

ORDINANCE 2013-28

TO BE ENTITLED: "AN ORDINANCE TO AMEND CHAPTER 5, SECTION 5.3.7, SECTION 5.3.8, AND SECTION 5.3.9 OF THE CITY OF FRANKLIN ZONING ORDINANCE REGULATING HAMLETS, CONSERVATION SUBDIVISIONS, AND TRADITIONAL NEIGHBORHOOD DEVELOPMENT."

WHEREAS, the City of Franklin encourages unique, innovative, and sustainable neighborhood development;

WHEREAS, Hamlets, Conservation Subdivisions, and Traditional Neighborhood Development are voluntary, applicant-initiated neighborhood development patterns; and

WHEREAS, the Planning and Sustainability Department has produced an advisory document to provide guidance to applicants interested in employing design principles associated with Hamlets, Conservation Subdivisions, and Traditional Neighborhood Development.

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

SECTION I. That Chapter 5, Section 5.3.7 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:

5.3.7 Hamlets

(1) Purpose and Intent

Hamlets are **voluntary development arrangements** intended to:

- (a) Accommodate new growth and development in rural or agricultural areas without adversely affecting the rural context and established development pattern; and**
- (b) Provide necessary civic services and the opportunity for low-intensity nonresidential uses intended to serve nearby residents and existing agricultural uses.**

(2) Procedure

Hamlets shall be subject to the procedures and standards in Subsection 2.4.2, Planned Unit Development.

(3) Basic Standards

~~Development proposed as a Hamlet shall comply with the following standards:~~
Design guidelines for Hamlets are set forth in City of Franklin publication entitled *Guidebook to Hamlets, Conservation Subdivisions, and Traditional Neighborhood Development*.

(a) Location

- (i) Hamlets shall be located on major street intersections composed of one or more arterial or collector streets.
- (ii) Hamlets shall occupy areas that are relatively flat or with gentle slopes.

(b) Maximum Size

Development within a Hamlet shall be limited to a maximum size of 100 dwelling units and 40,000 square feet of nonresidential buildings.

(c) Street Pattern

- (i) Development within a Hamlet shall use a grid street pattern of interconnected streets, sidewalks, and trails except where environmental conditions make other patterns more appropriate and reduce impacts on natural resources.
- (ii) Block lengths shall be an average of 400 linear feet in length, but shall not exceed linear 600 feet.
- (iii) Blocks longer than 400 linear feet shall include a mid-block pedestrian walkway to join opposing sides of the block.

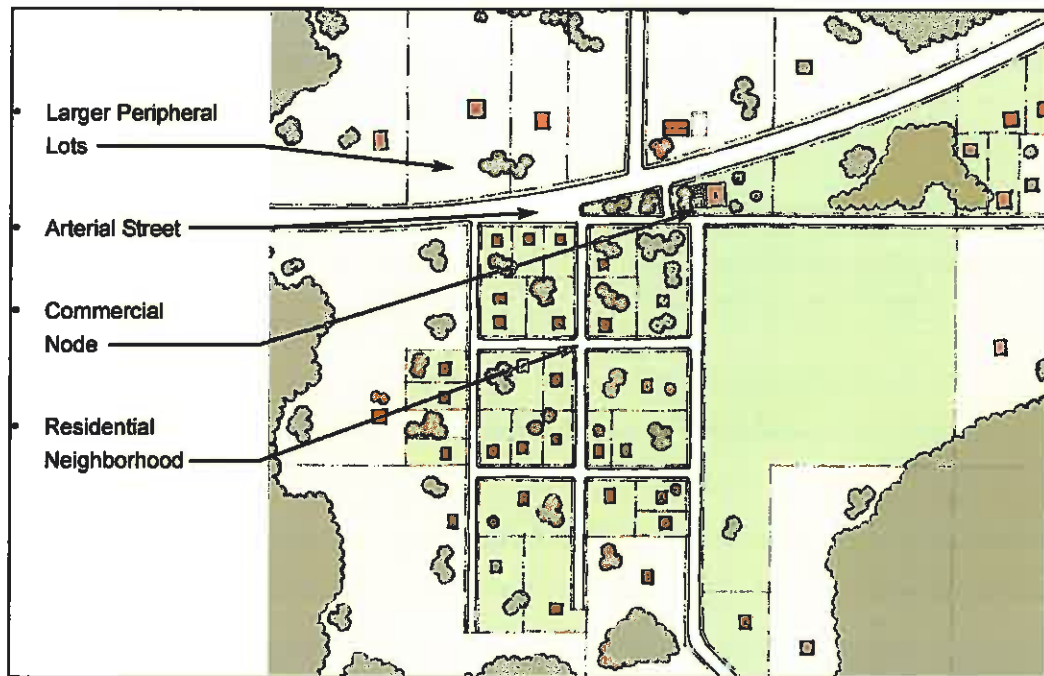


Figure 5-51: Hamlets are traditionally located at major intersections and include residential and limited commercial development organized within a grid street pattern supplemented with generous amounts of open space. **Figure Deleted**

(4) Standards for Residential Development

Residential development on lots within a Hamlet shall be subject to the traditional area standards in this chapter.

~~(5) Standards for Nonresidential and Mixed Use Development~~

~~(a) Uses Allowed~~

- ~~(i) Lands within a Hamlet shall be limited to the MN and CI zoning district classifications.~~
- ~~(ii) Commercial and office development shall be limited to uses intended to serve local residents and surrounding agricultural uses.~~
- ~~(iii) No single structure housing a nonresidential or mixed use shall exceed 10,000 square feet (excluding belfries, spires, steeples, crawlspaces, or similar areas not intended for habitation).~~

~~(b) Location~~

~~Nonresidential and mixed use development shall be located in the geographic center of the Hamlet and focused on the corners of an intersection composed of one or more arterial or collector streets.~~

~~(c) Subject to Standards for Traditional Areas~~

~~Nonresidential and mixed use development on lots within a Hamlet shall be subject to the traditional area standards in this chapter.~~

~~(6) Minimum Open Space Set Aside~~

~~A minimum of 50 percent of the area proposed for development as a Hamlet shall be set aside as informal open space in accordance with the standards in Section 5.5, Open Space Standards.~~

SECTION II. That Chapter 5, Section 5.3.8 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:

5.3.8 Conservation Subdivision

(1) Purpose and Intent

The Conservation Subdivision is a **voluntary development arrangement** intended to provide additional development flexibility to build on smaller lots in a way that protects the natural and historic features on the site. This is done in order to:

- (a) Conserve open land, including those areas containing agricultural lands and unique and sensitive natural features such as floodplains, wetlands, unbuildable soils, stream corridors, and steep slopes;
- (b) Retain and protect existing environmental, natural, and cultural resources, including mature stands of trees, tree lines, fencerows, hedgerows, and historic resources;
- (c) Create a linked network of open spaces;
- (d) Promote existing rural character within agricultural and rural areas; and
- (e) Provide reasonable economic use of the property.

(2) Procedure

Development of a Conservation Subdivision shall be subject to the procedures and standards in Subsection 2.4.2, Planned Unit Developments. If not a Planned Unit Development, a Conservation Subdivision shall be subject to the procedures of a Preliminary Subdivision Plat.

(3) ~~Conservation Subdivision Basic Standards~~

Design guidelines for Conservation Subdivisions are set forth in City of Franklin publication entitled *Guidebook to Hamlets, Conservation Subdivisions, and Traditional Neighborhood Development*.

~~(a) A conservation subdivision shall set aside a minimum of 50 percent of the total acreage of the site as conservation area to be permanently maintained and protected as:~~

- ~~(i) — Open space lots;~~
- ~~(ii) — Land dedicated to the city; or~~
- ~~(iii) — A conservation easement.~~

~~(b) Development within a Conservation Subdivision shall be subject to either the traditional or conventional area standards in this chapter, but shall not use both standards.~~

~~(c) Lands within a Conservation Subdivision shall be limited to the AG, ER, R-1, R-2, RX, and CI zoning district classifications.~~

(4) ~~Conservation Areas~~

~~The conservation areas within the conservation subdivision shall comply with the following standards:~~

~~(a) Features to be Preserved~~

~~Conservation areas shall be located so as to preserve community resources including, but not limited to, the following (in no order of priority):~~

- ~~(i) — Steep slopes over 20 percent;~~
- ~~(ii) — Floodplain, wetlands, stream corridors;~~
- ~~(iii) — Tree Protection Zones;~~
- ~~(iv) — Areas within an HHO;~~
- ~~(v) — Habitat used by endangered or threatened species;~~
- ~~(vi) — Structures or sites designated as a National Historic Landmark;~~
- ~~(vii) — Historic, archeological, and cultural resources, such as stone walls, farmhouses, or barns (other than National Historic Landmarks);~~
- ~~(viii) — Prime agricultural lands, including existing pastures (whether in use or otherwise);~~
- ~~(ix) — Established tree lines, hedgerows, and fencerows;~~
- ~~(x) — Scenic corridors, gateways, and views; and~~
- ~~(xi) — Areas that could serve to extend existing greenways, trails, parks, or recreation areas.~~

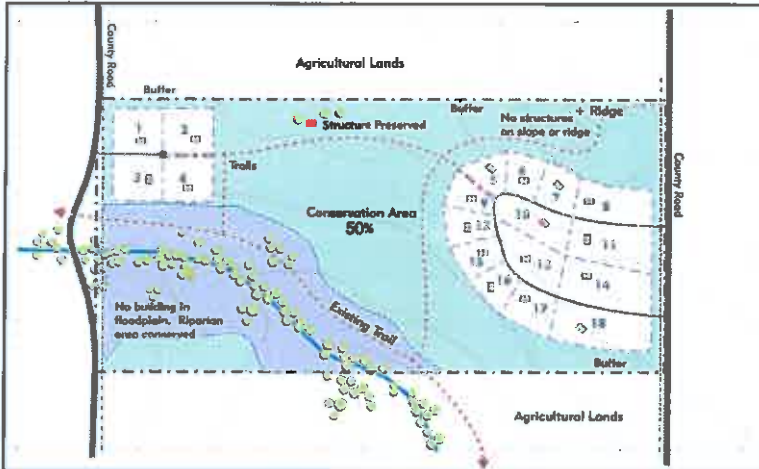


Figure 5-52: Conservation Subdivisions set aside substantial portions of a development site for open space. Figure Deleted

(b) Allowable Use of Conservation Area

- ~~(i) Greenways or blueways;~~
- ~~(ii) Pedestrian or bicycle trails and walkways;~~
- ~~(iii) Above and below ground public utilities and associated easements, provided no feasible alternative exists;~~
- ~~(iv) Street or driveway crossings provided such crossings do not violate this ordinance, or other state or federal laws;~~
- ~~(v) Historic, archeological, and cultural resources, including properties within an HPO District, National Register properties, properties eligible for designation as a National Register property, interpretive activities associated with National Historic Landmarks, or natural areas;~~
- ~~(vi) Agricultural uses;~~
- ~~(vii) Individual or community water supply and septic systems;~~
- ~~(viii) Stormwater management systems or other best practices, where no feasible alternative exists;~~
- ~~(ix) Required drainage or other utility easements; and~~
- ~~(x) Mitigation of development activities, including restoration of disturbed or degraded areas to enhance habitat and scenic value.~~

(5) Ownership

~~The conservation area shall be considered as an open space set aside and shall comply with the ownership requirements in Section 5.5, Open Space Standards.~~

(6) Development Areas

~~After identifying the conservation areas, the development area shall be identified. It is the area within which development may occur and shall include the area within the site where:~~

- ~~(a) Any clearing or grading activities will take place;~~
- ~~(b) Ingress and egress will be located;~~
- ~~(c) Roads, utilities, and similar structures will be located;~~
- ~~(d) Attached or detached residential development will be located; and~~
- ~~(e) Allowable nonresidential uses will be located.~~

~~(7) Nonresidential Development~~

~~Nonresidential development shall be limited to those uses permitted within the CI zoning district classification.~~

SECTION III. That Chapter 5, Section 5.3.9 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:

5.3.9 Traditional Neighborhood Development (TND)

(1) Purpose and Intent

Traditional Neighborhood Development (TND) is a **voluntary development arrangement that** uses design in the tradition of small American villages and neighborhoods that flourished during the nineteenth and early twentieth centuries. These standards are intended to create developments including the following elements:

- (a) A mix of residential and neighborhood-serving nonresidential uses;
- (b) A focus on street character through use of front porches and gardens;
- (c) A sensitive approach to the design and location of off-street parking and service areas;
- (d) The incorporation of public parks, greens, or village squares; and
- (e) Good access to integrated transportation networks, with the pedestrian and mass transit having equal consideration to the automobile.

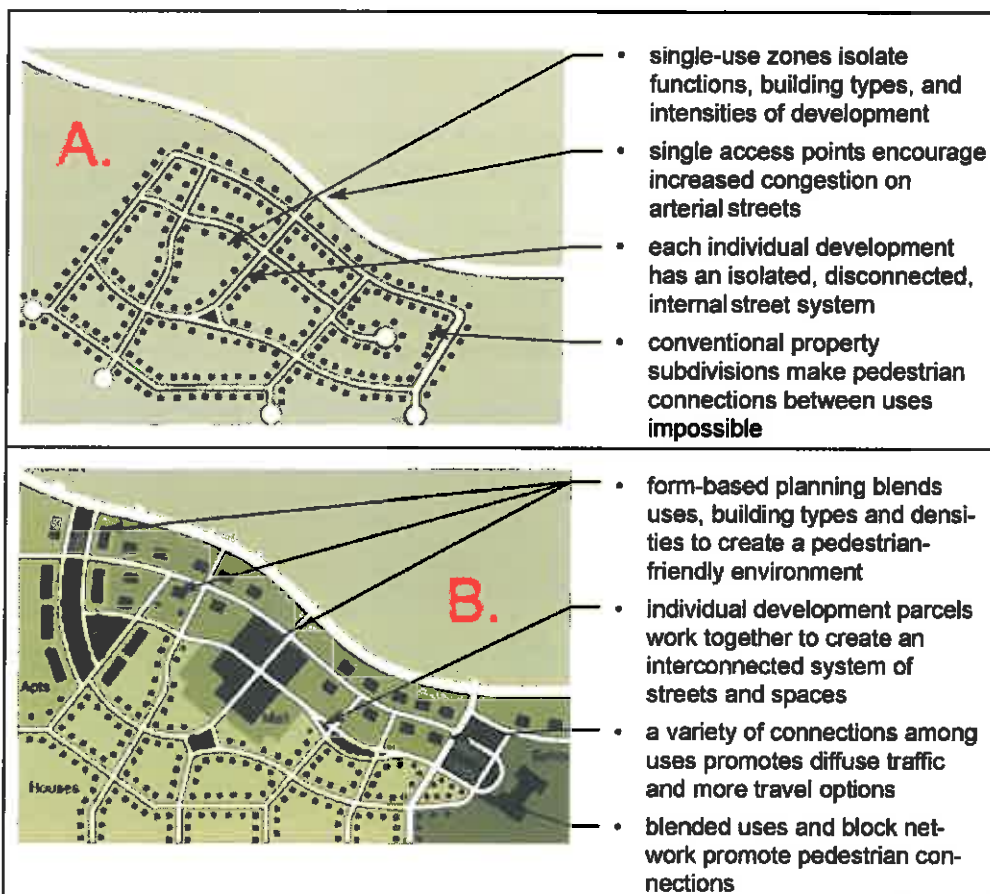


Figure 5-53:
Conventional
Development (Diagram
A) compared to
Traditional Neighborhood
Development (Diagram
B). Figure Deleted

(2) Procedure

A TND shall be subject to the procedures and standards. If not a Planned Unit Development, a TND shall be subject to the procedures of a Preliminary Subdivision Plat and/or Site Plan.

(3) ~~Compliance with Development Basic Standards~~

~~TND shall comply with the standards in this subsection and Table 3-8, Site Development Requirements for Traditional Areas.~~

Design guidelines for TND are set forth in City of Franklin publication entitled *Guidebook to Hamlets, Conservation Subdivisions, and Traditional Neighborhood Development*.

(4) ~~Principle Elements of Traditional Neighborhood Development~~

~~Traditional neighborhood developments shall include the following eight principle elements:~~

~~(a) A Variety of Street Types Within an Interconnected Network~~

~~By providing a variety of street types, TND encourages a variety of uses and land use characters within a district. Each TND shall provide an interconnected street network that promotes interaction among uses and connectivity for automobiles as well as pedestrians.~~



Figure 5-54: ~~An example of a varied and interconnected TND street grid. Figure Deleted~~

~~(b) A Variety of Housing Types~~

~~TND shall include a variety of detached and attached housing types within a district. This encourages greater diversity in the population with a mix of prices, ownership types, and plan options.~~



Figure 5-55: A street elevation showing a hypothetical mix of residential building types. **Figure Deleted**

(c) A Mix of Uses

Each TND neighborhood shall have a mix of uses that serve the neighborhood including schools, churches, services, shopping, entertainment, and offices, in an amount proportionate to the size and population of the community.

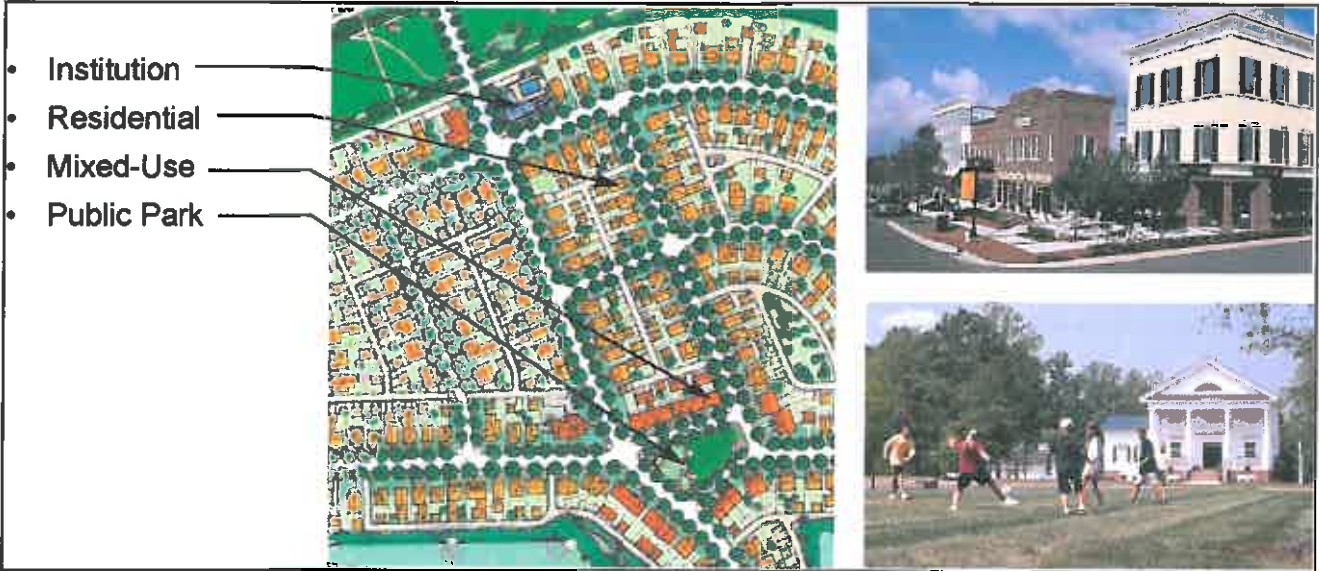


Figure 5-56: A plan showing a variety of uses and photographic examples. **Figure Deleted**

(d) Institutions or Neighborhood Serving Commercial as Focal Points

~~TND shall provide a variety of neighborhood serving special sites and community focal points such as retail stores, schools, services, libraries, post offices, civic uses and parks within a ten minute walk (approximately one-half mile) of the majority of dwelling units within a neighborhood. Small mixed-use districts at a key intersection, a public plaza surrounded by live/work units, or a school with community and recreation facilities are examples of design elements that serve as community gathering spaces and focal points for TND.~~

(e) Minimum Density

~~TND shall include an appropriate residential density to establish the critical mass or market shed necessary to support retail, transit, and civic uses. While this figure will vary based upon the size of the TND and the mix of uses, all TND shall attain a net density not less than four units per acre, excluding public right of way and open space set asides.~~

(f) Pedestrian and Transit Orientation

~~TND is configured to improve the pedestrian experience by providing narrow streets, generous sidewalks, on-street parking, and alley loaded lots. By lessening the amount of pavement at pedestrian crossings and removing driveways from front yards, car/pedestrian conflicts are minimized.~~



Figure 5-57: A typical section through a residential streetscape and photos of pedestrian friendly center (top) and neighborhood (bottom). **Figure Deleted**

(g) An Interconnected Network of Open Space

~~An interconnected network of public open space is an integral component to be provided in a TND. A network of open spaces encourages interaction among neighbors and reinforces strong pedestrian and bikeway connections.~~

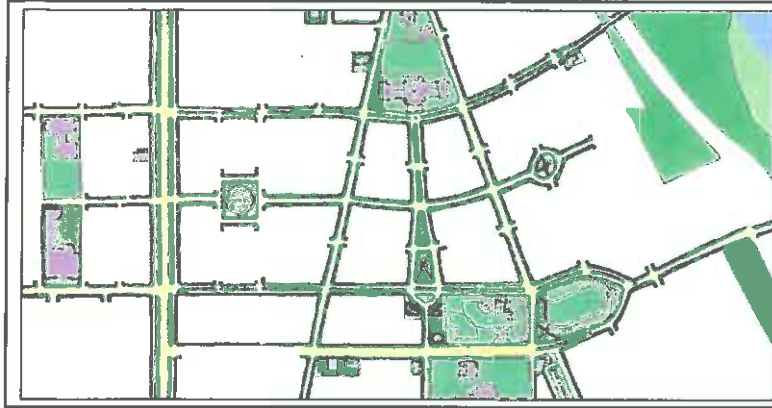


Figure 5-58: Boulevards, neighborhood parks, and institutional sites combine to form an interconnected open space network. ~~Figure Deleted~~

~~(h) Sites for Civic Uses~~

~~Prominent or significant sites that terminate vistas, front open space, or anchor primary intersections shall be reserved for civic and institutional uses or buildings in TND.~~

~~(5) Principle Elements of Lots in a TND~~

~~A traditional neighborhood development shall have a mix of lots covering a variety of sizes and uses in accordance with the following standards:~~

~~(a) Lot Types~~

~~Each TND shall include at least four of the following five basic lot types:~~

- ~~(i) Alley loaded detached residential;~~
- ~~(ii) Street loaded detached residential;~~
- ~~(iii) Attached residential;~~
- ~~(iv) Mixed use; and~~
- ~~(v) Nonresidential.~~

~~(b) Lot Elements~~

~~(i) Front Yard Setback~~

~~The front yard setback is the minimum setback requirement for the building from the main frontage street right of way.~~

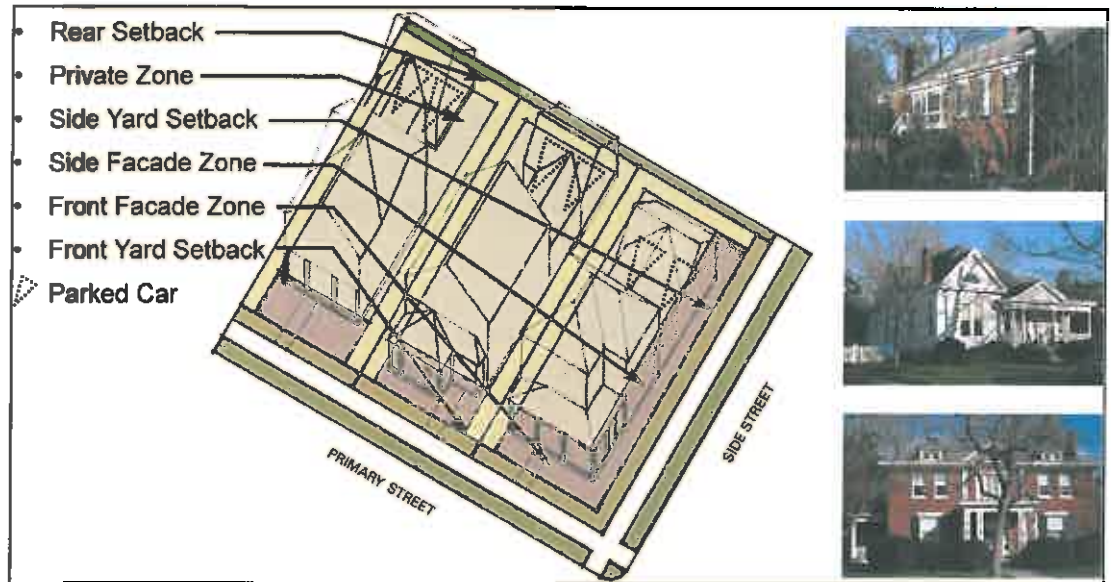
~~(ii) Side Yard Setback~~

~~The side yard setback is the minimum setback requirement for the building to the side property lines or side street right of way.~~

~~(iii) Rear Yard Setback~~

~~The rear yard setback is the minimum setback requirement for any building to the rear property line or alley right of way.~~

Figure 5-59:
An example
of traditional
residential lot
elements.
Figure
Deleted



(c) ~~Mix of Uses~~

Each TND shall include a mix of uses in accordance with the following:

(i) ~~Residential Uses~~

~~Residential lots cover a broad range of sizes and house types, from attached residential, to semi-detached units, to single-family detached houses. Residential uses within a TND shall be subject to the following standards:~~

- ~~A.) Vertically oriented attached residential units, such as townhouses, shall comprise at least 15 percent of the total number of attached residential units.~~
- ~~B.) Lots containing detached residential units shall have at least three distinctly different lot sizes covering a range of lot widths from 35 feet wide and wider.~~
- ~~C.) Horizontally oriented attached residential development, such as stacked flats or apartments, shall comprise no more than 50 percent of the total dwelling units in a TND, including residential uses located within mixed-use buildings.~~

(ii) ~~Nonresidential Uses~~

~~A minimum of two of the following nonresidential use types shall be accommodated in every TND:~~

- ~~A.) Park, recreation, or open space;~~
- ~~B.) Commercial (including offices or retail);~~
- ~~C.) Institutional; and~~
- ~~D.) Public buildings or uses.~~

(6) ~~Individual Lot Types~~

~~The application prepared for a TND shall depict the location and configuration of proposed lot types in accordance with the following standards:~~

(a) Alley-Loaded Detached Residential Lots

Alley-loaded detached residential lots are lots where garages are accessed from an alley rather than a front driveway, and are especially common where narrower lot widths, such as 50 feet or less, are desired. Alley-loaded detached residential lots have the following characteristics, and shall be designed in accordance with Subsection 5.10.8(2), Alleys:

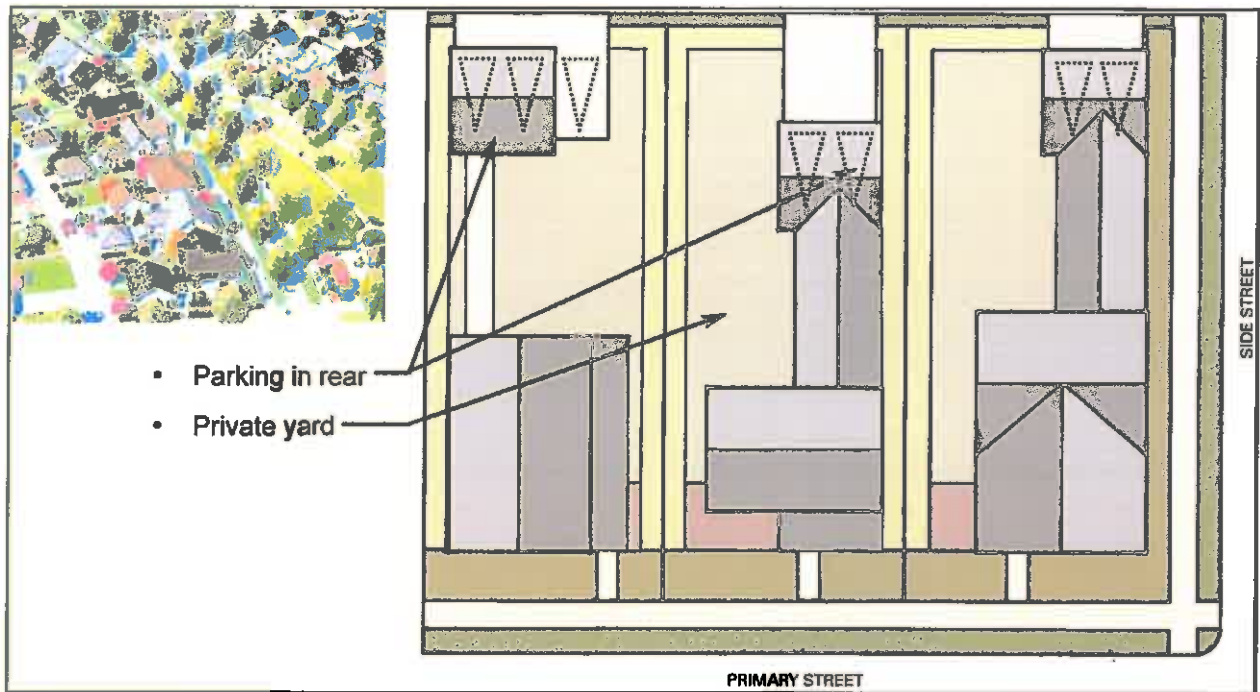


Figure 5-60: Alley-loaded lot plan and aerial views. Figure Deleted

(i) Side Wing Encroachments

One to one and one half story side wings are encouraged. These side wings shall be set back from the front facade of the dwelling's main body by a distance equal to or greater than the width of the side wing.

(ii) Porch Encroachments

Porches may extend up to eight feet into the front yard setback. Bay windows may extend up to two feet into the front yard setback.

(iii) Garage Requirements

Garages shall be designed in accordance with Subsection 5.3.5(2)(d), Garage Standards and shall maintain a consistent level of architectural styling and detail as used on the principal dwelling. Garages may be either detached or attached. Garage doors opening directly onto public streets are not permitted. Garage door openings shall be at least nine feet wide, but not more than 12 feet wide per door.

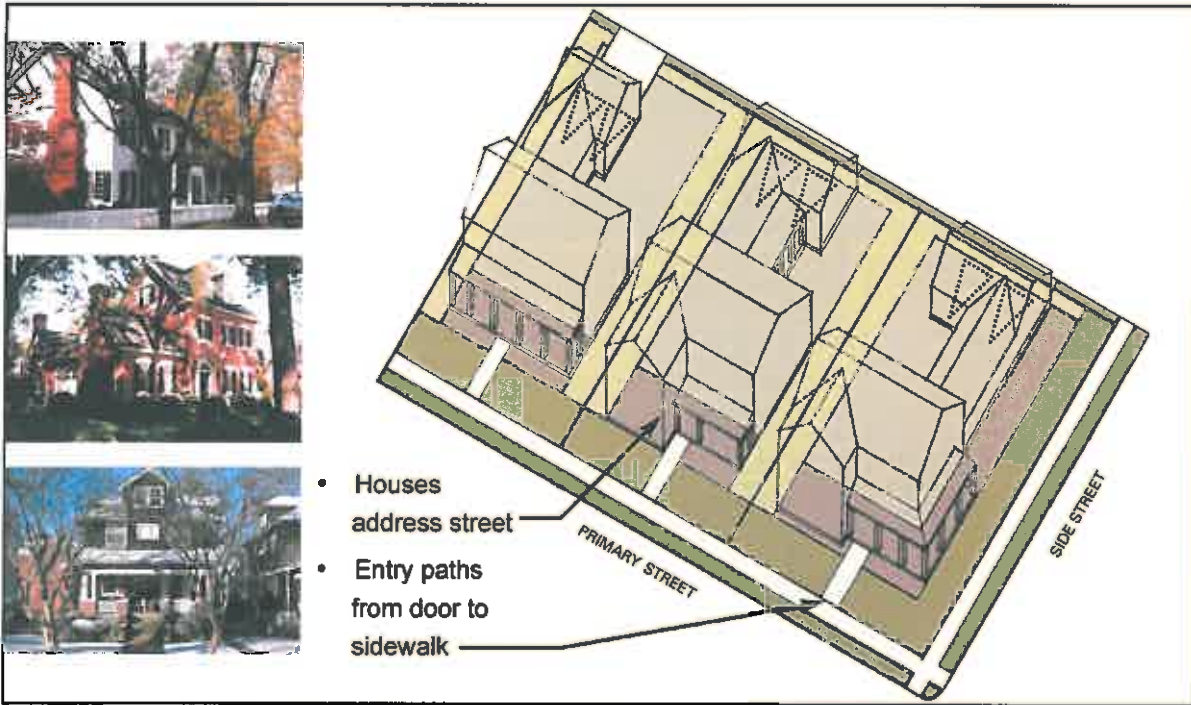


Figure 5-61: Alley-loaded lot photos and renderings. Figure Deleted

(iv) Fencing Recommendations

Fences provide delineation between public and private space and are strongly recommended on corner lots and between houses. For more specific fencing standards, see Subsection 5.3.9(9), Landscape Character.

(b) Street-Loaded Detached Residential Lots

Street-loaded detached residential lots are lots where garages are accessed from a driveway extending from the street. These are often used for large lots, such as those greater than 50 feet in width, or when topography or other site constraints prohibit alleys. Street-loaded detached residential lots have the following characteristics:

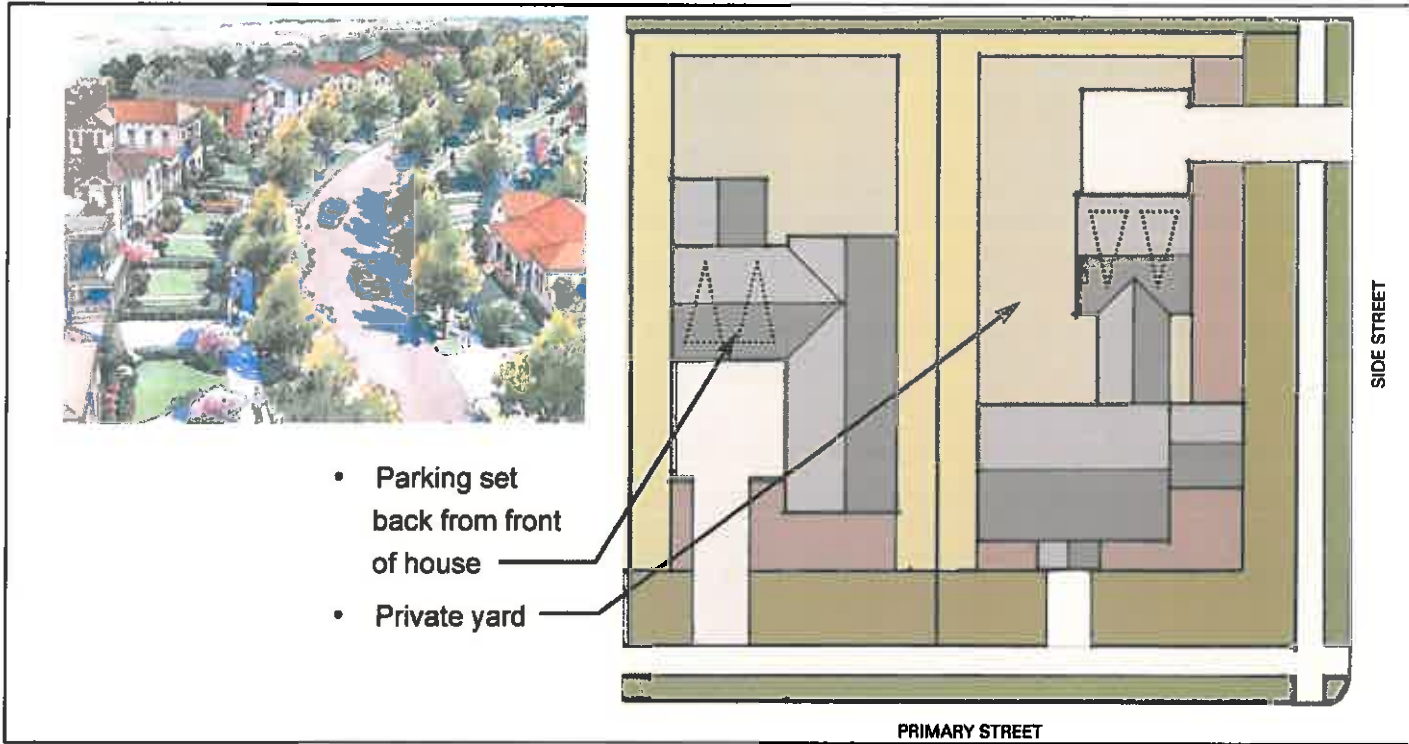


Figure 5-62: ~~Street-loaded lot plan and aerial views. Figure Deleted~~

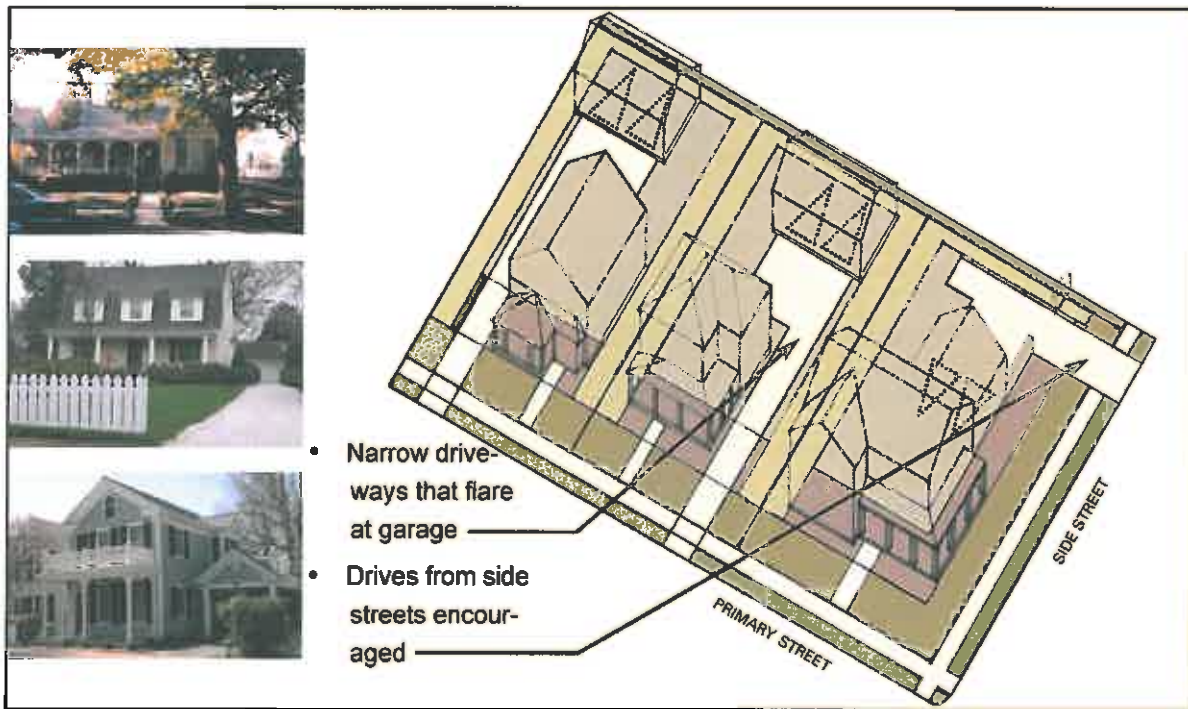


Figure 5-63: ~~Street-loaded lot photos and renderings. Figure Deleted~~

~~(i) Side Wing Encroachments~~

~~One to one and one-half story side wings are encouraged. These side wings shall be set back from the front facade of the dwelling's main body by a distance equal to or greater than the width of the side wing.~~

~~(ii) Porch Encroachments~~

~~Porches may extend up to eight feet into the front yard setback. Bay windows may extend up to two feet into the front yard.~~

~~(iii) Garage Requirements~~

~~Garages shall be designed in accordance with Subsection 5.3.5(2)(d), Garage Standards, and shall maintain a consistent level of architectural styling and detail as used on the principal dwelling. Garages may be either detached or attached. Garage doors opening directly onto public streets are not permitted. Garages shall be set back behind the main body of the house at least 20 feet. Street-facing or side-loaded garages shall maintain garage door openings that are at least nine feet wide, but not more than 12 feet wide per door.~~

~~(iv) Driveways~~

~~Driveways shall be no wider than ten feet when in the front yard. Hollywood drives are encouraged. Houses on corner lots shall have access from a parking courtyard and shall screen parking areas from the street with hedges, fences, or low walls.~~

~~(v) Fencing Recommendations~~

~~Fences provide delineation between public and private space and are strongly recommended on corner lots and between houses. For more specific fencing guidelines, see Subsection 5.3.9(9), Landscape Character.~~

~~(c) Attached Residential Lots~~

~~Attached residential lots are lots with multiple dwelling units such as townhouses, stacked flats, apartments, lofts, and condominiums. Attached residential lots may vary in size depending upon the scale of the residential structure.~~

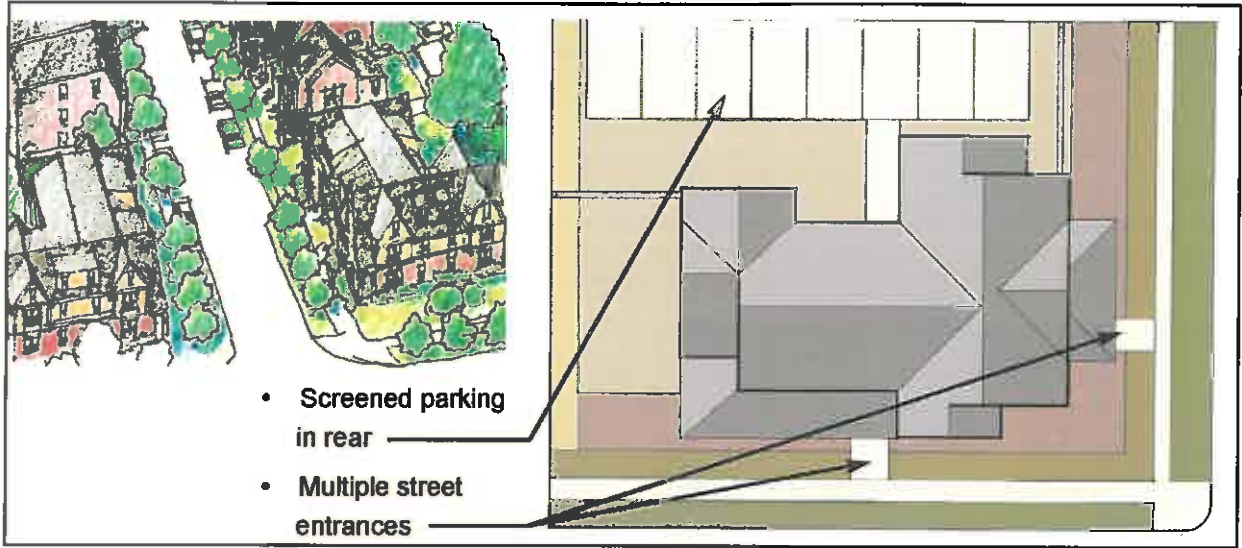


Figure 5-64: Attached residential lot plan and aerial views. ~~Figure Deleted~~

(d) Mixed-Use Lots

Mixed-use lots shall have a combination of retail, office, and residential uses. These include, but are not limited to, live-work units, office over retail, and residential over retail. Mixed-use lots have the following characteristics:

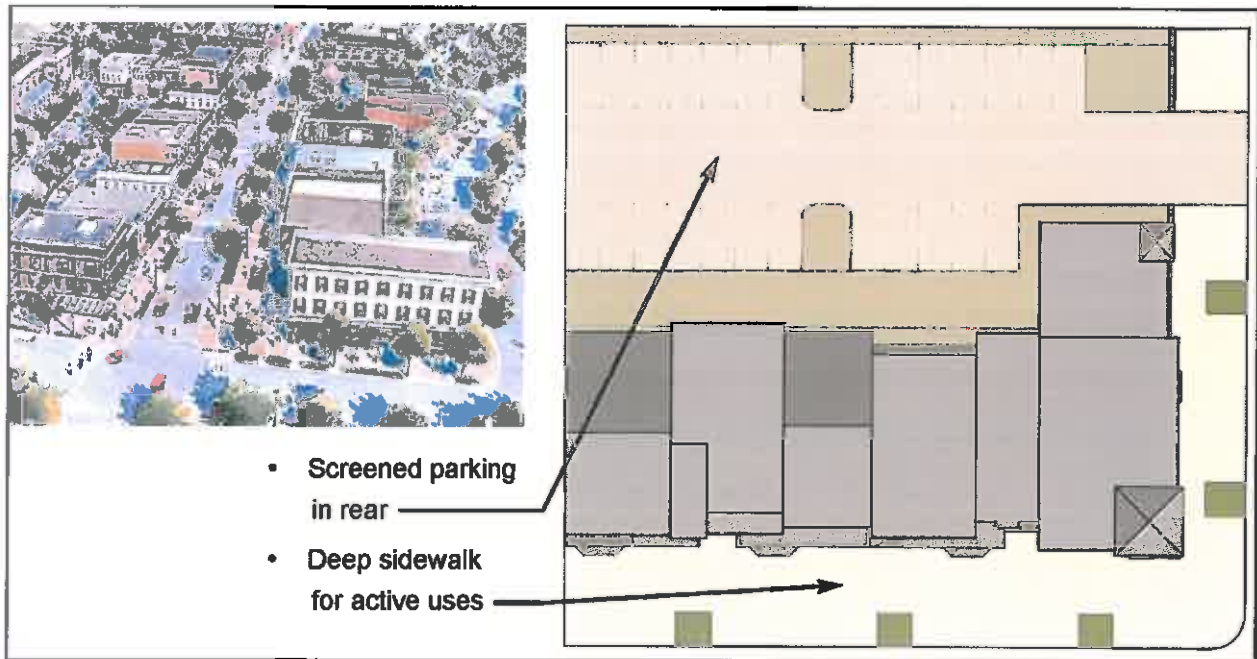


Figure 5-65: Mixed-use lot plan and aerial views. ~~Figure Deleted~~

~~(i) Front Yard Setback~~

~~Mixed-use buildings shall comply with the standards in Table 3-8, Site Development Requirements for Traditional Areas, and shall be built to the back edge of the sidewalk. Façade projections such as balconies, awnings, signage, and overhangs are permitted to extend into the setback so long as they are a minimum of eight feet above the sidewalk. Entry doors are not permitted to swing into the public right of way.~~

~~(ii) Parking Requirements~~

~~Parking shall be accessed from the side street or a rear alley. Driveways shall be a maximum of 20 feet in width, but a one-way drive at 12 feet in width is preferred. Parking shall be screened as provided in Subsection 5.4.6, Vehicular Use Area Landscape. Where buildings on outparcels front a mixed-use building, any off-street surface parking shall be screened from view by continuous active uses.~~

~~(e) Nonresidential Lots~~

~~Nonresidential lots are lots that accommodate institutional or commercial uses in a freestanding building. These buildings may be occupied by a single user or by multiple nonresidential uses, including, but are not limited to private offices, post offices, and similar services. Civic uses may occupy prominent locations within the development such as terminated vistas. Private uses may be organized around a courtyard or in a campus. Nonresidential lots have the following characteristics:~~



~~Figure 5-66: This illustration shows a sample master plan drawing, surface parking options, and a photographic example of a typical nonresidential lot. Figure Deleted~~

(i) ~~Front Yard Setback~~

~~Nonresidential buildings shall comply with the standards in Table 3-8, Site Development Requirements for Traditional Areas, and may be built with a setback to accommodate an entry court or front yard as appropriate to the use. The dimension of this setback shall not exceed 20 feet and there shall be no parking within the setback.~~

(ii) ~~Parking Requirements~~

~~Parking shall be accessed from the side street or a rear alley. Driveways shall be a maximum of 20 feet in width, but a one-way drive at 12 feet in width is preferred. Parking shall be screened as provided in Subsection 5.4.6, Vehicular Use Area Landscape.~~

(7) ~~Principal Elements of a Detached Residential Use~~

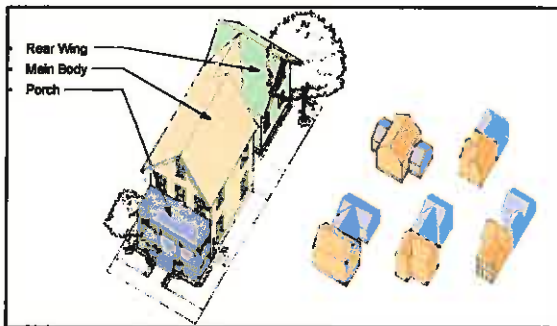
~~Detached residential uses within a TND shall have the following components:~~

(a) ~~Main Body~~

~~The main body of the house is the principal mass and includes the front door, but excludes side or rear wings. The maximum width of the main body of the house is typically 40 feet or the maximum buildable width of the lot, whichever is narrower.~~

(b) ~~Side or Rear Wings~~

~~Side or rear wings are optional elements that are one to two stories high and are connected to the main body. They are smaller than the main body and are set back from the front façade. One story side wings shall not exceed half the width of the house, and two story wings shall not exceed one-third of the width of the house. Wings shall not be built flush with the front façade. Side wings shall be setback from the front façade no less than the width of the wing.~~



~~Figure 5-67: Several configurations of main body and side and rear wings on detached dwellings. Figure Deleted~~

~~(c) Porches~~

~~Porches create exterior living space, and at least 51 percent of the detached residential uses along a single block face shall have some form of front porch, including but not limited to, full-façade front porches, wraparound porches, porticos, and side porches. Some architectural styles also have inset porches. Architectural detail should be included to accent the primary entrance.~~

~~(d) Outbuildings~~

~~Outbuildings are optional structures that include carports, detached garages, storage buildings, and carriage houses. Outbuildings should maintain a similar level of style and architectural detail as the principal structure they serve.~~

~~(e) Architectural Style~~

~~One of the hallmarks of traditional neighborhood design is the derivation of local, vernacular style both in the planning forms and the architectural style. Some of the styles found in the city's historic neighborhoods include Victorian, Italianate, Colonial Revival, Classical, Arts & Crafts, and European Romantic.~~



Figure 5-68: Photos representing the traditional styles in Franklin. Figure Deleted

~~(f) Architectural Variety~~

~~In order to ensure variety within a TND, a maximum of four detached dwellings of the same model may be located next to each other along the same block face. In addition, identical models (defined as having the same front façade and floor plan) shall not be repeated within a grouping of six houses (three in a row and the three across the street). Within each grouping, a house plan may be repeated if three of the following five key façade elements are varied:~~

- ~~(i) Window type;~~
- ~~(ii) Porch type;~~
- ~~(iii) Building material;~~

- ~~(iv) Color, or~~
- ~~(v) Trim details.~~

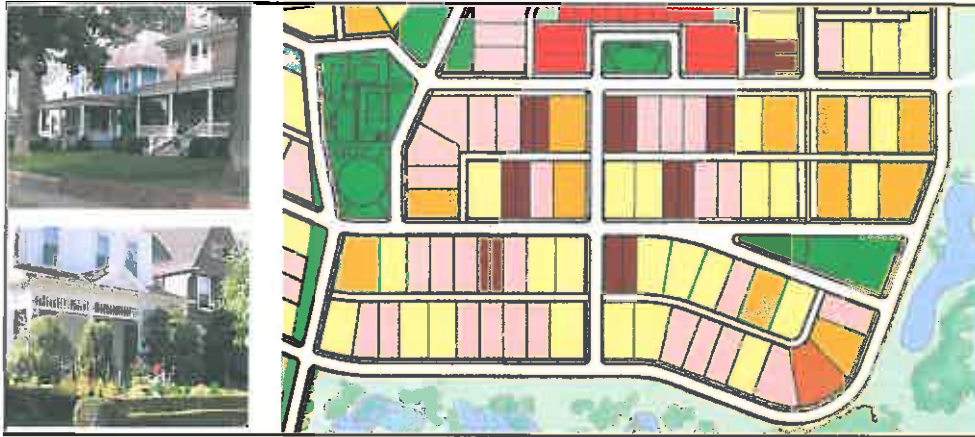


Figure 5-69: A plan of a typical lot distribution, where lot types repeat within a block, façades must be varied (different colors indicate different house models). Figure Deleted

~~(8) Streetscape Character in a Traditional Neighborhood Development~~

~~(a) Streets~~

~~Streets within a TND shall be designed according to the Franklin Transportation and Street Technical Standards. Traditional streets have a narrow cross section and include elements such as parallel parking, landscape strips or verges, and sidewalks.~~

~~(b) Street Trees~~

~~Street trees are shall be provided per Subsection 5.4.9, Street Trees.~~

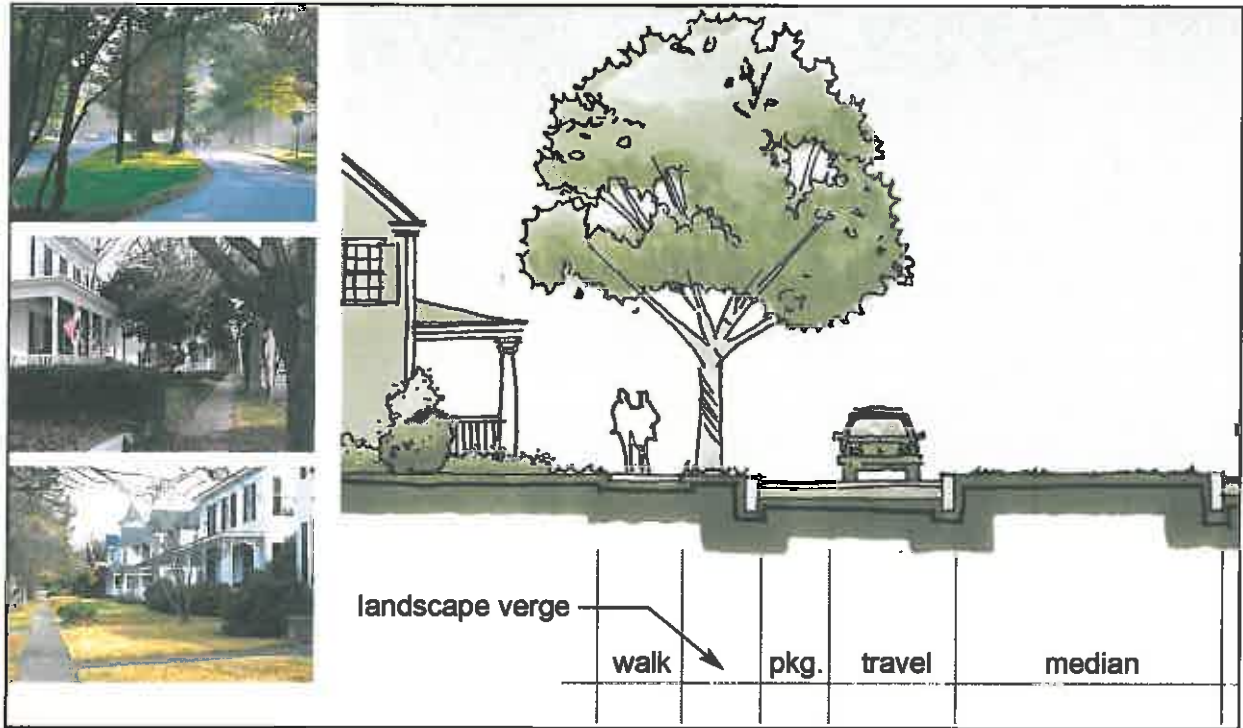


Figure 5-70: Typical components of a traditional street. ~~Figure Deleted~~

~~(c) Sidewalks~~

~~Traditional neighborhoods shall have sidewalks made of poured concrete, or brick. Sidewalks shall be provided per Subsection 5.10.9, Sidewalks.~~

~~(9) Landscape Character~~

~~(a) Lighting~~

~~Exterior lighting shall comply with the standards in Subsection 5.11, Exterior Lighting.~~



Figure 5-71: Two neighborhood street lighting options: house-mounted or freestanding. ~~Figure Deleted~~

(b) Fencing and Garden Walls

Fences and walls shall be provided in accordance with the standards in Subsection 5.6, Fences and Walls, in addition to the following:

(i) Location

Fences and walls provide delineation between public and private space and are strongly recommended on corner lots and between houses.

(ii) Design

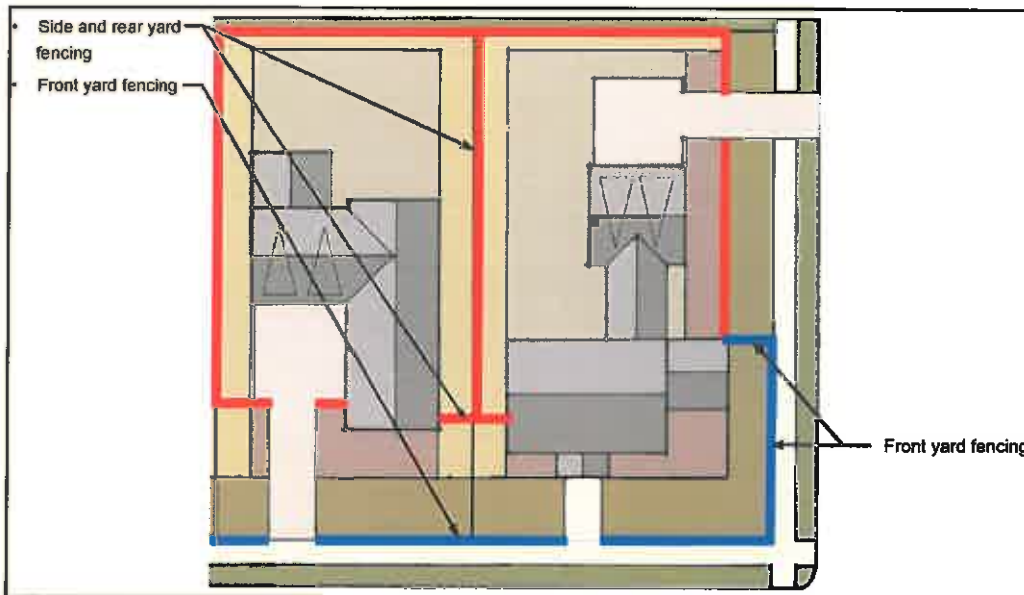


Figure 5-72: Typical front yard fence locations (blue) and typical side and rear yard fence locations (red). Figure Deleted

Fence and wall designs shall relate to the design and period of the house, and a diversity of fence styles shall be used throughout the development and along individual streets.

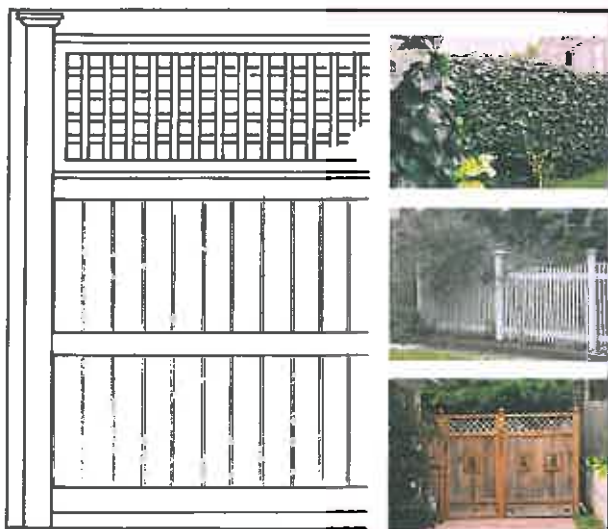
(iii) Front Yard Fences

The front yards of houses in traditional neighborhoods can be a defining landscape element. Walls, fences, and hedges mark the transition from the street to the yard. Walls shall be of stone or brick. Fences shall be of a natural material such as wood or iron and shall respond to the architectural character of the house. Low front yard retaining walls can also be used, especially where grading issues require them. At least one gate for emergency access shall be provided for fences restricting access to the side of a dwelling.



Figure 5-73: Typical front yard fences, walls, and hedges. Figure Deleted

(iv) Side and Rear Yard Fences



Where rear yards face alleys, screen fencing is permitted along the rear yard setback line. Materials can include wood or wire fencing, stone or brick walls, hedges, or other material approved with the Development Plan. Walls and fences can be softened with vines and plantings. Gates are permitted as well as arbors.

Figure 5-74: These are examples of fences and hedges typically found in side and rear yards of TNDs that serve to create a sense of privacy when dwellings are in close proximity. **Figure Deleted**

(c) Landscape Walls and Grade Transition

Steps set in low landscape walls, known as grade transition walls, may be used to delineate public and semi-private realms. Grade transition walls range from one to two feet tall, and are generally built of stone or brick capped with stone. Fences or walls shall be completed in accordance with the standards in Subsection 5.6, Fences and Walls.



Figure 5-75: A typical retaining wall (left) and a sloped front yard (right). **Figure Deleted**

(d) Planting

- (i) Hedges may be used along property lines to create an ‘outside room.’
- (ii) Grade transition walls may be replaced by a heavily landscaped slope or a low hedgerow.



Figure 5-76: ~~Front yard planting creating an outside room (left) and typical foundation planting (right).~~ **Figure Deleted**

SECTION IV. 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: _____

By: _____

ERIC S. STUCKEY
City Administrator/Recorder

DR. KEN MOORE
Mayor

PLANNING COMMISSION RECOMMENDED APPROVAL:	<u>7/25/13</u>
PASSED FIRST READING:	<u> / / /</u>
PASSED SECOND READING:	<u> / / /</u>
PUBLIC HEARING HELD:	<u> / / /</u>
PASSED THIRD READING:	<u> / / /</u>

FRANKLIN MUNICIPAL PLANNING COMMISSION REPORT

NAME OF PROJECT: Zoning Ordinance Text Amendment

PROJECT DESCRIPTION: Ordinance 2013-28, to be entitled "An Ordinance to Amend Chapter 5, Section 5.3.7, Section 5.3.8, and Section 5.3.9 of the City of Franklin Zoning Ordinance Regulating Hamlets, Conservation Subdivisions, and Traditional Neighborhood Development"

APPLICANT: Catherine Powers, Planning and Sustainability Director

PROJECT STAFF: Donald Anthony

RECOMMENDATION: Favorable recommendation of the Zoning Text Amendment

BACKGROUND:

Ordinance 2013-28 would amend sections 5.3.7, 5.3.8, and 5.3.9 from the *Franklin Zoning Ordinance*. These sections provide requirements for Hamlets, Conservation Subdivisions, and Traditional Neighborhood Development, respectively. Planning staff reviewed these sections in 2012 and found that they have regulatory authority on developments only when applicants voluntarily invoke them. To staff's knowledge, these sections have gone unused since being added to the *Zoning Ordinance*. Staff recommends removing the standards for each of these development types from the *Zoning Ordinance* and placing those standards in a separate manual entitled *Guidebook to Hamlets, Conservation Subdivisions, and Traditional Neighborhood Development*. Applicants may invoke these standards through the City's standard Planned Unit Development (PUD) process.

Following is a summary of staff's rationale for this recommendation.

Section 5.3.7 – Hamlets

The *Zoning Ordinance* lists two purposes for hamlets:

- Accommodate new growth and development in rural or agricultural areas without adversely affecting the rural context and established development pattern.
- Provide necessary civic services and the opportunity for low-intensity nonresidential uses intended to serve nearby residents and existing agricultural uses.

Section 5.3.7 outlines requirements for hamlets largely in terms of location, development size, and street pattern. For example, hamlets must be located at major intersections and are limited to 100 dwelling units; 40,000 square feet of nonresidential building space; and a grid-pattern of streets containing blocks less than 600 linear feet in length. The ordinance clarifies that hamlets must follow traditional design standards and be located in CI or MN zones. At least 50 percent of a hamlet must be set aside as informal open space.

Analysis

Hamlets are conceptualized, developed, and constructed on a voluntary basis. There is no zone or overlay that requires an applicant to utilize the principles and requirements set forth in section 5.3.7.

All of the requirements in section 5.3.7 appear to be achievable using the standards outlined in sections 5.3.5 and 5.3.6 and the *Subdivision Regulations*. Because a hamlet is voluntary on the applicant's part, the applicant may, using these other regulations, do all of the things required by section 5.3.7. For example, since density is defined in the *Zoning Ordinance* in terms of maximums, the applicant may limit dwelling units to 100. Further, nonresidential building space may be limited as well; this could be most easily achieved via deed covenants and restrictions. Since open space is framed in terms of minimums in the ordinance, an applicant planning a hamlet project may set aside a large portion of the property as open space. Grid-pattern streets and compact blocks are standard components of traditional neighborhoods, and implementation of such traditional features is not inhibited by the *Zoning Ordinance* or the *Subdivision Regulations*.

Section 5.3.8 – Conservation Subdivision

The purposes of a conservation subdivision, as outlined in the *Zoning Ordinance*, include:

- Conserve open land, including those areas containing agricultural lands and unique and sensitive natural features such as floodplains, wetlands, unbuildable soils, stream corridors, and steep slopes.
- Retain and protect existing environmental, natural, and cultural resources, including mature stands of trees, tree lines, fencerows, hedgerows, and historic resources.
- Create a linked network of open spaces.
- Promote existing rural character within agricultural and rural areas.
- Provide reasonable economic use of the property.

Analysis

A specific principle of section 5.3.8 that sets conservation subdivisions apart from other developments is that of required conservation areas. Such areas are achieved through the setting-aside of at least 50 percent of the land within the development for conservation purposes. Characteristics of specific areas to be set aside as conservation areas range from steep slopes to National Historic Landmarks. Section 5.3.8(4)(a) includes a complete list of such areas. Conservation subdivisions may follow either traditional or conventional standards. Nonresidential land uses are limited to those allowed in the CI zone, regardless of the conservation subdivision's underlying zoning.

Like hamlets, conservation subdivisions are created on a voluntary basis. A developer interested in creating a conservation subdivision would be responsible for initiating and implementing the project; to date, this section of the *Zoning Ordinance* has not been fully and formally employed anywhere in Franklin. Should an applicant choose to implement the principles outlined in section 5.3.8, there appears to be nothing in sections 5.3.5 or 5.3.6 that would prohibit such development. In fact, portions of section

5.3.8 are repetitive of standards in place for all developments. For example, development is prohibited on lots with slopes in excess of 20 percent, lots within floodplains, and tree protection zones.

Section 5.3.9 – Traditional Neighborhood Development (TND)

The *Zoning Ordinance* identifies five elements that separate TND from other development types. Per the ordinance, TNDs include:

- a mix of residential and neighborhood-serving nonresidential uses;
- a focus on street character through use of front porches and gardens;
- a sensitive approach to the design and location of off-street parking and service areas;
- the incorporation of public parks, greens, or village squares; and
- good access to integrated transportation networks, with the pedestrian and mass transit having equal consideration to the automobile.

Analysis

Of the three sections considered in this overview, section 5.3.9 is the most specific in terms of providing stringent requirements and guidelines for development. The TND section is aimed at producing a specific aesthetic and functionality and is written accordingly. Setbacks, encroachments, and landscaping are prominent subsections within section 5.3.9. Because TND seeks to emulate traditional (early twentieth century) neighborhoods, the ordinance limits TND to traditional areas.

As with hamlets and conservation subdivisions, TNDs are created on a voluntary basis. Westhaven, a development in western Franklin, exemplifies many TND principles. Yet, Westhaven was not conceptualized or implemented using the standards outlined in section 5.3.9. Rather, like most TNDs around the US, Westhaven was initiated by an innovative developer who prepared and submitted a pattern book designed specifically for that development. Because TNDs are both costly and risky ventures, it is unlikely that an applicant would rely solely on section 5.3.9. It is more likely that an applicant interested in implementing a TND would create a master plan and individualized pattern book.

Conclusion

The three sections (5.3.7, 5.3.8, and 5.3.9) of the *Zoning Ordinance* discussed in this overview do not appear to be particularly necessary for advancing development in Franklin. The requirements and guidelines outlined in these sections are not compulsory. These three sections appear to serve little purpose other than to offer additional regulations for developers who voluntarily seek such regulations. For those applicants who do want additional regulations, the PUD process provides an avenue by which they can voluntarily impose *over-and-above* standards onto their projects. Staff recommends that these sections be amended as indicated in the ordinance revision and that the *Guidebook to Hamlets, Conservation Subdivisions, and Traditional Neighborhood Development* serve as an auxiliary, advisory document for applicants interested in these development types.

STAFF RECOMMENDATION TO FMPC:

Favorable recommendation of the Zoning Text Amendment

FUTURE ACTION/INFORMATION REQUIRED:

This Zoning Ordinance Text Amendment requires a recommendation by the FMPC and three readings, plus a Public Hearing by the BOMA



HISTORIC
FRANKLIN
TENNESSEE

ITEM #16
WRKS
08/13/13

MEMORANDUM

August 2, 2013

TO: Board of Mayor and Aldermen

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

SUBJECT: Ordinance 2013-28, Zoning Text Amendment to amend Chapter 5, Sections 5.3.7, 5.3.8 and 5.3.9 relating to Hamlets, Conservation Subdivisions, and Traditional Neighborhood Development, of the *Zoning Ordinance*

Purpose

The purpose of this memorandum is to provide the Board of Mayor and Aldermen with information regarding a proposed amendment to Chapter 5, 5.3.7, 5.3.8 and 5.3.9 relating to Hamlets, Conservation Subdivisions, and Traditional Neighborhood Development, of the *Zoning Ordinance*.

Background

Please see attached FMPC Report for the Background on this project.

This text amendment was recommended unanimously (7-0) by the Planning Commission at the July 25, 2013 FMPC meeting.

Financial Impact

Not applicable to this item.

Options

Not applicable to this item.

Recommendation

Approval of the text amendment is recommended.