

FRANKFORT-FRANKLIN COUNTY ZONING UPDATE

November 15, 2018
5:30 PM at City Hall Council Chambers

AGENDA:

1. Discussion on a text amendment to the City of Frankfort Zoning Regulations to establish a new zone district – Urban Mixed-Use Development within Article 4, Permitted Uses.

ADJOURN





REPORT AND RECOMMENDATION

**TO: FRANKFORT-FRANKLIN COUNTY
ZONING UPDATE COMMITTEE**

**FROM: Eric Cockley, Director, Frankfort Planning & Community
Development**

**SUBJECT: Discussion on Establishing a new Zone District for an Urban Mixed
Use development**

DATE: November 8, 2018

MEETING DATE: November 15, 2018

Background:

Following the discussion at our last Zoning Update Committee meeting in October; staff has integrated changes relating to the comments received and has continued to work to add/refine the language to include the necessary components for the zoning district. Staff has also per the request at our last meeting included a document that has some sample language regarding the placement of parking structures from some other jurisdictions.

Thank you for your time and consideration.

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.

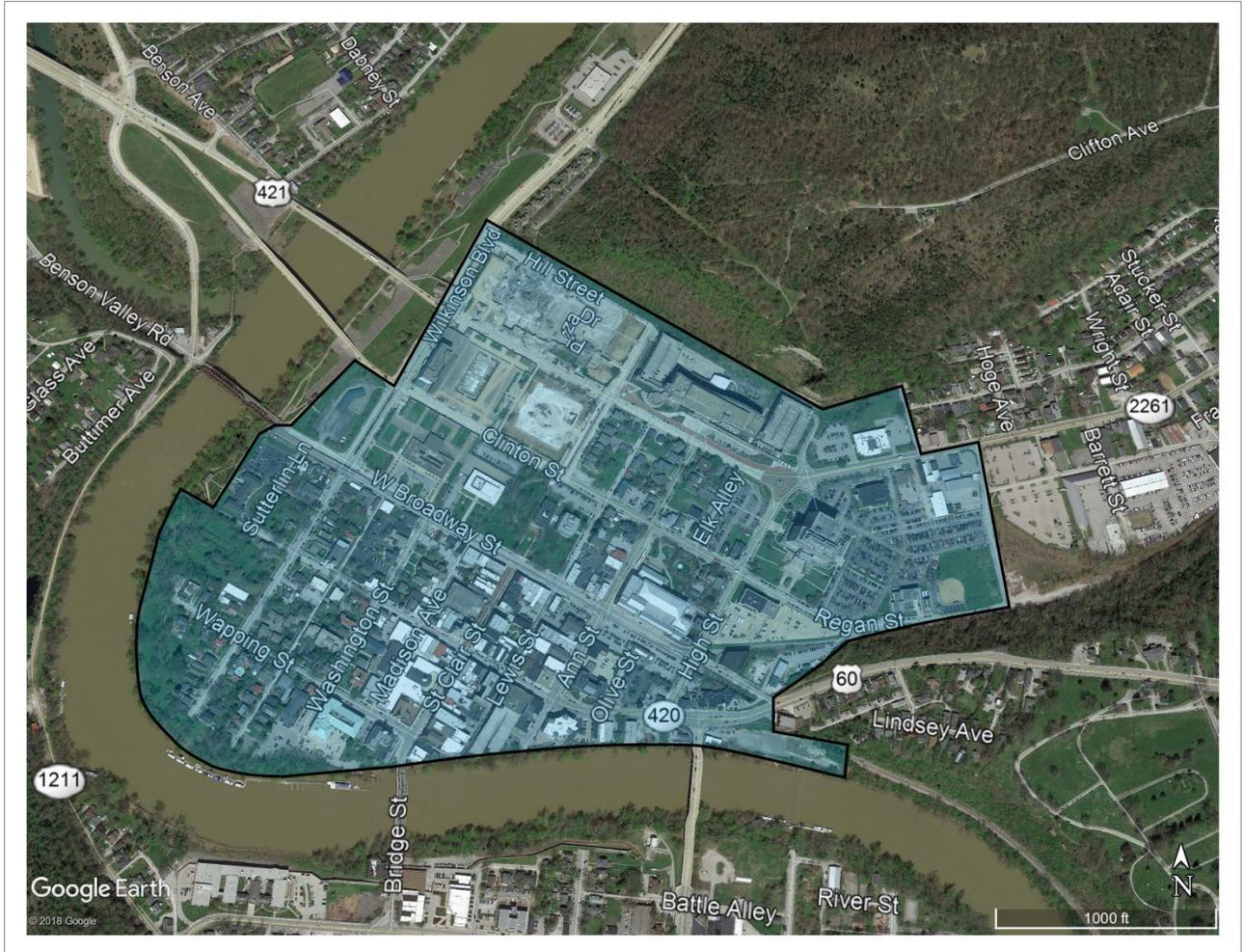
4.252 Definitions. For the purposes of the language contained within this section of the Zoning Ordinance the following terms are defined as follows:

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 Property: 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 map below.

~~*For the purposes of the following regulations the Urban Mixed Use District will have different requirements for “UM” zones within the Downtown Area than for “UM” Districts outside of the Downtown Area. The following map is a depiction of the Downtown Area as defined by this regulation.*~~



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.

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. Every "UM" Development shall include a mixture of both residential and non-residential uses.

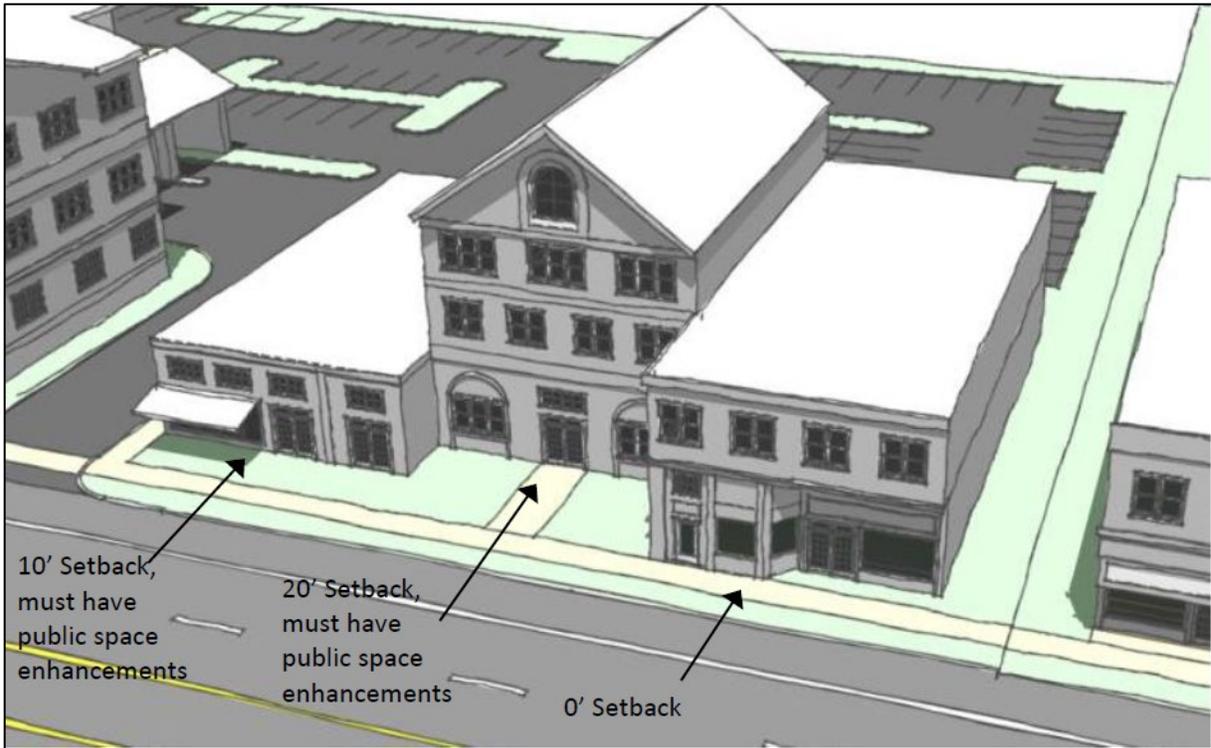
4.255 Bulk, Density and Height*

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

Downtown – None, urban buildings ~~should~~shall be built to the front property line along the street ~~to the greatest extent possible~~. 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, ~~except where parking is provided in the rear of a building, the minimum setback shall be twenty (20) feet.~~
- 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.

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

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

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.

4.256 Relationship to Surrounding Area

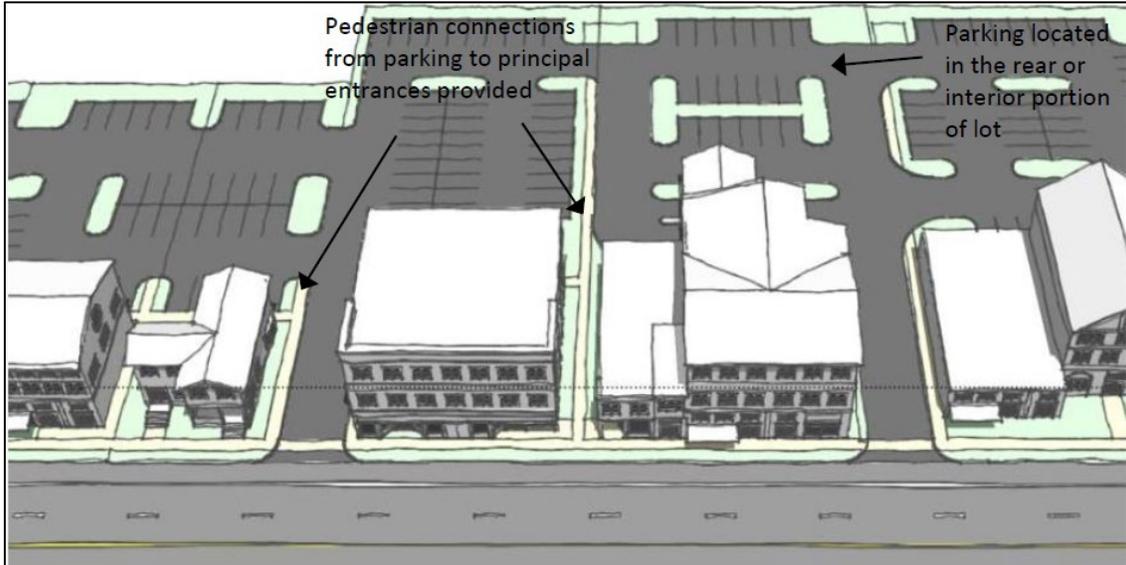
- a. "UM" developments in the *Downtown Area* shall connect to and extend the existing street grid.

- 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.

4.257 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.



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

d. 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.

e. 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.

f. Parking Structures in the *Downtown Area – Frontage –*

Option A: Parking structures shall not be located along road frontage.

Option B: When Parking structures are adjacent to a right-of-way first floors must maintain a first-floor commercial space. Parking structures shall be designed so that they are complementary regarding massing and use of materials of their surrounding structures.

Option C: Parking structures shall not be located at the Principal Frontage of the lot with the exception of a portion of frontage just wide enough for an ingress/egress point for the structure. 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.

4.258 Signs.

- a. Three signs shall be permitted per street frontage or per tenant.
Commentary: The CB District allows one sign 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.
Commentary: The 1:1 Ratio matches the ratio in the standard City Sign Regs.
- 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 8 feet of vertical clearance or 14 feet of vertical clearance when no sidewalk is present are permitted.
Commentary: This is the same requirement as in the CB District.
- 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. 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.
Commentary: Staff believes signage standards should differ from the downtown area to other areas where UM developments may occur. Rather than create another set of signage standards it would seem simpler for the other districts to use the typical sign regulations.

4.259 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 material types or avoid using modern materials. In fact it is ~~may be~~ 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, or steel (or combinations thereof) are encouraged. ~~Concrete block, precast wall panels or vinyl siding are discouraged. Vinyl siding is prohibited in the downtown area.~~

Commentary: Rather than attempt to list the only acceptable building materials with no knowledge of what materials may exist in the future it would seem to make sense to mention some materials that we imagine would largely be acceptable as examples but focus mostly on the particular materials to avoid.

- c. On facades along street frontage the use of only a single building material on a facade with no secondary material or accent/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 has similar language concerning the incorporation of at least 2 exterior materials.

- ~~d. Variety of architectural expression among publicly exposed facades should occur within each street block. Attached buildings shall not appear to be continuation of the same building.~~

- e. 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.

- 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, approximately 75% of the storefront area.

Commentary: Within the CB District 75% of the storefront area is required to be clear glass.

- 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

4.260 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 or accent/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 has 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. ~~where lot depths permit.~~

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.
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, approximately 50% 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 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 1st 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.

4.261 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.

*Commentary: This is the same requirement as is required for non-residential use in the Historic Districts when redeveloping adjacent to a residential use we are simply defining it to apply when it **abuts** NOT simply **adjacent**.*

4.262 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.

Commentary: Staff is working through determining which of our existing landscape requirements should apply to these Mixed-Use developments and which should not. Some landscape requirements may serve a purpose in other different style (i.e. suburban) developments but may be counterproductive to the success of urban styled mixed use developments.

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