

ORDINANCE 2013-34

TO BE ENTITLED: "AN ORDINANCE TO AMEND SECTION 5.3.4 OF THE CITY OF FRANKLIN ZONING ORDINANCE TO REVISE STANDARDS RELATED TO TRANSITIONAL FEATURES."

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

SECTION I. That Chapter 5, Section 5.3.4 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:

5.3.4 Transitional Features

(1) Purpose and Intent

Transitional features are architectural elements or site aspects used ~~in and adjacent to traditional areas~~ to provide a transition between ~~certain~~ land uses, **subdivisions, and sites** in an effort to mitigate conflicts **and to provide design compatibility between those uses in lieu of conventional style perimeter landscape buffers**. It is the intent of these standards to:

- (a) **Blend new development with existing development form and pattern;**
- (b) **Reduce potential adverse impacts between different land uses or buildings differing in scale, mass, height, proportion, form, or architecture;**
- (a c) Limit the excessive consumption of available land through the utilization of large vegetated buffers;
- (b d) Limit interruptions in vehicular and pedestrian connections created by efforts to segregate uses; and
- (e e) Establish or maintain vibrant pedestrian-oriented areas where differing uses can operate in proximity to one another.

(2) Applicability

- (a) Transitional features shall be required:
 - (i) When design compatibility cannot be achieved between **incompatible land uses, or lots, or structures within traditional areas; or**
 - (ii) ~~When a developing or redeveloping lot within a traditional area borders a lot within a conventional area;~~
 - (iii) ~~Between different uses within a Traditional Neighborhood Development (TND), Hamlet, or Transit Oriented Development (TOD); or~~
 - (iv ii) Between lots or uses within a single mixed-use development located in either traditional or conventional areas.
- (b) ~~Transitional features shall be optional when a developing lot or redeveloping lot within a conventional area borders a lot within a traditional area.~~

- (e b) ~~The use of transitional features is prohibited between lots within conventional areas containing residential and nonresidential or mixed uses, and these uses shall provide buffers in accordance with the standards in Subsection 5.4.7, Buffers. In conventional areas, the DRT may require the use of transitional features in addition to the use of a buffer, in accordance with the standards in Subsection 5.4.7, Buffers, where such transitional features are necessary to reduce potential adverse impacts between different land uses or buildings differing in scale, mass, height, proportion, form, or architecture. If the applicant disagrees with the decision of the DRT regarding the use of transitional features, the applicant may appeal the decision to FMPC and/or BOMA, depending on the type of application.~~
- (d) ~~In cases where the use of transitional features is optional but not utilized, buffers in accordance with the standards in Subsection 5.4.7, Buffers, shall be provided.~~
- (e c) **In traditional areas, the Department of Planning and Sustainability DRT may require the use of a buffer in-lieu of or in addition to the use of a transitional feature where such buffer is necessary to reduce potential adverse impacts between incompatible uses or different building types different land uses or buildings differing in scale, mass, height, proportion, form, or architecture. If the applicant disagrees with the decision of the DRT regarding the use of buffers or transitional features, the applicant may appeal the decision to FMPC and/or BOMA, depending on the type of application.**

(3) Standards

In areas where a transition between ~~uses or different building types~~ **different land uses or buildings differing in scale, mass, height, proportion, form, or architecture** is needed, ~~one or more of the following approaches shall be used, subject to Department of Planning and Sustainability the approval of the DRT or the Department of Building and Neighborhood Services,~~ to establish a transition between uses:

- (a) Use setbacks that are within 25 percent of the average setbacks for existing uses on the same block face provided no new use is closer to the right-of-way than ~~any existing use~~ **the closest existing principal structure;**

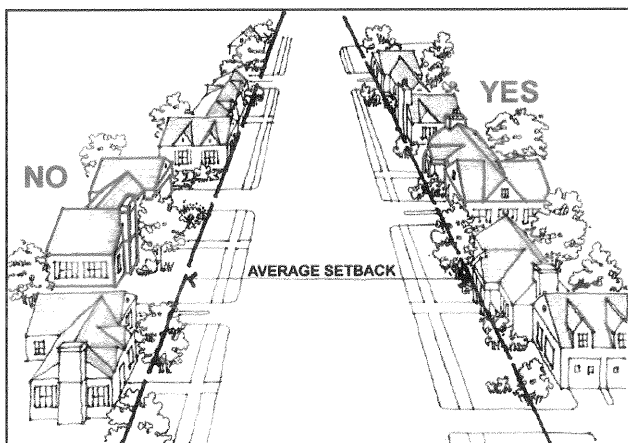


Figure 5-4: The new construction (outlined in red) on the right demonstrates appropriate average setbacks. The dwelling outlined in red on the left has a front setback that is too deep.

- (b) Use lot widths that are within 40 percent of the average lot width for existing lots on the same block;

- (c) Ensure the **perceived** façade width and height ~~between on~~ façades of **adjacent structures and structures** on opposing sides of a street are consistent with each other such that neither façade exceeds the other's dimensions by more than 25 percent;

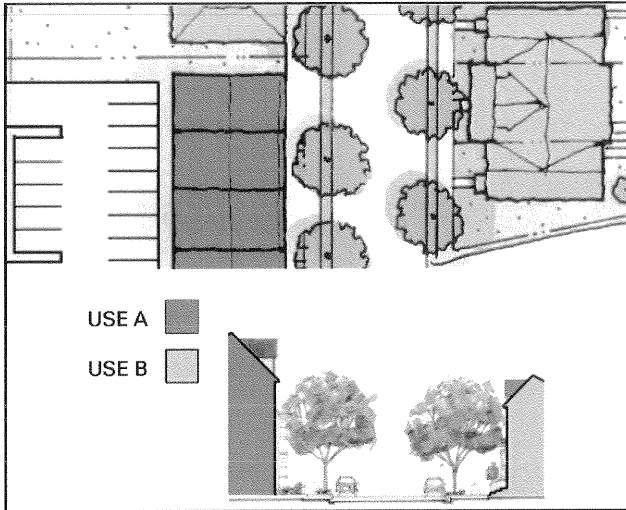


Figure 5-5: Ensuring similar façade height and width dimensions of opposing façades can be an effective means of establishing a transition between uses.

- (d) Graduate building height, **scale**, and mass ~~in the form of building step-backs or other techniques so that structures with a higher intensity have a comparable scale with adjacent structures housing lower intensity uses through utilization of any of the following methods:~~

- (i) **Building step-backs to reduce the bulk of a building's upper floors;**
- (ii) **Dividing buildings into smaller parts, including detached buildings, to reduce effective visual bulk and to maintain the scale and rhythm of the existing pattern of development;**
- (iii) **Sight lines or angular planes to gauge the appropriate building height necessary to achieve a steady, incremental transition; or**
- (iv) **Other techniques to break up the scale of a building to complement existing development patterns, as approved by the DRT or the Department of Building and Neighborhood Services.**

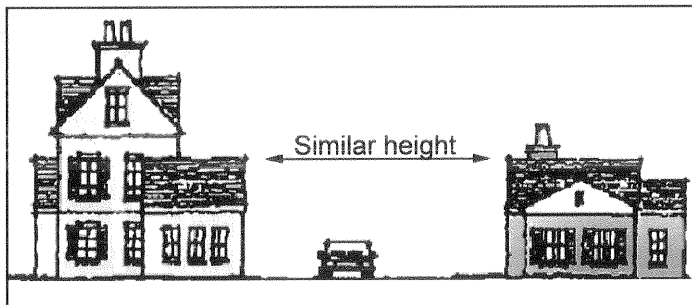


Figure 5-6: Step-backs in building heights between different use types can be an effective transitional element.

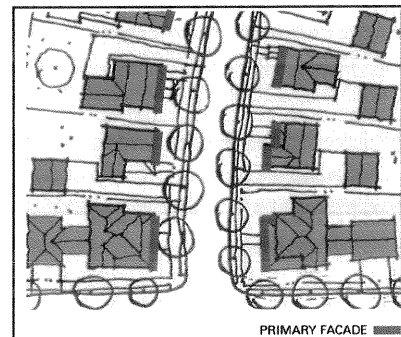
- (e) Use similarly sized and patterned architectural features such as windows, doors, awnings, arcades, pilasters, cornices, wall offsets, building materials, and other building articulations included on the lower intensity use as depicted in Figure 5-7.



Figure 5-7: The example on the bottom demonstrates effective use of transition features.

- (f) Locate off-street parking, loading, service, and utility areas ~~to the rear of structures, adjacent to~~ **in a manner consistent with** similar site features on surrounding sites. **When adjacent to residential areas, off-street parking, loading, service, and utility areas shall be strategically located to mitigate disturbance to nearby residents. Additionally, loading and service areas shall not front a street and shall be screened in accordance with Subsections 5.4.5, Perimeter Landscape Standards, and 5.4.9, Screening;**
- (g) Prevent incompatible exterior lighting or sources of audible noise or disturbance from building façades facing lower intensity uses;
- (h) Prevent abrupt changes in roof form by allowing adjacent incompatible uses to use similar roof types, slopes, or arrangements;
- (i) Orient ~~porches, balconies, outdoor space,~~ **outdoor dining, gathering areas,** and other site attributes such as, vending machines, ~~associated with attached residential development~~ away from adjacent ~~detached~~ residential uses;
- (j) Orient primary building façades directly across from opposing primary façades regardless of use type (as seen in Figure 5-8); and

Figure 5-8: Organizing buildings so that the primary façades face one another can serve as a transitional feature when two different building types occupy opposing sides of a street.



- (k) When dealing with multi-building developments on one or more lots, establish a continuum of use intensity where uses of moderate intensity (colored orange in Figure 5-9) are sited between high-intensity uses (colored brown in Figure 5-9) and low-intensity uses (colored yellow in Figure 5-9) (e.g., office uses between retail and detached residential).

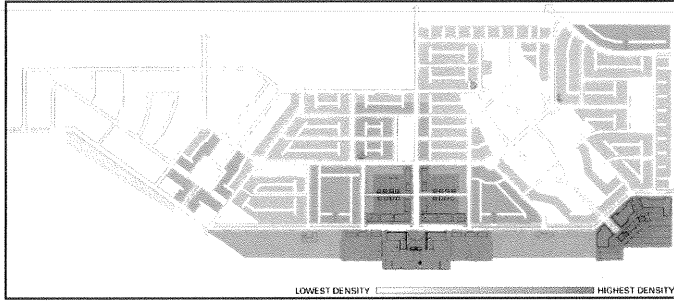


Figure 5-9: Multi-building developments can be organized to concentrate the highest intensity uses in a single area and feather the intensity and density outwards from high intensity centers.

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 AMENDED & RECOMMENDED APPROVAL:

6/27/13

PASSED FIRST READING:

7/23/13

PASSED SECOND READING:

8/27/13

PUBLIC HEARING HELD:

8/27/13

PASSED THIRD READING:




HISTORIC
FRANKLIN
TENNESSEE

ITEM #9
WRKS
07/23/13

MEMORANDUM

July 15, 2013

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
Emily Hunter, Principal Planner

SUBJECT: Ordinance 2013-34, Zoning Text Amendment to amend Chapter 5, Section 5.3.4, relating to Transitional Features, of the Zoning Ordinance

Purpose

The purpose of this memorandum is to provide the Board of Mayor and Aldermen (BOMA) with information regarding an amendment to Chapter 5, Section 5.3.4, relating to Transitional Features, of the *Zoning Ordinance*.

Background

This Zoning Ordinance Text Amendment is proposed by the City Staff to update the requirements for transitional features and when they are applied. Currently, transitional features are only required in traditional areas, such as downtown. Transitional features are not currently utilized in conventional areas, where only an incompatible lot size landscape buffer is required. Staff has found that transitional features should be encouraged in all areas of the city to mitigate conflicts in land use and development form.

This Zoning Ordinance Text Amendment would revise the applicability section to include any area of the City where design compatibility cannot be achieved between land uses, lots, or structures. In conventional areas, an incompatible lot size buffer would be required when developing lots are not within 75% of the adjacent lot sizes. Additionally, Design Review Team (DRT) could require the use of transitional features in these areas. In traditional areas, transitional features would be required, and DRT could require a landscape buffer in-lieu-of or in addition to the transitional features. This text amendment not only allows DRT to determine when transitional features are required, but also allows the applicant to appeal the DRT decision to Franklin Municipal Planning Commission (FMPC) and/or BOMA when there is a disagreement regarding the use of buffers or transitional features.

This text amendment also revises some of the standards for transitional features. The standards for transitional features have been changed to:

- 1) Allow setbacks that are within 25% of the average setbacks for the existing uses on a block face, even when they are closer to the R.O.W. (Minimum setbacks per the Z.O. still apply.) The FMPC amended this section to state that no new structure may be closer to the R.O.W. than the closest existing principal structure.
- 2) Allow facades on a new structure to exceed facades of adjacent structures and structures on the opposing side of the street by more than 25% as long as the perceived façade width and height of



the new structure is within 25% of the existing nearby structures. (This can be accomplished by through strategic building design that makes a larger building appear to be a series of smaller buildings.)

- 3) Provide various methods that can be used to graduate building height, scale, and mass.
- 4) Require off-street parking, loading, service, and utility areas to be placed onsite in a similar fashion to those on adjacent sites and in a location that is of least disturbance to any nearby residents, rather than solely to the rear of the building.
- 5) Orient active outdoor areas, such as outdoor dining areas or vending machines, away from residential properties.

This text amendment was recommended unanimously, as amended, (8-0) by the Planning Commission at the June 27, 2013 FMPC meeting.

Financial Impact

Not applicable to this item.

Options

Not applicable to this item.

Recommendation

Approval of the text amendment is recommended.