

ORDINANCE NO. 9, 2017 SERIES

AN ORDINANCE TO AMEND CHAPTER 152, ARTICLE 4, SUBSECTIONS 4.01, 4.06 and 4.243 OF THE CITY OF FRANKFORT'S CODE OF ORDINANCES RELATING TO SINGLE FAMILY AND DUPLEX LAND USE.

WHEREAS, the Frankfort/Franklin County Planning Commission held a public hearing on June 8, 2017, approved the staff report as the summary, and voted unanimously to recommend that the City of Frankfort's Board of Commissioners approve the proposed text amendments;

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF FRANKFORT, KENTUCKY,

That the City's Zoning Ordinance, Chapter 152, Article 4, Subsection 4.01, 4.06, and 4.243 is hereby amended and adopted as indicated in the attachment of this ordinance.

First Reading on the 26 day of June, 2017
Final adoption on the 24 day of July, 2017

S/William I. May, Jr.
T/Mayor

Attest:

S/Chermie Maxwell
T/City Clerk

Summary: This ordinance amends the City's Zoning Ordinance, Chapter 152, Article 4 by amending the use table and the historic Central Business District requirements to allow single family and duplex use within existing buildings when certain conditions have been satisfied.

S/Laura Milam Ross
T/City Solicitor

Published by summary August 6, 2017.

Underline text is proposed and ~~Strikethrough text is deleted.~~
Text indicated by **** is text not changed by this ordinance

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

4.05 Use Table

LAND USE	ZONING DISTRICTS																	
	CODE	AG	RE	RA	RB	RC	RS	RD	RL	RH	RM	PO	CL	CG	CH	CB	IC	IG
RESIDENTIAL																		
Single-family dwellings ²⁶	01	P3	P26	P26	P26	P26	P26	P26	P26	P26		P26	P26	C	P26	33		
Two-family dwellings	02					C	4	P	P	P		C	P	C	P	33		
Three or more family dwellings	03-05								P	P		P	C	C	C	P		
Boarding, Rooming & Fraternity houses	06							C	C	P		C	C	C	C	P		
Hotel, Motels	07													P	P	P		
Mobile & Manufactured homes	08	P									P							
Qualified Manufactured homes ²⁶	09	P26	P26	P26	P26	P26	P26	P26	P26	P26	P26	P26	P26	C	P26			

4.06 Noted Special Conditions:

33. Permitted Use conditions: Existing one and two story structures that are documented as single family or duplex, and existing structures that have maintained the exterior form and design of a residence, may be permitted and used as a single family or duplex use.

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

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

4.24 Central Business District öCBö

- 4.241 Purpose. To establish and preserve a central business district convenient and attractive for a wide range of retail uses, business offices, government and professional offices in a setting conducive to a volume of pedestrian traffic. To protect the historic character of downtown Frankfort by granting the Architectural Review Board the power to review permits for all construction, building additions, remodeling, demolition or moving of structures into or out of the Central Business District.
- 4.242 Permitted Uses. Retail, office, multi-family residential uses, mixed uses (to encourage live above work opportunities), churches and schools, as well as other uses as indicated in the use table but specifically excluding automotive service uses.
- 4.243 Conditional Uses. Parking lots and parking structures, **conversion of an existing two story or less building into a duplex or single family use.**