

ARTICLE 10. SPECIAL DISTRICTS AND OVERLAYS

10.01. PURPOSE

Special Districts are designated areas of the City of Frankfort or Franklin County that feature unique built and natural characteristics that necessitate specific design, use, or preservation requirements. These districts are established to:

- A. Consider special or unique character of an existing area;
- B. Consider certain environmental constraints; and
- C. Consider special flexible design opportunities.

10.02. SPECIAL DISTRICTS ESTABLISHED

The following special districts are hereby established in the City of Frankfort and Franklin County:

Table 10.02-1: Special Districts Established				
DISTRICT DESIGNATION	DISTRICT NAME	DISTRICT PURPOSE	ZONING DISTRICT EQUIVALENCY	
			CITY OF FRANKFORT	FRANKLIN COUNTY
S-CBD	Central Business District	10.04	CB	-
S-UM	Urban Mix	10.05	UM	-
S-CD	Capital District	10.06	SC	-
S-HD	Historic District	10.07	SH	-
S-RH	Rural Heritage	10.08	-	RHM
S-MH	Mobile Home Development	10.09	RM	RM
S-LD	Landfill District	10.10	-	E-ZL

10.03. PERMITTED USES

The following table lists the uses that are permitted, permitted with standards, conditionally permitted, and prohibited within the designation zoning district.

Table 10.03-1: Special District Permitted Use Table								
USE	S-CBD	S-UM	S-CD	S-HD	S-HM	S-MH	S-LD	ADDITIONAL STANDARDS
AGRICULTURAL USES								
Agribusiness					P			
Agritourism					P			
Ecotourism					P			
Farms, Crop Production					P			
Farms, Livestock					P			3.06.B
Farm Product, Retail					P			3.06.C
Farm Product, Warehousing and Storage								
Farm Product, Wholesale (Raw Materials)								
Fisheries								
Forestry Services								
RESIDENTIAL USES								
Dwelling, Single-Family, Detached		P	P	P	P			
Dwelling, Single-Family, Attached (Townhomes)		P	P	P				3.07.B
Dwelling, Two-Family (Duplex)		P	P	P				
Dwelling, Multi-Family, 3 – 5 units	PS	PS	PS	PS				
Dwelling, Multi-Family, 6 – 15 units	PS	PS	C					
Dwelling, Multi-Family, 16 – 30 units	PS	PS						3.07.C.1
Dwelling, Multi-Family, 30 + units	PS	PS						3.07.C.2
Group Homes								
Mixed-Use	P	P	PS	PS				3.07.D
Mobile Homes						P		10.09

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Table 10.03-1: Special District Permitted Use Table

USE	S-CBD	S-UM	S-CD	S-HD	S-HM	S-MH	S-LD	ADDITIONAL STANDARDS
Qualified Manufactured Home		P						
Qualified Manufactured Home Parks								
Residential Care Facility, Small								
Residential Care Facility, Large								
PUBLIC AND SEMI-PUBLIC USES								
Arboreta, Botanical and Zoological Gardens					P			3.08.A
Campgrounds					C			3.08.B
Cemeteries								3.08.C
Community Garden					P			
Education Facility, College, University, or Trade School	P	P						3.08.D
Education Facility, Public or Private	P	P						3.08.D
Golf Course / Country Club								
Government Facility	P	P						
Library, Museum, and Gallery	P	P		C				
Park or Recreation Facility, Public								
Religious Assembly	P	P	C	P				
COMMERCIAL USES								
Adult Entertainment Establishments								3.09.A
Animal Hospital, Kennel, Daycare, and Training Facility								3.09.B
Animal Veterinarian Office and Clinic								3.09.C
Automotive Fueling / Charging								3.09.D
Automotive Rental								3.09.E
Automotive Sales / Leasing								3.09.F
Automotive Sales / Repair, Commercial and Recreational Vehicles								3.09.G
Automotive Service / Repair, Major								3.09.H
Automotive Service / Repair, Minor								3.09.I
Automotive Wash / Detailing								3.09.J
Banks and Financial Institution	PS	PS						3.09.K
Bar / Tavern	PS	PS						3.09.L
Bed and Breakfast	C	C	C	C				3.09.M
Brewery, Distillery, Winery, Cidery (macro)	PS	PS						3.09.N
Brewery, Distillery, Winery, Cidery (micro)	PS	PS						3.09.N
Brewpub	PS	PS						3.09.O
Catering Service	P	P						
Club, Lounge, or Meeting Hall	PS	PS						
Commercial Recreation, Indoor (Major)								
Commercial Recreation, Indoor (Minor)	P	P	C	C				
Commercial Recreation, Outdoor (Major)					C			
Commercial Recreation, Outdoor (Minor)					C			
Creative Production Studio and Services	P	P	C					
Crematories								
Day Care Center	PS	PS	PS	PS	PS			3.09.P
Drive-in Theaters		C						3.09.Q
Eating and Drinking Establishments	PS	PS	C					3.09.R
Equestrian Academies and Services	PS	C			P			
Firearm Clubs and Ranges	C	C			C			3.09.S
Fitness Center	P	P						
Fitness Studio	P	P		P				
Funeral Services		C	C	C				3.09.T
Garden Center / Greenhouse / Nursery	PS	C						
General Contractors, Construction	PS	PS						3.09.U
Hospitals	P	P						
Hotels / Motels	P	P	C	C				
Institutional Care Facility		C	C	C	C			3.09.V

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Table 10.03-1: Special District Permitted Use Table

USE	S-CBD	S-UM	S-CD	S-HD	S-HM	S-MH	S-LD	ADDITIONAL STANDARDS
Medicinal Cannabis, Cultivator	C							3.09.W
Medicinal Cannabis, Dispensary	PS	PS						3.09.W
Medicinal Cannabis, Processor								3.09.W
Medicinal Cannabis, Producer								3.09.W
Medicinal Cannabis, Safety Compliance Facility								3.09.W
Medical Office, Clinic, Urgent Care	PS	PS						3.09.X
Office	P	P	C	C				
Parking (Principal Use)								3.09.Y
Personal Improvement Services	C					C		
Retail Sales and Service, Neighborhood-Scale	P	P	C	C		C		
Retail Sales and Service, Medium-Scale	P	P						
Retail Sales and Service, Large-Scale	PS	PS						3.09.Z
Trade Equipment Sales								
Wholesale, Commercial								3.09.G
INDUSTRIAL USES								
Building Material Sales and Storage								3.10.A
Data Center								3.10.B
Distribution / Fulfillment Center and Warehousing								3.10.C
Junk / Salvage / Tow Yard							P	3.10.D
Laboratory and Research Facility								
Manufacturing, Artisanal	P	P	C		P			3.10.E
Manufacturing, Fabrication	P	P						
Manufacturing, Light	C	C						
Manufacturing, General								
Mining								
Processing and Refining, Materials and Chemicals								
Self-Storage / Mini-Storage								3.10.F
Transportation Terminals and Freight Services								
Warehousing and Storage								
ACCESSORY USES								
Accessory Dwelling Units	PS	PS	PS	PS	PS			3.11.C
Accessory Structures	PS	PS	PS	PS	PS	C	PS	3.11.E
Accessory Uses	PS	PS	PS	PS	PS	C	PS	3.11.F
Automated Teller Machines (ATM)								3.11.G
Drive-Through Facilities								3.11.H
Electric Vehicle Charging Stations	PS	PS	PS	PS	PS		PS	3.11.I
Family Child Care Home (Type I and Type II)	PS	PS	PS	PS	PS			3.11.J
Fences and Walls	PS	PS	PS	PS	PS			3.11.K
Home Occupations	PS	PS	PS	PS	PS		PS	3.11.L
Keeping of Fowl (Non- crowing)	PS	PS	PS	PS	PS			3.11.M
Outdoor Dining / Food Services	PS	PS						3.11.N
Outdoor Displays and Sales	PS	PS						3.11.O
Outdoor Storage, Bulk and Retail	PS						PS	3.11.P
Pick-Up Window								3.11.Q
Roadside Stand	PS	PS						3.11.R
Short-Term Rental (Non-Owner Occupied)	PS	PS	C	C	C			3.11.P
Short-Term Rental (Owner-Occupied)	PS	PS	PS	PS	PS			3.11.S
Swimming Pool	PS	PS	PS	PS	PS			3.11.T
TEMPORARY USES								
Construction Dumpster	PS	PS	PS	PS	PS		PS	
Construction Trailer	PS	PS	PS	PS	PS		PS	3.12.B
Mobile Food Vendor	PS	PS						3.12.C
Seasonal Sales								3.12.D
SPECIAL USES								
Small Cellular Systems and Towers								3.13.A

Table 10.03-1: Special District Permitted Use Table								
USE	S-CBD	S-UM	S-CD	S-HD	S-HM	S-MH	S-LD	ADDITIONAL STANDARDS
Solar Energy Systems – Integrated / Roof Mounted	PS	PS	PS	PS	PS			3.13.B
Solar Energy Systems – Small Scale								3.13.B
Solar Energy Systems – Intermediate Scale								3.13.B
Solar Energy Systems – Large Scale								3.13.B
Wireless Telecommunication Facilities								3.13.D

10.04. S-CBD, CENTRAL BUSINESS DISTRICT

A. Purpose

To establish and preserve a central business district convenient and attractive for a wide range of retail uses, business offices, government and professional offices in a setting conducive to a volume of pedestrian traffic. To protect the historic character of downtown Frankfort by granting the Architectural Review Board the authority to review applications as established by [Article 13. Administration and Procedures](#) of these Zoning Regulations.

B. Permitted Uses

Refer to [Table 10.03-1: Special District Permitted Use Table](#) for a complete listing of all uses permitted in the Special Central Business District.

C. Dimensional Standards

Determined by the Architectural Review Board for new construction and in accordance with the District Design Guidelines.

D. Building Height

1. Maximum building height shall not exceed 40 feet; or
2. Within 10% of the average height of existing adjacent buildings or any height deemed appropriate by the Architectural Review Board provided that The relationship between the width and height of street façade elevation is proportional to the relationships of street façade elevation of existing adjacent buildings

E. Off-Street Parking

No off-street parking is required.

F. Design Guidelines

For properties located within the S-CBD district, the City of Frankfort [Central Business Zoning District Design Guidelines](#), dated November 2018, shall apply.

G. Design Criteria

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

1. No permit for the construction, demolition, building additions or moving of a structure in the central business district shall be issued by the building inspector unless the Architectural Review Board certifies that the building permit or demolition permit may be issued. The procedure for issuance of such a certificate shall be the same as provided in Article # (Administration and Procedures).
2. The exterior rehabilitation of a structure shall complement the architectural integrity of the façade and shall be compatible with the faces of nearby buildings. For additional design

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10.04. S-CBD, CENTRAL BUSINESS DISTRICT

guidelines, reference is made to the [City of Frankfort's "A Guide for Downtown Improvements"](#) published April 1981 and the [Central Business Zoning District Design Guidelines](#), dated November 2018. The Central Business Zoning District Guidelines, dated November 2018, shall prevail in the case of any conflicts between the two guidelines.

3. Vacant lots resulting from demolition shall be filled and smooth graded to street grade. Street frontages at least five (5) feet deep shall be landscaped and maintained until new construction has been started, in accordance with perimeter landscaping requirements for vehicular use area in [Article 6. Landscaping and Buffering](#).
4. Storefront window glass shall be clear. Mirrored or shaded glass shall not be used.

H. Signs

1. No signs shall obstruct window or door openings or cover architectural detailing in a manner which alters the integrity of the building.
2. Where the property owner chooses to use a portion of the sign area to give the building a specific name (i.e., - ABC Office Building), each tenant will be permitted one (1) sign, not to exceed two (2) square feet, to be flush mounted on the façade. The sum total of such signs shall not exceed five (5%) percent of the storefront area of the building to which they are attached.
3. Wall signs are permitted provided they are placed on the lintel above the storefront. Such signs must be flush mounted. See the [Figure 10-1](#) (below) for the permitted locations of wall signs.
4. When the building does not include a lintel above the storefront, an alternative location may be determined by the planning staff, with consultation of the Architectural Review Board chairperson, when the proposed sign is appropriate and compatible to the building's design.
5. Window signs are permitted provide such signs do not exceed 50% of the display window area. By definition, window signs shall include those painted on the window surface, both inside and outside, as well as those located within the display area in order to direct attention to the use. Total window sign area shall be calculated as part of the allowable wall signage.
6. No sign shall be internally illuminated. Signs with neon or LED rope lighting features may be appropriate subject to ARB review and approval.
7. Signs painted directly on the wall surface of a building shall require the approval of the Architectural Review Board.
8. Except as provided above, signs not placed on lintels, transoms, or display windows shall require Architectural Review Board approval before a sign permit can be issued.
9. Projecting signs which are six (6) square feet or less and do not extend further than 32 inches from the face of the building, with a minimum of eight (8) feet of vertical clearance or 14 feet of vertical clearance when no sidewalk is present shall be administratively approved. Hanging signs which do not meet any part of this criteria shall require Architectural Review Board approval.
10. For additional sign regulations, see [Article 7. Signage](#).

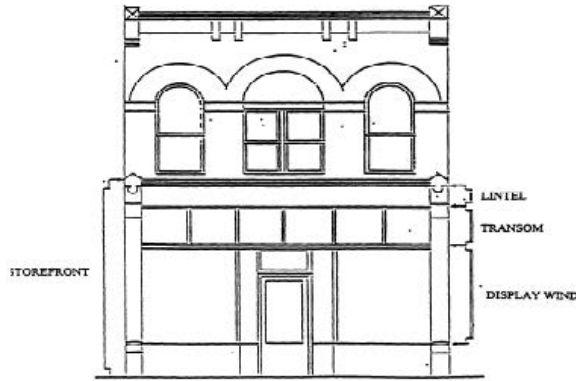


Figure 10-1: Permitted Locations of Wall Signs in Central Business District

10.05. S-UM, URBAN MIX

A. Purpose

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

B. Definitions

For the purposes of the language contained in this section of the Zoning Regulations, the following terms are defined as follows

1. Abutting Property.

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

2. Adjacent Structure.

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

3. Principal Frontage.

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

4. Secondary Frontage.

On corner lots, the frontage that is not the principal frontage.

5. Storefront.

A portion of the frontage of a building generally for retail use, with substantial glazing and often with an awning, and containing the primary entrance to the retail use of that portion of

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10.05. S-UM, URBAN MIX

the building. The design of the storefront will generally stand out from the architectural style of the rest of the façade(s) of the building.

C. Permitted Uses

Refer to [Table 10.03-1: Special District Permitted Use Table](#) for a complete listing of all uses permitted in the Special, Urban-Mix District.

D. Required Mixture of Uses

Each “S-UM” Development shall include a mixture of both residential and non-residential uses. Individual buildings within an S-UM development may have a single use.

E. Dimensional Standards

Table 10.05-1: Urban Mix District Dimensional Standards	
LOT STANDARD	S-UM
LOT SIZE & DIMENSIONS	
Lot Size (min.)	-
Lot Frontage (min.)	-
SETBACKS	
Front Yard (min)	-(1)
Side Yard (min)	-
Rear Yard (min)	-
BUILDING MASSING & LOT COVERAGE	
Building Height (max)	65' -and- For structures built with zero setback any stories above 125% of the average height of adjacent structures must be set back at least 10' per additional story. Any proposed structure taller than 65 feet shall require Planning Commission review.
Building Height (min)	20' (or two (2) stories)
Lot Coverage (max)	-
[1] Buildings shall be built to the front property line along the street. Buildings may be set back up to 20' when necessary to include public space design enhancements such as public art installations, wide sidewalks, pedestrian plazas, or patio / seating areas.	

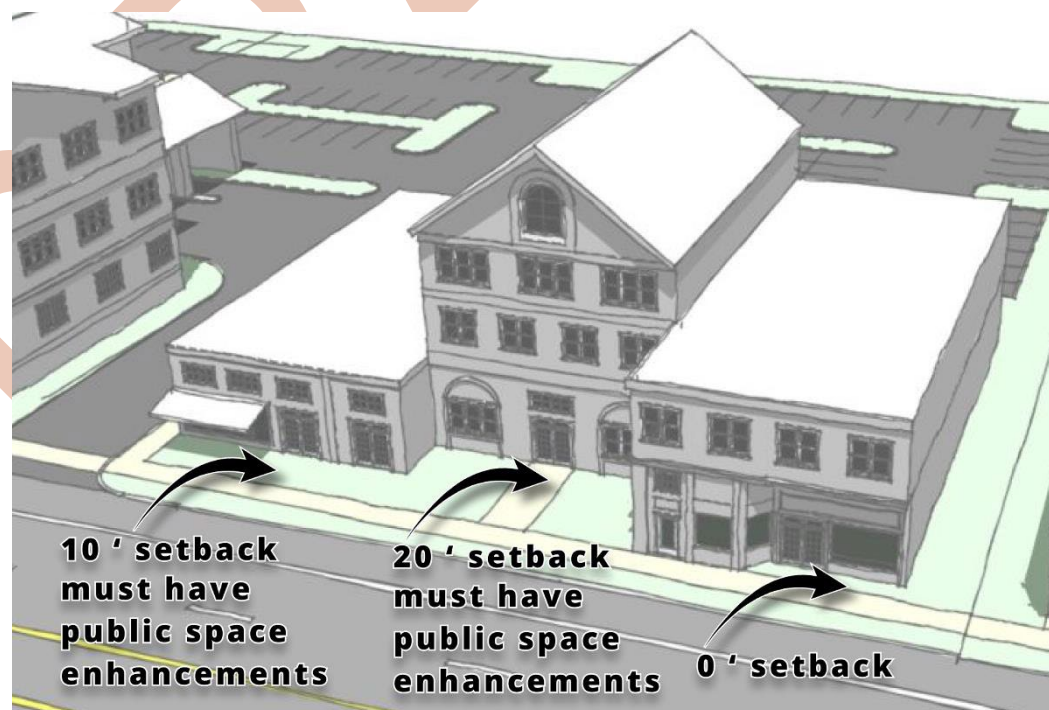


Figure 10-2: Illustration of Dimensional Standards in the S-UM District

F. Relationship to Surrounding Area

1. Developments shall connect to and extend the existing street grid.
2. Developments shall incorporate their interior pedestrian facilities into the outside network. Interior pedestrian facilities / connections should provide access from outside the development as well as from within.
3. Curb cuts in redeveloped parcels shall be paced in the original alley position if applicable.

G. Off-Street Parking

1. Any off-street parking provided in UM districts shall not be placed in the front yard. Off-Street parking shall be placed on the interior of blocks or behind buildings which front the public right-of-way. In the event that off-street parking is desired in the side yard it must be shielded from the front yard / right-of-way with a combination wall and/or fence with landscaping placed along the lot frontage to continue the adjoining streetscape and to maintain walls of continuity.
2. Off-street parking shall be screened from view of the public right-of-way
3. Shared driveways for shared off-street parking lots shall be used as much as possible to minimize curb cuts.

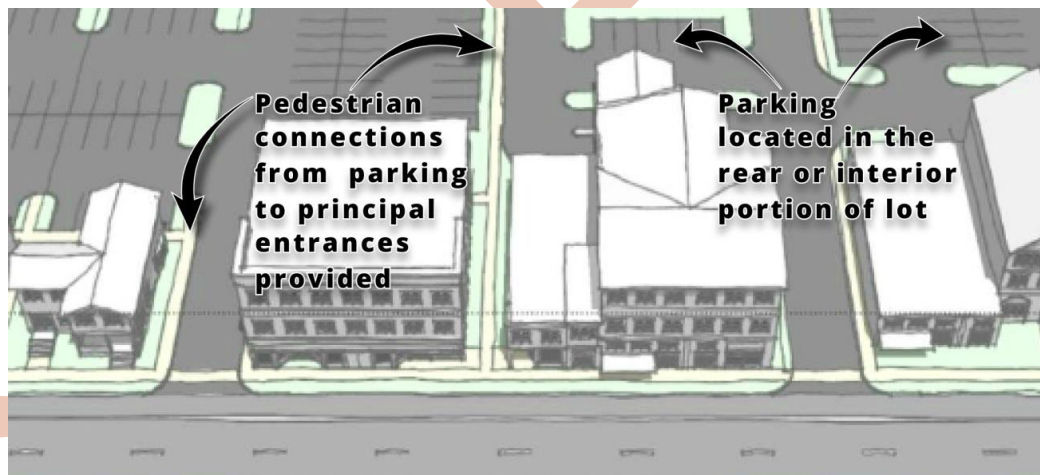


Figure 10-3: Illustration of off-street parking locations in the S-UM district

4. Parking Structures

a. Height

- i. A maximum height of 65 feet is permitted, however, height shall respect the average height of adjacent structures.
- ii. For structures built with zero setback any stories above 125% of the average height of adjacent structures must be set back at least 10 feet per additional story.
- iii. Any proposed structure taller than 65 feet shall require Planning Commission review and approval.

b. Frontage

- i. Parking structures may be located along the Principal Frontage as long as they provide first floor commercial space along the right-of-way with the exception of the locations of any ingress egress points or driveways.

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- ii. Parking structures may be located along the Secondary Frontage.
- iii. Portions of structures visible from either frontage shall be designed so that they are complementary regarding massing and use of materials of their surrounding structures.

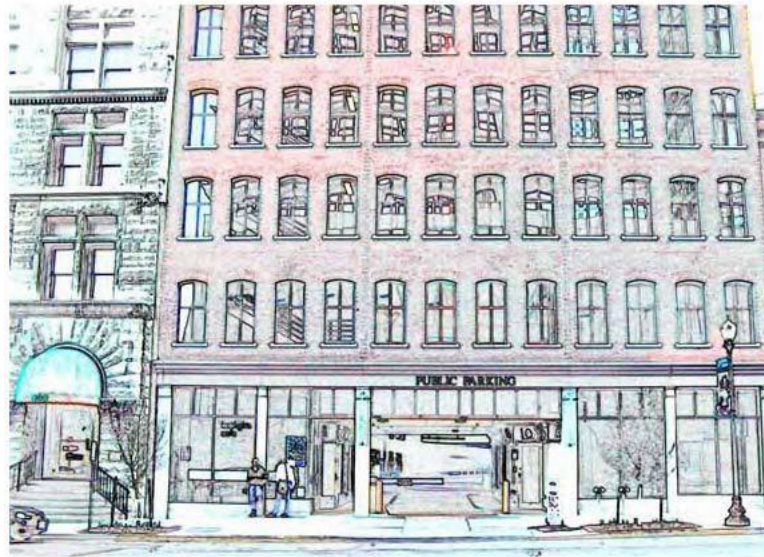


Figure 10-4: Example of parking garage massing and frontage

H. Signs

Signage within the S-UM district shall comply with [Article 7. Signage](#).

I. Design Standards

The site design and architectural standards of the UM district are meant to ensure high quality development near the historic downtown area.

1. Building Materials

- a. The use of brick, fiber-cement board, stone, stucco (with the exception of EIFS which is not permitted), or steel, or combinations thereof, are encouraged. Glass which is not a part of the window and/or storefront design may be used as building material. Buildings should integrate multiple building materials particularly when utilizing vinyl siding.
- b. On facades along street frontage the use of only a single building material on a façade with no secondary material, accent or trim differentiation is prohibited.
- c. Building materials and articulated detailing, or other appropriate architectural detailing, should be used to establish a base, middle, and top portion for the building to help visually break down the scale of large buildings.

2. Facades and Storefronts

- a. Storefront window glass shall be clear. Mirrored or shaded glass shall not be used.
- b. The storefront shall be designed with large quantities of clear glass (75% of the storefront area).
- c. Buildings should be "pedestrian friendly." Design building façade elements that promote a pedestrian-friendly environment including building to the edge of sidewalk, large storefront window openings at the ground floor, awnings, canopies, lighting, and entrances that face the street.

3. Fencing

Maximum height of six (6) feet in front yard, eight (8) feet in side and rear yards. Chain link fencing is not permitted. Wooden privacy fences (six (6) feet in height) shall only be used as necessary for screening of mechanical equipment, utility equipment, or dumpster enclosures.

10.06. S-CD, CAPITAL DISTRICT

A. Purpose

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

B. Permitted Uses

Refer to [Table 10.03-1: Special District Permitted Use Table](#) for a complete listing of all uses permitted in the Special Capital District.

C. Dimensional Standards

1. Because of the wide range of existing density and lot sizes in older neighborhoods, no specific density or setbacks shall be established. Development and redevelopment shall be consistent with the character and density of the neighborhood.
2. The bulk and density of new uses or structures shall be determined by the Architectural Review Board, with the exception to setbacks, which can be administratively approved for fences or walls; and for additions or accessory structures that meet the existing setbacks on the property.
3. Maximum height is 45 feet.

D. Signs

1. For any nonresidential use within a residential structure, signs are limited to four (4) square feet and shall be mounted flush on the façade of the structure
2. Identification signs for any residential complex may be four (4) square feet for each 100 feet of street frontage to a maximum of eight (8) square feet and may be flush mounted fascia or ground signs
3. Identification of professional offices may be four (4) square feet for each 100 feet of street frontage to a maximum of eight (8) square feet and may be fascia or ground mounted. In addition, each separate office may have a sign limited to two (2) square feet fascia mounted.
4. Sign materials in the Special Capital District shall comply with the guidelines for signage contained within the SH District Design Guidelines.
5. All pole signs are prohibited.

E. Design Criteria

The following shall govern property improvements within the S-CD, Capital District in filing applications for approval for exterior remodeling, new construction, remodeling, moving of a structure, or demolition as applicable.

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

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10.07. S-HD, HISTORIC DISTRICT

- a. Assure the continuity of architectural styles, building mass and density, as well as the overall character or the area and its relationship to the Capitol Complex.
- b. Protect the open space and landscape features of the district.
- c. Ensure conformance to the applicable requirements of the City of Frankfort [Special Capital Historic Zoning District Design Guidelines](#), dated September 2024.

10.07. S-HD, HISTORIC DISTRICT

A. Purpose

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

B. Permitted Uses

Refer to [Table 10.03-1: Special District Permitted Use Table](#) for a complete listing of all uses permitted in the Special Historic District.

C. Dimensional Standards

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

1. Maximum height is 45 feet.

D. Signs

1. One (1) non-illuminated or indirectly illuminated identification sign limited to one (1) for each street frontage not to exceed four (4) square feet in area and indicating only the name and address of the building and the name of the management. If free standing, the sign shall be set back from the street a distance of at least ten (10) feet from the curb line. Maximum height of free standing sign shall be four (4) feet.
2. One (1) non-illuminated business sign for each tenant or lessee located on the premises, limited to two (2) square feet in area, mounted on the faced of the building and not projecting more than six (6) inches from the façade of the building unless otherwise approved by the Architectural Review Board.

E. Design Guidelines

The following shall govern property improvements within the S-HD, Historic District in filing applications for approval for exterior remodeling, new construction, remodeling, moving of a structure, or demolition as applicable.

1. Assure the continuity of architectural styles, building mass and density, as well as the overall character of the area.
2. Protect the open space and landscape features of the district
3. Conform to the applicable requirements of the City of Frankfort [Special Historic Zoning District Design Guidelines](#), dated February 2016.

10.08. S-HM, HERITAGE MIXED USE

A. Purpose

The purpose of the S-HM, Heritage Mixed Use district is to:

1. Facilitate the preservation of the county's significant historic resources that are under pressure due to adjacent incompatible development, proposed future development, or existing underutilization and neglect.
2. Prevent the loss of historic, cultural, and heritage sites by incorporating compatible mixed-use development that promotes tourism, economic vitality, and complements the historic character of the district.
3. Allow adaptive re-use of significant historic buildings and introduce new uses at an intensity and scale that fit into the environs in a balanced and compatible manner, fostering a vibrant and sustainable district that celebrates its unique heritage assets.

B. Permitted Uses

Refer to [Table 10.03-1: Special District Permitted Use Table](#) for a complete listing of all uses permitted in the S-HM District. Uses not permitted in the table may be approved by the Planning Commission as part of the proposed development/zone change review.

C. Applicability

1. A proposed Heritage Mixed Use district must contain one (1) or more historic resources that are currently listed or eligible for the National Register of Historic Places (NRHP) that are currently vacant, abandoned, underutilized, or located in an area where adjacent future land uses (as identified in the Comprehensive Plan) are not compatible with the continued preservation of such resource(s).
2. Eligibility of non-NRHP-listed or non-NRHP-eligible resources shall be determined by a professional meeting or exceeding the profession who is:
 - a. Retained by contract or employed by the Fiscal Court or Planning Commission; and
 - b. Meets or exceeds qualification standards established by the Secretary of Interior.
3. Analysis shall include an assessment of the levels of significance and integrity of all identified primary and accessory / associated resources existing on the property(ies).

D. Development Plan and Review Procedures

1. Zoning Map Amendment to S-HM District.

The Planning Commission shall hear applications requesting a zone map amendment to rezone to the S-HM, Heritage Mixed Use district. The request shall include the following items in order to be considered a complete application:

- a. Legal description or plat of properties subject to the rezoning to establish district boundaries.
- b. A Preliminary Development Plan depicting the following:
 - i. Approximate placement of new buildings and roads.
 - ii. Existing features that are proposed to be preserved, demolished, or altered.
 - iii. Identification of historic and significant resources on site.
 - iv. Uses of the existing and proposed buildings or structures shall be labeled.
 - v. Existing drainage features, topographical slope, and natural features such as streams, woodlands, and wetlands.
 - vi. Proposed grading and removal of trees, as well as identifying areas that will be preserved for rural and agricultural uses
 - vii. A detailed written description of the proposed development that includes an explanation of the historic significance and integrity of the primary building, structure, and/or site, as well as any accessory / associated

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resources, and how the proposed development will incorporate those resources into a cohesive heritage tourism destination.

2. Final Development Plan and Historic Preservation Review and Approval.

- a. Final Development Plan approval shall include all requirements for a development plan as found in [Section 13.06.E. Development Plan](#). The lot area, lot width, yard and usable space requirements shall not apply to S-HM districts. The siting and location of buildings, improvements, structures, and common open spaces within the area of the S-HM district shall be controlled by the Development Plans which are approved for the specific S-HM district.
- b. A report shall be developed by a qualified professional meeting the specified criteria of [Section 10.08.D.1.b](#) (above) and shall include the application of the development guidelines contained in [Section 10.08.E. Development Guidelines](#) below to determine the appropriateness of the proposed treatments, alterations, and design of new construction on the property of the NRHP-listed or NRHP-eligible resources. The report shall be provided to the Planning Commission to assist with the historic preservation review.
- c. The Planning Commission chairperson or staff shall review and have authority for approval of the Final Development Plan. If there have been significant changes between the Preliminary and Final Development Plan, Planning Commission shall review and have authority for approval. It shall also consider the review report from [subsection 2.b](#) (above). above for conditions to be included in the final approval.

E. Development Guidelines

1. The character, scale and aesthetics of the proposed development shall be compatible with the cultural and rural nature of the site.
2. Preservation of NRHP-listed or NRHP-eligible historic buildings shall be reviewed and proposed changes to the exterior of the buildings shall be reviewed and approved by the Planning Commission.
3. Demolition of the primary historic resources shall not be permitted. Relocation of accessory or associated resources may be permitted. Demolition of accessory / associated resources may be permitted if the resources lack historic significance or integrity.
4. Rehabilitation of the exterior of the historic buildings and their environments shall follow the design standards bellow, which are to be applied in a reasonable manner, taking into consideration the significance and integrity of each resource, in addition to economic and technical feasibility:
 - a. The adaptive reuse of the historic building should require minimal change to the defining characteristics of the building, the site, and environment immediately adjacent. The placement of mixed-use structures in the district should respect the historic character of the site.
 - b. The character of the historic building(s) should be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property should be avoided when possible.
 - c. Each property should be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings should not be undertaken.
 - d. Most properties change over time; those changes that have acquired historic significance in their own right should be preserved.

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10.09. S-MH, MOBILE HOME DEVELOPMENT

- e. Distinctive features finished and construction techniques or examples of craftsmanship that characterize a historic property should be preserved.
- f. Deteriorated historic features should be repaired rather than replaced. Where the severity of the deterioration requires replacement of a distinctive feature, the new feature should match the old in design, color, texture, and other visual qualities, and, where possible, materials. Missing features should be substantiated by documentary, physical, or pictorial evidence.
- g. Consideration of the potential to find significant archeological resources in the vicinity of the rehabilitation should be given.
- h. New additions, exterior alterations, or related new construction should not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
- i. New additions should be undertaken in a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

F. Enforcement

Violations of any portion of these regulations shall be subject to fines, penalties, and enforcement actions in accordance with [Section 13.09. Administration and Enforcement](#).

10.09. S-MH, MOBILE HOME DEVELOPMENT

A. Purpose

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

B. Permitted Uses

Refer to [Table 10.03-1: Special District Permitted Use Table](#) for a complete listing of all uses permitted in the S-HM District.

C. Dimensional Standards

1. Mobile Home lots shall meet the following dimensional standards, unless otherwise specified herein:

Table 10.09-1: Mobile Home Development District Dimensional Standards		
LOT STANDARD	SERVED BY WATER / SEWER	NOT SERVED BY WATER / SEWER
LOT SIZE & DIMENSIONS		
Lot Size (min.)	5,000 sq. ft.	1.5 acres
Lot Width (min.)	32'	100'
SETBACKS		
Front Yard (Street Entrance)	25'	
Front Yard (Interior Street)	10'	
Side Yard (min)	6'	
Rear Yard (min)	20'	
BUILDING MASSING		
Building Height (max)	20'	

2. Residential lots not served by public or private sewer shall meet the following dimensional standards:
 - a. Demonstrate satisfactory site evaluation by the local Health Department;

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- b. No more than one (1) dwelling shall be connected to a single septic tank system regardless of the size of the subdivided lot.

D. Off-Street Parking

A minimum of two (2) parking spaces shall be provided per mobile home unit, or as otherwise indicated in [Article 5. Parking, Loading, and Circulation](#).

E. Design Criteria

1. Mobile Home Subdivisions

Mobile Home Subdivisions shall comply with the Frankfort/Franklin County Subdivision Regulations as established by [Article 14. Subdivision Regulations](#) of these Zoning Regulations, with the following exceptions:

- a. Lot sizes are permitted as indicated in [Table 10.09-1](#) (above).
- b. Lot lines are not required to be at right angles to streets.
- c. All streets shall be constructed to collector street standards for base and pavement thickness.

2. Mobile Home Parks

- a. Lot sizes are permitted as indicated in [Table 10.09-1: Mobile Home Development District Dimensional Standards](#) (above).
- b. There shall be a 25 foot landscaped buffer area around the periphery of any mobile home park, in accordance with the requirements for Multi-Family Residential in [Section 6.07.B. Multi-Family Residential and Public & Institutional Landscape Buffer Requirements](#).
- c. Each mobile home park shall provide and maintain a recreation area equal to 500 sq. ft. per each mobile home unit.
- d. Minimum size for any mobile home park shall be 10 acres.
- e. Minimum number of mobile home sites available for occupancy shall be 10.
- f. All utilities and wires shall be underground.
- g. Each mobile home site shall be provided with a concrete pad consisting of a six-inch (6") thick poured Portland cement apron not less than the width and length of the mobile home to be maintained thereon.
- h. As an alternative to off-street parking, required parking may be provided on streets within a mobile home park, provided such street is at least 36 feet in width, curb to curb, and the average width of mobile home lots within the development is at least 40 feet.
- i. One (1) storage structure may be permitted per unit and shall not exceed 15% of the total square footage of the mobile home in which it serves. Such storage structure shall not exceed eight (8) feet in height and shall be at least five (5) feet from all lot lines.
- j. All mobile homes shall:
 - i. Be skirted to cover the undercarriage or wheels using an industry standard material.
 - ii. Be provided with tie downs; and
 - iii. Comply with the [Section 13.06.E. Development Plan](#).

F. Enlargement of Existing Mobile Home Parks

Any enlargement or extension of any existing mobile home park shall comply with these regulations.

G. Mobile Homes Not Within the S-MH District

Unless specifically listed as a permitted use, no mobile home shall be parked or maintained and used as a dwelling in any zone other than the S-MH and FNL districts.

10.10. S-LD, LANDFILL DISTRICT

A. Purpose

The purpose of the Exclusive Use Zone for Landfills is to reclassify landfill activities from particular industrial zones to an exclusive use zone intended to:

1. Protect public health by preventing water pollution, rodent infestation, air pollution or other health hazards as would occur as a result of improper location, design or operation of a landfill;
2. Protect public safety by requiring proper design of access streets to accommodate the heavy equipment necessary for collection, transportation and disposal of solid wastes;
3. Improve compatibility with adjacent uses by requiring adequate screening and setbacks, regular policing of access roads and heavily traveled routes to the site and careful review of subsequent uses allowed on the landfill site; and
4. Promote public welfare by providing a suitable location for the disposal of the solid wastes generated by the community.

B. Need for Specific Standards

If proper landfill standards are not adhered to, the operation may result in an open dump and create a serious health hazard. A completed landfill will settle and will require periodic maintenance. Because of this settlement factor, special design and construction techniques must be utilized for building constructed on a completed landfill. As a result of the factors listed above, sanitary landfills must be placed in an exclusive use zone, which includes specific design standards and appropriate protection for subsequent use.

C. Planning for the Landfill

1. Due to the potentially adverse environmental impact of a landfill, geologic and soils reports, a topographic map and a preliminary operational plan shall be required with the application for appropriate zoning. The Planning Commission may recommend approval of and the County Fiscal Court may grant the change to the zoning for E-ZL zoning based on the information in the geologic and soils reports and a preliminary operational plan showing how any site problems could be resolved; and, provided that, the site size requirements and the site design standards can be met.
2. Any application for an E-ZL Zone District must also obtain the necessary permits from federal, state and local agencies having jurisdiction over any phase of operation. No landfill construction shall commence until a landfill construction permit has been issued by the Division of Waste Management of the Natural Resources and Environmental Protection Cabinet and no landfill operation shall begin until the permit to operate has been issued by the Division of Waste Management of the Natural Resources and Environmental Protection Cabinet and submitted to the Frankfort/Franklin County Planning Commission, through the Franklin County Planning, Zoning and Building Code Enforcement office. The Planning Commission shall withhold any approval until the applicant has demonstrated compliance with the site development and operational standards contained herein.

D. Reports and Site Development and Operational Plans

1. Detailed plans, specifications, maps and reports shall be submitted in triplicate to the Planning Commission for review. The data in the following reports should be prepared in a form which facilitates its use in proper engineering design of the landfill. Problem areas must

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be delineated and recommendations for proper solution included in the report. The plans, specifications and maps for the operational plan may be submitted in the manner required by the permitting regulations of the Division of Waste Management of the Natural Resources and Environmental Protection Cabinet for solid waste landfills contained in [401 KAR 47:170](#).

2. Operation plan and maps must be prepared and include the following information:
 - a. Proposed Fill Areas
 - b. Any borrow area
 - c. Access roads
 - d. On-site drives
 - e. Grades for proper draining of each lift required and a typical cross-section of a lift;
 - f. Special drainage devices, if necessary;
 - g. Location and type of fencing;
 - h. Structures existing or to be located on the site;
 - i. Existing wooded areas, trees, ponds, or other natural features to be preserved;
 - j. Existing and proposed utilities;
 - k. Phasing of landfill operations on the site;
 - l. A plan and schedule for site restoration and completion;
 - m. A plan for ultimate land use of the site if possible
 - n. Method of operation including weighing of wastes, cross-sectioning the site at definite time intervals, thickness of cover material, depth of cells and lifts, compaction, wet weather procedures, cold weather procedures, amount, type and size of equipment and personnel; and
 - o. All other pertinent information to indicate clearly the orderly development operation and completion of the landfill.

E. Engineer's Certification

Landfill facilities shall be designed in accordance with this chapter by a registered civil engineer whose certification shall appear on all plans and specifications in the same manner as required by the Frankfort/Franklin County Subdivision Regulations.

F. Other Permits Required

Prior to the operation of the landfill, the commonwealth's Natural Resources and Environmental Protection Cabinet must issue permits for disposal of all solid waste, except where a person is disposing of solid waste from his or her own household on his or her own property.

G. Site Location Standards

The following site location standards must be met if at all possible, for they are designed to protect the public health, safety and welfare, and these standards must be balanced against the community's need to dispose of its solid waste and the total environmental and economic costs of such disposal.

H. Soil and Geologic Criteria

1. General

Any landfill should be located on a site which has suitable soil, hydrologic and geologic characteristics. Areas with karst topographic features may pose significant problems for proposed landfill sites. Any problems inherent in such a site must be demonstrated as capable of a satisfactory engineering solution. Therefore, there is a need for a soil report and a geologic report to determine if the soil, hydrologic and geologic characteristics meet required standards.

2. Soil Characteristics

A field survey must be made to determine that the site has:

- a. Sufficient impermeable material to form a seal between the base of the landfill and bedrock, and if the site is located above the kind of subsurface stratification which could leachate from the landfill to water sources, then impervious material must separate the landfill from unacceptable bedrock in accordance with the requirements and regulations of the commonwealth;
- b. Sufficient soil suitable for cover material with good workability and compaction characteristics;
- c. Slopes of less than 12%; and
- d. No flooding problems and is not within either a 100-year or 500-year base flood elevation, as determined by the National Flood Insurance Program, Flood Insurance Rate Maps for the county.

3. Geological Characteristics

- a. To prevent potential ground and surface water pollution, the site must be located in an area where no pollutants can enter the water supply. The ground water table must be located and the site designed to prevent its pollution. The site must be free of potential flooding problems and karst topographic features, which would erode the cover material or interfere with operation of the landfill.
- b. To eliminate the possibility of either surface or ground water pollution, the site should:
 - i. Be located a safe distance from sinkholes, streams, lakes, wells and other water sources;
 - ii. Avoid being located above the kind of subsurface stratification that will lead the leachate from the landfill to water sources (i.e., fractured limestone);
 - iii. Use an earth cover that is nearly impervious; and
 - iv. Provide suitable drainage to carry surface water away from the site. Grading, diking, terracing, diversion details or tiling may be approved, where appropriate.

I. Site Size Requirements

The volume of space required is primarily dependent upon the character and quantity of the solid wastes, the efficiency of compaction of the wastes, the depth of the fill and the desired life of the landfill. These factors must be weighed in determining the appropriate size of the landfill.

J. Yard Requirements

Minimum depth of front, rear, and side yards surrounding the waste boundary shall be 250 feet. No waste boundary shall be permitted within 750 feet of any dwelling or mobile home.

K. Accessibility

The site should be easily reached by highways or arterial roads. All roads to the site should be of sufficient width and constructed to safely handle all sizes of trucks when fully loaded during all weather conditions. Problems such as narrow bridges, low underpasses and steep grades on access routes must be avoided.

L. Site Design Standards

The following design features shall be incorporated into the site plans for a landfill.

1. Access Design and On-Site Roads

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- a. Particular attention must be given to proper, safe design of entrances and exits, with provision for right turn deceleration lanes, protected left turn lanes, acceleration lanes and, if needed, signalization of the intersection.
- b. Since the site should be accessible at all times, it is desirable to have several access routes so that if one route is temporarily unusable, the site can still be used.
- c. Distance of driveway entrance or exit from any adjacent lot line should be at least 125 feet, except for lots across the arterial road, off of which the access drive is located. Any portion of such access drive within 150 feet of the public street shall be paved or treated so as to be free of dust.
- d. The on-site roads to within 200 feet of the unloading area should be of all-weather construction and wide enough to permit two-way truck travel. Road grades should be designed for the largest fully-loaded trucks to travel at a reasonable rate. It is particularly important at large sites that traffic in and out of the area flow smoothly.

2. Fencing and Landscaping

The landfill area shall be enclosed with a substantial wall, fence or other adequate barrier at least five feet in height, to control access to the landfill site. The entrance gate must be capable of being locked and posted. A landscape strip, at least 50 feet in width shall be provided and maintained between the lot line and the waste boundary of the landfill. The Planning Commission may expand the size of the landscape strip to include a natural buffer such as an existing tree line. The required landscape strip shall consist of a triple row, staggered, planting of evergreen trees, at 15 feet on center, which are a minimum of six feet in height at the time of planting. Existing tree stands may be considered by the Planning Commission as meeting this buffer requirement if, in the opinion of the county's Engineer, the existing tree stands will provide the same amount or greater buffer than the required landscape planting strip.

3. Signs and Directions

Only necessary identification and directional signs shall be permitted. If the site is open to the public, a sign shall be posted at the entrances to inform the public of the hours of operation, cost of disposal and rules and regulations regarding disposal. At large landfill operations, signs should be used on the site to direct users to the appropriate unloading area.

4. Site Operational Standards

Operating standards to prevent adverse health hazards and other nuisance like problems and by requirements and regulations of the commonwealth.

M. Completed Landfill

1. Inspection

An inspection of the entire site shall be made by the commonwealth's Natural Resources and Environmental Protection Cabinet, Division of Waste Management, to determine compliance with the approved plans and specifications before earthmoving equipment is removed from the site. Any necessary corrective work shall be performed before the landfill project is accepted as completed. The compliance notification from the commonwealth's Natural Resources and Environmental Protection Cabinet shall be submitted to the county's Planning and Zoning Office.

2. Subsequent Maintenance

Arrangements shall be made and appropriate bond or irrevocable letter of credit posted to assure the repair of all cracks and eroded or uneven areas in the final cover following completion of the fill, the closure of the landfill and the maintenance of the landfill after closure in accordance with the requirements and regulations of the commonwealth. Care must

be taken to maintain good drainage and the surface contours as designed in the approved plans. Additional fill and cover material shall be used as necessary. The land shall be graded, backfilled and finished to a surface, which will:

- a. Result in a level, sloping or gently rolling topography in substantial conformity or desirable relationship to the original site and land area immediately surrounding;
- b. Minimize erosion due to storm water runoff. Such graded or backfilled area shall be sodded or surfaced with soil of a quality at least equal to the topsoil of vegetation producing land areas immediately surrounding and to a depth of at least six inches; and
- c. Trees, shrubs, legumes or grasses shall be planted as approved on the site development and operational plans.

3. Decompositions, Settlement, and Underground Fires

- a. Decomposition, settlement and underground fires are problems, which can occur after completion of the landfill operation. Precautions must be taken to prevent gases produced during decomposition from concentrating in sewers or other structures. The designer of structures to be placed on the site must provide the means to allow the gas to dissipate to the atmosphere and not into the structure.
- b. Concentrated foundation loading must be avoided to prevent foundation cracking in structures placed on the completed fill area. However, special engineering design such as use of pilings may be included in the plans for subsequent structures.
- c. Provisions for extinguishing underground fire must be made and the possibility of such an occurrence considered in the design of structures placed on the site.

4. Subsequent Land Use

- a. The subsequent land use of the completed landfill site may be determined at the time of initial approval of the landfill. However, in cases where the location of the site, duration of its operation or transitory nature of surrounding uses make a decision concerning subsequent use premature, this decision may be made at the time of completion of the landfill operation.
- b. In all cases, the future uses determination shall be based on consideration of the following factors:
 - i. The relationship of the proposed use to the adopted Comprehensive Plan and other adopted community plans;
 - ii. The compatibility of the proposed use with existing development and development anticipated in the foreseeable future;
 - iii. The susceptibility of the proposed use to damage resulting from settlement and other hazards inherent in the area filled;
 - iv. The community need for the proposed use; and
 - v. The availability of alternative locations for uses proposed