

ORDINANCE 2017-12

TO BE ENTITLED: "AN ORDINANCE TO AMEND CHAPTERS 2 AND 3 OF THE ZONING ORDINANCE OF THE CITY OF FRANKLIN, TENNESSEE, TO MODIFY THE HEIGHT OVERLAY DISTRICT (HTO) STANDARDS AND LOCATION."

WHEREAS, the I-65 corridor and interchange locations serve as high-activity, regional commerce centers that are major employment and revenue generators and valuable community resources; and

WHEREAS, the City of Franklin has an HTO District that allows buildings to exceed six (6) stories in height up to 12 stories; and

WHEREAS, the HTO District standards have facilitated a significant amount of investment into the community; and

WHEREAS, property owners must request a rezoning into the HTO District, resulting in a piecemeal approach to expanding the district; and

WHEREAS, the City's long range plan, *Envision Franklin*, recommends higher-intensity uses located closer to I-65 and major thoroughfares, with less-intensive uses transitioning to established residential areas; and

WHEREAS, the City of Franklin will establish the HTO District in locations set forth by *Envision Franklin* and provide Franklin Municipal Planning Commission review of site plans; and

WHEREAS, new development within the HTO District must also meet the zoning standards and building codes adopted by the City of Franklin; and

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

SECTION I. That Chapter 2, Section 2.4, Subsection 2.4.3 of the Franklin Zoning Ordinance is hereby amended to add the following text noted in **bold**, and is approved to read as follows:

(2) Applicability

- c.) Site Plans shall be submitted to the FMPC approval instead of administrative review by staff, if the development application:
 - (i) Includes incompatible use buffers per Table 5-6: Buffer Class Application In Conventional Areas; however, detached residential uses developing adjacent to detached residential uses shall be reviewed administratively.
 - (ii) The applicant chooses to appeal a staff decision or recommendation related to the administrative review of a Site Plan;

- (iii) Is proposed for a telecommunication tower not administratively approved per Subsection 3.2.9(3); or
- (iv) Uses the TOD development standards of Subsection 5.3.10.
- (v) **Contains a new structure exceeding six stories or 75 feet.**

SECTION II. That Chapter 3, Section 3.4, Subsection 3.4.6 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:

3.4.6 HTO—Height Overlay District

(1) Purpose

The purpose of the Height Overlay District, hereinafter referred to as the “HTO District”, is to allow for buildings with building heights that exceed 75 feet in specific areas, such as along the Interstate-65 corridor, where such heights create a unique development form but allow for special review to ensure proper fire protection for tall buildings where there may be a high concentration of residents or employees. ~~The HTO shall be limited to the following character area overlay districts.~~

- ~~(a) MECO-4;~~
- ~~(b) MECO-5;~~
- ~~(c) MECO-9;~~
- ~~(d) GCCO-3;~~
- ~~(e) GCCO-4a;~~
- ~~(f) GCCO-4b;~~
- ~~(g) GCCO-4c; and~~
- ~~(h) GCCO-4d.~~

(2) **Special Standards for High-Rise Buildings**

The provisions of this subsection shall apply to buildings that exceed ~~in excess of six stories~~ or 75 feet in height. ~~or buildings having occupied floors located more than 75 feet above the lowest level of fire department vehicle access.~~ These buildings shall:

- (a) Comply with International Building Code; and
- (b) Not exceed 12 stories in height.
- (c) **Include a Viewshed Analysis upon Development Plan submittal (if applicable) and Site Plan submittal that includes three-dimensional imagery of the project and the surrounding parcels to better understand how the building will impact the nearby built and natural environment.**

SECTION III. The following described property shall be, and is hereby, rezoned into the HTO District, and that the attached location map shall serve the purpose of further delineating the boundaries as described by this Ordinance:

PREMISES CONSIDERED

Map-Parcel	Legal Acres
053---11700	43.35
053---11703	11.76
053---11704	9.23
053---11801	25.18
053---11802	7.15
053---11803	0.92
053---12600	0
053---12601	1.33
053---12602	0
053---12603	1.01
053---12604	1.75
053---13000	2.38
053---13002	1.05
053---13100	0
053---13101	5.07
053---13103	2.22
053---13200	3.32
053---13202	1.73
053---13203	3.23
053---13204	1.66
053---13205	1.75
053---13206	1.8
053---13207	2.7
053---13900	12.09
062---00600	0
062---00601	0
062---00603	0
062---00619	0
062---00620	1.39
062---00621	0.03
062---00701	1.54
062---00702	0.96
062---00703	1.23
062---00711	1.59
062---00712	2.14
062---00713	2.97
062---00715	0
062---00903	0
062---01401	0
062---01802	22.04
062---01903	5.15
062---01904	2.36
062---01905	4.16

062---02100	17.88
062---02102	8.42
062---02103	33.21
062---02105	10.08
062---02108	1.69
062---02114	3.61
062---02115	1.67
062---02116	11.26
062---02117	4.02
062---02118	0.45
062---02119	1.83
062---02120	1.26
079---03606	0
079---03900	1
079---03901	3.65
079---04801	37.63
106---17200	5.1
106---17300	4.6
106---17500	7.59
106---17501	3.82
106---17502	4.94
106---17601	4.51
106---17602	0
106---17700	5.9
106---17801	2.04
106O-A00100	1.24
106O-A00200	1.03
106O-A00300	0.95
106O-A00400	0.91
106O-A00500	1.07
106O-A00600	2.99
106O-A00700	0
117---02000	140.95
117---02200	5
117---02201	2.13
117---02202	2.27
117---02400	13.11
117---02500	5.15
117---02600	4.9
117---02700	0
117---02701	0
117---03000	0
117---03001	0
Total	544.1

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: _____

Eric S. Stuckey

City Administrator

BY: _____

Dr. Ken Moore

Mayor

Approved as to Form:

Shauna R. Billingsley, City Attorney

PLANNING COMMISSION RECOMMENDED:

PASSED FIRST READING:

PUBLIC HEARING HELD:

PASSED SECOND READING:

PASSED THIRD READING:
