

ORDINANCE 2015-53

TO BE ENTITLED: “AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF FRANKLIN, TENNESSEE, CHAPTER 3, SECTION 3.3, SUBSECTION 3.3.1 (3) PERTAINING TO LOT MEASUREMENTS AND AMEND CHAPTER 3, SECTION 3.3, SUBSECTION 3.3.3, TABLE 3-6 ENTITLED “SITE DEVELOPMENT STANDARDS FOR RESIDENTIAL BUILDING TYPES IN CONVENTIONAL AREAS [1], [2], [3], [10]” AND TABLE 3-8 ENTITLED “SITE DEVELOPMENT STANDARDS FOR TRADITIONAL AREAS [1], [2], [3]” TO ADD MINIMUM LOT FRONTAGE REQUIREMENTS FOR RESIDENTIAL DETACHED.”

WHEREAS, the City of Franklin has sound design principles for residential neighborhoods that foster a sense of community; and

WHEREAS, the City’s predominant detached residential character consists of homes that address the street, unless there is a particular design approach that utilizes the Planned Unit Development process; and

WHEREAS, there is a growing occurrence for a lot within an existing, established neighborhood to be re-platted to allow a new lot to be created in its backyard, resulting in a full-sized house located behind an existing house; and

WHEREAS, structures located behind principal dwellings in the rear yard space should be ancillary and subordinate (“accessory”) to the primary dwelling fronting the street; and

WHEREAS, a house fronting a backyard reduces the backyard privacy for the principal dwelling as well as neighboring properties on either side; and

WHEREAS, homes should have reasonable access to the street for safety purposes and easement-only access can become problematic; and

WHEREAS, this text amendment adds a minimum lot frontage requirement for street- and alley-loaded detached residential properties; and

WHEREAS, this text amendment is in the best interest of the citizens of Franklin.

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

SECTION I. That Chapter 3, Section 3.3, Subsection 3.3.1 (3) of the 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) Lot ~~Width~~ Measurements

(a) **Lot Width**

Lot width is the distance between the side lot lines measured at the point of the ~~front building~~ **Front Yard Setback** line.

(b) **Lot Frontage**

Lot frontage is the length of the front lot line measured at the street.

SECTION II. That Chapter 3, Table 3-6, Site Development Standards for Residential Building Types in Conventional Areas [1], [2], [3], [10], of the 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:

TABLE 3-6: SITE DEVELOPMENT STANDARDS FOR RESIDENTIAL BUILDING TYPES IN CONVENTIONAL AREAS [1], [2], [3], [10]

Standard		AG	ER	R-1	R-2	R-3	R-6	SD-R	SD-X	RM-10	RM-15	RM-20	
Residential Detached (Street Loaded)	Front Yard and Side Street Setback (feet) [4] [5]	Local	100	75	60	40	25	25	30[9]	30[9]			
		Collector	150	100	90	75	60	35	40[9]	40[9]			
		Arterial/ Mack Hatcher	225	150	125	100	80	45	50[9]	50[9]			
	Side Yard Setback (feet) [6] [11]	50	35	25	[7]	[8]	[8]	[8][9]	[8][9]				
	Rear Yard Setback (feet)[6]	100	65	50	40	30	25	30[9]	30[9]				
	Minimum Lot Size (square feet)	1 per 15 acres	45,000	30,000	15,000	9,000	5,000	5,000[9]	5,000[9]				
	Minimum Lot Width (feet)	200	150	100	75	60	50	50[9]	50[9]				
	Minimum Lot Frontage (feet) [12]	160	120	80	60	48	40	40[9]	40[9]				
Residential Detached (Alley Loaded)	Front Yard and Side Street Setback (feet) [4] [5]	Local	100	75	60	40	25	25	30[9]	30[9]			
		Collector	150	100	90	75	60	35	40[9]	40[9]			
		Arterial/ Mack Hatcher	225	150	125	100	80	45	50[9]	50[9]			
	Side Yard Setback (feet) [6]	50	35	25	[7]	[8]	[8]	[8][9]	[8][9]				
	Rear Yard Setback (feet) [6]	100	65	50	40	30	25	30[9]	30[9]				
	Minimum Lot Size (square feet)	1 per 15 acres	45,000	30,000	15,000	9,000	5,000	4,000[9]	4,000[9]				
	Minimum Lot Width (feet)	200	150	100	75	60	50	40[9]	40[9]				

TABLE 3-6: SITE DEVELOPMENT STANDARDS FOR RESIDENTIAL BUILDING TYPES IN CONVENTIONAL AREAS [1], [2], [3], [10]

Standard		AG	ER	R-1	R-2	R-3	R-6	SD-R	SD-X	RM-10	RM-15	RM-20
	Minimum Lot Frontage (feet) [12]	160	120	80	60	48	40	40[9]	40[9]			
Residential Attached	Front Yard and Side Street Setback (feet) [4] [5]	Local						30[9]	30[9]	30	30	30
		Collector						40[9]	40[9]	40	40	40
	Arterial/Mack Hatcher							50[9]	50[9]	50	50	50
	Side Yard Setback (feet)							15 [9][11][12]	15 [9][11][12]	15 [11][12]	15 [11][12]	15 [11][12]
	Rear Yard/Alley Setback (feet)							30 [9]	30 [9]	25	25	25

NOTES:

- [1] For lots in recorded subdivisions or approved PUDs, the setbacks, lot sizes, and maximum densities shown in this table shall not apply, and the requirements shown on the Final Plat or approved PUD shall govern.
- [2] Unified developments may establish interior lot lines as necessary, provided that the bulk requirements along the outer boundaries of the development shall be retained as specified in this table.
- [3] Shaded cells indicate that no requirement exists.
- [4] Where the average front yard for existing buildings on the same block face is more than or less than the minimum required front yard, the minimum front yard shall instead be within 25 percent of the average front yard for existing buildings on the same block face.
- [5] In cases where a transitional feature is required, the minimum setback shall be in accordance with Subsection 5.3.4, Transitional Features.
- [6] Where an immediately adjacent existing building is set back less than the minimum required side or rear yard, the minimum side or rear yard requirement shall instead be the same as the immediately adjacent developed building, but not less than five feet. Buildings shall maintain a minimum spacing of ten feet.
- [7] Minimum of eight feet each side, minimum of 20 feet between dwellings.
- [8] Minimum of five feet each side, minimum 12 feet between dwellings.
- [9] Larger or smaller setbacks, **lot widths, lot frontages** and lot sizes, **beyond the range presented in this table**, are permitted in cases where topographical or natural constraints exist, or where a particular design approach warrants a different setback subject to Subsection 2.4.2, Planned Unit Developments.
- [10] Appurtenances may encroach into a side-yard provided they maintain a minimum setback of five feet from the property line and ten feet from principal structures on adjacent lots.
- [11] For unified developments, internal side setback shall be determined by the applicable Building and Fire Codes as adopted by the City of Franklin.
- [12] **The minimum lot frontage width shall be required to be maintained to the front yard setback line, at which point the minimum lot width shall apply. However, the minimum lot frontage requirement shall not apply to lots located on the turning radius of a cul-de-sac.**

SECTION III. That Chapter 3, Table 3-8, Site Development Standards for Traditional Areas [1], [2], [3], of the 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:

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
Front Yard and Side Street Setback [4] [5] [6] [7]	10-30 feet	10-30 feet	0 or 5-25 feet	0-15 feet	0-20 feet
Side Yard Setback [8] [12]	5 feet	5 feet	[9] [13]	0-5 feet	0 feet

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

Rear Yard Setback [8]	5 feet	5 feet	5 feet	0 feet	0 feet
Main Body/Primary Facade Width (Maximum) [10]	50 feet	50 feet			
Minimum Lot Size	4,000 square feet	2,100 square feet			
Minimum Lot Width [5] [6] [11]	40-85 feet	30-70 feet			
Minimum Lot Frontage [5] [14]	40 feet	30 feet			

NOTES:

- [1] For lots in recorded subdivisions or approved PUDs, the setbacks and lot sizes, maximum densities, and primary façade widths shown in this table shall not apply, and the requirements shown on the final plat, the approved PUD, or conditions on existing lots shall govern.
- [2] Numbers shown as a range indicate a minimum and maximum (Example: 10-30). Shaded cells indicate that no requirement exists.
- [3] Unified developments may establish interior lot lines as necessary, provided that the bulk requirements of the outer boundaries of the development shall be retained as specified in this table.
- [4] For mixed-use and single-use nonresidential building types developed according to the traditional standards, the front building setback shall be measured from the back edge of the sidewalk, not the right-of-way line.
- [5] Larger or smaller setbacks, **lot widths, lot frontages** and lot sizes, beyond the range presented in this table, are permitted in cases where topographical or natural constraints exist, or where a particular design approach warrants a different setback, subject to Subsection 2.4.2, Planned Unit Developments.
- [6] In cases where a transitional feature is required, the minimum setback and lot width shall be in accordance with Subsection 5.3.4, Transitional Features.
- [7] The minimum setback from Mack Hatcher Parkway shall be 80 feet, and the minimum setback from Interstate 65 shall be 100 feet.
- [8] Where an immediately adjacent existing building is set back less than the minimum required side or rear yard, the minimum side or rear yard requirement shall instead be the same as the immediately adjacent developed building, but not less than five feet. Buildings shall maintain a minimum spacing of ten feet.
- [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.
- [11] Corner lots may be up to 15 feet wider to accommodate porches or other architectural feature facing the street, and the maximum lot size shall not apply.
- [12] Appurtenances are permitted to encroach into a required front or rear yard setback up to six feet and within side yards up to five feet from the property line provided a minimum of ten feet between buildings is maintained.
- [13] Internal side setbacks shall be determined by the City of Franklin Building Code and or the City of Franklin Fire Code.
- [14] **The minimum lot frontage width shall be required to be maintained to the front yard setback line, at which point the minimum lot width shall apply. However, the minimum lot frontage requirement shall not apply to lots located on the turning radius of a cul-de-sac.**

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 Stuckey

Dr. Ken Moore

City Administrator/Recorder

Mayor

Approved as to form by:

Kristen Corn
Assistant City Attorney

PLANNING COMMISSION RECOMMENDED:

09-24-15

PASSED FIRST READING:

10-13-15

PASSED SECOND READING:

PUBLIC HEARING HELD:

PASSED THIRD READING:
