

**ORDINANCE 2015-51
(AS AMENDED)**

TO BE ENTITLED: “AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF FRANKLIN, TENNESSEE, CHAPTER 3, SECTION 3.2, SUBSECTION 3.2.7(5) PERTAINING TO CONVENIENCE STORES AND AUTOMOTIVE FUEL SALES AND TO AMEND CHAPTER 5, SECTION 5.3, SUBSECTION 5.3.6(3) PERTAINING TO AUTOMOTIVE USES ON LOTS LOCATED AT MAJOR INTERSECTIONS AND TO MODIFY FIGURE 5-37 WHICH REFERENCES SUBSECTION 5.3.6 (3) AND TO AMEND CHAPTER 5, SECTION 5.3, SUBSECTION 5.3.6(9) WHICH REFERENCES ROOF TYPES ON NON RESIDENTIAL STRUCTURES.”

WHEREAS, the City of Franklin, Tennessee, wishes to promote the orderly development and redevelopment of land within the City; and

WHEREAS, the Franklin Zoning Ordinance contains requirements that regulate land uses and establishes development standards to enhance the quality of developments through superior building and site design standards; and

WHEREAS, the Franklin Zoning Ordinance also contains specific requirements in Chapter 3, Section 3.2, Subsection 3.2.7(5) and Chapter 5, Section 5.3, Subsection 5.3.6(3) that regulate the location of convenience stores and automotive-related uses at the intersection of two public streets; and

WHEREAS, the Franklin Municipal Planning Commission and the Board of Mayor and Aldermen have reevaluated Chapter 3, Section 3.2, Subsection 3.2.7(5) and Chapter 5, Section 5.3, Subsection 5.3.6(3) and have determined that the existing use and development standards specified in the Franklin Zoning Ordinance provide the necessary site development standards needed to ensure that convenience stores and automotive-related uses can be appropriately developed at the intersection of two public streets and that the prohibition against these uses can be removed from the Franklin Zoning Ordinance.

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 3.2, Subsection 3.2.7(5) of the Franklin Zoning Ordinance shall be, and 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:

3.2.7 Regulations for Commercial Uses

(5) Convenience Stores and Automotive Fuel Sales

Convenience stores that sell gasoline and facilities for automotive fuel sales are prohibited from locating ~~at the intersection of two public streets adjacent to residentially zoned properties or properties whose primary use is residential in nature; unless approved by the Board of Mayor and Alderman as part of a PUD Development Plan.~~

SECTION II. That Chapter 5, Section 5.3, Subsection 5.3.6(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:

5.3.6 Nonresidential and Mixed-Use Development

(3) Major Intersections

Lots located on a street intersection composed of ~~one~~ **two** or more **major or minor** arterials shall not include an automotive fuel sales or other automotive-oriented service and sales use, including, but not limited to, automobile sales or leasing establishments.

SECTION III. That Chapter 5, Section 5.3, Subsection 5.3.6(3), Figure 5-37 of the Franklin Zoning Ordinance is hereby amended to modify the following illustration and caption text noted with a ~~strike through~~; to add the following text noted in **bold**, and is approved to read as follows:



Figure 5-37: Corner lots on major intersections ~~can be~~ **are in** inappropriate places for automobile fuel sales or similar automobile service and sales uses. See Section 5.3.6(3) for prohibited locations.

SECTION IV. That Chapter 5, Section 5.3, Subsection 5.3.6 (9) 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:

(e) **For structures intended for automotive fuel sales or automotive-oriented service uses, pitched roofs shall be required for the principal structure and associated canopies. Canopies shall also meet the requirements of Section 4.1.6(2).**

SECTION V.

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:

By: _____

Eric Stuckey
City Administrator/Recorder

Approved as to form by:

Shauna R. Billingsley
City Attorney

CITY OF FRANKLIN, TENNESSEE:

By: _____

Dr. Ken Moore
Mayor

PLANNING COMMISSION RECOMMENDED:

PASSED FIRST READING:

PUBLIC HEARING HELD:

PLANNING COMMISSION RECOMMENDED:

PUBLIC HEARING HELD:

PASSED SECOND READING:

PASSED THIRD READING:
