

ORDINANCE 2012-37

TO BE ENTITLED: "AN ORDINANCE TO AMEND CHAPTER 3, SECTION 3.5.12, SUBSECTION 2(B) OF THE FRANKLIN ZONING ORDINANCE, WHICH ESTABLISHES STANDARDS FOR SPECIAL AREA 1 OF THE WEST HARPETH CHARACTER AREA OVERLAY DISTRICT."

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

**SECTION I.** That Chapter 3, Section 3.5.12(2)(b) of the City of Franklin Zoning Ordinance is hereby amended to add the following text noted in **bold**, to delete the following text noted with a ~~strikethrough~~, and is approved to read as follows:

**3.5.12 WHCO—West Harpeth Character Area Overlay District**

**(1) Purpose and Vision**

The West Harpeth Character Area Overlay District, hereinafter referred to as the "WHCO District", is intended to be an exemplary model for the way in which new development can be accommodated while preserving open space, sensitive environmental features, and historic farmsteads. It will be an area of high quality guided by design standards and mixed-use developments.

**(2) Special Areas**

**(a) Establishment of Special Areas**

The WHCO District is hereby divided into three special areas as illustrated on the zoning map.

**(b) WHCO-1 Standards**

- (i) New development shall reflect adopted plans and standards approved for the Westhaven development, **where applicable**.
- (ii) Development **in the ML** District shall comply with Subsection 5.3.9, Traditional Neighborhood Development.

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**SECTION II.** 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 APPROVAL:

PASSED FIRST READING:

PASSED SECOND READING:

PUBLIC HEARING HELD:

PASSED THIRD READING:

6/28/12  
7/24/12  
8/28/12  
8/28/12



HISTORIC  
FRANKLIN  
TENNESSEE

## MEMORANDUM

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July 2, 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  
Jonathan Langley, Long-Range Planning Supervisor

**SUBJECT:** Ordinance 2012-37, a Zoning Ordinance Text Amendment to Amend Chapter 3, Section 3.5.12, Subsection 2(b) of the Franklin Zoning Ordinance, which establishes standards for Special Area 1 of the West Harpeth Character Area Overlay District

### **Purpose**

The purpose of this memorandum is to provide the Board of Mayor and Aldermen (BOMA) with information to consider a Zoning Ordinance Text Amendment to Amend Chapter 3, Section 3.5.12, Subsection 2(b) of the Franklin Zoning Ordinance, which establishes standards for Special Area 1 of the West Harpeth Character Area Overlay District.

### **Background**

This Zoning Ordinance Text Amendment was favorably recommended to the BOMA by a unanimous vote (7-0) at the June 28, 2012, FMPC Meeting and is associated with the annexation and rezoning for the Animalia property at 1973 New Highway 96 West. At current, the text in the Zoning Ordinance assumes that the entirety of West Harpeth Character Area – Special Area 1 only includes the Westhaven PUD Subdivision. However, the Animalia property is also included within this Special Area.

To address this situation, staff has added language to recognize that 1) all property in the Overlay is not within the Westhaven PUD development and 2) Subsection 5.3.9 – Traditional Neighborhood Development – is only appropriate for properties in the Local Mixed-Use Zoning District (ML), the zoning district assigned to the Westhaven PUD Subdivision.

### **Financial Impact**

Not applicable to this item.

### **Options**

Not applicable to this item.

### **Recommendation**

Approval of Ordinance 2012-37 is recommended.