



MEMORANDUM

August 6, 2012

TO: Board of Mayor and Aldermen

FROM: Eric Stuckey, City Administrator
Vernon Gerth, Assistant City Administrator for Community and Economic Development
Catherine Powers, Planning and Sustainability Director

SUBJECT: Ordinance 2012-46, Zoning Text Amendment to amend various chapters and sections to clean-up and clarify requirements within the *City of Franklin Zoning Ordinance*

Purpose

The purpose of this memorandum is to provide the Board of Mayor and Aldermen with information regarding an amendment to various chapters and sections throughout of the *City of Franklin Zoning Ordinance* to clean-up and clarify requirements.

Background

This Zoning Ordinance Text Amendment is proposed by the City Staff in effort to clarify inconsistencies and make minor changes within the *Franklin Zoning Ordinance (FZO)*. All of the proposed changes within Ordinance 2012-46 are intended to 1) provide consistency between various sections within the *FZO* where obvious inconsistencies exist, 2) provide further detail to make certain requirements within the *FZO* less ambiguous or 3) correct minor textual errors within the *FZO*.

Apart from corrections to erroneous citations and misspellings, this amendment includes revisions to the following standards: application schedules and procedures; encroachments into setbacks; accessory uses as it relates to recreational equipment; façade variations for nonresidential and mixed-use development; standards for fences and walls; clarification of hillside development standard setback requirements; revisions to various parking related requirements; and a revision to the definition of a canopy.

This text amendment was recommended unanimously (7-0) by the Planning Commission at the July 26, 2012 FMPC meeting.

Financial Impact

Not applicable to this item.

Options

Not applicable to this item.

Recommendation

Approval of the text amendment.

ORDINANCE 2012-46

TO BE ENTITLED: "AN ORDINANCE TO AMEND VARIOUS CHAPTERS AND SECTIONS OF THE CITY OF FRANKLIN ZONING ORDINANCE TO CLARIFY REQUIREMENTS AND CORRECT MINOR TEXTUAL ERRORS."

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMAN OF FRANKLIN, TENNESSEE, AS FOLLOWS:

SECTION I. That Chapter 2, Sections 2.3.2 and 2.3.3 of the City of Franklin Zoning Ordinance is hereby amended to add the following text noted in **bold** and is approved to read as follows:

- 2.3.2 Application Submission Schedule
The schedule for the submission of applications in relation to scheduled meetings of the decision-making bodies shall be established **by each decision-making body's By-Laws or other regulations and maintained** by the Department of Planning and Sustainability and made available to the public.
- 2.3.3 Application Contents
 - (1) Submittal Requirements
Applications required under this ordinance shall be submitted in a form and in such numbers as established by the Department of Planning and Sustainability **in the Administrative Manual** and made available to the public.

SECTION II. That Chapter 3, Section 3.3.1 of the City of Franklin Zoning Ordinance is hereby amended to delete the following text noted with a ~~strike through~~; to add the following text noted in **bold**; and is approved to read as follows:

- 3.3.1 Measurements, Computations, and Exceptions
 - ...
 - (4) Setbacks and Yards
 - ...
 - (b) Permitted Encroachments into Required Setbacks
 - (i) The following features may be located within required setbacks to the extent indicated:
 - A.) Sidewalks and landscape;
 - B.) Accessory uses and structures as allowed in Section 4.1, Accessory Uses and Structures; ~~and~~
 - C.) Fences and walls as allowed in Section 5.6, Fences and Walls; ~~and~~
 - D.) **Off-Street Parking, as allowed in Section 5.9, Off-Street Parking and Loading.**

SECTION III. That Chapter 3, Section 3.3.4, Table 3-8 of the City of Franklin Zoning Ordinance is hereby amended to add the following text noted in **bold** and is approved to read as follows:

- 3.3.4 Site Development Standards for Traditional Areas
 - ...

TABLE 3-8 SITE DEVELOPMENT STANDARDS FOR TRADITIONAL AREAS [1], [2], [3]

Standard	Residential Detached (Street Loaded)	Residential Detached (Alley Loaded)	Residential Attached	Mixed-Use	Nonresidential
Side Yard Setback [8] [12]	5 feet	5 feet	{10} [9]	0-5 feet	0 feet
NOTES: ... [9] Minimum of zero feet each side, minimum ten feet between buildings. [10] Side or rear wings designed in accordance with Subsection 5.3.9 are exempt from the maximum width. ...					

SECTION IV. That Chapter 4, Section 4.1.4 and Table 4-1 of the City of Franklin Zoning Ordinance is hereby amended to add the following text noted in **bold** and is approved to read as follows:

4.1.4 Table of Permitted Accessory Uses

TABLE 4-1: PERMITTED ACCESSORY USES

P = Permitted Shaded Cell = Prohibited

Accessory Use or Structure	Base Zoning Districts [1]															Addt'l Req.				
	AG	ER	R-1	R-2	R-3	R-6	RX	OR	CI	GO	NC	CC	GC	MIN	ML		MX	LI	HI	
Storage or Parking of Major Recreational Equipment [2]	P	P	P	P					P											Sec. 4.1.6(14)
NOTES: ... [2] Major Recreational Equipment shall also be permitted to be stored or parked at an approved Self-Storage Facility.																				

SECTION V. That Chapter 5, Section 5.3.5 of the City of Franklin Zoning Ordinance is hereby amended to delete the following text noted with a ~~strike through~~ and is approved to read as follows:

5.3.5 Residential Development

- ...
- (3) Attached Residential Structures
- ...
- (g) Garage Standards
- ...
- (ii) The FMPC may allow attached residential structures to include garage doors that face the primary street fronting the structure only in cases where it is necessary to retain ~~existing~~ existing vegetation or address difficult topography.

SECTION VI. That Chapter 5, Section 5.3.6 of the City of Franklin Zoning Ordinance is hereby amended to delete the following text noted with a ~~strikethrough~~ and is approved to read as follows:

5.3.6 Nonresidential and Mixed-Use Development

....
(6)

Façade Variations

...

(d) Standards

The following shall be used either alone or in combination to meet the façade variation requirements **and shall be applied in a manner that is integral to the building form and construction:**

- ~~(i)~~ Wall offsets having a minimum width of ten feet with a minimum depth or projection of six inches beyond the primary façade plane;
- ~~(ii)~~(i) Color or material changes **having a minimum width of ten feet with a minimum depth or projection of six inches beyond the primary façade plane** following the same dimensional standards as the offset requirements;
- ~~(iii)~~(ii) Pilasters having a minimum depth of eight inches, a minimum width of eight inches, and a minimum height of 80 percent of the façade's height;
- ~~(iv)~~(iii) Awnings or canopies, provided the awning or canopy is not translucent, back-lit, or internally illuminated;
- (iv) **Arbors or trellises of materials and color complimentary to the primary building, provided the location of the arbor or trellis does not obstruct any type of access (pedestrian, handicap, emergency, loading, etc.);**
- (v) **Windows and/or a change in fenestration;**
- (vi) **Faux windows or areas of special brick, tile, or stone patterning, if window openings are not conducive to the use of the building;**
- (vii) **Recessed entries, accented by canopies, awnings, porticos, or roof overhangs;**
- (viii) **Balconies or decks, a minimum of 6 feet in depth and width;**
- (ix) **Arcades or covered walkways;**
- ~~(x)~~(x) Roofline changes, such as changes in roof planes or changes in the top of a parapet wall, when coupled with correspondingly aligned façade material changes;
- ~~(vi)~~(xi) For sloped roof buildings, varying the roofline through a knee wall or providing a six-inch or greater offset in the façade plane;
or
- (xii) **Other architectural features, as approved by DRT and/or FMPC.**

(7) Building Materials

...

(f) Prohibited Materials

...

- (ii) Rough-hewn wood as a predominant material; ~~however, smooth wood siding may be allowable on nonresidential structures as a transitional feature as allowed in Subsection 5.3.4, Transitional Features;~~
- ...
- (iv) Exposed metal panels (e.g., corrugated metal), on vertical wall surfaces. This subsection shall not be construed to prohibit metal roofs, flashing, aluminum storefront associated with windows, or high-quality metal siding such as copper, bronze, or other decorative metal, which may be used on a case-by-case basis. **Where permitted, high-quality metal siding shall be non-reflective and complimentary to the architectural style.**

SECTION VII. That Chapter 5, Sections 5.6.4 and 5.6.6 of the City of Franklin Zoning Ordinance is hereby amended to delete the following text noted with a ~~strikethrough~~; to add the following text noted in **bold**; and is approved to read as follows:

5.6.4 Basic Standards Applicable to All Fences and Walls

- (1) Appearance
All fences and walls shall:

- ...
- (d) For a ~~completely opaque~~ fence serving a nonresidential use, include ~~either~~ masonry columns every 50 feet on-center or less ~~or~~ **and either install a completely opaque fence or provide** a single row of evergreen shrubs with a maximum on-center spacing of five feet located on both sides of the fence;
- ...

...

5.6.6 Fences and Walls Used for Screening Vehicular Use Areas

- ...
- (3) Major Intersections
~~Vehicular use areas that abut major intersections composed of two arterial streets or an arterial and collector street shall use a solid masonry wall with a minimum height of three feet and a maximum height of six feet located immediately adjacent to the street right-of-way edge. The wall shall extend the full distance of the vehicular use area (except for areas devoted to ingress and egress) and be designed so as not to encroach within the required sight distances.~~ **When a vehicular use area with more than 100 parking spaces abuts a major intersection composed of two arterial streets or an arterial and collector street, at least one of the following elements shall be provided at each corner of the intersection. All architectural or landscape features shall meet the sight distance standards of the City of Franklin Transportation and Technical Street Standards:**
 - (a) **A monumental, decorative wall, no more than 3 feet in height and at least 20 feet long down each intersecting street;**
 - (b) **An open space feature, such as a plaza or fountain;**
 - (c) **An architectural feature;**
 - (d) **Other features as approved by DRT.**

SECTION VIII. That Chapter 5, Section 5.8.1 and 5.8.4 of the City of Franklin Zoning Ordinance is hereby amended to delete the following text noted with a ~~strickethrough~~; to add the following text noted in **bold**; and is approved to read as follows:

5.8.1 Hillside Development

...

(4) Standards

...

(b) Minimum Lot Size

Lots subject to the standards of this section containing natural slopes of 14 percent or greater shall be a minimum of two acres, shall maintain a minimum street frontage of 150 linear feet, and a minimum side yard setback ~~equivalent to~~ **of at least 25 feet percent of the lot's street frontage, regardless of the standards in the applicable base or overlay district. If the required side yard setback for the base zoning district is greater than 25 feet, then the base zoning district standard shall apply.** For lots on a cul-de-sac or curvilinear street, the street frontage shall be measured at the edge of the front setback. Lots shall not be mass graded to avoid this section.

...

5.8.4 Stormwater Management Facilities

...

- (4) **Fencing Fences and walls** associated with stormwater management facilities shall be provided in accordance with the standards in Section 5.6, Fences and Walls.

SECTION IX. That Chapter 5, Section 5.9.3 of the City of Franklin Zoning Ordinance is hereby amended to delete the following text noted with a ~~strickethrough~~; to add the following text noted in **bold**; and is approved to read as follows:

5.9.3 General Standards for Off-street Parking, Stacking, and Loading Areas

...

(3) Surfacing

...

(b) Spaces Exceeding Maximum Standards

Where the number of off-street parking spaces added during new development or redevelopment exceeds the ~~minimum~~ **maximum** number allowed by Table 5-9, Minimum Off-Street Parking Standards, such spaces shall comply with the standards of Subsection 5.9.11, Alternative Parking Plan.

...

...

(8) Curbs and Motor Vehicle Stops

All off-street parking and loading areas shall provide curbs or similar devices to prevent vehicles from overhanging on or into public right-of-way, sidewalks, walkways, adjacent land, or landscape areas. Motor vehicle stops are permitted only for handicap spaces, ~~or~~ in parking structures, **or adjacent to**

stormwater features that promote infiltration. Nothing in this section shall prevent installation of stormwater quality facilities.

SECTION X. That Chapter 5, Section 5.9.8 and Table 5-11 of the City of Franklin Zoning Ordinance is hereby amended to add the following text noted in **bold** and is approved to read as follows:

- 5.9.8 Dimensional Standards for Parking Spaces and Aisles
 - (1) General

The dimensions for standard car parking spaces and parking lot aisles shall comply with Table 5-11, Dimensional Standards for Parking Spaces and Aisles:

TABLE 5-11: DIMENSIONAL STANDARDS FOR PARKING SPACES AND AISLES			
Parking Angle	Stall Width (Ft)	Stall Depth (Ft)	Min. and Max. Aisle Width (Ft)
90 degrees	9 [2]	18 [4], [5]	20-24 for two way [1] [3]
NOTES:			
...			
[4] When a parking stall abuts a sidewalk or a landscape island that is seven feet in width or wider, the stall depth may be reduced to 16 feet			
...			

SECTION XI. That Chapter 5, Section 5.9, Figure 5-123 of the City of Franklin Zoning Ordinance is hereby amended to delete the following photo and Figure caption and is approved to read as follows:

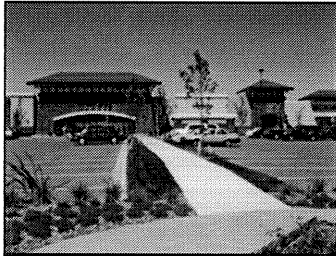


Figure 5-123: ~~A pedestrian pathway connects the building entrance with the off-site sidewalk system.~~ **Figure Deleted**

SECTION XII. That Chapter 5, Section 5.9.11 of the City of Franklin Zoning Ordinance is hereby amended to delete the following text noted with a ~~strike through~~; to add the following text noted in **bold**; and is approved to read as follows:

- 5.9.11 Alternative Parking Plan

The ~~Department of Planning and Sustainability~~ **DRT** shall be authorized to approve an Alternative Parking Plan, that proposes alternatives to providing the number **and configuration** of off-street parking spaces required by **Section 5.9 and** Table 5-9, Minimum Off-Street Parking Standards, in accordance with the standards listed below.

Nothing in this subsection shall limit the use of one or more of the following off-street parking alternatives by a single use. **If an applicant disagrees with the decision of the DRT, the applicant may appeal the decision to the FMPC.**

...

(8) Alternative Materials

The use of pervious or semi-pervious parking area surfacing materials, including but not limited to grass, mulch, "grasscrete", ring and grid systems used in conjunction with grass seed or sod, permeable concrete or asphalt, porous or grid pavers, or recycled materials such as glass, rubber, used asphalt, brick, block and concrete may be approved for the required vehicular surface area on a lot provided that such areas are properly maintained. Decorative dust-free gravel used in conjunction with reinforced matting, grid pavers, or pervious asphalt, is permitted as an alternative parking area surfacing material in the CFCO and traditional areas. Where possible, such materials should be used in areas proximate to and in combination with on-site stormwater control devices **and/or landscape islands.**

SECTION XIII. That Chapter 8, Section 8.3 of the City of Franklin Zoning Ordinance is hereby amended to add the following text noted in **bold** and is approved to read as follows:

8.3 Definitions and Use Classifications

...

Canopy

A permanent, but not completely enclosed structure that may be attached or adjacent to a building for the purpose of providing shelter to people or automobiles, or a decorative feature on a building wall.

For the purposes of this ordinance, a car port in a residential zoning district shall not be considered a canopy.

SECTION XIV. BE IT FINALLY ORDAINED by the Board of Mayor and Aldermen of the City of Franklin, Tennessee, that this Ordinance shall take effect from and after its passage on third and final reading, the health, safety, and welfare of the citizens requiring it.

ATTEST:

CITY OF FRANKLIN, TENNESSEE:

By: _____

ERIC S. STUCKEY

City Administrator/Recorder

By: _____

DR. KEN MOORE

Mayor

PLANNING COMMISSION RECOMMENDED:

7/26/12

PASSED FIRST READING:

PUBLIC HEARING HELD:

PASSED SECOND READING:

PASSED THIRD READING:
