

ARTICLE 14. SUBDIVISION REGULATIONS

14.01. GENERAL PROVISIONS

A. Title

These regulations shall be known and may be cited as the Frankfort and Franklin County Subdivision and Development Plan Regulations.

B. Purpose

The Frankfort and Franklin County Subdivision and Development Plan Regulations are intended to guide the design and development of land for residential, commercial, industrial, and civic purposes. These regulations are intended to ensure: the proper arrangement of streets; safe, convenient, and efficient traffic circulation; adequate and convenient open spaces and recreation areas; protection of environmentally sensitive areas; minimization of fire hazards; adequate light and air; mitigation of flood hazards; provision of potable water, sewage treatment, drainage facilities, and other utilities, facilities, and services; and enhancement of the unique character and aesthetics of the City, County, individual communities, and neighborhoods. It is further intended that these regulations provide guidelines for development in the City, County, individual communities, and neighborhoods in a manner that is consistent with the Comprehensive Plan for Frankfort and Franklin County.

C. Legislative Authority

The Frankfort and Franklin County Subdivision and Development Plan Regulations are adopted under authority granted by the Kentucky Revised Statutes (KRS), [Chapter 100.273](#).

D. Applicability

The provisions of the Frankfort and Franklin County Subdivision and Development Plan Regulations shall apply to all lands within the municipal limits of the City of Frankfort, Kentucky, and within the boundaries of Franklin County, Kentucky.

E. Effect on Previously Approved Plats and Development Plans

The design and construction requirements of the Frankfort and Franklin County Subdivision and Development Plan Regulations shall not apply to:

1. Subdivisions that have previously received Preliminary Plan approval, provided that such approvals have not expired at the time of adoption of the Frankfort and Franklin County Subdivision and Development Plan Regulations;
2. Subdivisions that have received a Preliminary Plan review by the Technical Review Team, provided that the Preliminary Plan is approved by the Planning Commission within six (6) months of the effective date of these regulations;
3. Subdivisions within the municipal boundaries of the City of Frankfort and were approved by the Planning Commission prior to **July 12, 1983**, provided that such approval has not expired at the time of adoption of these regulations; and
4. Subdivisions within the jurisdiction of Franklin County and were approved by the Planning Commission prior to **December 7, 1987**, provided that such approval has not expired at the time of adoption of these regulations.
5. Development Plans approved by the Planning Commission prior to the effective date of these regulations.

F. Exemptions

Pursuant to [KRS Chapter 100.111\(22\)](#), the division of land for Agricultural Use and not involving a new street is exempt from the regulations of this Article.

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G. Map of Urban, Suburban, and Rural Areas

[Map 2-1: Community Character Designations](#) depicts the location and extent of designated Urban, Suburban, and Rural areas. When a property is located in more than one area type, the following rules shall apply:

1. For a property located in an Urban and Suburban Area, the requirements of [Section 14.02](#) shall apply to the entire property;
2. For a property located in a Suburban and Rural Area, the requirements of [Section 14.02](#) shall apply to the entire property; and
3. For a property located in an Urban, Suburban and Rural area, the Planning Commission shall determine which area requirements shall apply.

H. Interpretation of Boundaries

Where uncertainty exists as to the boundaries of Urban, Suburban and Rural areas shown on [Map 2-1: Community Character Designations](#), the rules established in [Section 2.03.B. Interpretation of Boundaries](#) shall apply.

I. Administration of Regulations

The Frankfort and Franklin County Planning Commission, and its designees, shall administer these regulations. All applications, fees, maps, and documents relative to plan approval shall be submitted to the Commission. The City of Frankfort and Franklin County shall designate appropriate and sufficient staff to handle the daily administration of these regulations on behalf of the Planning Commission. The Planning Commission is empowered to appoint a subdivision committee, composed of members of the Commission, to study proposed subdivisions and site developments. However, no plan may be approved except by official action of the Planning Commission or its duly authorized designee. The administration of these regulations shall be carried out in conformance with the requirements of [Section 14.05. Administrative Procedures](#) of these regulations.

J. Planning Commission Action on Variances to these Regulations

The Planning Commission is hereby empowered to do all things necessary and proper to administer and enforce these regulations, including, but not limited to, the power to hear and finally decide applications for variances when a proposed development involves a subdivision and one or more variances from the dimensional requirements of these regulations. In considering applications for variances under these regulations, the Planning Commission shall assume all powers and duties otherwise exercised by the Board of Zoning Adjustment pursuant to [KRS 100.231](#) through [100.251](#). The applicant for the subdivision, at the time of filing of the application for the subdivision, may elect to have a variance for the same development to be heard and finally decided by the Planning Commission, or by the Board of Zoning Adjustment as otherwise provided by [KRS 100](#).

K. Subdivision Requires a Plat

No person shall subdivide land without the approval and recording of a Major or Minor Record Plat in accordance with the requirements of these regulations. In the event that any unapproved plat has been recorded, land has been sold or transferred, or a contract has been entered into for the sale or transfer of land in violation of the provisions of these regulations, then the requirements of [KRS 100.292](#) shall apply.

L. Status of Lots Created in Violation of the Provisions of this Article

No building permit or certificate of occupancy shall be issued for any structure on any parcel or lot that was created in violation of these regulations.

M. Minimum Standards

In their interpretation and application, the provisions of these regulations shall be held to these minimum requirements, adopted for the promotion of the public health, safety, and general welfare. All

developers should consider developing their subdivisions at higher standards. The Planning Commission may require standards above the minimum contained herein whenever it finds that public health, safety, and welfare purposes justify such increases. Whenever the provisions of these regulations are at variance with the requirements of any other lawfully adopted rules, regulations, or ordinances, the provisions that is more restrictive or imposes a higher standard or requirement shall govern.

N. Severability of Regulations

These regulations are severable and the invalidation of any portion hereof by any court of competent jurisdiction shall in no way affect the validity of any other portion.

O. Amendment of Regulations

These regulations may be amended from time to time as provided by law, and in accordance with the provisions of [Section 14.05.L. Amendment of Regulations](#).

P. Rules of Interpretation

1. Generally

For the purposes of these regulations, certain terms, words and symbols are to be interpreted as follows, unless the context clearly indicates otherwise:

- a. The word "person" includes an individual, a corporation, a partnership, an incorporated association, or any other similar entity.
- b. Tense: Words used in the present tense include the future.
- c. Number: Words in the singular number include the plural; and words in the plural include the singular, unless the obvious construction of the wording indicates otherwise.
- d. Gender: Words in the masculine gender include the feminine, and neuter, and vice-versa.
- e. Shall, Should, May, Includes – The word "shall" is mandatory; the word "should" is directive but not mandatory; the word "may" is permissive. The word "includes" shall not limit a term to the specific examples but is intended to extend its meaning to all other instances or circumstances of like kind or character.
- f. The phrase "used for" includes "arranged for," "designed for," "intended for," "maintained for," or "occupied for."
- g. The word "lot" includes the words "plat" or "parcel."
- h. Measurement of Distances: Unless otherwise specified, all distances shall be measured horizontally and at right angles to the line in relation to which the distance is specified.
- i. Interpretation of Undefined Terms: Terms not otherwise defined in [Article 15. Definitions](#) shall be interpreted first by reference to the adopted Comprehensive Plan or Zoning Regulations, if specifically defined therein; secondly, by reference to generally accepted engineering, planning, or other practices; and otherwise according to common usage, unless the context clearly indicates otherwise.

2. Responsibility for Interpretation

In the event that any question arises concerning the application of regulations, design standards, construction and improvement standards, other criteria, definitions, procedures, or any other provisions of the Frankfort and Franklin County Subdivision and Development Plan Regulations, the Planning Director, or duly authorized designee, shall, on behalf of the Planning Commission, be responsible for interpretation.

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3. Computation of Time

The time within which an act must be done shall be computed by counting working days, excluding the first and including the last day. Saturdays, Sundays, and legal holidays shall be excluded from the computation. The Planning Commission shall determine and cause to be published a list of legal holidays applicable to the computation of time prior to the beginning of each calendar year.

14.02. URBAN AND SUBURBAN AREA SUBDIVISION AND DEVELOPMENT REQUIREMENTS

A. Intent

The requirements of [Section 14.02. Urban and Suburban Area Subdivision and Development Requirements](#) are provided to ensure that the subdivisions and development plans within the Urban and Suburban Area are consistent with the predominant characteristics of urban or suburban types of development. It is the intent of the Planning Commission that land proposed to be subdivided shall be suitable for development, including consideration of flood hazards; geologic hazards; availability of adequate water supply, sewage disposal, storm water facilities, transportation facilities, and schools; or consideration of other such conditions as may endanger the health, life, or property of the citizens of Frankfort and Franklin County.

B. Applicability

Subdivisions and development plans within the boundaries of the Urban and Suburban Areas, as depicted on the Map of Urban, Suburban, and Rural Areas ([Map 14-1](#)) shall comply with the requirements of this Section. (See [Section 14.01.H. Interpretation of Boundaries](#) for the rule applicable to properties located in more than one type of area.)

C. Standards for Lot Layout and Development Design

1. Compliance with Zoning District Regulations

Subdivisions and development plans within the Urban and Suburban Areas shall comply with the requirements of the zoning district in which the subdivision or site is proposed. Zoning district regulations govern building placement, density and intensity of use.

2. Lot and Block Design Requirements

- a. Lot area and dimensions shall conform to the applicable zoning district standards as established by [Article 4. Dimensional and Design Standards](#), except as otherwise provided herein.
- b. Lot depth to width ratio standards will be based on the type of access. Where access to a lot is from a frontage street, the lot depth to width ratio should not exceed 2.5:1 (See [Figure 14-1](#)). Where access is located at the rear of a lot, either by alley, street or easement, the lot depth to width ratio shall not exceed 5:1 or a maximum depth of 200 feet (See [Figure 14-2](#)).

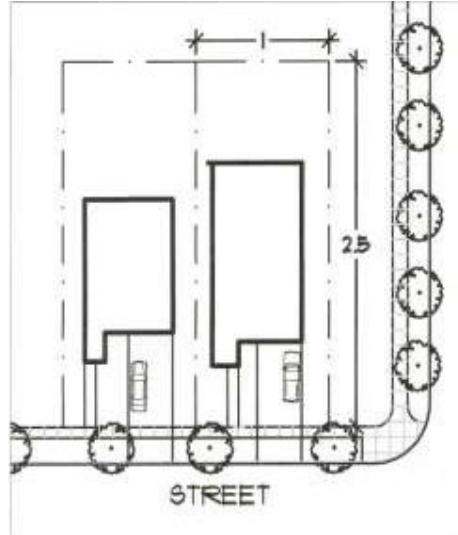


Figure 14-1: Front Access Lot – 2.5 : 1 Ratio

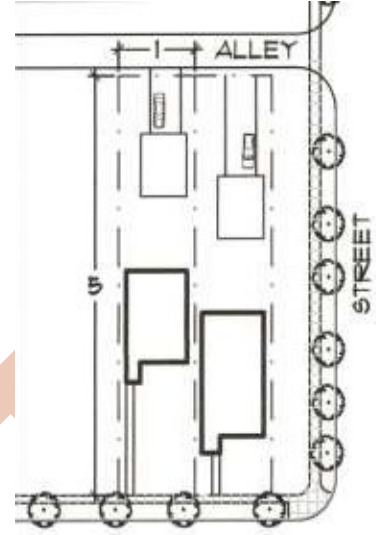


Figure 14-2: Rear Access Lot – 5 : 1 Ratio

- c. Lots shall be configured so that side lot lines are at right angles to the lot frontage or street frontage whenever practical (See [Figure 14-3](#)). Lots fronting on the turnaround portion of a cul-de-sac street present one situation where it may not be practical for side lot lines to form right angle with Lot or street frontage (See [Figure 14-4](#)).

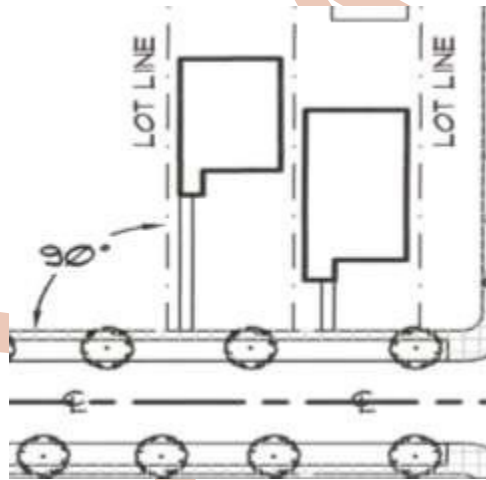


Figure 14-3: Lot Line at Right Angle to Street

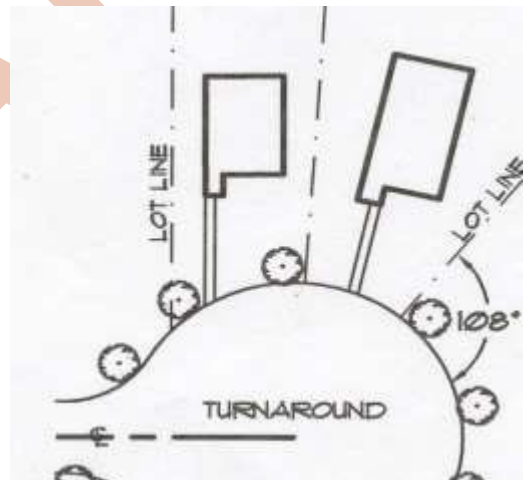


Figure 14-4: Lot Line Not at Right Angle to Street

- d. Subdivisions should not be configured with double frontage or reverse frontage lots unless the configuration is needed to provide for the separation of residential development from:
- i. Major transportation thoroughfares;
 - ii. Lots developed or zoned for commercial use;
 - iii. Lots developed or zoned for industrial use; or
 - iv. Lots developed or zoned as Planned Developments (PD).
- e. Corner lots shall have sufficient frontage on the two abutting streets to ensure that all building placement standards are met.
- f. The length of blocks along the primary street frontage shall be consistent with the

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average block length of the neighborhood but shall not be less than 400 feet or more than 1,500 feet. Block length shall be measured from the centerline of intersecting streets that establish the block. The determination of the primary street frontage shall be based on highest functional classification. Where all streets that form the block are of the same functional classification, the primary street frontage shall be determined from the longest street.

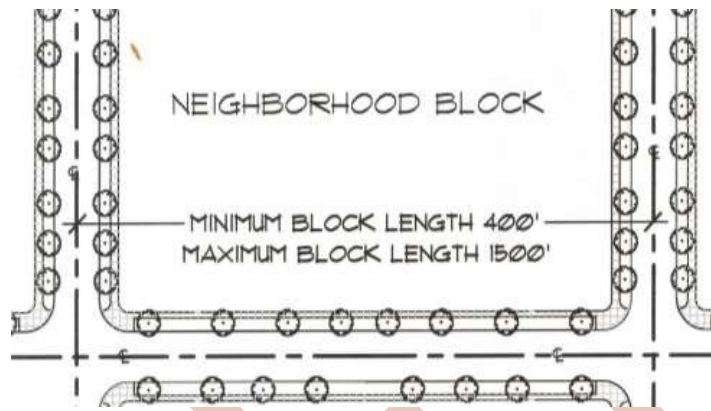


Figure 14-5: Block Design Standards

- g. Blocks should be configured to accommodate two (2) rows of lots. An exception may be granted where double frontage lots or reverse frontage lots are allowed, pursuant to [Section 2.03.B.5](#).
- h. Flag lots shall not be permitted in the Urban or Suburban Areas. For the purposes of this provision, lots with a frontage less than which is required by [Article 4. Dimensional & Design Standards](#) in the Development Code shall constitute as a flag lot.

D. Transportation System Requirements

1. Street System Classification

The proposed street system of the subdivision or site shall conform to the system of thoroughfares and neighborhood streets established in the Urban and Suburban Areas. Extensions and connections of new thoroughfares and streets to existing thoroughfares and street shall be required to continue the transportation system and pattern of the Urban Area. The proposed transportation system shall provide for adequate and safe on and off-street parking, and adequate and safe loading and unloading of goods and equipment.

2. Thoroughfare and Neighborhood Streets Standards

- a. The minimum right-of-way width, as measured from lot line to lot line, shall be as provided in the Major Street Plan, but shall not be less than the standards shown below in [Table 14.02-1: Minimum Right-of-Way Requirements – Urban and Suburban Areas](#).

Table 14.02-1: Minimum Right-of-Way Requirements – Urban and Suburban Areas				
Urban and Suburban Area Street Type Classification	Minimum ROW (feet) No On-Street Parking CG Section ^[1]		Minimum ROW (feet) with On-Street Parking One or Both Sides CG Section ^[1]	
	3 lanes	5 lanes	3 lanes	5 lanes
Thoroughfares				
Arterial	80	104	96	NA
Collector	70/80 ^[3]	94/104 ^[3]	86/96 ^[3]	110/120 ^[3]
Marginal/Frontage	50	NA	NA	NA

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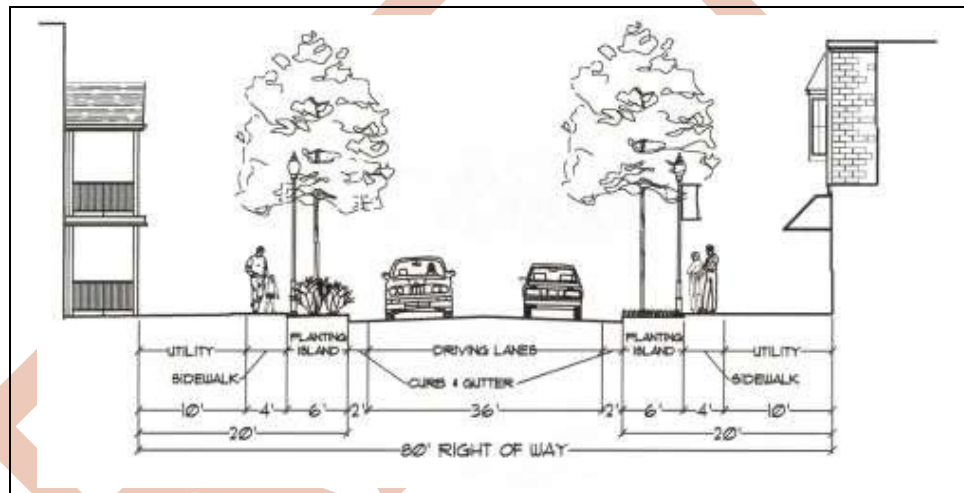
Neighborhood Streets	2 lanes	3 lanes	2 lanes	3 lanes
Major	60	71	76/87 ^[3]	87/97 ^[3]
Minor	40	NA	50 ^[5]	NA
Alley/Common Drive ^[2]	30 ^[4]	NA	NA	NA

[1] A CG section includes the curb and gutter along both sides of the street as well as raised medians.
 [2] Curbs and gutters are required for the alley/common drive unless waived by the applicable engineering official..
 [3] The additional 10 feet of right-of-way may be required for the purpose of increasing the width of sidewalks when the Major Thoroughfare provides access to commercial properties.
 [4] The minimum right-of-way may be increased to provide for drainage facilities, and a portion of the required right-of-way may be provided in a utility easement.
 [5] On-street parking is only permitted along one side of the street opposite to side containing fire hydrants and potable water lines. Where on-street parking is provided the curb shall be painted and a sign placed at the entrance to the subdivision to denote where on-street parking is permitted.

Note: The references to 3 and 5 lanes for street types are based on two or four travel lanes and one left turn lane.
 Note: The right-of-way standards assume that left turn lanes are painted to separate movements. If a raised median is planned, the right-of-way requirements will be increased to accommodate the additional curb and gutter.

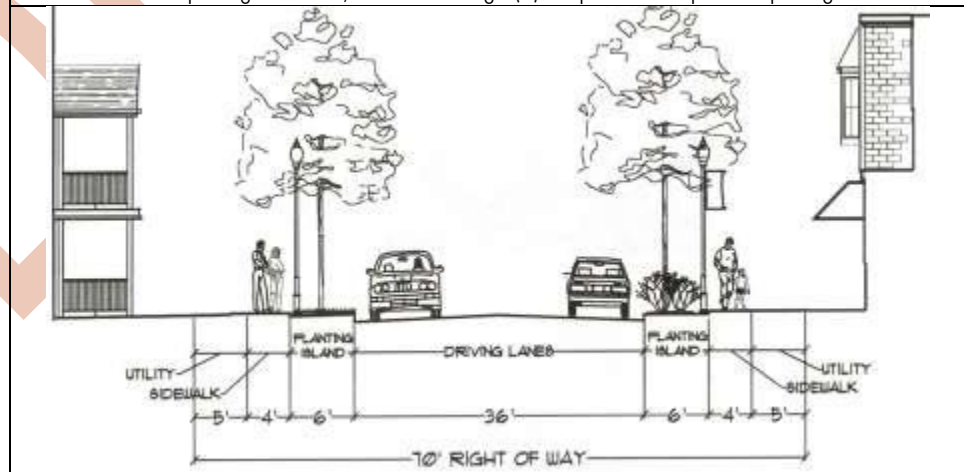
b. Cross-Sections and Requirements for Thoroughfare and Neighborhood Streets

The following Figures contain all right-of-way and design requirements that shall be applicable for these classifications.



ARTERIAL THOROUGHFARE CROSS-SECTION

If on-street parking is included, an additional eight (8) feet per side is required for parking lanes

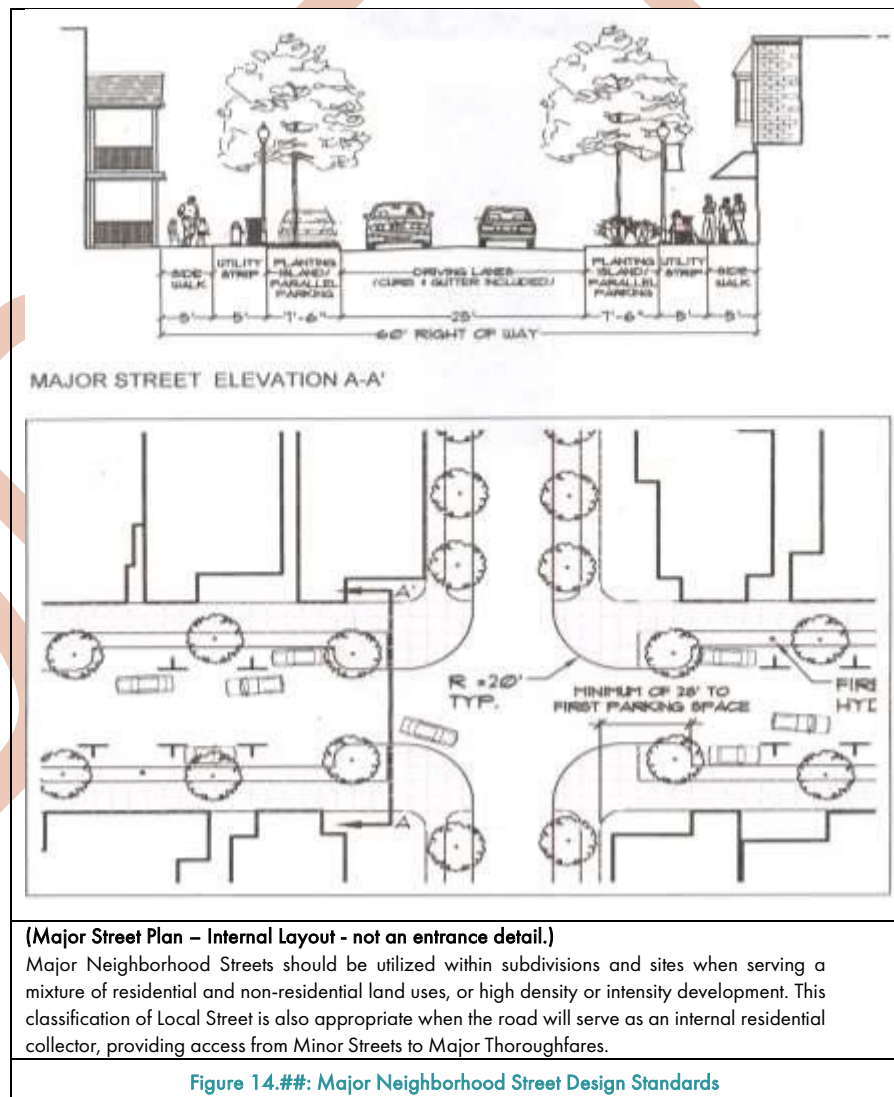
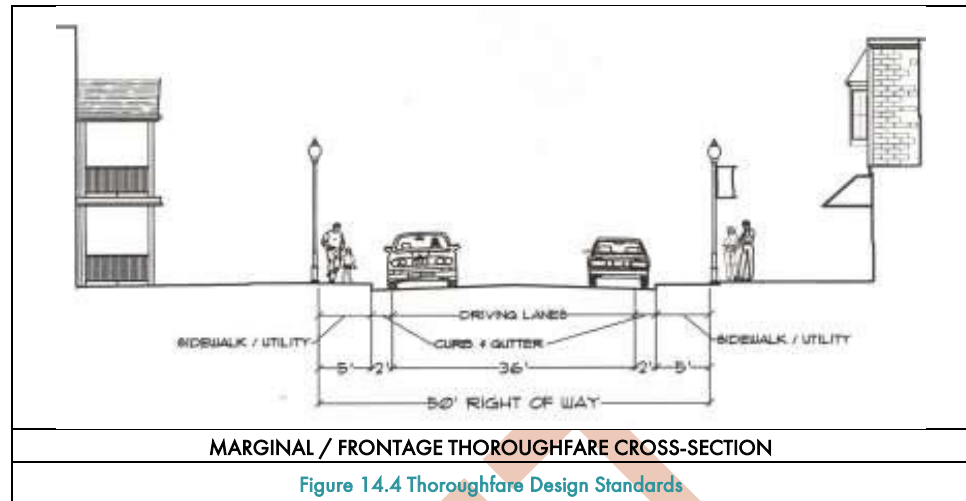


COLLECTOR THOROUGHFARE CROSS-SECTION

If on-street parking is included, an additional eight (8) feet per side is required for parking lane

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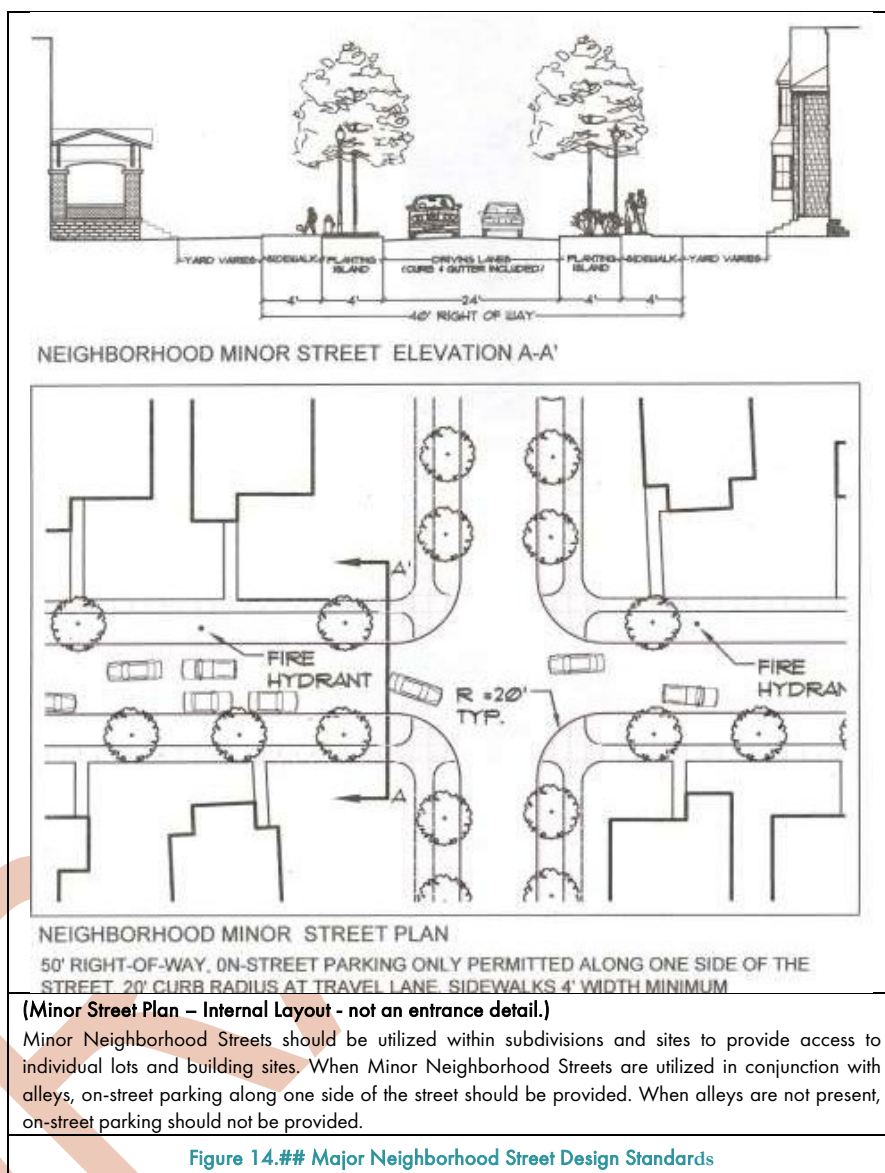


Figure 14.## Major Neighborhood Street Design Standards

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- e. Where T-type intersections are permitted, the following minimum offsets set forth in [Table 14.02-2: Minimum Offset Requirements for T-Type Intersections](#) shall be required.

Table 14.02-2: Minimum Offset Requirements for T-Type Intersections	
INTERSECTION TYPE	OFFSET BETWEEN CENTERLINES (min)(feet)
Arterial with Arterial	600'
Arterial with Collector or Frontage	
Arterial with Major Neighborhood St.	
Arterial with Minor Neighborhood St.	
Collector with Collector	400'
Collector with Frontage	
Collector with Major Neighborhood St.	
Collector with Minor Neighborhood St.	
Major Neighborhood St. with Minor or Alley/Common Dr.	250'

- f. Intersections shall not be designed with more than four (4) approaches. This design requirement shall not be construed to prohibit merging lanes, deceleration lanes, or traffic circles.
- g. The highest classification of thoroughfare or neighborhood street shall be considered the through street when intersecting with any other classification of thoroughfare or neighborhood street.
- h. The minimum and maximum grades for all classified streets is shown in the following table:

Table 14.02-3: Minimum and Maximum Grades		
STREET TYPE	GRADES	
	MINIMUM	MAXIMUM
Arterial	0.5%	5%
Collector/Frontage	0.5%	8%
Major/Minor/Alley	0.8%	8-12% ^[1]

[1] The grade may not exceed eight percent (8%) unless specifically authorized by the applicable engineering official and provided that additional landing area is provided where the street intersects with another street.

- i. Where the grade of any thoroughfare or neighborhood street at the approach to an intersection exceeds three percent (3%), a leveling area shall be provided, having a grade not greater than three percent (3%) for a distance of 50 feet back from the edge of the right-of-way of the intersecting street.
- j. A change in grade shall be connected by a vertical curve that provides a minimum sight distance equal to:
- i. The distance an automobile will travel in six (6) seconds at the design speed of the road; or
 - ii. 220 feet at 25 MPH, 310 feet at 35 MPH, 400 feet at 45 MPH, 500 feet at 55 MPH.

This standard may be reduced at the discretion of the applicable engineering official in order to preserve scenic, cultural or historic resources.

- k. The minimum horizontal curve radius for thoroughfares shall be 600 feet and 100 feet for neighborhood streets unless an alternative is approved by the applicable

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engineering official.

- l. The minimum radius for thoroughfare curb intersections shall be 35 feet. The minimum radius for neighborhood street curb intersections shall be 20 feet. All measurements shall be from the pavement edge.
- m. Dead-end neighborhood streets shall not be included in subdivisions proposed in the Urban or Suburban Areas, unless topography or the existing street pattern requires a dead-end street. When a dead-end street is proposed, the street shall meet the following standards:
 - i. The street shall be designed as a permanent dead-end street.
 - ii. The dead-end street shall not be longer than 500 feet.
 - iii. The street shall be designed with a closed end with a turn-around at a minimum centerline radius of 50 feet.
- n. Thoroughfare and neighborhood street names shall meet the following standards as well as those in [Section 14.07. Street Naming, Closing and Site Addressing Procedures](#).
 - i. Thoroughfare and neighborhood street extensions shall bear the same name as the existing street.
 - ii. Thoroughfare and neighborhood streets that align with existing street shall bear the same name as the existing street.
- o. There shall be no private thoroughfares or neighborhood streets in Urban and Suburban area subdivisions, except that dedication to the public of a cross-access easement for alleys is acceptable.
- p. Within the Urban Areas, blocks over 800 feet in length, the Planning Commission may require one (1) or more publicly accessible pedestrian and/or bike paths ten (10) feet in width to extend approximately from the midpoint of one (1) block face to the midpoint of the opposing block face.
- q. Within the Suburban Areas, blocks over 1,000 feet in length, the Planning Commission may require one (1) or more publicly accessible pedestrian and/or bike paths ten (10) feet in width to extend approximately from the midpoint of one (1) block face to the midpoint of the opposing block face.

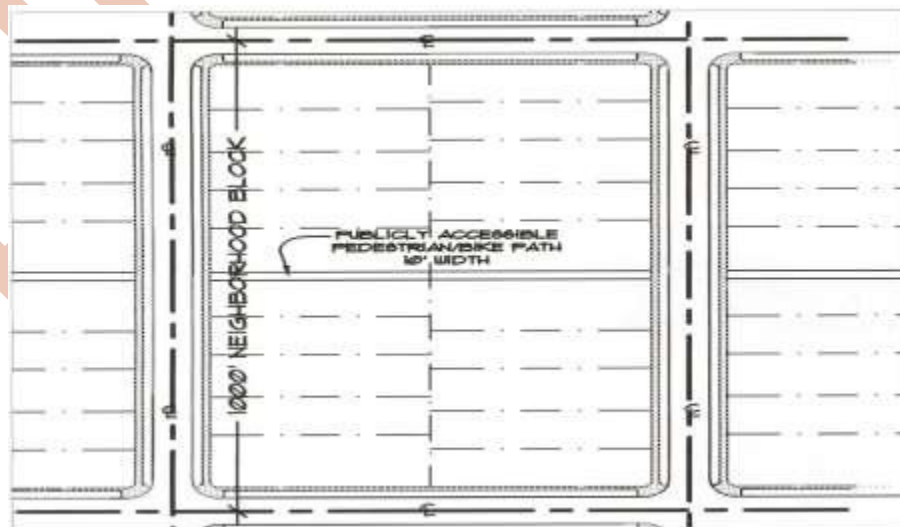


Figure 14.8: Location of Publicly Accessible Pedestrian / Bike Path

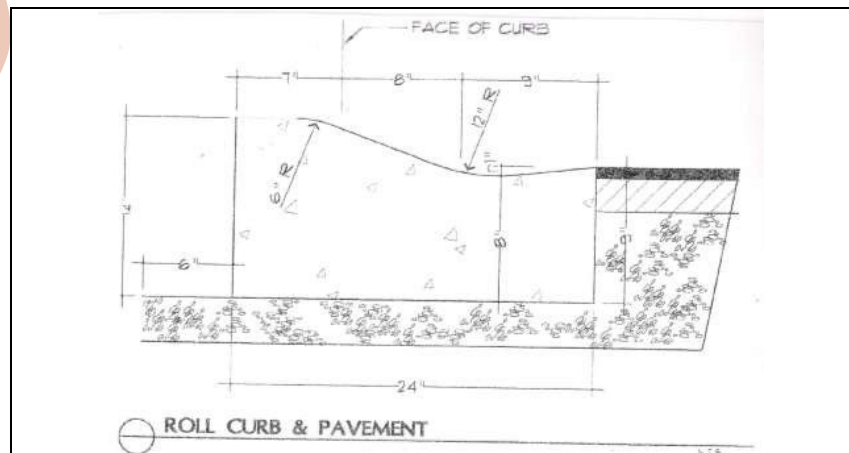
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- r. Thoroughfare and neighborhood street pavement design and construction standards are shown in [Table 14.02-4: Pavement Design and Construction Standards](#).
- i. Pavement Base shall consist of not less than two (2) courses (five-inch (5") maximum per lift) of dense graded aggregate laid and rolled separately to at least 95 percent maximum density, totaling the required number of inches based on street type for the full width of pavement and including any proposed shoulder/curb. Sub-grade shall have been graded and rolled to 95 percent of maximum density prior to the placement of the first course of aggregate. A bituminous binder course shall be applied with the thickness at the thinnest point as required for the applicable street type. A surface or wearing course of Asphalt Concrete, Class I, Type "A", or the equivalent shall be applied, with a thickness at the thinnest point of one and one-half (1.5) inches.

Table 14.02-4: Pavement Design and Construction Standards			
Type	Compacted DGA Base (inches)	Bituminous Asphalt Base (inches)	Finish Grade Bituminous Asphalt (inches)
Arterial	12	4	1.5
Collector	10	4	
Neighborhood Streets	10	3	

- s. Straight battered Portland cement box type, or Portland cement roll type, concrete curbs and gutters shall be designed in accordance with current Kentucky Bureau of Highways or AASHTO standards. The box type curb and gutter section shall be required for use on all Thoroughfares and the cur or roll type sections may be constructed in conjunction with a Neighborhood Street in the Urban and Suburban Areas. This standard shall not be modified. In addition, the following is required when box or roll type curb and gutter sections are planned and constructed:
- i. Cut-outs and repair of straight or roll type curb and gutter sections to accommodate driveways, alleys or other forms of access shall be completed prior to the issuance of a certificate of occupancy for any principal structure on the building site served by the driveway, alley or other form of access.
- ii. Developers may install all driveway aprons at time of installation of the curbs to avoid the costs associated with removing such curbs at time of installing a driveway connection onto the new road system.



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Any applicant with a project that requires the installation of public infrastructure may submit a written request to the appropriate Engineering Official that their proposed development utilize design practices that are consistent with A Policy on Geometric Design of Highways and Streets (current edition) published by the American Association of State Highway and Transportation Officials (AASHTO). Such request shall specify the section(s) to which the AASHTO guidelines are to be applied. Approval by the appropriate Engineering Official of a portion or all of the request may be authorized without the need of Planning Commission review.

When the Engineering Official has determined that the request is consistent with the AASHTO standards, such designs may be authorized without the need of Planning Commission review.

All streets shall be designed in accordance with the applicable storm water management and design guidelines for the City of Frankfort or Franklin County.

Developers of subdivisions and sites are responsible for placement of street signs in accord with the following requirements:

- a. The developer shall place at least two street name signs at each four-way street intersection and one at each "T" intersection.;
- b. Street signs shall be installed within the parkway, free of visual obstruction, and easily legible;
- c. All street signs must be installed in accordance with the Manual on Uniform Traffic Control Devices (MUTCD) standards (<http://mutcd.fhwa.dot.gov/12.28.01.htm>) and shall be metal with reflective lettering; and,
- d. The developer, or successor in interest, will be responsible for the maintenance and replacement, when necessary, of any aspect of a required street sign that exceeds the minimum requirements of the MUTCD and has been approved by the applicable Engineering Official. This would include decorative features associated with the signage.

Wherever a proposed subdivision or site abuts unplatted land or a future development phase of the same development, street stubs shall be installed to allow access to abutting properties or to logically extend the street system into the surrounding area.

a. All sidewalks shall be constructed of Portland Cement concrete, or other material

acceptable to the applicable engineering official, with a minimum 3,500 pounds per square inch Class A concrete and shall have a minimum thickness of four inches (4") and contain fiber reinforced mesh.

- b. Sidewalks shall be constructed on thoroughly compacted sub grade and shall conform in width to the requirements for specific thoroughfare or neighborhood street classifications.
- c. Sidewalks shall be scored in squares, with the minimum spacing based on one (1) foot per foot of sidewalk width. Expansion joints shall be placed at 32-foot intervals, or where necessary based on the grade, location of driveways, and other features of the sidewalk corridor. Sidewalk slope toward the curb shall be one-quarter (1/4) of an inch to the foot.
- d. Sidewalks shall be located not less than six inches (6") from the property line in residential areas to prevent interference or encroachment by fencing, walls, hedges, or other planting or structures placed on the property line at a later date.
- e. Sidewalks shall be designed to connect to and extend existing sidewalks.
- f. Ramps at intersections shall be provided to comply with the design requirements of the Americans with Disabilities Act (ADA).
- g. Sidewalks should properly connect with pedestrian crosswalks, and part of the responsibility of the developer for the installation of sidewalks will include the delineation of pedestrian crosswalks on the surface of the street consistent with the requirements of the applicable engineering official.
- h. Sidewalks are required along both sides of a street as depicted in [Section 14.02.D.2. Design Standards – Thoroughfares and Neighborhood Streets](#).

7. Emergency Vehicle Access Standards

- a. Subdivisions or sites shall provide for emergency vehicle access consistent with the type and density or intensity of use.
- b. For proposed development of 50 or fewer residential lots or 30,000 square feet or less of gross floor area of non-residential use (Type A Development) a single two (2) lane, two-way access from the subdivision or site to the transportation system shall be sufficient for emergency access. A single one-way lane may be permitted as an alternative to the standard above with the written approval of the applicable engineering official.
- c. For proposed developments with 51 – 100 residential lots or 30,001 – 150,000 square feet of gross floor area of non-residential use (Type B Development), a single lane ingress and a two (2) lane egress access divided by a raised median shall be sufficient for emergency access. The length of this divided access, measured from the centerline of the connecting thoroughfare or street, shall be determined from [Table 14.02-5: Length of Access Based on Street Classification](#) below. The width of the median is provided in [Section 14.02.D.9. Design Standards – Access and Driveway Connections](#).
- d. For proposed developments with more than 100 residential lots or 150,001 or more square feet of gross floor area of non-residential use (Type C Development), a minimum of two (2) separate access streets or driveways to the abutting transportation system shall be provided. If a development site fronts on two roadways (other than I-64), then a driveway on each shall be required. The type and design requirements for both of these access streets or both driveways should be separated with a raised median as shown in [Figure 2.10](#) below unless otherwise

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determined in writing by the engineering official upon recommendation of both the applicable Fire Chief and Planning Director.

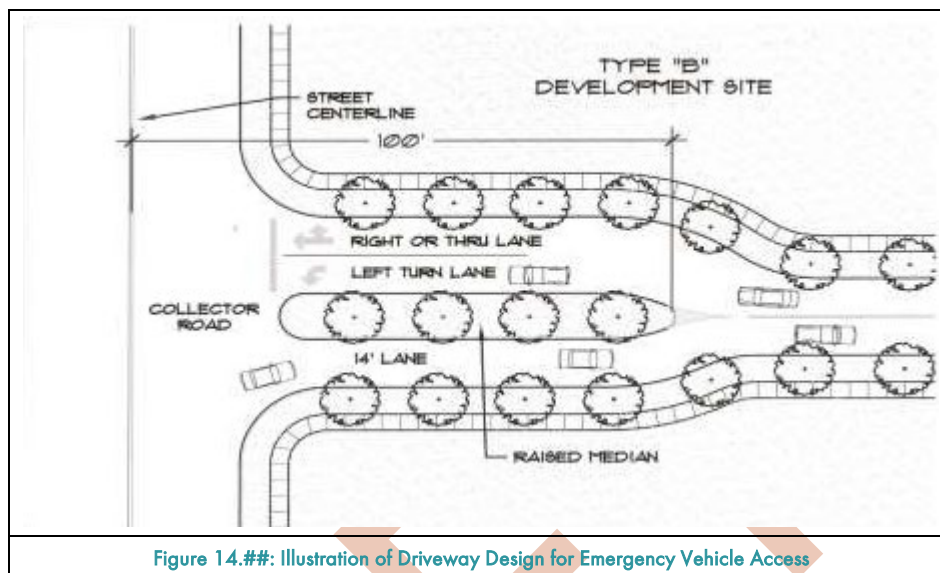


Figure 14.##: Illustration of Driveway Design for Emergency Vehicle Access

Table 14.02-5: Length of Access Based on Street Classification

Roadway Type	Type A Development	Type B Development	Type C Development
Arterial	100 ft.	120 ft.	160 ft.
Collector	80 ft.	100 ft.	140 ft.
Neighborhood Streets	60 ft.	100 ft.	120 ft.

8. Access from Residential Lots to Thoroughfares

Access from residential lots to thoroughfares shall be prohibited in the Urban and Suburban Areas except where the provision of access is determined by the Planning Commission to be an important element in the preservation of the scenic or historic character of the thoroughfare or street. Where such access is allowed, the spacing of such access locations shall conform to the general pattern of lot access driveways along the roadway.

9. Access Connection and Driveway Standards

Driveways from individual lots or building sites or development sites to thoroughfares or neighborhood streets shall be designed in accordance with the standards below:

- a. Driveway width shall be determined by the following requirements:
 - i. If the driveway is a one-way in or one-way out drive, then the driveway shall be a maximum width of 16 feet and shall designate the driveway as a one-way connection.
 - ii. For two-way access, each lane shall have a minimum width of twelve (12) feet. Whenever more than two (2) lanes are proposed, entrance and exit lanes shall be divided by a raised median. The median shall be not less than four (4) feet wide or 13 feet wide if five (5) or more lanes are proposed. An exception to this median design is if the access is on a state right-of-way and the KYTC will not approve this design with the minimum median size. The applicant must provide written documentation to the Planning Director that KYTC will not approve such a design and what alternative design closest to the requirement will be acceptable to KYTC.

- iii. NOTE: Nothing in this section shall prevent the applicable Engineering Official to allow the median to be tapered or striped for safety purposes.
- iv. Driveways that enter the major thoroughfares or neighborhood street at traffic signals must have at least two outbound lanes (one (1) for each turning direction) of a least 12 feet in width, and one inbound lane with a 14 foot width, unless otherwise authorized by the applicable Engineering Official.
- b. On-street parking shall be prohibited within the entire length of the access driveway as determined from [Table 14.02-5: Length of Access Based on Street Classification](#).
- c. Driveway grades shall conform to the requirements of the Kentucky Transportation Cabinet Standard Index, Roadways and Traffic Design Standard Indices, latest edition, but in no case shall a driveway grade exceed 12 percent.
- d. Driveway approaches must be designed and located to provide an exiting vehicle with an unobstructed view. Construction of driveways along acceleration or deceleration lanes and tapers is not permitted.

E. Public Facility and Service Requirements

1. Required Facilities and Services

Subdivisions and development plans proposed within the Urban and Suburban Area shall provide for the following facilities and services: potable water, sanitary sewer, flood hazard protection, storm water management, gas, electricity, cable, and telephone.

2. Water and Fire Protection Standards

All Urban and Suburban Area subdivisions and sites are required to have adequate potable water service from a public utility provider for drinking water and fire protection. All subdivisions and sites shall comply with the design standards below and, where applicable, those standards adopted by the Frankfort Plant Board. Where standards contained herein are determined to conflict with the standards adopted by the Frankfort Plant Board or other potable water provider, the more stringent standard shall apply. The applicable Engineering Official shall consult with the utility service provider and make the final determination that standards are in conflict, and which standard is more stringent.

a. Urban Areas

Water mains shall be not less than six inches (6") in diameter, including fire hydrant branch connections. Larger mains may be required when warranted by service or topographic conditions.

b. Suburban Areas

- i. Water mains shall be not less than six inches (6") in diameter. Larger mains may be required when warranted by service or topographic conditions.
- ii. Four inch (4") water mains may be considered by the applicable Engineering Official, but only for mains which do not serve as a fire hydrant branch. Blow-offs shall be installed as necessary and pursuant to Engineering Official requirements.
- c. Dead end water service to a subdivision or development site should not be permitted. Water service mains should connect to the distribution system at a minimum of two (2) points to avoid interruption of service should one (1) main be out of service. A single point of connection to the public distribution system may be permitted when it is determined that a second connection is not feasible due to the physical limitations of the site.

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- d. Water mains should be so arranged that the distance between intersecting mains does not exceed 800 feet. If intersecting mains are at a distance in excess of this standard, eight inch (8") or larger mains must be used.
- e. The distribution system for subdivision and sites shall be equipped with a sufficient number of valves located in a manner such that breakage or other interruption will not cause the shutdown of any portion of a main greater than 800 feet.
- f. Fire hydrants shall meet the minimum specifications and be installed in conformity with the requirements of the public water service provider.
- g. Fire hydrants shall be able to deliver a minimum of 500 gallons per minute or other rate of water flow as determined by the applicable Fire Department Official, for firefighting purposes. Friction loss between the main and the hydrant should be minimized to ensure that the hydrant can deliver the specified flow of water.
- h. Fire hydrants shall be equipped with not less than two (2) two and one-half (2 ½) inch outlets and one (1) four and one-half (4 ½) inch main steamer or pumper outlet and an isolation valve must be installed between the street main and the hydrant.
- i. Hydrant spacing shall be determined by the fire flow demand standards below or as determined for a specific site by the applicable Fire Department Official:
 - i. Higher density residential and commercial areas, where the proposed density is greater than three (3) dwelling units per net acre or greater than a 0.15 floor area ratio, shall have hydrants located as to keep hose lines at a maximum of 500 feet. At a minimum, there shall be enough hydrants appropriately spaced within the subdivision or site to make two (2) streams of water available at every part of the interior and exterior of each building not covered by standpipe protection. Private hydrant design and installation (private hydrants are those located on private property and not within a public right-of-way or easement) may also be required to comply with the standard to make available two (2) streams of water at every part of the interior and exterior of each building not covered by standpipe protection.
 - ii. For lower density or intensity residential or commercial areas, hydrant spacing shall not exceed 800 feet between hydrants. In higher density residential and commercial developments, hydrant spacing shall not exceed 500 feet between hydrants, nor shall any portion of a building be further than 500 feet from a hydrant installed to protect it.
 - iii. Fire hydrants shall be located as close to a street intersection as possible with intermediate hydrants along the street or on the site of the premises so as to meet area requirements. Hydrants should be located in designated street tree planting areas or other portion of the right-of-way designated for utilities.
 - iv. Measurements for distances referenced above shall be made along an all-weather road (never measured through or across yards, fields, woods, creeks, or other avenues not accessible to fire apparatus) for laying hose lines.
- j. All fire hydrants shall be placed a minimum of 50 feet from the exterior wall of any building to be protected. When such placement is impossible, hydrants shall be placed where the chance of injury by falling walls is minimized and where firefighters are not likely to be driven away by smoke or heat. The height of

proposed buildings shall be considered for minimum distance when the 50 foot distance is not possible.

3. Sanitary Sewer Standards

All Urban Area and Suburban subdivisions and sites are required to have adequate sanitary sewer service from a public utility provider. All subdivisions and sites shall comply with the design standards adopted by the public utility provider as well as those listed below:

- a. The maximum length of sanitary sewer pipe between manholes is 350 feet.
- b. For Suburban Area subdivisions, the following shall apply:
 - i. All Suburban Area subdivision and sites are required to have adequate sanitary sewer service from either a public utility provider or by an on-site system approved by the Franklin County Health Department. All subdivisions and sites shall comply with the design standards adopted by the public utility provider or administered by the Franklin County Health Department. In addition, the following standards are applicable:
 - ii. Residential lots served by an on-site sanitary sewer system shall be a minimum of 200 feet wide as measured at the building line, and one-half (1/2) acre in area. A greater area than specified may be required for residential lots if, in the opinion of the County Health Officer, there are factors of drainage or soil condition to cause potential health hazards.

4. Flood Hazard Protection Standards

All subdivisions and sites shall be designed to conform to the requirements of all applicable Flood Damage Prevention Regulations as established by [Article 12. Flood Damage Prevention](#).

5. Storm Water Management Standards

All subdivisions and sites shall be designed to conform to all applicable stormwater management standards as established by the appropriate engineering authority.

6. Gas, Electricity, Cable, and Telephone Services Standards

Except as provided in [subsection 14.02.E.6.a.](#) or [6.b.](#) below, all gas, electricity, cable, telephone, and similar utilities provided to new subdivisions and building and development sites shall be placed underground in rights-of-way or easements as required. Above-ground utility service facilities, other than junction boxes, transformers and related ground-mounted equipment, are prohibited except as provided in accordance with [6.a.](#) or [6.b.](#) below. All permitted above ground service facilities shall be appropriately placed in or near front, side, or rear yard setbacks and should not be placed any closer than two (2) feet to the front or rear property line.

- a. Subdivision or sites, wherein more than seventy-five percent of the total number of residential units qualify as affordable housing, will be permitted to be serviced by above ground electric and telephone utility service facilities. In order to qualify for this provision, the developer of the subdivision or site shall provide to the Planning Commission a written statement justifying and certifying that the requisite number of residential units will be sold at a price consistent with the definition of "affordable" as described in the commentary below or as may be determined by policy of the Planning Commission from time to time. Also, the developer's certification statement shall also describe a binding method of enforcement to ensure that the requisite number of affordable dwelling units will be achieved over the life of the project, and the actions that the developer will take to ensure enforcement.

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- b. Above ground electric service may be provided to a subdivision or site when it is determined by the applicable Planning Director or more of the following conditions exist:
 - i. the subdivision or site is located in an area where adjoining developed subdivisions or sites are served from above ground facilities; and/or
 - ii. the subdivision or site can be served from existing overhead electric facilities without the need to construct new overhead facilities.
- c. For all commercial and multi-tenant residential developments, a minimum three-inch (3") ID, Schedule 40 PVC conduit will be provided to the Service Demarcation Point for Frankfort Plant Board Cable/Telecommunication facilities. The Demarcation Point is within a six-foot (6') radius of the electric meter for external building terminations, or the mechanical room (wiring closet) near the electric service panel for terminations inside a building. A pull box is required for conduit runs having more than two (2) sweeping, 90 degree bends between the Frankfort Plant Board cable/telecommunication access point and the Service Demarcation Point.

7. Public Transit Standards

- a. All non-residential developments with more than 100,000 square feet of gross floor area shall be required to conform to the following public transit standards:
 - i. Provide a transit shelter in a location as determined appropriate by the public transit authority, if the location is not identified in the long-range plan for transit facilities.
 - ii. Provide a publicly accessible sidewalk from the transit shelter to the principal entrance to the development. The principal entrance for a multi-tenant structure shall be the entrance for the principal tenant, or the tenant with the largest amount of gross floor area.
- b. Residential subdivisions are encouraged, but not required, to construct a multi-purpose pedestrian shelter(s) in common open space areas within in the development to provide a covered waiting area for school children and transit-riders.

F. Erosion and Sedimentation Control Measures

- 1. All areas disturbed by grading shall have temporary vegetative cover provided. Such cover shall consist of annual grasses or small grains. Slopes exceeding 4:1 shall have additional protection of mulching and/or seeding to prevent erosion. To protect ditches and other areas from erosion, the following protective measures shall be required for all subdivisions and sites:

Table 14.02-6: Erosion Control Measures	
Grade of Ditch	Required Protection
Less than 1%	Seed and fertilize entire ditch and slope
1% to 5%	Seed, mulch, fertilize and peg invert and sides to top of 2:1 slop.
5.01% to 7%	Paved invert, and paved slope to six inches (6") above maximum flow depth, with four-inch (4") thick reinforced concrete. Seed all other areas not paved in the right-of-way.
Greater than 7.01%	Seeded and pave as above, but with alternate side diagonal baffles approximately three- to four feet (3' – 4') on center to retard flow.

2. All seeding and fertilization shall be done in conformance with the guidelines established by the Franklin County Conservation District. During grading, excavation, or construction no erosion, siltation or water impoundment shall occur on any adjoining property as the result of such grading, excavating, or construction activity. If erosion, siltation or water impoundment should occur, the contractor will correct it immediately, to the satisfaction of the applicable Engineering Official.



Figure 2.12: Illustration of a 4:1 Slope Ratio

3. Effective sediment control measures shall be incorporated in the planning and construction of subdivisions and sites. A Notice of Intent (NOI) for storm water discharge is required on all construction sites that will disturb one (1) or more acres. The permit shall be obtained from the Division of Water, the Natural Resources and Environmental Protection Cabinet (Division of Water) prior to grading. Practical combinations of the following technical principles shall be applied:
 - a. The smallest practical area of land shall be exposed at any one (1) time during development.
 - b. When land is exposed during development, the exposure shall be kept to the shortest practical period of time.
 - c. Temporary vegetation and/or mulching shall be used to protect critical areas exposed during development.
 - d. Sediment basins (debris basins, desilting basins, or silt traps) shall be installed and maintained to remove sediment from runoff waters from land undergoing development.
 - e. Provisions shall be made to effectively accommodate the increased runoff caused by changed soil and surface conditions during and after development.
 - f. The permanent final vegetation and structures shall be installed as soon as practical in the development.
 - g. The development plan shall be fitted to the topography and soils so as to create the least erosion potential.
 - h. Wherever feasible, natural non-invasive vegetation shall be retained and protected.

G. Dedication of Easements

Where appropriate and to the fullest extent possible, easements required by these regulations shall be located and of sufficient width and extent as to provide for the installation and ongoing maintenance of the facilities or service installed within the easement, without creating a conflict with the application of other subdivision or zoning regulations. Easements shall be fully indicated on the record plat or development plan.

1. The Planning Commission may require, when it deems it necessary to facilitate pedestrian access to community facilities or other nearby streets, perpetual unobstructed easements at least 12 feet in width. The Commission may require a paved sidewalk for pedestrian safety within such an easement.

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2. Where a subdivision or site borders on a watercourse in an area designated in the Comprehensive Plan for public recreational use, the Planning Commission may require easements to be reserved for public access to the water.
3. Where topography or other conditions are such as to make impractical the inclusion of utilities or drainage facilities within street rights-of-way, perpetual unobstructed easements of sufficient width for such utilities shall be provided across property outside the street lines and with satisfactory access to the street.
4. Where a subdivision or site is traversed by a watercourse, drainage way, channel, or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines of such watercourse, and such further width as may be deemed necessary by the applicable Engineering Official to permit the construction of improvements designed to restrict flooding on adjoining properties. Parallel streets or medians may be required.

H. Streetscape, Landscape, Lighting, and Open Space Standards

1. Public Open Space Required

- a. Any subdivision, condominium, or development proposing a residential land use of 26 lots/units or more shall provide public open space based on the following design standards:
 - i. 1,089 sq. ft. of platted open space area per lot or unit OR 5% of the gross acreage of the original parent tract, whichever is less.
 - ii. Platted open space shall be maintained by the homeowners association of the development/subdivision/condominium. Alternative to maintenance:
 - (A). The Developer may choose not to provide the required homeowners association for the development and dedicate the required open space area to an accepted land trust provided the land trust is willing to accept the dedication and the Planning Commission approves this alternative method.
 - iii. Platted open space areas shall be allowed to contain common amenities such as pavilions, playgrounds, accessory structures, walkways, bike paths, trails, and the like. These areas may also consist of natural preserved scenic corridors, steep slopes, retention basins, and golf courses; however, rights-of-way, driveways, parking for residential uses and areas from the top of rim to the lowest elevation of detention basins or sink holes shall not be credited as open space area. The required open space areas should be properly designed to provide a functional purpose within the development or to other public open spaces outside of the development boundaries. The developer shall adequately demonstrate how the development and/or open space areas will protect ecologically sensitive areas, preserve natural or cultural features of the site, and preserve viewsheds or scenic vistas.
 - iv. Developers of a new development that is located equal to or less than 2,640 feet (half-mile) from an existing and accepted public open space may request to the Planning Commission to be exempt from the above requirements, provided they submit the following minimum justification:
 - (A). Verification that the subject property is equal to or less than 2,640 feet from an existing public open space – measured from the parent tract boundaries and along the existing public rights-

of-way or other acceptable access ways to the existing open space;

- (B). How they have attempted to provided connections to nearby parks, greenways, public buildings, schools, or the like; and
- (C). Adequately demonstrate how the development will protect ecologically sensitive areas, preserve natural or cultural features of the site, and preserve viewsheds or scenic vistas.

2. Streetscape Requirements

Street trees shall be planted along a street tree alignment line at an average spacing not greater than 30 feet on center. Street trees shall be at least 2.0 inch caliper and should be 12 feet overall height at time of installation in -S, Suburban Areas and six (6) feet in overall height at time of installation in -U, Urban Areas. The following list contains all species approved for use as street trees. It contains native species or adapted non-native trees or species. When the primary access to lots and building sites is from the frontage street (as opposed to from a rear alley), the average spacing standard may be modified by the applicable Planning Director to accommodate driveways.

Table 14.02-7: Canopy and Understory Trees	
LATIN NAME	COMMON NAME
<i>Acer rubrum</i>	Red Maple *
<i>Acer buergerianum</i>	Trident Maple
<i>Acer griseum</i>	Hedge Maple
<i>Acer tartaricum</i>	Tartarian Maple
<i>Acer saccharum</i>	Sugar Maple *
<i>Acer truncatum</i>	Shantung Maple
<i>Aesculus pavia</i>	Red Buckeye
<i>Amelanchier arborea</i>	Downey Serviceberry
<i>Amelanchier canadensis</i>	Shadblow Serviceberry
<i>Amelanchier laevis</i>	Allegheny Serviceberry
<i>Betula Nigra</i>	River Birch
<i>Carpinus caroliniana</i>	American Hornbeam
<i>Catalpa speciosa</i>	Northern Catalpa *
<i>Celtis laevigata</i>	Sugar Hackberry *
<i>Celtis occidentalis</i>	Hackberry *
<i>Cercis Canadensis</i>	Redbud
<i>Cercidiphyllum japonicum</i>	Katsura Tree
<i>Chionanthus virginicus</i>	Fringetree
<i>Cornus florida</i>	Flowering Dogwood
<i>Cornus kousa</i>	Kousa Dogwood
<i>Cornus mas</i>	Corneliancherry Dogwood
<i>Cotinus obovatus</i>	American Smoketree
<i>Cotinus coggygria</i>	Smokebush
<i>Cladrastis kentuckea</i>	Yellowwood
<i>Crataegis crusgalli inermis</i>	Thornless Cockspur
<i>Crataegis phaenopyrum</i>	Washington Hawthorn (these contain thorns)
<i>Crategis punctata var. inermis</i>	Thornless Hawthorne 'Ohio Pioneer'
<i>Crategis viridis</i>	Green Hawthorne (these contain thorns)
<i>Fraxinus americana</i>	White Ash *
<i>Fraxinus pennsylvanica</i>	Green Ash *
<i>Fraxinus pennsylvaiica</i>	Johnson' Leprechaun Ash
<i>Fraxinus quadrangulata</i>	Blue Ash *
<i>Ginkgo biloba</i>	Ginkgo (male only) *
<i>Gleditsia triacanthos inermis</i>	Thornless Honeylocust
<i>Gymnocladus dioicus</i>	Kentucky Coffeetree (male only) *

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Koelreutaria paniculata	Golden Raintree
Liquidambar styracifolia	Sweetgum *
Liriodendron tulipifera	Tulip Poplar *
Maackia amurensis	Amur maackia
Magnolia virginiana	Sweetbay Magnolia
Malus spp	Crabapples
Nyssa sylvatica	Tupelo Black Gum
Ostrya virginiana	Hophornbeam
Parrotia persica	Persian Parrotia
Platanus x acerifolia	London Planetree *
Platanus occidentalis	Sycamore *
Prunus spp.	Plums, Cherries
Quercus acutissima	Sawtooth Oak *
Quercus alba	White Oak *
Quercus bicolor	Swamp White Oak *
Quercus borealis	Northern Red Oak *
Quercus coccinea	Scarlet Oak *
Quercus imbricaria	Shingle Oak *
Quercus macrocarpa	Bur Oak *
Quercus muchlenbergii	Chinkapin Oak *
Quercus nigra	Water Oak *
Quercus phellos	Willow Oak *
Quercus robur	English Oak *
Quercus rubra	Red Oak *
Quercus shumardii	Shumard Oak *
Sophora japonica	Japanese Pagoda
Syringa pekinensis	Pekin Lilac
Syringa reticulata	Japanese Tree Lilac
Taxodium distichum	Bald Cypress *
Tilia tomentosa	Silver Linden
Ulmus parvifolia	Chinese Elm *
Ulmus americana	American Elm *
Viburnum prunifolium	Blackhaw Viburnum
Viburnum rufidulum	Southern Blackhaw Viburnum
Zelkova serrata	Japanese Zelkoba *
NOTE: (1) The species listed above that contain an asterisk (*) require a tree lawn of six (6) feet or more. (2) The list of species above may not be suitable for all sites, soils, or other conditions that may exist on a development streetscape. Consulting with an arborist is recommended prior to final approval. (3) Other species may be deemed acceptable by the City Arborist.	

I. Lighting Required

1. Street lighting shall be required for all thoroughfare and street classifications in the Urban and Suburban Areas.
2. Lighting fixtures shall be placed within the street right-of-way, alternating along both sides of the street with a minimum spacing as determined by appropriate design standards of the utility provider. Lighting fixtures should be placed at the intersection of major streets serving the subdivision or site.
3. Lighting fixtures shall have a maximum height of 18 feet above the grade of the sidewalk, and a minimum clearance above the grade of the street of not less than fifteen feet. All fixtures shall be of an appropriate design to shed light downward and away from residential structures to the rear of the fixture. The height of street lights to be placed in State or Federal rights-of-way may vary from the standards in order to maintain conformance with State or Federal lighting standards.

J. Community Facilities

The Planning Commission may require the reservation of lands for community facilities as a condition of preliminary subdivision plan, plat, or development plan approval. Community facilities for which a reservation of land may be required include community parks, schools, and other public uses. Reservations are subject to the following criteria:

1. The maximum period of time that land shall be reserved, unless voluntarily extended by the property owner, will be two years. This period shall begin with the date that the record plat containing the reservation is officially recorded by the Clerk of Franklin County or upon approval of a development plan.
2. The reservation will be deemed to be extended beyond the two (2) year period if a public agency or organization, such as a Board of Education, has made a bona fide offer for the purchase of the reserved land. The extension will be null and void if the property owner formally rejects the offer.
3. The property owner may elect to voluntarily reserve the lands beyond the two (2) year period, but such reservation shall be made in writing to the Planning Commission.

14.03. RURAL AREA SUBDIVISION AND DEVELOPMENT REQUIREMENTS

A. Intent

The requirements of [Section 14.03. Rural Area Subdivision and Development Requirements](#) are provided to ensure that subdivisions and development plans within the Rural Area are consistent with the predominant characteristics of rural types of development. It is the intent of the Planning Commission that land proposed to be subdivided shall be suitable for development, including consideration of flood hazards; geologic hazards; availability of adequate water supply, sewage disposal, storm water facilities, transportation facilities, and schools; or consideration of other such conditions as may endanger the health, life, or property of the citizens of Frankfort and Franklin County.

B. Applicability

Subdivision and Development Plans within the boundaries of the Rural Area, as depicted on the Map of Urban, Suburban, and Rural Areas ([Map 14-1](#)), shall comply with the requirements of this Article. (See [Section 14.01.H. Interpretation of Boundaries](#) for the rule applicable to properties located in more than one type of area.)

C. Standards for Lot Layout and Site Design

1. Compliance with Zoning District Requirements

Subdivisions and development plans within the Rural Area shall comply with the requirements of the zoning district in which the subdivision or site is proposed. Zoning district regulations govern building placement, density, and intensity of use.

2. Conventional Rural Lot Design Requirements

a. Lot Shape and Geometry Standards:

i. Compactness:

Lots shall be designed with relatively regular and symmetrical shapes. Irregular lot shapes, such as L-shaped, T-shaped, or ribbon lots designed solely to satisfy minimum area or frontage requirements, are prohibited.

ii. Width-to-Depth Ratio:

To prevent excessively long and narrow lots, the depth of any conventional rural lot shall not exceed three (3) times its average width (1:3 ratio).

iii. Strip Projections:

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Narrow projections, appendages, or stems created primarily to connect isolated buildable area to a public or private street are prohibited (excluding approved flag lots per subsection *e* below).

b. Lot Frontage and Orientation:

- i.** Lot frontage on a public or private street for subdivisions in the Rural Area shall maintain an average frontage of 200 feet across the development. Frontage may be along a classified public thoroughfare, neighborhood street, or private access easement.
- ii.** Lots shall be configured so that side lot lines are at right angles to straight street lines or radial to curved street lines where practical (see Figures 14.X and 14.Y).

c. Double and Reverse Frontage

Subdivisions shall not be configured with double frontage or reverse frontage lots. An exception may be granted where configuration is necessary to separate residential development from major arterial thoroughfares or adjacent commercial/industrial districts. Planned Developments (PD) are exempt from this requirement.

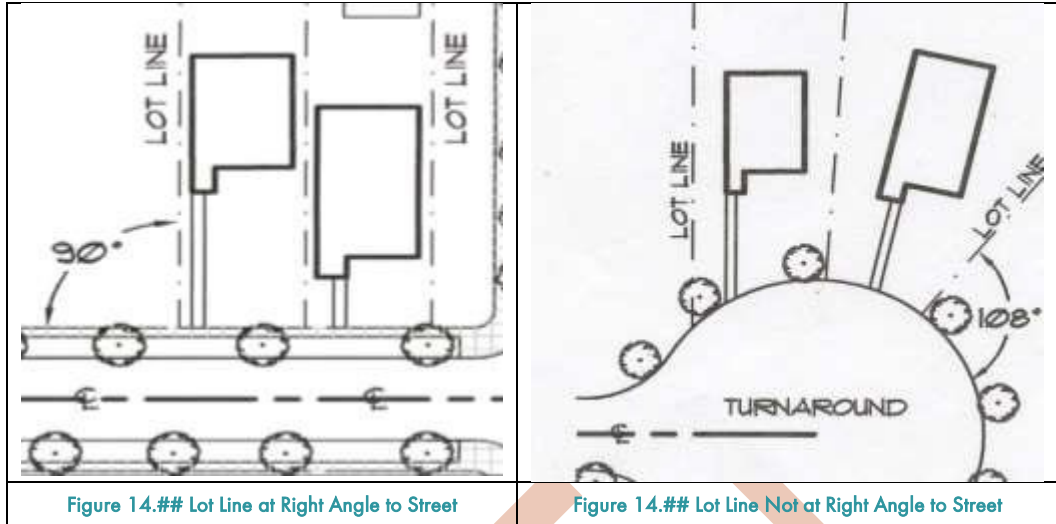
d. Corner Lots

Corner lots shall have sufficient width along both street frontages to accommodate required front yard set-backs from both streets.

e. Flag Lot Standards

Flag lots may be permitted only when necessary to overcome unique topographical or boundary constraints, subject to the following:

- i.** A flag lot shall not be created where principal access is directly onto a classified public thoroughfare; primary access must be onto a neighborhood street.
- ii.** The flag stem/access easement shall have a minimum width of 20 feet and a maximum width of 50 feet.
- iii.** Flag lots shall not constitute more than ten percent (10%) of the total number of lots proposed within the plat, or a maximum of three (3) lots, whichever is greater.
- iv.** The acreage contained within the flag stem/access driveway shall not be counted toward meeting the minimum lot area requirement.



3. Rural Cluster Subdivision Lot Design Requirements

a. Applicability

The Rural Cluster option is permitted as a development alternative within the -R, Rural District. It is intended to preserve rural open space, agricultural lands, and sensitive environmental features in the Rural Area without increasing overall gross density.

b. Lot Area and Density Mechanics:

i. Base Standards

Conventional lots within the -R District shall meet the baseline lot size requirement of one and one-half (1.5) acres.

ii. Clustered Reduction:

Individual lot areas within an approved Rural Cluster subdivision may be reduced to a minimum of **one-half (0.5) acre**, provided that the remaining acreage difference—a minimum of **one (1) acre per clustered lot**—is set aside and preserved as contiguous, permanent open space or conservation land via a recorded conservation easement.

c. Cluster Lot Dimensional Standards:

i. Minimum Lot Frontage:

Lot frontage for clustered lots in the -R District shall be an average of 100 feet across the cluster portion of the development. Frontage may be provided via a public thoroughfare, neighborhood street, or private access easement.

ii. Minimum Lot Depth:

The minimum lot depth for clustered lots shall be 100 feet.

iii. Compactness & Geometry:

Clustered lots remain subject to the shape and geometry requirements of Section 2.a (prohibition of irregular appendages and 1:3 width-to-depth ratios).

D. Transportation System Requirements

1. Street System Classification

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- a. The proposed street system of the subdivision or site shall conform to the system of thoroughfares and neighborhood streets established in the Rural Area. Extensions and connections of new thoroughfares and streets to existing thoroughfares and streets shall be required to continue the transportation system and pattern of the Rural Area. The proposed transportation system shall provide for adequate and safe on and off-street parking, and adequate and safe loading and unloading of goods and equipment.
- b. The proposed street system of the subdivision or site shall conform to the Major Street Plan. (See Transportation Plan contained in the Frankfort and Franklin County Comprehensive Plan.)

2. Thoroughfare and Neighborhood Streets

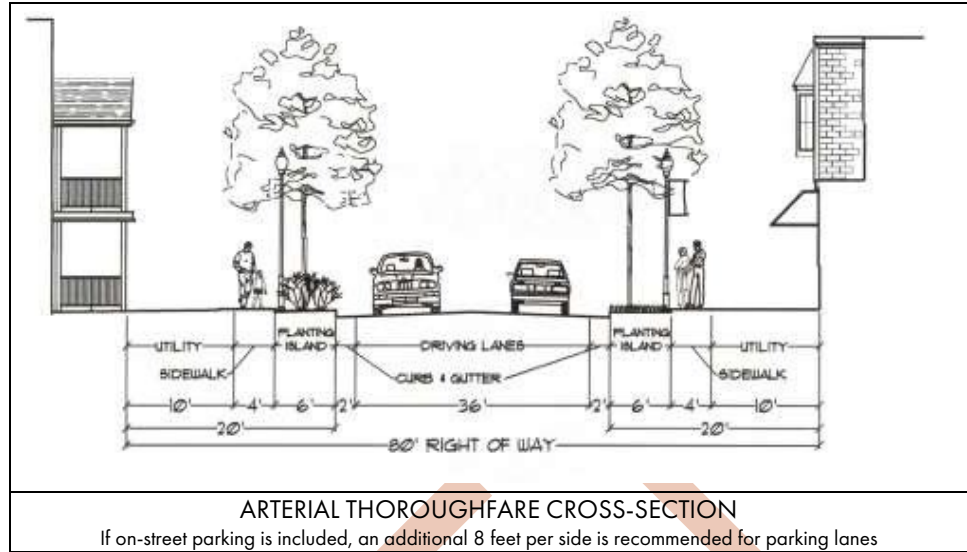
- a. The minimum right-of-way width, as measured from lot line to lot line, shall be as provided in the Major Street Plan, but shall not be less than the standards shown below in [Table 14.03-1: Rural Area Minimum Right-of-Way Requirements](#).

Table 14.03-1: Rural Area Minimum Right-of-Way Requirements				
Rural Area Street Type Classification	Minimum ROW (feet) No On-Street Parking		Minimum ROW (feet) with On-Street Parking One or Both Sides	
Thoroughfares				
Street Type	3 lanes	5 lanes	3 lanes	5 lanes
Arterial	80	104	96	NA
Collector	70	94	86	110
Marginal/Frontage		NA	NA	
Neighborhood Streets ^[2]				
Street Type	2 lanes	3 lanes	2 lanes	3 lanes
Major	60 ^[3]	71	76/87 ^[3]	87/97 ^[3]
Minor / Common Drive	40 ^[3]	NA	50 ^[5]	NA
County Road	40 ^[3]	NA	NA	NA
^[1] A CG section is required and includes the curb and gutter along both sides of .. street and painted medians. The right-of-way requirements shown are for curb and gutter section, however, these requirements may be increased or decreased to incorporate an open drainage system as approved by the applicable Engineering Official. See Section 2.04.B.18 for curb and gutter design alternative and standards applicable when a curb and gutter section is required or provided.				
^[2] Curbs and gutters are required for the Alley/Common Drive unless waived by the applicable Engineering Official. Curbs and gutter are not required for neighborhood streets.				
^[3] The minimum right-of-way is based on a nine foot (9') parkway along both sides of the pavement to provide for drainage of the roadway. This is a minimum and may be increased based on more specific design requirements.				
Note: The references to 3 and 5 lanes for street types are based on two or four travel lanes and one left turn lane.				
Note: The right-of-way standards assume that left turn lanes are painted to separate movements. If a raised median is planned, the right-of-way requirements will be increased to accommodate the additional curb and gutter.				

- b. **Typical Cross-Sections and Requirements for Thoroughfare and Neighborhood Streets**

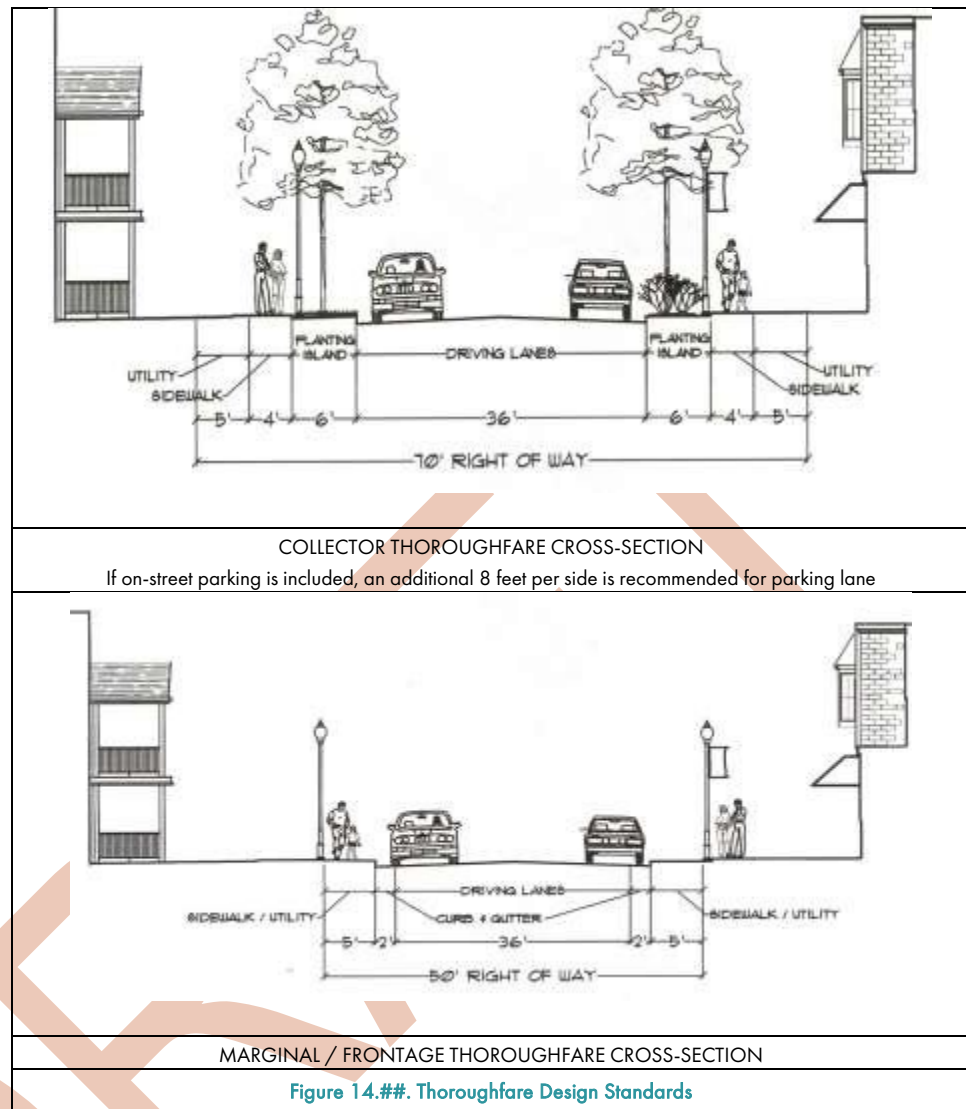
The following Figures contain all right-of-way and design requirements that shall be applicable for these classifications.

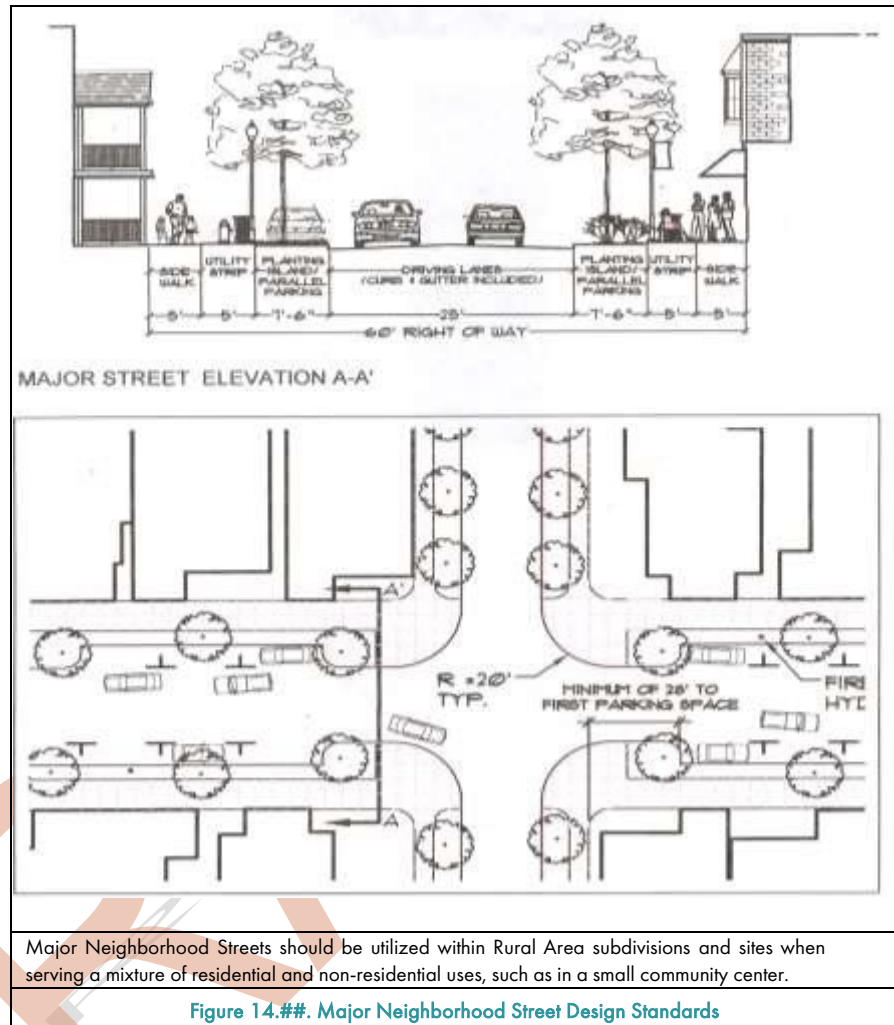
ARTICLE 14. SUBDIVISION REGULATIONS
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ARTICLE 14. SUBDIVISION REGULATIONS

14.03. RURAL AREA SUBDIVISION AND DEVELOPMENT REQUIREMENTS

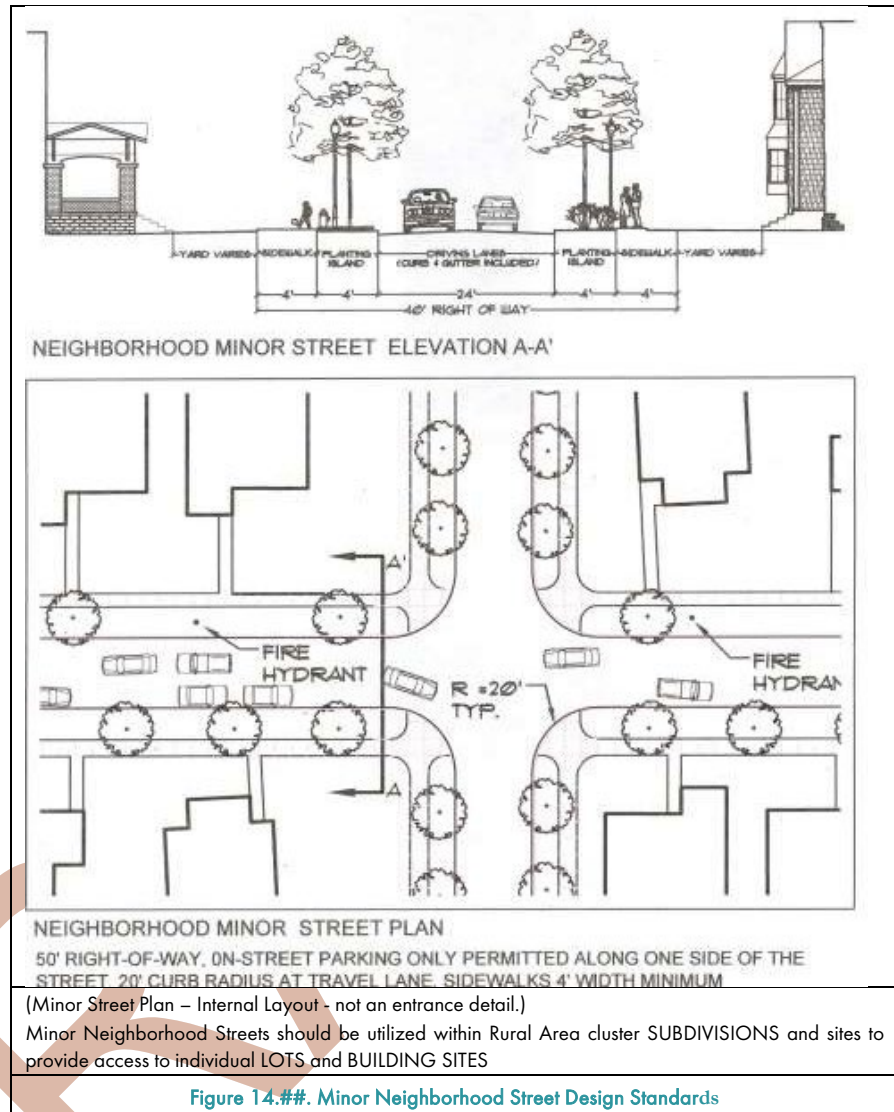
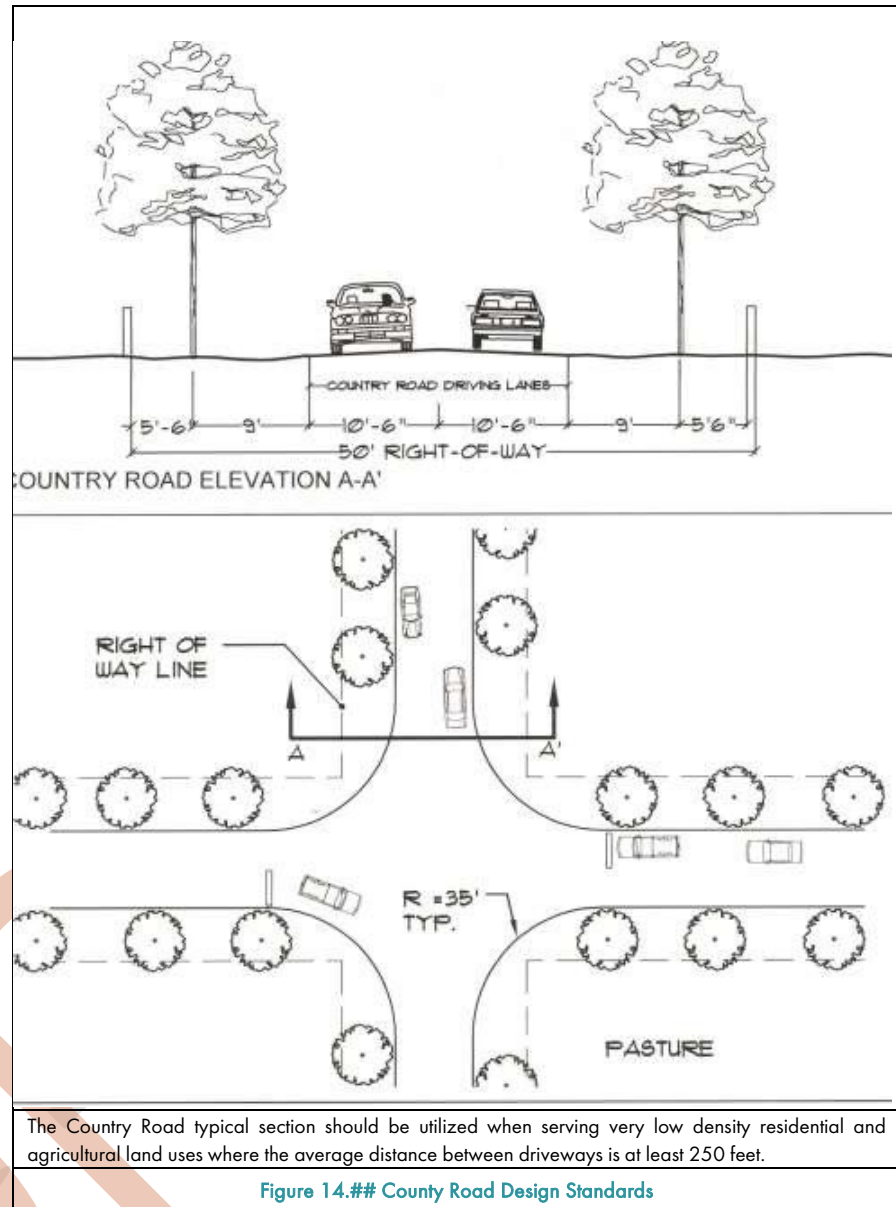


Figure 14.##. Minor Neighborhood Street Design Standards



- c. Subdivisions that are platted or sites proposed for development along existing thoroughfares and streets that do not meet the standards of [Section 3.04.B.1](#) shall provide additional right-of-way sufficient to meet the minimum standards.
 - i. Where the subdivision or site is located on one side of the existing street that does not meet the minimum right-of-way standards, one-half (1/2) of the needed right-of-way shall be provided. The required right-of-way shall be based on a measurement from the centerline of the existing street.
 - ii. Where the subdivision or site is located along both sides of an existing street that does not meet the minimum right-of-way standard, all additional right-of-way shall be provided.
 - iii. The minimum pavement width for thoroughfares and streets shall be as indicated in the cross sections for thoroughfares and streets.
- d. The centerline of all thoroughfares and streets shall intersect as nearly at a 90 degree angle as possible for a tangent distance of at least 100 feet, but in no case

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shall the angle of intersection be less than 75 degrees or greater than 105 degrees.

- e. Where T-type intersections are permitted, the following minimum offsets set forth in [Table 14.03-2. Minimum Offset Requirements for T-Type Intersections](#) shall be required.

Table 14.03-2: Minimum Offset Requirements for T-Type Intersections	
INTERSECTION TYPE	OFFSET BETWEEN CENTERLINES (min)/(feet)
Arterial with Arterial	600'
Arterial with Collector or Frontage	
Arterial with Major Neighborhood St.	
Arterial with Minor Neighborhood St.	
Collector with Collector	400'
Collector with Frontage	
Collector with Major Neighborhood St.	
Collector with Minor Neighborhood St.	
Major Neighborhood St. with Minor or Alley/Common Dr.	150'

- f. Intersections shall not be designed with more than four (4) approaches. This design requirement shall not be construed to prohibit merging lanes, deceleration lanes, or traffic circles.
- g. The highest classification of thoroughfare or neighborhood street shall be considered the through street when intersecting with any other classification of thoroughfare or neighborhood street.
- h. The minimum and maximum grades for all classified streets is shown in the following table:

Table 14.03-3: Minimum and Maximum Grades		
THOROUGHFARE OR NEIGHBORHOOD STREET TYPE	GRADES	
	MINIMUM	MAXIMUM
Arterial	0.5%	5%
Collector/Frontage	0.5%	8%
Major Neighborhood	0.5%	10%
Minor/Common Drive/Country Road	0.5%	8-12% ^[1]
[1] The GRADE may not exceed 8% unless specifically authorized by the applicable ENGINEERING OFFICIAL and provided that additional landing area is provided where the STREET intersects with another STREET.		

- i. Where the grade of any thoroughfare or neighborhood street at the approach to an intersection exceeds three (3) percent, a leveling area shall be provided, having a grade not greater than three (3) percent for a distance of 50 feet back from the edge of the right-of-way of the intersecting street.
- j. A change in grade shall be connected by a vertical curve that provides a minimum sight distance equal to the distance an automobile will travel in six (6) seconds at the design speed of the road. This standard may be reduced at the discretion of the applicable Engineering Official in order to preserve scenic, cultural or historic resources.
- k. The minimum horizontal curve radius for thoroughfares shall be 600 feet and 100 feet for neighborhood streets unless an alternative is approved by the applicable Engineering Official.
- l. The minimum radius for thoroughfare curb intersections shall be 35 feet. The

minimum radius for neighborhood street curb intersections shall be 20 feet. All measurements shall be from the pavement edge.

- m. Dead-end neighborhood streets shall not be included in subdivisions proposed in the Rural Area, unless topography or the existing street pattern requires a dead-end street. When a dead-end street is proposed, the street shall meet the following standards: The street shall be designed as a permanent dead-end street.
 - i. The dead-end street shall not be longer than 500 feet.
 - ii. The street shall be designed with a closed end with a turn-around having a radius at the outside of the pavement of 45 feet, and a radius at the outside of the right-of-way of at least 50 feet.
- n. Thoroughfare and neighborhood street names shall meet the following standards as well as those in [Article 14.07. Street Naming, Closing and Site Addressing Procedures](#).
 - i. Thoroughfare and neighborhood street extensions shall bear the same name as the existing street.
 - ii. Thoroughfare and neighborhood streets that align with existing streets shall bear the same name as the existing street.
- o. There shall be no private thoroughfares or Major Neighborhood Streets in Rural Area subdivisions, however, dedication to the public of a cross-access easement to create a Minor/Common Drive or Country Road is acceptable.
- p. Thoroughfare and Neighborhood Street Pavement design and construction standards are shown in [Table 14.03-4: Pavement Design and Construction Standards](#). Pavement base shall consist of not less than two courses (five-inch (5") maximum per lift) of dense graded aggregate laid and rolled separately to at least 90 percent maximum density, totaling the required number of inches based on street type for the full width of pavement and including any proposed shoulder. Sub-grade shall have been graded and rolled to 90 percent of maximum density prior to the placement of the first course of aggregate. A bituminous binder course shall be applied with the thickness at the thinnest point as required for the applicable street type. A surface or wearing course of Asphalt Concrete, Class I, Type "A", or the equivalent shall be applied, with a thickness at the thinnest point of one and one-half (1.5) inches.

Type	Compacted DGA Base (inches)	Bituminous Asphalt Base (inches)	Finish Grade Bituminous Asphalt (inches)
Arterial	12	4	1.5
Collector	10	4	1.5
Neighborhood Streets/Country Road	10	3	1.5

q. **Alternative to Design Standards**

Any applicant with a project that requires the installation of public infrastructure may submit a written request to the appropriate Engineering Official that their proposed development utilize design practices that are consistent with A Policy on Geometric Design of Highways and Streets (current edition) published by the American Association of State Highway and Transportation Officials (AASHTO). Such request shall specify the section(s) to which the AASHTO guidelines are to be applied. Approval by the appropriate Engineering Official of a portion or all of the request may be authorized without the need of Planning Commission review.

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3. Street Drainage

All streets shall be designed in accordance with the applicable storm water management and design guidelines for the City of Frankfort or Franklin County.

4. Street Signs

Developers of subdivisions and sites are responsible for placement of street signs in accord with the following requirements:

- a. The developer shall place at least two street name signs at each four-way street intersection and one at each "T" intersection;
- b. Where street lighting is provided, signs shall be installed under light standards, free of visual obstruction, and easily legible;
- c. All street signs must be installed in accordance with the Manual on Uniform Traffic Control Devices (MUTCD) standards and shall be metal with reflective lettering; and,
- d. The developer, or successor in interest, will be responsible for the maintenance and replacement, when necessary, of any aspect of a required street sign that exceeds the minimum requirements of the MUTCD and has been approved by the applicable Engineering Official. This would include decorative features associated with the signage.

5. Street Connectivity

- a. Wherever a proposed subdivision or site abuts unplatted land or a future development phase of the same development, street stubs shall be installed to allow access to abutting properties or to logically extend the street system into the surrounding area.
- b. All street stubs shall be installed with a turn-around having a radius at the outside of the pavement of 45 feet, and a radius at the outside of the right-of-way of at least 50 feet.

6. Sidewalks

- a. Where provided, all sidewalks shall be constructed of Portland Cement concrete, or other material acceptable to the applicable Engineering Official, with a minimum 3,500 pounds per square inch Class A concrete, and contain fiber reinforced mesh.
- b. Sidewalks shall be constructed on thoroughly compacted sub-grade and shall be a minimum of four feet (4') in width.
- c. Sidewalks shall be scored in squares, with the minimum spacing based on one (1) foot per foot of sidewalk width. Expansion joints shall be placed at 32 foot intervals, or where necessary based on the grade, location of driveways, and other features of the sidewalk corridor. sidewalk slope toward the curb shall be one-quarter (1/4) of an inch to the foot.
- d. Sidewalks shall be located not less than six inches (6") from the property line in residential areas to prevent interference or encroachment by fencing, walls, hedges, or other planting or structures placed on the property line at a later date.
- e. Sidewalks shall be designed to connect to and extend existing sidewalks.
- f. Ramps at intersections shall be provided to comply with the design requirements of the Americans with Disabilities Act.
- g. Sidewalks should properly connect with pedestrian crosswalks, and part of the responsibility of the developer for the installation of sidewalks will include the delineation of pedestrian crosswalks on the surface of the street consistent with the

requirements of the applicable Engineering Official.

7. Emergency Vehicle Access

- a. Subdivisions or sites shall provide for emergency vehicle access consistent with the type and density or intensity of use.
- b. For proposed developments of 50 or fewer residential lots or 30,000 square feet or less of gross floor area of non-residential use (Type A Development) a single two (2) lane, two-way access from the subdivision or site to the transportation system shall be sufficient for emergency access. A single one-way lane may be permitted as an alternative to the standard above with the written approval of the applicable Engineering Official.
- c. For proposed developments with 51 – 100 residential lots or 30,001 – 150,000 square feet of gross floor area of non-residential use (Type B Development), a four (4) lane, two-way access divided by a raised median shall be sufficient for emergency access. The length of the four (4) lane two way divided access, as measured from the centerline of the connecting thoroughfare or street shall be determined from [Table 14.03-6. Length of Access Based on Street Classification](#). The width of the median is provided in [3.03.09](#).

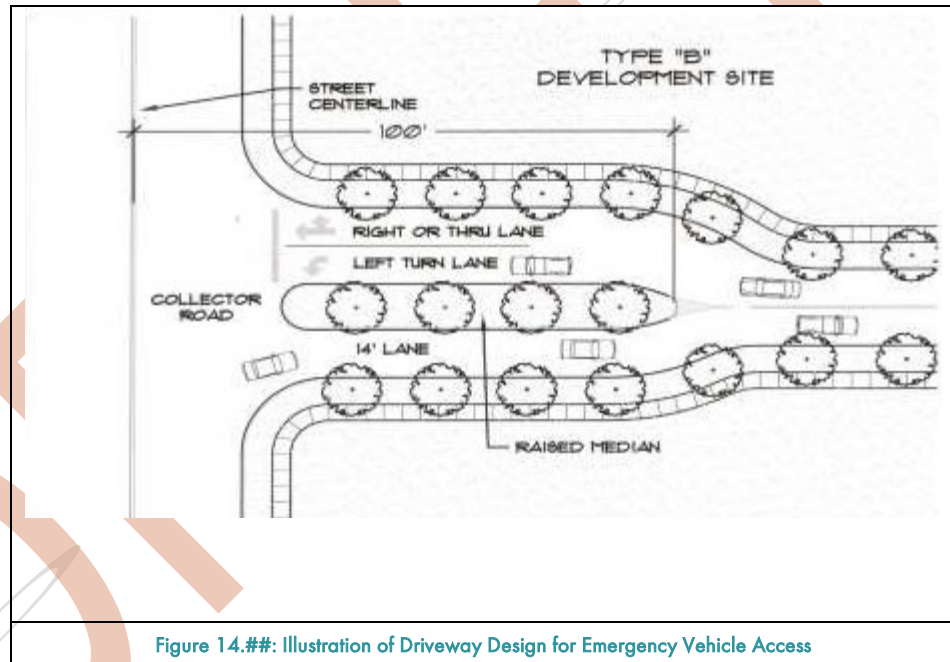


Figure 14.##: Illustration of Driveway Design for Emergency Vehicle Access

- d. For proposed developments with more than 100 residential lots or 150,001 or more square feet of gross floor area of non-residential use (Type C Development), a minimum of two (2) separate access streets or driveways to the abutting transportation system shall be provided. If a development site fronts on two (2) roadways, then a driveway on each shall be required. The type and design requirements for both of these access streets or both driveways should be as determined by the Engineering Official upon recommendation of both the applicable Fire Chief and Planning Director.

Table 14.03-6: Length of Access Based on Street Classification			
Roadway Type	Type A Development	Type B Development	Type C Development
Arterial	100 ft.	120 ft.	160 ft.
Collector	80 ft.	100 ft.	140 ft.

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Neighborhood Streets	60 ft.	100 ft.	120 ft.
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8. Access from Residential Lots to Thoroughfares

Access from residential lots to thoroughfares shall be prohibited in the Rural Area except where the provision of access is determined by the Planning Commission to be an important element in the preservation of the scenic or historic character of the thoroughfare or street. Where such access is allowed, the spacing of such access locations shall conform to the general pattern of LOT access driveways along the roadway.

9. Access Connection and Driveways

Driveways from individual non-residential lots or building sites to thoroughfares or neighborhood streets shall be designed in accordance with the standards below:

- a. Driveway width shall be determined by the following requirements:
 - i. If the driveway is a one-way in or one-way out drive, then the driveway shall be a maximum width of 16 feet and shall designate the driveway as a one-way connection.
 - ii. For two-way access, each lane shall have a minimum width of 12 feet, and a maximum of four (4) lanes shall be allowed. Whenever more than two (2) lanes are proposed, entrance and exit lanes shall be divided by a raised median. The median shall be not less than four (4) feet wide or 13 feet wide if five (5) or more lanes are proposed. An exception to this median design is if the access is on a state right-of-way and the KYTC will not approve this design with the minimum median size. The applicant must provide written documentation to the Planning Director that KYTC will not approve such a design and what alternative design closest to the requirement will be acceptable. to KYTC.
 - iii. NOTE: Nothing in this section shall prevent the applicable Engineering Official to allow the median to be tapered or striped for safety purposes
 - iv. Driveways that enter the major thoroughfare or neighborhood street at traffic signals must have at least two outbound lanes (one (1) for each turning direction) of a least 12 feet in width, and one inbound lane with a 14 foot width unless otherwise authorized by the applicable Engineering Official.
- b. On-street parking shall be prohibited within the entire length of the access driveway as determined from [Table 3.5 \(Length of Access Based on Street Classification\)](#).
- c. Driveway grades shall conform to the requirements of the Kentucky Transportation Cabinet Standard Index, Roadways and Traffic Design Standard Indices, latest edition, but in no case shall a driveway grade exceed 12 percent.
- d. Driveway approaches must be designed and located to provide an exiting vehicle with an unobstructed view. Construction of driveways along acceleration or deceleration lanes and tapers is not permitted.

E. Public Facility and Service Requirements

1. Required Facilities and Services

Subdivision and development plans proposed within the Rural Area shall provide for the following facilities and services: potable water, sanitary sewer, flood hazard protection, storm water management, gas, electricity, cable, and telephone.

2. Water Systems and Fire Protection

All Rural Area subdivisions and development plans are required to have adequate potable water service from a public utility provider, or a properly permitted private well, for drinking water and fire protection. All subdivision and sites shall comply with the design standards below and those standards adopted by the Frankfort Plant Board. Where standards contained herein are determined to conflict with standards adopted by the Frankfort Plant Board or other potable water provider, the more stringent standard shall apply. The applicable Engineering Official shall consult with the utility service provider and make the final determination that standards are in conflict, and which standard is more stringent.

- a. Water mains shall be not less than six (6) inches in diameter. Larger mains may be required when warranted by service or topographic conditions. Four (4) inch water mains may be considered by the applicable Engineering Official, but only for mains which do not serve as a fire hydrant branch. Blow-off's shall be installed as necessary and pursuant to Engineering requirements.
- b. Dead end water service to a subdivision or development site should not be permitted. Water service mains should connect to the distribution system at a minimum of two (2) points to avoid interruption of service should one main be out of service. A single point of connection to the public distribution system may be permitted when it is determined that a second connection is not feasible due to the physical limitations of the site.
- c. Water mains should be so arranged that the distance between intersecting mains does not exceed 800 feet. If intersecting mains are at a distance in excess of this standard, eight (8) inch or larger mains must be used.
- d. The distribution system for subdivisions and sites shall be equipped with a sufficient number of valves located in a manner such that breakage or other interruption will not cause the shutdown of any portion of a main greater than 800 feet.
- e. Fire hydrants shall meet the minimum specifications and be installed in conformity with the requirements of the public water service provider.
- f. Fire hydrants shall be able to deliver a minimum of 500 gallons per minute or other rate of water flow as determined by the applicable Fire Department Official, for firefighting purposes. Friction loss between the main and the hydrant should be minimized to ensure that the hydrant can deliver the specified flow of water.
- g. Fire hydrants shall be equipped with not less than two (2) two and one-half (2 ½) inch outlets and one (1) four and one-half (4 ½) inch main steamer or pumper outlet and an isolation valve must be between the street main and the hydrant.
- h. Hydrant spacing shall be determined by the fire flow demand standards below or as determined for specific site by the applicable Fire Department Official:
 - i. Higher density residential and commercial areas, where the proposed density is greater than three (3) dwelling units per net acre or greater than a 0.15 floor area ratio, shall have hydrants located as to keep hose lines at a maximum of 500 feet. At a minimum, there shall be enough hydrants appropriately spaced within the subdivision or site to make two (2) streams of water available at every part of the interior and exterior of each building not covered by standpipe protection. Private hydrant design and installation (private hydrants are those located on private property and not within a public right-of-way or easement) may also be required to comply with the standard to make available two (2) streams of water at every part of the interior and exterior of each building not covered by standpipe protection.

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- ii. For lower density or intensity residential or commercial areas, hydrant spacing shall not exceed 800 feet between hydrants. In higher density residential and commercial developments, hydrant spacing shall not exceed 500 feet between hydrants, nor shall any portion of a building be further than 500 feet from a hydrant installed to protect it.
- iii. Fire hydrants shall be located as close to a street intersection as possible with intermediate hydrants along the street or on the site of the premises so as to meet area requirements. Hydrants should be located in designated street tree planting or other portion of the right-of-way designated for utilities.
- iv. Measurements for distances referenced above shall be made along an all-weather road (never measured through or across yards, fields, woods, creeks, or other avenues not accessible to fire apparatus) for laying hose lines.
- i. All fire hydrants shall be placed a minimum of 50 feet from the exterior wall of any building to be protected. When such placement is impossible, hydrants shall be placed where the chance of injury by falling walls is minimized and where firefighters are not likely to be driven away by smoke or heat. The height of proposed buildings shall be considered for minimum distance when the 50 foot distance is not possible.

3. Sanitary Sewer Systems

All Rural Area subdivisions and sites are required to have adequate sanitary sewer service from either a public utility provider or by an on-site system approved by the Franklin County Health Department. All subdivisions and sites shall comply with the design standards adopted by the public utility provider or administered by the Franklin County Health Department. In addition, the following standards are applicable:

- a. The maximum length of sanitary sewer pipe between manholes is 350 feet;
- b. Residential lots served by an on-site sanitary sewer system shall be a minimum of 200 feet wide as measured at the building line, and one-half (1/2) acre in area. If a rural cluster subdivision is requested, the minimum lot frontage shall be an average of 100 feet wide. A greater area than specified may be required for residential lots if, in the opinion of the County Health Officer, there are factors of drainage or soil condition to cause potential health hazards.

4. Flood Hazard Protection

Any land lying below the intermediate regional flood elevation as designated by the U.S. Army Corps of Engineers or 507 feet above mean sea level (MSL) as determined from the published data and maps of the U. S. Geological Survey (USGS) shall be considered as subject to repeated flooding unless the land is rendered flood free by a flood protection facility. Land that is subject to repeated flooding or is deemed to be topographically unsuitable for any residential use shall not be approved for subdivision or site development, nor for any other use that may create danger to the public health, life, or property or aggravate erosion or flood hazards. All subdivisions and sites shall be designed to conform to the requirements of any applicable Floodplain Zone (See Article 8 of the Frankfort and Franklin County Zoning Regulations).

5. Storm Water Management

All Rural Area SUBDIVISIONS and sites are required to have adequate storm water management facilities to limit the post development peak runoff from a subdivision or site to

the predeveloped value for the ten (10) year, one (1) hour and one-hundred (100) year, six (6) hour storm events. Additionally, such facilities shall be capable of conveying the one hundred (100) year, twenty four (24) hour peak flow rate assuming the principle spillway is fully clogged. All subdivisions and sites shall comply with the storm water standards for Frankfort and Franklin County.

6. Gas, Electricity, Cable, and Telephone Services

All gas, electric, cable, telephone, and similar utilities provided to new subdivisions and development plans shall be placed above ground or underground in rights-of-way or easements as required. All permitted above ground service facilities shall be appropriately placed in or near front, side, or rear yard setbacks and should not be placed any closer than two (2) feet to the front or rear property line.

- a. For all commercial and multi-tenant residential developments, a minimum three (3) inch ID, Schedule 40 PVC conduit will be provided to the service demarcation point for Frankfort Plant board Cable/Telecommunication facilities. The demarcation point is within a six (6) foot radius of the electric meter for external building terminations, or the mechanical room (wiring closet) near the electric service panel for terminations inside a building. A pull box is required for conduit runs having more than two (2) sweeping, ninety (90) degree bends between the Frankfort Plant board Cable/Telecommunication access point and the service demarcation point.

7. Public Transit

- a. All non-residential developments with more than 100,000 square feet of gross floor area shall be required to conform to the following public transit standards:
 - i. Provide a transit shelter in a location as determined appropriate by the public transit authority, if the location is identified in the long-range plan for transit facilities.
 - ii. Provide a publicly accessible sidewalk from the transit shelter to the principal entrance to the development. The principal entrance for a multi-tenant structure shall be the entrance for the principal tenant, or the tenant with the largest amount of gross floor area.
- b. Residential subdivisions are encouraged, but not required, to construct a multi-purpose pedestrian shelter(s) in common open space areas within in the development to provide a covered waiting area for school children and transit-riders.

F. Erosion and Sedimentation Control

1. All areas disturbed by grading shall have temporary vegetative cover provided. Such cover shall consist of annual grasses or small grains. Slopes exceeding 4:1 shall have additional protection of mulching and/or seeding to prevent erosion. To protect ditches and other areas from erosion, the following protective measures shall be required for all subdivisions and building sites:

Table 14.03-7: Erosion and Sedimentation Control Grading and Required Protection	
GRADE OF DITCH	REQUIRED PROTECTION
Less than 1%	Seed and fertilize entire ditch and slope
1% to 5%	Seed, mulch, fertilize and peg invert and sides to top of 2:1 slop.
5.01% to 7%	Paved invert, and paved slope to six (6) inches above maximum flow depth, with four (4) inch thick reinforced concrete. Seed all other areas not paved in the right-of-way.
Greater than 7.01%	Seeded and pave as above, but with alternate side diagonal baffles approximately three (3) to four (4) feet on center to retard flow.

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2. All seeding and fertilization shall be done in conformance with the guidelines established by the Franklin County Conservation District. During grading, excavation, or construction no erosion, siltation or water impoundment shall occur on any adjoining property as the result of such grading, excavating, or construction activity. If erosion, siltation or water impoundment should occur, the contractor will correct it immediately, to the satisfaction of the applicable Engineering Official.

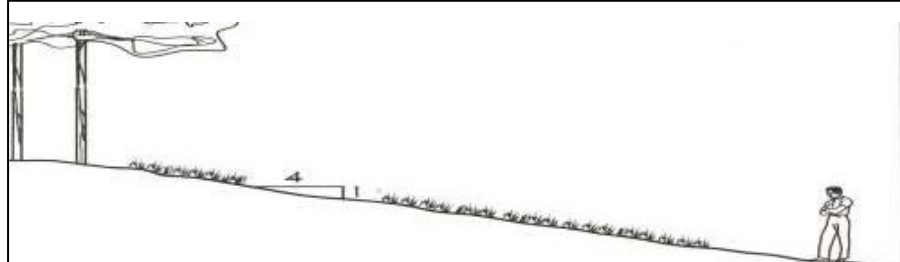


Figure 14.##: Illustration of a 4:1 Slope Ratio

3. Effective sediment control measures shall be incorporated in the planning and construction of Rural Area subdivisions and sites. A Notice of Intent (NOI) for storm water discharge is required on all construction sites that will disturb one (1) or more acres. The permit shall be obtained from the Division of Water, the Natural Resources and Environmental Protection Cabinet (Division of Water) prior to grading. Practical combinations of the following technical principles shall be applied:
 - a. The smallest practical area of land shall be exposed at any one (1) time during development.
 - b. When land is exposed during development, the exposure shall be kept to the shortest practical period of time.
 - c. Temporary vegetation and/or mulching shall be used to protect critical areas exposed during development.
 - d. Sediment basins (debris basins, desilting basins, or silt traps) shall be installed and maintained to remove sediment from runoff waters from land undergoing development.
 - e. Provisions shall be made to effectively accommodate the increased runoff caused by changed soil and surface conditions during and after development.
 - f. The permanent final vegetation and structures shall be installed as soon as practical in the development.
 - g. The development plan shall be fitted to the topography and soils so as to create the least erosion potential.
 - h. Wherever feasible, natural non-invasive vegetation shall be retained and protected.

G. Dedication of Easements

Where appropriate and to the fullest extent possible, easements required by these regulations should be located and of sufficient width and extent as to provide for the installation and ongoing maintenance of the facilities or service installed within the easement, without creating a conflict with the application of other subdivision or zoning regulations. easements shall be fully indicated on the record plat and development plan.

1. The Planning Commission may require, when it deems it necessary to facilitate pedestrian access to community facilities or other nearby streets, perpetual unobstructed easements at least 12 feet in width. The Commission may require a paved sidewalk for pedestrian safety within such an easement.
2. Where a subdivision borders on a watercourse in an area designated in the Comprehensive Plan for public recreational use, the Planning Commission may require easements to be reserved for public access to the water.
3. Where topography or other conditions are such as to make impractical the inclusion of utilities or drainage facilities within street rights-of-way, perpetual unobstructed easements of sufficient width for such utilities shall be provided across property outside the street lines and with satisfactory access to the street.
4. Where a subdivision is traversed by a watercourse, drainage way, channel, or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines of such watercourse, and such further width as may be deemed necessary by the applicable Engineering Official to permit the construction of improvements designed to restrict flooding on adjoining properties. Parallel streets or medians may be required.

H. Community Facilities

The Planning Commission may require the reservation of lands for community facilities as a condition of preliminary plan or development plan approval. Community facilities for which a reservation of land may be required include community parks, schools, and other public uses. Reservations are subject to the following criteria:

1. The maximum period of time that land shall be reserved, unless voluntarily extended by the property owner, will be two years. This period shall begin with the date that the Record Plat containing the reservation is officially recorded by the Clerk of Franklin County.
2. The reservation will be deemed to be extended beyond the two (2) year period if a public agency or organization, such as a Board of Education, has made a bona fide offer for the purchase of the reserved land. The extension will be null and void if the property owner formally rejects the offer.
3. The property owner may elect to voluntarily reserve the lands beyond the two (2) year period, but such reservation shall be made in writing to the Planning Commission.

14.04. ADEQUATE PUBLIC FACILITIES AND SERVICE REVIEW

A. Purpose

1. An Adequate Public Facilities and Services (APFS) Review shall be required for all Major Subdivisions and development plans identified in this Article. This review shall be conducted concurrently with any Preliminary Plat or Development Plan review process.
2. The purpose of this review is to determine whether APFS are or will be available to serve the proposed development. The public facilities and services to be included in the review are:
 - a. Thoroughfare and neighborhood streets under the administrative control of Franklin County or the City of Frankfort (Local Roads);
 - b. Thoroughfares under the administrative control of the state or federal government (State Roads);
 - c. Sanitary Sewer/Septic Tanks;
 - d. Potable Water;
 - e. Public Schools; and
 - f. Fire Protection.

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B. Applicability

The following thresholds determine when major subdivisions and development plan proposals are not subject to the APFS review requirement. See [Figure 1.1 \(Article 1. General Provisions\)](#) for a geographic description of the Urban, Suburban, and Rural Areas. All other proposals shall be required to satisfy the APFS requirements.

1. Within the Urban Area

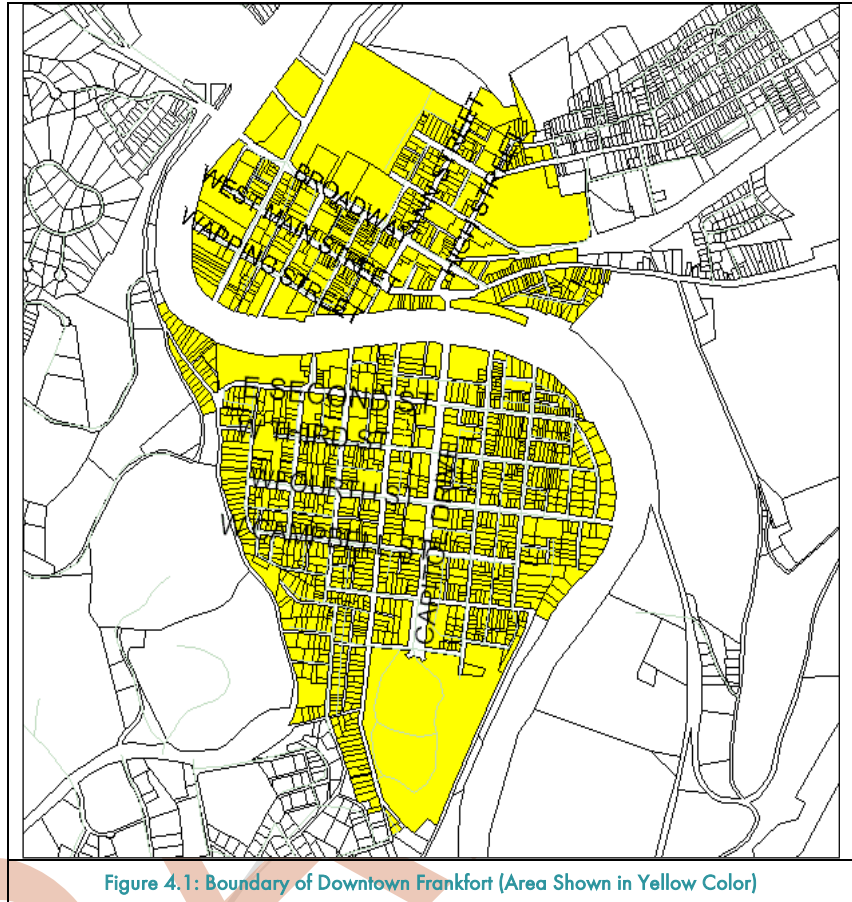
- a. Major subdivisions and building sites within the area of Downtown Frankfort are exempt from the APFS review requirement. [Figure 4.1](#) depicts the physical boundaries for Downtown Frankfort.
- b. Minor plats are exempt from the APFS review.
- c. Major subdivisions with more than five (5) and less than 20 lots or units, and development plans for non-residential uses of less than 10,000 square feet of gross floor area, are not required to undergo an APFS review.
- d. Any minor plat or development plan for a lot or lots that were part of a major subdivision or development plan for which an APFS review was completed are exempt from further review.
- e. Substantial reconstruction or redevelopment of existing structures and sites are exempt from APFS review to the extent of the service capacity utilized by the prior land use.

2. Within the Suburban Area

- a. Minor plats are exempt from the APFS review requirement.
- b. Major subdivisions with more than five (5) and less than 20 lots or units, and development plans for non-residential uses of less than 5,000 square feet of gross floor area, are not required to undergo an APFS review.
- c. Any minor plat or development plan that were part of a major subdivision or development plan for which an APFS review was completed are exempt from further review.
- d. Substantial reconstruction or redevelopment of existing structures and sites are exempt from APFS review to the extent of the service requirements of the prior land use.

3. Within the Rural Area

- a. Minor plats are exempt from the APFS review requirement.
- b. In-Family Conveyances are exempt from APFS review.
- c. Any minor plat or development plan for a lot or lots that were part of a major subdivision or development plan for which an APFS review was completed are exempt from further review.
- d. Substantial reconstruction or redevelopment of existing structures and sites are exempt from APFS review to the extent of the service requirements of the prior land use.



C. Review Process

1. Determination of Adequate Public Facilities and Services (APFS)

- a. The APFS review is not required for proposals that are exempt as determined from [Section 4.02 \(Applicability\)](#).
- b. The APFS review process consists of two (2) steps.
 - i. First, the applicant for subdivision or development plan review is required to submit either:
 - (A). a certificate from the applicable facilities and services agency that the service is or will be available and adequate for the development; or
 - (B). an APFS assessment study that provides all necessary information for the Planning Commission to determine whether APFS are available to serve the project. The information and analysis requirements for assessment studies are provided in [Section 4.04 \(Assessment Studies\)](#).
 - ii. The second step in the review process is for the Planning Commission to determine whether all APFS applicable for the application are adequate and available to serve the project. The criteria for such a determination are provided in [Sections 5.08.06](#) through [5.08.10](#).

2. Submittals

Figure 1: Boundary of Downtown Frankfort (Area shown in yellow color)

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14.04. ADEQUATE PUBLIC FACILITIES AND SERVICE REVIEW

- a. Certificates or APFS assessment studies shall be submitted with an application for preliminary subdivisions or site plan approval. The Planning Director may determine that a certificate(s) or assessment study is required in conjunction with an application for a zone map amendment or revision to an approved development plan. Certificates for public facilities and services listed in [Section 4.01 \(Purpose\)](#) can be obtained from the following agencies:

CERTIFICATE FOR:	AUTHORIZING AGENCY	STANDARDS
Local Roads	Applicable Engineering Official	Section 4.04.A
State Roads	Kentucky Transportation Cabinet / Planning Commission	
Public Schools	Franklin County Board of Education or Applicable Independent School District	Section 4.04.B
Sanitary Sewer	City of Frankfort Sewer Department	Section 4.04.C
Septic Tank and Other Types of On-Site Sewer Treatment Systems	Franklin County Board of Health	
Potable Water	Frankfort Plant Board	Section 4.04.D
Fire Protection	Frankfort and Franklin County Fire Departments/Districts	Section 4.04.E

- b. Certificates will be effective for one (1) year from the date of issuance unless specifically reauthorized by the applicable agency, or by the approval of the Planning Commission of an extension to the time required for recording a major plat or issuance of a certificate of completion for the site.
- c. When a major subdivision plat has been recorded or a certificate of completion has been issued in conjunction with a development, the project will not be subject to further review under the provisions of this Article.
- d. The information and analysis requirements for APFS assessment studies are the minimum necessary and the Planning Commission may impose additional information requirements in order to address special circumstances or the goals and objectives of the Comprehensive Plan.

D. Assessment Studies

1. Local and State Roads

The assessment study for Local or State Roads shall be based on accepted transportation planning and engineering procedures and analytical methods (trip generation, distribution, and assignment). These procedures and methods shall be documented as part of the study. The assessment study shall include the following information for all roadway segments and intersections within the primary impact area:

- Existing Average Daily Trips ("ADT"), Peak Hour Traffic ("PMT"), and Level of Service ("LOS").
- Existing traffic for each intersection approach and turning movement and the overall LOS for the intersection.
- An estimate of existing ADT/PMT traffic, plus traffic from committed development projects/growth in background traffic for the projected build-out year of the proposed subdivision or development plan proposal. The build-out year for the proposal is the year that all units, whether residential, or non-residential are expected to be completed and occupied.
- The number of project-related ADT and PMT, at project build-out, and the LOS with project-related traffic.
- An analysis of improvements, including cost, that would mitigate for any roadway segment or intersection where the LOS with existing, committed, and project-related

traffic would be less than “D” during the PM Peak Hour.

- f. A description of any committed improvement project that would serve to mitigate any identified LOS deficiency identified in [Section 4.04.A.5](#).
- g. A “committed” development project (referenced in [Section 4.04.A \(Local and State Roads\)](#)) is one that has received a Preliminary Plat, Minor Plat, Record Plat, or Development Plan approval from the Planning Commission.
- h. The “growth in background traffic” (referenced in [4.04.A.3](#)) must be based on verifiable historical growth rates within the primary impact area. Verifiable data can include any recent published transportation plan applicable to the primary impact area, or factors commonly used by the Kentucky Transportation Cabinet.
- i. The “primary impact area” for any project is dependent on the total number of ADT generated by the project at build-out. For a project in which the total project related ADT is less than or equal to 2,000, the primary impact area will include all roadway segments providing direct access to the project (primary segments). Where the project related ADT is more than 2000, the primary impact area will be defined as all primary segments as well as the next succeeding segment to all primary segments.

2. Public Schools

The assessment study for Public Schools shall be based on accepted planning procedures and analytical methods relative to Public Schools (elementary, middle, and high schools). The assessment study shall only be required for residential proposals. These procedures and methods shall be documented as part of the study. The assessment shall include the following information:

- a. The estimated number of students, by type of school (elementary, middle, and high), that are expected to reside within the proposed subdivision or development plan. This estimate shall be based on a district-wide rate for pupils per household, unless it can be clearly demonstrated that this rate is not applicable because of the characteristics of the proposal.
- b. Capacity available in the specific school to which pupils generated by this project would be assigned.
- c. The accepted or adopted level of service standard for the district or type of school affected by the proposed subdivision or development plan, and the impact of the proposal on the accepted or adopted level of service.
- d. Information in subsections [4.04B.5](#) and [4.04.B.6](#) (below) will not be required if the impact of the proposed project would not cause a decline in the accepted or adopted level of service.
- e. An analysis of improvements, including cost, that would mitigate the project-related need to replace, augment, or provide necessary public school facilities and services.
- f. A description of any committed improvement project that would serve to mitigate any project related deficiency.

3. Sanitary Sewer / Septic Tank or Other On-Site System

The assessment study for Sanitary Sewer/Septic Tank services shall be based on accepted planning and engineering procedures and analytical methods relative to Sanitary Sewer service (generation and treatment). These procedures and methods shall be documented as part of the study. The assessment study shall include the following information:

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14.04. ADEQUATE PUBLIC FACILITIES AND SERVICE REVIEW

- a. Amount of wastewater generated by the proposal when all units and uses, residential or non-residential, are completed and occupied.
- b. Capacity available in the system for transmitting wastewater to treatment facility.
- c. Capacity available to effectively treat the wastewater flow from the proposed subdivision or development plan.
- d. The accepted or adopted level of service standard for wastewater services and facilities affected by the proposed subdivision or development plan, and the impact of the proposal on the accepted or adopted level of service.
- e. Information in subsections [4.04.C.6](#) and [4.04.C.7](#) (below) will not be required if the impact of the proposed project would not cause a decline in the accepted or adopted level of service.
- f. An analysis of improvements, including cost that would mitigate the need to replace, augment, or provide sanitary sewer transmission, pumping, or treatment facilities for the sole purpose of providing service to the proposed subdivision or development plan. Any capacity created by such improvements not necessary to serve the proposed project shall be documented in the assessment.
- g. A description of any committed improvement project that would serve to mitigate any service deficiency that would be created by the proposal.
- h. For septic tank or other type of on-site sewage disposal system, the applicant shall submit a site evaluation report that has been approved by the Board of Health, indicating the site or sites are suitable for use of the proposed type of on-site sewage disposal system.

4. Potable Water

The assessment study for potable water service shall be based on accepted planning and engineering procedures and analytical methods relative to potable water service (production, treatment, and transmission). These procedures and methods shall be documented as part of the study. The assessment study shall include the following information:

- a. Amount of potable water required for the proposed subdivision or development plan.
- b. Capacity available in system for producing and transmitting potable water to the project site.
- c. The accepted or adopted level of service standard for the potable water services and facilities affected by the proposed subdivision or development plan, and the impact of the proposal on the accepted or adopted level of service.
- d. Information in subsections [4.04.D.5](#) and [4.04.D.6](#) (below) will not be required if the impact of the proposed project would not cause a decline in the accepted or adopted level of service.
- e. An analysis of improvements, including cost, that would mitigate the need to replace, augment, or provide potable water production, transmission, pumping, or treatment facilities for the sole purpose of providing service to the proposed subdivision or development plan. Any capacity created by such improvements not necessary to serve the proposed project shall be documented in the assessment.
- f. A description of any committed improvement project that would serve to mitigate any project related deficiency.

5. Fire Protection

The assessment study for fire protection service shall be based on accepted planning and public safety procedures and analytical methods relative to this type of service. These procedures and methods shall be documented as part of the study. The assessment study shall include the following information:

- a. The fire district or station that would serve the proposed subdivision or development plan, the adopted level of service for the district or station area.
- b. The current level of service for the district in which the proposed subdivision or development plan is located. Level of service may be defined in terms of minutes of response time to a call for service, and/or availability of adequate water pressure and fire hydrants to provide adequate fire fighting capabilities.
- c. Information in subsections [4.04.E.4](#) and [4.04.E.5](#) (below) will not be required if the impact of the proposed project would not cause a decline in the accepted or adopted level of service.
- d. An analysis of improvements, including cost, that would mitigate the need to replace, augment, or provide fire protection facilities and/or equipment for the sole purpose of providing service to the proposed subdivision or development plan. Any capacity created by such improvements not necessary to serve the proposed project shall be documented in the assessment.
- e. A description of any committed improvement project that would serve to mitigate any project related deficiency.

E. Plan Approvals

1. Conditions of Subdivision or Development Plan Approval

The Planning Commission shall determine whether the information submitted for any assessment study is complete and if the specific service is adequate to serve the proposed project. The Planning Commission may establish conditions of approval to ensure that adequate services are maintained, including conditions that require project phasing or funding of necessary improvements. If the Commission conditions a proposal on the provision of funding for an improvement, the condition must be related to and commensurate with the impact of the proposal.

2. Plan Revisions

Any revision to an approved development plan or Preliminary Plat, that would result in an increase in the services required for the subdivision or development plan shall require the submission, review, and approval of a new certificate or assessment study based on the revised plan.

- a. If the revision would result in an increase in service requirements that is less than or equal to 115 percent of the services required for the original proposal, the applicable Planning Director shall be authorized to take Commission action with regard to a determination that the service or services are adequate.
- b. A revision that would result in service requirements that are more than 115 percent of the original proposal must be reviewed and acted upon by the Planning Commission.
- c. Multiple revisions that would require an increase in service shall be reviewed and acted upon by the Planning Commission regardless of whether the revisions collectively would exceed the 115 percent threshold for Planning Commission review.

3. Status of Approval

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An APFS determination is non-transferable to lands that were not a part of the proposal for which the determination was made.

- a. Any unused portion of an APFS determination or certificate will automatically revert to an “uncommitted” status when it has been determined by the applicable Planning Director that the original Preliminary Plat or Development Plan approval has expired or that the project has been completed and the amount of development actually built is less than what was included in the original and approved proposal.
- b. Any residual capacity not utilized for an approved proposal shall not be construed as dedicated to the original applicant or successor in title, or to the land that was subject to the original proposal.

14.05. ADMINISTRATION & PROCEDURES

A. Purpose

The purpose of this Article is to provide all of the administrative procedures for the submittal and formal review of applications for major and minor subdivisions, development plans, construction plans, modification of non-dimensional standards, and variances from dimensional standards.

B. Relationship to Other Requirements

The requirements of this Article are in addition to the requirements of the adopted Zoning Regulations as well as the Building Code of Frankfort and Franklin County. Where the standards and requirements of this Article are in conflict with the requirements and standards of the Zoning Regulations or Building Code, the most restrictive standard will take precedence.

C. Boards and Agencies

1. Elected Bodies

The City of Frankfort Commission and the Franklin County Fiscal Court are the legislative members of the Joint Planning Unit designated pursuant to [KRS 100.113](#).

2. Planning Commission

Pursuant to [Chapter 100.121](#) of the Kentucky Revised Statutes, a Joint Planning Unit has been established for Franklin County, and the City of Frankfort. The Agreement establishing the planning unit is contained in the Appendix. The Agreement authorizes the legislative authorities to establish a Planning Commission consistent with the provisions of [KRS 100.133](#). An 11 member Frankfort and Franklin County Planning Commission has been established. The Planning Commission operates under a set of adopted bylaws relating to its specific functions, procedures and policies.

3. Technical Review Team

There is hereby established a Technical Review Team (“TRT” or “Team”). The structure, membership, and duties will be established and may be modified by the Planning Commission. The composition of the Committee is described below.

- a. The Team shall be composed of a Core Group and an Advisory Group representing departments and agencies responsible for reviewing land development proposals, including but not limited to the following:
 - i. Core Members
Frankfort Planning and Building Codes Department, Franklin County Planning and Building Codes Department, Frankfort Plant Board, Frankfort Sewer Department, Frankfort and Franklin County Engineers, Franklin County Board of Health, Frankfort and Franklin County Fire Departments,

Franklin County Sheriff's Department, Frankfort Police Department, Franklin County Board of Education, Other Utility Providers.

ii. Advisory Members

Kentucky Department of Transportation, Frankfort Historic Preservation/Architectural Review Board, Frankfort Main Street Organization, the City Arborist, and the Kentucky Division of Water.

iii. Officers and Committees

The Co-Chairpersons of the Team shall be the Planning Directors of Frankfort and Franklin County Planning and Building Codes Departments.

- b. The Team may review applications and make recommendations to appropriate reviewing authorities or take final action regarding approval, denial and, where applicable, conditions and safeguards to be placed upon the approval of applications including, but not limited to the following:
 - i. Preliminary subdivision plats;
 - ii. Review and Recommendation Only (to Planning Commission) for Conditional Uses (when subject to review by the Planning Commission under the provision of [KRS 100.202](#));
 - iii. Development plans;
 - iv. Street Abandonment and Street Name Changes; and
 - v. Other Applications Referred to the Team by the Planning Director or Engineering Official only when the Planning Commission has specifically authorized the Planning Director or Engineering Official to forward the specific application to the TRT.
- c. The authority of the Team to take final action regarding approval, approval with conditions or denial of an application is limited to strict conformity with the regulations established by this Article. In cases where such conformity is unclear due to the nature of proposal or the application of the standards/requirements contained herein, the application should be referred to the Planning Commission for review and action.

4. Construction Review Team

There is hereby established a Construction Review Team ("CRT") comprised of the Planning Directors or their designees, a representative of the Frankfort Plant Board, representative(s) of other utility providers, a representative of the Frankfort Sewer Department, and the City and County Engineering Officials.

- a. The role and responsibility of the Construction Review Team shall be to review applications and make recommendations to appropriate reviewing authorities regarding approval, denial and, where applicable, conditions and safeguards to be placed upon the approval of applications required by these regulations including, but not limited to the following:
 - i. Record Plats;
 - ii. Construction drawings;
 - iii. Performance guarantees; and
 - iv. Defect security.
- b. The Construction Review Team shall also be responsible for the organization, coordination and management of the construction review, testing and certification

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14.05. ADMINISTRATION & PROCEDURES

process for public improvements associated with any of the types of applications referenced in [Subsection 6.03.D.1](#) above.

- c. The Engineering Officials for the City and County shall be the permanent chairperson's of the CRT.

5. Planning Directors and Engineering Officials

It shall be the duty of the Frankfort and Franklin County Planning Directors, in coordination with the Frankfort and Franklin County Engineering Officials, to serve as the principal administrative officials for the implementation of the regulations and procedures contained in this Article. However, the applicable Engineering Official, in coordination with the Planning Directors, will serve as the principal administrative officials relative to the review, approval, inspection, coordination and other administrative duties associated with construction plans and performance guarantees.

- a. In the performance of his or her duties, the Planning Director / Engineering Official may request and shall be provided with assistance of such other persons as the City Commission or Fiscal Court may direct. The Planning Director / Engineering Official is authorized to act through designated aides and assistants.
- b. The Planning Director / Engineering Official shall order inspections of property in an effort to obtain information relating to violations and in other instances where inspections are necessary in order to insure compliance with regulations contained in this Article.
- c. The Planning Director / Engineering Official, in the performance of his or her duties, may enter upon any land during reasonable hours and make examinations and surveys that do not occasion damage or injury to private property.
- d. The Planning Director / Engineering Official shall order prompt investigation of complaints and violations, and shall endeavor to prevent violations or detect and secure the corrections of violations. He or she shall also initiate lawful action necessary to insure compliance with or prevent violation of regulations contained in this Article.
- e. The Planning Director / Engineering Official shall maintain written records of all official actions with relation to administration, and of all complaints and actions taken with regard thereto, and of all violations discovered by whatever means, with remedial action taken and disposition of all cases; and the same shall be a public record. The Planning Director and Engineering Official shall insure that a copy of the written records for which they are responsible are made available to each other.
- f. The Planning Directors shall ensure that copies of this Article are available to the public through multiple methods, which may include paper copies, computer disks, and files, that may be downloaded from a city or county website.

D. Sketch Plan Review

1. Applicability

- a. Prior to formal application for a preliminary subdivision plat, minor subdivision plat or development plan review, the applicant may present for discussion a sketch plan depicting the proposed site and elements of the plan of development known. The applicant or property owner or their agent, or the Planning Director, may request a conference to discuss the information and review requirements of the Commission and other public agencies, the improvements and uses of the subdivision or development plan and any potential problems involved in the proposal. This conference may be with Commission staff, the Technical Review Team or the

Planning Commission. Any part of the pre-application conference shall be non-binding on all parties involved.

- b. For this review, the Applicant shall contact the Planning Director to set a meeting date to discuss intentions as they relate to the sketch plan review. The pre-application meeting does not require formal application/fee.

E. Application Submittal Requirements

1. Preliminary Plat

The following information shall be provided in graphic or written form, as necessary to satisfy the requirements. The Planning Director is authorized to waive information requirements when deemed appropriate.

a. General Information

- i. Numbers of copies as determined by the Planning Director. The applicant shall also submit the Preliminary Plat (inclusive of all application materials) in digital form and format determined by the Planning Director. The Engineering Official or Surveyor shall also certify that the coordinate geometry of the survey has been checked and found to close.

ii. Legend, including:

- (A). Name of the subdivision which shall not duplicate or closely approximate the name of any other subdivision;
- (B). Legal description of the property (may be submitted on a separate sheet with the application form);
- (C). Acreage of the property;
- (D). Scale (Not more than 1" = 100');
- (E). North Arrow;
- (F). Existing zoning on the property, including any overlay districts;
- (G). Number of LOTS proposed (for subdivision); and
- (H). Date of preparation and space for revision dates.

- iii. All Preliminary Subdivision Plats shall give reference to and be tied to at least two (2) Frankfort Plant Board Geographic Information System monuments. The preliminary plat shall show said monuments described with name, number and State Plane Coordinate Values, and its bearing structure must be based on the State Plane Coordinate system from the information provided by these monuments.

iv. Vicinity Map

- v. Name(s), Address(es), Phone Number(s), and Email Address(es) of:

- (A). Property owner(s);
- (B). Developer(s) or Subdivider(s);
- (C). Engineer(s);
- (D). Surveyor(s);
- (E). Architect(s) or Landscape Architect(s); and
- (F). Agent(s) of property owner or others involved in the proposal.

vi. Abutting land, including:

- (A). Names of abutting subdivisions; and

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- (C). Right-of-way and paving width (inclusive of curbs), streets;
- (D). Driveway Approach locations and proximity to property subdivision entrance(s);
- (E). Sidewalk locations;
- (F). Median locations; and
- (G). Any other improvements in the right-of-way.
- ii. Existing lot lines and easements on the property, indicating the location of each easement.
- iii. Existing utility and drainage infrastructure, including , but not limited to, the location and size of:
 - (A). Sanitary Sewers;
 - (B). Storm Sewers;
 - (C). Culverts;
 - (D). Water Mains; and
 - (E). Fire Hydrants (within 500 feet of every boundary of the property);
 - (F). Utility poles, overhead power lines, gas lines, cable lines, and other equipment, pad mount transformers, junctions, and switches.
- iv. Existing buildings, structures, railroads, cemeteries, urban service areas, boundary lines, scenic corridor boundaries, governmental boundaries, emergency service district boundaries on or abutting the property, existing buildings, structures, or land areas that have been designated as historic landmarks, or are listed on the National Register of Historic Places, or are specifically noted.
- v. A topographic map showing existing contours at two- foot intervals where data is available from the Frankfort Plant Board Geographic Information System,, or at five-foot intervals where two (2) foot contour data is not available. Contour lines shall be shown 100 feet beyond the property boundary at ten-foot intervals.
- vi. A soils report showing subsurface soil, rock and groundwater conditions.

location and results of soil percolation tests in accordance with the specifications of the State and County Department of Health. Due regard shall be given to the effects of cut and fill which may make such data obsolete. Anticipated areas of cut and fill shall be noted upon the plan.

- vii. The 100-year flood elevation, minimum habitable floor elevation and limits of the 100-year floodplain and floodway (if applicable).
- viii. A surface drainage report showing direction and flow and methods of storm water retention and detention.
- ix. Existing surface water bodies, wetlands, streams and canals, both on and within 50 feet of the proposed subdivision, including:
 - (A). Normal high water elevation or boundary;
 - (B). Attendant drainage areas for each; and
 - (C). Area, extent and type of wetlands
- x. A tree and woodlands survey.
- xi. Existing designated historic sites, structures or resources.

c. Proposed Development

- i. Lot or site layout, including:
 - (A). Lot lines;
 - (B). Scaled dimensions;
 - (C). Lot numbers, and block numbers where applicable;
 - (D). Building placement lines, scaled for each lot;
 - (E). Type of intended use for each lot or site;
 - (F). Tracts to be held in common ownership for such purposes as recreation, storm water management, conservation, recreation/open space or other public use;
- ii. Proposed Street System or Access Requirements, including:
 - (A). Street names;
 - (B). Location and type of each street and/or site access location (include all streets shown on the adopted *Transportation Plan - Major Thoroughfare System*);
 - (C). Right-of-way width for each street;
 - (D). Sidewalk locations;
 - (E). Median locations;
 - (F). Approximate elevations at the centerline of the street shall be shown at the beginning and end of each street, and at street intersections;
 - (G). Any other proposed improvements in the rights-of-way; and
 - (H). All roadway grades including details of vertical and horizontal curb radius.
- iii. Location and scaled dimensions of all parcels of land proposed for public uses other than streets, including:
 - (A). Easements for drainage, utilities, storm water management,

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- pedestrian pathways, sidewalks, bike paths, parks/open space, etc.; and
- (B).** Land dedications for parks/open space, schools, public facilities, storm water management, etc.
- iv.** Proposed utility and drainage infrastructure, including the location of:
- (A).** Sanitary sewers;
- (B).** Storm water management facilities;
- (C).** Culverts;
- (D).** Water mains;
- (E).** Fire hydrants; and
- (F).** Electric, gas, telephone, cable, and other utilities and easements.
- v.** The nature, location and scaled dimension of any buffer or transition areas.
- vi.** Proposed provision of fire protection, street lighting, street signs and other proposed improvements or services.
- vii.** A preliminary tree protection, streetscape, and open space plan. This plan may also include any measures for the preservation and protection of historic sites, buildings, structures or resources.
- viii.** Information concerning any private street(s) proposed to be included in the development (when approved by a modification of standards by the Planning Commission), including:
- (A).** Copy of deed or legal instrument that grants or provides the legal right to use the private street to property owners within the subdivision; and
- (B).** Copy of written notification to be provided at time of sale to all property owners having beneficial use of the private street, concerning their responsibilities in maintaining the street in safe operating condition.
- ix.** A paving, grading, drainage plan.
- x.** An erosion and sedimentation control plan.
- xi.** The location and extent of areas within and abutting the site with topographic slopes of 12-18% and 18.01% or greater shown in a manner to be distinguishable from one another.
- xii.** Gross and net acreage, density expressed as units per acre or non-residential intensity expressed as a floor area ratio.

2. Record Plat

- a.** The original plat with four (4) paper copies and a digital copy of all record plat information in digital form according to specifications provided by the Planning Director and prepared and certified by a land surveyor. If more than one sheet is required, a key plat shall be shown on all sheets. No sheet of the record plat may exceed **17 inches by 22 inches** unless the County Clerk has agreed in writing to record it, if approved by the Planning Director. A two-inch by three-inch space shall be reserved in the lower left hand corner for the County Clerk's stamp. All distances and angles shall be drawn large enough to be legible after photo- reduction of the plat by 50%.
- b.** The record plat shall be in conformance with the approved Preliminary Plat,

depicting the following information and utilizing the same graphic lines and symbols as utilized for the Preliminary Plat.

- i. The boundaries of the property including all bearings and dimensions as determined by an accurate survey in the field, the name(s) of property owner(s) and the tax block(s) and lot number(s) for all parcels contained within the boundaries of the proposed subdivision as identified from Property Valuation Administrator's current maps and records.
 - ii. The names and widths of all adjoining streets and easements, a stub property line approximating the location of intersecting boundaries of all adjoining properties and the ownership of all adjoining properties. An owner's name and a deed book and page number or an owner's name and plat book and page number shall identify ownership.
 - iii. Lot numbers, lot lines, appropriate building placement or setback lines, all fully dimensioned, bearings and distances of non-parallel lot lines, and square footage of each lot.
 - iv. The location, description and coordinate values of all permanent monuments set at all points of change in direction of all exterior boundary lines. All monuments shown shall be interconnected and dimensioned so that any registered land surveyor can lay out the lots or streets in the subdivision correctly by referring to the plat alone without any additional information.
 - v. The limits of the 100-year floodplain and floodway, if any, and the applicable map numbers.
 - vi. A key map, showing the relative location of the proposed subdivision to the nearest existing Major Thoroughfare intersection.
 - vii. Landscape buffer areas, conservation easements, tree protection areas and any other area to be set aside or dedicated pursuant to these regulations or by conditions of approval of the Preliminary Plat.
 - viii. A title block, in the lower right hand corner of the plat depicting the title of the subdivision, the name and address of the owner, the name and address of the subdivider or developer, the name and address of the land surveyor preparing the plat, the date of preparation, and the scale.
 - ix. Deed book and page number of the deed of restrictions applicable to the subdivision, if any.
- c. The record plat shall also contain the following certificates or notices in a form or format as specified by the Planning Director;
- i. A certificate of ownership and dedication, and an accompanying certificate of acknowledgment;
 - ii. A land surveyor's certificate;
 - iii. Certificates of reservation;
 - iv. A certificate of approval;
 - v. Notice of the Property Owner's obligation with the following language:
"Property Owner's Obligation
Certain improvements in this subdivision are required by the Subdivision Regulations as specified by an approved construction plan on file in the office of the Engineering Official. It is the obligation of every property

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owner in the subdivision not to damage, alter or destroy those improvements and not to allow any condition or activity on his property that will impair the proper functioning of those improvements. For violation of this provision, the property shall be subject to the imposition of a lien for the amount necessary to remedy the violation that may be enforced in the same manner that mortgages are enforced, and persons responsible shall be subject to fine."

- vi.** Notice of Bond Requirement with the following language; and

"Notice of Performance Guarantee Requirement

After construction approval and release of the subdivider's bond, the owner of any lot may be required to post a performance guarantee as a condition of obtaining a building permit."

- vii.** Notice of the builder's obligation with the following language.

"Builders Obligation

The builder of each lot in this subdivision is required to grade the lot so that cross-lot drainage is in conformance with the approved Drainage Plan for the subdivision and all drainage from the lot is directed to a public drainage facility in easement or right-of-way."

3. Construction Plans / Drawings

The following information shall be provided in graphic or written form, as necessary to satisfy the requirements. The Construction Review Team and/or Engineering Official shall be authorized to waive individual informational requirements where deemed appropriate and the number of copies of the construction plan package shall be as determined by the engineering official. The construction plan package shall include, at a minimum, the following information relative to all improvements to be constructed for public use and/or maintenance:

a. Cover Sheet(s)

i. General information

- (A).** Name of the subdivision which shall not duplicate or closely approximate the name of any other subdivision;
- (B).** Legal description of the property (may be submitted on a separate sheet with the application form);
- (C).** Acreage of the property;
- (D).** Scale (Not more than 1" = 100');
- (E).** North Arrow;
- (F).** Date of preparation and space for revision dates;
- (G).** Vicinity Map; and
- (H).** Name, Address, Phone Number and Email Address of Property Owner(s); Developer(s) or Subdivider(s); Engineer(s); Surveyor(s); Architect(s) or Landscape Architect(s); and Agent(s) of property owner or others involved in the proposal.

ii. Project Approval Information

A separate sheet shall be provided that contains a depiction of the record plat, minor plat, site plan or development plan that is the basis for the construction plan package and has been approved by the Planning

Commission or its designee. In addition, all conditions of approval and a listing of the permits required to construct the improvements shall be shown on the same sheet.

b. Paving, Grading, and Drainage Construction Plan(s)

A separate sheet or sheets shall be included to fully depict all planned improvements, construction details, cross-sections and elevations, construction specifications, and other information necessary for the Engineering Official to determine that the proposed plans comply with all requirements of this [Article](#), the Zoning Ordinance and other applicable ordinances and design criteria of the City of Frankfort and/or Franklin County.

c. Utilities Construction Plan(s)

A separate sheet or sheets shall be included to fully depict all planned utility improvements, including electric, gas, sewer, potable water, telephone, cable, and other utilities as may be applicable. Construction details, cross sections and elevations, specifications and other information necessary for the Engineering Official OFFICIAL to determine that the proposed plans comply with all requirements of this [Article](#), the Zoning Ordinance and other applicable ordinance sand design criteria of the City of Frankfort and/or Franklin County, the Frankfort Plan Board or any other utility to place improvements within the property affected by the Construction Plan package.

d. Streetscape, Landscape, and Tree Protection Plan(s)

A separate sheet or sheets shall be included to fully depict all planned street trees, landscape and hardscape improvements or protection measures within the area of the public improvements. Hardscape elements would include such items as fountains, water features, plaza's, civic structures, recreational facilities and similar features. Construction and installation details, cross-section, specifications, and other information necessary for the Engineering Official and/or the applicable Planning Director to determine that the proposed plans comply with all requirements of this Article, the Zoning Ordinance and other applicable ordinances and design criteria of the City of Frankfort and/or Franklin County. See [Section 6.09. Landscape Plan Submission Requirements](#).

e. Erosion and Sedimentation Control Plan (s)

A separate sheet or sheets shall be included to fully depict all required and provided erosion and sedimentation control measures that will be employed during construction of the public improvements.

f. Other Plans and Information Not Addressed Above

Such plans may include Maintenance of Traffic, Construction Plans for Off-Site Improvements, Site Evaluations related to the use of on-site sewer treatment systems, Geotechnical and/or Structural Engineer Reports, Evaluations and Engineering data related to the presence of sinkholes, springs, steep slopes or other natural features of the site. Environmental analyses and permit applications may also be required where construction is proposed in wetlands, floodplains and floodways, or areas determined to contain threatened or endangered wildlife.

4. Minor Plats (and In-Family Conveyances)

The following information shall be provided in graphic or written form, as necessary to satisfy the requirements. The Planning Director shall be authorized to waive these informational requirements where deemed appropriate.

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- a. All information requirements contained in [Section 6.05.B \(Record Plat Submittal Requirements\)](#) as applicable.
- b. Boundaries of property being subdivided and of all resulting LOTS showing all bearings or interior angles and distances as determined by an accurate survey in the field. All bearings and distances on the perimeter of the entire site shall follow in order. All resulting lots shall bear a tract or lot enumeration.
- c. The location and description of all permanent monuments set at all points of change in direction of all boundary lines of all lots. Monuments shown shall be interconnected and dimensioned so that any registered land surveyor can lay out the lots in the minor subdivision correctly by referring to the plat alone without any additional information.
- d. The plat shall include a certificate of ownership and dedication, a certificate of acknowledgement, a land surveyor's certificate, a certificate of approval, a zoning conformance certificate, certificates reserving easements for utilities if applicable, residual land certificates if applicable, certificates of sewer extension if applicable, and a recorder's certificate reserved for the County Clerk. The Planning Director and the Commission's legal counsel shall determine the form and content of all certificates. The land surveyor's signature and seal on the plat shall apply to all certificates and/or statements (except the Certificate of Approval) on the face of the plat.
- e. For minor plats of consolidation the parcel to be transferred shall be labeled as Parcel 1; the recipient parcel as Parcel 2; and the remaining portion of the original parcel after consolidation shall be labeled as Parcel 3. The acreage and/or square footage of each parcel shall be shown. A notation shall be added, "Parcel 1 shall be sold or transferred only to Parcel 2 for consolidation purposes". For multiple consolidations, the developer shall consult with the Planning Director to determine appropriate parcel labeling and the wording of consolidation note(s).
- f. For Minor Amendments to Existing Plats - All minor amended subdivision plats shall contain a note identifying the specific amendment(s) and its' purpose. Only such changes as are contained in this note shall be considered as approved. LOT layout information shall be as required for the original final plan. Additional requirements specific to each plan type shall be as follow: Easement Minor Amendment - the developer shall be required to submit a written statement from a properly designated representative of any beneficiary of the easement proposed to be modified stating that the beneficiary approves of the addition, release or modification being made.

5. Development Plan

The following information shall be provided in graphic or written form, as necessary to satisfy the requirements. The Planning Director shall be authorized to waive these informational requirements where deemed appropriate. These submittal requirements are applicable for any platted lot or tract that is proposed for one (1) or more development or building sites involving residential, commercial or mixed uses for which a building permit is required. (See [Article 5 of the Zoning Ordinance for plans required in association with a zone map amendment application.](#)) This Development Plan submittal requirement does not apply to individual single family or duplex dwelling units on platted lots, or for multi family developments up to and including 20 dwelling units. (Condominium projects of more than 20 units are required to file a Development Plan.)

a. General Information

- i. Number of copies as determined by the Planning Director. The applicant shall also submit the development plan (inclusive of all application materials) in digital form and format determined by the Planning Director. The applicant shall also certify that the coordinate geometry of the survey has been checked and found to close.
 - (A). Legend, including;
 - (B). Name of proposed development;
 - (C). Legal description of the property;
 - (D). Acreage of the property;
 - (E). Scale (Not more than 1" = 100');
 - (F). North Arrow;
 - (G). Existing zoning on the property, including any overlay districts;
 - (H). Number of development and/or building sites proposed; and
 - (I). Date of preparation and space for revision dates.
- ii. Name(s), Address(es), Phone Number(s) and Email Address(es) of:
 - (A). Property Owner(s);
 - (B). Developer(s);
 - (C). Engineer(s);
 - (D). Surveyor(s);
 - (E). Architect(s) and/or Landscape Architect(s); and
 - (F). Agent(s) of property owner or others involved in the proposal.
- iii. Information about abutting lands, including:
 - (A). Names of abutting subdivisions;
 - (B). Names of recorded owners of all abutting lots and parcels; and
 - (C). Existing zoning, including any overlay districts.

b. Existing Conditions

- i. Existing streets, both on and within 500 feet (100 feet for minor/infill projects) of the proposed building or development site, including:
 - (A). Street names;
 - (B). Location of each street;
 - (C). Right-of-way and paving width (inclusive of curbs/gutters);
 - (D). Driveway approach locations and proximity to other driveways and entrance(s) along the same side of streets that abut the site;
 - (E). Sidewalk locations;
 - (F). Median locations;
 - (G). Any other improvements in the right-of-way; and
 - (H). Existing lot lines and easements on the property, indicating the purpose of each easement.
- ii. Existing utility and drainage infrastructure, including location, materials and size of:
 - (A). Sanitary Sewers;
 - (B). Storm Sewers;

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- (A). Building or development site lines;
 - (B). Scaled dimensions;
 - (C). Lot numbers, and block numbers where applicable;
 - (D). Building placement lines, scaled for each site;
 - (E). Type of intended use for each site;
 - (F). Areas to be held in common ownership for such purposes as recreation, storm water management, conservation, recreation/open space or other public use;
 - (G). Gross and net acreage.; and
 - (H). Landscape Plan in accordance with [Section 6.09. Landscape Plan Submission Requirements](#).
- ii. Delineation and description of the number, type and density and/or gross floor area and floor area ratio of Residential, Commercial, Office, Civic, Industrial or other proposed uses including:
- (A). Architectural and Landscape plans;
 - (B). Mix of proposed uses;
 - (C). Phasing of proposed uses;
 - (D). Other information to determine compliance with any architectural or historic preservation standards and guidelines.
- iii. Proposed Street System or Access Requirements, including:
- (A). Street names;
 - (B). Location and type of each street and/or site access location (include all Thoroughfare and Neighborhood Streets);
 - (C). Right-of-way width for each street;
 - (D). Sidewalk locations;
 - (E). Median locations;
 - (F). Approximate elevations at the centerline of the street shall be shown at the beginning and end of each street, and at street intersections;
 - (G). Any other proposed improvements in the rights-of-way, including those related to the traffic study; and
 - (H). All roadway grades.
- iv. Location and scaled dimensions of all parcels of land proposed for public uses other than streets, including:
- (A). Easements for drainage, utilities, storm water management, pedestrian pathways, sidewalks, bike paths, parks/open space, etc; and
 - (B). Land dedications for parks/open space, schools, public facilities, storm water management, etc.
 - (C). Proposed utility and drainage infrastructure, including the location, materials and size of:
 - (D). Sanitary sewers;
 - (E). Storm water management facilities;

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- (F).** Culverts;
- (G).** Water mains;
- (H).** Fire hydrants; and
- (I).** Electric, gas, cable, telephone and other utilities and easements.
- v.** The nature, location and scaled dimension of any buffer or transition areas.
- vi.** Proposed provision of fire protection, street lighting, street signs and other proposed improvements or services.
- vii.** A tree protection plan, when required by the Planning Director.
- viii.** Information concerning any private street(s) proposed to be included in the development, including:
 - (A).** Copy of deed or Legal Instrument that grants or provides the legal right to use the private street to property owners within the development.
 - (B).** Copy of written notification to be provided at time of sale to all property owners having beneficial use of the private street, concerning their responsibilities in maintaining the street in safe operating condition.
- ix.** A paving, grading, drainage plan.
- x.** An erosion and sedimentation control plan
- xi.** The location and extent of areas within and abutting the site with slopes of 12-18% or 18.01% and greater.
- xii.** A traffic report that addresses at least the existing traffic conditions, summary of proposed development, estimated trip generation, trip distribution, traffic assignment, analysis of future traffic conditions – with and without the proposed development to include level of service, identification of traffic impacts, conclusions and recommendations – mitigation.

F. Preliminary Plat Review

1. Purpose

The purpose of preliminary plat review for major plats is to ensure that the proposed plan has been designed in accordance with the requirements of these regulations as well as the provisions of the applicable zoning district, without the need for detailed plans for the construction of public improvements.

2. Applicability

Preliminary Plat review shall be required for all subdivisions not eligible for minor plat review. The creation of six (6) or more lots constitutes a major plat, therefore requiring Preliminary Plat review.

3. Submittal of Application

- a.** The subdivider shall file a formal application for preliminary plat review on a form supplied by the Planning Director and shall submit therewith a preliminary plat for the proposed subdivision prepared in conformance with the requirements of this Article. No application shall be accepted for review unless all required information has been provided and the application is accompanied by the appropriate review fee. The accuracy and sufficiency of the information provided with the application will be determined by the Technical Review Team. The Planning Director may require

submission of information, material and documents beyond that required in this Article as necessary to determine compliance with these regulations.

- b. Upon receipt and acceptance for review of the Preliminary Plat Application, the Planning Director shall submit copies to interested public agencies and utility companies and obtain a written report or approval on the plan from each such agency or company.

4. Review Process

Preliminary Plat review is intended to provide for a complete review of technical data and preliminary engineering plans for proposed major subdivisions. The review should evaluate potential impacts to both the site and surrounding areas, and resolve planning, engineering and other technical issues so that development may proceed. The staff of the Planning Commission shall review the plat and shall forward the application documents upon determining they are sufficient for review to the Technical Review Team (TRT) for comments to resolve any technical issues raised by the proposed subdivision. The Planning Director or any authorized staff member of the Planning Commission may take Commission action if the plat or subsequent revisions complies with the applicable provisions of these regulations and when all TRT members have indicated their approval or no comment. No TRT member shall approve any delegated item if they have reason to question its accuracy, or its compliance with any applicable regulations. Items which are not appropriate for administrative approval shall be submitted to the Planning Commission in accordance with the provisions of this Article.

- a. Applicants or TRT members may request Planning Commission review of an application to resolve any outstanding issues/conflicts between the plat and the regulations. The request shall set out the item(s) for which the affected party is seeking Planning Commission review. The request will be considered for review at the first Planning Commission meeting following receipt of the request, or at a subsequent meeting if so requested by the applicant.
- b. Planning Commission review of TRT recommendations shall address only specific items of the Preliminary Plat proposal that:
 - i. Do not receive a consensus recommendation through the TRT process;
 - ii. Are set out in a request for review by the applicant;
 - iii. Are set out in a request for review by an adjoining property owner; or
 - iv. Are requested as a modification of standards per [Section 6.11 \(Modification of Standards\)](#).
- c. The proposed preliminary plat shall be reviewed and the TRT recommendation made within 90 days of a determination by the TRT that the application and associated information is sufficient and complete, unless this time limit is waived, in writing, by the applicant or the plat requires a modification as described herein. The TRT may find that the Preliminary Plat should be modified prior to granting a final approval. The TRT may take an additional 30 days, beginning upon acceptance for processing and review of the modified Preliminary Plat, to complete its' review.
- d. The Frankfort Plant Board, as a core member of the Technical Review Team, will have the ability to review and comment upon the utility plans and information submitted with a Preliminary Plat for property that is not included within its service area.

5. Conditions of Approval

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When an application for Preliminary Plat review is approved, appropriate conditions and safeguards may be prescribed in conformity with the intent and provisions of this Article, including any of the following. Violation of such conditions and safeguards, when made a part of the terms under which the Preliminary Plat is approved shall be deemed a violation of these regulations, subject to enforcement under the provisions established.

- a. Establish a special yard or other open space or lot area.
- b. Designate the size, number, location or nature of vehicle and pedestrian access points.
- c. Require the dedication of additional street right-of-way or any easements necessary to meet the standards of an in accordance with these regulations.
- d. Protect existing trees, vegetation, water resources, wildlife habitat or other significant natural resources.
- e. Specify other conditions to permit development of the City and/or County in accordance with the intent and purpose of this Article and the adopted Comprehensive Plan.

6. Effect of Approval

Approval of the Preliminary Plat shall give the applicant authority to submit a record plat and a construction plan / drawing package to the Planning Director, applicable Engineering Official and other appropriate agencies. All record plats and construction drawings must conform to an approved Preliminary Plat and any conditions that may have been established for its' approval. The applicable Planning Director and Engineering Official shall jointly determine that the submittal conforms to the approved Preliminary Plat, or requires major or minor modifications of the Preliminary Plat. Where it is determined that major modifications are required, the submittal shall be referred to the Technical Review Team for review of the proposed major modifications. The Engineering Official may authorize minor modifications and adjustments to the construction drawings without requiring additional Preliminary Plat review. Approval of the preliminary plat shall not authorize recording of the plat nor constitute the acceptance of any land or improvements proposed to be dedicated.

7. Minor Modifications to an Approved Preliminary Plat

- a. Minor modifications to a Preliminary Plat may include any of the following:
 - i. a change in the location of a lot line so long as the number of lots is not increased or decreased;
 - ii. a change in the location of any utility service or utility easement that is required by the utility provider; changes in the size or configuration of storm water retention/detention facilities, but not location; and,
 - iii. a change in the phasing of development/construction of the subdivision that is not addressed by a condition of approval.
- b. All other modifications shall be determined to be major modifications subject to further review and approval by the Technical Review Team.

8. Expiration

- a. Construction drawings for a minimum of the first construction stage of the subdivision must be submitted within one (1) year of Preliminary Plat approval or the Preliminary Plat shall expire. One or more extensions for an additional one-year each may be granted by the Planning Commission if it finds that the subdivider has diligently pursued the preparation of a record plat and construction plans or the construction of improvements. The developer shall submit in writing to the Planning Director a

letter requesting and justifying an extension.

- b. In the case of subdivisions being developed by sections, for the period within five (5) years of original approval of the Preliminary Plat, extensions of approval shall be automatic for all sections so long as construction is in progress in any section. Beyond this five (5) year period, an extension in accordance with the provisions above shall be required.

9. Appeal of Planning Commission Decision

A decision of the Planning Commission may be appealed to the Circuit Court of Franklin County. A petition for review shall specify the grounds upon which the petition alleges the illegality of the Planning Commission's action. Such petition must be filed with the Circuit Court of Franklin County within thirty days (30) after the date of such decision.

G. Construction Plan / Drawing Review

1. Purpose

Subdivision Construction Review is intended to provide detailed technical information for all proposed public improvements prior to actual construction to ensure that development will be in conformance with all regulations and any conditions of the approval. In addition, this review includes securing adequate and timely performance guarantees, permits and other approvals necessary to ensure the construction, inspection and proper operation of the public improvements to be constructed.

2. Submittal of Application

Following the approval of a Preliminary Plat, the applicant shall submit construction drawings (see [Section 6.05.C](#) for submittal requirements) to the applicable Engineering Official for required improvements. The applicant may apply for record plat approval simultaneously with submittal of the construction drawings.

3. Permits Required

All required permits and Adequate Public Facilities and Services certificates shall be submitted concurrently with the construction drawings– if not previously submitted. Construction drawing review will not begin until such permits or certificates have been received and determined by the Engineering Official to be sufficient. Permits that may be required include such as:

- a. Right-of-way encroachment/construction or driveway approvals from the Kentucky Transportation Cabinet;
- b. Permits for construction in a floodplain from the Kentucky Division of Water; or
- c. Wetland determinations and construction approval provided by the Army Corps of Engineers.

4. Review Process

The applicable Engineering Official shall forward the construction drawings to all members of the Construction Review Team (CRT), as well as any other affected agencies, for review. Within 30 days of the acceptance of the Drawings for processing and review, the Construction Review Team shall determine if the Drawings are or are not approvable and will notify the applicant of its' findings. The CRT may find that the construction drawings should be modified prior to final approval. The CRT may take an additional 30 days, beginning upon acceptance for processing and review of the modified construction drawings, to perform its review of drawings that have been modified pursuant to a prior CRT review finding.

5. Review Standards

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Construction drawings shall conform to the approved preliminary plat, including any conditions, and shall also conform to all other City or County regulations in effect and applicable to the proposed development.

6. Effect of Construction Drawings Approval

Approval of subdivision construction drawings shall give the applicant authority to submit a record plat application. Approval shall not authorize recording of the record plat nor constitute acceptance of any land or improvements proposed to be dedicated to the City or County. Construction Drawing plan approval shall authorize the developer to begin site preparation and/or installation of improvements, provided any required permit identified in [Section 6.05.C \(Construction Plans/Drawings\)](#) has been received and approved.

7. Authorization to Begin Construction

- a. Issuance of a building permit or site construction permit through the applicable Engineering Official or Planning Director will serve to authorize the construction of public improvements addressed in the construction drawings.
- b. Individual building permits will not be approved or issued until the Record Plat has been recorded and the following items are completed:
 - i. asphalt base of the street is acceptable to the Engineering Official; and
 - ii. the required fire hydrants are installed with adequate water flow; and
 - iii. installation of erosion control/stormwater features and street signs/traffic control devices.
- c. Certificates of occupancy may be issued prior to the completion of certain improvements as identified in [Section 7.17 \(Issuance of Building Permits Prior to Completion of Public Improvements\)](#).

H. Record Plat Review

1. Purpose

Before transferring title to any portion of a subdivision or accepting a performance guarantee for improvements and reservations, a record plat must be reviewed and approved. The subdivider shall obtain the approval of the Planning Commission or Construction Review Team to be shown on the record plat prior to its recording.

2. Submittal of Application

Simultaneously with or following the acceptance for processing and review of all construction drawings, the applicant shall submit to the Planning Director an application for record plat which conforms to the submittal requirements of [Section 6.05.B](#). No application will be deemed accepted unless it is complete.

3. Review Process

Upon acceptance of the application, the Planning Director shall review the record plat for conformance with the review standards below. Following this review, he or she shall forward the application to the applicable Engineering Official and Construction Review Team. The applicable members of the CRT shall review the record plat application based on the standards set forth below, and shall approve or deny the application, stating in writing any reasons for denial. Review standards include:

- a. It is in conformance with the approved Preliminary Plat and other City or County regulations and policies;
- b. Construction drawings and adequate performance guarantees have been provided and approved;

- c. All required subdivision agreements, escrows, dedications, and reservations have been executed; and
- d. The applicant has paid all required fees or charges and has established any required escrow arrangements.

4. Effect of Recordation

Upon recording of the record plat with the County Clerk, and issuance of applicable building permit, the applicant may begin site development and installation of improvements. Approval of the record plat shall constitute acceptance of all dedications and reservations of land shown on the Plat, except those that are specifically reserved or refused in writing by the City or County in connection with Plat approval. No changes, erasures or revisions shall be made after record plat approval unless the Plat is resubmitted as a new application under the provisions of this Article.

I. Minor Plat Review

1. Purpose

The minor plat review process is intended to provide for adequate technical and administrative review for subdivisions having few lots and that do not require dedication of streets or other public improvements. In so doing, these regulations ensure that development takes place in an orderly and efficient manner.

2. Applicability

Minor plat review shall apply to any subdivision, resubdivision, in-family conveyance, consolidation or minor amendment of an existing plat, where the following standards apply:

- a. Additional public improvements are not required, except utility laterals, sidewalks, fire hydrants or other types of minor improvements necessary to serve the lots being created.
- b. The public street layout will not be affected except for dedication of additional right-of-way, where required, or construction of a public street to provide access to the lots proposed to be created is necessary due to access management requirements of this Article or the zoning ordinance.
- c. The subdivision consists of not over five (5) lots including any remainder that will be retained by the owner(s), or five (5) lots of record if a consolidation plat is proposed to create equal to or a lesser number of parcels than the five (5) original lots of record.
- d. The existing tract was lawful under these regulations at the time the property description was recorded.
- e. The existing tract(s) have not been subject of a previously approved preliminary plat for a subdivision.
- f. The subdivision is in compliance with the minimum requirements of the applicable zoning regulations and other ordinances and regulations and no substandard tracts, parcels, or lots will be created.
- g. All lots must be serviceable by existing water and sewer lines, or on-site disposal systems as may be approved by the Franklin County Department of Health, depending on whether the minor subdivision is located in a designated urban, suburban or rural area (See Figure 1.1 in [Article 1. General Provisions](#) for a geographic description of these areas)
- h. Adequate provision will be made for access to a public roadway. If an existing private street is to be used for access, provisions for maintenance acceptable to the

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Planning Commission will be placed on applicable recorded documents.

- i. Minor revisions to an existing plat needed to make technical revisions to a record plat of an engineering or drafting nature or similar small discrepancy, but not including the altering of any property lines or public improvement requirements
- j. Revisions to a record plat for the purpose of release or modification of existing and addition of new utilities and drainage easements.

3. Transfer of Property Not Requiring a Plat

The transfer or conveyance of property between adjoining property owners shall be construed as requiring a minor plat review and approval, unless that which is transferred or conveyed had been previously approved by a plat and is not intended to be consolidated with the adjoining property.

4. Submittal of Application

The subdivider shall file a formal application for minor plat review on a form supplied by the Planning Director and shall submit therewith a minor plat prepared in conformance with the requirements of this Article. No application shall be accepted for review unless it is complete and accompanied by the appropriate review fee. The Planning Director may require submission of information, material and documents beyond that required in this Article as necessary to determine compliance with these regulations.

5. Review Process

Upon receipt and acceptance of the application, the Planning Director and staff of the Planning Commission shall review the plat and forward the documents to the Technical Review Team to resolve any problems raised by the proposed subdivision. The staff should subdivider report its recommendations, as well as the reports of other agencies and companies, to the subdivider. The Planning Director or any authorized staff member of the Planning Commission may take Planning Commission action if the plan or revision complies with the applicable provisions of these regulations and all TRT comments. No TRT member shall approve any delegated item if they have reason to question its accuracy, or its compliance with any applicable regulations or conditions. The planning director or TRT may find that the minor plat should be modified prior to final approval. The applicable Planning Director or TRT may take an additional 30 days, beginning upon acceptance for processing and review of the modified minor plat, to perform it review of a minor plat that has been modified pursuant to a prior Planning Director or TRT review finding.

- a. Applicants or TRT members may request Planning Commission review of an application.. The request shall set out the item(s) for which the applicant or other TRT member is seeking Commission review. The request will be considered for review at the first Commission meeting following receipt of the request, or at a subsequent meeting if so requested by the applicant. .
- b. Commission review of TRT recommendations should address specific items of the minor plat proposal that:
 - i. Do not receive a consensus recommendation through the TRT process;
 - ii. Are set out in a request for review by the applicant; or
 - iii. Are requested as modification of standards per [Section 6.11 \(Modifications of Standards\)](#).
- c. A minor subdivision plat shall be reviewed and action taken within ninety (90) days of a determination by the Planning Director or Technical Review Team that the application and associated information is sufficient and complete, unless this time limit is waived, in writing, by the applicant or the plan requires a modification as

described herein. The applicable planning director or TRT may find that the Minor Plat should be modified prior to granting a final approval. The TRT may take an additional 30 days, beginning upon acceptance for processing and review of the modified minor plat, to complete its' review and issue a recommendation.

- d. The Frankfort Plant Board, as a core member of the TRT will have the ability to review and comment upon the utility plans and information submitted with a minor plat for property that is not included within its service area.

6. Conditions of Approval

When an application for a minor plat is approved, appropriate conditions and safeguards may be prescribed in conformity with the intent and provisions of these regulations, including any of the following. Violation of such conditions and safeguards, when made a part of the terms under which the Minor Plat is approved, shall be deemed a violation of these regulations, subject to enforcement under the provisions established.

- a. Establish a special yard or other open space area.
- b. Designate the size, number, location or nature of vehicle and pedestrian access points.
- c. Require the dedication of additional street right-of-way or any easements necessary to meet the standards of an in accordance with these regulations.
- d. Protect existing trees, vegetation, water resources, wildlife habitat or other significant natural resources.
- e. Specify other conditions to permit development of the City of Frankfort and Franklin County in accordance with the intent and purpose of these regulations and the adopted Comprehensive Plan.

7. Effect of Approval

Approval of the minor plat shall authorize recording of the Plat and constitute the acceptance of any land or improvements proposed to be dedicated.

8. Expiration

If the minor plat is not recorded within one (1) year of the approval date, the applicant may request a one (1) year extension of the expiration date. Only one (1) extension may be granted for recording the minor plat. The applicant shall submit a written request for extension of the expiration date to the Planning Director, who may grant such requests if it is determined that circumstances or hardship justify the request.

9. Appeal of Planning Commission Decision

A decision of the Planning Commission may be appealed to the Circuit Court of Franklin County. A petition for review shall specify the grounds upon which the petition alleges the illegality of the Commission's action. Such petition must be filed with the Circuit Court of Franklin County within thirty days (30) after the date of such decision.

J. Development Plan Review

1. Purpose

The purpose of this review is to determine compliance with the conditions and requirements prerequisite to the issuance of a building permit for a building or development site. During this review process, conformance with the design requirements associated with a Historic District Overlay District, Architectural Design Standards, Building Code, and other regulation then in effect may also be established. These regulations are necessary and related to subdivision and development plan regulations to ensure that the development of existing and future

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platted lots and tracts conforms to the conditions and requirements established for their development.

2. Applicability

Development Plan review shall not be required for individual single family or duplex dwelling units on platted lot, or for a maximum of twenty multi family dwelling units. A condominium with more than 20 units are required to submit a development plan.

3. Optional Pre-Application Review

Prior to formal application for a development plan review, the applicant may present for discussion a sketch showing generally the boundaries of the proposed building or development site, the proposed development, architectural plans or building prototypes, site dimensions, topography, proposed drainage pattern, north arrow, scale and any other pertinent information then known to the applicant. The applicant or property owner or their agent, or the Planning Director, may request a conference to discuss the requirements for development plan approval. For this review, the applicant shall contact the Planning Director to set a meeting date to discuss intentions as they relate to a Development Plan review. The pre-application meeting does not require formal application or fee.

4. Submittal of Application

The applicant shall file a formal application for development plan review on a form supplied by the Planning Director and shall submit therewith a Plan prepared in conformance with the requirements of this Article. No application shall be accepted for review unless it is complete and accompanied by the appropriate review fee. The Planning Director may require submission of information, material and documents beyond that required in this Article as necessary to determine compliance with the regulations in effect at the time of application.

5. Review Process

- a. Development Plan review is intended to provide for a complete review of technical data and engineering, landscaping and architectural drawings for proposed building sites and development sites. The review should evaluate potential impacts on both the site and surrounding areas, and resolve planning, engineering and other technical issues so that development may proceed.
- b. Should the application require the review and approval of an Architectural Review or Historic Preservation Board, that review shall be completed before the development plan is approved.
- c. The staff of the Planning Commission shall review the development plan and shall forward the application documents upon determining they are sufficient for review to the Technical Review Team (TRT) for comments of approval, approval with conditions or other comments to resolve any problems raised by the proposed development plan. The staff shall then present its recommendations and the reports of the TRT agencies and to the applicant. If revisions are necessary due to TRT comments, the applicant shall submit revised materials for review.
- d. The Planning Director or any authorized staff member may take final action if the development plan or subsequent revisions complies with the applicable provisions of these and any other applicable regulations and when all TRT members have indicated their approval or no comment. TRT members shall not approve any delegated item if they have reason to question its accuracy, or its compliance with any applicable regulations. Items that are not appropriate for administrative approval shall be submitted to the Planning Commission in accordance with the provisions of this Article. An action of the applicable planning director or any

authorized staff member for a development plan may be appealed to the Frankfort/Franklin County Board of Zoning Adjustment pursuant to the process and procedures for administrative appeals described in the [Article 13. Administration & Procedures](#) of the Zoning Ordinance.

- e. Applicants or TRT members may request Planning Commission review of the application. . The request shall set out the item(s) for which the applicant is seeking Planning Commission review. The request will be considered for review at the first available Planning Commission meeting following receipt of the request, or at a subsequent meeting if so requested by the development plan applicant.
- f. Planning Commission review of TRT recommendations shall address only specific items of the development plan proposal that:
 - i. Do not receive a consensus recommendation through the TRT process;
 - ii. Are set out in a request for review by the applicant; or
 - iii. Are requested as a modification of a standard.
- g. The Frankfort Plant Board, as a core member of the TRT, will have the ability to review and comment upon the utility plans and information submitted with a development plan for property that is not included within its service area.

6. Condition of Approval

The proposed development plan shall be reviewed and action taken by an authorized staff member within 30 days of receipt of a complete application and the site plan, unless this time limit is waived, in writing, by the applicant, the plan requires a modification as described herein, or a decision of an authorized staff member or the TRT is appealed. The applicable planning director or TRT may find that the development plan should be modified prior to granting a final approval. The TRT may take an additional 30 days, beginning upon acceptance for processing and review of the modified development plan, to complete its' review and issue a recommendation.

- a. When an application for development plan review is approved, appropriate conditions and safeguards may be prescribed in conformity with the intent and provisions of this Article, including any of the following. Violation of such conditions and safeguards, when made a part of the terms under which the development plan is approved shall be deemed a violation of these regulations, subject to enforcement under the provisions established.
 - i. Establish a special yard or other open space area.
 - ii. Designate the size, number, location or nature of vehicle and pedestrian access points.
 - iii. Require the dedication of additional street right-of-way or any easements necessary to meet the standards of an in accordance with these regulations.
 - iv. Protect existing trees, vegetation, water resources, wildlife habitat or other significant natural resources.
 - v. Specify any architectural treatments or design alternatives that better serve to integrate the proposed development with its' surrounding built and man-made environment, and to promote compliance with historic or architectural and urban design standards then in effect.

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- vi. Specify other conditions to permit development of the City and County in accordance with the intent and purpose of this Article and the adopted Comprehensive Plan.

7. Effect of Approval

Approval of the development plan shall give the Planning Director and/or authorized staff member the authority to issue building permit(s) for the proposed development. All construction drawings submitted with or subsequent to site plan approval shall conform to such approval and any conditions that may have been approved with it. However, the Planning Director may authorize minor modifications and adjustments during the course of construction without requiring additional formal development plan review.

8. Expiration

- a. A building permit(s) for an approved development plan must be applied for within one (1) year of the date of final action to approve the development plan. If a permit application has not been submitted or approved within the one (1) year period the original development plan approval shall expire. One or more extensions for an additional one (1) year each may be granted by the Planning Commission if it finds that applicant has diligently pursued implementation of the approved development plan. The applicant shall submit in writing a letter requesting and justifying an extension.
- b. In the case of building or development sites that are developed by phases, for the period within five (5) years of original approval of the development plan, extensions of approval shall be automatic for all sections so long as construction is in progress in any phase. Beyond this five (5) year period, an extension in accordance with the provisions above shall be required.

K. Modification of Standards

1. Purpose

In connection with the review of a preliminary plan, record plat, minor plat or development plan application, the Planning Commission may modify any requirement of this article not specifically excluded from this procedure. The term "modification" means the reduction of a requirement or standard or the substitution of an alternative requirement or standard, however, it does not include the complete "waiver" or "elimination" of the requirement or standard.

2. Submittal of Request

The applicant shall submit, with the appropriate application for plan review, a request for modification(s) of the applicable development standards. The request shall state the modification(s) being requested, and the reasons for the modification(s) in terms of the standards set forth in these regulations.

3. Review of Request

The request for modifications shall be reviewed by the Technical Review Team and a recommendation forwarded to the Planning Commission. The Commission shall act upon the request for modification.

a. General Standards

No modification may be granted under these regulations unless:

- i. The modification is consistent with the stated purpose and intent of these regulations and with the adopted Comprehensive Plan;

- ii. The modification would not have a significantly adverse impact on the public interest; and
- iii. The modification would not overburden or otherwise adversely impact public facilities.

b. **Specific Standards**

No modification may be granted unless the applicant clearly shows the existence of one or more of the following circumstances:

i. **Superior Alternatives**

Where the proposed modification or waiver will provide an alternative that will achieve the purposes of the requirement through clearly superior design, efficiency, or performance.

ii. **Protection of Significant Features**

Where the modification or waiver 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.

iii. **Deprivation of Reasonable Use**

Where the strict application of the requirement would effectively deprive the applicant of all reasonable use of the land to be subdivided, 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.

iv. **Technical Impracticability**

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 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 impracticability 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.

v. **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.

4. Alternative Standards and Conditions

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 modification of the requirements of this Article.

L. Amendment of Regulations

1. Purpose

The purpose of this section is to determine a process and procedures by which the Planning Commission may consider and act upon a request: to modify the boundaries of an urban, suburban and/or rural area depicted upon [Figure 1.1](#) or to amend the textual provisions of these regulations. Amendments initiated by a governmental entity, board, committee or planning staff are to be forwarded directly to the Subdivision Update Committee of the Frankfort/Franklin County Planning Commission for consideration, prior to being placed upon the Planning Commission agenda.

2. Submittal of Request

The applicant (other than a governmental entity, board, committee or planning staff) shall submit, with the appropriate application and review fee, a request to modify an urban, suburban and/or rural area boundary as depicted in [Figure 1.1](#), or a text amendment; The request shall identify the specific parcels of land, or section (s) of the regulations that are the subject of the application and provide supporting information as described below.

- a. The parcels of land subject to the proposed amendment shall be identified by legal description prepared by a registered land surveyor and depicted on a plat of survey. The owners of the parcels shall be identified and each shall indicate their consent to the proposed amendment as part of the application.
- b. The section (s) of the regulations shall be identified by the part/section/subsection numbers of the applicable regulations, and the applicant shall identify the action or alternative language proposed.
- c. Supporting information to be provided with the application includes, where applicable: a justification statement that addresses the purpose of the amendment; conformity with the adopted Comprehensive Plan; availability of public facilities and services necessary to support existing or potential development within the type of area(s) proposed for amendment (urban, suburban and/or rural); impact of proposed text amendment to all property owners that may be affected by the proposal; and, existing zoning and land use for the subject property(ies) when a modification to [Figure 1.1](#) is proposed.

3. Review of Request

The application shall be reviewed by the Subdivision Update Committee and a recommendation forwarded to the Planning Commission. The Commission shall act upon the request following public notice and a public hearing. Public notice shall be the same as required under the provisions of the Kentucky Revised Statutes for an amendment to the Zoning Map. The action of the Planning Commission shall be consistent with the standards identified below:

a. General Standards

No amendment may be granted under these regulations unless:

- i. The amendment is consistent with the stated purpose and intent of these regulations and with the adopted Comprehensive Plan;

- ii. The modification would not have a significantly adverse impact on the public interest; and
 - iii. The modification would not overburden or otherwise adversely impact public facilities.
- b. An application for amendment of [Figure 1.1](#) shall not be reviewed concurrently with an application for a zoning map amendment, or any application for subdivision or development plan review for the property subject to the proposed amendment.

14.06. INSTALLATION AND MAINTENANCE OF IMPROVEMENTS

A. Purpose

The purpose of these requirements is to provide standards and procedures for the installation and maintenance of improvements where required by these regulations. These requirements are intended to ensure that all improvements will be installed in a timely and efficient manner that protects the public health, safety, and welfare, and, where improvements will be retained in private ownership, that they will be maintained permanently in accordance with the requirements of these regulations.

B. Applicability

The improvements requirements apply to all development proposals requiring approval under the provisions of these regulations. No record plat, minor plat, or development plan shall be approved unless assurance is provided required improvements will be installed in accordance with this Article.

C. General Requirements

1. All improvements shall be built to the standards and specifications of these regulations, and in accordance with any additional requirements and policies of the applicable Engineering Official. Required improvements shall be installed by and at the expense of the subdivider or developer/builder, except as specifically provided herein.
2. All required improvements shall be consistent with the adopted Comprehensive Plan
3. Professional Engineer Required - A professional engineer registered in the State of Kentucky shall certify the design and installation of all required improvements to include those to be dedicated for public use. The Construction Review Team ("CRT") shall review all plans for improvements prior to construction and approve those not prepared by a public agency or utility provider.

D. Improvements Dedicated to the Public

These requirements shall apply to all street and right-of-way improvements, and wherever improvements required by these regulations will be dedicated to the public.

E. Performance Guarantee Required

Except as otherwise provided (See [Section 7.11 \(Alternative Procedure\)](#)), no record plat, minor plat or development plan shall be approved unless a performance guarantee is filed in accordance with this Article for the installation of required public improvements. The developer shall be responsible for ensuring that the improvements have been guaranteed; however, the developer or the contractor may post the guarantee. The performance guarantee shall comply with all statutory requirements and shall be approved by the Planning Commission's legal counsel as to form and manner of execution. Guarantees shall be held and managed by the applicable Engineering Official. In lieu of such performance guarantee, the CRT may authorize the developer/builder to install, at his own expense, all required improvements.

1. Acceptance Types of Guarantees

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The performance guarantee shall consist of an equivalent cash deposit, certificate of deposit or irrevocable letter of credit by a Kentucky bank, or a cashier's check or a certified check drawn upon a Kentucky bank.

2. Amount of Guarantee Required

The amount of the performance guarantee shall be equal to the maximum estimated cost for the installation of the uncompleted portion of the required improvements adjusted for inflation during the maximum effective period of the guarantee based upon a bid or an estimate by the engineer of record and subject to approval by the CRT; but in no case shall the amount be less than 125% of the current construction costs of such improvements.

3. Effective Period

The effective period of the performance guarantee should be no more than one year from the date of approval of the record plat, minor plat or development plan, or other time period specifically approved by the applicable engineering official.

4. Extensions and Substitutions

The CRT may grant one (1) extension for up to and including a one (1)-year effective period of the performance guarantee for good cause shown. However, the CRT shall review the guarantee, and may require a change in the amount of guarantee for the extension period. The Planning Commission may, at any time during the effective period, accept a substitution of principal, sureties, or other parties, upon recommendation by its legal counsel.

5. Default

Wherever the required improvements have not been installed according to the terms of the performance guarantee and no extension or substitution has been granted, the Planning Commission or its' designee may, upon recommendation of the applicable Engineering Official and 30 days' written notice to the parties to the instrument, declare the performance guarantee to be in default and exercise the rights hereunder. Upon default, no building permit or other approval shall be granted for the development until the Planning Commission or its' designee determines that adequate progress has been made toward completion of the remaining improvements.

F. Construction and Inspection of Improvements

The Construction Review Team shall carry out inspections and tests of all required improvements during construction and following the completion of each stage of construction, to ensure compliance with the approved plat or plan, and shall advise the Planning Commission whether the improvements being constructed appear to qualify for acceptance. If deemed necessary, sidewalk and other paved surfaces shall be cut through or cored to determine compliance with specifications. All required improvements shall be installed, inspected, and approved prior to acceptance.

1. Inspection Fees

The developer/builder shall pay to the applicable City or County Engineer, for engineering and inspection services provided, a sum equal to the direct and indirect costs associated with plan review, inspections, tests, and other tasks required. Full payment of these expenses shall be made prior to issuance of a Certificate of Completion.

a. Completion and Acceptance of Improvements

Before the applicable Engineering Official can accept improvements by issuing a Certificate of Completion, the developer/builder must meet certain requirements, as detailed in this Article. At the applicable Engineering Official's option, improvements in a development may be accepted in self-supporting stages.

2. The provisions of this Article are intended to impose requirements on developer and builders and their Registered Professional Engineers. This Article shall not be construed to place any limitations on the actions of the Planning Commission.

G. Acceptance of Improvements and Certificate of Occupancy

The applicable Engineering Official accepts improvements by issuing a Certificate of Completion. This official shall be required to issue a Certificate of Completion only if:

1. The developer/builder has:
 - a. Complied with all requirements listed in [Section 7.08 \(As Built Drawings\)](#);
 - b. Posted a Defect Security in accordance with [Section 7.10 \(Posting of Defect Security\)](#);
 - c. Submitted the results of any tests that the applicable Engineering Official may require;
 - d. Submitted a Surveyor's Letter of Certification to the applicable Engineering Official;
 - e. Submitted itemized cost sheets to the Construction Review Team for all facilities to be dedicated to the public; and
 - f. Completed a video camera recorded inspection of constructed storm sewer facilities and provided a copy of the recorded inspection to the applicable engineering official. This inspection shall be at the sole cost of the developer/builder and shall be conducted and recorded with equipment and procedures specified by the applicable engineering official.
2. The Construction Review Team has conducted satisfactory final inspections of the improvements to be accepted.

H. As-Built Drawings

In every instance in which a developer/builder is required to submit construction plans for approval, the developer/builder is also required to arrange for a registered Professional Engineer to accomplish and complete all of the following:

1. Monitor the construction of the improvements;
2. Create and maintain a set of on-going, continuously updated as-built drawings of the improvements. The drawings shall show survey monuments, described with name, number, and State Plane Coordinate Values, and their bearing structure must be based on the State Plane Coordinate System from the information provided by these monuments. Furthermore, all as-built drawings must be created and maintained in accordance with the standards and requirements adopted by the Board of Direction, American Congress on Surveying and Mapping, as may be amended;
3. Ensure that the above referenced as-built drawings accurately reflect the actual status of constructed improvements;
4. Make the above referenced as-built drawings available for inspection by the CRT at all times; and
5. At the completion of the improvements, submit four (4) completed sets of white print (or better quality) as-built drawings to the applicable Engineering Official. All adjustments must be made to the original drawings prior to printing. Each completed set of as-built drawings must include, on its face, a certified statement by the developer's/builder's Professional Engineer that the set of as-built drawings accurately depicts the actual improvements as constructed.
6. At the time of completion of improvements, submit one (1) completed set of white print (or better quality) as-built drawings to the Frankfort Plant Board.

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I. Sanctions

If the developer/builder or the Professional Engineer fails to comply with any one or more of the requirements described in this Article, then the Construction Review Team shall choose any one or more of the following as sanctions:

1. Refuse to allow building permits to be issued for any or all of the development;
2. Refuse to issue Certificates of Occupancy for any or all of the development;
3. Refuse to issue a Certificate of Completion for the improvements, thereby refusing to accept the improvements;
4. Order the remedy of such failure within 30 days; or
5. Cash or collect the guarantee.

J. Posting of Defect Security

Prior to acceptance of the required improvements by the Construction Review Team through the issuance of a Certificate of Completion, the developer/builder shall post a Defect Security for the repair or correction of material defects or failures of the improvements for a "Maintenance Period" of two (2) years following their acceptance. The Defect Security shall be in an amount equal to 15 percent of the actual construction cost of all the improvements, and shall consist of a maintenance bond, equivalent cash deposit with the applicable Engineering Official, certificate of deposit, irrevocable letter of credit by a Kentucky bank, or a cashier's check, or certified check drawn upon a Kentucky bank. The Construction Review Team shall create, maintain, and provide approved forms for each type of Defect Security described immediately above. The developer/builder must use the approved Defect Security forms and may not modify said approved forms in any way. Any change or modification to such forms shall be disregarded and shall be unlawful. Upon default, the Construction Review Team, the Planning Commission, or other applicable public body may exercise its rights under the Defect Security upon ten (10) days' written notice by certified mail, return receipt requested, to the parties to the instrument.

1. Responsibility During Maintenance Period

During the two- (2) year "Maintenance Period" when the Defect Security is in effect, (after the acceptance of improvements), the developer/builder must provide all required maintenance or repair of the accepted improvements, including, but not limited to, the repair and replacement of any system component, failed section of paving or like item, and the control of erosion, replacement of sod, or removal of soil washed onto pavement or into the drainage system.

2. Release of Defect Security

60 to 90 days before the expiration of the Defect Security and corresponding Maintenance Period, the developer/builder is required, in writing, to notify the Construction Review Team of the impending expiration and to request that a final inspection of the accepted improvements be preformed. The official shall then conduct such final inspection within thirty (30) days before the expiration. If the official determines during the final inspection that the improvements are in satisfactory condition and repair, then the Defect Security shall be permitted to expire, and the developer/builder shall be released from further obligations under this Section, but the developer/builder is not necessarily released from any other liability which may exist at law. If the official determines during the final inspection that the improvements are not in satisfactory condition or repair, then the official may require the developer/builder to correct the design deficiency, maintenance problem, etc. Failure of the developer/builder to correct the deficiency shall automatically result in a default in the Defect Security and continued civil liability against the developer/builder for any deficiency in the accepted improvements which may have occurred or become apparent during the two (2)

year Maintenance Period or during a final inspection by the official, even if such deficiency is not discovered until after the expiration of the Defect Security and corresponding Maintenance Period. Similarly, the developer's/builder's failure to notify the official of the Defect Security expiration date and to request a final inspection shall also result in automatic default of the Defect Security and continued civil liability for deficiencies discovered after expiration of the Defect Security and corresponding Maintenance Period.

3. Reduction or Release of the Performance Guarantee

Upon issuance of the Certificate of Completion for an approved development or construction stage of a development, the performance guarantee for the improvements shall be reduced by the amount of the original cost estimate for the improvements covered by the Certificate of Completion. Where the Certificate of Completion covers all remaining required improvements, the guarantee shall be fully released.

K. Alternate Procedure – Installation Before Recordation of Record Plat

In lieu of the filing of a performance guarantee in accordance with requirements above, the Construction Review Team may authorize the developer/builder to proceed with installation of required improvements prior to recording of a record plat in accordance with the following procedure:

1. Review of the Plat

The record plat application shall be reviewed in accordance with the procedures set forth in [Section 6.08 \(Record Plat Review\)](#), except as follows.

a. Conditional Record Plat Approval

Wherever the developer/builder is authorized to install improvements prior to recording of a record plat, Planning Commission approval of the Plat shall be conditioned upon the full completion of the improvements within one (1) year and in full conformance with the approved construction plans.

b. Retention of Plat by Construction management Team and Applicable Engineering Official

The approved record plat shall not be recorded, but shall instead be retained by the CRT until a Certificate of Completion is issued for the improvements in accordance with the requirements specified above.

c. Compliance with Other Requirements

During installation of the required improvements, the developer/builder shall be subject to all requirements of this Article pertaining to the construction, inspection, completion, and acceptance of such improvements.

d. Building Permits Prohibited

No building permits shall be issued for any building site within the proposed development until the improvements have been accepted by the construction review team and the Plat has been recorded.

e. Acceptance of Required Improvements

Upon issuance of a Certificate of Completion for all required improvements by the CRT, the appropriate body shall accept responsibility for the maintenance of the improvements, subject to the provisions of the posted Defect Security.

f. Filing Performance Guarantee for Remaining Improvements

During construction, the developer/builder may, by filing an acceptable Performance Guarantee for all the remaining improvements not yet accepted in accordance with these regulations, have a Record Plat recorded.

L. Improvements Retained in Private Ownership

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These requirements apply wherever improvements required by these regulations will be retained in private or common ownership and will not be dedicated to a public body.

1. Construction Drawings

Construction and Inspection of Improvements - The developer/builder shall install, at their sole expense, all improvements required by this Article, in accordance with the approved construction drawings.

2. Inspections

The CRT shall carry out inspections of all improvements during construction in accordance with the site inspection requirements of these regulations, and shall carry out tests of all private street improvements.

3. Certificate of Completion

The engineer, architect, or landscape architect of record shall submit to the CRT a certification that the required improvements have been installed and completed in accordance with the construction drawings approved for the development.

4. Performance Guarantee for Certain Improvements

When the CRT determines that the installation of the following improvements may be delayed without substantial detriment to the public health, safety, or welfare, or where necessary to coordinate such improvements with public expenditures or development on adjacent property, the developer/builder may be permitted to provide a performance guarantee and an agreement to install such improvements at a later specified date. Such improvements shall be limited to:

- a. Improvements within public rights-of-way;
- b. Installation of sidewalks and bikeways; and
- c. Installation of required landscaping within the public right-of-way.

5. Same Procedure As Dedicated Improvements

The performance guarantee and agreement shall be provided prior to the issuance of any Certificate of Occupancy, and, except for the effective period, shall be subject to all performance guarantee requirements. During installation, the developer/builder shall be subject to all of the requirements of these regulations pertaining to the construction, inspection, and completion of such improvements.

M. Maintenance of Common Improvements and Open Space

Adequate ownership and management measures will be provided in residential and other developments to protect and perpetually maintain common open space and common improvements, to ensure their continued availability and utility for the residents or occupants of the development, and to prevent such facilities from becoming an unnecessary burden or nuisance to the general public or surrounding property. However, nothing in these regulations shall be construed as creating any obligation or liability upon the public to maintain such facilities or otherwise ensure their availability and condition. These regulations shall apply to all common open space and all common improvements that are required or provided pursuant to these regulations, the adopted Comprehensive Plan, or other applicable laws and regulations. However, these requirements shall not apply to the following:

1. Dedicated Lands and Improvements

Any lands or improvements to be dedicated or conveyed to the public for designated or general public use.

2. Private Lands and Improvements

Any lands or improvements to be owned and maintained by a landlord for the benefit of lessees residing on or occupying leaseholds on the lot or parcel where such lands and improvements are situated or on other lots or parcels owned by the landlord, as for typical multi-family or shopping center development.

3. Condominiums and Cooperatives

Any lands or improvements to be owned and maintained under a condominium or cooperative, which shall be established and regulated in accordance with Kentucky law.

N. Establishment of Means of Common Ownership / Management

Prior to approval of a development plan or record plat, the developer/builder shall provide documents to establish a means of common ownership and management of all common open space and common improvements. Such documents shall establish an organization or entity to own and manage the open space and/or improvements, describe its membership and responsibilities, and include a maintenance and fiscal program for the improvements. In no event shall a Certificate of Completion be issued for a development involving common open space and/or improvements until the entity of common ownership and management has been incorporated.

O. Funding Mechanism Required

Prior to approval of a development plan or record plat, the developer/builder shall provide and record documents to establish a funding mechanism for the maintenance of the common improvements and/or open space. The documents shall provide a method for the organization or entity to assess the property owners having beneficial use of the improvements and open space for the cost of their maintenance. The method of assessment shall provide the legal right for the organization or entity to impose liens against those properties for which payment of any assessment is not made. Collection of assessments and enforcing the payment thereof shall be the responsibility of the organization or entity and shall not be the responsibility of the public. The assessments imposed by the organization or entity shall not relieve property owners from any taxes, fees, charges, or assessments imposed by the Planning Commission, Property Valuation Administrator, or any other governmental agency. The documents shall also provide for notice to purchasers and prospective purchasers of properties that the organization or entity shall have the authority to make assessments and impose liens as provided in these regulations.

P. Failure to Maintain Common Improvements and Open Space

Failure to maintain common improvements and/or common open space in accordance with these regulations, established standards and the developer's agreements, binding elements, and other documents establishing the improvements and/or open space shall be considered a violation subject to enforcement in accordance with the provisions of these regulations. In such cases, citations of violation shall be issued both to the organization or entity, and to all property owners, occupants, and lessees having beneficial use of or legal interest in the improvements and/or open space. The public shall not be required or obligated in any way to construct or maintain, or participate in any way in the construction or maintenance of the common improvements and/or open space.

Q. Issuance of Building Permits Prior to Completion of Public Improvements

Building permits may be issued prior to the completion of construction and acceptance of public improvements subject to the following conditions and restrictions:

1. Certificates of occupancy may be issued prior to completion of the following site improvements:
 - a. Finish Grade Bituminous Asphalt of all streets
 - b. Sidewalks for entire development but shall be in place for individual lot(s) requesting a Certificate of Occupancy.
 - c. Street trees

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- d. Improvements within designated open space/common areas
 - e. Other items as determined by the appropriate review agency and/or applicable Planning Official;
- 2. The developer shall be required to submit a performance guarantee in the amount of 125% of the construction costs to the applicable Planning Official prior to the issuance of the Certificate of Occupancy.
 - a. Temporary potable water or sanitary sewer systems shall not be approved as interim measures for service provision pending completion and acceptance of public improvements;
 - b. The number of building permits that can be issued prior to completion of public improvements shall be determined by the applicable Planning Official.

14.07. STREET NAMING, CLOSING, AND ADDRESSING

A. Purpose

These standards and procedures are established to promote and protect the public health, safety, and welfare within Frankfort and Franklin County by providing common and effective methods for assignment of street names and site addresses, and permanent closure or abandonment of public rights-of-way. Such methods ensure the efficient delivery of emergency services to individual homes and businesses, and appropriate determination of the continued use of lands dedicated for public purpose.

B. Effect

An application for a building permit or subdivision plat shall not be approved if it contains street names or site addresses that have not been found to comply with the requirements and procedures provided herein.

C. Street Name Change Procedures

Applications for changing the name of any street shall be made in accordance with the following procedures.

- 1. Applications may be initiated by the Planning Commission, any governmental unit having geographical jurisdiction over any part of the thoroughfare or street, or property owners representing 51 percent of all property owners whose property is adjacent to the affected thoroughfare or street;
- 2. The following information items are required for acceptance of an application to change the name of any public or private thoroughfare or street:
 - a. An application form available from the applicable Planning Director that includes, at a minimum, the following information:
 - i. The existing thoroughfare or street name;
 - ii. The proposed thoroughfare or street name;
 - iii. The reason for the request; and
 - iv. Signature and address of each applicant, or an affidavit authorizing an agent to act on behalf of an applicant.
 - b. Ten (10) copies of a scaled drawing showing the thoroughfare or street involved, with names and addresses of all adjacent property owners along the right-of-way as reflected by information and maps maintained by the Property Valuation Administrator. Vacant lots shall be designated on the scaled drawing.
 - c. The appropriate application fee.

3. Complete applications for a thoroughfare or street name change shall be reviewed and action taken pursuant to the following procedures:
 - a. A notice of the proposal to change the thoroughfare or street name and the date of the public hearing shall be sent to all property owners adjacent to the thoroughfare or street and all governmental units having geographical jurisdiction.
 - b. The City Commission or Fiscal Court shall hold a public meeting on all proposed thoroughfare or street name changes. Publication of notice of the public meeting shall be in a newspaper of general daily circulation, in accordance with the provisions of the appropriate legislative body.
 - c. The City Commission or Fiscal Court may waive the public meeting if all owners of property adjacent to the thoroughfare or street, and affected governmental units having geographical jurisdiction, agree with the proposed change.
 - d. Following a public meeting concerning a proposed thoroughfare or street name change, the City Commission or Fiscal Court shall:
 - i. If the thoroughfare or street is entirely within the City of Frankfort, the city Commission shall take final action; or
 - ii. If the thoroughfare or street is entirely within an unincorporated area of Franklin County the Fiscal Court shall take final action.

D. Permanent Street Closing Procedures

1. Applications for permanent closing or abandonment of any public right-of-way or easement shall be made in accordance with these procedures.
2. Applications for permanently closing or abandoning a public right-of-way or easement may be initiated by the Planning Commission, any governmental unit having geographical jurisdiction over the public right-of-way or easement, property owners representing 51 percent of all property owners that would be affected by the proposed closing or abandonment of the public right-of-way or easement, or by property owners whose property includes more than 51 percent of the linear front feet of the affected street or publicly dedicated lands.
3. The following items are required for acceptance of an application to permanently close or abandon a public right-of-way or easement:
 - a. **Application**
An application form available through the applicable Planning Director that includes, at a minimum the following information:
 - i. A description of the public right-of-way or easement that is the subject of the application;
 - ii. The reason for the request;
 - iii. The application shall be signed by all owners, mortgages, and contract purchasers of the property or documentation shall be submitted signifying the owner's approval or consent; and
 - iv. The applicant may be requested to provide other information including, but not be limited to, traffic impact analyses and utility relocation data.
 - b. **Plat of Survey**
Ten (10) copies of a plat of survey that accurately delineates and describes the area proposed for permanent closure or abandonment, inclusive of the street name where appropriate. A metes and bounds legal description signed and sealed by a registered land surveyor of the area to be closed or abandoned shall be required;

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c. Development Plan

If the closing or abandonment is requested in connection with a proposed development, a development plan of the development shall be submitted with the application. Where transportation or utility facilities are to be relocated, the development plan shall indicate specific locations for the relocation of these facilities.

d. Notification List

The applicant shall provide a list of the names and mailing addresses of all property owners adjacent to the proposed street closing, or abandonment of land dedicated for public use, as defined by the nearest intersecting streets. This list may be prepared from maps and records maintained by the Franklin County Property Valuation Administrator. In addition, ten (10) copies of a map shall be provided illustrating the location of each of the property owners identified above. Vacant lots shall be designated on the map. A list of all utility service providers with rights and or facilities located within the street right-of-way or land dedicated for public use shall also be provided.

e. Notarized Consent

The applicant shall provide, where applicable, an original and one (1) copy of each notarized consent from property owners adjacent to the proposed street closing, or to property proposed for an abandonment of the public use.

f. Fee

The appropriate application fee.

4. Considerations for Approval of a Street Closing or Abandonment

The appropriate legislative body, or its designated review agency or committee, shall review applications for a street closing or abandonment and make findings for the following factors:

a. Adequate Public Facilities

Whether and the extent to which the request would result in demand on public facilities and services (both on-site and off-site) exceeding the capacity of such facilities and services, existing or programmed, including transportation, utilities, drainage, recreation, education, emergency services, and similar facilities and services. No abandonment for any public right-of-way, easement, or other land dedicated to the use of the public shall be approved where an identified future need for the facility exists. Where existing or proposed utilities are located within the right-of-way to be abandoned, it shall be retained as an easement.

b. Costs for Improvements

The cost for a street closing, or abandonment of any easement or land dedicated to the use of the public, shall be paid by the applicant or developer of a proposed project, including cost of improvements to adjacent rights-of-way or relocation of utilities within an existing easement.

c. Other Matters

Any other matters which the appropriate legislative body deems relevant and appropriate.

5. Review and Action for Application

Complete applications for a street closing or abandonment shall be reviewed and action taken under the following procedures:

- a. A notice of the proposal and the date of the public hearing shall be sent to all

property owners adjacent to the street, all utility service providers with rights to or facilities within the public right-of-way or land dedicated for public use, and all governmental units having geographical jurisdiction.

- b. The City Commission or Fiscal Court shall hold a public meeting on any proposed street closing or abandonment. Publication of notice of public meeting shall be in a newspaper of general daily circulation, in accordance with the provisions of the appropriate legislative body.
- c. The City Commission or Fiscal Court may waive the public meeting if all owners of property adjacent to the street proposed for closure or abandonment, and affected governmental units having geographical jurisdiction, agree to the proposed change.
- d. Following a public meeting concerning a proposed street closure or abandonment, the City Commission or Fiscal Court shall:
 - i. If the street is entirely within the City of Frankfort the City Commission shall take final action; or,
 - ii. If the street is entirely within an unincorporated area of Franklin County the Fiscal Court shall take final action.

E. Naming of Streets Procedures

The assignment of all public and private street names shall be approved by the Planning Commission or its designated representative. Street names that have been approved by the Planning Commission are considered official street names and are to be included in the Frankfort and Franklin County Street Index File "SIF".

1. The Technical Review Team ("TRT") and Dispatch 911 will be responsible for coordination with fire and police departments, public agencies, utility providers, and others for the assignment or change of street names. This coordination will occur during the street name approval processes defined in this Article. The TRT will also be responsible for notification of all appropriate agencies of approved street names that have been entered into the SIF.

2. Initiation of Street Naming Assignments

The approval process for new street names may be initiated as part of any of the following development approval procedures. Applicants for preliminary subdivision plat review are encouraged to seek street name approval as part of the preliminary plat application.

a. Preliminary Plat for Major Subdivision

Street names may be submitted for approval with a Preliminary Plan for major subdivision. Approval of a Preliminary Plan with street names may be given by the Planning Commission, TRT or the applicable Engineering Official. A street name review fee is not required for street name assignments that are part of an application for preliminary subdivision plan review.

b. Record Plat for Major Subdivision

Street names may be submitted for approval with a record plat for major subdivision. Approval of the record plat with street names may be given by the Planning Commission, TRT or the applicable Engineering Official. A street name review fee is not required for street name assignments that are part of an application for record plat for major subdivision.

c. Minor Subdivision Plat

Street names must be submitted for approval with a minor subdivision plat. Approval of the plat with street names may be given by the Planning Commission, TRT, or the applicable Engineering Official. A street name review fee is not required for street

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name assignments that are part of an application for minor subdivision plat approval.

d. Condominium Property Regime Plan

Street names may be submitted for approval with a Condominium Property Regime Plan. Approval of the plan with street names may be given by the Planning Commission, TRT, or the applicable Engineering Official. A street name review fee is not required for street name assignments within condominium property regime plans.

e. Development Plan Review

Street names may be submitted for approval with a development plan application. Approval of street names may be given by the Planning Commission, TRT or the applicable Engineering Official. A street name review fee is not required for street name assignments that are part of an application for development plan review.

f. Street Name Change

Street name assignment requests that cannot be submitted as part of one of the development approvals listed above may utilize the street name change application process.

3. Time Limits for Street Name Approvals

Street name approvals are limited to the effective period of the associated development approval as provided in these regulations. For example, a street name approval, that is part of a preliminary subdivision plan approval, is effective for one (1) year. At the end of the one (1) year period, the preliminary subdivision plat and street name approvals would expire if the applicant has not filed a record plat for the property or requested an extension of the preliminary approval as provided in these regulations.

4. Reservation of Street Names

Property owners and registered agents may apply to the Planning Commission for a street name reservation. street name reservations have a maximum effective period of six (6) months and may not be extended except through a new application process. A street name review fee is required.

5. Duplication of Existing Street Names Not Permitted

Duplication of street names will not be permitted in order to eliminate potential confusion about the appropriate emergency response. streets with the same name but different street type designations will be considered duplicate street names (e.g., Chesterfield Drive or Chesterfield Road). Proposed street names and name changes will be compared with street names listed in the SIF to determine if the proposal would create a duplicate name.

6. Similar, Confusing, or Offensive Spelling of Street Names Not Permitted

Similar (text or phonetic) or confusing spelling of street names will not be approved in order to eliminate diction problems when individuals are reporting street names under stress. The following are examples of the issues described in this section:

EXAMPLE	PROBLEM
Stonehenge vs. Stonehedge	Similar Spelling
Rumplestiltskin	Difficult to spell
Jotunheimen	Obscure
Phunny	Phonetically confusing spelling

7. Length of Street Names

New street names shall not contain more than 22 characters, which does not include either the direction (north, east, etc.) or the street type (lane, drive, etc.). Names shall not contain hyphens, apostrophes, or other non-letter characters. New street names shall not contain more than two words, exclusive of direction or street type.

8. Permanent Voids (Use of Same Name for Interrupted Streets)

In order to preserve the continuity of street names, and accommodate permanent interruptions to streets, including limited access freeways, streams, or railroad facilities, the same street name should be continued on both sides of a permanent physical interruption to the road.

9. Continuation of Street Names

Streets continuing through an intersection shall keep the same name. Commercial, multi-family, or townhouse developments with an entrance through a publicly maintained cul-de-sac, shall be required to have a separate street name for the entrance or access road in the event that it serves or is intended to serve two or more address numbers.

10. Use of Directional Indicators in Street Names

Directional indicators, such as north and west, should not be included in street name proposals as a prefix or suffix to a street name. When streets cross the east/west or north/south zero baselines, the appropriate directional indicator may be assigned as part of the street name approval process.

11. Street Type Designations

Street type designations shall be assigned by the Planning Director or their designee. Street names submitted for review will be evaluated for conformance with the criteria provided below. Street type designations that appear on approved subdivision, site, and condominium plans shall be consistent with approved designations. Abbreviations of street type designations shall be consistent with National Emergency Number Association standards as depicted in [Table 8.1](#). See [Table 8.1](#) below for the categories that comprise the range of street types that may be approved.

12. Street type designations that are proposed that do not meet the criteria listed below will not be approved.

TABLE 8.1: STREET TYPE DESIGNATIONS		
CATEGORY	CRITERIA	POSSIBLE STREET TYPE DESIGNATION
Limited Access Roadway	Four or more lanes, divided, limited access	Pike, Freeway, or Expressway
Major Arterials	Multi-lane, high volume, through movement of traffic	Thoroughfare, Avenue, Road, Boulevard, Parkway (County Designated) Highway
Minor Arterials and Collectors	Two or more lanes, moderate traffic volumes and trip lengths	Avenue, Street, Road, Drive, Trace
Neighborhood Streets, Major, Main, Minor	Two or more lanes, provide access to individual residences or businesses	Lane, Drive, Way, Circle, Trail, Loop
Residential or Commercial Cul-de-sacs	Typically two travel lanes, providing access to fewer than twenty sites	Court, Place, Terrace
Shopping Center ingress/egress	Typically two travel lanes, providing access to business sites within a larger planned development	Square, Arcade, Center, Plaza
Service Facilities	One or more travel lanes providing service access to residences and businesses	Alley, Walk, Court, Terrace

F. Street Address Assignment Procedures

1. Street Address Assignment

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Address assignments include residential and commercial lots of record, condominium and apartment units, individual business, office and commercial uses and sites, and accessory structures and uses that represent separate living or business units.

2. Address Grid System

Each new subdivision lot, commercial unit, apartment, condominium, or townhouse shall be assigned an address based on the street providing access to the parcel. Addresses shall be assigned based on a countywide grid system. The grid system allows a series of numbers to be assigned for approximately every 500 feet of acreage cover. The address grid includes the NW, NE, SW, and SE quadrants of Franklin County and uses primary routes within the County as zero baselines.

3. Address Grid Baseline

Franklin County's address numbering system shall be on a grid system that divides the County into quadrants establishing zero baselines from which numbers are assigned. The grid system, as shown on the Addressing Grid Map on file in the office of the applicable Engineering Official, indicates the point at which block numbers will change in increments of 100. Assigned address numbers under the grid system will ascend numerically from 100 to the North and to the South based on (insert street name) as the boundary or zero base line for streets that are aligned basically North and South. Streets that are aligned basically East and West shall be assigned address numbers ascending numerically from 100 to the East and to the West based on (insert street name) as extended to the county boundary representing the boundary or zero baseline. The directional orientation of a street shall be determined by the applicable Engineering Official or the Planning Commission. Numbers on the North side of the East-West streets shall be odd and numbers on the South side of the East-West streets shall be even. Numbers on the West side of North-South streets shall be even and numbers on the East side of North-South streets shall be odd.

4. Application of Address Grid

Application of the address grid will vary, as few streets run directly north, south, east, or west. Most streets run at angles to the cardinal directions and often change direction. The primary consideration for assigning addresses on streets that diverge from the cardinal directions is the even distribution of address numbers. The grid should be used to assist in assigning numbers by orienting the grid parallel to the direction of the street. In this manner, an appropriate distance between address numbers can be maintained.

5. Odd and Even Address Numbers

odd numbers shall be assigned to the east and north sides of streets, and even numbers should be assigned to the west and south sides of streets.

6. Addressing Single-Family Dwelling Lots

Addresses for single-family dwelling lots shall be assigned consecutively on the odd and even sides of the street, and one additional address per lot to may be reserved to accommodate accessory dwelling units. Addressing Townhouse Developments - Addresses for townhouse units shall be assigned consecutively on the odd and even sides of the street. A separate street address number shall be assigned for each townhouse lot. No unit numbers, such as apartment numbers, shall be assigned to townhouse developments.

7. Commercial, Office, and Warehouse Developments with Variable Spaces

Such uses shall be evaluated for address assignment based on the minimum frontage and the maximum potential number of units. Large stores, offices, and warehouses may be divided into smaller spaces many years after the center is constructed and that potential must be taken into account to avoid potential readdressing.

8. Addressing Commercial Shopping Centers

Commercial shopping centers shall be addressed in a manner similar to townhouses. However, the primary difference is that the frontage dimension for each store may change as the use changes. Site development plans for shopping centers should include the maximum number of potential use units within the center in order to provide the maximum number of addresses. The location of the door to an individual use unit providing primary access is the critical factor in determining which available address applies. In the event that a shopping center may allow more street addresses than are available with the segment of street, the Planning Director, or designee, may assign one street address to the shopping center as a whole, and assign unit numbers for each of the potential use units within the center. Unit numbers for the stores should run as consecutive whole numbers in the same direction as the addresses on the street. Unit numbers should begin with 101 and progress until all use units have been addressed. No lower numbers, including 100, shall be used. The same procedure and information shall be used in assigning addresses and unit numbers for office and warehouse developments.

9. Addressing Commercial Shopping Malls

Malls should be addressed with one street address number assigned to the street intersecting with the main entrance. Separate address numbers should not be assigned to each entrance of shopping malls as opposed to apartment buildings. The maximum number of stores will be included on the site development plans as well as the minimum potential store frontage. Based on this information, unit numbers should be assigned using an odd and even distribution on either side of the mall corridor(s). Unit numbers shall begin with 101 on the odd side and 100 on the even side. In malls with multiple corridors, each corridor should be assigned numbers in higher hundred divisions. For example, stores in one corridor may run from 100 to 147, and stores in an adjoining corridor would run from 200 to 248. In this manner, it will be easier to locate a store in an emergency by providing a logical separation between corridors of a mall.

10. Addressing Multi-Family Dwellings

These procedures include residential and office buildings of the same construction design as apartment buildings. Multi-family housing units, such as apartments and condominiums, will have a separate whole number street address assigned to each door/entrance providing access to units within an individual building(s). Street addresses shall be assigned based on the normal criteria for assignment, skipping numbers in accordance with the grid and using the appropriate odd and even numbering scheme for building entrances. Within vertical dwelling structures, a consecutive whole unit number (referred to as apartment, suite, or unit number) should be assigned for each separate dwelling unit. The numbers shall be assigned from left to right as viewed from the common entrance. The lowest floor shall begin with 101, progressing with 102, 103, etc., until all units have been assigned unit numbers. Successively higher floors shall begin with successively higher increments of hundreds. The complete official street address for each unit will consist of the street address, street name, and unit number. When a single story multi-family structure has frontage along two streets, and has doors/entrances to individual dwelling units from each street, a separate street address will be assigned to each dwelling unit.

11. Addressing Marianas

This procedure includes all water-based facilities for the long term (more than six (6) months) docking and storage of boats that may be used as dwelling units. Marina's shall be addressed in the following manner. The marina will be assigned a street address, and each dock providing access to individual boat slips shall be designated by a letter of the alphabet,

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beginning with "A" for the dock closest to the street entrance to the marina. A whole unit number (1, 2, etc.) shall be assigned for each separate boat storage slip beginning on the right side of the dock and continuing around the dock to the slip closest to the beginning of the dock on the left side. The complete official street address for each unit will consist of the street address, street name, dock indicator (alpha), and slip indicator (numeric).

12. Assignment of Addresses to Corner Lots

Residential and commercial lots that have frontage on two (2) streets, regardless of whether the streets are private or public, shall be assigned an address from the street frontage with the narrowest dimension of the lot. An exception to this standard may be granted by the Planning Director upon application and with the approval of Dispatch 911.

G. Administration of These Regulations

1. Authority of Planning Commission

The Planning Commission may name newly established street as part of development approval procedures. Dispatch 911 shall be notified prior to final action on any name assignment.

2. Authority of City Commission or Fiscal Court

The City Commission or Fiscal Court may change name or rename an existing or newly established street at any time as defined herein. Dispatch 911 shall be notified prior to final action on any name change.

3. Authority, Duties, and Responsibilities of Engineering Official

- a. The Engineering Official shall be responsible for the interpretation, administration, and enforcement of all aspects of these procedures that are not the specifically reserved authority of the Planning Commission, and shall have the necessary authority to ensure compliance herewith, including the issuance of violation notices and any other appropriate action. Approval of all street names and addresses will be in cooperation with Dispatch 911.
- b. The applicable Engineering Official shall maintain records of all addresses for each property and building on the parcel identification maps. Such records and maps shall be made available to all public safety, law enforcement and emergency agencies for their use in the performance of their respective duties.
- c. When street address numbers are noted by the Engineering Official as either incorrect or otherwise in need of reassignment, the Engineering Official shall have the authority to effect and order a change in address in accordance with the provisions contained herein.

4. Cooperation with Dispatch 911

Cooperation with Dispatch 911 for assignment and change of street names shall be accomplished through the Technical Review Team. This team, of which Dispatch 911 is a named participating agency, will provide the venue in which the Planning Commission, Engineering Officials and Dispatch personnel can review and approve street names, name changes, and emergency service area boundaries.

5. Enforcement of Numbering System

- a. Whenever there is reason to believe that any person is in violation of any provision of this ordinance, the Engineering Official shall give notice of such violation to the person failing to comply with any such provision and order said person to take such corrective measures as are necessary within 30 days from the date of notification. Said notice shall also advise that the recipient may, within 30 days from the date of

notification, submit written evidence of why there is no violation of this ordinance.

- b. Such notice and order shall be sent certified mail, with return receipt requested, to the person allegedly committing or permitting the violation. The date shown on the return receipt shall be the date from which the 30-day period shall commence for compliance or submission of written evidence of non-violation.
- c. If such person fails to comply with the order issued pursuant to this section, the Engineering Official may initiate such actions as are necessary to terminate the violation, including criminal citations and applying to courts of competent jurisdiction for injunctive relief, or any other appropriate action.

6. Preparation of Street Name and Address Maps, and Address Files

The Engineering Officials for the City and County shall have prepared and shall maintain a series of maps of the entire county and such maps, to the extent possible, shall depict each street and property address. The official street name, address maps and address files, and ESN boundaries shall be kept on computer files that are available in the offices of the applicable Engineering Official.

7. Display of Address Number

Address numbers shall be displayed in clear view with three inch (3") high lettering, with a minimum of a half-inch stroke.

8. Building and Occupancy Permits – Duty of Owner

- a. No building permit shall be issued for any structure until the owner or developer has procured the official address number of the premises.. A certificate of occupancy for any structure erected or repaired shall be withheld until permanent and proper address numbers have been affixed to such structure in accordance with these requirements.
- b. In the event that a structure is modified in use or design so that either a change in address or the assignment of additional addresses is required for continued compliance with this ordinance, the changed address or additional addresses must be acquired in accordance with the provisions of this article. No building permit or certificate of occupancy shall be issued until the proper street address number(s) for a modified structure has been assigned.

9. Penalty

Any person, firm or corporation failing to comply with these provisions after written notice is issued by the applicable Engineering Official shall be guilty of a violation and fined **not less than \$10 or more than \$25**, and each day during which the violation exists shall be deemed a separate offense.

Table 8-07-1: National Emergency Number Association (NENA) Recommended Abbreviations – Streets and Thoroughfares

Suffix	Abbre. **	Suffix	Abbre. **	Suffix	Abbre. **	Suffix	Abbre. **
Alley	Aly	E	Est	Lock	Lcks	Shoar	Shr
Annex	Anx	Expressway	Expy	Lodge	Ldg	Shore	Shr
Arcade	Arc	Extension	Ext	Loop	Loop	Spring	Spg
Avenue	Ave	Fall	Fall	Mall	Mall	Spur	Spur
Bayou	Byu	Ferry	Fry	Manor	Mnr	Square	Sq
Beach	Bch	Field	Fld	Meadow	Mdws	Station	Sta
Bend	Bnd	Flat	Flt	Mill	MI	Stravenue	Stra
Bluff	Blf	Ford	Frd	Mission	Msn	Stream	Strm

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14.08. DEFINITIONS

Bottom	Btm	Forest	Frst	Mount	Mt	Street	St
Boulevard	Blvd	Forge	Frg	Mountain	Mtn	Summit	Smt
Branch	Br	Fork	Frk	Neck	Nck	Terrace	Ter
Bridge	Brg	Fort	Ft	Orchard	Orch	Trace	Trce
Brook	Brk	Freeway	Fwy	Oval	Oval	Track	Trak
Burg	Bg	Garden	Gdns	Park	Park	Trail	Trl
Bypas	Byp	Gateway	Gtwy	Parkway	Pky	Trailer	Trlr
Camp	Cp	Glen	Gln	Pass	Pass	Tunnel	Tunl
Canyon	Cyn	Green	Grn	Path	Path	Turnpike	Tpke
Cape	Cpe	Grove	Grv	Pike	Pike	Union	Un
Causeway	Cswy	Harbor	Hbr	Pine	Pnes	Valley	Vly
Center	Ctr	Haven	Hvn	Place	Pl	Viaduct	Via
Circle	Cir	Height	Hts	Plain	Pln	View	Vw
Cliff	Clfs	Highway	Hwy	Plaza	Plz	Village	Vlg
Club	Clb	Hill	HI	Point	Pt	Ville	VI
C orner	Cor	Hollow	Holw	Port	Prt	Vista	Vis
Course	Crse	Inlet	Inlt	Prairie	Pr	Walk	Walk
Court	Ct	Island	Is	Radial	Radl	Way	Way
Cove	Cv	Isle	Isle	Ranch	Rnch	Well	Wls
Creek	Crk	Junction	Jct	Rapid	Rpds		
Crest	Cres	Key	Ky	Rest	Rst		
Crescent	Cres	Knoll	Knls	Ridge	Rdg		
Crossing	Xing	Lake	Lk	River	Riv		
Dale	DI	Landing	Lndg	Road	Rd		
Dam	Dm	Lane	Ln	Row	Row		
Divide	Dv	Light	Lgt	Run	Run		
Drive	Dr	Loaf	Lf	Shoal	Shl		

** Abbreviations include the plural of the suffix (i.e., the abbreviation for bluffs would be Blf)

14.08. DEFINITIONS

- A. Unless specifically defined in [herein](#), 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.

1. Abutting

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.

2. Adjacent / Adjoining

Near to but not necessarily touching; sharing a common boundary which may include a street or public right-of-way.

3. Area, Common (Includes Lot, Open Space)

Any part of a development designed and intended to be used in common by the owners, residents, or tenants of the development and by the general public if the area is so designated. These areas may contain such complementary structures and improvements as are necessary and appropriate for the benefit and enjoyment of the owners, residents, tenants, and/or the general public.

4. Block

A surface land area that is separated, and distinguished from other surface land areas by visible physical boundaries such as streets, railroads, rivers, extremely steep land, or other physical barriers.

5. Block Face

The portion of a Block that abuts a Thoroughfare or Neighborhood Street.

6. Blue Line Stream, Solid

A stream defined and designated as such on seven and one-half (7½) minute quadrangle topographic maps published by the U.S. Geologic Survey.

7. Buffer (or Buffering)

The use of any man-made or natural materials or open space in any fashion designed to limit the effects of one land use upon adjoining land uses.

8. Buildable Area

The area of a lot determined by building placement standards and/or setback requirements and not included within an open space that is required by regulation or action of the Planning Commission.

9. Building

Any permanent structure designed or built for the support, shelter or protection of persons, animals, chattels or property of any kind. This term includes manufactured homes, but does not include awnings, canopies, or similar structures.

10. Building, Civic

A building that houses a civic use.

11. Building Official

The designated representatives of the City of Frankfort and Franklin County who are responsible for the administration and enforcement of building regulations.

12. Building Permit

A permit issued by the Building Official, Planning Director or designee authorizing the erection, construction, reconstruction, alteration, repair, conversion, or maintenance of any building, structure, or portion thereof.

13. Building Placement

Standards governing the location of principal and accessory structures on a lot or building site. A line drawn parallel to a lot line at a distance equal to the depth of a required yard. The term also includes front yard setback, side yard setback, rear yard setback, privacy building line and street building line.

14. Caliper

The diameter of a tree trunk, usually measured at four and one-half (4 ½) feet above the natural grade of the surrounding ground.

15. Certificate of Completion

A written document issued by an Engineering Official certifying that specific improvements to be dedicated for public use have been installed and/or completed in compliance with all approved development and/or construction plans, permits and applicable regulations and standards, and the improvements are accepted for the use for which they were intended.

16. Certificate of Occupancy

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A written document certifying that a building or structure has been installed and/or completed in compliance with all approved development and/or construction plans, permits, and applicable regulations and standards, and the building or structure can be used in the manner for which it was intended.

17. Civic Green

A primarily unpaved, formally configured, small public lawn or park surrounded by canopy street trees.

18. Cluster System

An on-site sewage disposal system that accepts effluent from the pre-treatment unit of more than one (1) structure or facility and transports the collected effluent through a sewage system to one (1) or more common subsurface soil absorption system(s) of conventional, modified, or alternative design.

19. Comprehensive Plan

The plan for the physical development of the area within the jurisdiction of the Planning Commission, which has been adopted by the Planning Commission, the Franklin County Fiscal Court, and the City of Frankfort Commission.

20. Construction Review Team

A Committee of representatives of City or County departments and utility companies established by the Planning Commission for the purpose of conducting a technical review, inspections and final approval of Record Plats, Construction Plans, Performance and Defect Guarantees, to insure compliance with the provisions of the Zoning Ordinance, Subdivision and Site Plan Regulations and other land development standards.

21. Curb

The stone or concrete boundary at the edge of the pavement of a street, which also usually includes gutters.

22. Day

Unless otherwise specified, the term mean's calendar day.

23. Deceleration Lane

An added roadway lane that permits vehicles to slow down and leave the main vehicle stream.

24. Dedication

The transfer of property from the owner to another party.

25. Deed

A legal document conveying ownership of real property.

26. Deed Restriction

See Restrictive Covenant.

27. Developer

Any person, firm, corporation, partnership, or association, including the holder of an option or contract to purchase, who lay's out, for the purpose of sale or development, any subdivision, or part thereof, as defined herein, either for himself or others.

28. Development

Except where the context otherwise requires, "development" shall mean the performance of any man-made change to improved or unimproved real estate including, but not limited to, building or mining, dredging, filling, grading, paving, excavating, or drilling operations; the

permanent storage of materials and equipment; the making of any material change in the use or appearance of any structure or land; the division of land into two (2) or more parcels; and any construction of improvements to facilitate a residential, commercial, business, industrial, or public use.

29. Easement

Any strip of land for public or private utilities, drainage, sanitation, access, or other specified uses having limitations, the title to which shall remain in the name of the property owner, subject to the right of use designated in the reservation of servitude.

30. Easement, Garden

An easement area between a privacy building line and the common lot line.

31. Easement, Common Access

An unobstructed passageway for two (2) or more lots, typically crossing or occupying a portion of more than one (1) lot, which provides access to garages, utilities, and services such as garbage collection.

32. Easement, Conservation

The grant of a property right stipulating that the described land will remain in its natural or existing state and limiting further future or additional development.

33. Easement, Conservation

A nonpossessory interest in real property imposing limitations or affirmative obligations, the purposes of which include retaining or protecting natural, scenic, or open space values of real property; assuring its availability for agricultural, forest, recreational, or open space use; protecting natural resources; or maintaining air or water quality.

34. Easement, Construction

A temporary easement designed to accommodate grading, sloping and other construction related activities outside a permanently dedicated right-of-way or easement.

35. Engineer

A person currently registered and licensed to practice engineering by the Kentucky State Board of Registration for Professional Engineers and Land Surveyors.

36. Engineering Official

The City of Frankfort, Kentucky, and the Engineer appointed therefore; the County of Franklin, Kentucky, and the Engineer appointed therefore.

37. Erect

To build, construct, reconstruct, alter, relocate, raise, assemble, attach, hand, place, suspend, or affix, including the painting of wall signs.

38. Family

A group of one (1) or more persons occupying a premise and living as a single housekeeping unit, whether or not related to each other by birth, adoption, or marriage, but no unrelated group shall consist of more than five (5) persons, as distinguished from a group occupying a boarding or lodging house, motel, or hotel.

39. Family Member

The person or persons who are members of a family. When used in conjunction with an In-Family Conveyance, a family member is the person or persons who are the grantees of the conveyance, are members of the immediate family of the grantor, and are related to the grantor by birth, adoption, or marriage.

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40. Fence, Privacy

Fences and hedges along alleys and common lot lines.

41. Fill

A deposit of soil, rock, or other non-deteriorating material used to replace or supplement the original soil or subsoil

42. Fill, Construction

A term used to describe the fill upon which any permanent structure or human occupancy or other permanent construction for human use (such as roads, parking areas, etc.) shall be built.

43. Fire Department Official

The City of Frankfort, Kentucky, and the Chief of the Fire Department or designee appointed therefore; the County of Franklin, Kentucky, and the Chief of the Fire Department or designee as appointed therefore.

44. Firefighter, Regular

The regular members of a fire department in a Fire Protection District, except volunteer firefighters, who have the same powers of arrest as now given by law to sheriffs of the Commonwealth in the manner prescribed by KRS 75.160.

45. Floodplain

Low-lying land that is susceptible to flooding from any source. The floodplain consists of two (2) sections--the floodway, which is the channel for a watercourse and that portion of land needed for the passage of a determined amount of water (normally a 100-year flood), and the flood fringe or that portion of the floodplain outside the floodway, but still subject to flooding.

46. Geologic Hazard Area

An area in which environmental problems are so numerous that even severely limited development could pose a serious problem to the immediate or surrounding areas. Examples include excessive floodplain areas, clustering of sinkholes, cliff areas, areas that have potential collapse problems due to underground caves near the surface, and similar areas.

47. Grade

It is the average elevation of the finished ground surface at the outside of a fence or wall, or at the outside walls of a building. In cases where walls or fences are parallel to and within five (5) feet of a sidewalk, said ground level shall be measured from the elevation of the sidewalk. If there is no sidewalk, and a wall or fence is parallel to and within five (5) feet of the roadway pavement, ground level shall be measured from the elevation of the roadway pavement.

48. Grade, Lowest Adjacent

The lowest natural elevation of the ground surface, prior to construction, next to the proposed wall of a building.

49. Grading

Any stripping, cutting, filling, or stockpiling of earth or land, including land in its cut or filled condition, to create new grades.

50. Greenway

A linear open space, at least thirty feet (30) wide, established along either a natural corridor, such as a riverfront, stream valley, or ridge line, or overland along a railroad right-of-way converted to recreational use, a canal, scenic road, or other route designed and managed for public use including wildlife habitat. A greenway is an open space connector linking

parks, nature preserves, cultural features, or historic sites with each other and with populated areas.

51. Groundwater

The supply of freshwater under the surface in an aquifer or geologic formation that forms the natural reservoir for potable water.

52. High Water Elevation, Normal

The elevation that water will rise to in lakes and streams during or following a frequent rainfall event.

53. Home Owners' Association

A community association, other than a condominium association, that is organized in a development in which individual owners share common interests and responsibilities for costs and upkeep of common open space or facilities. Participation in the association may be mandatory.

54. Improvement

Any grading, filling, or excavation of unimproved property; additions or alterations to existing buildings or other structures requiring alterations to the ground; the construction of new buildings or other structures, including parking lots; and street pavements, curbs and gutters, sidewalks, alley pavements, walkway pavements, water mains, sanitary sewers, storm sewers or drains, street names, signs, landscaping, permanent reference monument, permanent control points, or any other improvement required by these regulations.

55. Improvements, Common

All streets, driveways, parking spaces, and other vehicular use areas, and all uses, facilities, structures, buildings, and other improvements, or portions thereof, which are designed and provided for the common use, benefit, and enjoyment of all residents or occupants of all or a designated portion of a development or neighborhood, or for the protection of adjacent properties.

56. Infrastructure

Facilities and services needed to sustain industrial, residential, commercial, or other land use activities.

57. Land Clearing

Removal of all trees and/or vegetation from the land surface to the mineral soil.

58. Land Surveyor

A person currently registered and licensed to practice land surveying by the Kentucky State Board of Registration for Professional Engineers and Land Surveyors.

59. Land Use

A description of how land is occupied or utilized. The terms "land use" and "use of land" shall be deemed also to include building use.

60. Landscaping

Landscaping shall consist of, but not be limited to, grass, ground covers, shrubs, vines, hedges, trees, berms, and architectural landscape features and material.

61. Lot

The least fractional part of land having fixed boundaries, and (when part of a subdivision) having an assigned number, letter, or other name through which it is identified. This term includes tract and parcel.

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62. Lot, Corner

A lot abutting upon two (2) or more streets at a street intersection, or abutting upon two (2) adjoining and deflected lines of the same street and thereby forming an interior angle of less than one hundred thirty-five (135) degrees.

63. Lot Depth, Mean

The mean distance from the front street line of the lot to its opposite rear line, measured in the mean general direction of the sidelines of the lot.

64. Lot, End

A lot in which one (1) side lot line is adjacent to the street.

65. Lot, Flag

A lot or building site which has a minimum frontage on a public or private street, which is reached via a private drive or lane, and whose width some distance back from the street boundary line meets all ordinance requirements.

66. Lot Frontage

The linear distance measured along the narrow dimension of a lot adjoining a street right-of-way.

67. Lot Frontage, Primary

The side of a lot abutting a street along the narrow dimension of the lot.

68. Lot Frontage, Secondary

The side of a lot abutting a street that is not the primary frontage.

69. Lot, Interior

A lot other than a corner or end lot.

70. Lot, Reverse Corner

A corner or end lot, the street side lot line of which is substantially the continuation of the front lot line of the first lot to its rear.

71. Lot, Reverse Frontage

A through lot or corner lot intentionally designed so that the front lot line faces a local street rather than facing a parallel or perpendicular major thoroughfare.

72. Lot Split (or Parcel Split)

The division of one lot or parcel into two (2) lots or parcels that is accomplished through the preparation and recording of deeds establishing the new lots or parcels.

73. Lot, Through

An interior lot having frontage on two (2) parallel or approximately parallel streets.

74. Lot Width, Mean

The mean distance from a sideline of the lot to its opposite sideline, measured in the mean general direction of the front and rear lines of the lot.

75. Lot Area

The total land area within the fixed boundaries of a lot.

76. Lot Area Average

The sum of the area of all lots divided by the number of lots for which area was summed.

77. Lot Lines

The property lines bounding the lot.

78. Lot Line (Property Line)

Any legal boundary of a lot. Where applicable, the lot line may coincide with the right-of-way line.

79. Lot Line, Common

Lot lines shared by private lots, generally side lot lines, perpendicular to the street.

80. Lot Line, Zero

A lot in which one (1) of the side yard setback lines is coterminous with a side lot line.

81. Monument

A physical structure which marks the location of a corner or other survey point set in accordance with the Minimum Standards of Practice for Land Surveying adopted by the Kentucky State Board of Registration for Professional Engineers and Land Surveyors.

82. Neighborhood

An area of a community with historic, architectural, cultural, socio-economic, land use or other characteristics that distinguish it from other community areas. Neighborhoods can include a single use such as residential or can include a mixture of residential, commercial, workplace, and/or civic uses such as churches and schools.

83. Open Space

Any contiguous area of ground of at least fifty (50) square feet which is not covered by any building, street, right-of-way or vehicular use area.

84. Open Space, Common

All open space, or portions thereof, including landscaping, screening, and buffering, which is part of a Common Area.

85. Owner

Any person, group of persons, partnership, corporation, or any other legal entity having legal title to or sufficient proprietary interest to undertake development of a lot or parcel. Also includes the term Property Owner.

86. Pavement

The portion of a street intended for vehicular movement and parking.

87. Pavement Width

The width of the pavement of a street, as measured from edge to edge but excluding the curbs, if any.

88. Pedestrian Path Way

An interconnecting paved walkway that provides pedestrian passage through blocks running from street to street. These pathways should provide an unobstructed view through the block.

89. Performance Guarantee

Any security that may be accepted in lieu of a requirement that certain improvements be made before the Planning Commission approves a plat.

90. Perimeter

The boundaries or borders of a lot, tract, or parcel of land.

91. Person

Any individual, corporation, cooperative, partnership, firm, association, trust, estate, private institution, group, agency, or any legal successor, representative, agent, or agency thereof.

92. Phase

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The designated portion of a larger development, which is to be constructed as a unit and which is so designed that it can stand on its own even if the other phases of the development are never constructed.

93. Plans, Construction

The maps or drawings accompanying a record subdivision plat or site plan and showing the specific location and design of improvements to be installed for the subdivision or site in accordance with the requirements of the Subdivision and Site Plan Regulations. This term also includes Construction Drawings.

94. Plans, Development (includes Site Plan)

Written and graphic material for the provision of a development, including any or all of the following: location and bulk of buildings and other structures, intensity of use, density of development, streets, ways, parking facilities, signs, drainage of surface water, access points, a plan for screening or buffering, utilities, and existing, manmade and natural conditions. The definition of "Development Plan" has been taken from the [Kentucky Revised Statutes, Chapter 100.111](#) and modified. It generally refers to the Development Plan that is a required submittal for the review and action by the Planning Commission in regard to applications for Zoning Map Amendment.

95. Planning Director

The designated City and County representatives of the Frankfort and Franklin County Planning and Zoning Commission who are responsible for the preparation of the community's comprehensive plan and the administration and enforcement of land development regulations.

96. Plat, Major or Minor

The difference between a Major and Minor Subdivision Plat is the number of lots to be created. A Major Plat will create six (6) or more lots, and a Minor Plat will create five (5) or fewer lots.

97. Plat, Preliminary

The preliminary map indicating the proposed layout of the subdivision which is submitted for tentative approval and meeting the requirements established by the Planning Commission relating to preliminary plats.

98. Plat, Record

The final map of all or a portion of the subdivision which is presented to the appropriate authority for final approval in accordance with the applicable regulations, and which, if approved, shall be filed with the Clerk of Franklin County

99. Porch, Front

The ground floor platform attached to the front or street side of the main building.

100. Property

A lot, parcel, or tract of land together with the building and structures located thereon.

101. Property Line, Front

The shorter building lot line which coincides with the right-of-way of the street or other defining element such as a sidewalk or common open space. In the case of a building lot abutting only one (1) street the frontage line is the line parallel to and common with the edge of the sidewalk. In the case of a corner lot, the part of the building lot having the narrowest frontage on any street shall be considered the frontage line.

102. Property Owners' Association

An association or organization, whether or not incorporated, which operates under and pursuant to recorded covenants or deed restrictions, through which each owner of a portion of a subdivision - be it lot, parcel, site, unit plat, condominium, or any other interest - is automatically a member as a condition of ownership and each such member is subject to a charge or assessment for a pro-rated share of expenses of the association which may become a lien against the lot, parcel, unit, condominium, or other interest of the member.

103. Public Space

Any area, lot, building site, or development site that has been reserved or dedicated for public use.

104. Reconstruction, Substantial

Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either: (1) before the improvement or repair is started; or (2) if damaged, the value of the structure to be restored prior to being damaged.

105. Residential Tract

A lot created by a subdivision the total extent of which is not shown on the plat and having a minimum area of ten (10) acres.

106. Re-Plat or Re-Subdivision

Any change in a map of an approved or recorded subdivision plat that affects any street layout on the map or area reserved thereon for public use or any lot line, or that affects any map or plat legally recorded prior to the adoption of any regulations controlling subdivisions.

107. Restrictive Covenant

A restriction on the use of land usually set forth in the deed.

108. Right-of-Way

A strip of land owned or controlled by a governmental agency over which the public has right of passage, including the streets, parkways, medians, sidewalks, and driveways constructed thereon.

109. Scenic Byway

Any classified street that has been determined to have scenic, culturally significant, and/or historic characteristics that should be preserved and protected. The determination can be made by any local, state, or federal agency or unit of government, but must be officially shown on the Major Thoroughfare Plan Map contained in the Comprehensive Plan to have protected status via these regulations.

110. Sediment

Solid material that may be mineral or organic and is in suspension, is being transported, or has moved from its site of origin by water.

111. Sedimentation

The deposition of waterborne sediment into a body of running water, into a lake, on property other than the site of origin, or on public rights-of-way.

112. Setback

See Building Line.

113. Sidewalk

An improved walkway intended primarily for pedestrians, usually running parallel to one or both sides of the pavement of a street.

114. Sight Distance

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a. **Across Intersections**

A straight line with unobstructed view measured in either direction across the corner between points, each seventy-five (75) feet back from the theoretical intersection of the edges of the pavement prolonged; the first point located four (4) feet above the grade of the pavement edge, the second point located one (1) foot above the grade of the pavement edge.

b. **Along Road**

A straight line with unobstructed view measured between a point located at four (4) feet above the finished grade of a road, at the center line of each traffic lane, and a point located at a given minimum distance away from the first point, located one (1) foot above finished grade at the center line of the same traffic lane.

115. Site

See building site or development site

116. Site, Building

Any group of one or more lot(s) or parcel(s) occupied or intended for development as a unit, whether or not as part of a larger Development Site. Building site area does not include surface water bodies or floodways, but does include wetlands.

117. Site, Development

The property under consideration for a development, which may contain one (1) or more Building Sites and shall be under single ownership at the time of application. When the Development Site contains more than one (1) Building Site, the applicable Development Plan setback requirements shall be established from the Development Site Perimeter.

118. Stoop

A ground floor entry platform at the front and/or street side of a building. Where required by the building placement standards, stoops may be roofed but not enclosed.

119. Stream Corridor

Any river, stream, pond, lake, or wetland, together with adjacent upland areas, that support protective bands of vegetation that line the water's edge.

120. Stream, Intermittent

Channels that naturally carry water part of the year and are dry the other part. This definition does not include streams that are intermittent because of irrigation diversion or other man-made diversions of the water.

121. Street

An area of land designated for public use, within defined limits, in order to provide a means for vehicular and pedestrian movement. The right-of-way limits of any street may include the street pavement, curb and gutter (or open ditches), sidewalks, and may provide space for the location of utilities. The right-of-way limits of any street shall be coincident to the property line of the adjacent or abutting lot. Streets are classified specifically herein as follows:

122. Street, Alley

Streets generally having two open ends with each end connecting to different streets. Alleys generally provide service and access to the rear of abutting properties on both sides thereof and are not intended for general traffic circulation.

123. Street, Arterial

Arterial streets rank second in the classification of streets and are used primarily for vehicular movement and secondarily for vehicular access to abutting properties. Arterial streets are the

link between expressways and collector streets, and generally rank next to expressways in traffic volume, speed limit control and right-of-way limits.

124. Street, Continuing (Neighborhood Street)

Continuing streets are minor streets having two (2) open ends, each end generally connecting with different streets. One (1) or more other streets may intersect such a street between its two open ends, and property abuts both sides of such a street.

125. Street, Collector

Collector streets rank third in the classification of streets and are principally used for vehicular movement however, access to abutting properties is planned and controlled so that minimal disturbance is made to the traffic flow on said collector street. Collector streets are the link between arterial and minor streets, and generally rank next to arterial streets in right-of-way widths and speed control.

126. Street, County Roads

Streets that generally have two open ends, but may have one closed end, and provide access to farms and agricultural operations, and other rural land uses.

127. Street, Cul-de-Sac (Neighborhood Street)

Minor streets having only one (1) open end providing access to another street, and a closed end providing a turn-around circle for vehicular movement.

128. Street, Expressway (Major Thoroughfare)

Expressways rank first in the classification of streets, and are used only for vehicular movement without access to abutting properties. Interchange of traffic between expressways and other streets (only arterial streets when possible) is accomplished by grade-separated interchanges with merging deceleration and acceleration lanes.

129. Street, Loop

Minor streets having two (2) open ends each and generally connecting with the same street. No other streets intersect between its two (2) ends and property abuts on both sides thereof.

130. Street, Marginal Access

Marginal access streets are minor streets generally having two (2) or more access points to the major system by connecting to a street of higher classification. Marginal access streets are sometimes called access or frontage roads.

131. Street, Neighborhood

Local streets rank fourth in the classification of streets and are used primarily for providing access to abutting properties. Vehicular movement on these street types should have an origin or destination in the immediate vicinity. These street types are the primary link between generator points (homes, offices, stores, etc.) and collector streets. Neighborhood streets require the least amount of vehicular movement and may be further classified into six (6) categories (Continuing; Marginal Access; Loop; Cul-de-Sac; Alley; Country Road).

132. Street, Private

A street whose right-of-way is retained in private ownership. This includes the term cross-access easement.

133. Street, Stub

A street that usually ends at a property line and is designated to be extended to adjoining property in the future.

134. Street Index File

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The computerized listing of all the vehicular rights-of-way and areas with a common name in Franklin County.

135. Streetscape

This term refers to the various components that make up a street, both in the right-of-way, and on private lot frontages. It includes pavement, parking spaces, planting areas, street trees, streetlights, sidewalks, front yard fences, front yards, front porches, etc.

136. Subdivider

Any person, firm, corporation, partnership, or association, including the holder of an option or contract to purchase, who shall lay out, for the purpose of sale or development, any subdivision, or part thereof, as defined herein, either for himself or others.

137. Subdivision of Land

The division of a parcel of land into two (2) or more lots or parcels, for the purpose, whether immediate or future, of sale, lease, or building development, or if a new street is involved, any division of a parcel of land; provided that a division of land for agricultural use and not involving a new street shall not be deemed a subdivision. The term includes re-subdivision, and when appropriate to the context, shall relate to the process of subdivision or to the land subdivided; any division or re-division of land into parcels of less than one (1) acre occurring within twelve (12) months following a division of the same land shall be deemed a subdivision.

138. Subdivision, Major

A subdivision of land that is generally of major significance to the community's future development, and shall include all subdivisions that do not conform to the definitions established for minor subdivisions. Generally, major subdivisions are those that create six (6) or more lots for sale or building development for residential, commercial, or industrial activities.

139. Subdivision, Minor

A subdivision of land that involves five (5) or fewer lots and is generally of minor planning significance to the community's future development.

140. Technical Review Team

A group of representatives of City or County departments or utility companies established by the Planning Commission for the purpose of conducting a technical review of subdivision plats and development plans to insure compliance with the provisions of the Zoning Ordinance, Subdivision and Development Plan Regulations and other applicable adopted regulations.

141. Tree, Street

A deciduous tree, of a hardy species, large enough to form a canopy with sufficient clear trunk to allow traffic to pass under unimpeded.

142. Use, Agricultural (from KRS 100.111 (2))

The use of a tract of at least five (5) contiguous acres for the production of agricultural or horticultural crops, including, but not limited to, livestock, livestock products, poultry, poultry products, grain, hay, pastures, soybeans, tobacco, timber, orchard fruits, vegetables, flowers or ornamental plants, including provision for dwellings for persons and their families who are engaged in the above agricultural use on the tract, but not including residential building development for sale or lease to the public; (b) regardless of the size of the tract of land used, small wineries licensed under KRS 243.155, and farm wineries licensed under the provisions of KRS 243.156; (c) a tract of at least five (5) contiguous acres used for the following

activities involving horses....; or (d) a tract of land used for the following activities involving horses. ”.

143. Use, Civic

Buildings and facilities owned, operated or reserved by a corporation or association of persons for civic, social, fraternal or recreational purposes and not operated or maintained primarily for profit.

144. Utility, Public

Any public or private utility, such as, but not limited to, storm drainage, sanitary sewers, electric power, water service, gas service, or telephone line, whether underground or overhead.

145. Variance

Permission from the Board of Zoning Adjustment or Planning Commission to modify a dimensional subdivision and site plan standard.

146. Wetland

Those areas that are inundated and saturated by surface or groundwater at a frequency and duration to support, and that under normal circumstances do support a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, and similar areas.

147. Yard, Front

The primary area of the lot from the street frontage to the enclosed portion of the building wall. This area is contiguous with the street and includes the front porch and front wall of the building.

148. Zoning Ordinance

The officially adopted Zoning Ordinance of Frankfort and Franklin County together with any and all amendments thereto.