

Legislation Details (With Text)

File #: 16-0469 **Version:** 1 **Name:**

Type: Ordinance **Status:** Passed

File created: 5/16/2016 **In control:** Board of Mayor & Aldermen

On agenda: 8/23/2016 **Final action:** 8/23/2016

Title: Consideration of Ordinance 2016-005, To Be Entitled: "An Ordinance To Amend Various Chapters Of The City Of Franklin, Tennessee, Zoning Ordinance Pertaining To The Approval Of Development Plans, Site Plans And Vested Property Rights."; (05/26/16 FMPC 9-0; 06/14/16 BOMA 1st Reading 8-0; Deferred by BOMA at 07/12/16; 08/09/16 BOMA 7-0 2nd Reading) THIRD AND FINAL READING

Sponsors: Ald. Ann Petersen

Indexes:

Code sections:

Attachments: 1. Ordinance 2016-005_Vested Property Right Ordinance_Law Approved 2, 2. Powerpoint_Ordinance 2016-005 Vested Property Rights_4-8-16

Date	Ver.	Action By	Action	Result
8/23/2016	1	Board of Mayor & Aldermen	approved on third and final reading	Pass
8/9/2016	1	Board of Mayor & Aldermen	referred as a Consent Item	Pass
7/12/2016	1	Board of Mayor & Aldermen	referred as a Public Hearing Item	Pass
6/14/2016	1	Board of Mayor & Aldermen	referred as a Public Hearing Item	Pass
6/14/2016	1	Work Session	referred as a Public Hearing Item	
5/26/2016	1	Franklin Municipal Planning Commission	recommended favorably to the Board of Alderman and	Pass

DATE: 05/18/16

TO: Franklin Municipal Planning Commission

FROM: Jim Svoboda, Principal Planner
Bob Martin, Interim Director of Planning and Sustainability

Subject

Consideration of Ordinance 2016-005, To Be Entitled: "An Ordinance To Amend Various Chapters Of The City Of Franklin, Tennessee, Zoning Ordinance Pertaining To The Approval Of Development Plans, Site Plans And Vested Property Rights."; (05/26/16 FMPC 9-0; 06/14/16 BOMA 1st Reading 8-0; Deferred by BOMA at 07/12/16; 08/09/16 BOMA 7-0 2nd Reading) THIRD AND FINAL READING

Background/Staff Comments

The Vested Property Rights Act of 2014 (VPRA) created statewide standards for vested property rights and established specific requirements and time frames for the creation of vesting periods. Once a vested property

right is established under the provisions of the VPRA, the development standards in effect on the date of approval of the plan will remain the development standards applicable to a project throughout the established vesting period.

The VPRA enabled local governments to adopt an Ordinance that specifically identifies the types of plans approved by the local government that will cause a property right to vest and to identify what constitutes approval of those plans. The purposes of Ordinance 2016-005 are to amend:

- Chapter 1 to add a new Section for Vested Property Rights to specifically identify the types of plans approved by the City of Franklin on, or after, January 1, 2015, that will cause a vested property right to be established and identify what constitutes approval of those plans.
- Chapter 2 to revise the Specific Development Review Procedures in Chapter 2 for Planned Unit Developments (PUDs) and Site Plans in order to add the VPRA standards pertaining to Vesting Periods and Time Limits and to update the procedures for amendments.
- Chapter 8 to add definitions for several words/phrases referred to in the VPRA.

Recommendation

Approval of Ordinance 2016-005 is recommended