULD I BEGIN THE REVIEW PROCESS?

Your primary contact for the design review process is the Planning and Buildings Codes Department, which provides a staff person to support the Architectural Review Board. Planning and Building Codes Department staff can be reached at 502.352.2094. Staff can speak with you regarding your proposed project, verify that you need to go through the design review process, and provide the most recent edition of the guidelines and an application form for the Certificate of Appropriateness.

### 3. WHEN IS THE BEST TIME TO BEGIN COORDINATION?

In order to avoid unnecessary delays and expenses, it is recommended that you contact the Planning and Building Codes Department staff as early as possible in the planning process. Staff will be able to provide guidance and information regarding the required level of review as well as the materials that need to be submitted to receive approval, if required.

### 4. IS THE REVIEW PROCESS EXPENSIVE?

The Planning and Building Codes Department charges a set fee for a Certificate of Appropriateness, which is scaled to the nature of the proposed work. The most current information on fees can be obtained from department staff.

### 5. IS THERE A WAY TO SPEED UP THE REVIEW PROCESS?

The design review process is guided by a set calendar that allows for consistent review and meeting timelines. Completing the application process in accordance with set procedures is important to ensure that projects are reviewed efficiently. The best way to speed up the process is to coordinate early with Planning and Building Codes Department staff to ensure that you submit appropriate, complete materials for your project.

### 6. DO I NEED TO HIRE A PROFESSIONAL?

You are not required by the design guidelines to hire an architect, engineer, contractor, or other professional. However, for complex projects that require the submission of scaled drawings or renderings, retaining the services of a professional may be useful in providing the appropriate materials. Professionals can also provide detailed guidance regarding what options exist for meeting the needs of a project.

### 7. CAN I BEGIN WORK AFTER RECEIVING A COA?

Most times, going through the design review process and receiving a Certificate of Appropriateness is just one step of the process necessary to begin work on a project. You should also check with Planning and Building Codes staff to ensure that you have all necessary permits prior to beginning work. Note that you cannot receive a building permit without first having an approved Certificate of Appropriateness.

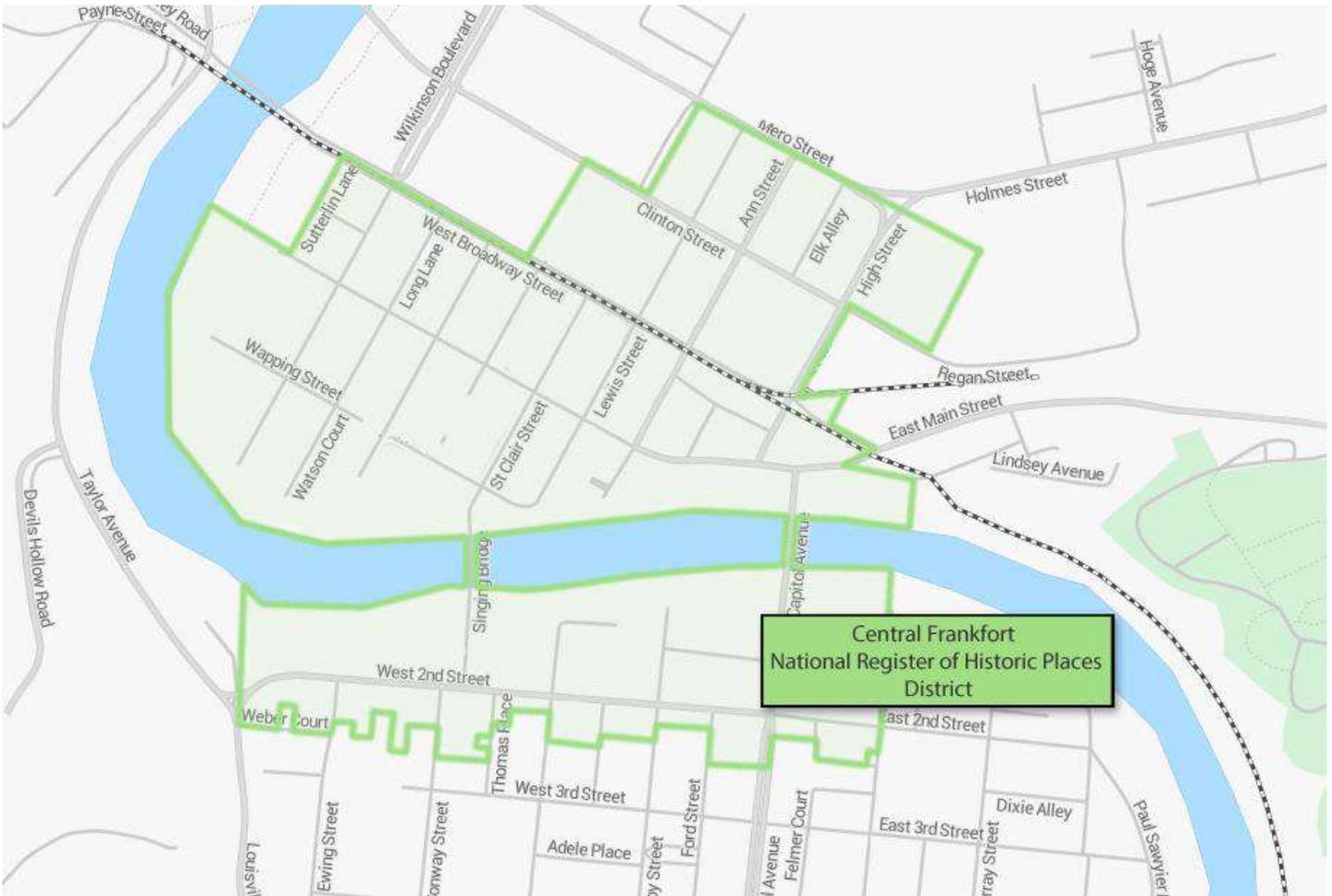
### 8. WHAT IF AN EMERGENCY REPAIR IS NEEDED?

If a building requires an emergency repair due to unforeseen events such as a tree collapse, fire, or weather event, an emergency work permit can be issued without review by the Architectural Review Board. Property owners are encouraged to contact the Planning and Building Codes Department as soon as possible to notify the director of the emergency condition warranting immediate action.

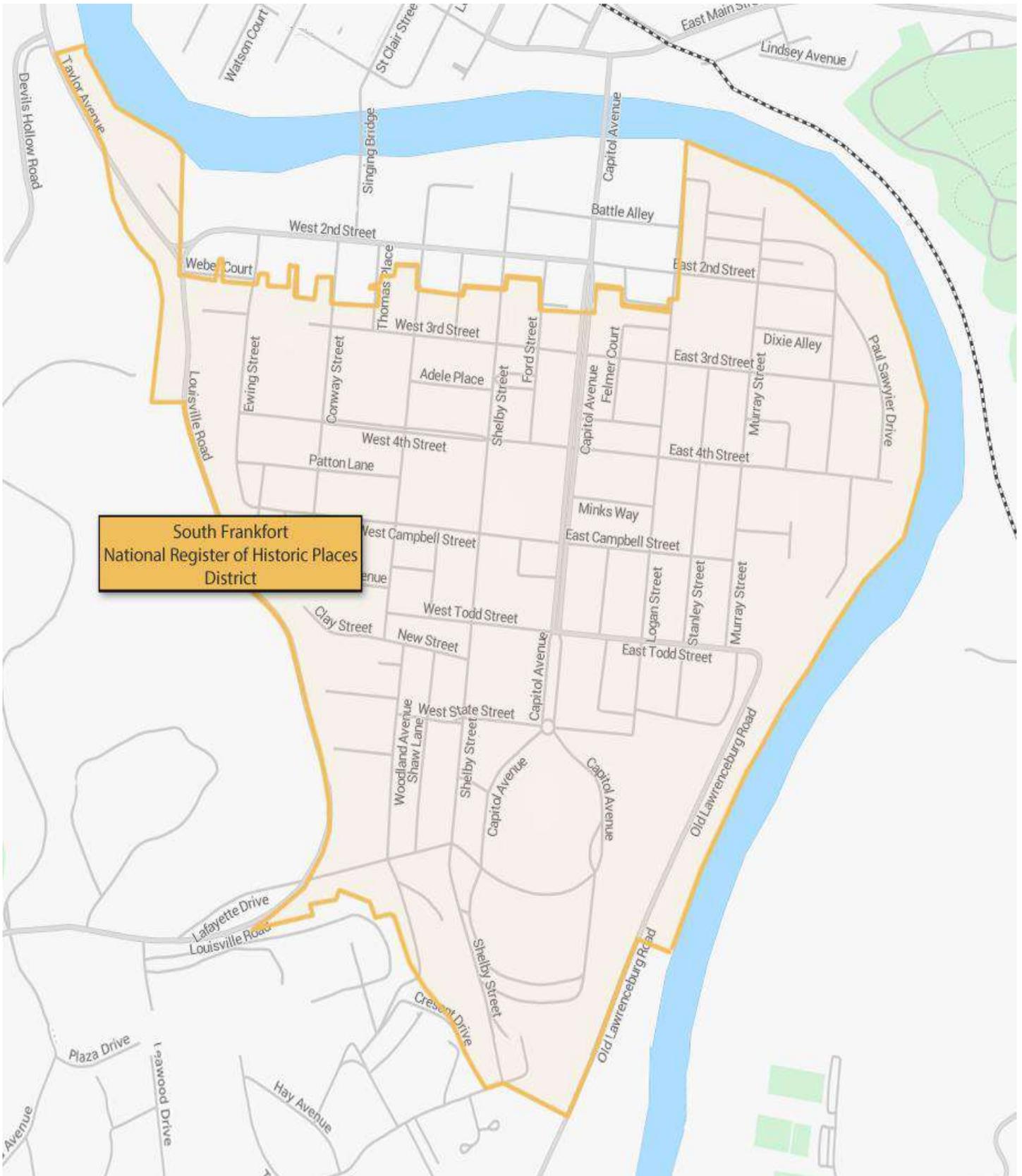


## APPENDIX B. HISTORIC DISTRICT MAPS

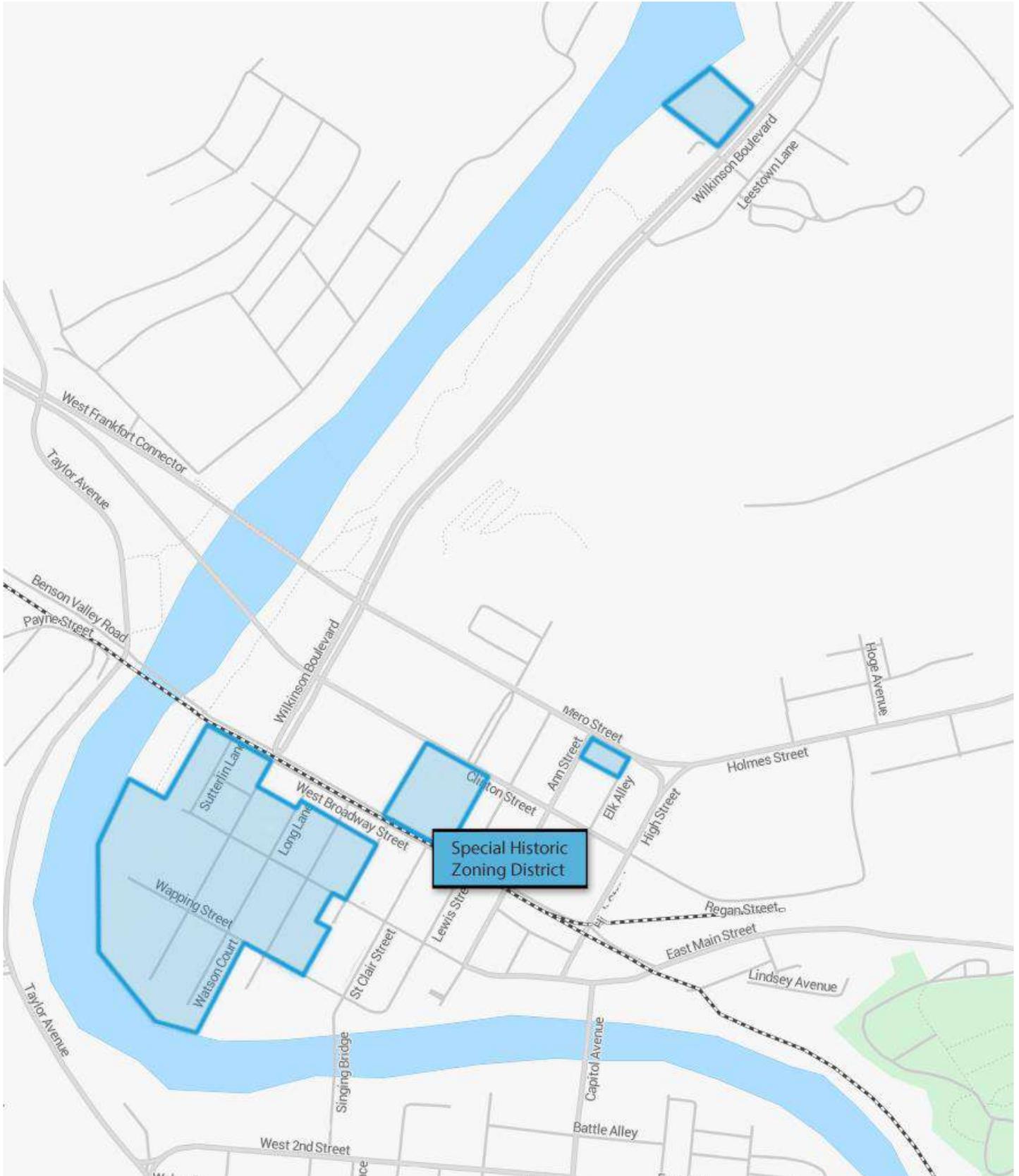
Central Frankfort Historic District, listed in the National Register of Historic Places in 2009.



South Frankfort Historic District, listed in the National Register of Historic Places in 1983 (amended 2013).



City of Frankfort designated Special Historic Zoning areas, current as of July 2015.





## APPENDIX C. LISTING OF CONTRIBUTING AND NON-CONTRIBUTING PROPERTIES (CURRENT AS OF FEBRUARY 2009)

STREET NAME	STATUS
Ann Street	
517-519 Ann Street	Contributing
Long Lane	
306 Long Lane	Contributing
308 Long Lane	Contributing
310 Long Lane	Non-contributing
314 Long Lane	Non-contributing
Mero Street	
113-115 Mero Street	Contributing
117-119 Mero Street	Contributing
Petticoat Lane	
1 Petticoat Lane	Contributing
1.5 Petticoat Lane	Contributing
Wapping Street	
320 Wapping Street	Contributing
404 Wapping Street	Contributing
405-407 Wapping Street	Contributing
410 Wapping Street	Contributing
(r)410 Wapping Street	Contributing
411 Wapping Street	Contributing
413 Wapping Street	Contributing
417 Wapping Street	Contributing
501-503 Wapping Street	Contributing
505 Wapping Street	Contributing
510 Wapping Street	Contributing
511 Wapping Street	Contributing
514 Wapping Street	Contributing
516-518 Wapping Street	Contributing
Washington Street	
200 Washington Street	Contributing
206 Washington Street	Non-contributing

STREET NAME	STATUS
207 Washington Street	Contributing
210 Washington Street	Contributing
211-213 Washington Street	Contributing
212 Washington Street	Contributing
300 Washington Street	Contributing
306 Washington Street	Non-contributing
307 Washington Street	Contributing
308 Washington Street	Non-contributing
311 Washington Street	Contributing
310-316 Washington Street	Non-contributing
Watson Court	
100 Watson Court	Non-contributing
101 Watson Court	Non-contributing
102 Watson Court	Contributing
103 Watson Court	Contributing
104-106 Watson Court	Contributing
108 Watson Court	Contributing
111 Watson Court	Contributing
112 Watson Court	Contributing
114 Watson Court	Contributing
West Broadway	
300 West Broadway	Contributing
501 West Broadway	Contributing
503 West Broadway	Contributing
505 West Broadway	Contributing
507-509 West Broadway	Contributing
511 West Broadway	Contributing
513 West Broadway	Contributing
(r)513 West Broadway	Contributing

STREET NAME	STATUS
West Main	
320 West Main	Contributing
324 West Main	Contributing
326 West Main	Contributing
329 West Main	Contributing
331-335 West Main	Contributing
401 West Main	Contributing
403 West Main	Contributing
405-407 West Main	Contributing
414-416 West Main	Contributing
415 West Main	Contributing
421 West Main	Contributing
514-522 West Main	Non-contributing
Wilkinson Street	
98 Wilkinson Street	Contributing
100 Wilkinson Street	Contributing
101 Wilkinson Street	Contributing
102 Wilkinson Street	Contributing
103-105 Wilkinson Street	Contributing
104 Wilkinson Street	Contributing
106 Wilkinson Street	Contributing
108 Wilkinson Street	Contributing
112 Wilkinson Street	Contributing
201-209 Wilkinson Street	Non-contributing
202 Wilkinson Street	Contributing
211 Wilkinson Street	Contributing
218 Wilkinson Street	Contributing
302 Wilkinson Street	Contributing
304 Wilkinson Street	Contributing
305 Wilkinson Street	Contributing
307 Wilkinson Street	Contributing
308 Wilkinson Street	Contributing

STREET NAME	STATUS
309 Wilkinson Street	Contributing
311 Wilkinson Street	Contributing
312 Wilkinson Street	Non-contributing
314 Wilkinson Street	Contributing
315 Wilkinson Street	Contributing
316 Wilkinson Street	Contributing
318 Wilkinson Street	Contributing
900 Wilkinson Street	Contributing

## APPENDIX D. GLOSSARY OF SELECTED ARCHITECTURAL TERMS

<b>ADDITION</b>	Construction that increases the existing size of a structure.
<b>ALTERATION</b>	Any process that changes the exterior appearance of a building or individual feature.
<b>ARCHITRAVE</b>	Lowest of the three main parts of the entablature. It sits directly on the capital of a column.
<b>ASPHALT SHINGLE</b>	A composition shingle with an asphalt-impregnated felt base, surfaced with mineral granules.
<b>AWNING</b>	A roof-like cover that projects from a building and is designed to protect from weather or act as a decorative feature.
<b>BALUSTER</b>	Vertical member under a railing. It fills the opening between a handrail and the stair or floor.
<b>BALUSTRADE</b>	Series of balusters connected on top by a handrail. Used on staircases, balconies, porches, etc. Balusters are short pillars or other uprights that support a handrail, such as pickets or spindles.
<b>BAY</b>	Repetitive divisions into which a building is divided.
<b>BEAM</b>	Horizontal structural member designed to support loads.
<b>BONDING PATTERN</b>	Repeating arrangement of masonry (such as brick or stone) into various patterns.
<b>BRACKET</b>	Projecting support member found under eaves or other overhangs. May be only decorative or may be used to support weight.
<b>CAPILLARY ACTION</b>	Pulling of water through a small opening or fibrous material by the adhesive force between the water and the material.
<b>CAPITAL</b>	The upper, decorated portion of a column or pilaster.
<b>CASEMENT WINDOW</b>	A window that is hinged on one vertical edge.
<b>CAST IRON</b>	Iron/carbon alloy that is poured as a hot liquid into molds to give it form. It can easily be cast into almost any shape, but it is too hard and brittle to be shaped by hammering.
<b>CAULKING</b>	Method of filling with an elastic compound all of the small crevices, holes, and joints between different materials that cannot be sealed by any other method.
<b>CAUSTIC</b>	Capable of burning, dissolving, or eating away by chemical action.
<b>CEMENT</b>	Any material or mixture of materials (such as clay and limestone) that is allowed to harden in place. Cement is often combined with an aggregate (such as sand or gravel) to form concrete.
<b>CERTIFICATE OF APPROPRIATENESS</b>	Permit to proceed with new construction or alterations to property within a historic district.
<b>CHAMFER</b>	A beveled edge on the corner of a porch post.
<b>CHIMNEY</b>	A vertical shaft of masonry that encloses a flue designed to remove combustion products.

<b>CLADDING</b>	Exterior, non-structural finish material on a building.
<b>CLAPBOARD</b>	Twelve to fourteen inch hand split boards used as overlapping horizontal siding.
<b>COLUMN</b>	Pillar that may be square, truncated, patterned, or circular and serves as a support for something resting on its top.
<b>CONCRETE</b>	Mixture of sand, gravel, crushed rock, or other aggregate held together by a paste of cement and water. When hardened, concrete has great structural strength.
<b>CORNICE</b>	Projecting decorative molding along the top of a building or wall. It is the upper section of an entablature.
<b>CRESTING</b>	Decorative work forming the top of a wall, or a decorative railing running along the ridge of a roof.
<b>CUPOLA</b>	Small structure built on top of a roof, originally providing ventilation.
<b>DEMOLITION</b>	Any process that destroys in part or in whole a portion of a building or feature.
<b>DORMER</b>	Vertical window projecting from the slope of a roof, usually with its own roof.
<b>DOUBLE-HUNG WINDOW</b>	A window composed of two movable sashes set one above the other.
<b>EAVES</b>	Lower part of a roof that overhangs a wall.
<b>EFFLORESCENCE</b>	Water-soluble salts that leach from masonry by capillary action and settle on the surface by evaporation as a white, powdery substance.
<b>ELEVATION</b>	View of a vertical face of a building.
<b>ENTABLATURE</b>	Horizontal construction above a classical column or set of columns. There are three parts: architrave, frieze, and cornice.
<b>FAÇADE</b>	Front or face of a building. The main view of a building.
<b>FANLIGHT</b>	Semicircular or fan-shaped window set above a door or window.
<b>FENESTRATION</b>	The arrangement of window and door openings on a building.
<b>FIBER CEMENT SIDING</b>	A lightweight material that is manufactured to simulate wood products. Resistant to rot, termites, fire, and dimensionally stable.
<b>FIBERGLASS SHINGLE</b>	A composition shingle with a fiberglass base, surfaced with colored ceramic granules.
<b>FIXED WINDOW</b>	A non-operable framed window.
<b>FLASHING</b>	Thin, continuous sheet of metal, plastic, or waterproof paper used to prevent water passing through a joint in a wall, roof, or chimney.
<b>FRIEZE</b>	Middle part of the entablature between the cornice and architrave. It is often decorated.
<b>GABLE</b>	Triangular end of a wall under a roof, formed by two sloping sides.

<b>GLAZING</b>	Fitting glass into windows or doors.
<b>GUTTERS</b>	A horizontal trough located near the bottom edge of a roof slope to collect rainwater.
<b>HIP</b>	A roof with four sloped sides.
<b>INFILL</b>	Buildings that have been designed and built to replace missing structures or buildings so they fill gaps in the streetscape.
<b>IN KIND</b>	Staying with the same material or items used originally.
<b>JOINT</b>	Junction at which two surfaces meet.
<b>LIGHT</b>	A glass pane in a window or door.
<b>LIME</b>	Calcium oxide, which comes from burning limestone.
<b>LINTEL</b>	Horizontal structural member that supports a load over an opening. May be covered by ornamental or trim board.
<b>MASSING</b>	Physical volume or bulk of a building, and the building's arrangement and organization in relation to the physical site and other buildings.
<b>MOLDING</b>	A linear decorative element.
<b>MORTAR</b>	Substance used in bricklaying to join masonry units. It is usually made of cement or lime mixed with sand and water. It dries hard and firm.
<b>MULLION</b>	The vertical bar between coupled windows or multiple windows.
<b>MUNTIN</b>	Strips separating panes of glass in a window sash.
<b>NEWEL POST</b>	A post supporting one end of a handrail at a flight of stairs.
<b>ORIEL WINDOW</b>	A bay window located above the first floor level supported by brackets or corbels.
<b>PANE</b>	A single piece of window glass.
<b>PATINA</b>	Mellowing of age on any material due to exposure to the elements. This causes the material to look different than the day it was installed.
<b>PEDIMENT</b>	Triangular part of a gabled roof often used as a crowning element above doors or windows.
<b>PIER</b>	A square masonry or concrete support for a building or porch.
<b>PILASTER</b>	Flattened column attached to a wall for decoration.
<b>PITCH</b>	Slope of a roof.
<b>POINTING</b>	The process of removing deteriorated mortar from the joints of a masonry wall and replacing it with new mortar.
<b>PRESSED TIN</b>	Thin sheets of tin molded into decorative designs and used to cover interior walls and ceilings. Pressed tin is sometimes used on exteriors in protected locations.

<b>PRIMERS</b>	First coatings that prepare the surface to accept other coatings such as paint.
<b>RAFTER TAIL</b>	The exposed portion of a rafter that overhangs an exterior wall.
<b>RAIL</b>	When referring to a window, the horizontal members that meet in the center of two sashes.
<b>RAILING</b>	Top member of a balustrade.
<b>REHABILITATION</b>	The process of repairing a building to sound condition with minimal changes to original building fabric, allowing for contemporary use while preserving significant historical and/or architectural features.
<b>RHYTHM</b>	Sense of movement created by the regular recurrence of elements across the face of a building, as in the spacing of doors and windows.
<b>ROOF</b>	The part of the structure which covers and protects it from weather, together with decorative elements such as cresting, coverings, chimneys, and other elements.
<b>ROOF COVERINGS</b>	Materials used to cover the roof, such as asphalt shingles, concrete or terra cotta tiles, slate, or others.
<b>SASH</b>	The framework into which window panes are set.
<b>SCALE</b>	Absolute height and width in relation or proportion to neighboring buildings.
<b>SETBACK</b>	Distance from the front of any part of a building to the street right-of-way.
<b>SHADOWLINE</b>	Markings left from an original element that has been removed.
<b>SHED ROOF</b>	A roof that is pitched in a single direction.
<b>SHINGLE</b>	Thin piece of wood, slate, or tin used in overlapping rows to form the surface of an exterior wall or roof. They may be laid in patterns (imbricated).
<b>SIDELIGHT</b>	Narrow, vertical windows on each side of a door.
<b>SILL</b>	A horizontal member at the bottom of a window.
<b>SIMULATED DIVIDED LIGHT WINDOW</b>	A window in which a single, full-length piece glass is set behind affixed muntins to simulate a true divided light window.
<b>SLIDING WINDOW</b>	Overlapping horizontally sliding sashes.
<b>SOFFIT</b>	The underside of a roof overhang.
<b>STREETSCAPE</b>	The characteristics of the street and features along it, as well as their arrangement and relationship to one another.
<b>STUCCO</b>	Plaster or cement applied to exterior walls. It can be decoratively textured.
<b>TERNEPLATE</b>	Metalplate that must be painted, or otherwise will corrode. Placing terneplate next to copper or aluminum will also cause corrosion.
<b>TERRA COTTA</b>	Fine-grained, fired clay product used as exterior building ornamentation or as roofing tiles.
<b>TOOLING</b>	Finishing of a mortar joint by pressing and compacting it to create a particular profile.

<b>TRANSOM</b>	Small window or series of panes above a door.
<b>TRUE DIVIDED LIGHT</b>	A window in which the glass is installed as individual small panes.
<b>VAPOR PERMEABLE</b>	Coatings that allow materials to breathe. They allow for an adequate amount of moisture and air to pass through them.
<b>WATER SEALANT</b>	Coatings and sealers that keep out a significant amount of moisture.
<b>WEATHERBOARD</b>	Wood siding for the exterior covering of a frame building.
<b>WEATHER STRIPPING</b>	A narrow, compressible band used between the edge of a window or door and the opening to seal against water and air penetration.
<b>WINDOW</b>	A glazed opening in a wall that provides an interior space with natural light and ventilation.
<b>WINDOW HOOD</b>	Protective and sometimes decorative cover found over doors and windows.
<b>WROUGHT IRON</b>	Almost pure iron that is soft and bendable, and can be forged or bent into many shapes.



## APPENDIX E. SAMPLE MAINTENANCE INSPECTION CHECKLIST

This sample checklist has been created for the benefit of the property owner. While regular and systematic inspection of your property is encouraged, use of this inspection checklist or any other checklist is not required. Property owners are encouraged to review and adapt the checklist as needed to address the particular features of an individual property.

BUILDING ELEMENT/MATERIAL	YES	NO	ACTIONS TO CONSIDER (IF YES)
<b>ROOFS—ALL</b>			
Are the roof ridge or surfaces sagging or bowing?			Consult an architect or engineer to determine if structural deficiencies are present.
Are there signs of loose or missing fasteners?			Replace fasteners as necessary with compatible counterparts.
<b>ROOFS—METAL</b>			
Are there signs of significant rust or corrosion?			Inspect the roof for structural integrity, patch or re-solder deteriorated sections, and recoat surfaces as necessary. Tin and terne-coated surfaces need to be repainted every 5-10 years to maintain durability.
Are there broken seams or holes in the metal surfaces?			If there is significant deterioration throughout the roof, consider replacement with an in-kind or compatible counterpart.
<b>ROOFS—ASPHALT</b>			
Are there signs of missing, broken, curling, or warped shingles?			Replace deteriorated or missing shingles in-kind.
Are shingles losing mineral cover or do edges look thin?			If deterioration is significant or spread throughout the roof, consider replacement.
Are there signs of nails popping?			Re-fasten shingles with appropriate nails.
Are there signs of moss or other biological growth?			Clean surfaces of growth and treat to minimize conditions that attract biological growth.  Consider trimming overhanging branches within 5-10 feet of the property that shade the roof to allow for it to dry out properly.
<b>ROOFS—TILE</b>			
Are there signs of missing or broken tiles?			Replace deteriorated or missing tiles in-kind.
Are there signs of delaminating on individual units?			If deterioration is significant or spread throughout the roof, consider in-kind replacement of the roof.
<b>ROOFS—WOOD</b>			
Are there signs of moss or other biological growth?			Clean surfaces of growth and treat to minimize conditions that attract biological growth.  Consider trimming overhanging branches within 5-10 feet of the property that shade the roof to allow for it to dry out properly.
Are there signs of warped, split, missing, or eroded shingles?			Replace deteriorated or missing tiles in-kind.  If deterioration is significant or spread throughout the roof, consider in-kind replacement of the roof.

BUILDING ELEMENT/MATERIAL	YES	NO	ACTIONS TO CONSIDER (IF YES)
<b>ROOFS—FLASHING</b>			
Is there loose, missing, or rusted flashing at chimneys, valleys, ridges, or walls?			Remove previously applied but deteriorated or not appropriate patches and patch with compatible materials.
Are there signs of previous patching with roofing cement or tar?			If deterioration is substantial, consider replacement of the entire section of flashing.
<b>GUTTERS AND DOWNSPOUTS</b>			
Are gutters clean and do they drain correctly?			Clean and repair deteriorated sections with in-kind materials as necessary.  If deterioration is significant, consider replacement of the entire unit with in-kind materials.
Are there loose, rotted, or missing gutters or downspouts?			
Do gutters have low spots or lack uniform slope?			Realign and hang gutters to provide proper drainage toward downspouts.
Are there broken seams or do gutter connections leak?			Solder open joints to maintain the integrity of the connections.
Does water pool at the foundation at the terminus of the downspout?			Install splashblocks or extensions at the end of the downspout to direct water away from the foundation.  Regrade the earth near the foundation to direct water away from the foundation.
<b>CHIMNEYS</b>			
Are bricks or mortar cracked, crumbling, or missing at chimneys?			Patch and repair masonry with in-kind materials.  Repoint deteriorated mortar with a compatible mortar.  If deterioration is significant or the chimney presents a structural concern, reconstruction may be necessary. Reconstruct with compatible materials.
Does the chimney exhibit curvature on one side due to the effects of uneven heating and cooling?			
Is the chimney liner missing or defective or do fireplaces smoke excessively?			If using a wood-burning fireplace or the interior masonry exhibits significant deterioration, install a liner.
<b>EXTERIOR WALLS AND FOUNDATIONS</b>			
Does the wall seem out of plumb, un-level, or are there visible bulges?			Such characteristics can reflect serious structural issues with the building. Consult with an architect or engineer to verify the integrity of the structure.
Do doors and windows fail to line up squarely in their openings?			
Are there open joints around doors and windows or trimwork?			Repair any identified deterioration and re-caulk gaps as appropriate.
Where paint is present, is it peeling, cracking, or plastering?			This may indicate moisture penetration. Monitor deterioration, prepare surfaces, and repaint every 5 to 7 years to maintain integrity.

BUILDING ELEMENT/MATERIAL	YES	NO	ACTIONS TO CONSIDER (IF YES)
<b>EXTERIOR WALLS AND FOUNDATIONS</b>			
Is paint powdering or chalking to a dull surface?			May indicate improper surface cleaning or surface preparation prior to painting. Scrape, prepare, prime, and repaint surfaces.
Is there mold or mildew on the wall surface?			Identify sources of moisture and correct as appropriate. Clean surfaces with gentle water cleaning and a gentle detergent, if necessary, to remove growth.  Trim back landscaping to allow the surfaces to dry out and minimize future growth.
Where present, are shingles or siding dented, faded, or rotted?			Repair deteriorated sections or replace with in-kind materials as appropriate.
Are there significant cracks in masonry (stone, brick, or concrete) or mortar?			Cracks—particularly vertical or diagonal cracks that split the masonry units—can indicate significant structural problems. Consult with an architect or engineer to verify structural integrity.  Horizontal and hairline cracks are typically of less concern. Monitor growths to determine if they are continuing to increase in size.
Is any masonry loose, missing, or deteriorated?			Replace with in-kind units as appropriate.  If deterioration is widespread, consider potential reconstruction of the feature.
Is any mortar soft or crumbling?			Repoint mortar with a compatible modern mortar.
Is efflorescence (typically a white powdery surface representing the leaching out of water-soluble salts from masonry) present?			Clean the surface with a low-pressure water washing and natural bristle brush.  Monitor masonry for the continued presence of efflorescence, which could reflect larger problems.
<b>WINDOWS AND DOORS</b>			
Do window and door components exhibit deterioration or deteriorated coatings?			Clean and repair deteriorated sections with in-kind materials through splicing or consolidating as appropriate.  If deterioration is significant, consider replacement of the entire section with in-kind materials.
Is there evidence of moisture penetration around openings?			Re-caulk deteriorated or missing seals and replace deteriorated or missing weather-stripping to minimize air and moisture infiltration.
Are there open joints in need of caulking?			
Do doors have deteriorated or missing weather-stripping?			Re-glaze the deteriorated areas to maintain integrity and prevent infiltration.
Is putty around glazing cracking, soft, or pulling away from the glass?			

BUILDING ELEMENT/MATERIAL	YES	NO	ACTIONS TO CONSIDER (IF YES)
<b>WINDOWS AND DOORS</b>			
Are sashes loose in their frames?			Reset dislodged components and replace deteriorated hardware to ensure proper functioning.
Do window sashes and doors operate smoothly?			
Do window and door locks function properly?			
<b>PORCHES</b>			
Are there loose, deteriorated, or missing structural or decorative components?			Repair or replace components in accordance with the respective materials guidelines.
Are stairs and railings in poor condition?			Reset loose or deteriorated stairs and railings to maintain safe access to the property.
Do porches exhibit improper sloping away from the building?			Porches should gently slope away from the building to allow for water to move away from the foundation. Consult with an architect or engineer to correct the slope of the porch.
Are there signs of excessive deterioration or cracking in the porch floor or unusual settling of the porch foundation?			Such issues may reflect significant structural issues with the porch. Consult with an architect or engineer to verify the integrity of the structure.
<b>SITE</b>			
Is the site sufficiently graded and drained?			Regrade the property as appropriate to maintain proper water drainage away from the foundation of the primary and secondary structures.
Are large shrubs or trees located close (within 5 feet) of the building?			Relocate small landscaping or trim back large landscaping and trees to allow for surfaces to properly dry out, minimizing the potential for biological growth.
Are fences dislodged or deteriorated?			Re-secure dislodged components and repair deteriorated sections with in-kind materials.
Are brick or flagstone pavers missing, cracked, or otherwise deteriorated?			Verify the stability of the base beneath the units and replace deteriorated or missing units.
Is vegetation growing between individual units of hardscape elements?			Some vegetation can lead to the dislodging or cracking of masonry. Remove vegetation and root systems.
Do concrete driveways, walkways, or sidewalks exhibit cracking?			Seal cracks to minimize moisture penetration. If deterioration is significant, consider sealing surfaces or repaving to maintain integrity.

## APPENDIX F: CLASSIFICATION OF WORK AND REVIEW REQUIREMENTS

The following chart provides a breakdown of commonly applied for projects within Frankfort’s local historic districts and identifies the level of design review required by the project. This chart should be considered for general reference only. Questions regarding specific projects and applicability of design review requirements should be directed to the Planning and Building Codes Department.

PROJECT TYPE	ROUTINE MAINTENANCE (NO REVIEW REQUIRED)	ADMINISTRATIVE APPROVAL	ARCHITECTURAL REVIEW BOARD
EXISTING PRIMARY STRUCTURES	(Zoning Permit only)	(Zoning or	(Building Permit)
Architectural details: Repair with no change in materials or design	X		
Architectural details: Replacement of existing features with in-kind materials and design or if not visible from the public right-of-way		X	
Architectural details: Replacement of existing features with new materials and/or design, addition of new features, or removal of existing features visible from the right-of-way			X
Awnings and canopies: Repair of existing features with no change in materials or design	X		
Awnings and canopies: Replacement of existing features, installation of new features, or removal of existing features not visible from the right-of-way		X	
Awnings and canopies: Replacement of existing features, installation of new features, or removal of existing features visible from the right-of-way			X
Chimneys: Repair of existing features with no change in materials or design	X		
Chimneys: Replacement of existing features, construction of new features, or removal of existing features			X
Decks: Repair of exiting features with no change in materials or design	X		
Decks: Installation, replacement, or removal of decks not visible from the right-of-way		X	
Decks: Installation, replacement, or removal of decks visible from the right-of-way and/or above the first floor level			X
Doors: Repair of existing features with no change in materials or design; replacement of	X		
Doors: Replacement of existing features with no change in design or materials or other		X	

PROJECT TYPE	ROUTINE MAINTENANCE (NO REVIEW REQUIRED)	ADMINISTRATIVE APPROVAL	ARCHITECTURAL REVIEW BOARD
EXISTING PRIMARY STRUCTURES			
Doors: Replacement of existing features with new materials or design, installation of new openings, or removal of existing openings visible from the right-of-way			X
Doors (storm): Installation of storm doors not visible from the right-of-way		X	
Doors (storm): Installation of storm doors visible from the right-of-way			X
Foundations: Chemical or water cleaning where not visible from the right-of-way		X	
Foundations: All tuckpointing and all other masonry treatments, repairs, and alterations visible from the right-of-way			X
Gutters and downspouts: Repair of existing features with no change in materials or design	X		
Gutters and downspouts: Covering over of built-in gutters with appropriate materials with no removal of features		X	
Gutters and downspouts: Installation of new features, removal of existing features, or replacement with new materials and/or design			X
House numbers and mailboxes: Installation, repair, replacement, or removal	X		
Lighting fixtures: Repair of existing features with no change in materials or design	X		
Light fixtures: Replacement of existing features, removal of existing features, or installation of new features		X	
Masonry: Chemical or water cleaning where not visible from the right-of-way		X	
Masonry: All tuckpointing and all other masonry treatments, repairs, and alterations visible from the right-of-way			X
Painting: All painting, excluding unpainted masonry surfaces	X		
Painting: All painting of historically unpainted masonry surfaces			X
Patios: Repair of existing features with no change in materials or design	X		

PROJECT TYPE	ROUTINE MAINTENANCE (NO REVIEW REQUIRED)	ADMINISTRATIVE APPROVAL	ARCHITECTURAL REVIEW BOARD
EXISTING PRIMARY STRUCTURES			
Patios: Alteration of existing features with a change in design or materials if not visible from the right-of-way and construction of new features not visible from the right-of-way		X	
Patios: Alteration of existing features with a change in design or materials if visible from the right-of-way and construction of new features visible from the right-of-way			X
Porches: Repair of existing features with no change in materials or design		X	
Porches: Replacement of existing features with a change in materials or design, removal of existing features, or addition of new features			X
Roofs: Repair of existing roofs with no change in design or materials	X		
Roofs: Replacement of existing roofs with no change in materials	X		
Roofs: Replacement of existing asphalt shingle or built-up roofs with a change in materials		X	
Roofs: Replacement of existing slate, tile, metal, or other specialty roofing with a new material, alteration of roofline, or alteration or removal of details			X
Siding: Repair and replacement with no change in materials or design or replacement with smooth-finished fiber cement board	X		
Siding: Replacement of deteriorated siding with smooth-finished fiber cement board		X	
Siding: Repair and replacement with a change in materials other than fiber cement board or a change in design, installation of new siding, or removal of existing siding			X
Stairs and steps: Repair of existing features with no change in materials or design	X		
Stairs and steps: Alteration with a change in materials or design or construction or removal of stairs and steps when not visible from the right-of-way		X	
Stairs and steps: Alteration with a change in materials or design or construction or removal of stairs and steps when visible from the right-of-way			X
Windows: Repair of existing features with no change in materials, configuration, or design	X		

PROJECT TYPE	ROUTINE MAINTENANCE (NO REVIEW REQUIRED)	ADMINISTRATIVE APPROVAL	ARCHITECTURAL REVIEW BOARD
Windows: Replacement of existing windows with no change in dimension, configuration, style, or materials		X	
Windows: Replacement of existing windows that result in a change in dimension, configuration, style, or materials			X
Windows: Installation of new window openings or removal of window openings not visible from the right-of-way or within public view		X	
Windows: Installation of new window openings or removal of window openings visible from the right-of-way or within public view			X
NEW CONSTRUCTION			
New construction of a primary or accessory building			X
New construction of an addition to a primary or accessory building			X
ACCESSORY BUILDINGS			
Repair of an accessory building with no change in materials or design	X		
Alteration of an accessory building with a change in materials or design		X	
Removal of a non-historic accessory building or replacement with a new building of similar design and materials		X	
Removal of a historic accessory building			X
DEMOLITION AND RELOCATION			
Demolition of any primary building			X
Demolition of non-historic additions and additions not visible from the right-of-way		X	
Demolition of historic additions and additions visible from the right-of-way or demolition of any other part of a building			X
SITE AND SETTING			
Driveways and paved areas: Minor repair such as filling of cracks	X		
Driveways and paved areas: Repaving where visible from the right-of-way		X	
Driveways and paved areas: New driveways and paving not visible from the right-of-way		X	

PROJECT TYPE	ROUTINE MAINTENANCE (NO REVIEW REQUIRED)	ADMINISTRATIVE APPROVAL	ARCHITECTURAL REVIEW BOARD
SITE AND SETTING			
Driveways and paved areas: New driveways and paving visible from the right-of-way			X
Fences and walls: Repair of existing features with no change in design or materials	X		
Fences and walls: Repair of existing rear yard features with a change in design or materials, replacement or removal of existing features in rear yard, or installation of new rear yard features not to exceed six feet in height		X	
Fences and walls: Repair of existing front and side yard features with a change in design or materials, replacement or removal of existing features in front or side yard, installation new front and side yard features, and installation of any new feature over six feet in height			X
Fire escapes: Installation or removal of fire escapes not visible from the right-of-way		X	
Fire escapes: Installation or removal of fire escapes visible from the right-of-way			X
Landscaping: Maintenance of existing landscaping, installation of new landscaping, or removal of existing landscaping	X		
Mechanical and electrical equipment: Repair or removal of existing features	X		
Mechanical and electrical equipment: Installation of equipment not visible from the right-of-way		X	
Mechanical and electrical equipment: Installation of equipment visible from the right-of-way			X
Satellite dishes, antenna, and solar panels: Installation of new features not visible from the right-of-way		X	
Satellite dishes, antenna, and solar panels: Installation of new features visible from the right-of-way			X
Signs: Repair of existing signs with no change in materials or design	X		
Signs: Removal of existing non-historic signs	X		
Signs: Installation of new signs that conform with zoning regulations		X	
Signs: Installation of new signs that do not conform with zoning regulations			X



## APPENDIX G. NEW CONSTRUCTION CHECKLIST

The following chart provides a breakdown of common factors that will be considered by the ARB when reviewing proposals for new construction within the historic district. The chart is provided here for the benefit of the property owner so that decisions related to the development can be evaluated for appropriateness during the planning process. This list should not be considered exhaustive. The individual character of a property is an important consideration.

SITE AND BUILDING ELEMENTS	YES	NO
<b>WALKWAYS/DRIVEWAYS</b>		
Are the locations compatible with the character of the area?		
Are the dimensions compatible with the character of the area?		
Are the materials and finish compatible with the character of the area?		
<b>LANDSCAPING</b>		
Are mature and character-defining trees of the site retained?		
Are the species of new plants appropriate for the area?		
Are plantings of an appropriate scale and in an appropriate location for the site and building?		
<b>FENCES</b>		
Are the locations of fences compatible with the character of the area?		
Is the scale of the fence compatible with the character of the area?		
Are the fence designs, materials, and details compatible with the character of the area?		
Do fences meet all applicable code requirements?		
<b>UTILITIES AND EQUIPMENT</b>		
Are the locations of mechanical units and utilities appropriate?		
Are mechanical units and utilities appropriately screened from view from the public right-of-way?		
<b>BUILDING PLACEMENT</b>		
Is the building placement in relation to the street (setback) compatible with the character of the area?		
Is the primary entry oriented toward the street?		
Is lot coverage and the spacing of the building compatible with the character of the area?		
<b>BUILDING SIZE</b>		
Is the massing of the building compatible with the character of the area?		
Is the complexity of the building form compatible with the character of the area?		
Is the height of the building within 10% of surrounding buildings?		
Is the width of the building compatible with the character of the area?		
<b>ROOF</b>		
Does the roof use a pitch and form compatible with the character of the area?		
Are contemporary materials compatible with the character of the area?		
Are chimneys, dormers, cornices, or other items used to create visual interest and are they of the appropriate scale and character?		

SITE AND BUILDING ELEMENTS	YES	NO
<b>WINDOWS AND DOORS</b>		
Do windows and doors exhibit compatible ratios, spacing, and proportions with others in the area?		
Are window materials and casing features compatible with the character of the area?		
Are the door styles—particularly the façade door—and finish compatible with the character of the area?		
Do storm windows and doors (if included) conform to the size and character of the openings?		
Are shutters (if included) scaled to the window openings?		
<b>PORCHES</b>		
Are porches (where included) compatible in scale and style with the character of the area?		
Are porches compatible with the materials, proportions, and placement of historic porches in the area?		
<b>MATERIALS AND DETAILS</b>		
Does the building use traditional materials or alternative materials that are compatible with the character of the area?		
Does the building incorporate simplified, contemporary details that promote visual interest?		
Is the building compatible with the area but clearly distinguishable as a product of its own time so as not to convey a false sense of history?		
<b>OUTBUILDINGS</b>		
Are the locations of outbuildings compatible with the character of the area?		
Are the outbuildings designed to be subordinate to the primary building?		
Are the outbuildings scaled to the building and site and in consideration of historic outbuildings in the area?		
Do the outbuildings use a roof pitch and roof compatible with the primary building or other outbuildings in the area?		
Do the outbuildings employ materials compatible with those of the primary building or other outbuildings in the area?		
Are windows and doors of appropriate proportions and scale?		

## **APPENDIX H. ADDITIONAL RESOURCES**

### **PLANNING AND BUILDING CODES DEPARTMENT**

Planning and Building Codes Department: <http://www.frankfortpbc.org/>

Historic Preservation Information: <http://www.frankfortpbc.org/#!/page2/cee5>

City of Frankfort Zoning Code: <http://www.frankfort.ky.gov/document/zoning-codes-and-regulations>

### **PRESERVATION ORGANIZATIONS**

Kentucky Heritage Council: <http://heritage.ky.gov/>

Preservation Kentucky: <http://www.preservationkentucky.org/home.php>

Bluegrass Trust for Historic Preservation: <http://bluegrasstrust.org/resources.html>

National Trust for Historic Preservation: <http://www.preservationnation.org/>

### **NATIONAL PARK SERVICE TECHNICAL INFORMATION**

National Park Service Technical Preservation Services: <http://www2.cr.nps.gov/tps/index.htm>

Secretary of the Interior's Standards: <http://www.nps.gov/tps/standards.htm>

Illustrated Guide for Rehabilitating Historic Buildings: <http://www2.cr.nps.gov/tps/tax/rhb/index.htm>

Illustrated Guidelines on Sustainability: <http://www.nps.gov/tps/sustainability.htm>

Preservation Briefs: <http://www.nps.gov/tps/how-to-preserve/briefs.htm>

Preservation Tech Notes: <http://www.nps.gov/tps/how-to-preserve/tech-notes.htm>

### **BOOKS AVAILABLE AT PAUL SAWYIER PUBLIC LIBRARY**

Caring for Your Historic House (1998) by the National Park Service

Historical Building Construction: Design, Materials, and Technology (2010) by Donald Friedman

Historic Preservation: An Introduction to Its History, Principles and Practice (2000) by Norman Tyler

House Colors: Exterior Color by Style of Architecture (2007) by Susan Hershman

New Life for Old Houses: A Guide to Restoration and Repair (2002) by George Stephen

Old Electrical Wiring: Evaluating, Repairing, and Upgrading Dated Systems (2008) by D.E. Shapiro

Old House Handbook: A Practical Guide to Care and Repair (2008) by Roger Hunt

The Old House Doctor: The Essential Guide to Repairing, Restoring, and Rejuvenating Your Old Home (2013) by Christopher Evers

The Vintage House: A Guide to Successful Renovations and Additions (2011) by Mark A. Hewitt

Victorian House Manual: Care and Repair for This Popular House Type (2014) by Ian Rock



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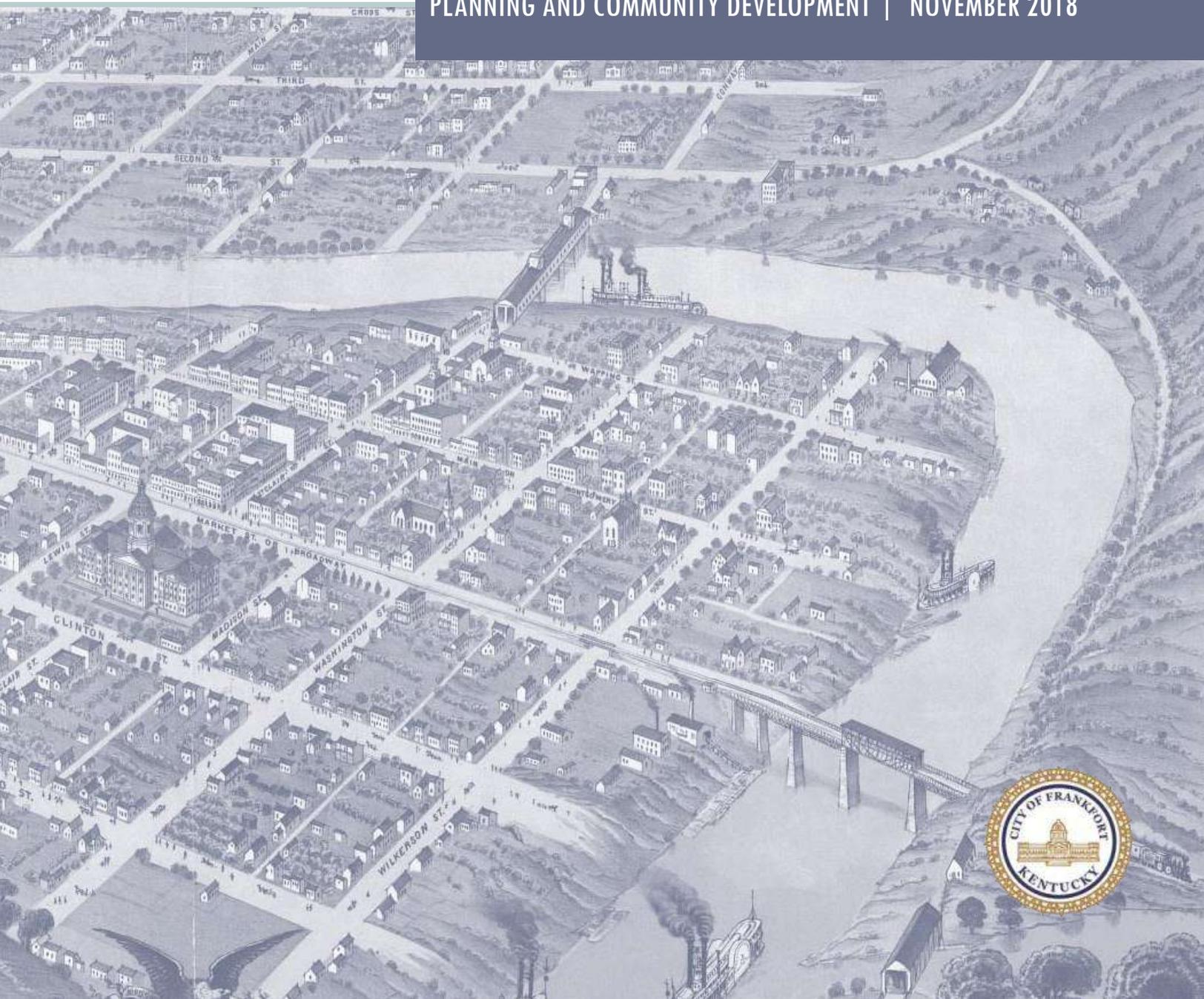
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# CENTRAL BUSINESS ZONING DISTRICT DESIGN GUIDELINES

## FRANKFORT, KENTUCKY

PLANNING AND COMMUNITY DEVELOPMENT | NOVEMBER 2018



# **CENTRAL BUSINESS ZONING DISTRICT DESIGN GUIDELINES**

**CITY OF FRANKFORT, KENTUCKY**

**NOVEMBER 2018**

**PLANNING AND COMMUNITY DEVELOPMENT  
CITY OF FRANKFORT  
315 WEST SECOND STREET  
FRANKFORT, KENTUCKY 40601**

## **ACKNOWLEDGEMENTS**

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### **SPECIAL THANKS TO**

Frankfort-Franklin County Planning Commission

City of Frankfort Architectural Review Board

City of Frankfort Zoning Update Committee

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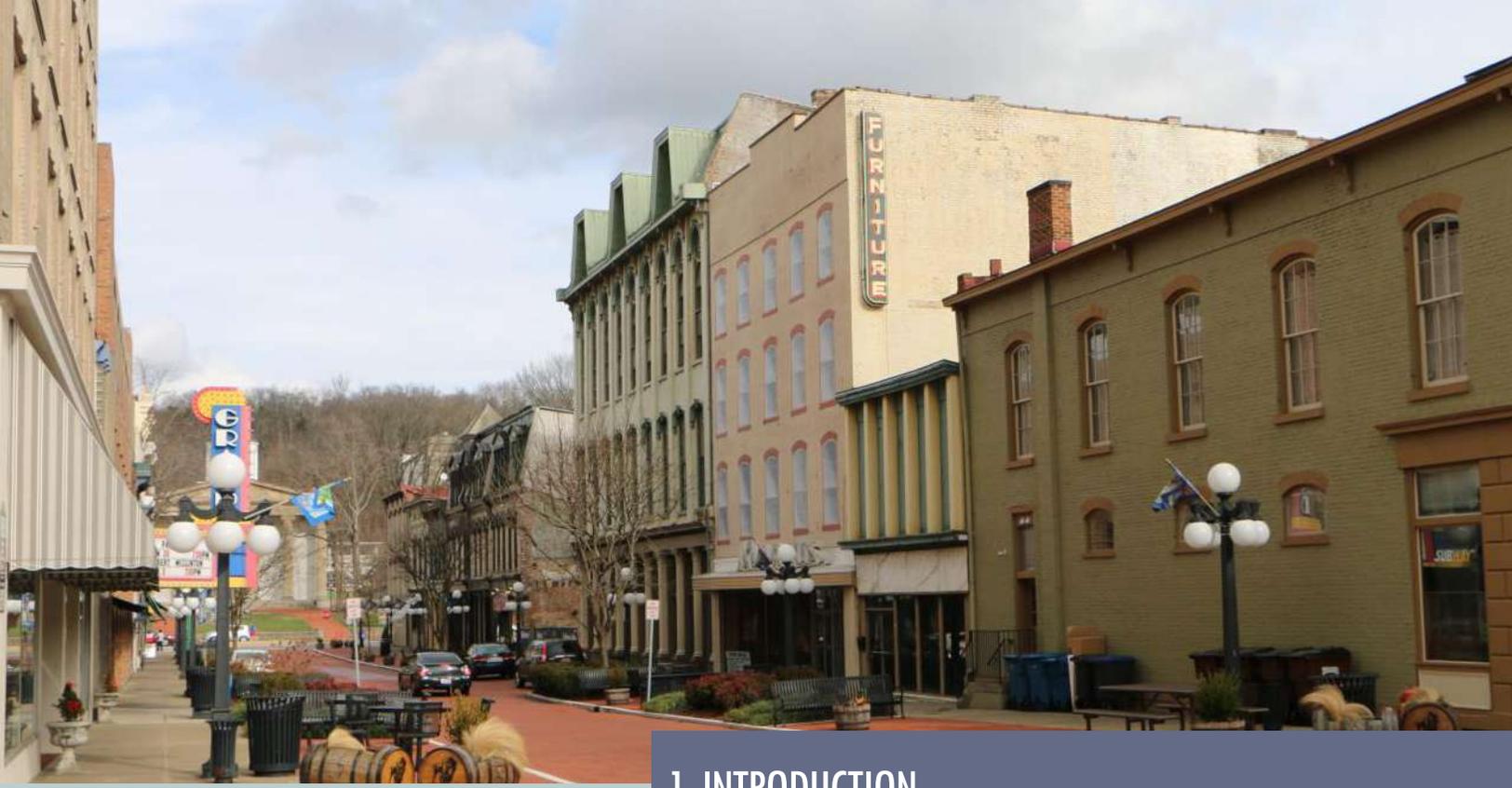
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## 1. INTRODUCTION

### IN THIS SECTION

#### 1.1 Central Business District Guidelines

##### Using the Guidelines

### 1.1 CENTRAL BUSINESS DISTRICT GUIDELINES

The City of Frankfort has a rich history that is reflected in its diverse collection of buildings, structures, and landscapes. These irreplaceable resources define the character of our community and serve as visual anchors that provide a link to our past.

Through the Planning and Community Development Department, the City of Frankfort has established preservation planning programs and routinely works with organizations and private property owners to meet the goal of preserving, protecting, and celebrating our historic places. Recognizing the City's commitment to historic preservation, the City has been designated as a Certified Local Government (CLG) by the Kentucky Heritage Council (KHC) and the National Park Service (NPS), linking it to communities throughout the Commonwealth of Kentucky that share the goal of protecting local history.

The purpose of historic preservation planning and the designation of local historic districts is covered extensively in Chapters 1-3 of the **Special Historic District Design Guidelines**. These chapters also address the importance of careful project planning and provide a summary of the City's review and approval processes for projects within local historic districts. These chapters are likewise applicable to projects undertaken in the Central Business District and are incorporated into this document by reference. Any questions regarding these materials or their applicability should be directed to the Planning and Community Development Department.

## USING THE GUIDELINES

The design guidelines serve as a user-friendly complement to the legal direction provided in Article 17 of the City of Frankfort's Zoning Code. The guidelines reinforce and expand upon the information therein to more comprehensively address issues affecting historic properties in local historic districts. It is important to note that the guidelines are designed to be applicable to all building styles and types, and are not intended to address rare and unusual situations.

Property owners should consult the guidelines for any project that affects the exterior of a property within a local historic district, from maintenance and repair to construction of an addition, as well as new construction and demolition. It is important that the guidelines be consulted early in the planning process in order to avoid getting too far along with a project that might be considered inappropriate. Such early review can help save time and money in receiving approval for a project.

The guidelines are likewise intended for use by the Architectural Review Board (ARB). While the ARB must consider the particular circumstances and context of a specific property for any individual review, the ARB uses the guidelines as a basis for their approval or denial of a proposed project to ensure it employs an appropriate approach. Use of the guidelines helps ensure that such review is conducted according to consistent, fair, and well-publicized standards.

### Organization, Format, and Language

This document is organized into three distinct sections that walk the user through interpreting and applying the guidelines:

- *Section 1 (Chapter 1):* Section 1 presents a basic outline for using the design guidelines for the Central Business District.
- *Section 2 (Chapters 2–5):* Section 2 presents specific guidelines for maintenance and rehabilitation of existing structures, new construction and demolition, and changes to a property's setting.
- *Section 3 (Appendices):* Section 3 presents additional reference materials such as a glossary, bibliography, and common forms associated with the design review process.



### USE THE GUIDELINES WHEN PLANNING TO:

- Alter, restore, or replace exterior features;
- Install new cladding materials;
- Replace windows or doors or add a new window or door opening;
- Install exterior energy-efficient measures such as solar collectors;
- Construct an addition;
- Construct a new building;
- Demolish, in whole or in part, an existing building; or
- Relocate an existing building.

### Who Uses the Design Guidelines?

- *Property Owners and their Design Professionals*  
Property owners (in association with their chosen architects, engineers, and other contractors) use the guidelines when planning and undertaking a project in order to ensure it meets the intent of the applicable guidelines.
- *City of Frankfort Planning and Community Development Department Staff*  
Staff of the Planning and Community Development Department use the guidelines when providing guidance to property owners, determining if administrative approval is appropriate, and making recommendations to the Architectural Review Board.
- *Architectural Review Board Members*  
Members of the Architectural Review Board use the guidelines when reviewing proposed exterior alterations by applicants in order to determine if the project should be approved or denied based on the proposal.
- *Community Members*  
The public uses the guidelines to express desires for their neighborhood and the larger community and to help guide the direction of future changes and development.

## Anatomy of a Design Guideline

Each section of the guidelines follows a standard outline that provides an easy-to-navigate, tiered arrangement, which ties together individual points of guidance under important concepts. Such an arrangement places an emphasis on understanding how individual points of guidance relate to one another, making their relevance more readily apparent. An example follows:



### 1 COMMERCIAL STOREFRONTS

Property owners commonly look to rehabilitate or update commercial storefronts to meet new needs or alter aesthetics. Careful consideration must be given to these important pedestrian-oriented areas.

#### 2 1. Retain and preserve historic storefronts, including individual components.

- 3 • Identify character-defining features of the storefront and work to preserve them.
- Select building uses that minimize the need for changes to historic storefronts.
- Maintain storefronts as pedestrian-oriented spaces that are largely transparent.

1 *Section Title:* Each section begins with a brief explanation of the topic, its importance, and a summary statement on important principles.

2 *Guideline:* Within each section, individual guidelines provide direction for specific project components.

3 *Clarification:* Points of clarification under each guideline reinforce the principal concept and provide additional guidance regarding treatments.

4 *Illustrations:* Each section is fully illustrated with line drawings and representative photographs.

The language presented in the guidelines has been purposely selected to convey specific meanings. The following definitions are particularly important to keep in mind in applying the guidelines:

- *Appropriate/Recommended/Encouraged:* These terms denote suggested design solutions known to be compliant with preservation principles. Applicants may also propose alternatives.
- *Shall:* "Shall" means compliance with that particular guideline is required unless unusual circumstances apply, which the applicant must be able to demonstrate.
- *Shall Not/Prohibited:* "Shall not" and "prohibited" mean an action is impermissible and would not be approved by the Architectural Review Board.

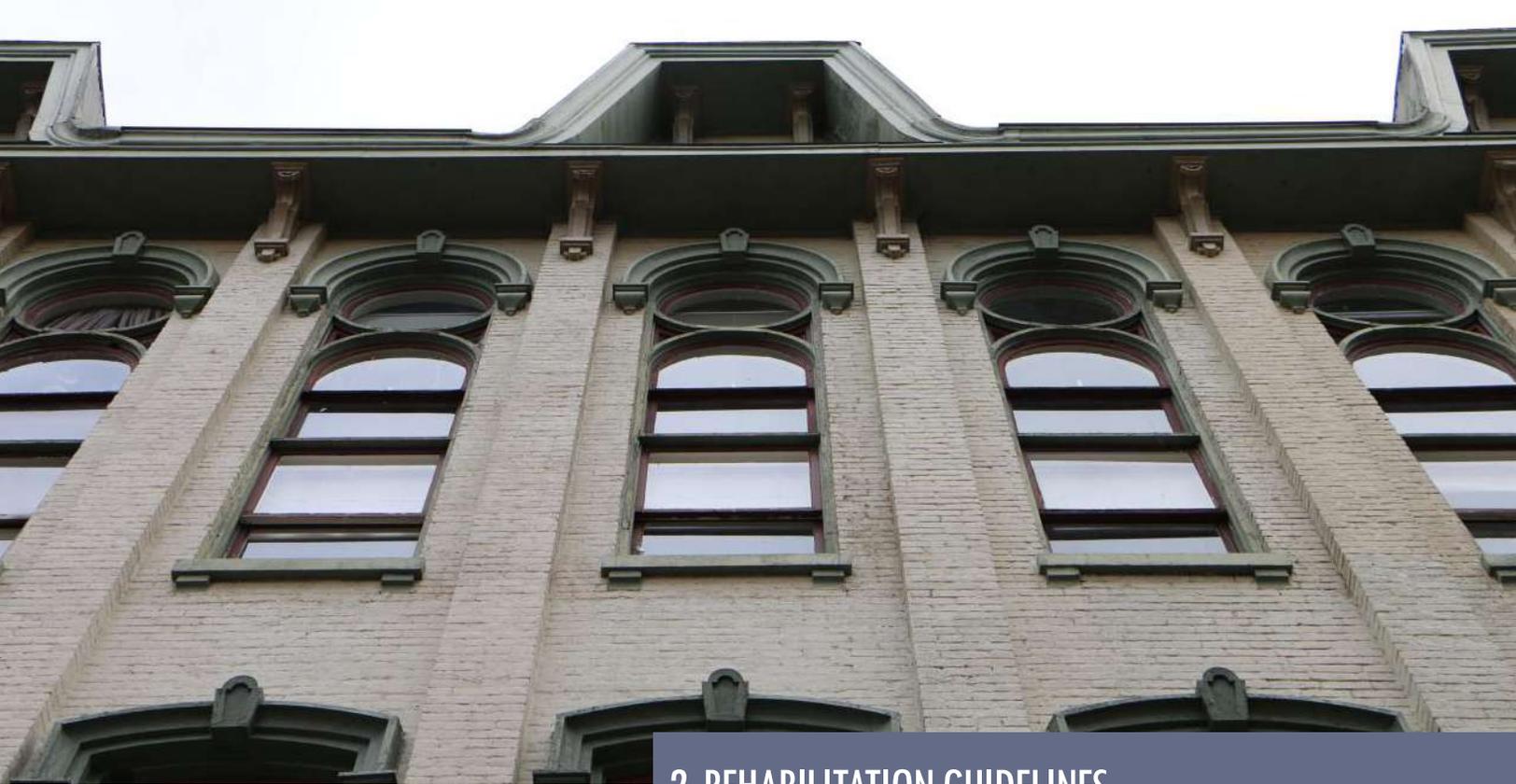
## Special Information

While a great deal of information is presented in the body of this document, items of particular interest or reinforcement are frequently presented in highlighted sidebars for the benefit of the reader. These are further denoted by specific icons:

! *Noteworthy information for the property owner*

? *Suggestions for additional guidance and technical information*

\* *Additional guidance on issues of sustainability*



## 2. REHABILITATION GUIDELINES

### IN THIS SECTION

- 2.1 Universal Guidelines
- 2.2 Masonry
- 2.3 Wood
- 2.4 Metals
- 2.5 Roofs, Cornices, and Related Features
- 2.6 Commercial Storefronts
- 2.7 Entrances and Doors
- 2.8 Upper-story Windows
- 2.9 Awnings and Canopies
- 2.10 Utilities and Equipment
- 2.11 Accessibility

### 2.1 Universal Guidelines for Historic Materials and Features

The character of a building is defined by the total of features and materials used in its construction. Whether a building's wall materials or a significant feature such as a storefront, the elements that define a building help convey its architectural style and place it within a certain period of time. They also reflect patterns of development, advancements in technology, and the evolution of trends and tastes over the course of more than two hundred years of architecture.

Given the importance of individual elements in defining the overall character of a building, it is important to give appropriate consideration to how a proposed change—even if seemingly minor— may affect the historic character of a building. As such, maintenance and rehabilitation projects should not be viewed as isolated actions but rather as a series of related activities that, over time, affect our perception of the historic places that define our community. By adhering to a set of universal principles founded in accepted preservation treatments, we can more readily ensure that the total of our actions respect and maintain the unique character of our heritage assets.



The character of buildings in Frankfort’s historic commercial core is defined by the combination of building forms, architectural features, and materials. As such, it is important to embrace preservation strategies that promote a holistic treatment that recognizes how individual elements work together to establish the character of a property.

### 2.1.1 RETAIN AND PRESERVE HISTORIC BUILDING MATERIALS AND FEATURES

- A. Original architectural materials such as brick and stone, wood trim, cast and wrought iron, and sheet metal should be repaired, restored, and reused.
- B. Historic architectural features and decorative elements should be retained and repaired rather than replaced.
- C. Intact or repairable historic materials and features should not be removed or covered from view.
- D. Adding features not historically present is not appropriate as it conveys a false sense of history and shall be prohibited.

### 2.1.2 USE THE GENTLEST MEANS POSSIBLE WHEN CLEANING HISTORIC MATERIALS

- A. Maintain protective weather-proof coatings such as paint or stain on historic materials. Always remove deteriorated coatings to the next intact layer before applying new coatings to ensure adherence.
- B. Clean historic materials only when necessary to stop deterioration or remove graffiti, heavy soiling, or biological growth. Water cleaning shall otherwise be avoided so as not to unnecessarily introduce moisture into the building’s materials.
- C. Select a test patch before cleaning to ensure the chosen method will not cause damage to historic materials.

- D. Start with a low pressure washing and a soft, natural bristle brush when cleaning is necessary. Abrasive cleaning methods such as high pressure water washing and sandblasting, which can damage historic materials and lead to additional deterioration, shall not be used.

### 2.1.3 REPAIR DETERIORATED BUT REPAIRABLE HISTORIC MATERIALS BEFORE CONSIDERING REPLACEMENT

- A. Deteriorated but serviceable materials and features shall be repaired by using accepted preservation treatments rather than being replaced.
- B. Repairs shall be completed using in-kind new or recycled materials that match the original materials in appearance, dimension, profile, texture, and finish as closely as possible.
- C. If disassembly of a historic building feature is necessary in order to complete a repair or avoid inadvertent damage to surrounding features, document the configuration of the feature before disassembly to facilitate reinstallation following repairs.
- D. Removing or covering historic materials and features, particularly those visible from the right-of-way, instead of appropriately repairing them is not appropriate and shall be prohibited.

### 2.1.4 WHEN REPLACEMENT OF HISTORIC MATERIALS AND FEATURES IS NECESSARY, REPLACE IN-KIND

- A. Only the portions of a feature that are deteriorated beyond repair shall be replaced. Wholesale replacement of otherwise intact features or materials shall be prohibited.
- B. Deteriorated materials shall be replaced with new or salvaged materials that match the original in dimension, detail, profile, texture, and finish.
- C. Alternative materials shall be considered on a case-by-case basis in consideration of the building feature and its location and the proposed material's durability and compatibility.

- D. Synthetic materials such as vinyl and aluminum siding or faux stone and wood shall be avoided.

### 2.1.5 CONSIDER REMOVAL OF REPLACEMENT MATERIALS AND FINISHES THAT COVER HISTORIC MATERIALS

- A. Carefully remove replacement finishes so as not to cause inadvertent damage to underlying materials.
- B. Uncovered historic materials shall be repaired in accordance with the guidelines.
- C. When removing paint, stain, stucco, or other claddings, select a localized area to test the removal process and to ensure underlying materials will not be damaged.

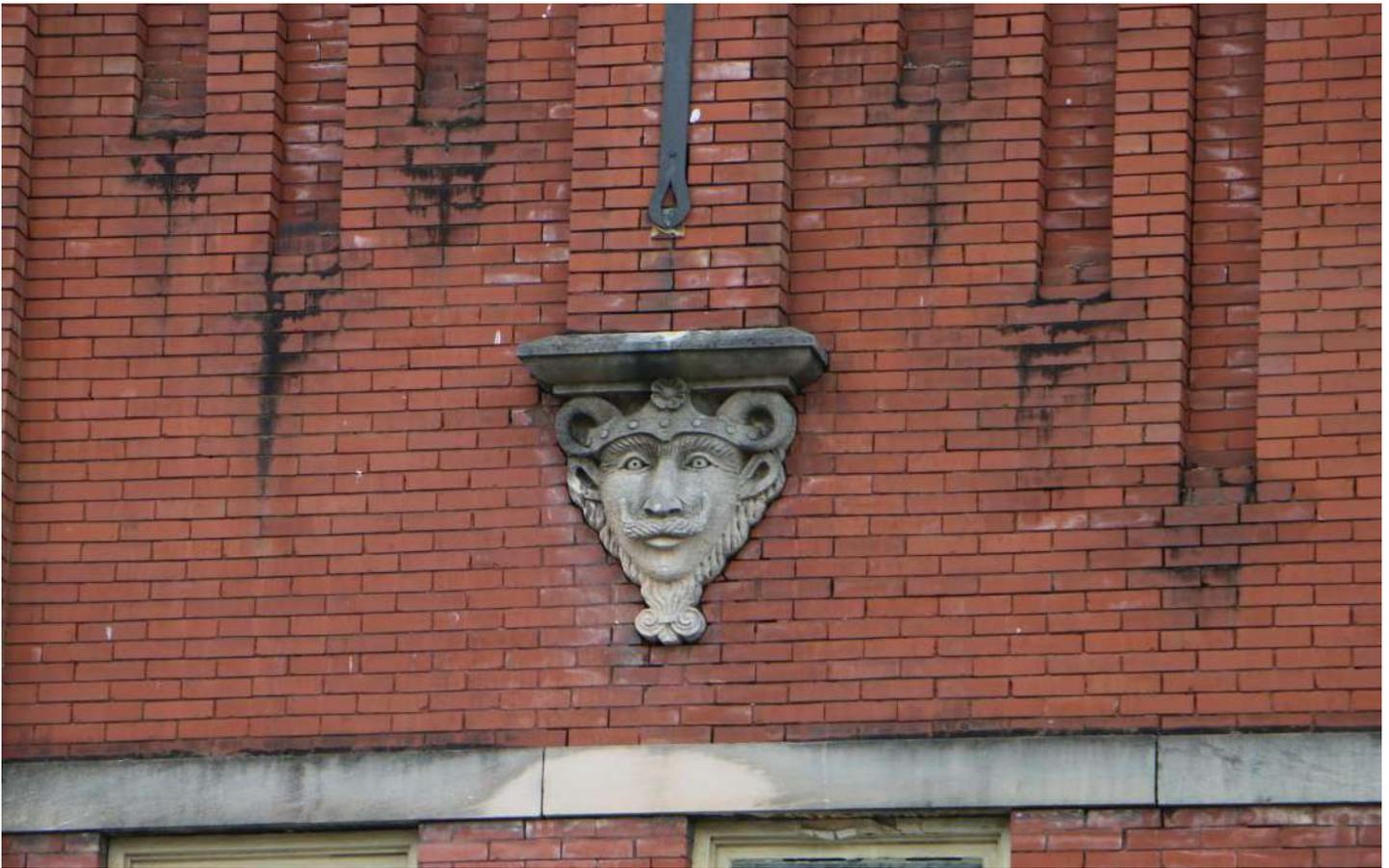
### 2.1.6 ENSURE COMPATIBILITY WHEN RECONSTRUCTING MISSING FEATURES

- A. Designs based on historical, photographic, and/or physical evidence and documentation shall be used to reconstruct missing components.
- B. In the absence of appropriate documentation, a simplified design compatible to the building in scale, profile, materials, and finish shall be used. Nearby buildings of similar vintage and style may be used as a reference for developing an appropriate design.
- C. The addition of features that are out of scale with the property or not compatible with the character of the building shall be prohibited.



#### DEVELOPING SIMPLIFIED REPLACEMENT DESIGNS

While elements from buildings of a similar style may be used as a reference for reconstructing missing features such as a porch, designs should not simply replicate those found on other buildings. Planning and Community Development staff can provide guidance on appropriate design solutions.



## 2.2 MASONRY

Masonry is found in both structural and decorative applications and includes brick and stone, as well as terra cotta, tile, and cementitious products such as concrete and stucco. Buildings with masonry structural walls are prevalent in Frankfort's commercial core, and masonry lintels, sills, cornices, quoins, pediments, and other decorative components are also commonly found in the area. The total of masonry features and their individual characteristics—color, texture, patterns—contribute to the architectural character and variety of the downtown core.

Masonry materials and features are to be retained and maintained as character-defining features. When properly maintained, historic masonry materials such as brick and stone can last for centuries. Masonry materials are not to be needlessly removed or covered with other materials and repairs should be undertaken with an understanding of the differences between historic masonry materials and modern masonry materials, which have differing structural and physical characteristics and are not always compatible.

### 2.2.1 PROTECT AND MAINTAIN ORIGINAL MASONRY SURFACES AND FEATURES

- A. Historic masonry features—such as pilasters, columns, cornices, and decorative brick and tilework—shall be retained.
- B. Cleaning shall be completed by the least damaging method available, ranging from washing with a mild detergent and soft bristle brushes to chemical cleaning. Sandblasting destroys masonry surfaces, reduces the life of buildings, and shall not be permitted.
- C. Siding and veneers shall not be used to cover or replace masonry walls.
- D. Sealants shall not be used unless there is actual water penetration through masonry. If water is penetrating the masonry to the interior, then only the affected area shall be treated and only after the masonry is dry.
- E. Maintain paint on buildings that have historically been painted. Painting masonry that has not historically been painted shall not be permitted.

## MASONRY SEALANTS

Applying waterproof or water repellent coatings to masonry is generally not appropriate. Not only can such coatings alter the appearance of masonry, but sealing a foundation can also prohibit the natural movement of moisture through masonry, ultimately causing additional deterioration. Sealants shall not be used as a substitute for appropriately repairing deteriorated materials. Sealants are only to be applied in rare circumstances where moisture can be demonstrated to be infiltrating masonry and when the method of infiltration is understood.

In instances where use of a sealant is determined appropriate, coat only the affected masonry. It is not appropriate to seal masonry that has not demonstrated infiltration. Sealants shall only be applied on dry masonry. Treating masonry while damp can trap moisture inside the masonry.



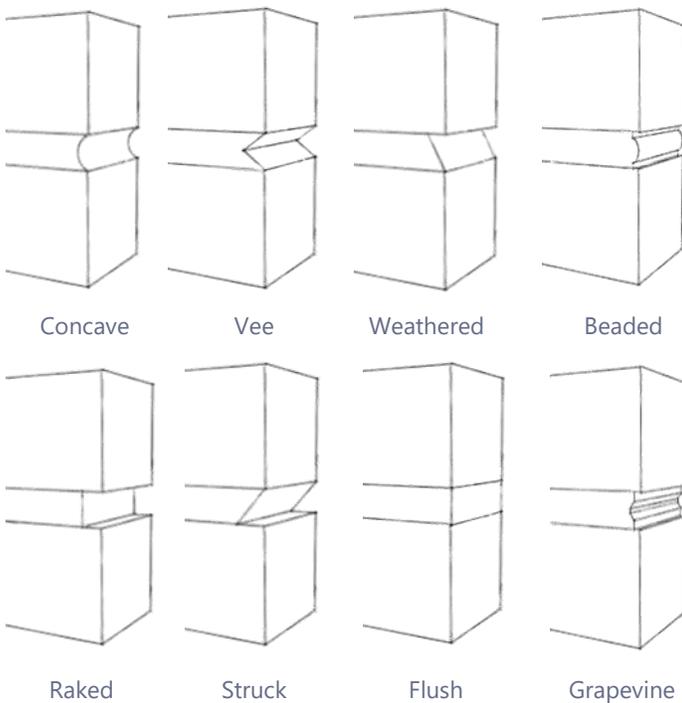
Once masonry has been painted, it is important to appropriately maintain the coating to protect the underlying brick. If a paint coating is to be removed, it should be removed cleanly and the brick assessed for structural integrity.

## 2.2.2 REPOINT DETERIORATED MORTAR JOINTS

- A. Remove deteriorated mortar and clean the joint with hand tools. Using power tools can cause inadvertent damage to surrounding masonry and is generally not appropriate.
- B. Tuckpointing shall be completed with a soft mortar, simulating historic lime and sand mortars in appearance and composition. The use of such mortars will allow for proper expansion and contraction of masonry units.
- C. New tuckpointing shall match the original joint type. Unless demonstrated to be historically different, the mortar joint shall be concave because it allows for the tightest bond between mortar and masonry.
- D. New mortar shall be tooled and tinted to match the color of the original materials as closely as possible.

## 2.2.3 REPLACE DETERIORATED OR MISSING MASONRY UNITS OR FEATURES IN-KIND

- A. The color, texture, pattern (where applicable), and composition of replacement masonry shall duplicate the original; the composition, color, and tooling of existing mortar shall also be duplicated around new masonry units.
- B. If an original detail is deteriorated beyond repair or missing, it shall be replaced with a newly-designed detail appropriate in scale, proportion, and character.



Unless otherwise demonstrated to have had a different mortar profile, masonry shall be tuckpointed using a concave joint, which provides the tightest bond between mortar and masonry and allows for proper water runoff. Vee joints have similar properties but can allow moisture penetration if the point is not perfectly tooled. Profiles with recessed joints that expose the flat surface of the masonry unit (weathered, raked, and struck) increase the possibility of moisture penetration and shall not be used unless historically present. Flush joints, which are typically not perfectly even, can create a shelf between the mortar and masonry, allowing for water to settle. Decorative joints (beaded and grapevine) create a distinctive profile and shall not be used unless historically present.

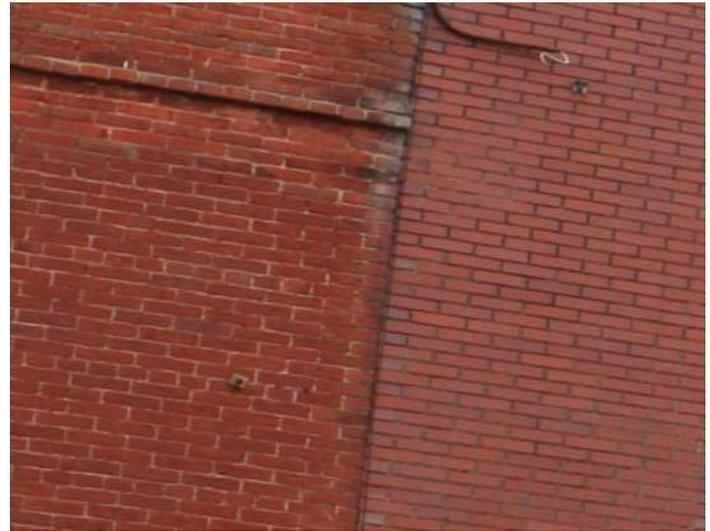
## TUCKPOINTING AND REPLICATING HISTORIC MORTARS

While tuckpointing historically referred to a very specific application, both it and repointing are commonly used interchangeably to refer to the replacement of missing or deteriorated mortar with new mortar. It is important both for the aesthetics of the building and the longevity of original masonry materials that the replacement mortar matches as closely as possible the structural characteristics of the original lime-based mortars, which accommodate natural expansion and contraction resulting from fluctuating temperature cycles. Mortar that is too hard and does not allow for proper expansion and contraction forces the tension to be placed on the masonry units, which can lead to the development of cracks and cause the face of the masonry to break apart.

In general, new mortar should be softer than the surrounding masonry and no harder than the original mortar. While mortars should ideally be custom matched to the existing mortar on a building, a mixture consisting of one part lime to two parts of the smallest available mesh sand is recommended as a general starting point. While Portland cement may be added to improve the workability of the mixture, no more than 20% of the total volume of the mortar mixture should consist of Portland cement unless the original mortar can be demonstrated to have been a heavy cement-based mortar (typically buildings after 1900).

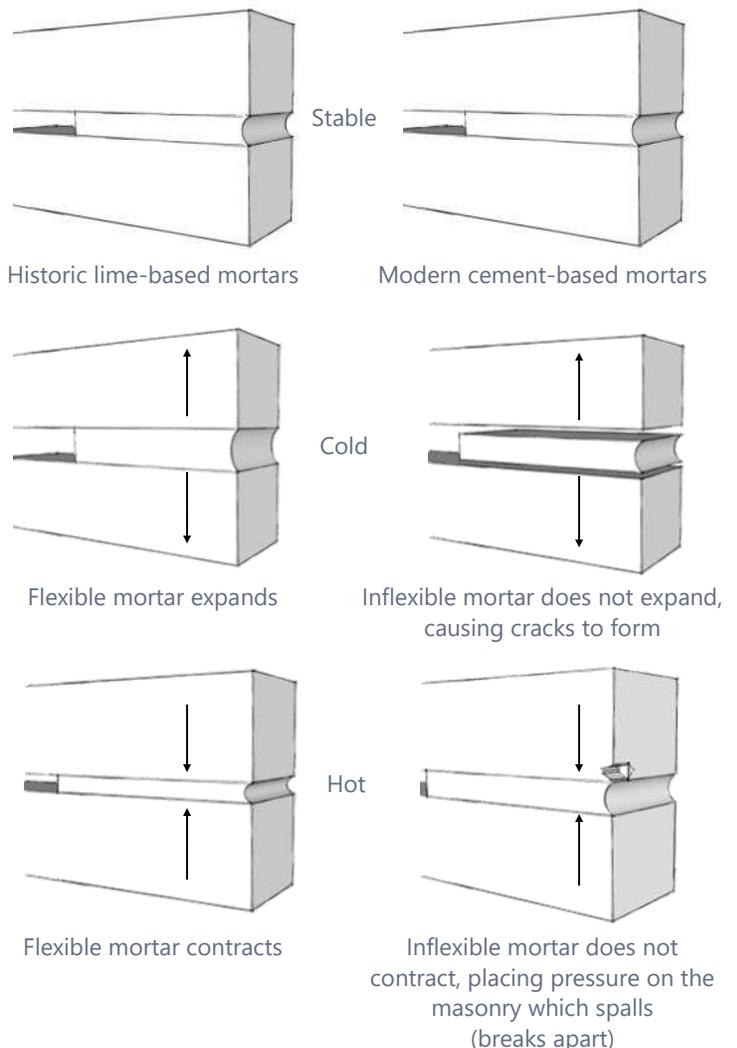
To repoint deteriorated masonry:

- Remove deteriorated mortar—with hand tools to the extent possible—to a depth of 2-1/2 times the height of the mortar joint
- Remove stray, loose mortar from the joint with a soft stream of water and brush.
- Prepare mortar mixture matching the existing mortar in color and composition (use within 30 minutes of mixing).
- Pre-hydrate the mixture and set into the clean joint in thin 1/4" layers.
- Once the mortar is semi-hardened, tool the joint to replicate the original mortar profile.
- Use a nylon or natural bristle brush to clean excess mortar from the joint and surrounding masonry. Do not leave excess mortar on the masonry as it can lead to deterioration.



Soft, older bricks (left) and harder modern bricks (right) are visually distinct from one another. Before undertaking a tuckpointing project, it is important to understand which type of brick and mortar you are dealing with so as not to inadvertently cause harm to a property.

Properties of historic lime-based mortars vs. modern cement-based mortars and effects on soft brick





## 2.3 WOOD

Wood is not as common in the commercial core of Frankfort as it is in residential areas, but the material is still found in a variety of applications—structural framing, storefront assemblies, cornices, shutters, doors and windows, columns and posts, and decorative features such as brackets, dentils, door surrounds, and window hoods. At the hands of a craftsman, it can take on both simple and complex forms, from planed siding to intricate scrollwork, and can be installed in a variety of configurations that result in unique patterns, profiles, and textures.

While wood features can be susceptible to weather damage, insects, and biological growth, properly maintained components that have a protective coating can last for many years before replacement is necessary. This is particularly true for historic features constructed of highly-durable, dense old growth lumber. When wood components become deteriorated, selective repair or replacement of isolated sections is often a viable option, leaving the intact section of original materials in place.

### 2.3.1 IDENTIFY, RETAIN, AND MAINTAIN HISTORIC WOOD SIDING, TRIM, AND ARCHITECTURAL FEATURES

- A. Wood surfaces and features shall be protected from deterioration by providing a weather-resistant coat of paint or stain.
- B. Identify, evaluate, and treat the causes of wood deterioration, including faulty flashing, leaking gutters, cracks and holes, deteriorated caulking at seams, plant materials, and insect or fungus infestation.
- C. Apply chemical preservatives as appropriate to historically exposed wood features.
- D. Hand scraping shall be used to remove deteriorated protective coatings to the next sound layer for repainting of the substrate. Damaging methods such as propane torches shall not be used.
- E. Stripping surfaces to bare wood or applying a stain where surfaces were historically painted shall be avoided.

### 2.3.2 REPAIR DETERIORATED BUT SERVICEABLE WOOD ELEMENTS VISIBLE FROM THE STREET AS CHARACTER-DEFINING FEATURES

- A. Deteriorated wood surfaces shall be repaired by patching, consolidating, splicing, or otherwise reinforcing deteriorated sections.
- B. Repairs shall be matched to the original materials in appearance, profile, texture, and finish.
- C. When patching or splicing deteriorated wood components, timber that matches the grain and density of original materials shall be used.
- D. Unique details such as beaded edges and bevels shall be retained when repairing deteriorated wood components.

### 2.3.3 MAINTAIN COMPATIBILITY WHEN REPLACING WOOD FEATURES THAT ARE DETERIORATED BEYOND REPAIR

- A. The profile, scale, dimensions, details, and character of the original feature shall be retained when replacing deteriorated materials.
- B. Fiber cement board shall be permitted as a replacement material for deteriorated wood siding. Fiber cement board shall be scaled to be compatible with the historic character of the property. Faux wood grains are not appropriate.
- C. Wooden materials and fiber cement board shall not be applied to masonry as an alternative to repair.
- D. Rough-sawn wood or plywood siding (i.e., T-111) shall be prohibited for exterior walls, trim, and ornamentation.
- E. Vinyl and aluminum siding shall not be permitted. Buildings already having artificial stone, asbestos, asphalt shingles, and other similar materials shall be permitted to use similar materials in resurfacing or repair.



### SALVAGED TIMBER

When undertaking repairs or replacing deteriorated sections of wood features, using salvaged timber goods can be a viable option in many instances. Salvaged timber of old growth materials can be found in many architectural salvage yards and can be reclaimed for reinstallation, reducing the impact of timber harvesting and making use of the embodied energy in previously harvested goods. Before installing salvaged timber, prepare it by removing all paint and finishes and sanding to a smooth, feathered edge. Fill any holes or minor cracks with epoxy filler and finish the timber to match existing materials.



### “DETERIORATED BEYOND REPAIR”

While each material has a different threshold, “deteriorated beyond repair” generally means that more than 50% of a material feature is no longer in serviceable condition and it is no longer feasible to repair a feature by patching, splicing, or otherwise reinforcing deteriorated materials. The burden of proof in demonstrating that a material is deteriorated beyond repair lies with the project applicant. Planning and Community Development staff and/or the ARB may request detailed photographic evidence and/or request to visually inspect a property in order to confirm the level of deterioration.



From door and window assemblies to storefront components, cornices, and other architectural details, wooden features are found throughout the commercial core of Frankfort in a wide variety of applications in both simple and complex arrangements. Historic wooden features should be protected by maintaining protective features and embracing selective repair before considering replacement.

## The Simple Truth: Vinyl Materials

While vinyl materials are not as common in the commercial core of Frankfort as they are in residential sections, vinyl materials are still often considered as siding for certain areas, windows, and doors. However, vinyl materials are strongly discouraged in the district. Not only is vinyl an extremely environmentally-unfriendly product, but it also dramatically changes the character of the building to which it is applied, as well as the overall streetscape. Perhaps most importantly, despite what many marketing materials claim, vinyl is not a cure-all that will remedy problems. In fact, vinyl materials introduce their own set of problems:

- Composed primarily of polyvinyl chloride, vinyl does not provide a sustainable rehabilitation option and its manufacturing process results in the release of dioxins and furans, two of the most harmful industrial pollutants.
- Vinyl will not get rid of existing problems evident in stone or wood wall materials, it will just mask them. Often, the installation of vinyl can actually cause the problem to worsen; with the problem hidden and out of sight, the property owner is more likely to ignore or forget about the deterioration, which will continue. The presence of vinyl siding will prevent the property owner from being able to easily access and correct the problem in the future.
- Vinyl is considered a non-permeable material. While moisture cannot penetrate the material, it also means that if a cladding is installed incorrectly, there is a manufacturer defect in a vinyl window, or vinyl warps or otherwise allows moisture behind it, water will be trapped and unable to dry out to the surface.
- “Maintenance-free” simply means the material is not easily repairable. Just like every other material—natural or synthetic—vinyl deteriorates. Over time it will dent, warp, crack, fade, discolor, or sag. While traditional materials such as masonry and timber can be patched and repaired on a localized basis as needed, vinyl cannot be repaired. When it deteriorates, it must be fully replaced.
- Vinyl dramatically alters the character of the building and the overall streetscape. The installation of vinyl destroys the integrity of a historic building, changing the scale, composition, texture, and profile of finishes and features that historically characterized a property.





## 2.4 METALS

Architectural metals are versatile and distinctive materials that can be used in a variety of applications—cornices, storefront components, roof light fixtures, wall anchors, shutter latches, fences, cresting, railings, brackets, and window hoods—and sculpted into a variety of designs and patterns, resulting in a rich variety of colors, textures, and shapes. As particularly unique features of a building, it is important that historic architectural metal elements are retained as character-defining features.

Critical in determining an appropriate approach for metal features is understanding the characteristics of the particular metal being addressed. Soft metals (tin, zinc, copper, bronze, and aluminum) and hard metals (cast iron, wrought iron, and steel) react very differently to different types of cleaning and different types of coatings, and using the inappropriate method can unintentionally accelerate deterioration rather than correct it. Before any work is done, it is recommended that methods be tested on a localized area to ensure inadvertent damage will not be done.

### 2.4.1 RETAIN AND PRESERVE HISTORIC ARCHITECTURAL METAL FEATURES VISIBLE FROM THE STREET

- A. Historic architectural metals such as copper, tin, and wrought iron used in architectural details and ornamentation shall be maintained.
- B. Altering, obscuring, or removing historic architectural metal features shall be avoided.
- C. Protective coatings, where historically present, on metal surfaces shall be maintained in order to extend the life of the material. Exposing historically coated metals can accelerate deterioration and shall not be permitted.
- D. Painting historically exposed metals such as copper and bronze is not appropriate and shall be avoided.
- E. Removing naturally-occurring patina—which acts as a protective coating—on historic metals such as copper shall be avoided.



Architectural metals are found in a variety of forms in Frankfort's historic commercial core, each contributing to the unique character of a particular building. Historic metal components are to be retained as significant components that contribute to the architectural integrity of the area.

#### 4.4.2 CLEAN AND REPAIR LOCALIZED DETERIORATION TO MAINTAIN ARCHITECTURAL INTEGRITY

- A. Clean metals prior to reapplying protective coatings to improve longevity of the coating.
- B. Clean soft metals such as copper with chemical solutions, starting by testing localized areas. Abrasive methods such as grit blasting shall be avoided.
- C. Clean hard metals such as cast and wrought iron with the gentlest means possible — start with hand scraping and wire brushing before to determine if more abrasive methods are necessary.
- D. Deteriorated features shall be repaired by patching or reinforcing the original fabric with components of compatible material. Substitute materials that alter the visual appearance of the intact portions shall not be permitted.

#### 4.4.3 MAINTAIN COMPATIBILITY WHEN REPLACING DETERIORATED OR MISSING FEATURES

- A. If a portion of an architectural metal feature is deteriorated beyond repair, only the deteriorated section shall be replaced. Wholesale replacement of the entire component when only isolated deterioration is present shall be avoided.
- B. Replacement pieces shall match original materials in-kind in terms of design, dimension, and texture. When in-kind materials are not feasible, a substitute material that replicates the design, dimension, and profile of the original material may be considered.
- C. If an architectural metal feature is missing, it shall be replaced with a new feature based on accurate documentation of the original design or with a simplified design that is compatible in scale, size, material, and color.
- D. When replacing metal elements, avoid contact between two different types of metals as this can cause a chemical reaction that will accelerate corrosion. Ensure all fasteners are also chemically compatible with the substrate.



## 2.5 ROOFS, CORNICES, AND RELATED FEATURES

Whether flat, gabled, hipped, or comprised of a variety of intersecting shapes, the roof shape and pitch play an important role in defining a building's massing, volume, and form. While many commercial buildings feature flat roofs that are not visible, many are also defined by features such as chimneys, cornices, brackets, cresting, and other such features that help convey the architectural style and vintage of a particular building and contribute to the rich variety of architecture within Frankfort's commercial core.

While many original roofing materials have been replaced over time, the shape, configuration, and detailing of the roof often remain as character-defining features. Emphasis is to be placed on retaining the original roof shape and pitch, as well as associated features, as changes to the roof and alterations or removal of associated features can significantly alter the character of the entire building.

### 2.5.1 RETAIN ORIGINAL ROOF SHAPES AND ASSOCIATED CHARACTERISTICS

- A. The original roof shape shall be preserved.
- B. Original architectural features that give the roof its character—such as dormer windows, cupolas, cornices, brackets, chimneys, and cresting—shall be retained.

### 2.5.2 RETAIN AND MAINTAIN ORIGINAL CHIMNEYS

- A. Original chimneys, particularly those visible from the public right-of-way, shall be retained.
- B. Maintaining chimneys in working order to take advantage of their ventilating properties is recommended. In instances where a chimney cannot be used, install a chimney cap to protect the chimney. The cap shall be installed so that it does not diminish the original design, require removal of decorative features, or damage historic materials.

- C. If rebuilding a chimney is necessary, historically appropriate materials such as brick or stone shall be used. Materials that simulate masonry shall not be permitted.
- D. Altering the character of a chimney by painting, parging, wrapping in siding, or otherwise covering historically-exposed masonry materials visible from the right-of-way is not appropriate and shall be avoided.
- E. Shortening or removing original chimneys when they become deteriorated is not appropriate, particularly when readily visible from the public right-of-way, and shall be avoided. Deteriorated masonry shall be repaired in accordance with the guidelines.



### 2.5.3 RETAIN HISTORIC CORNICES AND PARAPETS

- A. Historic cornices and parapets shall be preserved through appropriate maintenance.
- B. The scale and configuration of historic cornices and parapets shall be maintained. Removal of intact components, lowering parapets, or addition of features with no historical basis shall be avoided.
- C. Wholesale removal of cornices shall not be permitted. Repair and replacement shall be limited to deteriorated or missing sections.
- D. Replacement sections and elements shall be with materials compatible with the original in size, shape, color, and texture. Replacement with in-kind materials is encouraged. Substitute materials shall be considered on a case-by-case basis in consideration of their compatibility with the original feature.
- E. Where a historic cornice is missing and reconstruction is desired, the new design shall be compatible with the building's style, vintage, and scale. Use physical evidence, historic photographs, and documentation as the basis of the design where available. In the absence of such information, a simplified cornice design typical of the building's vintage shall be used.

While most commercial buildings in Frankfort's core feature a flat roof that is not visible from ground level, there is a rich variety of cornices and parapets found throughout the district. Such features should be maintained as part of the roof structure and architectural detailing.

## 2.5.4 REPLACE VISIBLE BUT DETERIORATED ROOFING MATERIALS WITH COMPATIBLE COUNTERPARTS

- A. The original roof shape and configuration shall be retained when installing new cladding materials.
- B. Visible but deteriorated roofing shall be replaced with in-kind materials appropriate to the style and period of the building and neighborhood and match the original in appearance, pattern, color, composition, size, and shape.
- C. When visible, new metal roofing shall be standing seam with 15-inch wide panels at minimum. Corrugated roofing shall be prohibited when visible from the front.
- D. Where large sections of specialty materials such as slate or tile are deteriorated on primary slopes, consider consolidating intact units from the rear slope for use in the deteriorated area.
- E. Full replacement of a visible roof with materials other than those existing shall only be approved after the applicant has submitted evidence and documentation of why the existing roof material cannot be repaired and/or replaced with the same material.
- F. Spray insulation foam and alternate paint coatings over metal roofing shall be allowed to increase the longevity of the material as long as it does not alter the visual qualities of the roofing as visible from the street.

## 2.5.5 UTILIZE GUTTERS AND DOWNSPOUTS THAT ARE NON-INTRUSIVE TO THE DESIGN OF THE BUILDING

- A. Box gutters shall be preserved and repaired or replaced with the same style box gutters on all elevations visible from the right-of-way.
- B. Box gutters that are deteriorated beyond repair on elevations not visible from the right-of-way may be replaced with half-round hanging gutters and round downspouts.
- C. Hanging gutters and downspouts, unless made of copper, shall be painted the same color as the house or the trim. To prevent the paint from flaking and peeling within a short period of time, non-galvanized metal or aluminum gutters or downspouts shall be coated with a galvanized steel primer before applying the finishing coats of paint.
- D. All new hanging gutters shall be half-round and new downspouts shall be round unless otherwise approved. K-style and PVC style gutters shall not be permitted.

## 2.5.6 MINIMIZE THE IMPACT OF ROOFTOP ADDITIONS, EQUIPMENT, AND OTHER CHANGES

- A. Rooftop additions are generally discouraged. In rare circumstances where a rooftop addition is permitted, it shall be setback from the face of the building to minimize its appearance from the front and retain perception of the original massing.



Critical consideration should be given to the location of any proposed rooftop addition as they have the potential to alter perception of the original massing and volume of a building. Any approved rooftop addition should be appropriately setback from the face of the building to distinguish the contemporary addition from the original building.

- B. Changes to the original roof shape or adding features inappropriate to the character of the roof, such as oversized dormer windows, shall be avoided.
- C. Skylights, roof gardens, television antennae, satellite dishes, and mechanical equipment such as air conditioning units shall be placed in an inconspicuous location where they will not detract from the character of the building. Generally, they shall not be placed on an elevation visible from the street. Installation on façade roof slopes or flat roofs near the front face of the building shall be prohibited.
- D. Architectural details such as decorative cornices, cupolas, and brackets that were not historically present on a building shall not be added as they convey a false sense of history.



On most commercial buildings with a flat roof, there are a wide variety of options for placing rooftop equipment, antenna, and sustainable solutions. Careful consideration must be given in each instance as rooftop features located at or near the façade can disrupt the character of the district along the right-of-way.



## INSTALLING GREEN FEATURES

Rooftop solar collectors—either solar panels or solar shingles—that translate the sun’s energy into usable power for a building may provide a viable option for some property owners who desire to reduce energy consumption. In addition, green roofs may improve water runoff, reduce energy use, and reduce heat transfer into the building. Use of such features as an energy-efficient mechanism is permitted and encouraged when it can be demonstrated that the installation will not diminish the integrity of the building on which it is located. Consider the following when assessing the feasibility of rooftop features to minimize the potential for the building’s character to be negatively impacted:

- Make sure the roof structure can support the added weight of the feature.
- If installing solar tiles, maintain compatibility with original roof materials in scale, profile, and configuration.
- To the extent feasible and practical, place solar collectors and green roofs toward the rear of a roof. Shielding installations behind parapets is encouraged.
- If a building’s orientation will limit the productivity of solar collectors, consider the rear portion of sloped roofs (where present) on secondary elevations as an alternative.
- Secondary buildings at the rear of a lot may provide a viable alternative for locating solar collectors.
- Size the solar collectors and select an arrangement compatible with the scale and form of the building.
- Select collectors and mounting systems similar in color to existing roof materials to minimize their appearance.
- Install solar collectors so they lay as parallel as possible to the roof surface. In general, solar collectors should not be positioned more than 6” away from the roof surface.
- Install features so they do not cause irreversible damage to the roof structure or require the removal or alteration of character-defining features such as dormers, chimneys, and cornices.



## 2.6 COMMERCIAL STOREFRONTS

The storefront is undoubtedly the most important element of a business, providing a mechanism for engaging pedestrians along Frankfort’s commercial corridors. This corridor includes traditional commercial buildings that share the same basic components—although the size, style, materials, and details vary widely—as well as a few historic residential buildings that have been converted for business activity.

Over time, storefronts become common targets for rehabilitation and alterations as business owners look to update the appearance of their property. Careful consideration must be given to any such decision to alter a storefront since it is the most readily visible design element of a property and the means through which patrons first interact with a business. Decisions related to alterations should place a priority on working with existing fabric and embracing historic precedents and design standards that have become character-defining features of historic commercial corridors. Significant changes to the character of intact historic storefronts are not appropriate as they significantly disrupt the character of the property.

### 2.6.1 RETAIN AND MAINTAIN HISTORIC STOREFRONTS, INCLUDING INDIVIDUAL COMPONENTS

- A. Identify character-defining features of the storefront. These features shall be preserved as critical components of the composition, design, and materiality.
- B. Select building uses that minimize the necessity of changes to historic storefronts.
- C. The traditionally well-defined openings and arrangement of a storefront shall be retained. Enlarging or infilling openings shall be avoided where there is no historical basis.
- D. The primary plane of the storefront shall be maintained at the sidewalk edge. Recessed vestibules are to be retained where they exist or are documented.
- E. Functional elements such as piers, columns, lintels, and cornices shall be preserved as character-defining features that establish the spatial organization of the space.

- F. The depth and profile of the original entry shall be maintained. Locating commercial entries flush with exterior walls or excessively recessing entries within the building face to create a vestibule is not appropriate.

### 2.6.2 REPAIR RATHER THAN REPLACE DETERIORATED BUT SERVICEABLE STOREFRONT COMPONENTS

- A. Historic masonry, wood, and metal storefront components shall be protected through appropriate maintenance.
- B. Paint finishes shall be maintained on historically painted surfaces.
- C. Replacement of storefront components shall be limited to those too deteriorated for practical repair. Wholesale replacement of serviceable storefronts shall be avoided.
- D. When replacement is necessary, in-kind materials that match the original in size, scale, shape, color, texture, and finish shall be used.
- E. In-kind materials are encouraged. Substitute materials such as fiber cement board shall be considered on a case-by-case basis in consideration of their compatibility with the building. Vinyl, faux masonry, and unfinished wood shall not be used. Exposed aluminum shall be considered on a case-by-case basis.



Storefronts are critical components of the pedestrian streetscape. Unsympathetic alterations can severely impact the character of a space and limit opportunities for interactions with patrons.

### 2.6.3 WHEN NECESSARY DUE TO ABSENCE, TOTAL LOSS, OR ADVANCED DETERIORATION, CONSTRUCT STOREFRONTS THAT ARE COMPATIBLE IN DESIGN WITH THE BUILDING

- A. Where historic storefronts are deteriorated, storefronts compatible with the original in dimensions, form, design, and scale shall be used.
- B. Where a historic storefront is missing, use physical evidence, historical photographs, and documentation to reconstruct a compatible replacement storefront.
- C. In the absence of documentation, a storefront with simple detailing and traditional storefront elements shall be used. Designs shall maintain a transparency compatible with traditional storefront openings in Frankfort.
- D. Alteration of a building to make it appear older than it is and introduction of features not historically present shall be prohibited.

### 2.6.4 FOR CONVERTED RESIDENTIAL BUILDINGS, MINIMIZE THE IMPACT OF COMMERCIAL ENTRIES ON BUILDING FABRIC

- A. Historic porches, stoops, and related features on the front façade shall be retained in place.
- B. Historic entry surrounds, transoms, and sidelights on the front façade shall be retained and repaired in place. Removing character-defining features of the entry to accommodate a new entry is not appropriate.
- C. Handrails, balusters, and other elements added to existing steps and stoops to comply with building code shall be simple in character and finish. Gas and water piping is not appropriate as railings.
- D. Doors on the front facade shall be sized to fit the original opening. Enlarging or partially enclosing an opening to accommodate a commercial door shall be prohibited.
- E. Commercial doors shall be simple in character and unobtrusive to the original design. Doors with full-view glass and wood or metal frames are recommended. Wood shall be painted and metal shall be painted or have a baked-on enamel finish compatible with the building. Exposed aluminum doors are not appropriate.



## 2.7 PRIMARY ENTRANCES AND DOORS

Commercial buildings commonly feature an entry at the storefront and a secondary entry leading to upper-story space. Entrances, particularly at the storefront, are one of the most distinctive features of a building. From the style and configuration of the door to the inclusion of decorative and functional features, entries along Frankfort's commercial corridor vary widely, reflecting the needs of the business owner and the architectural style of the building.

Given the importance of entries in defining the character of a property and particularly the storefront, it is critical that the historic features of an entry—including door, transoms, and decorative elements—be retained and repaired as necessary. Changes to an entry should be carefully considered during the project planning process. Substantial changes such as the removal of intact entry components or enclosure of façade door openings should be avoided as they can significantly compromise the character of the building or negatively impact how potential patrons interact with a business.

### 2.7.1 RETAIN THE LOCATION AND CHARACTER OF HISTORIC ENTRY ASSEMBLIES ON THE FAÇADE

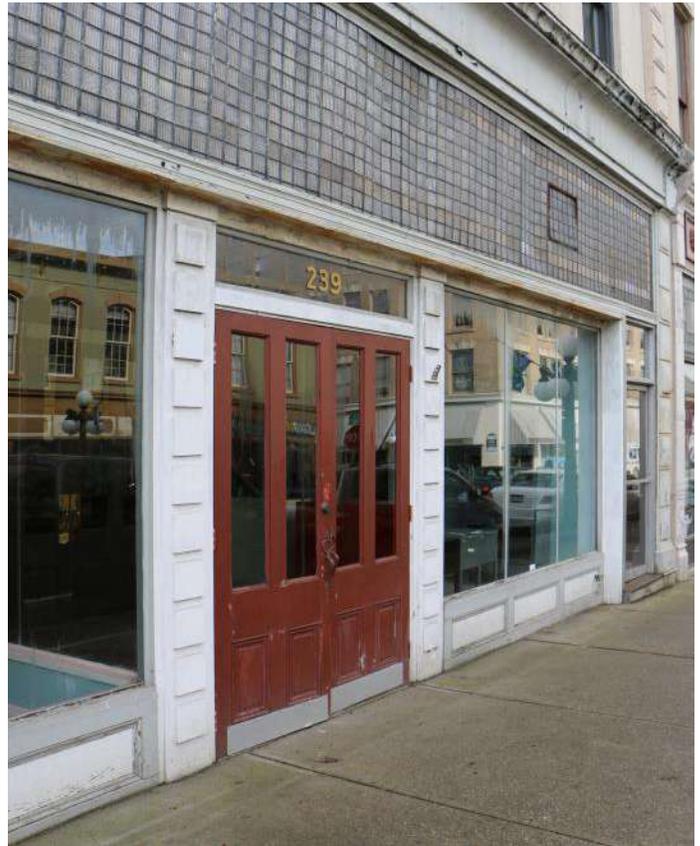
- A. The location, size, proportion, and shape of original door openings shall be retained.
- B. Door openings on the front façade shall not be reduced, enlarged, or filled in.
- C. Storefront entries on the front façade shall not be enclosed. If entries to upper-story spaces are no longer needed, retain the door opening, block it from the interior, and maintain the door fixed in place so as to maintain the exterior appearance. Boarding-over of historic door openings is not appropriate and shall be prohibited.
- D. If original openings are filled in on the side or rear elevations, the outline of the original opening shall remain apparent by setting infill material back from the face and leaving original sills and lintels in place.
- E. Consider restoring previously altered door openings at the storefront.
- F. Cutting new entry openings into the storefront or front façade is discouraged.

## 2.7.2 RETAIN AND MAINTAIN ORIGINAL DOORS AND ENTRY FEATURES ON THE FRONT FAÇADE

- A. Original doors, trim, and features, shall be retained and repaired unless determined to be deteriorated beyond repair.
- B. Solid-core wood commercial doors are effective natural insulators. Weatherstripping doors to enhance efficiency is encouraged.
- C. Maintain protective surface coatings on historic wood components. Carefully scrape, prime, and repaint deteriorated coatings to provide a weather-resistant coating.
- D. When repair is necessary, repair only the deteriorated section of components in accordance with the materials guidelines.
- E. Removing historic leaded, art, stained, or prismatic glass panes is not appropriate and shall be prohibited.
- F. Original door hardware shall be retained and repaired whenever feasible.
- G. Only clear glass shall be used when repairing damaged glazing on façade entries. Frosted, tinted, reflective, opaque, and patterned glass is not appropriate and shall be avoided unless it was historically present.

## 2.7.3 WHERE NECESSARY, SELECT REPLACEMENT DOORS THAT ARE COMPATIBLE WITH THE CHARACTER OF THE BUILDING

- A. Original doors on the front façade shall only be replaced when they are determined to be deteriorated beyond repair.
- B. When replacing non-original doors on the front façade, new doors shall be compatible with the character and style of the building and shall be compatible with the size, proportion, shape, glazing, and configuration of the original door. Installing residential doors or an undistinguished flush door shall be prohibited.
- C. In-kind materials that replicate the historic door are strongly encouraged. Compatible substitute materials shall be considered on a case-by-case basis.
- D. Enlarging or partially enclosing an original opening on the front façade to accommodate a replacement door is discouraged.



Commercial entries are critical components of the streetscape and contribute to the overall character and intricacy of a storefront. Retaining historic doors (top) or incorporating compatible new doors should be a primary goal of any project. Installing undifferentiated, flush doors (bottom) should be avoided as it disrupts the transparency of the streetscape.



## 2.8 STOREFRONT AND UPPER-STORY WINDOWS

Most commercial buildings in Frankfort are characterized by a series of storefront windows and various levels of upper-story windows. Storefront windows are particularly critical features as they are important in drawing the attention of potential patrons. Upper-story windows are likewise important elements of the streetscape. While outside of the pedestrian level, upper-story windows help articulate a building's façade and provide a sense of rhythm along the commercial corridor.

Regardless of their placement on the façade, original window openings should not be altered. Preserving historic window components should be considered a priority as inappropriate changes can diminish the integrity of the entire building and also disrupt the continuity of the commercial streetscape. Both storefront and upper-story windows should be maintained and preserved as character-defining features that help convey the historic function of a building and its architectural style and vintage.

### 2.8.1 RETAIN THE CHARACTER AND ARRANGEMENT OF HISTORIC STOREFRONT WINDOWS

- A. Maintain the original pattern, shape, and size of storefront window openings. Where alterations are necessary for security or functionality, the changes shall not be discernible from the exterior.
- B. Storefront windows shall not be reduced, enlarged, or filled. Restoring previously altered storefront windows is strongly encouraged.
- C. Permanent boarding over of storefront windows or covering with opaque materials shall be prohibited. Removal of such coverings is strongly encouraged.
- D. Storefront windows shall be maintained as open, transparent space to encourage pedestrian interest and patron interaction. Clear glass shall be used in storefronts.

## 2.8.2 SELECT COMPATIBLE UNITS WHEN STOREFRONT WINDOWS REQUIRE REPLACEMENT

- A. Deteriorated but serviceable functional elements such as framing members shall be repaired.
- B. When replacement is necessary, new units shall match the original in size, shape, scale, and character. Framing members shall be compatible with the scale, spacing, and profile of the storefront.
- C. Wood or anodized aluminum (painted or with baked-on finish) shall be used for replacement materials unless another material can be demonstrated to have historically been present. Exposed aluminum shall be considered on a case-by-case basis.

## 2.8.3 RETAIN AND MAINTAIN ORIGINAL UPPER-STORY FAÇADE WINDOWS AND ASSOCIATED FEATURES

- A. Maintain the rhythm, pattern, and shape of upper-story front façade window openings. Enlarging, reducing, or enclosing openings on the façade shall be avoided. In rare instances where enclosure is permitted, recess the infill material from the face of the building to maintain the outline of the original opening.
- B. Original windows on the front façade shall be retained when possible, and repaired as needed, including all functional and decorative elements such as the sash, hardware, casing, and any decorative moldings or hoods.
- C. Protective surface coatings shall be maintained. Carefully scrape, prime, and repaint deteriorated coatings to provide a weather-resistant coating.
- D. Improving the energy efficiency of intact historic windows is encouraged. Maintain caulk and glazing putty in good condition, providing weather-tight seals. Apply weather-stripping, ensuring all joints are tight and sealed, to reduce air infiltration.



## SIMPLE SUSTAINABLE SOLUTIONS

While we typically think of incorporating sustainable solutions as a large endeavor, there are small things every property owner can do to promote energy efficiency and sustainable approaches in window projects:

- Maintain and preserve existing old growth wood windows to the extent possible, which minimizes the need to harvest new timber and eliminates landfill waste.
- When using wood for repair or in replacement windows, choose timber from sustainably managed forests.
- Lock your windows. It not only provides security but also creates a tight seal between sashes and reduces air infiltration.
- Maintain glazing putty and sealants in good condition to minimize air and moisture penetration. Adding weatherstripping can reduce infiltration by as much as 50%.
- Installing storm windows provides a tremendous boost in efficiency. In fact, the combination of a historic wood window and a properly sealed storm window can, in many instances, provide better value than a brand-new double-pane sash.

- E. Low-e or light-absorbing coatings are only appropriate on the façade when it can be demonstrated that there will be no change in the original appearance of the glass. Mirror glass is prohibited.
- F. Storm windows shall allow for a full-view of the primary window or have a meeting rail that aligns with that of the primary window. Storm windows shall have no other divisions. Interior storm windows are encouraged but shall be installed in a manner that limits the potential for damaging condensation to form on the primary window. Incorporating air-tight gaskets, ventilating holes, and/or removal clips is recommended.

## 2.8.4 REPAIR DETERIORATED ORIGINAL MATERIALS ON THE FAÇADE BEFORE CONSIDERING REPLACEMENT

- A. Original window components that are deteriorated yet still serviceable shall be repaired rather than replaced.
- B. Permanent boarding over of façade windows as an alternative to repair shall be prohibited.
- C. Only the deteriorated section of a window shall be repaired, removing as little historic material as possible.
- D. If necessary, remove a sash from its frame before repairing in order to minimize inadvertent damage to other components. Identify and record the components of the window before dismantling for repair.
- E. Only clear glass shall be used when repairing damaged units on the front façade. Tinted, reflective, opaque, or patterned glass shall not be used unless it was historically present.

## 2.8.5 WHEN NECESSARY, REPLACE UPPER-STORY WINDOWS WITH COMPATIBLE REPLACEMENTS

- A. Original window sashes on the front façade shall only be replaced when they are determined to be deteriorated beyond repair.
- B. Only the deteriorated component of a window (such as the sash) shall be replaced. Wholesale replacement of the entire assembly shall be avoided when only isolated deterioration is present.
- C. When replacement windows are used, they shall match the original in size, shape, and configuration.
- D. Using in-kind materials is encouraged. Compatible substitute materials may be used and will be reviewed on a case-by-case basis. Anodized aluminum (painted or baked-on finish), aluminum-clad, and fiberglass-clad wood frame windows are example of compatible materials. Vinyl windows are not a compatible alternative for the front façade.

Upper-story windows along Frankfort’s commercial corridors come in a variety of shapes, sizes, and configurations but all contribute to the rhythm and continuity of the streetscape and help define the architectural character of individual buildings. As such, decisions to alter upper-story windows must be carefully weighed.



- E. New window sashes shall be properly recessed within the original opening to protect the window, maintain water runoff, and preserve historic profiles.
- F. Replacement windows should match the operation (e.g., double-hung) of the original window.
- G. Deteriorated sashes shall be replaced with true divided light sashes or simulated divided light sashes with dimensional muntins permanently affixed to the exterior of the glass. Snap-in grids or grids between panels of glass that give a false appearance of a multi-pane sash are discouraged and shall not be administratively approved.
- H. Windows of a style different than the building shall not be used.

### 2.8.6 CAREFULLY CONSIDER CHANGES TO WINDOWS ON SECONDARY AND REAR ELEVATIONS

- A. Retaining and maintaining historic windows on side and rear elevations is strongly encouraged.
- B. Use of in-kind and compatible substitute materials such as anodized aluminum, aluminum-clad, and fiberglass-clad wood frame windows is strongly encouraged.
- C. Replacement of non-original windows shall maintain the opening size and design of the building.

### 2.8.7 DESIGN NEW WINDOW OPENINGS TO BE AS INCONSPICUOUS AS POSSIBLE TO THE ORIGINAL DESIGN OF THE BUILDING

- A. New openings shall be limited to side and rear elevations. Cutting new openings into the front façade or prominent secondary elevations (for corner properties) shall be avoided.
- B. New openings shall be compatible with the size, height, and proportions of existing openings.
- C. Simple designs shall be used for new openings. Elaborate decorative details are not appropriate and shall be avoided.

### 2.8.8 UTILIZE SHUTTERS THAT COMPLEMENT THE HISTORIC CHARACTER OF THE BUILDING

- A. Original shutters on elevations visible from the street shall be retained. Deteriorated but serviceable shutters shall be repaired in accordance with the materials guidelines.
- B. Where existing shutters are deteriorated beyond repair, new shutters shall match the old in composition, size, shape, and color.
- C. Vinyl shutters on the front façade shall be prohibited.
- D. Shutters shall look as if they could work; they shall be sized to cover the entire window when closed and they shall not overlap when open. Shutters that are out of character or scale with the building shall not be used.



## CONSIDERING REPLACEMENT WINDOWS?

- Determine the condition of your windows. Completing an inventory of existing conditions can help you identify how extensive your needs are and determine if replacement is really the most practical option.
- Consider what needs to be replaced. Carefully evaluate what needs to be replaced and why. That is, determine what you are trying to achieve. You may find that a simple repair or energy enhancement will achieve the same goal.
- Consider the significance and visibility of your windows. While all serviceable historic windows on the façade should be preserved, those that are particularly significant or of a unique shape or configuration warrant extra consideration.
- Evaluate the suitability of your replacement window. Carefully consider the compatibility of your chosen replacement window and assess the life-cycle costs of its installation, including any maintenance or replacement that may be needed in the future. Demonstrated performance should be an important factor.



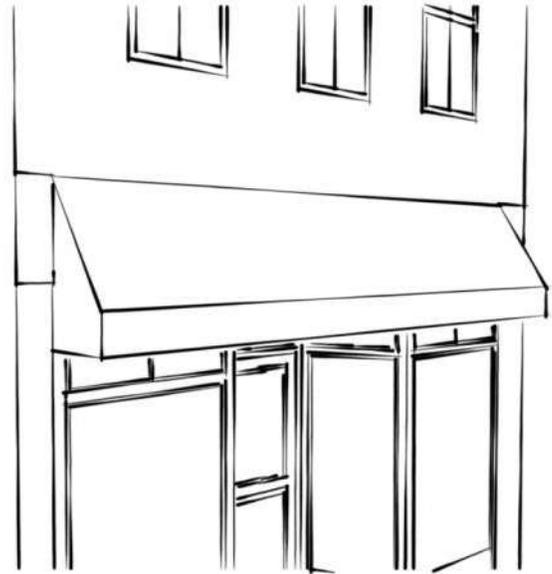
## 2.9 AWNINGS

Awnings have historically been used in commercial areas for a number of reasons, including to protect storefront display windows from the sun, minimize heat gain inside a store, and provide protection from the weather for pedestrians. Awnings can also serve as a decorative feature and help define the spatial relationships of a particular building, influencing perception of the property. Awnings can provide depth to a building, help identify building entrances, and mark the transition between the first floor shop space and upper story tenant space. Continued use of awnings in the commercial district is appropriate as a compatible element of the streetscape.

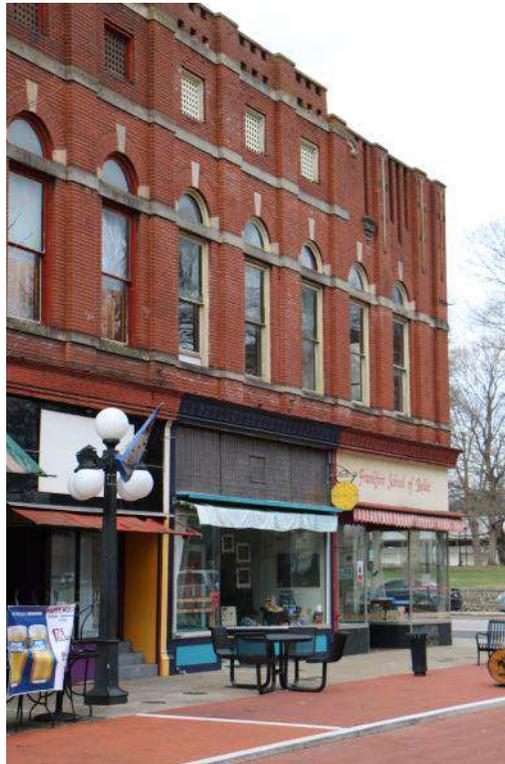
### 2.9.1 SELECT AWNINGS THAT ARE COMPATIBLE WITH THE INDIVIDUAL BUILDING AND STREETScape

- A. Awnings shall be deep enough to provide shelter and shed but not obstruct views along the streetscape. In general, awnings should project no more than 4 feet from the curb.
- B. Awnings shall be placed at an acceptable height. In general, the bottom of an awning shall be at least 7 feet above the sidewalk.
- C. Awnings shall be installed so that they do not obstruct or damage character-defining features. Awnings shall be installed below the storefront cornice and fit the storefront opening. Where masonry is present, framing shall be mounted through mortar joints.
- D. Awnings shall be only as wide as the storefront that they shelter. Awnings that obscure end columns and piers that divide storefronts are not appropriate.

- E. Fabric/canvas awnings supported by a metal internal structural framework are most appropriate. Plastic, vinyl, and metal awnings are discouraged. All awnings must be fire retardant.
- F. Retractable awnings are appropriate.
- G. Awning shapes shall be based on the shape of the window opening that it shelters. Shed awnings (triangular when viewed from the side) are most appropriate for flat and segmentally-arched window openings. Half-dome awnings are most appropriate for arched openings. Box awnings are not appropriate in Frankfort.
- H. Internal illumination of awnings is prohibited.



Awnings that have a roughly triangular shape are most appropriate for the flat and segmentally-arched window openings that are common throughout the commercial district.



Awnings are found in a variety of sizes, colors, and configurations in Frankfort. Awnings should continue to be used as compatible elements of the landscape that add depth and dimension to buildings and the streetscape and serve a functional purpose in sheltering storefronts and pedestrians.



## 2.10 UTILITIES AND EQUIPMENT

It is a recognized fact that making allowances for modern systems is a critical factor in the continued use of historic buildings. Such systems may include heating, ventilation, air-conditioning, plumbing, satellite dishes and antennae, and sustainable technologies such as solar collectors and green roofs.

It is important that the repair, replacement, and installation of modern systems do not negatively impact the character of a historic building or alter the overall visual qualities of the area. Systems should be installed in inconspicuous locations away from the public right-of-way so that their effect on a building is minimized. It is also important that modern systems work in conjunction with original features such as operable windows, recessed entry vestibules, and operable chimneys, which historically provided for many of the comforts now supported by modern equipment. New systems should be designed in consideration of such features, with an emphasis on their retention instead of replacement.

### 2.10.1 ENHANCE BUILDINGS RATHER THAN REPLACE OR REMOVE ORIGINAL MATERIALS FEATURES TO MAXIMIZE ENERGY CONSERVATION

- A. Retaining awnings, operable windows, transoms, recessed entry vestibules, and other such historic features is appropriate and encouraged.
- B. Enhance the energy efficiency of existing features by installing weather stripping and maintaining tight seals by caulking.
- C. Introducing features such as storm windows in accordance with the guidelines to maximize the efficiency of features is encouraged.
- D. Insulating roofs/attic space can provide energy savings and is encouraged.
- E. Installing draft plate sealers to electrical outlets and switches is appropriate. Filling electrical, plumbing, and ventilation chases with insulation is also appropriate.

- F. Sealing around holes in foundations and walls used for service lines is appropriate so long as it does not destroy or lead to deterioration in exterior materials. Spray foam shall not be used on masonry.

### 2.10.2 PLACE MODERN SYSTEMS AND EQUIPMENT IN LOCATIONS THAT MINIMIZE AESTHETIC IMPACTS

- A. Placing equipment such as air-conditioning units at the rear of a property is strongly encouraged.
- B. Screening ground-mounted equipment from view along the public street with appropriately scaled landscaping or fencing is appropriate.
- C. Locating new utility systems such as water, gas, and electric meters at the rear of the property is encouraged.



Locating service connections at the rear of secondary elevations as illustrated above is the most appropriate means of locating utilities within the historic district.

- D. Antennae and satellite dishes shall be located at the rear of a roof or substantially setback so as to eliminate view from the street. Installation at the front face of a building is prohibited.
- E. Exhaust vents and other such systems associated with commercial purposes shall not be located on the front façade. They shall be placed toward the rear of side elevations or at the rear elevation and scaled in consideration of use and the building.
- F. Consider screening antennae and satellite dishes from view by placing behind chimneys, dormers, or mechanical penthouses.
- G. Consider painting systems and equipment to blend with the building.
- H. Installing runs of ducts, pipes, or cables on the exterior of a building is not appropriate.
- I. Installation of communication towers within the boundaries of the district shall be avoided.
- J. Installing window air-conditioning units on the façade or secondary elevations visible from the public street is not appropriate.

### 2.10.3 INSTALL MODERN SYSTEMS AND EQUIPMENT IN A MANNER THAT AVOIDS OR MINIMIZES DAMAGE TO HISTORIC MATERIALS AND FEATURES

- A. Rooftop mechanical systems shall be setback from the public face of the building to minimize its appearance from the street.
- B. When installing roof-mounted systems, methods that do not damage historic fabric or require removal of character-defining features shall be used.
- C. Equipment shall be installed in such a way that it can be easily removed in the future without damaging historic fabric.
- D. Cutting holes in masonry or features such as decorative cornices or rake boards shall be avoided.

- E. Installing interior mechanical systems in a manner that requires the installation of drop ceilings and the partial filling in or covering over of historic window openings perceivable from the exterior is not appropriate.
- F. Historic features and materials shall be protected from inadvertent damage when repairing existing systems or installing new systems.

#### **2.10.4 INSTALL PASSIVE ENERGY COLLECTION SYSTEMS IN A MANNER THAT DOES NOT DIMINISH THE CHARACTER OF THE BUILDING**

- A. Setback passive systems such as solar collectors, roof-mounted turbines, and green roofs from the public face of a building.
- B. Finishes for exposed hardware, frames, and piping shall be selected so as to blend in with the building. Finishes that detract from the character of the building or area are not appropriate.
- C. Framing systems with reflective surfaces draw unnecessary attention to the system and shall be avoided. Matte finishes of black, brown, and gray are appropriate.



The location of passive energy systems such as solar panels and green roofs should be carefully evaluated in consideration of visibility from the public right-of-way. Setting such features back from the face of the building is strongly encouraged. Locating such elements at the face of the building where they are highly visible is not appropriate.



## 3. NEW CONSTRUCTION

### IN THIS SECTION

#### 3.1 New Construction

### 3.1 New Construction

Over time, historic districts may evolve through new construction (additions and infill) designed to improve the functionality of an existing building, infill a vacant lot, or replace an existing building due to the loss of existing buildings through fire, weather events, or demolition. Careful consideration must be made in both cases as the introduction of substantial additions and new buildings into the district has the potential to negatively impact the fabric of the streetscape if not carefully planned for and designed. Where new construction is pursued, it should be designed in discussion with the Architectural Review Board to ensure that it respects the historic design integrity of the district and is compatible with existing architecture in setback, massing, scale, materiality, and articulation. With proper planning—which starts with an understanding of how a property fits into the larger landscape of the area and is perceived from the public right-of-way—new construction can both meet the needs of the property owner and be appropriately compatible with the character of the district.

### 3.1.1 LOCATE ADDITIONS WITH RESPECT TO THE HISTORIC STREETScape AND BUILDING

- A. The rear elevation provides the most appropriate location for an addition in the commercial district.
- B. Where vacant lots along a side elevation are considered for an addition, additions should maintain the historic street wall.
- C. Additions should be attached so that they can be removed in the future, if so desired, without causing damage to the character-defining features of the original building. Reversibility is important.
- D. Additions shall be designed and located so that they do not impact historic character-defining features of the original building.
- E. Additions shall be designed so that they are compatible with the size, scale, setback, and massing of the original building.
- F. Additions shall be designed so that they are subordinate to the height and volume of the primary mass as visible from the street.
- G. Large unbroken expanses of wall surface along the public street are out of character with the district and are not appropriate. Additions that front the street shall feature articulation and window and door openings that maintain the character of the streetscape.
- H. Additions shall be designed with reference to the roof shape, pitch, and complexity of the original building.
- I. Additions shall be designed so that they are compatible with the character of the primary mass but so that they stand as a product of their own time. Subtle changes in material and architectural details are appropriate means for distinguishing additions from the original building.
- J. Simplified details that reference the character of the original building are appropriate.
- K. Door and window openings that conform to the proportion, size, and rhythm of those on the original building shall be used.



### CONSIDERATIONS WHEN PLANNING AN ADDITION TO A HISTORIC BUILDING

When evaluating the appropriateness of planning for the construction of an addition to a historic building, it is important to consider factors similar to those that will be evaluated by the ARB as part of the design review process. Questions that the ARB may consider include:

- How visible will the addition be from the public right-of-way?
- Does the addition diminish one's ability to interpret the character and age of the original building?
- Does the addition disrupt one's perception of adjacent properties and the larger streetscape?
- Does the addition require significant alterations to the original building or removal of character-defining features?
- Does the addition require significant structural changes to the original building?
- Is the addition subordinate to the original building?
- Is the addition of a simple design that is compatible with the original building?
- Is the addition of high-quality design and materials?
- Could the addition be removed in the future without causing irreversible damage to the original building?

## New Construction and Zoning Conflicts

It is recognized that historic precedents of building setback, height, and massing and precedents of lot coverage may conflict with the modern base zoning for a particular area. The designation of historic properties and areas provides a mechanism for addressing such conflicts. Specifically, through these design guidelines, standards are established for new construction that helps maintain compatibility with the significant character-defining features of the commercial area, which include how buildings fit into the streetscape. Elements such as building massing, height, and setback are to conform with the stipulations of these design guidelines where guidance is provided. In the absence of specific criteria in this document, base zoning shall apply. It is recommended that any applicant proposing new construction work with Planning and Community Development staff early in the project planning process to identify applicable zoning issues prior to advancing too far with a project. Staff can provide insight regarding any necessary variances that might be required for a particular project.

### 3.1.2 DESIGN NEW CONSTRUCTION SO THAT IT IS COMPATIBLE WITH HISTORIC PRECEDENTS IN THE DISTRICT

- A. Significantly altering the existing topography of a site to accommodate a new structure is not appropriate and shall be avoided.
- B. Consolidating lots into a larger property in order to accommodate a larger structure disrupts the pattern of properties within the commercial district and shall be avoided.
- C. New construction shall respect the existing organization of space along the street edge. Buildings shall be located so that they fall within established patterns to maintain the pedestrian-oriented nature of the commercial area.
- D. New construction shall employ a setback that falls within the range of adjacent buildings. Generally this includes a building wall along the edge of the right-of-way and may incorporate a recessed entry.
- E. The primary façade shall span the entire width of the lot.
- F. New construction shall be designed so that it is parallel to existing lot lines.
- G. New sidewalks, entrances, steps, and ramps shall be designed to be consistent with the rhythm present in the community.



### APPLYING THE GUIDELINES FOR NEW CONSTRUCTION

The guidelines are not intended to define a specific style or set of features required for new buildings. Rather, they are intended to promote an understanding of the general characteristics that are important to consider in designing a new building so that it is compatible with established precedents. The goal is to promote high-quality design that enhance the architectural character of the area, not detract from the unifying features of the commercial district. The following may be considered by the ARB when reviewing proposed new construction:

- Does the building fall within the established rhythm along the street?
- Is the entrance oriented to the street?
- Does the building's massing fall within the established range of the district?
- Does the façade incorporate pedestrian-scaled features?
- Is the ratio of solid wall to openings—particularly on the façade—consistent with that of surrounding buildings?
- Is the complexity of the building appropriate within its context?
- Is the façade appropriately articulated?
- Are materials of an appropriate scale?
- Does the building refrain from duplicating historic features yet incorporate details that promote visual interest?

### 3.1.3 DESIGN NEW CONSTRUCTION SO THAT ITS SIZE, SCALE, AND MASSING IS COMPATIBLE WITH EXISTING BUILDINGS

- A. New construction shall be compatible with the range of heights and widths traditionally found in the immediate vicinity. In general, all forms and massing shall relate to the street and pedestrian.
- B. New construction shall be compatible in directional expression—either vertical or horizontal emphasis—with historical precedents.
- C. New construction shall employ or give the impression of floor-to-ceiling heights that fall within the range of traditional precedents.
- D. New construction shall employ a storefront that is compatible with the scale and proportion of historic storefronts. New construction shall maintain existing ratios of transparent space along the pedestrian level.
- E. Contemporary interpretations of traditional storefronts are appropriate so long as they maintain the overall character of the streetscape.

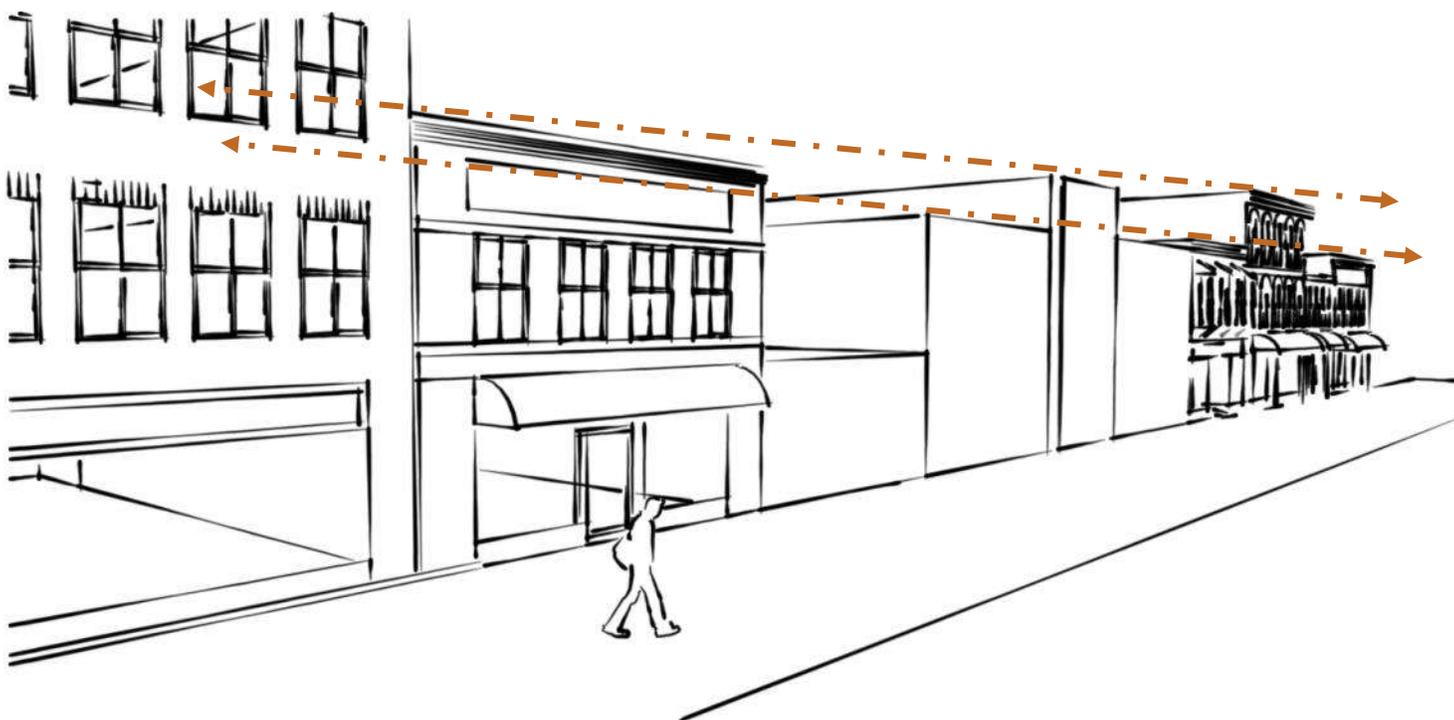


### NEW CONSTRUCTION CHECKLIST

An easy-to-use quick reference list for new construction has been provided as Appendix F for use by property owners and the ARB in considering the key criteria of new construction.

### 3.1.4 INCORPORATE FEATURES THAT FALL WITHIN THE RHYTHM AND ARTICULATION OF EXISTING FEATURES

- A. New construction shall employ a human scale in their design by including pedestrian-oriented features as storefront windows. First floors should encourage pedestrian interaction through incorporation of storefronts, awnings, and pedestrian-scaled details.
- B. The scale and proportion of façade features shall be consistent with those historically found in the area.
- C. Traditional ratios of solid wall space to openings shall be maintained, particularly on the façade.



New construction should fall within the range of accepted heights within the commercial area, based on adjacent buildings along the same block and across the street. Buildings that deviate substantially from the historic precedent can disrupt the flow and character of the streetscape.

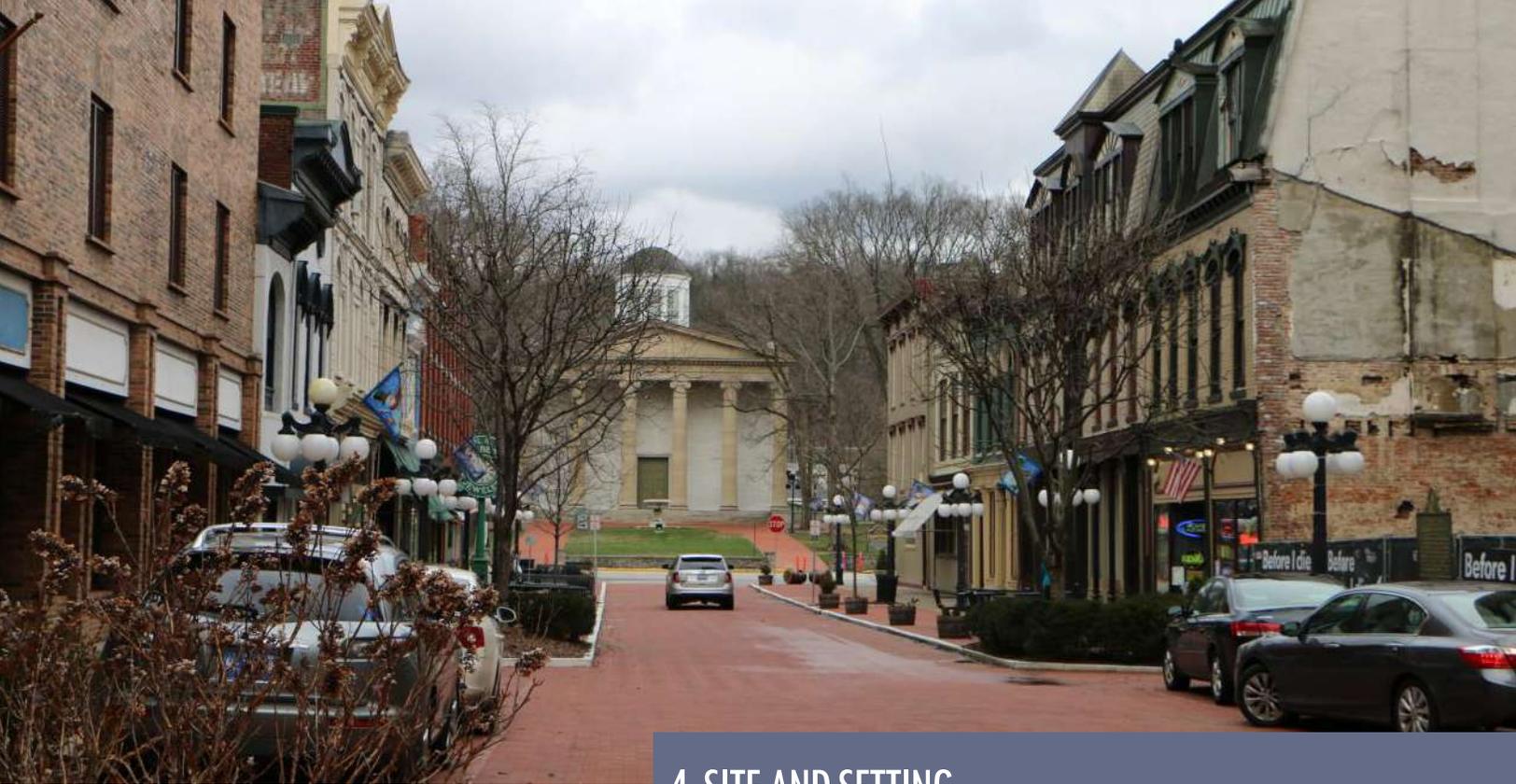


New construction that uses a large building mass should employ techniques of breaking up or dividing the street wall elevation so as to maintain historic precedents of rhythm and scale along the right-of-way. Large undifferentiated masses shall be avoided.

- D. Designs that echo or reinterpret historic precedents are appropriate. However, replication of historic designs creates a false sense of history and shall be avoided.
- E. Window and door openings shall be compatible with those on surrounding buildings in placement, spacing, scale, proportion, and size. New construction shall not include blank walls or prominent elevations with singular openings.
- F. Large buildings shall be broken by dividing the façade into distinct bays that are compatible with the width and scale of traditional pedestrian-oriented architecture in the district. Changes between bays in materials, window designs, and architectural details are techniques that are appropriate for dividing large areas.
- G. Main entrances shall fall within the range of expectations for pedestrian-oriented construction on the same block.
- H. Upper-story windows and cornices shall be compatible with the range of sizes and scales found in adjacent buildings.
- B. Materials and textures that are compatible with the surrounding area, promote a sense of human scale, and have proven durability shall be used.
- C. Masonry that is compatible with the character of traditional masonry materials in size, texture, and color shall be used. Using oversized masonry materials or finishes inconsistent with the character of the area shall be avoided.
- D. Alternative materials such as fiber cement board and cast concrete are appropriate for new construction where maintaining compatibility with traditional materials is a priority.
- E. Where storefronts are constructed, metal framing is encouraged as the most appropriate material.
- F. Finishes shall be compatible with the character of the district. Unfinished and reflective materials are prohibited.

### 3.1.5 EMPLOY TRADITIONAL MATERIALS OR ALTERNATIVE MATERIALS THAT ARE COMPATIBLE TO THOSE FOUND WITHIN THE AREA

- A. Materials that are compatible in scale, profile, texture, and finish to those already existing in the area shall be used.



## 4. SITE AND SETTING

### IN THIS SECTION

- 4.1 Pedestrian Streetscapes
- 4.2 Vehicular Parking
- 4.3 Signage

### 4.1 PEDESTRIAN STREETSCAPES

Frankfort’s commercial core is the heart of the community and comprised of dynamic areas that must cater to a variety of users, including business owners, residents, workers, and visitors. Commercial areas also must be responsive to both pedestrians and motorists, each of which brings its own needs to the district. These needs are met in both the private sphere—elements of the streetscape located on private property—and the public sphere—those elements located within the public right-of-way and managed by the municipality—although they work together to define the total character of the district. As such, the Planning and Community Development Department encourages sensitive consideration to the overall setting in both spheres in order to retain the unique sense of place that defines the character of the commercial district and reinforces it as a pedestrian-oriented area that caters to the multiple users of the businesses, offices, and venues located within the district. While there are no specific requirements or prohibitions for certain elements—such as plantings, lighting, or public infrastructure—recommendations are provided for actions that appropriately consider the role that each plays in contributing to the total character of the district.

#### 4.1.1 MAINTAIN AND RESPECT THE CHARACTER-DEFINING FEATURES OF THE OVERALL SETTING

- A. Maintaining the traditional character of the streetscape as a pedestrian-friendly corridor is encouraged.
- B. Maintaining existing street and road patterns and topography is encouraged. Designing new construction and additions to be oriented toward traditional infrastructure is encouraged.
- C. Maintaining the location, character, and scale of existing alleys is encouraged.
- D. Maintaining open viewsheds and lines of sight throughout the commercial district are encouraged.
- E. Maintaining established relationships among buildings, streets, and landscapes is encouraged. Significantly altering existing relationships or locating new construction outside of accepted precedents is not appropriate.



A priority should be placed on maintaining a pedestrian-friendly, aesthetically-pleasing environment in Frankfort's commercial core.



- F. Maintaining the location and character of site features such as sidewalks and walkways, light fixtures, and street furnishings is encouraged.
- G. Limiting the installation of new curb cuts, particularly to accommodate surface parking lots, is encouraged.

#### **4.1.2 EMBRACE DESIGN AND MAINTENANCE STANDARDS THAT PLACE A PRIORITY ON THE PEDESTRIAN**

- A. Maintain unobstructed, clean sidewalks.
- B. Continuing sidewalks uninterrupted across driveways to parking lots is encouraged to maintain the emphasis on pedestrians as a primary user.
- C. Maintain a strong sidewalk edge through building placement during new construction and buffering of street-fronting parking.
- D. Maintain street trees and other vegetation and prune regularly so as not to block sight lines along the commercial corridor.
- E. Select street lighting fixtures that are compatible in size, scale, material, and light output with the character of the district. Pedestrian-scaled lights (rather than automobile-scaled lights) are encouraged.
- F. Select sidewalk furniture that promotes the character of the district as a place of high-quality design and permanence. Finished wood and metal are most appropriate. Plastic, vinyl, and other cheaply-produced materials detract from the quality of the streetscape.
- G. Al fresco dining and other complementary uses are encouraged as means to encourage pedestrian interaction and cultivation of a vibrant commercial corridor.



## 4.2 VEHICULAR PARKING

Vehicular parking is a necessity in a commercial area but careful attention must be given to minimizing its impact on the character of the district. Large surface parking areas have the potential to create voids in the landscape and diminish the cohesive, urban feeling of the corridor. While parking must comply with the City's design standards and zoning ordinances, attention also should be given to limiting the effects of its presence on the aesthetics of the community.

### 4.2.1 MINIMIZE THE IMPACT OF NEW PARKING AREAS

- A. Locate parking in inconspicuous areas such as the rear of a building.
- B. Visually screening parking areas from the right-of-way by a planting strip or masonry wall in line with the block face is strongly encouraged. Corner parking lots should be screened on both facing streets.
- C. Avoiding large expanses of impervious surfaces is encouraged. Employing landscaping islands and buffers is appropriate.
- D. Providing clear pedestrian access and crossings is strongly encouraged.
- E. Where lighting is approved, incorporating pedestrian-scaled, shielded lighting is most appropriate in providing a safe environment.



## 4.3 SIGNAGE

Historic signage in Frankfort’s commercial district is found in the name plaques historically used on buildings as identifiers and remnants of painted advertisements (commonly referred to as “ghost signs”) that reflect the City’s commercial heritage and retail past.

Alongside signage of the past are the contemporary signs used to attract patrons to Frankfort’s businesses of today. These signs are distinct visual elements designed to provide visibility and recognition. Selection, design, and placement of signage are critical in not only attracting patrons but also in maintaining the aesthetic qualities of the district and individual buildings. Signs that are not well thought out or located in inappropriate locations have the potential to be perceived as visual clutter and detract from a business rather than support it. Compatibility and harmony between new signage and the historic character of a building is paramount.

### 4.3.1 MAINTAIN AND PRESERVE HISTORIC SIGNAGE

- A. Historic name plaques shall be maintained, preserved, and repaired in accordance with the applicable material guidelines.
- B. Obscuring or otherwise diminishing the visibility of historic name plaques shall be avoided.
- C. “Ghost signs” shall be retained as they exist. Re-painting these signs so that they appear to be new is not appropriate.
- D. Painting over, removing, or otherwise diminishing the visibility of historic “ghost signs” shall be avoided.

### 4.3.2 DESIGN NEW SIGNAGE TO BE A POSITIVE CONTRIBUTION TO THE DISTRICT

- A. High-quality designs that reflect a sense of permanence are encouraged.
- B. Employing designs that are compatible with the architectural character of the building and retail heritage of the area are encouraged.

- C. Design signs so as to complement the character of the building to which they are fixed. Signs that are icons unto themselves are not appropriate.
- D. Employ visual consistency in fonts and imagery. Overly complex signs that use more than two or three colors or numerous typefaces are not compatible with the retail heritage of the area and are not appropriate.

appearance to historic materials. Rough, unfinished surfaces, reflective materials, plastic and glossy materials, and pressure-treated wood are not appropriate.

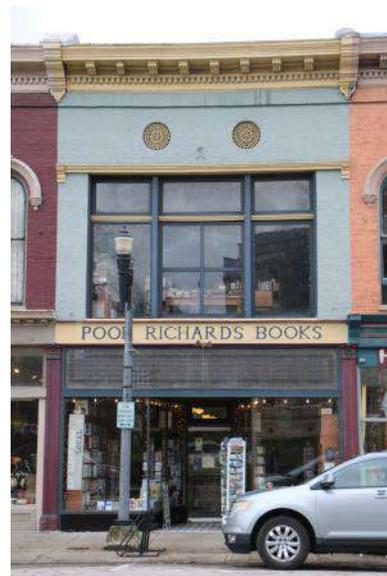
- F. Install signs so that they do not obstruct or cause damage to historic character-defining features and materials. Signage shall be attached through mortar joints (not the masonry face) or materials such as wood that are easily repairable.

#### 4.3.3 DESIGN NEW SIGNS TO BE COMPATIBLE IN LOCATION, FORM, SIZE, AND MATERIAL TO THE BUILDING

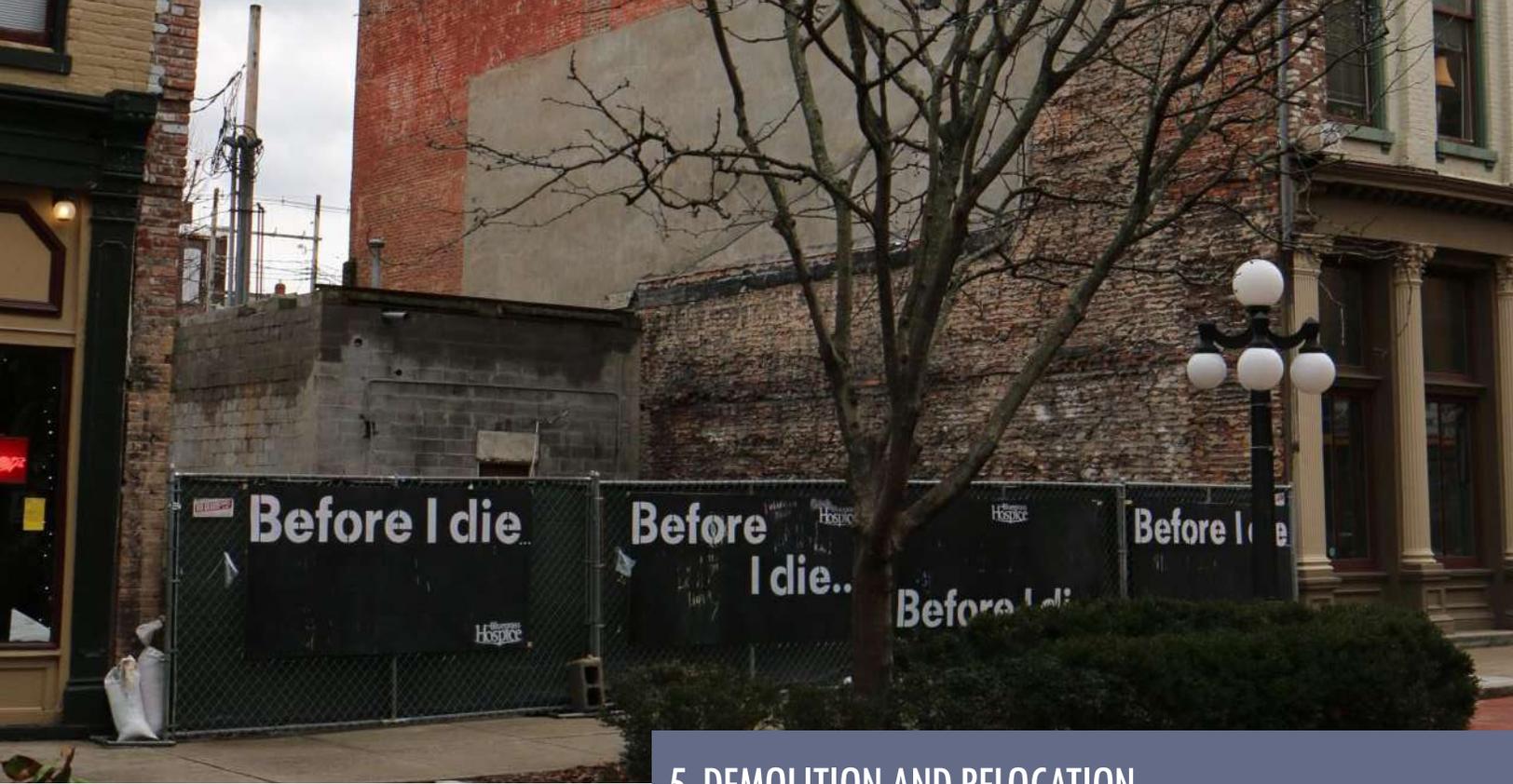
- A. Select traditional sign locations such as signboards, storefront windows, and projecting and pendant signs. Pole signs, rooftop signs, billboards, animated signs, and other outdoor advertising signs used for interstate traffic are prohibited in the district.
- B. Limiting signs on upper levels of a building above 20 feet is encouraged as they are not oriented to the pedestrian nature.
- C. Scale signs to be subordinate to the building. Overlay large signs are traffic and safety hazards and are perceived as visual clutter.
- D. Employ signage shapes that fit within the profile of the building and fall within the vertical and horizontal lines of a building.
- E. Select materials that complement the palette of the historic district. Permanent, durable materials historically used in the district are encouraged as are contemporary materials such as urethane board that are similar in

#### 4.3.4 SELECT SIGN LIGHTING THAT IS COMPATIBLE WITH THE CHARACTER OF THE DISTRICT

- A. Embracing ambient street lighting and storefront lighting is encouraged.
- B. Lighting shall be sufficient to allow for identification of a business but not detract from the character of the property or otherwise become a hazard. Shielded lighting that uses a warm light is most appropriate.
- C. Fixtures shall be appropriately scaled to the building and sign. Fixtures shall be hidden from view or finished in a dark, matte color so as not to detract from a building's character.
- D. Illuminated signage shall be reviewed in consideration of the City's zoning ordinance and the historic character of the commercial district.



New signage should be located in traditional locations such as signboards above entries and storefront windows. These locations allow for signage easily scaled to the total of the building and are oriented toward the pedestrian.



## 5. DEMOLITION AND RELOCATION

### IN THIS SECTION

- 5.1 Demolition
- 5.2 Relocation

### 5.1 Demolition

While demolition of non-historic buildings that are not contributing to the significance of the area may be appropriate, demolition—in whole or in part—of a historic building that contributes to the historical and architectural integrity of the area is an irreversible action that removes a component of our history from the landscape and leaves a void in the fabric of the community. Every alternative should be evaluated prior to applying for demolition of a historic building to promote continued use of historic building stock. Working with the Planning and Community Development Department, Kentucky Heritage Council, and other such entities is encouraged to explore potential alternatives for the building. No demolition shall be approved unless ordered by a Court, approved by the Code Enforcement Board, or cleared through the receipt of a Certificate of Appropriateness by the Architectural Review Board.

### 5.1.1 CAREFULLY CONSIDER THE EFFECTS OF DEMOLISHING A HISTORIC BUILDING PRIOR TO PURSUING DEMOLITION

- A. Historic buildings are to be maintained and preserved. Demolition of contributing buildings—particularly those that are structurally sound—is not appropriate and shall be prohibited.
- B. Evaluating alternatives to demolition—such as rehabilitation and reuse or sale of the property to another entity—is encouraged prior to pursuing demolition. Seeking advice from the Planning and Community Development Department is also encouraged.
- C. Consider stabilization and mothballing of historic buildings rather than demolition. Mothballing shall be accomplished by securing the exterior of the structure to prevent damage from inclement conditions, pests, and vandalism.

### 5.1.2 IN RARE CIRCUMSTANCES WHERE DEMOLITION IS APPROVED, CARRY OUT DEMOLITION WITH RESPECT TO THE BUILDING, SITE, AND OVERALL AREA

- A. Recording the building in its original setting and documenting existing conditions through photography and/or drawings is encouraged.
- B. Salvaging of intact and significant architectural materials and features such as windows, doors, hardware, and masonry that could be reused is encouraged.
- C. Protect significant site features such as historic masonry walls from inadvertent damage. Avoid damage to neighboring properties.
- D. Promptly clear the site of all debris following demolition.
- E. Select a redevelopment plan for the site that is compatible with the existing character of the area.



### DEMOLITION AND NON-CONTRIBUTING BUILDINGS

These guidelines are intended principally for historic buildings in the Central Business district that are considered contributing to its significance. Non-contributing buildings and additions—which may include those constructed outside the period of significance and those that have undergone significant alteration and no longer reflect their historic character—and buildings with conditions that have substantially deteriorated, undermining the structural integrity, may have more lean thresholds for approval of demolition at the discretion of the Architectural Review Board.

### CONSIDERATIONS FOR APPROVAL

The Planning and Community Development Department and the ARB take demolition of historic buildings very seriously. There are specific requirements for what must be submitted for review of a proposed demolition. Applications will be intently evaluated in consideration of the following:

- What is the historic and architectural significance of the building proposed for demolition? Is it particularly unique to the area or is it of individual noteworthy significance?
- Does the building contribute to the district?
- Is the building structurally sound?
- Have all efforts been exhausted in considering alternatives to demolition?
- What effect will the demolition have on neighboring properties, the streetscape, and the overall area?
- Is there new development planned for the site?
- Is the new development compatible with the guidelines for new construction?

In all instances, if demolition is approved, the actual demolition permit shall not be issued until a permit for construction has been reviewed, approved, and issued by the Planning and Community Development Department. While recordation of the building prior to demolition and salvaging of intact architectural features is encouraged in all instances, it may be required as a condition of approval for demolition by the Architectural Review Board at its discretion.

## 5.2 RELOCATION

Buildings are to be preserved in their original location on their original site. Relocation of a building from its original site not only compromises the integrity of the relocated building by changing its context, but it also disrupts the character of the area. Relocation of a commercial building that is closely tied to neighboring buildings is also a very difficult proposition that can often result in inadvertent damage to adjacent buildings. As such, relocation is generally prohibited unless the building is threatened with demolition.

A complicated and expensive process, relocation—where permitted—should be carefully evaluated and planned to avoid inadvertent damage to the building or surrounding areas. The building should be properly secured before, during, and after the move to minimize potential harm. It is preferable in all situations that buildings be relocated in one piece rather than being disassembled. If the building is relocated to another site within a local historic district, the site and alterations must be approved.

### 5.2.1 CONSIDER ALL ALTERNATIVES PRIOR TO PURSUING RELOCATION OF A BUILDING

- A. Relocation—particularly of contributing buildings—is not appropriate and should be considered only as a last resort when faced with demolition. Relocating structurally sound buildings that are not threatened with is not appropriate.
- B. Evaluating reuse strategies or the opportunity to sell prior to relocation is encouraged.
- C. Buildings should not be unnecessarily relocated when there are no plans for new construction on a property. New construction must follow applicable guidelines.
- D. Documentation of the building in its original setting through photographs is encouraged to create a record of the property.

### 5.2.2 MINIMIZE IMPACTS TO THE RELOCATED BUILDING, THE SITE TO BE VACATED, AND THE OVERALL AREA

- A. Protect the building before, during, and after the move by thoroughly evaluating the structural condition of the property and properly securing it from vandalism, exposure



## CONSIDERING RELOCATION

When considering applications for the relocations of buildings within the Special Historic district, the Architectural Review Board may consider the following:

- The significance of the building proposed for relocation and whether it is contributing to the area.
- The condition and integrity of the building proposed for relocation.
- Whether the building is faced with potential threats of demolition.
- Whether there are concrete plans for redevelopment of the lot.
- Whether the building can be relocated without causing damage.
- Whether the building can be relocated without causing damage to significant site features.
- If it is to be relocated within the district, whether the proposed relocation site is compatible with the building.

to weather and adverse conditions, and shifting during the moving process.

- B. Protect significant site features such as masonry walls and mature trees on the original site and along the route of the move. If site features must be removed to relocate the building, they shall be reinstalled in their original location following the move.
- C. Protect adjacent structures from inadvertent damage.
- D. Significantly altering the existing topography of the original site to facilitate relocation of the building is not appropriate.
- E. Select a relocation site with similar characteristics as the original site.
- F. Planning for new construction on the original site of the relocated building that is compatible with the area rather than leaving a vacant parcel is encouraged.

## APPENDIX A. FREQUENTLY ASKED QUESTIONS

### 1. DOES MY PROJECT REQUIRE DESIGN REVIEW?

If you are proposing exterior changes (beyond routine maintenance or painting already painted surfaces) to your building and it is located within the designated Central Business District you are required to go through the design review process and receive a Certificate of No Exterior Effect or Certificate of Appropriateness before you begin work. Interior work does not typically require design review; however, if interior work will affect the exterior appearance of the building (such as enclosing a window opening), you will be required to go through the review process.

### 2. WHERE SHOULD I BEGIN THE REVIEW PROCESS?

Your primary contact for the design review process is the Planning and Community Development Department, which provides a staff person to support the Architectural Review Board. Planning and Community Development Department staff can be reached at 502.352.2094. Staff can speak with you regarding your proposed project, verify that you need to go through the design review process, and provide the most recent edition of the guidelines and an application form for the Certificate of Appropriateness.

### 3. WHEN IS THE BEST TIME TO BEGIN COORDINATION?

In order to avoid unnecessary delays and expenses, it is recommended that you contact the Planning and Community Development Department staff as early as possible in the planning process. Staff will be able to provide guidance and information regarding the required level of review as well as the materials that need to be submitted to receive approval, if required.

### 4. IS THE REVIEW PROCESS EXPENSIVE?

The Planning and Community Development Department charges a set fee for a Certificate of Appropriateness, which is scaled to the nature of the proposed work. The most current information on fees can be obtained from department staff.

### 5. IS THERE A WAY TO SPEED UP THE REVIEW PROCESS?

The design review process is guided by a set calendar that allows for consistent review and meeting timelines. Completing the application process in accordance with set procedures is important to ensure that projects are reviewed efficiently. The best way to speed up the process is to coordinate early with Planning and Community Development Department staff to ensure that you submit appropriate, complete materials for your project.

### 6. DO I NEED TO HIRE A PROFESSIONAL?

You are not required by the design guidelines to hire an architect, engineer, contractor, or other professional. However, for complex projects that require the submission of scaled drawings or renderings, retaining the services of a professional may be useful in providing the appropriate materials. Professionals can also provide detailed guidance regarding what options exist for meeting the needs of a project.

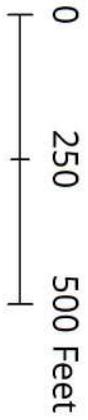
### 7. CAN I BEGIN WORK AFTER RECEIVING A COA?

Most times, going through the design review process and receiving a Certificate of Appropriateness is just one step of the process necessary to begin work on a project. You should also check with Planning and Community Development staff to ensure that you have all necessary permits prior to beginning work. Note that you cannot receive a building permit without first having an approved Certificate of Appropriateness.

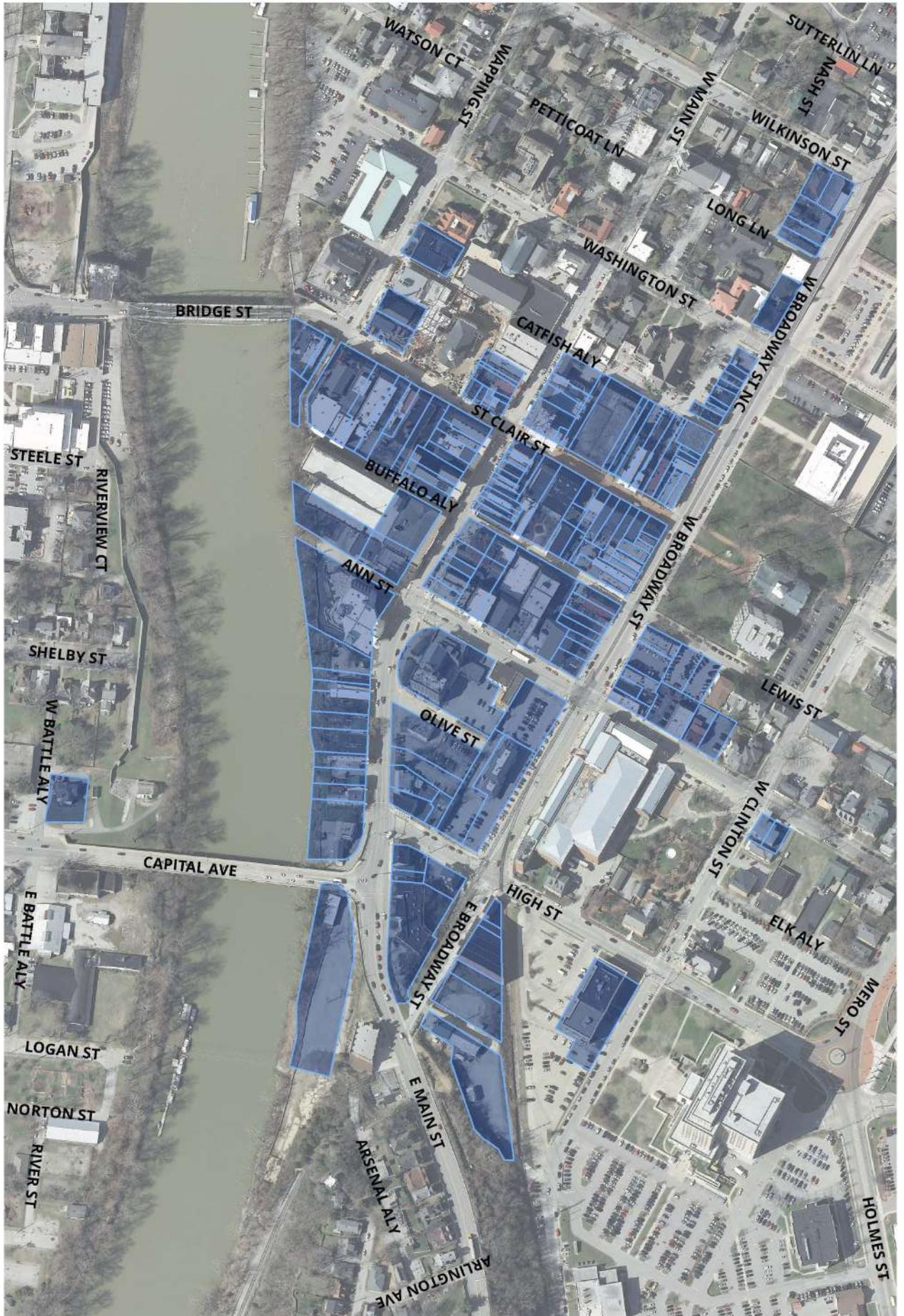
### 8. WHAT IF AN EMERGENCY REPAIR IS NEEDED?

If a building requires an emergency repair due to unforeseen events such as a tree collapse, fire, or weather event, an emergency work permit can be issued without review by the Architectural Review Board. Property owners are encouraged to contact the Planning and Community Development Department as soon as possible to notify the director of the emergency condition warranting immediate action.

APPENDIX B. HISTORIC DISTRICT MAP



Central Business Zoning District



## APPENDIX C. LISTING OF CONTRIBUTING AND NON-CONTRIBUTING PROPERTIES (CURRENT AS OF FEBRUARY 2018)

STREET NAME	STATUS
Ann Street	
306-310 Ann Street	Contributing
316 Ann Street	Non-contributing
402 Ann Street	Contributing
404 Ann Street	Non-contributing
406-414 Ann Street	Contributing
410-416 Ann Street	Non-contributing
503-505 Ann Street	Contributing
Battle Alley	
104 Battle Alley	Contributing
104 Battle Alley	Contributing
Broadway	
100 Broadway	Contributing
106 Broadway	Contributing
114 Broadway	Non-contributing
119 Broadway	Contributing
122 Broadway	Non-contributing
200 Broadway	Contributing
202 Broadway	Contributing
204 Broadway	Contributing
206 Broadway	Non-contributing
212 Broadway	Contributing
217-219 Broadway	Contributing
221-223 Broadway	Contributing
227-229 Broadway	Contributing
231 Broadway	Contributing
233 Broadway	Contributing
235 Broadway	Contributing
237 Broadway	Contributing
239 Broadway	Contributing

STREET NAME	STATUS
241 Broadway	Contributing
243 Broadway	Contributing
307 Broadway	Contributing
313 Broadway	Contributing
315 Broadway	Contributing
317 Broadway	Contributing
325 Broadway	Contributing
325-327 Broadway	Contributing
329 & 329 1/2 Broadway	Contributing
331-333 Broadway	Contributing
335 Broadway	Non-contributing
337 Broadway	Non-contributing
409 Broadway	Contributing
411 Broadway	Contributing
413 Broadway	Contributing
415 Broadway	Contributing
Clinton Street	
124 Clinton Street	Contributing
High Street	
306 High Street	Contributing
315 High Street	Contributing
320 High Street	Contributing
417 High Street	Non-contributing
Lewis Street	
309-311 Lewis Street	Contributing
312 Lewis Street	Contributing
314 Lewis Street	Contributing
407-413 Lewis Street	Non-contributing

STREET NAME	STATUS
Long Lane	
306 Long Lane	Contributing
308 Long Lane	Contributing
310 Long Lane	Contributing
314 Long Lane	Contributing
Main Street	
100 East Main	Contributing
101 East Main	Contributing
104 East Main	Contributing
112 East Main	Non-contributing
101 West Main	Contributing
103 West Main	Contributing
104 West Main	Contributing
106 West Main	Contributing
109-111 West Main	Contributing
113 West Main	Contributing
115 West Main	Contributing
116 West Main	Contributing
119 West Main	Non-contributing
119 1/2 West Main	Non-contributing
121 West Main	Non-contributing
125 West Main	Non-contributing
130 West Main	Contributing
200 West Main	Contributing
201-205 West Main	Contributing
202-204 West Main	Contributing
206 West Main	Contributing
208-214 West Main	Contributing
215 West Main	Non-contributing
216 West Main	Contributing
220 West Main	Contributing
222 West Main	Contributing

STREET NAME	STATUS
224 West Main	Contributing
225 West Main	Contributing
226 West Main	Contributing
228 West Main	Contributing
230 West Main	Contributing
232 West Main	Contributing
234 West Main	Contributing
236 West Main	Contributing
238 West Main	Contributing
301 West Main	Contributing
305 West Main	Contributing
306 West Main	Contributing
307 West Main	Contributing
309 West Main	Contributing
310 West Main	Contributing
311 West Main	Contributing
312 West Main	Contributing
314 West Main	Contributing
416 West Main	Contributing
St. Clair Street	
226-230 St. Clair Street	Contributing
232 St. Clair Street	Contributing
234 St. Clair Street	Contributing
305-307 St. Clair Street	Contributing
308 St. Clair Street	Contributing
309-311 St. Clair Street	Non-contributing
312-314 St. Clair Street	Non-contributing
313-319 St. Clair Street	Contributing
321-323 St. Clair Street	Contributing
324 St. Clair Street	Contributing
325-327 St. Clair Street	Contributing
326 St. Clair Street	Contributing

STREET NAME	STATUS
328 St. Clair Street	Contributing
329 St. Clair Street	Contributing
330 St. Clair Street	Contributing
331 St. Clair Street	Contributing
332 St. Clair Street	Contributing
333 St. Clair Street	Contributing
334 St. Clair Street	Contributing
336 St. Clair Street	Contributing
337 St. Clair Street	Contributing
338-340 St. Clair Street	Contributing
Wapping Street	
306 Wapping Street	Contributing
316 Wapping Street	Contributing
Washington Street	
318 Washington Street	Contributing
Wilkinson Street	
305 Wilkinson Street	Contributing
307 Wilkinson Street	Contributing
309 Wilkinson Street	Contributing
311 Wilkinson Street	Contributing
315 Wilkinson Street	Contributing
317-319 Wilkinson Street	Contributing

## APPENDIX D. GLOSSARY OF SELECTED ARCHITECTURAL TERMS

<b>ADDITION</b>	Construction that increases the existing size of a structure.
<b>ALTERATION</b>	Any process that changes the exterior appearance of a building or individual feature.
<b>ARCHITRAVE</b>	Lowest of the three main parts of the entablature. It sits directly on the capital of a column.
<b>ASPHALT SHINGLE</b>	A composition shingle with an asphalt-impregnated felt base, surfaced with mineral granules.
<b>AWNING</b>	A roof-like cover that projects from a building and is designed to protect from weather or act as a decorative feature.
<b>BALUSTER</b>	Vertical member under a railing. It fills the opening between a handrail and the stair or floor.
<b>BALUSTRADE</b>	Series of balusters connected on top by a handrail. Used on staircases, balconies, porches, etc. Balusters are short pillars or other uprights that support a handrail, such as pickets or spindles.
<b>BAY</b>	Repetitive divisions into which a building is divided.
<b>BEAM</b>	Horizontal structural member designed to support loads.
<b>BONDING PATTERN</b>	Repeating arrangement of masonry (such as brick or stone) into various patterns.
<b>BRACKET</b>	Projecting support member found under eaves or other overhangs. May be only decorative or may be used to support weight.
<b>CAPILLARY ACTION</b>	Pulling of water through a small opening or fibrous material by the adhesive force between the water and the material.
<b>CAPITAL</b>	The upper, decorated portion of a column or pilaster.
<b>CASEMENT WINDOW</b>	A window that is hinged on one vertical edge.
<b>CAST IRON</b>	Iron/carbon alloy that is poured as a hot liquid into molds to give it form. It can easily be cast into almost any shape, but it is too hard and brittle to be shaped by hammering.
<b>CAULKING</b>	Method of filling with an elastic compound all of the small crevices, holes, and joints between different materials that cannot be sealed by any other method.
<b>CAUSTIC</b>	Capable of burning, dissolving, or eating away by chemical action.
<b>CEMENT</b>	Any material or mixture of materials (such as clay and limestone) that is allowed to harden in place. Cement is often combined with an aggregate (such as sand or gravel) to form concrete.
<b>CERTIFICATE OF APPROPRIATENESS</b>	Permit to proceed with new construction or alterations to property within a historic district.
<b>CHAMFER</b>	A beveled edge on the corner of a porch post.
<b>CHIMNEY</b>	A vertical shaft of masonry that encloses a flue designed to remove combustion products.

<b>CLADDING</b>	Exterior, non-structural finish material on a building.
<b>CLAPBOARD</b>	Twelve to fourteen inch hand split boards used as overlapping horizontal siding.
<b>COLUMN</b>	Pillar that may be square, truncated, patterned, or circular and serves as a support for something resting on its top.
<b>CONCRETE</b>	Mixture of sand, gravel, crushed rock, or other aggregate held together by a paste of cement and water. When hardened, concrete has great structural strength.
<b>CORNICE</b>	Projecting decorative molding along the top of a building or wall. It is the upper section of an entablature.
<b>CRESTING</b>	Decorative work forming the top of a wall, or a decorative railing running along the ridge of a roof.
<b>CUPOLA</b>	Small structure built on top of a roof, originally providing ventilation.
<b>DEMOLITION</b>	Any process that destroys in part or in whole a portion of a building or feature.
<b>DORMER</b>	Vertical window projecting from the slope of a roof, usually with its own roof.
<b>DOUBLE-HUNG WINDOW</b>	A window composed of two movable sashes set one above the other.
<b>EAVES</b>	Lower part of a roof that overhangs a wall.
<b>EFFLORESCENCE</b>	Water-soluble salts that leach from masonry by capillary action and settle on the surface by evaporation as a white, powdery substance.
<b>ELEVATION</b>	View of a vertical face of a building.
<b>ENTABLATURE</b>	Horizontal construction above a classical column or set of columns. There are three parts: architrave, frieze, and cornice.
<b>FAÇADE</b>	Front or face of a building. The main view of a building.
<b>FANLIGHT</b>	Semicircular or fan-shaped window set above a door or window.
<b>FENESTRATION</b>	The arrangement of window and door openings on a building.
<b>FIBER CEMENT SIDING</b>	A lightweight material that is manufactured to simulate wood products. Resistant to rot, termites, fire, and dimensionally stable.
<b>FIBERGLASS SHINGLE</b>	A composition shingle with a fiberglass base, surfaced with colored ceramic granules.
<b>FIXED WINDOW</b>	A non-operable framed window.
<b>FLASHING</b>	Thin, continuous sheet of metal, plastic, or waterproof paper used to prevent water passing through a joint in a wall, roof, or chimney.
<b>FRIEZE</b>	Middle part of the entablature between the cornice and architrave. It is often decorated.
<b>GABLE</b>	Triangular end of a wall under a roof, formed by two sloping sides.

<b>GLAZING</b>	Fitting glass into windows or doors.
<b>GUTTERS</b>	A horizontal trough located near the bottom edge of a roof slope to collect rainwater.
<b>HIP</b>	A roof with four sloped sides.
<b>INFILL</b>	Buildings that have been designed and built to replace missing structures or buildings so they fill gaps in the streetscape.
<b>IN KIND</b>	Staying with the same material or items used originally.
<b>JOINT</b>	Junction at which two surfaces meet.
<b>LIGHT</b>	A glass pane in a window or door.
<b>LIME</b>	Calcium oxide, which comes from burning limestone.
<b>LINTEL</b>	Horizontal structural member that supports a load over an opening. May be covered by ornamental or trim board.
<b>MASSING</b>	Physical volume or bulk of a building, and the building's arrangement and organization in relation to the physical site and other buildings.
<b>MOLDING</b>	A linear decorative element.
<b>MORTAR</b>	Substance used in bricklaying to join masonry units. It is usually made of cement or lime mixed with sand and water. It dries hard and firm.
<b>MULLION</b>	The vertical bar between coupled windows or multiple windows.
<b>MUNTIN</b>	Strips separating panes of glass in a window sash.
<b>NEWEL POST</b>	A post supporting one end of a handrail at a flight of stairs.
<b>ORIEL WINDOW</b>	A bay window located above the first floor level supported by brackets or corbels.
<b>PANE</b>	A single piece of window glass.
<b>PATINA</b>	Mellowing of age on any material due to exposure to the elements. This causes the material to look different than the day it was installed.
<b>PEDIMENT</b>	Triangular part of a gabled roof often used as a crowning element above doors or windows.
<b>PIER</b>	A square masonry or concrete support for a building or porch.
<b>PILASTER</b>	Flattened column attached to a wall for decoration.
<b>PITCH</b>	Slope of a roof.
<b>POINTING</b>	The process of removing deteriorated mortar from the joints of a masonry wall and replacing it with new mortar.
<b>PRESSED TIN</b>	Thin sheets of tin molded into decorative designs and used to cover interior walls and ceilings. Pressed tin is sometimes used on exteriors in protected locations.

<b>PRIMERS</b>	First coatings that prepare the surface to accept other coatings such as paint.
<b>RAFTER TAIL</b>	The exposed portion of a rafter that overhangs an exterior wall.
<b>RAIL</b>	When referring to a window, the horizontal members that meet in the center of two sashes.
<b>RAILING</b>	Top member of a balustrade.
<b>REHABILITATION</b>	The process of repairing a building to sound condition with minimal changes to original building fabric, allowing for contemporary use while preserving significant historical and/or architectural features.
<b>RHYTHM</b>	Sense of movement created by the regular recurrence of elements across the face of a building, as in the spacing of doors and windows.
<b>ROOF</b>	The part of the structure which covers and protects it from weather, together with decorative elements such as cresting, coverings, chimneys, and other elements.
<b>ROOF COVERINGS</b>	Materials used to cover the roof, such as asphalt shingles, concrete or terra cotta tiles, slate, or others.
<b>SASH</b>	The framework into which window panes are set.
<b>SCALE</b>	Absolute height and width in relation or proportion to neighboring buildings.
<b>SETBACK</b>	Distance from the front of any part of a building to the street right-of-way.
<b>SHADOWLINE</b>	Markings left from an original element that has been removed.
<b>SHED ROOF</b>	A roof that is pitched in a single direction.
<b>SHINGLE</b>	Thin piece of wood, slate, or tin used in overlapping rows to form the surface of an exterior wall or roof. They may be laid in patterns (imbricated).
<b>SIDELIGHT</b>	Narrow, vertical windows on each side of a door.
<b>SILL</b>	A horizontal member at the bottom of a window.
<b>SIMULATED DIVIDED LIGHT WINDOW</b>	A window in which a single, full-length piece glass is set behind affixed muntins to simulate a true divided light window.
<b>SLIDING WINDOW</b>	Overlapping horizontally sliding sashes.
<b>SOFFIT</b>	The underside of a roof overhang.
<b>STREETSCAPE</b>	The characteristics of the street and features along it, as well as their arrangement
<b>STUCCO</b>	Plaster or cement applied to exterior walls. It can be decoratively textured.
<b>TERNEPLATE</b>	Metalplate that must be painted, or otherwise will corrode. Placing terneplate next to copper or aluminum will also cause corrosion.
<b>TERRA COTTA</b>	Fine-grained, fired clay product used as exterior building ornamentation or as roofing tiles.
<b>TOOLING</b>	Finishing of a mortar joint by pressing and compacting it to create a particular profile.

<b>TRANSOM</b>	Small window or series of panes above a door.
<b>TRUE DIVIDED LIGHT</b>	A window in which the glass is installed as individual small panes.
<b>VAPOR PERMEABLE</b>	Coatings that allow materials to breathe. They allow for an adequate amount of moisture and air to pass through them.
<b>WATER SEALANT</b>	Coatings and sealers that keep out a significant amount of moisture.
<b>WEATHERBOARD</b>	Wood siding for the exterior covering of a frame building.
<b>WEATHER STRIPPING</b>	A narrow, compressible band used between the edge of a window or door and the opening to seal against water and air penetration.
<b>WINDOW</b>	A glazed opening in a wall that provides an interior space with natural light and ventilation.
<b>WINDOW HOOD</b>	Protective and sometimes decorative cover found over doors and windows.
<b>WROUGHT IRON</b>	Almost pure iron that is soft and bendable, and can be forged or bent into many shapes.

## APPENDIX E. SAMPLE MAINTENANCE INSPECTION CHECKLIST

This sample checklist has been created for the benefit of the property owner. While regular and systematic inspection of your property is encouraged, use of this inspection checklist or any other checklist is not required. Property owners are encouraged to review and adapt the checklist as needed to address the particular features of an individual property.

BUILDING ELEMENT/MATERIAL	YES	NO	ACTIONS TO CONSIDER (IF YES)
<b>ROOFS—ALL</b>			
Are surfaces sagging or bowing?			Consult an architect or engineer to determine if structural deficiencies are present.
Are there signs of loose or missing fasteners?			Replace fasteners as necessary with compatible counterparts.
<b>ROOFS—METAL</b>			
Are there signs of significant rust or corrosion?			Inspect the roof for structural integrity, patch or re-solder deteriorated sections, and recoat surfaces as necessary. Tin and terne-coated surfaces need to be repainted every 5-10 years to maintain durability.
Are there broken seams or holes in the metal surfaces?			If there is significant deterioration throughout the roof, consider replacement with an in-kind or compatible counterpart.
<b>ROOFS—ASPHALT</b>			
Are there signs of missing, broken, curling, or warped shingles?			Replace deteriorated or missing shingles in-kind.
Are shingles losing mineral cover or do edges look thin?			If deterioration is significant or spread throughout the roof, consider replacement.
Are there signs of nails popping?			Re-fasten shingles with appropriate nails.
Are there signs of moss or other biological growth?			Clean surfaces of growth and treat to minimize conditions that attract biological growth.  Consider trimming overhanging branches within 5-10 feet of the property that shade the roof to allow for it to dry out properly.
<b>ROOFS—TILE</b>			
Are there signs of missing or broken tiles?			Replace deteriorated or missing tiles in-kind.
Are there signs of delaminating on individual units?			If deterioration is significant or spread throughout the roof, consider in-kind replacement of the roof.
<b>ROOFS—WOOD</b>			
Are there signs of moss or other biological growth?			Clean surfaces of growth and treat to minimize conditions that attract biological growth.  Consider trimming overhanging branches within 5-10 feet of the property that shade the roof to allow for it to dry out properly.
Are there signs of warped, split, missing, or eroded shingles?			Replace deteriorated or missing tiles in-kind.  If deterioration is significant or spread throughout the roof, consider in-kind replacement of the roof.

BUILDING ELEMENT/MATERIAL	YES	NO	ACTIONS TO CONSIDER (IF YES)
<b>ROOFS—FLASHING</b>			
Is there loose, missing, or rusted flashing at chimneys, valleys, ridges, or walls?			Remove previously applied but deteriorated or not appropriate patches and patch with compatible materials.
Are there signs of previous patching with roofing cement or tar?			If deterioration is substantial, consider replacement of the entire section of flashing.
<b>GUTTERS AND DOWNSPOUTS</b>			
Are gutters clean and do they drain correctly?			Clean and repair deteriorated sections with in-kind materials as necessary.  If deterioration is significant, consider replacement of the entire unit with in-kind materials.
Are there loose, rotted, or missing gutters or downspouts?			
Do gutters have low spots or lack uniform slope?			Realign and hang gutters to provide proper drainage toward downspouts.
Are there broken seams or do gutter connections leak?			Solder open joints to maintain the integrity of the connections.
Does water pool at the foundation at the terminus of the downspout?			Install splashblocks or extensions at the end of the downspout to direct water away from the foundation.  Regrade the earth near the foundation to direct water away from the foundation.
<b>CHIMNEYS</b>			
Are bricks or mortar cracked, crumbling, or missing at chimneys?			Patch and repair masonry with in-kind materials.  Repoint deteriorated mortar with a compatible mortar.  If deterioration is significant or the chimney presents a structural concern, reconstruction may be necessary. Reconstruct with compatible materials.
Does the chimney exhibit curvature on one side due to the effects of uneven heating and cooling?			
Is the chimney liner missing or defective or do fireplaces smoke excessively?			If using a wood-burning fireplace or the interior masonry exhibits significant deterioration, install a liner.
<b>EXTERIOR WALLS AND FOUNDATIONS</b>			
Does the wall seem out of plumb, un-level, or are there visible bulges?			Such characteristics can reflect serious structural issues with the building. Consult with an architect or engineer to verify the integrity of the structure.
Do doors and windows fail to line up squarely in their openings?			
Are there open joints around doors and windows or trimwork?			Repair any identified deterioration and re-caulk gaps as appropriate.
Where paint is present, is it peeling, cracking, or plastering?			This may indicate moisture penetration. Monitor deterioration, prepare surfaces, and repaint every 5 to 7 years to maintain integrity.

BUILDING ELEMENT/MATERIAL	YES	NO	ACTIONS TO CONSIDER (IF YES)
<b>EXTERIOR WALLS AND FOUNDATIONS</b>			
Is paint powdering or chalking to a dull surface?			May indicate improper surface cleaning or surface preparation prior to painting. Scrape, prepare, prime, and repaint surfaces.
Is there mold or mildew on the wall surface?			Identify sources of moisture and correct as appropriate. Clean surfaces with gentle water cleaning and a gentle detergent, if necessary, to remove growth.  Trim back landscaping to allow the surfaces to dry out and minimize future growth.
Where present, are shingles or siding dented, faded, or rotted?			Repair deteriorated sections or replace with in-kind materials as appropriate.
Are there significant cracks in masonry (stone, brick, or concrete) or mortar?			Cracks—particularly vertical or diagonal cracks that split the masonry units—can indicate significant structural problems. Consult with an architect or engineer to verify structural integrity.  Horizontal and hairline cracks are typically of less concern. Monitor growths to determine if they are continuing to increase in size.
Is any masonry loose, missing, or deteriorated?			Replace with in-kind units as appropriate.  If deterioration is widespread, consider potential reconstruction of the feature.
Is any mortar soft or crumbling?			Repoint mortar with a compatible modern mortar.
Is efflorescence (typically a white powdery surface representing the leaching out of water-soluble salts from masonry) present?			Clean the surface with a low-pressure water washing and natural bristle brush.  Monitor masonry for the continued presence of efflorescence, which could reflect larger problems.
<b>WINDOWS AND DOORS</b>			
Do window and door components exhibit deterioration or deteriorated coatings?			Clean and repair deteriorated sections with in-kind materials through splicing or consolidating as appropriate.  If deterioration is significant, consider replacement of the entire section with in-kind materials.
Is there evidence of moisture penetration around openings?			Re-caulk deteriorated or missing seals and replace deteriorated or missing weather-stripping to minimize air and moisture infiltration.
Are there open joints in need of caulking?			
Do doors have deteriorated or missing weather-stripping?			Re-glaze the deteriorated areas to maintain integrity and prevent infiltration.
Is putty around glazing cracking, soft, or pulling away from the glass?			

BUILDING ELEMENT/MATERIAL	YES	NO	ACTIONS TO CONSIDER (IF YES)
<b>WINDOWS AND DOORS</b>			
Are sashes loose in their frames?			Reset dislodged components and replace deteriorated hardware to ensure proper functioning.
Do window sashes and doors operate smoothly?			
Do window and door locks function properly?			
<b>PORCHES</b>			
Are there loose, deteriorated, or missing structural or decorative components?			Repair or replace components in accordance with the respective materials guidelines.
Are stairs and railings in poor condition?			Reset loose or deteriorated stairs and railings to maintain safe access to the property.
Do porches exhibit improper sloping away from the building?			Porches should gently slope away from the building to allow for water to move away from the foundation. Consult with an architect or engineer to correct the slope of the porch.
Are there signs of excessive deterioration or cracking in the porch floor or unusual settling of the porch foundation?			Such issues may reflect significant structural issues with the porch. Consult with an architect or engineer to verify the integrity of the structure.
<b>SITE</b>			
Is the site sufficiently graded and drained?			Regrade the property as appropriate to maintain proper water drainage away from the foundation of the primary and secondary structures.
Are large shrubs or trees located close (within 5 feet) of the building?			Relocate small landscaping or trim back large landscaping and trees to allow for surfaces to properly dry out, minimizing the potential for biological growth.
Are fences or walls dislodged or deteriorated?			Re-secure dislodged components and repair deteriorated sections with in-kind materials.
Are brick or flagstone pavers missing, cracked, or otherwise deteriorated?			Verify the stability of the base beneath the units and replace deteriorated or missing units.
Is vegetation growing between individual units of hardscape elements?			Some vegetation can lead to the dislodging or cracking of masonry. Remove vegetation and root systems.
Do concrete driveways, walkways, sidewalks, or parking areas exhibit cracking?			Seal cracks to minimize moisture penetration. If deterioration is significant, consider sealing surfaces or repaving to maintain integrity.

## APPENDIX F. CLASSIFICATION OF WORK AND REVIEW REQUIREMENTS

The following chart provides a breakdown of commonly applied for projects within Frankfort’s local historic districts and identifies the level of design review required by the project. This chart should be considered for general reference only. Questions regarding specific projects and applicability of design review requirements should be directed to the Planning and Community Development Department.

PROJECT TYPE	ROUTINE MAINTENANCE (NO REVIEW REQUIRED)	ADMINISTRATIVE APPROVAL	ARCHITECTURAL REVIEW BOARD
EXISTING PRIMARY STRUCTURES	(Zoning Permit only)	(Zoning or Building Permit)	(Building Permit)
Architectural details: Repair with no change in materials or design	X		
Architectural details: Replacement of existing features with in-kind materials and design or if not visible from the public right-of-way		X	
Architectural details: Replacement of existing features with new materials and/or design, addition of new features, or removal of existing features visible from the right-of-way			X
Awnings and canopies: Repair of existing features with no change in materials or design	X		
Awnings and canopies: Replacement of existing features, installation of new features, or removal of existing features not on front elevation		X	
Awnings and canopies: Expanding existing features visible on front elevation			X
Chimneys: Repair or replacement of existing features with no change in materials or design and removal of chimneys not visible from the front		X	
Chimneys: Replacement of existing features, construction of new features, or removal of existing features visible from the front			X
Decks: Repair of exiting features with no change in materials or design	X		
Decks: Installation, replacement, or removal of decks on front elevation		X	
Doors: Repair of existing features with no change in materials or design; replacement of hardware	X		
Doors: Replacement of existing features and other work not on the front elevation		X	

PROJECT TYPE	ROUTINE MAINTENANCE (NO REVIEW REQUIRED)	ADMINISTRATIVE APPROVAL	ARCHITECTURAL REVIEW BOARD
EXISTING PRIMARY STRUCTURES			
Doors: Replacement of existing features with new materials or design, installation of new openings, or removal of existing openings on front elevation			X
Doors (storm): Installation of storm doors not visible from the right-of-way		X	
Doors (storm): Installation of storm doors visible from the right-of-way			X
Foundations: Chemical or water cleaning where not visible from the right-of-way	X		
Foundations: All tuckpointing and all other masonry treatments, repairs, and alterations visible from the right-of-way		X	
Gutters and downspouts: Repair of existing features with no change in materials or design	X		
Gutters and downspouts: Covering over of built-in gutters with appropriate materials with no removal of features		X	
Gutters and downspouts: Installation of new features, removal of existing features, or replacement with new design when visible			X
Lighting fixtures: Repair of existing features with no change in materials or design	X		
Light fixtures: Replacement of existing features, removal of existing features, or installation of new features		X	
Masonry: Cleaning of material where no sandblasting occurs	X		
Masonry: Repair and tuckpointing according to appropriate preservation treatments and painting of already-painted surfaces		X	
Masonry: Repair and tuckpointing not conforming to accepted practices, painting of non-painted surfaces, and all other treatments			X
Painting: All painting, excluding unpainted masonry surfaces	X		
Painting: All painting of historically unpainted masonry surfaces			X
Patios: Repair of existing features with no change in materials or design	X		

PROJECT TYPE	ROUTINE MAINTENANCE (NO REVIEW REQUIRED)	ADMINISTRATIVE APPROVAL	ARCHITECTURAL REVIEW BOARD
EXISTING PRIMARY STRUCTURES			
Patios: Alteration of existing features with a change in design or materials if not visible from the right-of-way and construction of new features not visible from the right-of-way		X	
Patios: Alteration of existing features with a change in design or materials if visible from the right-of-way and construction of new features visible from the right-of-way			X
Porches: Repair of existing features with no change in materials or design	X		
Porches: Replacement with same style and design; new or expanded porches when on rear with no new walls; removal of porches when less than 50 years of age and not visible from the public right-of-way		X	
Porches: Replacement with different materials, style or design when visible from the public right-of-way; new porches visible from the public right-of-way; removal of porches more than 50 years of age or when visible from the public right-of-way			X
Railings: Repair of existing (no pipe materials)	X		
Railings: Replacement with same style or design or installation of new wood or metal railings		X	
Railings: Removal from front façade			X
Roofs: Repair of existing roofs with no change in design or materials	X		
Roofs: Structural repair; replacement of existing materials with same style, material, and design; installation of new materials when not visible from the public right-of-way; installation of skylights, equipment, or solar panels when not visible from the public right-of-way		X	
Roofs: Replacement with different height, pitch, design or material; installation of equipment visible from the right-of-way; new, altered, or removal of dormers; removal or changes to architectural features such as cupolas, cornices, brackets, and the like			X
Shutters: Repair of existing features	X		

PROJECT TYPE	ROUTINE MAINTENANCE (NO REVIEW REQUIRED)	ADMINISTRATIVE APPROVAL	ARCHITECTURAL REVIEW BOARD
EXISTING PRIMARY STRUCTURES			
Shutters: Replacement or installation of new with wood materials and sized to cover window; removal when not visible from the right-of-way		X	
Shutters: Installation of new shutters visible from the right-of-way or removal of shutters visible from the right-of-way			X
Siding: Repair and replacement with no change in materials or design or replacement with smooth-finished fiber cement board	X		
Siding: Replacement of deteriorated siding with smooth-finished fiber cement board		X	
Siding: Repair and replacement with a change in materials other than fiber cement board or a change in design, installation of new siding, or removal of existing siding			X
Stairs and steps: Repair of existing features with no change in materials or design	X		
Stairs and steps: Alteration with a change in materials or design or construction or removal when not visible from the right-of-way		X	
Stairs and steps: Alteration with a change in materials or design or construction or removal when visible from the right-of-way			X
Windows: Repair of existing features with no change in materials, configuration, or design	X		
Windows: Replacement of existing windows on the front façade with no change in dimension, configuration, style, or material and material		X	
Windows: Replacement of existing windows that result in a change in dimension, configuration, style, or on storefront			X
Windows: Installation of new window openings or removal of window openings not on front elevation		X	
Windows: Installation of new window openings or removal of window openings on front elevation			X
Windows (storm): Repair of existing; removal of existing	X		
Windows (storm): New storm windows that are wood or painted aluminum		X	
Windows (storm): New storm windows of an unapproved material or those that conceal or alter decorative features			X

NEW CONSTRUCTION			
New construction of a primary building			X
New construction of an addition to a primary building			X
ACCESSORY BUILDINGS			
Construction of an accessory building not visible from the front or an accessory building		X	
Construction of an accessory building visible from the front and over 200 sq ft			X
Repair of an accessory building with no change in materials or design	X		
Alteration of an accessory building with a change in materials or design		X	
Removal of a non-historic accessory building or replacement with a new building of similar design and materials		X	
Removal of a historic accessory building			X
DEMOLITION AND RELOCATION			
Demolition of any primary building			X
Demolition of non-contributing detached accessory structures; non-original porches; and additions less than 50 years old not visible from the right-of-way		X	
Demolition of historic additions and additions visible from the right-of-way or demolition of any other part of a building			X
SITE AND SETTING			
Driveways, parking lots, and sidewalks: Repair of existing surfaces	X		
Driveways, parking lots, and sidewalks: Replacement or expansion of existing surfaces; installation of new sidewalks		X	
Driveways, parking lots, and sidewalks: New parking lots or driveways (except where required for ADA)		X	
Fences and walls: Repair of existing features with no change in design or materials	X		
Fences and walls: Repair of existing rear yard features with a change in design or materials, replacement or removal of existing features in rear yard, or installation of new rear yard features not to exceed six feet in height		X	

PROJECT TYPE	ROUTINE MAINTENANCE (NO REVIEW REQUIRED)	ADMINISTRATIVE APPROVAL	ARCHITECTURAL REVIEW BOARD
SITE AND SETTING			
Fences and walls: Repair of existing front and side yard features with a change in design or materials, replacement or removal of existing features in front or side yard, installation of new front and side yard features, and installation of picket or iron over four feet and any wood over six feet in height			X
Fire escapes: Structure repair and appropriate alterations such as stair location		X	
Fire escapes: New or enlarged fire escapes			X
Landscaping: Plantings, trimming, general maintenance and removal of damaged species	X		
Landscaping: Replacement/new shrubs and trees		X	
Landscaping: Removal of non-damaged/diseased trees larger than 12" dbh or removal of all shrubs with no replacement		X	
Mechanical and electrical equipment: Repair or removal of existing features	X		
Mechanical and electrical equipment: Installation of equipment not visible from the right-of-way		X	
Mechanical and electrical equipment: Installation of equipment visible from the right-of-way			X
Satellite dishes, antenna, and solar panels: Installation of new features not visible from the right-of-way		X	
Satellite dishes, antenna, and solar panels: Installation of new features visible from the right-of-way			X
Signs: Repair of existing signs with no change in materials or design	X		
Signs: Removal of existing non-historic signs	X		
Signs: Replacement of existing signs with new signs that are compatible with size and styling		X	
Signs: Installation of new signs that conform with zoning regulations			X
Signs: Installation of new signs that do not conform with zoning regulations			X

## APPENDIX G. NEW CONSTRUCTION CHECKLIST

The following chart provides a breakdown of common factors that will be considered by the ARB when reviewing proposals for new construction within the historic district. The chart is provided here for the benefit of the property owner so that decisions related to the development can be evaluated for appropriateness during the planning process. This list should not be considered exhaustive. The individual character of a property is an important consideration.

SITE AND BUILDING ELEMENTS	YES	NO
<b>WALKWAYS/DRIVEWAYS/PARKING AREAS</b>		
Are the locations compatible with the character of the area?		
Are the dimensions compatible with the character of the area?		
Are the materials and finish compatible with the character of the area?		
<b>LANDSCAPING</b>		
Are mature and character-defining trees of the site retained?		
Are the species of new plants appropriate for the area?		
Are plantings of an appropriate scale and in an appropriate location for the site and building?		
<b>FENCES/WALLS</b>		
Are the locations compatible with the character of the area?		
Is the scale compatible with the character of the area?		
Are the designs, materials, and details compatible with the character of the area?		
Do they meet all applicable code requirements?		
<b>UTILITIES AND EQUIPMENT</b>		
Are the locations of mechanical units and utilities appropriate?		
Are mechanical units and utilities appropriately screened from view from the public right-of-way?		
<b>BUILDING PLACEMENT</b>		
Is the building placement in relation to the street (setback) compatible with the character of the area?		
Is the primary entry oriented toward the street?		
Is lot coverage and the spacing of the building compatible with the character of the area?		
<b>BUILDING SIZE</b>		
Is the massing of the building compatible with the character of the area?		
Is the complexity of the building form compatible with the character of the area?		
Is the height of the building compatible with surrounding buildings?		
Is the width of the building compatible with the character of the area?		
<b>ROOF</b>		
Does the roof use a pitch and form compatible with the character of the area?		
Are contemporary materials compatible with the character of the area?		
Are chimneys, dormers, cornices, or other items used to create visual interest and are they of the appropriate scale and character?		

SITE AND BUILDING ELEMENTS	YES	NO
<b>CHARACTER AND INDIVIDUAL FEATURES</b>		
Do windows and doors exhibit compatible ratios, spacing, and proportions with others in the area?		
Are window materials and casing features compatible with the character of the area?		
Are the door styles—particularly the façade door(s)—and finish compatible with the character of the area?		
Do storm windows and doors (if included) conform to the size and character of the openings?		
Are shutters (if included) scaled to the window openings?		
Are entries, porches, or storefronts compatible in scale and style with the character of the area?		
Are entries, porches, or storefronts compatible with the materials, proportions, and placement of historic features in the area?		
Does the building use traditional materials or alternative materials that are compatible with the character of the area?		
Does the building incorporate simplified, contemporary details that promote visual interest?		
Is the building compatible with the area but clearly distinguishable as a product of its own time so as not to convey a false sense of history?		
Is the primary façade appropriately articulated and distinguished?		
<b>OUTBUILDINGS</b>		
Are the locations of outbuildings compatible with the character of the area?		
Are the outbuildings designed to be subordinate to the primary building?		
Are the outbuildings scaled to the building and site?		
Do the outbuildings use a roof pitch compatible with the primary building or other outbuildings?		
Do the outbuildings employ materials compatible with those of the primary building?		
Are windows and doors of appropriate proportions and scale?		

## **APPENDIX H. ADDITIONAL RESOURCES**

### **PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT**

Planning and Community Development Department:

<https://www.frankfort.ky.gov/151/Planning-Community-Development>

City of Frankfort Zoning Code: <https://www.frankfort.ky.gov/507/Zoning-Land-Use>

### **PRESERVATION ORGANIZATIONS**

Kentucky Heritage Council: <http://heritage.ky.gov/>

Preservation Kentucky: <http://www.preservationkentucky.org/home.php>

Bluegrass Trust for Historic Preservation: <http://bluegrasstrust.org/resources.html>

National Trust for Historic Preservation: <http://www.preservationnation.org/>

### **NATIONAL PARK SERVICE TECHNICAL INFORMATION**

National Park Service Technical Preservation Services: <http://www2.cr.nps.gov/tps/index.htm>

Secretary of the Interior's Standards: <http://www.nps.gov/tps/standards.htm>

Illustrated Guide for Rehabilitating Historic Buildings: <http://www2.cr.nps.gov/tps/tax/rhb/index.htm>

Illustrated Guidelines on Sustainability: <http://www.nps.gov/tps/sustainability.htm>

Preservation Briefs: <http://www.nps.gov/tps/how-to-preserve/briefs.htm>

Preservation Tech Notes: <http://www.nps.gov/tps/how-to-preserve/tech-notes.htm>

### **BOOKS AVAILABLE AT PAUL SAWYIER PUBLIC LIBRARY**

Caring for Your Historic House (1998) by the National Park Service

Historical Building Construction: Design, Materials, and Technology (2010) by Donald Friedman

Historic Preservation: An Introduction to Its History, Principles and Practice (2000) by Norman Tyler

House Colors: Exterior Color by Style of Architecture (2007) by Susan Hershman

New Life for Old Houses: A Guide to Restoration and Repair (2002) by George Stephen

Old Electrical Wiring: Evaluating, Repairing, and Upgrading Dated Systems (2008) by D.E. Shapiro

Old House Handbook: A Practical Guide to Care and Repair (2008) by Roger Hunt

The Old House Doctor: The Essential Guide to Repairing, Restoring, and Rejuvenating Your Old Home (2013) by Christopher Evers

The Vintage House: A Guide to Successful Renovations and Additions (2011) by Mark A. Hewitt

Victorian House Manual: Care and Repair for This Popular House Type (2014) by Ian Rock

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