

ORDINANCE 2017-48

TO BE ENTITLED: "AN ORDINANCE TO AMEND CHAPTERS 3, 5, AND 8 OF THE ZONING ORDINANCE OF THE CITY OF FRANKLIN, TENNESSEE, TO REFINE TRANSITIONAL FEATURES STANDARDS FOR INFILL DEVELOPMENT."

WHEREAS, infill development includes any development or redevelopment of existing structures, parcels, blocks, or neighborhoods within Central Franklin, its surrounding areas, and other highly-developed areas within the city; and

WHEREAS, Franklin's historic core is particularly affected by infill development when it is incompatible with the established character of the surrounding area; and

WHEREAS, infill development should demonstrate compatibility with the scale, density, and aesthetics of existing, surrounding development and respect the City's unique historic character; and

WHEREAS, this text amendment ensures that character defining features, such as building setbacks, building heights, and lot widths are compatible and strengthen the established context in Central Franklin; and

WHEREAS, this Zoning Ordinance text amendment to amend Transitional Features Standards is in the best interest of the citizens of Franklin.

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

SECTION I. That Chapter 5, Section 5.3.4, of the Franklin Zoning Ordinance is hereby amended to delete the following text with a ~~strike through~~ and add the following text noted in **bold**, renumber the subsequent Subsections accordingly, and is approved to read as follows: 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 to provide a transition between land uses, subdivisions, ~~and sites~~, **and lots throughout the city** in an effort to mitigate conflicts and to provide design compatibility. 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;
- (c) Limit the excessive consumption of available land though the utilization of large vegetated buffers;
- (d) Limit interruptions in vehicular and pedestrian connections created by efforts to segregate uses; ~~and~~
- (e) Establish or maintain vibrant pedestrian-oriented areas where differing uses can operate in proximity to one another; ~~and~~.
- (f) **Regulate infill development to ensure that neighborhood character defining features, such as building height, building setbacks, lot sizes, and lot widths are compatible and strengthen the established context of Central Franklin and the overall City.**

(2) Applicability

- (a) Transitional features shall be required:

- (i) ~~When design compatibility cannot be achieved~~ **To achieve design compatibility** between **new and existing** land uses, lots, or structures; or
- (ii) Between lots or uses within a single mixed-use development ~~located in either traditional or conventional areas; or~~
- (iii) **For residential lots or lots zoned OR in CFCO-1, CFCO-2, CFCO-3, CFCO-4, CFCO-5, CFCO-6, CFCO-7, CFCO-8, and CFCO-10.**

(b) In cases where the standards of this Section and other Chapter 5 Sections conflict, the more restrictive standards shall apply.

~~(b) 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.~~

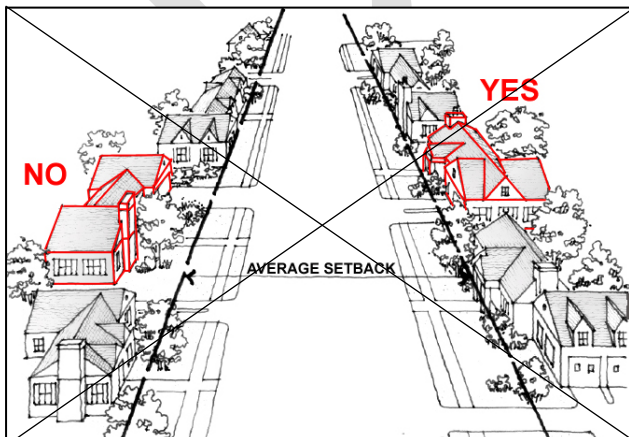
~~(c) In traditional areas, the DRT may require the use of a buffer in lieu of or in addition to the use of a transitional feature where such buffer is necessary to reduce potential adverse impacts between different land uses or buildings differing in scale, mass, height, proportion, form, or architecture. 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 different land uses or buildings differing in scale, mass, height, proportion, form, or architecture is needed, the~~ **The** following approaches shall be used, subject to the approval of the DRT, ~~or the Department of Building and Neighborhood Services,~~ **and Department of Planning & Sustainability,** to establish a transition between uses, lots, and structures:

(a) Front Yard Setbacks

The minimum setback shall be the average setback of existing principal structures on the same block face. No new structure shall be located closer to the front lot line than the closest adjacent principal structure. ~~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 the closest existing principal structure;~~



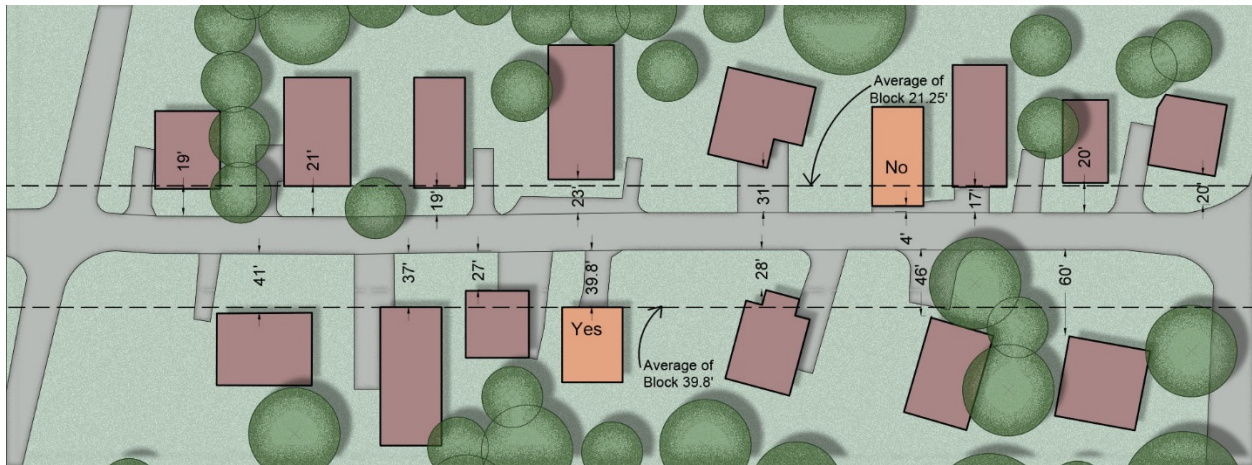


Figure 5-4: The new construction (in tan outlined in red) on the right with a “Yes” demonstrates an appropriate average setbacks. The dwelling outlined in red on the left New construction with a “No” has a front setback that is too shallow deep.

(b) **Lot Sizes**

For residential lots or lots zoned OR in CFCO-1, CFCO-2, CFCO-3, CFCO-4, CFCO-5, CFCO-6, CFCO-7, CFCO-8, and CFCO-10, the lot size of a new lot shall be a minimum of 75 percent of the average lot size of existing lots on the same block face.

(c) **Lot Widths**

Use lot widths that are 40 The lot width for a new residential lot or lot zoned OR shall be a minimum of 75 percent of the average lot width for existing lots on the same block; face, or on the nearest adjacent block face where applicable.

(d) **Building Height**

- (i) ~~Ensure~~ Where nonresidential, mixed-use, or multifamily development is adjacent to existing residential lots, the perceived façade width and height on façades facing the residential lots shall not exceed 25 percent of the adjacent building’s dimensions; 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;
- (ii) At major intersections of any combination of arterials and/or collectors in MECO, building height shall be balanced across the intersection, using a Viewshed Analysis as required in Section 3.4.6, HTO, where applicable;
- (iii) At the edge of a zoning district where the adjacent district has a lower maximum building height, buildings shall transition in height using methods outlined in Section 5.3.4(3)(d);
- (iv) For residential lots or lots zoned OR in CFCO-1, CFCO-2, CFCO-3, CFCO-4, CFCO-5, CFCO-6, CFCO-7, CFCO-8, and CFCO-10:
 - A.) Building height shall not exceed a half story above the average height of existing buildings on the same block face;
 - B.) Building height shall not exceed 30 feet, unless a higher height is consistent with the established context of the street, but in no case shall exceed 35 feet;
 - C.) Building height shall blend with the established residential character of the street through use of:

1. Similar roof shapes;
2. Similar floor-to-ceiling heights;
3. Lower roof pitches;
4. Façade widths within 25 percent of adjacent building's façade widths;
5. Dormers set back a minimum of one foot from the exterior wall;
6. Materials that do not accentuate verticality;
7. One-story front porch or entry element;
8. Attached or detached garage placement behind the rear plane of the principal structure, unless another location is consistent with the established context on the street;
9. The entire attached garage form must be subordinate and secondary in height, mass, and setbacks to the rest of the principal structure;
10. The methods outlined in Section 5.3.4(3)(d).

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SECTION II. That Chapter 5, Section 5.3.5, 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:

5.3.5 Residential Development

Attached and detached residential structures shall comply with the following basic residential design standards.

(1) Basic Standards

...

(e) Foundations

(i) The finished floor elevation at the front façade shall be located above grade in accordance with the following standards:

A.) For setbacks of ten feet or more, the finished floor elevation of the front facade shall be a minimum of 18 inches above grade; and

B.) For setbacks of less than ten feet, the finished floor elevation of the front facade shall be a minimum of 24 inches above grade-;

C.) For lots in CFCO-1, CFCO-2, CFCO-3, CFCO-4, CFCO-5, CFCO-6, CFCO-7, CFCO-8, and CFCO-10, foundation height along the front building facade shall not exceed 18 inches, unless topographical constraints necessitate additional foundation height.

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SECTION III. That Chapter 3, Tables 3.5, 3.6, 3.7 and 3.8, of the Franklin Zoning Ordinance is hereby amended to delete the following text with a ~~strike through~~ and add the following text noted in **bold**, and is approved to read as follows:

TABLE 3-5: BASE DISTRICT DENSITY AND BUILDING HEIGHT [1], [2] [9]

Standard	Base Zoning Districts																		
	AG	ER	R-1	R-2	R-3	R-6	SD-R	SD-X	RM-10	RM-15	RM-20	OR	CD	GO	NC	GC	LI	HI	CI
Gross Residential Density (Max.) [3]	1 per 15 AC	0.5	1.0	2.0	3.0	6.0	[6]	[6]	10	15	20	6.0	6.0						
Building Height in Stories (Max.) [4] [9]	3	3	3	3	3	3	3 [4]	3 [4]	3 [4]	3 [4]	3 [4]	3 [4]	3 [4]	3 [4]	3	3 [4]	3	3	3 [4]
Landscape Surface Ratio (LSR) (Min.) [8]	.70	.60	.50	.40	.40	.30	.20 [7]	.20 [7]	.30	.30	.30	.40	.10	.30	.15	.30	.20	.20	[5]

NOTES:

- [1] For lots in recorded subdivisions or approved planned unit developments (PUDs), the maximum densities shown in this table shall not apply, and the requirements shall be recommended by FMPC and set by BOMA.
- [2] Shaded cells indicate that no requirement exists.
- [3] In a TOD, the total quantity of dwelling units and/or square feet of nonresidential buildings is limited. See Subsections 5.3.7 and 5.3.10.
- [4] A maximum height of four (4) stories, not to exceed a total height of 56 feet, is permitted in PUDs if the building and site design comply with Section 5.3.4, Transitional Features. In addition, buildings within the MECO-4, MECO-5, MECO-9, GCCO-3, GCCO-4a, GCCO-4b, GCCO-4c, and GCCO-4d Character Area Overlay Districts may exceed three (3) stories, but shall not exceed six (6) stories (maximum of 84 feet in height). Buildings located within the HTO District are subject to the provisions of Section 3.4.6 of the Height Overlay District.
- [5] Developments using Traditional Area standards shall maintain a minimum LSR of 0.10, and developments using the Conventional Area standards shall maintain a minimum LSR of 0.40.
- [6] Approved entitlements shall be determined during the rezoning process; and listed on the Franklin Zoning Map.
- [7] SD district LSR requirement is .10 for CFCO-2, CFCO-3, CFCO-7, and CFCO-8 Character Areas.
- [8] Development within CFCO-1 and CFCO-9 is exempt from the minimum LSR requirement.
- [9] **Building height shall be in accordance with Subsection 5.3.4, Transitional Features. In cases where the standards of this table and Section 5.3.4 Transitional Features conflict, the more restrictive standards shall apply.**

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TABLE 3-6: SITE DEVELOPMENT STANDARDS FOR RESIDENTIAL BUILDING TYPES IN CONVENTIONAL AREAS [1], [2], [3], [4] [409]

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[98]	30[98]			
		Collector	150	100	90	75	60	35	40[98]	40[98]			
		Arterial/ Mack Hatcher	225	150	125	100	80	45	50[98]	50[98]			
	Side Yard Setback (feet) [65] [1110]		50	35	25	[76]	[87]	[87]	[8][98]	[8][98]			
	Rear Yard Setback (feet)[65]		100	65	50	40	30	25	30[98]	30[98]			
	Minimum Lot Size (square feet) [4]		1 per 15 acres	45,000	30,000	15,000	9,000	5,000	5,000[98]	5,000[98]			
	Minimum Lot Width (feet) [4]		200	150	100	75	60	50	50[98]	50[98]			
	Minimum Lot Frontage (feet) [1211]		160	120	80	60	48	40	40[98]	40[98]			
Residential Detached (Alley Loaded)	Front Yard and Side Street Setback (feet) [4] [5]	Local	100	75	60	40	25	25	30[98]	30[98]			
		Collector	150	100	90	75	60	35	40[98]	40[98]			
		Arterial/ Mack Hatcher	225	150	125	100	80	45	50[98]	50[98]			
	Side Yard Setback (feet) [65]		50	35	25	[76]	[87]	[87]	[8][98]	[8][98]			
	Rear Yard Setback (feet) [65]		100	65	50	40	30	25	30[98]	30[98]			
	Minimum Lot Size (square feet) [4]		1 per 15 acres	45,000	30,000	15,000	9,000	5,000	4,000[98]	4,000[98]			
	Minimum Lot Width (feet) [4]		200	150	100	75	60	50	40[98]	40[98]			
	Minimum Lot Frontage (feet) [1211]		160	120	80	60	48	40	40[98]	40[98]			
Residential Attached	Front Yard and Side Street Setback (feet) [4] [5]	Local							30[98]	30[98]	30	30	30
		Collector							40[98]	40[98]	40	40	40
		Arterial/ Mack Hatcher							50[98]	50[98]	50	50	50

TABLE 3-6: SITE DEVELOPMENT STANDARDS FOR RESIDENTIAL BUILDING TYPES IN CONVENTIONAL AREAS [1], [2], [3], [4] [109]

Standard		AG	ER	R-1	R-2	R-3	R-6	SD-R	SD-X	RM-10	RM-15	RM-20
	Side Yard Setback (feet)							15 [98][110]	15 [98][110]	15 [110]	15 [110]	15 [110]
	Rear Yard/Alley Setback (feet)							30 [98]	30 [98]	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.~~
- [54] ~~In cases where a transitional feature is required, the minimum setback shall be in accordance with Subsection 5.3.4, Transitional Features.~~ **The minimum setback, minimum lot width, and minimum lot size shall be in accordance with Subsection 5.3.4, Transitional Features. In cases where the standards of this table and Section 5.3.4 Transitional Features conflict, the more restrictive standards shall apply.**
- [65] 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.
- [76] Minimum of eight feet each side, minimum of 20 feet between dwellings.
- [87] Minimum of five feet each side, minimum 12 feet between dwellings.
- [98] 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.
- [109] 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.
- [110] For unified developments, internal side setback shall be determined by the applicable Building and Fire Codes as adopted by the City of Franklin.
- [1211] 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.

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TABLE 3-7: SITE DEVELOPMENT STANDARDS FOR NONRESIDENTIAL BUILDING TYPES IN CONVENTIONAL AREAS [1], [2] [3]

Standard		Base Zoning Districts													
		AG	ER	R-1	R-2	R-3	R-6	SD-R	SD-X	GO	NC	GC	LI	HI	CI
Front Yard and Side Street Setback (feet) [3] [4]	Local	100	75	60	40	25	25	30	30	50	20	30	75	30	20
	Collector	150	100	90	75	60	55	40	40						
	Arterial/Mack Hatcher	225	150	125	100	80	75	50	50						
Side Yard Setback (feet) [54] [87]		50	35	35	[65]	[76]	[76]	[76]	[76]	25	10	15	25	15	10
Rear Yard Setback (feet) [54]		100	65	50	40	30	30	30	30	40	25	25	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 and/or approved PUD shall govern.
- [2] Unified developments may establish interior lot lines as necessary, provided that the bulk requirements of the outer boundaries along the development shall be retained as specified in this table.
- [3] ~~Where the average front yard for existing buildings on the same block face is more than or less than the minimum required front yards, the minimum front yard shall instead be within 25 percent of the average setbacks for existing buildings on the same block face.~~
- [43] ~~In cases where a transitional feature is required, the minimum setback shall be in accordance with Subsection 5.3.4, Transitional Features.~~ **The minimum setback shall be in accordance with Subsection 5.3.4, Transitional Features. In cases where the standards of this table and Section 5.3.4 Transitional Features conflict, the more restrictive standards shall apply.**
- [54] 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.
- [65] Minimum of eight feet each side, minimum of 20 feet between dwellings.
- [76] Minimum of five feet each side, minimum 12 feet between dwellings.
- [87] 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.

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TABLE 3-8 SITE DEVELOPMENT STANDARDS FOR TRADITIONAL AREAS [1], [2], [3] [6]

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
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 [6]	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.~~ **The minimum setback, minimum lot width, and minimum lot size shall be in accordance with Subsection 5.3.4 Transitional Features. In cases where the standards of this table and Section 5.3.4 Transitional Features conflict, the more restrictive standards shall apply.**
- [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.

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SECTION IV. That Chapter 5, Table 5-6, Buffer Class Application in Conventional Areas, 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 5-6: BUFFER CLASS APPLICATION IN CONVENTIONAL AREAS								
A = Type A Buffer B = Type B Buffer C = Type C Buffer								
Shaded Cell = No buffer required								
Developing Use [1]	Existing Use or Base District							
	Detached Residential Use or District	Attached Residential Use or District	Mixed-Use or Mixed-Use District	Institutional Use or District	Office Use or District	Commercial Use or District	Public Park or Greenway	Historic Land or Structure
Detached Residential	{3}							[2]
Attached Residential	C							[2]
Mixed-use	B	C					B	[2]
Institutional	B	B	T				C	[2]
Office	B	C	C, T				C	[2]
Commercial	B	C	C, T				C	[2]
Industrial	A	A	B	B	C	C	A	[2]
NOTES:								
[1] Buffers are not required between lots within traditional areas, on developing traditional lots that border lots in conventional areas, and between uses or lots within a single mixed-use development.								
[2] Except for Traditional Neighborhood Development, buffers are required on lots subject to the standards in Section 5.7, Protection of Historic Structures and Lands. During its review, the HZC shall determine whether a Type A, B, or C buffer is warranted depending upon the level of impact.								
[3] In cases where lot sizes are not consistent with the requirements in Section 5.3.5(2)(b), a Class C Buffer shall be provided.								

SECTION V. That Chapter 8, Section 8.3, of the Franklin Zoning Ordinance is hereby amended to delete the following text with a ~~strike through~~ and add the following text noted in **bold**, and is approved to read as follows:

...

Story

The portion of a building intended for human occupancy included between the upper surface of a floor and the upper surface of the floor next above or the roof.

Story, Half

An uppermost story which is usually lighted by dormer windows and in which a sloping roof replaces the upper part of the front wall.

...

SECTION VI. 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:

DRAFT