City of Franklin

109 3rd Ave S
Franklin, TN 37064
(615)791-3217

Meeting Agenda

Franklin Municipal Planning Commission

Thursday, October 24, 2019 | **7:00 PM** | **Board Room**

Notice is hereby given that the Franklin Municipal Planning Commission will hold a regular meeting on Thursday, October 24, 2019, at 7:00 p.m. in the City Hall Board Room. Additional information can be found at www.franklintn.gov/planning.

The purpose of the meeting will be to consider matters brought to the attention of the Planning Commission and will include the following.

The typical process for discussing an item is as follows:

1. *Staff presentation,*
2. *Public comments,*
3. *Applicant presentation, and*
4. *Motion/discussion/vote.*

Applicants are encouraged to come to the meeting, even if they agree with the staff recommendation. The Planning Commission may defer or disapprove an application/request unless someone is present to represent it.

For accommodations due to disabilities or other special arrangements, please contact the Human Resources Department at (615) 791-3216, at least 24 hours prior to the meeting.

CALL TO ORDER

MINUTES

1. 19-1092 Approval of the September 26, 2019 FMPC minutes.

Attachments: Draft - September 2019 FMPC minutes

CITIZEN COMMENTS ON ITEMS NOT ON THE AGENDA

Open for Franklin citizens to be heard on items not included on this Agenda. As provided by law, the Planning Commission shall make no decisions or consideration of action of citizen comments, except to refer the matter to the Planning Director for administrative consideration, or to schedule the matter for Planning Commission consideration at a later date. Those citizens addressing the Planning Commission are required to complete a Public Comment Card in order for their name and address to be included within the official record.

ANNOUNCEMENTS

VOTE TO PLACE NON-AGENDA ITEMS ON THE AGENDA

The non-agenda process, by design, is reserved for rare instances, and only minor requests shall be considered. Non-agenda items shall be considered only upon the unanimous approval of all of the Planning Commission members.

CONSENT AGENDA

The items under the consent agenda are deemed by the Planning Commission to be non-controversial and routine in nature and will be approved by one motion. The items on the consent agenda will not be individually discussed. Any member of the Planning Commission, City Staff, or the public desiring to discuss an item on the consent agenda may request that it be removed and placed on the regular agenda. It will then be considered in its printed order.

• Initial Consent Agenda
• Secondary Consent Agenda- to include any items in which Commissioners recuse themselves

SITE PLAN SURETIES

2. 19-1042 7007 Moores Lane PUD Subdivision, site plan, lot 2; extend the performance agreement for landscaping Phase 1 (Assisted Living) and landscaping Phase 2 (Villas) improvements to October 22, 2020. (CONSENT AGENDA)

3. 19-1043 Amelia Park PUD Subdivision, site plan, section 1; extend the maintenance agreement for landscaping improvements to October 22, 2020. (CONSENT AGENDA)

4. 19-1044 Amelia Park PUD Subdivision, site plan, sections 2-6; extend the performance agreement for landscaping section 3, landscaping section 4, landscaping section 6 and landscaping buffer management improvements to October 22, 2020. (CONSENT AGENDA)

5. 19-1045 Amelia Park PUD Subdivision, site plan, section 4, revision 1; extend the performance agreement for streets, drainage, green infrastructure and sidewalks improvements to October 22, 2020. (CONSENT AGENDA)

6. 19-1046 Berry Farms Town Center PUD Subdivision, site plan, section 3, lot 306; extend the maintenance agreement for landscaping improvements to October 22, 2020. (CONSENT AGENDA)

7. 19-1047 Berry Farms Town Center PUD Subdivision, site plan, section 9; release the maintenance agreement for drainage improvements. (CONSENT AGENDA)

8. 19-1048 Berry Farms Town Center PUD Subdivision, site plan, section 9, revision 1 (Tennessee Baptist Association); release the maintenance agreement for landscaping improvements. (CONSENT AGENDA)

9. 19-1049 Blossom Park PUD Subdivision, site plan; release the maintenance agreement for landscaping open space improvements. (CONSENT AGENDA)

10. 19-1050 Cool Springs East Subdivision, site plan, section 31, lot 710; extend the maintenance agreement for landscaping improvements to October 22, 2020. (CONSENT AGENDA)

11. 19-1051 Cool Springs East Subdivision, site plan, section 36, revision 3, lot 707 (Home 2 Suites Hotel); accept the landscaping improvements, release the performance agreement and establish a maintenance agreement for one year. (CONSENT AGENDA)

12. 19-1052 Creekstone Commons PUD Subdivision, site plan, section 4; extend the performance agreement for landscaping improvements to October 22, 2020. (CONSENT AGENDA)

13. 19-1053 Downs Boulevard Properties Subdivision, site plan, lots 16 and 17; accept the landscaping improvements, release the performance agreement and establish a maintenance agreement for one year. (CONSENT AGENDA)

14. 19-1054 Echelon PUD Subdivision, site plan, sections 1-3; extend the performance agreement for landscaping open space and landscaping buffers improvements to October 22, 2020. (CONSENT AGENDA)

15. 19-1055 Eddy Lane Industrial Office Subdivision, site plan; release the maintenance agreement for landscaping Phase 1B improvements. (CONSENT AGENDA)

16. 19-1056 Franklin Christian Academy PUD Subdivision, site plan, section 2 (Morning Pointe of Franklin); release the maintenance agreement for streets improvements; extend the maintenance agreement for landscaping Memory Care and landscaping buffer improvements to October 22, 2020. (CONSENT AGENDA)

17. 19-1057 Franklin Industrial Park Subdivision, site plan, (APCOM); extend the maintenance agreement for landscaping improvements to October 22, 2020. (CONSENT AGENDA)

18. 19-1058 Franklin Park Subdivision, site plan, revision 1 (One Franklin Park Office Building); release the maintenance agreement for landscaping improvements. (CONSENT AGENDA)

19. 19-1059 Gateway Commons PUD Subdivision, site plan; extend the performance agreement for landscaping improvements to October 22, 2020. (CONSENT AGENDA)

20. 19-1060 Gateway Community Church Subdivision, site plan; extend the maintenance agreement for sewer improvements to October 22, 2020. (CONSENT AGENDA)

21. 19-1061 Gateway Village PUD Subdivision, site plan, revision 4, lot 137 (Touchstone Office Building); release the maintenance agreement for green infrastructure improvements. (CONSENT AGENDA)

22. 19-1062 Grace Pointe Church Subdivision, site plan; extend the performance agreement for landscaping Phase B improvements to October 22, 2020. (CONSENT AGENDA)

23. 19-1063 Hard Bargain Development Subdivision, site plan; extend the performance agreement for landscaping improvements to October 22, 2020. (CONSENT AGENDA)

24. 19-1064 Heritage Church of Christ Subdivision, site plan, Phase 2 Parking Lot; extend the performance agreement for landscaping Phase 2 and landscaping Phase 3 improvements to October 22, 2020. (CONSENT AGENDA)

25. 19-1065 Highlands at Ladd Park PUD Subdivision, site plan, section 20; extend the performance agreement for landscaping (Carothers buffer) improvements to October 22, 2020. (CONSENT AGENDA)

26. 19-1066 Highlands at Ladd Park PUD Subdivision, site plan, section 21; extend the maintenance agreement for landscaping improvements to October 22, 2020. (CONSENT AGENDA)

27. 19-1067 Highlands at Ladd Park PUD Subdivision, site plan, section 23; extend the performance agreement for landscaping Carothers median street trees improvements to October 22, 2020. (CONSENT AGENDA)

28. 19-1068 Highlands at Ladd Park PUD Subdivision, site plan, section 24; release the maintenance agreement for drainage improvements; extend the maintenance agreement for landscaping improvements to October 22, 2020. (CONSENT AGENDA)

29. 19-1069 Highlands at Ladd Park PUD Subdivision, site plan, section 25; release the maintenance agreement for drainage improvements; extend the maintenance agreement for green infrastructure improvements to October 22, 2020; extend the performance agreement for landscaping improvements to October 22, 2020. (CONSENT AGENDA)

30. 19-1070 Hurstbourne Park PUD Subdivision, site plan, sections 1-3; extend the maintenance agreement for landscaping (section 3) improvements to October 22, 2020. (CONSENT AGENDA)

31. 19-1071 Longview Subdivision, site plan, section 1, lot 14 (Taco Bell); extend the performance agreement for green infrastructure improvements to October 22, 2020. (CONSENT AGENDA)

32. 19-1072 Medcore Medical Office Subdivision, site plan, Phase 1, lot 3, revision 1 (Scott Hamilton Proton Therapy Center); accept the landscaping improvements, release the performance agreement and establish a maintenance agreement for one year. (CONSENT AGENDA)

33. 19-1073 Ovation Subdivision, site plan, (Infrastructure); reduce and extend the performance agreement for landscaping improvements to October 22, 2020. (CONSENT AGENDA)

34. 19-1074 Preserve at Echo Estates PUD Subdivision, site plan; release the maintenance agreement for landscaping section 1 open space improvements; extend the maintenance agreement for landscaping section 2 open space improvements to October 22, 2020. (CONSENT AGENDA)

35. 19-1075 Quail Hollow Subdivision, site plan, section 2, lot 11 (O'Reilly Auto Parts); extend the performance agreement for landscaping improvements to October 22, 2020. (CONSENT AGENDA)

36. 19-1076 Quail Hollow Business Park Subdivision, site plan, section 2, revision 4 (Rolling Hills Hospital Addition); release the maintenance agreement for green infrastructure improvements. (CONSENT AGENDA)

37. 19-1077 Ralston Row PUD Subdivision, site plan; extend the performance agreement for streets, drainage, sidewalks and landscaping improvements to October 22, 2020. (CONSENT AGENDA)

38. 19-1078 Rizer Point PUD Subdivision, site plan, section 1; release the maintenance agreement for sidewalks improvements; extend the performance agreement for drainage improvements to October 22, 2020. (CONSENT AGENDA)

39. 19-1079 Simmons Ridge PUD Subdivision, site plan, section 2, revision 1; extend the performance agreement for landscaping improvements to October 22, 2020. (CONSENT AGENDA)

40. 19-1080 South Park Subdivision, site plan, section 1, revision 2, lot 7 (Keystone Center); extend the performance agreement for access and sidewalks improvements to July 23, 2020. (CONSENT AGENDA)

41. 19-1081 Stream Valley PUD Subdivision, site plan, section 13; extend the performance agreement for landscaping improvements to October 22, 2020. (CONSENT AGENDA)

42. 19-1082 Through the Green PUD Subdivision, site plan, lot 5; accept the drainage improvements, release the performance agreement and establish a maintenance agreement for one year. (CONSENT AGENDA)

43. 19-1083 Travel Centers of America Subdivision, site plan; extend the performance agreement for green infrastructure improvements to October 22, 2020. (CONSENT AGENDA)

44. 19-1084 Tywater Crossing PUD Subdivision, site plan, section 1; extend the maintenance agreement for drainage and landscaping improvements to October 22, 2020. (CONSENT AGENDA)

45. 19-1085 Village of Eddy Lane Subdivision, site plan; accept the landscaping improvements, release the performance agreement and establish a maintenance agreement for one year. (CONSENT AGENDA)

46. 19-1086 Westhaven PUD Subdivision, site plan, section 39, revision 1, lots 1489 and 1490; extend the maintenance agreement for landscaping improvements to October 22, 2020. (CONSENT AGENDA)

47. 19-1087 Westhaven PUD Subdivision, site plan, section 42; release the maintenance agreement for landscaping improvements. (CONSENT AGENDA)

FMPC ANNUAL CALENDAR

48. 19-1098 Approval of the 2020 FMPC calendar.

Attachments: FMPC Meetings and Deadlines Schedule PUBLIC 2020 DRAFT

VESTING EXTENSION

49. 19-0900 Consideration Of Resolution 2019-89: A Resolution Amending The Apex PUD Subdivision To Extend The Vested Rights, For The Property Located In The Northeast Corner Of The Intersection Of Carothers Parkway And McEwen Drive.

Attachments: RES 2019-89 Vesting Extension Apex Village with exhibits.Law Approved 1

Bigby - Letter for Entitlement Extension Request (July 25)

Apex Village (Bigby) Withdrawal request

SITE PLANS, PRELIMINARY PLATS, AND FINAL PLATS

50. 19-0979 Parish Presbyterian Church PUD Subdivision, Final Plat, Creating One Lot And Establishing Easements, On 13.84 Acres, Located at 4150 Clovercroft Road. (CONSENT AGENDA)

Attachments: MAP COF 7087 Parish Pres PUD Sub Final Plat

Conditions of Approval 7087

7087- Parish Presbyterian Church PUD Subdivision, Final Plat

51. 19-1097 Shadow Green PUD Subdivision, Final Plat, Section 2, Creating One Attached Residential Lot with 80 Dwelling Units And 4 Open Space Lots On 16.93 Acres, Located At 1152 Hillview Lane. (CONSENT AGENDA)

Attachments: MAP 7083 Shadow Green PUD FP Sec_2

7083 Shadow_Green Sub FP_Sec 2_Conditions of Approval_01

Shadow Green Section Two Final Plat_2019.10.03

52. 19-1095 William C. Perry Subdivision, Final Plat, Revision 2, Creating One Additional Single-Family Residential Lot, on 0.75 Acres, Located At 903 West Main Street. (CONSENT AGENDA)

Attachments: MAP 7084 William C Perry Sub FP Rev 2

WILLIAM C. PERRY DIVSION PLAT

MAJOR THOROUGHFARE PLAN AMENDMENTS

53. 19-0990 Consideration Of Resolution 2019-105: A Resolution To Accept And Recommend Approval Of Amendment No. 3 To The Comprehensive Transportation Network Plan (Major Thoroughfare Plan) To The Franklin Municipal Planning Commission. (08/27/19 WS)

Attachments: Res 2019-105 Amd 3 to MAJOR THOROUGHFARE PLAN_with Exhibit.Law Ap

ZONING ORDINANCE

54. 19-1096 Consideration Of Ordinance 2019-37, As Amended, An Ordinance To Adopt A New Zoning Ordinance And Map Of The City Of Franklin, Tennessee. (FMPC 10/24/19, 9-0; WS 11/12/19; BOMA 1st Reading 11/12/19, 8-0 AS AMENDED; 2nd Reading 11/26/19, 8-0 AS AMENDED) THIRD AND FINAL READING

Sponsors: Emily Hunter

Attachments:
- ORD 2019-37 Adopt new Zoning Ordinance and Map.Law Approved 3.pdf
- Franklin Zoning Ordinance December 10 2019.pdf
- Zoning Base Districts Map Updated 12.9.2019
- Zoning Overlay Map 12.2.2019.pdf
- Public Outreach Comments
- Fairground St Mailer
- Postcard to all Property Owners
- CFHCLetterPlanningADUs
- FINAL FMPC Franklin ZO Update Presentation 10-24-19
- BOMA Worksession ZO Update FINAL for Granicus 11-12-19.pdf
- BOMA 1st Reading ZO Update FINAL for Granicus 11-12-19.pdf
- CFHCLetterADUsBOMA.pdf
- CFHCLetterPlanningLotsBOMA.pdf
- Walter Green Comment
- Michael Good Comment
- Patrick Baggett Comment

NON-AGENDA ITEMS

ANY OTHER BUSINESS

ADJOURN

City of Franklin

109 3rd Ave S
Franklin, TN 37064
(615)791-3217

Meeting Minutes - Draft

Franklin Municipal Planning Commission

Thursday, September 26, 2019 | **7:00 PM** | **Board Room**

CALL TO ORDER

Present 7 - McLemore, Hathaway, Petersen, Orr, Allen, Franks, and Szilagyi

Absent 2 - Harrison, and Lindsey

MINUTES

1. Approval of the August 22, 2019 FMPC Minutes.

Attachments: DRAFT FMPC Minutes August 2019 (2)

After the approval of the minutes, Chair Hathaway asked for a motion to name a temporary Vice-Chair for the meeting.

Commissioner McLemore moved, seconded by Commissioner Allen, to name Alderman Petersen as Vice-Chair for the meeting. The motion carried unanimously.

Commissioner Orr moved, seconded by Commissioner Allen, to approve the minutes from August 22, 2019, as presented. The motion carried by the following vote:

Aye: 7 - McLemore, Hathaway, Petersen, Orr, Allen, Franks, and Szilagyi

Absent: 2 - Harrison, and Lindsey

CITIZEN COMMENTS ON ITEMS NOT ON THE AGENDA

Chair Hathaway asked for citizen comments. There were none.

ANNOUNCEMENTS

Chair Hathaway asked if Staff had any announcements.

Ms. Emily Hunter, Director of the Planning and Sustainability Department, stated that the State Planning Conference, Tennessee Chapter of the American Planning Association (TAPA) would hold a conference in Franklin October 9-11, 2019. She stated there was a time for Planning Commissioner and Board of Zoning Appeals training. She asked for the Commissioners to contact her or the Planning Department to register in advance.

VOTE TO PLACE NON-AGENDA ITEMS ON THE AGENDA

Chair Hathaway asked if there were any non-agenda items to be presented. There were none.

CONSENT AGENDA

Chair Hathaway recused himself from Items 9 and 20.

Approval of the Consent Agenda

Commissioner McLemore moved, seconded by Commissioner Orr, to approve Items 2-8,10,11,12,13, 17, 18, 19, 21, and 22 as presented on the Initial Consent Agenda. The motion carried by the following vote:

Aye: 7 - McLemore, Hathaway, Petersen, Orr, Allen, Franks, and Szilagyi

Absent: 2 - Harrison, and Lindsey

Approval of the Consent Agenda

Chair Hathaway recused himself from the vote for Items 9 and 20. The Chair was turned over to Alderman Petersen.
After the vote, the chair was turned back over to Chair Hathaway.

Commissioner Allen moved, seconded by Commissioner Orr, to approve Items 9 and 20 as presented on the Secondary Consent Agenda. The motion carried by the following vote:

Aye: 6 - McLemore, Petersen, Orr, Allen, Franks, and Szilagyi

Absent: 2 - Harrison, and Lindsey

Recused: 1 - Hathaway

SITE PLAN SURETIES

2. Berry Farms Town Center PUD Subdivision, site plan, section 9, lot 903 (Lee Company HQ Building); release the maintenance agreement for green infrastructure improvements. (CONSENT AGENDA)

This Planning Item was approved.

3. Franklin Housing Authority PUD Subdivision, site plan, revision 2, Reddick Street Phase 2; release the maintenance agreement for sewer improvements. (CONSENT AGENDA)

This Planning Item was approved.

4. Franklin Park Subdivision, site plan, (Open Space/Parkland/Infrastructure); accept the sidewalks improvements, release the performance agreement and establish a maintenance agreement for one year. (CONSENT AGENDA)

This Planning Item was approved.

5. Gateway Commons PUD Subdivision, site plan; extend the performance agreement for sidewalks improvements to September 24, 2020; extend the maintenance agreement for sewer improvements to September 24, 2020. (CONSENT AGENDA)

This Planning Item was approved.

6. Highlands at Ladd Park PUD Subdivision, site plan, section 24; release the maintenance agreement for sidewalks improvements. (CONSENT AGENDA)

This Planning Item was approved.

7. Highlands at Ladd Park PUD Subdivision, site plan, section 25; release the maintenance agreement for sidewalks improvements. (CONSENT AGENDA)

This Planning Item was approved.

8. Lockwood Glen PUD Subdivision, site plan, sections 4-7; release the maintenance agreement for landscaping section 5 improvements. (CONSENT AGENDA)

This Planning Item was approved.

9. Lockwood Glen PUD Subdivision, site plan, section 11 (Amenity Center); extend the maintenance agreement for green infrastructure improvements to September 24, 2020. (CONSENT AGENDA)

Chair Hathaway recused himself from Item 9.

This Planning Item was approved.

10. Longview Subdivision, site plan, section 4, lot 14 (Taco Bell); accept the landscaping improvements, release the performance agreement and establish a maintenance agreement for one year. (CONSENT AGENDA)

This Planning Item was approved.

11. Preserve at Echo Estates PUD Subdivision, site plan; accept the landscaping section 1 buffers improvements, release the performance agreement and establish a maintenance agreement for one year. (CONSENT AGENDA)

This Planning Item was approved.

12. Stream Valley PUD Subdivision, site plan, section 13; extend the performance agreement for sidewalks improvements to September 24, 2020. (CONSENT AGENDA)

This Planning Item was approved.

13. Through the Green PUD Subdivision, site plan, section 2, lots 9-42 (Shadow Green Townhomes); release the maintenance agreement for landscaping improvements. (CONSENT AGENDA)

This Planning Item was approved.

REZONINGS AND DEVELOPMENT PLANS

14. Cardel Village PUD Subdivision, Development Plan, Revision 2, Revising Housing Types On Lots 1 Through 11, On 6.92 Acres, Located Near The Intersection Of Carlisle Lane And Blossom Trail Lane.

Attachments: MAP 7068 Cardel Village PUD Rev 2 DP

Cardel Village Development Plan, Rev 2

Cardel Village elevations

Ms. Dianna Tomlin, Principal Planner, stated that the Development Plan consists of 20 lots and was previously approved by the Board of Mayor and Alderman on January 12, 2016. The revision the applicant is seeking will affect 11 of those lots, changing the elevations from street-facing garages to be located at the rear of the lot, behind the proposed homes to elevations with front-loaded garages. The lot widths, which were previously approved and are not proposed to change, do not meet the standards of Envision Franklin for front-loaded garages because they are less than 65 feet in width. The remaining lots 12-20 are not affected by this change and no other changes are requested by the applicant.

Because the elevations proposed do not meet the lot minimums in Envision Franklin, staff recommended disapproval. However, it is important to note that the original development plan was approved prior to the adoption of Envision Franklin, and while infrastructure has been constructed in the last 4 years, the property still remains vacant. Drees Homes proposes this change in order to begin construction activity again and to allow for their home types.

This level of revision to the Development Plan requires FMPC (Franklin Municipal Planning Commission) approval only and will not be considered by the BOMA (Board of Mayor and Aldermen), per the Franklin Zoning Ordinance.

Staff recommended disapproval for Item 14.

Chair Hathaway asked if there were any citizen comments. There were none.

The Applicant was represented by Mr. Greg Gamble, Gamble Design. The Applicant stated he was representing the developers of Cardel Village PUD. He stated that Cardel Village was approved in 2018. At that time, the developer wanted to have garages located in the back of the single family homes. Mr. Gamble referred to two slides from the Joint Conceptual Workshop (JCW) presentation. He stated in the current approved PUD, with the rear-loaded garages, there is approximately 62 feet from the garage to the neighboring home in Cornerstone. They are proposing that the home types built be consistent with the homes in Blossom Park and Cornerstone where the garages are not rear-loaded. In doing so, the proposed homes would be approximately 95 feet from the adjacent homes. He stated that this would require a request in the type of the elevation. Mr. Gamble referred to page two of the presentation. He stated that the homes at the top of the page show homes in Blossom Park. Mr. Gamble stated he was there to answer any questions.

Chair Hathaway asked for a motion.

Commissioner Franks moved, seconded by Commissioner Orr, that Item 14 be approved.

Chair Hathaway asked for any discussion on the motion.

Alderman Petersen stated she attended the neighborhood meeting, and the people in the area were in agreement with the change.

Chair Hathaway asked for a vote on the motion.

The motion carried unanimously.

Commissioner Franks moved, seconded by Commissioner Orr, that Item 14 be approved. The motion carried by the following vote:

Aye: 7 - McLemore, Hathaway, Petersen, Orr, Allen, Franks, and Szilagyi

Absent: 2 - Harrison, and Lindsey

15. Consideration Of Ordinance 2019-34: An Ordinance To Rezone 22.07 Acres From Detached Residential District 1 (R-1) To Specific Development Residential (SD-R 2.03) For The Property Located North Of South Carothers Road And East Of Surrey Lane, At 4338 & 4340 South Carothers Road (Carothers Glen PUD). (9/26/19 FMPC 6-1)

Attachments: ORD 2019-34 Carothers Glen PUD Rez_with Map and Survey_Law Approved
MAP COF 7069 Carothers Glen RZ
SURVEY--Carothers Glen PUD

Ms. Tomlin stated that the applicant is requesting rezoning from Detached Residential 1 District (R-1) to Specific Development - Residential District (SD-R 2.03). The zoning change is appropriate based on the Envision Franklin Design Concept for this property. The development is within the Single-Family Residential Design Concept, and the zoning change is requesting a single-family detached residential use.

A previous proposal was made on these parcels in the past. For the previous proposal, Planning commission recommended favorably to the Board of Mayor and Alderman on November 15, 2018, and February 28, 2019. The Board of Mayor and Alderman denied the previous proposal on April 23, 2019.

Staff recommended a favorable recommendation to the Board of Mayor and Aldermen.

Chair Hathaway asked if there were any citizen comments.

The following citizens spoke concerning Item 15:

1. Dan Horecka, 505 Biltmore Court: Opposed. Stated that the proposed plan is not the plan he was shown by the Applicant. The new plan shows 3 adjacent homes instead of 2. Mr. Horecka presented a handout showing the proposed plans to the Commission. The handout was added to the record.
2. Andrew Friday, 2303 Surrey Lane: Opposed. Asked that Developer be held to full minimum buffer standards. Concerns included post-blast expenses and safety for children due to construction equipment. Mr. Friday presented a handout to the Commission. The handout was added to the record.
3. Gwendolyn Humpal, 2305 Surrey Lane: Opposed. New homeowner with concerns about the buffer and number of proposed homes.
4. Patrick Henchy, 2071 Upland Drive: Opposed. Concerned about the buffer zone being 5 feet instead of 15 feet.
5. Doreen Caffyn-Parsons, 2301 Surrey Lane: Opposed. The new houses will be built behind her home. Concerns include post-blasting expenses, damage created by construction traffic, and children's safety.
6. Heather Zimmerman, 317 Crooked Oak Court: Opposed. HOA Board member. Concerns include traffic and safety for children because of the size of driveways and the lots in Falcon Creek.
7. J. Warren, 2240 Falcon Creek Drive: Opposed. Stated there is no need for this change because of the topography and infrastructure.
8. Aaron Brown, 1062 Meandering Way: Opposed. Concerns about traffic on Meandering Way and safety for children.

The Applicant was represented by Mr. Michael Dewey, Dewey Engineering. The Applicant

stated he had reached out to Mr. Horecka to revise the plan. The previous plan met the standards of Envision Franklin. It was recommended by the Planning Commission, but failed at BOMA. To address the neighbor's concerns, he stated they revised the plan to remove two lots. He stated that any other changes were very minor. He stated that Mr. Horecka was referring to where the lot line for lots 26 and 27 clip the corner of Mr. Horecka's property. He stated they removed the two lots and added open space next to Mr. Horecka's property. Mr. Dewey stated that the landscape easement was consistent with the amendment made at the previous Planning Commission. The amendment stated that there would be 15 feet between structures. He stated this was still part of the plan with a five foot setback on each property and a five foot landscape easement. He stated this is an extremely difficult property to develop since it is located between two existing subdivisions. The developer is facing opposition on both sides. He stated that they are trying to address the concerns of both existing neighborhoods and meet the standards of Envision Franklin. He stated the previous plan met Envision Franklin. He stated the proposed plan has more narrow lots. This is to meet the request of the neighbors. By doing this, he stated that they could not have rear-loaded garages due to the topography.

The Developer, Jeremy Boczulak, addressed the concerns about blasting expenses and insurance claims. He stated they offered to extend the blasting survey past 1,000 ft. He stated they are happy to do a pre-blast and post-blast survey.

Mr. Dewey stated that a note had been added to the plan that a pre-blast survey would be provided. He stated he was there to answer any questions.

Chair Hathaway asked for a motion.

Commissioner Franks moved that Resolution 2019-34 be recommended to the Board of Mayor and Aldermen for approval. The motion failed due to lack of a second.

Alderman Petersen moved that that Resolution 2019-34 be recommended to the Board of Mayor and Aldermen for disapproval. The motion failed due to lack of a second.

Commissioner Franks moved, seconded by Commissioner Orr, that Resolution 2019-34 be recommended to the Board of Mayor and Aldermen for approval.

Chair Hathaway asked for any discussion on the motion.

Commissioner Allen asked if this was the exact same proposal that was recommended by the Planning Commission earlier in November, 2018.

Ms. Hunter stated that there was a similar proposal that was recommended by the Planning Commission, but it was not exactly the same.

Commissioner Allen asked if there were a greater number of lots in the previous proposal.

Ms. Hunter stated that she thought it was the same number of lots.

Ms. Tomlin stated the November 2018 proposal was for 44 lots and the January 2019 proposal was for 45 lots.The new plan has 45 lots proposed. She stated it is a rearrangement of the lots.

Commissioner Allen stated that this was the same plan but just a rearrangement of the

lots. She confirmed that the Planning Commission recommended approval previously.

Chair Hathaway stated that this was motion for approval of the rezoning, as submitted.

Chair Hathaway asked for a vote on the motion.

The motion carried by the following vote (6-1). Alderman Petersen voted against the motion.

Commissioner Franks moved, seconded by Commissioner Orr, that Resolution 2019-34 be recommended to the Board of Mayor and Aldermen for approval. The motion carried by the following vote:

Aye: 6 - McLemore, Hathaway, Orr, Allen, Franks, and Szilagyi

No: 1 - Petersen

Absent: 2 - Harrison, and Lindsey

16. Consideration Of Resolution 2019-88: A Resolution Approving A Development Plan For Carothers Glen PUD Subdivision For The Property Located North Of South Carothers Road And East Of Surrey Lane, At 4338 & 4340 South Carothers Road. Establishing a Public Hearing on December 10, 2019. (09/26/19 FMPC 6-1)

Attachments: RES 2019 -88 Carothers Glen PUD_with map and survey.Law Approved

Map COF 7070 Carothers Glen DP

7070 Conditions of Approval

Site Plan 7070 Carothers Glen DP

Carothers Glen - Development Plan (9-5-19)

Carothers Glen - Architectural Elevations (9-5-19)

citizen letter 01 Carothers Glen

Ms. Tomlin stated that the applicant is requesting the approval of a development plan for Carothers Glen PUD Subdivision. The proposed subdivision is 22.07 acres and proposing 45 single family lots. A project for these same parcels was denied at the April 23, 2019 Board of Mayor and Alderman meeting. The new development plan proposes 45 lots (the November 2018 proposal was for 44 lots and the January 2019 proposal was for 45 lots). The size of the lots is smaller, but the number of lots is the same. Additional changes proposed include front-loading garages on smaller lots, the removal of the portion of the walking trail near the existing County homes, and more open space between the proposed development and the existing homes.

The density request of 2.03 creates a transition between the two existing neighborhoods per the concept outlined in Envision Franklin for infill development. Lot sizes reflected on the perimeter of the property meet the requirements in the Zoning Ordinance that new lots along the perimeter of an existing development must either be at least 75 percent, in size, of those existing lots, or there must be a Class C buffer between the new and existing lots. This proposal meets that 75 percent requirement. In keeping with connectivity standards established within the City of Franklin Zoning Ordinance, the applicant proposes to pave and extend Meandering Way from the existing subdivision of Falcon Creek. This extension and connection are consistent with the standards found in Section 5.10.4.2 (a), External Street Connectivity, of the City of Franklin Zoning Ordinance.

In 2018, Williamson County abandoned the five feet of right of way from Biltmore Court adjacent to the east of the proposed Carothers Glen PUD Subdivision eastern boundary. The applicant has not proposed providing pavement to the property line, but has provided right of way dedication in the event that the Meandering Way connection is ever necessary.

Elevations are not approved at Development Plan stage, but the conceptual elevations submitted for lots proposed are not consistent with Envision Franklin. A policy for minimum lot dimensions was adopted as part of Envision Franklin for a variety of reasons. Because of the proportion of house to garage and the desire to emphasize pedestrian rather than vehicular flow, a standard of 65 feet in width was set for front-loaded garages. This Development plan has conceptual elevations for front loaded garages on lots less than 65 feet in width. Staff has added a condition of approval (#33)

stating architectural elevations should comply with Envision Franklin, which would mean that the houses would need to be designed with front-facing, detached garages behind the homes. If the topography makes this impossible, they should widen the lots to be consistent with Envision Franklin.

Project Considerations include that lots 41-45 have been deemed critical lots due to the need for specific elevations to ensure gravity flow of sanitary sewer.

Staff recommended a favorable recommendation, with conditions, to the Board of Mayor and Aldermen.

Chair Hathaway asked if there were any citizen comments.

The following citizens spoke concerning Item 15:

1. Dan Horecka, 505 Biltmore Court: Opposed. Stated that the proposed plan is not the plan he was shown. The new plan shows 3 adjacent homes instead of 2.
2. Andrew Friday, 2303 Surrey Lane: Opposed. Concerns included the number of proposed homes in and buffer width. He asked about the Class C Buffer Zone. Ms. Tomlin stated that a Class C Buffer Zone is required if they did not meet the 75% requirement. This plan does meet the 75% requirement, so the buffer zone is not required. Mr. Friday stated that he was not notified about the meeting to discuss the blasting issues. He lives within 300 feet of the proposed build site.
3. Patrick Henchy, 2071 Upland Drive: Opposed. Concerns included landscape easement, construction access, and safety for children.
4. Gwendolyn Humpal, 2305 Surrey Lane: Opposed. Concerned about the size of the proposed homes in comparison to the size of homes in Falcon Creek.
5. J. Warren, 2240 Falcon Creek Drive: Opposed. Stated that he felt the proposal was ridiculous and encouraged Commissioners to look at property.
6. Doreen Caffyn-Parsons, 2301 Surrey Lane: Opposed. Stated that this would affect her property directly. Stated this was a dangerous route for exiting her home due to construction traffic. Also concerned about the separate HOA and effect on the natural creek area.
7. Heather Zimmerman, 317 Crooked Oak Court: Opposed. HOA Board member. Concern included waterflow from the construction.

The Applicant was represented by Mr. Michael Dewey, Dewey Engineering. The Applicant stated there is a way to develop this property under Envision Franklin. The previous plan met Envision Franklin and was recommended for approval by the Planning Commission. At BOMA, the plan was denied because of the neighbor's concerns. He stated that they have revised the plan to meet those concerns. He stated that one of the concerns was on Upland Drive, the new homes would "tower" over the existing homes. To address this concern, the lots are now smaller. Another concern was that Mr. Horecka asked them to remove two lots from adjoining his property. The lots were nine 65 ft. wide lots before. Now, with this plan, the road alignment and lot size has changed, two lots have been removed, and more open space has been created. They have also agreed to remove two lots adjoining another neighbor. They are honoring the stream buffer. They want to keep the stream environmental feature natural. They feel that creating a permanent cul-de-sac on Upland is the responsible thing to do. To address the mailing for the blasting meeting, they were given a list and the neighborhood meeting did not require a certified mailing. He stated he was there to answer any questions.

Chair Hathaway asked for a motion.

Commissioner Franks moved, seconded by Commissioner Orr, that Resolution 2019-88 be recommended to the Board of Mayor and Aldermen for approval.

Chair Hathaway asked for any discussion on the motion.

Mr. Dewey asked to address two conditions. Due to the topography, rear-garages are not possible. He stated that making the lots wider is not the will of the neighbors. He asked that the motion approve the condition that lots that are less than 65 ft. allow for front-loaded garages.

Chair Hathaway asked if this was a Modification of Standards or a Condition.

Alderman Petersen stated that the recommended approval by staff included this condition.

Ms. Hunter stated they would need to amend the main motion if they wanted to remove conditions 33 and 38.

Commissioner McLemore asked the developer to address the construction traffic.

Jeremy Boczulak stated that there are two components. First, there is the new development stage, which they will try to complete in a timely manner (90-120 days). He stated they would probably just move the equipment once, set time limits, and notify neighbors via signage for work hours. Second, is the new construction phase. The expected build time is 5-6 months. They would keep the streets clean, storm water compliant, and take care of construction trash.

Commissioner Szilagyi asked about the post-blast survey.

Jeremy Boczulak stated the pre-blast and post-blast expenses are picked up by the blasting contractor. If someone has a concern, they notify the developer or contractor. They are happy to send an inspector over to the property.

Commissioner McLemore asked if they would have a HOA.

Jeremy Boczulak confirmed that they would have their own HOA.

Commissioner Franks moved, seconded by Commissioner Orr, that the main motion be amended to remove Conditions 33 and 38.

Chair Hathaway asked for any discussion on the motion to amend the main motion.

Chair Hathaway asked for a vote on the motion to amend the main motion.

The motion to amend the main motion carried by the following vote (6-1). Alderman Petersen voted against the motion.

Chair Hathaway asked for any discussion on the main motion, as amended.

Alderman Petersen asked Staff to explain a Class C buffer.

Ms. Amy Diaz-Barriga, Current Planning Supervisor, stated it is 50 ft. in width. It is

required when lots are smaller than 75% of the adjacent platted subdivision. Because the lots are equal or larger, it is not required along the Falcon Creek side per the Zoning Ordinance. There is a Class C Buffer provided on the Cross Creek side because those lots are larger.

Alderman Petersen asked where this requirement is located in the Zoning Ordinance.

Ms. Diaz-Barriga stated that it is in the Residential Development portion of the Zoning Ordinance, Section 5.3.5. It states that the lots have to be within 75% of the adjacent platted subdivision along the perimeter. If they don't meet that, this could be changed with a PUD. The PUD would reference what type of buffer they would need to use.

Alderman Petersen asked if the Zoning Ordinance used the words "within" or "at least" . She asked Ms. Diaz-Barriga to send her the information later.

Chair Hathaway asked for a vote on the main motion, as amended.

The main motion, as amended, carried by the following vote (6-1). Alderman Petersen voted against the motion.

Commissioner Franks moved, seconded by Commissioner Orr, that Resolution 2019-88 be recommended to the Board of Mayor and Aldermen for approval. Commissioner Franks moved, seconded by Commissioner Orr, that the main motion be amended to remove Conditions 33 and 38. The motion to amend the main motion carried by the following vote (6-1). The main motion, as amended, carried by the following vote:

Aye: 6 - McLemore, Hathaway, Orr, Allen, Franks, and Szilagyi

No: 1 - Petersen

Absent: 2 - Harrison, and Lindsey

SITE PLANS, PRELIMINARY PLATS, AND FINAL PLATS

17. Cool Springs Market Subdivision, Final Plat, Revision 1, (Resubdivision of Lots 1 & 5), Creating Three New Commercial Lots On 32.33 Acres, Located At 2000 Mallory Lane. (CONSENT AGENDA)

Attachments: MAP 7064 Cool Springs Mkt, FP, Rev 1

7064 Cool Springs Mkt FP Conditions of Approval_01

COF7064-Cool Springs Market, Final Plat Revision 1-2019-09-05

This Planning Item was approved.

18. Forrest Crossing Subdivision, Final Plat, Revision 12, Resubdivision Of Lots 1286-1291, Consolidating Existing Lots Into Two Lots, On 8.68 Acres, Located Near The Intersection Of Forrest Crossing Boulevard and South Royal Oaks Boulevard. (CONSENT AGENDA)

Attachments: MAP COF 7071 Forrest Crossing Sub FP

7071 Conditions of Approval

Forrest Crossing Subdivision, Lots 1286-1291 - Unified Site Plan (9-5-19)-8

This Planning Item was approved.

19. Huffines Ridge PUD Subdivision, Final Plat, Creating Three Lots To Align With Zoning Districts, On 22.69 Acres, Located At 1343 Huffines Ridge Road. (CONSENT AGENDA)

Attachments: Map COF 7073 Huffine Ridge PUD Sub FP

7073 Conditions of Approval

HUFFINES RIDGE PUD SUBDIVISION PLAT

This Planning Item was approved.

20. Splendor Ridge Subdivision, Final Plat, Creating 12 Single-Family Residential Lots and 4 Open Space Lots On 27.5 Acres, Located At 151 Franklin Road. (CONSENT AGENDA)

Attachments: MAP 7021 Splendor Ridge FP

7021 Splendor Ridge FP Conditions of Approval_01

7021 Splendor Ridge Plat

Chair Hathaway recused himself from Item 9.

This Planning Item was approved.

21. Wards Mill PUD Subdivision, Final Plat, Creating 18 Single-Family Residential Lots and 4 Open Space Lots On 18.68 Acres, Located at 3206 Boyd Mill Avenue (Bishops Gate). (CONSENT AGENDA)

Attachments: MAP 6771 Wards Mill PUD FP

6771 Wards Mill PUD FP Conditions of Approval_01

6771 Bishops Gate Plat 09-05-19

This Planning Item was approved.

22. Westhaven PUD Subdivision, Final Plat, Section 49, Revision 1 (Resub lot 1901), Creating Two Single-Family Residential Lots From Lot 1901, On .31 Acre, Located At 531 Rowan Street. (CONSENT AGENDA)

Attachments: MAP Weshaven

7075 Conditions of Approval_01

Resub of Lot 1901

This Planning Item was approved.

NON-AGENDA ITEMS

Chair Hathaway asked if there were any other non-agenda items to discuss. There were none.

ANY OTHER BUSINESS

Chair Hathaway asked if there was any further business. There was none.

ADJOURN

There being no further business, the meeting adjourned at 8:05 p.m.

_____

Chair, Mike Hathaway

FRANKLIN MUNICIPAL PLANNING COMMISSION
MEETINGS AND DEADLINES
January 2020-2021
* moved due to City Observed Holiday

Pre-Application Submittal Deadline (9:00 AM): submit plans prior to or on this date	Pre-Application meeting day	Initial Submittal Deadline (5:00 PM)	Checkprints returned to applicant (NOON) *staff comments due 11:00 AM*	Resubmittal of Corrected Plans (5:00 PM)	2nd DRT Meeting (9:00 AM)	FMPC Packet/ Administrative Reports Available (noon)	FMPC Meeting (7:00 PM)
11/25/2019	12/3/2019	12/9/2019	12/20/19 @9am	1/2/2020	1/10/2020	1/15/2020	1/23/2020
12/30/2019	1/7/2020	1/13/2020	1/28/2020	2/6/2020	2/14/2020	2/19/2020	2/27/2020
1/27/2020	2/4/2020	2/10/2020	2/25/2020	3/5/2020	3/13/2020	3/18/2020	3/26/2020
2/24/2020	3/3/2020	3/9/2020	3/24/2020	4/2/2020	4/9 @ 1pm *	4/15/2020	4/23/2020
3/30/2020	4/7/2020	4/13/2020	4/28/2020	5/7/2020	5/15/2020	5/20/2020	5/28/2020
4/27/2020	5/5/2020	5/11/2020	5/26/2020	6/4/2020	6/12/2020	6/17/2020	6/25/2020
5/22/2020*	6/2/2020	6/8/2020	6/23/2020	7/2/2020	7/10/2020	7/15/2020	7/23/2020
6/29/2020	7/7/2020	7/13/2020	7/28/2020	8/6/2020	8/14/2020	8/19/2020	8/27/2020
7/27/2020	8/4/2020	8/10/2020	8/25/2020	9/3/2020	9/11/2020	9/16/2020	9/24/2020
8/24/2020	9/1/2020	9/4/2020*	9/22/2020	10/1/2020	10/9/2020	10/14/2020	10/22/2020
No November Planning Commission meeting							
9/28/2020	10/6/2020	10/12/2020	10/27/2020	11/5/2020	11/20/2020	12/2/2020	12/10/2020
11/30/2020	12/8/2020	12/14/2020	12/29/2020	1/7/2021	1/15/2021	1/20/2021	1/28/2021

RESOLUTION 2019-89

A RESOLUTION AMENDING THE APEX PUD SUBDIVISION TO EXTEND THE VESTED RIGHTS, FOR THE PROPERTY LOCATED IN THE NORTHEAST CORNER OF THE INTERSECTION OF CAROTHERS PARKWAY AND McEWEN DRIVE

WHEREAS, the Board of Mayor and Aldermen (BOMA) of the City of Franklin, Tennessee, has approved the zoning for the property as part of Ordinance 2016-51; and

WHEREAS, the BOMA has approved the Planned Unit Development for the property as part of Resolution 2016-88; and

WHEREAS, in accordance with the provisions of the City of Franklin, Tennessee, Zoning Ordinance, and as required by *Tennessee Code Annotated* § 13-4-310, as amended, the approval of the Development Plan by the BOMA initiates a vesting period during which the development standards adopted by the City and in effect on the date of approval; and

WHEREAS, *Tennessee Code Annotated* (T.C.A.) §§ 13-4-310 (d) (1) states that the vesting period applicable to a development plan shall be a period of three (3) years, beginning on the date of the local government's approval of the preliminary development plan; provided, that the applicant obtains local government approval of a final development plan, secures any necessary permits, and commences site preparation within the vesting period; and

WHEREAS, the Apex Village PUD vesting period began on March 28, 2017, and is set to expire on March 28, 2020, and the applicant has not obtained approval of a final development plan, secured any permits, or commenced site preparation; and

WHEREAS, *Tennessee Code Annotated* (T.C.A.) §§ 13-4-310 (h) states that an amendment to an approved development plan by the developer must be approved by the local government to retain the protections of the vested property right, and a vested property right shall not terminate if the local government determines, in writing, that it is in the best interest of the community to allow the development to proceed under the amended plan without terminating the vested property right; and

WHEREAS, the Franklin Zoning Ordinance §§ 2.4.2 (16) states that upon the expiration of a vesting period for a Development Plan, construction may not proceed unless a new Development Plan is approved by the BOMA that meets all development standards in effect at the time of approval for portions of the project not already constructed or under construction or, alternatively, the BOMA may grant an extension of the vesting period if it determines, in writing, that it is in the best interest of the community to allow the development to proceed without terminating the vested property right; and

WHEREAS, the applicant has requested an extension of the vesting period for one year, until March 28, 2021.

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

SECTION I. That the legal description of the property included in the Development Plan is as follows:

PREMISES CONSIDERED

Map-Parcel	Acres
062---01417	5.84
062---01418	17.77
Total	23.61

SECTION II. That the attached Location Map and Survey shall serve the purpose of further delineating the geographical boundaries as described by this Resolution.

SECTION III. That the overall entitlements for the Apex Village PUD Subdivision, as outlined below and through Exhibit A, are as follows:

Entitlements	Apex Village PUD
Base Zone District	Specific Development-Variety SD-X (14.61/350,000/200)
Character Area Overlay	MECO-4
Other Zoning Overlays	FFO, FWO
Development Standard	Conventional
Number of Dwelling Units	345
Number of Nonresidential Square Footage	300,000 SF Office 50,000 SF Retail
Number of Hotel Rooms	200
Connectivity Index	1.57
Open Space Requirements	1.18 acres
Number of Phases in Development	1

SECTION IV. That the original vesting period was initiated on March 28, 2017, and was set to expire on March 28, 2020. The Board of Mayor and Aldermen have concluded that it is in the best interest of the community to allow the development to proceed without terminating the vested property right, and, therefore, the vesting period is extended for one year until March 28, 2021, as requested by the property owner. The development plan will have until March 28, 2021, to obtain the approval of a final development plan, secure any necessary permits, and commence site preparation. If these requirements are met, then the vesting period shall be extended an additional two (2) years to commence construction and maintain any necessary permits to remain vested.

SECTION V. That the total vesting period of ten (10) years shall not be extended. If construction commences during this extended vesting period, the development standards applicable during the vesting period shall remain in effect until the local government has certified final completion of the development or project; provided, the total vesting period for the project shall not exceed ten (10) years from the date

of the original approval of the preliminary development plan (March 28, 2017) and shall remain at March 28, 2027.

SECTION VI. That the Development Plan, the exhibits accompanying the Development Plan, and all conditions and restrictions placed upon the original Development Plan by the Franklin Municipal Planning Commission and this Board shall be made a part of this Resolution as though copied verbatim herein, and that a permanent record of the Development Plan, the exhibits accompanying the Development Plan, and all such conditions and restrictions shall be kept in the Franklin Planning and Sustainability Department.

SECTION VII. BE IT FINALLY ORDAINED by the Board of Mayor and Aldermen of the City of Franklin, Tennessee, that this Resolution shall take effect from and after its passage on final reading, the health, safety, and welfare of the citizens requiring it.

ATTEST:

_____

Eric S. Stuckey
City Administrator

CITY OF FRANKLIN, TENNESSEE:

_____

Dr. Ken Moore
Mayor

Approved as to form by:

_____
Shauna R. Billingsley
City Attorney

PLANNING COMMISSION RECOMMENDED: _____

PUBLIC HEARING HELD: _____

Law Dept. approved 09.04.19

DEVELOPMENT PLAN SUBMITTAL

APEX VILLAGE

PUD DEVELOPMENT PLAN

SD-X (SPECIFIC DEVELOPMENT - MIXED USE)

FRANKLIN, TENNESSEE

CITY OF FRANKLIN PROJECT NO. 6305

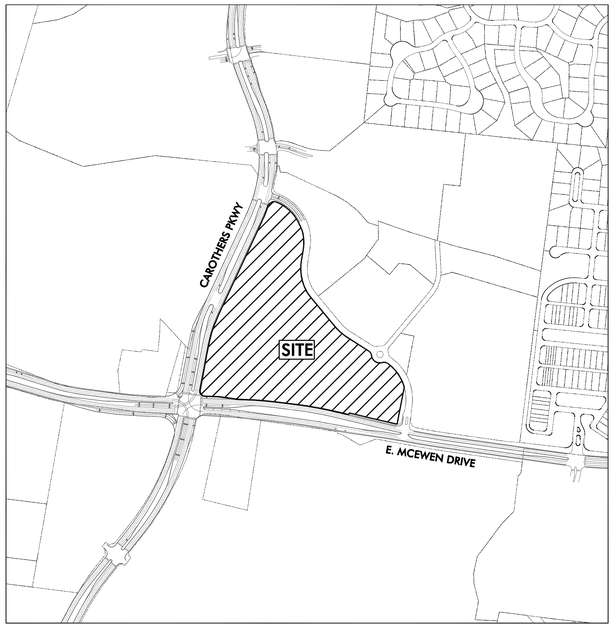
DECEMBER 12, 2016
REV. JANUARY 05, 2017
REV. APRIL 18, 2017

SITE DATA

SUBDIVISION/DEVELOPMENT:	APEX VILLAGE
CITY OF FRANKLIN PROJECT NUMBER	6305
TAX MAP & PARCELS	MAP 62 - PARCELS 01417 & 01418
ADDRESS	CAROTHERS PARKWAY
CITY	FRANKLIN
COUNTY	WILLIAMSON
STATE	TENNESSEE
CIVIL DISTRICT	8TH
EXISTING ZONING- CHARACTER OVERLAY	GENERAL COMMERCIAL DISTRICT - McEWEN CHARACTER AREA 4
OTHER APPLICABLE OVERLAYS	FLOODWAY FRINGE OVERLAY (FFO) FLOODWAY OVERLAY DISTRICT (FWO)
APPLICABLE DEVELOPMENT STANDARDS	CONVENTIONAL
ACREAGE OF SITE	+/- 23.61 ACRES
RESIDENTIAL DENSITY	14.61
COMMERCIAL SQUARE FOOTAGE	350,000
PROPOSED HOTEL KEYS	200
PROPOSED ZONING	SPECIFIC DEVELOPMENT VARIETY (SD-X) 14.61, 350,000, 200
OWNERS REPRESENTATIVE:	CRESCENT COMMUNITIES, LLC.
ADDRESS:	205 POWELL AVENUE BRENTWOOD, TN. 37027
PHONE NO.:	615.312.8242
CONTACT NAME:	KHRIS PASCARELLA
E-MAIL ADDRESS:	kpascarella@PEARLSTREETPARTNERS.COM
APPLICANT:	EDGE PLANNING, LANDSCAPE ARCHITECTURE & URBAN DESIGN
ADDRESS:	210 12TH AVENUE SOUTH, SUITE 202 - NASHVILLE TN 37203
PHONE NO.:	(615) 250-8154
FAX NO.:	(615) 250-8155
CONTACT:	JOHN HAAS - jhaas@edgela.com
CIVIL ENGINEER:	KIMLEY-HORN
ADDRESS:	214 OCEANSIDE DRIVE - NASHVILLE, TN 37204
PHONE NO.:	(615) 564-2876
CONTACT:	RYAN McMASTER - ryan.mcmaster@kimley-horn.com

APPLICANT IS REQUESTING THE FOLLOWING:

1. SECTION 5.3.5 (3)(b) (ii) RESIDENTIAL DEVELOPMENT REQUIREMENT
   (DESIGN MODIFICATION)
   APPLICANT IS REQUESTING THAT MAXIMUM LENGTH OF ANY ATTACHED RESIDENTIAL BUILDING CAN BE GREATER THAN 200 FEET.
2. SECTION 5.5.4 - DEDICATION OF PUBLIC LAND FOR PARKS AND GREENWAYS/BLUEWAYS
   (MODIFICATION OF STANDARDS)
   APPLICANT IS REQUESTING THAT THE REQUIREMENT FOR PARKLAND DEDICATION BE SATISFIED WITH A PRIVATELY HELD AND MAINTAINED OPEN SPACE WITH AN ALL ACCESS PUBLIC EASEMENT
3. SECTION 5.10.4 (1) (iii) - CONNECTIVITY INDEX REQUIREMENT
   (MODIFICATION OF STANDARDS)
   APPLICANT IS REQUESTING THAT THE MINIMUM CONNECTIVITY INDEX SCORE OF 1.65 CANNOT BE ACHIEVED DUE TO THE TOPOGRAPHIC CONDITIONS AND NATURAL FEATURES OF THE SITE.



SITE LOCATION MAP

NORTH

INDEX OF SHEETS

SHEET #	TITLE
C-0.0	COVER SHEET
C-1.0	OVERALL EXISTING CONDITIONS PLAN
C-1.0A	TREE PRESERVATION PLAN
C-2.0	OVERALL DEVELOPMENT PLAN
C-3.0	OVERALL GRADING, DRAINAGE, & UTILITY PLAN
C-4.0	OVERALL ROW & ACCESS PLAN
A-1.0	OFFICE, RETAIL & GARAGE ELEVATIONS
A-2.0	RETAIL, OFFICE & HOTEL ELEVATIONS
A-3.0	MULTI-FAMILY ELEVATIONS
A-4.0	TOWNHOME ELEVATIONS

HISTORIC FRANKLIN TENNESSEE
Building and Neighborhood Services
615.794.7012

THESE PLANS HAVE BEEN REVIEWED FOR CODE COMPLIANCE
Work shall be installed in accordance with the *approved construction documents*, and any changes made during construction that are not in compliance with the *approved construction documents* shall be resubmitted for approval as an amended set of *construction documents*. [IBC: 107.4]
Please read Commercial Inspection Procedures.

By Maureen Culberson at 7:30 am, May 01, 2017

Approved plans in Application Submittal Folder # 006

PREPARED FOR:

CRESCENT COMMUNITIES, LLC.
227 W. TRADE STREET, SUITE 1000
CHARLOTTE, NC. 28202
615.312.8242

JOHN DAVID HAAS, JR. REGISTERED LANDSCAPE ARCHITECT TENNESSEE NO. 629 — 04/18/17

RYAN McMASTER REGISTERED ENGINEER NO. 120 STATE OF TENNESSEE — 04/18/17

PREPARED BY:

PEARL STREET PARTNERS

Kimley»Horn
214 Oceanside Drive, Nashville, TN 37204
Main: 615.564.2701 | www.kimley-horn.com
© 2016 Kimley-Horn and Associates, Inc.

EDGE PLANNING LANDSCAPE ARCHITECTURE URBAN DESIGN
210 12th Ave. South; Suite 202
Nashville, Tennessee 37203
P 615-250-8154 F 615-250-8155

ANTICIPATED IMPACT ON THE STREETS AS SHOWN IN THE MAJOR THOROUGHFARE PLAN

PERCENTAGES OF SITE-GENERATED TRAFFIC VOLUMES ON CITY STREETS

Street Name	Classification	Entering Traffic	Exiting Traffic
McEwen Drive (west of Carothers Parkway)	Major Arterial	50%	50%
McEwen Drive (between Carothers Parkway and Resource Parkway)	Major Arterial	30%	35%
McEwen Drive (east of Resource Parkway)	Major Arterial	10%	10%
Carothers Parkway (south of McEwen Drive)	Major Arterial	15%	15%
Carothers Parkway (between McEwen Drive and Pacific Drive)	Major Arterial	35%	30%
Carothers Parkway (north of Pacific Drive)	Major Arterial	20%	20%

DAILY SITE-GENERATED TRAFFIC VOLUMES ON CITY STREETS

Street Name	Classification	Entering Traffic	Exiting Traffic	Total Vehicles Per Day
McEwen Drive (west of Carothers Parkway)	Major Arterial	1,855	1,855	**3,710**
McEwen Drive (between Carothers Parkway and Resource	Major Arterial	1,113	1,298	**2,411**
McEwen Drive (east of Resource Parkway)	Major Arterial	371	371	**742**
Carothers Parkway (south of McEwen Drive)	Major Arterial	556	556	**1,112**
Carothers Parkway (between McEwen Drive and Pacific Drive)	Major Arterial	1,298	1,113	**2,411**
Carothers Parkway (north of Pacific Drive)	Major Arterial	742	742	**1,484**

THE FOLLOWING ITEMS OUTLINE RECOMMENDATIONS RELATED TO THE TRAFFIC IMPACT STUDY, PERFORMED BY FISCHBACH TRANSPORTATION, AND ADDITIONAL STAFF RECOMMENDATIONS PER THE THIRD PARTY REVIEW VIA VOLKERT INC. FOR IMPROVEMENTS RELATED TO THIS DEVELOPMENT:

- A TRAFFIC SIGNAL SHOULD BE INSTALLED AT THE INTERSECTION OF E. MCEWEN DRIVE AND RESOURCE PARKWAY; AT THIS TIME, THIS IMPROVEMENT IS REQUIRED PER THE OVATION DEVELOPMENT PLAN
- A TRAFFIC SIGNAL SHOULD BE INSTALLED AT THE INTERSECTION OF CAROTHERS PARKWAY AND RESOURCE PARKWAY
- THE STORAGE BAY ON THE EXISTING, SOUTHBOUND LEFT-HAND TURN LANE FROM CAROTHERS PARKWAY TO PACIFIC DRIVE SHALL BE EXTENDED TO 150'
- FUTURE RIGHT-OF-WAY RESERVATION SHOULD BE PROVIDED ALONG CAROTHERS PARKWAY AND E. MCEWEN DRIVE PER THE HYBRID EXHIBIT OF THE CAROTHERS INTEGRATED GROWTH PLAN. ROW IS TO BE RESERVED AND DEDICATED VIA FINAL SUBDIVISION PLAT AFTER SITE PLAN APPROVAL.
- PACIFIC DRIVE SHALL INCLUDE ONE THROUGH LANE IN EACH DIRECTION AND A CONTINUOUS CENTER TURN LANE FROM CAROTHERS PARKWAY TO RESOURCE PARKWAY
- RESOURCE PARKWAY SHALL INCLUDE STORAGE BAYS AND LEFT-HAND TURN LANES INTO THE PROJECT ACCESS LOCATIONS AND TERRAPIN DRIVE INTERSECTION
- THE ACCESS POINTS TO DECK "P" VIA PACIFIC DRIVE AND RESOURCE PARKWAY SHALL PROVIDE ONE ENTRY LANE AND TWO EXIT LANES, STRIPED AS SEPARATE LEFT AND RIGHT TURNS.

ALL TRANSPORTATION DESIGNS SHALL BE COMPLETED ACCORDING TO MUTCD, AASHTO, AND CITY OF FRANKLIN STANDARDS.

SHARED PARKING

ADJUSTED WEEKDAY PEAK PARKING DEMAND (SCENARIO 1)

DAY AND TIME	REQUIRED PARKING SPACES				
	Visitors	Employees/ Residents	SUBTOTAL:	REDUCED 20% FOR INTERNAL TRIPS	PLUS 52 SPACES IN EXISTING EASEMENT
Weekday (2:00 PM in June)	489	1,016	1,505	1,204	**1,256 ***
Saturday (7:00 PM in June)	481	100	581	465	**517 ***

* This is the total number of parking spaces needed in Parking Garage P. Based on the data provided in Shared Parking, 2nd Edition, which was published by the Urban Land Institute, Parking Garage Q should include 1.65 parking spaces per apartment in Building C.

ADJUSTED WEEKDAY PEAK PARKING DEMAND (SCENARIO 2)

DAY AND TIME	REQUIRED PARKING SPACES				
	Visitors	Employees/ Residents	SUBTOTAL:	REDUCED 20% FOR INTERNAL TRIPS	PLUS 52 SPACES IN EXISTING EASEMENT
Weekday (2:00 PM in June)	499	1,373	1,872	1,498	**1,550 ***
Saturday (7:00 PM in June)	532	587	1,119	895	**947 ***

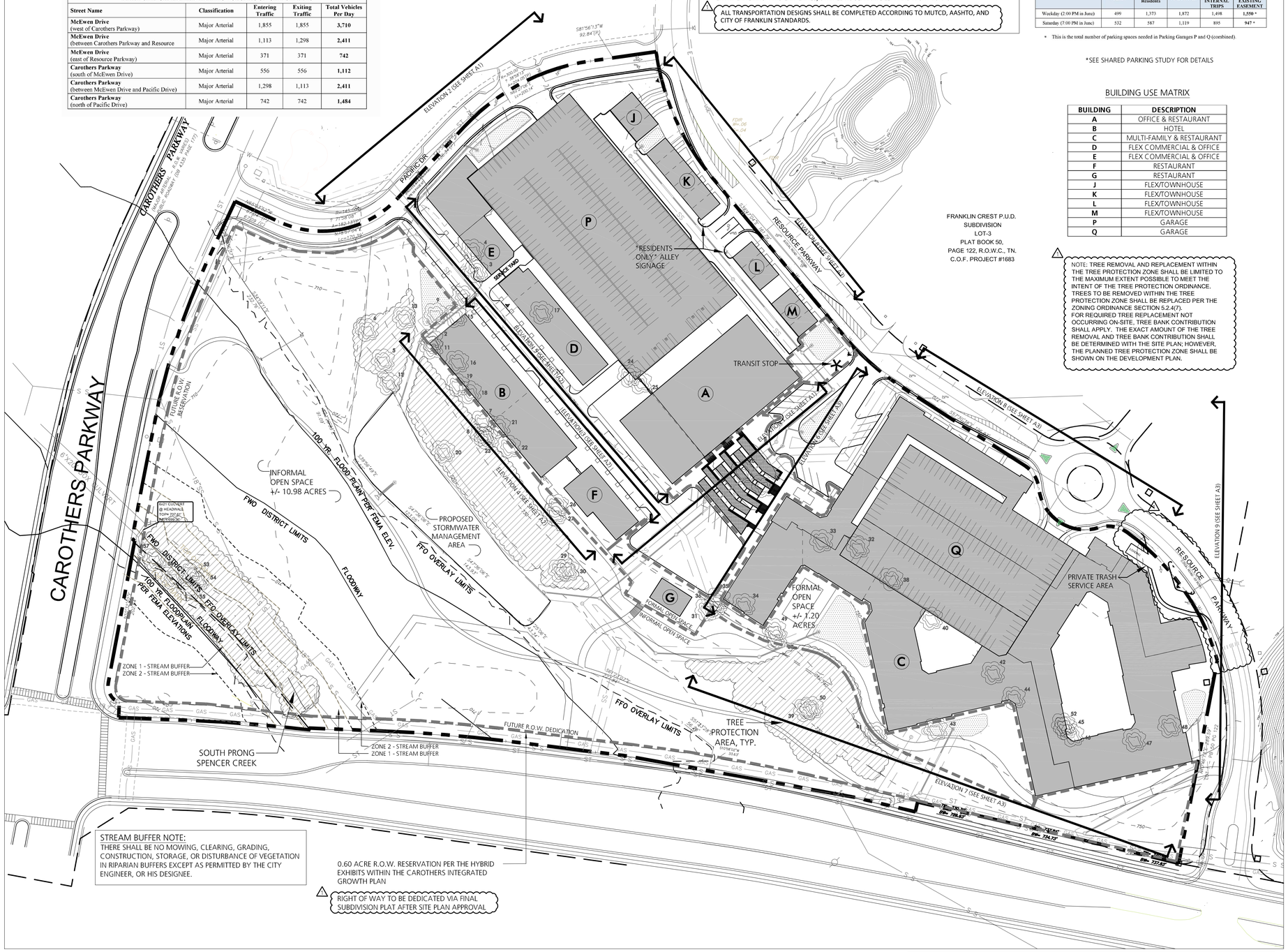
* This is the total number of parking spaces needed in Parking Garages P and Q (combined).

*SEE SHARED PARKING STUDY FOR DETAILS

BUILDING USE MATRIX

BUILDING	DESCRIPTION
A	OFFICE & RESTAURANT
B	HOTEL
C	MULTI-FAMILY & RESTAURANT
D	FLEX COMMERCIAL & OFFICE
E	FLEX COMMERCIAL & OFFICE
F	RESTAURANT
G	RESTAURANT
J	FLEX/TOWNHOUSE
K	FLEX/TOWNHOUSE
L	FLEX/TOWNHOUSE
M	FLEX/TOWNHOUSE
P	GARAGE
Q	GARAGE

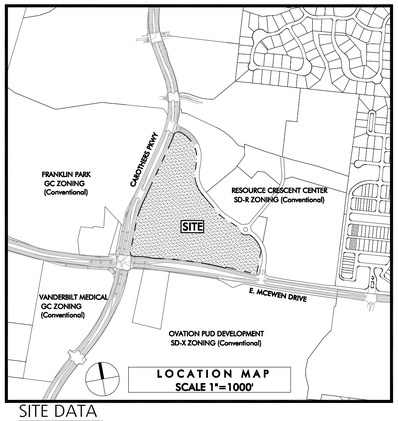
NOTE: TREE REMOVAL AND REPLACEMENT WITHIN THE TREE PROTECTION ZONE SHALL BE LIMITED TO THE MAXIMUM EXTENT POSSIBLE TO MEET THE INTENT OF THE TREE PROTECTION ORDINANCE. TREES TO BE REMOVED WITHIN THE TREE PROTECTION ZONE SHALL BE REPLACED PER THE ZONING ORDINANCE SECTION 5.2.4(7). FOR REQUIRED TREE REPLACEMENT NOT OCCURRING ON-SITE, TREE BANK CONTRIBUTION SHALL APPLY. THE EXACT AMOUNT OF THE TREE REMOVAL AND TREE BANK CONTRIBUTION SHALL BE DETERMINED WITH THE SITE PLAN; HOWEVER, THE PLANNED TREE PROTECTION ZONE SHALL BE SHOWN ON THE DEVELOPMENT PLAN.



STREAM BUFFER NOTE:
THERE SHALL BE NO MOWING, CLEARING, GRADING, CONSTRUCTION, STORAGE, OR DISTURBANCE OF VEGETATION IN RIPARIAN BUFFERS EXCEPT AS PERMITTED BY THE CITY ENGINEER, OR HIS DESIGNEE.

0.60 ACRE R.O.W. RESERVATION PER THE HYBRID EXHIBITS WITHIN THE CAROTHERS INTEGRATED GROWTH PLAN

RIGHT OF WAY TO BE DEDICATED VIA FINAL SUBDIVISION PLAT AFTER SITE PLAN APPROVAL



SITE DATA

SUBDIVISION/DEVELOPMENT	APEX VILLAGE
MAP & PARCEL NUMBER	MAP 062, PARCELS 01417 & 01418
ADDRESS	CAROTHERS PARKWAY
EXISTING ZONING	GC - GENERAL COMMERCIAL
CHARACTER AREA	McEWEN
SPECIAL AREA	4
OTHER APPLICABLE OVERLAYS	FLOODWAY FRINGE OVERLAY (FFO) FLOODWAY OVERLAY DISTRICT (FWO)
DEVELOPMENT STANDARD	CONVENTIONAL
ACREAGE OF SITE	+/- 23.61 ACRES
SQUARE FOOTAGE OF SITE	+/- 1,028,538 SQ. FT.
RESIDENTIAL DENSITY	14.61 DWU/ACRE
COMMERCIAL SQUARE FOOTAGE	350,000
PROPOSED HOTEL KEYS	200
PROPOSED ZONING	SPECIFIC DEVELOPMENT VARIETY (SD-X) 14.61, 350,000, 200
MINIMUM REQUIRED SETBACK LINES BUILDING SETBACKS	5 FT.

DEVELOPER:
KHRIS PASCARELLA
CRESCENT COMMUNITIES
205 POWELL AVENUE
BRENTWOOD, TN 37027
(615) 312-8242
kpascarella@pearlstreetpartners.com

APPLICANT:
JOHN HAAS
EDGE
210 12TH AVE. SOUTH - SUITE 202
NASHVILLE TN, 37203
(615) 250-8154
jhaas@edgela.com

BUILDING HEIGHT	12 STORIES MAX.
LANDSCAPE SURFACE RATIO	0.40
MIN. LANDSCAPE SURFACE RATIO	0.20
MINIMUM PARKING REQUIREMENT	SEE CHART THIS PAGE
PARKING PROVIDED	SEE CHART THIS PAGE
EXISTING TREE CANOPY	+/- 7.48 ACRES (32% OF SITE)
MIN. AREA OF EXISTING TREE CANOPY TO PRESERVE	+/- 1.80 ACRES (24% OF EXISTING CANOPY)
AREA OF PRESERVED TREE CANOPY	+/- 1.86 ACRES (25% OF EXISTING CANOPY)
FORMAL OPEN SPACE - REQUIRED	+/- 1.18 ACRES (5% OF GROSS DEVELOPMENT SIZE)
FORMAL OPEN SPACE - PROVIDED	+/- 1.20 ACRES (5% OF GROSS DEVELOPMENT SIZE)
INFORMAL OPEN SPACE - REQUIRED	NONE
INFORMAL OPEN SPACE - PROVIDED	+/- 10.98 ACRES (47% OF GROSS DEVELOPMENT SIZE)
*REQUIRED PARKLAND DEDICATION	+/- 5.23 ACRES
*PROVIDED PARKLAND	+/- 5.24 ACRES

*APPLICANT IS REQUESTING A MODIFICATION OF STANDARDS - SEE NOTES THIS PAGE

RESIDENTIAL DENSITY	14.61 DUA
NET DENSITY (MINUS ROW)	14.90 DUA
NET DENSITY (MINUS ROW & OVERLAY CONSTRAINTS)	18.90 DUA

PROPOSED NUMBER OF RESIDENTIAL UNITS BY USE TYPE

TOWNHOMES	15 UNITS
*MULTI-FAMILY UNITS	330 UNITS
TOTAL UNITS	345 UNITS

*MULTI-FAMILY UNITS WILL BE DIVIDED INTO THE FOLLOWING MIX:

STUDIOS	+/- 4% - 8%
ONE BEDROOM	+/- 50% - 54%
TWO BEDROOM	+/- 38% - 42%
THREE BEDROOM	+/- 2% - 6%

(NOTE THAT THIS IS AN APPROXIMATE UNIT MIX ONLY - ACTUAL UNIT MIX NUMBERS WILL BE PROVIDED AT SITE PLAN SUBMITTAL)

PROPOSED SQUARE FOOTAGE BY USE TYPE (NONRESIDENTIAL)

OFFICE	+/- 300,000 SF
COMMERCIAL	+/- 50,000 SF
HOTEL	200 KEYS

IMPACT STATEMENT NOTES:
1. FROM THIS SITE, IT IS APPROXIMATELY 1.5 MILES TO FIRE STATION 6 ON COOL SPRINGS BOULEVARD AND 5 MILES TO THE CITY POLICE DEPARTMENT LOCATED ON COLUMBIA AVENUE.

2. THE NEAREST PARK AND RECREATIONAL FACILITIES ARE LOCATED APPROXIMATELY 0.5 MILES EAST OF THE DEVELOPMENT ON MCEWEN DRIVE (LIBERTY PARK). CHEEK PARK AND THE WILLIAMSON COUNTY RECREATION CENTER ARE APPROXIMATELY 5 MILES FROM THE PROPOSED DEVELOPMENT.

3. THIS DEVELOPMENT WILL RESULT IN AN INCREASE OF 345 MULTI-FAMILY & TOWNHOME UNITS. BASED ON AN AVERAGE OF 0.10 SCHOOL AGE STUDENTS PER MULTI-FAMILY/TOWNHOME HOUSEHOLD, THIS WILL INCREASE THE CURRENT STUDENT SCHOOL POPULATION BY A TOTAL OF ±104 STUDENTS WITHIN THE FOLLOWING CATEGORIES: KENROSE ELEMENTARY (34 STUDENTS), SUNSET MIDDLE (34 STUDENTS), CENTENNIAL HIGH (34 STUDENTS).

4. WATER IS PROVIDED BY MALLORY VALLEY UTILITY DISTRICT VIA EXISTING 10" & 18" MAINS SURROUNDING THE SITE. WATER AVAILABILITY OF APPROXIMATELY 1160 SFUE HAS BEEN CONFIRMED BY MVUD FOR THIS DEVELOPMENT.

5. SANITARY SEWER WILL BE PROVIDED BY THE CITY OF FRANKLIN VIA EXISTING SEWER INFRASTRUCTURE ALONG EAST McEWEN DRIVE AND CAROTHERS PARKWAY. THE CITY OF FRANKLIN HAS APPROVED THE ADDITION OF 1160 SFUE FOR THE DEVELOPMENT.

6. REFUSE COLLECTION FOR THE DEVELOPMENT SHALL BE PROVIDED BY PRIVATE COLLECTION.

NOTES:
1. DEVELOPER TO RETAIN ALL MINERAL RIGHTS.
2. NO STRUCTURES CURRENTLY EXIST ON SITE
3. THERE ARE NO HISTORIC STRUCTURES WITHIN 500' OF THE SITE

APPLICANT IS REQUESTING THE FOLLOWING:

1. **SECTION 5.3.5 (3)(b) (ii) RESIDENTIAL DEVELOPMENT REQUIREMENT (DESIGN MODIFICATION)**
   APPLICANT IS REQUESTING THAT MAXIMUM LENGTH OF ANY ATTACHED RESIDENTIAL BUILDING CAN BE GREATER THAN 200 FEET.
2. **SECTION 5.5.4 - DEDICATION OF PUBLIC LAND FOR PARKS AND GREENWAYS/BLUEWAYS (MODIFICATION OF STANDARDS)**
   APPLICANT IS REQUESTING THAT THE REQUIREMENT FOR PARKLAND DEDICATION BE SATISFIED WITH A PRIVATELY HELD AND MAINTAINED OPEN SPACE WITH AN ALL ACCESS PUBLIC EASEMENT
3. **SECTION 5.10.4 (1) (iii) - CONNECTIVITY INDEX REQUIREMENT (MODIFICATION OF STANDARDS)**
   APPLICANT IS REQUESTING THAT THE MINIMUM CONNECTIVITY INDEX SCORE OF 1.65 CANNOT BE ACHIEVED DUE TO THE TOPOGRAPHIC CONDITIONS AND NATURAL FEATURES OF THE SITE.

LEGEND
- TREE PROTECTION AREA
- EXISTING SPECIMEN TREE
- LIMITS OF DISTURBANCE

0' 30' 60' 120'
NORTH

ENGINEERING PROVIDED BY:
RYAN McMASTER
KIMLEY-HORN
214 OCEANSIDE DRIVE
NASHVILLE, TN. 37204
(615) 564-2876
ryan.mcmaster@kimley-horn.com

DEVELOPER:
KHRIS PASCARELLA
CRESCENT COMMUNITIES
205 POWELL AVENUE
BRENTWOOD, TN 37027
(615) 312-8242
kpascarella@pearlstreetpartners.com

APPLICANT:
JOHN HAAS
EDGE
210 12TH AVE. SOUTH
SUITE 202
NASHVILLE TN, 37203
(615) 250-8154
jhaas@edgela.com

CONSULTANTS

EDGE
PLANNING LANDSCAPE ARCHITECTURE URBAN DESIGN
210 Twelfth Avenue South
Suite 202
Nashville, Tennessee 37203
P 615-250-8154 F 615-250-8155

Kimley»Horn
214 Oceanside Drive, Nashville, TN 37204
Main: 615.564.2701 | www.kimley-horn.com
© 2016 Kimley-Horn and Associates, Inc.

SEAL
JOHN DAVID HAAS, JR.
REGISTERED LANDSCAPE ARCHITECT
TENNESSEE NO. 574
04/18/17

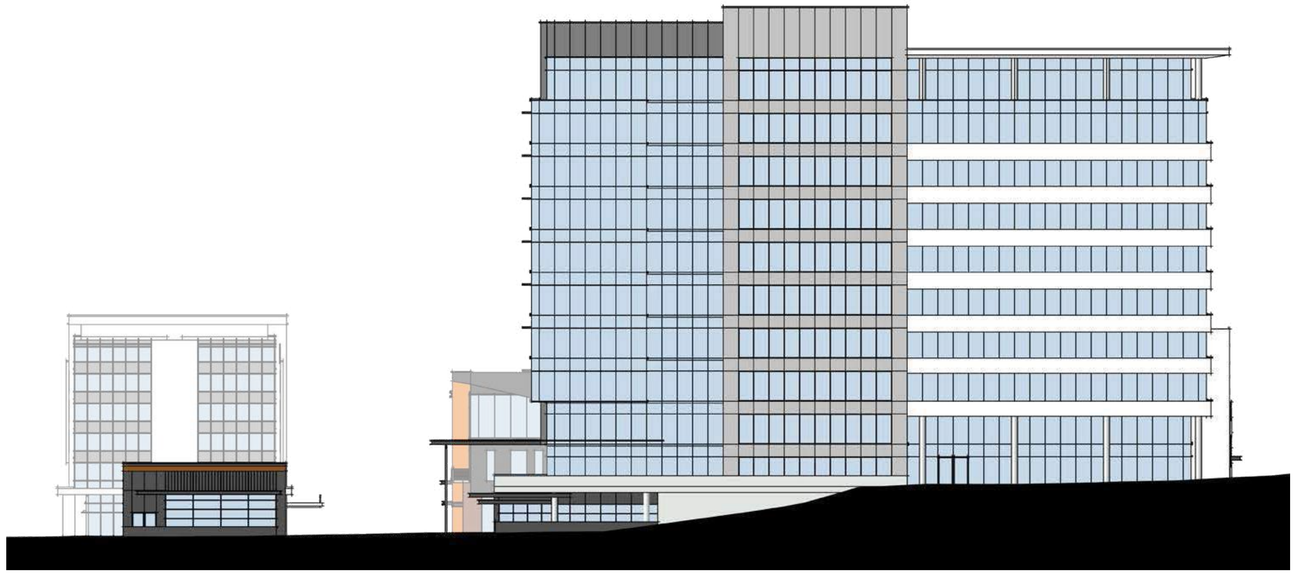
PROJECT TITLE
APEX VILLAGE
PUD DEVELOPMENT PLAN
C.O.F. #6305
FRANKLIN, TN

CLIENT
CRESCENT COMMUNITIES LLC

PROJECT NO.	COF #6305
Date	12/12/16
Revisions	
1. PER CITY COMMENTS	01.05.17
1 ONE STOP SUBMITTAL	04.18.17

Sheet Title
OVERALL DEVELOPMENT PLAN

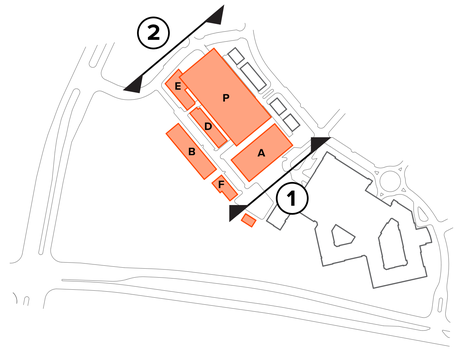
Sheet Number
C 2.0



ELEVATION 1 **BUILDING F** **BUILDING A**
SCALE: 1" = 20'

ELEVATION 2
SCALE: 1" = 20'

BUILDING P **BUILDING E** **BUILDING B**



BUILDING MATERIALS TO INCLUDE:
PRECAST CONCRETE, CONCRETE, NATURAL STONE
CAST STONE, MASONRY (BRICK AND CMU) CEMENTITIOUS PANELS
CURTAIN WALL AND STOREFRONT GLASS, STUCCO/ EIFS, WOOD

ESa | **APEX VILLAGE**
Franklin, TN - 16096.00 - 04/18/17

Development Plan Submittal - C.O.F. #6305

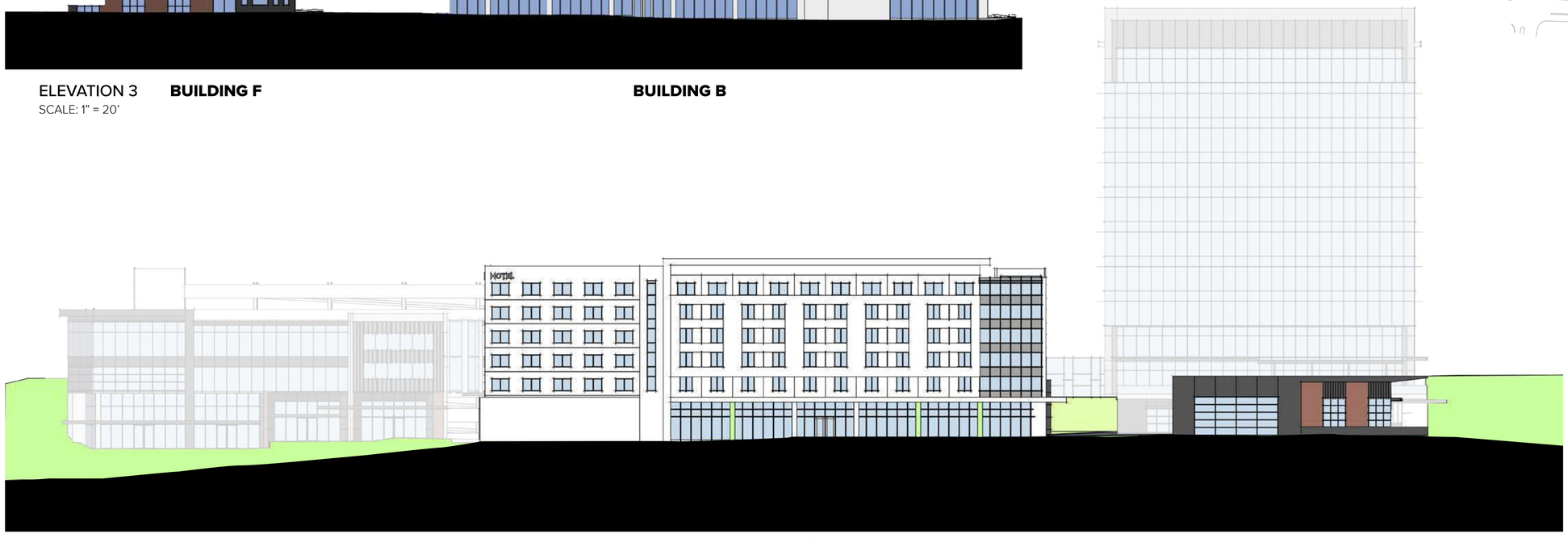
PEARL STREET PARTNERS LLC

CRESCENT COMMUNITIES

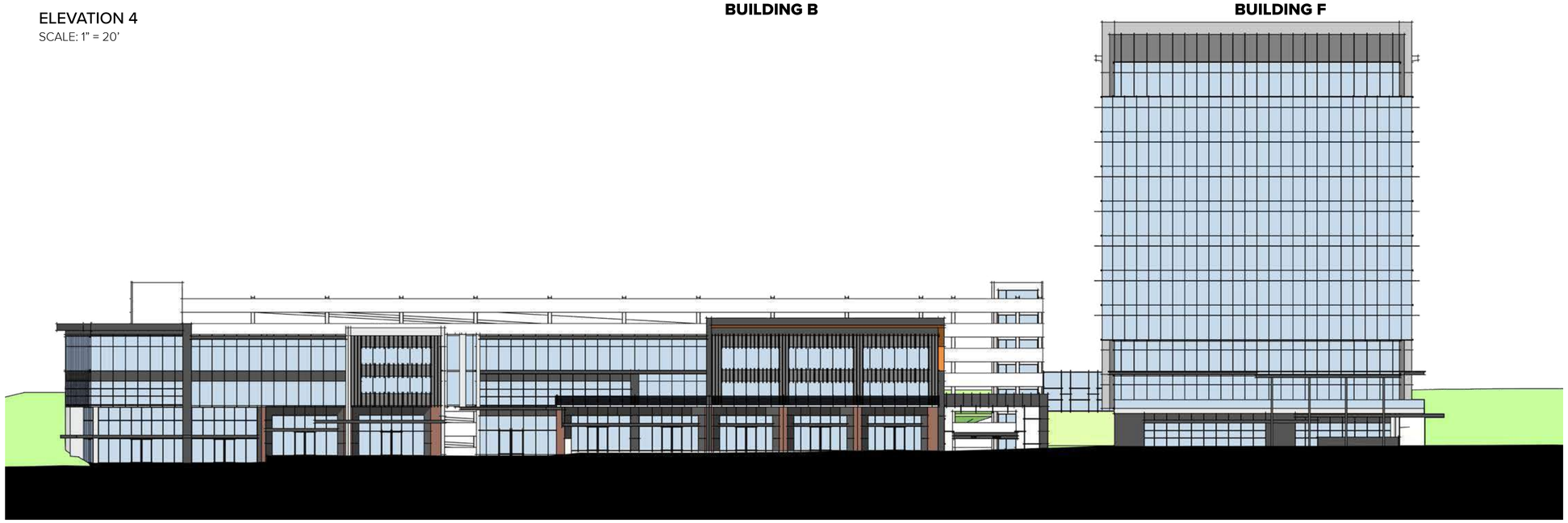
NOTE:
ELEVATIONS DEPICTED ARE SCHEMATIC REPRESENTATIONS ONLY AND REPRESENT DESIGN INTENT. DETAILED ELEVATIONS WITH MATERIAL SELECTIONS SHALL BE SUBMITTED AT SITE PLAN

OFFICE, RETAIL & GARAGE ELEVATIONS
A1

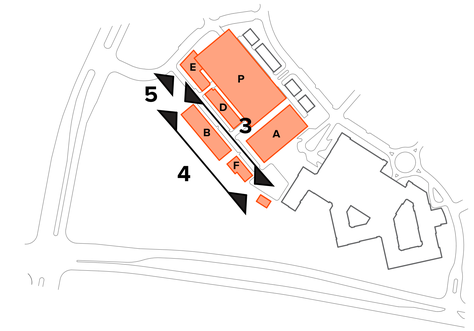
ELEVATION 3 **BUILDING F** **BUILDING B**
SCALE: 1" = 20'



ELEVATION 4 **BUILDING B** **BUILDING F**
SCALE: 1" = 20'



ELEVATION 5 **BUILDING E** **BUILDING D** **BUILDING A**
SCALE: 1" = 20'



BUILDING MATERIALS TO INCLUDE:
PRECAST CONCRETE, CONCRETE, NATURAL STONE
CAST STONE, MASONRY (BRICK AND CMU) CEMENTITIOUS PANELS
CURTAIN WALL AND STOREFRONT GLASS, STUCCO/ EIFS, WOOD

NOTE:
ELEVATIONS DEPICTED ARE SCHEMATIC REPRESENTATIONS ONLY AND REPRESENT DESIGN INTENT. DETAILED ELEVATIONS WITH MATERIAL SELECTIONS SHALL BE SUBMITTED AT SITE PLAN

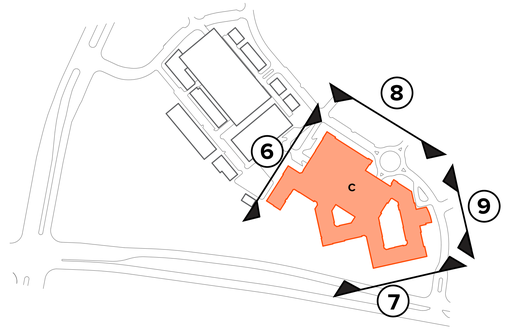
RETAIL, OFFICE & HOTEL ELEVATIONS
A2

ESa | **APEX VILLAGE**
Franklin, TN - 16096.00 - 04/18/17

Development Plan Submittal - C.O.F. #6305

PEARL STREET PARTNERS LLC

CRESCENT COMMUNITIES



ELEVATION 6
SCALE: 1" = 20'

ELEVATION 7
SCALE: 1" = 20'

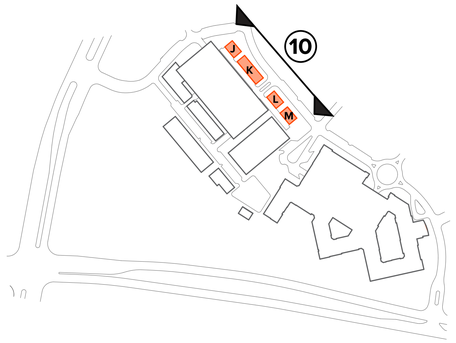
ELEVATION 8
SCALE: 1" = 20'

ELEVATION 9
SCALE: 1" = 20'

BUILDING MATERIALS TO INCLUDE:
STUCCO, METAL PANEL, CEMENTITIOUS LAP SIDING, CEMENTITIOUS PANELS

NOTE:
ELEVATIONS DEPICTED ARE SCHEMATIC REPRESENTATIONS ONLY AND REPRESENT DESIGN INTENT. DETAILED ELEVATIONS WITH MATERIAL SELECTIONS SHALL BE SUBMITTED AT SITE PLAN

MUTI FAMILY
ELEVATIONS
A3



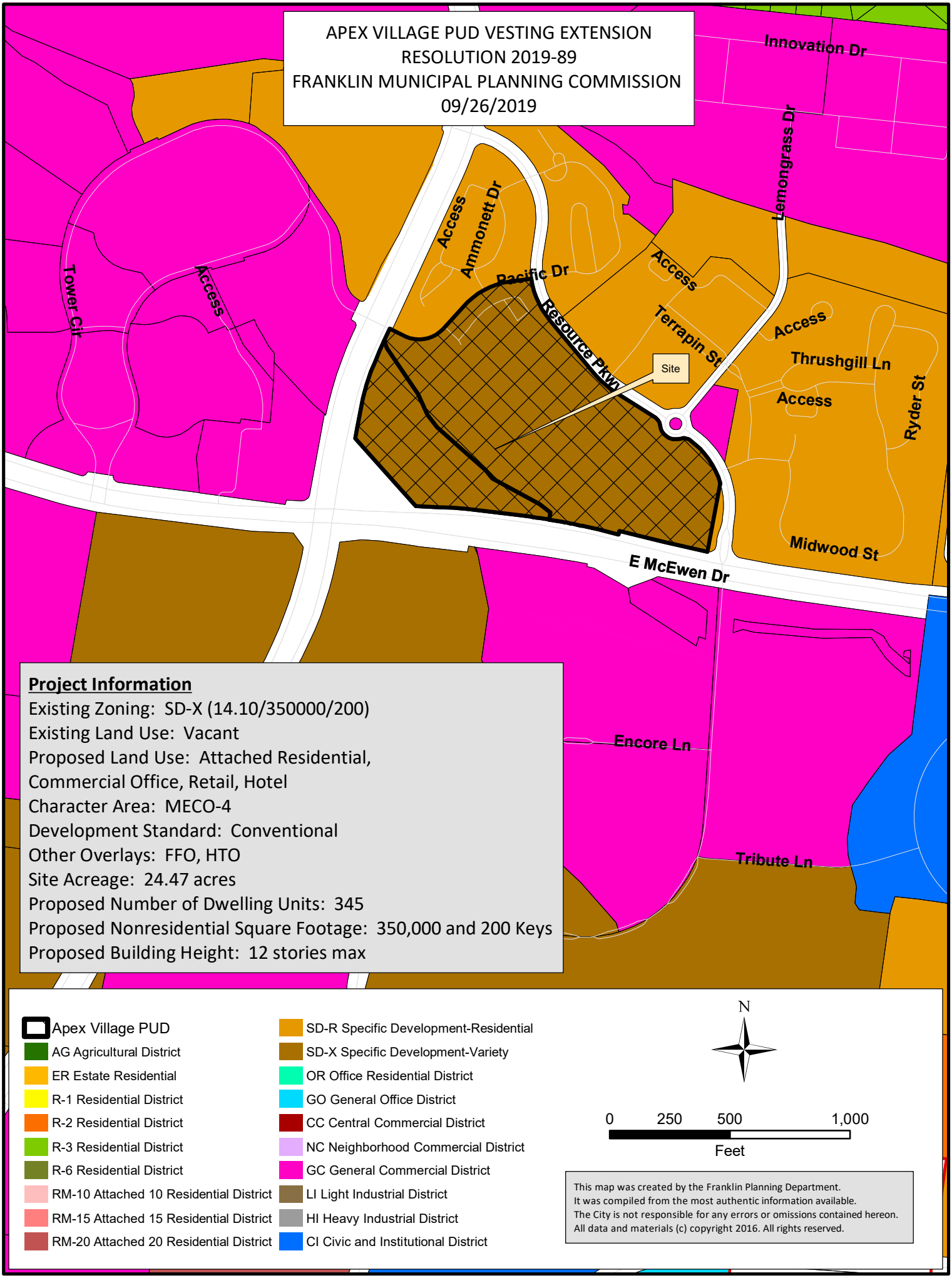
ELEVATION 10

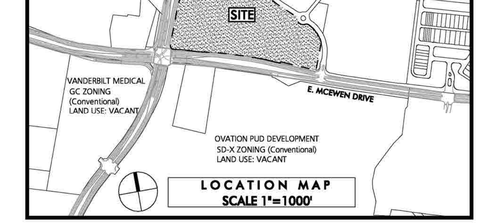
SCALE: 1" = 20'

BUILDING MATERIALS TO INCLUDE:
STUCCO, METAL PANEL, CEMENTITIOUS LAP SIDING, CEMENTITIOUS PANELS

NOTE:
ELEVATIONS DEPICTED ARE SCHEMATIC REPRESENTATIONS ONLY AND REPRESENT DESIGN INTENT. DETAILED ELEVATIONS WITH MATERIAL SELECTIONS SHALL BE SUBMITTED AT SITE PLAN

TOWNHOME ELEVATIONS
A4


APEX VILLAGE PUD VESTING EXTENSION
RESOLUTION 2019-89
FRANKLIN MUNICIPAL PLANNING COMMISSION
09/26/2019
Innovation Dr
Lemongrass Dr
Access
Ammonett Dr
Pacific Dr
Resource Pkwy
Access
Terrapin St
Access
Thrushgill Ln
Access
Ryder St
Site
Tower Cir
Access
E McEwen Dr
Midwood St
Encore Ln
Tribute Ln
Project Information
Existing Zoning: SD-X (14.10/350000/200)
Existing Land Use: Vacant
Proposed Land Use: Attached Residential,
Commercial Office, Retail, Hotel
Character Area: MECO-4
Development Standard: Conventional
Other Overlays: FFO, HTO
Site Acreage: 24.47 acres
Proposed Number of Dwelling Units: 345
Proposed Nonresidential Square Footage: 350,000 and 200 Keys
Proposed Building Height: 12 stories max
Apex Village PUD
AG Agricultural District
ER Estate Residential
R-1 Residential District
R-2 Residential District
R-3 Residential District
R-6 Residential District
RM-10 Attached 10 Residential District
RM-15 Attached 15 Residential District
RM-20 Attached 20 Residential District
SD-R Specific Development-Residential
SD-X Specific Development-Variety
OR Office Residential District
GO General Office District
CC Central Commercial District
NC Neighborhood Commercial District
GC General Commercial District
LI Light Industrial District
HI Heavy Industrial District
CI Civic and Institutional District
N
0 250 500 1,000
Feet
This map was created by the Franklin Planning Department.
It was compiled from the most authentic information available.
The City is not responsible for any errors or omissions contained hereon.
All data and materials (c) copyright 2016. All rights reserved.



SITE DATA

SITE AREA	+/- 23.61 ACRES
MAP & PARCEL NUMBER	MAP 062, PARCELS 01417 & 01418
ADDRESS	CAROTHERS PARKWAY
EXISTING ZONING/ CHARACTER AREA OVERLAY	GC - McEWEN AREA 4
RESIDENTIAL DENSITY	14.61 DWU/ACRE
COMMERCIAL SQUARE FOOTAGE	350,000
PROPOSED HOTEL KEYS	200
PROPOSED ZONING	SPECIFIC DEVELOPMENT VARIETY (SD-X) 14.61, 350,000, 200
OTHER APPLICABLE OVERLAYS	FLOODWAY FRINGE OVERLAY (FFO) FLOODWAY OVERLAY DISTRICT (FWO)
DEVELOPMENT STANDARD	CONVENTIONAL
EXISTING LAND USE	VACANT
PROPOSED LAND USE	MIXED-USE
INTENDED USES	ATTACHED RESIDENTIAL OFFICE RETAIL HOTEL RESTAURANT
EXISTING TREE CANOPY	+/- 7.48 ACRES (32% OF SITE)

Legal Description of Crescent Resource Center
Part of Lands Recorded in Plat 56 page 97
In the City of Franklin, Williamson County, Tn.

ALL OF THOSE TRACTS OR PARCELS OF LAND, situated in the Eighth Civil District, City of Franklin, Williamson County, Tennessee that include the lands shown on the Final Plat of Resource Centre Section 1 that are bounded on the West with the right or way of Carothers Parkway, on the Northwest by the centerline of Pacific Drive and the lands of Resource Centre Subdivision as recorded (plat book 57 page 130) , on the Northeast by Resource Parkway (plat book 50 page 122), on the East by Lot 1 of lands recorded in Plat book 50 page 122, and on the South by East McEwen Road ROW, and as filed in the Register's Office of Williamson County, Tennessee. (R.O.W.C., TN.) and being more particularly described as follows:

Beginning at the point of intersection of the easterly right-of-way line of Carothers Parkway variable in width) and the centerline of Pacific Drive, variable in width (plat book 56 page 97), and the northwest corner of Lot 2 of Resource Centre - Section 1 ((plat book 56 page 97) of which this is a part; thence with the common line of said Lot 2 and the centerline of said Pacific Drive, (passing the southwest corner of Lot 3 of Resource Centre PUD (plat book 57 page 130) at 12.0') , South 65°03'52" East 67.04 feet, along said centerline to a point in a curve to the left having a radius of 145.00 feet and a central angle of 71°58'08"; thence, 182.13 feet along said curve, being subtended by a chord bearing North 87°25'04" East 170.39 feet to a point; thence, North 42°58'00" East 136.34 feet along said line to a point in a curve to the right having a radius of 300.00 feet and a central angle of 38°58'13"; thence, 204.05 feet along said curve, being subtended by a chord bearing North 62°27'06" East 200.14 feet to a point; thence, North 81°56'13" East 92.84 feet along said line to a point at the northerly corner of said Lot 2 and on the westerly right-of-way line of Resource Parkway (Plat Book 50, Page 122, R.O.W.C), 50 feet in width) and a curve to the left having a radius of 350.00 feet and a central angle of 31°45'22"; thence with said Lot 2 and along the right of way line of Resource Parkway, 293.99 feet along said curve, being subtended by a chord bearing South 23°54'23" East 191.51 Feet to a point; thence; South 39°47'04" East 161.79 feet to point; thence; South 39°47'04" East 124.43 feet along said line to a point on a curve to the left having a radius of 388.39 feet and a central angle of 17°43'34"; thence, 120.16 feet along said curve, being subtended by a chord of South 48°38'51" East 119.68 feet to a point; thence, South 57°30'38" East 196.93 feet along said line to a point on a curve to the right having a radius of 44.50 feet and a central angle of 50°36'07"; thence, 39.30 feet along said curve, being subtended by a chord of South 31°42'55" East 38.04 feet to a point on a curve to the left having a radius of 65.00 feet and a central angle of 50°36'07"; thence 57.41 feet along said curve, being subtended by a bearing of South 31°42'55" East 55.56 feet to a point on a curve to the left having a radius of 65.00 feet and a central angle of 50°23'47"; thence, 57.41 feet along said curve, being subtended by a bearing of South 82°12'52" East 55.35 feet to a curve to the right having a radius of 44.50 feet and a central angle of 53°00'53"; thence, 41.18 feet along said curve being subtended by a chord bearing South 80°54'19" East 39.72 feet to a point on a curve to the right having a radius of 335.00 feet and a central angle of 38°20'41"; thence 224.20 feet along said curve being subtended by a chord bearing South 35°13'32" East 220.04 feet to a point on the westerly right-of-way line of Resource Drive and the northwest corner of Lot 1 of Franklin Crest PUD Subdivision (plat book 50 page 122) ; thence, South 10°46'13" West 289.59 along the west line of said Lot 1 to a point on the northerly right-of-way line of East McEwen Drive variable in width) and the southwest corner of said Lot 1, and also being on a curve to the left having a radius of 14,373.46 feet and a central angle of 1°29'57"; thence leaving said Lot 1 and with the north line of East McEwen right of way, 376.07 feet along said curve being subtended by a chord bearing North 76°47'09" West 376.06 feet to a point; thence, South 13°30'14" West 14.08 feet along said line to a point; thence, North 76°29'46" West 16.78 feet along said line to a point; thence, North 76°29'46" West 69.46 feet along said line to a point; thence, North 79°43'43" West 253.17 feet along said line to a point; thence, North 79°43'43" West 74.77 feet along said line to a point; thence, North 82°57'40" West 42.23 feet along said line to a point; thence, North 82°57'40" West 126.67 feet along said line to a point on a curve to the left having a radius of 2,042.50 feet and a central angle of 4°45'11"; thence, 169.44 feet along said curve being subtended by a chord bearing North 85°20'16 West 169.39 feet to a point; thence, North 87°42'51" West 107.62 feet to a point; thence, South 38°35'28" East 3.40 feet to a point on a curve to the left having a radius of 2,078.93 feet and a central angle of 4°36'18"; thence, 169.09 feet along said curve being subtended

by a chord bearing North 85°24'49" West 167.04 feet to a point; thence, North 87°42'52" West 102.05 feet along said line to a point on said easterly right-of-way line of Carothers Parkway; thence with said Carothers right of way, North 02°17'15" East 20.92 feet along said line to a point on a curve to the right having a radius of 25.00 feet and a central angle of 77°55'24"; thence, 34.00 feet along said curve being subtended by a chord bearing North 29°22'11" West 31.44 feet to a point; thence, North 10°32'02" East 202.64 feet along said line to a point; thence, North 46°32'02" West 4.76 feet along said line to a point; thence, North 10°32'02" East 71.86 feet along said line to a point; thence, North 11°06'41" East 62.50 feet along said line; thence, North 11°30'15" East 60.54 feet along said line to a point; thence, North 14°37'54" East 58.30 feet along said line to a point; thence, North 18°12'11" East 58.26 feet along said line to a point on a curve to the right having a radius of 932.00 feet and a central angle of 4°01'25"; thence, 65.45 along said curve being subtended by a chord of North 21°23'46" East 65.44 feet to a point on a curve to the right having radius of 932.00 feet and a central angle of 1°31'47"; thence, 24.88 feet along said curve being subtended by a chord bearing North 24°10'23" East 24.88 feet to a point; thence, North 24°56'16" East 94.71 feet to the point of beginning and containing 23.612 acres more or less.

IMPACT STATEMENT NOTES:
FROM THIS SITE, IT IS APPROXIMATELY 1.5 MILES TO FIRE STATION 6 ON COOL SPRINGS BOULEVARD AND 5 MILES TO THE CITY POLICE DEPARTMENT LOCATED ON COLUMBIA AVENUE.

ENGINEERING PROVIDED BY:
RYAN McMASTER
KIMLEY-HORN
214 OCEANSIDE DRIVE
NASHVILLE, TN 37204

APPLICANT:
JOHN HAAS
EDGE
210 12TH AVE. SOUTH
SUITE 202

0' 30' 60' 120'

NORTH

CRESCENT
COMMUNITIES

July 25, 2019 via Electronic Transmittal
Amy Diaz-Barriga, AICP
Supervisor
Planning and Sustainability Department
City of Franklin
109 Third Avenue South
Franklin, TN 37064

Re: Bigby
Entitlement Vesting Period Extension Request

Dear Mrs. Diaz-Barriga:

As a follow up to our discussion on July 16, 2019, this letter serves as a formal request for consideration of a vesting period extension for entitlements granted by BOMA March 28, 2017 for Bigby (formerly Apex Village PUD Subdivision). In making this request, please note the following:

1. ***Entitlements Approval Date & Zoning Ordinance of Record***
    a. Entitlements approved March 28, 2017
    b. Zoning Ordinance of Record: Ordinance 2016-51 via Franklin Municipal Planning Commission January 26, 2017 (please reference the fully executed Ordinance Document for additional details that is attached)
2. ***Date Entitlement Vesting Period Expires***
    a. March 28, 2020
3. ***Period of Extension Requested***
    a. 1 Year or March 28, 2021

Crescent Communities, LLC respectfully requests consideration of a 1 (One) year extension in the Entitlement Vesting Period to allow necessary lead time for design development and permitting of Plans associated with Bigby.

CrescentCommunities.com
Crescent Communities, LLC
227 West Trade Street, Suite 1000, Charlotte, NC 28202
O: 980 321 6000 F: 980 321 6100

Build Community. Better People's Lives.

In making this request, Crescent Communities, LLC understands that the Planning and Sustainability staff will be reviewing this request during meetings scheduled for August and BOMA will review during meetings scheduled in September + October. We remain available to offer any additional details and/or answer any questions staff may have at any time.

Thanks in advance for consideration of this request.

Regards,

Lud Hodges
Senior Vice President
Commercial & Mixed Use

Enclosure: Executed Ordinance Document

Cc:

File
Sagar Rathie, Crescent Communities, LLC
Amy Bezanson, Crescent Communities, LLC
Ryan McMaster, Kimley-Horn
Eric Klotz, ESa Architects

From:	McMaster, Ryan
To:	Amy Diaz-Barriga; Emily Hunter; Shauna Billingsley; Kelly Dannenfelser
Cc:	Bezanson, Amy; Hodges, Lud; Rathie, Sagar; Eric Klotz; Richie Jones
Subject:	Apex Village (Bigby)
Date:	Thursday, October 24, 2019 2:37:18 PM
Attachments:	Vesting Extension Staff Report.pdf

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

Amy,
I, serving as the applicant for this project, on behalf of the owner of the property (Crescent Communities II LLC) would like to formally withdraw our request of Vesting Extension from tonight's FMPC.

I was not planning to attend tonight' FMPC meeting, but let me know if you require additional information or if we needed to be present tonight to represent this item.

Thank you,

Ryan McMaster, P.E.
Kimley-Horn | 214 Oceanside Drive, Nashville, TN 37204
Direct: 615 564 2876 | Mobile: 615 330 1749 | Main: 615 564 2701

COF no: 7087

CONDITIONS OF APPROVAL:

Open Issues: 1 These issues are currently being filtered

Performance Agreement and Surety

General Issues

21. Engineering Sureties

kevin.long@franklintn.gov Any unposted sureties associated with this development from site plans:

- COF# 6396 (SP Amend) Parish Presbyterian Church, site plan (Infrastructure) and
- COF# 6942 Parish Presbyterian Church PUD Subdivision, Site Plan, Revision 1, (Classroom and Multipurpose Building)

shall be transferred to this final plat as a condition of approval.

Additionally, applicant shall post sureties associated with site plan

- COF# 6843 (Parish Presbyterian Church Clovercroft Turn Lanes)

prior to the recording of this Final Plat.

Total combined sureties are listed below.

Applicant shall post sureties in the following amounts:	
I. City Water	$ -
II. City Sewer	**$ 95,000**
III. Public Sidewalk	$ -
IV: City Streets (3)	**$ 258,000**
V. Private Streets (includes shared access drives) (2)	**$ 19,000**
VI. Street Access	**$ 10,000**
VII. Temporary Turnarounds	$ -
VIII. Traffic Signals	$ -
IX: ITS Elements	$ -
X: Stormwater Drainage	**$ 12,000**
XI: Green Infrastructure (1)	**$ 127,000**

1. *Includes $49,000 from COF# 6396, $70,000 from COF# 6942, and $8,000 Riparian Buffer surety from COF# 6942.*
2. *From COF# 6396.*
3. *Sureties for the construction of required turn lanes with site plan COF# 6843.*

Site Data

Project Name:	Parish Presbyterian Church
COF Project #:	7087
Map & Parcel:	Map 80, Parcel 11.01
Address:	4150 Clovercroft Road (Existing Chapel) 4152 Clovercroft Road (Proposed Chapel) 4154 Clovercroft Road (Proposed Class Room) 4156 Clovercroft Road (Proposed Multi-Purpose)
City:	Franklin
County:	Williamson
State:	Tennessee
Civil District:	14th
Existing zoning and charter area overlay:	CI - Civic & Institutional
Character Area Overlay	SWC-02 (Parcel 11.01)
Applicable development standard:	Conventional
Acreage of site:	13.84 acres
Minimum required setback lines:	
Front:	20'
Side:	10'
Rear:	25'
Owners representative:	Parish PCA, Inc.
Address:	4150 Clovercroft Road Franklin, TN 37067
Phone number:	615.879.1368
Email address:	mikem@windowcityinc.com
Contact name:	Mike Mastroberti
Applicant:	Energy Land & Infrastructure
Address:	1420 Donelson Pike, Suite A12 Nashville, TN 37217
Phone number:	615.383.6300
Email address:	clay.wallace@eli-llc.com
Contact name:	Clay Wallace
Engineer / Land Surveyor:	Energy Land & Infrastructure
Address:	1420 Donelson Pike, Suite A12 Nashville, TN 37217
Phone number:	615.383.6300
Email address:	bennie.wheeler@eli-llc.com
Contact names:	Bennie Wheeler

Notes

1. The purpose of this plat is to record public easements.
2. This property is not located within a flood hazard area as per FEMA NFIP FIRM MAP NUMBER 47187C0220 F, MAP REVISED SEPTEMBER 29, 2006.
3. Individual water and sanitary sewer service lines are required for each lot and/or occupied building.
4. Parcel ID's shown thus (000) pertain to property map 080.
5. All property corners not designated otherwise shall be marked with 1/2" iron rods x 18" long with plastic caps.
6. Bearings based on Tennessee State Plan Coordinate System, Zone 5301, Fipszone 4100; NAD 83 datum.
7. Within new development and for off-site lines constructed as a result of, or to provide service to, the new development, all utilities, such as cable television, electrical (excluding transformers), gas, sewer, telephone and water lines shall be placed underground.
8. All street light locations and quantities are approximate. Final positioning and quantity shall be at direction of MTEMC.
9. All open space area to be Public Utility, Access, and Drainage Easements (PUADEs).
10. The property owner(s) or Homeowner's association will maintain all open space, landscape and stormwater management feature areas, detention/retention areas, and all sidewalks and pathways located outside public rights-of-way. All roadways shall be public streets constructed to the City of Franklin specifications in public rights-of-way.
11. All Milcrofton Utility District (MUD) easements are exclusive easements. No excavation, building, structure, or obstruction of any kind may be constructed or permitted within the easements, except pavement for a driveway that crosses an easement. No trees or shrubbery may be planted within the easements. MUD will have unrestricted access to all of its lines, meters, valves, vaults, and other water system facilities within the easements without seeking any further permission. MUD has the right to disturb or remove any impermissible items within the easements. The property owner will be responsible for repairing or replacing any such items at the property owner's expense.
12. Sidewalks and trails outside of public right-of-way shall be Public Access Easements and shall be maintained by the Property Owner(s) or the HOA.
13. No obstructions or encroachments which impede the flow of stormwater shall be permitted within Public Drainage Easements between lots. The City of Franklin is not responsible for repair or replacement of any encroachments that are damaged or removed in the course of maintenance activity within easements.
14. There shall be no mowing, clearing, grading, construction, storage, or disturbance of vegetation in riparian buffers except as permitted by the City Engineer, or his designee.
15. Unless otherwise designated on the recorded plat, a 10' wide public drainage easement shall exist along all common building lot lines (5' on each side of common lot line) the common building lot line being the center line of said easement. The owner or master developer reserves the right to enter upon all lots to establish or re-establish drainage swales within said easements for the purpose of controlling and directing storm water to collection facilities.
16. Any and all mineral rights for the subject property shall transfer to the owner.
17. The City of Franklin Water Management department has unrestricted access to its domestic water, sanitary sewer, reclaim water lines or system improvements located within its exclusive easements within the development. In the event landscaping, fencing, concrete or other structures are installed or placed within a City of Franklin easement, the City of Franklin shall have the right to remove such encroachments within the easement as may be necessary for the City of Franklin to repair, maintain or replace its infrastructure with is now or in the future may be located within the easement without obtaining any further permission from the property owner or HOA. The property owner or HOA shall be responsible for repairing and/or replacing any such landscaping, fencing, concrete or other structures removed or disturbed by the City of Franklin in common open space lots and in areas owned by the property owner or HOA at no expense to the City of Franklin. Individual homeowners shall be responsible for structures removed or disturbed by the City Franklin within an easement on the homeowners' lot at the homeowners' expense.
18. Cross Access Easements shall provide perpetual, non-exclusive access for the purposes of vehicular and pedestrian ingress and egress across the Cross Access Easement. Property Owner(s) shall maintain and keep the Cross Access Easement within their development in a commercially reasonable condition and state of repair.

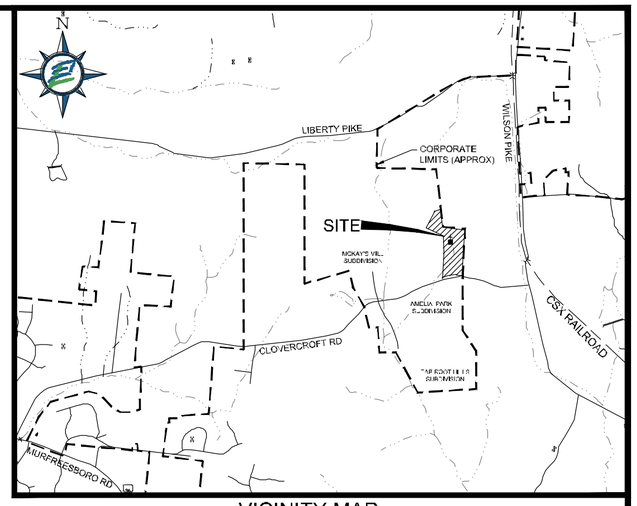
Total area: 594,075 S.F. or 13.64 Acres±

Road Data:

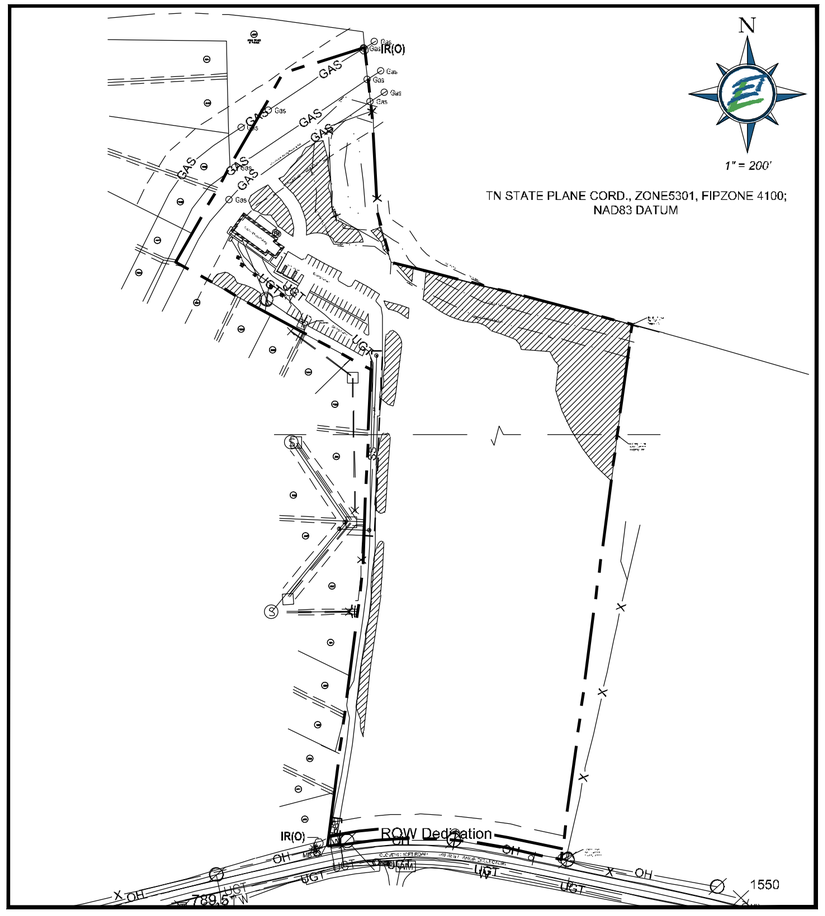
Acreage in new roads including alley right-of-ways	0.20 Acres
Linear footage of new roads	0 Feet

Deed Reference

TAX MAP 080, PARCEL 11.01
Owner: Parish PCA, Inc.
P/O Deed Book 5129, Page 13
Register's Office for Williamson County, TN



VICINITY MAP
NOT TO SCALE



Certificate Of Ownership

I (we) hereby certify that I am (we are) the owner(s) of the property shown hereon as of record in Book 5129, Page 13 and Book 6714, Page 623, R.O.W.C., Tennessee and that I (we) hereby adopt this plan of subdivision of the property as shown hereon and dedicate all public ways and easements as noted. No lot or lots as shown hereon shall again be subdivided, re-subdivided, altered or changed so as to produce less area than is hereby established until otherwise approved by the Franklin Municipal Planning Commission and under no condition shall such lot or lots be made to produce less area than is prescribed by the restrictive covenants as of record in Book _____ , Page _____ , R.O.W.C., Tennessee, running with the title to the property. I (we) further certify that there are no liens on this property.

Owner _____ Date _____

Owner Information
Parish PCA, Inc.
4150 Clovercroft Road
Franklin, TN 37067

MTEMC Certificate of Approval for Recording

Middle Tennessee Electric Membership Corporation (MTEMC) will provide electric service to the subject property according to normal operating practices of MTEMC as defined in the rules and regulation, bylaws, policy bulletins and operational bulletins of MTEMC, and in accordance with the plat approval checklist, tree planting guidelines and other regulations contained on the MTEMC website at www.mtemc.com (collectively the "Requirements"). No electric service will be provided until MTEMC's Requirements have been met and approved in writing by an authorized representative of MTEMC. Any approval is, at all times, contingent upon continuing compliance with MTEMC's Requirements.

_____
Middle Tennessee Electric Membership Corporation

_____
Date

Surveyor Information
Bennie O. Wheeler, R.L.S.
ELI, LLC
1420 Donelson Pike, Suite A12
Nashville, Tn 37217
Phone: 615-383-6300
Email: Bennie.Wheeler@eli-llc.com

Certificate Of Survey

I hereby certify that the subdivision plat shown hereon is correct and that approved monuments shown hereon will be placed as indicated upon completion of construction. All side lot lines are at right angles or radial to a street unless otherwise noted. I further certify that this plat exceeds the minimum requirements for a Federal Geodetic Control Standards pursuant to Chapter 0820-2, Section 4 of the Department of Insurance Standards of Practice for Land Surveyors, having a ratio of precision of the unadjusted survey greater than 1:10,000.

BENNIE O. WHEELER
REGISTERED LAND SURVEYOR
XVI
AGRICULTURE COMMERCE
TENNESSEE NO. 1546
10 / 3 / 19

Certificate Of Approval of Subdivision Names, Street Names, and Addressing

Subdivision name and street names approved by the Williamson County Emergency Management Agency.

_____ _____
Williamson County Emergency Management Agency Date

_____ _____
City of Franklin Date

Certificate Of Approval of Sewer Systems

I hereby certify that:
(1) The sewer system designated in Parish Presbyterian Church has been installed in accordance with City specifications, or
(2) A performance agreement and surety in the amount of $ _____ for the sewer system has been posted with the City of Franklin, Tennessee, to assure completion of such systems.

_____ _____
Director, Water Management Department Date
City of Franklin, Tennessee

Certificate Of Approval of Water

I hereby certify that:
(1) The water system designated in Parish Presbyterian Church has been installed in accordance with MUD specifications, or
(2) A performance agreement and surety in the amount of $ _____ for the water system has been posted with the Milcrofton Utility District to assure completion of such improvements.

_____ _____
General Manager, Milcrofton Utility District Date

Certificate Of Approval of Streets, Drainage, and Sidewalks

I hereby certify that:
(1) the streets, drainage, and sidewalks designated in Parish Presbyterian Chuch has been installed in accordance with City specifications, or
(2) a performance agreement and surety in the amount of $ _____ for streets, $ _____ for access, $ _____ for drainage,
and $ _____for sidewalks has been posted with the City of Franklin, Tennessee, to assure completion of such improvements.

_____ _____
Director, Streets Department Date
City of Franklin, Tennessee

Certificate Of Approval for Recording

Approved by the Franklin Municipal Planning Commission, Franklin, Williamson County, Tennessee, with the exception of such conditions, if any, as are noted in the Planning Commission minutes for the _____ day of _____,
20 ___ , and this plat has been approved for recording in the Register's Office of Williamson County.

_____ _____
Secretary, Franklin Municipal Planning Commission Date

PARISH PRESBYTERIAN CHURCH PUD SUBDIVISION, FINAL PLAT

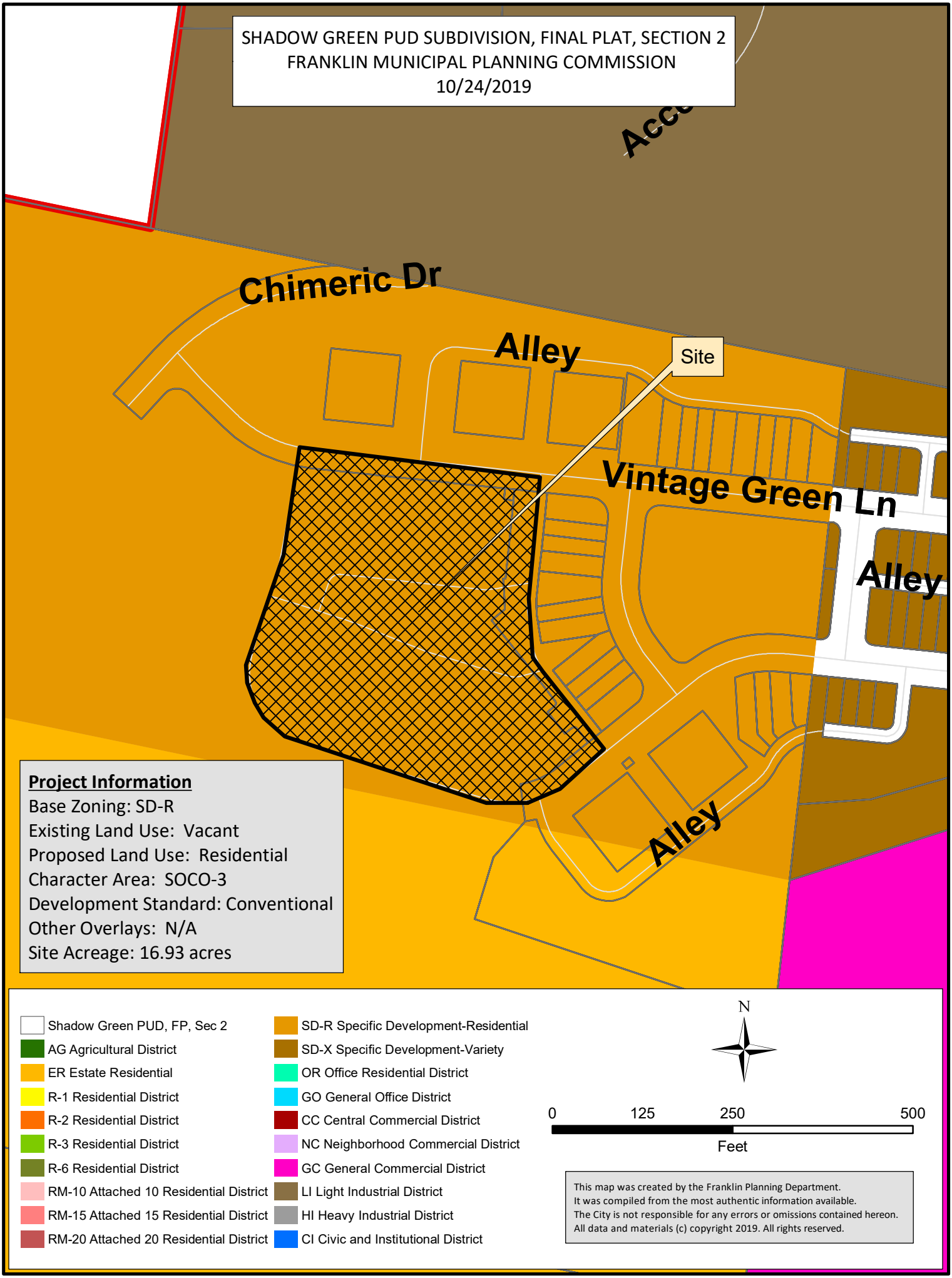
SHEET 1 OF 3

14th CIVIL DISTRICT
FRANKLIN, WILLIAMSON COUNTY, TENNESSEE
CITY OF FRANKLIN PROJECT #7087
DATE: SEPTEMBER 9, 2019
REV.: OCTOBER 3, 2019

ENERGY LAND & INFRASTRUCTURE
1420 DONELSON PIKE, SUITE A12 • NASHVILLE, TN 37217
OFFICE 615-383-6300 • WWW.ELI-LLC.COM
ENGINEERS•SURVEYORS•INFRASTRUCTURE•ENVIRONMENTAL

© 2016 ENERGY LAND & INFRASTRUCTURE LLC, ALL RIGHTS RESERVED

SHADOW GREEN PUD SUBDIVISION, FINAL PLAT, SECTION 2
FRANKLIN MUNICIPAL PLANNING COMMISSION
10/24/2019



Project Information
Base Zoning: SD-R
Existing Land Use: Vacant
Proposed Land Use: Residential
Character Area: SOCO-3
Development Standard: Conventional
Other Overlays: N/A
Site Acreage: 16.93 acres

This map was created by the Franklin Planning Department.
It was compiled from the most authentic information available.
The City is not responsible for any errors or omissions contained hereon.
All data and materials (c) copyright 2019. All rights reserved.

COF no: 7083

CONDITIONS OF APPROVAL:

Open Issues: 1 These issues are currently being filtered

Performance Agreement and Surety

General Issues

4. Engineering Sureties

kevin.long@franklintn.gov Any unposted sureties associated with this development from site plan **COF# 6886 (Shadow Green PUD Subdivision, Site Plan, Section 2)** shall be transferred to this final plat as a condition of approval.

Sureties previously assigned to site plan COF# 6886:	
I. City Water	$ -
II. City Sewer	**$ 43,000**
III. Public Sidewalk	**$ 110,000**
IV: City Streets	**$ 388,000**
V. Private Streets (includes shared access drives)	**$ 54,000**
VI. Street Access	**$ 20,000**
VII. Temporary Turnarounds	$ -
VIII. Traffic Signals	$ -
IX: ITS Elements	$ -
X: Stormwater Drainage	**$ 121,000**
XI: Green Infrastructure	**$ 353,000**

GENERAL NOTES

1. THE PURPOSE OF THIS PLAT IS TO RE-SUBDIVIDE LOT 900, SHADOW GREEN PUD SUBDIVISION, SECTION ONE (OF RECORD IN PLAT BOOK P70, PAGE 142, R.O.W.C.T.) INTO FIVE LOTS AND DEDICATE RIGHT-OF-WAY.
2. BEARINGS SHOWN HEREON ARE BASED ON THE TENNESSEE COORDINATE SYSTEM OF 1983, ZONE 4100; NAD 83 DATUM. GPS EQUIPMENT WAS USED DURING THE COURSE OF THE SURVEY ON THE SITE TO DETERMINE THE POSITION OF TWO CONTROL POINTS FOR ESTABLISHING THE BEARING BASE. THE EQUIPMENT USED: LEICA, MODEL GX 1230, DUAL FREQUENCY RECEIVER. THE TYPE OF SURVEY: NETWORK ADJUSTED REAL TIME KINEMATIC.
3. BY SCALED MAP LOCATION AND GRAPHIC PLOTTING ONLY, THIS PROPERTY LIES WITHIN FLOOD ZONE "X", AS DESIGNATED ON CURRENT FEDERAL EMERGENCY MANAGEMENT AGENCY MAP NO. 47187C0195F, WITH AN EFFECTIVE DATE OF SEPTEMBER 29, 2006 WHICH MAKES UP A PART OF THE NATIONAL FLOOD INSURANCE ADMINISTRATION REPORT; COMMUNITY NO. 470206, PANEL NO. 0195, SUFFIX F, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PREMISES IS SITUATED. SAID MAP DEFINES ZONE "X" UNDER "OTHER AREAS" AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.
4. THIS PROPERTY IS CURRENTLY ZONED SD-R – (SPECIFIC DEVELOPMENT-RESIDENTIAL DISTRICT). MINIMUM YARD REQUIREMENTS PER CITY OF FRANKLIN ZONING ORDINANCE, DATED SEPTEMBER 29, 2014, ARE AS FOLLOWS:

   FRONT 10' SIDE – 0'-6' REAR – 0'-20'
5. WITHIN NEW DEVELOPMENTS AND FOR OFF-SITE LINES CONSTRUCTED AS A RESULT OF, OR TO PROVIDE SERVICE TO THE NEW DEVELOPMENT, ALL UTILITIES, SUCH AS CABLE TELEVISION, ELECTRICAL (EXCLUDING TRANSFORMERS), GAS, SEWER, TELEPHONE, AND WATER LINES SHALL BE PLACED UNDERGROUND.
6. SIDEWALKS AND TRAILS OUTSIDE OF PUBLIC RIGHT-OF-WAY SHALL BE PUBLIC ACCESS EASEMENTS AND SHALL BE MAINTAINED BY THE PROPERTY OWNER(S) OR THE HOA.
7. PROPERTY OWNER(S) OR THE HOA SHALL BE RESPONSIBLE FOR MAINTENANCE OF ALL STORM WATER MANAGEMENT FEATURES.
8. NO OBSTRUCTIONS OR ENCROACHMENTS WHICH IMPEDE THE FLOW OF STORMWATER SHALL BE PERMITTED WITHIN PUBLIC DRAINAGE EASEMENTS BETWEEN LOTS. THE CITY OF FRANKLIN IS NOT RESPONSIBLE FOR REPAIR OR REPLACEMENT OF ANY ENCROACHMENTS THAT ARE DAMAGED OR REMOVED IN THE COURSE OF MAINTENANCE ACTIVITY WITHIN EASEMENTS.
9. ALL STREET LIGHT LOCATIONS AND QUANTITIES ARE APPROXIMATE. FINAL POSITIONING AND QUANTITY SHALL BE AT THE DIRECTION OF MTEMC.
10. THE RECORDING OF THIS PLAT VOIDS, VACATES AND SUPERSEDES LOT 900 OF PLAN ENTITLED "SHADOW GREEN, PUD SUBDIVISION, SECTION ONE" OF RECORD IN PLAT BOOK P70, PAGE 142, REGISTER'S OFFICE FOR WILLIAMSON COUNTY, TENNESSEE.

(GENERAL NOTES – CONTINUED)

11. THERE SHALL BE NO MOWING, CLEARING, GRADING, CONSTRUCTION, STORAGE, OR DISTURBANCE OF VEGETATION IN RIPARIAN BUFFERS EXCEPT AS PERMITTED BY THE CITY ENGINEER, OR HIS DESIGNEE.
12. THE CITY OF FRANKLIN WATER MANAGEMENT DEPARTMENT HAS UNRESTRICTED ACCESS TO ITS DOMESTIC WATER, SANITARY SEWER, RECLAIM WATER LINES OR SYSTEM IMPROVEMENTS LOCATED WITHIN ITS EXCLUSIVE EASEMENTS WITHIN THE DEVELOPMENT. IN THE EVENT LANDSCAPING, FENCING, CONCRETE OR OTHER STRUCTURES ARE INSTALLED OR PLACED WITHIN A CITY OF FRANKLIN EASEMENT, THE CITY OF FRANKLIN SHALL HAVE THE RIGHT TO REMOVE SUCH ENCROACHMENTS WITHIN THE EASEMENT AS MAY BE NECESSARY FOR THE CITY OF FRANKLIN TO REPAIR, MAINTAIN OR REPLACE ITS INFRASTRUCTURE WHICH IS NOW OR IN THE FUTURE MAY BE LOCATED WITHIN THE EASEMENT WITHOUT OBTAINING ANY FURTHER PERMISSION FROM THE PROPERTY OWNER OR HOA. THE PROPERTY OWNER OR HOA SHALL BE RESPONSIBLE FOR REPAIRING AND/OR REPLACING ANY SUCH LANDSCAPING, FENCING, CONCRETE OR OTHER STRUCTURES REMOVED OR DISTURBED BY THE CITY OF FRANKLIN IN COMMON OPEN SPACE LOTS AND IN AREAS OWNED BY THE PROPERTY OWNER OR HOA AT NO EXPENSE TO THE CITY OF FRANKLIN. INDIVIDUAL HOMEOWNERS SHALL BE RESPONSIBLE FOR STRUCTURES REMOVED OR DISTURBED BY THE CITY OF FRANKLIN WITHIN AN EASEMENT ON THE HOMEOWNER'S LOT AT THE HOMEOWNER'S EXPENSE.
13. ALL STORMWATER INFRASTRUCTURE WITHIN PRIVATE DRAINAGE EASEMENTS TO BE MAINTAINED BY THE PROPERTY OWNERS(S) OR THE HOA.
14. ALL OPEN SPACE SHALL BE PUBLIC UTILITY, ACCESS, AND DRAINAGE EASEMENTS AND SHALL BE MAINTAINED BY THE PROPERTY OWNERS(S) OR THE HOA.
15. TOTAL AREA: 16.94 ACRES; A PORTION IS WITHIN THE HHO BUFFER.
16. THIS PROJECT LIES WITHIN THE SOUTHHALL CHARACTER AREA.
17. PER STEWART TITLE COMPANY COMMITMENT FILE NO. 2015-060 MINERAL RIGHTS HAVE NOT BEEN SEPARATED FROM THIS PARCEL.
18. I HEREBY STATE THAT THIS SURVEY WAS DONE IN COMPLIANCE WITH THE CURRENT TENNESSEE MINIMUM STANDARDS OF PRACTICE AND THIS IS A CATEGORY I SURVEY AND THE RATIO OF PRECISION OF THE UNADJUSTED SURVEY IS 1 IN 12,196 AS SHOWN HEREON.

JOHN T. DARNALL, R.L.S. NO. 1571 — OCTOBER 3, 2019 DATE

PROPERTY MAP REFERENCE

BEING A PART OF PARCEL NUMBER 028.00 AS SHOWN ON WILLIAMSON COUNTY PROPERTY MAP NUMBER 090.

DEED REFERENCE

BEING A PART OF THE SAME PROPERTY CONVEYED TO CLAYTON PROPERTIES GROUP, INC., A TENNESSEE CORPORATION BY SPECIAL WARRANTY DEED OF RECORD IN BOOK 7285, PAGE 144, REGISTER'S OFFICE FOR WILLIAMSON COUNTY, TENNESSEE.

PLAT REFERENCE

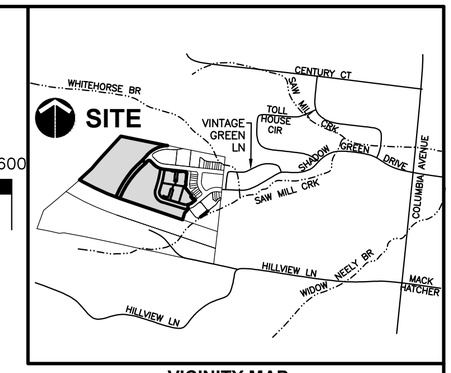
BEING ALL LOT 900 OF PLAN ENTITLED "SHADOW GREEN, PUD SUBDIVISION, SECTION ONE" OF RECORD IN PLAT BOOK P70, PAGE 142, REGISTER'S OFFICE FOR WILLIAMSON COUNTY, TENNESSEE.

SURVEYOR
RAGAN-SMITH ASSOCIATES, INC.
TOM DARNALL, RLS
315 WOODLAND STREET
NASHVILLE, TENNESSEE 37206
(615) 244-8591
tdarnall@ragansmith.com

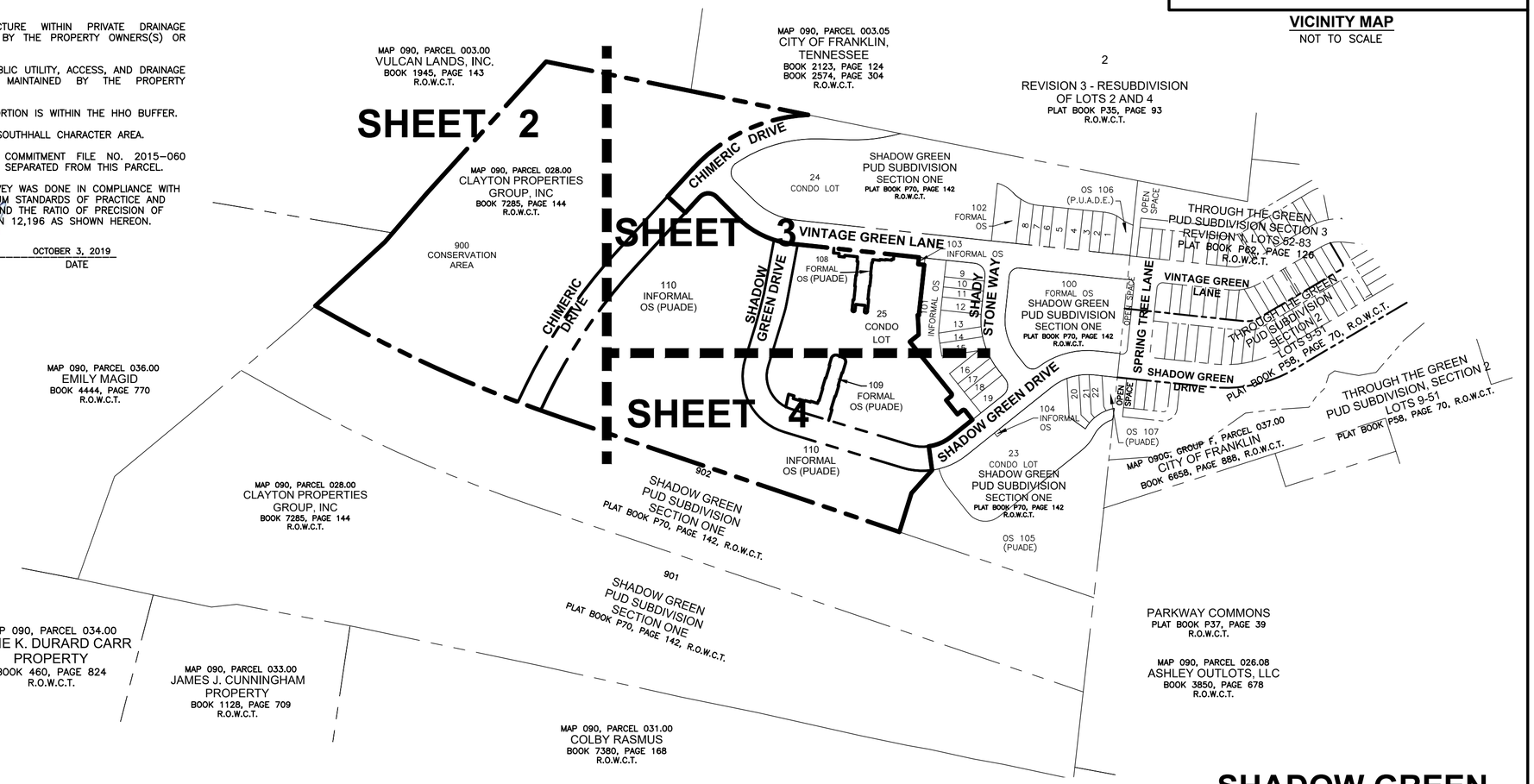
OWNER/DEVELOPER
GOODALL HOMES
TAYLOR DEKALB
393 MAPLE STREET, SUITE 100
GALLATIN, TENNESSEE 37206
(615) 451-5029
taylor.dekalb@goodallhomes.com

SEE NOTE 2.

0 200 400 600



VICINITY MAP
NOT TO SCALE



CONDO LOT AREA TABLE

LOT	SQ. FT.±	ACRES±
25	114,566	2.63

FORMAL OPEN SPACE TABLE

LOT	SQ. FT.±	ACRES±
108	5,136	0.12
109	6,059	0.14

INFORMAL OPEN SPACE TABLE

LOT	SQ. FT.±	ACRES±
110	224,904	5.16

CONSERVATION AREA LOT AREA TABLE

LOT	SQ. FT.±	ACRES±
900	320,037	7.35

RIGHT-OF-WAY AREA TABLE

SQ. FT.±	ACRES±
66,975	1.54

LEGEND

- ● IRON ROD (NEW) (1/2" X 18" W/CAP STAMPED "RAGAN SMITH & ASSOCIATES")
- ○IR(O) IRON ROD (OLD)
- ○IP(O) IRON PIPE (OLD)
- PUADE PUBLIC UTILITY, ACCESS AND DRAINAGE EASEMENT
- (XX) LOT NUMBER
- OS OPEN SPACE
- HOA HOME OWNER'S ASSOCIATION
- R.O.W.C.T. REGISTER'S OFFICE FOR WILLIAMSON COUNTY, TN

JOHN T. DARNALL REGISTERED LAND SURVEYOR XVI AGRICULTURE COMMERCE TENNESSEE NO. 1571

RECORDER'S INFORMATION

SHADOW GREEN
PUD SUBDIVISION
SECTION TWO
(RESUBDIVISION OF LOT 900)
SHADOW GREEN
SECTION ONE
C.O.F. #7083

4TH SUBMITTAL DATE: OCTOBER 3, 2019
3RD SUBMITTAL DATE: SEPTEMBER 9, 2019
2ND SUBMITTAL DATE: AUGUST 1, 2019
1ST SUBMITTAL DATE: JUNE 24, 2019

JOB NO: 16155 W.O: 0722
DRAWN BY: S. LEWIS SCALE: 1"=100'

CERTIFICATE OF OWNERSHIP

I (WE) HEREBY CERTIFY THAT I AM (WE ARE) THE OWNER(S) OF THE PROPERTY SHOWN HEREON AS OF RECORD IN BOOK 7285, PAGE 144, R.O.W.C.T. AND ADOPT THE PLAN OF SUBDIVISION OF THE PROPERTY AS SHOWN HEREON AND DEDICATES ALL PUBLIC WAYS AND EASEMENTS AS NOTED. NO LOT(S) AS SHOWN HEREON SHALL AGAIN BE SUBDIVIDED, RESUBDIVIDED, ALTERED OR CHANGED SO AS TO PRODUCE LESS AREA THAN IS HEREBY ESTABLISHED UNTIL OTHERWISE APPROVED BY THE FRANKLIN MUNICIPAL PLANNING COMMISSION, AND UNDER NO CONDITION SHALL LOT(S) BE MADE TO PRODUCE LESS AREA THAN IS PRESCRIBED BY THE RESTRICTIVE COVENANTS AS OF RECORD IN BOOK____, PAGE____, R.O.W.C., TENNESSEE, RUNNING WITH THE TITLE TO THE PROPERTY. I (WE) FURTHER CERTIFY THAT THERE ARE NO LIENS ON THIS PROPERTY, EXCEPT AS FOLLOWS: BOOK____, PAGE____, R.O.W.C.T.

CLAYTON PROPERTIES GROUP, INC d/b/a GOODALL HOMES — DATE

PRINT NAME AND TITLE

CERTIFICATE OF SURVEY

I (WE) HEREBY CERTIFY THAT THE SUBDIVISION PLAT AS SHOWN HEREON IS CORRECT AND THAT ALL OF THE MONUMENTS SHOWN HEREON HAVE BEEN PLACED AS INDICATED. THIS SUBDIVISION PLAT CORRECTLY REPRESENTS A SURVEY MADE UNDER MY SUPERVISION ON THE 26TH DAY OF NOVEMBER, 2018.

JOHN T. DARNALL RLS #1571 — OCTOBER 3, 2019 DATE

CERTIFICATE OF APPROVAL OF WATER AND SEWER SYSTEMS

I HEREBY CERTIFY THAT:

(1) THE WATER AND SEWER SYSTEMS DESIGNATED IN "SHADOW GREEN, SECTION TWO" HAVE BEEN INSTALLED IN ACCORDANCE WITH CITY SPECIFICATIONS,
OR

(2) A PERFORMANCE AGREEMENT AND SURETY IN THE AMOUNT OF $_____FOR THE WATER SYSTEM AND $_____ FOR THE SEWER SYSTEM HAS BEEN POSTED WITH THE CITY OF FRANKLIN, TENNESSEE, TO ASSURE COMPLETION OF SUCH SYSTEMS.

DIRECTOR WATER MANAGEMENT DEPARTMENT CITY OF FRANKLIN, TENNESSEE — DATE

CERTIFICATE OF APPROVAL OF STREETS AND DRAINAGE

I HEREBY CERTIFY THAT:

(1) THE STREETS AND DRAINAGE IN "SHADOW GREEN, SECTION TWO" HAVE BEEN INSTALLED IN ACCORDANCE WITH CITY SPECIFICATIONS, OR

(2) A PERFORMANCE BOND IN THE AMOUNT OF $_____ FOR STREETS AND $_____ FOR DRAINAGE HAS BEEN POSTED WITH THE CITY OF FRANKLIN, TENNESSEE, TO ASSURE COMPLETION OF SUCH IMPROVEMENTS.

SUPERINTENDENT, STREETS FRANKLIN, TENNESSEE — DATE

CERTIFICATE OF THE APPROVAL OF SUBDIVISION NAME AND STREET NAMES

SUBDIVISION NAME AND STREET NAMES APPROVED BY THE WILLIAMSON COUNTY EMERGENCY MANAGEMENT AGENCY.

CITY OF FRANKLIN — DATE

WILLIAMSON COUNTY EMERGENCY MANAGEMENT AGENCY — DATE

CERTIFICATE OF APPROVAL FOR RECORDING

APPROVED BY THE FRANKLIN MUNICIPAL PLANNING COMMISSION, FRANKLIN, WILLIAMSON COUNTY, TENNESSEE, WITH THE EXCEPTION OF SUCH CONDITIONS, IF ANY, AS ARE NOTED IN THE PLANNING COMMISSION MINUTES FOR THE ____ DAY OF _____, 2019, AND THIS PLAT HAS BEEN APPROVED FOR RECORDING IN THE REGISTER'S OFFICE FOR WILLIAMSON COUNTY.

SECRETARY FRANKLIN MUNICIPAL PLANNING COMMISSION — DATE

FINAL SUBDIVISION PLAT

CITY OF FRANKLIN
WILLIAMSON COUNTY, TENNESSEE

NET AREA: 16.93 ACRES± TOTAL LOTS: 9
ACRES NEW ROAD: 1.54 CIVIL DISTRICT: 5TH
MILES NEW ROAD: 0.24 CLOSURE ERROR: 1:12,196

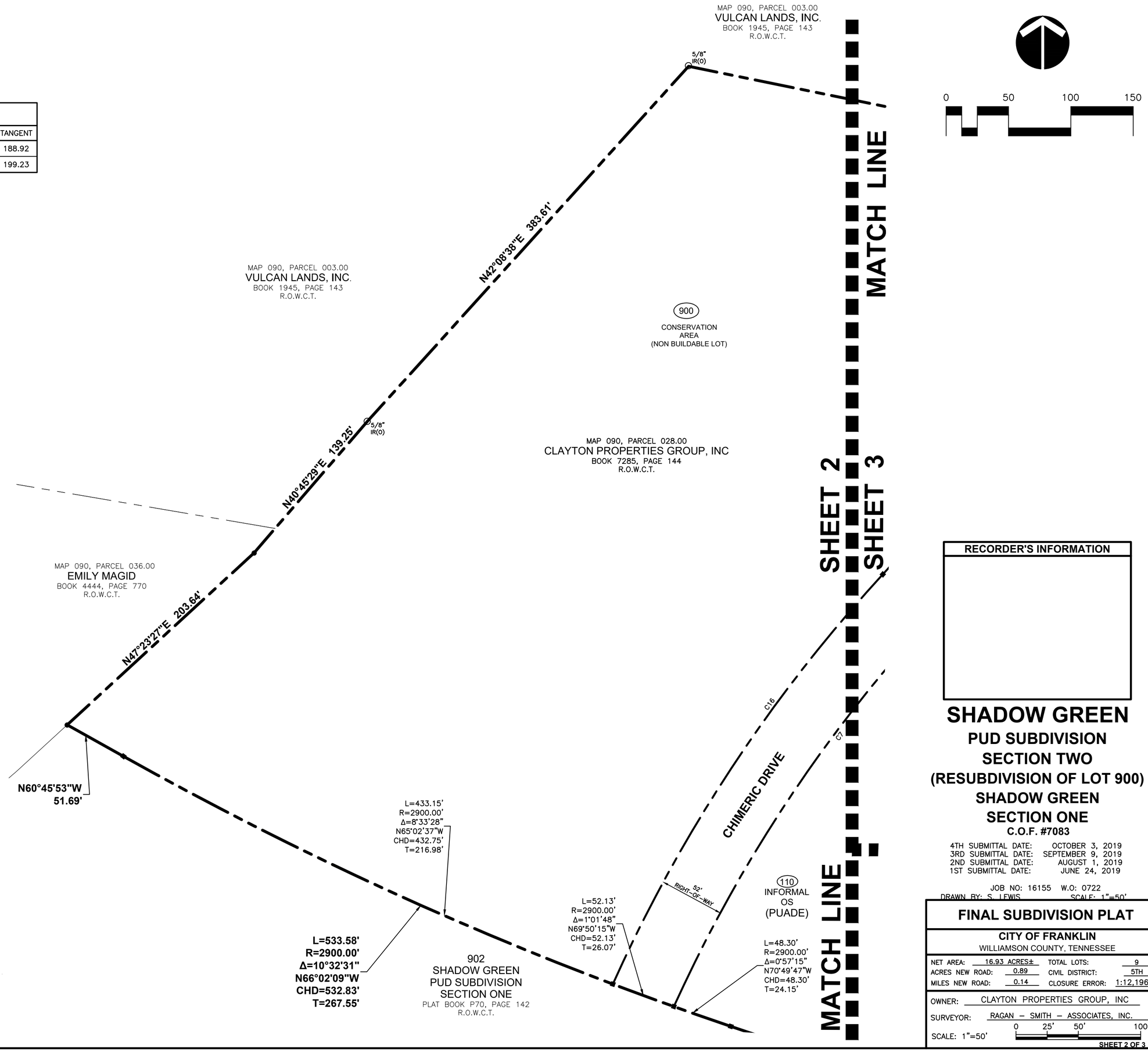
OWNER: CLAYTON PROPERTIES GROUP, INC
SURVEYOR: RAGAN – SMITH – ASSOCIATES, INC.
SCALE: 1"=200' 0 100' 200' 400'

G:\16155-0722\1-SURVEY\PLAT\FINAL PLAT\SECTION 2\16155-0722 SECTION TWO FINAL PLAT.DWG

GENERAL NOTE

SEE SHEET 1 OF 4 FOR LOT AREAS, NOTES AND REFERENCES.

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	CHD BRG	CHORD	TANGENT
C7	374.62'	1174.00'	18°16'59"	N33°28'40"E	373.03'	188.92
C16	395.01'	1226.00'	18°27'37"	S33°23'21"W	393.30'	199.23



JOHN T. DARNALL
REGISTERED LAND SURVEYOR
AGRICULTURE
COMMERCE
TENNESSEE NO. 1571

LEGEND

■	CONCRETE MONUMENT (NEW) (4" DIAMETER ALUMINUM DISC W/ 1/2" IRON ROD MARKED "RAGAN–SMITH ASSOCIATES")
●	IRON ROD (NEW) (1/2" X 18" W/CAP STAMPED "RAGAN SMITH & ASSOCIATES")
IR(O) ○	IRON ROD (OLD)
IP(O) ○	IRON PIPE (OLD)
OS	OPEN SPACE
(XX)	LOT NUMBER
R.O.W.C.T.	REGISTER'S OFFICE FOR WILLIAMSON COUNTY, TN

RECORDER'S INFORMATION

SHADOW GREEN

PUD SUBDIVISION SECTION TWO (RESUBDIVISION OF LOT 900) SHADOW GREEN SECTION ONE

C.O.F. #7083

4TH SUBMITTAL DATE: OCTOBER 3, 2019
3RD SUBMITTAL DATE: SEPTEMBER 9, 2019
2ND SUBMITTAL DATE: AUGUST 1, 2019
1ST SUBMITTAL DATE: JUNE 24, 2019

JOB NO: 16155 W.O: 0722
DRAWN BY: S. LEWIS SCALE: 1"=50'

FINAL SUBDIVISION PLAT

CITY OF FRANKLIN
WILLIAMSON COUNTY, TENNESSEE

NET AREA:	16.93 ACRES±	TOTAL LOTS:	9
ACRES NEW ROAD:	0.89	CIVIL DISTRICT:	5TH
MILES NEW ROAD:	0.14	CLOSURE ERROR:	1:12,196

OWNER: CLAYTON PROPERTIES GROUP, INC
SURVEYOR: RAGAN – SMITH – ASSOCIATES, INC.
SCALE: 1"=50' 0 25' 50' 100'

SHEET 2 OF 3

G:\16155-0722\1-SURVEY\PLAT\FINAL PLAT\SECTION 2\16155-0722 SECTION TWO FINAL PLAT.DWG

GENERAL NOTE

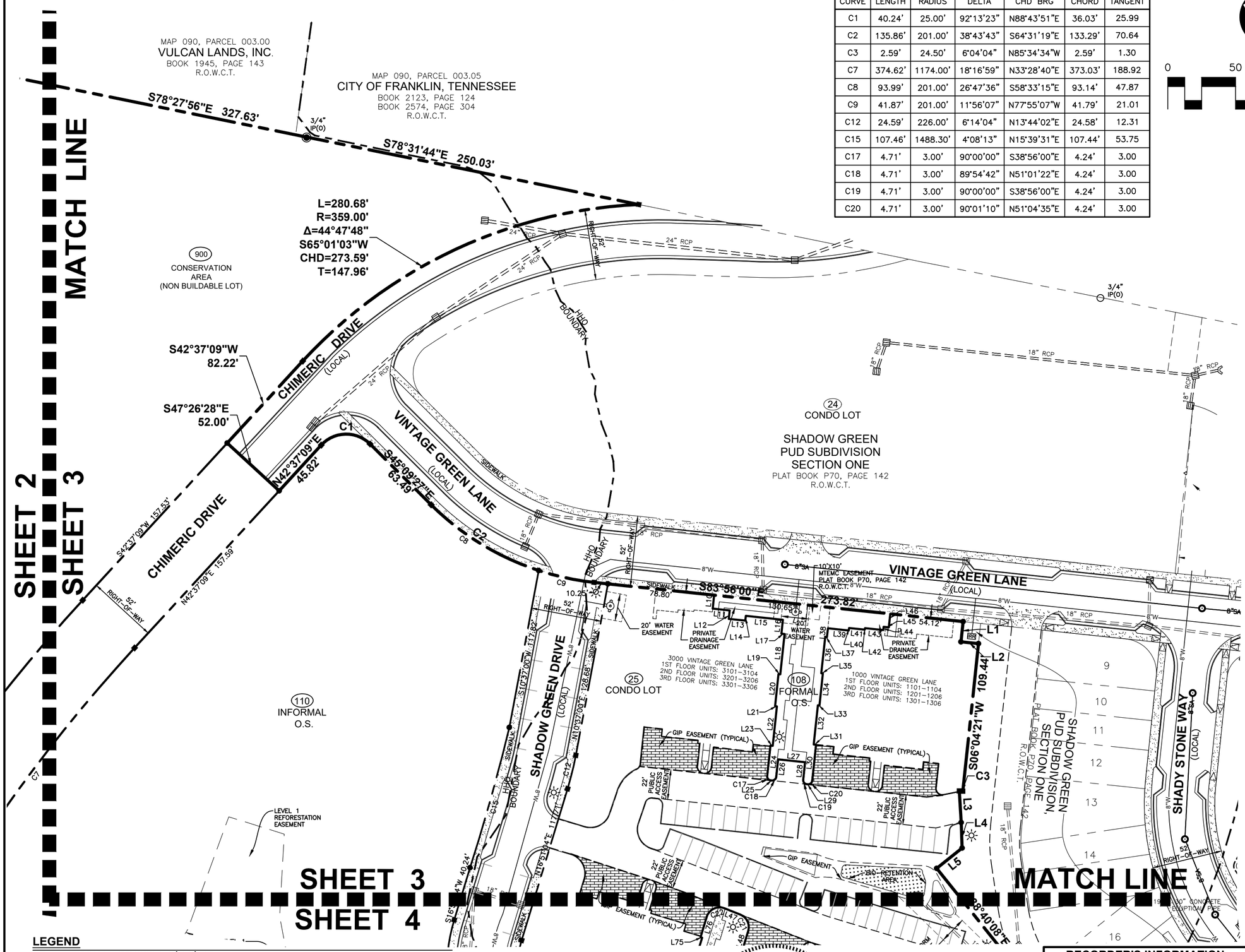
SEE SHEET 1 OF 4 FOR LOT AREAS, NOTES AND REFERENCES.

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	CHD BRG	CHORD	TANGENT
C1	40.24'	25.00'	92°13'23"	N88°43'51"E	36.03'	25.99
C2	135.86'	201.00'	38°43'43"	S64°31'19"E	133.29'	70.64
C3	2.59'	24.50'	6°04'04"	N85°34'34"W	2.59'	1.30
C7	374.62'	1174.00'	18°16'59"	N33°28'40"E	373.03'	188.92
C8	93.99'	201.00'	26°47'36"	S58°33'15"E	93.14'	47.87
C9	41.87'	201.00'	11°56'07"	N77°55'07"W	41.79'	21.01
C12	24.59'	226.00'	6°14'04"	N13°44'02"E	24.58'	12.31
C15	107.46'	1488.30'	4°08'13"	N15°39'31"E	107.44'	53.75
C17	4.71'	3.00'	90°00'00"	S38°56'00"E	4.24'	3.00
C18	4.71'	3.00'	89°54'42"	N51°01'22"E	4.24'	3.00
C19	4.71'	3.00'	90°00'00"	S38°56'00"E	4.24'	3.00
C20	4.71'	3.00'	90°01'10"	N51°04'35"E	4.24'	3.00

LINE TABLE

LINE	BEARING	DISTANCE
L1	S06°04'21"W	15.00'
L2	S83°56'00"E	13.00'
L3	S03°28'32"E	23.35'
L4	S01°56'30"E	18.88'
L5	S51°19'52"W	24.00'
L10	S06°04'00"W	10.00'
L11	S83°56'00"E	12.60'
L12	S06°04'00"W	6.26'
L13	S83°56'00"E	12.23'
L14	N06°04'00"E	3.50'
L15	S83°56'00"E	27.56'
L16	S06°04'00"W	10.25'
L17	S83°56'00"E	2.33'
L18	S06°04'00"W	29.94'
L19	N83°56'00"W	1.33'
L20	S06°04'00"W	23.81'
L21	S83°56'00"E	1.33'
L22	S06°04'00"W	29.27'
L23	N83°56'00"W	1.70'
L24	S06°04'00"W	22.50'
L25	S83°56'00"E	0.70'
L26	N06°04'00"E	13.00'
L27	S83°56'00"E	20.00'
L28	S06°04'00"W	13.00'
L29	S83°56'00"E	0.69'
L30	N06°04'00"E	26.75'
L31	N83°56'00"W	1.70'
L32	N06°04'00"E	29.02'
L33	S83°56'00"E	1.18'
L34	N06°04'00"E	23.81'
L35	N83°56'00"W	1.18'
L36	N06°04'00"E	26.98'
L37	S83°56'00"E	1.32'
L38	N06°04'00"E	6.52'
L39	S83°56'00"E	15.47'
L40	N06°04'00"E	1.85'
L41	S83°56'00"E	11.69'
L42	N06°04'00"E	1.15'
L43	S83°56'00"E	13.64'
L44	N06°04'00"E	2.45'
L45	S83°56'00"E	3.81'
L46	N06°04'00"E	10.00'



LEGEND

■	CONCRETE MONUMENT (NEW) (4" DIAMETER ALUMINUM DISC W/ 1/2" IRON ROD MARKED "RAGAN-SMITH ASSOCIATES")
●	IRON ROD (NEW) (1/2" X 18" W/CAP STAMPED "RAGAN SMITH & ASSOCIATES")
IR(O) ○	IRON ROD (OLD)
IP(O) ○	IRON PIPE (OLD)
◎	SANITARY SEWER MANHOLE
—SA—	SANITARY SEWER LINE
O.S.	OPEN SPACE
GIP	GREEN INFRASTRUCTURE PRACTICE
R.O.W.C.T.	REGISTER'S OFFICE FOR WILLIAMSON COUNTY, TN
	FIRE HYDRANT
—W—	WATER LINE
W	WATER METER
	CATCH BASIN/CURB INLET
RCP	REINFORCED CONCRETE PIPE
ST	STORM MANHOLE
(XX)	LOT NUMBER
PUADE	PUBLIC UTILITY, ACCESS AND DRAINAGE EASEMENT
HHO	HILLSIDE/HILLCREST OVERLAY
☼	LIGHT STANDARD

JOHN T. DARNALL
REGISTERED LAND SURVEYOR
TENNESSEE NO. 1571

RECORDER'S INFORMATION

SHADOW GREEN
PUD SUBDIVISION SECTION TWO
(RESUBDIVISION OF LOT 900) SHADOW GREEN SECTION ONE
C.O.F. #7083

4TH SUBMITTAL DATE: OCTOBER 3, 2019
3RD SUBMITTAL DATE: SEPTEMBER 9, 2019
2ND SUBMITTAL DATE: AUGUST 1, 2019
1ST SUBMITTAL DATE: JUNE 24, 2019

JOB NO: 16155 W.O: 0722
DRAWN BY: S. LEWIS SCALE: 1"=50'

FINAL SUBDIVISION PLAT

CITY OF FRANKLIN
WILLIAMSON COUNTY, TENNESSEE

NET AREA: 16.93 ACRES± TOTAL LOTS: 9
ACRES NEW ROAD: 0.89 CIVIL DISTRICT: 5TH
MILES NEW ROAD: 0.14 CLOSURE ERROR: 1:12,196

OWNER: CLAYTON PROPERTIES GROUP, INC
SURVEYOR: RAGAN – SMITH – ASSOCIATES, INC.
SCALE: 1"=50'

SHEET 3 OF 4

G:\16155-0722\1-SURVEY\PLAT\FINAL PLAT\SECTION 2\16155-0722 SECTION TWO FINAL PLAT.DWG

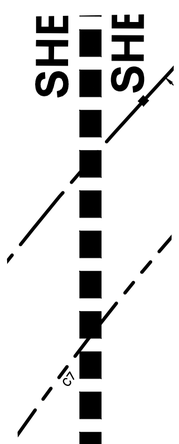
GENERAL NOTE

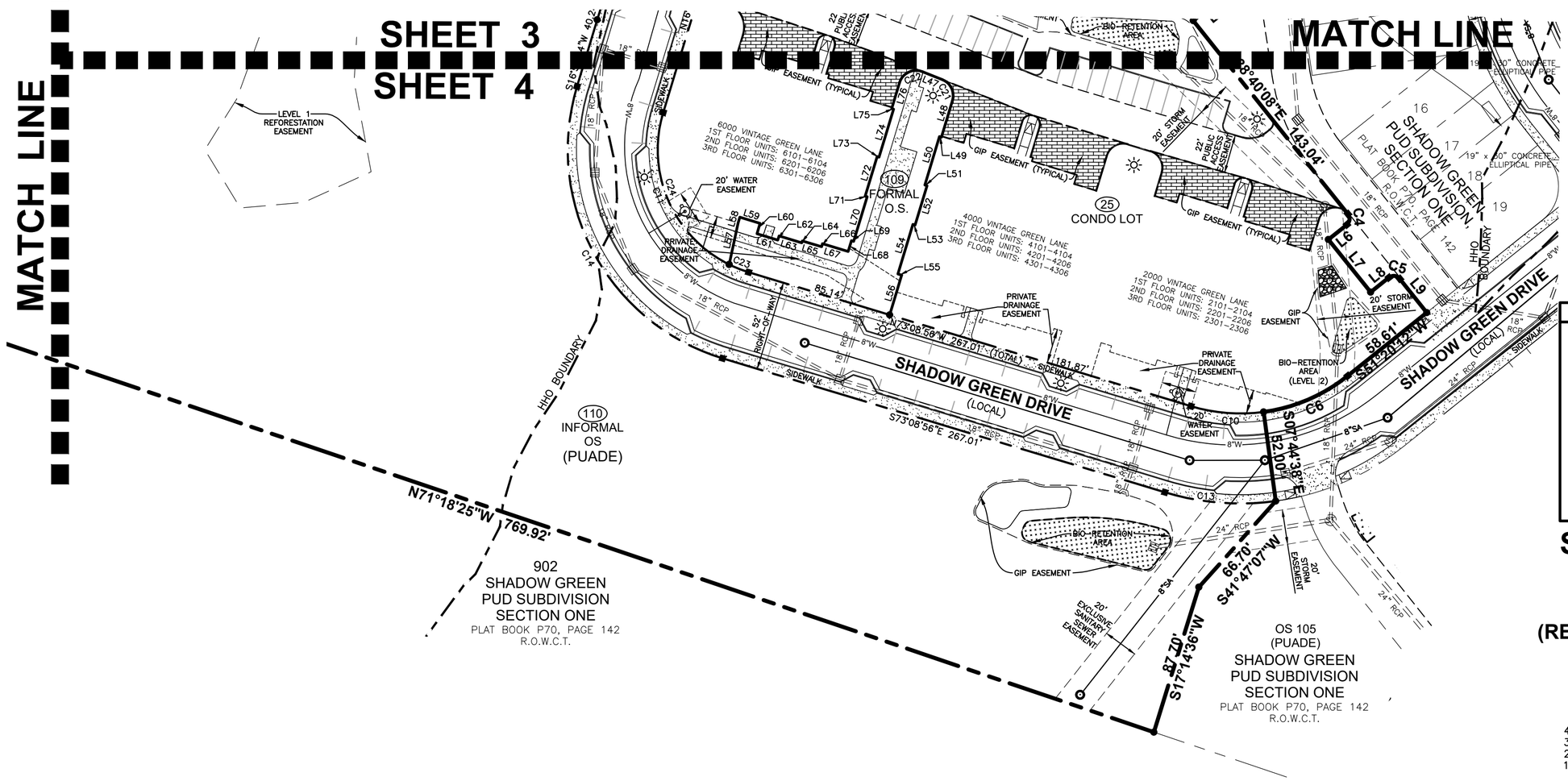
SEE SHEET 1 OF 4 FOR LOT AREAS, NOTES AND REFERENCES.

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	CHD BRG	CHORD	TANGENT
C4	7.07'	4.50'	90°00'00"	S06°19'52"W	6.36'	4.50
C5	7.07'	4.50'	90°00'00"	S83°40'08"E	6.36'	4.50
C6	53.44'	99.06'	30°54'32"	S66°47'34"W	52.79'	27.39
C10	42.50'	99.00'	24°35'42"	N85°26'47"W	42.17'	21.58
C11	116.24'	74.00'	90°00'00"	N28°08'56"W	104.65'	74.00
C13	64.82'	151.00'	24°35'42"	S85°26'47"E	64.32'	32.92
C14	197.92'	126.00'	90°00'00"	S28°08'56"E	178.19'	126.00
C21	14.86'	10.00'	85°08'04"	N25°45'43"W	13.53'	9.18
C22	16.56'	10.00'	94°51'56"	S64°14'17"W	14.73'	10.89
C23	42.37'	74.00'	32°48'29"	N56°44'41"W	41.80'	21.79
C24	104.12'	74.00'	80°36'54"	N23°27'23"W	95.74'	62.77

LINE TABLE		
LINE	BEARING	DISTANCE
L6	S51°19'52"W	13.50'
L7	S38°40'08"E	39.00'
L8	N51°19'52"E	13.50'
L9	S38°40'08"E	25.00'
L47	N68°19'45"W	12.37'
L48	N16°48'15"E	21.99'
L49	S73°08'56"E	1.20'
L50	N16°51'04"E	29.27'
L51	N73°08'56"W	1.33'
L52	N16°51'04"E	23.81'
L53	S73°08'56"E	1.33'
L54	N16°51'04"E	29.94'
L55	N73°08'56"W	2.33'
L56	N16°51'04"E	23.99'
L57	S12°07'11"W	24.54'
L58	S16°51'04"W	3.50'
L59	N73°08'56"W	12.23'

LINE TABLE		
LINE	BEARING	DISTANCE
L60	N16°51'04"E	6.26'
L61	N73°08'56"W	12.60'
L62	S16°51'04"W	2.45'
L63	N73°08'56"W	13.64'
L64	S16°51'04"W	1.15'
L65	N73°08'56"W	11.69'
L66	S16°51'04"W	1.85'
L67	N73°08'56"W	15.47'
L68	S16°51'04"W	6.52'
L69	N73°08'56"W	1.32'
L70	S16°51'04"W	26.98'
L71	S73°08'56"E	1.18'
L72	S16°51'04"W	23.81'
L73	N73°08'56"W	1.18'
L74	S16°51'04"W	29.02'
L75	S73°08'56"E	1.20'
L76	S16°48'15"W	15.56'





RECORDER'S INFORMATION

SHADOW GREEN

PUD SUBDIVISION
SECTION TWO
(RESUBDIVISION OF LOT 900)
SHADOW GREEN
SECTION ONE

C.O.F. #7083

4TH SUBMITTAL DATE: OCTOBER 3, 2019
3RD SUBMITTAL DATE: SEPTEMBER 9, 2019
2ND SUBMITTAL DATE: AUGUST 1, 2019
1ST SUBMITTAL DATE: JUNE 24, 2019

JOB NO: 16155 W.O: 0722
DRAWN BY: S. LEWIS SCALE: 1"=50'

LEGEND

■	CONCRETE MONUMENT (NEW) (4" DIAMETER ALUMINUM DISC W/ 1/2" IRON ROD MARKED "RAGAN-SMITH ASSOCIATES")
●	IRON ROD (NEW) (1/2" X 18" W/CAP STAMPED "RAGAN SMITH & ASSOCIATES")
○IR(O)	IRON ROD (OLD)
◎	SANITARY SEWER MANHOLE
—SA—	SANITARY SEWER LINE
O.S.	OPEN SPACE
GIP	GREEN INFRASTRUCTURE PRACTICE
R.O.W.C.T.	REGISTER'S OFFICE FOR WILLIAMSON COUNTY, TN
	FIRE HYDRANT
—W—	WATER LINE
W	WATER METER
	CATCH BASIN/CURB INLET
RCP	REINFORCED CONCRETE PIPE
ST	STORM MANHOLE
XX	LOT NUMBER
PUADE	PUBLIC UTILITY, ACCESS AND DRAINAGE EASEMENT
HHO	HILLSIDE/HILLCREST OVERLAY
	LIGHT STANDARD

FINAL SUBDIVISION PLAT

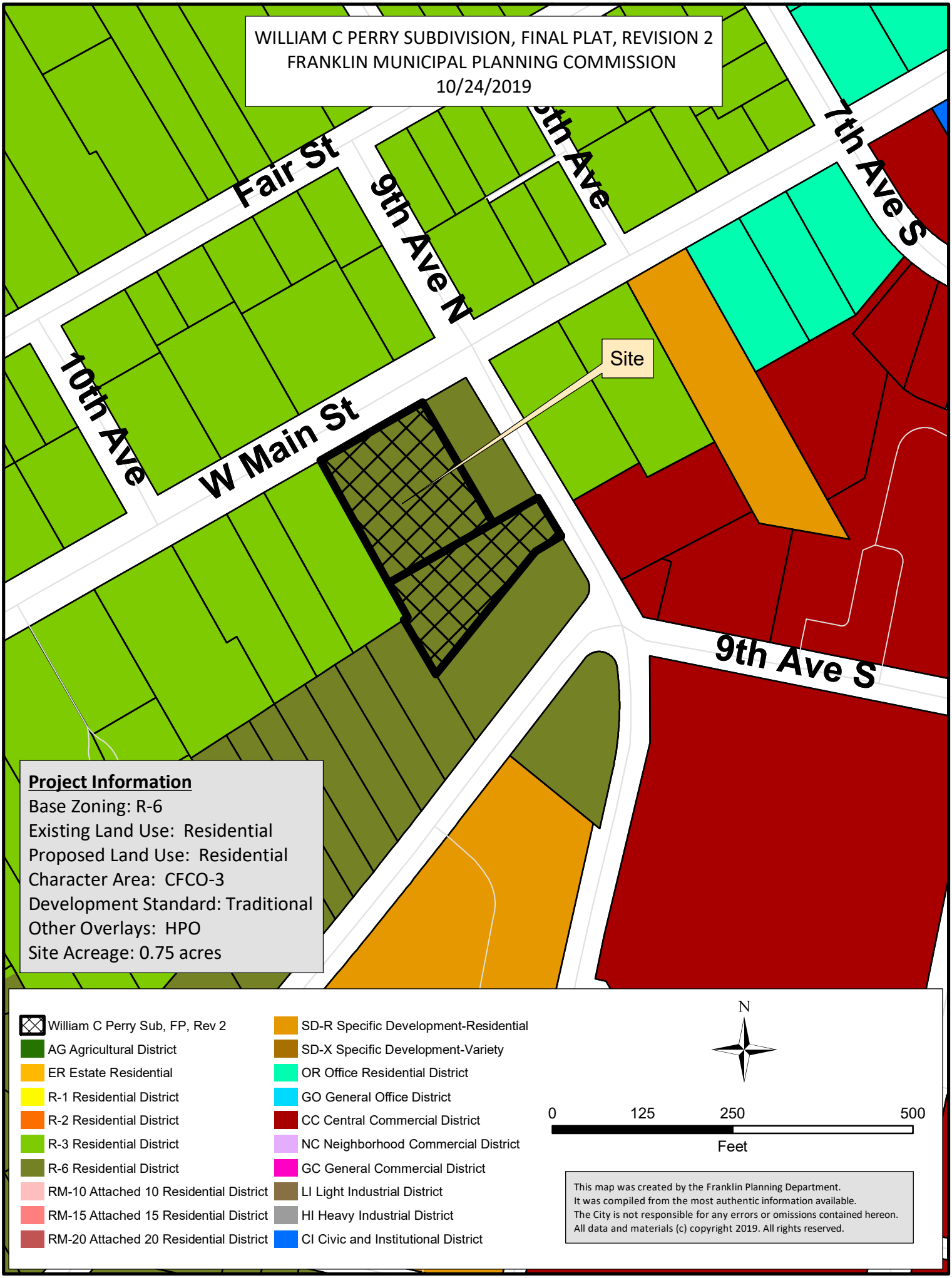
CITY OF FRANKLIN
WILLIAMSON COUNTY, TENNESSEE

NET AREA:	16.93 ACRES±	TOTAL LOTS:	9
ACRES NEW ROAD:	0.89	CIVIL DISTRICT:	5TH
MILES NEW ROAD:	0.14	CLOSURE ERROR:	1:12,196

OWNER: CLAYTON PROPERTIES GROUP, INC
SURVEYOR: RAGAN – SMITH – ASSOCIATES, INC.
SCALE: 1"=50' (0, 25', 50', 100')

SHEET 4 OF 4

G:\16155-0722\1-SURVEY\PLAT\FINAL PLAT\SECTION 2\16155-0722 SECTION TWO FINAL PLAT.DWG


WILLIAM C PERRY SUBDIVISION, FINAL PLAT, REVISION 2
FRANKLIN MUNICIPAL PLANNING COMMISSION
10/24/2019
Fair St
9th Ave N
7th Ave S
10th Ave
W Main St
Site
9th Ave S
Project Information
Base Zoning: R-6
Existing Land Use: Residential
Proposed Land Use: Residential
Character Area: CFCO-3
Development Standard: Traditional
Other Overlays: HPO
Site Acreage: 0.75 acres
William C Perry Sub, FP, Rev 2
AG Agricultural District
ER Estate Residential
R-1 Residential District
R-2 Residential District
R-3 Residential District
R-6 Residential District
RM-10 Attached 10 Residential District
RM-15 Attached 15 Residential District
RM-20 Attached 20 Residential District
SD-R Specific Development-Residential
SD-X Specific Development-Variety
OR Office Residential District
GO General Office District
CC Central Commercial District
NC Neighborhood Commercial District
GC General Commercial District
LI Light Industrial District
HI Heavy Industrial District
CI Civic and Institutional District
N
0
125
250
500
Feet
This map was created by the Franklin Planning Department.
It was compiled from the most authentic information available.
The City is not responsible for any errors or omissions contained hereon.
All data and materials (c) copyright 2019. All rights reserved.

CERTIFICATE OF OWNERSHIP

I (we) hereby certify that I am (we are) the owner(s) of the property shown hereon as of record in Book 6855, Page 882, R.O.W.C., Tennessee, and adopt the plan of subdivision of the property as shown hereon and dedicate all public ways and easements as noted. No lot(s) as shown hereon shall again be subdivided, resubdivided, altered or changed so as to produce less area than is hereby established until otherwise approved by the Franklin Municipal Planning Commission, and under no condition shall such lot(s) be made to produce less area than is prescribed by restrictive covenants as in record in Book 382 Page176, R.O.W.C., Tennessee, running with the title to the property. I (we) further certify that there are no leins on this property, except as follows: Book _____, Page_____, R.O.W.C.

Owner Date Owner Date

CERTIFICATE OF APPROVAL OF STREETS, DRAINAGE AND SIDEWALKS

I hereby certify that:
(1) the streets, drainage and sidewalks designated in William C. Perry Subdivision have been installed in accordance with City specifications, or
(2) a performance agreement and surety in the amount of $_____ for streets, $_____ for drainage, and $_____ for sidewalks has been posted with the City of Franklin,Tennessee, to assure completion of such improvements.

Director, Streets Department Date
City of Franklin, Tennessee

CERTIFICATE OF APPROVAL OF WATER AND SEWER SYSTEMS

I hereby certify that:
(1) the water and sewer systems designated in SECOND REVISION OF WILLIAM C. PERRY Subdivision have been installed in accordance with City specifications, or
(2) a performance bond in the amount of $_____ for the water system and $_____ for the sewer system has been posted with the City of Franklin, Tennessee, to assure completion of such systems.

Director Water Management Department
CITY OF FRANKLIN (615) 794-4554

CERTIFICATE OF APPROVAL OF SUBDIVISION NAME, STREET NAMES AND ADDRESSING

Subdivision name and street names approved by the Williamson County Emergency Management Agenct.

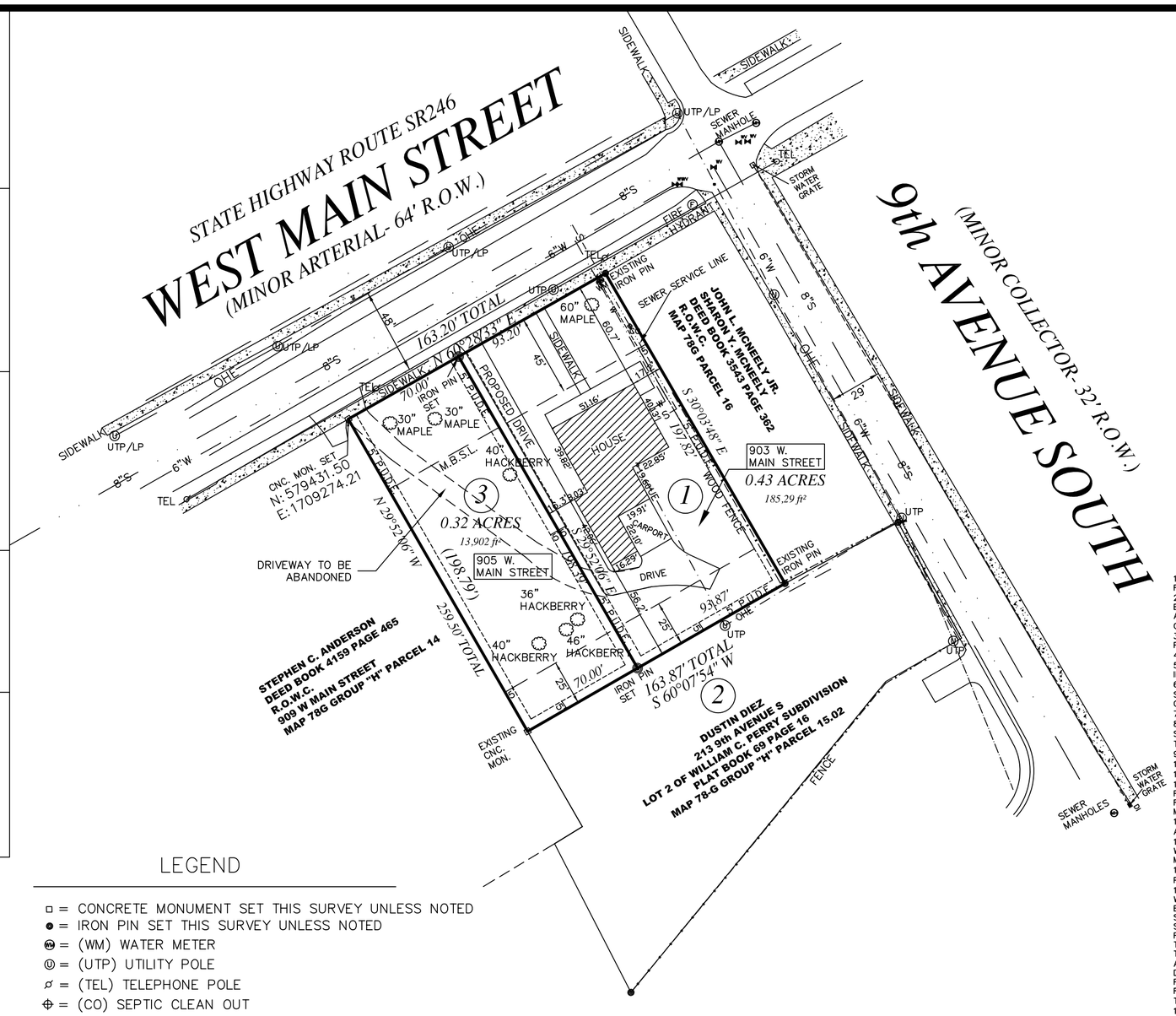
Williamson County Emergency Mangement Agency Date

City of Franklin Date

CERTIFICATE OF APPROVAL FOR RECORDING

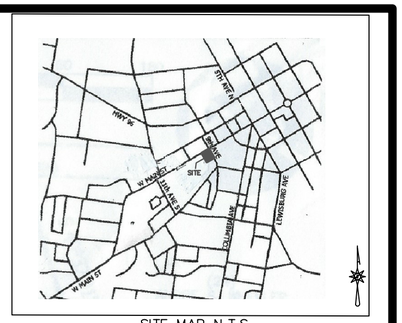
Approved by the Franklin Municipal Planning Commission, Franklin Williamson County, Tennessee, with the exception of such conditions, if any, as are noted in the Planning Commission minutes for the _____ day of _____, 2019, and this plat has been approved for recording in the Register's Office of Williamson County.

Secretary Date
Franklin Municipal Planning Commission



N

TENNESSEE STATE PLANE COORDINATE SYSTEM, ZONE 5301, FLIPZONE 4100; NAD 83 DATUM



SITE MAP N.T.S.

LEGEND

- □ = CONCRETE MONUMENT SET THIS SURVEY UNLESS NOTED
- ● = IRON PIN SET THIS SURVEY UNLESS NOTED
- (WM) = (WM) WATER METER
- (U) = (UTP) UTILITY POLE
- ø = (TEL) TELEPHONE POLE
- ⊕ = (CO) SEPTIC CLEAN OUT
- (S) = SEWER MAN HOLE
- (F) = FIRE HYDRANT
- WV = WATER VALVE
- ◌ = TREE

OHE = OVERHEAD ELECTRIC LINE
UE = UNDERGROUND ELECTRIC LINE
LP = LIGHT POLE
6"W = 6 INCH WATER SERVICE LINE
8"S = 8 INCH SEWER SERVICE LINE

NEW ROADS 0.00 LINEAR FEET
TOTAL AREA 0.75 ACRES
CLOSURE 1/20,000

GENERAL NOTES

1.) ALL DISTANCES SHOWN ARE BASED ON FIELD-RUN SURVEY USING E.D.M. EQUIPMENT AND ARE ADJUSTED FOR TEMPERATURE.
2.) UTILITIES, IF SHOWN, WERE TAKEN FROM VISIBLE STRUCTURES AT THE SITE VERIFICATION OF THEIR EXISTENCE, LOCATION, SIZE, AND DEPTH SHOULD BE MADE BEFORE MAKING DECISIONS REGARDING THEM, AVAILABILITY OF SERVICE SHOULD BE CONFIRMED WITH THE APPROPRIATE LOCAL UTILITY COMPANY, TENNESSEE ONE CALL (811) SHOULD BE CALLED BEFORE ANY CONSTRUCTION OR DIGGING.
3.) THIS SURVEY WAS MADE WITHOUT THE BENEFIT OF A TITLE REPORT. IT IS THEREFORE SUBJECT TO THE FINDINGS OF AN ACCURATE TITLE REPORT.
4.) THIS PROPERTY IS SUBJECT TO BOTH RECORDED EASEMENTS AND THOSE UNKNOWN TO THE SURVEYOR.
5.) THE SUBJECT PROPERTY LIES IN A ZONE "X" (AREA DETERMINED TO BE OUTSIDE 500 YEAR FLOOD) NOT IN 100 YEAR FLOOD PLAIN AS SHOWN ON FIRM MAP 47187C0192G DATED DECEMBER DECEMBER 22, 2016.
6.) (903 W MAIN STREET, 906 W MAIN STREET) DETACHED RESIDENTIAL 6 (R-6) ZONING MINIMUM BUILDING SETBACKS: FRONT-45': SIDE-5-12'; REAR-25' HISTORIC PRESERVATION OVERLAY-- CHARACTER AREA OVERLAY CFCO-3
7.) THE PURPOSE OF THIS PLAT IS TO CREATE A NEW LOT FROM WILLIAM C. PERRY SUBDIVISION LOT 1.
8.) WITHIN NEW DEVELOPMENTS AND FOR OFF-SITE LINES CONSTRUCTED AS A RESULT OF, OR TO PROVIDE SERVICE TO, THE NEW DEVELOPMENT, ALL UTILITIES, SUCH AS CABLE TELEVISION, ELECTRICAL (EXCLUDING TRANSFORMERS), GAS, SEWER, TELEPHONE AND WATER LINES SHALL BE PLACED UNDERGROUND.
9.) THERE ARE EXISTING DRAINAGE PIPES ALONG THE SIDEWALKS.
10.) THERE ARE NO LINEAR FEET OF NEW STREETS WITH THIS PLAT.
11.) THERE ARE EXISTING SIDEWALKS ON BOTH STREETS AS SHOWN.
12.) NO OBSTRUCTIONS OR ENCROACHMENTS WHICH IMPEDE THE FLOW OF STORM WATER SHALL BE PERMITTED WITHIN PUBLIC DRAINAGE EASEMENTS BETWEEN LOTS. THE CITY OF FRANKLIN IS NOT RESPONSIBLE FOR REPAIR OR REPLACEMENT OF ANY ENCROACHMENTS THAT ARE DAMAGED OR REMOVED IN THE COURSE OF MAINTENANCE ACTIVITY WITHIN EASEMENTS.
13.) SIDEWALKS AND TRAILS OUTSIDE OF PUBLIC OF RIGHT-OF-WAY SHALL BE PUBLIC ACCESS EASEMENTS AND SHALL BE MAINTAINED BY THE PROPERTY OWNER(S) OR H.O.A.
14.) WITHOUT FORMING A LEGAL OPINION, THE REFERENCE DEED AND CURRENT DEED OF RECORD IS A WARRANTY DEED, AND THE GRANTEES AS STATED THEREIN HAVE ALL RIGHTS TO THE PROPERTY, INCLUDING MINERAL RIGHTS.
15.) MAINTENANCE OF ALL STORM WATER MANAGEMENT FEATURES SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER(S) OR H.O.A.
16.) THE CITY OF FRANKLIN WATER MANAGEMENT DEPARTMENT HAS UNRESTRICTED ACCESS TO ITS DOMESTIC WATER, SANITARY SEWER, RECLAIM WATER LINES OR SYSTEM IMPROVEMENTS LOCATED WITHIN ITS EXCLUSIVE EASEMENTS WITHIN THE DEVELOPMENT. IN THE EVENT LANDSCAPING, FENCING, CONCRETE, OR OTHER STRUCTURES ARE INSTALLED OR PLACED WITHIN A CITY OF FRANKLIN EASEMENT, THE CITY OF FRANKLIN SHALL HAVE THE RIGHT TO REMOVE SUCH ENCROACHMENTS WITHIN THE EASEMENT AS MAY BE NECESSARY FOR THE CITY OF FRANKLIN TO REPAIR, MAINTAIN, OR REPLACE ITS INFRASTRUCTURE, WHICH IS NOW OR IN THE FUTURE MAY BE LOCATED WITHIN THE EASEMENTS WITHOUT OBTAINING ANY FUTURE PERMISSION FROM THE PROPERTY OWNER OR H.O.A. THE PROPERTY OWNER, OR H.O.A. SHALL BE RESPONSIBLE FOR REPAIRING AND/OR REPLACING ANY SUCH LANDSCAPING, FENCING, CONCRETE, OR OTHER STRUCTURES REMOVED OR DISTURBED BY THE CITY OF FRANKLIN IN COMMON OPEN SPACE LOTS AND IN AREAS OWNED BY THE PROPERTY OWNER OR H.O.A. AT NO EXPENSE TO THE CITY OF FRANKLIN. INDIVIDUAL HOME OWNERS SHALL BE RESPONSIBLE FOR STRUCTURES REMOVED OR DISTURBED BY THE CITY OF FRANKLIN WITHIN AN EASEMENT ON THE HOMEOWNERS' LOT AT THE HOMEOWNERS' EXPENSE.
17.) THE RECORDING OF THIS PLAT VOIDS, VACATES AND SUPERCEDES THE PREVIOUSLY RECORDED PLAT OF WILLIAM C. PERRY SUBDIVISION FOR LOT 1 AS RECORDED IN PLATBOOK 69 PAGE 16 R.O.W.C.
18.) THE EXISTING CURB CUT AT THE NORTHWEST CORNER OF LOT 3 SHALL REMAIN AS THE ACCESS LOCATION FOR LOT 3. THE LOCATION OF THE PROPOSED ACCESS FOR LOT 1 SHALL BE SUBJECT TO TDOT, AND CITY OF FRANKLIN APPROVAL AND PERMITTING.

CHAPDELAINE & ASSOCIATES

7376 WALKER ROAD
FAIRVIEW, TENNESSEE 37062
(615) 799-8104
chapsurveyors@msn.com

RANDOLPH L. CHAPDELAINE
TN. RLS. 1444

CERTIFICATE OF SURVEY

I hereby certify that the subdivision plat as shown hereon is correct and that all of the monuments shown hereon have been placed as indicated. The subdivision plat correctly represents a survey made under my surpervision on the 26th day of August, 2019
The ratio of precision of the unadjused survey is 1/20,000 as shown hereon.

Surveyor Tenn. License No. 1444 Date

CHAPDELAINE & ASSOCIATES 7376 WALKER ROAD
FAIRVIEW, TENNESSEE 37062
PHONE (615) 799-8104

RANDOLPH L. CHAPDELAINE
REGISTERED LAND SURVEYOR XVI
AGRICULTURE COMMERCE
TENNESSEE NO. 1444

FINAL PLAT

SECOND REVISION TO LOT 1 WILLIAM C. PERRY SUBDIVISION

9th CIVIL DISTRICT WILLIAMSON COUNTY, CITY OF FRANKLIN, TENNESSEE
OWNER/SUBDIVIDER: WILLIAM C. PERRY AND TATUM M. PERRY
903 W MAIN STREET, FRANKLIN, TENNESSEE 37064
PHONE (615) 812-6886
DEED BOOK 6855 PAGE 882
WILLIAM C. PERRY SUBDIVISION PLATBOOK 69 PAGE 16
PROPERTY MAP 78-B CONTROL MAP 78-G GROUP "H" PARCEL 15
ZONED R-6 (Historic Preservation Overlay) CHARACTER OVERLAY CFCO-3
CITY OF FRANKLIN PROJECT NUMBER 7084
DATE: AUGUST 26, 2019 *SCALE 1"=50'*
REVISED: SEPTEMBER 26, 2019
JOB # 5469

0 50' 100'
1" = 50'

FRANKLIN ZONING **ORDINANCE**

ADOPTION DRAFT
DECEMBER 10, 2019

HISTORIC CITY OF FRANKLIN, TENNESSEE 1799

T·P·U·D·C

FRANKLIN ZONING ORDINANCE

This Ordinance was prepared by the City of Franklin Department of Planning & Sustainability in collaboration with Town Planning & Urban Design Collaborative, LLC and the Departmental Review Team.

BOARD OF MAYOR AND ALDERMEN

Ken Moore, Mayor

Margaret Martin, Vice Mayor, Ward 4

Beverly Burger, Ward 1

Dana McLendon, Ward 2

Scott Speedy, Ward 3

Clyde Barnhill, At Large

Brandy Blanton, At-Large

Pearl Bransford, At-Large

Ann Petersen, At-Large

FRANKLIN MUNICIPAL PLANNING COMMISSION

Mike Hathaway, Chair

Roger Lindsey, Vice Chair

Marcia Allen

Jimmy Franks

Scott Harrison

Alma McLemore

Michael Orr

Ann Petersen, Alderman

Jennifer C. Szilagyi

PROJECT PARTNERS

TOWN PLANNING & URBAN DESIGN COLLABORATIVE, LLC.

Brian Wright, Principal

Bill Wright, Director of Coding

Becky Timmons, Director of Implementation

JJ Zanetta, Rendering and Illustration

Gorica Zivak, Graphic Design

Gustavo Sanchez, Planner

DEPARTMENT OF PLANNING AND SUSTAINABILITY

Emily Hunter, Planning Director

James Svoboda, Assistant Director

Kelly Dannenfelser, Project Lead, Assistant Director

Amy Diaz-Barriga, Current Planning Supervisor

Andrew Orr, Long Range Planning Supervisor

Chris Andrews, Principal Planner

Jason Arnold, Land Planner

Brad Baumgartner, Principal Planner

Joey Bryan, Senior Planner

Susan Coleman, Technical Support Specialist II

Annette Dalrymple, Land Planner

Elaine Ellis, Administrative Assistant

Josh King, Principal Planner

Paula Kortas, Surety Coordinator

Amanda Rose, Preservation Planner

WITH SPECIAL ASSISTANCE FROM

Lance Fittro, Staff Engineer

Joe Marlo, Staff Engineer

Shanna McCoy, Floodplain Administrator

Molly Pike, Zoning Administrator

Vernon Gerth, Assistant City Administrator

TABLE OF CONTENTS

FRANKLIN ZONING ORDINANCE

HOW TO USE THIS ORDINANCE	6
CHAPTER 1. INTRODUCTORY PROVISIONS	8
CHAPTER 2. NONCONFORMITIES	14
CHAPTER 3. ZONING DISTRICTS	18
CHAPTER 4. OVERLAY ZONING DISTRICTS	64
CHAPTER 5. USE REGULATIONS	80
CHAPTER 6. BUILDING TYPES	110
CHAPTER 7. FRONTAGE TYPES	146
CHAPTER 8. TRANSITIONAL FEATURES	154
CHAPTER 9. STREETS AND CIRCULATION	160
CHAPTER 10. PARKING AND TRANSIT	166
CHAPTER 11. OPEN SPACE	180
CHAPTER 12. LANDSCAPE	194
CHAPTER 13. FENCES, WALLS, AND SCREENING	206
CHAPTER 14. LIGHTING	214
CHAPTER 15. SIGNS	218
CHAPTER 16. UTILITIES	240
CHAPTER 17. NATURAL RESOURCES	242
CHAPTER 18. HISTORIC RESOURCES	266
CHAPTER 19. REVIEW BODIES	276
CHAPTER 20. PROCEDURES	282
CHAPTER 21. PERFORMANCE AGREEMENTS	322
CHAPTER 22. ENFORCEMENT	330

CHAPTER 23. DEFINITIONS AND INTERPRETATIONS 332
CHAPTER 24. HISTORY TABLE 392

The Franklin Zoning Ordinance is intended to facilitate the type of high-quality, vibrant, and sustainable development prescribed by Envision Franklin. This Ordinance provides standards organized around the following areas:

A. The zoning map divides the City into zoning districts and any applicable overlay districts.

B. The zoning districts regulate the uses, building types, frontage types, building setbacks, number of buildings, landscape surface area, and other standards for a lot in Chapter 3.

C. The overlay districts may further regulate uses and require additional development standards in Chapter 4.

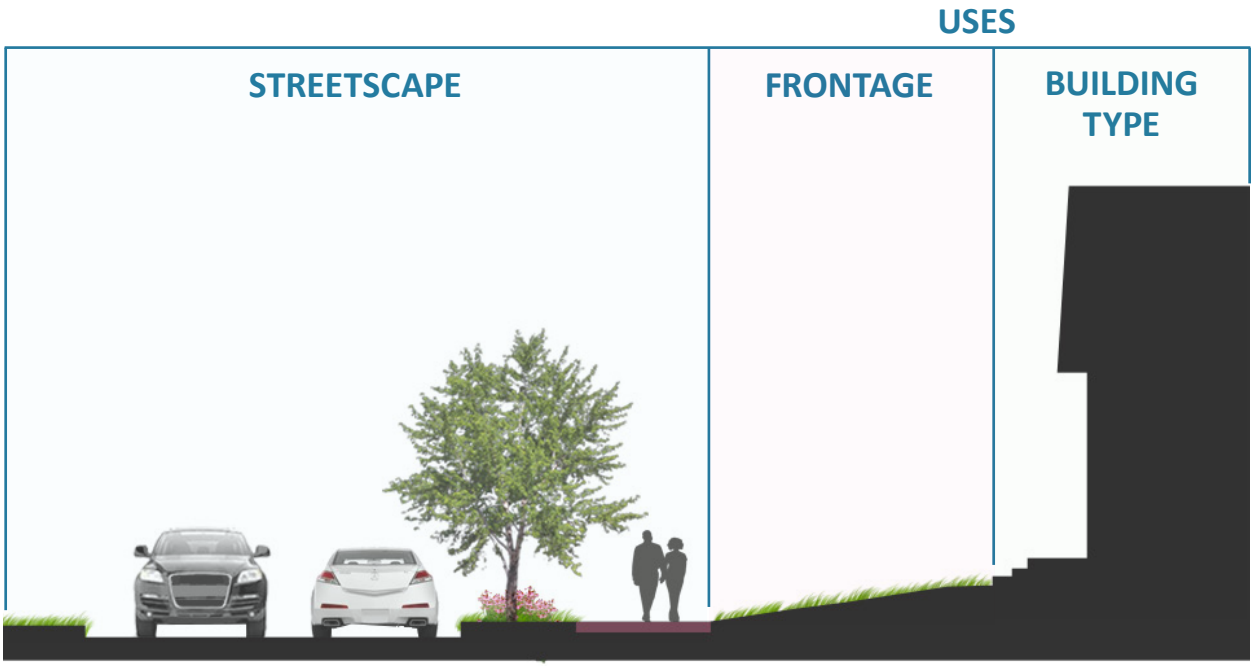
D. Use regulations cover the principal, accessory, and temporary uses permitted by zoning district, along with any additional regulations that may apply to a particular use in Chapter 5.

E. Building types contain the standards that apply to each type of building regulated by this Ordinance in Chapter 6.

F. Frontage types regulate the type of development along the street edge in Chapter 7.

G. Development standards in Chapters 8 through 18 are organized around transitional features, streets and circulation, parking and transit, open space, landscape, fences, walls, and screening, lighting, signs, utilities, natural resources, and historic resources.

H. The review bodies and their authority are outlined in Chapter 19.



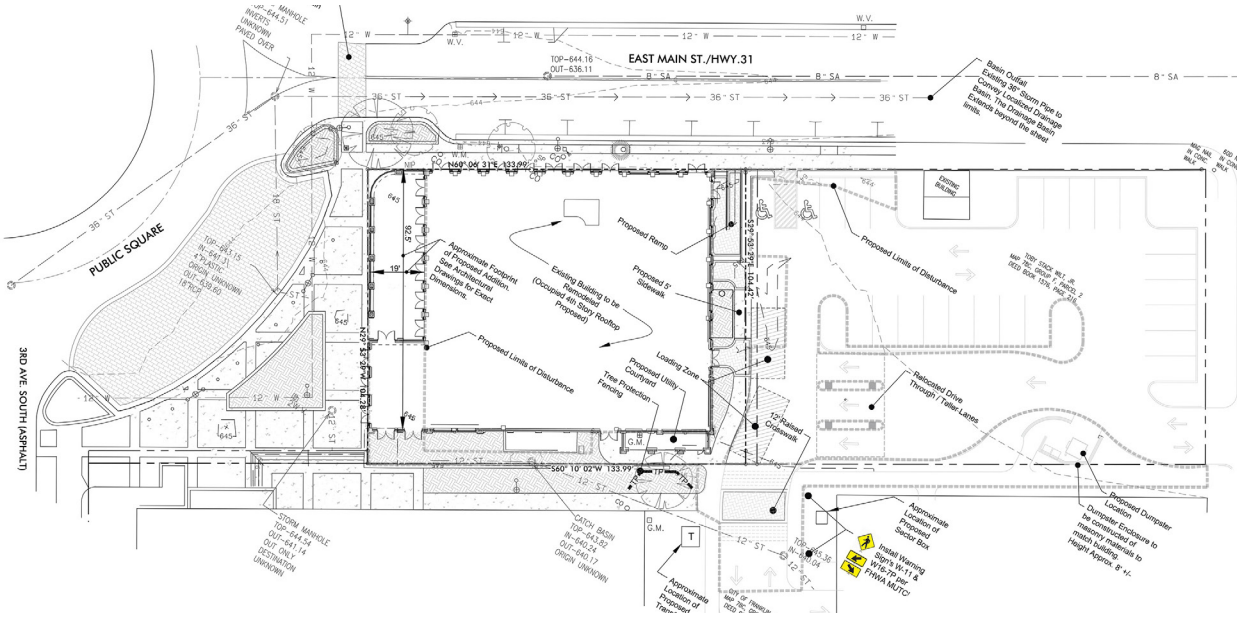
I. The review and approval procedures for various development applications are found in Chapter 20.

J. Performance agreement and sureties provide assurance that approved site improvements are completed in Chapter 21.

K. Enforcement is described in Chapter 22.

L. Definitions and interpretations are found in Chapter 23, followed by a history table for amendments over time in Chapter 24.

DEVELOPMENT PLAN SAMPLE



CHAPTER 1

INTRODUCTORY PROVISIONS

1.1 Legal Provisions 9

1.2 Transitional Rules 12

1.3 Relationship to Envision Franklin 13

1.4 Zoning Map 13

1.1 Legal Provisions

1.1.1 Title

This Ordinance shall be known as the "Franklin Zoning Ordinance", referred to throughout this document as "this Ordinance".

1.1.2 Authority

This Ordinance is enacted pursuant to the authority granted by the Tennessee Code Annotated (T.C.A.) § 13-7-201 et seq., § 13-7-401 et seq. and § 13-4-101 through § 13-4-310 et seq.

1.1.3 Effective Date

This Ordinance was adopted by the Board of Mayor and Aldermen (BOMA) and became effective on December 30, 2019 by Ordinance 2019-37.

1.1.4 Establishment

The adoption of this Ordinance hereby establishes all its Chapters, Sections, Subsections, sentences, phrases, and all other contents.

1.1.5 Applicability

This Ordinance applies to all land, lots, buildings, structures, uses, improvements, and development or redevelopment activity located within the City of Franklin, Tennessee, referred to throughout this Ordinance as "the City".

1.1.6 Purpose

The purpose and intent of this Ordinance is to promote the public health, safety, and general welfare of residents and businesses in the City. This Ordinance is adopted to achieve the following:

A. Implement the policies and principles contained within adopted general plans, including Envision Franklin;
B. Enhance the quality of the built environment through exceptional site design, building form, uses, setbacks, activated streets, signage, and pedestrian focus;
C. Facilitate infrastructure-supported growth, so that service demands of development and redevelopment will not exceed the capabilities of existing streets, utilities, or other public facilities and services;
D. Direct higher intensity and taller buildings toward I-65 where infrastructure can support a thriving regional economy;
E. Strategically locate pedestrian-oriented nonresidential and mixed-use nodes that serve surrounding residential neighborhoods to minimize traffic and trip length;
F. Provide safe, efficient, and convenient vehicular, bicycle, pedestrian, and transit mobility and circulation patterns throughout the City;
G. Improve active transportation for both destinations and recreation by connecting uses and development through sidewalks, multi-use paths, and nature trails;
H. Promote a balanced mix of uses that is compatible with adjacent land uses and has good access to transportation and transit networks;
I. Protect commercial and industrial activities to preserve and strengthen the City's economic base;
J. Protect the historic resources of the City, including structures, neighborhoods, districts, landmarks, landscapes, historic stone walls, cemeteries, streetscapes, and archaeological sites;
K. Preserve and reinforce the character of established neighborhoods and ensure contextually compatible infill development;
L. Provide a variety of housing types to serve

the needs of a diverse population;

M. Protect the City's natural beauty by preserving scenic corridors and viewsheds;

N. Preserve and protect existing trees and vegetation, floodplains, stream corridors, water quality, wildlife habitat, hillsides, hilltops, steep slopes, and other areas of scenic and environmental significance from adverse impacts of land development;

O. Enhance the visual quality of the built environment through landscape standards and planting requirements;

P. Secure safety from fire, flooding along watercourses, and other hazards;

Q. Provide adequate light and air;

R. Encourage development of a sustainable and accessible system of recreational facilities, parks, trails, and open space that meets year-round neighborhood and community-wide needs; and

S. Ensure greater public safety, health, and welfare, and convenience and accessibility through the physical design and location of land use and development.

1.1.7 Minimum Requirements

The requirements of this Ordinance are considered the minimum requirements for the promotion of the public health, safety, and general welfare of the City. All development or redevelopment shall occur in accordance with the regulations in this Ordinance. No land, lot, building, structure, development, improvement, establishment, facility, or premises shall be used or developed for any purpose or in any manner other than in compliance with this Ordinance.

1.1.8 Relationship to Other Provisions

If any provisions of this Ordinance are inconsistent with similar provisions of any other City, State, or Federal regulation, law, statute, or ordinance, the more restrictive provision shall control, to the extent permitted by law.

1.1.9 Conflicting Provisions

In cases where two or more standards within this Ordinance conflict with one another, the more restrictive standard shall be controlling, unless one of the provisions in conflict expressly states that it shall apply, control, or take precedence.

1.1.10 Conflicts with Private Agreements

This Ordinance is not intended to modify, revoke, or repeal any easement, covenant, or other private agreement; however, where the regulations of this Ordinance are more restrictive, the requirements of this Ordinance shall be controlling. The City does not enforce the provisions of easements, covenants, or agreements between private or third parties.

1.1.11 Review of Public Improvements

Whenever the Franklin Municipal Planning Commission (FMPC) has adopted a plan of the municipality (for example, Connect Franklin or the Master Parks Plan) or any part thereof, then and thenceforth no street, park or other public way, ground, place or space, no public building or structure, or no public utility, whether publicly or privately owned, shall be constructed or authorized in the City until and unless the location and extent thereof shall have been submitted to and approved by the FMPC. In case of disapproval, the FMPC shall

communicate its reasons to the BOMA, which by a vote of a majority of its membership, shall have the power to overrule such disapproval and, upon such overruling, the BOMA shall have the power to proceed. If the public way, ground, place, space, building, structure or utility is one the authorization or financing of which does not, under the law governing the same, fall within the province of the BOMA, then the submission to the FMPC shall be by the State, County, District, City, or other Board or official having such jurisdiction, and the FMPC's disapproval may be overruled by the chief legislative body by a majority vote of its membership, or by such official. The widening, narrowing, relocation, vacation, change in the use, acceptance, acquisition, sale or lease of any street or public way, ground, place, property or structure shall be subject to similar submission and approval, and the failure to approve may be similarly overruled. The failure of the FMPC to act within 30 days from and after the date of official submission to it shall be deemed approval, unless a longer period is granted by the BOMA or other submitting board or official. The date of official submission shall be the date at which the FMPC first considers the item.

1.1.12 Continuation of Violations

Any violation of previous versions of this Ordinance shall continue to be a violation under this Ordinance and shall be subject to the penalties and enforcement set forth in Chapter 22: Enforcement, unless the applicable use, development, improvement, construction, or activity complies with the provisions of this Ordinance. Payment shall be required for any civil penalty assessed under the previous regulations, even if the original violation is no longer considered to be a violation under this Ordinance.

1.1.13 Nonconformities

Any use, building, structure, development, improvement, or lot that legally existed on the effective date of this Ordinance that does not meet all provisions set forth in this Ordinance shall be considered nonconforming and shall be controlled by Chapter 2, Nonconformities.

1.1.14 Severability

It is expressly declared that this Ordinance and each Chapter, Section, Subsection, sentence, phrase, and all other content, is adopted and enforceable regardless of whether one or more other portions of this Ordinance are judged invalid or unconstitutional by a court of competent jurisdiction. Such judgment shall not affect:

A. The validity and continued enforcement of any other provision of this Ordinance;
B. The application of this Ordinance to any other building, structure, development, improvement, lot, land, or situation not specifically included in that judgment; or
C. Any other conditions or requirements attached to the same approval that are not specifically included in that judgment.

Whenever a condition or limitation is included in an administrative action authorizing regulatory activity, then it shall be conclusively presumed that the authorizing officer, commission, or board considered such condition or limitation necessary to carry out the spirit and intent of this Ordinance and believed that the condition or limitation was lawful.

1.2 Transitional Rules

The following transitional rules will resolve the status of properties with pending or approved applications at the time of adoption of this Ordinance:

1.2.1 Pending Applications

All applications submitted on or after December 30, 2019 shall comply with this Ordinance. Any application that is submitted for the February 27, 2020 FMPC or administrative agenda shall comply with this Ordinance.

An applicant with a pending application may waive review under prior ordinances through a written letter to the Department of Planning and Sustainability and request review and vesting under the provisions of this Ordinance.

1.2.2 Approved Plans

Approved development plans, site plans, variances, certificates of appropriateness, grading permits, tree removal permits, or building permits that are valid on the effective date of this Ordinance shall remain valid until their expiration date, where applicable. Plans approved under prior ordinances, such as concept plans, regulating plans, and conservation plans that are valid on the effective date of this Ordinance shall also remain valid until their expiration date, where applicable.

1.2.3 Vested Plans

The specific plans listed below that are approved by the applicable review body on or after January 1, 2015, cause a vested property right to be established per T.C.A. § 13-4-310:

A. Development plan;
B. Preliminary plat; or
C. Site plan that is not associated with an approved development plan or preliminary plat.

Such plans are further regulated by Section 20.19, Vesting.

1.2.4 Amendments or Revisions

Amendments or revisions to previously-approved plans shall comply with this Ordinance, unless the original approval is considered to be vested, per Subsection 1.2.3, Vested Plans.

1.2.5 Re-Application of Expired Plans

Any re-application following the expiration of an approved plan shall be subject to the Ordinance in effect on the date the application is resubmitted.

1.3 Relationship to Envision Franklin

Envision Franklin is a general plan that articulates the long-term vision for growth and development throughout the City. The policies may be amended from time to time to meet the changing requirements of the City in accordance with Section 20.3, Plan Amendment. Text amendments to this Ordinance should maintain and enhance consistency with Envision Franklin.

1.4 Zoning Map

1.4.1 Establishment of the Zoning Map

A. The location and boundaries of zoning districts and overlay zoning districts established by this Ordinance are shown and maintained as part of the City's Geographic Information System (GIS). The zoning GIS layers constitute the City's zoning map and are hereby adopted and made a part of this Ordinance.

B. The zoning map shall be maintained and made available in accordance with T.C.A. §13-7-12. When a property is rezoned, the change shall be identified by updating the original electronic data with details of the change.

1.4.2 District Boundaries

Unless otherwise indicated on the zoning map, the district boundaries are parcel lines or the corporate limit lines, as they existed at the time of the enactment of this Ordinance. When property is rezoned, new zoning district lines shall follow parcel lines.

CHAPTER 2

NONCONFORMITIES

2.1 General Provisions 15

2.2 Nonconforming Uses 15

2.3 Nonconforming Structures 16

2.4 Nonconforming Lots 17

2.1 General Provisions

2.1.1 Applicability

Any principal or accessory use, structure, lot of record, sign, or tower that was lawfully established before the effective date of this Ordinance and no longer complies with this Ordinance is considered nonconforming. Nonconformities shall be allowed to continue pursuant to this Chapter.

2.1.2 Determination of Nonconformity Status

The burden of establishing that a nonconformity lawfully exists shall be on the owner of the property on which the purported nonconformity is located.

2.2 Nonconforming Uses

2.2.1 Change of Use

A. A nonconforming use shall not be changed to or replaced with another use unless that use conforms to the requirements of this Ordinance.
B. A change in occupancy or ownership shall not, by itself, constitute a change of use.
C. If the use is changed to, or replaced by a conforming use, it shall lose its nonconforming status.

2.2.2 Discontinuance or Abandonment of a Nonconforming Use

A. When a nonconforming use is discontinued or abandoned for a period of 30 months, as specified by T.C.A. § 13-7-208, the use shall not thereafter be re-established or resumed. Any subsequent use or occupancy of such property or structure shall comply with the regulations of the zoning district in which such land or structure is located.
B. Operation only of an accessory use to the principal nonconforming use during the 30-month period shall not constitute continuation of the principal nonconforming use.

2.2.3 Expansion of a Nonconforming Use

Nonconforming uses may be expanded, provided the following is met:

A. The nonconforming use shall not be enlarged, expanded, or altered in a way that increases the degree of nonconformity. Any proposed expansion must conform to all other applicable standards of this Ordinance. For example:
   1. The expansion of a nonconforming use cannot include any additional uses not permitted by the applicable zoning district; and
   2. A duplex use in a single-family residential district is not permitted to add any additional dwelling units, inclusive of accessory dwellings.
B. The type, size, and intensity of the proposed expansion, including such considerations as the size of the site, the location of the nonconforming use upon it, the hours of operation, the amount of noise generated, and the number of people who are likely to patronize the use will be adequate with respect to minimizing any negative impacts on adjoining lots and avoiding nuisances to adjacent landowners; and
C. The nonconforming use shall not be expanded through the acquisition of additional land beyond that in use by the nonconformity on the effective date of this Ordinance.

2.2.4 Short-Term Vacation Rentals

A. The use regulations governing short-term vacation rentals within this Ordinance do not apply to property that was legally established and issued a permit as a short-term vacation rental, as defined by T.C.A. § 13-7-602, prior to the effective date of this Ordinance, until this grandfathering is terminated per Paragraph 2.2.4.B below.

B. In accordance with T.C.A. § 13-7-603, short-term vacation rentals that were legally established and issued a permit prior to the effective date of this Ordinance are subject to the law in place at the time that the property was being used as a short-term vacation rental, until the property is:
   1. Sold;
   2. Transferred;
   3. Ceases being used as a short-term vacation rental for a period of 30 continuous months; or
   4. Has been in violation of generally applicable local laws three or more separate times, as provided by T.C.A. § 13-7-604.

C. If ownership of a short-term vacation rental changes to a family member (persons related by blood, marriage, civil union, or adoption), grandfathering protections will continue.

2.3 Nonconforming Structures

2.3.1 Applicability

This Section shall apply to nonconforming structures, other than signs and towers. See Subsection 15.1.11, Nonconforming Signs, or Clause 5.1.4.T.15, Nonconforming Towers, as applicable.

2.3.2 Repair and Maintenance of a Nonconforming Structure

Routine maintenance, stabilization, or restoration to a safe condition of any part of a nonconforming structure is permitted in accordance with this Chapter.

2.3.3 Expansion of a Nonconforming Structure

A nonconforming structure may be expanded, provided the following is met:

A. The nonconforming structure shall not be enlarged, expanded, or altered in a way that increases the degree of nonconformity. Any proposed expansion must conform to all other applicable standards of this Ordinance. For example:
   1. For a building that is located five feet from a side lot line, where this Ordinance requires a ten foot minimum side yard setback, any building addition or increase in building height must comply with the ten-foot setback; and
   2. For a building that is entirely within a required front yard setback, any building addition must occur only to the rear of the building.

B. The type, size, and intensity of the proposed expansion, such as the size of the site and the location of the nonconforming structure upon it, will be adequate with respect to minimizing any negative impacts on adjoining lots and avoiding nuisances to

adjacent landowners; and

C. The nonconforming structure shall not be expanded through the acquisition of additional land beyond that in use by the nonconformity on the effective date of this Ordinance.

2.3.4 Reconstruction of a New Structure

A. An existing structure for a nonconforming use, other than multifamily residential, may be torn down and a new structure of the same building type or of a building type permitted in the applicable zoning district may be reconstructed, provided the following is met:
   1. There is a reasonable amount of space on the property so as to avoid nuisances to adjacent landowners. Any reconstruction or redevelopment must conform to all other applicable standards of this Ordinance; and
   2. The type, size, and intensity of the proposed reconstruction, such as the size of the site and the location of the nonconformity upon it, will be adequate with respect to minimizing any negative impacts on adjoining lots.

B. New structures for a nonconforming multifamily residential use may be reconstructed only in the event of damage, whether partial or complete, by involuntary fire or wind damage or other natural disaster, pursuant to T.C.A. § 13-7-208.

2.4 Nonconforming Lots

2.4.1 Nonconforming Platted Lots

A lot in a subdivision that was legally created by final plat and recorded prior to the effective date of this Ordinance that does not meet the dimensional standards of the applicable zoning district:

A. May be developed with the uses permitted in the applicable zoning district; and

B. Shall retain the approved dimensional standards and minimum required open space.

2.4.2 Nonconforming Lots of Record

A lot that was legally created by deed or other legal mechanism before it was in the City or prior to the City and County initial adoption of the Subdivision Regulations that does not meet the dimensional standards of the applicable zoning district:

A. May be developed with the uses permitted in the applicable zoning district;

B. Shall comply with the dimensional standards of the applicable zoning district as closely as possible; and

C. Must conform to all other applicable provisions of this Ordinance.

2.4.3 Governmental Acquisition

Governmental acquisition of a portion of a lot for a public purpose that results in a reduction in dimensional standards below that required by this Ordinance shall not render the lot nonconforming.

CHAPTER 3

ZONING DISTRICTS

3.1 General Provisions 19
3.2 AG—Agricultural District 20
3.3 ER—Estate Residential District 22
3.4 R1—Residential 1 District 24
3.5 R2—Residential 2 District 26
3.6 R3—Residential 3 District 28
3.7 R4—Residential 4 District 30
3.8 R6—Residential 6 District 32
3.9 MR—Mixed Residential District 34
3.10 PD—Planned District 38
3.11 OR—Office Residential District 40
3.12 CI—Civic Institutional District 42
3.13 NC—Neighborhood Commercial District 44
3.14 CC—Central Commercial District 46
3.15 DD—Downtown District 48
3.16 1ST—1st Avenue District 50
3.17 5TH—5th Avenue North District 52
3.18 RC6—Regional Commerce 6 District 54
3.19 RC12—Regional Commerce 12 District 56
3.20 GO—General Office District 58
3.21 LI—Light Industrial District 60
3.22 HI—Heavy Industrial District 62

3.1 General Provisions

3.1.1 Zoning Districts

For the purposes of this Ordinance, the City is divided into the following zoning districts as set forth on the zoning map:

AG	Agriculture District
ER	Estate Residential District
R1	Residential 1 District
R2	Residential 2 District
R3	Residential 3 District
R4	Residential 4 District
R6	Residential 6 District
MR	Mixed Residential
PD	Planned District
OR	Office Residential District
CI	Civic Institutional District
NC	Neighborhood Commercial District
CC	Central Commercial District
DD	Downtown District
1ST	1st Avenue District
5TH	5th Avenue North District
RC6	Regional Commerce 6 District
RC12	Regional Commerce 12 District
GO	General Office District
LI	Light Industrial District
HI	Heavy Industrial District

3.1.2 District Components

Each zoning district contains the following provisions:

A. The purpose, which provides the intent of the district;
B. Use regulations, which specify the range of permitted uses and structures in accordance with Chapter 5, Use Regulations;
C. Building types, which specify the permitted principal building types in accordance with Chapter 6, Building Types;
D. Frontage types, which specify the permitted frontage types in accordance with Chapter 7, Frontage Types;
E. Dimensional standards, which specify the regulations for lot standards, building setbacks, building height, landscape surface area, and other requirements; and
F. Additional standards, which provide links to additional development standards that may be applicable in the district.

3.2 AG—Agricultural District

3.2.1 Purpose

The AG district is intended to provide for farming and agricultural uses, single-family residential on significant acreage, and open space to maintain the character of rural areas.

3.2.2 Use Regulations

A. Principal uses shall comply with Section 5.1, Principal Uses.
B. Accessory uses and structures, other than agricultural structures, shall comply with Section 5.2, Accessory Uses and Structures. Agricultural structures are customary in this district and not otherwise regulated.
C. Temporary uses and structures shall comply with Section 5.3, Temporary Uses and Structures.

3.2.3 Building Types

The following principal building types are permitted:

A. House
B. Agricultural structures, which are customary in this district and not otherwise regulated

3.2.4 Frontage Types

The following frontage type is permitted:

A. Yard Frontage

3.2.5 Dimensional Standards

The following dimensional standards are required:

Lot Standards	Minimum
Lot Size	15 acres
Lot Width	200 feet
Front Lot Line	160 feet
Number of Buildings	**Maximum**
Principal Building	1 per lot
Accessory Structure	-
Minor Accessory Structure	-
Principal Building Setbacks	**Minimum**
Front Yard	225 feet
Side Yard	50 feet
Rear Yard	100 feet
Encroachments	
Appurtenances may encroach into a front or rear yard setback up to 6 feet and into a side yard setback up to 5 feet from the lot line	
Steps may encroach into any required yard	
Accessory Structure Setbacks	
Front Yard	Not permitted
Side Yard	5 feet
Rear Yard	5 feet

Building Height	Maximum
Principal Building	2 ½ stories
Accessory Structure	-
Landscape	**Minimum**
Landscape Surface Area	70%

3.2.6 Additional Standards

Chapter References	
Building Types	Chapter 6
Frontage Types	Chapter 7
Transitional Features	Chapter 8
Streetscape and Circulation	Chapter 9
Parking and Transit	Chapter 10
Open Space	Chapter 11
Landscape	Chapter 12
Fences, Walls, and Screening	Chapter 13
Lighting	Chapter 14
Signs	Chapter 15
Utilities	Chapter 16
Natural Resources	Chapter 17
Historic Resources	Chapter 18

3.3 ER—Estate Residential District

3.3.1 Purpose

The ER district is intended to provide for single-family residential on estate-sized lots and for preservation of rural character.

3.3.2 Use Regulations

A. Principal uses shall comply with Section 5.1, Principal Uses.
B. Accessory uses and structures shall comply with Section 5.2, Accessory Uses and Structures.
C. Temporary uses and structures shall comply with Section 5.3, Temporary Uses and Structures.

3.3.3 Building Types

The following principal building type is permitted:

A. House

3.3.4 Frontage Types

The following frontage type is permitted:

A. Yard Frontage

3.3.5 Dimensional Standards

The following dimensional standards are required:

Lot Standards	Minimum
Lot Size	2 acres
Lot Width	150 feet
Front Lot Line	120 feet
Number of Buildings	**Maximum**
Principal Building	1 per lot
Accessory Structure	1 per lot
Minor Accessory Structure	1 per lot
Principal Building Setbacks	**Minimum**
Front Yard	150 feet
Side Yard	35 feet
Rear Yard	65 feet
Encroachments	
Appurtenances may encroach into a front or rear yard setback up to 6 feet and into a side yard setback up to 5 feet from the lot line	
Steps may encroach into any required yard	
Accessory Structure Setbacks	
Location	At least 5 feet behind the principal building At least 5 feet from any lot line
Building Height	**Maximum**
Principal Building	2 ½ stories
Accessory Structure	Shall not exceed the height of the principal building
Landscape	**Minimum**
Landscape Surface Area	60%
Alternate Standards	
For lots in recorded subdivisions, if there are different dimensional standards on the final plat, then those standards on the final plat shall govern	

3.3.6 Additional Standards

Chapter References	
Building Types	Chapter 6
Frontage Types	Chapter 7
Transitional Features	Chapter 8
Streetscape and Circulation	Chapter 9
Parking and Transit	Chapter 10
Open Space	Chapter 11
Landscape	Chapter 12
Fences, Walls, and Screening	Chapter 13
Lighting	Chapter 14
Signs	Chapter 15
Utilities	Chapter 16
Natural Resources	Chapter 17
Historic Resources	Chapter 18

3.4 R1—Residential 1 District

3.4.1 Purpose

The R1 district is intended to provide for single-family residential subdivisions with large lot sizes. It also provides a default district for county subdivisions annexed into the City.

3.4.2 Use Regulations

A. Principal uses shall comply with Section 5.1, Principal Uses.
B. Accessory uses and structures shall comply with Section 5.2, Accessory Uses and Structures.
C. Temporary uses and structures shall comply with Section 5.3, Temporary Uses and Structures.

3.4.3 Building Types

The following principal building type is permitted:

A. House

3.4.4 Frontage Types

The following frontage type is permitted:

A. Yard Frontage

3.4.5 Dimensional Standards

The following dimensional standards are required:

Lot Standards	Minimum
Lot Size	30,000 square feet
Lot Width	100 feet
Front Lot Line	80 feet, but may be reduced to 30 feet when on a turning radius of a cul-de-sac
Number of Buildings	**Maximum**
Principal Building	1 per lot
Accessory Structure	1 per lot
Minor Accessory Structure	1 per lot
Principal Building Setbacks	**Minimum**
Front Yard	60 feet
Side Yard	25 feet
Rear Yard	50 feet
Encroachments	
Appurtenances may encroach into a front or rear yard setback up to 6 feet and into a side yard setback up to 5 feet from the lot line	
Steps may encroach into any required yard	
Accessory Structure Setbacks	
Location	At least 5 feet behind the principal building At least 5 feet from any lot line

Building Height	Maximum
Principal Building	2 ½ stories
Accessory Structure	Shall not exceed the height of the principal building
Landscape	**Minimum**
Landscape Surface Area	50%
Alternate Standards	
For lots in recorded subdivisions, if there are different dimensional standards on the final plat, then those standards on the final plat shall govern	

3.4.6 Additional Standards

Chapter References	
Building Types	Chapter 6
Frontage Types	Chapter 7
Transitional Features	Chapter 8
Streetscape and Circulation	Chapter 9
Parking and Transit	Chapter 10
Open Space	Chapter 11
Landscape	Chapter 12
Fences, Walls, and Screening	Chapter 13
Lighting	Chapter 14
Signs	Chapter 15
Utilities	Chapter 16
Natural Resources	Chapter 17
Historic Resources	Chapter 18

3.5 R2—Residential 2 District

3.5.1 Purpose

The R2 district is intended to provide for single-family residential with lot sizes of at least 15,000 square feet, designed with walkable, well-connected street systems, and designed around natural features as accessible community amenities.

3.5.2 Use Regulations

A. Principal uses shall comply with Section 5.1, Principal Uses.
B. Accessory uses and structures shall comply with Section 5.2, Accessory Uses and Structures.
C. Temporary uses and structures shall comply with Section 5.3, Temporary Uses and Structures.

3.5.3 Building Types

The following principal building type is permitted:

A. House

3.5.4 Frontage Types

The following frontage type is permitted:

A. Yard Frontage

3.5.5 Dimensional Standards

The following dimensional standards are required:

Lot Standards	Minimum
Lot Size	15,000 square feet
Lot Width	75 feet
Front Lot Line	60 feet, but may be reduced to 30 feet when on a turning radius of a cul-de-sac
Number of Buildings	**Maximum**
Principal Building	1 per lot
Accessory Structure	1 per lot
Minor Accessory Structure	1 per lot
Principal Building Setbacks	**Minimum**
Front Yard	20 feet
Side Yard	10 feet
Rear Yard	40 feet
Encroachments	
Appurtenances may encroach into a front or rear yard setback up to 6 feet and into a side yard setback up to 5 feet	
Steps may encroach into any required yard	
Accessory Structure Setbacks	
Location	At least 5 feet behind the principal building At least 5 feet from any lot line
Building Height	**Maximum**
Principal Building	2 ½ stories
Accessory Structure	2 stories, but shall not exceed the height of the principal building
Landscape	**Minimum**
Landscape Surface Area	40%
Alternate Standards	
For lots in recorded subdivisions, if there are different dimensional standards on the final plat, then those standards on the final plat shall govern	

3.5.6 Additional Standards

Chapter References	
Building Types	Chapter 6
Frontage Types	Chapter 7
Transitional Features	Chapter 8
Streetscape and Circulation	Chapter 9
Parking and Transit	Chapter 10
Open Space	Chapter 11
Landscape	Chapter 12
Fences, Walls, and Screening	Chapter 13
Lighting	Chapter 14
Signs	Chapter 15
Utilities	Chapter 16
Natural Resources	Chapter 17
Historic Resources	Chapter 18

3.6 R3—Residential 3 District

3.6.1 Purpose

The R3 district is intended to provide for single-family residential with lot sizes of at least 9,000 square feet, designed with walkable, well-connected street systems, and designed around natural features as accessible community amenities.

3.6.2 Use Regulations

A. Principal uses shall comply with Section 5.1, Principal Uses.
B. Accessory uses and structures shall comply with Section 5.2, Accessory Uses and Structures.
C. Temporary uses and structures shall comply with Section 5.3, Temporary Uses and Structures.

3.6.3 Building Types

The following principal building type is permitted:

A. House

3.6.4 Frontage Types

The following frontage type is permitted:

A. Yard Frontage

3.6.5 Dimensional Standards

The following dimensional standards are required:

Lot Standards	Minimum
Lot Size	9,000 square feet
Lot Width	65 feet
Front Lot Line	52 feet, but may be reduced to 30 feet when on a turning radius of a cul-de-sac
Number of Buildings	**Maximum**
Principal Building	1 per lot
Accessory Structure	1 per lot
Minor Accessory Structure	1 per lot
Principal Building Setbacks	**Minimum**
Front Yard	20 feet
Side Yard	10 feet
Rear Yard	30 feet
Rear Yard Abutting Alley	See building type for attached garage setbacks
Encroachments	
Appurtenances may encroach into a front or rear yard setback up to 6 feet and into a side yard setback up to 5 feet	
Steps may encroach into any required yard	
Accessory Structure Setbacks	
Location	At least 5 feet behind the principal building At least 5 feet from any lot line
Building Height	**Maximum**
Principal Building	2 ½ stories
Accessory Structure	2 stories, but shall not exceed the height of the principal building
Landscape	**Minimum**
Landscape Surface Area	40%
Alternate Standards	
For lots in recorded subdivisions, if there are different dimensional standards on the final plat, then those standards on the final plat shall govern	

3.6.6 Additional Standards

Chapter References	
Building Types	Chapter 6
Frontage Types	Chapter 7
Transitional Features	Chapter 8
Streetscape and Circulation	Chapter 9
Parking and Transit	Chapter 10
Open Space	Chapter 11
Landscape	Chapter 12
Fences, Walls, and Screening	Chapter 13
Lighting	Chapter 14
Signs	Chapter 15
Utilities	Chapter 16
Natural Resources	Chapter 17
Historic Resources	Chapter 18

3.7 R4—Residential 4 District

3.7.1 Purpose

The R4 district is intended to preserve the established, historic residential neighborhoods throughout Central Franklin and ensure contextual compatibility of infill development.

3.7.2 Use Regulations

A. Principal uses shall comply with Section 5.1, Principal Uses.
B. Accessory uses and structures shall comply with Section 5.2, Accessory Uses and Structures.
C. Temporary uses and structures shall comply with Section 5.3, Temporary Uses and Structures.

3.7.3 Building Types

The following principal building type is permitted:

A. House

3.7.4 Frontage Types

The following frontage type is permitted:

A. Yard Frontage

3.7.5 Dimensional Standards

The following dimensional standards are required:

Lot Standards	Minimum
Lot Size	75% of the average lot size of existing lots on the same block face, but in no case shall be less than 6,500 square feet
Lot Width	75% of the average lot width of existing lots on the same block face, but in no case shall be less than 60 feet
Front Lot Line	80% of minimum lot width

Number of Buildings	Maximum
Principal Building	1 per lot
Accessory Structure	1 per lot
Minor Accessory Structure	1 per lot
Principal Building Setbacks	**Minimum**
Front Yard	Average setback of existing buildings on the same block face, but no closer to the front lot line than the closest adjacent building, and in no case less than 10 feet
Side Yard	7 feet
Rear Yard	20 feet
Rear Yard Abutting Alley	See building type for attached garage setbacks
Encroachments	
Appurtenances may encroach into a front or rear yard setback up to 6 feet and into a side yard setback up to 2 feet	
Steps may encroach into any required yard	
Accessory Structure Setbacks	
Location	At least 5 feet behind the principal building At least 5 feet from any lot line

Building Height	Maximum
Principal Building	Building height shall not exceed one-half story above the average height of existing buildings on the same block face, but in no case shall exceed 2 1/2 stories
Accessory Structure	1 1/2 stories , but shall not exceed the height of the principal building
Landscape	**Minimum**
Landscape Surface Area	40%
Alternate Standards	
For lots in recorded subdivisions, if there are different dimensional standards on the final plat, then those standards on the final plat shall govern	

3.7.6 Additional Standards

Chapter References	
Building Types	Chapter 6
Frontage Types	Chapter 7
Transitional Features	Chapter 8
Streetscape and Circulation	Chapter 9
Parking and Transit	Chapter 10
Open Space	Chapter 11
Landscape	Chapter 12
Fences, Walls, and Screening	Chapter 13
Lighting	Chapter 14
Signs	Chapter 15
Utilities	Chapter 16
Natural Resources	Chapter 17
Historic Resources	Chapter 18

3.8 R6—Residential 6 District

3.8.1 Purpose

The R6 district is intended to preserve historic, walkable neighborhoods with small lots and shallow setbacks and ensure contextual compatibility of infill development.

3.8.2 Use Regulations

A. Principal uses shall comply with Section 5.1, Principal Uses.
B. Accessory uses and structures shall comply with Section 5.2, Accessory Uses and Structures.
C. Temporary uses and structures shall comply with Section 5.3, Temporary Uses and Structures.

3.8.3 Building Types

The following principal building type is permitted:

A. House

3.8.4 Frontage Types

The following frontage type is permitted:

A. Yard Frontage

3.8.5 Dimensional Standards

The following dimensional standards are required:

Lot Standards	Minimum
Lot Size	4,000 square feet
Lot Width	40 feet
Front Lot Line	40 feet
Number of Buildings	**Maximum**
Principal Building	1 per lot
Number of Buildings	**Maximum**
Accessory Structure	1 per lot
Number of Buildings	**Maximum**
Minor Accessory Structure	1 per lot
Principal Building Setbacks	**Minimum**
Front Yard	Average setback of existing buildings on the same block face, but no closer to the front lot line than the closest adjacent building, and in no case less than 10 feet
Side Yard	5 feet
Rear Yard	15 feet
Rear Yard Abutting Alley	See building type for attached garage setbacks
Encroachments	
Appurtenances may encroach into a front or rear yard setback up to 6 feet	
Steps may encroach into any required yard	
Accessory Structure Setbacks	
Location	At least 5 feet behind the principal building At least 5 feet from any lot line

Building height	Maximum
Principal Building	Building height facing the street shall not exceed one-half story above the average height of existing single-family buildings on the same block face, but in no case shall exceed two stories.
Accessory Structure	1 1/2 stories, but shall not exceed the height of the principal building
Landscape	**Minimum**
Landscape Surface Area	30%
Alternate Standards	
For lots in recorded subdivisions, if there are different dimensional standards on the final plat, then those standards on the final plat shall govern	

3.8.6 Additional Standards

Chapter References	
Building Types	Chapter 6
Frontage Types	Chapter 7
Transitional Features	Chapter 8
Streetscape and Circulation	Chapter 9
Parking and Transit	Chapter 10
Open Space	Chapter 11
Landscape	Chapter 12
Fences, Walls, and Screening	Chapter 13
Lighting	Chapter 14
Signs	Chapter 15
Utilities	Chapter 16
Natural Resources	Chapter 17
Historic Resources	Chapter 18

3.9 MR—Mixed Residential District

3.9.1 Purpose

The MR district is intended to provide for a variety of residential building types while protecting environmentally sensitive areas, preserving open spaces through compact development patterns, and providing standards to help ensure the compatibility of new development with surrounding neighborhoods.

3.9.2 Use Regulations

A. Principal uses shall comply with Section 5.1, Principal Uses.
B. Accessory uses and structures shall comply with Section 5.2, Accessory Uses and Structures.
C. Temporary uses and structures shall comply with Section 5.3, Temporary Uses and Structures.

3.9.3 Building Types

The following principal building types are permitted:

A. House
B. Duplex
C. Multiplex
D. Townhouse

3.9.4 Frontage Types

The following frontage types are permitted:

A. Yard Frontage
B. Urban Landscape Frontage
C. Urban Frontage

3.9.5 Diversity in Housing

A. In new developments, the first building next to a lot for an existing house must be a house or a duplex. This does not apply when the houses are part of the same development.
B. Proposed development may be all houses, all duplexes, or a mix of both.
C. If a proposed development includes townhouses or multiplex dwelling units, the townhouse and multiplex dwelling units shall not exceed 50 percent of the total dwelling unit count of a development. The remaining 50 percent shall be a balanced mix of duplexes and houses.

3.9.6 Dimensional Standards for Houses and Multiplexes

The following dimensional standards for houses and multiplexes are required:

Lot Standards for Alley-Loaded Lots	Minimum
Lot Size	4,950 square feet
Lot Width	45 feet
Front Lot Line	35 feet
Lot Standards for Frontage-Facing Attached or Detached Garage in the Rear Yard	**Minimum**
Lot Size	5,500 square feet
Lot Width	50 feet
Front Lot Line	40 feet
Lot Standards for Frontage-Facing Attached Garage	**Minimum**
Lot Size	7,150 square feet
Lot Width	65 feet
Front Lot Line	55 feet
Number of Buildings	**Maximum**
Principal Building	1 per lot
Accessory Structure	1 per lot
Minor Accessory Structure	1 per lot

Principal Building Setbacks	Minimum
Front Yard	10 feet
Side Yard	5 feet
Rear Yard	15 feet
Rear Yard Abutting Alley	See building type for attached garage setbacks
Encroachments	
Appurtenances may encroach into a front or rear yard setback up to 6 feet	
Steps may encroach into any required yard	
Accessory Structure Setbacks	
Location	At least 5 feet behind the principal building At least 5 feet from any lot line
Building Height	**Maximum**
Principal Building	2.5 stories
Accessory Structure	1.5 stories, but shall not exceed the height of the principal building
Landscape	**Minimum**
Landscape Surface Area	30%
Alternate Standards	
For lots in recorded subdivisions, if there are different dimensional standards on the final plat, then those standards on the final plat shall govern	

3.9.7 Dimensional Standards for Duplexes and Townhouses

The following dimensional standards for duplexes and townhouses are required:

A. Lots shall be platted in a manner in which each dwelling unit is situated on a separately platted lot where the applicable side lot line runs coincident with the common wall separating the dwelling units. The building type shall be designated on the plat as the only building type permitted on such lot.

B. Duplexes that are horizontally split by floors shall not comply with this Subsection and instead comply with Subsection 3.9.6, Dimensional Standards for Houses and Multiplexes.

Lot Standards	Minimum
Lot Size	2,275 square feet
Lot Width	18 feet
Front Lot Line	15 feet
Number	**Maximum**
Dwelling Units	1 per lot
Accessory Structure	1 per lot
Minor Accessory Structure	1 per lot

Dwelling Unit Setbacks	Minimum
Front Yard	8 feet
Side Yard	0 feet when on a side lot line is designated for a common wall separating dwelling units 5 feet on any other side lot line
Rear Yard	15 feet
Rear Yard Abutting Alley	See building type for attached garage setbacks
Encroachments	
Appurtenances may encroach into a front or rear yard setback up to 6 feet	
Steps may encroach into any required yard	
Accessory Structure Setbacks	
Location	At least 5 feet behind the principal building At least 5 feet from any lot line
Building Height	**Maximum**
Principal Building	3 stories
Accessory Structure	2 stories, but shall not exceed the height of the principal building
Landscape	**Minimum**
Landscape Surface Area	20%
Alternate Standards	
For lots in recorded subdivisions, if there are different dimensional standards on the final plat, then those standards on the final plat shall govern	

3.9.8 Additional Standards

Chapter References	
Building Types	Chapter 6
Frontage Types	Chapter 7
Transitional Features	Chapter 8
Streetscape and Circulation	Chapter 9
Parking and Transit	Chapter 10
Open Space	Chapter 11
Landscape	Chapter 12
Fences, Walls, and Screening	Chapter 13
Lighting	Chapter 14
Signs	Chapter 15
Utilities	Chapter 16
Natural Resources	Chapter 17
Historic Resources	Chapter 18

3.10 PD—Planned District

3.10.1 Purpose

The PD district is intended to:

A. Allow for the review and approval of a development plan that establishes the entitlements for a property, including a customized combination of permitted uses, building types, frontage types, setbacks, and any modifications of standards in accordance with Section 20.8, Development Plan;
B. Allow for the implementation of Envision Franklin guiding principles and design concepts; and
C. Utilize the planned unit development process in accordance with State law.

3.10.2 Applicability

Rezoning of property to a PD district and the subsequent development plan shall not be proposed or used to avoid, or have the effect of avoiding compliance with the standards and requirements of this Ordinance or for the other zoning districts, and instead, shall be used sparingly. Rezoning of property to a PD district shall be limited to situations where:

A. Rezoning of property to a PD district shall be limited to situations where this district is needed in order to implement Envision Franklin guiding principles and design concepts; or
B. Rezoning of property to a PD district shall be limited to situations where a property, due to unique site conditions or the necessary intrinsic size, use, building placement, building elements, building configuration, building type, or other building and development characteristics, cannot under any other circumstances conform to one or more of the other zoning districts or standards specified in this Ordinance.

3.10.3 Use Regulations

A. Permitted principal uses shall be determined by the BOMA through the adoption of a development plan. See Subsection 5.1.3, Permitted Principal Uses by Zoning District, for the possible principal uses. Permitted principal uses may be further regulated by overlay zoning districts.
B. Accessory uses and structures shall comply with Section 5.2, Accessory Uses and Structures.
C. Temporary uses shall comply with Section 5.3, Temporary Uses and Structures.

3.10.4 Building Types

Permitted principal building types shall be determined by the BOMA through the adoption of a development plan. The list of possible building types is below:

A. House
B. Duplex
C. Multiplex
D. Townhouse
E. Multifamily Building
F. Commercial/Mixed-Use Building
G. Large-Scale Retail Building
H. Civic Building

3.10.5 Frontage Types

Permitted frontage types shall be determined by the BOMA through the adoption of a development plan. The list of possible frontage types is below:

A. Yard Frontage
B. Urban Landscape Frontage
C. Urban Frontage

3.10.6 Modifications of Standards

Development or redevelopment shall conform to all provisions of this Ordinance. In accordance with Section 20.8, Development Plan, an applicant may request certain provisions to be modified through a modification of standards (MOS) adopted by the BOMA.

3.10.7 Dimensional Standards

The following dimensional standards are required:

Lot Standards	Minimum
Lot sizes, widths, and frontages shall be determined by the BOMA through the adoption of a development plan	
Number of Buildings	**Maximum**
Principal Building	As adopted by the BOMA
Accessory Structure	1 per residential lot
Minor Accessory Structure	1 per residential lot
Principal Building Setbacks	**Minimum**
All building setbacks shall be determined by the BOMA through the adoption of a development plan	
Buildings shall maintain a minimum spacing of ten feet	
Encroachments	
Appurtenances may encroach into a front or rear yard setback up to 6 feet	
Steps may encroach into any required yard	
Accessory Structure Setbacks	
Location	At least 5 feet behind the principal building At least 5 feet from any lot line
Building Height	**Maximum**
Principal Building	Shall be in accordance with Envision Franklin and Historic District Design Guidelines, as applicable
Accessory Structure	Shall not exceed the height of the principal building
Landscape	**Minimum**
Landscape Surface Area	20%
Alternate Standards	
For lots in recorded subdivisions, if there are different dimensional standards on the final plat, then those standards on the final plat shall govern	

3.10.8 Additional Standards

Chapter References	
Building Types	Chapter 6
Frontage Types	Chapter 7
Transitional Features	Chapter 8
Streetscape and Circulation	Chapter 9
Parking and Transit	Chapter 10
Open Space	Chapter 11
Landscape	Chapter 12
Fences, Walls, and Screening	Chapter 13
Lighting	Chapter 14
Signs	Chapter 15
Utilities	Chapter 16
Natural Resources	Chapter 17
Historic Resources	Chapter 18

3.11 OR—Office Residential District

3.11.1 Purpose

The OR district is intended to provide office and residential uses and serves as a transition between higher-intensity commercial uses and residential neighborhoods. Buildings must appear as houses to preserve the established residential character.

3.11.2 Use Regulations

A. Principal uses shall comply with Section 5.1, Principal Uses.
B. Accessory uses and structures shall comply with Section 5.2, Accessory Uses and Structures.
C. Temporary uses and structures shall comply with Section 5.3, Temporary Uses and Structures.

3.11.3 Building Types

The following principal building type is permitted:

A. House

3.11.4 Frontage Types

The following frontage type is permitted:

A. Yard Frontage

3.11.5 Dimensional Standards

The following dimensional standards are required:

Lot Standards	Minimum
Lot Size	75% of the average lot size of existing lots on the same block face, but in no case shall be less than 6,500 square feet

Lot Standards	Minimum
Lot Width	75% of the average lot width of existing lots on the same block face, but in no case shall be less than 60 feet
Front Lot Line	80% of minimum lot width
Number of Buildings	**Maximum**
Principal Building	1 per lot
Accessory Structure	1 per lot
Minor Accessory Structure	1 per lot
Principal Building Setbacks	**Minimum**
Front Yard	10 feet or no closer than the closest immediately adjacent building, whichever is larger
Side Yard	7 feet
Rear Yard	30 feet
Rear Yard Abutting Alley	See building type for attached garage setbacks
Encroachments	
Appurtenances may encroach into a front or rear yard setback up to 6 feet and into a side yard setback up to 2 feet	
Steps may encroach into any required yard	
Accessory Structure Setbacks	
Location	At least 5 feet behind the principal building At least 5 feet from any lot line

Building Height	Maximum
Principal Building	Building height shall not exceed one-half story of the average building height of existing houses on the same block face, but in no case shall exceed two stories
Accessory Structure	1 1/2 stories, but shall not exceed the height of the principal building
Landscape	**Minimum**
Landscape Surface Area	40%
Fences and Walls	
An opaque fence or wall with a height of 6 feet shall be provided along side or rear lot lines contiguous to a lot containing a residential use, in accordance with Subsection 13.1.2, Fences and Walls, Height.	

3.11.6 Additional Standards

Chapter References	
Building Types	Chapter 6
Frontage Types	Chapter 7
Transitional Features	Chapter 8
Streetscape and Circulation	Chapter 9
Parking and Transit	Chapter 10
Open Space	Chapter 11
Landscape	Chapter 12
Fences, Walls, and Screening	Chapter 13
Lighting	Chapter 14
Signs	Chapter 15
Utilities	Chapter 16
Natural Resources	Chapter 17
Historic Resources	Chapter 18

3.12 CI—Civic Institutional District

3.12.1 Purpose

The CI district is intended to accommodate civic, recreational, and institutional uses of public and semi-public gathering that support the common good.

3.12.2 Use Regulations

A. Principal uses shall comply with Section 5.1, Principal Uses.
B. Accessory uses and structures shall comply with Section 5.2, Accessory Uses and Structures.
C. Temporary uses and structures shall comply with Section 5.3, Temporary Uses and Structures.

3.12.3 Building Types

The following principal building types are permitted:

A. House (for continuum of care use only)
B. Duplex (for continuum of care use only)
C. Multiplex (for continuum of care use only)
D. Townhouse (for continuum of care use only)
E. Civic Building
F. Multifamily Building (for continuum of care use only)

3.12.4 Frontage Types

The following frontage types are permitted:

A. Yard Frontage
B. Parking Frontage
C. Urban Landscape Frontage

3.12.5 Dimensional Standards

The following dimensional standards are required:

Lot Standards	Minimum
Lot Size	-
Lot Width	-
Front Lot Line	-
Number of Buildings	**Maximum**
Principal Building	-
Accessory Structure	-
Principal Building Setbacks	**Minimum**
Front Yard Abutting Local or Collector Street	25 feet
Front Yard Abutting Arterial Street	75 feet
Side Yard	10 feet
Rear Yard	25 feet
Encroachments	
Appurtenances may encroach into a front or rear yard setback up to 6 feet and into a side yard setback up to 5 feet from the lot line	
Steps may encroach into any required yard	
Accessory Structure Setbacks	
Location	At least 5 feet behind the principal building At least 5 feet from any lot line

Building Height	Maximum
Principal Building	3 stories
Accessory Structure	2 stories, but shall not exceed the height of the principal building
Landscape	**Minimum**
Landscape Surface Area	40%

3.12.6 Additional Standards

Chapter References	
Building Types	Chapter 6
Frontage Types	Chapter 7
Transitional Features	Chapter 8
Streetscape and Circulation	Chapter 9
Parking and Transit	Chapter 10
Open Space	Chapter 11
Landscape	Chapter 12
Fences, Walls, and Screening	Chapter 13
Lighting	Chapter 14
Signs	Chapter 15
Utilities	Chapter 16
Natural Resources	Chapter 17
Historic Resources	Chapter 18

3.13 NC—Neighborhood Commercial District

3.13.1 Purpose

The NC district is intended to provide for pedestrian-oriented, small-scale commercial nodes that serve surrounding residential neighborhoods.

3.13.2 Use Regulations

A. Principal uses shall comply with Section 5.1, Principal Uses.
B. Accessory uses and structures shall comply with Section 5.2, Accessory Uses and Structures.
C. Temporary uses and structures shall comply with Section 5.3, Temporary Uses and Structures.

3.13.3 Building Types

The following principal building types are permitted:

A. Commercial/Mixed-Use Building (for nonresidential uses only)
B. Civic Building

3.13.4 Frontage Types

The following frontage types are permitted:

A. Urban Landscape Frontage
B. Urban Frontage

3.13.5 Dimensional Standards

The following dimensional standards are required:

Lot Standards	Minimum
Lot Size	-
Lot Width	-
Front Lot Line	-
Number of Buildings	**Maximum**
Principal Building	-
Accessory Structure	-
Principal Building Setbacks	**Minimum**
Front Yard	10 feet to 40 feet
Side Yard	Minimum 5 feet
Rear Yard	Minimum 5 feet
Encroachments	
Appurtenances may encroach into a front or rear yard setback up to 6 feet	
Steps may encroach into any required yard	
Accessory Structure Setbacks	
Location	At least 5 feet behind the principal building At least 5 feet from any lot line

Building Height	Maximum
Principal Building	3 stories with minimum building stepback of 20 feet at the 3rd floor 2 1/2 stories for buildings with pitched roofs
Accessory Structure	2 stories, but shall not exceed the height of the principal building
Landscape	**Minimum**
Landscape Surface Area	15%

3.13.6 Additional Standards

Chapter References	
Building Types	Chapter 6
Frontage Types	Chapter 7
Transitional Features	Chapter 8
Streetscape and Circulation	Chapter 9
Parking and Transit	Chapter 10
Open Space	Chapter 11
Landscape	Chapter 12
Fences, Walls, and Screening	Chapter 13
Lighting	Chapter 14
Signs	Chapter 15
Utilities	Chapter 16
Natural Resources	Chapter 17
Historic Resources	Chapter 18

3.14 CC—Central Commercial District

3.14.1 Purpose

The CC district is intended to provide mixed-use centers or corridors with pedestrian-oriented development.

3.14.2 Use Regulations

A. Principal uses shall comply with Section 5.1, Principal Uses.
B. Accessory uses and structures shall comply with Section 5.2, Accessory Uses and Structures.
C. Temporary uses and structures shall comply with Section 5.3, Temporary Uses and Structures.

3.14.3 Building Types

The following principal building types are permitted:

A. House
B. Duplex
C. Multiplex
D. Townhouse
E. Commercial/Mixed-Use Building
F. Civic Building

3.14.4 Frontage Types

The following frontage types are permitted:

A. Yard Frontage
B. Urban Landscape Frontage
C. Urban Frontage

3.14.5 Dimensional Standards

The following dimensional standards are required:

Lot Standards	Minimum
Lot Size	-
Lot Width	-
Front Lot Line	-
Number of Buildings	**Maximum**
Principal Building	-
Accessory Structure	-

Principal Building Setbacks	Minimum
Front Yard	5 feet to 25 feet max Where there is an established front yard setback on a block face that is expected to remain, pursuant to Envision Franklin, new buildings on individual lots shall have the average setback of existing buildings on the same block face. No new building shall be located closer to the front lot line than the closest adjacent building.
Franklin Road Front Yard	20 feet
Side Yard	5 feet
Rear Yard	20 feet
Rear Yard Abutting Alley	See building type for attached garage setbacks
Encroachments	
Appurtenances may encroach into a front or rear yard setback up to 6 feet	
Steps may encroach into any required yard	
Accessory Structure Setbacks	
Location	At least 5 feet behind the principal building At least 5 feet from any lot line

Building Height	Maximum
Principal Building	3 stories with minimum building stepback of 20 feet at the 3rd floor for a commercial/mixed-use building 2 1/2 stories for residential building types
Columbia Ave	See CAO
Accessory Structure	2 stories, but shall not exceed the height of the principal building
Landscape	**Minimum**
Landscape Surface Area	15%

3.14.6 Additional Standards

Chapter References	
Building Types	Chapter 6
Frontage Types	Chapter 7
Transitional Features	Chapter 8
Streetscape and Circulation	Chapter 9
Parking and Transit	Chapter 10
Open Space	Chapter 11
Landscape	Chapter 12
Fences, Walls, and Screening	Chapter 13
Lighting	Chapter 14
Signs	Chapter 15
Utilities	Chapter 16
Natural Resources	Chapter 17
Historic Resources	Chapter 18

3.15 DD—Downtown District

3.15.1 Purpose

The DD district is intended to provide for a vibrant downtown core with a variety of pedestrian-scale commercial, civic, and residential uses. New development must adhere to traditional development patterns.

3.15.2 Use Regulations

A. Principal uses shall comply with Section 5.1, Principal Uses.
B. Accessory uses and structures shall comply with Section 5.2, Accessory Uses and Structures.
C. Temporary uses and structures shall comply with Section 5.3, Temporary Uses and Structures.

3.15.3 Building Types

The following principal building types are permitted:

A. House
B. Duplex
C. Multiplex
D. Townhouse
E. Commercial/Mixed-Use Building
F. Civic Building

3.15.4 Frontage Types

The following frontage types are permitted:

A. Yard Frontage
B. Urban Landscape Frontage
C. Urban Frontage

3.15.5 Dimensional Standards

The following dimensional standards are required:

Lot Standards	Minimum
Lot Size	-
Lot Width	-
Front Lot Line	-
Number of Buildings	**Maximum**
Principal Building	-
Accessory Structure	-
Principal Building Setbacks	**Minimum**
Front Yard	No closer than the smallest setback and no further than the largest setback of historic structures on the same block face If the block face does not have a historic structure, then the opposite block face shall set the range above
Side Yard	0 feet
Rear Yard	Minimum 5 feet
Encroachments	
Steps may encroach into any required yard	
Accessory Structure Setbacks	
Location	At least 5 feet behind the principal building At least 5 feet from any lot line

Building Height	Maximum
Principal Building	3 stories
Accessory Structure	2 stories, but shall not exceed the height of the principal building
Building Coverage	**Maximum**
Building coverage	85%
Landscape	**Minimum**
Landscape Surface Area	0%
Pedestrian Facilities	
Sidewalks	Minimum width of 12 feet, with at least 8 feet continuously unobstructed by street tree pits, light poles, or similar features

3.15.6 Additional Standards

Chapter References	
Building Types	Chapter 6
Frontage Types	Chapter 7
Transitional Features	Chapter 8
Streetscape and Circulation	Chapter 9
Parking and Transit	Chapter 10
Open Space	Chapter 11
Landscape	Chapter 12
Fences, Walls, and Screening	Chapter 13
Lighting	Chapter 14
Signs	Chapter 15
Utilities	Chapter 16
Natural Resources	Chapter 17
Historic Resources	Chapter 18

3.16 1ST—1st Avenue District

3.16.1 Purpose

The 1ST district is intended to:

A. Provide for nonresidential uses at the Franklin Road gateway into the historic downtown; and
B. Allow for redevelopment on land previously developed prior to Federal or local floodplain regulations on the edges of the floodway fringe.

3.16.2 Applicability

In cases of conflict between the standards of the 1ST and FFO or FWO districts, the regulations of 1ST district shall apply.

3.16.3 Use Regulations

A. Within the developable area delineated in Subsection 3.16.4, Development Limits:
   1. Principal uses shall comply with Section 5.1, Principal Uses.
   2. Accessory uses and structures shall comply with Section 5.2, Accessory Uses and Structures.
   3. Temporary uses and structures shall comply with Section 5.3, Temporary Uses and Structures.
B. Outside of the development limits, new uses/encroachments shall comply with the FFO or FWO, whichever is applicable.

3.16.4 Development Limits

A. The uses and developable area shall be no closer to the Harpeth River than the existing elevation contour of 630 feet above sea level prior to any modification of floodplain, or the riparian buffer as required by the Stormwater Management Ordinance, or the outer boundary of the FWO, whichever is most restrictive.
B. Floodplain alteration is prohibited outside of the development limits, other than for public or private infrastructure.

3.16.5 Building Types

Within the developable area delineated in Subsection 3.16.4, Development Limits, the following principal building types are permitted:

A. House—required fronting 1st Avenue S, south of silos
B. Duplex (outside of FWO and FFO)
C. Multiplex (outside of FWO and FFO)
D. Townhouse (outside of FWO and FFO)
E. Commercial/Mixed-Use Building (for nonresidential uses only)
F. Civic Building

3.16.6 Frontage Types

The following frontage types are permitted:

A. Yard Frontage
B. Urban Landscape Frontage
C. Urban Frontage

3.16.7 Dimensional Standards

Development shall comply with Section 17.6, Floodplain Protection, and the following dimensional standards:

Lot Standards	Minimum
Lot Size	-
Lot Width	-
Front Lot Line	-
Number of Buildings	**Maximum**
Principal Building	-
Accessory Structure	-
Principal Building Setbacks	**Minimum**
Front Yard	10 feet to 20 feet max
Bridge St	0 feet to 10 feet max
Side Yard	7 feet
Main Street Side Yard	0 feet to 10 feet max
Rear Yard	15 feet
Rear Yard Abutting Alley	See building type for attached garage setbacks
Encroachments	
Appurtenances may encroach into a front or rear yard setback up to 6 feet	
Steps may encroach into any required yard	
Accessory Structure Setbacks	
Location	At least 5 feet behind the principal building At least 5 feet from any lot line
Building Height	**Maximum**
Principal Building	3 stories
1st Avenue S, south of silos	2 Stories
Accessory Structure	1 1/2 stories and shall not exceed the height of the principal building
Landscape	**Minimum**
Landscape Surface Area	30%
Pedestrian Facilities	
Multi-Use Paths	Shall be provided along the Harpeth River with connections to E. Main St and 1st Ave. N and S.
Sidewalks	Minimum width of 12 feet, with at least 8 feet continuously unobstructed by street tree pits, light poles, or similar features

3.16.8 Additional Standards

Chapter References	
Building Types	Chapter 6
Frontage Types	Chapter 7
Transitional Features	Chapter 8
Streetscape and Circulation	Chapter 9
Parking and Transit	Chapter 10
Open Space	Chapter 11
Landscape	Chapter 12
Fences, Walls, and Screening	Chapter 13
Lighting	Chapter 14
Signs	Chapter 15
Utilities	Chapter 16
Natural Resources	Chapter 17
Historic Resources	Chapter 18

3.17 5TH—5th Avenue North District

3.17.1 Purpose

The 5TH district is intended to:

A. Provide for nonresidential uses along the 5th Avenue North corridor leading into the historic downtown; and
B. Allow for redevelopment of properties on the edges of the floodway fringe developed prior to Federal or local floodplain regulations.

3.17.2 Applicability

In cases of conflict between the standards of the 5TH and FFO districts, the regulations of the 5TH district shall apply.

3.17.3 Use Regulations

A. Principal uses shall comply with Section 5.1, Principal Uses.
B. Accessory uses and structures shall comply with Section 5.2, Accessory Uses and Structures.
C. Temporary uses and structures shall comply with Section 5.3, Temporary Uses and Structures.

3.17.4 Building Types

The following principal building types are permitted:

A. Commercial/Mixed-Use Building (for nonresidential uses only)
B. Civic Building

3.17.5 Frontage Types

The following frontage types are permitted:

A. Urban Landscape Frontage
B. Urban Frontage

3.17.6 Dimensional Standards

Development shall be in accordance with Section 17.6, Floodplain Protection, and the following dimensional standards:

Lot Standards	Minimum
Lot Size	-
Lot Width	-
Front Lot Line	-
Number of Buildings	**Maximum**
Principal Building	-
Accessory Structure	-
Principal Building Setbacks	**Minimum**
Front Yard	0 feet to 25 feet max
Side Yard	0 feet
Rear Yard	5 feet
Encroachments	
Steps may encroach into any required yard	
Accessory Structure Setbacks	
Location	At least 5 feet behind the principal building and at least 5 feet from any lot line
Building Height	**Maximum**
Principal Building	2 stories Along 5th Ave N, within +/- 300 feet of N Margin St and within +/-500 feet of Mt Hope St, the second story shall have a minimum building stepback of 20 feet
Accessory Structure	1 1/2 stories and shall not exceed the height of the principal building

Landscape	Minimum
Landscape Surface Area	0%
Pedestrian Facilities	
Sidewalks	Minimum width of 12 feet, with at least 8 feet continuously unobstructed by street tree pits, light poles, or similar features

3.17.7 Additional Standards

Chapter References	
Building Types	Chapter 6
Frontage Types	Chapter 7
Transitional Features	Chapter 8
Streetscape and Circulation	Chapter 9
Parking and Transit	Chapter 10
Open Space	Chapter 11
Landscape	Chapter 12
Fences, Walls, and Screening	Chapter 13
Lighting	Chapter 14
Signs	Chapter 15
Utilities	Chapter 16
Natural Resources	Chapter 17
Historic Resources	Chapter 18

3.18 RC6—Regional Commerce 6 District

3.18.1 Purpose

The RC6 district is intended to promote economic development through a diverse mix of high-intensity uses with a building height of up to six stories.

3.18.2 Use Regulations

A. Principal uses shall comply with Section 5.1, Principal Uses.
B. Accessory uses and structures shall comply with Section 5.2, Accessory Uses and Structures.
C. Temporary uses and structures shall comply with Section 5.3, Temporary Uses and Structures.

3.18.3 Building Types

The following principal building types are permitted:

A. Commercial/Mixed-Use Building
B. Large-Scale Retail Building
C. Civic Building
D. Multifamily Building

3.18.4 Frontage Types

The following frontage types are permitted:

A. Urban Landscape Frontage
B. Urban Frontage

3.18.5 Dimensional Standards

The following dimensional standards are required:

Lot Standards	Minimum
Lot Size	-
Lot Width	-
Front Lot Line	-
Number of Buildings	**Maximum**
Principal Building	-
Accessory Structure	-
Principal Building Setbacks	**Minimum**
Front Yard for Collector Streets, Local Streets, or Internal Drives	5 feet to 30 feet max
Front Yard for Arterial Streets	20 feet to 85 feet max
Side Yard	15 feet
Rear Yard	25 feet
Encroachments	
Appurtenances may encroach into a front or rear yard setback up to 6 feet and into a side yard up to 5 feet from the lot line	
Steps may encroach into any required yard	
Accessory Structure Setbacks	
Location	At least 5 feet behind the principal building At least 5 feet from any lot line

Building Height	Maximum
Principal Building	6 stories
Accessory Structure	3 stories, but shall not exceed the height of the principal building
Landscape	**Minimum**
Landscape Surface Area	15%

3.18.6 Additional Standards

Chapter References	
Building Types	Chapter 6
Frontage Types	Chapter 7
Transitional Features	Chapter 8
Streetscape and Circulation	Chapter 9
Parking and Transit	Chapter 10
Open Space	Chapter 11
Landscape	Chapter 12
Fences, Walls, and Screening	Chapter 13
Lighting	Chapter 14
Signs	Chapter 15
Utilities	Chapter 16
Natural Resources	Chapter 17
Historic Resources	Chapter 18

3.19 RC12—Regional Commerce 12 District

3.19.1 Purpose

The RC12 district is intended to promote economic development through a diverse mix of high-intensity uses with a building height of up to 12 stories.

3.19.2 Use Regulations

A. Principal uses shall comply with Section 5.1, Principal Uses.
B. Accessory uses and structures shall comply with Section 5.2, Accessory Uses and Structures.
C. Temporary uses and structures shall comply with Section 5.3, Temporary Uses and Structures.

3.19.3 Building Types

The following principal building types are permitted:

A. Commercial/Mixed-Use Building
B. Large-Scale Retail Building
C. Civic Building
D. Multifamily Building

3.19.4 Frontage Types

The following frontage types are permitted:

A. Urban Landscape Frontage
B. Urban Frontage

3.19.5 Dimensional Standards

The following dimensional standards are required:

Lot Standards	Minimum
Lot Size	-
Lot Width	-
Front Lot Line	-
Number of Buildings	**Maximum**
Principal Building	-
Accessory Structure	-
Principal Building Setbacks	**Minimum**
Front Yard for Collector Streets, Local Streets, or Internal Drives	5 feet to 30 feet max
Front Yard for Arterial Streets	20 feet to 85 feet max
Side Yard	15 feet
Rear Yard	25 feet
Encroachments	
Appurtenances may encroach into a front or rear yard setback up to 6 feet and into a side yard up to 5 feet from the lot line	
Steps may encroach into any required yard	
Accessory Structure Setbacks	
Location	At least 5 feet behind the principal building At least 5 feet from any lot line

Building Height	Maximum
Principal Building	12 stories
Accessory Structure	3 stories, but shall not exceed the height of the principal building
Landscape	**Minimum**
Landscape Surface Area	15%

3.19.6 Additional Standards

Chapter References	
Building Types	Chapter 6
Frontage Types	Chapter 7
Transitional Features	Chapter 8
Streetscape and Circulation	Chapter 9
Parking and Transit	Chapter 10
Open Space	Chapter 11
Landscape	Chapter 12
Fences, Walls, and Screening	Chapter 13
Lighting	Chapter 14
Signs	Chapter 15
Utilities	Chapter 16
Natural Resources	Chapter 17
Historic Resources	Chapter 18

3.20 GO—General Office District

3.20.1 Purpose

The GO district is intended to provide for general office uses typically on the borders of regional commerce areas that serve as a transition to residential neighborhoods.

3.20.2 Use Regulations

A. Principal uses shall comply with Section 5.1, Principal Uses. A maximum of ten percent of the gross floor area of a principal building in the GO district may be used for retail use.
B. Accessory uses and structures shall comply with Section 5.2, Accessory Uses and Structures.
C. Temporary uses and structures shall comply with Section 5.3, Temporary Uses and Structures.

3.20.3 Building Types

The following principal building types are permitted:

A. House (for continuum of care use only)
B. Duplex (for continuum of care use only)
C. Multiplex (for continuum of care use only)
D. Townhouse (for continuum of care use only)
E. Commercial/Mixed-Use Building (for nonresidential uses only)
F. Civic Building
G. Multifamily Building (for continuum of care use only)

3.20.4 Frontage Types

The following frontage types are permitted:

A. Yard Frontage
B. Urban Landscape Frontage

3.20.5 Dimensional Standards

The following dimensional standards are required:

Lot Standards	Minimum
Lot Size	-
Lot Width	-
Front Lot Line	-
Number of Buildings	**Maximum**
Principal Building	-
Accessory Structure	-
Principal Building Setbacks	**Minimum**
Front Yard	25 feet
Side Yard	25 feet
Rear Yard	40 feet
Encroachments	
Appurtenances may encroach into a front or rear yard setback up to 6 feet and into a side yard up to 5 feet from the lot line	
Steps may encroach into any required yard	
Accessory Structure Setbacks	
Location	At least 5 feet behind the principal building At least 5 feet from any lot line

Building Height	Maximum
Principal Building	3 stories
Accessory Structure	2 stories, but shall not exceed the height of the principal building
Landscape	**Minimum**
Landscape Surface Area	30%

3.20.6 Additional Standards

Chapter References	
Building Types	Chapter 6
Frontage Types	Chapter 7
Transitional Features	Chapter 8
Streetscape and Circulation	Chapter 9
Parking and Transit	Chapter 10
Open Space	Chapter 11
Landscape	Chapter 12
Fences, Walls, and Screening	Chapter 13
Lighting	Chapter 14
Signs	Chapter 15
Utilities	Chapter 16
Natural Resources	Chapter 17
Historic Resources	Chapter 18

3.21 LI—Light Industrial District

3.21.1 Purpose

The LI district is intended to provide locations for light industrial uses and a mix of office, institutional, and commercial uses that serve the City's diverse business needs.

3.21.2 Use Regulations

A. Principal uses shall comply with Section 5.1, Principal Uses.
B. Accessory uses and structures shall comply with Section 5.2, Accessory Uses and Structures.
C. Temporary uses and structures shall comply with Section 5.3, Temporary Uses and Structures.

3.21.3 Building Types

The following principal building types are permitted:

A. Commercial/Mixed-Use Building (for nonresidential uses only)
B. Civic Building
C. Flex Building

3.21.4 Frontage Types

The following frontage types are permitted:

A. Yard Frontage
B. Parking Frontage

3.21.5 Dimensional Standards

The following dimensional standards are required:

Lot Standards	Minimum
Lot Size	-
Lot Width	-
Front Lot Line	-
Number of Buildings	**Maximum**
Principal Building	-
Accessory Structure	-
Principal Building Setbacks	**Minimum**
Front Yard	30 feet
Side Yard	10 feet
Rear Yard	25 feet
Encroachments	
Appurtenances may encroach into a front or rear yard setback up to 6 feet and into a side yard up to 5 feet from the lot line	
Steps may encroach into any required yard	
Accessory Structure Setbacks	
Location	At least 5 feet behind the principal building At least 5 feet from any lot line

Building Height	Maximum
Principal Building	3 stories
Harpeth Industrial Court	2 stories
Accessory Structure	2 stories, but shall not exceed the height of the principal building
Landscape	**Minimum**
Landscape Surface Area	20%

3.21.6 Additional Standards

Chapter References	
Building Types	Chapter 6
Frontage Types	Chapter 7
Transitional Features	Chapter 8
Streetscape and Circulation	Chapter 9
Parking and Transit	Chapter 10
Open Space	Chapter 11
Landscape	Chapter 12
Fences, Walls, and Screening	Chapter 13
Lighting	Chapter 14
Signs	Chapter 15
Utilities	Chapter 16
Natural Resources	Chapter 17
Historic Resources	Chapter 18

3.22 HI—Heavy Industrial District

3.22.1 Purpose

The HI district is intended to provide for heavy industrial uses.

3.22.2 Use Regulations

A. Principal uses shall comply with Section 5.1, Principal Uses.
B. Accessory uses and structures shall comply with Section 5.2, Accessory Uses and Structures.
C. Temporary uses and structures shall comply with Section 5.3, Temporary Uses and Structures.

3.22.3 Building Types

The following principal building types are permitted:

A. Commercial/Mixed-Use Building (for nonresidential uses only)
B. Flex Building

3.22.4 Frontage Types

The following frontage types are permitted:

A. Yard Frontage
B. Parking Frontage

3.22.5 Dimensional Standards

The following dimensional standards are required:

Lot Standards	Minimum
Lot Size	-
Lot Width	-
Front Lot Line	-
Number of Buildings	**Maximum**
Principal Building	1 per lot
Accessory Structure	-
Principal Building Setbacks	**Minimum**
Front Yard	30 feet
Side Yard	15 feet
Rear Yard	25 feet
Encroachments	
Appurtenances may encroach into a front or rear yard setback up to 6 feet and into a side yard up to 5 feet from the lot line	
Steps may encroach into any required yard	
Accessory Structure Setbacks	
Location	At least 5 feet behind the principal building At least 5 feet from any lot line

Building Height	Maximum
Principal Building	3 stories
Accessory Structure	2 stories, but shall not exceed the height of the principal building
Landscape	**Minimum**
Landscape Surface Area	20%

3.22.6 Additional Standards

Chapter References	
Building Types	Chapter 6
Frontage Types	Chapter 7
Transitional Features	Chapter 8
Streetscape and Circulation	Chapter 9
Parking and Transit	Chapter 10
Open Space	Chapter 11
Landscape	Chapter 12
Fences, Walls, and Screening	Chapter 13
Lighting	Chapter 14
Signs	Chapter 15
Utilities	Chapter 16
Natural Resources	Chapter 17
Historic Resources	Chapter 18

CHAPTER 4

OVERLAY ZONING DISTRICTS

4.1 General Provisions 65

4.2 FWO—Floodway Overlay District 65

4.3 FFO—Floodway Fringe Overlay District 66

4.4 HHO—Hillside Hillcrest Overlay District 68

4.5 HPO—Historic Preservation Overlay District 70

4.6 NCO—Neighborhood Conservation Overlay District 72

4.7 CAO—Columbia Avenue Overlay District 73

4.8 CFO—Central Franklin Overlay District 77

4.9 SCO—Scenic Corridor Overlay District 78

4.1 General Provisions

4.1.1 Overlay Zoning Districts

Overlay districts shall be in addition to and shall overlay the zoning districts in Chapter 3, Zoning Districts. For the purposes of this Ordinance, the following overlay zoning districts are applied to certain properties as set forth on the zoning map:

FWO	Floodway Overlay District
FFO	Floodway Fringe Overlay District
HHO	Hillside/Hillcrest Overlay District
HPO	Historic Preservation Overlay District
NCO	Neighborhood Conservation Overlay District
CAO	Columbia Avenue Overlay District
CFO	Central Franklin Overlay District
SCO	Scenic Corridor Overlay District

4.1.2 Conflicting Provisions

Where the standards of the overlay district and the underlying zoning district differ, then the overlay standard shall apply, unless specifically referenced in another Chapter or Section by a provision to override an overlay district.

4.2 FWO—Floodway Overlay District

4.2.1 Purpose

The FWO district is intended to:

A. Preserve the portion of the floodplain that carries the flow of water during storm and flood events;
B. Prevent an increase in flood height that may result in the loss of life or property damage; and
C. Restrict development, improvements, uses, and encroachments that would impede or obstruct the water flow.

4.2.2 District Boundaries

The FWO boundaries shall coincide with the boundaries of floodways, as adopted in Section 17.6, Floodplain Protection.

4.2.3 Permitted Uses

The following uses are the only uses permitted in the FWO, subject to Section 17.6, Floodplain Protection, and the Stormwater Management Ordinance:

A. Passive parks and natural areas;
B. Active recreation features that are City-owned and operated, provided that all fencing, walls, and permanent structures are located outside of the ten-year flood zone;
C. Golf courses, excluding permanent structures;
D. Seasonal agricultural sales, subject to Section 5.3, Temporary Uses and Structures; and
E. Garage/yard sales, subject to Section 5.3, Temporary Uses and Structures.

4.2.4 Permitted Encroachments

The following encroachments are the only encroachments permitted in the FWO, subject to Section 17.6, Floodplain Protection, and the Stormwater Management Ordinance:

A. Public and private infrastructure; and
B. Event tents, subject to Section 5.3, Temporary Uses and Structures.

4.2.5 Exemptions

Historic structures within the HPO shall be used in accordance with the permitted uses in the underlying zoning district. Historic structures may be altered or subjected to major repair, subject to Section 17.6, Floodplain Protection, and Section 20.11, Certificate of Appropriateness.

4.2.6 Prohibited Development

Any portion of land within the FWO shall be placed in an open space lot and noted on the final plat as non-buildable.

4.3 FFO—Floodway Fringe Overlay District

4.3.1 Purpose

The FFO district is intended to:

A. Preserve the holding capacity of the floodway fringe;
B. Limit uses and encroachments that would impede or obstruct the holding capacity of the floodway fringe; and
C. Prevent an increase in flood height that may result in the loss of life or property damage.

4.3.2 District Boundaries

The FFO boundaries shall coincide with the boundaries of the 100-year floodplain, excluding floodways, as adopted in Section 17.6, Floodplain Protection.

4.3.3 Permitted Uses

The following uses are the only uses permitted in the FFO, subject to Section 17.6, Floodplain Protection, and the Stormwater Management Ordinance:

A. Passive parks and natural areas;
B. Active recreation facilities, provided that all fencing, walls, and permanent structures are located outside of the ten-year flood zone. Active recreation facilities are subject to development plan approval;
C. Golf courses, excluding permanent structures;
D. Parking areas, subject to Section 5.2, Accessory Uses and Structures;
E. Seasonal agricultural sales, subject to Section 5.3, Temporary Uses and Structures;
F. Garage/yard sales, subject to Section 5.3, Temporary Uses and Structures; and
G. Any use as permitted by the Municipal Code.

4.3.4 Permitted Encroachments

The following encroachments are the only encroachments permitted in the FFO, subject to Section 17.6, Floodplain Protection, and the Stormwater Management Ordinance:

A. Public and private infrastructure;
B. Walls and open fencing, subject to NFIP requirements;
C. Floodplain alteration;
D. Event tents, subject to Section 5.3, Temporary Uses and Structures; and
E. Parking structures, subject to the following:
   1. Parking structures constructed and elevated on support piers shall be constructed with a minimum of seven feet of clearance from the ground level to the bottom of the first level of the parking structure to allow for the maintenance and access of equipment below the elevated parking structure. The DRT may approve an alternative minimum clearance if the DRT finds that such alternative clearance meets the intent of the requirements of this Section and the Stormwater Management Ordinance. In making the determination, the DRT may consider any site-specific design constraints, floodplain standards, stormwater management requirements, and other natural or man-made elements which could impact a proposal's conformance to these standards.
   2. If parking is provided at ground level (at-grade), the minimum clearance must meet all applicable building codes.
   3. Basement or below ground level (grade) parking shall be prohibited.

4.3.5 Uses and Structures Established Prior to The Date of Adoption

There exist uses and structures within the FFO that were lawfully established before this Ordinance was adopted or amended, that now do not conform to its terms and requirements. These uses and structures may continue pursuant to Section 17.6, Floodplain Protection, and the following:

A. Industrial, commercial, or other business uses may continue pursuant to Chapter 2, Nonconformities; however, a legally-nonconforming use may be changed to another use in the same use classification permitted in the underlying zoning district, so long as the use is not a residential use, does not involve overnight stay, and does not have outdoor storage;
B. Residential uses may continue;
C. Historic structures within the HPO are exempt from Chapter 2, Nonconformities, and may be used in accordance with the permitted uses in the underlying zoning district. Historic structures may be expanded, altered, or subjected to major repair, subject to Section 20.11, Certificate of Appropriateness;
D. Non-historic residential structures and accessory structures may be expanded, altered, subjected to major repair, or re-constructed. New accessory structures may be constructed; and
E. Accessory structures shall:
   1. Be permitted only for the purposes of storage and vehicle parking;
   2. Be designed to have low flood damage potential;
   3. Be constructed and placed on the site to achieve the minimum resistance to the flow of floodwaters;
   4. Be firmly anchored to prevent flotation,

collapse, and lateral movement, which otherwise may result in damage to other structures; and

5. Have utilities and and service facilities, such as electrical and heating equipment, elevated or otherwise protected from intrusion of flood waters.

4.3.6 Prohibited Development

A. For residential uses, other than multifamily residential, any portion of land within the FFO shall be placed in an open space lot and shall be noted on the final plat as non-buildable.
B. Any portion of land within the FFO on a nonresidential, mixed-use, or multifamily development site shall:
   1. Be placed in an open space lot and noted on the final plat as non-buildable; or
   2. Be placed in an easement where the permitted uses and encroachments are limited to the uses and encroachments in Subsection 4.3.3, Permitted Uses, and Subsection 4.3.4, Permitted Encroachments.

4.4 HHO—Hillside Hillcrest Overlay District

4.4.1 Purpose

The HHO district is intended to protect the City's hillsides and hillcrests, including their natural and topographic character and identity, environmental sensitivities, aesthetic qualities, and viewshed.

4.4.2 District Boundaries

The HHO boundaries shall be determined by a combination of GIS data, including elevation contours of hillsides and hillcrests, steep slopes, and a viewshed analysis from major thoroughfares.

4.4.3 Permitted Uses

The following uses are the only uses permitted in the HHO:

A. Passive parks and natural areas; and
B. Telecommunication towers and antennas.

4.4.4 Permitted Encroachments

The following encroachments are the only encroachments permitted in the HHO:

A. Public infrastructure and associated retaining walls.

4.4.5 Prohibited Development

A. Any portion of land within the HHO shall:
   1. Be placed in an open space lot and noted on the final plat as non-buildable; or
   2. Be placed in a conservation easement within a lot where the buildable portion is outside of the HHO.
B. Tree removal shall be prohibited, unless written verification is provided from a certified arborist that a tree is dead or dying or there is the danger of a tree falling or damaging structures. The Department

of Building and Neighborhood Services may make an exception in extraordinary circumstances (e.g. weather-related emergencies, natural disasters) and may impose conditions as necessary to ensure compliance with Section 17.2, Tree Protection.

C. Grading shall be prohibited, except as it relates to:
   1. Development permitted pursuant to Subsection 4.4.6, Lots, Uses, and Structures Established Prior to the Effective Date of this Ordinance; and
   2. Public infrastructure as identified in Connect Franklin and any associated retaining walls.

D. Grading associated with Paragraph 4.4.5.C above shall be minimized by following existing contours.

4.4.6 Lots, Uses, and Structures Established Prior to The Effective Date of this Ordinance

There exist lots of record, uses of land, and structures within the HHO that were lawfully established before the effective date of this Ordinance that now do not conform to its terms and requirements. Such lots, uses, and structures shall comply with Chapter 2, Nonconformities, and the following:

A. Grading shall be minimized by following existing contours;

B. Development shall be prohibited on natural slopes of 20 percent or greater;

C. Tree removal shall be prohibited on natural slopes of 14 percent or greater;

D. The maximum slope permitted on a driveway shall be 14 percent and shall have landings at the top and bottom to prevent vehicles from scraping pavement. Driveways with lengths of longer than 100 feet may require a reduced slope, subject to approval by the Fire Department. Driveway approaches shall be in accordance with the Transportation and Street Technical Standards; and

E. Structures shall be designed so that roof and exterior wall colors are a non-reflective neutral tone designed to minimize the appearance of the structure as viewed from locations at lower elevations. If an applicant demonstrates that the structure will not be visible from arterial streets, I-65, or Mack Hatcher Parkway, then this standard shall not apply.

4.5 HPO—Historic Preservation Overlay District

4.5.1 Purpose

The HPO district is intended to:

A. Preserve and protect historic or architecturally worthy buildings, structures, sites, landmarks, monuments, streetscapes, landscapes, cemeteries, walls, squares, neighborhoods, and archaeological sites; and
B. Safeguard the character of the district as a whole and individual property therein that embody important elements of its social, economic, cultural, political or architectural history.

4.5.2 Conflicting Provisions

Where the Historic District Design Guidelines or certificate of appropriateness and any requirement of this Ordinance conflict, the Historic District Design Guidelines or certificate of appropriateness shall take precedence.

4.5.3 District Boundaries and Designation Criteria

The HPO shall be comprised of many individual historic districts of various sizes and geographic areas. The following criteria shall be used to determine HPO districts:

A. The quality of significance in American history, architecture, archaeology, and culture is present;
B. Sites, buildings, or structures possess integrity of location, design, setting, materials, workmanship, feeling, or association with events that have made a significant contribution to the broad patterns of history or with the lives of persons significant in the past;
C. Sites, buildings, or structures embody the distinctive characteristics of a type, period, or method of construction or that represent the work of a master, or that possess high artistic value, or that represent a significant and distinguishable entity whose components may lack individual distinction;
D. Sites, buildings, or structures have yielded, or may be likely to yield, archaeological information; or
E. Sites, buildings, or structures are listed in the National Register of Historic Places.

4.5.4 Certificate of Appropriateness

Construction, alteration, rehabilitation, relocation, or demolition in the HPO may be performed only when an application has been submitted and reviewed considering the Historic District Design Guidelines, and a certificate of appropriateness has been issued. For certain development applications, a preliminary recommendation by the HZC shall be required prior to issuance of a certificate of appropriateness. See Section 20.11, Certificate of Appropriateness.

4.5.5 Signs

Signs in the HPO may be installed only when the sign has received a certificate of appropriateness and sign permit.

4.5.6 Maintenance and Repair of Structures

A. Property owners shall perform routine maintenance and repairs to maintain the exterior of structures in the HPO in conformance with this Ordinance, the Municipal Code, the Historic District Design Guidelines, and all applicable building codes.
B. When a notice of violation has been issued for failure to maintain improvements in the

HPO, the property owner or their agent shall meet with the Building & Neighborhood Services Department and the Department of Planning & Sustainability to discuss a plan of action to address the maintenance issues identified on the property. Within 60 days following the issuance of a notice of violation, the property owner or their agent will propose a timeline for the completion of the repair and will come to a consensus with staff as to the prioritization of each item necessitating repair. Deviation from the timeline will result in citation to court, as provided in the Municipal Code.

4.5.7 Remedying of Dangerous Conditions

A. City enforcement agencies may determine, in consultation with, at a minimum, the Department of Planning and Sustainability, that the condition of a property is dangerous to life, health, or property.
B. Upon making such a determination, when an enforcement agency orders or directs the construction, removal, alteration, or demolition of an improvement, to remedy conditions determined to be dangerous to life, health, or property, then nothing contained in this Section shall be construed as making it unlawful for a person, without prior issuance of a certificate of appropriateness, to comply with the order or direction. Where practicable, the enforcement agency shall give the HZC notice of the proposed order or direction if it may affect the exterior appearance of a structure or site. The HZC shall have adequate opportunity to review and provide written comments upon the action proposed by an enforcement agency prior to the initiation of an action.

4.5.8 Right of Entry Upon Land

The HZC, its members and employees, in the performance of its work, may enter upon land within its jurisdiction, make examinations and surveys, and place or remove public notices as required by this Ordinance, but there shall be no right of entry into a building without the consent of the owner.

4.6 NCO—Neighborhood Conservation Overlay District

4.6.1 Purpose

The NCO district is intended to:

A. Protect the traditional character and distinctive features of established neighborhoods; and
B. Have tailored development standards for each NCO to regulate new buildings so they relate to and strengthen the core characteristics of the neighborhood while mitigating adverse impacts on adjacent properties.

4.6.2 District Boundaries and Designation Criteria

The NCO shall be comprised of individual overlay districts in different blocks or neighborhoods. Each NCO shall meet the following criteria:

A. The NCO contains a minimum of one block face;
B. At least 75 percent of the land area in the NCO is improved or developed;
C. One or more of the following distinctive features is present that creates a cohesive, identifiable setting, character, or association:
    1. Scale, size, type of construction, or distinctive building materials;
    2. Lot layouts, setbacks, street layouts, alleys, or sidewalks;
    3. Special natural or streetscape characteristics, such as creek beds, parks, gardens, or street landscaping;
    4. Land use patterns, including mixed or unique uses or activities; or
    5. Adjacent to or linking designated historic landmarks and/or districts; and
D. The designation is supported by a petition of at least 51 percent of the total number of parcels or lots within the NCO.

4.6.3 Development Standards

The NCO development standards adopted as part of the ordinance creating the NCO shall become the standards in the overlay district and may include:

A. Development standards that supersede or augment the standards in this Ordinance; and
B. Restriction or expansion of the use regulations of Chapter 5, Use Regulations.

4.6.4 Maintenance and Repair of Structures

Property owners shall perform regular maintenance and repairs to maintain the exterior of structures in the NCO in conformance with all applicable building codes and Municipal Code.

4.6.5 Building Permit

A building permit for construction, expansion, or alteration of a structure in the NCO may be issued only when the proposal complies with the development standards in the NCO.

4.7 CAO—Columbia Avenue Overlay District

4.7.1 Purpose

The CAO district is intended to:

A. Enhance the character and function of the Columbia Avenue gateway into Franklin;
B. Ensure the compatibility of new buildings with respect to the specific character of their immediate context; and
C. Enhance the quality of development surrounding historic and cultural resources.

4.7.2 Applicability

If the Historic District Design Guidelines and this Section conflict as they relate to any property within the CAO, the Historic District Design Guidelines shall take precedence.

4.7.3 District Boundaries

The CAO generally contains properties fronting along the Columbia Avenue/Pike corridor. The CAO is divided into five sub-overlay districts as shown on the zoning map.

4.7.4 CAO1—Urban Commercial Development Sub-District

Properties within the CAO1 shall comply with the requirements of this Subsection.

A. Sub-District Boundaries

The CAO1 includes properties along Columbia Avenue between Five Points and Fowlkes Street. This sub-district is characterized by:

1. A mix of one and two-story commercial buildings built over time;
2. Two historic residential buildings; and
3. Shallow front building setbacks with some variation.

B. Dimensional Standards

The following dimensional standards are required:

Building Setbacks	
Front Yard	5 feet minimum 10 feet maximum As measured from the back of the sidewalk
Front Yard for Civic Building	5 feet minimum 40 feet maximum As measured from the back of the sidewalk
Building Height	
Building Height	2 stories for buildings with frontage along Columbia Avenue or Fowlkes Street 3 stories for buildings that do not have frontage on the streets listed above

C. Building Type Standards

1. The following building types are the only permitted building types:
   a. Commercial/Mixed-Use Building
   b. House
2. For one-story buildings, the facade shall be differentiated so that it appears to be comprised of two or more adjacent buildings, by dividing into 35-50 foot segments.
3. For buildings of two or more stories, the facade shall be differentiated so that it appears to be comprised of two or more adjacent buildings, by dividing into 35-100 foot segments.
4. Each facade segment shall include a separate main entrance and differ from each of the other segments with respect to all of the following:
   a. A change in shape, sill and header height, detail, size, spacing, rhythm,

and muntin pattern of windows;

b. A change of building or cornice height;

c. A change in cornice details;

d. A change of wall material or wall color;

e. A change in trim courses and other horizontal elements;

f. A change in dormer or balcony design, if any; and

g. Providing or changing pilasters, columns, or other facade elements.

5. Brick or natural stone shall comprise a minimum of 75 percent of the primary materials of a facade. For accent purposes, natural stone and cement-based stucco shall be permitted.

D. Frontage Types

The following frontage type are the only permitted frontage types:

1. Urban landscape frontage
2. Urban frontage

E. Signs

Internally illuminated signs attached to the building shall be permitted only on front facades facing Columbia Avenue.

F. Parking

1. Certain uses in CAO1 may have reduced parking requirements, pursuant to Subsection 10.1.6, Minimum Parking.
2. Where surface parking serving a nonresidential use is adjacent to or across the street from a residential use, a six-foot brick or stone wall shall be installed to screen the parking area.

4.7.5 CAO2—Historic Residential Development Sub-District

Properties within the CAO2 shall comply with the requirements of this Subsection.

A. Sub-District Boundaries

The CAO2 includes properties located along Columbia Avenue between Fowlkes and Fairground Streets. This sub-district is characterized by:

1. Predominantly one- and two-story houses built prior to WWII, including the historic Carter House and the Lotz House; and
2. Scattered one-story commercial buildings and reclaimed battlefield open space.

B. Dimensional Standards

The following dimensional standards are required:

Building Setbacks (Minimum)	
Front Yard for East Side of Columbia Avenue	40 feet As measured from the right-of-way
Front Yard for West Side of Columbia Avenue	30 feet from the right-of-way, but no closer than the front setback of the closest existing principal building on the same block face
Building Height (Maximum)	
Building Height	2 stories, with a maximum height of 35 feet to the top of pitched roof
Facade Width (Maximum)	
Front Facade Width	45 Feet

C. Building Type Standards

The house is the only permitted building type. Each building shall meet the following additional standards:

1. Each front facade shall have a porch; and
2. The roof shall have overhanging eaves on all sides that extend a minimum of one foot beyond the building wall.

D. Frontage Type

The yard frontage is the only permitted frontage type.

E. Signage

Internally illuminated signs are not permitted.

F. Parking

Certain uses in the CAO2 may have reduced parking requirements, pursuant to Subsection 10.1.6, Minimum Parking.

4.7.6 CAO3—Commercial Transition Development Sub-District

Properties within the CAO3 shall comply with the requirements of this Subsection.

A. Sub-District Boundaries

The CAO3 includes properties located along Columbia Avenue generally from Fairgrounds Street to south of Downs Boulevard. These standards are intended to create a more pedestrian-oriented commercial node that is complementary to the adjacent residential neighborhoods.

B. Dimensional Standards

The following dimensional standards are required:

Building Setbacks	
Front Yard	15 feet minimum 40 feet maximum As measured from the right-of-way
Building Height	
Building Height	2 stories maximum

C. Building Type Standards

Primary materials on facades of residential buildings shall be brick, wood siding, or fiber cement siding. Natural stone, cultured stone, and fiber cement materials are permitted and encouraged as accent materials.

D. Parking

Certain uses in CAO3 may have reduced parking requirements, pursuant to Subsection 10.1.6, Minimum Parking.

4.7.7 CAO4—Suburban Commercial/ Industrial Development Sub-District

Properties within the CAO4 shall comply with the requirements of this Subsection.

A. Description

The CAO4 includes properties along Columbia Avenue from near Downs Boulevard/Carr Avenue to Mack Hatcher Parkway, as shown on the zoning map. This sub-district is characterized by:

1. One and two-story commercial buildings with large footprints; and
2. Deep front setbacks with parking in front of the buildings.

B. Stone Walls

Historic stone walls shall be preserved, unless removal of a segment is necessary for the extension of a street, internal drive, or driveway. In these cases, only the minimum width necessary shall be removed, pursuant to applicable requirements, and the remaining walls shall be stabilized. Excess removed stone wall segments shall be relocated on the site.

4.7.8 CAO5—Rural Gateway Development Sub-District

Properties within the CAO5 shall comply with the requirements of this Subsection.

A. Sub-District Boundaries

The CAO5 includes properties along Columbia Pike, south of Mack Hatcher Parkway, as shown on the zoning map. This sub-district is characterized by:

1. Rural character and scenic beauty;
2. Environmentally sensitive areas; and
3. Historical significance.

Columbia Pike serves as a southern gateway into the City and these characteristic above shall be retained.

B. Dimensional Standards

The following dimensional standards are required:

Building Setbacks (Minimum)	
Front Yard	250 feet
Building Height (Maximum)	
Building Height	2 1/2 stories

C. Frontage and Landscape Requirements

1. The yard frontage is the only permitted frontage type.
2. There shall be a 20-foot landscape treatment along the entire length of each frontage that consists of the following:
   a. At least two canopy trees per 100 linear feet. In overhead utility easements, understory trees may be substituted for canopy trees; and
   b. A historically-based fence or a dry-stacked stone wall consistent in design and stone type, as applicable, with historic antecedents in the County.

4.8 CFO—Central Franklin Overlay District

4.8.1 Purpose

The CFO district is intended to:

A. Recognize that the oldest parts of the City have unique qualities; and
B. Ensure context-responsive infill development in areas where the existing development is established and expected to remain, pursuant to Envision Franklin.

4.8.2 District Boundaries

The CFO shall encompass the area generally within Mack Hatcher Parkway to the north and east and within Downs Boulevard to the south and west.

4.8.3 Conflicting Provisions

A. In cases where the standards of this Section and other Chapters or Sections of this Ordinance conflict, the standard in this Section shall apply.
B. If the Historic District Design Guidelines and this Section conflict as they relate to any property within the CFO, the Historic District Design Guidelines shall take precedence.

4.8.4 Facade Standards

Development in the CFO that is located either adjacent to a designated national or local historic district, or located within 600 feet of a designated historic landmark building, shall be designed to be complementary with such historic district or building in terms of architectural style, building color, exterior materials, and detailing, such as the height of horizontal elements, alignment and proportion of windows and doors, roof pitch and form, and solid-to-void ratio.

4.8.5 Materials

Primary materials on a facade in the CFO shall be brick, natural stone, or other materials compatible with surrounding buildings expected to remain, pursuant to Envision Franklin.

4.8.6 Transitional Features

Development or redevelopment shall comply with Chapter 8, Transitional Features.

4.8.7 Parking

A. Certain uses in the CFO may have reduced parking requirements, pursuant to Subsection 10.1.6, Minimum Parking.
B. Lots along North Margin Street that are vacant as of the effective date of this Ordinance and are in the FFO may have parking areas as a principal use.
C. No historic structure shall be demolished for the purpose of providing a surface parking area.
D. Parking structures shall comply with Subsection 10.1.9, Parking Structures.

4.8.8 Stone Walls

Historic stone walls shall be preserved, unless removal of a segment is necessary for the extension of a street, internal drive, or driveway. In these cases, only the minimum width necessary shall be removed, pursuant to applicable requirements, and the remaining wall shall be stabilized. Excess removed stone wall segments shall be relocated on the site.

4.9 SCO—Scenic Corridor Overlay District

Properties within the SCO shall comply with the requirements of this Section.

4.9.1 Purpose

The SCO district is intended to:

A. Protect the City's natural beauty along scenic corridors by preserving viewsheds and gateways; and
B. Enhance the City's community identity through landscape and common design elements.

4.9.2 Applicability

In cases where the standards of this Section and other Chapters or Sections of this Ordinance conflict, the more restrictive standards shall apply.

4.9.3 Scenic Corridor Boundaries

The SCO shall encompass land fronting along the scenic corridors listed in Subsection 4.9.4, Scenic Corridor Setbacks.

4.9.4 Scenic Corridor Setbacks

The scenic corridors shall have a minimum front yard setback pursuant to the table below:

Scenic Corridor	Intersecting Street	Intersecting Street	Minimum Front Yard Setback
Carters Creek Pike	West of Southhall	-	80 feet
Del Rio Pike/Cotton Lane	North of Del Rio Pike	-	150 feet
Franklin Road	North of Hooper Lane	South of Country Road	150 feet, except in the R4 district, in which the R4 front yard setback shall apply
Goose Creek Bypass	West of Lewisburg Pike	East of Columbia Pike	250 feet
Lewisburg Pike	South of Goose Creek Bypass	-	80 feet
Mack Hatcher Parkway	North of Townsend Boulevard	North of Liberty Pike	150 feet
Murfreesboro Road	West of Mack Hatcher Parkway	East of the Harpeth River	150 feet, except in the R4 district, in which the R4 front yard setback shall apply
Murfreesboro Road	East of Oxford Glen Drive	-	150 feet
New Highway 96 West, North Side	West of Mack Hatcher Parkway	-	300 feet
New Highway 96 West, South Side	West of Boyd Mill Pike	-	300 feet
Old Charlotte Pike	North of New Highway 96 West	East of Del Rio Pike	150 feet

4.9.5 Conflicting Provisions

In cases where the standards of this Section and other Chapters or Sections of this Ordinance conflict, the standard in this Section shall apply.

4.9.6 Prohibited Encroachments

Buildings, parking areas, parking area drive aisles, and streets or internal drives that parallel the scenic corridor shall be prohibited within the front yard setback.

4.9.7 Landscape Requirements

Street trees are not required along the scenic corridor. Instead, there shall be a 20-foot landscape easement along the entire length of frontage along the scenic corridor with the following plantings:

A. A minimum of three canopy trees and three understory trees for every 100 linear feet. In overhead utility easements, understory trees may be substituted for canopy trees;
B. Trees placed informally or coordinated with fencing and planted pursuant to Section 12.9, Planting Standards.

4.9.8 Fences and Walls

A. Fencing and walls within the scenic corridor setback shall be limited to the following:

Type of Fence[1]	Height	Material
Three-board horse fence	3.5 feet maximum	Wood
Four-board horse fence	4.5 feet maximum	Wood
Stone wall	3 feet	Natural stone stacked in the dry-stack method

Notes:

1. Other types of fences or walls, such as picket, split rail, wrought iron, or brick walls, may be approved by the Department of Planning and Sustainability, if the applicant demonstrates that such a fence or wall is more appropriate based on fencing in surrounding developments, historical antecedents, or similar considerations.

B. Existing historic stone walls shall be preserved, unless removal of a segment is necessary for the extension of a street, internal drive, or driveway. In these cases, only the minimum width necessary shall be removed, pursuant to applicable requirements, and the remaining wall shall be stabilized. Excess removed stone wall segments shall be relocated on the site.

4.9.9 Grading

The natural, existing topography of a site shall be used in development and grading shall be minimized. Mass grading techniques are prohibited.

CHAPTER 5

USE REGULATIONS

5.1 Principal Uses 81

5.2 Accessory Uses and Structures 95

5.3 Temporary Uses and Structures 104

5.1 Principal Uses

5.1.1 General Provisions

A. Permitted principal uses by district are listed in the table in Subsection 5.1.3, Permitted Principal Uses by Zoning District. Specific uses are grouped into six use classifications: agricultural, residential, recreation, civic and institutional, commercial, and industrial. Certain zoning overlay districts may restrict or expand the permitted principal uses listed in the underlying zoning district.

B. Certain uses are subject to additional requirements, as described in Subsection 5.1.4, Principal Use Regulations.

C. In the case of a principal use not listed in the table, the Department of Building and Neighborhood Services, in consultation with the Department of Planning and Sustainability, may make a determination whether such use is substantially similar to a listed use. If no similar use determination can be made, the Department of Building and Neighborhood Services shall refer the use to the Department of Planning and Sustainability, who may initiate an amendment to this Ordinance to classify the use.

5.1.2 Principal Use Table Key

A. A solid black circle indicates a permitted principal use in the respective district. The use is also subject to all other applicable requirements of this Ordinance.

B. A half-black circle indicates additional requirements associated with the permitted principal use or uses in a district. The use is also subject to all other applicable requirements of this Ordinance.

C. A blank cell indicates the principal use is not permitted in the respective district.

5.1.3 Permitted Principal Uses by Zoning District

Principal Use	Zoning Districts																
● Permitted ◑ Permitted with Additional Use Regulations per Subsection 5.1.4	AG	ER R1	R2 R3 R6	R4	MR	PD[1]	OR	CI	NC	CC	DD	1ST	5TH	RC6 RC12	GO	LI	HI
AGRICULTURAL USES																	
Agricultural Uses	◑	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●
Community Gardens	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●
RESIDENTIAL USES																	
Duplexes					●	●				●	●	◑					
Multifamily Residential						●				◑	◑			◑			
Multiplexes					●	●				●	●	◑					
Single-Family Residential	●	●	●	●	●	●	●			●	●	◑					
Townhouses					●	●				●	●	◑					
RECREATION USES																	
Active Recreation						●		●								●	
Commercial Recreation						●			●	●	●	●	●	●	●	●	
Golf Courses						●											
Neighborhood Amenities		◑	◑	◑	◑	◑				●	●			●			
Passive Parks and Open Space	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●
CIVIC AND INSTITUTIONAL USES																	
Cemeteries						●		●									
Charitable, Fraternal, or Social Organizations						●	●	●	●	●	●	●	●	●	●		
Clinics						●		●	●	●				●	●	●	
Continuum of Care Facilities						◑		◑						◑	◑		

[1] Permitted principal uses in the PD district are determined by the BOMA during the development plan approval process.

Principal Use	Zoning Districts																
● Permitted ◑ Permitted with Additional Use Regulations per Subsection 5.1.4	AG	ER R1	R2 R3 R6	R4	MR	PD[1]	OR	CI	NC	CC	DD	1ST	5TH	RC6 RC12	GO	LI	HI
Correctional Facilities																	●
Essential Services	◑	◑	◑	◑	◑	◑	●	●	●	●	●	●	●	●	●	●	●
Group Homes						●	●	●									
Hospitals						●		●									
Places of Public Assembly						●		●		●	●	●	●	●	●	●	●
Rehabilitation Centers						●		●									
COMMERCIAL USES																	
Day Care Centers						●		●	●	●	●			●	●	●	
Event Venues						◑				◑	◑	◑	◑	◑		◑	
Funeral Homes						●		●								●	
Garden Centers						◑				◑				◑		◑	◑
Gas Stations						◑			◑					◑		◑	
Hotels						◑				◑	◑			◑			
Indoor Animal Services	◑					◑			◑	◑	◑			◑		◑	◑
Indoor/Outdoor Animal Services	◑					◑								◑		◑	◑
Offices						●	●		●	●	●	●	●	●	●	●	
Personal Services						●			●	●	●	●	●	●	●	●	
Restaurants						●			●	●	●	●	●	●		●	
Retail						●			●	●	●	●	●	●		●	
Short-Term Vacation Rentals	●	◑	◑	◑	◑	◑	●			●	●						
Showrooms						●								●		●	

[1] Permitted principal uses in the PD district are determined by the BOMA during the development plan approval process.

Principal Use	Zoning Districts																
● Permitted ◑ Permitted with Additional Use Regulations per Subsection 5.1.4	AG	ER R1	R2 R3 R6	R4	MR	PD[1]	OR	CI	NC	CC	DD	1ST	5TH	RC6 RC12	GO	LI	HI
Telecommunication Towers and Antennas	◑	◑	◑	◑	◑	◑	◑	◑	◑	◑	◑	◑	◑	◑	◑	◑	◑
Theaters						●				●	●			●			
Uses with Drive-In/Drive-Through Facilities						◑			◑	◑				◑		◑	
Vehicle Sales and Rental														◑		◑	◑
Vehicle Service Facilities						◑								◑		◑	◑
Vehicle Wash Facilities						◑								◑		◑	
Wholesale Sales																◑	◑
INDUSTRIAL USES																	
Adult-Oriented Establishments																	◑
Data Centers						◑								◑	◑	●	
General Warehousing																●	●
Heavy Industrial Uses																	●
Industrial Sales																●	●
Industrial Services																●	●
Light Industrial Uses																●	●
Machinery Assembly and Repair Facilities																◑	●
Self-Storage Facilities						◑								◑		◑	◑
Vehicle Repair Facilities						◑										◑	◑
Wrecker Service																	●

[1] Permitted principal uses in the PD district are determined by the BOMA during the development plan approval process.

5.1.4 Principal Use Regulations

A. Agricultural Uses

In the AG district, agricultural uses shall include the land, buildings, and machinery used in the commercial production of farm products and nursery stock, farming activities carried on in connection with the commercial production of farm products and nursery stock, recreational and educational activities on land used for the commercial production of farm products and nursery stock, and entertainment activities conducted in conjunction with, but secondary to, commercial production of farm products and nursery stock, when such activities occur on land used for the commercial production of farm products and nursery stock, as defined by T.C.A. § 1-3-105 and § 43-1-113.

B. Adult-Oriented Establishments

1. Adult-oriented establishments shall not be permitted on any lot within 500 feet of any lot containing the following:
   a. Any use in the civic and institutional use classification or property zoned CI;
   b. Any dwelling or residential lot;
   c. Any use in the recreation use classification;
   d. A day care center;
   e. A funeral home;
   f. A packaged liquor store; or
   g. Another adult-oriented establishment.
2. An adult-oriented establishment lawfully operating as a conforming use shall not be rendered a nonconforming use by the location, subsequent to the commencement of operations of said establishment, of a use listed in Clause 5.1.4.B.1.
3. No adult-oriented establishment may be enlarged so as to violate the provisions of this Ordinance.

C. Continuum of Care Facilities

Continuum of care facilities may have one or any combination of assisted living, nursing home, or skilled nursing for the elderly or for other individuals incapacitated in some manner for medical reasons, as determined and licensed and/or certified by the Tennessee Department of Health, Board of Licensing Health Care Facilities. In addition to the above, up to 30 percent of the total building footprint may be used for age-restricted independent living as part of the overall continuum of care.

D. Data Centers

The building footprint for a data center shall not be located within 500 feet of an arterial street; however, a data center may be closer than 500 feet if it is not visible from the arterial street.

E. Duplexes

In the 1ST district, duplexes are permitted only outside of the FWO and FFO.

F. Essential Services

Public buildings that are 12,000 square feet or less may be located in any zoning district. Larger buildings or uses shall be limited to the PD, CI, NC, CC, DD, 1ST, 5TH, RC6, RC12, GO, LI, and HI districts.

G. Event Venues

1. Event venues shall not create a substantial or undue adverse impact upon adjacent property, the character of the area, or the public health, safety, and welfare.
2. Event venues shall be constructed, arranged, and operated so as not to

dominate the immediate vicinity or to interfere with the use and development of neighboring property pursuant to the applicable district regulations.

3. Event venues shall not cause undue traffic congestion or draw significant amounts of traffic through residential streets.
4. All necessary steps shall be taken to minimize any adverse effects of the event venue and development on the immediate vicinity through building design, site design, landscaping, and screening.
5. When establishing this use in a PD district, conditions of approval may be imposed to minimize adverse impacts with the surrounding residential areas. Conditions may include:
   a. Limitations and restrictions on the use of the property;
   b. Restrictions on construction activity that will occur on and around the property;
   c. Conditions concerning the character and design of the proposed use and development;
   d. The location of the use within the property;
   e. The provision of landscaping and screening with specificity as to design, quantity, quality, size, and location;
   f. Restrictions on the hours of operation of the use;
   g. Requirements for sound proofing or other noise mitigation;
   h. A requirement that the property be developed and used in strict accordance with the development plan; and
   i. A requirement for periodic review with a public hearing before the BOMA.

H. Garden Centers

1. Outdoor storage and outdoor sales are not permitted in required setbacks, fire lanes, drive aisles, required parking areas, or areas intended for pedestrian circulation.
2. Any outdoor storage other than live vegetation shall be located behind the building or screened from public view and adjacent properties with an opaque fence or wall with a height of at least six feet. Landscaping may be used if a six-foot tall solid evergreen screen is provided at the time of planting.
3. Garden centers are not subject to Paragraph 5.2.7.J, Outdoor Sales Area, or Paragraph 5.2.7.K, Outdoor Storage.

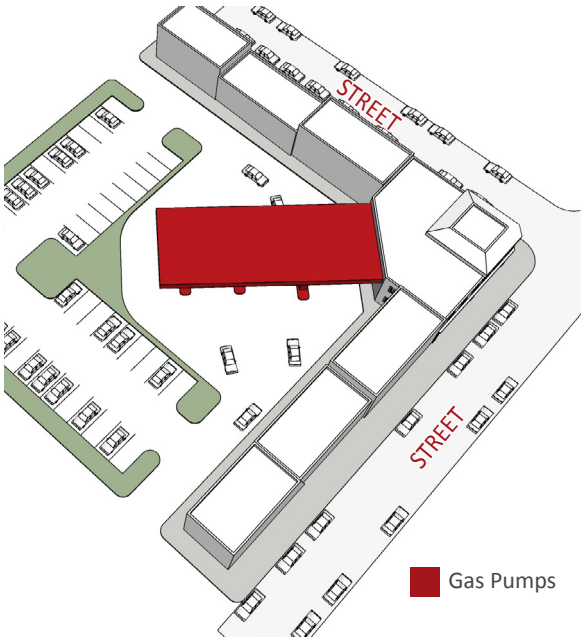
I. Gas Stations

1. Gas stations shall not be located on a lot at a street intersection composed of two or more arterial streets.
2. Gas stations on lots at intersections, where permitted, shall be designed so that any fueling pumps and associated canopies are located away from the intersection and to the side or rear of the building.
3. Gas stations shall not be located adjacent to a residential lot, unless approved by the BOMA as part of a development plan.
4. Gas stations shall have pitched roofs for buildings and canopies.
5. Canopies shall have a maximum clearance height of 15 feet from the finished grade to the underside of the canopy.
6. Canopies shall use the same exterior materials and architectural style as

the principal building. Each column or pier shall have a base of brick, natural stone, or cultured stone.

7. Canopy lighting shall comply with Subsection 14.3.5, Canopy and Awning Lights.
8. A gas station canopy is permitted one sign that does not exceed 15 percent of the canopy face that does not project above or below the canopy or roofline.

Figure 5.1.4.H Gas Station Canopy



J. Hotels

1. Hotels in the RC6 and RC12 districts shall contain a minimum of 100 guest rooms.
2. Hotels in the CFO or CAO shall contain a maximum of 120 guest rooms.
3. Each guestroom shall be accessed from an interior corridor, not an exterior entrance.
4. Hotels shall provide high quality services such as concierge availability, meeting rooms, conference facilities, full service restaurants, sitting rooms, patios, and other amenities.
5. Hotels shall have a lobby that is staffed 24 hours a day, seven days a week; and
6. Hotels shall offer complimentary maid service.

K. Indoor Animal Services

1. The building footprint for indoor animal services shall not be located within 200 feet of a property line of a residential lot, but may be reduced to 100 feet if the building is soundproofed.
2. This use shall adhere to the provisions in Title 10, Animal Control, as well as Title 11, Chapter 4, Offenses Against the Peace and Quiet, of the Municipal Code.

L. Indoor/Outdoor Animal Services

1. The outdoor portion of any indoor/outdoor animal services for:
   a. Companion animals shall not take place within 500 feet of a property line of a residential lot; and
   b. Pasture animals shall not take place within 100 feet of a property line of a residential lot.
2. The building footprint for any indoor portion of animal services shall not be located within 200 feet of a property line of a residential lot, but may be reduced to 100 feet if the building is soundproofed.
3. Outdoor runs, kennels, and storage areas shall not be visible from streets or adjacent properties.

M. Machinery Assembly and Repair Facilities

In the LI district, all assembly and repair activities shall take place within an enclosed structure.

N. Multifamily Residential

1. In the CC and DD districts, where buildings containing multifamily residential are along a street frontage, they must have ground-floor commercial uses along the street frontage.
2. In the RC6 and RC12 districts, multifamily residential is permitted only if:
   a. It does not occupy more than 40 percent of the overall building square footage of the proposed development;
   b. It is integrated horizontally and/or vertically with the nonresidential uses in the proposed walkable development; and
   c. Stand-alone multifamily residential cannot be separated from the nonresidential uses by an arterial or collector street.

O. Multiplexes

In the 1ST district, multiplexes are permitted only outside of the FWO and FFO.

P. Neighborhood Amenities

Neighborhood amenities that have commercial activities, such as restaurants, banquet halls, food sales, pro shops, or retail sales, shall be allowed in residential districts only as part of an approved development plan.

Q. Self-Storage Facilities

1. The building footprint for a self-storage facility shall not be located within 500 feet of an arterial street; however, a self-storage facility may be closer than 500 feet if it is not visible from the arterial street.
2. Outdoor storage associated with this use shall comply with Subsection 13.3.6, Outdoor Storage Areas.

R. Short-Term Vacation Rentals

In addition to the applicable requirements of the Municipal Code, the following shall apply:

1. A maximum of one short-term vacation rental is permitted on a lot;
2. The owner of the lot is a permanent occupant of the premises, as defined under 'family' in Chapter 23, Definitions and Interpretations;
3. On a lot that has both a dwelling and an accessory dwelling, the owner of the lot may live in one and rent out the other as a short-term vacation rental; and
4. On a lot that has a dwelling without an accessory dwelling, the owner shall rent out the entire dwelling and vacate the premises for the duration of the rental, but only on an occasional basis that complies with Clause 5.1.4.R.2.

S. Single-Family Residential

In the 1ST district, single-family residential is permitted only outside of the FWO and FFO.

T. Telecommunication Towers and Antennas

1. Applicability

   HAM radio antenna shall be exempt from these requirements.
2. General Requirements
   a. Towers and antennas may be either principal or accessory uses.
   b. Towers shall not be artificially lighted, unless required by the Federal Aviation Administration (FAA) or other applicable authority. If lighting is required, then the lighting alternatives and design

chosen shall cause the least disturbance to surrounding views.

c. Towers and antennas shall comply with current regulations of the FAA, the Federal Communications Commission (FCC), and any other federal or state government agency with the authority to regulate towers and antennas. If those regulations are changed, then the owners of the towers and antennas shall bring them into compliance within the time mandated by the controlling federal or state agency. Failure to bring towers and antennas into compliance with such revised regulations shall constitute grounds for removal of the tower or antenna at the owner's expense.

d. Owners or operators of towers and antennas shall:

   i. Certify that all franchises required by law for constructing or operating a wireless communication system in the City have been obtained; and

   ii. File a copy of all required franchises with the City.

e. Signs on towers or antennas shall be prohibited, except for those required by regulatory agencies.

f. Buildings, equipment cabinets, or structures associated with towers shall comply with all applicable building codes.

3. Separation Distances Between Towers and Off-Site Lots

   The minimum separation between a new tower or an existing tower to be modified or rebuilt to a taller height and an off- site lot shall comply with the table below:

Off-Site Lot [1 2]	Separation Distance
Lot for a House, Modular Home, or Mobile Home	200 feet or 300% of tower height, whichever is greater
Lot for a Duplex, Multiplex, Townhouse, Multifamily, or Mixed-Use	200 feet or 200% of tower height, whichever is greater
Lot in a Nonresidential Zoning District	Minimum setbacks per the applicable zoning district

Notes:
1. Tower separation shall be measured from the base of the tower to the lot line of the off-site lot.
2. Measurements shall be measured from the outer perimeter of the towers included in an AM array (excluding guy anchors).

4. Separation Distances Between Existing and Proposed Towers

   The minimum separation between a new tower or an existing tower to be modified or rebuilt to a taller height and an existing tower shall comply with the table below:

Type	Lattice or Guyed	Monopole 60 Feet in Height or Less	Monopole Greater than 60 Feet in Height
Lattice or Guyed	5,000 feet	5,000 feet	1,500 feet
Monopole 60 Feet in Height or Less	750 feet	250 feet	750 feet
Monopole Greater than 60 Feet in Height	1,500 feet	750 feet	1,500 feet

Notes:
1. Required separation distances are measured from the base of the existing tower to the base of the proposed tower.
2. Measurements shall be measured from the outer perimeter of the towers included in an AM array (excluding guy anchors).
3. Additional towers and antennas may be constructed on a lot with existing towers and antennas and its associated structures.

5. Fall Radius Requirements

   Towers shall be located so that there is sufficient radius of land around the tower so that its collapse will be contained on the property where located. A professional engineer licensed under the guidelines of the State of Tennessee shall certify technical documentation concerning the tower fall radius.

6. Aesthetic Requirements
   a. Towers shall have either a galvanized steel finish or be painted a neutral color to reduce visual obtrusiveness, subject to any applicable FAA standards.
   b. The design of the buildings, related structures, and equipment cabinets shall use colors, landscaping, materials, screening, and textures that will blend them into the natural setting and surrounding buildings.
   c. If an antenna is installed on a structure other than a tower, then the antenna and supporting electrical and mechanical equipment shall be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible.
7. Landscape and Fencing
   a. In addition to landscape otherwise required, tower facilities shall be landscaped with plant materials that effectively screen the view of the tower compound and ground-based equipment from off-site view.
   b. Existing mature tree growth and natural landforms on the site shall be preserved to the maximum extent practicable. In some cases, such as towers sited on large, wooded lots, natural growth around the property perimeter may be accepted as effective screening.
   c. Towers and related appurtenances, such as guy wire anchors, shall be

enclosed by security fencing at least six feet in height that shall be equipped with appropriate anti-climbing devices.

8. Application Submittal
   a. Telecommunication construction plans shall be submitted in accordance with the requirements established by the Department of Building and Neighborhood Services.
   b. An applicant shall provide an inventory of its existing towers, antennas, or sites approved for towers or antennas that are within the City, and towers outside of the City which serve areas within the City, as well as within the coverage area of the proposed tower or antenna, whether within the City or outside its jurisdiction, including specific information about the design, height, and location of each tower.
9. Administrative Final Action

   The Department of Building and Neighborhood Services may administratively approve the following:
   a. Telecommunication towers with a height of 60 feet or less, including small cellular potential support structures, that are located on a lot. Small cellular facilities in the right-of-way are subject to the Municipal Code;
   b. Antennas on existing structures as an accessory use to a nonresidential, mixed-use, or multifamily residential structure of eight or more dwelling units, provided that the antenna:
      i. Extends no more than 30 feet above the highest point of the structure;
      ii. Complies with applicable FAA and FCC regulations; and
      iii. Complies with all applicable building codes. Documentation shall be provided justifying why the antenna cannot be a concealed device; and
      iv. Antennas on existing towers for collocation purposes. To minimize adverse visual impacts associated with the proliferation and clustering of towers, collocation of antennas by more than one carrier on existing towers shall take precedence over the construction of new towers, provided such collocation is accomplished in a manner consistent with the following:
         1) A tower that is modified or reconstructed to accommodate the collocation of additional antennas shall be of the same tower type as the existing tower, unless the Department of Building and Neighborhood Services permits reconstruction as a monopole, or otherwise determines that a different tower type would enhance collocation possibilities;
         2) An existing tower may be modified or rebuilt to a taller height, not to exceed 30 feet over the tower's original height, to accommodate the collocation of additional antennae. The tower's pre-modification height shall be used to calculate distance

separation requirements; and

3) A tower that is being rebuilt to accommodate the collocation of an additional antenna may be moved within 50 feet of its existing location, or elsewhere on the site, as determined by the Department of Building and Neighborhood Services. After the tower is rebuilt to accommodate collocation, only one tower may remain on the site. The relocation of a tower shall in no way be deemed to cause a violation of this Subsection.

10. Administrative Appeal

    If an administrative final action is for disapproval, then the applicant may file an appeal to the FMPC.

11. FMPC Final Action

    Except for telecommunications towers approved administratively in accordance with Clause 5.1.4.T.9, Administrative Final Action, all other towers or antennas must obtain approval by the FMPC, pursuant to Section 20.12, Site Plan.

12. Approval Criteria

    The applicable review body shall consider the following criteria in approving applications for towers and antennas and may impose conditions necessary to minimize adverse effects of proposed towers or antennas on adjoining properties:

    a. The applicable standards of the zoning district;
    b. The standards in this Subsection and other applicable standards in this Ordinance;
    c. Tower or antenna height;
    d. Surrounding topography;
    e. Surrounding tree coverage and foliage;
    f. Proposed ingress and egress; and
    g. Availability of suitable existing towers, other structures, or alternative technologies that do not require a tower or structure. No new tower shall be permitted unless the applicant submits evidence that meets one of the following criteria that no existing tower, structure, or alternative technology can accommodate the applicant's proposed antenna:

        i. No existing towers or structures are located within the geographic area that meets the applicant's engineering conditions consistent with these requirements;

        ii. Existing towers or structures are of insufficient height to meet the applicant's engineering requirements, or they have insufficient structural strength to support the applicant's proposed antenna and related equipment;

        iii. The applicant's proposed antenna would cause electromagnetic interference with the antenna on the existing towers or structures, or the antenna on the existing towers or structures would cause interference with the applicant's proposed antenna;

        iv. The fees, costs, or contractual provisions required by the owner in order to share an existing tower or structure, or to adapt

an existing tower or structure for sharing exceed the cost of new tower development;

v. The applicant demonstrates that there are other limiting factors that render existing towers and structures unsuitable; or

vi. The applicant demonstrates that an alternative technology that does not require the use of towers or structures is unsuitable. Costs of alternative technology that exceed new tower or antenna development shall not be presumed to render the technology un-suitable.

13. Maintenance

To ensure the structural integrity of towers and antennas, owners shall ensure that they are maintained in compliance with standards contained in applicable building codes and the applicable standards published by the Electronic Industries Association.

If, upon inspection, the tower or antenna fails to comply with such codes and standards and constitutes a danger to persons or property, then, upon notice being given, the owner shall have 30 days to bring such tower or antenna into compliance. Failure to do so shall constitute grounds for the removal of the tower or antenna at the owner's expense.

14. Removal of Abandoned Towers and Antennas

Any tower or antenna that is not operated for a continuous period of 12 months or more shall be considered to have been abandoned, and the owner shall remove the same within 90 days of receipt of notice of abandonment from the Department of Building and Neighborhood Services. Failure to remove an abandoned tower or antenna within said 90 days shall be grounds to remove the tower or antenna at the owner's expense.

If there are two or more users of a single tower, then this provision shall not become effective until all users abandon the tower. A performance agreement shall be established with appropriate financial security to defray the costs of removal.

15. Nonconforming Towers

a. Nonconforming towers and antennas approved prior to the effective date of this Ordinance shall be permitted to continue their usage as they presently exist. Routine maintenance shall be permitted. All other construction or improvements must comply with this Ordinance.

b. Notwithstanding Clause 5.1.4.T.14, Removal of Abandoned Towers and Antennas, nonconforming towers or antennas that are damaged or destroyed may be rebuilt without having to meet separation requirements. Building permits to rebuild the facility shall be obtained within 180 days from the date the facility is damaged or destroyed. If no permit is obtained or if the permit expires, then the tower or antenna shall be deemed abandoned.

U. Townhouses

In the 1ST district, townhouses are permitted only outside of the FWO and FFO.

V. Uses with Drive-In/Drive Through Facilities

See Paragraph 5.2.7.G, Drive-In/Drive-Through Facilities.

W. Vehicle Sales and Rental

1. Vehicle sales and rental shall not be located on a street intersection composed of two or more arterial streets.
2. Vehicle sales and rental is not permitted on any lot within 200 feet of a dwelling or residential lot.

X. Vehicle Service, Repair, or Wash Facilities

1. Vehicle service, repair, or wash facilities shall take place within an enclosed structure when located:
   a. Within 500 feet of a dwelling; or
   b. Within 500 feet of an arterial street or higher classification as shown in Connect Franklin.
2. Any other vehicle service areas or washing bays shall be placed to the rear of the building and screened from off-site.

5.2 Accessory Uses and Structures

5.2.1 General Provisions

A. Accessory uses and structures are permitted in conjunction with a permitted principal use.
B. Accessory uses and structures are permitted by district as listed in the table in Subsection 5.2.6, Permitted Accessory Uses and Structures by Zoning District.
C. Accessory uses and structures are subject to additional requirements, as described in Subsection 5.2.7, Accessory Use and Structure Regulations.
D. Accessory uses and structures shall be subject to approval by the Department of Building and Neighborhood Services, unless a site plan is required pursuant to Section 20.12, Site Plan.

5.2.2 Accessory Uses

Accessory uses shall be:

A. Clearly incidental and subordinate to a permitted principal use in terms of area and function;
B. Customarily found in connection with the principal use;
C. Located on the same lot as the principal use; and
D. Owned or operated by the same person as the principal use.

5.2.3 Accessory Structures

Accessory structures shall:

A. Comply with the maximum number, setback, and height requirements in the applicable zoning district, except those structures subject to Paragraph 5.1.4.T, Telecommunication Towers and Antenna;
B. Not be located within platted or recorded easements or over underground utilities;
C. Be subordinate in area and size to the principal building (except for agricultural structures);
D. Meet all other applicable standards of this Ordinance when taken together with the principal building or use; and
E. Not be constructed prior to the time the principal building is constructed (except for community gardens and agricultural uses).

5.2.4 Minor Accessory Structures

Minor accessory structures, such as storage or potting sheds, workshops, or greenhouses shall:

A. Comply with Subsection 5.2.2, Accessory Uses, and Subsection 5.2.3, Accessory Structures;
B. Not exceed a building footprint of 120 square feet; and
C. Not be subject to the building type standards associated with the principal building.

5.2.5 Accessory Uses and Structures Table Key

A. A solid black circle indicates a permitted accessory use or structure in the respective district. The use and structure are also subject to all other applicable requirements of this Ordinance.
B. A half-black circle indicates additional requirements associated with the permitted accessory use or uses within a district. The use and structure are also subject to all other applicable requirements of this Ordinance.
C. A blank cell indicates the accessory use is not permitted in the respective district.

5.2.6 Permitted Accessory Uses and Structures by Zoning District

ACCESSORY USE OR STRUCTURE	ZONING DISTRICTS																
● Permitted ◑ Permitted with Additional Use Regulations per Subsection 5.2.7	AG	ER R1	R2	R3	R4	R6	MR	PD	OR	CI	NC	CC	DD	1ST 5TH	RC6 RC12	GO	LI HI
Accessory Dwellings	◑	◑			◑	◑	◑	◑	◑								
Agricultural Uses	◑	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●
Bed and Breakfasts	◑	◑	◑	◑	◑	◑	◑	◑	◑			◑	◑				
Canopies	◑							◑	◑	◑	◑	◑	◑	◑	◑	◑	◑
Carports	◑	◑	◑	◑	◑	◑	◑	◑	◑			◑	◑		◑		
Detached Garages	◑	◑	◑	◑	◑	◑	◑	◑	◑			◑	◑		◑		
Drive-In/Drive-Through Facilities								◑			◑	◑			◑		◑
Home Occupations	◑	◑	◑	◑	◑	◑	◑	◑	◑			◑	◑		◑		
Mailbox Delivery Facilities	◑	◑	◑	◑	◑	◑	◑	◑	◑			◑	◑		◑		
Outdoor Sales								◑			◑	◑	◑	◑	◑	◑	◑
Outdoor Storage	◑																◑
Parking Areas Serving a Principal Use	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●
Recreational Facilities/Non-Illuminated Athletic Fields	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●
Refuse Areas	◑						◑	◑	◑	◑	◑	◑	◑	◑	◑	◑	◑
Retail Sales of Goods (as part of a freight or warehouse use)																	
Satellite Dish Antennas	◑	◑	◑	◑	◑	◑	◑	◑	◑	◑	◑	◑	◑	◑	◑	◑	◑
Security/Caretaker Quarters	◑										◑	◑	◑		◑	◑	◑
Sheds	◑	◑	◑	◑	◑	◑	◑	◑	◑	◑	◑	◑	◑	◑	◑	◑	◑

5.2.6 Permitted Accessory Uses and Structures by Zoning District (Continued)

ACCESSORY USE OR STRUCTURE	ZONING DISTRICTS																
● Permitted ◑ Permitted with Additional Use Regulations per Subsection 5.2.7	AG	ER R1	R2	R3	R4	R6	MR	PD	OR	CI	NC	CC	DD	1ST 5TH	RC6 RC12	GO	LI HI
Short-Term Vacation Rentals	●	◑			◑	◑	◑	◑	●			●	●				
Stand-Alone Drive-Through Uses or Automated Teller Machines or Kiosks								◑		◑	◑	◑	◑	◑	◑	◑	◑
Storage/Parking of Major Recreational Equipment	◑	◑	◑												◑		◑
Storage/Parking of Commercial Vehicles or Trailers	◑	◑	◑	◑	◑	◑	◑	◑	◑	◑	◑	◑	◑	◑	◑	◑	◑
Swimming Pools	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●		
Telecommunication Towers and Antenna	◑	◑	◑	◑	◑	◑	◑	◑	◑	◑	◑	◑	◑	◑	◑	◑	◑

5.2.7 Accessory Use and Structure Regulations

In addition to the standards in Subsection 5.2.2, Accessory Uses, and Subsection 5.2.3, Accessory Structures, the following regulations shall apply to each specific accessory use or structure. Where there is a conflict between the Subsections and the specific accessory use or structure, the standards for the specific accessory use or structure shall apply.

A. Accessory Dwelling

1. A maximum of one accessory dwelling is permitted on a lot.
2. On a single-family residential lot, the owner of the lot is a permanent occupant of the premises, as defined under 'family' in Chapter 23, Definitions and Interpretations.
3. The building footprint shall not exceed 50 percent of the building footprint of the principal building.
4. Accessory dwellings shall comply with the principal building type standards for materials, material changes, colors, and roof elements.
5. Accessory dwellings are not required to have exposed foundation cladding.
6. Any dormers shall be set back a minimum of one foot from the exterior wall.
7. Exterior stairs, decks, entry doors, and major windows shall face the principal building, the alley, the street, or the interior of the lot, and away from adjacent properties where possible.
8. Accessory dwellings may be converted from an existing accessory structure, as long as the conversion does not increase any dimensional nonconformity.
9. Parking shall be provided pursuant to Subsection 10.1.6, Minimum Parking.
10. Accessory dwellings shall be subject to all applicable building codes.

B. Agricultural Uses

See Paragraph 5.1.4.A, Agricultural Uses.

C. Bed and Breakfasts

1. Prior to establishment, the applicant for a bed and breakfast shall:
   a. Hold a neighborhood meeting pursuant to Subsection 20.8.7, Neighborhood Meeting, prior to obtaining FMPC site plan approval; and
   b. Obtain a City-issued business license.
2. The operator shall permanently reside on the premises.
3. A maximum of four sleeping rooms may be available for transient occupancy by up to eight guests, and in no event shall a sleeping room be occupied by a guest for more than seven consecutive days.
4. Cooking facilities shall not be permitted within individual sleeping rooms, and food may be served only to overnight guests.
5. Dining or gathering areas shall not be leased for social events.
6. Occupancies shall comply with International Fire Code and the National Fire Protection Association Life Safety Code, which may result in additional requirements.

D. Canopies

Canopies, except those associated with gas stations, shall comply with the following:

1. Canopies shall be attached to a principal building and shall not be freestanding or attached to an accessory structure, unless it is located to the rear of the principal building.

2. Canopies shall have a maximum clearance height of 15 feet from the finished grade to the underside of the canopy.
3. Canopies shall use the same exterior materials and architectural style as the principal building. Each column or post shall have a base of brick, natural stone, or cultured stone.
4. Canopy lighting shall comply with Subsection 14.3.5, Canopy and Awning Lights.

E. Carports

1. Carports, whether attached or detached, shall comply with the principal building type standards for materials, material changes, and colors.
2. Carports, whether attached or detached, shall comply with the accessory structure setback in the applicable zoning district.
3. The parking area dimensions shall be at least 10 feet by 20 feet of clear space per vehicle parking space.
4. The footprint shall not exceed 50 percent of the building footprint of the principal building.

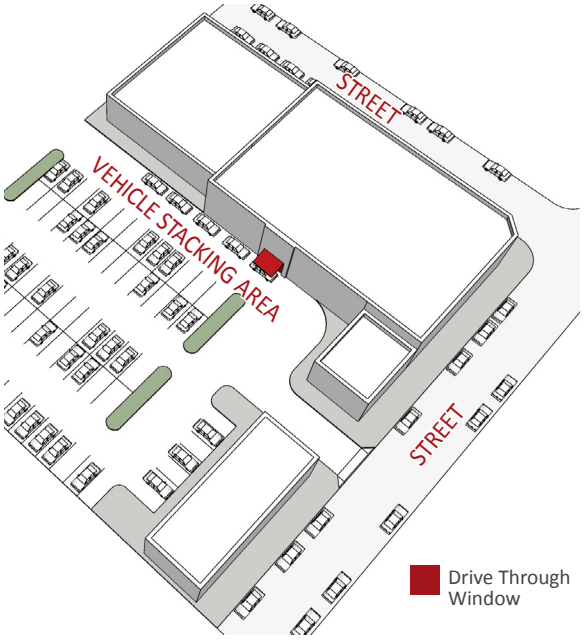
F. Detached Garages

1. Detached garages shall comply with the principal building type standards for garage interior dimensions, materials, material changes, and colors.
2. Detached garages shall comply with the accessory structure setbacks in the applicable zoning district; however, if the lot abuts an alley, the detached garage shall instead comply with the alley-loading garage standards of the building type.
3. The building footprint shall not exceed 50 percent of the building footprint of the principal building.

G. Drive-In/Drive-Through Facilities

Drive-in or drive-through facilities shall be located behind the building; however, service windows may be located on a side facade only when the side facade faces away from any street.

Figure 5.2.7.F Drive-through window



H. Home Occupations

1. The following home occupations are permitted:
   a. Accountant;
   b. Architect;
   c. Artist;
   d. Attorney;
   e. Author;
   f. Catering;
   g. Contractor (office only);
   h. Consulting services, such as designer, draftsman, graphic artist, Information Technology consultant, management or financial

consultant, real estate agent, or like profession;

i. Counseling services that do not provide instruction or counseling services to more than two pupils or clients at a time; however, this shall not preclude a family counseling session, provided that all other provisions of Paragraph 5.2.7.H are followed;

j. Data entry;

k. Office for direct sales provided that customer contact is via phone/ internet or off-site;

l. Engineer;

m. Insurance agent;

n. Manufacturer's representative;

o. Office for mobile service provider;

p. Planner;

q. Small-scale child care that does not provide care for more than four children not related to the resident who is operating the business and meets the standards for a Family Child Care Home, as regulated by the State of Tennessee Department of Human Services;

r. Songwriter;

s. Tutor; and

t. Traveling salesperson.

2. Personal services and retail sales from on-site inventory are prohibited as a home occupation.

3. Home occupations shall:

a. Be located entirely within the principal building and not exceed 25 percent of the total floor area of the principal building;

b. Be owned and operated by the person residing in the principal building;

c. Employ no more than one person who does not reside on the premises;

d. Not create traffic or parking congestion, noise, vibration, odor, glare, fumes, or electrical or communications interference that can be detected by the normal senses off the premises;

e. Cause no change in the exterior appearance of the existing dwelling or other structures on the premises;

f. Not include more than one vehicle not customarily found in a residential district parked on the premises overnight; and

g. Not include signs or other means of advertising on the property.

I. Mailbox Delivery Facilities

1. This type of accessory structure may be on a stand-alone lot or part of a larger development.

2. Centralized mail delivery facilities shall be provided for all subdivisions with seven or more lots. Each delivery location shall be installed in an open space lot or on an individual lot to be owned by the developer or management company. Centralized mail delivery facilities shall be maintained by the homeowner's association or property management association.

3. Each centralized mail location shall be built to USPS specifications with a concrete or asphalt pad and covered roof over and extending three feet on all sides of the cluster box unit. Adequate lighting shall be provided at each unit at an average illuminated intensity of 0.5 foot-candle. The aesthetic and

protective nature of the centralized mail delivery facility shall be considered an integral element of the overall site design and shall be reviewed as part of the development application review procedures.

4. Two dedicated parking spaces shall be provided with easy access to each centralized mail unit. The number of required parking spaces shall increase at a rate of one required space per 50 dwelling units served.

J. Outdoor Sales Area

Outdoor sales areas associated with commercial uses shall:

a. Be located immediately adjacent to the front building facade;
b. Be limited to no more than one-half of the length of the front building facade. In the case of a shopping center, the outdoor sales area shall be limited to a maximum of one-half of the storefront associated with the display area;
c. Be prohibited in fire lanes, drive aisles, parking spaces, or areas intended for pedestrian circulation;
d. Maintain a minimum pedestrian walkway of at least five feet in width along the front of the display; and
e. Take place only on an improved surface such as the sidewalk or pavement.

K. Outdoor Storage

1. Any storage shall be located inside of a building or fully enclosed by a shed or similar structure, unless the items stored are:
   a. Vehicle sales or rental;
   b. Farm equipment in the AG district;
   c. Live vegetation that is for retail sale, provided the location and extent of the area used for such storage is indicated on a site plan; and
   d. Equipment or materials related to Local, State, or Federal government facilities provided such storage is fully screened pursuant to Section 13.3, Screening.
2. Outdoor storage of storage trucks, trailers, covered containers, or similar containers, whether on wheels or stationary, are prohibited, unless it is temporary storage or temporary holiday storage in a portable shipping container in accordance with Section 5.3, Temporary Uses and Structures.
3. Storage tanks of flammable liquid or gas in excess of 1,000 gallons shall be stored underground.
4. Outdoor storage shall comply with Subsection 13.3.6, Outdoor Storage Areas.

L. Refuse Areas

See Subsection 13.3.4, Refuse Areas.

M. Retail Sales as Part of General Warehouse Use

Retail sale of goods as part of permitted freight or warehouse uses shall:

1. Be conducted entirely within the same building as the principal warehouse or freight use;
2. Have hours of operation limited to between 8:00 a.m. and 9:00 p.m., or to the operating hours of the principal use, whichever is more restrictive;
3. Include no additional signage for the retail sales operation;
4. Include only sales items manufactured in the principal building or from part of the principal warehouse's stock; and
5. Be limited to either ten percent

of the total gross floor area of the principal building or 5,000 square feet, whichever is less.

N. Satellite Dish Antennas

Satellite dish antennas measuring one meter (39 inches) or larger in diameter shall:

1. Comply with the setback requirements in the applicable zoning district, unless otherwise permitted by applicable FCC regulations;
2. Be erected in a secure, wind-resistant manner;
3. Be screened so that no more than 40 percent of the area of the satellite dish antenna is visible from public right-of-way. The screen may consist of fencing, buildings, plantings, or any other opaque vegetation or structure permanently affixed to the structure; and
4. Be prohibited in locations where an antenna would be visible from the public right-of-way on lots in the HPO, unless otherwise permitted by applicable FCC regulations.

O. Security/Caretaker Quarters

A dwelling unit for security or caretaker quarters shall:

1. Be limited to one such dwelling unit per permitted principal use;
2. Be inside the principal building (detached dwelling units or mobile homes are prohibited);
3. Not exceed 1,500 square feet of gross floor area;
4. Provide at least one parking space for each bedroom, in addition to the required parking for the principal use; and
5. Be occupied only by the owner, operator, caretaker, or an employee of the principal building, plus that person's immediate family.

P. Sheds

1. Sheds with a building footprint larger than 120 square feet shall comply with the principal building type standards for materials, material changes, roof elements, and colors.
2. The building footprint shall not exceed 50 percent of the building footprint of the principal building.

Q. Short Term Vacation Rental

See Paragraph 5.1.4.R, Short Term Vacation Rentals.

R. Stand-Alone Drive-Through Uses or Automatic Teller Machines or Kiosks

Stand-alone drive-through uses or automatic teller machines or kiosks shall:

1. Be a permanent structure with a fixed foundation;
2. Be limited in size to 30 percent of the gross floor area of the principal building or 600 square feet, whichever is less;
3. Use the same exterior materials, colors, and architectural style as the principal building;
4. Have adequate vehicle stacking spaces;
5. Be oriented so that vehicle stacking does not queue within public right-of-way or interfere with other on-site vehicular circulation;
6. Not be located in private streets, internal drives, landscaping areas, required yards, or setbacks; and
7. Not use freestanding signs.

S. Storage/Parking of Commercial Vehicles or Trailers

Storage/parking of commercial vehicles or trailers shall comply with the Municipal

Code.

T. Storage/Parking of Major Recreational Equipment

1. Storage or parking of major recreational equipment in the RC6 and RC12 districts shall be limited to approved self storage facilities.
2. Major recreational equipment shall comply with Subsection 13.3.6, Outdoor Storage Areas.

U. Telecommunication Towers and Antenna

See Paragraph 5.1.4.T, Telecommunication Towers and Antenna.

5.3 Temporary Uses and Structures

5.3.1 General Provisions

A. Temporary uses and structures allow for the short-term activities, many of which would not be allowed on a permanent basis.
B. Permitted temporary uses and structures are listed in the table in Subsection 5.3.4, Permitted Temporary Uses and Structures by Zoning District.
C. Temporary uses and structures are subject to additional requirements, as described in Subsection 5.3.5, Temporary Use and Structure Regulations.
D. Unless expressly stated otherwise, temporary uses and structures shall be subject to approval by the Department of Building and Neighborhood Services.

5.3.2 Temporary Uses and Structures

Temporary uses and structures shall:

A. Not have substantial adverse effects or noise impacts on nearby residential neighborhoods;
B. Contain sufficient land area to handle the temporary use or structure without disturbing environmentally sensitive lands; and
C. Accommodate the parking and traffic movement associated with the temporary use.

5.3.3 Temporary Uses and Structures Table Key

A half-black circle indicates additional requirements associated with the permitted accessory use or uses within a district. The use and structure are also subject to all other applicable requirements of this Ordinance.

5.3.4 Permitted Temporary Uses and Structures by Zoning District

◑ Temporary Use or Structure Permitted with Additional Use Regulations per Subsection 5.3.5	All Zoning Districts
Construction Dumpster	◑
Construction Trailer	◑
Event Tent	◑
Garage/Yard Sale	◑
Mobile Food Vendor	◑
Residential Development Sales Office/Model Home Seasonal Agricultural Sales	◑
Temporary Field Office	◑
Temporary Housing	◑
Temporary Holiday Storage in a Shipping Container	◑
Temporary Storage in a Shipping Container	◑
Temporary Place of Business	◑
Temporary Structures for Institutional Uses	◑

5.3.5 Temporary Use and Structure Regulations

In addition to the standards in Subsection 5.3.2, Temporary Uses and Structures, the following regulations shall apply to each temporary use or structure.

A. Construction Dumpster

Temporary construction dumpsters or other trash receptacles are used to hold waste from construction projects may be permitted:

1. Within a public right-of-way or other City-owned property, subject to the Municipal Code; or
2. On a lot or construction site, where the dumpster or trash receptacle shall:
   a. Be located to the side or the rear of the site, to the maximum extent practicable;
   b. Be located as far as possible from lots containing existing development;
   c. Not be located within a floodplain or otherwise obstruct drainage flow;
   d. Not be placed within 15 feet of a fire hydrant or within a required landscape area;
   e. Be located outside of tree protection fencing and the dripline of existing trees; and
   f. Be allowed to remain on the site until issuance of a certificate of occupancy.

B. Construction Trailer

Construction trailers are mobile structures used to accommodate temporary offices, dining facilities, and storage of building materials during construction projects, and may be permitted, provided that the trailer shall:

1. Be located on the same site or in the same development as the related construction;
2. Not be located within a required open space set-aside or landscape area;
3. Be associated with development for which a valid building permit has been or will be issued; and
4. Be allowed to remain on the site until the issuance of a certificate of occupancy.

C. Event Tent

1. Event or party tents and membrane structures larger than 400 square feet shall:
   a. Be subject to issuance of a permit from the Fire Department;
   b. Be limited to a maximum of 30 days per occurrence and a maximum of three occurrences per year;
   c. Not exceed more than two tents on a single lot that is less than 12 acres in size (the Department of Building and Neighborhood Services may approve more than two tents as a part of a special event on a single lot of 20 or more acres in size);
   d. Maintain a minimum clearance of 20 feet from all other structures and tents;
   e. Not be placed within required landscape areas;
   f. Not obstruct emergency vehicle access to adjacent lots or disrupt pedestrian circulation;
   g. Be removed within two days of the event; and
   h. Be required to have the area or site restored to its original condition within two days of the tent removal.

2. Tents for event venues are exempt from Clause 5.3.5.C.1.b and c above.

D. Garage/Yard Sale

Garage/yard sales are intended to allow for the occasional sale of miscellaneous household goods in the garage or yard of a dwelling.

1. Garage/yard sales shall:
   a. Be subject to issuance of a garage sale permit by the Department of Revenue Management prior to the sale;
   b. Have the permit posted in a location that is visible from the public right-of-way during the sale;
   c. Not take place on lots beyond the property specified in the permit;
   d. Be limited to a maximum of four per dwelling per year. Members of more than one dwelling may join in obtaining a permit for a sale to be conducted at the dwelling of one of the persons indicated on the permit;
   e. Not exceed a maximum duration of two consecutive days per sale or more than eight total days per calendar year;
   f. Be limited to the hours of 7:00 a.m. to 9:00 p.m.; and
   g. Not negatively affect surrounding properties in terms of noise, boisterous conduct, trash, parking, or impede the flow of traffic on nearby streets.
2. Following the conclusion of the sale, unsold items or other sale-related materials shall be removed from public view and trash must be placed in receptacles in accordance with solid waste regulations.
3. The applicant to whom a permit is issued and the owner or tenant of the premises on which a sale is conducted shall be jointly and severally responsible for the sale and the premises.
4. A police officer or other City official responsible for enforcing this or other City ordinances shall have the right of entry onto the premises showing evidence of a sale for enforcement or inspection and may close the premises from the sale.
5. The Police Department may enforce temporary controls to alleviate special hazards or congestion created by a sale.
6. Failure to observe these standards can result in revocation of the permit and the inability to obtain a subsequent permit for a period of up to two years.
7. If a sale is not held on the dates for which the permit is issued or is terminated during the first day of the sale because of inclement weather conditions and a statement by the permit holder to this effect is submitted, then another permit may be issued to the applicant for a sale to be conducted at the same location within 30 days from the date when the first sale was to be held, with no additional permit fee.

E. Mobile Food Vendors

See the Municipal Code.

F. Residential Development Sales Office/ Model Home

Temporary real estate sales offices/model homes are for the initial sale or lease of properties or buildings within a developing residential development and shall:

1. Not exceed one sales office or model home per builder or developer in a section or phase of a new development;
2. Be operated by a developer or builder active in the same section or phase where the sales office or model home is located;
3. Be located on an approved lot intended to be occupied by a dwelling unit;
4. Comply with the applicable zoning district standards or the development plan, if applicable;
5. Be aesthetically compatible with the character of surrounding development in terms of exterior color, predominant exterior building materials, and landscape;
6. Be either constructed and intended for ultimate residential use as part of the residential development or a temporary modular office unit. If a temporary modular office unit is constructed, the following additional standards shall be met:
   a. The modular office unit must be placed on a proper foundation, as recommended by the manufacturer.
   b. Skirting shall be installed around all sides of the modular office unit; and
   c. Evergreen shrubs shall be planted around the base of the structure, each located five feet on-center, when visible from other developed lots or public right-of-way; and
7. Be removed or, if a model home, converted into a permanent dwelling once the occupancy in the section or phase of the development reaches 85 percent.

G. Seasonal Agricultural Sales

Seasonal agricultural sales shall:

1. Be contained in an area that will support the proposed temporary sale of products without encroaching into or creating a negative impact on existing vegetated areas, open space, landscaping, traffic movements, or parking space availability;
2. Not occur within the public right-of-way or within 200 feet of a dwelling;
3. Maintain a minimum pedestrian walkway of at least five feet in width along the front of the display;
4. Be limited to products obtained primarily through farming or agricultural activities, including:
   a. Pumpkins;
   b. Grains and seed crops;
   c. Fruits and vegetables;
   d. Nursery, floral, ornamental, and greenhouse products;
   e. Trees and forest products, including Christmas trees, firewood, and pine straw;
   f. Bees and beekeeping products;
   g. Seafood; and
   h. Dairy products.
5. Not include processed or prepared food products;
6. Not involve the display or short-term storage of products on-site for a period of two days or longer;
7. Not involve sales which are accomplished solely from a vehicle;
8. Be limited to the hours of 7:00 a.m.

to 9:00 p.m., or the same hours of operation as a principal use on the same lot, whichever is more restrictive; and

9. Be allowed on an individual lot a maximum of 120 days per calendar year.

H. Temporary Field Office

Temporary field offices are intended for businesses that wish to substantially redevelop their properties while operating on-site during the construction period. Temporary field offices shall:

1. Be limited to office and administrative uses and not involve the interior stocking or interior display of merchandise for immediate sale;
2. Be shown on any applicable site plan. The applicant shall provide the characteristics of the use, location of the temporary structure, temporary signage, parking, sanitation, landscaping, safety, etc. and shall include a definitive timeframe and construction schedule for the permanent building, along with proof of necessity for the temporary field office;
3. Be subject to a performance agreement prior to issuance of a building permit for the removal of the temporary field office if the structure exceeds the permitted timeframe;
4. Be associated with a building permit for the principal building and shall coincide with the construction of the principal building for a period not to exceed 60 days preceding the start of construction of the principal building and 30 days beyond the issuance of a certificate of occupancy for the principal building or it shall expire with the building permit expiration for the principal building, whichever is sooner, but in no case shall the period exceed two years, unless approved by the BOMA; and
5. Be an approved manufactured structure or a structure designed by a State of Tennessee Licensed Professional Engineer or Architect and shall comply with the City's adopted building and fire codes.

I. Temporary Housing

This use is intended to provide temporary housing on a site where a previous dwelling was destroyed or rendered uninhabitable. Temporary housing shall:

1. Be in the form of a mobile or modular home;
2. Be located in accordance with the minimum setbacks and required yards to the maximum extent practicable;
3. Not include permanent alterations to the site;
4. Remain in place for a maximum of six months, but the duration may be extended for an additional three-month period with approval by the Department of Building and Neighborhood Services; and
5. Be removed within 30 days of the certificate of occupancy for the principal building.

J. Temporary Holiday Storage in a Shipping Container

Temporary holiday storage in a shipping container shall:

1. Serve an existing principal use;
2. Be located in the rear or side yard;
3. Maintain a minimum ten-foot setback from any lot line or structure;
4. Not impede ingress, egress, or

emergency access; and

5. Be placed on the site only between November 1 and January 31.

K. Temporary Storage in a Shipping Container

Temporary storage in a shipping container shall:

1. Serve a principal use;
2. Be located in the rear or side yard;
3. Maintain a minimum ten-foot setback from any lot line or structure;
4. Not impede ingress, egress, or emergency access; and
5. Not exceed a maximum duration of 30 days over a five-year period or be present only during a construction period.

L. Temporary Place of Business

This use is intended to provide a temporary place of business on a site where the previous place of business was destroyed or deemed unsafe for human occupancy by natural disaster or hazard. A temporary place of business shall:

1. Be an approved manufactured structure or a structure designed by a State of Tennessee Licensed Professional Engineer or Architect;
2. Meet the minimum setbacks and required yards;
3. Remain in place for six months or less, but may be extended for an additional three-month period as approved by the Department of Building and Neighborhood Services; and
4. Be removed within 30 days of the certificate of occupancy for the principal building.

M. Temporary Structures for Institutional Uses

Temporary structures, such as modular classrooms or portable buildings, serving institutional uses shall:

1. Be located to the side or rear of the principal building and at least five feet from any other structure;
2. Be permitted within the building envelope but not within required parking, open space set-aside, or required landscape areas;
3. Have skirting or other methods that prevent unauthorized access underneath the structures;
4. Have evergreen shrubs planted around the base of the structure, each located five feet on-center, when visible from other developed lots or public right-of-way;
5. Comply with parking requirements according to Subsection 10.1.6, Minimum Parking;
6. Remain on the site a maximum of three years, but may be renewed for up to two additional one-year periods, as approved by the Department of Building and Neighborhood Services. The applicant shall submit a request at least 30 days prior to the expiration date. In no event, however, shall such extensions allow the temporary structure to remain on the site for more than five years;
7. Be required to have the area restored to its original condition following the removal of the temporary structure, including required trees and shrubs, unless the area is intended to accommodate new construction; and
8. Comply with Chapter 21, Performance Agreements, as applicable, to ensure the site is restored to its original condition.

CHAPTER 6

BUILDING TYPES

6.1 General Provisions 111
6.2 Overview of Building Types by Zoning District 112
6.3 House 114
6.4 Duplex 118
6.5 Multiplex 122
6.6 Townhouse 124
6.7 Multifamily 128
6.8 Commercial/Mixed-Use Building 132
6.9 Large-Scale Retail Building 138
6.10 Civic Building 142
6.11 Flex Building 144

6.1 General Provisions

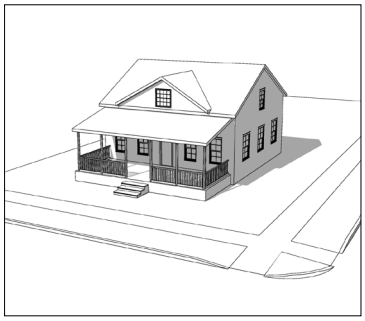
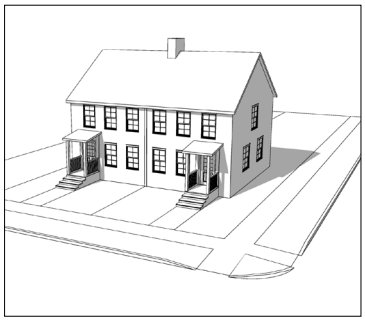
6.1.1 Applicability

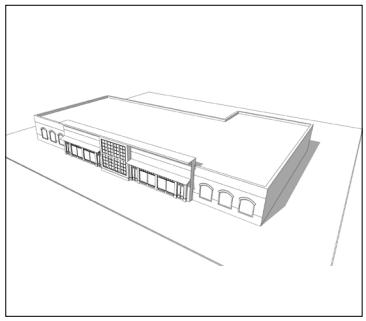
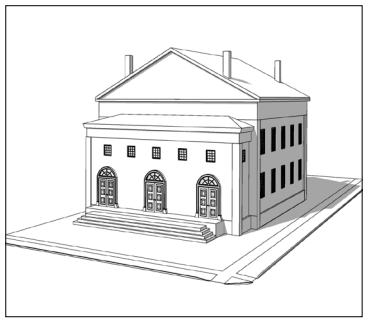
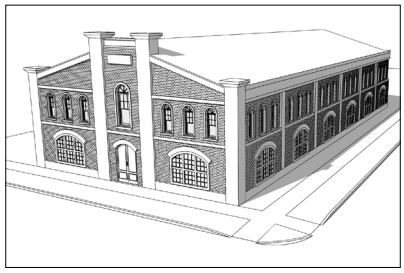
This Chapter shall apply to:

A. New principal buildings;
B. An expanded or altered portion of any existing principal building;
C. The entire existing principal building when an expansion or alteration exceeds 50 percent of the building's existing square footage prior to the expansion or alteration; and
D. Any accessory structure as specifically required by Section 5.2, Accessory Use and Structures.

6.2 Overview of Building Types by Zoning District

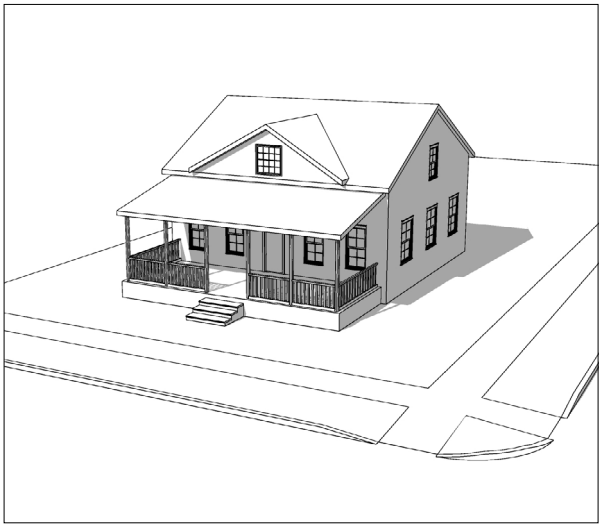
Building types are used to organize certain standards that apply to buildings. Building types are permitted by zoning district and in some cases, further regulated by overlay district. Each principal building shall comply with all standards and tables for the corresponding building type.

Building Type Description	Illustration	Districts Where Permitted
House: A building containing one dwelling unit on its own lot, surrounded by yards on all sides. In some districts, nonresidential uses may be housed in this building type.		AG ER R1 R2 R3 R4 R6 MR PD OR CI CC DD 1ST GO
Duplex: A building containing two dwelling units, which may be side-by-side, stacked, or front-to-back. They may have separate entrances or a shared common entrance.		MR PD OR CI CC DD GO
Multiplex: A building containing three to four dwelling units that has the appearance of one house from the street.		MR PD OR CI CC DD GO
Townhouse: A building where the dwelling units are joined side-by-side and separated by shared walls. Each dwelling unit has independent access to the frontage and may have small yards.		MR PD OR CI CC DD GO

Multifamily Building: A building containing five or more dwelling units, with the units often stacked vertically, sharing common vertical walls and/or horizontal floors and ceilings, and often called apartments, lofts, condominiums, stacked flats, or age-restricted independent living.		PD CI RC6 RC12 GO
Commercial/Mixed-Use Building: A building that typically accommodates a single use or a vertical or horizontal mix of commercial uses. Multifamily residential may be on upper floors, depending on the district.		PD NC CC DD 1ST 5TH RC6 RC12 GO LI HI
Large-Scale Retail Building: A building of 50,000 square feet or more that is most commonly associated with large-format commercial uses. It may have several commercial uses in the building or have in-line retail, either beside or in front of the primary anchor tenant.		PD RC6 RC12
Civic Building: A building erected to be used only for civic or institutional purposes. It may be designed to stand apart from its surroundings due to the special nature of its use as a public facility or it may blend in with its surroundings. Civic and institutional uses may be in other building types.		CI PD NC CC DD 1ST 5TH RC6 RC12 GO LI
Flex Building: A building designed to accommodate uses in the industrial districts.		LI HI

6.3 House

A building containing one dwelling unit on its own lot, surrounded by yards on all sides. In certain districts, commercial uses may be housed in this building type. This building type shall comply with all other applicable standards of this Ordinance.



Permitted Districts	
AG ER R1 R2 R3 R4 R6 MR PD OR CI CC DD 1ST GO	
Number of Dwelling Units	
Dwelling Units	1 per building
Building Orientation and Entry	
Main entrance	Prominently located on front facade and highly visible
Entry Features	Shall have a covered porch, covered stoop, or a balcony over the entrance
Facade Position	The front facade shall face the frontage
Building Orientation and Entry (Continued)	
Side Facade Facing a Frontage	Shall have a similar level of architectural detailing, window alignment, and organization as the front facade
Windows	
Glazing	Minimum 15% on front facades
Window Shape and Alignment	Vertically proportioned and symmetrically aligned, but exceptions may be approved for particular architectural style e.g. prairie style
Trim on Windows Facing a Frontage	Minimum 4-inch trim with sill and top plate when siding surrounds the window Soldier course above the lintel and a rollock course below the sill when brick or stone surrounds the window
Shutters	If any, shutters shall be proportioned to cover one-half the width of the window from each side or the total window from one side
Foundations, Porches, and Stoops	
Finished Floor Elevation	Minimum 18 inches above grade at front facade
Porch Depth	Minimum 6 feet of clear space, exclusive of railings, pillars, columns, or other porch features
Stoop Depth	3 to 6 feet deep
Roof Elements	
Pitch	3:12 to 12:12, excluding small roof sections over porches, entryways, or similar features

Materials	
Primary Materials on a Facade	Up to two of the following: brick, natural stone, cultured stone, smooth wood siding, or fiber cement siding
Accent Materials (Up to 25 Percent of Net Facade)	Architectural metal, such as stainless steel, copper, brushed nickel, brass, etc., authentic stucco, or any primary material not used as a primary material on the building
Foundation Cladding	Brick, natural stone, cultured stone, or authentic stucco
Porch Pier Cladding	Brick, natural stone, cultured stone, or authentic stucco and painted or stained latticework between each pier
Chimney Cladding	Brick, natural stone, cultured stone, or material to match the primary material of the facade
Prohibited Materials	Aluminum siding, corrugated metal siding, EIFS, vinyl cladding, or exposed smooth-faced concrete block, unless finished with brick, stone, or authentic stucco
Materials in CFO or CAO	See applicable overlay district

Material Changes	
Material Changes	Primary materials on a front facade shall continue down side facades at least 20 feet and the entire length of side facade facing a frontage Excluding trim, any material changes shall coincide with form, structural, or massing changes and shall not occur at the outside corner of such change
Colors	
Colors	Up to three colors, including material colors, but excluding trim colors
Prohibited Colors	Overly bright or neon colors
HHO or Steep Slopes	See Section 4.4, HHO District, or Section 17.1, Steep Slopes, if applicable
Facade Variety	
Front Facades	For development projects that include more than one house, a variety of front facade elevations shall be provided, proof of which shall be submitted with a site plan

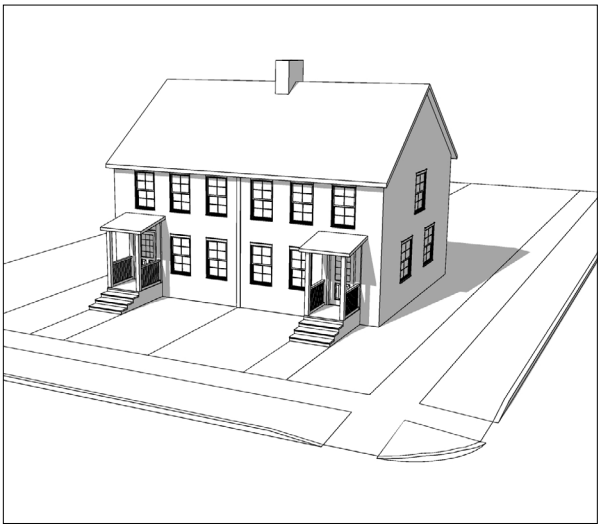
Garage	
Garage Scale	Shall be subordinate in scale and massing to the building it serves
Frontage-Facing Garages	
Front-Facing Garage Setback	Minimum 20 feet behind front facade and front door and 22 feet from sidewalk
Front-Facing Garage Plane Width	Not more than 40% (measured from the outside edges of the doors) of the total linear width of the front facade
Side-Street Facing Garage Setback	Minimum of 22 feet from sidewalk and 3 feet behind side facade
Garage Door Width	Maximum 9 feet
Separation Between Garage Doors	Minimum 2 feet
Interior Dimensions	Minimum 10 feet by 20 feet per vehicle parking space Carriage house garage doors (counts as two) Garage doors behind the rear elevation (counts as two) Garage doors painted to match the main or accent color of the house
Three Required Architectural Features	Two ornamental light fixtures One window per garage parking space Eaves with exposed rafters and/or with a minimum 6-inch projection from the facade plane Roof line changes Dormers Decorative gable vent covers Decorative cornicing.

Alley-Loading Garages	
Garage Setback	5 feet or at least 22 feet from alley right-of-way At least 22 feet from a mews right-of-way, when facing a mews the rear facade shall have a pedestrian door
One-Car Garage Door Width	Maximum 9 feet
Two-Car Garage Door Width	16 to 18 feet
Interior Dimensions	Minimum 10 feet by 20 feet per vehicle parking space
Separation Between Garage Doors	Minimum 2 feet
Parking Pad	If any, minimum 10 feet by 22 feet
Side- or Rear-Loading Garages Facing Interior Lot Lines	
Garage Setback	Minimum 3 feet behind front facade and front door
One-Car Garage Door Width	Maximum 9 feet
Two-Car Garage Door Width	16 to 18 feet
Separation Between Garage Doors	Minimum 2 feet
Interior Dimensions	Minimum 10 feet by 20 feet per vehicle parking space
Carports	
Requirements	See Paragraph 5.2.7.E, Carports

Transitional Features	
Requirements	See Chapter 8, Transitional Features

6.4 Duplex

A building containing two dwelling units, which may be side-by-side, stacked, or front-to-back. They may have separate entrances or a shared common entrance. This building type shall comply with all other applicable standards of this Ordinance.



Permitted Districts	
MR PD OR CI CC DD GO	
Number of Dwelling Units	
Dwelling Units	2 per building
Building Orientation and Entry	
Main entrance	Prominently located on front facade and highly visible Duplexes in existing single-family subdivisions shall be limited to one entrance on the front facade
Entry Features	Shall have a covered porch or covered stoop
Facade Position	The front facade shall face the frontage

Building Orientation and Entry (Continued)	
Side Facade Facing a Frontage	Shall have a similar level of architectural detailing, window alignment, and organization as the front facade, including side or wrap-around porches
Windows	
Glazing	Minimum 15% on front facades
Window Shape and Alignment	Vertically proportioned and symmetrically aligned
Trim on Windows Facing a Frontage	Minimum 4-inch trim with sill and top plate when siding surrounds the window Soldier course above the lintel and a rollock course below the sill when brick or stone surrounds the window
Shutters	If any, shutters shall be proportioned to cover one-half the width of the window from each side or the total window from one side
Foundations, Porches, and Stoops	
Finished Floor Elevation	Minimum 18 inches above grade at front facade
Porch Depth	Minimum 6 feet of clear space, exclusive of railings, pillars, columns, or other porch features
Stoop Depth	3 to 6 feet deep
Roof Elements	
Pitch	3:12 to 12:12, excluding small roof sections over porches, entryways, or similar features

Materials	
Primary Materials on a Facade	Up to two of the following: brick, natural stone, cultured stone, smooth wood siding, or fiber cement siding
Accent Materials (Up to 25 Percent of Net Facade)	Architectural metal, such as stainless steel, copper, brushed nickel, brass, etc., authentic stucco, or any primary material not used as a primary material on the building
Foundation Cladding	Brick, natural stone, cultured stone, or authentic stucco
Porch Pier Cladding	Brick, natural stone, cultured stone, or authentic stucco and painted or stained latticework between each pier
Chimney Cladding	Brick, natural stone, cultured stone, authentic stucco, or material to match the primary material on the facade
Prohibited Materials	Aluminum siding, corrugated metal siding, EIFS, vinyl cladding, or exposed smooth-faced concrete block, unless finished with a brick, stone, or authentic stucco
Materials in CFO or CAO	See applicable overlay district

Material Changes	
Material Changes	Primary materials on a front facade shall continue down side facades at least 20 feet and the entire length of side facade facing a frontage Excluding trim, any material changes shall coincide with form, structural, or massing changes and shall not occur at the outside corner of such change
Colors	
Colors	Up to three colors, including material colors, but excluding trim colors
Prohibited Colors	Overly bright or neon colors
HHO or Steep Slopes	See Section 4.4, HHO District, or Section 17.1, Steep Slopes, if applicable
Facade Variety	
Front Facades	For development projects that include more than one duplex, a variety of front facade elevations shall be provided, proof of which shall be submitted with a site plan

Garage	
Garage Scale	Shall be subordinate in scale and massing to the building it serves
Frontage-Facing Garages	
Number of Garage Doors	Maximum of 1 frontage-facing garage at a minimum of 20 feet behind front facade and front door and 22 feet from sidewalk Any additional garages shall be located at the rear of the building
Garage Door Width	Maximum 9 feet
Interior Dimensions	Minimum 10 feet by 20 feet
Garage Door Width	Maximum 9 feet
Three Required Architectural Features	Carriage house garage doors (counts as two) Garage doors behind the rear elevation (counts as two) Garage doors painted to match the main or accent color of the house Two ornamental light fixtures One window per garage parking space Eaves with exposed rafters and/or with a minimum 6-inch projection from the facade plane Roof line changes Dormers Decorative gable vent covers Decorative cornicing

Alley-Loading Garages	
Garage Setback	5 feet or at least 22 feet from alley right-of-way or drive aisle, where no alley right-of-way exists At least 22 feet from a mews right-of-way, when facing a mews the rear facade shall have a pedestrian door
One-Car Garage Door Width	Maximum 9 feet
Two-Car Garage Door Width	16 to 18 feet
Interior Dimensions	Minimum 10 feet by 20 feet per vehicle parking space
Parking Pad	If any, minimum 10 feet by 22 feet
Side- or Rear-Loading Garages Facing Interior Lot Lines	
Garage Setback	Minimum 3 feet behind front facade and front door
One-Car Garage Door Width	Maximum 9 feet
Two-Car Garage Door Width	16 to 18 feet
Interior Dimensions	Minimum 10 feet by 20 feet per vehicle parking space
Carports	
Requirements	See Paragraph 5.2.7.E, Carports
Transitional Features	
Requirements	See Chapter 8, Transitional Features

PAGE INTENTIONALLY LEFT BLANK

6.5 Multiplex

A building containing three to four dwelling units that has the appearance of one house from the street. This building type shall comply with all other applicable standards of this Ordinance.

Permitted Districts	
MR PD OR CI CC DD GO	
Number of Dwelling Units	
Dwelling Units	3 to 4 per building
Building Orientation and Entry	
Main entrance	Only one entrance on the front facade shall be prominently located and highly visible
Entry Features	Shall have a covered porch or covered stoop
Facade Position	The front facade shall face the frontage
Side Facade Facing a Frontage	Shall have a side porch or wrap-around porch Shall have a similar level of architectural detailing, window alignment, and organization as the front facade
Windows	
Glazing	Minimum 15% on front facades
Window Shape and Alignment	Vertically proportioned and symmetrically aligned
Trim on Windows Facing a Frontage	Minimum 4-inch trim with sill and top plate when siding surrounds the window Soldier course above the lintel and a rollock course below the sill when brick or stone surrounds the window
Shutters	If any, shutters shall be proportioned to cover one-half the width of the window from each side or the total window from one side
Foundations, Porches, and Stoops	
Finished Floor Elevation	Minimum 18 inches above grade at front facade
Porch Depth	Minimum 6 feet of clear space, exclusive of railings, pillars, columns, or other porch features
Stoop Depth	3 to 6 feet deep
Materials	
Primary Materials on a Facade	Up to two of the following: brick, natural stone, cultured stone, smooth wood siding, or fiber cement siding
Accent Materials (Up to 25 Percent of Net Facade)	Architectural metal, such as stainless steel, copper, brushed nickel, brass, etc., authentic stucco, or any primary material not used as a primary material on the building

Materials (Continued)	
Foundation Cladding	Brick, natural stone, cultured stone, or authentic stucco
Porch Pier Cladding	Brick, natural stone, cultured stone, or authentic stucco and painted or stained latticework between each pier
Chimney Cladding	Brick, natural stone, cultured stone, authentic stucco, or material to match the primary material of the facade
Prohibited Materials	Aluminum siding, corrugated metal siding, EIFS, vinyl cladding, or exposed smooth-faced concrete block, unless finished with a brick, stone, or authentic stucco
Materials in CFO or CAO	See applicable overlay district
Material Changes	
Material Changes	Primary materials on a front facade shall continue down side facades at least 20 feet and the entire length of side facade facing a frontage Excluding trim, any material changes shall coincide with form, structural, or massing changes and shall not occur at the outside corner of such change
Colors	
Colors	Up to three colors, including material colors, but excluding trim colors
Prohibited Colors	Overly bright or neon colors
HHO or Steep Slopes	See Section 4.4, HHO District, or Section 17.1, Steep Slopes, if applicable

Facade Variety	
Front Facades	For development projects that include more than one multiplex, a variety of front facade elevations shall be provided, proof of which shall be submitted with a site plan
Garages	
Garage Location	Shall be located to the rear of the building
Garage Scale	Shall be subordinate in scale and massing to the building it serves
Garage Setback	5 feet or at least 22 feet from alley right-of-way or drive aisle, where no alley right-of-way exists At least 22 feet from a mews right-of-way, when facing a mews the rear facade shall have a pedestrian door
One-Car Garage Door Width	Maximum 9 feet
Two-Car Garage Door Width	16 to 18 feet
Separation Between Garage Doors	Minimum 2 feet
Interior Dimensions	Minimum 10 feet by 20 feet per vehicle parking space
Parking Pad	If any, minimum 10 feet by 22 feet
Carports	
Requirements	See Paragraph 5.2.7.E, Carports
Transitional Features	
Requirements	See Chapter 8, Transitional Features

6.6 Townhouse

A building where the dwelling units are joined side-by-side and separated by shared walls. Each dwelling unit has independent access to the frontage and may have small yards. This building type shall comply with all other applicable standards of this Ordinance.

Permitted Districts	
MR PD OR CI CC DD GO	
Number of Dwelling Units	
Dwelling Units	Maximum 6 per building
Dwelling Unit Orientation and Entry	
Main entrance	Each entrance prominently located on front facade and highly visible
Facade Position	Each dwelling unit shall face the frontage
Side Facade Facing a Frontage	Shall have a similar level of architectural detailing, window alignment, and organization as the front facade

Windows	
Glazing	Minimum 15% on the front facade
Window Shape and Alignment	Vertically proportioned and symmetrically aligned
Trim	Minimum 4-inch trim with sill and top plate when siding surrounds the window Soldier course above the lintel and a rollock course below the sill when brick or stone surrounds the window
Trim on Windows Facing a Frontage	Minimum 4-inch trim with sill and top plate when siding surrounds the window Soldier course above the lintel and a rollock course below the sill when brick or stone surrounds the window
Shutters	If any, shutters shall be proportioned to cover one-half the width of the window from each side or the total window from one side

Facade Standards for Each Unit	
Entry Features	The front facade of each dwelling unit shall have a covered porch, covered stoop, or balcony over the main entrance
Two Required Features	A dormer with a window Eaves with a minimum six-inch projection from the front facade with architectural details Additional features framing windows, such as shutters, transoms, arches, or other architectural elements
Side Facade Facing a Frontage	Shall have a similar level of architectural detailing, symmetrically aligned windows, and organization as the front facade, such as side or wrap-around porches

Facade Variety

Building details, materials, windows, doors, and trim shall reflect a complementary architectural style, but the front facade of each dwelling unit shall vary from adjoining dwelling units in at least two of the following ways:

A. Varied architectural elements associated with the main entrance and entry features
B. Varied features framing windows
C. Front facade projections or recesses with a minimum depth of eight inches
D. Different primary materials and/or colors on a facade, such as alternating among natural brick and painted brick colors, or other materials as permitted

Facade Variety (Continued)

A townhouse building with up to 6 units may be exempt from varying each unit above when it complies with the following: A townhouse building may have substantially similar front facades for each unit if there are no other substantially similar townhouse building facades within view of the townhouse building

For development projects that include more than one building, a variety of front facade elevations shall be provided, proof of which shall be submitted with a site plan

Foundations, Porches, and Stoops	
Finished Floor Elevation	Minimum 18 inches above grade at front facade
Porch Depth	Minimum 6 feet of clear space, exclusive of railings, pillars, columns, or other porch features
Stoop Depth	3 to 6 feet deep

Roof Elements	
Pitch	3:12 to 12:12, excluding small roof sections over porches, entryways, or similar features
Materials	
Primary Materials on a Facade	Up to two of the following: brick, natural stone, cultured stone, smooth wood siding, or fiber cement siding
Accent Materials (Up to 25 Percent of Net Facade)	Architectural metal, such as stainless steel, copper, brushed nickel, brass, etc., authentic stucco, or any primary material not used as a primary material on the building
Foundation Cladding	Brick, natural stone, cultured stone, or authentic stucco
Porch Pier Cladding	Brick, natural stone, cultured stone, or authentic stucco and painted or stained latticework between each pier
Chimney Cladding	Brick, natural stone, cultured stone, authentic stucco, or material to match the primary material of the facade
Prohibited Materials	Aluminum siding, corrugated metal siding, EIFS, vinyl cladding, or exposed smooth-faced concrete block, unless finished with a brick, stone, or authentic stucco
Materials in CFO or CAO	See applicable overlay district

Material Changes	
Material Changes	Primary materials on a front facade shall continue down side facades at least 20 feet and the entire length of side facade facing a frontage Excluding trim, any material changes shall coincide with form, structural, or massing changes and shall not occur at the outside corner of such change
Colors	
Colors	Up to three colors, including material colors, but excluding trim colors
Prohibited Colors	Overly bright or neon colors
HHO or Steep Slopes	See Section 4.4, HHO District, or Section 17.1, Steep Slopes, if applicable

Garages	
Garage Location	Shall be located to the rear of the building and served by an alley or drive aisle
Garage Scale	Shall be subordinate in scale and massing to the building it serves
Garage Setback	5 feet or at least 22 feet from alley right-of-way or drive aisle, where no alley right-of-way exists At least 22 feet from a mews right-of-way, when facing a mews the rear facade shall have a pedestrian door
One-Car Garage Door Width	Maximum 9 feet
Two-Car Garage Door Width	16 to 18 feet
Separation Between Garage Doors	Minimum 2 feet
Interior Dimensions	Minimum 10 feet by 20 feet per vehicle parking space
Parking Pad	If any, minimum 10 feet by 22 feet
Carports	
Requirements	See Paragraph 5.2.7.E, Carports
Transitional Features	
Requirements	See Chapter 8, Transitional Features

6.7 Multifamily

A building containing five or more dwelling units, with the units often stacked vertically, sharing common vertical walls and/or horizontal floors and ceilings, and often called apartments, lofts, condominiums, stacked flats, or age-restricted independent living. This building type shall comply with all other applicable standards of this Ordinance.

Permitted Districts	
PD CI RC6 RC12 GO	
Number of Dwelling Units	
Dwelling Units	Minimum 5 per building

Building Orientation and Entry	
Entrances	Prominently located on front facade and highly visible Facades along a street or internal drive shall have individual entrances to all publicly-accessed ground floor uses and all ground floor dwelling units
Facade Position	The front facade shall face the public street, private street, or internal drive, in that priority order The front facade shall parallel the frontage
Windows	
Glazing	Minimum 15% on facades facing frontages
Orientation	Vertically proportioned
Window Arrangement	Upper floor windows and other features shall be aligned with those of ground floor
Window Openings	Shall be punched and recessed a minimum of 3 inches from the facade
Shutters	If any, shutters shall be proportioned to cover one-half the width of the window from each side or the total window from one side
Prohibited	Tinted glass, reflective glass, and other glass treatments that inhibit views into the building

Facade Variety
A building facade shall not be within view of another same building facade. Building facades shall be distinguished by variation in all the following elements: A. A change in shape, sill and header height, detail, size, spacing , rhythm, and muntin pattern of windows B. A change of building or cornice height C. A change in cornice details D. A change of wall material or wall color E. A change in trim courses and other horizontal elements F. A change in dormer or balcony design, if any G. Providing or changing pilasters, columns, or other facade elements

Vertical Articulation	
Facade Composition	Vertically orient materials, design elements, and architectural details to emphasize the proportion of height to width
Facade Design	Proportions Proportions shall be based on approximate ratio of the golden mean (1.618:1)

Vertical Articulation (Continued)	
Facade Articulation	A facade greater than 160 ft in width shall be differentiated so that it appears to be comprised of two or more adjacent buildings, by dividing such facade into 18- to 160-foot segments, each of which includes a separate entrance and differs from each of the other segments with respect to all of the following: A. A change in shape, sill and header height, detail, size, spacing , rhythm, and muntin pattern of windows B. A change of building or cornice height C. A change in cornice details D. A change of wall material or wall color E. A change in trim courses and other horizontal elements F. A change in dormer or balcony design, if any G. Providing or changing pilasters, columns, or other facade elements

Horizontal Articulation	
Horizontal Articulation	Shall define the base, middle, and cap
Base	Shall anchor the building to the ground with unique design elements, such as a change in materials, a change in the profile of the facade material, or pedestrian-scale architectural elements such as fenestration
Cap	Shall provide a visual change from the main body of the building and be visible from the public realm
Roof Elements	
Rooftop Mechanical Equipment	See Subsection 13.3.2, Rooftop Mechanical Equipment
Green Roofs	May be used to achieve stormwater treatment and LSA requirements

Materials	
Primary Materials on a Facade	Up to two of the following: brick, natural stone, cultured stone, smooth wood siding, or fiber cement siding
Material Changes	Primary materials on a front facade shall continue down side facades at least 20 feet and the entire length of side facade facing a frontage Excluding trim, any material changes shall coincide with form, structural, or massing changes and shall not occur at the outside corner of such change
Accent Materials (Up to 25 Percent of Net Facade)	Architectural metal, authentic stucco, or any primary material not used as a primary material on the building
Prohibited Materials	Corrugated metal, EIFS, smooth-faced or split-faced concrete block, vinyl cladding, and similar facade finishes
Materials in CFO or CAO	See applicable overlay district
Material Changes	
Material Changes	Primary materials on a front facade shall continue down side facades at least 20 feet and the entire length of side facade facing a frontage Excluding trim, any material changes shall coincide with form, structural, or massing changes and shall not occur at the outside corner of such change

Colors	
Colors	Up to three colors, including material colors, but excluding trim colors
Color Changes	Shall coincide with form, structural, or massing changes and shall occur at the inside corner of such change
Prohibited Colors	Overly bright or neon colors
Color in HHO	See Section 4.4, HHO District, or Section 17.1, Steep Slopes, if applicable
Garages/Carports	
Garages	If any, shall be located to the rear of the buildings and accessed by an alley or drive aisle
Garage Setback	5 feet or at least 22 feet from alley right-of-way or drive aisle, where no alley right-of-way exists
Carports	See Paragraph 5.2.7.E, Carports
Transitional Features	
Requirements	See Chapter 8, Transitional Features

6.8 Commercial/Mixed-Use Building

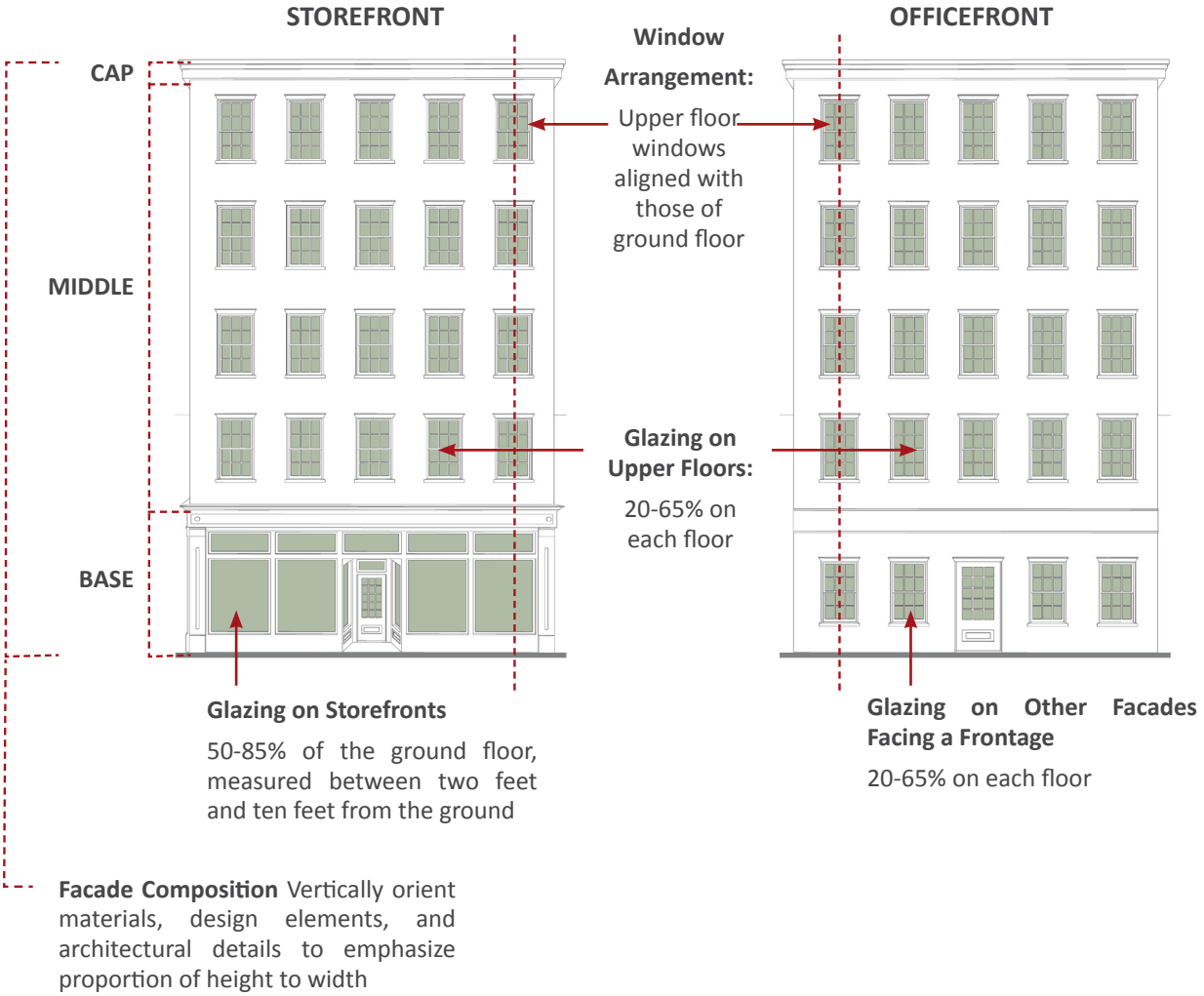
A building that typically accommodates a single use or a vertical or horizontal mix of commercial uses. Multifamily residential may be on upper floors, depending on the district. This building type shall comply with all other applicable standards of this Ordinance.

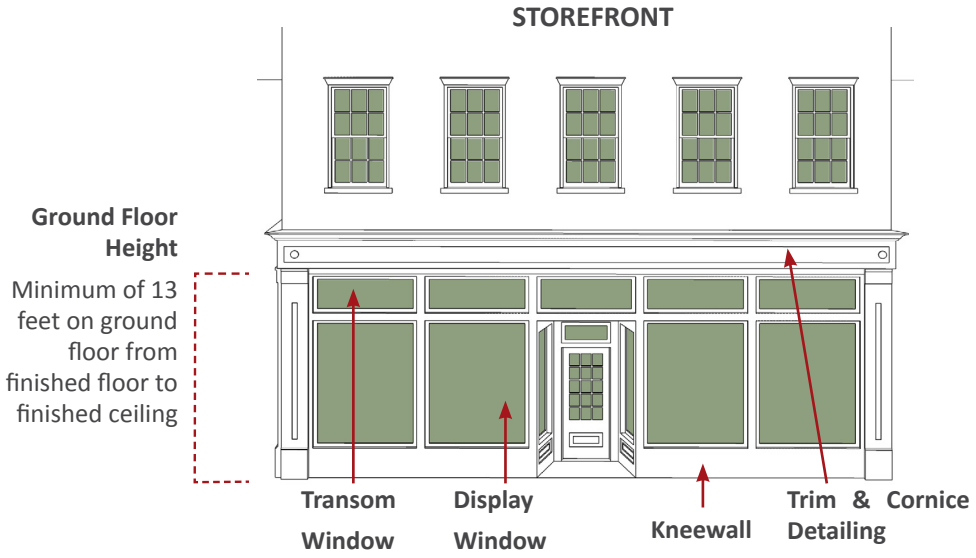
Permitted Districts
PD NC CC DD 1ST 5TH RC6 RC12 GO LI HI

Building Orientation and Entry	
Main Entrance	Prominently located on the front facade and highly visible
Facade Location	The front facade shall face the public street, private street, or internal drive, in that priority order The building shall parallel the frontage

Windows	
Orientation	Vertically proportioned
Window Arrangement	Upper floor windows shall be aligned with those of ground floor
Window Openings	Shall be punched and recessed a minimum of 3 inches from the facade
Glazing on Storefronts	50 to 85 percent of the ground floor, measured between two feet and ten feet from the ground 20 to 65 percent of upper floors
Glazing on All Other Facades Facing a Frontage	20 to 65 percent on each floor
Glazing for Buildings Over 6 Stories	May exceed the maximum glazing above and may have tinted glass, reflective glass and other glass treatments and may be the primary building material
Prohibited Glazing Materials	Tinted glass, reflective glass, and other glass treatments that inhibit views into the building

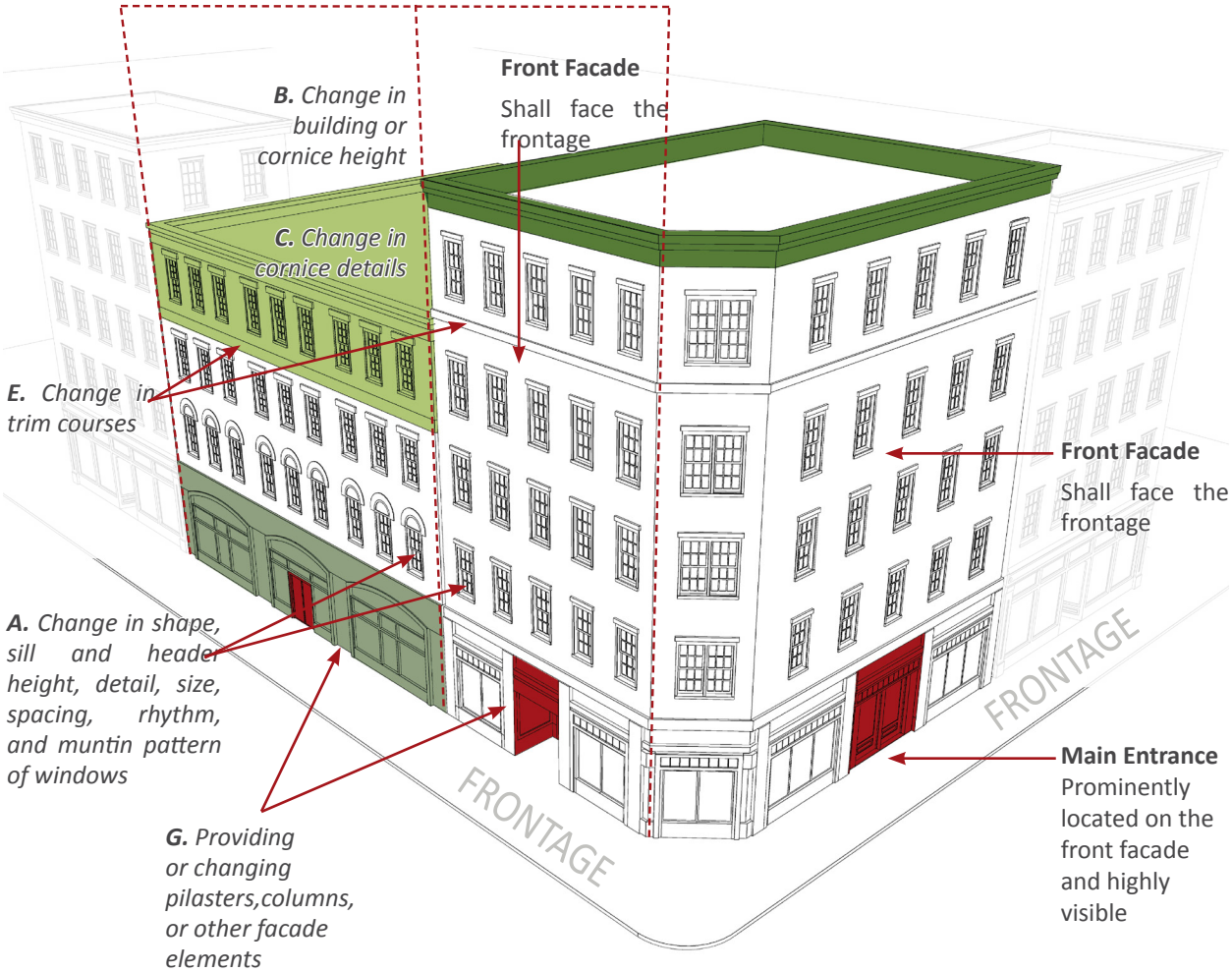
Figure 6.6.1 Facade Articulation for Buildings with Two-Stories or More





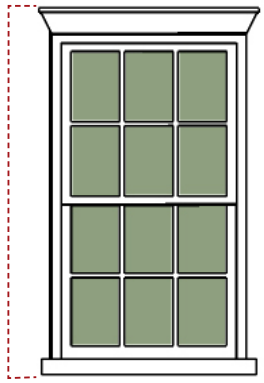
Facade Articulation

A facade greater than 200 feet in width shall be differentiated so that it appears to be comprised of two or more adjacent buildings, by dividing such facade into 18- to 200-foot segments, each of which includes a separate entrance and differs from each of the following with respect to: [See notes A-C, E, G]



Window Orientation

Vertically proportioned (height > width)



Facade Standards	
Facade Composition	Vertically orient materials, design elements, and architectural details to emphasize proportion of height to width
Facade Articulation for One-Story Buildings	A facade shall be differentiated so that it appears to be comprised of two or more adjacent buildings by dividing into 35- to 50-foot facade segments, each of which includes a separate entrance and differs from each of the other segments with respect to all of the following: A. A change in shape, sill and header height, detail, size, spacing , rhythm, and muntin pattern of windows B. A change of building or cornice height C. A change in cornice details D. A change of wall material or wall color E. A change in trim courses and other horizontal elements F. A change in dormer or balcony design, if any G. Providing or changing pilasters, columns, or other facade elements

Facade Standards (Continued)	
Facade Articulation for Buildings with Two-Stories or More	A facade greater than 200 feet in width shall be differentiated so that it appears to be comprised of two or more adjacent buildings, by dividing such facade into 18- to 200-foot segments, each of which includes a separate entrance and differs from each of the other segments with respect to all of the following: A. A change in shape, sill and header height, detail, size, spacing , rhythm, and muntin pattern of windows B. A change of building or cornice height C. A change in cornice details D. A change of wall material or wall color E. A change in trim courses and other horizontal elements F. A change in dormer or balcony design, if any G. Providing or changing pilasters, columns, or other Facade elements
Facade Width	Maximum 600 feet
Facade Design Proportions	Proportions shall be based on approximate ratio of the golden mean (1.618:1)
Wall-Mounted Mechanical Units Related to Hotels	Shall be architecturally integrated into the window openings Mechanical louvers shall not project from the facade

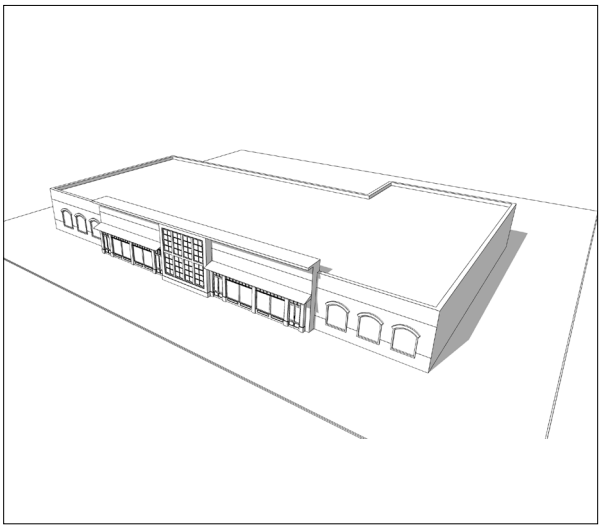
Horizontal Articulation	
Horizontal Articulation	Buildings shall have a base, middle, and cap
Storefronts	Any storefront shall have display windows, transom windows, knee walls of between 18 and 24 inches tall, and other architectural elements such as bulkheads, trim, and cornice detailing
Officefronts	Any officefront shall be articulated with architectural elements and pedestrian weather protection
Ground Floor Height	Minimum of 13 feet on ground floor from finished floor to finished ceiling, unless a lower height is required in the HPO through approval of a certificate of appropriateness
Parapet	A parapet wall shall contain a cornice that projects a minimum of four inches, such as molding, corbels, traditional brick coursing patterns, or other ornamental cornicing
Roof Elements	
Rooftop Mechanical Equipment	See Subsection 13.3.2, Rooftop Mechanical Equipment
Green Roofs	May be used to achieve stormwater and LSA requirements

Materials	
Primary Materials on a Facade	Up to two of the following: brick, natural stone, cultured stone, smooth wood siding, or fiber cement siding
Material Changes	Shall coincide with form, structural, or massing changes and shall occur at the inside corner of such change
Accent Materials (Up to 25 Percent of Net Facade)	Architectural metals, authentic stucco, scored precast concrete, or any primary material not used as a primary material on the building
Prohibited Materials	Corrugated metal, EIFS, smooth-faced or split-faced concrete block, vinyl cladding, and similar facade finishes
Materials in CFO or CAO	See applicable overlay district
Colors	
Colors	Up to three colors, including material colors, but excluding trim colors
Color Changes	Shall coincide with form, structural, or massing changes and shall occur at the inside corner of such change
Prohibited Colors	Overly bright or neon colors
HHO or Steep Slopes	See Section 4.4, HHO District, or Section 17.1, Steep Slopes, if applicable
Transitional Features	
Requirements	See Chapter 8, Transitional Features

PAGE INTENTIONALLY LEFT BLANK

6.9 Large-Scale Retail Building

A building of 50,000 square feet or more that is most commonly associated with a large-format retailer. It has in-line retail or liner buildings along the front of the building. This building type shall comply with all other applicable standards of this Ordinance.



Permitted Districts	
PD RC6 RC12 and further limited within these districts to the following locations: East of Mallory Lane and north of McEwen Drive and west of I-65; or East of I-65 and south of Goose Creek Bypass.	
Building Standards	
Building Footprint	Maximum ground floor of 50,000 gross square feet
Building Height	Minimum 2 stories if over 50,000 gross square feet
Building Orientation and Entry	
Main Entrance	Prominently located on front facade and highly visible
Facade Location	The front facade shall face the public street, private street, or internal drive, in that priority order The front facade shall parallel the frontage
Windows	
Orientation	Vertically proportioned and symmetrically aligned
Window Alignment	Upper floor windows shall be aligned with those of ground floor
Window Openings	Shall be punched and recessed a minimum of 3 inches from the facade
Front Facade Glazing	50 to 85 percent of the ground floor, measured between two feet and ten feet from the ground 20 to 65 percent of upper floors
Glazing on All Other Frontage-Facing Facades	20 to 65 percent on each floor
Prohibited Glazing Materials	Tinted glass, reflective glass, and other glass treatments that inhibit views into the building
Facade Standards	
Facade Composition	Vertically orient materials, design elements, and architectural details to emphasize proportion of height to width

Facade Standards (Continued)	
Facade Articulation	A facade greater than 200 feet in width shall be differentiated so that it appears to be comprised of two or more adjacent buildings, by dividing such facade into 35-100 foot segments, each of which includes a separate entrance and differs from each of the other segments with respect to all of the following: A. A change in shape, sill and header height, detail, size, spacing , rhythm, and muntin pattern of windows B. A change of building or cornice height C. A change in cornice details D. A change of wall material or wall color E. A change in trim courses and other horizontal elements F. A change in dormer or balcony design, if any G. Providing or changing pilasters, columns, or other Facade elements
Facade Design Proportions	Proportions shall be based on approximate ratio of the golden mean (1.618:1)
Facade Width	Maximum 600 feet

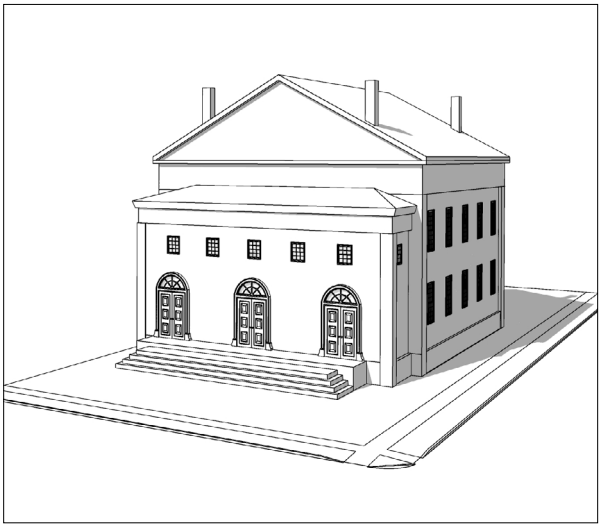
Horizontal Articulation	
Horizontal Articulation	Buildings shall have a base, middle, and cap
Storefronts	Storefront shall have display windows, transom windows, knee walls of between 18 and 24 inches, and other architectural elements such as bulkheads, trim, and cornice detailing
Ground Floor Height	Minimum of 13 feet on ground floor from finished floor to finished ceiling
Parapet	A parapet wall shall contain a cornice that projects a minimum of four inches, such as molding, corbels, traditional brick coursing patterns, or other ornamental cornicing
Materials	
Primary Materials on a Facade	Up to two of the following: brick, natural stone, or cultured stone
Material Changes	Shall coincide with form, structural, or massing changes and shall occur at the inside corner of such change
Accent Materials (Up to 25 Percent of Net Facade)	Architectural metals, scored precast concrete, authentic stucco, split-faced concrete block, or any primary material not used as a primary material on the building
Prohibited Materials	Corrugated metal, EIFS, smooth-faced concrete block, vinyl cladding, and similar facade finishes
Materials in CFO or CAO	See applicable overlay district

Colors	
Colors	Up to three colors, including material colors, but excluding trim colors
Color Changes	Shall coincide with form, structural, or massing changes and shall occur at the inside corner of such change
Prohibited Colors	Overly bright or neon colors
HHO or Steep Slopes	See Section 4.4, HHO District, or Section 17.1, Steep Slopes, if applicable
Additional Parking Requirements	
No more than 50 percent of the provided parking for a site with a large-scale retail building shall be surface parking, with the remainder provided by structured or parallel parking located within 1,320 feet (five-minute walk), as measured along a sidewalk	
Transitional Features	
Requirements	See Chapter 8, Transitional Features

PAGE INTENTIONALLY LEFT BLANK

6.10 Civic Building

A building erected to be used only for civic or institutional purposes. It may be designed to stand apart from its surroundings due to the special nature of its use as a public facility or it may blend in with surrounding residential or rural character. Civic or institutional uses may also be in other building types. This building type shall comply with all other applicable standards of this Ordinance.

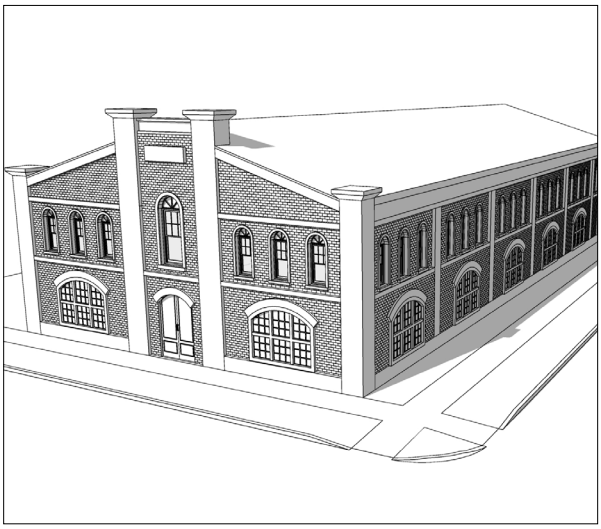


Permitted Districts	
PD CI NC CC DD 1ST 5TH RC6 RC12 GO LI	
Building Orientation and Entry	
Main Entrance	Prominently located on front facade and highly visible
Facade Location	The front facade shall face the public street, private street, or internal drive, in that priority order The front facade shall be parallel to the frontage
Windows	
Orientation	Vertically proportioned
Glazing	Glazing requirements are determined by the BOMA or FMPC during development plan or site plan approval
Facade Standards	
Facade Design Proportions	Proportions shall be based on approximate ratio of the golden mean (1.618:1)
Facade Width	Maximum 600 feet
Building Height Maximum	
Principal Building	Maximum one story taller than the maximum building height permitted in the district (except CI district)
Materials	
Primary Materials on a Facade	Up to two of the following: brick, natural stone, cultured stone, smooth wood siding, or fiber cement siding
Material Changes	Shall coincide with form, structural, or massing changes and shall occur at the inside corner of such change
Accent Materials (Up to 25 Percent of Net Facade)	Architectural metals, authentic stucco, scored precast concrete, or any primary material not used as a primary material on the building
Prohibited Materials	Corrugated metal, EIFS, smooth or split faced concrete block, vinyl cladding, and similar facade finishes
Materials in CFO or CAO	See applicable overlay district

Colors	
Colors	Up to three colors, including material colors, but excluding trim colors
Color Changes	Shall coincide with form, structural, or massing changes and shall occur at the inside corner of such change
Prohibited Colors	Overly bright or neon colors
HHO or Steep Slopes	See Section 4.4, HHO District, or Section 17.1, Steep Slopes, if applicable
Transitional Features	
Requirements	See Chapter 8, Transitional Features

6.11 Flex Building

A building designed to accommodate industrial uses in the industrial districts. This building type shall comply with all other applicable standards of this Ordinance.



Permitted Districts	
LI HI	
Building Orientation and Entry	
Main Entrance	Prominently located on front facade and highly visible
Facade Location	The front facade shall face the public street, private street, or internal drive, in that priority order The front facade shall be parallel to the frontage
Windows	
Orientation	Vertically proportioned and symmetrically aligned
Glazing	20 percent, but may be reduced for portions of a building containing active industrial use

Building Height	
Height	Building height shall comply with the district; however, buildings for general warehouse uses shall not exceed a height of 42 feet
Facade Standards	
Facade Composition	Vertically orient materials, design elements, and architectural details to emphasize proportion of height to width
Roof Elements	
Rooftop Mechanical Equipment	See Subsection 13.3.2, Rooftop Mechanical Equipment
Green Roofs	May be used to achieve stormwater and LSA requirements

Materials	
Primary Materials on a Facade	Up to two of the following: brick, natural stone, cultured stone, authentic stucco, scored precast concrete, smooth wood siding, fiber cement siding, or integrally stained split-faced concrete block with differing mortar color
Material Changes	Shall coincide with form, structural, or massing changes and shall occur at the inside corner of such change
Accent Materials (Up to 25 Percent of Net Facade)	Architectural metals or any primary material not used as a primary material on the building
Prohibited Materials	Corrugated metal, EIFS, smooth-faced concrete block, vinyl cladding, and similar facade finishes
Materials in CFO or CAO	See applicable overlay district
Colors	
Colors	Up to three colors, including material colors, but excluding trim colors
Color Changes	Shall coincide with form, structural, or massing changes and shall occur at the inside corner of such change
Prohibited Colors	Overly bright or neon colors
Colors in HHO	See overlay district

Transitional Features	
Requirements	See Chapter 8, Transitional Features

CHAPTER 7

FRONTAGE TYPES

7.1 General Provisions 147

7.2 Overview of Frontage Types 148

7.3 Yard Frontage 149

7.4 Parking Frontage 150

7.5 Urban Landscape Frontage 151

7.6 Urban Frontage 152

7.1 General Provisions

7.1.1 Frontage Description

A. The frontage is the area between (a) the facade line of a principal building, extended to the side lot line or building site line, (or if there is no building, the front setback line) and (b) the curb (or if there is no curb, the edge) of the vehicular lanes of a public or private street or an internal drive, a pedestrian walkway, or an open space. Corner or through lots or building sites have two frontages.

B. Frontage types specify the treatment of the frontage. The frontage type must be one of those permitted in the applicable zoning district per Section 7.2, Overview of Frontage Types.

Figure 7.1.1.A Frontage Example

7.1.2 Lot and Building Site Frontage

A. Every lot or building site shall have a frontage on a public street, private street, or internal drive, in that priority order, except that:
   1. Residential lots shall front only a public street; however, up to five percent of the lots in a residential development of more than 100 residential lots may front a courtyard, pursuant to Section 11.7, Courtyard.
   2. An internal drive may be an alternative to a public or private street above only when the development contains two or more principal buildings in a nonresidential, mixed-use, or multifamily development, subject to DRT approval.

B. A lot with proposed development of two or more principal buildings shall provide building sites that designate the frontage type and location on a public street, private street, or internal drive, as applicable.

C. New lots on the perimeter of a proposed development, where adjacent to an existing street, shall be oriented so that the front facades of buildings face the existing street.

7.1.3 Exceptions

The following exceptions are permitted to Subsection 7.1.2, Lots and Building Site Frontage:

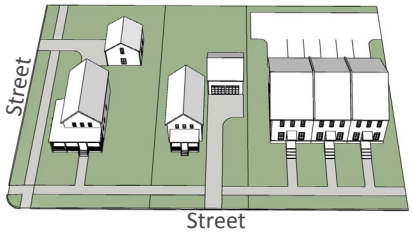
A. A residential lot may have a side lot line that fronts an existing collector street or higher classification when the lot:
   1. Fronts a local street by the entrance to the subdivision; or
   2. Is designed around a close.

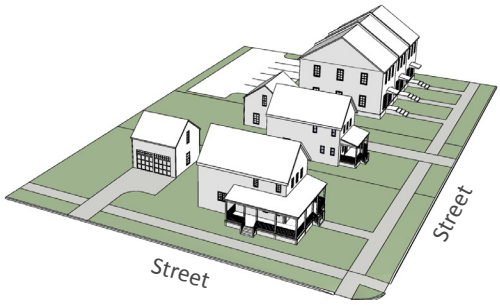
B. New lots may be oriented so that the rear facades of buildings face I-65 or Mack Hatcher Parkway when outside of the SCO. See Subsection 12.7.3, Buffers along I-65 and Mack Hatcher Parkway, for additional requirements.

7.2 Overview of Frontage Types

Frontage Type Description	Illustration	Typical Building Types	Permitted Districts
Yard Frontage: Intended for residential areas with a moderate to deep setback where a landscaped yard is located between the building and the street or internal drive. It is also used for areas transitioning from residential to commercial where the frontage maintains the residential character of the street.		House Duplex Multiplex Townhouse Multifamily Civic Flex	AG ER R1 R2 R3 R4 R6 MR OR PD CI CC DD 1ST GO LI HI
Parking Frontage: Intended for areas where front access to buildings by vehicles is desired but where some level of walkability is maintained. This frontage has a moderate setback and a low street screen, except at the driveway or internal drive. A parking area with a maximum of two bays of on-site parking and a drive aisle is provided between the building and the street or internal drive.		Commercial/ Mixed-Use Flex	CI LI HI
Urban Landscape Frontage: Intended for areas with a shallow front setback to provide a landscaped area between the sidewalk and the front facade, typically accessed by a stoop or terrace. Parking shall be located behind the building, unless it is parallel parking		House Duplex Multiplex Townhouse Multifamily Commercial/ Mixed-Use Large-Scale Retail	MR PD CI NC CC DD 1ST 5TH RC6 RC12 GO
Urban Frontage: Intended for areas where buildings have a very shallow or no front setback and buildings may abut the sidewalk. Parking shall be located behind the building, unless it is parallel parking		Multifamily Commercial/ Mixed-Use Large-Scale Retail	PD NC CC DD 1ST 5TH RC6 RC12 MR

7.3 Yard Frontage





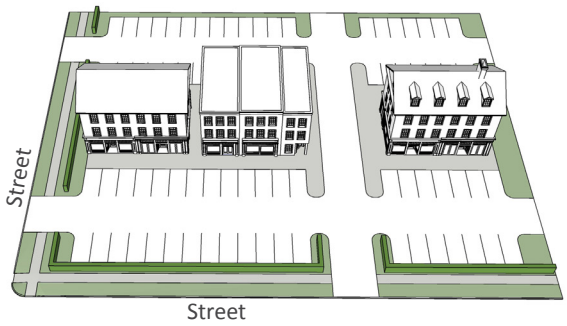
Description
The yard frontage is intended for residential areas with a moderate to deep setback where a landscaped yard is located between the building and the street or internal drive. It is also used for areas transitioning from residential to commercial where the frontage maintains the residential character of the street.

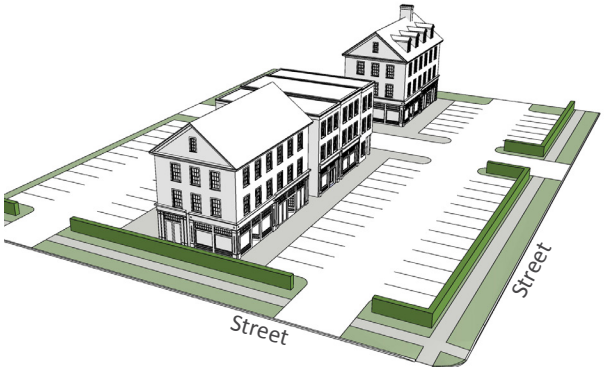
Permitted Districts
AG ER R1 R2 R3 R4 R6 MR OR PD CI CC DD 1ST GO LI HI

Building Types	
Building Types	House, duplex, multiplex, townhouse, multifamily, and civic buildings

Vehicular Access and Parking	
Parking Placement	No parking is permitted between the principal building and the street, except on an approved driveway or parking pad pursuant to the Municipal Code and/or the applicable building type

7.4 Parking Frontage





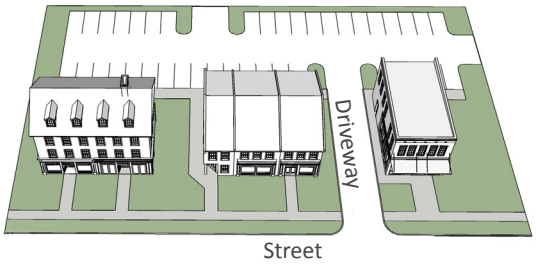
Description
The limited parking frontage is intended for areas where front access to buildings by vehicles is desired but where some level of walkability is maintained. This frontage has a moderate setback and a low street screen, except at the driveway or internal drive. A parking area with a maximum of two bays of on-site parking and a drive aisle is provided between the building and the street or internal drive.

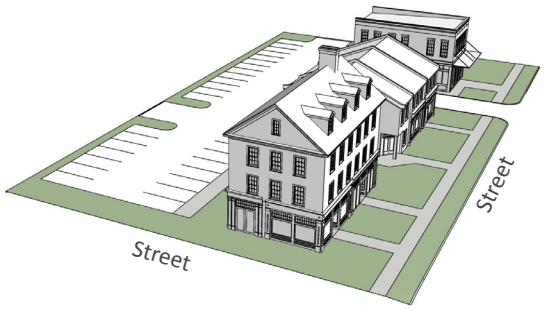
Permitted Districts
CI LI HI

Building Types	
Typical Buildings	Commercial/mixed-use and flex buildings

Vehicular Access and Parking	
Parking Placement	A maximum of 2 bays of parking with a single drive aisle shall be permitted between the building and the street

7.5 Urban Landscape Frontage





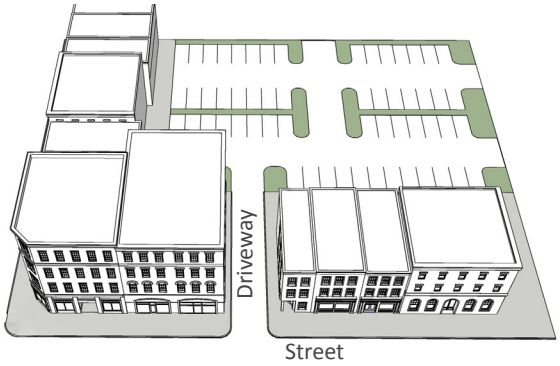
Description
The urban landscape frontage is intended for areas with a shallow front setback to provide a landscaped area between the sidewalk and the front facade

Permitted Districts
MR PD CI NC CC DD 1ST 5TH RC6 RC12 GO

Building Types	
Typical Buildings	House, duplex, multiplex, townhouse, multifamily, commercial/mixed-use, and large-scale retail buildings

Vehicular Access and Parking	
Parking Placement	Parking shall be located behind the building, unless it is parallel parking along the street or internal drive On corner lots, surface parking areas may occupy up to 30 percent of the lot frontage on the secondary street and shall be no closer to the street than the building

7.6 Urban Frontage



Description
The urban frontage is intended for areas where buildings have a very shallow or no front setback and buildings may abut the sidewalk

Permitted Districts								
PD	NC	CC	DD	1ST	5TH	RC6	RC12	MR

Building Types	
Typical Buildings	Multifamily, commercial/ mixed-use, and large-scale retail buildings

Vehicular Access and Parking	
Parking Placement	Parking shall be located behind the building, unless it is parallel parking along the street or internal drive On corner lots, surface parking areas may occupy up to 30 percent of the lot frontage on the secondary street and shall be no closer to the street than the building

PAGE INTENTIONALLY LEFT BLANK

CHAPTER 8

TRANSITIONAL FEATURES

8.1 Transition Zones Abutting Residential Lots 155

8.2 Height at Major Intersections 156

8.3 Building Character 156

8.4 Transitional Features for Nonresidential, Multifamily, and Mixed-Use Development in the CFO 157

8.5 Transitional Features for Residential Development in the CFO 158

8.6 Perimeter Residential Lots 158

8.1 Transition Zones Abutting Residential Lots

8.1.1 Applicability

A. This Section shall apply to development in:
   1. The NC, RC6, RC12, GO, LI, and HI districts when a development site abuts an existing residential lot; and
   2. The PD and CC districts when located outside of the CFO when a development site abuts an existing residential lot.

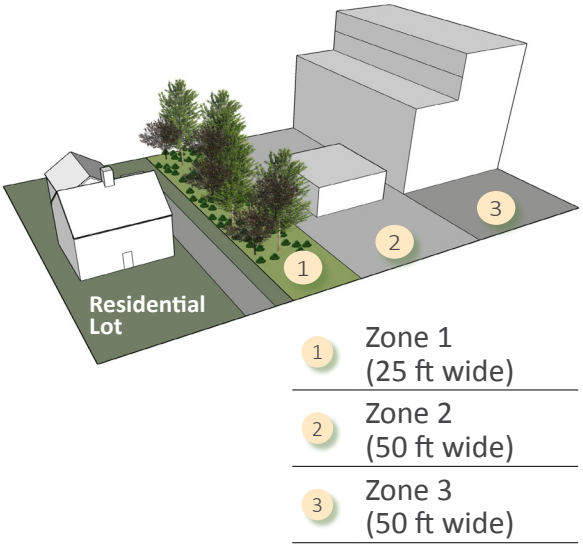
B. When a residential lot is part of the same development, this Section shall not apply.

8.1.2 Transition Zone Descriptions

The following transition zones shall be required along the edge of the development site where it abuts an existing residential lot:

Transition Area	Minimum Width	Requirements
Transition Zone 1	25 feet	buffer with plantings
Transition Zone 2	50 feet	restricted use
Transition Zone 3	50 feet	building height and form

Figure 8.1.2.A Transition Areas



8.1.3 Transition Zone 1: Buffer

A. Transition Zone 1 shall be a 25-foot wide area along the edge of the development site that serves as a buffer. The buffer shall comply with Section 12.7, Buffers, and shall contain the following plantings:

Type of Material	Number per 100 Linear Feet	Minimum Evergreen
Canopy Trees	5	50%
Understory Trees	5	50%
Shrubs	60	75%

B. Fences and walls may be used in the buffer. Fences and walls shall comply with the following:
   1. The fence or wall shall have a minimum opacity of 75 percent;
   2. The fence or wall shall be a minimum height of six feet, unless otherwise approved by the DRT; and
   3. The fence or wall shall incorporate a masonry column at any end visible from a street or internal drive.

C. Berms may be used in the buffer. Berms shall comply with the following:
   1. Berms shall be used only along a rear property line of a residential lot and not located between a lot and a street or internal drive;
   2. Berms shall be a minimum of four feet in height, unless otherwise approved by the DRT;
   3. Berms shall be stabilized with a ground cover or other suitable vegetation;
   4. Shrubs shall be planted on a berm to achieve a combined height of six feet within four years of planting; and

5. Berms shall in no case damage the roots or trunks of existing healthy vegetation designated to be preserved.

8.1.4 Transition Zone 2: Restricted Use

Transition Zone 2 shall be a 50-foot wide area that abuts Transition Zone 1 and regulates uses and encroachments. The following uses and encroachments are the only uses and encroachments permitted in Transition Zone 2:

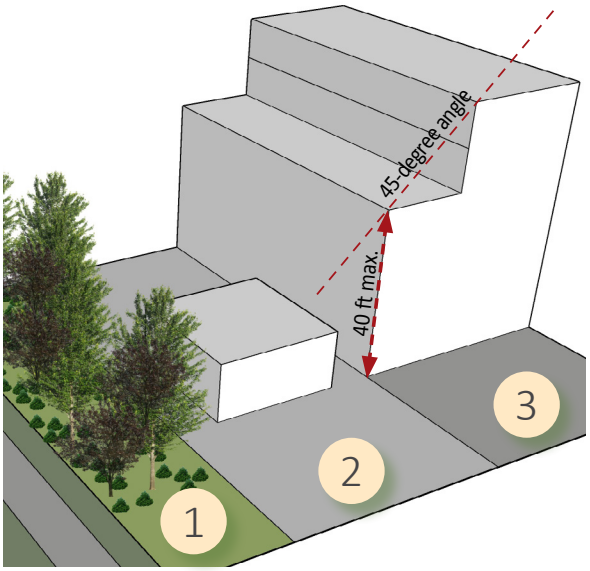
A. Fences, walls, and plant materials;
B. Open space, playgrounds, and trails;
C. Stormwater management facilities;
D. Surface parking areas;
E. Dumpsters;
F. Alleys; and
G. Accessory structures up to 14 feet in height.

8.1.5 Transition Zone 3: Building Height and Form

Transition Zone 3 shall be a 50-foot wide area that abuts Transition Zone 2 and regulates building height and form. All structures and uses allowed in the applicable zoning district are permitted in Transition Zone 3 subject to the following:

A. The maximum building height at the line where Transition Zone 3 and 2 meet is 40 feet; and
B. Height can increase subject to a 45-degree height plane measured from a height of 40 feet at the Transition Zone 3 and 2 line, extending upward one foot for every additional foot stepped back.

Figure 8.1.5.A Transition Building Height and Form



8.2 Height at Major Intersections

At major intersections of any combination of arterials and/or collectors in RC12, building height shall be balanced across the intersection. A viewshed analysis is required as per Paragraph 20.8.8.C.

8.3 Building Character

Where the existing development pattern is established and expected to remain, pursuant to Envision Franklin, development with nonresidential, multifamily, or mixed-uses shall graduate the massing and scale of the new building through utilization of the following methods:

A. Building stepbacks of at least 20 feet from the stories below;
B. Dividing buildings into smaller parts, including detached buildings, to reduce effective visual bulk and to maintain the scale and rhythm of the existing pattern of

development;

C. Sight lines or angular planes to gauge the appropriate building height necessary to achieve a steady, incremental transition; or
D. Other techniques that break up the scale of a building to complement existing development patterns, subject to approval by the applicable review body.

8.4 Transitional Features for Nonresidential, Multifamily, and Mixed-Use Development in the CFO

8.4.1 Applicability

A. This Section shall apply to nonresidential, multifamily, and mixed-use development in the CFO to achieve design compatibility between new and existing development, where the existing development is established and expected to remain, pursuant to Envision Franklin.
B. The standards in this Chapter may be used, all or in part, to achieve a transition between land uses, subdivisions, sites, lots, or structures, subject to the approval of the applicable review body, with consideration given to Envision Franklin and the Historic District Design Guidelines, where applicable.

8.4.2 Conflicting Provisions

A. In cases where the standards of this Section and other Chapters conflict, the more restrictive standard shall apply.
B. In cases where the standards of this Section and Section 8.1, Transition Areas Abutting Residential Lots, conflict, then this Section shall apply.
C. Within the HPO district, where Historic District Design Guidelines and this Chapter conflict, the Historic District Design Guidelines shall take precedence.

8.4.3 Building Setbacks

Outside of the R4, R6, MR, OR, CC, DD, 1ST, and 5TH districts, the minimum front yard setback shall be the average setback of existing buildings on the same block face. No new building shall be located closer to the front lot line than the closest adjacent building.

8.4.4 Building Height

A. Facade width and height on facades of adjacent buildings and buildings on opposing sides of a street shall be consistent with each other such that neither facade exceeds the other's dimensions by more than 25 percent. Topography, viewshed analysis, and methods outlined in Paragraph 8.4.4.D may be included in this assessment.
B. At the edge of an underlying zoning district where the adjacent district has a lower maximum building height, buildings shall transition in height using methods outlined in Paragraph 8.4.4.D.
C. Proposed multifamily buildings located within 100 feet of houses or duplexes shall not exceed two stories.
D. Nonresidential and mixed-use development shall graduate the massing and scale of the new building through utilization of the following methods:
   1. Building stepbacks of at least 20 feet from the stories below;
   2. Dividing buildings into smaller parts, including detached buildings, to reduce effective visual bulk and to maintain the scale and rhythm of the existing pattern of development;
   3. Sight lines or angular planes to gauge the appropriate building height necessary to achieve a steady,

incremental transition; or

4. Other techniques that break up the scale of a building to complement existing development patterns, subject to approval by the applicable review body.

8.4.5 Building Character

Where a clearly established building character and scale exist that is expected to remain, infill development shall blend with nearby buildings through use of:

A. Window and door openings with area ratios and proportions similar to those on nearby buildings;
B. Similarly sized and patterned architectural features such as windows, doors, awnings, arcades, pilasters, cornices, wall offsets, primary facade materials, and other building articulations of nearby buildings; and
C. Similar roof types, slopes, or arrangements.

8.5 Transitional Features for Residential Development in the CFO

8.5.1 Applicability

This Section shall apply to development on residential lots in the CFO to achieve compatible infill in or adjacent to existing residential neighborhoods, while reinforcing the established character of the neighborhood and mitigating adverse impacts on adjacent buildings.

8.5.2 Building Character

A. Proposed development shall blend with nearby buildings through use of similarly sized and patterned architectural features such as windows, doors, awnings, arcades, pilasters, cornices, wall offsets, primary materials on a facade, roof forms, and other architectural elements.
B. Proposed residential development shall blend with existing buildings along the same block face through use of:
   1. Dormers that are set back a minimum of one foot from the exterior wall of a front or side elevation;
   2. Massing that divides the building into smaller parts;
   3. Materials that do not accentuate verticality;
   4. A one-story front porch or entry element;
   5. Garages with traditional placement and orientation entirely behind the main structure and subordinate in height.

8.6 Perimeter Residential Lots

8.6.1 Applicability

This Section shall apply to residential development.

8.6.2 Lot Standards

A. New single-family residential lots on the perimeter of a proposed development, where adjacent to existing lots in a recorded residential subdivision, shall be no less than 75 percent of the average lot size of the existing contiguous lots.
B. Duplexes or multiplexes, where permitted along the perimeter of a proposed development, that is adjacent to single-family residential lots in a recorded subdivision, shall have comparable building facade widths to the houses on the adjacent residential lots.

PAGE INTENTIONALLY LEFT BLANK

CHAPTER 9

STREETS AND CIRCULATION

9.1 Streetscape 161

9.2 Streets 161

9.3 Internal Drives 161

9.4 Alleys 162

9.5 Vehicular Circulation 163

9.6 Pedestrian Circulation 164

9.1 Streetscape

9.1.1 Standards

A. New public streets and private streets shall be designed pursuant to the Transportation and Street Technical Standards.
B. Sidewalks that comply with Section 9.6, Pedestrian Circulation, and the Transportation and Street Technical Standards shall be provided along public and private streets and internal drives.
C. Street trees that comply with Section 12.8, Street Trees, shall be provided along public and private streets and internal drives.
D. Street lights that comply with Subsection 14.3.7, Street Lights, shall be provided along public and private streets and internal drives.
E. Bridge or safety barriers shall be stacked stone, concrete with a decorative finish, or painted dark green or black.
F. Traffic poles shall be painted dark green or black.

9.2 Streets

9.2.1 Standards

A. Public and private streets shall have a functional classification as defined by Connect Franklin.
B. New streets serving residential lots shall be public streets. Streets shall be required to have parallel parking when serving residential lots with lot widths of 45 feet or less.
C. The DRT may require, at no cost to the City, a traffic impact study to be prepared in accordance with the Transportation and Street Technical Standards.
D. Traffic control devices, where necessary to promote the safe and efficient movement of traffic, shall comply with the Manual on Uniform Traffic Control Devices.

9.3 Internal Drives

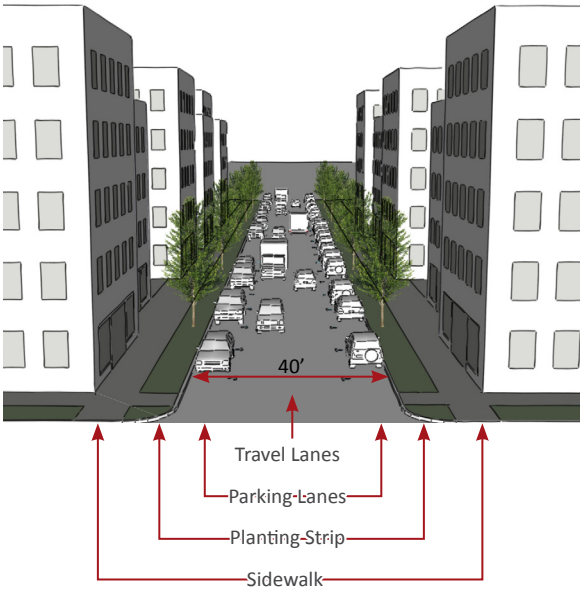
9.3.1 Applicability

Internal drives may be provided as an alternative to a public or private street in accordance with Subsection 7.1.2, Lot and Building Site Frontage.

9.3.2 Standards

A. Where permitted, internal drives shall be designed per the Transportation and Street Technical Standards as public or private streets having an equivalent street classification based on traffic volume capacity (vehicles per day), except that internal drives shall have two ten-foot travel lanes and parallel parking along both sides.
B. Internal drives shall be designed as an extension of the street network and shall comply with:
   1. Section 9.1, Streetscape; and
   2. Section 9.5, Vehicular Circulation.
C. Internal drives shall be placed in a public access easement and recorded as part of a final plat.

Figure 9.3.2.A Cross section of an internal drive showing travel lanes, parallel parking, sidewalks, and street trees with planting strip.



9.4 Alleys

9.4.1 Standards

A. Alleys shall be designed and constructed pursuant to the Transportation and Street Technical Standards.
B. Residential lots with a lot width of 45 feet or less must be served by an alley.
C. On each residential lot with an alley, a two-foot by six-foot concrete pad shall be placed at the rear of the lot, parallel to the alley, for garbage can collection.
D. No vehicle, fence, structure, vegetation, or wall shall be erected, maintained, or planted within the alley right-of-way, easements, or within two feet of the edge of the alley pavement/curb, whichever is greater.

9.4.2 Alley Layout

Alley and lot layout shall be designed to screen the view into an alley from an intersecting street by meeting any one of the following:

A. Providing evergreen planting material along the intersecting street to create an opaque screen;
B. Requiring a build-to line for the garage at five feet from the alley right-of-way;
C. Placing fencing with a height of six feet along the edge of the rear lot line and along the lot line abutting the intersecting street; or
D. Creating a curve in the alley by the third lot from the intersecting street.

9.4.3 Mews

Where the Transportation and Street Technical Standards requires a wide alley, a mews shall provide vehicular access to the rear of lots fronting onto open space. All provisions in this Ordinance regarding an alley shall also apply to a mews, in addition to the following:

A. The maximum length of a mews shall be 800 feet, as measured along the centerline; and
B. Each end of a mews shall connect to a street and shall not terminate into an alley or another mews.

9.5 Vehicular Circulation

9.5.1 External Connectivity

A. The arrangement of new streets and internal drives shall provide for the alignment and continuation of existing or proposed streets and internal drives into adjacent properties.

B. Street connections, street stubs, or internal drive connections shall be provided in every direction (north, south, east, and west), including connections to all existing streets or internal drives adjacent to the development site.

C. The DRT may determine that a street stub or internal drive connection or alignment shall not be required due to the classification of a street or when adjacent to floodplain, wetlands, riparian buffers, tree save areas, naturally-occurring slopes exceeding 14 percent, or other unique site conditions preventing a street or internal drive connection.

D. Street right-of-way and pavement shall be extended to the adjacent property lines. Internal drive pavement shall be extended to the adjacent property lines.

E. Traffic calming measures shall be consistent with the Transportation and Street Technical Standards. Existing residential streets affected by external street connectivity requirements may be candidates for traffic calming treatments upon the recommendation of the Engineering Department. If an applicant disagrees with the recommendation, the applicant may appeal to the FMPC or the BOMA, depending on the type of application.

F. At each location where a street terminates where a future connection is planned or accommodated, a sign shall be installed with the words "STREET TO BE EXTENDED BY THE AUTHORITY OF THE CITY OF FRANKLIN" to inform property owners.

G. The final plat and deeds for all residential lots shall identify street stubs and include a notation that all street stubs are intended for connection with future streets on adjoining undeveloped property.

9.5.2 Internal Connectivity

A. Development shall provide a grid street or internal drive pattern wherever possible.

B. Development shall provide for the alignment and continuation of internal street or internal drive connections to maximize the internal connectivity of the site wherever possible.

C. Block length perimeter shall not exceed a maximum of 2,400 feet, except the DRT may approve a block length perimeter up to 3,200 feet in cases:

1. Where environmental or topographic constraints exist;
2. Where the street classification prevents a connection; or
3. Where a proposal includes an internal parking structure.

D. New blocks shall be consistent with the Transportation and Street Technical Standards for distance between intersections.

E. Cul-de-sacs are permitted only where existing development, floodplains, wetlands, naturally occurring slopes exceeding 14 percent, riparian buffers, tree save areas, or other unique site conditions prevent a street connection.

9.5.3 Cross Access Between Adjacent Properties

A. Internal vehicular circulation shall be designed to provide cross access to each adjacent property, unless the DRT waives the requirement due to topographical constraints, natural features, or other vehicular safety factors. If waived, the applicant shall provide bicycle and pedestrian connections between adjacent properties.

B. Cross access to adjacent properties shall include connection to all existing streets or street stubs, access easements, internal drives, drive aisles, driveways, and parking areas.

C. Cross access shall provide two- way travel lanes with pavement to the property line. Property shall not be subdivided to avoid this requirement.

D. The applicant shall provide written notice to all adjoining property owners prior to the initial submittal of the applicable application. This notice shall provide a visual and narrative explanation of the proposed cross access connection points.

E. The applicant is responsible for constructing and improving the cross access to the adjacent property line prior to issuance of the first certificate of occupancy. The applicant shall perpetually maintain the cross access to the adjacent property line.

F. The cross access easement shall be recorded as part of a final plat.

9.6 Pedestrian Circulation

9.6.1 Placement and Connections

A. Sidewalks and curb shall be required on both sides of public and private streets and internal drives, except along Mack Hatcher Parkway, I-65, and undeveloped edges of natural areas.

B. A continuous internal pedestrian circulation system shall be provided throughout the development. Sidewalk connections shall be provided:

1. Between each building main entrance and the nearest street or internal drive. These connections shall be placed in a straight and direct route;
2. Between differing uses, such as neighborhood commercial centers or open spaces with residential uses;
3. That connect to existing, planned, or potential future sidewalks or multi-use paths at adjacent property boundaries;
4. That connect to existing or planned private trail systems in adjacent developments, where possible;
5. Between open spaces within a development; and
6. Building main entrances with associated parking areas.

C. In cases where a block length exceeds 600 feet, a sidewalk in a public access easement or open space lot shall be provided mid-block internally to connect streets on opposite sides of the block.

D. At the end of a close or cul-de-sac, a sidewalk and public access easement shall be provided that extends the pedestrian circulation system, to the maximum extent practicable, to the closest adjacent street, sidewalk, or multi-use path.

9.6.2 Sidewalks

A. Sidewalks along streets and internal drives shall comply with the Transportation and Street Technical Standards and placed in either a public right-of-way or a public access easement.

B. Sidewalk widths shall comply with the table below:

Sidewalk Location	Minimum Width
Along Streets or Internal Drives	In accordance with Transportation and Street Technical Standards, but in no case less than 5 feet
Where Abutting Parking Spaces	7 feet
Where Abutting a Commercial/Mixed-Use or Civic Building	8 feet
In the DD, 1ST, or 5TH Districts	12 feet, with at least 8 feet continuously unobstructed by street tree pits, light poles, or similar features

C. Sidewalk materials shall comply with the Transportation and Street Technical Standards.

D. Sidewalks shall be raised above adjacent driving surface and may be raised at vehicular crossings as a traffic- calming measure.

9.6.3 Multi-Use Paths

A. Multi-use paths shall be designed and constructed per the Transportation and Street Technical Standards.

B. Multi-use paths shall have a minimum width of 12 feet. The width may be reduced to ten feet in portions of the path to minimize disturbance to existing vegetation or other environmental constraints.

C. Multi-use paths shall be placed either in a public right-of-way or in a 24-foot wide public access easement.

D. In the 1ST district, a multi-use path shall be located along the Harpeth River with pedestrian access points to E. Main St and 1st Avenue N and S.

9.6.4 Nature Trails

Nature trails may be constructed of natural materials, such as grass, gravel, dirt, or mulch.

9.6.5 Sidewalks

A. Payment of fees in-lieu of installing a required public sidewalk may occur only when:
   1. The timing of the installation of the sidewalk would result in its removal shortly thereafter due to a fully-funded street widening, streetscape project, or other capital improvement project; or
   2. The right-of-way, developing lot, or lot abutting a required sidewalk is not suitable for sidewalks due to floodplain, wetlands, riparian buffers, tree save areas, HHO, or naturally-occurring slopes exceeding 20 percent.

B. The payment of fees in-lieu shall be reviewed by the DRT or FMPC as part of the development plan, site plan, or final plat.

C. The fees in-lieu of sidewalks shall be paid prior to:
   1. Recording the final plat; or
   2. Issuance of a building permit or a grading permit when a final plat is not required.

D. Fees received pursuant to this Subsection shall be used in accordance with the City Sidewalk Fund.

CHAPTER 10

PARKING AND TRANSIT

10.1 Parking 167

10.2 Bicycle Parking 178

10.3 Transit Infrastructure 179

10.1 Parking

10.1.1 Applicability

This Chapter shall apply to:

A. New development;
B. An existing structure or use that will be expanded or increased in capacity; or
C. A change in use that will result in increased vehicle trips.

10.1.2 Exemptions

Within the DD district, legally established uses and buildings in existence on the effective date of this Ordinance shall comply with the following:

A. When a commercial use is changed to another commercial use, additional parking spaces are not required;
B. When a building is expanded, additional parking spaces are required for the new square footage only; and
C. When a building is torn down and a new building is constructed, parking spaces shall comply with the standards of this Section and required for the entire square footage of the new building.

10.1.3 Review for Compliance

Review for compliance with this Chapter shall occur with a development plan, site plan, building permit, or certificate of occupancy, as applicable.

10.1.4 Parking Plan

A. A parking plan shall be submitted with any development that is required to provide more than three parking spaces.
B. The parking plan shall accurately designate the required parking spaces, landscape islands, aisles, driveways, internal drives, and circulation and mobility around the development.

10.1.5 Calculation of Minimum Parking

A. Parking spaces shall be required per the table in Subsection 10.1.6, Minimum Parking.
B. For combinations of uses, the minimum shall be the sum of the requirement for each use. No parking space for one use can be included in the calculation of a parking requirement for any other use, except as permitted by Paragraph, 10.1.10.A, Shared Parking.
C. When the minimum is listed as variable or if a use is not covered under Subsection 10.1.6, Minimum Parking, then the applicable City department:
    1. May determine the minimum based on the closest comparable use; or
    2. May approve an alternate standard based on a parking study that provides justification using:
        a. A nationally-accepted standard parking resource or comparable uses and cities, as approved by the Department of Planning and Sustainability;
        b. The size and type of the proposed development and the composition of uses;
        c. Anticipated rate of parking turnover; and
        d. Anticipated peak parking and traffic loads for all uses.

10.1.6 Minimum Parking

Use	Minimum Vehicle Parking Spaces	Reduced Minimum Vehicle Parking Spaces in CFO, CAO1, CAO2, and CAO3
AGRICULTURAL USE		
Agricultural Uses	Variable[1]	No reduction
Community Gardens	Variable[1]	No reduction
RESIDENTIAL USE		
Accessory Dwellings	1 space per unit	No reduction
Duplexes/Multiplexes/ Townhouses/Multifamily Residential	1.5 spaces for a studio 1.5 spaces for a 1 bedroom unit 2.5 spaces for a 2 bedroom unit 3 spaces for a 3+ bedroom unit	No reduction
Multifamily, Age-Restricted	1.5 spaces per unit + 1 per employee on the largest shift	No reduction
Single Family Residential	2 per unit	No reduction
RECREATION USES		
All Recreation Uses	Variable[1]	No reduction
CIVIC AND INSTITUTIONAL USES		
Clinics	4 spaces per 1,000 square feet[2]	No reduction
All Other Civic and Institutional Uses	Variable[1]	No reduction
COMMERCIAL USES		
Bed and Breakfasts	2 spaces + 1 space per rented room	No reduction
Day Care Centers	2 spaces per 1,000 square feet[2] + 1 space per employee + 5 stacking spaces[6]	No reduction
Event Venues	Variable[1]	No reduction
Funeral Homes	0.25 space per person of maximum occupant load[4]	No reduction
Garden Centers	3.33 spaces per 1,000 square feet[2] + 1 space per employee	No reduction
Gas Stations	3.33 spaces per 1,000 square feet[2] + 1 space per gasoline pump	No reduction

Use	Minimum Vehicle Parking Spaces	Reduced Minimum Vehicle Parking Spaces in CFO, CAO1, CAO2, and CAO3
Hotels	1 space per guest room + 1 space per employee on largest shift + 0.25 space per person of maximum occupant load[4] in assembly areas	1 space per guest room + 0.75 per employee on largest shift
Indoor or Indoor/Outdoor Animal Services	2 spaces per 1,000 square feet[2]	No reduction
Offices	4 spaces per 1,000 square feet[2]	2.85 spaces per 1,000 square feet[2]
Offices, Bank	4 spaces per 1,000 square feet[2] + 4 stacking spaces per drive-in lane[6]	No reduction
Personal Services	3.33 spaces per 1,000 square feet[2]	2.5 spaces per 1,000 square feet[2]
Personal Services, Barber Shops and Salons	1 space per seat + 1 space per employee	No reduction
Restaurants, Inside and Outside Seating	10 spaces per 1,000 square feet[2] + 1 space per employee on largest shift	7.5 spaces per 1,000 square feet[2] + 0.75 space per employee on largest shift
Restaurants, Drive-In/Drive-Through/Quick Service	0.52 space per seat (indoor and outdoor)[3] + 15 stacking spaces for first ordering station and +5 additional stacking spaces for each additional ordering station[6]	0.52 space per seat (indoor and outdoor)[3] + 15 stacking spaces for first ordering station and +5 additional stacking spaces for each additional ordering station[6]
Retail	3.33 spaces per 1,000 square feet[2] for structures up to 300,000 square feet[2] 2.67 spaces per 1,000 square feet[2] for structures 300,001 or more square feet[2]	2.5 spaces per 1,000 square feet[2] for structures up to 300,000 square feet[2] 2 spaces per 1,000 square feet[2] for structures 300,001 or more square feet[2]
Short-Term Vacation Rentals	See dwelling unit type	No reduction
Showrooms	2 spaces per 1,000 square feet[2] + 1 space per employee	No reduction
Theaters	0.33 space per seat[3]	No reduction

Use	Minimum Vehicle Parking Spaces	Reduced Minimum Vehicle Parking Spaces in CFO, CAO1, CAO2, and CAO3
Vehicle Sales and Rental	2 spaces per 1,000 square feet[2] + 1 space per service bay	No reduction
Vehicle Service Facilities	3.33 spaces per 1,000 square feet[2] + 1 space per service bay	No reduction
Vehicle Wash Facilities	1 space per drying space/bay + 2 stacking spaces per washing spaces/bay	No reduction
INDUSTRIAL USES		
Adult-Oriented Establishments	0.33 space per person of maximum occupant load[4]	No reduction
Area Dedicated to Indoor Retail Sales[5]	1 space per 200 square feet[2]	No reduction
Area Dedicated to Indoor Storage/Warehousing/ Assembly/Manufacturing[5]	1-3,000 square feet[2] = 1 space per 250 square feet[2] 3,001-5,000 square feet[2] = 1 space per 500 square feet[2] 5,001-10,000 square feet[2] = 1 space per 750 square feet[2] 10,001 + square feet[2] = 1 space per 1,250 square feet[2]	No reduction
Area Dedicated to Office or Administrative Use[5]	1 space per 300 square feet[2]	No reduction
Area Dedicated to Outdoor Storage[5]	1 space per 1,000 square feet[2]	No reduction
Data Centers	Variable[1]	No reduction
Self-Storage Facilities	0.01 space per storage unit + 4 spaces	No reduction
Vehicle Repair Facilities	3.33 spaces per 1,000 square feet[2] + 1 space per service bay	No reduction

Use	Minimum Vehicle Parking Spaces	Reduced Minimum Vehicle Parking Spaces in CFO, CAO1, CAO2, and CAO3

Notes:
1. Uses that reference this note have widely varying parking and loading demand characteristics, making it difficult to establish a uniform standard. See Clause 10.1.5.C in Calculation of Minimum Parking.
2. Square feet refers to the gross floor area of the building.
3. Seats refers to the occupant load for the area used as seating.
4. Maximum occupant load is based on the maximum fire-rated capacity.
5. The total number of required spaces is cumulative based on the variety of different functions present in a single use.
6. Minimum number of stacking spaces unless otherwise demonstrated using peak stacking lengths for comparable businesses and locations.

10.1.7 Parking Spaces Available to Count Towards Minimum Parking Standards

Parking spaces available to count towards the minimum parking standards include the following:

A. Parking spaces on the lot;
B. Demarcated parallel parking spaces abutting a lot for a nonresidential, mixed-use, or multifamily residential use. Spaces may not be double counted; and
C. Parking spaces per an approved alternative parking plan per Subsection 10.1.10, Alternative Parking Plan.

10.1.8 Parking Location

The location of parking shall be in accordance with the applicable frontage type per Chapter 7, Frontage Types.

10.1.9 Parking Structures

A. In the CFO, parking structures shall have active ground-floor uses along all street frontages. Parking structures shall comply with the commercial/mixed-use building type. Openings shall be vertically oriented to appear as window openings that meet the intent of the building type standards.
B. Outside the CFO, where along an arterial or collector street, parking structures shall be screened by buildings at least as tall as the parking structures.
C. Outside of the CFO, parking structures shall be visually similar in character to the principal building by:
    1. Matching the materials or being composed of brick; and
    2. Vertically orienting the openings to appear as windows of the same size and rhythm as the principal building.
D. Parking structures are subject to the maximum principal building height as permitted per the applicable zoning district.
E. Vehicular entrances of parking structures shall be located so that potential conflicts with pedestrian circulation are minimized.
F. Multiple pedestrian entrances shall be included for each parking structure.

10.1.10 Alternative Parking Plan

The alternative parking plan may use any combination of the following alternatives, subject to DRT approval:

A. Shared Parking
    1. The applicant shall submit a shared parking study that justifies the feasibility of using shared parking with:
        a. Information from a nationally-accepted standard parking resource using comparable uses and cities, as approved by the Department of Planning and Sustainability;
        b. The size and type of the proposed development and the composition of uses;
        c. Anticipated rate of parking turnover; and
        d. Anticipated peak parking and traffic loads for all uses that will be sharing parking spaces.
    2. A continuous sidewalk shall be provided to and from the shared parking area;
    3. Shared parking spaces shall be located within 1,320 feet (five-minute walk) of a main entrance of each use served, as measured along the sidewalk connecting the main entrance to the shared parking area;
    4. A shared parking agreement shall be signed by all applicable property owners and recorded at the Register of Deeds prior to issuance of a building permit for any use to be served by the

shared parking;

5. For phased development, a phased parking plan shall be provided that shows how each use will be provided with adequate parking spaces throughout the full buildout of the development; and
6. A shared parking agreement may be repealed only if all required parking spaces for each use will be provided without shared parking per Subsection 10.1.6, Minimum Parking.

B. Remote Parking

Remote parking on a separate site from the site on which the use is located may be a permitted alternative when it meets the following:

1. There are practical difficulties in locating the parking area on-site or public safety or public convenience are better served by a remote location;
2. The remote parking area shall be placed in a recorded easement for the use of an off-site parking location in perpetuity;
3. A sidewalk shall connect the remote parking to the use being served;
4. The remote parking shall be located within 1,320 feet (five-minute walk) of a main entrance of each use served, as measured along the sidewalk connecting the main entrance to the remote parking.
5. The remote parking area shall be convenient to use without causing unreasonable:
   a. Hazard to pedestrians or vehicular traffic;
   b. Traffic congestion;
   c. Interference with commercial activity or convenient access to other parking areas in the vicinity;
   d. Detriment to the appropriate use of businesses in the vicinity; or
   e. Detriment to any adjacent residential neighborhood.

C. Deferred Parking

Deferral of construction of up to 30 percent of the required number of parking spaces may be a permitted alternative when it meets the following:

1. The applicant shall submit a reserve parking plan that identifies:
   a. The number of parking spaces being deferred; and
   b. The equivalent area reserved for the deferred parking spaces, if needed in the future.
2. The applicant shall provide assurance illustrating the provided parking is sufficient after 24 months from the initial certificate of occupancy or when at least 90 percent of the building is occupied, whichever is later. If additional parking is found to be needed, the applicant shall construct the deferred spaces; and
3. Reserved parking areas shall be brought to the finished grade and stabilized and shall not be counted towards other Ordinance requirements.

D. Valet Parking

Valet parking may be a permitted alternative when it meets the following:

1. Valet parking shall meet the Municipal Code;
2. The applicant shall provide assurance illustrating that valet parking will be available on a long-term basis;
3. An attendant shall be provided to park vehicles during business operations that use valet services;

4. Valet spaces shall be located in a parking area or parking structure; and
5. Valet parking service in a public street shall meet the Municipal Code.

10.1.11 Maximum Parking

Except for single-family residential, parking that exceeds 120 percent of the minimum in Subsection 10.1.6, Minimum Parking, shall be constructed and maintained:

A. With pervious surfacing; or
B. Within a parking structure.

10.1.12 Arrangement

A. Parking, stacking, and loading areas shall be arranged for convenient access and safety of pedestrians, bicyclists, and vehicles.
B. The arrangement of parking shall be designed to accommodate vehicular circulation, maneuvering, parking, and associated parking movements without use of the public right-of-way, except for parallel parking
C. The arrangement of parking shall prevent vehicle circulation from backing out directly onto a street, except on single family residential lots.
D. Parking areas shall be configured so that a vehicle may be parked and un-parked without moving another vehicle. This shall not apply to single-family residential.
E. The stacking arrangement shall not cause vehicles to queue within streets or internal drives or interfere with other customer vehicular circulation.
F. Stacking space lengths shall be based on a minimum of 20 feet per space.
G. Surface parking areas shall provide landscaping and landscape islands pursuant to Section 12.6, Parking Area Landscape.

10.1.13 Maximum Slope

Parking areas shall not exceed a slope of five percent. Parking aisles that connect parking areas shall not exceed ten percent.

10.1.14 Dimensional Standards for Standard Parking Spaces and Aisles

A. Standard parking spaces and aisles shall comply with the dimensions below:

Parking Angle	Standard Parking Space Depth (Feet)	Standard Parking Space Width (Feet)	Aisle Width (Feet)
Parallel	22	8	10-12 (one way) 20-24 (two way)
90 Degrees	18	9	20-24
60 Degrees	20	9	16-20
45 Degrees	19	9	16-20

B. Handicap accessible spaces and signage shall be provided pursuant to all applicable building codes.
C. Parking structures may have dimensional adjustments based on utilization, but in no case shall the standard space width be less than eight feet, subject to approval by the Department of Building and Neighborhood Services.
D. Where the side of a standard parking space is alongside a landscape island, the minimum width of the parking space shall be increased to ten feet.
E. Where the end of a 90-degree standard parking space abuts a landscape island or a sidewalk of at least seven feet and allowing a bumper overhang, the minimum depth of the parking space may be reduced to 16 feet.

10.1.15 Dimensional Standards for Compact Parking Spaces and Aisles

A. Compact parking spaces and aisles shall comply with the dimensions below:

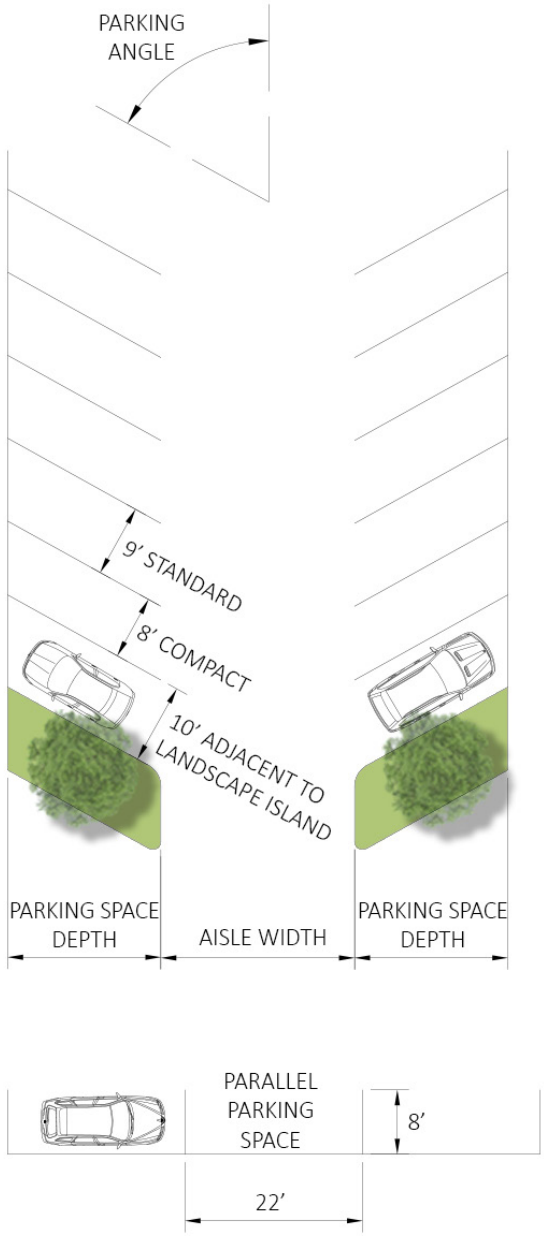
Parking Angle	Compact Parking Space Depth (Feet)	Compact Parking Space Width (Feet)	Aisle Width (Feet)
Parallel	N/A	N/A	N/A
90 Degrees	16	8	20-24
60 Degrees	18	8	16-20
45 Degrees	17	8	16-20

B. Compact parking spaces shall be permitted in parking areas of at least 20 spaces. Compact spaces shall not exceed 15 percent of the minimum spaces in Subsection 10.1.6, Minimum Parking.

C. Where the side of a compact parking space is alongside a landscape island, the minimum width of the parking space shall be increased to ten feet.

D. No reduction in depth shall be permitted for compact parking spaces abutting landscape islands or sidewalks.

Figure 10.1.15 Parking Space Dimensions



10.1.16 Demarcation

A. Parking areas of three or more spaces and parallel parking spaces shall be demarcated by painted lines or other methods identifying individual parking spaces, except for single family residential.
B. Compact spaces shall be labeled as such on the pavement.
C. Loading areas shall be demarcated by signage, striping, and labeling on the pavement.

10.1.17 Surfacing

The surface material for parking and loading areas shall be asphalt, concrete, brick, stone, pavers, or an equivalent material. The following alternative materials may be approved by the DRT or applicable City department:

A. Pervious or semi-pervious surface materials such as:
   1. Reinforced grass parking systems; or
   2. Ring and grid systems used in conjunction with grass, pervious concrete, or permeable pavers.
B. Recycled materials with a binder such as glass, rubber, used asphalt, brick, block, and concrete;
C. Asphalt mixed with crushed pea gravel or limestone to achieve a particular character; or
D. Gravel parking areas in the AG district or single family residential lots.

10.1.18 Curbs and Wheel Stops

A. Parking and loading areas shall provide curbs or similar devices to prevent vehicle overhang into public right-of-way, sidewalks, adjacent property, or landscape areas.
B. Vehicle wheel stops are permitted only for handicap-accessible spaces or spaces within parking structures.

10.1.19 Timing of Construction

A. All required parking and loading areas shall be completed in accordance with approved plans prior to the issuance of a certificate of occupancy for the use they serve.
B. Phased development shall provide parking and loading areas for each portion of the development for which a development plan or site plan is approved.

10.1.20 Maintenance

A. Parking and loading areas shall be maintained in good repair and in safe condition at all times so as not to constitute a hazard to public safety or a visual or aesthetic nuisance to surrounding property.
B. Surfacing materials shall be maintained in a smooth, well-graded condition, except for approved pervious paving.
C. Parking and loading areas shall be periodically painted or otherwise maintained to retain clear identification of individual spaces.

10.1.21 Loading Areas

A. Uses with business operations that include unloading of goods, materials, items, or stock for delivery or shipping shall be required to provide one loading area either on-site or along the curb of the abutting street or internal drive, subject to DRT approval.
B. The size of the loading area shall be a minimum:
   1. Width of 12 feet;
   2. Depth of 25 feet; and
   3. Overhead clearance of 14 feet;
C. An on-site loading area shall be:
   1. Located to the rear of the building adjacent to the loading doors; and
   2. Arranged to have safe and convenient access to a street, but in no case

shall the loading area extend into the required aisle of a parking area.

10.1.22 Use

A. All surface parking, stacking, and loading areas required by this Chapter shall be used only for those purposes. Parking spaces in excess of the minimum required parking may be used for temporary uses and structures, pursuant to Section 5.3, Temporary Uses and Structures.

B. Any other vehicular use, such as storage, sales, repair, service, or display of any kind shall constitute a separate business use of the space and shall not be counted towards minimum requirements.

C. Required parking spaces shall be free and accessible to the public, unless otherwise determined by the BOMA.

10.2 Bicycle Parking

10.2.1 Minimum Bicycle Parking

Bicycle parking shall be provided in accordance with the following:

Principal Use	Minimum Bicycle Parking Spaces
Multifamily	0.05 space per bedroom
Educational Facilities	1 space per 10 students
Office	1 space per 20,000 square feet of gross floor area
Any Other Uses with Parking Areas	1 space per 20 vehicle spaces

10.2.2 Bicycle Parking Standards

A. Bicycle parking shall be provided using bicycle racks, bicycle lockers, restricted-access bicycle enclosures, or similar secured facilities.

B. Bicycle racks shall be securely anchored and easily usable with U-locks and cable locks.

C. Four-foot wide aisles on all sides of bicycle parking spaces shall:
   1. Be provided for clear and maneuverable access; and
   2. Not encroach into sidewalk areas.

D. Bicycle parking areas shall be separated from vehicle parking and circulation areas by:
   1. A physical barrier; or
   2. A distance sufficient to protect parked bicycles from damage by vehicles, including front and rear overhangs of parked or moving vehicles.

E. Bicycle parking shall be located near the building main entrance. Where there is more than one building on a site or where a building has more than one main entrance, the bicycle parking shall be distributed to serve each main entrance.

F. If the bicycle parking is located outside, then the following shall apply:
   1. Bicycle parking areas shall be paved with materials per Subsection 10.1.17, Surfacing;
   2. The bicycle parking area shall be connected to the internal pedestrian circulation system per Section 9.6, Pedestrian Circulation; and
   3. A curb ramp shall be provided if located next to a street or internal drive.

10.3 Transit Infrastructure

10.3.1 Requirement Thresholds

A. Transit infrastructure shall be required when the following conditions are met:
   1. The site has frontage along an existing or planned public transit route, in accordance with the Franklin Transit Authority adopted plan;
   2. The site will generate a minimum of 2,500 daily vehicular trips as calculated per the current edition of the *Institute of Transportation Engineers' Trip Generation Handbook*.

B. Transit infrastructure shall not be required when the following conditions are present:
   1. An existing transit stop is located within 1,320 feet (five-minute walk), as measured along a sidewalk and located on the same side of the street.
   2. The DRT or Franklin Transit Authority determines the location is not viable due to:
      a. Physical constraints, such as steep slopes above 14 percent or sight distance conflicts; or
      b. Other unsafe conditions for the transit system, vehicles, or pedestrians that would be caused by the proposed stop location.

10.3.2 Requirements on Existing Public Transit Routes

If transit infrastructure is required per Subsection 10.3.1, Requirement Thresholds, and the development is on an existing transit route, the applicant shall dedicate the required right-of-way, as applicable, or provide a public access easement and construct the following transit stop facilities, unless the FMPC or DRT, as applicable, approves an equivalent alternate design:

A. A concrete landing pad located between the sidewalk and the back of curb;
B. A concrete transit pad measuring 15 feet by 20 feet;
C. Sidewalks that connect the transit stop to the nearest existing sidewalk or street intersection;
D. Benches and other seating;
E. A bike rack; and
F. A transit shelter in accordance with the Franklin Transit Authority adopted plan.

10.3.3 Requirements on Future Planned Transit Routes

A. If transit infrastructure is required per Subsection 10.3.1, Requirement Thresholds, and the development is on a future planned route, the applicant shall dedicate the required right-of-way, as applicable, or provide a public access easement, but shall not be required to construct transit stop facilities.
B. If the DRT determines that a transit stop cannot be accommodated in the public right-of-way, then a public access easement shall be dedicated to the City with a note on the final plat that states the area is designated for a transit stop.
C. Adequate space shall be dedicated to accommodate the transit stop, including efficient bus operations, bus stop spacing, curb clearance, placement in relation to the roadway, abutting property owner/tenant parking restrictions and regulations at and near the stop, vehicle turning radii, lane width and surfaces, intersection design topography, and other physical constraints pursuant to the Transportation and Street Technical Standards.

CHAPTER 11

OPEN SPACE

11.1 General Provisions 181
11.2 Overview of Open Space Types Permitted by Zoning District 182
11.3 Natural Area 184
11.4 Greenway 185
11.5 Neighborhood Amenities 186
11.6 Pocket Park 187
11.7 Courtyard 188
11.8 Square or Green 189
11.9 Outdoor Dining Area 190
11.10 Plaza 191
11.11 Ownership of Open Space 192
11.12 Provision in Multi-Phase Developments 193
11.13 Maintenance 193

11.1 General Provisions

11.1.1 Applicability

This Chapter shall apply to:

A. Residential development that exceeds 25 dwelling units or exceeds 15 acres.
B. Nonresidential or mixed-use development with:
   1. Two or more buildings;
   2. Two or more nonresidential tenants;
   3. A gross building area exceeding 10,000 square feet; or
   4. A site or lot exceeding three acres.

11.1.2 Review for Compliance

Review for compliance shall occur with the submittal of a development plan, site plan, or preliminary plat.

11.1.3 Open Space Placement

A. Open space shall be located so as to be readily accessible and useable open space for all residents and users of the development.
B. Open spaces shall be placed within a residential or mixed-use development so that every house, duplex, townhouse, multiplex, and multifamily building has an open space within a walking distance of 1,320 feet (five-minute walk), as measured from the perimeter of each open space. Houses on individual lots of at least 30,000 square feet are exempt from this requirement.
C. Open spaces shall be placed within the development to connect to other open spaces through an internal pedestrian circulation system per Section 9.6, Pedestrian Circulation.
D. The placement of open space shall not result in a view of any rear facade from a street.

11.1.4 Calculation of Minimum Open Space

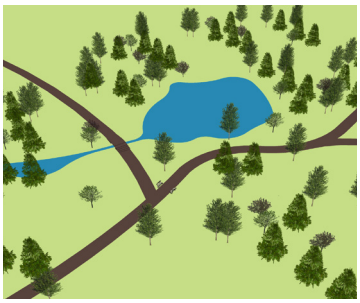
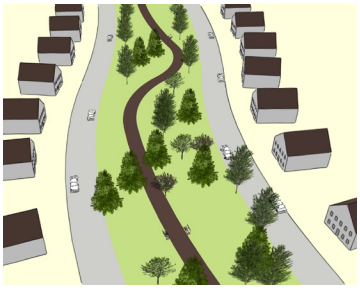
A. Open space types and set asides shall be as required pursuant to Subsection 11.1.5, Minimum Open Space.
B. The minimum open space set aside percentage shall be based on the acreage of the entire development site.
C. The open space set aside shall not be required when the minimum open space set aside for:
   1. Residential development yields less than 5,000 square feet; or
   2. Nonresidential or mixed-use development yields less than 2,500 square feet.
D. The acreage for individual single-family residential lots that are 30,000 square feet or larger may be excluded from the five percent open space set aside calculation.
E. Parking areas, driveways, buildings, required sidewalks along streets, public right-of-way, and individual private yards shall not be counted as open space.

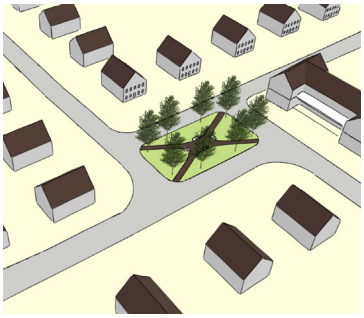
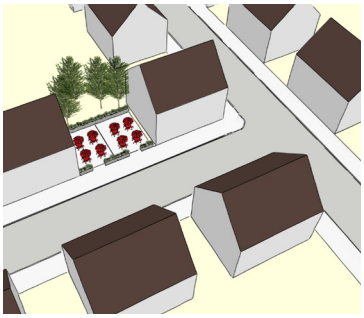
11.1.5 Minimum Open Space

Zoning District	Minimum Open Space Set Aside	Required Open Space Type
All Districts	5%	Any combination as permitted by district, except natural area
ER, R1, R2, R3, and PD with residential uses only	Additional 10%	Natural Area

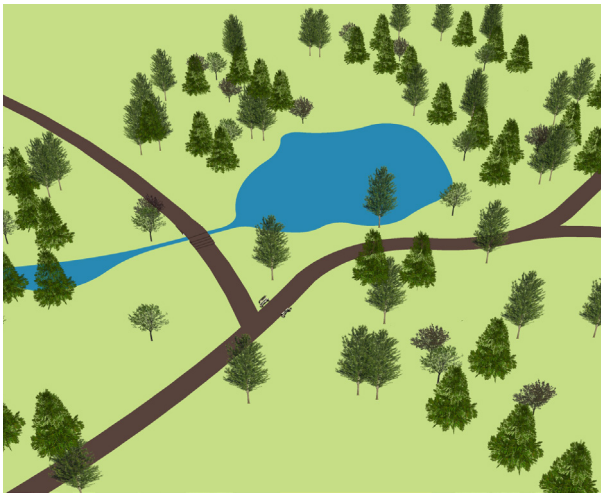
11.2 Overview of Open Space Types Permitted by Zoning District

The following open space types are permitted in the districts indicated. Each open space shall comply with all standards and tables of the corresponding open space type.

Open Space Description	Illustration	Districts Where Permitted
Natural Area: An open space that is maintained, but left in a natural state. Natural areas may contain hillsides, hillcrests, slopes exceeding 14 percent, floodplain, streams, ponds, agricultural lands, forest, fields, meadows, tree save areas, scenic corridors and viewsheds, wildlife habitat, or vegetated stormwater management features. These areas may also contain historic or culturally significant areas, such as cemeteries, battlefields, or other archaeologically significant resources		All Districts
Greenway: Linear open space typically following the trajectories of natural corridors. Greenways are required to include multi-use paths along the length of the greenway		All Districts
Neighborhood Amenities: Outdoor recreation areas, such as pools, sports fields, sports courts, playgrounds, and dog parks typically for use by residents of the development		ER R1 R2 R3 R4 R6 MR PD CC RC6 RC12
Pocket Park: Small-scale, active or passive park within walking distance of residential uses that contain designed and regularly maintained open areas that typically include arranged plantings, playgrounds, gardens, dog parks, gazebos or similar structures, fountains, sculptures, and other forms of public art		All Districts

Courtyard: Open space located between houses, duplexes, multiplexes, or townhouses that face each other		ER R1 R2 R3 R4 R6 MR PD CC
Square or Green: Passive recreation area that is primarily landscaped and bound by streets or internal drives		ER R1 R2 R3 R4 R6 MR PD 1ST 5TH RC6 RC12 GO LI HI
Outdoor Dining Area: Open space set aside associated with restaurants within nonresidential or mixed-use development. These may be patios, terraces, upper story decks, or rooftop dining areas. These areas are open to the general public only as part of a business		PD NC CC DD 1ST 5TH RC6 RC12 LI
Plaza: Formal gathering places typically adjacent to nonresidential and mixed-use buildings. These areas contain a greater amount of hardscape than other open space types and typically contain special features, such as public art or fountains		PD NC CC DD 1ST 5TH RC6 RC12 GO LI HI

11.3 Natural Area

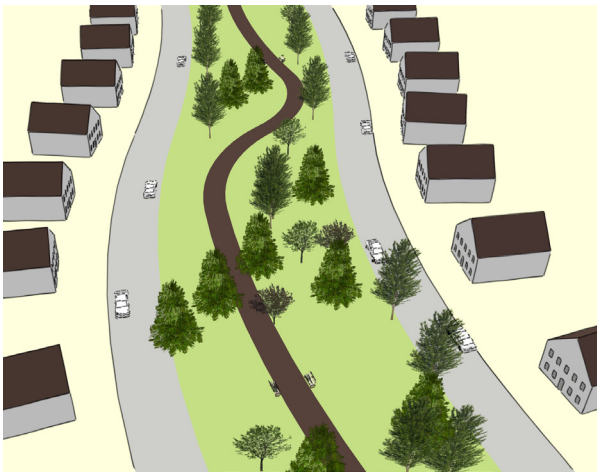


Description
An open space that is maintained, but left in a natural state. Natural areas may contain hillsides, hillcrests, slopes exceeding 14 percent, floodplain, streams, ponds, agricultural lands, forest, fields, meadows, tree save areas, scenic corridors and viewsheds, wildlife habitat, or vegetated stormwater management features. These areas may also contain historic or culturally significant areas, such as cemeteries, battlefields, or other archaeologically significant resources.

Standards	
Permitted Districts	All districts
Dimensions	Minimum size of 5,000 square feet
Arrangement	Shall have at least one direct access to a public right-of-way or private street with access easement

Standards (Continued)	
Landscape	Minimum one large canopy tree and two understory trees per each 2,500 square feet and landscaped in an informal arrangement
Features	Shall have sidewalks, multi-use paths, or nature trails, which shall be placed within a public access easement If elected by the applicant, multi-use paths that meet ADA requirements may be counted as a greenway, subject to the standards in Section 11.4, Greenway
Additional Areas	The following areas may be credited toward the natural area set aside: A. Required landscape areas and medians of at least 5,000 square feet B. Land within the boundary of a private lot or development site subject to a conservation easement that is accepted by the City and provides for permanent open space in perpetuity C. Landscaped stormwater management features, designed pursuant to Section 17.5, Stormwater Management Features

11.4 Greenway



Description
Linear open space typically following the trajectories of natural corridors. Greenways are required to include multi-use paths along the length of the greenway

Standards	
Permitted Districts	All districts
Dimensions	Minimum width of 24 feet that includes a multi-use path and six feet adjacent to the path on each side
Landscape	Minimum one large canopy tree and two understory trees per each 2,500 square feet and landscaped in an informal arrangement
Features	The following features are required: A. Multi-use paths that meet ADA requirements B. Seating elements

Standards (Continued)	
Stormwater	Stormwater management features shall not be counted as open space

11.5 Neighborhood Amenities

Description
Neighborhood amenities that count toward the open space set aside are outdoor recreation areas, such as pools, sports fields, sports courts, playgrounds, and dog parks typically for use by residents of the development

Standards	
Permitted Districts	ER R1 R2 R3 R4 R6 MR PD CC RC6 RC12
Dimensions	Minimum size of 5,000 square feet
Arrangement	Shall provide a sidewalk connection to a sidewalk along any adjacent street
Landscape	Minimum one large canopy tree and two understory trees per each 2,500 square feet and landscaped in a formal arrangement
Lighting	Pedestrian-scale lighting only
Stormwater	Stormwater management features shall not be counted as open space

11.6 Pocket Park

Description
Small-scale, active or passive parks within walking distance of residential uses that contain designed and regularly maintained open areas that typically include arranged plantings, playgrounds, gardens, dog parks, gazebos or similar structures, fountains, sculptures, and other forms of public art

Standards	
Permitted Districts	All districts
Dimensions	No minimum size
Arrangement	A sidewalk connection shall be provided to a sidewalk along a street Internal sidewalks and pedestrian-scale lighting shall be provided The placement of buildings shall comply with Section 503 of the Fire Code

Standards (Continued)	
Landscape	Minimum one large canopy tree and two understory trees per each 2,500 square feet, and landscaping provided in a formal arrangement
Features	Two of the following features are required: A. Seating elements B. Canopies or gazebos to shield pedestrians C. Furnishings, such as planters, waste receptacles, bicycle racks, drinking fountains, or transit shelters D. Fountains, sculptures, or art E. Playgrounds
Stormwater	Stormwater management features may occupy up to 40 percent of the pocket park when treated as a site amenity and designed pursuant to Section 17.5, Stormwater Management Features

11.7 Courtyard

Description
An open space located between houses, duplexes, multiplexes, or townhouses that face each other

Standards	
Permitted Districts	ER R1 R2 R3 R4 R6 MR PD CC
Dimensions	No minimum size
Arrangement	One or two sides of the courtyard shall abut a street Minimum width of 30 feet with at least 40 feet between opposing front facades. No more than six dwellings shall be located on any one side of the courtyard. Where four or fewer dwellings face a courtyard, the minimum width may be reduced to 20 feet with at least 30 feet between opposing front facades The placement of buildings shall comply with Section 503 of the Fire Code

Standards (Continued)	
Landscape	Minimum one large canopy tree and two understory trees per each 2,500 square feet, and landscaping provided in a formal arrangement
Hardscape	May cover up to 33 percent and shall be concrete, crushed stone, brick paver, or other comparable material
Features	The following features are required: A. Internal sidewalks that connect all main entrances to any adjacent street B. Pedestrian-scale lighting that illuminates all sidewalk connections One of the additional features is required: A. Seating elements B. Specialized or decorative hardscape C. Arcades, canopies, awnings, or overhangs to shield pedestrians D. Furnishings, such as planters, waste receptacles, bicycle racks, drinking fountains, or transit shelters E. Fountains, sculptures, or art
Stormwater	Stormwater management features may occupy up to 40 percent of a courtyard when treated as a site amenity and designed pursuant to Section 17.5, Stormwater Management Features

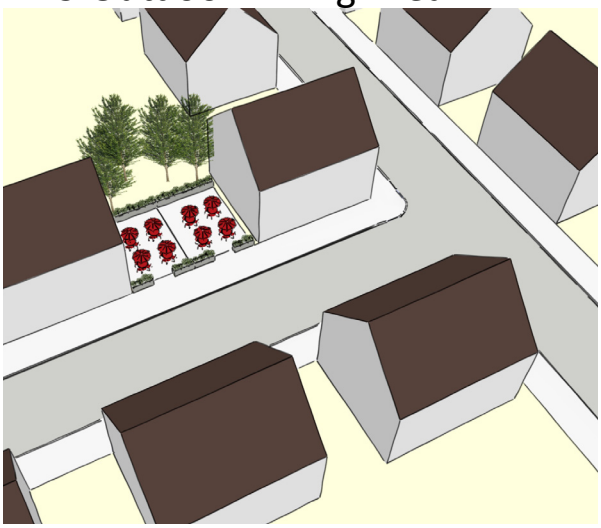
11.8 Square or Green

Description
Passive recreation areas that are primarily landscaped and are bound by streets or internal drives

Standards	
Permitted Districts	ER R1 R2 R3 R4 R6 MR PD 1ST 5TH RC6 RC12 GO LI HI
Dimensions	Minimum size of 5,000 square feet
Arrangement	Bounded by streets or internal drives on four sides Prominently located within the development Main entrances of adjacent buildings shall face the square or green
Landscape	Minimum one large canopy tree and two understory trees per each 2,500 square feet and landscaped in a formal arrangement

Standards (Continued)	
Hardscape	May cover up to 33 percent and shall be concrete, crushed stone, brick paver, or other comparable material
Features	Four of the following features are required: A. Seating elements B. Internal sidewalks C. Pedestrian-scale lighting beyond that required to illuminate public right-of-way D. Canopies or gazebos to shield pedestrians E. Furnishings, such as planters, waste receptacles, bicycle racks, drinking fountains, or transit shelters F. Fountains, sculptures, or art G. Playgrounds
Stormwater	Stormwater management features shall not be counted as open space

11.9 Outdoor Dining Area



Description
Outdoor dining areas that count toward the open space set aside are associated with restaurants within nonresidential or mixed-use development. These may be patios, terraces, upper story decks, or rooftop dining areas. These areas are open to the general public only as part of a business.

Standards	
Permitted Districts	PD NC CC DD 1ST 5TH RC6 RC12 LI
Arrangement	Typically located next to the building, but may be placed within required setbacks
Landscape	A wall or raised planters Where on-site parking is adjacent to an outdoor dining area, a planting strip shall be provided along the perimeter, in addition to a wall or raised planters

Standards (Continued)	
Features	The following features are required: A. Dining tables and chairs of at least two rows deep B. Ground-oriented, pedestrian-scale lighting C. Raised planters, planting strip, or similar vegetation
Stormwater	Stormwater management features shall not be counted as open space

11.10 Plaza

Description
Plazas are formal gathering places typically adjacent to nonresidential and mixed-use buildings. These areas contain a greater amount of hardscape than other open space types and typically contain special features, such as public art or fountains.

Standards	
Permitted Districts	PD NC CC DD 1ST 5TH RC6 RC12 GO LI HI
Dimensions	Minimum size of 2,500 square feet
Arrangement	Shall be generally level, stepped, or gently sloping with a three percent grade or less Adjacent buildings shall have a main entrance face the plaza
Landscape	Minimum one large canopy tree and two understory trees per each 2,500 square feet and landscaped in a formal arrangement

Standards (Continued)	
Hardscape	Shall cover between 50 percent and 80 percent of the plaza and be concrete, brick, pavers, crushed stone, or other comparable material
Features	Four of the following features are required: A. Seating elements B. Specialized or decorative hardscape C. Pedestrian-scale lighting beyond that required to illuminate public right-of-way D. Arcades, canopies, awnings, or overhangs to shield pedestrians E. Furnishings, such as planters, waste receptacles, bicycle racks, drinking fountains, or transit shelters F. Fountains, sculptures, or art
Stormwater	Stormwater management features shall not be counted as open space

11.11 Ownership of Open Space

Open space areas shall be owned and maintained as permanent open space by a homeowners association, property owners association, private ownership with conservation easement, or public ownership when dedicated to the City or another appropriate public agency. Natural areas may also be held by a land trust or conservancy. Outdoor dining areas are exempt from this Section.

11.11.1 Homeowners Association

If open space is to be deeded to a homeowners association, then the applicant shall place the open space in a public utility, drainage, and access easement and record a declaration of covenants and restrictions that shall:

A. Govern the use of open space;
B. Run with the land in perpetuity;
C. The homeowners association shall not be dissolved, nor shall it dispose of any open space or facilities, by sale or otherwise, except to an organization conceived and established to own and maintain the open space and facilities, and the conditions of a transfer shall conform to the approved site plan;
D. Association membership shall be mandatory for each property owner and successive owner;
E. Provide ability for a lien on residential properties to secure collections of assessments levied by the homeowners association; and
F. Grant the City the authority to maintain the open space if necessary and assess the cost of maintenance against the owners of the property jointly and severally.

11.11.2 Property Owners Association

If open space is to be deeded to a property owners association, then the applicant shall provide for and establish a property owners association that shall comply with the following:

A. The association shall own and maintain the open space and facilities;
B. The association shall not be dissolved, nor shall it dispose of any open space or facilities, by sale or otherwise, except to an organization conceived and established to own and maintain the open space and facilities, and the conditions of a transfer shall conform to the approved site plan. The association shall be established before property is sold;
C. Association membership shall be mandatory for each property owner and successive owner;
D. The association shall be responsible for liability insurance and local taxes for the open space and facilities;
E. Property owners shall pay their pro rata share of the cost and assessments levied by the association shall be a lien on the owners' property; and
F. The association shall be able to adjust assessments in order to meet changing needs.

11.11.3 Private Ownership

In unique circumstances, the DRT may approve a natural area to be held in private ownership. In these cases, a permanent conservation easement shall be placed on the open space area. The conservation easement shall:

A. Require that open space be maintained and preserved as a natural area or as agricultural lands and shall not be used for buildings;
B. Run with the land in perpetuity; and
C. Indicate that the City and owners of land

in the development have a right to enforce the conservation easement.

11.11.4 Public Ownership

See the Municipal Code for options for parkland dedication in lieu of parkland impact fee.

11.12 Provision in Multi-Phase Developments

A. Development proposed in phases shall be considered as a single development for the purposes of calculating the open space set aside.
B. Development shall not be phased to avoid the minimum open space set aside.
C. In cases where less than 100 percent of the total amount of open space set aside is provided within the first phase of a multi-phase development, the remaining open space shall be apportioned into each of the remaining development phases.

11.13 Maintenance

Open spaces shall be maintained in reasonable order and condition in accordance with the approved site plan, as determined by the Department of Building and Neighborhood Services. The Department of Building and Neighborhood Services may serve written notice of deficiencies upon the homeowners association, property owners association, or the owners of the open space. If the deficiencies have not been corrected within 30 days after written notice, then the Department of Building and Neighborhood Services shall have the authority to correct the deficiencies. The cost of the correction shall be assessed jointly and severally against the properties within the development that have a right of enjoyment of the open space. The entire cost of correction shall be a lien upon each of the properties from the date that the lien is filed in the Register's Office of Williamson County.

CHAPTER 12

LANDSCAPE

12.1 General Provisions 195
12.2 Landscape Surface Area 195
12.3 Overall Required Plantings 196
12.4 Lot Plantings for Single-Family, Duplex, or Multiplex Residential 197
12.5 Required Plantings for Open Space Set-Asides 197
12.6 Parking Area Landscape 197
12.7 Buffers 199
12.8 Street Trees 200
12.9 Planting Standards 202
12.10 Compliance with Landscape Standards 204

12.1 General Provisions

12.1.1 Review for Compliance

Review for compliance with this Chapter shall occur at the time of submittal of development plans, site plans, and preliminary plats.

12.1.2 Landscape Plan

A landscape plan that demonstrates how landscape will be planted on a development site shall be submitted as a part of a site plan application in accordance with the requirements established by the Department of Planning and Sustainability as posted on the City website. Additional landscape plantings may be required by the Stormwater Management Ordinance.

12.2 Landscape Surface Area

12.2.1 Calculation of Landscape Surface Area

The minimum landscape surface area (LSA) shall be calculated by multiplying the total development site acreage by the minimum LSA percentage for the applicable district.

12.2.2 Minimum Landscape Surface Area

Development sites and lots shall have a minimum LSA acreage according to the table below:

District	Minimum Landscape Surface Area (LSA)
AG	70%
ER	60%
R1	50%
R2 R3 R4 OR CI	40%
R6 MR GO 1ST	30%
PD	20%
NC CC RC6 RC12	15%
DD 5TH	0%
LI HI	20%

12.3 Overall Required Plantings

12.3.1 Calculation of Overall Required Plantings

A. The overall required plantings shall be calculated by multiplying the minimum LSA acreage per Section 12.2, Landscape Surface Area, by the quantity per acre of LSA for each type of landscape material in Subsection 12.3.2, Minimum Overall Required Plantings:

(0.64 Acre Minimum LSA) x

(82 ACI of Canopy Trees) =

(52 ACI of Canopy Trees)

B. Any required plantings for lots, open space set-asides, parking area landscape, buffers, street trees, and historic edge treatment may be counted toward the overall required plantings. In some cases, these plantings may exceed the minimum required by this Section; however, all plantings within this Chapter are required.

C. Tree canopy replacement cannot be used to achieve the overall required plantings; however, tree save areas may be excluded from the minimum LSA acreage per Section 12.2, Landscape Surface Area, used to calculate the overall required plantings in Subsection 12.3.2, Minimum Overall Required Plantings:

(0.64 Acre Minimum LSA) -

(0.2 Acre Tree Save Area) =

(0.44 Acre Adjusted LSA with Credit)

(0.44 Acre X 82 ACI of Canopy Trees) =

(36 ACI of Canopy Trees)

D. Portions of lots used for athletic fields, golf courses, cemeteries, agricultural uses, and other uses where new trees and shrubs are not appropriate may be excluded from the LSA acreage used to calculate the overall required plantings if the Department of Planning and Sustainability determines that the application of the requirements would serve no meaningful purpose.

12.3.2 Minimum Overall Required Plantings

The landscape surface area shall have the following plantings:

Type of Landscape Material	Quantity Per Acre of LSA	Minimum Evergreen
Canopy Trees	82 ACI	25%
Understory Trees	21 ACI	25%
Number of Shrubs	96	25%

12.4 Lot Plantings for Single-Family, Duplex, or Multiplex Residential

The landscape surface area for single-family, duplex, or multiplex residential lots shall have the following plantings:

Lot	Quantity of Trees
Less than 20,000 square feet	1 three-inch caliper canopy tree per every 5,000 square feet
20,000 square feet or larger	4 three-inch caliper canopy trees for the first 20,000 square feet + 1 three-inch caliper canopy tree per each additional 10,000 square feet
Alley-Loading with Garage Setback of 22 Feet or More	1 three-inch caliper canopy tree per every 5,000 square feet + 1 one-inch caliper understory tree or 3 shrubs planted along the alley side of the lot

12.5 Required Plantings for Open Space Set-Asides

Open space set-asides shall be planted according to the open space type requirements in Chapter 11, Open Space.

12.6 Parking Area Landscape

12.6.1 Internal Drives

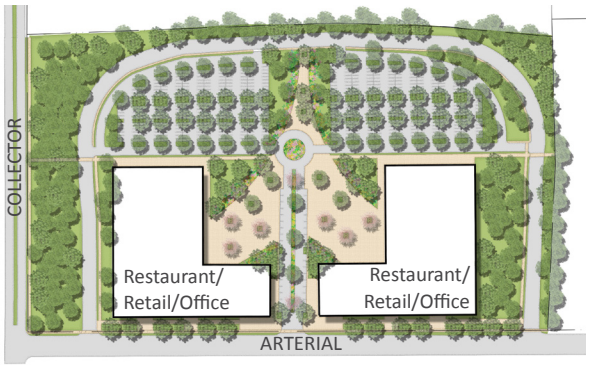
See Section 9.3, Internal Drives.

12.6.2 Landscape Islands

A. Surface parking areas of 20 spaces or more shall provide landscape islands that:
   1. Are placed at maximum intervals of every ten parking spaces and at the end of each row of parking spaces;
   2. Provide a minimum width of at least eight feet and the same length as adjacent parking spaces;
   3. Contain one canopy tree within a landscape island that spans one parking space length; and
   4. Contain two canopy trees within a landscape island that spans two parking space lengths.

B. Additionally, surface parking areas of 100 or more spaces shall be organized into a series of smaller modules, no more than four parking bays wide, separated by a landscape island that:
   1. Is a minimum of eight feet wide, or 17 feet wide if accommodating a sidewalk that connects a building main entrance with its associated parking area;
   2. Runs the length of the parking bay; and
   3. Contains a minimum of two canopy trees.

Figure 12.6.2 Landscape Islands



12.6.3 Perimeter Landscape

Perimeter landscape shall screen the view of surface parking areas from streets and adjacent properties with an opaque screen, excluding required sight clearances at driveways and ingress/egress locations.

A. A perimeter planting strip shall:
   1. Be located along the perimeter of a surface parking area and maintain a minimum average width of six feet, as measured from the outer edge of the parking area;
   2. Contain a continuous hedge composed of a double staggered row of evergreen shrubs and deciduous shrubs with a minimum planting height of 30 inches and planted three feet on-center. Up to 25 percent may be deciduous; and
   3. Include three canopy trees per 100 linear feet of the perimeter of the total parking area. Clustering is permitted. In areas where overhead utilities prevent the use of canopy trees, understory trees may be substituted.

B. A perimeter planting strip shall not be required when:
   1. A parking area is contiguous to a required buffer and the screening intent of this Section is met; or
   2. A parking area is contiguous to another parking area that is on an adjacent property.

12.6.4 Planting Location

Plant material shall be located at least 2.5 feet from the back edge of the curb.

12.6.5 Fences and Walls

The width of a perimeter planting strip may be reduced to three feet when a fence or wall is provided that meets one of the following:

A. An opaque brick or stone wall of between three and six feet tall shall be located along the perimeter of the parking area adjacent to the right-of-way; or

B. A decorative metal fence of between three and six feet tall shall be located within the planting strip, supplemented with evergreen shrubs planted between the fence and the property line. The shrubs shall be 30-inches high and planted three feet on-center.

12.7 Buffers

12.7.1 General Standards

A. Plant materials shall be arranged in a manner that creates an opaque screen.
B. Existing vegetation listed on the Tennessee Exotic Plant Council list shall be removed from the buffer.

12.7.2 Buffers in Transitional Areas

See Section 8.1, Transitional Areas Abutting Residential Lots.

12.7.3 Buffers Along I-65 and Mack Hatcher

A. Where new lots are oriented so that the rear facades of buildings face I-65 or Mack Hatcher Parkway outside of the SCO, the following buffers shall be required:

Lot Type	Minimum Buffer Width
Residential Lots	100 feet
All Other Lots	50 feet

B. The buffer for residential lots shall contain the following minimum plantings:

Type of Landscape Material	Number per 100 liner feet	Minimum Evergreen Plantings
Canopy Trees	16	50%
Understory Trees	6	50%
Shrubs	80	75%

C. The buffer for all other lots shall contain the following minimum plantings:

Type of Landscape Material	Number per 100 Linear feet	Minimum Evergreen Plantings
Canopy Trees	10	50%
Understory Trees	4	50%
Shrubs	60	75%

12.7.4 Location of Buffers

Buffers shall be located along the periphery of the development site and shall extend to the abutting property line or right-of-way line.

12.7.5 Development Within Buffers

A. Buffers shall not contain any:
   1. Development;
   2. Parking areas;
   3. Parking structures;
   4. Streets or alleys that run parallel to the property boundary;
   5. Impervious surfaces;
   6. Dumpsters; or
   7. Site features that do not function to meet the standards of this Section or that require removal of existing vegetation, unless otherwise permitted in this Ordinance.
B. The Department of Planning and Sustainability may approve the following uses and structures within the buffer if the screening intent of this Section is met:
   1. Sidewalks, trails, and multi-use paths;
   2. Fences and walls;
   3. Landscape plantings;
   4. Stormwater retention or detention facilities, green infrastructure pursuant to the Stormwater Management Ordinance and best management practices, provided they do not interfere with the performance or

maintenance of the buffer area and the required screening is still met; and

5. Driveways or internal drives, provided they cross the buffer at a 90-degree angle and do not encroach into the buffer in a parallel fashion for more than 35 feet.

C. In the event that utilities are installed within a buffer in a manner that is parallel to the buffer, additional width shall be added to the buffer in an amount equivalent to the amount occupied by the utility lines and any associated easements. Any path cleared by utility installation shall be replaced with plant materials consistent with what was removed.

12.7.6 Credit for Existing Vegetation

A. Existing vegetation within the buffer may be credited toward the buffer requirement if it meets the minimum size requirement. Existing vegetation listed on the Tennessee Exotic plant council list shall not be credited.

B. The DRT may reduce or waive the buffer requirements if an existing buffer has been recorded on an adjacent property that achieves the intent of this Section.

12.8 Street Trees

12.8.1 Where Required

Street trees shall be required along both sides of all streets and internal drives, except undeveloped edges of natural areas and as required in Section 4.9, Scenic Corridor Overlay District. Street trees shall be planted within either tree pits or planting strips.

12.8.2 Tree Pits

A. Tree pits shall comply with the following:

Minimum Surface Area	Minimum Width on One Side	Additional Requirements
25 square feet	4 feet	Underground tree structural support system not required
9 square feet	3 feet	Underground tree structural support system is required

B. Tree pits shall be placed adjacent to the back of the curb.

C. Tree pits shall include irrigation systems and structural soils or screened backfill to ensure appropriate root growth and drainage.

Figure 12.8.2.A Tree Pits

12.8.3 Planting Strips

A. Planting strips shall have a minimum width of six feet.
B. Planting strips shall be located between the back of the curb and the edge of the sidewalk, unless otherwise approved by the DRT.
C. The trunks of street trees shall be a minimum of three feet from the back edge of the street curb at time of planting.
D. Where public utilities are located within the planting strip that prevent street trees from being planted in the planting strip, street trees shall be planted four feet from the back edge of sidewalk.

Figure 12.8.3.A Planting Strip

12.8.4 Tree Types

Street trees shall be large-maturing canopy trees. In areas where overhead utilities prevent the use of canopy trees, understory trees may be substituted.

12.8.5 Spacing

A. Canopy trees shall be planted between 35 to 45 feet on-center. Columnar trees shall be planted between 20 to 25 feet on-center.
B. Understory trees shall be planted between 20 to 25 feet on-center.
C. Clustering of street trees is permitted when utility conflicts or required sight distances prevent the minimum spacing requirements.

12.8.6 Sight Distance

Street tree placement along streets shall allow for adequate site distance for traffic control signs. These signs include mid-block warnings, speed limits signs, and stop signs. The following standards shall apply:

Street With Designated Speed Limit	Placement of First Street Tree in Front of Sign [1 2]
20 or 25 MPH	Minimum of 45 feet before the sign
30 MPH	Minimum of 60 feet before the sign
40 MPH or Higher	Minimum of 75 feet before the sign

Notes:
1. Street trees may be placed closer than the minimum distances above if the vertical clearance between the grade and the lowest branches is at least ten feet, but in no case shall a street tree be closer than 25 feet to the sign.
2. Where signs are placed at the front end of curb extensions or bulb-outs, the above street tree placements shall not apply.

12.8.7 Exception to Tree Installation

The Department of Planning and Sustainability may waive developer installation of street trees in the public right-of-way in special circumstances where timing of the installation would result in tree removal shortly thereafter due to street widenings, streetscape projects, or other capital improvement projects.

12.8.8 Credit for Existing Vegetation

Existing healthy, well-formed canopy trees or understory trees located along the street shall be credited toward the street tree requirements, provided the vegetation is:

A. Surveyed, inventoried, and protected before and during development of the site in accordance with Subsection 17.2.6, Tree Protection During Construction; and
B. Located in suitable locations to meet the standards of this Section.

12.9 Planting Standards

12.9.1 Minimum Quality and Size Standards

A. Newly planted landscape plant materials shall conform to the latest version of the American Standard for Nursery Stock, ANSI Z60.1-2014.
B. Type 1, 2, and 3 Trees, shall meet the planting and size requirements as defined in ANSI Z60.1.
   1. Canopy trees shall be a minimum of two inches in caliper at the time of planting, as determined in the American Standard for Nursery Stock, ANSI Z60.1-2004.
   2. Understory trees shall have a caliper of 1.5 inches at time of planting, as determined in the American Standard for Nursery Stock, ANSI Z60.1-2004. Multi-stem varieties shall be a minimum of ten feet in height above ground level at the time of planting.
   3. Evergreen trees shall be a minimum of six feet in height and a minimum of two inches in caliper at the time of planting.
   4. Except where required to be taller, shrubs shall be a minimum of 18 inches in height above ground level at the time of planting, and shall typically grow to a minimum height of five to six feet within four years.
C. Plant materials used to meet the requirements of this Ordinance shall be selected, installed, and maintained from the City's approved list, specifications, and details on the City website, unless otherwise approved by the Department of Planning and Sustainability.
D. Plants listed on the current edition of the Invasive Exotic Pest Plants of Tennessee, as published by the Tennessee Exotic Pest

Plant Council, shall be prohibited and shall not be credited towards the minimum requirements of this Ordinance.

12.9.2 Plant Diversity

To maintain plant species diversity and health, new plantings shall meet the following:

Number of Required Trees or Shrubs	Minimum Number of Different Genuses in Roughly Equal Proportions
Less Than 20	2 Genuses
20 to 39	3 Genuses
40 or More	4 Genuses

12.9.3 Stabilization

Landscape planting areas shall be stabilized and maintained with seed, sod, ground covers, mulches, or other approved materials to prevent soil erosion and allow rainwater infiltration.

12.9.4 Planting in Easements

A. Groundcover may be planted or installed within any utility or drainage easement. Trees and shrubs require approval by the easement holder.
B. In areas that require canopy trees where overhead utilities prevent the use of canopy trees, understory trees may be substituted. Multi-stemmed understory trees may be used provided they meet the minimum size at time of planting.

12.9.5 Planting Near Light Poles

Trees shall be clustered or moved to a more appropriate location if light poles conflict with tree locations.

12.9.6 Planting Near Fire Hydrants

Tree locations near fire hydrants shall comply with the Fire Code, as applicable.

12.10 Compliance with Landscape Standards

12.10.1 Inspections

The Department of Planning and Sustainability shall inspect the site prior to the release of any applicable performance agreement and again, after release of the performance agreement, to determine if the landscape material is living, healthy, installed, and/or properly maintained in accordance with the approved landscape plan and the standards in this Chapter.

12.10.2 Time Limits

All landscape, including mulching and seeding, shall be completed in accordance with the approved development plan, site plan, preliminary plat, or building permit prior to issuance of a certificate of occupancy, unless a performance agreement and surety is in place pursuant Chapter 21, Performance Agreements.

12.10.3 Extensions

The Department of Planning and Sustainability may grant extensions related to the installation of the landscape improvements due to:

A. Unusual environmental conditions, such as drought, ice, over-saturated soil (deep mud), or inappropriate planting season for the plant species;
B. The substitution or unavailability of plant species or acceptable plant size as specified on the landscape plan in cases where such materials are not commercially available within a reasonable time;
C. Circumstances beyond the developer's or landowner's control, such as incomplete construction or utility work to occur in a proposed landscape area within 30 days after expected site completion, provided the developer or property owner submits a letter from the utility company stating the estimated installation date; or
D. Other circumstance warranting extension in the opinion of the Department of Planning and Sustainability.

12.10.4 Maintenance

A. The property owner shall be responsible for the maintenance of:
   1. All required landscape areas on the lot; and
   2. Street trees planted adjacent to the lot in conjunction with the development of the site, unless otherwise specified by the City or a homeowners association.
B. Homeowners associations are responsible for the maintenance of open space lots, medians, and street trees associated with the development.
C. Landscape areas shall be maintained in accordance with the approved landscape plan and shall present a healthy and orderly appearance free from refuse and debris.
D. All plant life shown on an approved landscape plan used to meet a minimum standard of this Ordinance shall be maintained thereafter in a healthy growing condition and shall be replaced if it dies, is seriously damaged, or removed.
E. Plants shall be maintained in a way that does not obstruct sight distances at intersections of streets or internal drives or driveways, obstruct traffic signs or devices, and/or interfere with the use of sidewalks or pedestrian trails.
F. All required trees and shrubs used for screening purposes and buffering shall be maintained in their characteristic natural shape, and shall not be severely pruned, sheared or topped. Required trees shall not be shaped as shrubs. Trees and shrubs required by this Ordinance that have been

severely pruned, sheared, topped, or any trees shaped as shrubs that no longer meet their intended function shall be considered damaged vegetation in need of replacement and shall be replaced within one year.

G. The Department of Planning and Sustainability shall determine the extent and timing of all other replanting requirements.

CHAPTER 13

FENCES, WALLS, AND SCREENING

13.1 Fences and Walls 207

13.2 Retaining Walls 209

13.3 Screening 211

13.4 Maintenance Requirements 213

13.1 Fences and Walls

13.1.1 Location

A. Fences and walls may encroach into required yards and setbacks.

B. Fences and walls shall not:

1. Be constructed within a public right-of-way or in areas to be dedicated for public right-of-way;
2. Conflict with sight distance visibility of intersections or points of ingress/egress;
3. Block or divert a natural drainage flow onto or off of any other property;
4. Block access within an access easement;
5. Encroach into a utility easement, unless the easement holder has provided written consent;
6. Block access to fire hydrants, mechanical equipment, or utility equipment; and
7. Be located within six feet of a fire hydrant.

13.1.2 Height

A. Exemptions

Public buildings or uses, public parks, sports courts, and sports fields are exempt from this Subsection.

B. Measurements

Fence and wall height shall be measured from finished grade to the top of the fence or wall. Fences and walls may need a building permit, depending on the height. The use of a berm to increase a fence or wall height is prohibited, unless used in accordance with Section 8.1 Transition Areas Abutting Residential Lots.

C. Front Yard Fence and Wall Height

Fence and wall height shall comply with the following table, except as provided in Paragraph 13.1.2.D and E:

Location	Maximum Height
Front Yard	3 feet, but may be 4.5 feet for board horse fencing AG district not regulated
Side or Rear Yard	7 feet for residential uses 8 feet for nonresidential and mixed-uses

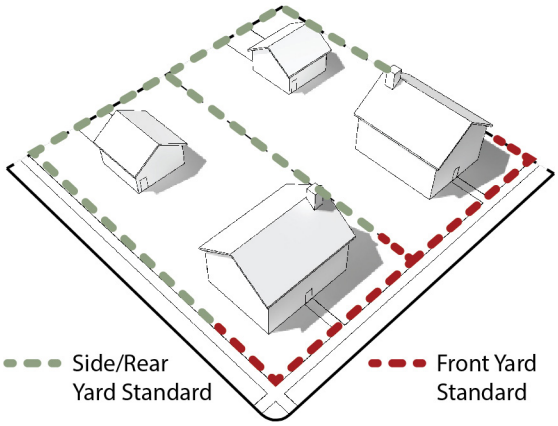
D. Corner Lot Fence and Wall Height

1. Corner lot fences and walls shall be subject to the front yard standard in Paragraph 13.1.2.C , Front Yard Fence and Wall Height, when located:
   a. Between the front facade of the building and the front lot line; and
   b. In the side street-facing yard between the front facade and 20 feet back from the front facade.
2. Corner lot fences and walls shall be subject to the side or rear yard standard in Paragraph 13.1.2.C, Front Yard Fence and Wall Height, when located within the side street-facing yard and more than 20 feet behind the front facade of the building.
3. Fences and walls within interior side yards and behind the front facade shall be subject to the side or rear yard standard in Paragraph 13.1.2.C, Front Yard Fence and Wall Height.
4. Where a corner lot has a driveway access on the side street, the fence or wall shall be set back a minimum of 15 feet from the side street lot line.

E. Open Space Lots

Within open space lots, fences used as part of a frontage treatment shall not exceed a height of four feet for board fencing and three feet for all other styles of fencing.

Figure 13.1.2 Fence and wall locations and heights.



13.1.3 Fence Materials

A. Public buildings or uses, public parks, sports courts, and sports fields are exempt from this Subsection.

B. Fences shall be constructed of any combination of treated wood posts, pickets, rot-resistant wood (such as cypress or redwood), or metal, except as restricted by Paragraphs 13.1.3.H and I.

C. Posts or columns shall be constructed of wood, brick, natural stone, cultured stone, or other masonry materials.

D. Fences shall be of a uniform architectural style and color palette compatible with the associated building.

E. Fences shall be oriented such that the "finished" side of the fence faces outward toward adjoining lots, building sites, streets, or internal drives and the support framing faces the inside of the lot or building site.

F. Fences in front yards shall be a maximum of 75 percent opaque.

G. Fences serving nonresidential uses shall have masonry columns every 50 feet on-center or less.

H. Chain link fencing and chain link gates are not permitted, except in the LI and HI districts where the following shall apply:
   1. The chain link shall be coated with dark green or black vinyl;
   2. Plastic or metal slats in the chain link shall be prohibited; and
   3. In the LI district, chain link fencing and chain link gates are not permitted in front yards.

I. Wire fences or above-ground electrified fences for the control of livestock shall be permitted only within the AG district.

13.1.4 Wall Materials

A. Walls shall be constructed of any combination of brick, stone, or authentic stucco. Smooth-faced concrete block may be used only with a brick veneer, stone veneer, or authentic stucco finish. In rear yards, split-faced concrete block may be used; and

B. Walls shall be of a uniform architectural style and color palette compatible with the associated building.

13.2 Retaining Walls

13.2.1 Exemptions

A. Capital improvement projects for public streets are exempt from this Section.
B. Retaining walls used for stormwater management features shall comply with Subsection 13.2.6, Materials, but are exempt from all other Subsections within this Section.

13.2.2 Location

A. Retaining walls shall be set back from a lot line a minimum of five feet or the distance equal to the height of the wall, whichever is greater.
B. Retaining walls shall not:
   1. Be constructed within a public right-of-way or in areas to be dedicated for public right-of-way;
   2. Conflict with sight distance visibility of intersections or points of ingress/egress;
   3. Block or divert a natural drainage flow onto or off of any other property;
   4. Encroach into a utility easement, unless the easement holder has provided written consent;
   5. Block access to mechanical or utility equipment; and
   6. Be located within six feet of a fire hydrant.

13.2.3 General

A. Retaining wall height shall be measured from lowest finished grade to the top of the wall.
B. Retaining walls may need a building permit, depending on the height.

13.2.4 Retaining Walls for Residential Lots

Retaining walls for residential lots shall comply with the following:

Residential Lots	
Front Yard Retaining Wall Height	Maximum 2 feet
Side and Rear Yard Retaining Wall Height	Maximum 6 feet
Number of Retaining Walls	Maximum 3 per lot
Distance Between Retaining Walls	Minimum horizontal separation of three linear feet between the opposing wall faces to allow for the planting of vegetation

13.2.5 Retaining Walls for Multifamily, Nonresidential, and Mixed-Use Lots

Retaining walls for multifamily, nonresidential, and mixed-use lots or building sites shall comply with the following:

A. Retaining walls shall not exceed a height of ten feet;
B. Changes in grade may be permitted to reach a maximum of 16 feet if two or more retaining walls are used, provided each wall is no greater than eight feet tall and there is a minimum horizontal separation of six linear feet between the opposing wall faces to allow for the planting of vegetation; and
C. Retaining walls shall have a single row of evergreen shrubs, planted every five feet on center, at the base of a retaining wall to soften its appearance. Shrubs shall be a minimum of 30 inches in height at the time of planting. Evergreen trees or groundcover may be permitted as an

alternative to shrubs, subject to approval of the Department of Planning and Sustainability.

13.2.6 Materials

Retaining walls shall be clad in brick, natural stone, or cultured stone. Where not visible from a public street, private street, internal drive, or open space, stained or stamped concrete and split-face block are also permitted.

13.3 Screening

13.3.1 Conflicting Provisions

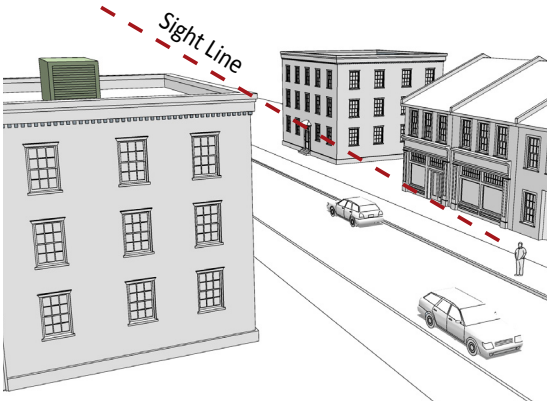
Where there is a conflict between this Section and Section 13.1, Fences and Walls, this Section shall control.

13.3.2 Rooftop Mechanical Equipment

A. Rooftop mechanical equipment shall not be visible from any adjacent street or internal drive and shall be fully screened by either a parapet or a dark-toned screening element. A color other than dark-toned may be approved by the DRT if it is deemed a contextual color.

B. As an alternative to Paragraph 13.3.2.A above, a sightline analysis verifying that equipment cannot be seen from any street and/or internal drive may be provided.

Figure 13.3.2.A Rooftop mechanical equipment visibility



13.3.3 Ground- or Wall-Mounted Mechanical and Utility Equipment

A. Mechanical equipment, such as air conditioning or similar HVAC equipment, transformers, backflow preventers, telephone risers or equipment cabinets, generators, or similar devices shall be sited away from the frontage, where possible, and fully screened from public view.

B. Screening shall be as tall as the highest point of the equipment being screened.

C. Screening shall consist of an opaque fence or wall compatible with the principal building in terms of material and color. As an alternative, landscaping may be used if a solid evergreen screen at least as tall as the equipment being screened is provided at the time of planting.

D. Building design or other structural features, such as knee walls, alcoves, or wing walls may be used to fully or partially enclose site items required to be screened. In cases where only partial enclosure is achieved, the enclosure shall include an opaque gate or door designed to be compatible with the building colors and materials.

E. Wall-mounted utility equipment, including water meters, gas meters, electrical meters, panels, or similar devices shall be sited away from any frontage and be required to be painted to match adjacent building wall surfaces.

13.3.4 Refuse Areas

A. Refuse areas, such as dumpsters, trash compaction, garbage or recycling collection, and other similar service areas shall be located away from frontages and to the side or rear of the building.

B. Walls shall be provided to fully screen refuse areas from public view, and be no less than six feet in height. The walls shall be opaque and constructed of brick or stone materials that complement the main colors and materials of the associated building they serve.

C. Gates shall be opaque and designed to complement the wall materials. To allow dumpster gates to remain closed as often as possible, either a pedestrian door, wall offset for pedestrian access, or self-closing

gates shall be provided.

D. Building design or other structural features, such as knee walls, alcoves, or wing walls may also be used to fully or partially enclose site items required to be screened. In cases where only partial enclosure is achieved, the enclosure shall include an opaque gate or door designed to be compatible with the building colors and materials.

13.3.5 Service Areas

A. Service areas, such as maintenance areas, equipment areas, loading docks, loading berths, or similar spaces shall be screened from public view and adjacent properties with an opaque fence or wall at least six feet in height. As an alternative, landscaping may be used if a four-foot tall solid evergreen screen is provided at the time of planting.

B. Opaque gates shall be provided in cases where the items required to be screened are visible from streets or adjacent property due to drive aisles or parking areas.

C. Building design or other structural features, such as knee walls, alcoves, or wing walls may also be used to fully or partially enclose site items required to be screened. In cases where only partial enclosure is achieved, the enclosure shall include an opaque gate or door designed to be compatible with the building colors and materials.

D. Loading docks, berths, or similar spaces in the LI or HI district that do not front collector or arterial streets shall be exempt from this Subsection.

13.3.6 Outdoor Storage Areas

A. Where permitted by Chapter 5, Use Regulations, outdoor storage areas that contain materials, stock, tanks, equipment, or vehicles are not permitted in front yards, required setbacks, fire lanes, drive aisles, parking areas, or areas intended for pedestrian circulation.

B. Outdoor storage shall be screened from public view and adjacent properties with an opaque fence or wall with a height of at least six feet. Landscaping may be used if a six-foot tall solid evergreen screen is provided at the time of planting.

C. Opaque gates shall be provided in cases where the items required to be screened are visible from streets or adjacent property due to drive aisles or parking areas.

D. Building design or other structural features, such as knee walls, alcoves, or wing walls may also be used to fully or partially enclose site items required to be screened. In cases where only partial enclosure is achieved, the enclosure shall include an opaque gate or door designed to be compatible with the building colors and materials.

E. Where outdoor storage tanks are permitted, screening shall comply with the Fire Code and shall comply with the intent of the screening requirements of this Subsection.

13.3.7 Outdoor Playground Areas

A. Outdoor playground areas related to civic, institutional, or daycare uses shall be placed to the side or rear of the building and bordered by a fence or wall at least three feet tall.

B. The perimeter of the fence shall be planted with a row of evergreen and deciduous shrubs with a minimum planting height of 30 inches and planted three feet on-center.

13.3.8 Alternative Screening Methods

Alternative screening methods or materials that are not listed may be used if the DRT or Department of Building and Neighborhood Services, as applicable, determines that they achieve the intent of the screening methods described in this Section.

13.4 Maintenance Requirements

Fences, walls, and retaining walls shall be maintained in good repair and in a safe and attractive condition, such as replacement of missing, decayed, or broken structural and decorative elements. The property owner shall maintain the fence, wall, or retaining wall at all times, so as not to constitute a hazard to public safety or a visual or aesthetic nuisance to surrounding property or public right-of-way. If a fence, wall, or retaining wall is not maintained in reasonable order and condition, then the Department of Building and Neighborhood Services may serve written notice of the deficiencies upon the property owner. If the deficiencies cited by the Department of Building and Neighborhood Services have not been corrected within 30 days after written notice, then the Department shall correct the deficiencies. The cost of the correction shall be assessed jointly and severally against the properties within the development that have a right of enjoyment of the fence, wall, or retaining wall. The entire cost of correcting the deficiency shall be a lien upon each of the properties from the date that the lien is filed in the Register's Office of Williamson County.

CHAPTER 14

LIGHTING

14.1 General Provisions 215

14.2 Illumination 215

14.3 Specific Lighting Standards 216

14.1 General Provisions

14.1.1 Exemptions

Lighting and fixtures shall be exempt from this Chapter when approved as part of a certificate of appropriateness or identified as historic by the Department of Planning and Sustainability.

14.1.2 Photometric Plan

A photometric plan shall be submitted as part of a site plan application and shall include the following information:

A. Lighting layout and foot-candle measurements across the site;
B. A description of proposed light fixtures and how they meet the standards in this Chapter.
C. A revised photometric plan shall be required for any change to an existing or approved light fixture other than routine maintenance. Revised photometric plans shall be subject to review and approval by the Department of Building and Neighborhood Services.

14.2 Illumination

14.2.1 Site Lighting Illumination Values

A. Site lighting shall be designed and located so that illumination complies with the following table:

Light Level	Foot-Candles
Minimum Light Level in Parking Areas	0.2
Maximum Light Level	10
Maximum Illumination along Property Line	2

B. Foot-candle measurements shall take into account changes in finished grade, walls, buildings, and other existing or proposed site conditions.
C. Lighting shall have the intensities and uniformity ratio consistent with the *Lighting Handbook of the Illuminations Engineering Society of North America* (IESNA).
D. Public buildings or uses, public parks, school sports fields or sports courts, gas stations, automated teller machines/kiosks are exempt from the maximum light level.
E. Single-family residential is exempt from the minimum light level in parking areas.

14.2.2 Illumination Direction

A. Exterior lighting shall:
   1. Be arranged to minimize glare and reflection upon adjacent properties;
   2. Be aimed or directed to preclude light projection beyond immediate objects intended to be illuminated;
   3. Not distribute light onto surrounding property beyond an angle of 35 degrees from a vertical plane; and
   4. Use low-wattage architectural lighting

for upwardly-directed lighting intended to illuminate structures or landscape elements.

5. Be positioned, aimed, or configured so the light source is not visible from a residential lot.

B. Ornamental style light fixtures that rely on prismatic glass, acrylic, or polycarbonate outer globes as their only lamp shielding method are prohibited.

14.2.3 Consistency and Hue

A. No exterior lighting shall have any blinking, flashing or fluttering lights or other illuminating device that has a changing light intensity, brightness, or color.

B. Light fixtures shall not be permitted to mix different types of light color or hues within a site.

14.3 Specific Lighting Standards

14.3.1 Parking Area Light Fixtures

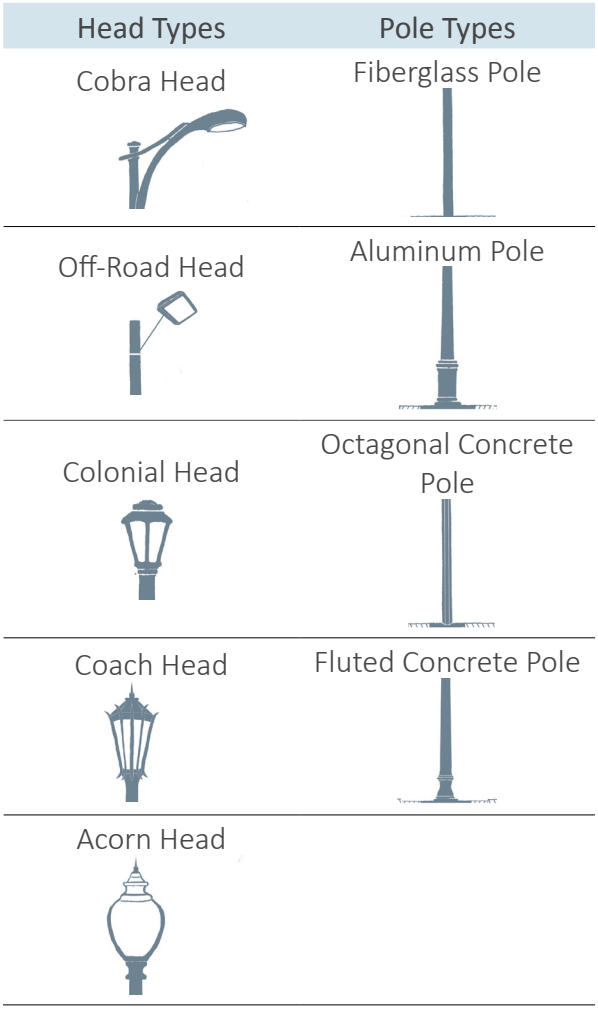
A. Light fixtures intended to light parking areas in residential and mixed-use development shall:

1. Not exceed a pedestrian-scale height of 18 feet, measured from finished grade to highest part of fixture or pole assembly;
2. Be ornamental fixtures. Shoe-box, off-road head, and cobra-head style fixtures are prohibited; and
3. Reduce glare and light spillage, including use of internal lamp shielding, such as metal louvers or glass reflectors.

B. Light fixtures intended to light parking areas in nonresidential development:

1. Shall not exceed 30 feet, measured from finished grade to highest part of fixture or pole assembly. Within 50 feet of a residential lot, light fixtures shall not exceed a height of 20 feet. If, due to topographical or other issues, the illumination is intrusive within 50 feet of a residential lot, additional shielding of the light fixtures shall be required; and
2. May be located within landscaped areas or landscape islands, but in no case shall poles be located in a manner that conflicts with canopy trees or other required landscape.

Figure 14.3.1.A This image demonstrates the different forms of lighting fixtures.



14.3.2 Building-Mounted Lights

Building-mounted lights shall be ornamental sconces, cutoff fixtures, or other fixtures that are screened by the building's architectural features.

14.3.3 Floodlights and Spotlights

A. Floodlights and spotlights shall be selected, located, aimed, and shielded so that direct illumination is focused exclusively on a portion of the building facade or other intended site feature.
B. Pole-mounted floodlights and spotlights are prohibited.

14.3.4 Outdoor Sports Field, Sport Court, and Performance Area Lights

Lighting fixtures for outdoor sports fields, courts, and performance areas shall:

A. Be equipped with a glare control package, such as louvers, shields, or similar devices;
B. Be aimed so that their beams are directed and fall within the primary playing or performance area; and
C. Be limited in hours of operation so that lighting does not continue more than one hour after the end of the game or event.

14.3.5 Canopy and Awning Lights

A. Internally illuminated awnings and canopies are prohibited.
B. Backlighting and downlighting for awnings are prohibited.
C. Backlighting for canopies is prohibited.
D. Canopies are permitted to have downlights on the ceiling of the canopy when the lenses of the light sources are flush with the canopy ceiling or recessed.

14.3.6 String Lights

A. String lights in nonresidential, mixed-use, and multifamily development shall be permitted in the following locations:
   1. Open space lots;
   2. Neighborhood amenities;
   3. Private streets, internal drives, and activated private alleys, provided that adequate clearance is maintained for emergency vehicles, subject to approval by the Fire Department;
   4. Outdoor dining areas; and
   5. Under porch ceilings or canopies attached to a building.
B. String lights in nonresidential, mixed-use, and multifamily development shall not be permitted to:
   1. Outline buildings, except as a part of temporary holiday lighting;
   2. Be located in the public right-of-way; and
   3. Be part of or attached to a sign.
C. String lights are not regulated on residential lots.

14.3.7 Street Lights

Street lighting shall be designed in accordance with the Transportation and Street Technical Standards. Street lights and standards shall be of a type approved by MTEMC. Street lights in residential and mixed-use development shall:

A. Not exceed a pedestrian-scale height of 18 feet, measured from finished grade to highest part of fixture or pole assembly;
B. Be an ornamental fixture. Shoe-box and cobra-head style fixtures are prohibited.

CHAPTER 15

SIGNS

15.1 General Provisions 219
15.2 Overview of Sign Types Permitted by Location 222
15.3 Awning Sign 224
15.4 Band Sign 225
15.5 Canopy Sign 226
15.6 Convenience Sign 227
15.7 Development Entrance Sign 228
15.8 Directory Sign 229
15.9 Flag 230
15.10 Hanging Sign 231
15.11 Monument Sign 232
15.12 Sandwich Board Sign 233
15.13 Sports Field/Sports Court Sign 234
15.14 Vertical Blade Sign 235
15.15 Wall Sign 236
15.16 Window Sign 237
15.17 Temporary Construction Site Sign 238
15.18 Temporary Sign 238

15.1 General Provisions

15.1.1 Conflicting Provisions

A. In the HPO, in cases where there is a conflict between the standards in the Historic District Design Guidelines and this Chapter, then the standards in the Historic District Design Guidelines shall take precedence.
B. In cases where there is a conflict within this Chapter, the standards for the specific sign type shall control.

15.1.2 Placement

A. Signs shall be placed according to the applicable sign type requirements.
B. Signs shall not be placed within the public right-of-way, except:
   1. Those placed by or on behalf of a governmental entity;
   2. Sandwich board signs in the HPO as permitted by the Municipal Code; and
   3. Those sign types that project from a building over a sidewalk.
C. All other signs placed in the right-of-way shall be forfeited to the public and shall be immediately confiscated by the Department of Building and Neighborhood Services.
D. Signs shall not interfere or block the sight of directional, instructional, or warning signs placed by or on behalf of a governmental entity.
E. Signs, along with their supports, braces, guys, or anchors shall be placed or constructed so as not to obstruct or interfere with any door, window, fire escape or other means of egress, light, or ventilation. Signs shall be located so that they do not obscure the view of pedestrian or vehicular traffic that would endanger safe movement. Signs shall not be placed to obscure prominent architectural features on a building.

15.1.3 Proportion and Shape

Signs shall not be irregularly shaped.

15.1.4 Materials

A. Building materials for sign backgrounds, frames, supports, and ornamentation shall:
   1. Be durable and low-maintenance;
   2. Be of the same or higher quality materials as the principal building; and
   3. Have compatible design for all parts of the sign.
B. The following materials are prohibited for sign backgrounds, frames, supports, and ornamentation:
   1. Exposed metal poles; and
   2. Smooth- or split-faced concrete blocks, whether painted or unpainted.

15.1.5 External Illumination

A. External illumination of signs shall:
   1. Be achieved by a white, steady, stationary light of reasonable intensity;
   2. Be aimed and shielded so that direct illumination is focused exclusively on the sign face; and
   3. Be shielded from adjacent buildings, streets, and internal drives and shall not be so bright as to cause glare on or other nuisances to adjacent properties.
B. The sign or device shall not produce glare or illumination that would create a nuisance or a safety hazard to adjacent property owners or to the traveling public.
C. Any electrical lights or fixtures shall be installed in accordance with Article 600 of the National Electrical Code.

15.1.6 Internal Illumination

A. Internal illumination of signs shall be limited to the letters, numbers, logos, and accent lines. The main copy area or face of internally illuminated signs shall be opaque

to prohibit light penetration. The lighting source shall not flash, move, change color, be overly bright, or create a nuisance.

B. In the CAO1, internally illuminated signs attached to buildings shall only be allowed on the facade facing Columbia Avenue.
C. In the CAO2 and DD districts, internally illuminated signs are prohibited.
D. The sign or device shall not produce glare or illumination that would create a nuisance or a safety hazard to adjacent property owners or to the traveling public.
E. Exposed neon and LED that is visible are prohibited and shall not be incorporated into the design of a principal building or accessory structure. Window signs may have neon as per Section 15.16, Window Sign.
F. Any electrical lights or fixtures shall be installed in accordance with Article 600 of the National Electrical Code.

15.1.7 Maintenance

A. Signs and the premises surrounding them shall be maintained in a clean, sanitary, and inoffensive condition, free and clear of obnoxious substances, rubbish, and weeds.
B. Signs, together with their supports, braces, guys, and anchors, shall be maintained in good and safe condition, including the periodic application of paint or other weatherproofing materials to prevent rust or other decay. Signs shall not be allowed to deteriorate to a broken, torn, peeling, flaking, or otherwise decayed condition.
C. Temporary signs and flags shall not be allowed to deteriorate to a tattered, torn, or faded condition. Any banner shall be hung flat and secured at all corners and sides.

15.1.8 Removal of Landscape Materials

Trees, shrubs, or other vegetation shall not be trimmed, damaged, destroyed, or removed to increase or enhance the visibility of signs in the following circumstances:

A. Within public right-of-way, unless the work is done pursuant to the express written authorization of the City or State, whichever is appropriate;
B. On property that is not under the ownership or control of the person conducting or responsible for the work, unless the work is done pursuant to the express authorization of the person owning the property on which the trees or shrubs are located; or
C. In any area where trees or shrubs are required to remain pursuant to this Ordinance.

15.1.9 Prohibited Signs

The following signs are prohibited:

A. Bench signs;
B. Freestanding canopy signs, except as permitted in Paragraph 5.1.4.K, Gas Stations;
C. Home occupation signs;
D. Government imitation signs;
E. Inflatable or similar balloon-type devices larger than 18 inches in diameter that require tethering;
F. Moving signs;
G. Noisy mechanical devices;
H. Signs on parked vehicles;
I. Roof signs, including signs painted on roofs or that extend above the highest point of a roof;
J. Searchlights;
K. Signs on natural features such as trees, other living vegetation, and rocks;
L. Trailer signs;
M. Signs projected onto surfaces using light;

N. LED electronic message center signs;
O. LED display screens;
P. Strings lights attached to or part of a sign; and
Q. Any other sign not expressly permitted by this Ordinance, the Municipal Code, or the Historic District Design Guidelines, as applicable.

15.1.10 Sign Area Computation

A. The sign area shall be the computed area of the background upon which lettering, insignia, or other devices are placed.
B. Where the sign area is on the face of a building, the area of the sign shall be determined by the smallest geometric shape that encloses all borders, graphics, and letters as a complete sign.
C. The supporting structures shall not be included in the area computation unless utilized as part of the total display area.

Figure 15.1.10 Sign area is determined by drawing a box (indicated by the dashed line) around all letters, graphics, and markings associated with the sign.

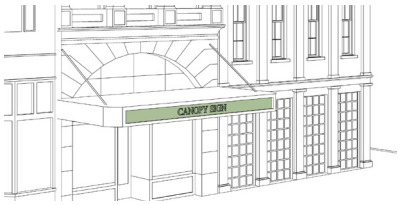
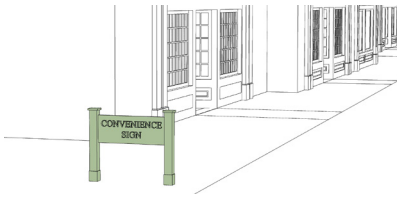
15.1.11 Nonconforming Signs

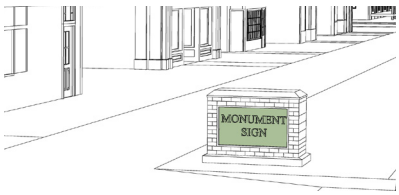
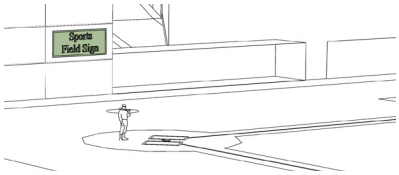
The following shall apply to legally permitted signs or sign structures that met all applicable regulations in effect at the time of installation, but were made nonconforming prior to or as of the effective date of this Ordinance:

A. Minor repairs and maintenance may be performed on a nonconforming sign or sign structure, such as printing, painting, re-facing, or refinishing the surface so as to maintain the condition of the sign;
B. Nonconforming billboards may be continued and permitted to expand in accordance with the provisions of T.C.A. § 13-7-208; and
C. Signs shall be brought into compliance with this Ordinance when:
   1. A sign is structurally altered;
   2. A sign is changed so as to increase the extent of the nonconformity, except as permitted in Paragraph 15.1.11.B;
   3. The use of a business or property changes;
   4. The sign is abandoned for a period of 90 days following the discontinuation of the business; or
   5. The sign is destroyed or damaged to the extent that repairing the sign would cost 50 percent or more of the current cost to replace the sign, including labor and materials.

15.2 Overview of Sign Types Permitted by Location

The following sign types are permitted in the following districts. Each sign shall comply with all standards and tables in the corresponding sign type.

Sign Type Description	Illustration	Permitted Zoning Districts
Awning Sign: A sign that is part of or attached to the front face of an awning attached to a building		OR PD CI NC CC DD 1ST 5TH RC6 RC12 GO LI HI
Band Sign: A sign that is flat against the facade and placed directly above a ground floor main entrance of a storefront and runs horizontally		OR PD CI NC CC DD 1ST 5TH RC6 RC12 GO LI HI
Canopy Sign: A sign that is attached to the front face of a canopy attached to a building		PD CI NC CC DD 1ST 5TH RC6 RC12 GO LI HI
Convenience Sign: A small, ground-mounted sign for pedestrian and vehicular circulation within a site		PD CI NC CC DD 1ST 5TH RC6 RC12 GO LI HI
Development Entrance Sign: A ground-mounted sign located at the entrance to a development, typically associated with subdivisions		All districts, except OR
Directory Sign: A small sign that is flat against the building facade and mounted or applied directly to the building		OR PD CI NC CC DD 1ST 5TH RC6 RC12 GO LI HI
Flag: Bunting or fabric that is hoisted on a permanent flagpole or otherwise displayed from a building		All districts

Hanging Sign: A sign hanging from beams, brackets, or poles projecting from a building		OR PD CI NC CC DD 1ST 5TH RC6 RC12 GO LI HI
Monument Sign: A ground-mounted sign that is placed upon or supported by the ground and independent of any other structure		PD CI NC CC 5TH RC6 RC12 GO LI HI
Sandwich Board Sign: A pair of advertisement boards connected at the top by straps or hinge designed to be placed on the sidewalk in front of the storefront		PD NC CC DD 1ST 5TH RC6 RC12
Sports Field/Sports Court Sign: A sign that is attached to a sports field or sports court fence		All districts
Vertical Blade Sign: A vertically-oriented sign that projects from a commercial/ mixed-use building that is two or more stories and located at a street intersection		PD NC CC DD 1ST 5TH RC6 RC12 GO
Wall Sign: A sign that is flat against the building facade and mounted or applied directly to the building		OR PD CI NC CC DD 1ST 5TH RC6 RC12 GO LI HI
Window Sign: A sign placed within, affixed to, in contact with, or located within 12 inches of a window and intended to be seen from the exterior		OR PD CI NC CC DD 1ST 5TH RC6 RC12 GO LI HI

Temporary Construction Site Sign: A sign on an active construction site intended for temporary use during the construction period. Permitted in all districts

Temporary Sign: A sign intended for temporary use other than temporary construction site signs and campaign signs. Permitted in all districts

15.3 Awning Sign

Description
A sign that is part of or attached to the valance or face of an awning attached to a building

Standards	
Permitted Districts	OR PD CI NC CC DD 1ST 5TH RC6 RC12 GO LI HI
Quantity	Maximum of one per main entrance per storefront on the ground floor
Sign Area	Either a maximum of 60 percent of the awning valance or 25 percent of the awning face, in addition to the allowable wall signage
Placement	Either on the awning valance or on the awning face
Height	Maximum height of 16 feet

Standards (Continued)	
Materials	Opaque canvas, cotton duck, or similar natural materials with lettering painted, screen printed, or appliqued
Lighting	External illumination only

15.4 Band Sign

Description
A sign that is flat against the facade and placed directly above a ground floor main entrance of a storefront and runs horizontally

Standards	
Permitted Districts	OR PD CI NC CC DD 1ST 5TH RC6 RC12 GO LI HI
Quantity	Maximum of one per main entrance per storefront on the ground floor, if no wall sign is present on the building
Sign Area	Maximum of 1.5 square feet per linear foot of storefront facade

Standards (Continued)	
Placement	Applied to the ground floor facade and not project above the roof line Vertically aligned with the center of an architectural element such as a storefront window or entrance, or centered over the overall space occupied by the business
Projection	Maximum of one foot from the building facade
Materials	Brick, stone, wood, metal, or a composite material that has the same properties
Lighting	External or internal illumination

15.5 Canopy Sign

Description
A sign that is attached to the front face of a canopy attached to a building

Standards	
Permitted Districts	PD CI NC CC DD 1ST 5TH RC6 RC12 GO LI HI
Quantity	Maximum of one sign per canopy per building facade and may be used only if no wall, band, or awning sign exists on the building facade
Sign Area	Maximum of 90 percent of the canopy face or 120 square feet, whichever is smaller

Standards (Continued)	
Placement	Shall not project above or below the canopy or be located above the building roofline
Projection	Maximum of one foot from the canopy face
Materials	Metal
Lighting	External illumination only

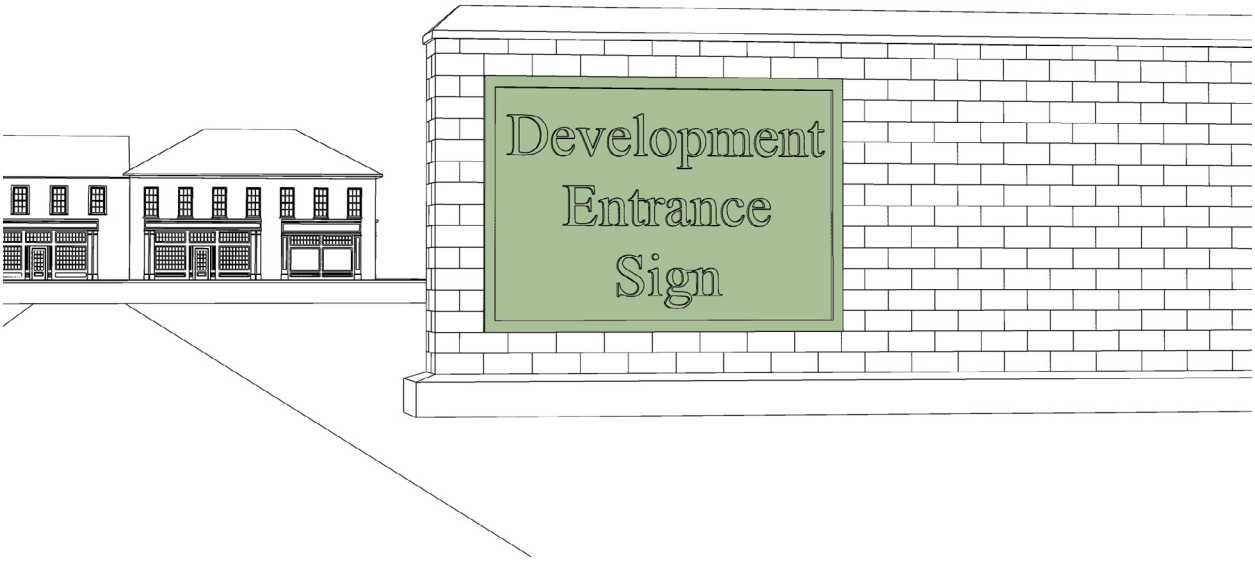
15.6 Convenience Sign

Description
A small, ground-mounted sign for pedestrian and vehicular circulation within a site

Standards	
Permitted Districts	PD CI NC CC DD 1ST 5TH RC6 RC12 GO LI HI
Quantity	Maximum of one per entrance and one per exit Limited additional signs may be approved when they are not visible from the right-of-way for developments with multiple buildings or tenants and at least one internal drive Sandwich board signs may also be counted as convenience signs

Standards (Continued)	
Sign Area	May have up to two sides, with a maximum of 4.5 square feet per side
Placement	Minimum setback at the property line
Projection	Maximum mounting height of six feet
Materials	Brick, stone, wood, metal, or a composite material that has the same properties
Lighting	External illumination only

15.7 Development Entrance Sign



Description
A ground-mounted sign located at the entrance to a development, typically associated with subdivisions

Standards	
Permitted Districts	All districts, except OR
Quantity	Maximum of two per entrance to the development
Sign Area	May have up to two sides, with a maximum of 32 square feet per side
Placement	Minimum setback at the property line at the entrance to the development May be constructed within entrance walls

Standards (Continued)	
Projection	Maximum of six feet at the top of the sign area, measured from the centerline of the adjacent right-of-way
Materials	Brick, stone, wood, and metal and may include signs constructed within entrance walls
Lighting	External illumination only
Additional Standards	The base shall not exceed 25 percent of the sign area, but in no case shall this percentage change the maximum permitted sign area

15.8 Directory Sign

Description
A small sign that is flat against the building facade and mounted or applied directly to the building

Standards	
Permitted Districts	OR PD CI NC CC DD 1ST 5TH RC6 RC12 GO LI HI
Sign Area	Maximum of 4.5 square feet per building facade, in addition to the other permitted signage on the building
Projection	Maximum of one foot from the building facade
Height	Maximum of six feet at the top of the sign area

Standards (Continued)	
Materials	Brick, stone, wood, metal, or a composite material that has the same properties
Lighting	External illumination only

15.9 Flag

Description
Bunting or fabric that is hoisted on a permanent flagpole or otherwise displayed from a building

Standards	
Permitted Districts	All districts
Quantity	Maximum of three per lot
Sign Area	Maximum width of the flag shall not exceed one-fourth the height of the pole (e.g. 40-foot pole = maximum width of 10 feet)
Placement	Minimum setback at the property line

Standards (Continued)	
Pole Height	Maximum of 40 feet or 20 feet for rooftop poles
Materials	Bunting or fabric
Lighting	External illumination only

15.10 Hanging Sign

Description
A sign hanging from beams, brackets, or poles projecting from a building

Standards	
Permitted Districts	OR PD CI NC CC DD 1ST 5TH RC6 RC12 GO LI HI
Quantity	Maximum of one per building main entrance, in addition to other building signage
Sign Area	May have up to two sides, with a maximum of three square feet per side
Projection	Maximum of four feet from the building facade

Standards (Continued)	
Height	Maximum height shall be the roofline or window sill of the second story, whichever is less
Materials	Wood, metal, or a composite material that has the same properties
Lighting	External illumination only

15.11 Monument Sign

Description
A ground-mounted sign that is placed upon or supported by the ground and independent of any other structure

Standards	
Permitted Districts	PD CI NC CC 5TH RC6 RC12 GO LI HI
Quantity	Maximum of one per lot per street frontage
Sign Area	May have up to two sides, with a maximum of 32 square feet per side
Placement	Minimum setback at the property line
Height	Maximum of six feet at the top of the sign area, measured from the height of the centerline of the adjacent right-of-way

Standards (Continued)	
Materials	Brick, stone, stained split-face block, metal, or a composite material that has the same properties The sign area shall be surrounded by a brick, natural stone, cultured stone, or concrete frame
Lighting	External or internal illumination
Additional Standards	The maximum overall area of the sign structure shall be 100 square feet The overall height of the sign structure shall not exceed eight feet, measured from the centerline of the adjacent right-of-way

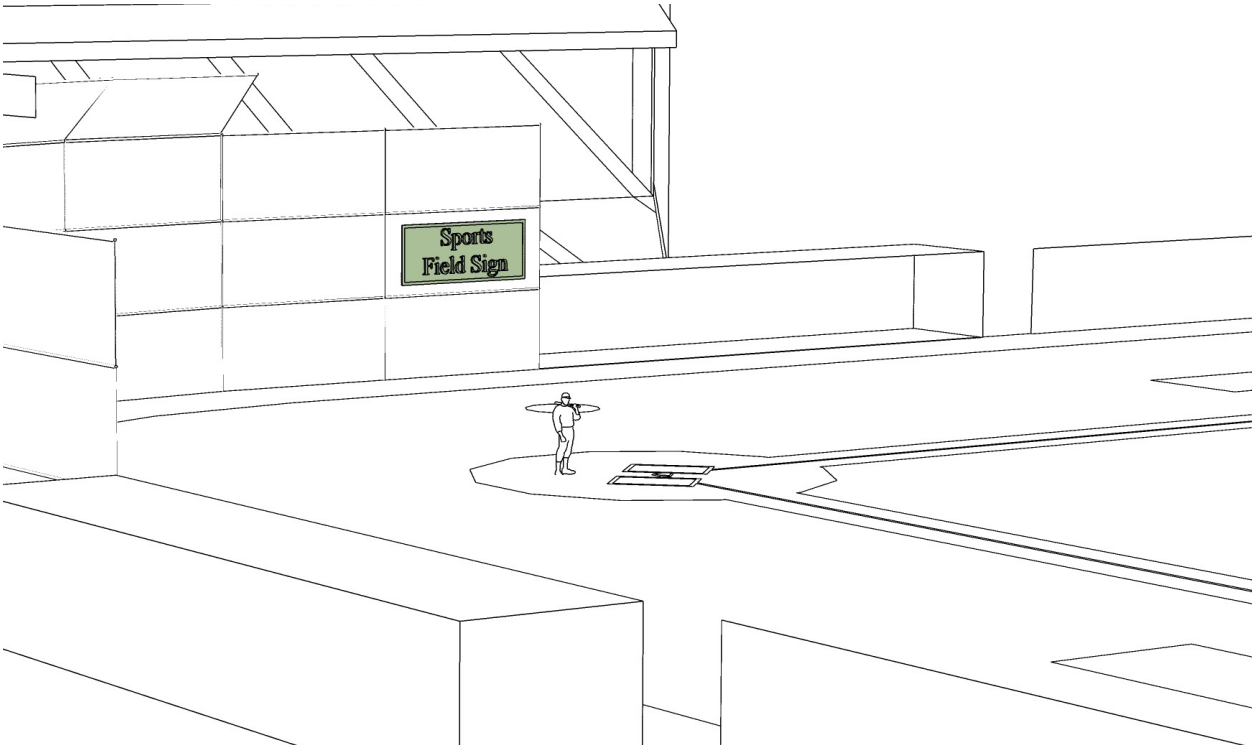
15.12 Sandwich Board Sign

Description
A pair of advertisement boards connected at the top by straps or hinge designed to be placed on the sidewalk in front of the storefront

Standards	
Permitted Districts	PD NC CC DD 1ST 5TH RC6 RC12
Quantity	Maximum of one per ground floor storefront
Sign Area	May have up to two sides, with a maximum of 6 square feet per side
Placement	On the sidewalk in front of the storefront and shall maintain 5 feet of sidewalk clearance for pedestrian circulation

Standards (Continued)	
Placement (Continued)	Placement in the public right-of-way is permitted only in the HPO, subject to the Municipal Code Sandwich board signs are also permitted in convenience sign locations
Height	Maximum of four feet at the top of the sign area
Materials	Wood, metal, or a composite material that has the same properties. Plastic, plywood, and unfinished wood are prohibited
Lighting	No external or internal illumination

15.13 Sports Field/Sports Court Sign



Description
A sign that is attached to a sports field or sports court fence

Standards	
Permitted Districts	All districts
Quantity	N/A
Placement	Shall face into the sports field or sports court
Height	No higher than the top of the fence to which it is attached
Materials	Wood, metal, or a composite material that has the same properties

Standards (Continued)	
Color	The backs of all signs shall be the same color
Lighting	External illumination only
Additional Standards	Scoreboards are exempt from this Chapter, but shall have evergreen screening at the base of the support structure when visible from an arterial or collector street

15.14 Vertical Blade Sign

Description
A vertically-oriented sign that projects from a commercial/mixed-use building that is two or more stories and located at a street intersection

Standards	
Permitted Districts	PD NC CC DD 1ST 5TH RC6 RC12 GO
Quantity	Maximum of one per building and may be used only if no other hanging signs exist
Sign Area	Maximum of 30 square feet or one square foot per linear foot of building facade, whichever is less
Placement	Shall not project below the window header of the first floor Shall not project above the cornice of a two-story building or above the window sills of the third story of a building with more than two stories

Standards (Continued)	
Projection	Projects from the building facade at a 90-degree angle or at a 45-degree angle when placed at a corner of a building Maximum of 3.5 feet from the building facade, inclusive of bracket depth Brackets connecting the sign to the building facade shall be a minimum depth of one foot and maximum of 1.5 feet
Materials	Metal with a minimum thickness of one-half inch and maximum thickness of one foot
Lighting	External or internal illumination

15.15 Wall Sign

Description
A sign that is flat against the building facade and mounted or applied directly to the building

Standards	
Permitted Districts	OR PD CI NC CC DD 1ST 5TH RC6 RC12 GO LI HI
Quantity	Maximum of one per building facade only if no band sign exists on the building
Sign Area	Maximum of one square foot per linear foot of building facade

Standards (Continued)	
Placement	Maximum height shall be the main roofline of the uppermost full story; maximum height of 16 feet when located within 200 feet of a residential lot
Projection	Maximum of one foot from the building facade
Materials	Brick, stone, wood, metal, or a composite material that has the same properties
Lighting	External or internal illumination

15.16 Window Sign

Description
A sign placed within, affixed to, in contact with, or located within 12 inches of a window and visible from the exterior

Standards	
Permitted Districts	OR PD CI NC CC DD 1ST 5TH RC6 RC12 GO LI HI
Sign Area	Maximum of 15 percent of an individual window area, but shall not exceed 5 window signs In cases where windows are grouped, the sign area shall not exceed 15 percent of the window grouping area
Placement	Fully within the interior of the building and attached directly to or mounted within 12 inches of the inside of the business

Standards (Continued)	
Materials	Metal, wood, or easily removable paint, paper, cloth, or other like material, or neon tubing as permitted below
Lighting	Retail businesses may have one interior neon sign, by permit only, and shall comply with all other standards in this Section. The computation for the sign area shall include the outermost limits of any neon tubing All other illumination is prohibited

15.17 Temporary Construction Site Sign

Description
A sign on an active construction site intended for temporary use during the construction period

Standards	
Permitted Districts	All districts
Quantity	Maximum of five signs per construction site. As an alternative, construction fencing with an opaque screening material may have additional signs printed onto the screening material
Sign Area	May have up to two sides, with a maximum of 32 square feet per side
Placement	Minimum setback at the property line
Materials	Fabric, canvas, or other comparable material that has the same properties
Height	Maximum of six feet
Lighting	Illumination is prohibited
Duration	Signs associated with nonresidential and mixed-use development shall be removed upon issuance of a certificate of occupancy Signs associated with residential development shall be removed after 80 percent build-out, or three years, whichever occurs first

15.18 Temporary Sign

Description
A sign intended for temporary use other than temporary construction site signs and campaign signs. Campaign signs are regulated by T.C.A. § 2-7-143

Standards	
Permitted Districts	All districts
Quantity	Maximum of two signs per lot
Sign Area	May have up to two sides, with a maximum of 32 square feet per side. On residential lots, the size is further limited to a maximum of six square feet per side
Placement	Minimum setback at the property line
Materials	Fabric, canvas, or a other material that has the same properties
Height	Freestanding temporary signs shall be a maximum of six feet Temporary signs on a building shall not exceed the top of the building
Lighting	Illumination is prohibited
Duration	Not to exceed three months out of every 12-month period

PAGE INTENTIONALLY LEFT BLANK

CHAPTER 16

UTILITIES

16.1 General Provisions 241

16.1 General Provisions

16.1.1 Applicability

This Chapter shall apply to the installation of utilities within a development site and off-site construction required as a result of, or to provide service to, a development.

16.1.2 Utility Placement

A. The placement of utilities shall be determined pursuant to the General Requirements and Technical Specifications Water Management Department.
B. Utilities shall be placed to allow for future infill of new buildings on development sites that have infill potential, as determined by the DRT.
C. Water, sewer, and reclaimed water mains shall be extended to property lines designated by the Water Management Department as deemed necessary for future system expansion.

16.1.3 Underground Requirements

To provide safe, reliable delivery of utility services and avoid the visual clutter of overhead utility lines, the following shall apply:

A. All new telephone, gas, sewer, water, fiber optic, and cable lines shall be placed underground; and
B. All new electrical distribution lines that serve development shall be placed underground, with the following exceptions:
    1. The Department of Building and Neighborhood Services may grant an exception when the replacement, relocation, or upgrade of an existing overhead service with underground service would result in the introduction of additional poles, guywires, and ancillary equipment into an existing built environment; and
    2. The FMPC may recommend and the BOMA may grant an exception for placing distribution lines underground within an existing public right-of-way when the BOMA determines there are special circumstances that warrant overhead distribution lines. As an alternative, the BOMA may consider the execution of a development agreement that allows for the recapture of up-front costs of placing utilities underground.
C. TVA transmission lines and MTEMC feeder lines for system needs and not needed for a specific development may be situated on poles aboveground.
D. Pad-mounted transformers, switch cabinets, sector boxes, communication support boxes, terminal boxes, meter cabinets, and concealed ducts may be situated aboveground if they are used solely to provide service within the development and are used solely with underground distribution lines.

CHAPTER 17

NATURAL RESOURCES

17.1 Steep Slopes 243

17.2 Tree Protection 244

17.3 Riparian Setbacks 250

17.4 Erosion and Sedimentation Control 250

17.5 Stormwater Management Features 250

17.6 Floodplain Protection 251

17.1 Steep Slopes

17.1.1 Applicability

A. This Section shall apply to development or redevelopment when any portion of a lot contains naturally occurring slopes of 14 percent or greater.
B. Lots shall not be graded to avoid the applicability or the requirements of this Section.

17.1.2 Prohibited Development

Other than public infrastructure and passive parks, development shall be prohibited on naturally occurring slopes having at least 20 feet of rise over 100 feet of run. Such slopes shall:

A. Be placed in an open space lot and noted on the final plat as non-buildable; or
B. Be placed in a conservation easement within a larger buildable lot. Individual single-family residential lots with a conservation easement shall be identified on the site plan as a critical lots, subject to Subsection 20.15.2, Critical Lots.

17.1.3 Grading Standards

A. The maximum permitted grades for streets, internal drives, and driveway approaches shall comply with the Transportation and Street Technical Standards.
B. The maximum permitted grades for driveways for single-family residential development shall be 14 percent. Driveways with lengths of longer than 100 feet may require a reduced slope, subject to approval by the Fire Department. The maximum permitted grades for all other development shall be ten percent.
C. All driveways shall have landings at the top and bottom to prevent vehicles from scraping pavement.
D. The maximum permitted grade for cut and fill areas shall be three units horizontal to one unit vertical.
E. Retaining wall height shall comply with Section 13.2, Retaining Walls, and shall not be modified.

17.1.4 Development Standards Within 500 Feet of an HHO Boundary

Within 500 feet of an HHO boundary, the following shall apply:

A. Lots that contain naturally occurring slopes of 14 percent or greater shall meet the lot standards in the following table rather than the lot standards of the applicable zoning district:

Lot Standards	Minimum
Lot Size	2 acres
Lot Width	150 feet
Lot Frontage	150 feet

B. Development or redevelopment shall comply with Subsection 17.1.2, Prohibited Development, and 17.1.3, Grading Standards.
C. Structures shall be sited to minimize grading and tree removal.

17.2 Tree Protection

17.2.1 Exemptions

The following tree removal activities are exempt from this Section:

A. The tree proposed for removal is located:
   1. On a single-family residential lot of one acre or less that is not noted as a critical lot; or
   2. On a lot in the DD district;
B. Removal of trees that are determined to be unhealthy by the Department of Planning and Sustainability or with written verification of the tree's condition as dead, dying, or structurally unsound as prepared by a certified arborist;
C. Removal of trees that are determined by the Department of Planning and Sustainability to be nuisance trees or a threat to an existing structure, underground utility, or public safety;
D. The tree encroaches into established utility easements;
E. Damage will result to utilities or structures from tree roots;
F. Removal of trees listed in the current edition of Invasive Exotic Pest Plants, published by the Tennessee Exotic Pest Plant Council;
G. Removal of trees on City-owned land or within public right-of-way by the City or its authorized agent;
H. Removal of a tree is a necessary to access the site and no alternative exists for relocating such access, as determined by the Department of Building and Neighborhood Services;
I. The Department of Building and Neighborhood Services makes an exception in extraordinary circumstances, such as weather-related emergencies, natural disasters, or similar occurrences. The Department of Building and Neighborhood Services may impose conditions as it determines are necessary to ensure compliance with this Section.

17.2.2 Tree Removal

Existing trees on a lot or development site shall not be removed or disturbed unless:

A. Trees are removed in accordance with an approved development plan, site plan, preliminary plat, building permit, or grading permit that meets Subsections 17.2.4, Protection of Tree Canopy, and 17.2.5, Protection of Specimen Trees; or
B. Trees are removed in accordance with an approved tree removal permit that meets Subsection 17.2.9, Tree Removal Permits.

17.2.3 Tree Preservation Plan

As part of the application required for a development plan, site plan, or preliminary plat, the applicant shall submit a tree preservation plan with the following information:

A. The lot lines associated with the proposed development;
B. A recent aerial photograph with date photograph was taken;
C. The location and extent of the existing on-site tree canopy, including an estimate of the total percentage of the parcels covered by the existing on-site tree canopy;
D. The exact location, health, and size of all specimen trees; however, in the instances of large established tree stands, the Department of Planning and Sustainability may accept an approximation of the location, health, and size of specimen trees if the trees are not being counted towards landscape requirements, or if the trees are located within a designated tree save area; and

E. The minimum tree canopy retention requirement.

17.2.4 Protection of Tree Canopy

A. Exemptions

Tree removal activities associated with agricultural uses are exempt from this Subsection.

B. Minimum Tree Canopy Retention

A percentage of the existing tree canopy shall be retained on a development site in accordance with the table below:

Existing Tree Canopy Cover (as a percentage of the total development site size)	Minimum Tree Canopy Retention by Zoning District (as a percentage of the total tree canopy cover)[1, 2]		
	AG ER R1 R2 R3 R4 R6 MR PD[3] OR 1ST	CI NC CC GO PD[4]	RC6 RC12 LI HI
80%- 100%	30%	15%	10%
60%-79%	36%	18%	11%
40%- 59%	45%	22%	12%
20%- 39%	48%	24%	13%
19% or less	54%	26%	14%

Notes:
1. Additional tree canopy retention may be required by the Stormwater Management Ordinance.
2. The 5TH and DD districts do not have minimum tree canopy retention requirements.
3. Development with only residential uses in the PD district shall comply with these standards.
4. Development with nonresidential and mixed-uses in the PD district shall comply with these standards.

C. Designation of Tree Save Areas

1. The minimum tree canopy to be retained within the development site shall be placed in tree save areas, which shall include the areas occupied by the critical root zones of all healthy trees being retained in accordance with this Subsection.
2. The location of tree save areas shall be based on the presence of any one or more of the following:
   a. Woodland forest;
   b. Established tree stands;
   c. Tree rows; or
   d. Specimen trees.
3. Tree save areas shall be depicted as an open space lot or conservation easement on the development plan, site plan, or preliminary plat, and recorded on the final plat.
4. Individual single-family residential lots with tree save areas in conservation easements shall be identified on the site plan as critical lots, pursuant to Subsection 20.15.2, Critical Lots, and shall be platted on the final plat with denotation on an individual lot.

D. Tree Save Area Priorities

Consideration shall be given to the following when determining tree save locations:

1. Woodland forests greater than five acres;
2. Riparian buffers or natural drainage courses;
3. Land within the HHO or naturally occurring slopes of 20 percent or greater;
4. Habitat used by endangered or threatened species;
5. Scenic corridors and viewsheds;

6. Areas that could serve to extend existing greenways, trails, parks, or recreation areas; and
7. Areas needed for buffers or historic resource edge treatments.

E. Removal of Trees in Tree Save Areas

The removal, damage, or destruction of trees within a tree save area shall be a violation of this Ordinance and require mitigation in accordance with the following standards:

1. Any tree that is damaged or removed from the tree save area shall be replaced at a rate of two caliper inches per one caliper inch removed, with each replacement tree having a minimum diameter of two caliper inches. If the total caliper inches removed cannot be determined, the area subject to tree removal shall be replanted at the rate of 80 trees per acre for each acre disturbed, or portion thereof. Replacement trees shall not be used to meet any other landscape requirements.
2. Replacement trees for trees removed from the tree save area shall be planted in the tree save area or, in cases where adequate room is not available, planted elsewhere on the lot or development site. In cases when adequate room on the lot or development site is not available as determined by the DRT, mitigation may take the form of payment to the City tree bank, pursuant to Subsection 17.2.8, Tree Bank.
3. Following notice of violation related to this Section by the Department of Building and Neighborhood Services, no review body shall review or approve any applications for the site from the date of the violation until:
   a. A replacement plan has been approved by the Department of Planning and Sustainability and a guarantee for the associated replacement has been established in accordance with Chapter 21, Performance Agreements; or
   b. Payment has been made to the City's tree bank in-lieu of providing some or all of the required replacement trees.

17.2.5 Protection of Specimen Trees

A. General Protections

1. Specimen trees shall not be cut, removed, pushed over, killed, or otherwise harmed, except as exempted by Subsection 17.2.1 and allowed by Paragraph 17.2.5.C, Removal and Replacement of Specimen Trees.
2. The area within the critical root zone, known as the tree protection zone, of any specimen tree shall not be subject to any disturbance unless the disturbance is based on an ISA certified arborist report stating that the proposed construction shall cause no harm to the tree and is approved by the Department of Planning and Sustainability.

B. Designation of Critical Lots

Individual single-family residential lots with specimen trees shall be identified on the site plan as critical lots, pursuant to Subsection 20.15.2, Critical Lots. Critical lots shall be denoted on the final plat on each individual lot with a specimen tree, which shall be preserved and cannot be removed.

C. Removal and Replacement of Specimen Trees

The removal, damage, or destruction of specimen trees shall be a violation of this Ordinance and require mitigation in accordance with the following standards:

1. Two caliper inches of replacement trees shall be provided for each caliper inch of specimen tree removed. Each replacement tree shall be a minimum of two caliper inches, and shall either be replanted within 12 months of the removal of the specimen tree, or within a timeframe approved by the Department of Planning and Sustainability Department. Performance agreements for the associated replacement, if warranted in the opinion of the Department of Planning and Sustainability, shall be established in accordance with Chapter 21, Performance Agreements. Replacement trees shall not be used to meet any other landscape requirements.
2. Replacement trees shall be either planted on the lot or site where the specimen tree was removed; however, in cases where space on the lot or site is insufficient, DRT may determine if mitigation may take the form of payment to the City's tree bank, pursuant to Section 17.2.8, Tree Bank.

17.2.6 Tree Protection During Construction

A. Tree Protection Fencing

1. All specimen trees in a tree protection zone and the perimeter of tree save areas shall be fenced in accordance with this Subsection before any land-disturbing activity begins. Fencing shall extend at least one foot in distance from the edge of the tree for each inch of diameter at breast height (DBH), so that, at a minimum, each tree's critical root zone is protected, but no case shall the tree fence be less than ten feet from the trunk. The Department of Building and Neighborhood Services shall consider existing site conditions in determining the exact location of any tree protection fencing.
2. All fencing required by this Subsection shall be chain link fencing at least four feet in height and secured using appropriate posts spaced not more than ten feet apart. Such chain link fencing is not required to be vinyl coated.
3. Signs that are visible on all sides of the fenced-in area shall be installed on the tree protection fence at a rate of at least one sign for every 150 linear feet. The size of each sign must be a minimum of two feet by two feet and shall contain the following language in English and Spanish: "TREE PROTECTION ZONE: KEEP OUT. ZONA DE LA PROTECCION DEL ARBOL. NO SE PERMITE ENTRAR".
4. All tree protection measures shall be inspected by and approved by the Department of Building and Neighborhood Services prior to start of any land disturbing activities. Failure to install tree protection measures prior to the commencement of construction is a violation of this Ordinance.
5. The tree protection fencing shall be clearly shown on the site plan. No construction, grading, equipment or material storage, or any other activity shall be allowed within the fenced area except in accordance with the standards

in Paragraph 17.2.6.B, Encroachments into Root Zones. Fencing shall be maintained until the land disturbance activities are complete.

B. Encroachments into Critical Root Zones

1. Encroachments within the root zones of trees protected in accordance with this Subsection shall occur only in rare instances where no alternatives exist, such as may be required for the installation of streets, internal drives, sidewalks, or utilities.
2. If unauthorized encroachments occur, leading to trees being damaged during construction activities, the trees shall be replaced at a one caliper inch to one caliper inch ratio.

C. Owner's Responsibility

During development, the owner, or if the owner is different from the developer, the developer, shall be responsible for the erection of all barriers necessary to protect any existing or installed trees from damage both during and after construction in accordance with the standards of this Subsection.

17.2.7 Monitoring and Maintenance of Trees Post-Construction

Owners of land shall be responsible for the preservation and maintenance of all trees required to be saved and protected under this Section.

17.2.8 Tree Bank

A. Purpose

The tree bank shall be a fund to receive:

1. Cash contributions for removal or damage to trees pursuant to Section 17.2, Tree Protection;
2. Charitable contributions given to the City for planting trees; and
3. Civil penalties received for the illegal cutting or damage of trees.

B. Use of Funds

Tree bank funds shall be used solely for purchasing, installing, and replacing trees, or maintenance of trees during their first five years after planting, on public lands such as parks, public open spaces, at community and civic facilities, and within public right-of-way.

C. Procedure for Tree Bank Requests

1. An applicant shall submit a written request to use the tree bank for removal of trees.
2. The Department of Planning and Sustainability shall determine the eligibility and extent of contributions during the site plan review and shall forward the recommendation to the applicable review body.
3. If, after the site plan is approved, the applicant wishes to reevaluate a decision to contribute to the tree bank, a revised landscape plan and a proposal to change the amount of the cash contribution shall be submitted to the Department of Planning and Sustainability for approval.
4. The applicant shall provide the cash contribution payment in the form of a cashier's check payable to City of Franklin prior to recording of the final plat and/or issuance of a building permit.

17.2.9 Tree Removal Permits

A. Exemptions

A tree removal permit is not required for trees removed in compliance with an approved building permit, grading

permit, site plan, preliminary plat, final plat, stormwater management permit, or as otherwise exempted by Section 17.2.1, Exemptions.

B. Tree Removal Permit Application

An application for a tree removal permit shall be made in accordance with application requirements established by the Department of Building and Neighborhood Services.

C. Staff Review

The Department of Planning and Sustainability and/or City arborist shall review the application for a tree removal permit and make a recommendation to the Department of Building and Neighborhood Services.

D. Department Building & Neighborhood Services Final Action

The Department of Building and Neighborhood Services shall review the application and approve, approve with conditions, or disapprove the tree removal permit.

E. Approval Criteria

The Department of Building and Neighborhood Services may approve a tree removal permit only when the tree proposed for removal is not:

1. Located in an open space lot or conservation easement;
2. Part of required landscape material or contributes to the screening function of a required landscape area;
3. The subject of a condition of approval requiring their retention; and
4. A specimen tree.

F. Issuance of a Building Permit or Grading Permit

No building permit or grading permit shall be issued unless the City department issuing the permit receives a written decision from the Department of Building and Neighborhood Services that the proposed development has received a tree removal permit or is exempt from the requirement to obtain a tree removal permit.

G. Tree Removal Violations

The removal, damage, or destruction of trees without obtaining a tree removal permit, as applicable, is in violation of this Subsection and shall require mitigation in accordance with the following:

1. Specimen trees removed shall be replaced at a two caliper inches for each caliper inch of specimen tree removed;
2. Replacement trees shall be replanted within 12 months of removal;
3. Any tree that is damaged or removed from a tree save area, conservation easement, or open space shall be replaced at a one caliper inch to one caliper inch ratio with replacement trees having a diameter of at least two inches in caliper;
4. Damage or destruction of trees due to excessive pruning or tree topping shall constitute a violation of this Ordinance and result in the prescribed replacement and/or mitigation of the damaged trees; and
5. A surety and maintenance agreement shall be established for replacement trees.

17.3 Riparian Setbacks

Development and land-disturbing activities shall comply with the Stormwater Management Ordinance.

17.4 Erosion and Sedimentation Control

Development and land-disturbing activities shall comply with the Stormwater Management Ordinance.

17.5 Stormwater Management Features

17.5.1 Design

A. All stormwater management features, such as bioretention, detention ponds, and retention ponds, shall comply with the Stormwater Management Ordinance and Stormwater BMP Manual design specifications.
B. Stormwater management features shall be designed to be an integral and aesthetic part of the site landscape.
C. Stormwater management features shall be located and designed to avoid tree removal.
D. Walls and retaining walls for stormwater management features shall comply with Subsection 13.2.6, Materials.

17.5.2 Retention Ponds

A. Measures for aeration, such as fountain features, shall be used to reduce stagnation in retention (wet) ponds.
B. Retention (wet) ponds shall be planted with moisture tolerant plant material, trees, and native grasses to enhance their presence within the built environment.

17.6 Floodplain Protection

17.6.1 Statutory Authorization, Findings of Fact, Purpose, and Objectives

A. Statutory Authorization

The Legislature of the State of Tennessee has in T.C.A. § 13-7-201 through § 13-7-210, delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the BOMA ordains as follows:

B. Findings of Fact

1. The City wishes to maintain eligibility in the National Flood Insurance Program (NFIP) and in order to do so must meet the NFIP regulations found in Title 44 of the Code of Federal Regulations (CFR), Chapter 1, Section 60.3.
2. Areas of the City are subject to periodic inundation, which could result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.
3. Flood losses are caused by the cumulative effect of obstructions in floodplains, causing increases in flood heights and velocities; by uses in flood hazard areas which are vulnerable to floods; or construction which is inadequately elevated, floodproofed, or otherwise unprotected from flood damages.

C. Statement of Purpose

The purpose of this Section is to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas. This Section is designed to:

1. Restrict or prohibit uses which are vulnerable to flooding or erosion hazards, or which result in damaging increases in erosion, flood heights, or velocities;
2. Require that uses vulnerable to floods, including community facilities, be protected against flood damage at the time of initial construction;
3. Control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of floodwaters;
4. Control filling, grading, dredging and other development which may increase flood damage or erosion; and
5. Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

D. Objectives

The objectives of this Section are:

1. To protect human life, health, safety and property;
2. To minimize expenditure of public funds for costly flood control projects;
3. To minimize the need for rescue and relief efforts associated with flooding, which are generally undertaken at the expense of the general public;
4. To minimize prolonged business interruptions;
5. To minimize damage to public facilities and utilities such as water and gas

mains, electric, telephone and sewer lines, streets and bridges located in flood prone areas;

6. To help maintain a stable tax base by providing for the sound use and development of flood prone areas to minimize blight in flood areas;
7. To ensure that potential homebuyers are notified that property is in a flood prone area; and
8. To maintain eligibility for participation in the NFIP.

17.6.2 General Provisions

A. Basis for Establishing the Areas of Special Flood Hazard

1. The areas of special flood hazard in the City are identified by FEMA in its Flood Insurance Study (FIS) dated December 22, 2016, and on the Flood Insurance Rate Map (FIRM), Community 470206, as follows:
   a. Panel Numbers: 47187C0190F, 47187C0195F, 47187C0204F, 47187C0205F, 47187C0208F, 47187C0209F, 47187C0212F, 47187C0220F, 47187C0230F, 47187C0335F, 47187CO355F, 47187CO360F, dated September 29, 2006; and
   b. Panel Numbers: 47187C0180G, 47187C0182G, 47187C0183G, 47187C0184G, 47187C0192G, 47187C0203G, 47187C0211G, 47187C0213G, 47187C0214G, dated December 22, 2016.
2. The FIS and FIRMs, along with all supporting technical data, are hereby adopted by reference and declared to be a part of this Ordinance.

B. Requirement for Floodplain Development Permit

A floodplain development permit shall be required prior to the commencement of any development or redevelopment activities.

C. Compliance

No land, structure or use shall hereafter be located, extended, converted or structurally altered without full compliance with the terms of this Section and other applicable regulations.

D. Abrogation and Greater Restrictions

This Section is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this Section conflicts or overlaps with another regulatory instrument, whichever imposes the more stringent restrictions shall prevail.

E. Interpretation

In the interpretation and application of this Section, all provisions shall be:

1. Considered as minimum requirements;
2. Liberally construed in favor of the governing body; and
3. Deemed neither to limit nor repeal any other powers granted under Tennessee statutes.

F. Warning and Disclaimer of Liability

The degree of flood protection required by this Section is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This Section does not imply that land outside the areas of special flood hazard or uses

permitted within such areas will be free from flooding or flood damages. This Section shall not create liability on the part of the City or by any officer or employee thereof for any flood damages that result from reliance on this Section or any administrative decision lawfully made hereunder.

G. Penalties for Violation

Penalties for violation of the provisions of this Section or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance shall constitute a misdemeanor punishable as other misdemeanors as provided by law. Any person who violated this Section or fails to comply with any of its requirements shall, upon adjudication therefore, be fined as prescribed by Tennessee statutes, and in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the City from taking such other lawful actions to prevent or remedy any violation.

17.6.3 Administration

A. Designation of Floodplain Administrator

A floodplain administrator is hereby appointed to implement the provisions of this Section.

B. Permit Procedures

An application for a floodplain development permit shall be made to the floodplain administrator on forms available on the City website prior to any development activities. The floodplain development permit may include, but is not limited to the following: plans in duplicate drawn to scale and showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, earthen fill placement, storage of materials or equipment, and drainage facilities. Specifically, the following information is required:

1. Application Stage
   a. An elevation certificate is required at the application stage in accordance with Clause 17.6.3.B.2.a, b, or c, as applicable.
   b. Elevation in relation to mean-sea-level of the proposed lowest floor, including basement, of all buildings where base flood elevations are available, or to certain height above the highest adjacent grade when applicable under this Section.
   c. Elevation in relation to mean-sea-level to which any nonresidential structure will be floodproofed where base flood elevations are available, or to certain height above the highest adjacent grade when applicable under this Section.
   d. An elevation certificate in accordance with Clause 17.6.3.B.2.c, d, or e, as applicable.
   e. A FEMA floodproofing certificate from a Tennessee registered professional engineer or architect that the proposed nonresidential floodproofed building will meet the floodproofing criteria in Subsection 17.6.4, Provisions for Flood Hazard Reduction.
   f. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.
2. Construction Stage

a. A second elevation certificate is required with the foundation inspection in accordance with Clause 17.6.3.B.2.c, d, or e, as applicable.
b. A third and final elevation certificate is required with the final inspection in accordance with Clause 17.6.3.B.2.c, d, or e, as applicable.
c. Within AE Zones, where base flood elevation data is available, any lowest floor certification made relative to mean-sea-level shall be prepared by or under the direct supervision of a Tennessee registered, certified floodplain land surveyor and certified by same. The floodplain administrator shall record the elevation of the lowest floor on the development permit. When floodproofing is utilized for a nonresidential building, said certification shall be prepared by, or under the direct supervision of, a Tennessee registered professional engineer or architect and certified by same.
d. Within approximate A Zones, where base flood elevation data is not available, the elevation of the lowest floor shall be determined as the measurement of the lowest floor of the building relative to the highest adjacent grade. The floodplain administrator shall record the elevation of the lowest floor on the development permit. When floodproofing is utilized for a nonresidential building, said certification shall be prepared by, or under the direct supervision of, a Tennessee registered professional engineer or architect and certified by same.
e. For all new construction and substantial improvements, the permit holder shall provide to the floodplain administrator an as-built certification of the lowest floor elevation or floodproofing level upon the completion of the lowest floor or floodproofing.
f. Any work undertaken prior to submission of the certification shall be at the permit holder's risk. The floodplain administrator shall review the above-referenced certification data. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further work being allowed to proceed. Failure to submit the certification or failure to make said corrections required hereby, shall be cause to issue a stop-work order for the project.

C. Duties and Responsibilities of the Floodplain Administrator

Duties of the floodplain administrator shall include, but not be limited to, the following:

1. Review all floodplain development permits to assure that the permit requirements of this Section have been satisfied, and that proposed building sites will be reasonably safe from flooding;
2. Review proposed development or redevelopment to assure that all necessary permits have been received from those governmental agencies from which approval is required by

Federal or State law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334;

3. Notify adjacent communities and the Tennessee Department of Economic and Community Development, Local Planning Assistance Office, prior to any alteration or relocation of a watercourse and submit evidence of such notification to FEMA;
4. For any altered or relocated watercourse, submit engineering data/ analysis within six months to FEMA to ensure accuracy of community FIRMs through the Letter of Map Revision process;
5. Assure that the flood-carrying capacity within an altered or relocated portion of any watercourse is maintained;
6. Record the elevation, in relation to mean-sea-level or the highest adjacent grade, where applicable, of the lowest floor (including basement) of all new and substantially improved buildings, in accordance with this Section;
7. Record the actual elevation, in relation to mean-sea-level or the highest adjacent grade, where applicable to which the new and substantially improved buildings have been floodproofed, in accordance with Paragraph 17.6.3.B, Permit Procedures;
8. When floodproofing is utilized for a nonresidential structure, obtain certification of design criteria from a Tennessee registered professional engineer or architect, in accordance with Paragraph 17.6.3.B, Permit Procedures;
9. Where interpretation is needed as to the exact location of boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions), make the necessary interpretation. Any person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this Ordinance;
10. When base flood elevation data and floodway data have not been provided by FEMA, obtain, review, and reasonably utilize any base flood elevation and floodway data available from a Federal, State, or other sources, including data developed as a result of these regulations, as criteria for requiring that new construction, substantial improvements, or other development in Zone A, on the City FIRM meet the requirements of this Section; and
11. Maintain all records pertaining to the provisions of this Section in the office of the floodplain administrator, which records shall be open for public inspection. Permits issued under the provisions of this Section shall be maintained in a separate file or marked for expedited retrieval within combined files.

17.6.4 Provisions For Flood Hazard Reduction

A. General Standards

In all areas of special flood hazard, the following provisions are required:

1. New construction and substantial improvements shall be anchored to prevent flotation, collapse and lateral movement of the structure;
2. Manufactured homes shall be

installed using methods and practices that minimize flood damage. They must be elevated and anchored to prevent flotation, collapse and lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State of Tennessee and local anchoring requirements for resisting wind forces;

3. New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage;
4. New construction and substantial improvements shall be constructed by methods and practices that minimize flood damage;
5. All electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
6. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
7. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters;
8. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding;
9. Any alteration, repair, reconstruction or improvements to a building that is in compliance with the provisions of this Section shall meet the requirements of "new construction" as contained in this Section;
10. Any alteration, repair, reconstruction or improvements to a building that is not in compliance with the provisions in this Section shall be undertaken only if said non-conformity is not further extended or replaced;
11. Copies of all new construction and substantial improvement proposals shall be provided for all necessary Federal and State permits, including Section 404 of the Federal Water Pollution Control Act amendments of 1972, 33 U.S.C. 1334;
12. All subdivision proposals and other new development proposals shall meet the standards of this Subsection;
13. When proposed new construction and substantial improvements are partially located in special flood hazard area, the entire structure shall meet the standards for new construction; and
14. When proposed new construction and substantial improvements are located in multiple flood hazard risk zones or in a flood hazard risk zone with multiple base flood elevations, the entire structure shall comply with the standards for the most hazardous flood hazard risk zone and the highest base flood elevation.

B. Specific Standards

In addition to the standards set forth in Subsection 17.6.4, Provisions for Flood Hazard Reduction, all areas of special flood hazard shall comply with the following:

1. Residential Structures
   In AE Zones, where base flood elevation data is available, new

construction and substantial improvement of any residential building (or manufactured home) shall have the lowest floor, including basement, elevated to no lower than three feet above the base flood elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of Clause 17.6.4.B.3, Enclosures, Within approximate A Zones where base flood elevations have not been established and where alternative data is not available, the floodplain administrator shall require the lowest floor of a building to be elevated to a level of at least three feet above the highest adjacent grade. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of Clause 17.6.4.B.3, Enclosures.

2. Nonresidential Structures
   a. In AE Zones, where base flood elevation data is available, new construction and substantial improvement of any nonresidential building shall have the lowest floor, including basement, elevated or floodproofed to no lower than one foot above the level of the base flood elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of Clause 17.6.4.B.3, Enclosures.
   b. In approximate A Zones, where base flood elevations have not been established and where alternative data is not available, new construction and substantial improvement of any nonresidential building shall have the lowest floor, including basement, elevated or floodproofed to no lower than three feet above the highest adjacent grade. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of Clause 17.6.4.B.3, Enclosures.
   c. Nonresidential buildings located in all A Zones may be floodproofed, in lieu of being elevated, provided that all areas of the building below the required elevation are watertight, with walls substantially impermeable to the passage of water, and are built with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. A Tennessee registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above, and shall provide such certification

to the floodplain administrator as set forth in Subsection 17.6.3, Administration.

3. Enclosures
   a. All new construction and substantial improvements that include fully enclosed areas formed by foundation and other exterior walls below the lowest floor that are subject to flooding, shall be designed to preclude finished living space and designed to allow for the entry and exit of flood waters to automatically equalize hydrostatic flood forces on exterior walls.
   b. Designs for complying with this requirement must either be certified by a Tennessee professional engineer or architect or meet or exceed the following minimum criteria:
      i. Provide a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
      ii. The bottom of all openings shall be no higher than one foot above the finished grade; and
      iii. Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwaters in both directions.
   c. The enclosed area shall be the minimum necessary to allow for parking of vehicles, storage or building access; and
   d. The interior portion of such enclosed area shall not be finished or partitioned into separate rooms in such a way as to impede the movement of floodwaters and all such partitions shall comply with the provisions of Subsection 17.6.4, Provisions for Flood Hazard Reduction.
4. Standards for Manufactured Homes and Recreational Vehicles
   a. All manufactured homes placed or substantially improved must meet all the requirements of new construction when:
      i. On individual lots or parcels;
      ii. In expansions to existing manufactured home parks or subdivisions; or
      iii. In new or substantially improved manufactured home parks or subdivisions.
   b. All manufactured homes placed or substantially improved in an existing manufactured home park or subdivision must be elevated so that either:
      i. In AE Zones, with base flood elevations, the lowest floor of the manufactured home is elevated on a permanent foundation to no lower than one foot above the level of the base flood elevation or
      ii. In approximate A Zones, where base flood elevations have not been established, the manufactured home chassis is elevated and supported by reinforced piers (or other foundation elements of at least equivalent strength) that are at least three feet in height above the highest adjacent grade.
   c. Any manufactured home, which

has incurred "substantial damage" as the result of a flood, must meet the standards of Subsection 17.6.4, Provisions for Flood Hazard Reduction.

d. All manufactured homes must be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

e. All recreational vehicles placed in an identified special flood hazard area must either:

i. Be on the site for fewer than 180 consecutive days; and

ii. Be fully licensed and ready for highway use (a recreational vehicle is ready for highway use if it is licensed, on its wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached structures or additions); or

iii. The recreational vehicle must meet all the requirements for new construction.

5. Standards for Subdivisions and Other New Development Proposals

a. Subdivisions and other new development proposals, including manufactured home parks, shall be reviewed to determine whether such proposals will be reasonably safe from flooding.

b. All subdivision and other new development proposals shall be consistent with the need to minimize flood damage.

c. All subdivision and other new development proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.

d. All subdivision and other new development proposals shall have adequate drainage provided to reduce exposure to flood hazards.

e. In all approximate A Zones, all new subdivision and other development proposals (including proposals for manufactured home parks and subdivisions) greater than 50 lots or five acres, whichever is the lesser, shall include within such proposals base flood elevation data in accordance with this Section.

C. Standards for Special Flood Hazard Areas with Established Base Flood Elevations and with Floodways Designated

Located within the special flood hazard areas established in Subsection 17.6.2, General Provisions, are areas designated as floodways. A floodway may be an extremely hazardous area due to the velocity of floodwaters, debris, or erosion potential. In addition, the area must remain free of encroachment in order to allow for the discharge of the base flood without increased flood heights and velocities. Therefore, the following provisions shall apply:

1. Encroachments are prohibited, including earthen fill material, new construction, substantial improvements or other development within the regulatory floodway. Development may be permitted; however, provided it is demonstrated through hydrologic and hydraulic analyses performed in accordance with

standard engineering practices that the cumulative effect of the proposed encroachments or new development shall not result in any increase in the water surface elevation of the base flood elevation, velocities, or floodway widths during the occurrence of a base flood discharge at any point within the community. A Tennessee registered professional engineer must provide supporting technical data, using the same methodologies as in the effective Flood Insurance Study for the City and certification, thereof; and

2. New construction and substantial improvements of buildings, where permitted, shall comply with all applicable flood hazard reduction provisions of Subsection 17.6.4, Provisions for Flood Hazard Reduction.

D. Standards for Areas of Special Flood Hazard Zones AE with Established Base Flood Elevations but Without Floodways Designated

Located within the special flood hazard areas established in Subsection 17.6.2, General Provisions, where streams exist with base flood data provided but where no floodways have been designated (Zones AE), the following provisions shall apply:

1. No encroachments, including fill material, new construction and substantial improvements shall be located within areas of special flood hazard, unless certification by a Tennessee registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community. The engineering certification should be supported by technical data that conforms to standard hydraulic engineering principles; and
2. New construction and substantial improvements of buildings, where permitted, shall comply with all applicable flood hazard reduction provisions of Subsection 17.6.4, Provisions for Flood Hazard Reduction.

E. Standards for Streams Without Established Base Flood Elevations and Floodways (A Zones)

Located within the special flood hazard areas established in Subsection 17.6.2, General Provisions, where streams exist, but no base flood data has been provided and where a floodway has not been delineated, the following provisions shall apply:

1. The floodplain administrator shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from any Federal, State, or other sources, including data developed as a result of these regulations (see 2, below), as criteria for requiring that new construction, substantial improvements, or other development in approximate A Zones meet the requirements of Subsection 17.6.4, Provisions for Flood Hazard Reduction;
2. All new subdivision proposals and other proposed developments (including proposals for manufactured home parks and subdivisions) greater than 50 lots or five acres, whichever

is the lesser, shall include within such proposals base flood elevation data;

3. Within approximate A Zones, where base flood elevations have not been established and where such data is not available from other sources, require the lowest floor of a building to be elevated or floodproofed to a level of at least three feet above the highest adjacent grade. All applicable data including elevations or floodproofing certifications shall be recorded as set forth in Paragraph 17.6.3.B, Permit Procedures. Openings sufficient to facilitate automatic equalization of hydrostatic flood forces on exterior walls shall be provided in accordance with the standards of Subsection 17.6.4, Provisions for Flood Hazard Reduction;
4. Within approximate A Zones, where base flood elevations have not been established and where such data is not available from other sources, no encroachments, including structures or fill material, shall be located within an area equal to the width of the stream or 20 feet, whichever is greater, measured from the top of the stream bank, unless certification by a Tennessee registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the City. The engineering certification should be supported by technical data that conforms to standard hydraulic engineering principles; and
5. New construction and substantial improvements of buildings, where permitted, shall comply with all applicable flood hazard reduction provisions of Subsection 17.6.4, Provisions for Flood Hazard Reduction. Within approximate A Zones, those subsections of Subsection 17.6.4, dealing with the alteration or relocation of a watercourse, shall assure watercourse carrying capacities are maintained and manufactured home provisions are complied with as required.

F. Standards for Areas of Shallow Flooding (AO and AH Zones)

Located within the special flood hazard areas established in Subsection 17.6.2, General Provisions, are areas designated as shallow flooding areas. These areas have special flood hazards associated with base flood depths of one to three feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate; therefore, the following provisions, in addition to those set forth in Subsection 17.6.4, shall apply:

1. All new construction and substantial improvements of residential and nonresidential structures shall have the lowest floor, including basement, elevated to at least one foot above as many feet as the depth number specified on the FIRM, in feet, above the highest adjacent grade. If no flood depth number is specified on the FIRM, the lowest floor, including basement, shall be elevated to at least three feet above the highest adjacent grade. Openings sufficient to facilitate automatic equalization of hydrostatic flood forces on exterior walls shall be provided in accordance with standards

of Subsection 17.6.4, Provisions for Flood Hazard Reduction;

2. All new construction and substantial improvements of nonresidential buildings may be floodproofed in lieu of elevation. The structure together with attendant utility and sanitary facilities must be floodproofed and designed watertight to be completely floodproofed to at least one foot above the flood depth number specified on the FIRM, with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. If no depth number is specified on the FIRM, the structure shall be floodproofed to at least three feet above the highest adjacent grade. A Tennessee registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this Section and shall provide such certification to the floodplain administrator as set forth above and as required in accordance with Paragraph 17.6.3.B, Permit Procedures; and
3. Adequate drainage paths shall be provided around slopes to guide floodwaters around and away from proposed structures.

G. Standards for Areas Protected by Flood Protection System (A-99 Zones)

Located within the areas of special flood hazard established in Subsection 17.6.2, General Provisions, are areas of the 100-year floodplain protected by a flood protection system but where base flood elevations have not been determined. Within these areas (A-99 Zones) all provisions of Subsections 17.6.3 and 17.6.4, shall apply.

H. Standards for Unmapped Streams

Located within the City are unmapped streams where areas of special flood hazard are neither indicated nor identified. Adjacent to such streams, the following provisions shall apply:

1. No encroachments including fill material or other development including structures shall be located within an area of at least equal to twice the width of the stream, measured from the top of each stream bank, unless certification by a Tennessee registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the locality.
2. When a new flood hazard risk zone, and base flood elevation and floodway data is available, new construction and substantial improvements shall meet the standards established in accordance with Subsections 17.6.3, Administration, and 17.6.4, Provisions for Flood Hazard Reduction.

17.6.5 Appeals to the Board of Zoning Appeals

A. Variance Procedures

In the case of a request for a variance to a provision within this Section, the following shall apply:

1. The Board of Zoning Appeals (BZA) shall hear and decide appeals and requests for variances from the requirements of Section 17.6, Floodplain Protection, as specified in this Subsection;
2. Variances for may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary deviation from the requirements of this Section to preserve the historic character and design of the structure;
3. In passing upon variance applications, the BZA shall consider all technical evaluations, all relevant factors, this Section, and:
   a. The danger that materials may be swept onto other property to the injury of others;
   b. The danger to life and property due to flooding or erosion;
   c. The susceptibility of the proposed facility and its contents to flood damage;
   d. The importance of the services provided by the proposed facility to the community;
   e. The necessity of the facility to a waterfront location, in the case of a functionally dependent use;
   f. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
   g. The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
   h. The safety of access to the property in times of flood for ordinary and emergency vehicles;
   i. The expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and
   j. The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, water systems, and streets and bridges.
4. Upon consideration of the factors listed above, and the purposes of this Section, the BZA may attach such conditions to the granting of variances, as it deems necessary to effectuate the purposes of this Section.
5. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

B. Conditions for Variances
1. Variances shall be issued only upon a determination that the variance is the minimum relief necessary, considering the flood hazard and the factors listed in Paragraph 17.6.5.A.
2. Variances shall only be issued upon:
   a. A showing of good and sufficient cause;
   b. A determination that failure to grant the variance would result in exceptional hardship; or
   c. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense,

create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or Ordinances.

3. Any applicant to whom a variance is granted shall be given written notice that the issuance of a variance to construct a structure below the base flood elevation will result in increased premium rates for flood insurance (as high as $25 for $100) coverage, and that such construction below the base flood elevation increases risks to life and property.
4. The floodplain administrator shall maintain the records of all appeal actions and report any variances to FEMA upon request.

PAGE INTENTIONALLY LEFT BLANK

CHAPTER 18

HISTORIC RESOURCES

18.1 General Provisions 267

18.2 Overview of Types of Historic Resource Edge Treatments 268

18.3 Naturalistic Screening 269

18.4 Farm-Field Boundary 270

18.5 Estate Enclosure 272

18.6 Integrated Edge 273

18.1 General Provisions

18.1.1 Applicability

This Chapter shall apply to development or redevelopment on, adjacent to, or across the street from lands or sites:

A. Listed on the National Register of Historic Places; or
B. Eligible for designation on the National Register of Historic Places, as determined by the Tennessee Historical Commission.

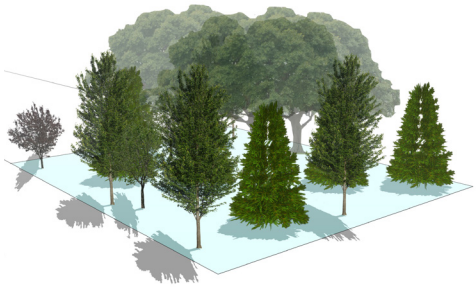
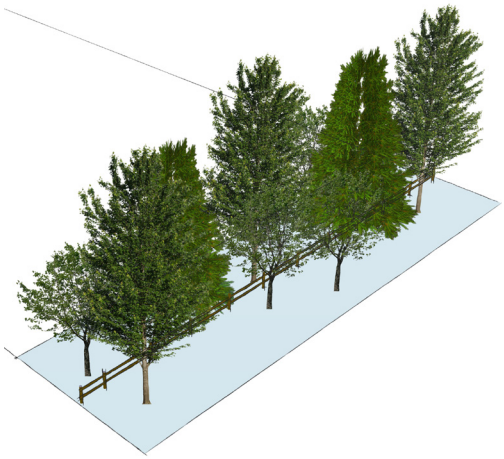
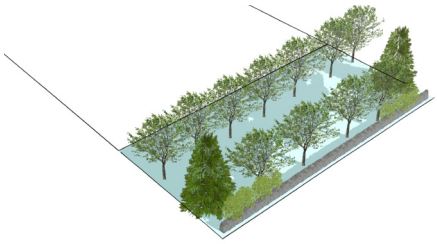
18.1.2 Review for Compliance

Review of the proposed development or redevelopment to ensure compliance with this Chapter shall occur with the review of development plans, site plans, preliminary plats, final plats that create new lots, or building permits, as applicable.

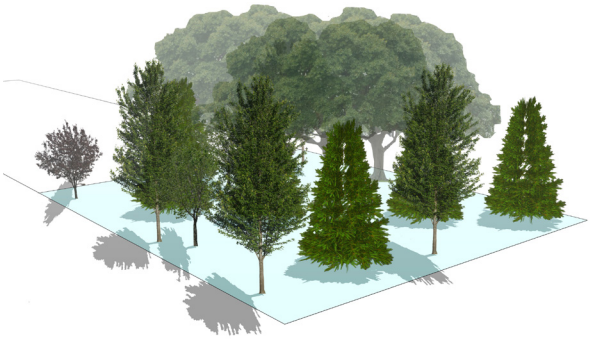
18.1.3 Determination of Historic Resource Edge Treatment

A. In order to protect freestanding historic lands and structures from negative visual impacts associated with new development occurring in their proximity, new development and redevelopment shall be subject to one of four types of historic resource edge treatments in this Chapter.
B. The edge treatments provide a context-based treatment to either screen the new development from the historic resource or integrate it into the new development.
C. The applicable historic resource edge treatment shall be determined by the Department of Planning and Sustainability based on:
   1. The context, setting, and location of the historic resource;
   2. The descriptions of the edge treatments as described in this Chapter;
   3. Which edge treatment will most enhance and protect the prominence of the historic resource; and
   4. Envision Franklin.
D. If the applicant disagrees with the determination, the applicant may appeal the decision to the FMPC following a recommendation by the HZC.

18.2 Overview of Types of Historic Resource Edge Treatments

Historic Resource Edge Treatment	Illustration
Naturalistic Screening: Naturalistic screening creates a year-round visual obstruction and significant spatial separation between the historic resource setting and the new development or redevelopment. The historic resource, its setting, and surrounding site features are preserved. The naturalistic screening edge treatment provides an opaque screen of evergreen trees mixed with existing vegetation along the common boundaries of the historic resource site and the site of the new development or redevelopment.	
Farm-Field Boundary: The farm-field boundary replicates the tree-lined property boundaries historically prevalent throughout the County, which generally evolved as leftover vegetation that grew along the borders of agricultural fields. This is accomplished by providing a historically based fence or wall and deciduous and cedar trees planted linearly along common boundary between the historic resource and the development or redevelopment. The historic resource, its setting, and surrounding site features are preserved. The farm-field boundary provides modest separation between the development or redevelopment and the historic resource. Because buildings within the development or redevelopment remain in view of the historic resource, they are designed to be similar in scale and architectural character with the historic building.	
Estate Enclosure: This treatment preserves the historic resource, surrounding site features, and the setting while providing an estate enclosure at the edge. The estate enclosure provides moderate spatial separation between the development or redevelopment and the historic resource, and consists of formal plantings.	
Integrated Edge: The integrated edge incorporates the historic resource into the overall design of the development or redevelopment, with the historic building being a prominent focal point, appearing as if the balance of the site evolved around it.	

18.3 Naturalistic Screening



18.3.1 Description

A. Naturalistic screening creates a year-round visual obstruction and significant spatial separation between the historic resource setting and the new development or redevelopment. The historic resource, its setting, and surrounding site features are preserved.

B. The naturalistic screening edge treatment provides an opaque screen of evergreen trees mixed with existing vegetation along the common boundaries of the historic resource site and the site of the new development or redevelopment.

C. This approach is typically appropriate for a site that already has an abundance of mature vegetation, as opposed to open farm fields.

18.3.2 Location

A. In cases where the developing property is adjacent to the property containing the historic resource, the naturalistic screening shall be located along the periphery of the developing property, unless an alternate location provides a superior amount of buffering.

B. In cases where new development is proposed on the same property as the historic resource, the naturalistic screening shall be located as far from the historic resource as is practicable given the context of the site and any topographic or environmental considerations.

18.3.3 Standards

A. Site features that emphasize the prominence of a historic resource shall be preserved within the spatial setting of the historic resource. Such features include topography, mature vegetation, streams, and historic walls and fences.

B. Naturalistic screening shall have a minimum width of 75 feet. Development on lots containing or adjacent to a National Historic Landmark shall have a minimum width of 100 feet. This area shall be placed in a conservation easement.

C. Planting materials shall:
   1. Be predominately evergreen trees;
   2. Be staggered in an informal manner, which, upon maturity, creates an opaque screen;
   3. Be of a sufficient height upon maturity that new development is visually screened, regardless of building heights or topography; and
   4. Include at least two or more different indigenous tree species.

D. Trees shall be required at a rate of one tree per every 400 square feet. Credit for existing vegetation may reduce the planting requirements, so long as the existing materials and new planting materials achieve an opaque screen.

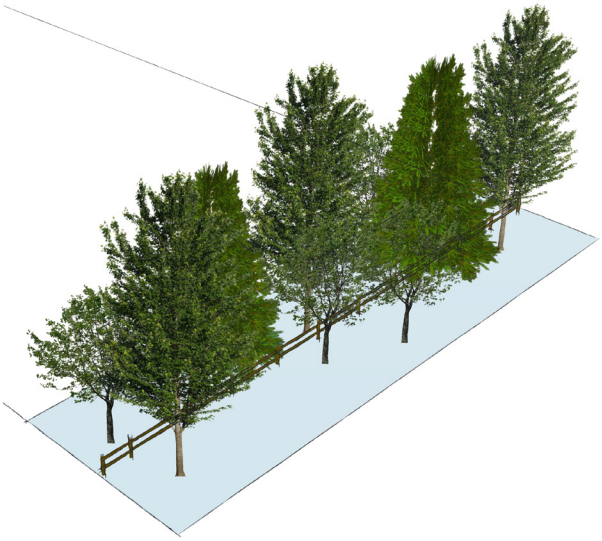
E. Pruning of trees or shrubs near ground level shall be prohibited.

F. Berms, fences, or walls shall not be used.

18.3.4 Grading

The natural, existing topography shall be preserved. Grading is prohibited.

18.4 Farm-Field Boundary



18.4.1 Description

A. The farm-field boundary replicates the tree-lined property boundaries historically prevalent throughout the County, which generally evolved as leftover vegetation that grew along the borders of agricultural fields. This is accomplished by providing a historically based fence or wall and deciduous and cedar trees planted linearly along common boundary between the historic resource and the development or redevelopment.

B. The historic resource, its setting, and surrounding site features are preserved. The farm-field boundary provides modest separation between the development or redevelopment and the historic resource.

C. Because buildings within the development or redevelopment remain in view of the historic resource, they are designed to be similar in scale and architectural character with the historic building.

18.4.2 Location

A. In cases where the developing property is adjacent to the property containing the historic resource, the farm-field boundary shall be located along the periphery of the developing property, unless an alternate location provides a superior amount of buffering.

B. In cases where new development is proposed on the same property as the historic resource, the farm-field boundary shall be located as far from the historic resource as is practicable given the context of the site and any topographic or environmental considerations.

18.4.3 Standards

A. Site features that emphasize the prominence of a historic resource shall be preserved within the spatial setting of the historic resource. Such features include topography, mature vegetation, streams, and historic walls and fences.

B. Farm-field boundaries shall have a minimum width of 30 feet. Development on lots containing or adjacent to a National Historic Landmark shall provide a minimum width of 50 feet.

C. Farm-field boundaries shall be linear in form and shall include a historically-based fence or wall along the length of the boundary. Acceptable types include rail fences, four-board horse fences, or dry-stacked stone walls consistent in design and stone type with historic antecedents found in the County.

D. Planting materials shall:

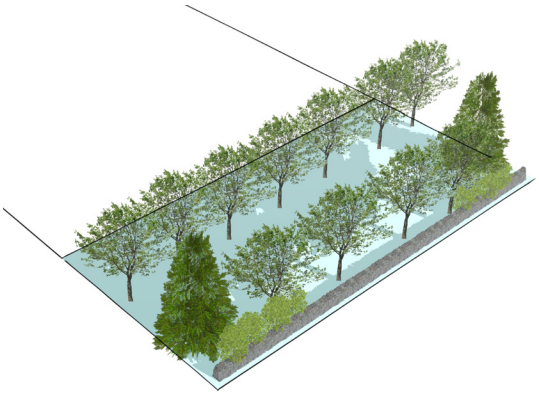
1. Be spaced in an informal, irregular manner along the fence or wall; and
2. Be dominated by deciduous trees, although native evergreens, such as cedars, may be included for diversity

and visual screening purposes; and

E. Trees shall be required at a rate of one canopy tree per every 400 square feet. Credit for existing vegetation may reduce the planting requirements when located in a suitable location.

F. New buildings within view of the historic resource shall be designed to be similar in scale and architectural character with the historic building.

18.5 Estate Enclosure



18.5.1 Description

A. The historic resource, surrounding site features, and the setting are preserved while an estate enclosure demarcates the periphery. The estate enclosure consists of formal plantings and is more appropriate for historic buildings having classical architectural styling, such as Federal, Greek Revival, Italianate, Gothic Revival, or Classic Revival, as opposed to less formal vernacular styles, such as simple frame farm houses.

B. The estate enclosure lends itself to situations in which the historic resource setting, and perhaps the overall development site, is somewhat limited in land area.

C. The estate enclosure is not intended to be an opaque screen between the new development and the historic resource; therefore, new buildings within view of the historic resource are designed to be similar in scale and architectural character with the historic building.

18.5.2 Location

A. In cases where the developing property is adjacent to the property containing the historic resource, the estate enclosure shall be located along the periphery of the developing property, unless an alternate location provides a superior amount of buffering.

B. In cases where new development is proposed on the same property as the historic resource, the estate enclosure shall be located as far from the historic resource as is practicable given the context of the site and any topographic or environmental considerations.

18.5.3 Standards

A. Site features that emphasize the prominence of a historic resource shall be preserved within the spatial setting of the historic resource. Such features include topography, mature vegetation, streams, and historic walls and fences.

B. The estate enclosure shall have a minimum width of 50 feet. Development on lots containing or adjacent to a National Historic Landmark shall provide a minimum width of 75 feet.

C. Estate enclosures shall:
   1. Consist of trees planted formally in rows with regular spacing, such as an orchard;
   2. Be dominated by deciduous trees; and
   3. Have either:
      a. A combination of hedgerows and fencing; or
      b. A brick or stone wall consistent in design and stone type with historic antecedents found in the County.

D. Trees shall be required at a rate of one tree per every 400 square feet of the estate enclosure area. Credit for existing vegetation may reduce the planting requirements.

E. New buildings within view of the historic resource shall be designed to be similar in scale and architectural character with the historic building.

18.6 Integrated Edge

18.6.1 Description

A. The integrated edge incorporates the historic resource into the overall design of the development or redevelopment, with the historic building being a prominent focal point, appearing as if the balance of the site evolved around it.

B. New buildings within view of the historic resource are designed to be similar in scale and architectural character with the historic building.

18.6.2 Prominence of the Historic Building

A historic building shall be made a visually prominent focal point of the new development through one or more of the following integration techniques:

A. Create a square or green fronting the historic building that is designed to highlight the historic resource as a focal point;

B. Design the street network so that the historic building is at an entry or destination location within the new development; or

C. Create a corner location for the historic building so that it terminates a public vista as viewed down two or more streets. In such case, adjacent new principal buildings shall be no closer 200 feet from the historic building.

18.6.3 Design of Streets and Driveways

A. New streets and driveways shall be located and designed to appear as if they were developed over time around the original historic building as part of a natural evolution.

B. Streets shall reflect the character of the historic building, such as ribbon curb in rural or farm areas.

C. Streets shall be located and designed so they do not cause the side or rear facade of the historic building to face the new street.

18.6.4 Lot Size Differentiation

A. The lot that contains the historic building shall be at least 100 percent larger than any adjacent residential lot.

B. If the historic building is located in an open space lot, the lot size shall be at least 25,000 square feet.

C. New lots across the street from and within view of a historic building shall comply with Subsection 18.6.6, Development Across the Street From a Historic Building.

18.6.5 Contextual Design of New Buildings

New buildings within view of the historic building shall be similar in scale and architectural character with the historic building; however, the historic building shall not be emulated to such an extent that it loses its prominence. Design elements shall include the following:

A. Rather than attempting to mirror the scale of the historic building, new buildings shall be subordinate in their perceived scale to the historic building;
B. The roof pitch of new buildings shall be similar to the historic building;
C. The roof forms, materials, and colors of new buildings shall be similar to the nearby historic building (for example, an asphalt shingle roof on a new building that emulates slate in color and approximate thickness would be similar with a slate-roofed historic building);
D. The shape, proportion, rhythm, and spacing of openings of new buildings shall be similar to that of the historic building;
E. Nearby buildings shall have key architectural components of the historic building, such as porches, dormers, and arches; and
F. The materials of the historic building shall be respected by their use to some degree on nearby new buildings.

18.6.6 Development Across the Street From a Historic Building

Where development is proposed across a street from and within view of a historic building, the following shall apply to the proposed development:

A. Buildings shall be designed to be similar in scale and architectural character with the historic building; and
B. Where the historic resource property is at least two acres, any new lot fronting an arterial or collector street across from the historic resource property shall be at least two acres, to lessen the potential adverse impact and intensity of the new development.

PAGE INTENTIONALLY LEFT BLANK

CHAPTER 19

REVIEW BODIES

19.1 General Authority 277

19.2 Board of Mayor and Aldermen (BOMA) 277

19.3 Franklin Municipal Planning Commission (FMPC) 277

19.4 Board of Zoning Appeals (BZA) 277

19.5 Historic Zoning Commission (HZC) 278

19.6 Departmental Review Team (DRT) 278

19.7 Department of Planning and Sustainability 279

19.1 General Authority

The following review bodies may exercise any and all powers and duties prescribed by State law, Charter, Municipal Code, and as described in this Ordinance.

19.2 Board of Mayor and Aldermen (BOMA)

19.2.1 Specific Approval Authority

The BOMA is responsible for final approval of:

A. Text amendments;
B. Rezonings;
C. Development plans;
D. Public improvements; and
E. Annexations and accompanying plans of services.

19.2.2 Additional Authority

The BOMA may initiate text amendments and rezonings.

19.3 Franklin Municipal Planning Commission (FMPC)

19.3.1 Specific Review Authority

The FMPC is responsible for review and recommendation to the BOMA of:

A. Text amendments;
B. Rezonings;
C. Development plans;
D. Public improvements; and
E. Annexations; and
F. Plans of services.

19.3.2 Specific Approval Authority

The FMPC is responsible for review and final approval of:

A. Site plans;
B. Preliminary plats;
C. Final plats;
D. General plans and plan amendments; and
E. Performance agreements.

19.3.3 Additional Authority

The FMPC may initiate text amendments, rezonings, and plan amendments. The FMPC may also review projects of other governmental agencies, pursuant to Subsection 1.1.11, Review of Public Improvements.

19.3.4 Bylaws

The FMPC shall, by a majority vote of its entire membership, adopt bylaws governing its procedures on such matters as officers, agendas, voting, order of business, and related matters as it may consider necessary or advisable, in accordance with State law.

19.4 Board of Zoning Appeals (BZA)

19.4.1 Specific Approval Authority

The BZA is responsible for review and final approval of:

A. Variances; and
B. Appeals of administrative decisions.

19.4.2 Membership

The BZA shall consist of five members and shall be appointed by the Mayor and confirmed by a majority vote of the BOMA. The terms of membership shall be five years. Terms shall be arranged so that the term of one member shall expire each year. Vacancies shall be filled for an unexpired term in the same manner as the original appointment.

19.4.3 Bylaws

The BZA may, by a majority vote of its entire membership, adopt bylaws governing its procedures on such matters as officers, agendas, voting, order of business, and

related matters as it may consider necessary or advisable, in accordance with State law.

19.5 Historic Zoning Commission (HZC)

19.5.1 Specific Review Authority

Within the HPO, the HZC is responsible for the review and recommendation to the FMPC and the BOMA, as applicable, of:

A. Development plans;
B. Preliminary plats; and
C. Final plats that create new lots, where a preliminary plat is not required.

19.5.2 Specific Approval Authority

The HZC is responsible for review and final approval of certificates of appropriateness within the HPO.

19.5.3 Additional Authority

The following shall also be the duty of the HZC:

A. To regularly maintain and update the following documents:
   1. Historic Preservation Plan;
   2. Historic Resources Survey; and
   3. Historic District Design Guidelines.
B. To nominate properties for inclusion in the HPO;
C. To review nominations for the National Register of Historic Places; and
D. To comment on projects that may have a potential adverse impact on historic properties as defined by T.C.A. § 13-7-404.

19.5.4 Membership

Membership of the HZC shall be as provided by State law.

19.5.5 Bylaws

The HZC shall, by a majority vote of its entire membership, adopt bylaws governing its procedures on such matters as officers, agendas, voting, order of business, and related matters as it may consider necessary or advisable, in accordance with State law.

19.6 Departmental Review Team (DRT)

19.6.1 General Authority

The DRT consists of City department directors, or their designees, and is responsible for certain development review as defined in the Subsections below.

19.6.2 Specific Review Authority

The DRT shall participate in the review of the following applications and provide recommendations to the FMPC or the BOMA, as applicable:

A. Text amendments;
B. Rezonings;
C. Development plans;
D. Site plans;
E. Preliminary plats;
F. Final plats;
G. Plan amendments;
H. Annexations; and
I. Plans of services.

19.6.3 Specific Approval Authority

The DRT is responsible for review and final approval of:

A. Administrative site plans;
B. Site plan amendments; and
C. Minor revisions to final plats.

19.6.4 Additional Authority

Members of the DRT shall perform other duties as set forth by other provisions of this Ordinance.

19.7 Department of Planning and Sustainability

19.7.1 General Authority

The Department of Planning and Sustainability is authorized by the BOMA to administer the provisions of this Ordinance. The Department of Planning and Sustainability shall have the following authority and duties:

A. Coordination of Development Review

1. To coordinate the review of development applications; and
2. To present recommendations to the BOMA, FMPC, BZA, and HZC on applications for development approval considered by these review bodies.

B. Administration of this Ordinance

1. To establish application requirements and schedules for review of development applications;
2. To initiate and draft text amendments and rezoning ordinances;
3. To administratively update the history table for text amendments adopted by the BOMA;
4. To post adopted text amendments on the City website until they are incorporated into the text of this Ordinance; and
5. To take any other actions necessary to administer the provisions of this Ordinance.

C. Performance Agreements

To review and make decisions on performance agreements, sureties, and maintenance agreements.

D. Tree Removal Permits

To review, where appropriate, and provide recommendations to the Department of Building and Neighborhood Services on applications for a tree removal permit.

E. Technical Assistance

To provide expertise and technical assistance to the BOMA, FMPC, BZA, HZC, BPC, Sustainability Commission, DRT, Department of Building and Neighborhood Services, and other entities.

F. Long Range Planning

To conduct studies and make recommendations regarding long-range planning policies and the general plan.

G. Historic Preservation

1. To administer Chapter 18, Historic Resources, and advise the HZC on matters submitted to the HZC;
2. To coordinate the City's historic preservation activities with those of state and federal agencies and with local, state, and national nonprofit preservation organizations; and
3. To assist the HZC in maintaining and periodically updating the Historic Resources Survey.

19.7.2 Additional Authority

The Department of Planning and Sustainability shall perform other duties as set forth by other provisions of this Ordinance.

19.8 Department of Building and Neighborhood Services

19.8.1 General Authority

The Department of Building and Neighborhood Services is authorized by the BOMA to interpret, enforce, and administer this Ordinance, except for those duties delegated or conferred upon the Department of Planning and Sustainability. The Department of Building and Neighborhood Services shall have the following authority and duties under this Ordinance:

A. To render interpretations of all provisions of this Ordinance and confer with the Department of Planning and Sustainability and other City departments as needed; and
B. To enforce the provisions of this Ordinance.

19.8.2 Specific Approval Authority

The Department of Building and Neighborhood Services is responsible for review and final approval of:

A. Building permits;
B. Sign permits;
C. Tree removal permits; and
D. Other permits as identified in this Ordinance.

19.8.3 Additional Authority

The Department of Building and Neighborhood Services shall perform other duties as set forth by other provisions of this Ordinance.

PAGE INTENTIONALLY LEFT BLANK

CHAPTER 20

PROCEDURES

20.1 Overview of Applications 283
20.2 Common Review Procedures 284
20.3 Plan Amendment 291
20.4 Annexation 293
20.5 Text Amendment 295
20.6 Preliminary HZC Recommendation 296
20.7 Rezoning 297
20.8 Development Plan 300
20.9 Preliminary Plat 305
20.10 Variance 306
20.11 Certificate of Appropriateness 308
20.12 Site Plan 310
20.13 Final Plat 314
20.14 Grading Permit 314
20.15 Building Permit 314
20.16 Performance Agreement 314
20.17 Sign Permit 315
20.18 Appeal of Administrative Decision 316
20.19 Vesting 317

20.1 Overview of Applications

The table below outlines the types of applications, their scope, and the review bodies who make recommendations and take final action.

Type of Application	Scope	Recommendation	Approval
Plan Amendment	Amend Envision Franklin	DRT	FMPC
Annexation	Annex property into the City limits	DRT, FMPC	BOMA
Text Amendment	Change the wording or substance of the Zoning Ordinance	Department of Planning and Sustainability, FMPC	BOMA
Preliminary HZC Recommendation	Provide preliminary recommendations for development in the HPO	Department of Planning and Sustainability	HZC
Rezoning (Map Amendment)	Change in the district boundaries or district classifications of the zoning map	DRT, FMPC	BOMA
Development Plan	Entitle development in the PD district	DRT, FMPC, HZC as applicable	BOMA
Preliminary Plat	Propose layout for subdividing land into more than two lots, pursuant to the Subdivision Regulations	DRT, HZC as applicable	FMPC
Variance	Grant relief from certain zoning requirements	Department of Planning and Sustainability	BZA
Certificate of Appropriateness	Propose development or alterations in the HPO	Department of Planning and Sustainability	HZC
Site Plan Subject to FMPC Approval	Finalize site construction drawings	DRT	FMPC
Site Plan Subject to Administrative Approval	Finalize site construction drawings	DRT	DRT
Final Plat	Finalize layout for subdividing land into two or more lots suitable for recording with the Register of Deeds, pursuant to the Subdivision Regulations	DRT, HZC as applicable	FMPC

Type of Application	Scope	Recommendation	Approval
Performance Agreement	Ensure the completion of required improvements as part of site plan or final plat approval	See Chapter 21	See Chapter 21
Sign Permit	Review signs for compliance with this Ordinance	Department of Planning and Sustainability and HZC, as applicable	Department of Building and Neighborhood Services
Tree Removal Permit	Remove a tree not associated with an approved building permit, grading permit, site plan, preliminary plat, final plat, or stormwater management permit	Department of Planning and Sustainability/City Arborist, as applicable	Department of Building and Neighborhood Services
Appeal of Administrative Decision	Appeal a decision by an administrative official		BZA
Additional duties and responsibilities of the review bodies are set forth in subsequent Sections of this Chapter. In addition, the BOMA, FMPC, or Department of Planning and Sustainability may ask other boards, commissions, government agencies, or non-government agencies to review applications.			

20.2 Common Review Procedures

20.2.1 Applicability

The following requirements apply to all applications submitted under this Ordinance. Additional requirements may be included for specific applications. If there is a conflict between the common review procedures and the specific review procedures, the specific review procedures shall apply.

20.2.2 Authority to File Applications

A. Applications shall be initiated by:
   1. The owner of the property that is the subject of the application;
   2. The owner's authorized agent; or
   3. The BOMA, the FMPC, the HZC, or the Department of Planning and Sustainability.

B. When the owner's authorized agent files an application on behalf of the property owner, the agent shall provide a property owner affidavit, which shall bind the owner with respect to all decisions and conditions of approval related to the property.

20.2.3 Initial Application Submittal

Applications shall be submitted in accordance with the requirements and checklists established by the Department of Planning and Sustainability as posted on the City website.

20.2.4 Fee Schedule

A. Fees shall be required to help defray the costs of processing applications. The fee schedule shall be posted on the City website and may be adjusted periodically by the BOMA, pursuant to the Municipal Code.
B. Applicable fees shall be paid in full prior to processing an application for review.
C. No fee shall be required if the application is made by the City or any agency created or appointed by the BOMA to perform government functions.
D. No refund of the fee or any part of the fee shall be made, unless the Department of Planning and Sustainability determines that an application was accepted in error or the fee paid exceeds the amount due. In these cases, the amount of the overpayment will be refunded to the applicant.

20.2.5 Submittal Deadline

Applications shall be submitted according to the submittal deadlines for the scheduled meetings of the applicable review bodies as posted on the City website.

20.2.6 Completeness Determination

The Department of Planning and Sustainability or Department of Building and Neighborhood Services shall only initiate the review and processing of an application submitted under this Ordinance if the application is determined to be complete as outlined in the applicable review body bylaws.

20.2.7 Sequence of Applications

A. Where two or more applications are required for development approval, final action by the applicable review body shall occur in the following sequence:
   1. Plan amendment;
   2. Annexation;
   3. Text amendment;
   4. Preliminary HZC recommendation;
   5. Rezoning;
   6. Development Plan
   7. Preliminary plat;
   8. Variance and/or certificate of appropriateness;
   9. Site plan and/or final plat;
   10. Grading permit;
   11. Performance agreement; then
   12. Building permit and/or sign permit.
B. When two or more applications are required for development approval, the applicant may request to expedite the review process by overlapping the processing of sequential applications. The costs for preparing plans shall be incurred at the applicant's risk and does not guarantee entitlements. When such a request is made, final action shall adhere to the order set forth in Paragraph 20.2.7.A above. This request is subject to the approval of the DRT based on the following criteria:
   1. The application shall have a low level of complexity;
   2. The timing of final action shall adhere to the order set forth in this Chapter;
   3. Any off-site improvements or development agreements shall be approved by the BOMA prior to or in conjunction with approval of a development plan;
   4. An application for a plan amendment shall not be reviewed simultaneously with a rezoning or development plan

application and shall be reviewed after an initiation of annexation by the BOMA;

5. A development plan, or its subsequent revision, shall be approved prior to acceptance of a site plan for review, unless revisions are considered minor. In these cases, a revised development plan may be submitted simultaneously with a site plan; and
6. For single-family residential site plans, an applicant may request a partial certificate of appropriateness prior to final action on a site plan, and then request the certificate of appropriateness prior to the issuance of a building permit.

20.2.8 Waiver of Required Meetings

Applications have various required meetings described in each type of application. If the Department of Planning and Sustainability finds the application has minimal impacts on the surrounding properties, environment, or infrastructure, then it may waive any or all of the following meetings:

A. Pre-application meeting;
B. On-site meeting;
C. Neighborhood meeting; or
D. Joint conceptual workshop.

20.2.9 Public Notice Requirements

Applications shall comply with public notice requirements pursuant to the table below, State law, and the applicable review body bylaws. Public notice that exceeds State law requirements is considered a courtesy, and any defect or failure to provide the additional notice is not a basis for declaring any decision invalid.

Application	Published Notice	Mailed Notice	Posted Notice	Timing
● Required Notice ● Additional Notice Recommended ○ Required Notice for Neighborhood Meeting				
Plan Amendment	●	○	● ○	Published notice of the public hearing shall be published at least 30 days before the FMPC meeting Mailed notice shall be postmarked at least 15 days prior to the neighborhood meeting
Annexation	●	●	●	Various published, mailed, and posted notices in accordance with State law
Text Amendment				Published notice shall be included on the published agenda for the applicable review body
Preliminary HZC Recommendation	●		●	Published notice shall be included on the published HZC agenda
Development Plan	●	● ○	● ○	Published notice shall be included on the published agenda for the applicable review body Mailed notice shall be postmarked at least 15 days prior to the neighborhood meeting
Rezoning	●	●	●	Published notice of the public hearing shall be published at least 15 days before the BOMA meeting Mailed notice shall be postmarked at least 15 days prior to the FMPC meeting
Preliminary Plat	●	●		See the Subdivision Regulations

Application	Published Notice	Mailed Notice	Posted Notice	Timing
● Required Notice ● Additional Notice Recommended ○ Required Notice for Neighborhood Meeting				
Variance	●	●		Published notice shall be included on the published BZA agenda Mailed notice shall be postmarked at least 15 days prior to the BZA meeting
Certificate of Appropriateness	●		●	Published notice shall be included on the published HZC agenda
Site Plan Subject to FMPC Approval	●			Published notice shall be included on the published FMPC agenda
Site Plan Subject to Administrative Approval	●			The administrative agenda shall be published on the City website
Final Plat	●			See the Subdivision Regulations
Appeal of Administrative Decision	●	●		Published notice shall be included on the published BZA agenda Mailed notice shall be postmarked at least 15 days prior to the BZA meeting

A. Published Notice

1. The Department of Planning and Sustainability shall prepare the content and publish the notice in a newspaper of general circulation. The timing of the published notice shall adhere to State law and the adopted bylaws of the applicable review body.
2. Published notice shall include the following content:
   a. The application type;
   b. The address and/or general location of the property that is the subject of the application, and may include a location map; and
   c. A description of the nature, scope, and purpose of the application; and
   d. The date, time, and place of the public meeting.
3. Published notice for the BOMA public hearings for annexation, text amendments, rezonings, and development plans shall be published at least 15 days before the BOMA meeting.

B. Mailed Notice

1. The applicant shall be responsible for preparing and mailing the mailed notice.
2. The mailed notice to surrounding property owners shall be required only for:
   a. The neighborhood meeting, as applicable; and

b. The initial presentation of the proposed development to the applicable review body.

3. The mailed notice shall be sent to property owners within 500 feet of the subject property and affected property owners within the application boundaries. HPO rezoning mailed notice shall be prepared by the Department of Planning and Sustainability and mailed only to the affected property owners.
4. The mailed notice shall be postmarked in accordance with Subsection 20.2.9, Public Notice Requirements.
5. A notarized affidavit from the applicant showing the names and addresses of each adjacent property owner who has been notified shall be submitted to the Department of Planning and Sustainability prior to the meeting at which the item will be presented.
6. If the application is withdrawn or deferred after the notices have been mailed, then the applicant shall re-notify adjacent property owners of the future meeting at which the application will be considered.
7. Mailed notice shall include the following content:
   a. The application type;
   b. The address and general location of the property that is the subject of the application;
   c. A description of the nature, scope, and purpose of the application;
   d. The date, time, and place of the public meeting;
   e. The location where the public may view the application and related documents; and
   f. Contact information for the applicant or authorized agent, including name, address, telephone, and e-mail address.
8. In addition to Clause 20.2.9.B.7 above, mailed notice for HPO rezoning shall include the following content:
   a. A description of the structure or site proposed for nomination;
   b. A description of the benefits, restrictions, and other terms of the proposed designation; and
   c. A statement of the stay of actions after nomination provided for in Subsection 20.7.10, HPO District Rezoning.

C. Posted Notice

1. Posted notice for annexation applications shall comply with State law.
2. All other recommended posted notice should be posted on the property prior to the neighborhood meeting or public meeting by the Department of Planning and Sustainability.

20.2.10 Opportunities for Public Hearings and Public Comment

The table below lists the types of applications that require a public hearing or public comment at a public meeting.

Application	BZA	HZC	JCW	FMPC	BOMA
● = Public Hearing ● =Opportunities for Public Comment					
Public hearings shall be conducted pursuant to all applicable requirements of State law and review body bylaws.					
Plan Amendment				●	
Annexation				●	●
Text Amendment				●	●
Preliminary HZC Recommendation		●			
Development Plan				●	●
Rezoning				●	●
Preliminary Plat				●	
Variance	●				
Certificate of Appropriateness		●			
Site Plan Subject to FMPC Approval				●	
Site Plan Subject to Administrative Approval					
Final Plat				●	
Performance Agreement and Surety				●	
Appeal of Administrative Decision	●				

20.2.11 Continuation of Public Hearings

A public hearing for which proper notice was given may be continued to a later date without again complying with the mailed notice requirements, provided that:

A. The continuance is set for a date within 60 days of the original public hearing date; and
B. The date and time of the continued hearing are announced at the time of the continuance.

20.2.12 Withdrawal of an Application

A request for withdrawal of an application shall be submitted in writing to the Department of Planning and Sustainability. The request shall be approved only if it has been submitted prior to the published notice of the public meeting, pursuant to the applicable review body bylaws.

20.3 Plan Amendment

20.3.1 Purpose

The purpose of a plan amendment is to amend the adopted general plan, Envision Franklin, due to changed conditions, changes in public policy, or changes necessary to advance the health, safety, and welfare of the City.

20.3.2 Applicability

A. Plan amendments shall comply with the specific review procedures in this Section.
B. Rezonings and development plans should be consistent with the adopted plan. When these applications are not consistent with the adopted plan, they may be processed without a plan amendment; however, the staff shall recommend disapproval if the application is not in substantial conformity with the adopted plan.

20.3.3 Preliminary Meeting

The applicant shall meet with the Department of Planning and Sustainability to discuss the initial concepts of the plan amendment, Envision Franklin, and review procedures. The applicant shall supply preliminary information to the Department of Planning and Sustainability at least three business days prior to the meeting.

20.3.4 On-Site Meeting

The applicant shall meet with the Department of Planning and Sustainability and other departments, as applicable, on the property that is the subject of the application.

20.3.5 Neighborhood Meeting

The applicant shall hold at least one formal neighborhood meeting, typically held prior to the plan amendment application submittal. The applicant shall:

A. Coordinate the neighborhood meeting date, time, and location with the Department of Planning and Sustainability;
B. Mail the public notice for the neighborhood meeting in accordance with Subsection 20.2.9, Public Notice; and
C. Conduct the neighborhood meeting and provide a written summary of the meeting, noting concerns of surrounding property owners, with the application resubmittal. The meeting shall be attended by a City staff member to meet the neighborhood meeting requirement.

20.3.6 Application Submittal

The applicant shall submit a plan amendment application in accordance with Section 20.2, Common Review Procedures.

20.3.7 Staff Review

In accordance with the submittal schedule posted on the City website:

A. The DRT shall review the application;
B. The Department of Planning and Sustainability shall send comments from the DRT to the applicant; then
C. The applicant shall address the comments and submit a revised application.
D. Upon submittal of a revised application, the Department of Planning and Sustainability shall prepare a final review and make a recommendation to the FMPC.

20.3.8 FMPC Final Action

The FMPC shall review the plan amendment at a public hearing and vote for:

A. Approval;
B. Approval with conditions;
C. Disapproval; or
D. Deferral for continued review of the application.

20.3.9 Approval Criteria

Recommendations and final action on a plan amendment shall be based on consideration of the following criteria:

A. Significant changes have occurred since the adoption of the plan that necessitate the proposed amendment;
B. The proposal is consistent with the overall intent of Envision Franklin;
C. The proposal is compatible with the design concepts of the surrounding area and does not cause an abrupt change in massing, form, or architecture;
D. The proposal does not adversely affect the health, safety, and welfare of the public; and
E. Substantial improvements in the quality of life for Franklin citizens will be achieved.

20.4 Annexation

20.4.1 Purpose

The purpose of an annexation is to expand City boundaries into unincorporated land that allows for orderly growth, efficient delivery of municipal services, and proactive planning for future development.

20.4.2 Applicability

Annexation by resolution shall comply with the specific review procedures in this Section and State law. Annexation by referendum shall comply with State law.

20.4.3 Preliminary Meeting

The applicant shall meet with the Department of Planning and Sustainability and DRT representatives to discuss the request for annexation, Envision Franklin, the plan of services, and review procedures.

20.4.4 Application Submittal

A. The applicant shall submit an annexation application in accordance with Section 20.2, Common Review Procedures; however, annexation by resolution may only be initiated by the owner of the property or the owner's authorized agent.
B. The applicant shall submit a rezoning application concurrently with an annexation application pursuant to Subsection 20.7.9, Establishment of a Zoning District.

20.4.5 Staff Review

The Department of Planning and Sustainability shall coordinate a draft plan of services for the annexation application, which outlines how the property would be served by City services upon annexation.

20.4.6 Initiation of Annexation

The BOMA shall review the draft plan of services and may initiate an annexation and direct staff to continue to study the request. This initiation shall not commit or bind the BOMA to any proposal or element thereof.

20.4.7 Staff Review

In accordance with the submittal schedule posted on the City website, the Department of Planning and Sustainability shall coordinate the preparation of the plan of services and annexation resolution and make a recommendation to the FMPC.

20.4.8 FMPC Recommendation

The FMPC shall review the plan of services and annexation resolutions at a public meeting and make a recommendation to the BOMA.

20.4.9 BOMA Final Action

A. Except for annexations that require a referendum per State law, the BOMA shall hold one reading on the plan of services resolution, with a public hearing and vote on the resolution concurrent with the second reading of the annexation resolution, and vote for:
   1. Approval;
   2. Disapproval; or
   3. Deferral for continued review of the application.
B. Except for annexations that require a referendum per State law, the BOMA shall hold three readings on the annexation resolution, with a public hearing during the second reading, and vote for:
   1. Approval;
   2. Disapproval; or
   3. Deferral for continued review of the application.

20.4.10 Approval Criteria

Recommendations and final action on an annexation shall be based on consideration of the following criteria:

A. Whether the proposed annexation can be served in an efficient and cost-effective manner by municipal services, such as fire, police, and public works;
B. Whether the proposed annexation will result in orderly and efficient growth of the City;
C. Whether existing or planned infrastructure, including water, sewer, roadways, specific types of open space, sidewalks and trails, and public facilities can adequately serve the property;
D. Whether the proposed annexation is located in an area where substantial infrastructure investments have already been made;
E. Whether the proposed annexation is consistent with the guiding principles set forth in Envision Franklin and the purpose of this Ordinance; and
F. Whether the proposed annexation would benefit the health, safety and welfare of the public.

20.5 Text Amendment

20.5.1 Purpose

The purpose of a text amendment is to modify the provisions of this Ordinance to address changed conditions, changes in public policy, or changes necessary to advance the health, safety, and welfare of the City.

20.5.2 Applicability

Text amendments shall comply with the specific review procedures in this Section.

20.5.3 Application Submittal

A text amendment application shall be initiated by the BOMA, FMPC, or Department of Planning and Sustainability.

20.5.4 Joint Conceptual Workshop

The Department of Planning and Sustainability shall draft the text amendment and present it at a joint conceptual workshop.

20.5.5 FMPC Recommendation

The FMPC shall review the text amendment at a public meeting and make a recommendation to the BOMA.

20.5.6 BOMA Final Action

A. The BOMA shall hold three readings on the text amendment, with a public hearing during the second reading, and vote for:
   1. Approval;
   2. Approval with conditions;
   3. Disapproval; or
   4. Deferral for continued review of the application.
B. A majority vote of the full membership of the BOMA shall be required for passage of the text amendment ordinance on third and final reading.

20.5.7 Approval Criteria

Recommendations and final action on a text amendment shall be based on consideration of the following criteria:

A. Whether the proposed text amendment is consistent with Envision Franklin and the purpose of this Ordinance;
B. Whether the proposed text amendment will protect the health, safety, and welfare of the public; and
C. Whether the proposed text amendment corrects an error or meets the challenge of some changing condition, trend, or fact since the time that the original text was established.

20.6 Preliminary HZC Recommendation

20.6.1 Purpose

The purpose of a preliminary HZC recommendation is to provide other review bodies with recommendations related to the Historic District Design Guidelines on development applications in the HPO early in the approval process where certain contextually-sensitive design features become entitled prior to the certificate of appropriateness review.

20.6.2 Applicability

A. Preliminary HZC recommendations shall comply with the specific review procedures in this Section.
B. This Section shall apply to development in the HPO that is subject to:
   1. Development plans;
   2. Preliminary plats; and
   3. Final plats that create new lots.
C. Development plan applications shall be reviewed for consistency with the Historic District Design Guidelines regarding conceptual elevations, height, massing, scale, setbacks, type of historic resource edge treatment, and lot or building site sizes.
D. Preliminary plat and final plat applications shall be reviewed for consistency with the Historic District Design Guidelines regarding types of edge treatment, setbacks, and lot or building site sizes.

20.6.3 Application Submittal

An application for a preliminary HZC recommendation shall be submitted in accordance with Section 20.2, Common Review Procedures.

20.6.4 Staff Review

The Department of Planning and Sustainability shall review the application and make a recommendation to the HZC.

20.6.5 HZC Recommendation

The HZC shall review the application at a public meeting and provide a recommendation to the FMPC and the BOMA, as applicable, for:

A. Approval;
B. Approval with conditions;
C. Denial; or
D. Deferral for continued review of the application.

20.6.6 Approval Criteria

Preliminary HZC recommendations shall be based on consideration of the following criteria:

A. Whether the proposed development is consistent with the intent of the HPO;
B. Whether the proposed development would complement other structures or exterior arrangements within the HPO; and
C. Whether the proposed development complies with the Historic District Design Guidelines.

20.7 Rezoning

20.7.1 Purpose

The purpose of a rezoning is to amend the official zoning map to address annexation, changed conditions, changes in public policy, or changes necessary to advance the health, safety, and welfare of the City.

20.7.2 Applicability

Rezoning shall comply with the specific review procedures in this Section.

20.7.3 Preliminary Meeting

The applicant shall meet with the Department of Planning and Sustainability to discuss the initial concepts of the rezoning, its compliance with Envision Franklin, and review procedures. The applicant shall supply preliminary information to the Department of Planning and Sustainability at least three business days prior to the meeting.

20.7.4 Application Submittal

A. The applicant shall submit a rezoning application pursuant to Section 20.2, Common Review Procedures.
B. An application for HPO rezoning shall not require a property survey, but instead indicate the map, group, and parcel numbers of the proposed properties. Where applicable, the application shall be signed by owners of the affected properties.

20.7.5 Staff Review

In accordance with the submittal schedule posted on the City website:

A. The DRT shall review the application;
B. The Department of Planning and Sustainability shall send comments from the DRT to the applicant;
C. The applicant shall address the comments and submit a revised application; and
D. Upon submittal of a revised application, the Department of Planning and Sustainability shall prepare a final review and make a recommendation to the FMPC.

20.7.6 FMPC Recommendation

The FMPC shall review the rezoning at a public meeting and make a recommendation to the BOMA.

20.7.7 BOMA Final Action

A. The BOMA shall hold three readings on the rezoning ordinance, with a public hearing during the second reading, and vote for:
   1. Approval;
   2. Disapproval; or
   3. Deferral for the continued review of the application.
B. A majority vote of the full membership of the BOMA shall be required for passage on third and final reading.

20.7.8 Approval Criteria

Recommendations and final action on a rezoning shall be based on consideration of the following criteria:

A. Whether the proposed text amendment is consistent with Envision Franklin and the purpose of this Ordinance;
B. Whether the proposed text amendment will protect the health, safety, and welfare of the public; and
C. Whether the proposed text amendment corrects an error or meets the challenge of changed conditions, changes in public policy, or changes necessary to advance the heath, safety, and welfare of the City.

20.7.9 Establishment of a Zoning District

A. The applicant shall submit a rezoning application concurrently with an annexation application. The zoning district shall comply with one of the following:
   1. The property shall be zoned AG or ER, depending on the size.
   2. The property shall be zoned to a specific zoning district that achieves the design concept recommendations in Envision Franklin.
   3. The property shall be zoned PD with an accompanying development plan.
   4. Any property subject to a recorded subdivision shall be zoned to the district that most closely resembles the existing development in terms of uses and lot sizes. If such district is PD, final plats on record in the Williamson County Register's office shall serve as the development plan.

B. In addition to the zoning district, parcels annexed into the City shall be zoned to the applicable zoning overlay districts in accordance with Envision Franklin.

C. When a property is zoned or rezoned, the new zoning district lines shall follow parcel lines.

20.7.10 HPO District Rezoning

A rezoning to the HPO shall vary from the process in Section 20.7, Rezoning, to meet the following requirements:

A. Properties may be nominated for the HPO by any of the following applicants:
   1. An individual property owner of a property;
   2. One person, acting as a representative for more than one property owner; or
   3. The BOMA or HZC.

B. The nomination shall serve as an application to rezone the affected properties into the HPO. The rezoning shall vary from the process in Section 20.7, Rezoning, to meet the following requirements:
   1. The application fee shall be waived;
   2. The nomination shall indicate the map, group, and parcel numbers of the properties. A survey of the affected properties shall not be required; and
   3. An owner affidavit shall not be required.

C. Upon receipt of a nomination, the Department of Planning and Sustainability shall place the item for consideration on an upcoming HZC meeting agenda to evaluate the affected properties in light of the HPO designation criteria. The HZC shall make a recommendation to the FMPC.

D. The Department of Planning and Sustainability shall prepare a notice of nomination and mail it to the owners of the affected properties at least 15 days prior to the FMPC meeting. The notice of nomination shall include the following information:
   1. A description of the structure or site proposed for nomination;
   2. A description of the benefits, restrictions, and other terms of the proposed designation;
   3. Notice of the FMPC meeting;
   4. A statement of the stay of actions after nomination provided for in Clause 20.7.10.F below; and
   5. A form on which the owner may explain the reasons why the nomination should be approved or denied.

E. The FMPC shall make a recommendation to the BOMA.

F. After a first reading vote by the BOMA on the HPO rezoning, all permits for construction, major repairs, alterations, additions, restoration, rehabilitation,

demolition or relocation of any building, object or structure on the property shall be subject to the certificate of appropriateness procedures, unless the rezoning is denied by the BOMA.

20.7.11 NCO District Rezoning

A rezoning to the NCO shall vary from the process in Section 20.7, Rezoning, to meet the following requirements:

A. Properties may be nominated for the NCO by a representative of the property owners;
B. The nomination shall serve as an application to rezone the affected properties into the NCO. The rezoning shall vary from the process in Section 20.7, Rezoning, to meet the following requirements:
   1. The application fee shall be waived;
   2. The nomination shall indicate the map, group, and parcel numbers of the properties proposed for rezoning. A survey of the affected properties shall not be required; and
   3. A petition shall be submitted, signed by at least 51 percent of the total number of property owners of the total number of parcels or lots within the proposed district. An owner affidavit shall not be required.
   4. Following the nomination of the NCO, the Department of Planning and Sustainability shall hold a neighborhood meeting with the affected property owners.
   5. Following the neighborhood meeting, the Department of Planning and Sustainability shall develop maps, descriptive materials, and development standards for the proposed district that include:
      a. Maps indicating the boundaries, age of structures, and existing land use;
      b. Maps and other graphic and written materials identifying and describing the distinctive neighborhood and building characteristics of the proposed district; and
      c. Development standards for new construction, additions, or alterations to the street facades of existing buildings or structures within the proposed district.
   6. The development standards shall be established by a text amendment and rezoning creating the NCO.
C. Separate ordinances are required to designate each district. Ordinances designating each NCO shall identify the designated district boundaries and specify the individual purposes and development standards for that individual district.
D. Each NCO shall have the overlay district symbol (NCO) as a suffix and be numbered sequentially to distinguish among different districts e.g. (NCO1, NCO2, etc.).

20.8 Development Plan

20.8.1 Purpose

The purpose of a development plan is to:

A. Allow for the review and approval of entitlements for development in the PD district and any associated modification of standards (MOS) requests;
B. Implement Envision Franklin guiding principles and design concepts; and
C. Utilize the planned unit development process in accordance with State law.

20.8.2 Applicability

A. Development plans are specific to the PD district. Development plans shall comply with the specific review procedures in this Section.
B. Rezoning of property to a PD district and the subsequent development plan shall not be proposed or used to avoid, or have the effect of avoiding compliance with the standards and requirements of this Ordinance or for the other zoning districts, and instead, shall be used sparingly in the following situations:
   1. Rezoning of property to a PD district and the corresponding development plan shall be limited to situations where this district is needed in order to implement Envision Franklin guiding principles and design concepts; or
   2. Rezoning of property to a PD district and the corresponding development plan shall be limited to situations where a property, due to unique site conditions or the necessary intrinsic size, use, building placement, building elements, building configuration, building type, or other building and development characteristics, cannot under any other circumstances conform to one or more of the other zoning districts or standards specified in this Ordinance.
C. Development plans shall provide for innovative planning and design that respects the surrounding established land use, character, and natural or man-made features of the property, such as trees, historic features, streams, hillsides, and floodplains, and promotes quality design and environmentally sensitive development by allowing development to take advantage of special site characteristics, locations, and land uses, which could not be achieved in accordance with the standards for any other zoning district.

20.8.3 Establishment of Standards

Development plans establish entitlements for a property in the PD district, including a customized combination of permitted uses, building types, frontage types, setbacks, and any modifications of standards in accordance with Subsection 20.8.4, Modifications of Standards.

20.8.4 Modifications of Standards

A. The purpose of a modification of standards is to allow the consideration of a request to modify a development standard of this Ordinance where:
   1. The modification will enhance the design of the development more than if the standards were strictly adhered to;
   2. The conditions upon which the request is based are unique to the design intent for the development and are not applicable generally to other property; and
   3. The modification is consistent with the intent of Envision Franklin.

B. The applicant shall provide the standard requested for modification, an alternate standard to be considered, and written documentation and justification for the request.
C. A modification shall not be used to achieve the effect of changing one type of building, open space, sign, or historic resource edge treatment to another type.
D. The following standards are not available for modification:
   1. Section 3.10, Planned District;
   2. Chapter 4, Overlay Districts;
   3. Chapter 5, Use Regulations;
   4. Chapter 7, Frontage Types;
   5. Section 12.2, Landscape Surface Area;
   6. Section 17.1, Steep Slopes; and
   7. Section 17.6, Floodplain Protection.

20.8.5 Preliminary Meeting

The applicant shall meet with the Department of Planning and Sustainability to discuss the initial concepts for the development plan, Envision Franklin, and procedures.

20.8.6 Pre-Application Requirements

The applicant shall hold a pre-application meeting with the DRT to review the draft development plan and discuss Ordinance requirements. The applicant shall submit pre-application documents to the Department of Planning and Sustainability as defined by the calendar published on the City website.

20.8.7 Neighborhood Meeting

The applicant shall hold at least one formal neighborhood meeting, typically held prior to the development plan application submittal. The applicant shall:

A. Coordinate the neighborhood meeting date, time, and location with the Department of Planning and Sustainability;
B. Mail the public notice for the neighborhood meeting in accordance with Subsection 20.2.9, Public Notice; and
C. Conduct the neighborhood meeting and provide a written summary of the meeting, noting concerns of surrounding property owners, with the application resubmittal. The meeting shall be attended by a City staff member to meet the neighborhood meeting requirement.

20.8.8 Application Submittal

A. The applicant shall submit a development plan application in accordance with Section 20.2, Common Review Procedures.
B. If an applicant wishes to request a modification of standards, the request shall be made as part of the initial application submittal. A modification of standards is not needed for a standard that allows the DRT to approve an alternative.
C. Applications for buildings over six stories or 75 feet shall include a viewshed analysis that includes three-dimensional imagery of the proposal and the surrounding buildings and properties to better understand how the proposed building will impact the nearby built and natural environment.

20.8.9 Joint Conceptual Workshop

A. Prior to the joint conceptual workshop, the applicant shall submit the following to the Department of Planning and Sustainability:
   1. A brief overview of the project size and scope;
   2. A summary of the existing site conditions;
   3. A summary of any modification of standards requests; and
   4. A summary of the pre-application meeting in a format suitable for display during the workshop and posting on the City website.

B. The applicant shall present the project at a joint conceptual workshop.
C. The BOMA and FMPC may offer the applicant an initial informal reaction to the project plans, but comments are advisory only and shall in no manner commit or bind the BOMA or FMPC to any proposal or element thereof.

20.8.10 Staff Review

In accordance with the submittal schedule posted on the City website:

A. The DRT shall review the application;
B. The Department of Planning and Sustainability shall send comments from the DRT to the applicant;
C. The applicant shall address the comments and submit a revised application; and
D. The Department of Planning and Sustainability shall prepare the final review and make a recommendation to the FMPC.

20.8.11 FMPC Recommendation

The FMPC shall review the development plan and any associated MOS at a public meeting and make a recommendation to the BOMA.

20.8.12 BOMA Final Action

A. The BOMA shall hold one reading on the development plan by resolution with a public hearing and vote on the development plan and any associated modifications of standards for:
   1. Approval;
   2. Approval with conditions;
   3. Disapproval; or
   4. Deferral for the continued review of the application.
B. If the development plan is associated with a rezoning ordinance, then the one reading of the development plan shall coincide with the second reading and public hearing of the rezoning ordinance.
C. If the BOMA approves the development plan (with or without conditions), then the development plan shall be considered approved on the effective date of the associated rezoning ordinance. If there is not an associated rezoning, the development plan shall be considered approved on the effective date of the resolution.

20.8.13 Approval Criteria

A. Recommendations and final action for a development plan shall be based on consideration of the following criteria:
   1. Whether the proposed development plan is consistent with Envision Franklin, the purpose of this Ordinance, and other applicable City plans;
   2. Whether the proposed development plan is being used to avoid compliance with the standards and requirements of this Ordinance or for the other zoning districts that implement Envision Franklin;
   3. Whether the proposed development will be adequately served by existing or planned public facilities and infrastructure and that proposed improvements needed to serve the site comply with relevant City requirements;
   4. Whether the proposed development plan will provide community amenities to support the public health, safety, and welfare of the public; and
   5. If development is proposed to occur in phases, whether legal assurance are provided, in a format suitable to the City attorney, that project improvements, such as parking structures, multi-

use paths, street connections, and neighborhood amenities that are necessary and desirable for residents of the project or that are of benefit to the City are constructed as early in the project phasing as is technically feasible.

B. Recommendations and final action for a modification of standards shall be based on consideration of the following criteria:
   1. The modification will enhance the design of the development more than if the standards were strictly adhered to;
   2. The conditions upon which the request is based are unique to the design intent for the development and are not applicable generally to other property; and
   3. The modification is consistent with the intent of Envision Franklin.

C. Conditions of approval may be imposed to:
   1. Secure the purposes of this Ordinance and protect the public health, safety, and general welfare; and
   2. Ensure compatibility of development with surrounding land uses and buildings.

20.8.14 Effect of Approval on Project Entitlements and Design

The project entitlements approved in the development plan shall be subject to the application of the development standards of this Ordinance, as may be modified by any MOS, and any conditions of approval. If, upon the application of the development standards, as may be modified by any MOS, and the conditions of approval, the applicant cannot achieve the maximum approved entitlements, the applicant shall be confined to the entitlements achieved from the application of the standards in this Ordinance, as may be modified by any MOS, and any conditions of approval. The applicant may not apply for a variance to achieve the maximum allowable entitlements after approval of the development plan.

20.8.15 Expiration of a Development Plan

A. In accordance with T.C.A. § 13-4-310, development plans will expire three years after their approval date, corresponding to the expiration of their vesting. The approval date is the effective date of the resolution as voted on by the BOMA.

B. To keep a development plan valid, an applicant must:
   1. Secure the approval of a site plan (for purposes of T.C.A. in this instance is considered the final development plan);
   2. Obtain necessary permits to start site preparation; and
   3. Begin site preparation work, which includes any of the following activities: excavating, grading, demolition, removing excess debris to allow for proper grading, or providing a surface for a proper foundation, drainage, and settling for a development project, and physical improvements, such as water and sanitary sewer lines, footings, or foundations installed on the site for which construction permits are required.

C. If all three requirements are met, a development plan will be valid for an additional two years.

D. A development plan will then expire within five years (three years plus the additional two years granted) of the original approval date, unless the applicant commences

construction. Construction, for purposes of this Subsection, means that any foundation of a building are installed and the building has begun to be erected vertically.

E. If construction commences within five years of the original approval date, the development plan will remain valid for:
   1. Ten years from the original approval date for single-phase development plan; or
   2. 15 years from the original approval date for a multi-phase development plan.

F. If a project is not complete by the end of this time period, the applicant/developer may request an extension of the vesting period and extension of the development plan expiration date, pursuant to Section 20.19, Vesting.

20.8.16 Revisions to an Approved Development Plan

Revisions to an approved development plan are still subject to the expiration date of the original approval of the development plan in Subsection 20.8.15, Expiration of a Development Plan. As such, revisions to development plans approved after a project has commenced construction will also not "restart" the clock on expiration timelines.

Revisions to an approved development plan that are denied by the applicable review body may affect the vesting property rights, per Section 20.19, Vesting.

Review of requests for revisions to an approved development plan are subject to one of the three processes described in Paragraphs 20.8.16.A through C below:

A. Revision by BOMA Resolution

The following revisions trigger the entire review procedures and public notification, including neighborhood meeting, as required for the original development plan approval, with final action by BOMA resolution:

1. Any increase in entitlements, including the number of dwelling units or nonresidential square footage;
2. Changes or increase from single family residential to any other residential use;
3. Changes in nonresidential square footage related to institutional or industrial use;
4. Adding a use that is not otherwise identified on the approved development plan;
5. A change in the number or location of external access points or streets classified as collector or arterial street;
6. Revisions to the widths or lengths of provided buffers, historic resource edge treatments, stormwater, etc.;
7. Any revision to a condition of approval required by the BOMA; or
8. Any revision that requires a MOS or that requires a change to a previously-approved MOS.

B. Revision by FMPC Approval

The following revisions trigger the entire review procedures and public notification, including neighborhood meeting, as required for the original development plan approval, with final action by the FMPC:

1. Changes to setbacks or frontage types approved as part of the development plan that change the character of the project;
2. Major changes to typical lots or building sites in either dimension or number of lots or building sites in a section or throughout the development;
3. Reduction in approved open space within any section of the development

plan, which impacts the plan;

4. Changes in building types, building heights, or number of stories, which impact the visual character or transitional features of the section or plan;
5. Significant changes to the internal street network, block layout, or intersection configuration, such as the elimination of streets or connection points;
6. Any impact to existing historic sites or structures, other than impacts previously approved;
7. Major changes to parking layout, which adversely alter parking convenience or changes the character of the plan; or
8. Substantial revision to drainage, streets, stormwater quality or quantity, or other engineering design changes that alter those items as approved in the development plan, including significant changes in traffic circulation.

C. Minor Revisions

1. Revisions not meeting the criteria of either Paragraphs 20.8.16.A or B are considered minor revisions that have minimal impact upon the project. Minor revisions may be approved by the Department of Planning and Sustainability.
2. The Department of Planning and Sustainability may choose to forward any revised development plan to the BOMA or FMPC for review, pursuant to the applicable application requirements.

20.9 Preliminary Plat

See the Subdivision Regulations.

20.10 Variance

20.10.1 Purpose

A. The purpose of a variance is to:
   1. Provide limited relief from the requirements of this Ordinance in cases where strict application of a particular requirement would create an unnecessary hardship prohibiting the use of land in a manner otherwise allowed under this Ordinance; and
   2. Address extraordinary, exceptional, or unique situations that were not caused by the applicant's act or omission.

B. Variances are not intended merely to remove inconveniences or financial burdens that the requirements of this Ordinance may impose of property owners in general.

20.10.2 Applicability

Variances shall comply with the specific review procedures in this Section.

20.10.3 Application Submittal

A variance application shall be submitted in accordance with Section 20.2, Common Review Procedures.

20.10.4 Staff Review

In accordance with the submittal schedule posted on the City website, the Department of Planning and Sustainability shall:

A. Review the application and coordinate with any other affected departments; and
B. Prepare the final review and make a recommendation to the BZA.

20.10.5 BZA Final Action

The BZA shall review the variance application at a public meeting, hold a public hearing, and vote for:

A. Approval;
B. Approval with conditions;
C. Disapproval; or
D. Deferral for continued review of the application.

20.10.6 Approval Criteria

A. The BZA may authorize a variance only in accordance with the following criteria:
   1. Where, by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of the enactment of this Ordinance or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition, such piece of property is not able to accommodate development as required under this Ordinance;
   2. The strict application of any provision enacted under this Ordinance would result in peculiar and exceptional practical difficulties to or exceptional or undue hardship upon the owner of such property; and
   3. Such relief may be granted without substantial detriment to the public good and without substantially impairing the purpose and intent of the zoning map and this Ordinance.

B. Variance requests for property subject to Section 17.6, Floodplain Protection, shall comply with Subsection 17.6.5, Appeals to the Board of Zoning Appeals.

C. Conditions of approval may be imposed on the proposed use and the property to be developed or used pursuant to such approval as the BZA determines are required to ensure compliance with this Section.

D. The fact that a site or development does not conform to this Ordinance prior to the

consideration of a variance application may not be used as a basis for the granting of a variance.

20.10.7 Effect of a Variance

A. The issuance of a variance shall authorize only the particular variation that is approved in the variance.
B. A variance, including any conditions of approval, shall run with the land and shall not be affected by a change in ownership.
C. The issuance of a variance shall not result in an action that has the effect of allowing a use or the use regulations not otherwise permitted in the applicable zoning district or overlay district. Any action that has in effect changed the district shall be deemed to be a violation of this Section and shall be of no force and effect.

20.10.8 Subsequent Development

Development authorized by the variance shall only be carried out when the applicant has secured all other approvals required by this Ordinance or any other applicable ordinances or regulations.

20.10.9 Time Limit

A. Unless otherwise specified in the variance, an application for a building permit shall be applied for and issued within one year of the date of variance approval; otherwise, the variance shall become invalid.
B. Upon written request, one extension of six months may be granted by the Department of Building and Neighborhood Services if the applicant can show good cause.
C. The decision of the Department of Building and Neighborhood Services as to what constitutes substantial compliance with the time limit or applicable conditions for a variance shall be final.

20.10.10 Amendment to an Approved Variance

A variance may be amended, extended, or modified only in accordance with the procedures and standards established for its original approval. A request for a change in the conditions of approval of a variance shall be considered an amendment and subject to the full review procedure set forth in this Section.

20.11 Certificate of Appropriateness

20.11.1 Purpose

The purpose of a certificate of appropriateness is to ensure that development, construction, alteration, or demolition of structures in the HPO district meets the intent of the Historic Design Guidelines regarding the appropriateness of the:

A. Exterior architectural features of new structures to be constructed;
B. Exterior design, modification, alteration, or extension of existing structures;
C. Setbacks, parking, sidewalks, driveways, fencing, signage, or other features that might affect the character of a historic resource; and
D. General compatibility of design, arrangement, texture, and materials of the exterior of the structures in relation to similar features of structures in the immediate surroundings.

20.11.2 Applicability

A. Certificates of appropriateness shall comply with the specific review procedures in this Section.
B. Within the HPO district, the issuance of a certificate of appropriateness shall be required prior to:
   1. The issuance of a building permit or demolition permit;
   2. The installation, construction, alteration, relocation, or demolition of a sign, fence, or wall;
   3. Exterior work in accordance with the Historic District Design Guidelines; and
   4. Approval of a site plan.
C. For single-family residential site plans, an applicant may request a partial certificate of appropriateness prior to final action on a site plan. In these cases, a certificate of appropriateness shall be issued prior to issuance of a building permit.

20.11.3 Exemptions

Building permits for work on the interior of a structure, such as electrical, interior structural, etc., shall be exempt from this Section, provided that the work will not alter the external appearance or the gross floor area of the structure.

20.11.4 Application Submittal

A. A certificate of appropriateness application shall be submitted in accordance with Section 20.2, Common Review Procedures.
B. Applications within the HPO shall provide a three-dimensional model of the proposed development and all buildings on any adjacent lots or building sites when development consists of the following:
   1. A building with a height of three stories or more; or
   2. A building with a facade width of 100 feet or more.

20.11.5 Administrative Final Action

A. The Department of Planning and Sustainability may review and approve minor alterations and installations not substantially affecting the exterior appearance of the property in accordance with the Historic District Design Guidelines.
B. The Department of Planning and Sustainability may approve such installations administratively or refer the proposed project to the HZC for final action.

20.11.6 HZC Final Action

A. The Department of Planning and Sustainability shall review the application and make a recommendation to the HZC.
B. The HZC shall review the application within 30 days following the availability of sufficient information; however, the timeframe may be extended by mutual agreement.
C. The HZC shall review the certificate of appropriateness application at a public meeting and vote for:
   1. Approval;
   2. Approval with conditions;
   3. Denial with grounds stated in writing; or
   4. Deferral for continued review of the application.
D. Following the HZC approval of a certificate of appropriateness, the Department of Planning and Sustainability shall issue a written certificate of appropriateness. A building permit or other required application then may be processed in accordance with this Ordinance and Title 12 of the Municipal Code.
E. Following the HZC disapproval of a certificate of appropriateness, the applicant shall be notified in writing by the Department of Planning and Sustainability.

20.11.7 Approval Criteria

A. For new construction or alterations to an existing structure, recommendations and final action on a certificate of appropriateness shall be based on consideration of the following criteria:
   1. Whether the proposed action is consistent with the intent of the HPO district;
   2. Whether the proposed action would complement other structures or exterior arrangements within the HPO district; and
   3. Whether the proposed action complies with the Franklin Historic District Design Guidelines.
B. For removal, relocation, or demolition, final action on a certificate of appropriateness shall be based on consideration of the following criteria:
   1. Whether the proposed action is consistent with the intent of the HPO district; and
   2. Whether the proposed action complies with the Historic District Design Guidelines.

20.11.8 Appeals

The HZC shall have jurisdiction relating to historic zoning matters. Anyone who may be aggrieved by the final order or judgment of the HZC may have the order or judgment reviewed by the courts by the procedures set forth in T.C.A. § 27-9-101 et seq.

20.12 Site Plan

20.12.1 Purpose

The purpose of a site plan is to ensure site development compliance with all applicable standards in this Ordinance and to develop a site construction plan set.

20.12.2 Applicability

A. Site plans shall comply with the specific review procedures in this Section.
B. Site plan approval shall be required for development prior to the issuance of a grading permit or building permit, unless exempted by Subsection 20.12.4, Exemptions.
C. Site plans shall be submitted for approval by the FMPC if the application includes:
   1. A buffer per Section 12.7, Buffers;
   2. A new structure exceeding six stories or 75 feet;
   3. Property within the HPO;
   4. Property in the OR district related to a nonresidential use;
   5. Property within the 1ST or 5TH districts and within the FWO or FFO;
   6. A telecommunication tower not administratively approvable pursuant to Paragraph 5.1.4.T, Telecommunication Towers and Antennas;
   7. A unified site plan;
   8. An event venue;
   9. A gas station;
   10. A bed and breakfast; or
   11. A civic building.
D. All other site plans shall be subject to administrative review and approval by the DRT.

20.12.3 Unified Site Plan

A. Nonresidential uses with two or more lots may be submitted as a unified site plan.
B. Multifamily residential in the RC6 and RC12 districts, where permitted as part of the overall building square footage of a development, shall be submitted as a unified site plan that includes the entire development site.
C. Requirements for unified site plans shall be determined based on the perimeter lot lines of the overall site, regardless of the location, ownership, size, or quantity of the interior lots.
D. Unified site plans shall comply with the following:
   1. Bulk requirements to be considered in aggregate shall include buffers, building setbacks, open space, landscape surface area, tree protection, parking, and stormwater requirements;
   2. Site development for all lots shall be depicted on the unified site plan;
   3. The unified site plan shall serve as the preliminary plat in the platting process; and
   4. The final plat shall be required to contain perpetual maintenance agreements for shared responsibility of site improvements.

20.12.4 Exemptions

The following development shall be exempt from site plan review, but shall comply with all standards of this Ordinance and any other City requirements prior to issuance of a building permit:

A. Plans for a house or duplex;
B. Plans for nonresidential additions that do not exceed ten percent of the square footage of the building and do not require a stormwater permit or grading permit, pursuant to Section 23-102 of the Municipal Code;
C. Additions to parking areas, open spaces,

or accessory structures that do not require a stormwater permit or grading permit, pursuant to Section 23-102 of the Municipal Code;

D. The internal construction or change in floor area of a development that does not increase gross floor area, increase the intensity of use, or affect parking requirements on a site that meets all development and site design standards of this Ordinance; and

E. Temporary uses, pursuant to Section 5.3, Temporary Uses and Structures, that do not require a stormwater permit or grading permit, pursuant to Section 23-102 of the Municipal Code.

20.12.5 Pre-Application Requirements

A. The DRT may require a pre-application meeting with the applicant to review the draft site plan and identify any initial conflicts with this Ordinance.

B. The applicant shall submit pre-application documents to the Department of Planning and Sustainability at least 14 days prior to the initial submittal.

20.12.6 Application Submittal

A. The applicant shall submit a site plan application in accordance with Section 20.2, Common Review Procedures. The submittal shall be within 120 days of the pre-application meeting, if applicable.

B. Applications for buildings that exceed six stories or 75 feet shall include a viewshed analysis that includes three-dimensional imagery of the proposal and the surrounding buildings and properties to better understand how the proposed building will impact the nearby built and natural environment.

20.12.7 Staff Review

In accordance with the submittal schedule posted on the City website:

A. The DRT shall review the application;

B. The Department of Planning and Sustainability shall send comments from the DRT to the applicant; and

C. The applicant shall address the comments and submit a revised application within three resubmittal dates in accordance with the FMPC bylaws.

20.12.8 Final Action

A. Administrative Final Action

1. Upon submittal of a revised application, the DRT shall make a decision to:
   a. Approve;
   b. Approve with conditions; or
   c. Disapprove with the option for the applicant to re-submit.
2. The DRT decision shall be placed on an administrative agenda.
3. The applicant may appeal any DRT decision or conditions of approval to the FMPC. This appeal shall be filed with the Department of Planning and Sustainability within 14 days of the administrative agenda and shall be placed on the next available the FMPC agenda.

B. FMPC Final Action

1. Upon submittal of a revised application, the Department of Planning and Sustainability shall prepare a final review and make a recommendation to the FMPC.
2. The FMPC shall review the site plan at a public meeting and vote for:
   a. Approval;
   b. Approval with conditions;
   c. Disapproval; or

d. Deferral for continued review of the application.

20.12.9 Approval Criteria

Recommendations and final action on a site plan shall be based on consideration of the following criteria:

A. Whether the proposed development complies with the applicable zoning district and overlay districts;
B. Whether the proposed development is consistent with all standards of this Ordinance and other related codes and ordinances enforced by the City; and
C. Whether the proposed development meets all the requirements or conditions of any other applicable development approvals, such as a development plan or associated modification of standards.

20.12.10 Non-Vested Site Plans and Time Limits

The following time limits shall apply to site plans that were approved on or before December 31, 2014, or approved on or after January 1, 2015, that are associated with a development plan, concept plan, or preliminary plat originally approved on or before December 31, 2014:

A. Unless otherwise specified in the site plan approval, an application for a building permit shall be applied for and the permit issued within one year of the date of the site plan approval, otherwise the site plan shall become invalid. Permitted timeframes do not change with successive owners.
B. Site plans for residential development that do not have an approved building permit within one year of the date of the site plan approval, a grading and stormwater permit shall be approved and construction of streets, water, sewer, sidewalk, utilities, and any other infrastructure shall have commenced within one year of the date of the residential site plan approval.
C. Upon written request, the applicant may request a one-year extension of the site plan approval from the review body responsible for the original approval. The extension shall be requested prior to the expiration date. All dates are calculated from the date of site plan approval by the applicable review body, not the date that plans are stamped for permitting.

20.12.11 Expiration of a Site Plan

A. In accordance with T.C.A. § 13-4-310, site plans will expire after three years of their approval date or upon the expiration of its vesting, whichever occurs first. The approval date of a site plan is the date upon which the item is approved, or approved with conditions, on an administrative or FMPC agenda.
B. A site plan expiration date may be extended if the applicant:
   1. Obtains necessary permits to start site preparation; and
   2. Begins site preparation work, which includes any of the following activities: excavating, grading, demolition, removing excess debris to allow for proper grading, or providing a surface for a proper foundation, drainage, and settling for a development project, and physical improvements, such as water and sanitary sewer lines, footings, or foundations installed on the site for which construction permits are required.
C. If both requirements in Paragraph 20.12.11.A above are met, a site plan will then expire five years after the original approval date (without a request for an extension), or upon the expiration of its

vesting, whichever comes first.

D. If construction commences within five years of the original approval date, the site plan will remain valid for:
   1. Ten years for a single-phase development plan; or
   2. 15 years for a multi-phase development plan or until the vesting of any associated development plan or preliminary plat expires.

E. Construction, for purposes of this Subsection, means that any foundations for a building are installed and the building has begun to be erected vertically.

F. If a site plan is not associated with a development plan or preliminary plat and is not complete by the end of this time period, the applicant/developer can request an extension of the vesting period and extension of the site plan expiration date, see Section 20.19, Vesting.

20.12.12 Changes to an Approved Site Plan

Changes to a site plan are still subject to the expiration date of the original approval of a site plan, pursuant to Subsection 20.12.11, Expiration of a Site Plan. As such, changes to site plans approved after a project has commenced construction will also not "restart" the clock on expiration timelines.

Revisions to an approved site plan that are denied by the applicable review body may affect the vesting property rights, per Section 20.19, Vesting.

When an applicant requests changes to an approved site plan, the applicable review body may need to reapprove the change depending on the significance of the changes requested and whether the site plan is considered a vested plan in accordance with Section 20.19, Vesting. The DRT shall make these determinations based on the following criteria:

A. Site Plan Revision

Significant changes that would substantially affect the terms of the original approval or result in significant adverse impacts on the surrounding properties or the City at-large shall be considered a site plan revision and require a new site plan application. Such site plan revisions shall be subject to review and approval by the original review body. The criteria for site plan revisions include the following:

1. The density of the development is to be increased;
2. The gross square footage of nonresidential buildings is to be increased or the number of stories is to be reduced or increased;
3. Required landscaping materials are to be deleted;
4. Required open space is to be deleted;
5. There is any change in plans for historic structures or sites;
6. Drainage, streets, or other engineering design changes will materially alter items approved in the site plan; or
7. There are any major changes that could potentially create an adverse impact on stormwater quality, stormwater quantity, or other Stormwater Management Ordinance requirements.

B. Site Plan Amendment

Minor changes that do not meet the criteria in Paragraph 20.12.12.A above may be requested through a site plan amendment. Site plan amendments do not require a new application and shall be subject to review and approval by the DRT.

C. Changes to vested site plans may result in the review body denying their vesting, as outlined in Section 20.19, Vesting.

20.13 Final Plat

See the Subdivision Regulations.

20.14 Grading Permit

See the Stormwater Management Ordinance. All proposed development shall be shown on an approved development plan or site plan prior to grading.

20.15 Building Permit

In addition to this Chapter, see the Subdivision Regulations and all applicable building codes.

20.15.1 Application Submittal

In applying to the Department of Building and Neighborhood Services for a building permit, the applicant shall:

A. Submit a dimensioned sketch or scale plan indicating the shape, size, and location of the lot to be built upon, and the shape, size, height, and location of existing buildings and buildings proposed to be constructed or altered;
B. State the existing and proposed uses of buildings or structures on the permit application;
C. Submit a geotechnical report where grading is proposed on a lot containing naturally occurring slopes of 20 percent or greater to ensure proper slope stability; and
D. Supply any other information required by the Department of Building and Neighborhood Services for determining compliance with this Ordinance.

20.15.2 Critical Lots

A. A critical lot plan must be submitted prior to issuance of a building permit for single family residential lots deemed to be critical lots. Critical lots are:
   1. Lots that are difficult to stabilize due to exposed subsoil, steep slopes, extent of exposure, and are subject to erosion or sedimentation as a result of cutting, filling, grading, or other disturbance of the soil;
   2. Lots with areas prone to flooding due to aging or undersized stormwater infrastructure;
   3. Lots where the build-out has the potential to impact or disrupt public utilities crossing the lot;
   4. Lots with other site conditions that warrant additional administrative review; or
   5. Lots with tree save areas or specimen trees to be preserved as part of a site plan approval.
B. Critical lots shall be reviewed by the Planning and Sustainability Department or Engineering Department, as applicable, prior to issuance of a building permit.

20.15.3 Administrative Final Action

If the proposed construction is in conformity with this Ordinance and other applicable ordinances, then the Department of Building and Neighborhood Services shall issue a building permit. If the building permit is denied, then the Department of Building and Neighborhood Services shall state the cause of denial in writing.

20.16 Performance Agreement

See Chapter 21, Performance Agreements.

20.17 Sign Permit

20.17.1 Purpose

The purpose of a sign permit is to ensure that the design, type, installation, construction, alteration, or relocation of a sign complies with this Ordinance.

20.17.2 Applicability

A. Sign permits shall comply with the specific review procedures of this Section.
B. Installation, construction, alteration, or relocation of a sign shall be subject to issuance of a sign permit by the Department of Building and Neighborhood Services, unless exempted in Subsection 20.17.3, Exemptions.
C. Within the HPO, a certificate of appropriateness shall be obtained prior to issuance of a sign permit. If a sign permit is not required, a certificate of appropriateness shall be required prior to installation, construction, alteration, relocation, or demolition of a sign.
D. In cases where an electrical permit is required, it shall be obtained at the same time as the sign permit.

20.17.3 Exemptions

A. The following signs may be installed, constructed, altered, relocated, or demolished without a sign permit, but shall be subject to all applicable standards in Chapter 15, Signs:
   1. Ballfield fence signs;
   2. Convenience signs;
   3. Flags;
   4. Public signs;
   5. Signs required for Americans with Disabilities Act compliance;
   6. Integral signs;
   7. Sandwich board signs (which require a permit in the HPO pursuant to the Municipal Code);
   8. Temporary construction site signs; and
   9. Temporary signs.
B. The following activities may be conducted without obtaining a sign permit:
   1. Cleaning and other normal maintenance and repair of a sign, unless a structural or design change is made.
   2. Painting or repainting of a sign; however, alterations in the paint color of a sign within the HPO shall require a certificate of appropriateness.
   3. Changing the contents of sign area, provided the size, shape, and location remains unchanged, pursuant to Chapter 15, Signs, unless in the HPO.

20.17.4 Application Submittal

A sign permit application shall be submitted in accordance with the requirements established by the Department of Building and Neighborhood Services.

20.17.5 Administrative Final Action

The Department of Building and Neighborhood Services shall review the sign permit application and take final action to approve or disapprove the application.

20.17.6 Approval Criteria

Final action shall be based on whether the application meets Chapter 15, Signs, any other applicable provision of this Ordinance, and all applicable building codes.

20.17.7 Time Limit

A. Installation, construction, alteration, relocation, or demolition of a sign authorized by a sign permit shall be completed within 180 days of the date of the sign permit approval.
B. Upon written request, one six-month

extension may be granted by the Department of Building and Neighborhood Services if the applicant can show good cause.

20.18 Appeal of Administrative Decision

20.18.1 Purpose

The purpose of an appeal of administrative decision is to provide a process:

A. Where it is alleged by the applicant that there is error in any order, requirement, permit, decision, or refusal made by any administrative official in carrying out or enforcing any provision of this Ordinance; and
B. For interpretations of the zoning map when there are disputed questions of lot lines or district boundary lines as they arise in the administration of the zoning regulations.

This Section establishes the specific review procedures for appeals of administrative decision.

20.18.2 Applicability

A. For certain standards in this Ordinance, the DRT has the expressed authority to make a determination of whether and to what extent to apply a standard. If an applicant disagrees with a DRT decision, the applicant may appeal the decision to the FMPC.
B. All other appeals of administrative decisions shall comply with the specific procedures in this Section.

20.18.3 Application Submittal

An appeal shall be made in accordance with Section 20.2, Common Review Requirements, except as varied below:

A. Appeals shall be initiated by the person aggrieved or affected by the order, decision, determination, or interpretation made by the administrative official.
B. A written appeal shall be filed with the Department of Planning and Sustainability within 30 days of the date of the order, decision, determination, or interpretation.

20.18.4 Forwarding of the Record to the BZA

Upon receiving the written appeal, the Department of Planning and Sustainability shall gather and transmit to the BZA the record of the appeal, which includes the written appeal and all papers, documents, and other materials relating to the order, decision, determination, or interpretation.

20.18.5 BZA Final Action

The BZA shall review and make a decision on the appeal in accordance with this Ordinance, State law, and the BZA bylaws.

20.18.6 Review Criteria

An order, decision, determination, or interpretation shall not be reversed or modified, unless there is competent, material, and substantial evidence in the record that it fails to comply with either the procedural or substantive requirements of this Ordinance and State law.

20.18.7 Conditions

The BZA may impose conditions upon an affirmative decision to ensure that the requirements and purpose of this Ordinance are followed in the order, decision, determination, or interpretation.

20.19 Vesting

20.19.1 Initiation of Vesting

A. In accordance with T.C.A. § 13-4-310, and subject to the exceptions set forth in said statute, vesting shall be initiated by the approval of a plan listed below on or after January 1, 2015, by the applicable review body:
   1. Development plan;
   2. Preliminary plat; or
   3. Site plan that is not associated with an approved development plan or preliminary plat.

B. For the remainder of this Section, these approved applications shall be referred to as "vested plans".

20.19.2 Vesting Periods

A. The approval of a plan in accordance with Subsection 20.19.1, Initiation of Vesting, will initiate a vesting period, during which the development standards adopted by the City and in effect on the date of approval shall remain the applicable standards to the vested plan during its vesting period.

B. The vesting period applicable to a vested plan shall be a period of three years and begins on the date of approval by the applicable review body, which is either:
   1. The effective date of the BOMA resolution approving the development plan;
   2. The meeting date of the FMPC meeting approving the preliminary plat or site plan (not associated with an approved development plan or preliminary plat); or
   3. The date of the administrative agenda approving the preliminary plat or site plan (not associated with an approved development plan or preliminary plat.

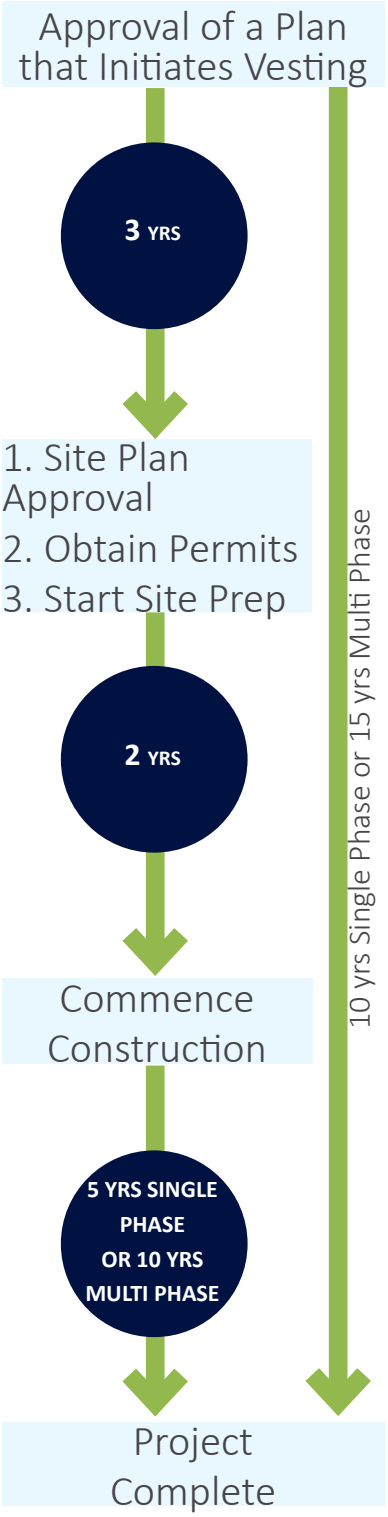
C. To keep a vested plan vested, an applicant must:
   1. Secure the approval of a site plan (only applicable when a development plan or preliminary plat is the vested plan);
   2. Obtain necessary permits to start site preparation; and
   3. Begin site preparation work, which includes any of the following activities: excavating, grading, demolition, removing excess debris to allow for proper grading, or providing a surface for a proper foundation, drainage, and settling for a development project, and physical improvements such as water and sanitary sewer lines, footings, or foundations installed on the site for which construction permits are required.

D. Should the applicant meet the three requirements of Paragraph 20.19.2.C, the vesting period shall be extended an additional two years from the date of the expiration of the three-year period. During this additional time granted, the applicant shall commence construction and maintain any necessary permits in order to remain vested. Construction, for purposes of this Section, means that any foundations for a building are installed and the building has begun to be erected vertically.

E. If construction commences, the vesting period shall be extended for a total of ten years from the date of approval of the vested plan, provided that the applicant maintains any necessary permits during the ten-year period.

F. If the vested plan is identified with two or more sections/phases, then the vesting period shall be extended for total of 15 years from the date of approval of the vested plan, provided that the applicant

Figure 20.19.2.A Vesting Flowchart



This occurs when the applicable review body approves a development plan, a preliminary plat, or a site plan that is not associated with a development plan or preliminary plat.

Site plan approval is only applicable when a development plan or preliminary plat is the vested plan.

In most cases, a final plat will be required before a building permit is issued to commence construction.

Expiration Dates

1. DEVELOPMENT PLAN & PRELIMINARY PLAT = 3 Years

   At three years, an applicant may request an extension of the vesting period. Otherwise, the project must re-submit from the beginning to re-establish any entitlement.

2. SITE PLANS = Site plan is approved for 3 years without site prep, or 5 years without commencing construction, or whenever vesting is lost, whichever happens 1st

3. FINAL PLATS = 1 Year

   If a final plat is not recorded within 1 year of its approval date, the plat is invalid and must be re-submitted with the City.

maintains any necessary permits during the fifteen-year period.

G. In the case of developments which proceed in two or more sections or phases as described on the vested plan, there shall be a separate vesting period applicable to each section or phase. The development standards which are in effect on the date of approval of the vested plan for the first section or phase shall remain the development standards applicable to all subsequent sections or phases of the development; provided, that the total vesting period for all phases shall not exceed 15 years from the date of approval of the vested plan for the first section or phase, provided that the applicant maintains any necessary permits during the 15-year period.

20.19.3 Extension of Vested Rights

A. An applicant may request an extension of their vesting period, which is subject to review and approval by the original review body; however, if the DRT was the original review body, the FMPC shall serve as the review body for the requested extension.

B. The extension request shall be made prior to end of the vesting period.

C. The extension request shall be provided in writing to the Department of Planning and Sustainability. The request shall provide rationale as to why the extension shall be granted, and how the extension of the vesting period is in the best interest of the community to allow the development to proceed under the existing plan while extending the vested property right.

D. The extension request shall specify a new expiration of the vesting period.

E. If the extension is not granted, the vested rights will terminate at the end of the original vesting period.

20.19.4 Revision of Vested Plans and Retention of Vested Rights

A. Recommendations and final action on a revision to a vested plan shall be based on consideration of the following criteria:
   1. Whether the proposed revision is consistent with all standards of the Ordinance and other applicable development standards in effect on the original approval date of the vested plan; and
   2. Whether the proposed development meets all the requirements or conditions of any other applicable development approvals, such as a development plan or associated modification of standards.

B. If a governing review body approves a revision to a vested plan, the vesting right is retained.

C. A revision to a vested plan may be denied based on the following as it is deemed to affect vesting:
   1. Alters the proposed use;
   2. Increases the overall area of development;
   3. Alters the size of any nonresidential structures included in the development plan;
   4. Increases the density of the development so as to affect traffic, noise or other environmental impacts; or
   5. Increases any local government expenditure necessary to implement or sustain the proposed use.

D. If a revision to a vested plan is denied based on written finding of any of the items listed in Clause 20.19.4.C.1 through 5 above, the applicant has the following two options:

1. Proceed under the prior approved plan with the associated vested rights; or
2. Allow the vested property rights to terminate and submit a new application under this Chapter.

E. Notwithstanding this Subsection, a vested property right shall not terminate if the BOMA determines, in writing, that it is in the best interest of the community to allow the development to proceed under the plan without terminating the vested property right.

20.19.5 Violation of Conditions of Approval

The approval of a vested plan shall be subject to any conditions established at the time of approval. Pursuant to T.C.A. § 13-4-310, if the established conditions of approval for a vested plan are not met, the applicant shall be allowed 90 days to cure the violation of any condition of approval; provided further, that the governing review body responsible for the vested plan approval may grant additional time to cure the violation, upon a written determination that it is in the best interest of the community. Thereafter, the violation of any such conditions shall cause the vested rights applicable to the vested plan to terminate. However, the governing review body may allow a property right to remain vested despite the occurrence of the violation when a written determination is made that such continuation is in the best interest of the community.

20.19.6 When Vesting Does Not Apply

A. A vested development standard shall not preclude local government enforcement of any development standard when:
   1. The City obtains written consent by the owner/applicant;
   2. The City determines in writing that compelling evidence exists that the development plan seriously threatens the public health, safety, or welfare of the community and the threat cannot be mitigated within a reasonable period of time by the applicant using the vested property rights;
   3. The City determines in writing the existence of a natural or man-made hazard on or in the immediate vicinity of the subject property, not identified on the development plan, and which if uncorrected would pose a serious threat to the public health, safety, or welfare and the threat cannot be mitigated within a reasonable time period by the applicant using the vested rights; or
   4. A development standard is required by federal or state law, rule, regulation, policy, corrective action, order or other type of governance that is required to be enforced by local governments, such as stormwater or FEMA requirements; or
   5. A local government is undertaking an action initiated or measure instituted in order to comply with a newly enacted federal or state law, rule, regulation, policy, corrective action, order or other type of governance.

B. A vested property right does not preclude, alter, or impair the authority of a local government to exercise its eminent domain powers provided by law.

PAGE INTENTIONALLY LEFT BLANK

CHAPTER 21

PERFORMANCE AGREEMENTS

21.1 General Provisions 323

21.2 Establishment of a Performance Agreement 323

21.3 Performance Agreement Period 324

21.4 Extension, Reduction, or Release of Improvements 325

21.5 Procedure for Reduction or Release of Improvements 326

21.6 Maintenance Agreement 328

21.7 Failure to Complete Improvements 329

21.1 General Provisions

21.1.1 Applicability

A. Following approval of a site plan or final plat, the applicant shall either:
   1. Complete and dedicate all public improvements, complete all private improvements, install all landscape improvements, and complete all off-site improvements, as applicable, prior to receiving a building permit; or
   2. Enter into a performance agreement with the City and provide sufficient surety to ensure the completion, construction, installation, and dedication of all required improvements.

B. All applicants of site plans or final plats shall be required to enter into a maintenance agreement following the release of the performance agreement, as applicable. See Section 21.6, Maintenance Agreements.

21.2 Establishment of a Performance Agreement

When a performance agreement is required pursuant to Clause 21.1.1.A.2, the Department of Planning and Sustainability shall prepare a performance agreement that individually lists each required improvement. The applicant shall fully execute the performance agreement with the City and provide sufficient surety in accordance with this Chapter.

21.2.1 Calculation of Performance Agreement Amounts

A. The performance agreement shall be in the amount of 110 percent of the actual estimated cost of the listed improvements. The performance agreement shall secure satisfactory completion of each required improvement per Subsection 21.2.2, Surety Requirements.

B. Infrastructure improvement unit prices are established by the BOMA and the FMPC and are posted on the City website.

C. The infrastructure improvements surety amounts shall be calculated by the applicant's project engineer or design professional, subject to approval by the DRT. As an alternative, the DRT may establish performance agreements for infrastructure.

D. Notwithstanding Paragraph 21.2.1.C above, performance agreements for infrastructure shall be subject to approval by the FMPC when an agreement amount deviates from the posted calculations or when an applicant wishes to appeal the amount.

E. Landscape improvement amounts shall be calculated by the Department of Planning and Sustainability and approved pursuant to the site plan review and approval process.

21.2.2 Surety Requirements

A. A performance agreement shall be secured by one of the following:
   1. An irrevocable standby letter of credit with an automatically renewable feature, often called an "evergreen" letter of credit;
   2. A cashier's check, payable to City of Franklin; or
   3. Other method of surety deemed adequate by the Department of Planning and Sustainability.

B. The beneficiary of the surety shall be the City of Franklin.

C. Letters of credit shall be issued by a financial institution located within the United States of America, organized and operating under the laws of the State of Tennessee or the United States of America,

and whose deposits are insured by either the Federal Deposit Insurance Corporation or National Credit Union Administration.

D. The financial institution shall permit the letter of credit to be presented for collection at a place physically located within Williamson or Davidson County, Tennessee. Alternatively, the financial institution may choose to provide a means for facsimile presentation, under the following conditions:
   1. The financial institution must operate a minimum of one branch or office open to the public, located in Williamson or Davidson County, Tennessee;
   2. Presentation of draw documents by the beneficiary shall also be permitted via overnight courier service to the financial institution's department where issuance of letters of credit transpires;
   3. Facsimile numbers for presentation shall be printed in the letter of credit, with a statement that modifications to, or discontinuation of, facsimile numbers shall be provided the beneficiary via amendment; and
   4. A means of backup shall be provided in the letter of credit, for an occasion when the facsimile number is inoperable for any reason. Backup information in the letter of credit shall include either:
      a. A physical location address in Williamson or Davidson County, Tennessee, to be accessed only if the facsimile number is inoperable for any reason; or
      b. The financial institution shall print in the letter of credit that if for any reason the facsimile number noted in the letter of credit is inoperable at a time when the beneficiary is attempting to present draw documents, then draw documents shall be considered timely when the financial institution is presented with a facsimile machine transmittal showing an attempted presentation by the beneficiary, along with satisfactory draw documents.

21.2.3 Monitoring Improvements

The applicant shall have a registered professional engineer or landscape architect, depending on the type of improvements, involved in the installation or construction phase of the project, to monitor construction and determine conformity with approved plans and specifications.

21.3 Performance Agreement Period

A. The performance agreement shall remain in force in its original amount until improvements are completed and accepted by the Department of Planning and Sustainability or appropriate City departments, whichever is applicable.

B. The period within which each required improvement shall be completed shall not exceed one year from the date of the fully executed performance agreement; however, extensions and reductions may be approved by the Department of Planning and Sustainability or the FMPC, as applicable.

21.4 Extension, Reduction, or Release of Improvements

21.4.1 Extension Period

The timeframe for the completion of each improvement within the performance agreement may be extended for a minimum of six months and a maximum of one year at a time.

21.4.2 One Time Performance Reduction

The amount of each improvement may be reduced:

A. Only one time when at least 50 percent of the public improvements, private improvements, landscape improvements, or off-site improvements (as applicable), have been completed; and
B. When the applicant has submitted all information necessary to adequately review the request.

21.4.3 Maximum Reductions for Public Improvements or Applicable Private Infrastructure

A. A reduction of the amount for public improvements, private improvements, or off-site improvements (excluding landscape improvements as per Subsection 21.4.4, Maximum Reductions for Landscape Improvements):
   1. Shall not be reduced to an amount less than the required maintenance agreement;
   2. Shall not be reduced to less than 25 percent of the original amount of the improvements, irrespective of the estimated cost of completing the improvements; and
   3. Shall range from 50 to 75 percent of the original amount of the improvements, contingent upon the actual amount of completion of the improvements.
B. The request for a reduction for each improvement allowed in Paragraph 21.4.3.A above may be reduced by the applicable City department by up to ten percent to account for possible future inflation costs and/or repairs.
C. Costs incurred by the applicant associated with a request for the extension, reduction of the surety, or release of the performance agreement and surety (inclusive of landscape architect or engineering inspections fees, legal fees, and so forth) shall be borne by the applicant, regardless of whether the request is ultimately granted.

21.4.4 Maximum Reductions for Landscape Improvements

A. The reduction of the amount for landscape improvements shall not be reduced to less than 75 percent of its original amount, rounded up to the nearest thousand, irrespective of the estimated cost of completing the improvements.
B. Costs incurred by the applicant associated with a request for the extension, reduction of the surety, or release of the performance agreement and surety (inclusive of landscape architect or engineering inspections fees, legal fees, and so forth) shall be borne by the applicant, regardless of whether the request is ultimately granted.

21.4.5 Release of Performance

Each improvement may be released from performance:

A. When a one-year maintenance agreement is established and surety is reduced accordingly;

B. When each public improvement, private improvement, landscape improvement, or off-site improvement (as applicable) have been completed; and
C. When the applicant has submitted all information necessary to adequately review the request.

21.4.6 Acceptance

A. The release of performance shall constitute the acceptance of the improvements by the City, pursuant to Subsection 21.4.5, Release of Performance.
B. Approval of a site plan or final plat shall not constitute acceptance. The Department of Planning and Sustainability may require the site plan or final plat to be endorsed with appropriate notes to this effect.

21.5 Procedure for Reduction or Release of Improvements

21.5.1 Submittal Requirements

Any request for reduction or release of an improvement in performance shall be submitted in writing to the Department of Planning and Sustainability. The request shall include:

A. A completed action request form, found on the City website;
B. The percentage amount of completion of each required improvement; and
C. A written statement from the engineer or landscape architect employed by the applicant, stating that the improvements have been installed in accordance with the approved plans and specifications.
D. All stormwater infrastructure with a storm sewer size of 12 inches and larger shall be video-inspected to verify proper installation with the video recording and any associated inspection report submitted as part of a drainage as-built record. The professional preparing the video shall be certified by the Pipeline Assessment and Certification Program (PACP®). Video documentation shall be prepared in conjunction with preparation of drainage as-builts, shall be no more than 90 calendar days prior to a performance release request submittal and shall be submitted with the drainage as-builts. Additional testing may be required if warranted by video inspection.

21.5.2 Staff Review

A. Following a complete submittal, the Department of Planning and Sustainability shall request the appropriate City departments to inspect the public improvements, private improvements, landscape improvements, and off-site improvements (as applicable) to determine compliance with approved plans. Inspections shall be performed at no cost to the applicant. Inspection periods shall be posted on the City website.
B. Each appropriate City department shall submit a statement to the Department of Planning and Sustainability indicating whether the required improvements have been inspected and satisfactorily completed in accordance with approved plans.

21.5.3 Final Action

A. If the applicant's request is within seven years from the date of receipt of a fully executed performance agreement, the Department of Planning and Sustainability shall be the administrative review body and:
   1. Review the request based on the recommendation from the inspecting department;
   2. Make a decision within 60 days whether

to approve or disapprove the request, or forward the request to the FMPC for review with a recommendation; and

3. Provide public notification of the decision on the City website at least seven days prior to taking action on the request.

B. If the request is after seven years from the date of receipt of a fully executed performance agreement, the FMPC shall be the review body.

C. When the FMPC or the Department of Planning and Sustainability reviews the request for a release, reduction, or extension of the performance agreement, the applicable review body shall decide to:

1. Release the performance agreement and establish a maintenance agreement;
2. Reduce the performance agreement and extend the improvements for a minimum of six months and a maximum of one year to the next agenda date that occurs in the same month of the following year; or
3. Extend the improvements for a minimum of six months and a maximum of one year to the next agenda date that occurs in the same month of the following year.

21.5.4 Specific Procedures for Final Topping of a Street

A. Final topping (lift) of a street may be permitted when at least 90 percent of the lots in the subdivision, or the section or sections thereof for which the performance agreement was established, have received certificates of occupancy for buildings located on the lots in question. The performance agreement for street improvements may be released when final topping is completed and accepted, provided that a maintenance agreement is established. Final topping of a street surface may be installed prior to issuance of 90 percent of certificates of occupancy under the following conditions:

1. The segment or sections of street have been in place for a period of not less than four years, unless otherwise determined by the Streets Department that installation of the final topping will preserve the structural integrity of the binder and base;
2. The base, binder, curb, gutter, and structures within the segment or sections of the street to be topped have been inspected and approved by the Streets Department;
3. Upon satisfactory installation and acceptance by the Streets Department of the final topping, the performance agreements for said street improvements may be released provided a maintenance agreement is established for a period that extends one year beyond the point in time 90 percent of the lots in the subdivision or the segment or sections thereof for which the performance agreement was established, have received certificates of occupancy for buildings located on the lots in question; and
4. Except as provided, the lots adjacent to the segment or sections of street accepted shall be subject to contractor's security deposits pursuant to Title 12 of the Municipal Code.

B. In developer/builder-controlled subdivisions, where the developer and builder are the same legal entity, contractors' security deposits shall not be required until the maintenance agreement

is no longer in effect as described above.

C. Once such a written statement from the engineer or landscape architect has been received stating that the public improvements, applicable private infrastructure, or landscape have been installed in accordance with the plans and specifications approved by the appropriate City departments, an inspection by the relevant department shall be performed at no cost to the applicant.

21.5.5 Appeals Regarding Performance Agreements

The applicant may, upon administrative disapproval of a request for extension, reduction, or release of a performance agreement, appeal the administrative decision to the FMPC. Appeals shall be filed within ten days of the adverse decision and shall be set for hearing on the next available FMPC agenda.

21.6 Maintenance Agreement

21.6.1 Establishment of a Maintenance Agreement

A. Upon release of the performance agreement, the applicant shall be required to enter into a maintenance agreement for the completed improvements and required landscape covered by the performance agreement to ensure against defects in workmanship and materials.

B. The Department of Planning and Sustainability shall prepare a maintenance agreement and the applicant shall fully execute the maintenance agreement with the City. The maintenance agreement shall comply with the following:

1. The maintenance agreement shall remain in effect for a period of one year or until final release of the maintenance agreement by the Department of Planning and Sustainability or other appropriate City departments, whichever period is longer; and
2. Street maintenance agreements shall meet Subsection 21.5.4, Specific Procedures for Final Topping of a Street.

21.6.2 Calculation of Maintenance Agreement Amounts

The maintenance agreement shall be in an amount satisfactory to the appropriate City departments; however:

A. Landscape improvements shall be no less than 25 percent of the original amount, rounded up to the nearest thousand, or $3,000.00, whichever is greater;

B. All other improvements shall be no less than ten percent of the original amount or $2,500.00, whichever is greater.

21.6.3 Procedures

A. Upon the request of the applicant, or automatically after a period of one year from the release of performance, whichever is greater, the Department of Planning and Sustainability shall consider the release of the maintenance agreement.
B. The Department of Planning and Sustainability, upon the recommendation of the appropriate City department, may release or extend a maintenance agreement.
C. Extensions of maintenance agreements shall be as determined by the appropriate City departments, but shall be for no less than six months or greater than one year.
D. Prior to taking action on a request to release a maintenance agreement, the Department of Planning and Sustainability shall provide public notification of the decision on the City's website at least seven days prior to taking action on the request.

21.7 Failure to Complete Improvements

Where a performance agreement and/or maintenance agreement have been entered into and required improvements have not been installed and/or maintained within the terms of the agreement and the timeframe pursuant to Section 21.3, Performance Agreement Period, then:

A. The Department of Planning and Sustainability may recommend to the FMPC of the need to call the agreement and surety.
B. Following a recommendation, the FMPC may declare the agreement to be in default and authorize the calling of the agreement and surety and the completion of the improvements under the supervision of City departments.

CHAPTER 22

ENFORCEMENT

22.1 Enforcement Authority 331

22.2 Building Permits 331

22.3 Sign Permits 331

22.4 Certificates of Occupancy 331

22.5 Penalties 331

22.6 Remedies 331

22.1 Enforcement Authority

For the purposes of administering and enforcing the provisions of this Ordinance, the Department of Building and Neighborhood Services shall be authorized to:

A. Make inspections of structures or premises necessary to carry out its enforcement duties; and
B. Designate State inspection officials as authorized representatives to provide review services for institutional and educational occupancies, pursuant to Title 12 of the Municipal Code.

22.2 Building Permits

It shall be unlawful to commence the construction or alteration of a principal building, an accessory building, or other structure that requires a building permit pursuant to Title 12 of the Municipal Code, until the Department of Building and Neighborhood Services has issued a building permit.

22.3 Sign Permits

It shall be unlawful to commence the construction or alteration of a sign that requires a sign permit, until the Department of Building and Neighborhood Services has issued a sign permit.

22.4 Certificates of Occupancy

No lot, building, or structure hereafter erected or altered in its use or otherwise shall be used until a certificate of occupancy has been granted pursuant to Title 12 of the Municipal Code.

22.5 Penalties

Any person violating any provision of this Ordinance shall be guilty of a misdemeanor and, upon conviction, shall be fined under the general penalty clauses of Title 12 of the Municipal Code. Each day each violation continues shall constitute a separate offense. Penalties shall be pursuant to State law.

22.6 Remedies

In case a building or structure is erected, constructed, reconstructed, repaired, converted, or maintained, or any building, structure, or land is used in violation of this Ordinance, then the City attorney, or other appropriate authority, or adjacent or neighboring property owner who would be damaged by the violation, in addition to other remedies, may institute injunction, mandamus, or other appropriate action or proceeding to effectuate the requirements of this Ordinance.

Where it appears that the owner or person in charge of an improvement on a property containing a historic resource threatens to start, or has started, work in violation of this Ordinance, then the City attorney shall apply to an appropriate court for an injunction against a violation of this Ordinance. If an order of the court enjoining or restraining the violation does not receive immediate compliance, then the City attorney shall apply to an appropriate court to punish the violation pursuant to law.

CHAPTER 23

DEFINITIONS AND INTERPRETATIONS

23.1 Rules of Interpretation 333

23.2 Measurements, Calculations, and Interpretation of Dimensional Standards 334

23.3 Abbreviations 338

23.4 Defined Terms 339

a 339
b 342
c 345
d 349
e 351
f 354
g 358
h 360
i 362
j 363
k 363
l 363
m 365
n 368
o 370
p 371
q 375
r 375
s 378
t 385
u 388
v 388
w 389
x 390
y 390
z 390

23.1 Rules of Interpretation

23.1.1 General Meaning of Words and Terms

A. All words and terms used have their commonly accepted and ordinary meaning unless they are specifically defined in this Ordinance or the context in which they are used clearly indicates otherwise. Technical words and phrases that may have acquired a specialized and appropriate meaning in law shall be construed and understood according to such meaning.

B. When a specific Section of this Ordinance gives a different meaning than the general definition provided in this Chapter, the meaning and application of the term in the specific Section shall control.

23.1.2 Graphics, Illustrations, Photographs, and Flowcharts

The graphics, illustrations, photographs, and flowcharts used to visually explain certain provisions of this Ordinance are for illustrative purposes only. Where there is a conflict between a graphic, illustration, photograph, or flowchart and the text of this Ordinance, the text of this Ordinance controls.

23.1.3 List and Examples

Unless otherwise specifically indicated, lists of items or examples that use terms such as "for example," "including," and "such as," or similar language are intended to provide examples and are not exhaustive lists of all possibilities.

23.1.4 Computation of Time

The time in which an act is to be done shall be computed by excluding the first day and including the last day. If a deadline or required date of action falls on a Saturday, Sunday, or holiday observed by the City, the deadline or required date of action shall be the next business day observed by the City. References to days are calendar days unless otherwise stated.

23.1.5 References to Other Regulations and Publications

Whenever a reference is made to a State or Federal statute, it shall be construed as a reference to its most recently amended version, unless otherwise specifically stated.

Whenever a reference is made to another ordinance, code, regulation, plan, or document, it shall be construed as a reference to the latest adopted version; however, where the City has adopted a specific version, the specific version shall be applicable.

23.1.6 Delegation of Authority

Any act authorized by this Ordinance to be carried out by a specific official of the City may be carried out by a professional-level designee of such official.

23.1.7 Public Officials, Departments, Review Bodies, and Agencies

All public officials, departments, review bodies, and agencies to which references are made are those of the City of Franklin, unless otherwise indicated.

23.1.8 Mandatory and Discretionary Terms

The words "shall," "must," "comply," and "will" are mandatory in nature, establishing an obligation or duty to comply with a particular requirement or provision. The words "may" and "should" are permissive in nature.

23.1.9 Conjunctions

Unless the context clearly suggests the contrary, conjunctions shall be interpreted as follows:

A. "And" indicates that all connected items, conditions, provisions or events apply; and
B. "Or" indicates that one or more of the connected items, conditions, provisions or events apply.

23.1.10 Tenses and Plurals

Words used in the present tense include the future tense. Words used in the singular number include the plural number and vice versa, unless the context of the particular usage clearly indicates otherwise.

23.1.11 Hierarchical Outline

This Ordinance is organized into the hierarchical levels as shown below. All references within this Ordinance that reference a different part of this Ordinance shall apply as follows:

Chapter 1

Section 1.1

Subsection 1.1.1

Paragraph 1.1.1.A

Clause 1.1.1.A.1

Clause 1.1.1.A.1.a

Clause 1.1.1.A.1.a.i

Clause 1.1.1.A.1.a.i.(1

23.2 Measurements, Calculations, and Interpretation of Dimensional Standards

23.2.1 Calculations

When the calculation of a required standard results in a fractional number, it shall be rounded up to the nearest whole number, unless otherwise expressly stated.

23.2.2 Distance Measurements

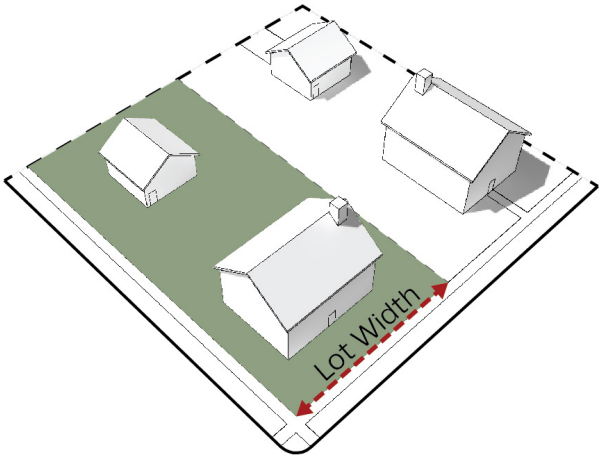
Distances specified in this Ordinance are to be measured as the length of an imaginary straight line joining those points, unless otherwise expressly stated.

23.2.3 Lot Standards

A. Lot Size
   1. The lot size shall be that area, measured in gross square feet or acres, contained within a lot.
   2. The minimum lot size is the smallest size of a lot established by this Ordinance on which a use or structure may be located in a particular district.

B. Lot Width
   1. Lot width is the distance between the side lot lines measured at the point of the front yard setback line.
   2. For corner lots, the lot width is the distance between the side lot line and the side street-facing lot line, measured at the point of the front yard setback line.

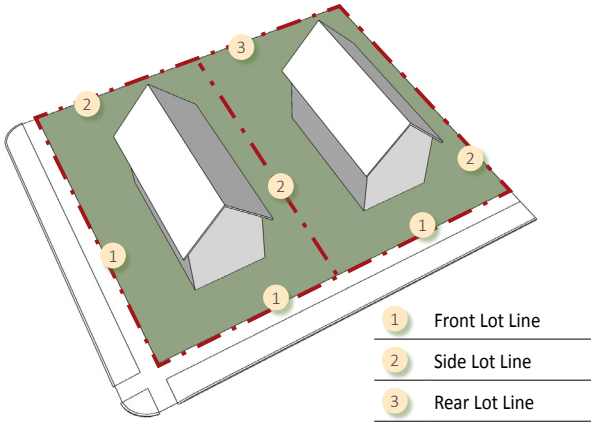
Figure 23.2.3.B Lot Width



C. Front Lot Line

The front lot line is the length of the front lot line and is maintained to the front yard setback line, at which point the lot width applies.

Figure 23.2.3.C Lot Lines



23.2.4 Setbacks and Yards

A. Front Yard

1. Front yard setbacks are measured perpendicular from the edge of the existing or proposed right-of-way, whichever is greater.
2. For corner lots, front yard setbacks are measured along all lot lines facing streets or internal drives, not including alleys. The remaining yards are measured as side yards.
3. Front yard setback measurements for lots on a cul-de-sac or curved street or internal drive follow the curve of the front property line.

B. Side Yard

The side yard setback extends from the required front yard setback line to the required rear yard setback line. If no front or rear yard setback is required, the setback extends the full depth of the lot. Side setbacks are measured perpendicular from the side lot line.

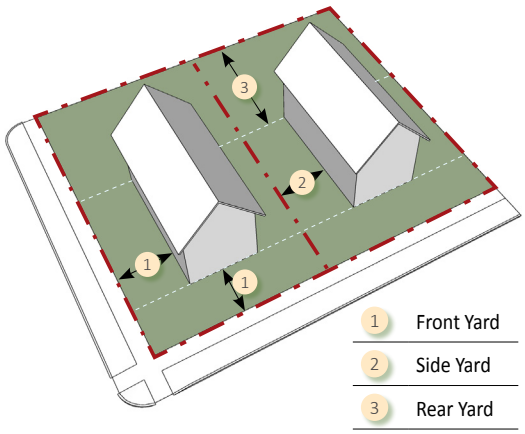
C. Rear Yard

The rear yard setback extends the full width of the lot. Rear setbacks are measured perpendicular from the rear property line or the edge of the existing or proposed alley, whichever is greater, as applicable.

D. Yards Required for Buildings

A yard or other open area required about a building may not be included in the measurement of a required yard or other open space for another building.

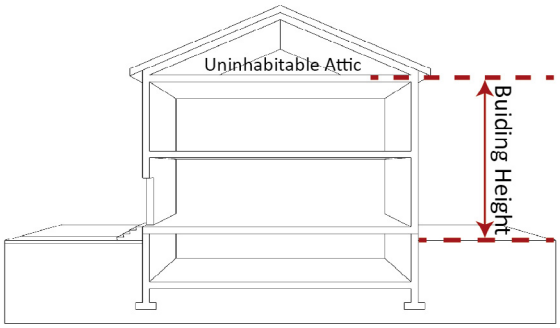
Figure 23.2.4 Lot Setbacks and Yards



23.2.5 Building Height

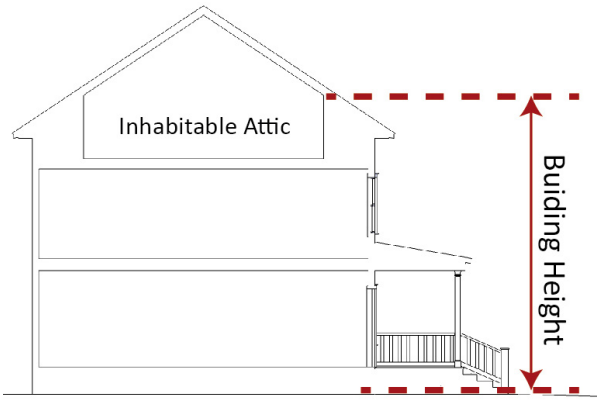
A. Building height shall be measured in the number of complete stories above the finished grade for any building or at-grade or above-grade parking structure, but excludes:
   1. Habitable attics, half-stories, and mezzanines; and
   2. Spaces completely below grade, such as basements, cellars, crawl spaces, sub-basements, and below-grade parking structures.

Figure 23.2.5.A Building height with uninhabitable attic



B. Half-story height shall be measured for habitable attics, half-stories, and mezzanines.

Figure 23.2.5.B Building height with inhabitable attic



C. For the purposes of measuring height in the R4, R6, and OR districts and for transitional features:
   1. To calculate the average height, building heights for principal buildings along the same block face shall be added, then divided by the total number of principal buildings on the block face; and
   2. To calculate a half-story above the average height, 0.5 shall be added to the average height (calculated above), then rounded to the nearest half or whole story.

D. Building height maximums do not apply to belfries, chimneys, roof structures not intended for human occupancy, spires, cupolas, domes, monuments, water towers, or similar structures, provided:
   a. The appurtenance does not interfere with Federal Aviation Regulations, Part 77, Objects Affecting Navigable Airspace;
   b. The appurtenance does not extend more than 25 feet above

the maximum permitted building height, except as allowed herein;

c. The appurtenance does not exceed a maximum height of 200 feet above grade; and

d. The appurtenance is not constructed for the purpose of providing additional floor area in the building.

23.3 Abbreviations

ACI	Aggregate Caliper Inch
AG	Agriculture District
ANSI	American National Standards Institute
BFE	Base Flood Elevation
BOMA	Board of Mayor and Aldermen
BPC	Battlefield Preservation Commission
BZA	Board of Zoning Appeals
CAO	Columbia Avenue Overlay District
CC	Central Commercial District
CFO	Central Franklin Overlay District
CI	Civic and Institutional District
COA	Certificate of Appropriateness
DBH	Diameter at Breast Height
DD	Downtown District
DRT	Departmental Review Team
EIFS	Exterior Insulation Finish Systems
ER	Estate Residential District
FAA	Federal Aviation Administration
FC	Foot-candle
FCC	Federal Communications Commission
FEMA	Federal Emergency Management Agency
1ST	1st Avenue District
5TH	5th Avenue North District
FFO	Floodway Fringe Overlay District
FIRM	Flood Insurance Rate Map
FWO	Floodway Overlay
GO	General Office District
HHO	Hillside Hillcrest Overlay District
HI	Heavy Industrial District
HPO	Historic Preservation Overlay District
HVAC	Heating Ventilation Air Conditioning
HZC	Historic Zoning Commission
IESNA	Illuminations Engineering Society of America
ISA	International Society of Arboriculture
ITE	Institute of Traffic Engineers
LI	Light Industrial District
LSA	Landscape Surface Area
MOS	Modification of Standards
MR	Mixed Residential District
MTEMC	Middle Tennessee Electric Membership Corporation
NC	Neighborhood Commercial District
NCO	Neighborhood Conservation Overlay District
OR	Office Residential District
PD	Planned District
PUD	Planned Unit Development
RC6	Regional Commerce 6 District
RC12	Regional Commerce 12 District
R1	Residential 1 District
R2	Residential 2 District
R3	Residential 3 District
R4	Residential 4 District
R6	Residential 6 District
ROW	Right-of-Way
SCO	Scenic Corridor Overlay District
STVR	Short Term Vacation Rental
T.C.A.	Tennessee Code Annotated

23.4 Defined Terms

a

Abut

The condition of two adjoining parcels having a common property line or boundary, including cases where two or more parcels adjoin a corner, but not including cases where adjoining lots are separated by a street or alley.

Accent Materials

The exterior building materials used as an accent to the primary materials on a building facade, including trim around doors and windows. Accent materials do not exceed 25 percent of the building facade.

Access

A private driveway or other point of vehicle access, such as a street, that intersects or connects to the general street system.

Accessible Parking Space

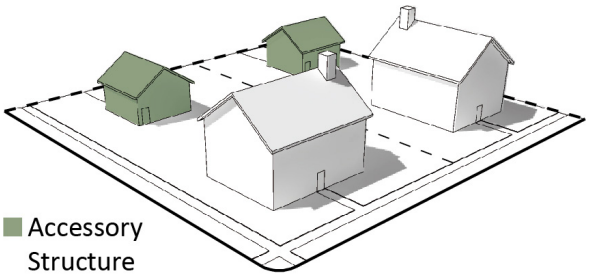
A space designated for the parking or temporary storage of one motor vehicle in addition to the space necessary for the ingress and egress from the vehicle by a disabled person and any equipment needed for that purpose.

Accessory Dwelling

A detached, self-contained, small dwelling that may be a stand-alone structure or part of a detached garage and located on the same lot as a larger, principal dwelling. An accessory dwelling is incidental to the principal dwelling and is considered to be an accessory building.

Accessory Structure

A structure that is on the same lot as a principal building and is incidental to the principal building or permitted use. The accessory structure is less significant than the principal building in square footage, building height, and economic importance.



For the purposes of Section 17.6, Floodplain Regulations, accessory structures in the floodplain must be permitted only for the purposes of storage and vehicle parking; be designed to have low flood damage potential; be constructed and placed on the site to achieve the minimum resistance to the flow of floodwaters; be firmly anchored to prevent flotation, collapse, and lateral movement, which otherwise may result in damage to other structures; and have utilities and and service facilities, such as electrical and heating equipment, elevated or otherwise protected from intrusion of flood waters.

Accessory Use

A use that is customarily incidental, appropriate, and subordinate to the principal use of land or buildings and is located upon the same lot.

Active Recreation

Land used for specific recreational activities that are generally facility oriented, such as swimming pools, sports courts, sports arenas, sports fields, skate parks, playgrounds, and

other facilities that address sports or physical activity.

Adjacent

The condition where two or more parcels share common property lines or where two parcels are separated only by an alley, easement, street, or internal drive.

Adult-Oriented Establishments

A use type with the same meaning as the term "adult-oriented establishment," as used in T.C.A. § 7-51-1102, and in construing this term, the definitions contained in T.C.A. § 7-51-1102 (1) – (6) and (9) – (31), are likewise incorporated by reference into and made a part of this Ordinance.

Age-Restricted Multifamily

A type of multifamily residential that limits the residency to individuals who are at least 55 years of age or older.

Aggregate Caliper Inch (ACI)

The combined total number of inches of existing and proposed trees used to meet a landscape requirement within a required landscape area. Caliper inch sizes for individual proposed trees are measured as indicated in the American Standard for Nursery Stock (ANSI 260.1-2004). Caliper inch sizes for existing trees shall be measured in Diameter at Breast Height (DBH).

Agricultural Uses

Agricultural and farming activities, including nurseries and facilities for processing and selling agricultural products grown on the premises.

Aisle (of a Parking Area)

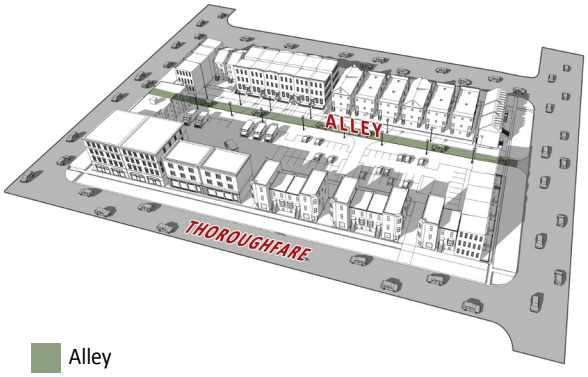
A vehicular accessway located within a parking area that serves individual parking spaces and driveways.

Alcove

A recess in a wall, or partly enclosed extension connected to or forming part of a room, often curved and often used to house sculpture, a seat, or a fountain.

Alley

A minor public or private way intended to be used primarily for vehicular service access to the rear or side of properties.



Alteration

A change, addition, or modification in construction, structure, or occupancy of a structure.

American Standard for Nursery Stock

A publication prepared by the American Nursery and Landscape Association that provides standards related to size and planting for newly planted landscaping material.

Antenna

An exterior transmitting or receiving device mounted on a building, structure, or tower that radiates or captures analog or digital signals, electromagnetic waves,

radio frequencies (excluding radar signals), wireless telecommunications signals, or other communication signals.

Appeal

For the purposes of Section 17.6, Floodplain Protection, a request for a review of the local enforcement officer's interpretation of any provision of this Ordinance or a request for a variance.

Appeal of Administrative Decision

A type of process to appeal a decision by an administrative official.

Applicant

The owner of property or the authorized representative of the owner who is applying for development approval.

Appurtenance

The visible, functional, or ornamental objects accessory to, and part of a building, such as chimneys, porches, decks, stoops, bay windows, roof overhangs, awnings, steps, and similar features.

Arcade

A covered passageway, typically found at street level, often comprised of a series of arches supported by columns.

Architectural Lighting

Exterior lighting that is designed to highlight structures, plantings, or significant architectural features in a direct or indirect fashion.

Area of Shallow Flooding

An area designated as a AO or AH Zone on the Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Area of Special Flood-Related Erosion Hazard

The land within a community that is most likely to be subject to severe flood-related erosion losses. The area may be designated as Zone E on the Flood Hazard Boundary Map (FHBM). After the detailed evaluation of the special flood-related erosion hazard area in preparation for publication of the Flood Insurance Rate Map, Zone E may be further refined.

Arterial Street

A type of street defined by Connect Franklin that is designed and intended for use by large volumes of through traffic, receives traffic flow from collector and local streets, allows for major movement between areas of the City, and usually has heavy traffic moving at relatively high speeds. This includes both major and minor arterial streets.

Assessed Value

The monetary price that a parcel of land, portion of land, improvement on land, or other commodity is assigned by the Williamson County Property Appraiser's office for the purposes of taxation.

Attendant

A person employed to park vehicles.

Automated Teller Machine (ATM)

An automated mechanized consumer banking device.

Awning

A sheet of canvas or other material stretched on a frame and affixed to a building directly above a doorway or windows. Awnings are used for protection from the elements.

Awning Sign

A type of sign described as such in Section 15.3, Awning Sign

b

Balcony

A porch or other enclosed outdoor use area associated with the upper floors of a building.

Balloon

A stationary or mobile inflated device used to attract attention.

Band Sign

A type of sign described as such in Section 15.4, Band Sign.

Bank

A type of use classified as an office.

Banner

A temporary sign made of flexible material.

Barber Shops and Salons

A type of use classified as personal services.

Base

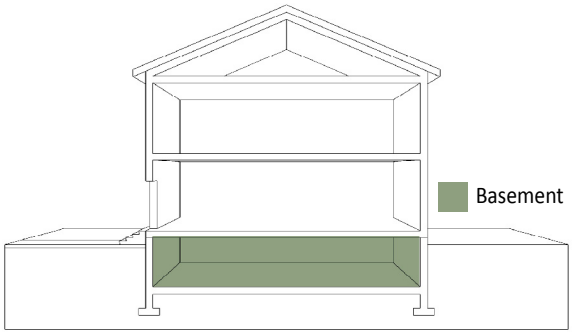
The structural elements, design features, and materials associated with a part of the building that meets the ground to differentiate it from the middle and anchors the building to the ground.

Base Flood

The flood having a one percent chance of being equaled or exceeded in any given year. This term is also referred to as the 100-year flood or the one percent annual chance flood.

Basement

Any portion of a building located below ground level on all sides.



Bay Window

A large window or series of windows projecting from the outer wall of a building and forming a recess within.

Bed and Breakfast Establishment

An owner-occupied single-family dwelling in which the owner rents rooms to overnight guests and may offer meals only to those guests.

Bench Sign

A sign affixed to or painted on a bench.

Berm

An elongated earthen mound typically designed or constructed on a site to separate, screen, or buffer adjacent uses.

Bicycle Locker

A fully enclosed space for one bicycle, accessible only to the owner or operator of the bicycle. It protects the entire bicycle, its components and accessories from theft and inclement weather. Bicycle lockers may be pre-manufactured or may be designed for individual sites.

Bicycle Rack

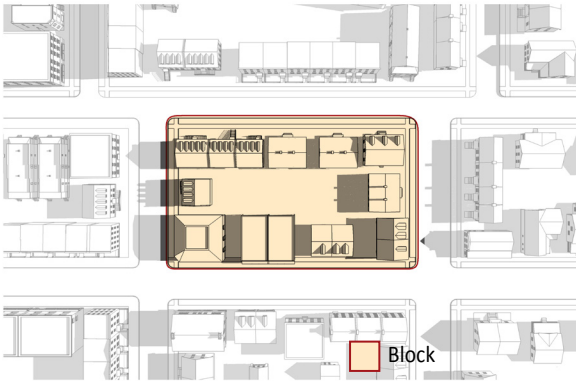
A stationary object to which the bicycle user can lock the frame and one or both wheels of a bicycle with a user-provided U-shaped lock or cable, and which is either anchored to an immovable surface or is heavy enough that it cannot be easily moved.

Bioretention

A stormwater management feature that uses soil and plants to remove pollutants from stormwater runoff.

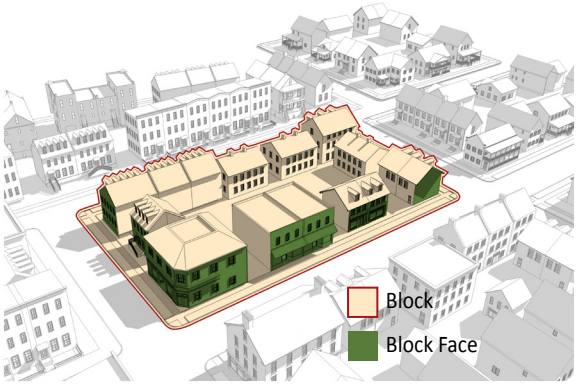
Block

A parcel of land composed of one or more individual lots or building sites entirely surrounded by streets or by any combination of streets, internal drives, open space, watercourses, or railroad right-of-way.



Block Face

The lots or building sites along one side of a block.



Block Length Perimeter

For the purposes of vehicular connectivity, the distance around outer edges of a block enclosed by streets.

Box Window

A window or windows located within a wall projection.

Breakaway Wall

A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces typically associated with flooding, without causing damage to the elevated portion of the building or supporting foundation system.

Buffer

Vegetative material, walls, fences, berms, or any combination of these elements located on land that is used for screening.

Building

A fully-enclosed structure with a roof and walls.

Building Addition

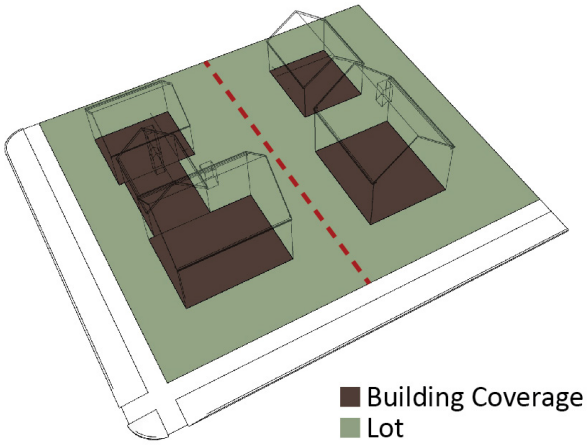
Any walled and roofed expansion to or extension of the perimeter of a building that is connected by a common load-bearing wall other than a firewall. Any walled and roofed addition that is connected by a firewall or is separated by an independent perimeter load-bearing wall shall be considered "new construction".

Building Codes

A collection of regulations adopted by the City of Franklin to govern the design, construction, and modification of buildings and other structures.

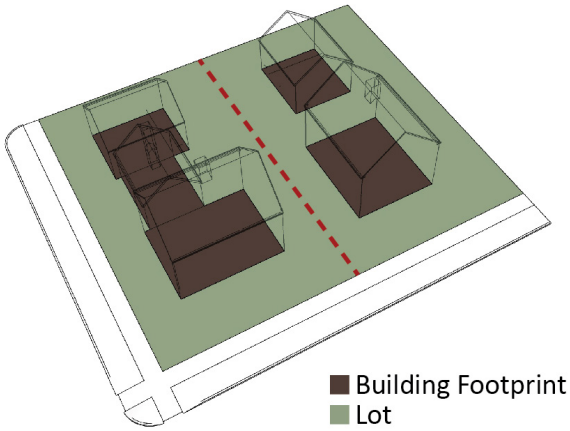
Building Coverage

The gross area of a lot, parcel of land, or building site occupied by all of the ground floor of a building or structure that is under roof. As a percentage, it is the relationship between the ground floor area of a building or structure under roof and the net area of the site.



Building Footprint

The area of a lot, parcel of land, or building site included within the exterior walls or outermost projection of the roof of a building or portion of a building, exclusive of courtyards.



Building Permit

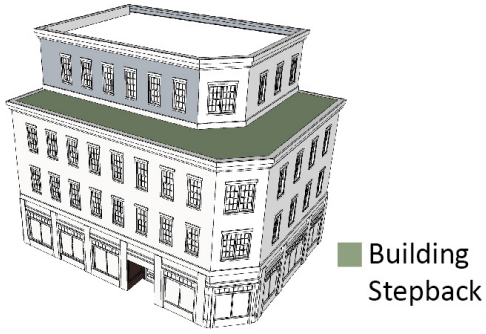
A permit required by this Ordinance prior to commencement of certain types of construction or development activities.

Building Site

Either: (a) a parcel of land that has not been subdivided as a separate lot, which is designated by an applicant as a building site in a development plan, site plan, or permit application, and which accommodates, or is available to accommodate, a principal building or (b) a lot.

Building Stepback

The linear organization of building form within a single building that establishes portions of a building with a higher or lower height in a deliberate progression. Buildings may be "stepped-back" from the street edge, from a lot line, or from adjacent buildings.



Building Wall

The entire surface area, including windows and doors, of an exterior wall of a building.

C

Caliper

A method of measuring the diameter of the trunk of a tree for the purpose of determining size. The caliper of a mature, established tree is measured at diameter at breast height (DBH). The caliper of an young, nursery-grown tree is taken at six inches above the soil. If the caliper of the nursery-grown tree exceeds four inches, then the tree is measured at 12 inches above the soil.

Campaign Sign

A type of temporary sign as regulated by Tennessee Code Annotated § 2-7-143.

Canopy

A permanent, but not completely enclosed structure, which may be attached to or near a building for the purpose of providing shelter. For the purposes of this Ordinance, carports and awnings are defined separately and not regulated as canopies.

Canopy Sign

A type of sign described as such in Section 15.5, Canopy Sign.

Canopy Tree

A tree that has an expected height at maturity greater than 40 feet and which produces significant shade because it has a crown that is oval, round, vase-shaped, or umbrella-shaped.

Cap

The structural elements, design features, and materials associated with the top floor or top edge of the building to differentiate it from the middle and create a visual end to the building.

Carport

A roofed structure not more than 75 percent enclosed by walls and attached to or near the principal building that is provided for the purpose of sheltering one or more vehicles.

Cemeteries

Land used or intended to be used for burying the remains of human dead and dedicated for cemetery purposes, including mausoleums and mortuaries when operated in conjunction with and within the boundaries of the cemetery.

Certificate of Appropriateness (COA)

A document approving work on local landmarks or properties in Franklin's Historic Preservation Overlay District based on the Franklin Historic District Design Guidelines.

Certificate of Occupancy

The final permit or authorization issued by the City allowing occupancy or use of a building, certifying that the building has been constructed in accordance with all applicable requirements.

Certified Arborist

A certified arborist shall mean any International Society of Arboriculture (ISA) Certified Arborist, ISA Board Certified Master Arborist, or current member of the American Society of Consulting Arborists.

Change of Use

The act of replacing a use in favor of another use.

Charitable, Fraternal, or Social Organizations

A facility for administrative, meeting, or social purposes for a private or nonprofit organization, primarily for use by administrative personnel, members, and guests.

City Website

The City of Franklin official website, www.franklintn.gov.

Civic and Institutional Uses

The classification of those principal uses as listed under that heading in Subsection 5.1.3, Permitted Principal Uses by Zoning District.

Civic Building

The principal building type described as such in Section 6.10, Civic Building.

Clinic

An establishment providing therapeutic, preventative, or corrective medical treatment or health care services. Activities include health care appointments, medical procedures, surgical procedures, emergency treatment, diagnostic services, walk-in medical services, and other health-related care. Services are provided on an outpatient basis, generally requiring a stay of less than 24 hours.

Close

A square or rectangular open space with a street or internal drive surrounding it that provides access to lots or other building sites, which performs the same function as a cul-de-sac.

Collector Street

A type of street defined by Connect Franklin that carries traffic from local streets to the arterial system, consists of principal entrance streets for residential, nonresidential and mixed-use developments, and provides for major circulation within the developments. This includes both major and minor collector streets.

Commercial/Mixed-Use Building Type

The principal building type described as such in Section 6.8, Commercial/Mixed-Use Building.

Commercial Recreation

An establishment primarily engaged in providing participatory athletic, recreational, or physical fitness services to the public for a fee, such as fitness and recreational sports centers, health and fitness studios, bowling centers, miniature golf courses, paintball or lasertag arenas, recreational day camps, and other recreational activities.

Commercial Uses

The classification of those principal uses as listed under that heading in Subsection 5.1.3, Permitted Principal Uses by Zoning District.

Commercial Vehicles and Trailers

An accessory use as defined by the Municipal Code.

Community Gardens

Land gardened by a group of people for the purposes of growing and harvesting food crops or ornamental crops. Community gardens may be divided into separate plots or may be farmed collectively by the group, and may include common areas maintained and used by group members.

Compact Spaces

Parking spaces with a minimum square footage of approximately 128 square feet intended for small or compact cars.

Companion Animal

Any dog, cat, or other domesticated animal normally maintained in or near the household of the owner or person who cares for such other domesticated animal.

Connect Franklin

The comprehensive transportation network plan maintained by the City of Franklin that defines functional street classifications as local, collector, arterial, etc. It is also called the Comprehensive Transportation Network Plan, Major Thoroughfare Plan, Multimodal Major Thoroughfare Plan.

Conservation Easement

The grant of a property right to create an environment where the land and the landscape will remain in its natural state, but does allow for supplementation of additional landscape plantings and removal of dead, dying, or invasive plant material.

Construction

For purposes of the State Vested Property Rights Act of 2014, means the erection

of construction materials in a permanent position and fastened in a permanent manner. Where excavation, demolition or removal of an existing building has been substantially begun prior to rebuilding, such excavation, demolition or removal shall be deemed to be construction; provided, that work shall be carried on diligently and complies with all applicable requirements.

Continuum of Care Facilities

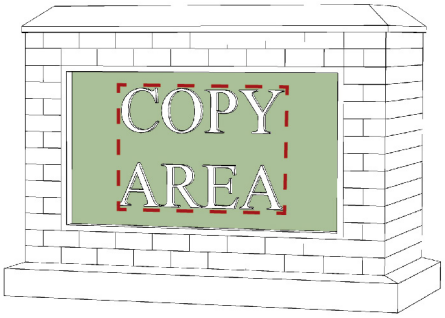
A facility providing one or any combination of assisted living, nursing home, or skilled nursing for the elderly or for other individuals incapacitated in some manner for medical reasons, as determined and licensed and/or certified by the Tennessee Department of Health, Board of Licensing Health Care Facilities. Included in this definition are homes for the aged, as defined by T.C.A. § 68-11-201. Continuum of care facilities may include a small amount of age-restricted independent living as part of the overall continuum of care.

Convenience Sign

A type of sign described as such in Section 15.6, Convenience Sign.

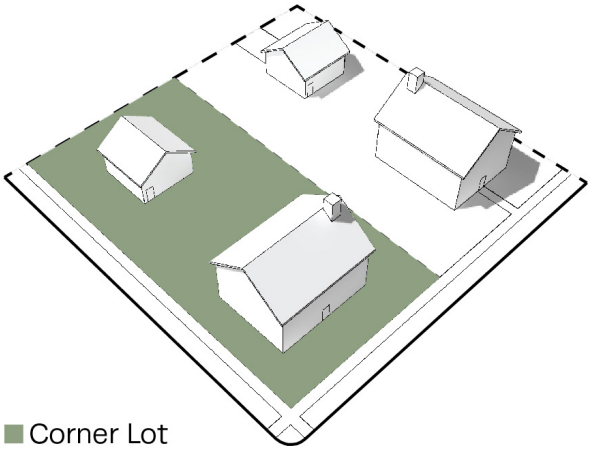
Copy Area

The smallest geometric shape that encloses all graphics, letters, and logos of the sign face.



Corner Lot

A lot located at the intersection of two streets that has frontage on each street. Each street frontage is considered a front lot line.



Cornice

A horizontal member, structural or nonstructural, of any building, projecting outward from the top of exterior walls, including eaves and other roof overhang.

Correctional Facilities

A facility for the detention, confinement, treatment or rehabilitation of persons arrested or convicted for the violation of criminal law. Such facilities include an adult detention center, juvenile delinquency center, jail, and prison. These facilities house prisoners who are in the custody of City or county law enforcement and are typically government-owned.

Courtyard

The type of open space described as such in Section 11.7, Courtyard.

Critical Lot

An individual lot in a recorded subdivision that requires a more detailed review prior to the issuance of a building permit due to topography,

steep slopes, soils, potential land disturbance, stormwater, floodplain, public infrastructure, specimen trees, or other site conditions that warrant additional administrative review.

Critical Lot Plan

An administratively reviewed plan submitted prior to issuance of a building permit for a critical lot.

Critical Root Zone (CRZ)

A circular area measured outward from a tree trunk, representing the essential area of the roots that must be maintained for the tree's survival. The CRZ is measured one foot of radial distance for every inch of tree at diameter at breast height, with a minimum of ten feet.

Cross Access

Vehicular and pedestrian access provided between parking areas of two or more development sites or parcels of land intended to allow movement between the sites without the use of a public street.

Cross Access Easement

An easement or other development right offered to one party by another party that allows ingress and egress across private lands. Cross access easements are typically granted over or across surface parking areas.

Cross Section

A conceptual vertical plane cut through a space or building illustrating widths and heights of the diagrammed elements.

Cul-de-Sac

A street having one end open to traffic and the other terminated by circular vehicular turn around.

Cultured Stone

A refined architectural concrete building unit manufactured to simulate natural cut stone.

Cupola

A structure on top of a roof or dome, often used as a lookout or to admit light and air.

Cut

A portion of land surface or area from which earth has been removed or will be removed by excavation; or, the depth below original ground surface to the excavated surface.

d

Data Centers

An establishment primarily engaged in providing infrastructure for hosting and data processing services that businesses and other organizations use to organize, process, store, and disseminate large amounts of data.

Day Care Centers

An establishment designed to provide day-time care and instruction for children or adults.

Deciduous Tree

A tree that drops its foliage annually before becoming dormant.

Deferred Parking

A portion of the required parking associated with a use that is not installed at the time of construction, but delayed or deferred until a parking demand study can be completed to

determine if the additional required parking is needed.

Departmental Review Team (DRT)

Team made up of representatives from the Department of Planning and Sustainability, the Engineering Department, the Department of Building and Neighborhood Services, and other departments or agencies of the City.

Detention (Dry) Pond

A stormwater management feature using a dry basin to temporarily detain stormwater runoff then gradually release it into a watercourse or other storm water feature. A detention pond is designed to be dry except after storm events.

Developable

The portion of a lot or development site that is available for development that is not within a resource and open space area (e.g., tree save areas, riparian buffers, Hillside/Hillcrest Overlay District, floodplain, and open space set-aside).

Developer

Any individual, firm, corporation, association, partnership, or trust involved in commencing proceedings to effect development of land.

Development

The construction, reconstruction, infill development, redevelopment, remodeling, conversion, structural alteration, relocation, enlargement, or demolition of any structure, portion of a structure, or sign; any change in use in land, building, or structure, or material change in the appearance of any structure; any increase in the number of dwelling units, businesses, manufacturing establishments, or offices; any mining, excavation, filling, grading, paving, or land disturbance; and any act of subdivision of land.

Development

For the purposes of Section 17.6, Floodplain Protection, any human-made change to improved or unimproved real estate, such as buildings or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations, or storage of equipment or materials.

Development Entrance Sign

A type of sign described as such in Section 15.7, Development Entrance Sign.

Development Plan

A type of application to entitle development in the Planned District.

Development Site

The total area of land contained within a development project.

Development Standards

For purposes of the State Vested Property Rights Act of 2014, all locally adopted or enforced standards, regulations or guidelines applicable to the development of property, such as the following: planning; local storm water requirements, layout, design; local construction standards for buildings, streets, alleys, curbs, sidewalks; zoning; lot size; lot configuration; yard dimensions; and all other development standards under this Ordinance, and off-site improvements, including public or private infrastructure, in which an applicant may acquire vested rights or vested property rights according to the Act. Development standards do not include standards required by Federal or State law; or building construction

safety standards which are adopted pursuant to authority granted under T.C.A. § 68-120-101.

Diameter at Breast Height (DBH)

The measurement of the diameter of a tree trunk taken at a height of 4.5 feet above the ground. Trees with multiple trunks should be treated as multiple trees and the DBH for each trunk added to aggregate diameter measurement.

Directory Sign

A type of sign described as such in Section 15.8, Directory Sign.

Dormer Window

A gabled extension built out from a sloping roof to accommodate a vertical window.

Drive-In/Drive-Through Facilities

A facility where a type of service is provided by a business that allows customers to purchase products without leaving their vehicles.

Drive-In/Drive-Through Restaurants

An establishment engaged in the retail sale of ready-to-consume food and drinks in disposable containers, for consumption on or off the premises, which has drive-in or drive-through facilities so that patrons may be served while remaining in their vehicles.

Driveway

A vehicular access-way within a lot, building site, or development site from a street or internal drive to provide access only to a parking area, garage, parking structure, or building entrance.

Dry-Stack

A building method by which structures are constructed from stones without any mortar to bind them together.

Duplex (Building Type)

The principal building type described as such in Section 6.4, Duplex.

Duplex (Use Type)

A type of residential use in a building containing two dwelling units, each of which has direct access to the outside or a common hallway leading outside.

Dwelling

See Dwelling Unit.

Dwelling Unit

An area within a structure designed and constructed to be occupied for human habitation by a one family, as defined in this Chapter. A structure may consist of one detached dwelling unit (house); or more than one attached dwelling unit in the case of duplexes, townhouses, multiplexes, and multifamily. Dwelling units do not include hotels, motels, boarding houses, group homes, correctional facilities, continuum of care facilities, rehabilitation centers, or other structures designed for transient occupation.

e

Easement

A grant by a landowner to another person, entity, or to the public for the right to occupy or use designated land for specific purposes

such as access, drainage, utilities, conservation, the location of public improvements, or other specified purpose. An easement does not constitute fee simple ownership of the land.

Eave

The projecting lower edges of a roof that overhang the wall of a building.

Educational Facilities

A public, parochial, private, charitable, or nonprofit school, college, or university, including related instructional and recreational uses, with or without living quarters, dining rooms, restaurants, heating plants, and other incidental facilities for students, teachers and employees.

Effluent

A discharge of liquid waste.

Elevated Building

A building built to have the lowest floor of the lowest enclosed area elevated above the ground level by means of solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of floodwater, pilings, columns, piers, or shear walls adequately anchored so as not to impair the structural integrity of the building during a base flood event.

Elevation Certificate

For the purposes of Section 17.6, Floodplain Regulations, a certificate as defined and regulated by the Federal Emergency Management Agency.

Emergency Flood Insurance Program

The program as implemented on an emergency basis in accordance with Section 1336 of the Emergency Flood Insurance Act. It is intended as a program to provide a first layer amount of insurance on all insurable structures before the effective date of the initial Floodplain Insurance Rate Map.

Encroachment

The portion of a structure or improvement that intrudes into a required setback, right-of-way, or easement; the placement of vehicles or equipment into a tree protection zone; or the access location.

Entitlement

Legal rights granted by approvals from the City to develop and use property.

Environmentally Sensitive Areas

Lands containing specimen trees, steep slopes, wetlands, watercourses, floodplains, habitat of endangered or threatened species, hillcrests, and similar features.

Envision Franklin

The general plan for physical development in the City of Franklin. Also called a long range plan or land use plan.

Erosion

The process of the gradual wearing away of land.

Essential Services

Government facilities, public utilities, and private utilities necessary for the exercise of a principal use or service of a principal building.

Establishment

A place of business with its furnishings and staff.

Estate Enclosure

A technique for screening historically significant lands and structures from adjacent development as described in Section 18.5, Estate Enclosure.

Event Venue

An establishment that hosts special events, such as weddings, wedding receptions, bridal receptions, rehearsal luncheons and dinners, anniversary celebrations, galas, birthday parties, family reunions, retirement parties, corporate meetings, conferences, trade shows, speaker luncheon series, auctions, museum exhibits, and similar events.

Evergreen Tree

A tree with foliage that is not dropped annually or that remains green throughout the year.

Exception

For the purposes of Section 17.6, Floodplain Regulations, a waiver from the provisions of this Ordinance which relieves the applicant from the requirements of a rule, regulation, order, or other determination made or issued pursuant to Section 17.6, Floodplain Regulations.

Existing Construction within the FWO or FFO Overlay Districts

Any structure for which the "start of construction" commenced before the effective date of the initial floodplain management ordinance, dated 9/14/76, adopted by the City of Franklin as a basis for participation in the National Floodplain Insurance Program.

Existing Grade

The slope or elevation of existing ground surface prior to cutting, grading, or filling.

Existing Manufactured Home Park or Subdivision

For the purposes of Section 17.6, Floodplain Regulations, a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, final site grading or the pouring of concrete pads) is completed before the effective date of the first floodplain management code or ordinance adopted by the community as a basis for that community's participation in the National Floodplain Insurance Program.

Existing Structure

Any structure for which the "start of construction" commenced before the effective date of this Ordinance.

Existing Tree Canopy

The existing vegetative canopy or tree cover composed of crowns of healthy, self-supporting, woody vegetation.

Expansion to an Existing Manufactured Home Park or Subdivision

For the purposes of Section 17.6, Floodplain Regulations, the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

Exterior Insulated Finish System (EIFS)

Acrylic, rubber-based material applied over a fiberglass mesh attached to a foam backing used as a facade material.

f

Facade

An exterior side of a building.

Face Brick

Nonstructural brick or similar masonry material that is applied as a veneer to a wall or foundation as a decorative element.

Fair Market Value

The monetary price that a parcel of land, portion of land, improvement on land, or other commodity will bring in a competitive and open market under all conditions of a fair sale, the buyer and seller each prudently knowledgeable, and assuming the price is not affected by undue stimulus.

Family

One or more persons occupying a premises and living as a single housekeeping unit. A dwelling unit will be considered a single-family residence only if its permanent occupants are limited to one of the following categories:

A. One or more persons related by blood, marriage, civil union, or adoption, guardianship, or other custodial relationship;
B. The description in A above, plus no more than one person who is not related to the occupant(s) in A above; all of whom occupy the dwelling unit and function as a single housekeeping unit with common kitchen facilities; providing unrestricted access to the entire dwelling to all occupants; sharing food and other necessities; and sharing household expenses and responsibilities;
C. Not more than four persons not so related, living together in a dwelling unit as a single housekeeping unit with common kitchen facilities;
D. Not more than five adult persons who are elderly or have a disability who reside in an adult care home as defined by T.C.A. § 68-11-201; or
E. Eight or fewer unrelated persons with disabilities and up to three persons acting as support staff or guardians, who need not to be related to each other or to any of the other persons residing in the dwelling unit, pursuant to T.C.A. § 13-24-102. The single-family dwelling definition does not include residences where persons with disabilities reside that are operated on a commercial basis. As used in this definition, "disabilities" does not include persons who are mentally ill and, because of such mental illness, pose a substantial likelihood of serious harm as defined in T.C.A. § 33-6-501, or who have been convicted of serious criminal conduct related to such mental illness.

A person Is considered to be a permanent occupant if such person:

A. Occupies a dwelling for more than 21 days a month on average within any 12-month period;
B. Registers to vote using the address of a dwelling;
C. Receives mail at a dwelling;
D. Registers a vehicle or applies for a driver's license using the address of the dwelling; and
E. Is registered to attend school, if applicable, using the address of the dwelling.

A single-family dwelling unit may include a separate quarters for persons who are related by blood, marriage, civil union, or adoption, guardianship, or other custodial relationship,

provided such quarters are connected by interior passageways to the other portions of the dwelling unit and are not rented to any unrelated tenants or otherwise used in violation of this Ordinance. If more than one meter is installed for the same type of household utility service, it will be presumed that a structure is not being used as a single-family dwelling.

Farm Animal

An animal kept for agricultural purposes. This use includes animals raised for home use or for profit, such as cattle or horses.

Farm-Field Boundary

A technique of screening historically significant lands or structures from adjacent development as described in Section 18.4, Farm-Field Boundary.

Fence

A structure used to delineate a boundary or act as a barrier or means of protection, confinement, or screening.

Fill

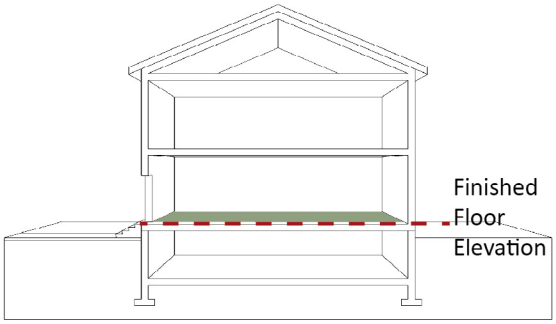
A portion of land surface or area to which soil, rock, or other materials have been or will be added; the height above original ground surface after the material has been or will be added; or the material used for the purposes of filling.

Final Plat

A type of application to finalize a layout for subdividing land into two or more lots suitable for recording at the Register of Deeds.

Finished Floor Elevation

The height of the finished flooring of the lowest floor serving habitable space within a structure or building.



Flag

A type of sign described as such in Section 15.9, Flag.

Flex Building Type

The principal building type described as such in Section 6.11, Flex Building.

Flood

A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters or the unusual and rapid accumulation or runoff of surface waters from any source.

Flood Elevation Determination

A determination by the floodplain administrator of the water surface elevations of the base flood; that is, the flood level that has a one percent or greater chance of occurrence in any given year.

Flood Elevation Study

An examination, evaluation, and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an

examination, evaluation, and determination of mudslide (i.e., mudflow) or flood-related erosion hazards.

Flood Hazard Boundary Map (FHBM)

An official map of a community, issued by the Federal Emergency Management Agency, where the boundaries of areas of special flood hazard have been designated as Zone A.

Flood Insurance Rate Map (FIRM)

An official map of a community, issued by the Federal Emergency Management Agency, delineating the areas of special flood hazard or the risk premium zones applicable to the community.

Flood Insurance Studies (FIS)

The official report provided by the Federal Emergency Management Agency, evaluating flood hazards and containing flood profiles and water surface elevation of the base flood.

Flood Protection System

Those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the area within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees, or dikes. These specialized flood-modifying works are those constructed in conformance with sound engineering standards.

Flood-Related Erosion

The collapse or subsidence of land along the shore of a lake or other body of water as a result of undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high-water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as a flash flood, or by some similarly unusual and unforeseeable event which results in flooding.

Flood-Related Erosion Area or Flood-Related Erosion Prone Area

A land area adjoining the shore of a lake or other body of water, which due to the composition of the shoreline or bank and high-water levels or wind-driven currents, is likely to suffer flood-related erosion damage.

Flood-Related Erosion Area Management

The operation of an overall program of corrective and preventive measures for reducing flood-related erosion damage, including but not limited to emergency preparedness plans, flood-related erosion control works, and flood plain management regulations.

Floodplain or Flood-Prone Area

Any land area susceptible to being inundated by water from any source.

Floodplain Management

The operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, and floodplain management regulations.

Floodproofing

Any combination of structural and nonstructural additions, changes, or

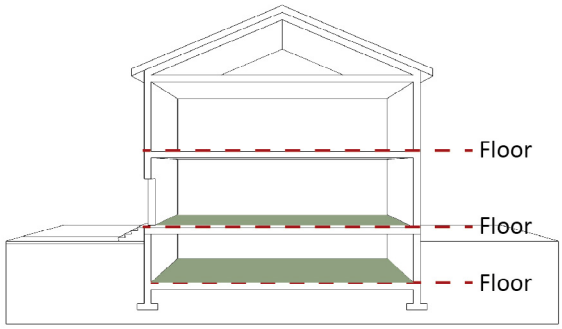
adjustments to structures that reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents.

Floodway

The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

Floor

For the purposes of Section 17.6, Floodplain Protection, the top surface of an enclosed area in a building, including the basement (i.e., top of slab in concrete slab construction or top of wood flooring in wood frame construction). The term does not include the floor of a garage used solely for parking vehicles.



Floor Area

The area located within the inside perimeter of the exterior walls of a structure and including the area occupied by closets, corridors, stairs and other features protected by enclosed surfaces. The floor area is considered to be exclusive of those areas that are open and unobstructed to the sky. The floor area includes the area of all floors, including the attic and the basement.

Food Sales (as an Accessory use)

The sale of prepared or processed food, snacks, baked goods, or other products intended for human consumption either for or not for profit, whether prepared on or off site as an accessory or subordinate activity to the principal use.

Foot-Candle

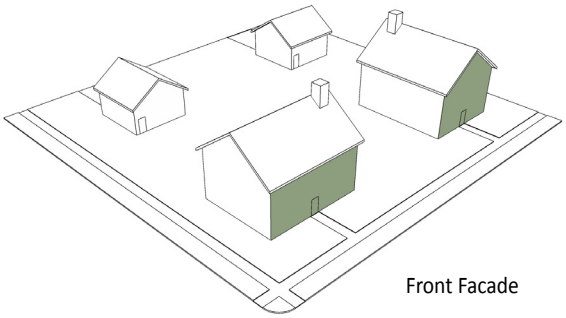
A unit of measurement referring to illumination incident to a single point at finished grade. One foot-candle is equal to one lumen uniformly distributed over an area of one square foot.

Freeboard

A factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

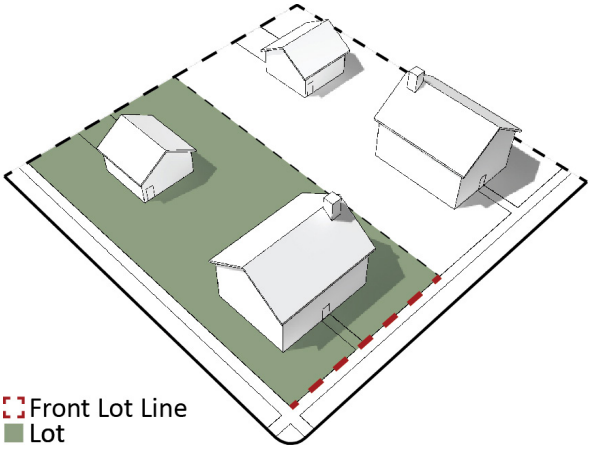
Front Facade

The side of the building that faces the street or internal drive and has a main entrance.



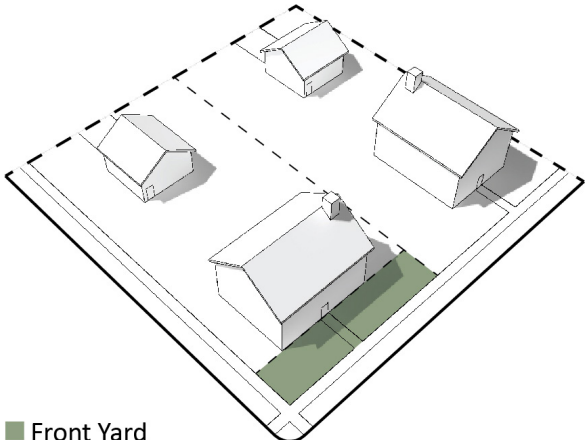
Front Lot Line

The boundary line of a lot, which abuts a street.



Front Yard

The open area located between the front facade of a building or structure and the front boundary of a lot that typically is the edge of an existing or proposed street right-of-way. The front yard extends the entire width of the lot.

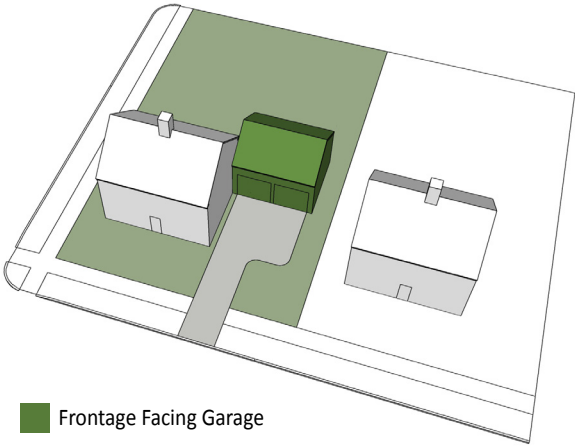


Frontage

As defined in Subsection 7.1.1, Frontage Description.

Frontage-Facing Garage

A garage whose vehicular entrance faces a frontage.



Functionally Dependent Use

A use the intended purpose of which cannot be utilized unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

Funeral Homes

An establishment engaged in undertaking services, such as preparing the human dead for burial or cremation, and arranging and managing funeral services.

g

Garage

A detached accessory structure or part of a dwelling unit used for the parking or storage of vehicles as an accessory use.

Garden Center

A retail operation that sells plants and related products for the domestic garden as its primary business. Their plant stock is typically propagated elsewhere, such as by specialist nurseries or wholesalers.

Gas Station

An establishment where fuel is sold for automotive vehicles, often with a small convenience store carrying a limited selection of groceries and household items.

Gazebo

A freestanding, roofed, usually open-sided structure providing seating or an area for gathering.

General Requirements and Technical Specifications Water Management Department City of Franklin, Tennessee

Guidelines for Engineers, Contractors, and Developers for the planning, design, and construction of water distribution systems, wastewater collection systems, reclaimed water systems, and associated appurtenances within the City of Franklin, Tennessee Water Management Department service area. The specifications identify standards, criteria, submittal requirements, and approval procedures to be used for projects within the City of Franklin.

General Warehousing

Structures used for the storage or distribution of goods where there is no sale of items to retailers or the general public unless permitted as an accessory use to the warehouse.

Genus

A taxonomic category ranking of types of organisms below a family and above a species and generally consisting of a group of species exhibiting similar characteristics.

Geotechnical Report

A comprehensive assessment of geological conditions of a particular area where construction is proposed.

Glare

The reflection or harsh, bright light and the physical effect resulting from high luminance or insufficiently shielded light sources to cause annoyance, discomfort, or loss in visual performance and visibility.

Glazing

The portion of an exterior building surface occupied by glass.

Golf Course

Land laid out for golf with a series of nine or 18 holes each including tee, fairway, and putting green and often one or more natural or artificial hazards. Golf courses typically include a clubhouse with ancillary restaurant and driving range.

Grading

An operation or occurrence by which existing site elevations are changed, or where ground cover, natural or man-made is removed, or a watercourse or body of water, either natural or man-made, is relocated on a site. This includes stripping, cutting, filling, stockpiling, or any combination thereof and shall apply to the land in its cut or filled condition.

Green

The type of open space described as such in Section 11.8, Square or Green.

Greenway

The type of open space described as such in Section 11.4, Greenway.

Grid Street Network

A system of higher and lower order streets that are generally arranged in a pattern where most streets and internal drives are connected and dead end streets are minimized.

Gross Floor Area

The sum of the gross area of every story of a building measured from the exterior limits of the faces of the structure. Gross floor area does not include basements, garages, or parking structures, or parking areas.

Ground Cover

Any natural vegetative growth or other material that renders the soil surface stable against accelerated erosion.

Group Home

A facility that provides for the care and supervision, on a temporary or permanent basis, of groups of more than eight, but not more than 20, persons not defined as a family, who are handicapped, aged, disabled, or need foster care (includes home health hospice.)

Guyed Tower

A structure composed of three or four support legs, that is "guyed" by wires to anchors in the ground placed at distances radially from the tower and is used to support telecommunications equipment and antennas.

h

Half Story

The uppermost habitable building level in which a sloping roof replaces the upper part of one or more of the facade walls, and which level contains less finished area than the first level of the building.

Hanging Sign

A type of sign described as such in Section 15.10, Hanging Sign.

Heavy Industrial Uses

A use characterized by manufacturing, mining, or compounding processes of raw materials that often involves outdoor operations as part of the process.

Hedge

A group of shrubs planted in a continuous line or in groups that forms a continuous compact, living wall.

Highest Adjacent Grade

The highest natural elevation of the ground surface, prior to construction, adjacent to the proposed walls of a structure.

Hillcrest

The summit line of a hill or mountain.

Hillside Plan

Separate sheets of a submittal for a development application that show how the development is designed with the natural topography, steep slopes, viewshed, and treed areas. It can be part of a development plan, site plan, or preliminary plat.

Historic Resource Edge Treatment

A context-based treatment along the edge of a historic resource to screen a new development from the historic resource or integrate it into a new development.

Historic Structure or Resource

Any building, structure, site, district, area, or land of architectural, historical, archaeological, or cultural importance or value, which the City protects, enhances, and preserves in the interest of the culture, prosperity, education, and general welfare of the citizens. It may be inclusive of, but not limited to, any of the following:

A. Any that are listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
B. Any that are certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
C. Any that are individually listed on the Tennessee inventory of historic places and determined as eligible by states with historic preservation programs which have been approved by the Secretary of the Interior; or
D. Any that are individually listed on the City of Franklin, Tennessee inventory of historic places and determined as eligible by communities with historic preservation programs that have been certified either:
    1. By the approved Tennessee program as determined by the Secretary of the Interior; or
    2. Directly by the Secretary of the Interior.

Home Occupation

A business requiring a business license that is conducted as an accessory use within a residential dwelling unit for the economic gain or support of a resident of the dwelling and is incidental and secondary to the residential use and that does not adversely or perceptively affect the character of the property or surrounding area.

Homeowner Association

An incorporated nonprofit organization operating under recorded agreements through which each owner in the development is automatically a member, and each lot is subject to a proportionate share of the expenses of the organization's activities or responsibilities.

Hospital

A facility providing medical, psychiatric, or surgical services for sick or injured persons primarily on an inpatient basis, including ancillary facilities for outpatient and emergency treatment, diagnostic services, training, research, and administration, and services to patients, employees, or visitors.

Hotel

A building or a group of buildings in which sleeping accommodations are offered to the public and intended primarily for rental for temporary occupancy by persons on an overnight basis, not including bed and breakfast establishments or rooming houses. Hotels include a high level of guest services and on-site amenities such as pools, restaurants, fitness centers, and similar features. Guest rooms are only accessible from an indoor corridor.

House (Building Type)

The principal building type described as such in Section 6.3, House.

Hue

The visible color emitted from an artificial source of exterior lighting.

I

Illumination

Brightening or shining with light or a luminous substance.

Impervious Surface

Buildings, parking areas, driveways, streets, sidewalks, areas of concrete, asphalt, gravel, or other compacted aggregate, and areas covered by the outdoor storage of goods or materials that do not absorb water.

Improvement

Any human-made alteration of land, a lot, a building, or structure.

Indoor Animal Services

A facility that regularly offers to the public indoor pet care services for companion animals, such as veterinary services, day care, overnight boarding, grooming, or training for a fee. There are no dedicated outdoor facilities.

Indoor/Outdoor Animal Services

A facility that regularly offers to the public pet care services which include both indoor and outdoor facilities. Services include veterinary services for companion animals or farm animals, overnight animal boarding, day care, grooming, or training for a fee.

Industrial Sales

Retail or wholesale sales of bulk materials used for manufacturing, construction, machinery and equipment, or landscape materials, such as mulch or stone.

Industrial Services

An establishment engaged in the repair, servicing, or contracting of industrial, business, or consumer machinery, equipment, products, or by-products. These establishments may service consumer goods by providing centralized services for other businesses. Examples include building maintenance services, construction contractors, landscape services, and similar establishments engaged in performance of services off-site.

Industrial Uses

The classification of those principal uses as listed under that heading in Subsection 5.1.3, Permitted Principal Uses by Zoning District.

Infill development

Development or redevelopment of buildings and structures on vacant or underused lots within areas containing existing structures.

Integral Sign

A sign or plaque carved into stone, concrete, or similar material, or made of bronze, aluminum or other permanent type metal materials, and made an integral part of the structure.

Intensity

The amount of nonresidential square feet of gross floor area.

Internal Drive

A curbed pedestrian and vehicular access way and parallel parking accommodation within a lot or development site that connects to a street or another internal drive, and provides access and circulation to or through such lot or development site and the building(s) and parking accommodations thereon.

Invasive Exotic Pest Plants of Tennessee

A document published by the Tennessee Exotic Pest Plant Council that specifies nuisance plants that shall not be used toward meeting the landscaping requirements in this Ordinance.

I-65

Interstate-65 (I-65) is a controlled access highway that is part of the federal interstate highway system.

j

k

Kiosk

A small structure in a public area used for providing information, displaying advertisements, or selling goods.

Knee Wall

A low-wall that is often part of or within a building.

l

Land

The earth, water, and air, above, below, or on the surface, including any improvements or structures customarily regarded as land.

Land-Disturbing Activity

Any human-made change of the land surface including removing vegetative cover, demolition, excavating, filling, or grading, but not including agricultural uses.

Landscape

Vegetation, whether existing or planted that is located on a lot or site. Landscape includes areas used by such vegetation that are occupied by a ground cover such as mulch, pine straw, or living ground cover.

Landscape Island

A planting area within a surface parking area that is designated for trees, shrubs, and groundcover for the purposes of providing visual relief and heat abatement.

Landscape Plan

Separate sheets of a submittal for a site plan application that show how the development is designed to meet tree protection, landscape, buffers, and screening requirements.

Landscape Surface Area

The portion of a lot or development site not covered by impervious surface and is available for accommodating landscape material.

Large Scale Retail Building Type

A principal building type described in Section 6.9, Large Scale Retail Building.

Lattice Tower

A structure composed of three or four support legs with crossed frame design.

LED Display Screen

A flat display panel that uses an array of light-emitting diodes as pixels for a display of an image or video. This definition includes plasma or similar screens.

Levee

For the purposes of Section 17.6, Floodplain Regulations, a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control or divert the flow of water so as to provide protection from temporary flooding.

Levee System

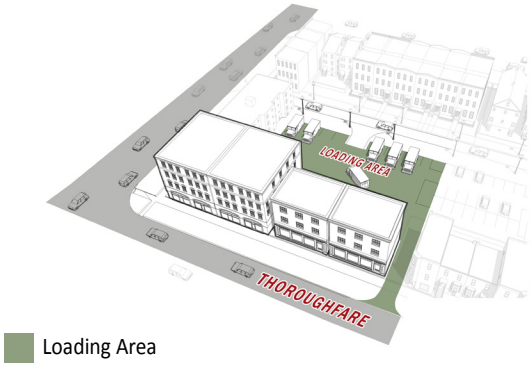
For the purposes of Section 17.6, Floodplain Regulations, a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

Light Industrial Uses

The manufacturing, processing, or assembly of products within a fully enclosed structure where noise, odor, light, or vibrations are not noticeable from the adjacent properties.

Loading Area

Area conveniently located for bulk pickups and deliveries, scaled to delivery vehicles, and not considered as part of the minimum required parking spaces.



Local Street

A type of street defined by Connect Franklin designed primarily for access directly to individual lots or developments.

Lot

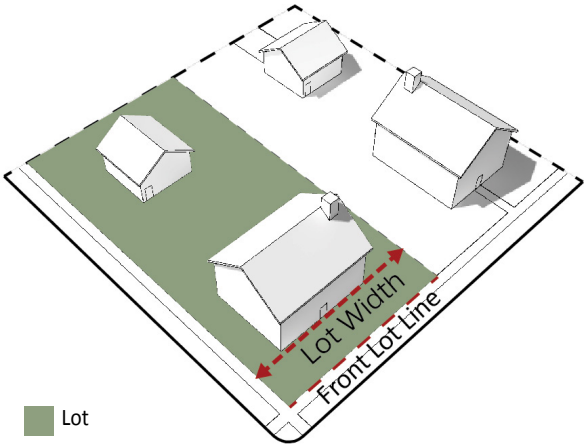
A parcel of land occupied, or intended to be occupied, by one main building, or a group of main buildings, including open spaces as required by this Ordinance and other regulations and ordinances.

Lot of Record

A lot or tract of land, described by deed and/or subdivision plat, filed in the Register's Office, Williamson County, Tennessee.

Lot Size

The area, measured in gross square feet or acres, contained within a lot.

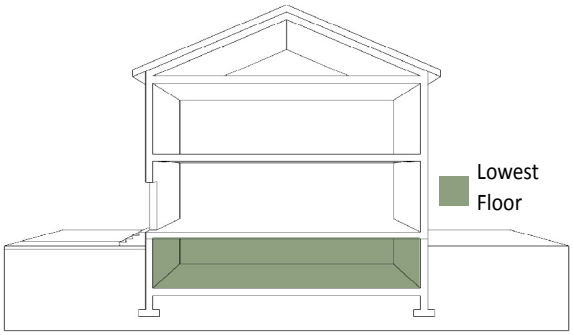


Lot Width

The distance between the side lot lines measured at the point of the front yard setback line. For corner lots, the lot width is the distance between the side lot line and the side street-facing lot line, measured at the point of the front yard setback line.

Lowest Floor

The floor surface of the lowest enclosed area of a structure, including a basement. An unfinished or flood-resistant enclosure, usable solely for parking vehicles, building access, or storage, in an area other than a basement area, is not considered to be the lowest floor of a building, provided that the enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this Ordinance.



m

Machinery Assembly and Repair Facility

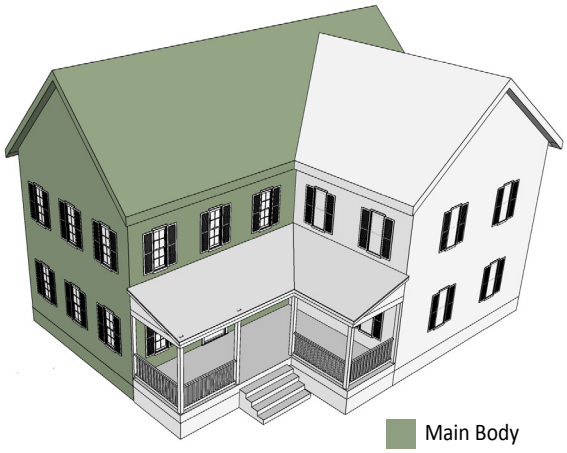
An establishment engaged in the assembly, maintenance, or repair of commercial and industrial machinery and equipment.

Mailbox Delivery Facilities

Two or more mailboxes located within a common supporting structure.

Main Body

The primary mass of a building. The main body may be augmented by side or rear wings as well as bays, porches, and balconies.



Main Color

A color used on the facade of a building that constitutes the majority of the color on such facade.

Main Entrance

A place of ingress and egress to a building that faces the frontage.

Major Intersection

An intersection of one arterial street with another arterial, collector, or Interstate highway.

Major Recreational Equipment

A vehicular or portable structure transportable on a mobile chassis, designed to be used for recreational and vacation uses, including travel trailers, pickup campers, coaches, motorized dwellings, tent trailers, boats, boat trailers, other motorized watercraft, and other similar recreational equipment.

Manufactured Home Park or Subdivision

For the purposes of Section 17.6, Floodplain Regulations, a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

Map

For the purposes of Section 17.6, Floodplain Protection, the Flood Hazard Boundary Map (FHBM) or the Flood Insurance Rate Map (FIRM) for a community issued by the Federal Emergency Management Agency (FEMA).

Masonry

Brick, stone, or concrete. Fiber cement siding, stucco, and exterior insulation and finish systems (EIFS) are not considered masonry.

Mass Grading

Any stripping, cutting, filling, or stockpiling of earth or stone as a means of establishing new grades over a significant portion of a lot or site prior to new construction.

Mean Sea Level

For the purposes of Section 17.6, Floodplain Regulations, the average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. For the purposes of this Ordinance, the term is synonymous with the National Geodetic Vertical Datum (NGVD) of 1929, the North American Vertical Datum (NAVD) of 1988, or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

Measurement

A straight line from one lot line to another, from a building or structure to a lot line, or from a building or structure to another building or structure unless otherwise stated.

Median

A portion of a street or internal drive separating the opposing traffic flow and designed to prevent crossover movements by vehicles.

Mew

A type of alley as described in the Transportation and Street Technical Standards.

Minor Accessory Structure

A type of accessory structure that has a footprint of 200 square feet or less. Examples include storage or potting sheds, workshops, and greenhouses.

Mixed-Use Development

A tract of land or structure developed for both residential and nonresidential uses. Such uses may be vertically integrated within a multi-story building or horizontally integrated within one or more buildings on a lot or development site.

Mobile Home

A structure, transportable in one or more sections, which is built on a permanent single chassis and designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include "major recreational equipment". For the purposes of this definition, "manufactured home" and "mobile home" shall be considered interchangeable.

Mobile Service Provider Office

A home occupation use that is limited to the office accommodations for a professional service that is carried out in transitory locations. Examples include, but are not limited to mobile automotive detailing services and mobile pet grooming services.

Modification of Standards (MOS)

A modification of the standards of this Ordinance as described in Section 20.8, Development Plan.

Monopole

A structure composed of a single pole used to support telecommunications equipment and antennas.

Monument Sign

A type of sign described as such in Section 15.11, Monument Sign.

Moving Sign

A sign or device that swings, undulates, or otherwise attracts attention through the movement of parts, or through the impression of movement, and includes flashing, fluttering, moving, pennant, revolving, rotating, streamer, windblown, or similar signs or devices, not including a hanging sign.

Multi-Phase Development

A development consisting of two or more distinct phases intended to occur in a sequential order.

Multi-Stemmed Tree

A canopy or understory tree having two or more primary stems or trunks, each of which is included within the determination of caliper or DBH.

Multifamily (Building Type)

The principal building type described as such in Section 6.7, Multifamily.

Multifamily (Use Type)

A type of residential use with a building containing five or more individual dwelling units, with the units often stacked vertically, sharing common vertical walls and/or horizontal floors and ceilings, often called apartments, lofts, condominiums, stacked flats, or age-restricted independent living, and may include units for sale or rent.

Multiplex (Building Type)

The principal building type described as such in Section 6.5, Multiplex.

Multiplex (Use Type)

A type of residential use with a building containing three to four dwelling units that has the appearance of one house from the street. They often share a common entrance.

n

National Geodetic Vertical Datum (NGVD)

For the purposes of Section 17.6, Floodplain Regulations, as corrected in 1929, a vertical control used as a reference for establishing varying elevations within the floodplain.

National Historic Landmarks

Nationally significant historic places designated by the Secretary of the Interior because they possess exceptional value or quality in illustrating or interpreting the heritage of the United States.

National Register of Historic Places

The Secretary of the Interior's official list of the nation's historic places worthy of preservation; lands and structures on the list possess exceptional value or quality in illustrating or interpreting the heritage of the United States.

Native Vegetation

Any indigenous tree, shrub, ground cover, or other plant adapted to the soil, climatic, and hydrographic conditions occurring on the site.

Natural Areas

The type of open space described as such in Section 11.3, Natural Area.

Naturally Occurring Slope

The changes in grade or elevation on a lot or site that result from natural processes, not land-disturbing activities.

Nature Trail

A type of pedestrian path through natural areas, including hiking, walking/jogging, and mountain bike trails.

Neighborhood Amenities

Outdoor recreation areas, such as pools, sports fields, sports courts, playgrounds, and dog parks typically for use by residents of the development.

Neon

Lights, tubes, or other devices used to emit neon light.

Net Facade

The area on a facade, excluding door and window openings.

New Construction within the FFO District

Any structure for which the "start of construction" commenced on or after the effective date of the initial floodplain management ordinance, dated 9/14/76, including any subsequent improvements to such structure.

New Manufactured Home Park or Subdivision

For the purposes of Section 17.6, Floodplain Regulations, a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of this ordinance or the effective date of the initial floodplain management ordinance and includes any subsequent improvements to such structure.

Non-Buildable

Land not suitable or permitted to be built upon.

Nonconforming Lot of Record

A lot that was legally-created by deed or other legal mechanism before it was in the City or prior to the City and County initial adoption of Subdivision Regulations that does not meet the dimensional standards established by the applicable zoning district.

Nonconforming Sign

A sign or sign structure constructed or erected prior to the effective date of this Ordinance or amendment containing provisions with which the sign or sign structure does not comply, or any sign that was lawfully erected and complied with the sign regulations in effect at the time it was erected, but is no longer in compliance.

Nonconforming Structure

A structure or portion thereof, not including signs, legally developed before the effective date of this Ordinance, or any amendment thereto, but that does not comply with one or more provisions of this Ordinance.

Nonconforming Use

The use of a building or land lawful at the time of the enactment of this Ordinance that does not conform with the provisions of this Ordinance for the zoning district in which it is located.

Nonconformity

An existing use, structure, lot of record, sign, or tower that was lawfully established before this Ordinance was adopted that no longer conforms with one or more provisions of this Ordinance.

Nonresidential Building

Any building containing solely nonresidential uses.

Nonresidential Structure

Any structure containing solely nonresidential uses.

Nonresidential Use

A use of land for recreation, civic or institutional, commercial, or industrial purposes that excludes any residential use.

North American Vertical Datum (NAVD)

For the purposes of Section 17.6, Floodplain Regulations, as corrected in 1988, a vertical control used as a reference for establishing varying elevations within the floodplain.

Nuisance

Any interference with the use and enjoyment of a neighboring property that is substantial and unreasonable, such as would be offensive or inconvenient to the normal person. Examples may include any interference or disturbance, which renders physical occupation of a neighboring property uncomfortable, endangers life or heath, gives offense to the senses, or violates the laws of decency.

Nuisance Tree

A tree that interferes with the quiet enjoyment of real or personal property or public infrastructure.

O

Office

The premises used by an establishment primarily engaged in providing professional, financial, administrative, clerical, and similar services.

On-Site Parking

Parking on a lot, not inclusive of parallel parking on internal drives.

One Hundred Year Flood

Floods of a large magnitude that are only expected to be equaled or exceeded once (on average) during any 100-year period.

Opacity

A measurement indicating the degree of obscuration of light or visibility.

Opaque Screen

Any combination of vegetative material, fences, or walls and designed to completely obstruct off-site views into the area.

Open Space

Land used for active or passive recreation or resource protection purposes, not including residential lots, right-of-way, or parking or loading areas.

Open Space Lot

A single lot or group of lots intended to contain open space set-asides.

Open Space Set-Aside

Portion of a proposed development required for reservation as permanent open space.

Outdoor Dining Area

The type of open space described as such in Section 11.9, Outdoor Dining Area.

Outdoor Sales

The placement of products or materials for sale outside the entrance of a retail or wholesale sales establishment.

Outdoor Storage

The keeping, in an unroofed area of any goods, material, merchandise, or vehicles in the same place for more than 24 hours. This does not include the display of vehicles or equipment for sale or rental in a sales lot.

Overnight Stay

For the purposes of Chapter 4, Overlay Zoning Districts, overnight stay refers to uses where people or animals sleep overnight, such as residential uses, group homes, continuum of care facilities, correctional facilities, hospitals, bed and breakfast establishments, hotels, and animal services with boarding facilities.

p

Parallel Parking Space

A parking space located parallel to a public or private street or internal drive.

Parapet or Parapet Wall

That part of a building facade that rises above the roof level, typically obscuring a flat roof as well as any roof-mounted equipment.

Parcel

See "Lot".

Parked Vehicle Sign

Signs placed on or affixed to vehicles or trailers that are parked on a public or private street or on public or private property so as to be visible from a public or private street or internal drive. This does not pertain to signs placed on or affixed to vehicles, where the sign is incidental to the primary use of the vehicle or trailer or to exclude the advertising of the vehicle for sale.

Parking Area

Parking spaces that serve a principal use.

Parking Bay

A parking area consisting of one row of parking spaces or stalls and the aisle from which motor vehicles enter and leave the spaces.

Parking Demand Study

An analysis of the total number of parking spaces required in order to accommodate the maximum number of vehicles for parking purposes by a particular use or site at any given time, including the parking requirements for all employees, occupants, clients, and visitors.

Parking Space

A space that is designated for the parking or temporary storage of one vehicle.

Parking Structure

A structure designed for vehicular parking below, at, and/or above grade, excluding, however, a garage.

Partial Certificate of Appropriateness

A partial certificate of appropriateness (COA) is a type of COA specific to single family residential site plans that limits approval to conceptual elevations, height, massing, scale, setbacks, and types of historic resource edge treatment. A partial COA does not permit the issuance of a building permit.

Passive Parks, Passive Recreation

Land used for low-intensity recreation, open space, and conservation of natural habitat. Improvements are natural resource-oriented, such as picnic areas, canoe launches, arboretums, benches, trails for hiking, biking, or horseback riding, and archaeological and historical sites. Site disturbances, such as grading, vegetation removal, and lighting are minimal. These facilities are often located within dedicated natural areas.

Pasture Animal

Any horse, cow, goat, or other domestic livestock.

Pedestrian

A person traveling on foot under their own locomotion.

Pedestrian-Scale Lighting

Devices intended to provide exterior lighting that are lower in height than commercial lighting and located proximate to pedestrian areas such as sidewalks, open space areas, or plazas.

Performance Agreement

An agreement between an applicant or developer and the City to ensure the completion of required improvements as part of site plan or final plat approval.

Perimeter Landscape

A planting area with vegetative material, walls, fences, and/or associated ground cover located along the perimeter of a surface parking area used as screening.

Perimeter Planting Strip

A planting area along the outer edge of a surface parking area.

Person

Person means any individual, corporation, government agency, government official, business trust, partnership, two or more persons having a joint interest, or any other legal entity. Persons subject to the remedies and penalties established in Chapter 22, Enforcement, for violating this Ordinance shall include an architect, engineer, builder, contractor, developer, agency, or any other person who participates in, assists, directs, creates, causes, or maintains a condition that results in or constitutes a violation of this Ordinance; or an owner, any tenant or occupant, or any other person, who has control over, or responsibility for, the use or development of the land on which the violation occurs.

Personal Services

An establishment that primarily engages in providing services generally involving the care of the person or person's possessions. Personal services include laundry and dry-cleaning services, barber shops, salons, day

spas, informational and instructional services, tanning salons, portrait studios, and other personal care services. Services associated with an animal are not included in this definition.

Pervious Surface

A surface that absorbs water or allows the passage of water through it to the ground below.

Pier

Posts, columns, or similar devices designed to elevate a building or structure above the grade level.

Pilaster

A rectangular column with a capital and base that is attached or affixed to a wall as an ornamental design feature.

Place of Public Assembly

An institution or facility that congregations of people regularly attend to participate in or hold meetings, workshops, lectures, civic activities, religious services, performances, and other similar activities, including buildings or performance venues in which such functions and activities are held.

Plan Amendment

A type of application to amend the general plan, entitled Envision Franklin.

Plan of Services

A plan for how the City would provide municipal services to land if annexed.

Planting Season

The dormant time of the year for trees beginning with leaf drop and ending with bud break; which is generally late fall (November) to early spring (March), excluding winter months when the ground is frozen.

Planting Strip

An area located immediately between the sidewalk and the curb or street pavement that serves as the area where street trees are planted.

Platted Lot

A lot shown on a recorded final plat.

Plaza

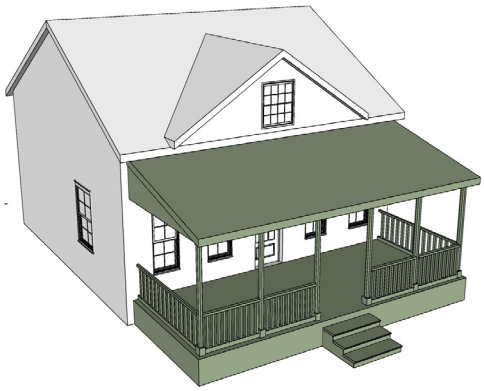
A type of open space described as such in Section 11.10, Plaza.

Pocket Park

A type of open space described as such in Section 11.6, Pocket Park.

Porch

A projection from an outside wall of a dwelling that is covered by a roof and/or sidewalls (other than the sides of the building to which the porch is attached) for the purpose of providing shade or shelter from the elements, which is at least six feet deep.



Portable Shipping Container

A large metal or wooden container, typically intended for transport by large truck, train, or ship, that is used for the temporary storage and or transport of personal property.

Portable Sign

A sign or device, counterbalance sign, trailer sign, or any variation thereof, located on the ground, easily movable, not permanently attached thereto. Also includes any single or double surface painted or poster panel type sign or any variation thereof.

Portico

A porch or walkway with a roof supported by columns, often leading to the entrance of a building.

Preliminary Historic Zoning Commission (HZC) Recommendation

A type of application to provide preliminary recommendations for development in the Historic Preservation Overlay District

Preliminary Plat

A type of application to propose a layout for subdividing land into more than two lots.

Primary Materials on a Facade

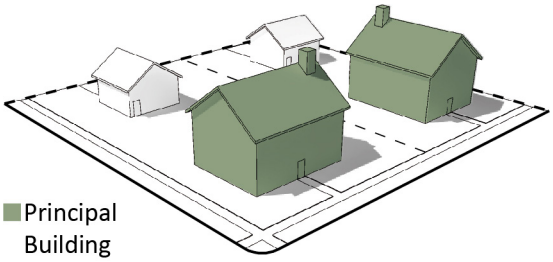
The exterior building materials used to clad most of a building facade.

Prime Agricultural Lands

Lands actively engaged in direct production of agricultural goods or products.

Principal Building

A building in which the principal use of the lot is conducted on which it is situated.



Principal Use

The primary use or activity taking place on a lot. The principal use does not include any accessory uses occurring on the same lot.

Private Street

Any street or road owned and maintained by a private individual, organization, or company rather than by a unit of government.

Produce Stand

A building or structure used for the retail sales of fresh fruits, vegetables, flowers, herbs or plants grown on the same parcel of land where the stand is located. Such use may also involve the accessory sales of other unprocessed foodstuffs, home processed food products such as jams, jellies, pickles, sauces or baked goods, and homemade handicrafts. No commercially packaged handicrafts or commercially processed or packaged foodstuffs shall be sold. Such uses also include "pick your own" establishments where customers gather their own produce from the fields for purchase and off-site consumption.

Property Owner Association

An incorporated nonprofit organization operating under recorded agreements through

which each owner in the development is automatically a member, and each lot is subject to a proportionate share of the expenses of the organization's activities or responsibilities.

Public Access Easement

A grant by a landowner to the public for ingress and egress across private lands, commonly to provide access to public improvements, infrastructure, open spaces, or other specified purposes. A public access easement does not constitute fee simple ownership of the land.

Public Improvement

Street, park, or other public way, ground, place or space, public building or structure, facility, or public utility, which serves and is available to the public.

Public or Private Infrastructure

Facilities and services needed to sustain development and land-use activities, including water, sewer, drainage, stormwater management improvements, streets, sidewalks, and other similar facilities.

Public Sign

A sign erected by a governmental entity or agency in the public interest, such as safety signs, danger signs, trespassing signs, traffic signs, memorial plaques, signs of historical interest, and similar signs.

Public Street

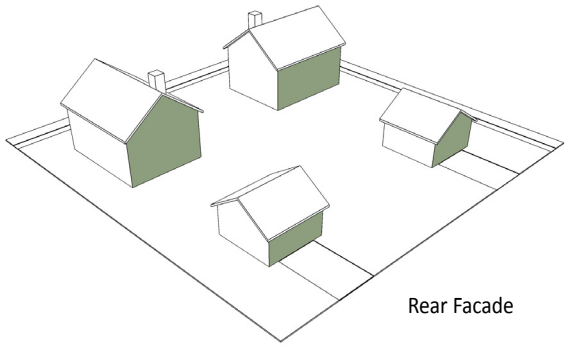
Any street or road owned or maintained by a unit of government.

q

r

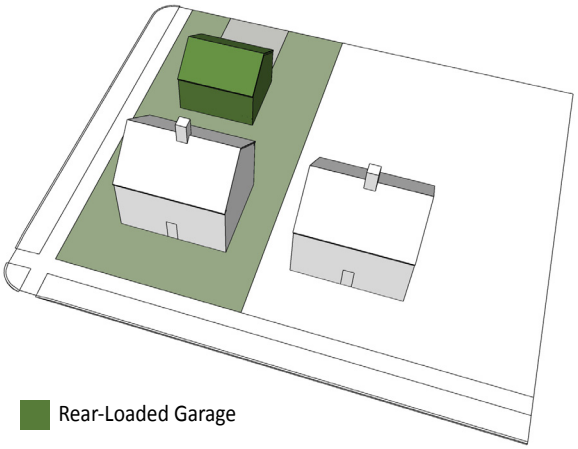
Rear Facade

The side of a building facing the rear or back of a lot or building site, not facing a street.



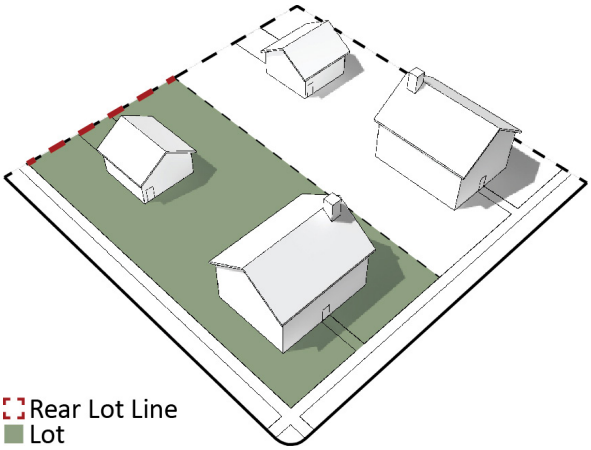
Rear-Loaded Garage

A garage whose vehicular entrance faces the rear lot line.



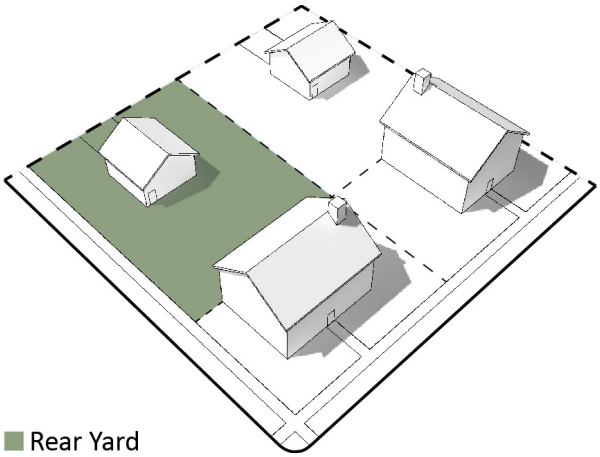
Rear Lot Line

The boundary line of a lot which is generally opposite, and does not intersect, the front line.



Rear Yard

The open area, except as otherwise authorized in this Ordinance, located between the rear facade of a building or structure and the rear boundary of a lot, and extending from one side lot line to the other side lot line.



Reasonably Safe from Flooding

Base flood waters will not inundate the land or damage structures to be removed from the Special Flood Hazard Area and that any subsurface waters related to the base flood will not damage existing or proposed structures.

Recreational Vehicle

For the purposes of Section 17.6, Floodplain Protection, a vehicle which is built on a single chassis; 400 square feet or less when measured at the largest horizontal projection; designed to be self-propelled or permanently towable by a light-duty truck; and designed primarily not for use as a permanent dwelling, but as a temporary living quarters for recreational, camping, travel, or seasonal use.

Recycling Drop-Off Center

A small collection facility where recyclable materials are purchased or accepted from the public. It is an accessory use.

Redevelopment

Any proposed expansion, addition, renovation, or major change to an existing building, structure, or aspect of development.

Refuse Area

Area containing dumpsters, trash compaction, garbage or recycling collection, and other similar service areas.

Regulatory Floodway

The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

Rehabilitation (of a Historic Structure)

The act of returning a historic structure to usable condition through repair, alteration, and/or preservation of its features.

Rehabilitation Center

A facility that provides formal, organized, services designed to alter specific physical, mental, or social functions of persons under treatment by reducing disability or discomfort. Such facilities also ameliorate the signs or symptoms causing such functions, which may include physical therapy, counseling, vocational, social and/or educational services aimed at restoring the overall well-being, health, and abilities of those being treated, as determined and licensed by the Tennessee Department of Health, Board of Licensing Health Care Facilities. Rehabilitation centers may be stand-alone facilities or be a component of other facilities.

Remote Parking

A parking area intended to serve one or more uses provided on a different parcel or lot than the use it is intended to serve.

Replacement Tree

A tree that is required to be planted after the development of a site to replace predevelopment existing trees that were removed either accidentally or in violation of this Ordinance during or as a result of the land disturbance process.

Required Landscape

Landscape requirements, including site landscaping, parking area landscaping, buffers, streetscape landscaping, street trees, historic resource edge treatments, or screening composed of vegetative materials.

Required Yard

The space between a lot line and a building within which no structure shall be permitted, except as authorized in this Ordinance.

Residential Character

A building form, neighborhood, or area that is intended primarily for dwelling purposes, and includes human-scaled detailing, pedestrian orientation, and attributes intended to encourage human activity and interaction.

Residential Lot

A lot with an existing residential use or designated for residential use through zoning, excluding multifamily residential.

Residential Uses

The classification of those principal uses as listed under that heading in Subsection 5.1.3, Permitted Principal Uses by Zoning District.

Restaurants

An establishment engaged in the retail sale of prepared food and drinks for consumption on the premises or for carryout.

Restricted-Access Bicycle Enclosure

A locked area containing within it one bicycle rack space for each bicycle to be accommodated, and accessible only to the owners or operators of the bicycles parked within it.

Retail Uses

An establishment primarily engaged in the sale of goods and materials to the general public. Retail uses may include retail shops, bookstores, antique stores, convenience stores, bakeries, grocery stores, retail plant sales, and similar uses.

Retaining Wall

A wall or similar structure used at a grade change to hold the soil on the uphill-side of

the wall from slumping, sliding, or falling. Examples include segmental walls, masonry walls, poured-in-place walls, boulder walls, and pre-split rock walls.

Retention (Wet) Pond

A stormwater management feature that uses a wet basin as a holding area for stormwater runoff and is designed to retain a permanent pool of water throughout the year.

Rezoning

A change in the district boundaries or district classifications of the zoning map. For the purposes of this Ordinance, rezoning also includes the initial zoning of a property that occurs with annexation.

Right-of-Way (ROW)

An area owned or maintained by the City, County, the State of Tennessee, federal government, a public utility, a railroad, or a private concern for the placement of such utilities and/or facilities for the passage of vehicles or pedestrians, including roads, streets, pedestrian walkways, utilities, or railroads.

Riparian Buffer

The area of natural or planted vegetation adjacent to a natural watercourse as measured landward from the normal pool elevation of impounded structures and from the bank of each side of streams, rivers, lakes, ponds, or wetlands which is intended to remain undisturbed.

Riverine

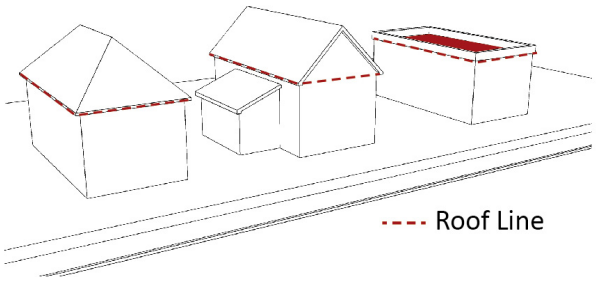
Relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

Roof Forms

The type, arrangement of ridges or parapet walls, or materials used on a roof.

Roof Line

The highest point of a flat roof or mansard roof and the lowest point of a pitched roof, excluding any cupolas, chimneys, or other minor projection.



Roof Sign

An attached sign wholly or partially dependent upon the roof of any building for support.

Routine Maintenance

The preventative or cyclical maintenance that is a part of the on-going care and upkeep of any building, structure, property, or improvement.

Rural Character

The development patterns, architecture, and arrangement of land uses such as agriculture and undeveloped lands found in sparsely settled areas.

S

Sandwich Board Sign

A type of sign described as such in Section 15.12, Sandwich Board Sign.

Screening

A method of visually shielding or obscuring one abutting or nearby structure or use from another by fencing, walls, berms in certain instances, gates, parapets, penthouse enclosures, features of a building, or densely planted vegetation.

Seasonal Sales

The temporary sale of goods or products associated with the season or a cultural event, such as the sale of Christmas trees, pumpkins, or seasonal produce. Such sales typically take place in locations not devoted to such sales for the remainder of the year.

Secondary Street

A street, by virtue of its use, location, absence of pre-existing pedestrian supportive qualities, or lack of prominence, that may be allowed to have some screened parking along the lot frontage.

Security/Caretaker's Quarters

An accessory dwelling located on the premises of another principal use for the occupancy of a caretaker, security guard, or other person charged with oversight or protection of the principal use.

Self-Storage Facilities

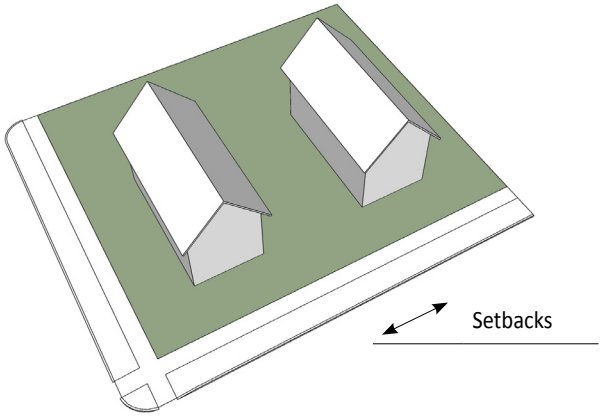
A building or group of buildings that contains equal or varying sizes of individual, compartmentalized, and controlled access stalls or lockers for the storage of residential or commercial customer's goods or wares.

Service Area

Maintenance areas, equipment areas, loading docks, loading berths, or similar spaces that serve the principal use or building.

Setback

A setback refers to the distance which a building is required to be set back from a lot line or from a nearest building or structure.



Severe Pruning

The pruning, cutting, or otherwise damaging of the natural form of a tree or shrub, whether existing or installed, such that a significant or noticeable portion of the crown system is removed (e.g., 25 percent of the crown removed from a tree, or the continued cutting/trimming of trees previously pruned illegally, or pruning of trees that must grow naturally to meet the landscaping requirements), or if more than one-third of the overall circumference of a tree or shrub is exposed by pruning cuts.

Shared Parking

Parking spaces shared by two or more uses that are in proximity to one another and the parking area, and that have different operational characteristics such that utilization of the parking spaces by one use will not generally overlap with the utilization of the parking spaces by the other use(s).

Shed

A simple roofed accessory building that is typically used for storage, a shelter for animals, or a workshop.

Shoebox-Style Lighting Fixture

An exterior lighting device in the shape of a box that is typically mounted on a pole and constructed to direct illumination to a discrete area directly beneath the lighting fixture.

Short-Term Vacation Rental

A dwelling unit used, in its entirety, for transient occupancy, for which the City has issued to the owner a business license for such use, in accordance with the Municipal Code.

Showroom

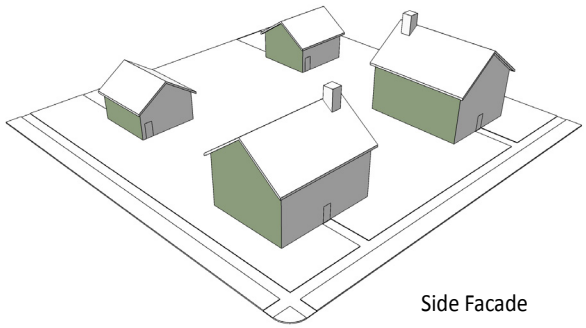
A large room used for displaying a company's products for sale, such as vehicle models, appliances, furniture, plumbing or lighting fixtures. Showrooms typically have a small office component for sales.

Shrub

A woody plant, growing 18 inches to 15 feet in height at maturity, consisting of several small stems emerging from the ground or small branches near the ground. Shrubs may be deciduous or evergreen.

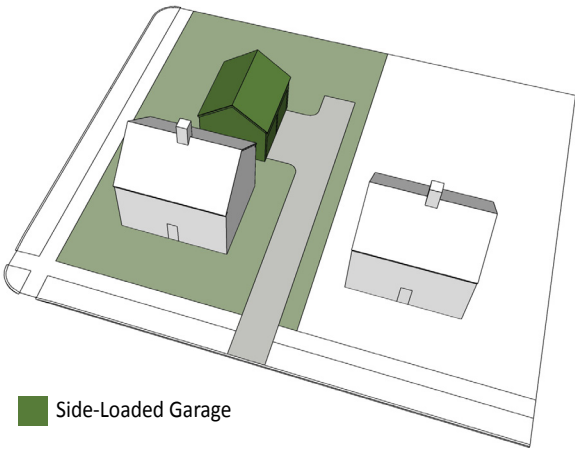
Side Facade

A side of a building and connects the front and rear facade. A side facade faces an internal lot line or a secondary street or secondary internal drive.



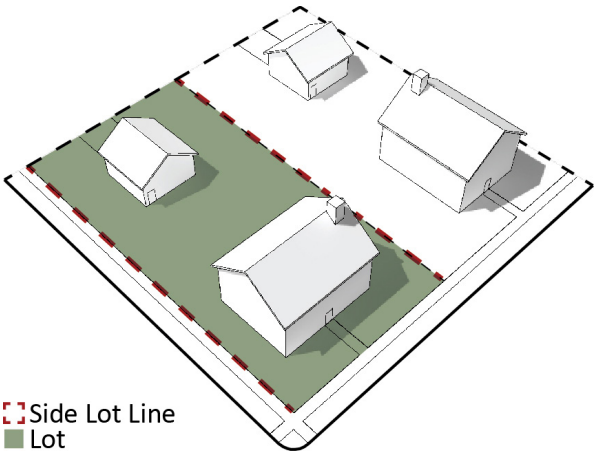
Side-Loaded Garage

A garage whose vehicular entrance faces a side lot line that is not along a side street.



Side Lot Line

The boundary line of a lot that intersects the front lot line, and the rear lot line, and any other side lot line.



Side or Rear Wing

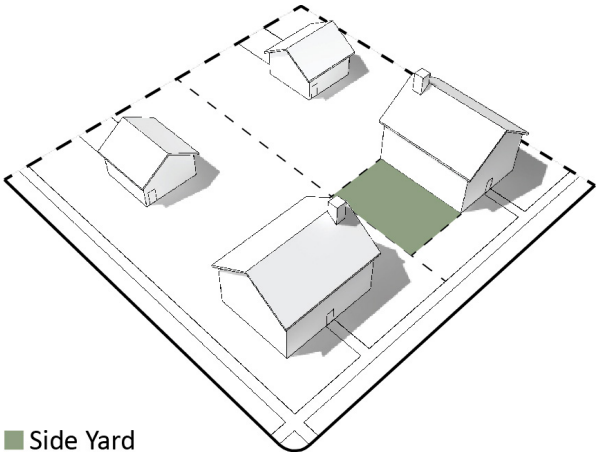
Massing forms of a building subordinate to the main body attaching to the side or rear faces of the main body. Side or rear wings are typically one to one and a half stories, set back from the front facade of the house, and do not exceed one third of the width of the main body.

Side Street

For a corner lot, the side street is the side that is fronted by a side facade of the building, rather than the front facade and main entrance.

Side Yard

The open area located between a side facade of a building or structure and the nearest boundary of a lot.



Sidewalk

A paved path for pedestrians.

Sight Distance Visibility

The area located at the intersection of two streets, whether public or private, or a street and private driveway or internal drive through which an unobstructed view of approaching traffic is necessary for motorists.

Sightline analysis

A line-of-sight analysis that provides a simulation of the visibility of rooftop mechanical equipment from anywhere along the adjacent right-of-way from a pedestrian's viewpoint. This analysis includes elevation of the right-of-way, future grade, building height, and adjacent structures.

Sign

Any device, fixture, placard, or structure that uses color, form, graphic, illumination, symbol, or writing to advertise, announce, or

identify a person or entity or to communicate information of any kind.

Sign Area

The sign area is the computed area of the background upon which lettering, insignia, or other devices are placed.

Sign Permit

A type of permit to ensure that signs are compliance with this Ordinance.

Single-Family Residential (Use Type)

A type of residential use containing one dwelling unit on its own lot, surrounded by open yards on all sides, and intended for permanent occupancy by one family, as defined in this Chapter.

Site

The spatial location of an actual or planned structure or set of structures. The term includes lots, building sites, and development sites.

Site Area

The total area of land contained within the property lines of a development project.

Site Landscape

Required vegetative material consisting of trees and shrubs that are placed on a development site to soften built edges and provide transitions.

Site Lighting

Exterior lights and light fixtures intended to illuminate on-site parking areas, access drives, and other areas.

Site Plan

A type of application defined as such in Chapter 20, Procedures.

Site Preparation

Excavating, grading, demolition, removing excess debris to allow for proper grading, or providing a surface for a proper foundation, drainage, and settling for a development project, and physical improvements including, but not limited to, water and sanitary sewer lines, footings, or foundations installed on the site for which construction permits are required.

Sleeping Room

A room or group of rooms forming a single habitable unit that is used, or intended to be used, for sleeping and living, but not for cooking or eating purposes, and that is leased individually as a unit within a bed and breakfast establishment or similar use.

Slope

The degree of deviation of surface from the horizontal, usually expressed in percent or a ratio.

Slope, Steep

Any slope of 14 percent or greater.

Special Flood Hazard Area (or Areas of Special Flood Hazard)

The land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. The area may be designated as Zone A on the Flood Hazard Boundary Map. After detailed ratemaking has been completed in preparation for publication of the Floodplain Insurance Rate Map, Zone A usually is refined into Zones A, AO, AH, A1-30, AE or A99.

Special Hazard Area

An area having special flood, mudslide (i.e., mudflow) or flood-related erosion hazards, and shown on an Flood Hazard Boundary Map or Floodplain Insurance Rate Map as Zone A, AO, A1-30, AE, A99, or AH.

Specimen Tree

Any canopy tree with a diameter of 24 inches or greater measured at diameter breast height (DBH).

Spire

A tall, pyramidal, polygonal, or conical structure rising from a tower, turret, or roof (usually of an institutional use) and terminating in a point.

Sports Courts/Sports Fields

A court or field for playing a sport.

Sports Court/Sports Field Sign

A type of sign described as such in Section 15.13, Sports Court/Sports Field Sign.

Square

A type of open space defined as such in Section 11.8, Square or Green.

Stacking

A portion of a site that is dedicated to the temporary storage or "standing" of vehicles engaged in drive-through use of the site or development. Parking or storage of vehicles is typically not permitted within the stacking/standing area.

Start of Construction

Includes substantial improvement of a structure in the floodplain, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure (including a manufactured/mobile home) on a site, such as the pouring of slabs or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; and includes the placement of a manufactured home on a foundation. Permanent construction does not include initial land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds, not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

State Coordinating Agency

For the purposes of Section 17.6, Floodplain Regulations, the Tennessee Emergency Management Agency (TEMA), as designated by the Governor of the State of Tennessee at the request of TEMA to assist in the implementation of the National Floodplain Insurance Program for the State.

State Highway

An officially designated highway or route of the State of Tennessee, which is therefore subject to the rules and regulations of the Tennessee Department of Transportation.

Steeple

A tower that tapers to a point at the top typically used as a decorative feature on a building or as an area on or within a building to house church bells, clocks, antennas, or similar devices.

Stoop

A small staircase ending in a platform and leading to the entrance of the building, which is between three and six feet deep.

Storage Building

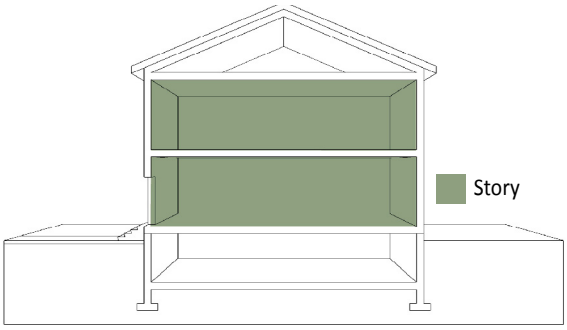
A building used for the storage or warehousing of goods, but not including temporary storage containers such as portable on-demand units or tractor trailers used for storage.

Stormwater Management Feature

Any device, facility, or infrastructure that serves to collect, convey, temporarily detain, permanently retain, infiltrate, treat, or otherwise manage stormwater.

Story

A habitable level of a building, excluding attics and basements.



Streamers

A series of long, narrow banners, flags, or pennants attached to a cord.

Street

An existing or planned public or private right-of-way that is designed, dedicated, or used principally for vehicular and pedestrian circulation, which provides access for abutting properties.

Street Lights

Exterior lights and light fixtures intended to illuminate public and private street and other rights-of-way.

Street Stub

A nonpermanent, dead-end street intended to be extended in conjunction with development on adjacent property.

Street Tree

A canopy tree planted or existing within the planting strip or along either side of a public or private street or internal drive.

String Lights

Small white electric lights spaced evenly along a cable and used for decoration and/or low level lighting.

Structure

Anything constructed or erected requiring more or less permanent location on the ground or attachment to something having permanent location on the ground, excluding wheels.

Subdivision Regulations

The Franklin Subdivision Regulations adopted on April 15, 1966, and as subsequently amended.

Substantial Damage

Damage of any origin sustained by a structure, whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. The market value is the assessed value of the structure per the Williamson County Property Assessor, plus an additional 15 percent of that assessed value. In calculating the substantial damage, construction improvement costs are tracked cumulatively over a ten-year period.

Substantial Improvement within the FFO Overlay District

For the purposes of Section 17.6, Floodplain Regulations, any reconstruction, rehabilitation, addition, alteration, or other improvement of a structure in which the cost equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the initial improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The market value is the assessed value of the structure per the Williamson County Property Assessor, plus an additional 15 percent of that assessed value. In calculating the substantial improvement, construction improvement costs are tracked cumulatively over a ten-year period.

The term does not, however, include either: (1) Any project for improvement of a structure to correct existing violations of State or local health, sanitary, or safety code specifications which have been pre-identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions and not solely triggered by an improvement or repair project or; (2) Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure."

Substantially Improved Existing Manufactured Home Parks or Subdivisions

For the purposes of Section 17.6, Floodplain Regulations, where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds fifty percent (50%) of the value of the streets, utilities and pads before the repair, reconstruction or improvement commenced.

t

Tandem Parking

A parking space within a group of two or more parking spaces arranged one behind the other.

Teardown

The act or process of disassembling, demolishing, or destroying a building or structure.

Telecommunication Towers and Antennas

A free-standing structure or any structure to be attached to a building or other structure, that is used for telecommunications.

Temporary Construction Site Sign

A type of sign described as such in Section 15.17, Temporary Construction Site Sign.

Temporary Field Office

A temporary nonresidential use employed as a temporary working space while an existing principal use is rebuilt, altered, expanded, or renovated.

Temporary Housing

A temporary residential use employed as a temporary living space while an existing dwelling is rebuilt, altered, expanded, or renovated on a site where a previous dwelling was destroyed or rendered uninhabitable.

Temporary Sign

A type of sign described as such in Section 15.18, Temporary Sign.

Ten-Year Floodplain

The area which has a minimum statistical probability of one in ten of being flooded in any given year.

Tent

A temporary portable structure typically composed of fabric or plastic stretched over poles or other support structure intended to provide habitable space on a short-term basis

Text Amendment

A change in the wording or substance of this Ordinance.

Theater

A structure used for dramatic, operatic, motion pictures, or other performance.

Three-Dimensional Model

Three-dimensional imagery of proposed buildings and the surrounding buildings to better understand how the proposed building will impact the nearby built and natural environment The three-dimensional model shall include height, massing, scale, and setbacks.

Tower

Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas for radio, telephone, and similar communications purposes, including self-supporting guyed towers, lattice towers, or monopole towers. The term includes cellular telephone towers, common-carrier towers, microwave towers, radio and television transmission towers, and the like. This term includes any alternative tower structures, such as man-made trees, bell steeples, clock towers, light poles and similarly designed mounting structures that camouflage or conceal the presence of antennas or towers. The term includes the structure and any support thereto.

Townhouse (Building Type)

The principal building type described as such in Section 6.6, Townhouse.

Townhouse (Use Type)

A type of residential use where the dwelling units are joined side-by-side and separated by shared walls. They have independent access to the exterior and generally have small yards.

Traffic Calming Measure

A natural or constructed feature located within or adjacent to a street that is designed to reduce motorist speed and/or vehicle volumes, while at the same time increasing safety for pedestrians and non-motorized vehicles.

Traffic Impact Study

An analysis of the effect of traffic generated by a proposed development or redevelopment on street capacity, operations, and public safety.

Trail

An access way, whether paved or unpaved, that is intended to serve multiple modes of travel including walking, jogging, bicycling, or other forms of non-motorized transport.

Transitional Features

Architectural elements or site aspects that provide a compatible transition between land uses, subdivisions, sites, lots, or structures throughout the City.

Transportation and Street Technical Standards

The transportation design requirements that present a comprehensive approach to designing new and modified streets within the City of Franklin.

Travel Lane

Portions of a public or private street, internal drive, or drive aisle intended solely for the movement of vehicles, not parking or standing.

Travel Lanes

Tree Bank

A fund as described in Subsection 17.2.8, Tree Bank.

Tree Pit

Pervious areas within a sidewalk, plaza, or other impervious surface that have been designated for the growth of street tree roots. Tree pits may or may not be covered by a grate or other protective device.

Tree Removal Permit

A type of permit to remove a tree not associated with an approved building permit, grading permit, site plan, preliminary plat, final plat, or stormwater management permit.

Tree Save Area

The portion of a development site or lot located under existing tree canopy that is to be retained during the development process.

Tree Topping

Removal of entire branches, leaves, and/or trunk from the top of a tree.

Trellis

A structure of open latticework, especially one used as a support for vines and other creeping plants.

Trim Color

A color used on the trim of a building.

U

Understory Tree

A small to medium-sized tree, growing 15 to 40 feet at maturity and often used for aesthetic purposes.

Unified Site Plan

A development option permitting a site plan to be submitted as an aggregation of two or more lots; however, bulk requirements, including buffers, building setbacks, landscape surface ratios, and parking shall be determined based on perimeter lot lines, regardless of the location, ownership, size, or quantity of the interior lots, effectively treating the aggregation of lots as one lot for meeting the requirements of this Ordinance.

Uniformity Ratio

A measurement of the relative difference in illumination values, at ground level, between differing exterior lighting sources on a single parcel of land.

Use Classification

A designation of the use of land in one of six basic classifications, including agricultural, residential, institutional, commercial, or industrial

Utilities

A supply of gas, electricity, water, cable, fiber optic, or telephone service to homes, businesses, and development.

V

Variance

Relief granted from certain provisions of this Ordinance.

Vehicle Repair Facilities

An establishment engaged in major repair and maintenance services for automotive vehicles, such as passenger cars, trucks, vans, and trailer bodies and interiors. Services are typically non-routine and include auto body work, collision repair, replacement of major parts, painting, or customization.

Vehicle Sales and Rental

An establishment primarily engaged in the retail sale or rental of new and used automotive vehicles, noncommercial trucks, or major recreational equipment, including incidental storage, maintenance, and servicing.

Vehicle Service Facilities

An establishment providing a range of minor, routine maintenance services for automotive vehicles. These services are performed indoors and include oil changes, lubrication, fluid replacement, tire rotation and sales, and other quick service activities.

Vehicle Wash Facilities

An area or structure equipped with automatic

or self-service facilities for washing automotive vehicles.

Vertical Blade Sign

A type of sign described as such in Section 15.14, Vertical Blade Sign.

Vested Plan

In accordance with T.C.A. § 13-4-310, as amended, and subject to the exceptions set forth in said statute, the following project types will constitute the T.C.A. definition of a preliminary development plan as a vested plan: (1) development plan; (2) preliminary plat; and (3) site plan not associated with an approved development plan or preliminary plat.

In accordance with T.C.A. § 13-4-310, as amended, and subject to the exceptions set forth in said statute, the following project types will constitute the T.C.A. definition of a final development plan as a vested plan: (1) a site plan associated with an approved development plan or preliminary plat.

Viable Tree

An existing healthy tree located on a development site or lot that has a high probability for continued life following the completion of development.

Violation

For the purposes of Section 17.6, Floodplain Protection, the failure of a structure or other development to be fully compliant with the City of Franklin's floodplain management regulations. A structure or other development without the elevation certificate, other certification, or other evidence of compliance required in this Ordinance is presumed to be in violation until such time as that documentation is provided.

W

Wall Offset

Projections or recess in the facade of a building for the purposes of screening mechanical or utility equipment.

Wall Sign

A type of sign described as such in Section 15.15, Wall Sign.

Water Surface Elevation

The height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, (or other datum, where specified) of floods of various magnitudes and frequencies in the floodplains of riverine areas.

Watercourse

A channel, natural depression, slough, gulch, stream, creek, pond, reservoir, or lake in which storm water runoff and flood water flows either regularly or infrequently and includes major drainage-ways for carrying urban storm water runoff.

Wetland

Areas that are inundated and saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances support a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, and similar areas.

Wheel Stop

Precast concrete or other manufactured ground-mounted device located at the head of a parking space that is intended to prevent the wheels of a vehicle from moving beyond the stop.

Wholesale Sales

An establishment primarily engaged in selling merchandise to retail, industrial, commercial, institutional, or professional business users or to other wholesalers, but not to the public at-large.

Window

An opening in the wall of a building that is fitted with glass or other transparent material in a frame to admit light or air and allow people to see out.

Window Sign

A type of sign described as such in Section 15.16, Window Sign.

Wing Wall

A smaller wall attached or next to a larger wall or structure.

Wrecker Service

A service for towing wrecked or disabled vehicles or freeing vehicles stalled in snow or mud.

X

Y

Yard

An open area that lies between a building or structure and the nearest property line and which is unoccupied and unobstructed from the ground upward except as permitted in this Ordinance.

Z

Zoning District

Areas of land divided into zones within which various uses are permitted and standards are applicable. This term may be referred to as a "district".

Zoning Map

The official map upon which the boundaries of various zoning districts are drawn and which is an integral part of this Ordinance. The zoning map may be found on the City website.

PAGE INTENTIONALLY LEFT BLANK

CHAPTER 24

HISTORY TABLE

24.1 General 393
24.2 History Table 393

24.1 General

This Chapter documents the historical evolution of this Ordinance to enable users to quickly identify amendments that have been adopted by the BOMA over time.

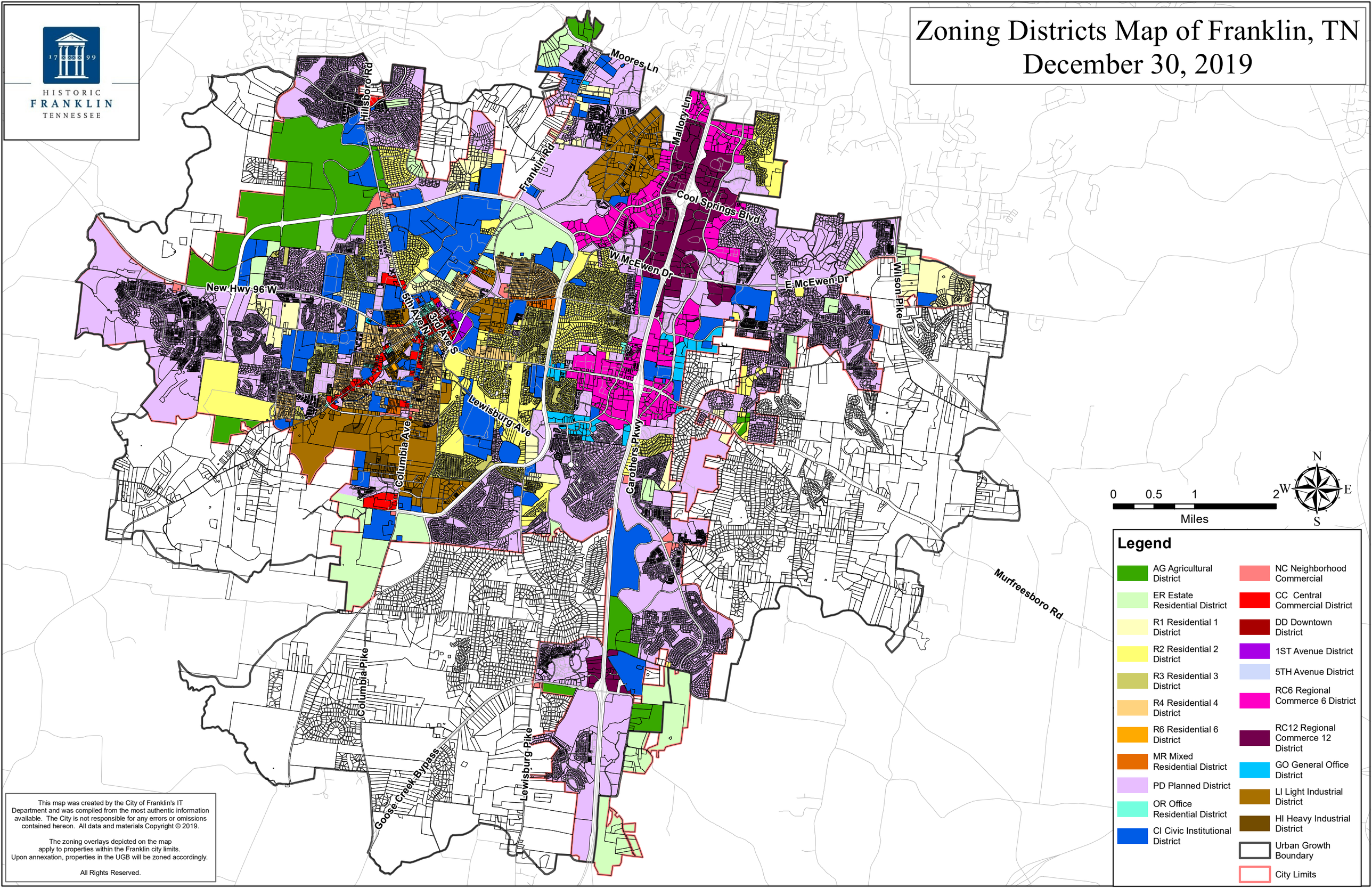
24.2 History Table

The history table lists the Ordinance number, the text amendment caption, the date of adoption by the BOMA, a summary of the text amendment, and the publication date when the amendment was incorporated into the text of the Franklin Zoning Ordinance. See the City website for any text amendments adopted after the latest publication date that are not yet incorporated into this Ordinance.

Ordinance Number	Amendment Caption	Adoption Date	Summary	Publication Date
20XX-XX	Insert Ordinance Caption Here	XX/XX/XXXX	Insert Topic and Intent	XX/XX/XXXX

Zoning Districts Map of Franklin, TN
December 30, 2019

HISTORIC FRANKLIN TENNESSEE



This map was created by the City of Franklin's IT Department and was compiled from the most authentic information available. The City is not responsible for any errors or omissions contained hereon. All data and materials Copyright © 2019.

The zoning overlays depicted on the map apply to properties within the Franklin city limits. Upon annexation, properties in the UGB will be zoned accordingly.

All Rights Reserved.

Overlay Districts Map of Franklin, TN
December 30, 2019

HISTORIC FRANKLIN TENNESSEE

Hillsboro Rd
Moores Ln
Mallory Ln
Franklin Rd
Cool Springs Blvd
W McEwen Dr
E McEwen Dr
Wilson Pike
New Hwy 96 W
5th Ave N
Lewisburg Ave
Columbia Ave
Text
Carothers Pkwy
Murfreesboro Rd
Columbia Pike
Goose Creek Bypass
Lewisburg Pike

0 0.5 1 2
Miles

N W E S

Legend

- Scenic Corridor Overlay
- Central Franklin Overlay District
- Hillside/Hillcrest Overlay District
- Historic Preservation Overlay
- Floodway Fringe Overlay District
- Floodway Overlay District
- 500 Ft Buffer of Hillside Overlay
- Columbia Avenue Sub-District 1
- Columbia Avenue Sub-District 2
- Columbia Avenue Sub-District 3
- Columbia Avenue Sub-District 4
- Columbia Avenue Sub-District 5
- Urban Growth Boundary
- City Limits

This map was created by the City of Franklin's IT Department and was compiled from the most authentic information available. The City is not responsible for any errors or omissions contained hereon. All data and materials Copyright © 2019.

The zoning overlays depicted on the map apply to properties within the Franklin city limits. Upon annexation, properties in the UGB will be zoned accordingly.

All Rights Reserved.

Public Open House Comments

8.15.2019

- 412, 414, 422 South Petway Street questions regarding zoning and the back alley;
- angelinapaoletta@gmail.com Martin and Beatriz Paoletta
- "I have a concern: The traffic flow pattern at 11th and Main Street. It is already congested and more and more homes are being built that will add to the congestion. Can we get a traffic light for those who have to continue on 11th and make a left off of Main Street? It is pretty dangerous! Thank you for your consideration. Sharonmcarrington@gmail.com or 313-282-9833"
- "Fairground Street; 2/3 Mixed Residential and 1/3 R4; setbacks for these are different. Please explain specs for new builds; either make the whole street R4 or Mixed Residential. Tom D 858-775-1207"
- Should the SCO include the new Mack Hatcher Extension? Dwight Kiser
- A discussion was had with the owners of the Short Farm, located north of Westhaven, off New Highway 96 recommending the SCO be reduced/eliminated from their property.
- "Is there zoning for dark sky lighting so we protect our night skies? Penny kemlepj@kemle.net"
- Civic parking standards have been omitted—need to add back in per Ernie Bacon
- "Please stop building apartments-Franklin doesn't need to be a transient community! Please allow tiny homes as long as they have a permanent foundation! (no wheels) Please put sewer and sidewalks in all places within city limits."
- "Short-term vacation rentals, are existing going to be grandfathered in if in good standing? James Summerville; Summervillejr@gmail.com 615-337-3280"
- "Short-term rentals restricted to owner occupied yes! Please let me know when this is on the agenda. Debbie Butner—ccbutner@hotmail.com 615-810-7300"
- "I currently own a home that functions as a whole home STVR. The property is slated to become an R-4 zoned property and it states the property must be owner occupied. Will there be any grandfathered rights? Will I lose my licenses in the spring of 2020? Cory Pratt corypratt@gmail.com"
- "STVRs play a big role in Franklin's tourism industry. Please add language to the Ordinance to specifically allow properly licensed, current off-premise STVR owners to continue operating in the proposed R4 zone. Seems like this can be done in Chapter 2 and/or Chapter 5. Our contributions are important. Please help. Thank you, John Brake 615-406-3673"

Gary Luffman's comments

- Today, a SD district can be requested in an existing zoning district that exceeds the allowable units/acre. It takes rezoning. This was determined to not be spot zoning. Can this occur in the new ZO? Example: Request MR over the proposed R4 district. Is this spot zoning?
- Flat roofs are not allowed in residential except on porches. What about Mansard roof designs?
- Central Franklin Overlay district doesn't have many standards to apply in a R4 district.
- Is a house behind a house allowed? If it is, then is a center driveway allowed for access? This is not addressing internal drives.
- Does the phrase Envision Franklin go away?
- Table 3-2 says 2-4 attached dwellings are not allowed in R4 districts. What about 3 or 4 single family units on a single lot? (non-conforming)
- Is unit/acre gone? (Dividing by units allowed into 43,560 sq ft)

Andrew Orr

From: you <tncrutch@aol.com>
Sent: Saturday, October 12, 2019 9:24 AM
To: ZoneFranklin
Cc: tncrutch@aol.com
Subject: ZONE FRANKLIN COMMENTS

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

To Whom It May Concern:

I urge disapproval of any type of "Mini-Hotel" -- with or without "on-site" management -- being allowed to operate in Franklin's "Historic Overlay" neighborhoods.

Thank you,

James A. Crutchfield
1012 Fair Street
615-415-3251
tncrutch@aol.com

Andrew Orr

From: Loy Hardcastle <loyhardcastle@gmail.com>
Sent: Monday, October 7, 2019 9:43 AM
To: ZoneFranklin
Subject: STVR

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

I think this overall concept will start as a virus and become an epidemic. I think the STVR is bad for the City of Franklin and should be either eliminated or seriously controlled with at least on site management/ownership. If it has to be it should be allowed anywhere in the City.

Loy Hardcastle

--

Loy Hardcastle | PARKS
615.948.3704 | 615.790.7400
LoyHardcastle@Gmail.com

Download my complimentary home search app.
bparks.us/yVO

Andrew Orr

From: Larry Holmes <larryholmes@comcast.net>
Sent: Monday, October 7, 2019 9:36 AM
To: ZoneFranklin
Subject: Zone Franklin comments

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

Regarding a mini hotel in a residential neighbor, I think this is a TERRIBLE idea.

Larry Holmes
615-202-4953

Andrew Orr

From: Larry Holmes <larryholmes@comcast.net>
Sent: Monday, October 7, 2019 9:34 AM
To: ZoneFranklin
Subject: Zone Franklin Comments

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

I strongly favor the new ordnance that if I understand it correctly will require that the STVR must be owner occupied. I live in the historic district, so that's my primary area of concern. I do believe it should be applied to all of Franklin. It's possible however new information/concerns will be brought forward by others.

Regards,

Larry Holmes
615-202-4953
205 Lewisburg Avenue

Andrew Orr

From: Roger M Walters <murford@msn.com>
Sent: Monday, October 7, 2019 9:31 AM
To: ZoneFranklin
Subject: Zone Franklin Comments

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

I support the proposed new ordinance requiring an STVR property to be the primary home of the person operating the short-term vacation rental business, also referred to as owner- occupied. Especially in the historical districts/areas of Franklin.

Thanks
Alan Simms
119 Lewisburg Avenue
Franklin, TN 37064

Andrew Orr

From: Jackie Canaday <canaday507@yahoo.com>
Sent: Sunday, October 6, 2019 6:28 PM
To: ZoneFranklin
Subject: Zone Franklin Comments

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

We are speechless that Franklin would consider a mini hotel in a residential area. We have a VRBO behind us and one next door. You never know who is going to be sleeping next to you at night. We have had to have security cameras installed and don't even want to think what it has done to the property values. The city needs to wake up. Hotels are where people need to stay especially in downtown Franklin. Come on folks, we have a lot of money invested in our property and you are making it a risky adventure to come and go out of our own homes. Even subdivisions have covenants against this and they for the most part don't have nearly what we have invested. If people want to make money renting out property buy an apartment building or a condo that has no enforcement against short term rental. Don't risk your full time neighbors property values or their lives!

Bob and Jackie Canaday
Sent from Yahoo Mail for iPhone

Andrew Orr

From: Amy Diaz-Barriga
Sent: Friday, October 4, 2019 11:50 AM
To: Andrew Orr
Subject: FW: Animal Center Letter
Attachments: WC Letter for CI Zoning 10 4 2019.pdf

FYI, we got the letter from Rogers asking for the Animal Facility site to be labeled CI on the new zoning map.

Amy Diaz-Barriga, AICP
Current Planning Supervisor

Planning and Sustainability Department
City of Franklin
109 Third Avenue South
Franklin, TN 37064

Phone: 615-550-6732

From: Emily Hunter
Sent: Friday, October 4, 2019 10:50 AM
To: Greg Gamble <greg.gamble@gdc-tn.com>; Amy Diaz-Barriga <amy.diaz-barriga@franklintn.gov>
Cc: Jim Cross <jimc@oversiteconsult.com>; Mike Hathaway <mike.hathaway@906studio.com>; Andy Pulliam <andy.pulliam@906studio.com>; Kelly Dannenfelser <kellyd@franklintn.gov>; Vernon Gerth <vernon.gerth@franklintn.gov>
Subject: RE: Animal Center Letter

Thanks, Greg. I do not think you should withdraw the AG zoning in case the new Zoning Ordinance were for any circumstance to be deferred by FMPC or BOMA.

We will file this request for CI Zoning and address it with the proposed Zoning map.

EMILY HUNTER, AICP
DIRECTOR OF PLANNING & SUSTAINABILITY
CITY OF FRANKLIN, TN
(615) 791-3212

From: Greg Gamble <greg.gamble@gdc-tn.com>
Sent: Friday, October 4, 2019 8:59 AM
To: Amy Diaz-Barriga <amy.diaz-barriga@franklintn.gov>; Emily Hunter <emily.hunter@franklintn.gov>
Cc: Jim Cross <jimc@oversiteconsult.com>; Mike Hathaway <mike.hathaway@906studio.com>; Andy Pulliam <andy.pulliam@906studio.com>
Subject: Animal Center Letter

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

Amy and Emily,
Please find the attached from Rogers Anderson. We would like to know the first possible submittal date for the site plan under this scenario, and do we need to withdraw the zoning request for AG zoning? We need to be able file the site plan by the December 9 submittal date.

Thank you,

Greg Gamble

gamble design collaborative

615.975.5765
324 Liberty Pike, Suite 145
Franklin, TN 37064

Rogers C. Anderson
Williamson County Mayor

WILLIAMSON COUNTY GOVERNMENT

October 4, 2019

Mrs. Emily Hunter, Planning & Sustainability
Director
City of Franklin
P. O. Box 305
Franklin, TN 37065

Dear Mrs. Hunter:

It is my understanding that the City of Franklin is currently advancing the new zoning ordinance and would like to have it formally adopted in December of this year. As you are aware, Williamson County owns property near the intersection of Del Rio Pike and Old Charlotte Pike, with access off Charlotte Pike. This property is the location for our new Animal Care Center and we look forward to showcasing our new facility in the next 18-24 months.

As the new zoning map is being considered, Williamson County respectfully requests that the zoning map for this property be revised to reflect Civic Institutional Zoning, to correspond with the 2019 zoning ordinance.

If you need any additional information or if I can answer any questions, feel free to contact.

Sincerely,

Rogers C. Anderson
Williamson County Mayor

Andrew Orr

From: Kelly Dannenfelser
Sent: Thursday, September 26, 2019 10:40 PM
To: Cory Pratt
Cc: ZoneFranklin
Subject: Re: Zoning Ordinance Update/Short-Term Vacation Rentals

Corey,
I appreciate your message.

The upcoming opportunities will be at the public hearings on October 24, November 12, and November 26. Each citizen has two minutes to speak, so it would be great if you used one or more of those opportunities to highlight the points you'd like them to know.

Kelly

On Sep 26, 2019, at 7:41 PM, Cory Pratt <corypratt@gmail.com> wrote:

> *ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.*
>
> Hey Kelly et al.
>
> Thank you for the meeting tonight and allowing us to sit in and listen in regarding the STVR proposals.
>
> I appreciate the addition of the State's rules regarding grandfathering in those of us currently operating legal STVR's.
>
> After leaving tonight I feel it may be beneficial for the Aldermen to hear from STVR operators about how they work, the benefits they provide the city and the contributions the visitors provide. I feel as though there are some misunderstandings or simply a lack of understanding regarding the rules that many of us strictly adhere to.
>
> I am not proposing new or arguing against the proposed rules, just advocating for and sharing some of the good sides of STVR's for the benefit of the Aldermen.
>
> Thanks again!
>
> Cory Pratt
>
> On Mon, Sep 16, 2019 at 4:19 PM Cory Pratt <corypratt@gmail.com> wrote:
> Great news, thank you Kelly!
>
> On Mon, Sep 9, 2019 at 1:29 PM Kelly Dannenfelser <kellyd@franklintn.gov> wrote:
>
> Cory,

Andrew Orr

From: Andrew Orr
Sent: Thursday, September 26, 2019 2:28 PM
To: Cindy Harper
Cc: Kelly Dannenfelser
Subject: RE: Request Agricultural Zoning

HI Cindy,

We made the change. The final draft will be released on October 16th in preparation for the 10/24 Planning Commission meeting. It will then go to the Board of Mayor and Aldermen for three readings.

From: Cindy Harper <cindylharper@gmail.com>
Sent: Thursday, September 26, 2019 2:20 PM
To: Andrew Orr <andrew.orr@franklintn.gov>
Subject: Re: Request Agricultural Zoning

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

Yes sir

Sent from my iPhone

On Sep 26, 2019, at 2:00 PM, Andrew Orr <andrew.orr@franklintn.gov> wrote:

Are you referring to these outlined parcels?

<image001.jpg>

From: Cindy Harper <cindylharper@gmail.com>
Sent: Thursday, September 26, 2019 1:01 PM
To: Kelly Dannenfelser <kellyd@franklintn.gov>; Andrew Orr <andrew.orr@franklintn.gov>
Cc: Cindy Harper <cindylharper@gmail.com>
Subject: Re: Request Agricultural Zoning

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

Correction:

Given the large gas lines that cut through our properties, horse pastures are perfectly suited given structures can *NOT* be built within the large easement that exists.

Sent from my iPhone

On Sep 26, 2019, at 12:54 PM, Cindy Harper <cindylharper@gmail.com> wrote:

Hello Kelley and Andrew,

I'm following up from my meetings with City Staff to formally request that all of my properties be zoned as agricultural district.

I have the following four properties at Chester Stephens Road that are all adjoining: 160; 164; and two at 172.

We have a horse farm on all these properties that had been force-annexed against our preference years ago by the City of Franklin (prior to the State of TN annexation law change). We've owned our farm for 17 years and have always had horses on it. When the city annexed our properties they changed our zoning to R1. This has limited our ability to have the necessary structures to use in our horse pastures to protect them against weather elements and subjects our properties to codes not intended for agricultural use properties.

Additionally we are not able to build any needed barns/run-ins on our 1.97 acre lot because it does not have a residence on it and we do not intend to build a residence on it.

Our main property already has the maximum structures allowed and given our zoning, we cannot make needed structural improvements to allow for proper hay/equipment storage. Given the large gas lines that cut through our properties, horse pastures are perfectly suited given structures can be built within the large easement that exists.

Additionally, our neighbor to the south has one of his three tracts zoned agricultural and this is what the proposed zoning shows is recommended. Our property adjoins that agricultural property.

I respectfully request that the City of Franklin changes the proposed zoning of R2 to AG for our properties.

Thank you and the other city staff for their help, guidance, insights and support! Please feel free to call me should you have any questions or want to discuss.

Much appreciated,
Cindy Harper

Sent from my iPhone

Andrew Orr

From:	Walter Green <greenwr7@gmail.com>
Sent:	Friday, September 20, 2019 11:42 AM
To:	ZoneFranklin
Cc:	Ernie Bacon; Lynne McAlister; Chuck Rose
Subject:	Zone Franklin Comments

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

I am concerned about STVRs, especially those that are non-owner-occupied (NOOSs). NOOSs are mini-hotels that do not have on-site management. They are usually located in our neighborhoods, which are zoned as Residential Districts. They replace permanent neighbors with transients and damage the connectivity and character of our neighborhoods. I realize that they invaded our neighborhoods before the City had a chance to regulate them and that, per State law, they will apparently be grandfathered in with Zone Franklin.

That being the case, I cannot imagine that the City will not take whatever action it can to remove the NOOSs (remember - they are hotels in residential areas!!) as soon as possible. Yes, there are the four criteria for closing them. In addition to those four, I hope the City monitors rentals aggressively (perhaps using some of the funds from permitting to pay for Host Compliance) and enforces in a serious manner.

Also, I see that restrictions on STVRs (in the draft language for Zone Franklin) are recommended only for District R-4. Even if residents in other residential districts have not been as vocal as those in R-4 about STVRs (perhaps because they are not aware of the danger of NOOSs), I think it makes sense to protect all residential areas in the same way. If that does not happen, we may well see residents in other districts becoming concerned about NOOSs in the future and wishing they had been protected as R-4 wishes to be.

I researched 20 other cities and saw that the vast majority either have recently implemented or are working to implement regulations on STVRs. The most common restrictions involve permitting, allowing only owner-occupied STVRs in neighborhoods and limiting the number of rental days per year. I am very happy that the City intends to include some restrictive language in Zone Franklin and hope the City considers strong language and acts boldly to protect its neighborhoods.
Thank you.
Walter Green

Andrew Orr

From: Cory Pratt <corypratt@gmail.com>
Sent: Monday, September 16, 2019 4:20 PM
To: Kelly Dannenfelser
Cc: ZoneFranklin
Subject: Re: Zoning Ordinance Update/Short-Term Vacation Rentals

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

Great news, thank you Kelly!

On Mon, Sep 9, 2019 at 1:29 PM Kelly Dannenfelser <kellyd@franklintn.gov> wrote:

Cory,

Thank you for attending the Open House for the Zoning Ordinance update. I'm following up on your question about grandfathering existing short-term vacation rentals with the new Ordinance.

Staff has met internally and reviewed State law. The Tennessee Code Annotated (T.C.A) specifically addresses grandfathering of short-term vacation rentals. Staff has drafted provisions (below) based on State law and will include it in the final draft of the Franklin Zoning Ordinance so that it is clear that existing, permitted short-term vacation rentals may continue:

In accordance with T.C.A § 13-7-603, short-term vacation rentals that were legally established and issued a permit prior to the effective date of this Ordinance are subject to the law in place at the time that the property was being used as a short-term vacation rental until the property is:

1. Sold;

2. Transferred;

3. Ceases being used as a short-term vacation rental for a period of 30 continuous months; or

4. Has been in violation of generally applicable local laws three or more separate times, as provided by T.C.A § 13-7-604.

Please let me know if you have further questions.

Kelly Dannenfelser, AICP

Assistant Director · Department of Planning and Sustainability · City of Franklin
E kellyd@franklintn.gov **T** 615.550.6735 **W** www.franklintn.gov

Andrew Orr

From: Kelly Dannenfelser
Sent: Monday, September 16, 2019 11:04 AM
To: Andrea Keller
Cc: ZoneFranklin
Subject: RE: Use Regulations
Attachments: Franklin Zoning Map March 19, 1991.pdf; Franklin Zoning Map November 1987.pdf

Andrea,
We've researched the past zoning maps and the property was zoned LI, Light Industrial, all the way back to 1991. We did find in 1987 it was zoned M-2, Planned Industrial, but can't find any record of it being zoned HI, Heavy Industrial. I've attached both maps for your reference.

Kelly

From: Andrea Keller <akeller47@yahoo.com>
Sent: Friday, September 13, 2019 3:48 PM
To: Kelly Dannenfelser <kellyd@franklintn.gov>
Subject: Re: Use Regulations

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

Thank you!

Andrea Keller

On Sep 13, 2019, at 11:48 AM, Kelly Dannenfelser <kellyd@franklintn.gov> wrote:

> Andrea,
> Following up from our meeting yesterday, below is the link to the draft Permitted Use Table:
> http://web.franklintn.gov/FlippingBook/2019ZoningOrdinanceDraft/84/index.html
>
> I'll follow up with Andrew when he returns to the office next week regarding the rezoning history of 1741 West Main Street from HI to LI.
>
> **Kelly Dannenfelser, AICP**
> Assistant Director • Department of Planning and Sustainability • City of Franklin
> **E** kellyd@franklintn.gov **T** 615.550.6735 **W** www.franklintn.gov

This message has been prepared on resources owned by the City of Franklin, Tennessee. It is subject to the City's Policy for the Use of Computers, Internet and Email. Messages that are received or created by any City staff member may be a public record

Andrew Orr

From: Kelly Dannenfelser
Sent: Tuesday, September 10, 2019 12:15 PM
To: clif butner
Cc: ZoneFranklin; Ron Yeary
Subject: RE: Response to STVR EMAIL

Clif,
Thank you for your comments. I can't speak for the Board of Mayor and Aldermen, but from a staff perspective, our focus in the short-term is on finalizing the proposed Zoning Ordinance standards to make sure they are clear and in accordance with all other applicable laws, and once it is adopted the focus can be shifted to implementation and enforcement of the new regulations.

We will keep your questions and images on file for following the adoption of the Ordinance.

Kelly

From: clif butner <ccbutner@hotmail.com>
Sent: Monday, September 9, 2019 2:54 PM
To: Kelly Dannenfelser <kellyd@franklintn.gov>
Subject: Response to STVR EMAIL

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

Hi Kelly,
Thank you for the updated information. I really appreciate being kept informed and plan on attending the meetings.
I would like to follow up with a couple of questions.
1. Will the board be discussing how they will enforce the current/new regulations regarding the following:
A) unlicensed Airbnb's operating in Franklin. (they are easy to find on Airbnb because they offer single rooms or attached suites while the owner is in residence on the property—-direct violations of existing rules.)
B) people who have licenses for whole house Airbnb's but also run listings for single rooms which is a violation.
C)people who rent multiple floors/suites to separate guests at the same time which is illegal.
D) people who remain on the property while it is rented... also a violation

Examples:
A)Retreat in the City (address is 713 Murfreesboro Rd)
Also: "private basement apartment in Franklin, Tn"

B)General Cleburne Room and General Cleburne Retreat

C) Carolyn House

And The Franklin Factory Retreat Space- downstairs .... also a second listing that is identical with the upstairs listed.

This is located just behind the Factory Condos near the CSX overpass off Liberty Pike.

Andrew Orr

From: Kelly Dannenfelser
Sent: Monday, September 9, 2019 1:44 PM
To: ccbutner@hotmail.com
Cc: ZoneFranklin
Subject: Zoning Ordinance Update/Short-Term Vacation Rentals

Debbie,
Thank you for attending the Open House for the Zoning Ordinance update. I'm following up on your comment about limiting short-term vacation rentals to an owner occupied properties and your request to know when this will be discussed at a public meeting. We plan to hold this topic at the September 26 Joint Conceptual Workshop, where citizens may attend and observe discussion by the Board of Mayor and Aldermen and the Planning Commission. They typically start at 5:00pm in the city hall training room, but the agenda has not been published and the official time hasn't been set. There will be drop-in, open office hours for citizen questions and comment on September 20 in the Planning & Sustainability Department as well.
Here is some additional information related to existing short-term vacation rentals and the proposed change of zoning rules:
Staff has met internally and reviewed State law. The Tennessee Code Annotated (T.C.A) specifically addresses grandfathering of short-term vacation rentals. Staff has drafted provisions (below) based on State law and will include it in the final draft of the Franklin Zoning Ordinance so that it is clear that existing, permitted short-term vacation rentals may continue:

In accordance with T.C.A § 13-7-603, short-term vacation rentals that were legally established and issued a permit prior to the effective date of this Ordinance are subject to the law in place at the time that the property was being used as a short-term vacation rental until the property is:

1. Sold;
2. Transferred;
3. Ceases being used as a short-term vacation rental for a period of 30 continuous months; or
4. Has been in violation of generally applicable local laws three or more separate times, as provided by T.C.A § 13-7-604.

Please let me know if you have further questions.

Kelly Dannenfelser, AICP
Assistant Director · Department of Planning and Sustainability · City of Franklin
E kellyd@franklintn.gov **T** 615.550.6735 **W** www.franklintn.gov

This message has been prepared on resources owned by the City of Franklin, Tennessee. It is subject to the City's Policy for the Use of Computers, Internet and Email. Messages that are received or created by any City staff member may be a public record subject to Tennessee Open Records Act, T.C.A. §10-7-503, et seq., and the rules of the Open Records Commission. DO NOT COPY OR FORWARD TO UNAUTHORIZED PERSONS. This message may contain confidential information and is intended only for the use of the specific individual(s) to which it is addressed. If you are not an intended recipient of this message, you are hereby notified that any unauthorized use, dissemination or copying of this email or any information it contains is strictly prohibited. If you have received this message in error, please delete it and immediately notify the sender by reply email.

Andrew Orr

From: Kelly Dannenfelser
Sent: Monday, September 9, 2019 1:29 PM
To: corypratt@gmail.com
Cc: ZoneFranklin
Subject: Zoning Ordinance Update/Short-Term Vacation Rentals

Cory,
Thank you for attending the Open House for the Zoning Ordinance update. I'm following up on your question about grandfathering existing short-term vacation rentals with the new Ordinance.
Staff has met internally and reviewed State law. The Tennessee Code Annotated (T.C.A) specifically addresses grandfathering of short-term vacation rentals. Staff has drafted provisions (below) based on State law and will include it in the final draft of the Franklin Zoning Ordinance so that it is clear that existing, permitted short-term vacation rentals may continue:

In accordance with T.C.A § 13-7-603, short-term vacation rentals that were legally established and issued a permit prior to the effective date of this Ordinance are subject to the law in place at the time that the property was being used as a short-term vacation rental until the property is:

1. Sold;
2. Transferred;
3. Ceases being used as a short-term vacation rental for a period of 30 continuous months; or
4. Has been in violation of generally applicable local laws three or more separate times, as provided by T.C.A § 13-7-604.

Please let me know if you have further questions.

Kelly Dannenfelser, AICP
Assistant Director · Department of Planning and Sustainability · City of Franklin
E kellyd@franklintn.gov **T** 615.550.6735 **W** www.franklintn.gov

This message has been prepared on resources owned by the City of Franklin, Tennessee. It is subject to the City's Policy for the Use of Computers, Internet and Email. Messages that are received or created by any City staff member may be a public record subject to Tennessee Open Records Act, T.C.A. §10-7-503, et seq., and the rules of the Open Records Commission. DO NOT COPY OR FORWARD TO UNAUTHORIZED PERSONS. This message may contain confidential information and is intended only for the use of the specific individual(s) to which it is addressed. If you are not an intended recipient of this message, you are hereby notified that any unauthorized use, dissemination or copying of this email or any information it contains is strictly prohibited. If you have received this message in error, please delete it and immediately notify the sender by reply email.

Andrew Orr

From:	Kelly Dannenfelser
Sent:	Monday, September 9, 2019 1:36 PM
To:	johnbrake61@gmail.com
Cc:	ZoneFranklin
Subject:	Zoning Ordinance Update/Short-Term Vacation Rentals

John,
Thank you for attending the Open House for the Zoning Ordinance update. I'm following up on your question about grandfathering existing short-term vacation rentals with the new Ordinance.

Staff has met internally and reviewed State law. The Tennessee Code Annotated (T.C.A) specifically addresses grandfathering of short-term vacation rentals. Staff has drafted provisions (below) based on State law and will include it in the final draft of the Franklin Zoning Ordinance so that it is clear that existing, permitted short-term vacation rentals may continue:

In accordance with T.C.A § 13-7-603, short-term vacation rentals that were legally established and issued a permit prior to the effective date of this Ordinance are subject to the law in place at the time that the property was being used as a short-term vacation rental until the property is:

1. Sold;
2. Transferred;
3. Ceases being used as a short-term vacation rental for a period of 30 continuous months; or
4. Has been in violation of generally applicable local laws three or more separate times, as provided by T.C.A § 13-7-604.

Please let me know if you have further questions.

Kelly Dannenfelser, AICP
Assistant Director · Department of Planning and Sustainability · City of Franklin
E kellyd@franklintn.gov **T** 615.550.6735 **W** www.franklintn.gov

This message has been prepared on resources owned by the City of Franklin, Tennessee. It is subject to the City's Policy for the Use of Computers, Internet and Email. Messages that are received or created by any City staff member may be a public record subject to Tennessee Open Records Act, T.C.A. §10-7-503, et seq., and the rules of the Open Records Commission. DO NOT COPY OR FORWARD TO UNAUTHORIZED PERSONS. This message may contain confidential information and is intended only for the use of the specific individual(s) to which it is addressed. If you are not an intended recipient of this message, you are hereby notified that any unauthorized use, dissemination or copying of this email or any information it contains is strictly prohibited. If you have received this message in error, please delete it and immediately notify the sender by reply email.

Andrew Orr

From: Kelly Dannenfelser
Sent: Monday, September 9, 2019 1:27 PM
To: Summervillejr@gmail.com
Cc: ZoneFranklin
Subject: Zoning Ordinance Update/Short-Term Vacation Rentals

James,
Thank you for attending the Open House for the Zoning Ordinance update. I'm following up on your question about grandfathering existing short-term vacation rentals with the new Ordinance. Staff has met internally and reviewed State law. Here's what we found:

The Tennessee Code Annotated (T.C.A) specifically addresses grandfathering of short-term vacation rentals. Staff has drafted provisions (below) based on State law and will include it in the final draft of the Franklin Zoning Ordinance so that it is clear that existing, permitted short-term vacation rentals may continue:

In accordance with T.C.A § 13-7-603, short-term vacation rentals that were legally established and issued a permit prior to the effective date of this Ordinance are subject to the law in place at the time that the property was being used as a short-term vacation rental until the property is:

1. Sold;
2. Transferred;
3. Ceases being used as a short-term vacation rental for a period of 30 continuous months; or
4. Has been in violation of generally applicable local laws three or more separate times, as provided by T.C.A § 13-7-604.

Please let me know if you have further questions.

Kelly Dannenfelser, AICP
Assistant Director · Department of Planning and Sustainability · City of Franklin
E kellyd@franklintn.gov **T** 615.550.6735 **W** www.franklintn.gov

This message has been prepared on resources owned by the City of Franklin, Tennessee. It is subject to the City's Policy for the Use of Computers, Internet and Email. Messages that are received or created by any City staff member may be a public record subject to Tennessee Open Records Act, T.C.A. §10-7-503, et seq., and the rules of the Open Records Commission. DO NOT COPY OR FORWARD TO UNAUTHORIZED PERSONS. This message may contain confidential information and is intended only for the use of the specific individual(s) to which it is addressed. If you are not an intended recipient of this message, you are hereby notified that any unauthorized use, dissemination or copying of this email or any information it contains is strictly prohibited. If you have received this message in error, please delete it and immediately notify the sender by reply email.

Andrew Orr

From: Andrew Orr
Sent: Tuesday, August 27, 2019 5:07 PM
To: Corbitt, John A; Phil Warren
Subject: RE: Parkway Commons Shopping Center / Proposed new zoning ordinance

Hi Phil and John,

It was nice meeting both of you and thank you again for reaching out. We have already updated the maps and will recommend CC to the BOMA. You can view it here:
http://franklin.maps.arcgis.com/apps/opsdashboard/index.html#/947c4bc0a11b480bbf777500dab8ed8d

We will include these emails with our staff report packet to the BOMA.

Thanks again,

Andrew

From: Corbitt, John A <john.corbitt@kroger.com>
Sent: Tuesday, August 27, 2019 5:01 PM
To: Phil Warren <pwarren@warrencommercial.com>; Andrew Orr <andrew.orr@franklintn.gov>
Subject: RE: Parkway Commons Shopping Center / Proposed new zoning ordinance

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

Andrew,

Kroger is in complete agreement with the note below.

Thanks,

John A. Corbitt
Real Estate Manager
The Kroger Co.
2620 Elm Hill Pike
Nashville, TN 37214
Office: 615-871-2540
Cell: 615-766-7099

From: Phil Warren <pwarren@warrencommercial.com>
Sent: Tuesday, August 27, 2019 10:45 AM
To: andrew.orr@franklintn.gov
Cc: Corbitt, John A <john.corbitt@kroger.com>
Subject: Parkway Commons Shopping Center / Proposed new zoning ordinance

[EXTERNAL EMAIL]: Do not click links or open attachments unless you recognize the sender and know the content is safe.

Andrew,
As a follow-up to our meeting a week ago concerning the proposed new zoning ordinance, we strongly feel reclassifying Parkway Commons
Shopping Center to Neighborhood Commercial is the wrong zoning classification. Parkway is the second largest shopping center in Franklin with
250,000 sf sitting on approximately 35 acres. If the property is ever redeveloped in the future, there is no way to redevelop such a large tract with the
uses allowed in Neighborhood Commercial. For that reason we all decided at the meeting that Central Commercial is more appropriate due to the mixed
residential and commercial uses allowed in the CC category. I am making this request as owner of the shopping center shops and outlots. I do not speak
for Kroger or Target who each own their respective tract in the center.
Please confirm your receipt of this email and the City's agreement to classify CC instead of NC.
Thank You,
Phil Warren

Phillip A. Warren
Warren Commercial Real Estate, Inc.
5217 Maryland Way
Suite 300
Brentwood, TN 37027

pwarren@warrencommercial.com
615-309-0781 x 102 (o)
615-812-8366 (m)
www.warrencommercial.com

This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain information that is confidential and protected by law from unauthorized disclosure. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.

Andrew Orr

From: John Brake <johnbrake61@gmail.com>
Sent: Monday, August 26, 2019 10:37 AM
To: ZoneFranklin
Cc: Molly Pike
Subject: One Final Plea to "Grandfather" Off-Premise STVR owners in new R-4

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

Dear Planning Commission,

As you weigh public feedback and comments on the draft zoning ordinance, and debate the value of "grandfathering" off-premise STVR owners in Franklin's new R-4 zone, please consider the following:

1. **We are an important part of Franklin's tourism industry**. STVRs provide a safe and comfortable home-like environment that many travelers seek out when coming to Franklin. Many of my guests would not have stayed and shopped here if they couldn't enjoy the STVR experience.

2. **Non-premise STVRs are often among the nicest, well-kept homes on their street**. If we don't maintain a desirable image, our business will suffer. It is in our best interests, and the city's, for non-premise STVR owners to maintain high curb appeal.

3. **Current Municipal requirements allow and regulate off-premise ownership**. If the ability to react quickly to safety and maintenance issues are among the chief concerns behind the draft ordinance, please consider that the current Municipal Code already provides for this. Section 13-203 requires owners or responsible parties live within 25 miles of the STVR. I live less than 10, and the same is true for every off-premise STVR owner I know.

4. **Current Municipal Code allows the city to discipline and monitor off-premise STVR owners, therefore encouraging compliance**. Three noise complaints and the City can pull my STVR permit. That's what I call incentive.

5. **New state law requires cities to grandfather current STVRs**. I am reluctant to quote "state law" to professional government officials. It's like a parent arguing calls with a referee. I am an STVR owner -- not a lawyer. But I researched this topic and found the following story from April 2018: General Assembly passes final version of bill grandfathering in current short-term rentals. I don't know how this specifically impacts Franklin's draft zoning ordinance, but the General Assembly's desire to protect lawfully permitted STVR owners throughout the state seems clear to me. I hope you agree.

That's all I've got.

Thanks so much for taking the time to read this. Thanks, too, for inviting public comment on this issue and for your willingness to make changes to the draft ordinance before making recommendations to BOMA.

Best,

John Brake
2721 McLemore Way
Franklin, TN 37064

Andrew Orr

From: Walter Green <greenwr7@gmail.com>
Sent: Thursday, August 22, 2019 6:37 PM
To: Kelly Dannenfelser
Cc: ZoneFranklin
Subject: Re: Zone Franklin Comments

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

They are probably fine, but a little Quality Assurance isn't a bad thing.
Take care.
Walt

On Thu, Aug 22, 2019, 6:32 PM Kelly Dannenfelser <kellyd@franklintn.gov> wrote:

Thank you, Walt. We will check into that.

From: Walter Green <greenwr7@gmail.com>
Sent: Thursday, August 22, 2019 6:08 PM
To: Kelly Dannenfelser <kellyd@franklintn.gov>
Cc: ZoneFranklin <zonefranklin@franklintn.gov>
Subject: Re: Zone Franklin Comments

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

Looking at the remainder of uses on the "proposed" lines (principle and accessory) for STVR's, might as well check to be sure that:

1. In OR and DD, NOOS's are ok for principle but not accessory, and

2. In NC, the reverse is the case.

Thanks.

Walt

On Thu, Aug 22, 2019, 5:27 PM Walter Green <greenwr7@gmail.com> wrote:

Thank you for the responses, Andrew and Kelly.

There are many who are very concerned about metastasis of NOOS's (an appropriate term for the "cancerous" non-owner-occupied STVR's) in residential areas, especially the new R-4.

How can I be sure to know when the BOMA and FMPC meetings will occur?

Many thanks.

Walt

On Thu, Aug 22, 2019, 5:08 PM Kelly Dannenfelser <kellyd@franklintn.gov> wrote:

Walter,

I absolutely love your attention to detail. You found an error. The R4 and R6 districts should be in separate columns in the accessory use table. R6 is not supposed to be included for the use regulation at this time. The reason R4 has a use regulation on STVRs proposed is because we heard requests for more regulation from residents in this district during Planapalooza. We have not heard this feedback from residents in the R6 district and did not intend for there to be a change.

STVRs will be on an upcoming meeting agenda for the BOMA and FMPC to discuss this topic.

Thank you for your feedback!

Kelly

From: Andrew Orr **On Behalf Of** ZoneFranklin
Sent: Thursday, August 22, 2019 2:58 PM
To: Kelly Dannenfelser <kellyd@franklintn.gov>
Subject: FW: Zone Franklin Comments

Any thoughts on the R6 STVR accessory use mentioned below? It's permitted with use regulations

From: Walter Green <greenwr7@gmail.com>
Sent: Thursday, August 22, 2019 2:47 PM
To: ZoneFranklin <zonefranklin@franklintn.gov>
Subject: Zone Franklin Comments

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

Hi. What a beautiful, complicated set of documents. There is much to absorb.

I have a question, though I guess you want comments and might not be prepared to reply to questions. Here it is, anyway:

Currently, in both R-6 and R-2, STVRs are allowed, however the proposed zoning applies conditional language (which I love) to principle STVRs in R-4 (replacing R-2 for my address), but not to principle STVRs (only to accessory) in R-6. I wonder why.

Thanks.

Walter Green

Andrew Orr

From: Amy Jenkins Smith <a.jenkinssmith@icloud.com>
Sent: Thursday, August 22, 2019 2:01 PM
To: ZoneFranklin
Subject: Re: 548 Franklin Rd 37069

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

Sorry, I didn't mean to send email with nothing in it.

I do want to recommend zoning change to I believe general office. It appears this category is more flexible in terms of what the land can be used for. Office residential looks like it can only be a house office; so that is very limited in terms of development.

What does the term continuum of care mean in the general office category?

Also I already spoke with the commercial tax assessor to determine my tax changes and he supported the zoning change as well for me based on my property location.

I do not want to miss the opportunity to change this zoning now.

Thanks for your help. Amy

Sent from my iPhone

On Aug 22, 2019, at 1:20 PM, ZoneFranklin <zonefranklin@franklintn.gov> wrote:

> Yes, the properties to the north are zoned Specific Development (SD-X) which we are renaming to Planned District (PD). Every property with this zoning district has a unique plan that was approved by the Board of Mayor and Aldermen. Every property with this zoning district has a unique plan attached to it. We are willing to recommend zoning your property General Office or Office Residential, as part of the zoning update, if that is your desire. However, if your intent is to remain living in your home for the foreseeable future, I would recommend that you keep your R1 zoning.
> Thanks,
> Andrew
>
> **From:** Amy Jenkins Smith <a.jenkinssmith@icloud.com>
> **Sent:** Thursday, August 22, 2019 10:29 AM
> **To:** ZoneFranklin <zonefranklin@franklintn.gov>
> **Subject:** Re: 548 Franklin Rd 37069
>
> ***ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.***

What is the zoning next to me where the office buildings are located?
Do you know?
Thxs Amy
Sent from my iPhone

On Aug 22, 2019, at 9:56 AM, ZoneFranklin <zonefranklin@franklintn.gov> wrote:

> HI Amy,
> Which zoning district would you like for your property? My bosses are willing to support a change to General Office or Office Residential.
> You can view these districts here:
> http://web.franklintn.gov/FlippingBook/2019ZoningOrdinanceDraft/18/index.html
> Please let me know your thoughts.
> Thanks,
> Andrew
>
> **From:** Amy Jenkins Smith <a.jenkinssmith@icloud.com>
> **Sent:** Tuesday, August 20, 2019 1:41 PM
> **To:** ZoneFranklin <zonefranklin@franklintn.gov>
> **Subject:** Re: 548 Franklin Rd 37069
>
> ***ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.***
>
> Hi Andrew,
> It's Amy Smith, we just met in the hallway. Thank you for stopping and talking to me. I would like to proceed forward in including my property in the rezoning ordinance that is coming up in the next year.
> If I can include my property in the Envision Franklin rezoning process as Amy educated me and not have to try to do this on my own (pay a lot of money) that would be great.
> Please let me know what forms or things I need to do on my end to make sure my property is included to coincide with the large office complex that has been built next to me and the delineated line that shows my property as mixed use.
> Now seems the appropriate time to facilitate this change process accordingly.
> I look forward to you letting me know what I need to do.
> Thank you, Amy Smith
>
> Sent from my iPhone
>
> On Aug 14, 2019, at 11:20 AM, ZoneFranklin <zonefranklin@franklintn.gov> wrote:
>
>> HI Amy,
>> Please reach out to Amy Diaz-Barriga (cc'd) if you have any additional questions. 550-6732. Also, if you would like the zoning to be something other than R1, please let us know.
>> Thanks,
>> Andrew
>>
>> **From:** Amy Jenkins Smith <a.jenkinssmith@icloud.com>
>> **Sent:** Tuesday, August 13, 2019 9:23 PM
>> **To:** ZoneFranklin <zonefranklin@franklintn.gov>
>> **Subject:** Re: 548 Franklin Rd 37069

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

Hi Andrew,
I never received the information for the planner I need to speak to.
Could you please send me that information?
Thank you for your help, Amy Smith

Sent from my iPhone

On Aug 7, 2019, at 5:00 PM, ZoneFranklin <zonefranklin@franklintn.gov> wrote:

> Hi Amy,
> The land use map you have below is from our old plan, but the mixed-use land use was carried over to the new plan, Envision Franklin, so your property is neighborhood mixed-use and is the last property going south along Franklin to be neighborhood mixed-use, but the zoning is a different thing. Your zoning has not changed. It is still R-1. All of this means that if you wanted your property to go commercial, you could request a rezoning to a commercial zoning district and the city staff would support your request to the planning commission and to the board of mayor and aldermen. Would you like me to refer you to one of the current planners?
> Envision Franklin Design Concepts Map (Land Use Map):
> <image001.jpg>
> Zoning Map:
> <image002.jpg>
> Thanks,
> Andrew
>
> **From:** Amy Jenkins Smith <a.jenkinssmith@icloud.com>
> **Sent:** Wednesday, August 7, 2019 3:51 PM
> **To:** ZoneFranklin <zonefranklin@franklintn.gov>
> **Subject:** Re: 548 Franklin Rd 37069
>
> ***ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.***
>
> I am so confused. What recommendations you are referring too? I was told the previous land use plan as outlined identified my property as mixed use.
> When legacy was presented I went down and discussed this specifically on 2 occasions confirming it was mixed use, given the fact a large office complex was being built right next to me.

I was at all the meetings during this time and it was never discussed that I was R-1. Indeed they confirmed my property was the last of the mixed use for this area. Who can I make an appointment with to discuss?
Thank you, Amy
Sent from my iPhone

On Aug 7, 2019, at 3:03 PM, ZoneFranklin <zonefranklin@franklintn.gov> wrote:

> Hi Amy,
> The map below is our previous land use map, which is different from zoning. The recommendations were carried over to our updated Land Use Plan, Envision Franklin. However, your property is zoned R-1. The zoning on your property has never changed.
> Thanks,
> Andrew
>
> **From:** Amy Jenkins Smith <a.jenkinssmith@icloud.com>
> **Sent:** Wednesday, August 7, 2019 2:31 PM
> **To:** ZoneFranklin <zonefranklin@franklintn.gov>
> **Subject:** Re: 548 Franklin Rd 37069
> ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

<image001.jpg>

My property has the "dot" on it denoting Mixed Use adopted in 2011. This is the map provided to me by the City of Franklin confirming this information to be correct.

This was confirmed to me on 2 occasions with the zoning commission during the time when Mr. Gregory was working on his Legacy development.

Mr. Gregory did not change the maps he was presenting for his plan to make mine mixed use, because he did not buy my land. His documents regarding my property were inaccurate during his presentations; my property was not R-1 it was mixed use.

Thank you, Amy

> On Aug 5, 2019, at 3:48 PM, ZoneFranklin <zonefranklin@franklintn.gov> wrote:
>
> Hi Amy,
>
> Thank you for reaching out. I checked Envision Franklin, the City's land use plan, and your property is designated as Neighborhood Mixed-Use, which is the same as the properties to the north. The zoning, however, is not PD. It is still R-1. From what I can tell, your property was not part of the Family Legacy PUD Subdivision. If you don't mind, please send the documents you have that show your property was rezoned.
>
> Thanks,
>
> Andrew
>
> -----Original Message-----
> From: Amy Jenkins Smith <a.jenkinssmith@icloud.com>
> Sent: Friday, August 2, 2019 3:04 PM
> To: ZoneFranklin <zonefranklin@franklintn.gov>
> Subject: 548 Franklin Rd 37069
>
> ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.
>
>
>
> Hi to whom it may concern,

>
> I just reviewed the zoning map, the past and new public draft of zoning ordinance and my property is a PD planned district, not a R1 residence district. It is not documented correctly.
>
> When I purchased this property in 2015 I went to the planning commission and met regarding this land.
>
> It was the PD district and I have the documents to show this. It was never corrected on the map that has been online to reflect this information that was given to me by the planning commission. But indeed this property
> 548 Franklin Rd is part of that entire PD District.
>
> My property line to the left is the end of the PD district.
>
> Then beyond my property line becomes R1.
>
> Please correct this accordingly and call me if you have further questions.
>
> Thank you,
> Amy Smith 615-504-9236
>
> Sent from my iPhone

Andrew Orr

From: Nick Mann <nicholascmann@gmail.com>
Sent: Wednesday, August 21, 2019 7:58 PM
To: Andrew Orr
Cc: Scott Speedy; ZoneFranklin
Subject: Re: Proposed Franklin Zoning

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

Andrew, thanks so much for this history and explanation. I would assume that in the unlikely event that the developer changes the final phase from single family to some variation of duplex/multi family, that would be considered significant to require board approval. That is enough protection for me.

Scott, thanks for the call today. It was very nice speaking with you.

Best,
Nick

Nick Mann, Esq.
615-347-9891

On Aug 21, 2019, at 3:45 PM, Andrew Orr <andrew.orr@franklintn.gov> wrote:

> Hi Nick
> The story is River Bluff was submitted as a PUD Development Plan that was approved by the BOMA. The overall density met the R-2 District requirements, but the lot sizes were smaller than what is permitted so they had to submit a PUD Development Plan to allow for those. We are recommending that the zoning change to the Planned District (PD) with a specified density that matches their approved PUD Development Plan so that the zoning better reflects the actual entitlements and process of approval. If the developer wanted to amend the plan, they would need to request a development plan amendment, which depending on the significance of the change would necessitate board approval. As you will see on the map, most neighborhoods are PDs and this does protect the existing neighborhoods by tying the zoning to the approved plan.
> Please let me know if you would like to discuss further.
> Andrew Orr, AICP, PEM | Long Range Planning Supervisor
> 109 3rd Avenue South | Franklin, Tennessee 37064
> P: 615.550.6741 | E: andrew.orr@franklintn.gov
>
> > **From:** Nick Mann <nicholascmann@gmail.com>
> > **Date:** August 21, 2019 at 7:54:37 AM CDT
> > **To:** scott.speedy@franklinTN.gov
> > **Cc:** kira.bardun@gmail.com
> > **Subject: Proposed Franklin Zoning**
> >
> > Hi Scott,
> > I hope this finds you well. My wife, Kira, and I live in the River Bluff subdivision located on Lewisburg pike, just across from Sullivan Farms. The River Bluff neighborhood is

currently zoned R-2. I noticed that the new, proposed zoning ordinance will change our neighborhood to PD - Planned District. Do you know why PD is being proposed for River Bluff? It seems like the more appropriate zoning designation is R3.

My concern is that the final phase of River Bluff has not yet been developed. We all bought into the River Bluff neighborhood on the premise that it will be single family homes. Under the PD zoning designation, multi family and duplex homes are allowed. This would disrupt the neighborhood and does not seem compatible with the surrounding area.

Best,
Nick

Nick Mann, Esq
Cell: 615-347-9891

Andrew Orr

From: Molly Pike
Sent: Tuesday, August 20, 2019 9:12 AM
To: Kelly Dannenfelser
Cc: Andrew Orr
Subject: FW: STVR changes for R-4

From: John Brake <johnbrake61@gmail.com>
Sent: Tuesday, August 20, 2019 9:09 AM
To: Molly Pike <MollyP@franklintn.gov>
Subject: STVR changes for R-4

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

Hi Molly,

I want to thank you again for taking the time to meet with me personally last week about how the changes in the new zoning ordinance, as currently written, will impact non-premise STVR owners in the new R-4 area.

The new guidelines are life-changing to me and others, and I appreciate the Planning Commission's desire and willingness to solicit feedback from STVR owners (and general public) before making final recommendations to BOMA.

So ... let me take one more opportunity to ask the Planning Commission to ***PLEASE*** grandfather us non-premise guys into the new ZO. Pretty please, with sugar on top. We are good law-abiding citizens. House-broken and potty-trained (well, most of us anyway). We help seniors cross the street! Put our coats on puddles of water so fair maidens can walk with dry shoes! We don't cuss (much) or drink to excess (often), but are willing to give it a try if it will help get us grandfathered in!

Thanks again,

John Brake
615-406-3673

Andrew Orr

From: Sharon Carrington <sharonmcarrington@gmail.com>
Sent: Monday, August 19, 2019 2:10 PM
To: Andrew Orr
Subject: Re: 11th and West Main

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

Thank you for your assistance Andrew! It helps to know what is happening.
Sharon

Sent from my iPhone

> On Aug 19, 2019, at 8:28 AM, Andrew Orr <andrew.orr@franklintn.gov> wrote:
>
> Hi Sharon,
>
> Thank you for participating in the open house last week. Unfortunately, I don't think this intersection will improve any time soon. Please see the email exchange below with our traffic engineer.
>
> Thanks,
>
> Andrew
>
> -----Original Message-----
> From: Adam Moser
> Sent: Friday, August 16, 2019 6:36 PM
> To: Andrew Orr <andrew.orr@franklintn.gov>
> Subject: Re: 11th and West Main
>
> It's either a minor arterial or collector if I remember correctly. It would not qualify for traffic calming in our current program.
>
>
>
> Sent from my iPhone
>
>> On Aug 16, 2019, at 5:01 PM, Andrew Orr <andrew.orr@franklintn.gov> wrote:
>>
>> Any thoughts on traffic calming for cars on West Main?
>>
>> -----Original Message-----
>> From: Adam Moser
>> Sent: Friday, August 16, 2019 4:26 PM
>> To: Andrew Orr <andrew.orr@franklintn.gov>
>> Subject: RE: 11th and West Main

>>
>> We have many misaligned streets in the historic City of Franklin. We are at the mercy of how properties and streets were laid out very long ago, and correcting them is very costly. The alignment at this location cannot be corrected unless property is purchased and the streets realigned.
>>
>> In addition, this intersection would likely not warrant a traffic signal. There are many warrants that must be met and this intersection likely wouldn't meet those. We will pull crash history on this intersection to look at that, however, it is very unlikely this intersection will qualify for a traffic signal. The operation of a traffic signal at misaligned intersections is also not conducive to reducing vehicle delays, nor is a traffic signal guaranteeing a safer intersection that one without.
>>
>> Thank you,
>>
>> Adam Moser, P.E.
>> Traffic Engineer
>> City of Franklin
>>
>> -----Original Message-----
>> From: Andrew Orr
>> Sent: Friday, August 16, 2019 3:04 PM
>> To: Adam Moser <adam.moser@franklintn.gov>
>> Subject: 11th and West Main
>>
>> Hey Adam,
>>
>> I spoke to a resident yesterday about the (misaligned) intersection of 11th and West Main Street. She had concerns about the safety of turning left from 11th onto West Main Street. What are your thoughts on this?
>>
>> Thanks!
>>
>> -----Original Message-----
>> From: planningprint2@franklintn.gov <planningprint2@franklintn.gov>
>> Sent: Friday, August 16, 2019 2:35 PM
>> To: Andrew Orr <andrew.orr@franklintn.gov>
>> Subject: Scanned on Bizhub from NovaCopy
>>
>> The attached document was scanned on a Konica Minolta Bizhub from NovaCopy
>>
>>
>>
>>
>> This message has been prepared on resources owned by the City of Franklin, Tennessee. It is subject to the City's Policy for the Use of Computers, Internet and Email. Messages that are received or created by any City staff member may be a public record subject to Tennessee Open Records Act, T.C.A. §10-7-503, et seq., and the rules of the Open Records Commission. DO NOT COPY OR FORWARD TO UNAUTHORIZED PERSONS. This message may contain confidential information and is intended only for the use of the specific individual(s) to which it is addressed. If you are not an intended recipient of this message, you are hereby notified that any unauthorized use, dissemination or copying of this email or any information it contains is strictly prohibited. If you have received this message in error, please delete it and immediately notify the sender by reply email.
>>
>>
>>

Andrew Orr

From: Paul Johnson <prjtoday@aol.com>
Sent: Wednesday, August 14, 2019 11:29 AM
To: ZoneFranklin
Subject: Re: Zoning

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

Okay, thank you for your response.

Sent from my iPhone

On Aug 14, 2019, at 11:21 AM, ZoneFranklin <zonefranklin@franklintn.gov> wrote:

> Hi Paul,
> The Franklin Zoning Ordinance Update has no bearing on school zoning. This is a separate issue. School zoning is handled through Williamson County Schools and they have a separate board.
> Thanks,
> Andrew
>
> **From:** Paul Johnson <prjtoday@aol.com>
> **Sent:** Wednesday, August 14, 2019 11:01 AM
> **To:** ZoneFranklin <zonefranklin@franklintn.gov>
> **Subject:** Zoning
>
> ***ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.***
>
> Hello,
>
> I own property at 1450 Bernard Way Franklin TN 37067. My home is located in Hadden Hall within the McKay's Mill subdivision.
> I am very interested in my property being zoned for Williamson public schools verses Franklin Specialty schools, Unfortunately, I will be out of town tomorrow and unable to attend the zoning meeting.
> Could you please update me as to new "zoning ordinance" how my property will be effected?
> Thanks & Best regards,
> Paul Johnson

Andrew Orr

From: Neeti Agarwal <neeti1908@gmail.com>
Sent: Tuesday, August 13, 2019 1:26 PM
To: ZoneFranklin
Subject: Re: Zoning Ordinance

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

Good afternoon,

Thanks for letting me know.

Regards,
Neeti

Sent from my iPhone

On Aug 13, 2019, at 1:13 PM, ZoneFranklin <zonefranklin@franklintn.gov> wrote:

> Good Afternoon,
> Thank you for reaching out. We are proposing to leave the zoning district the same as it is now, Neighborhood Commercial (NC).
> Thanks,
> Andrew
>
> **From:** Neeti Agarwal <neeti1908@gmail.com>
> **Sent:** Tuesday, August 13, 2019 11:20 AM
> **To:** ZoneFranklin <zonefranklin@franklintn.gov>
> **Subject:** Zoning Ordinance
>
> ***ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.***
>
> Hello,
> I am the property owner of 4419 S Carothers Rd, Franklin parcel. What is the proposed zoning ordinance for this parcel?
> Please advise.
> Respectfully,
> Neeti Agarwal

Andrew Orr

From: Paul or Wanda Thompson <thompson790@bellsouth.net>
Sent: Friday, August 9, 2019 4:34 PM
To: ZoneFranklin
Subject: Comments/Concerns

Follow Up Flag: Follow up
Flag Status: Completed

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

To whom it may concern:

I'm sorry we will be out of town, missing the Aug 15 meeting. We are Local residents of Forrest Crossing. Having Lived in Brentwood, and Franklin my entire life. I do care greatly about how land is being developed/regulated. The following are two concerns that I would appreciate being considered in this **Draft** of "Zone Franklin"....

1) Parking guidelines in Residential neighborhoods new or existing.
Please Stop parking on the streets in residential neighborhoods. It looks tacky, congested, and cheapens the overall appearance of the development. In other cities whether the neighborhood has $Million+ or $350,000+ homes in it they don't allow parking on the streets, and the view of the overall area is much nicer, and strengthened by that regulation. In areas of neighborhood that do allow parking on the streets more, and more liberties are taken therefore making that neighborhood unsightly.

2) Another great concern in Franklin Everywhere. You're allowing building in so many areas. Please don't turn us into one of those cities, only thinking of the taxes/revenue coming in, while not thinking of the infrastructure/road congestion that we've had already for some years, and it's getting worse rapidly. Because we realize the high cost to do road expansion. However it's already a necessity. Franklin road should have been widened, as Hwy 96 East (alias Murfreesboro Pk). along with North Royal Oaks. Yes extending New Hwy 96 West will be a plus but that's only one side of our city. All we have many hours in a day is heavy traffic internally in the city limits. Cities like Spring Hill, and Nolensville all chose revenue of new buildings over new roads, and ignoring the problems of their existing residents. Franklin's appeal will in time diminish if it's to difficult to navigate through it.

By your decisions now please don't make us in turn lose the Charm Franklin now has, and has had. We don't want a concrete jungle of walls at every turn in our City, or county.

Thank You..
Wanda Thompson-Resident of Forrest Crossing

Andrew Orr

From: Christina Cheek <ccheek4@oreillyauto.com>
Sent: Thursday, August 8, 2019 2:08 PM
To: ZoneFranklin
Cc: Christina Cheek
Subject: RE: O'Reilly Store #916 - 103 Lumber Drive and Store #4915 - 1445 Murfreesboro, Franklin, TN Zoning Changes

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

Andrew,

Thank you for your quick response, I appreciate it!

Thank You!

Christina Cheek
Lease Administrator for the Northeastern Regions, VA, WV, Carolinas, GA & CARPAR
Real Estate Department
O'Reilly Auto Parts
233 S. Patterson
Springfield MO 65802
417-837- 5962
417-874-7112 (fax)
ccheek4@oreillyauto.com

From: Andrew Orr [mailto:andrew.orr@franklintn.gov] **On Behalf Of** ZoneFranklin
Sent: Thursday, August 08, 2019 2:06 PM
To: Christina Cheek <ccheek4@oreillyauto.com>; ZoneFranklin <zonefranklin@franklintn.gov>
Subject: RE: O'Reilly Store #916 - 103 Lumber Drive and Store #4915 - 1445 Murfreesboro, Franklin, TN Zoning Changes

Good Afternoon,

Thank you for reaching out. For existing buildings not looking to change, this is more of an administrative activity.

For the Murfreesboro Road store, the zoning is being recommended from General Commercial (GC) to Regional Commerce 6 (RC6) which is very similar. We are basically moving all of the GC parcels along the I-65 corridor into RC6 or RC12.

With the conversion of GC, we had to move the Columbia Ave store to a different district and chose LI based upon our land use plan, Envision Franklin, as well as it being the predominant district along Columbia Ave.

Neither change will have an impact on operating your store. Zoning standards would kick in if you were to do major additions to the stores or demolish them and build something new.

I hope this helps, but feel free to follow up.

Thanks,

Andrew

From: Christina Cheek <ccheek4@oreillyauto.com>
Sent: Thursday, August 8, 2019 12:16 PM
To: ZoneFranklin <zonefranklin@franklintn.gov>
Cc: Christina Cheek <ccheek4@oreillyauto.com>
Subject: O'Reilly Store #916 - 103 Lumber Drive and Store #4915 - 1445 Murfreesboro, Franklin, TN Zoning Changes
Importance: High

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

Hello,

I am inquiring about the proposed zoning changes from Central Commercial to Light Industrial on our two locations in Franklin, TN. Will this have any impact on hour our stores at all or is it just a minor change? Impacts being any changes to appearance, landscaping, etc., requirements? I appreciate your time and assistance, thank you!

Thank You!

Christina Cheek
Lease Administrator for the Northeastern Regions, VA, WV, Carolinas, GA & CARPAR
Real Estate Department
O'Reilly Auto Parts
233 S. Patterson
Springfield MO 65802
417-837- 5962
417-874-7112 (fax)
ccheek4@oreillyauto.com

The information transmitted is intended only for the person or entity to which it is addressed and may contain proprietary, business-confidential and/or privileged material. If you are not the intended recipient of this message you are hereby notified that any use, review, retransmission, dissemination, distribution, reproduction or any action taken in reliance upon this message is prohibited. If you received this in error, please contact the sender and delete the material from any computer.

Stop, Look, and Think. This email is from an external source.

The information transmitted is intended only for the person or entity to which it is addressed and may contain proprietary, business-confidential and/or privileged material. If you are not the intended recipient of this message you are hereby notified that any use, review, retransmission, dissemination, distribution, reproduction or any action taken in reliance upon this message is prohibited. If you received this in error, please contact the sender and delete the material from any computer.

Andrew Orr

From: Brett Jones <obr.brett@gmail.com>
Sent: Tuesday, August 6, 2019 5:18 PM
To: ZoneFranklin
Cc: Scott Speedy; Kelly Dannenfelser
Subject: Re[2]: Proposed zoning of industrial properties on Meadowlawn Dr and Adams St

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

Thank you, Andrew. I appreciate your response. I would like to note that while the properties do abut the rail line, I do not believe they utilize the rail for delivery of goods. Supply deliveries are trucked in, from Adams St then down Meadowlawn/Bel Aire. The properties in the area immediately east of the rail line do actually use rail for delivery of goods (Huskey and the Sakrete factory). However, these properties are zoned Light Industrial. It seems at minimum the three parcels on Meadowlawn and Adams/Bel Aire should be rezoned to LI. But given the character of the rest of the Adams St/Meadowlawn/Highland Gardens neighborhood, residential is more appropriate.

Hope to meet you at one of the upcoming public meetings.

Brett

------ Original Message ------
From: "ZoneFranklin" <zonefranklin@franklintn.gov>
To: "Brett Jones" <obr.brett@gmail.com>
Cc: "Scott Speedy" <scott.speedy@franklintn.gov>; "Kelly Dannenfelser" <kellyd@franklintn.gov>
Sent: 8/6/2019 4:57:10 PM
Subject: RE: Proposed zoning of industrial properties on Meadowlawn Dr and Adams St

Hi Brett,
Thank you for reaching out and voicing your concern. While we do anticipate change over time for these industrial properties that is more in line with the neighborhood, the properties you are referencing do abut the CSX line and have been legally operating. We did not feel comfortable recommending a change to the HI properties that are legally operating as industrial/commercial uses, especially not knowing the will of the property owners. We did, however, recommend rezoning the HI properties that are single family residential. We have several public meetings slated for this fall and will pass along your comment to the Board and gauge their interest on changing the zoning.
Thanks,
Andrew

From: Brett Jones <obr.brett@gmail.com>
Sent: Tuesday, August 6, 2019 4:37 PM
To: ZoneFranklin <zonefranklin@franklintn.gov>
Cc: Scott Speedy <scott.speedy@franklintn.gov>
Subject: Proposed zoning of industrial properties on Meadowlawn Dr and Adams St

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

Dear Madam or Sir,

I received the Zone Franklin mailer, and am extremely surprised to see the industrial properties located at the end of Meadowlawn Dr and Adams St/Bel Aire Dr are shown as Heavy Industrial for the proposed zoning. This is not consistent with the Envision Franklin plan, which calls for these properties to transition to Historic Residential. The fact these properties are proposed to remain zoned HI is completely inappropriate, based on the purpose of the HI zoning, which is "to provide for industrial uses that have extensive exterior movement of vehicles and goods." I invite City of Franklin decision makers to take a cruise down Adams St and Meadowlawn Dr and explain how this is an appropriate location for "extensive exterior movement of vehicles and goods."

I lived at 311 Meadowlawn Dr for seven years (moved a few blocks over to Everbright Ave in June) and it was a common occurrence for semi-trucks to back down the entirety of Meadowlawn Dr from Adams St. The warehouse at the end of the street also apparently leases outdoor storage space to many different users with large trucks and heavy equipment, and some of these folks speed through, sometimes with heavy trailers in tow. It caused me a lot of worry. I still own 311 Meadowlawn and also own 307 Meadowlawn, and both tenants have small children who understandably play on the dead-end street. There are four Franklin Elementary School children on the street, in addition to middle schoolers. It's not safe. It makes no sense from a land-use planning perspective. And it should be changed.

I hope to attend the Public Open House on August 15th, but in the meantime, please pass these comments to the individuals evaluating the proposed changes. I have attached the alderman for the area, Scott Speedy, to this email.

Sincerely,

Brett Jones
111 Everbright Ave
615-516-0326
obr.brett@gmail.com

Andrew Orr

From: Deborah Prince <dndprince@att.net>
Sent: Monday, August 5, 2019 11:29 AM
To: Andrew Orr
Subject: Re: question on new zoning

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

Thank you for your prompt response.

Deborah Prince

On Aug 5, 2019, at 9:08 AM, Andrew Orr <andrew.orr@franklintn.gov> wrote:

> HI Deborah,
> Thank you for reaching out. The PD zone is intended for neighborhoods and developments that had a specific plan (we call them Planned Unit Developments or PUDs) tied to the zoning of the property. Many neighborhoods in Franklin are PUDs. However, I really appreciate you reaching out because I don't think Hunters Chase was a PUD. I think when I changed Dallas Downs to PD, I incidentally included Hunters Chase, since it is adjacent. The zoning map changes do not have any bearing on roadway projects and a change like R-3 to PD shouldn't have an effect on property values. I will change Hunters Chase back to R-3. Thanks for bringing it to my attention!
> Andrew
>
> **From:** Deborah Prince <dndprince@att.net>
> **Sent:** Friday, August 2, 2019 10:29 AM
> **To:** Andrew Orr <andrew.orr@franklintn.gov>
> **Subject:** question on new zoning
>
> ***ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.***
>
> I logged on to zonefranklin.com to check zoning changes. My residence at 508 Justin Dr shows a proposed change from R-3 Residential to PD Planned District. Can you explain exactly what that means? What is PD Planned District? Will this affect the value of my home? Does it have anything to do with widening of Lewisburg Pike?
> Thank you,
> Deborah Prince

Andrew Orr

From: Andrew Orr
Sent: Tuesday, August 6, 2019 8:39 AM
To: Debra Brevard
Subject: RE: Question

Good Morning Debra,

We are recommending the other homes on your street also go to the newly created R4 zoning district—which has been specifically created for the downtown area to correct some of the conflicts residents were experiencing with the R-3 District. R4 does allow for accessory dwellings and other accessory structures. The Planning Commission votes on the ordinance and makes a recommendation to the BOMA. The BOMA has the final authority and like all ordinances, requires three readings and a public hearing. We are hoping the Planning Commission will vote on it at their December 19th meeting. Then, it will go to BOMA. You can read more about R-4 here: http://web.franklintn.gov/FlippingBook/2019ZoningOrdinanceDraft/32/index.html and more about accessory structures here: http://web.franklintn.gov/FlippingBook/2019ZoningOrdinanceDraft/98/index.html

Thanks!

Andrew

From: Debra Brevard <debbiebrevard@gmail.com>
Sent: Monday, August 5, 2019 5:43 PM
To: Andrew Orr <andrew.orr@franklintn.gov>
Subject: Re: Question

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

Who will be voting on this, Andrew? The Planning Commission and BOMA (Board of Mayor and Alderman)? Will they be allowed to vote? I am not sure who votes on the new Zoning amendments - may delay the slated Zoning process for any reason.

When is a vote likely to occur, and how long after that would the zoning change?
Would this new zoning to R4 allow an accessory bldg for habitation? What uses would be allowed?
Why not zoned to R-3 like the rest of the street?

Thanks,
Debbie Brevard

On Aug 5, 2019, at 9:45 AM, Andrew Orr <andrew.orr@franklintn.gov> wrote:

We are hoping to get this in front of the Planning Commission this December and to the Board of Mayor and Aldermen starting in January of 2020.

From: Debra Brevard <debbiebrevard@gmail.com>
Sent: Monday, August 5, 2019 9:40 AM
To: Andrew Orr <andrew.orr@franklintn.gov>
Subject: Re: Question

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

Thank you! As I am currently considering a remodel that requires re-zoning, how long would I need to wait before this goes into effect?
Thanks,
Debbie Brevard

On Aug 5, 2019, at 9:35 AM, Andrew Orr <andrew.orr@franklintn.gov> wrote:

Hi Debra,

Thank you for reaching out. Yes, we are recommending that your property and your two neighbors to the east, 317 and 319, are also changed to R4. R4 is a new district we are proposing that includes the single-family homes in and around Downtown Franklin. The properties adjacent to the railroad would remain industrial.

Here's a screenshot of the proposed area. You can also view it on zonefranklin.com

<image001.jpg>

Thanks!

Andrew

From: Debra Brevard <debbiebrevard@gmail.com>
Sent: Friday, August 2, 2019 12:32 PM
To: ZoneFranklin <zonefranklin@franklintn.gov>
Subject: Question

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

Hi Zone Franklin,

How wonderful to see what the Franklin Municipal Planning Commission is up to!! Envision Franklin is a great comprehensive plan, and I appreciate the opportunity to live here and see these positive changes happen.

I am currently considering rezoning my property from Heavy Industrial to Residential, since I am in a neighborhood that is mostly residential and it doesn't really make sense for it to be Heavy Industrial when I am living on it with a Residential use.

My property is located at 315 Meadowlawn Dr., Franklin, TN 37064

Yesterday, I received this postcard (below) in the mail. Can you tell me if this Zoning Ordinance will address changing this so I do not need to go through the long and laborious process of rezoning what shouldn't be necessary in the first place?

<image002.jpg>

Thank you for your kind attention.

Debbie Brevard
315 Meadowlawn Dr.
Franklin, TN 37064
(615) 887-5297
ddbrevard@bellsouth.net

Andrew Orr

From: Molly Pike
Sent: Wednesday, August 7, 2019 4:22 PM
To: ZoneFranklin; John Brake
Subject: RE: Existing STVR in new R-4 zone

An STVR owner is required to renew their permit yearly. Current STVR standards are contained in the Municipal Code and there are no limitations on the zoning district. It would depend on the language in the new zoning ordinance whether an STVR could be "grandfathered". This permit can be revoked with cause so there would need to be specific language added about an STVR 'in good standing' or something similar if the intent is to allow an existing STVR to continue. There will need to be revisions to the new ZO and MC to resolve the conflicts that may exist.

Please let me know if you have any additional questions.

Molly A. Pike, RLA
Zoning Administrator
Department of Building & Neighborhood Services
City of Franklin, Tennessee
615-550-6738

From: Andrew Orr **On Behalf Of** ZoneFranklin
Sent: Wednesday, August 7, 2019 1:04 PM
To: John Brake <johnbrake61@gmail.com>
Cc: Molly Pike <MollyP@franklintn.gov>
Subject: RE: Existing STVR in new R-4 zone

Hey John,

It is my understanding that existing STVRs in R4 would be grandfathered in and allowed to continue operating. Molly, if this is incorrect, please reply.

Thanks!

Andrew

From: John Brake <johnbrake61@gmail.com>
Sent: Wednesday, August 7, 2019 9:42 AM
To: ZoneFranklin <zonefranklin@franklintn.gov>
Subject: Re: Existing STVR in new R-4 zone

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

Thank you! I hope to meet you at the Open House on 8/15 and can come by your office, too. Anytime. Thanks again Andrew. Much appreciated.

On Wed, Aug 7, 2019 at 9:35 AM ZoneFranklin <zonefranklin@franklintn.gov> wrote:

Hey John,

Let me check on this.

From: John Brake <johnbrake61@gmail.com>
Sent: Tuesday, August 6, 2019 5:33 PM
To: ZoneFranklin <zonefranklin@franklintn.gov>
Subject: Re: Existing STVR in new R-4 zone

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

Thanks Andrew. I appreciate your quick response. I understand the desire to limit growth of STVRs but is there a provision that current off-site STVR owners can be grandfathered in? Or will we be forced to do something else with the property?

On Tue, Aug 6, 2019 at 5:02 PM ZoneFranklin <zonefranklin@franklintn.gov> wrote:

Hi John,

You can review the proposed standards here:
http://web.franklintn.gov/FlippingBook/2019ZoningOrdinanceDraft/90/index.html

The major change would be homes in R-4 (which would be the majority of single family homes in Downtown Franklin) would have to have the owner reside on the property (this could be the main house or an accessory dwelling, but somewhere on the property). There is a strong desire by the downtown residents to limit STVRs in the downtown area.

Thanks,

Andrew

From: John Brake <johnbrake61@gmail.com>
Sent: Tuesday, August 6, 2019 4:43 PM
To: ZoneFranklin <zonefranklin@franklintn.gov>
Subject: Existing STVR in new R-4 zone

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

Hi ... Can you tell me what to expect as the off-site owner of a Short Term Vacation Rental that is currently R-3 but is likely to become R-4 under the new plan? Thanks.

--

Sincerely,

John Brake

Affiliate Broker

415 Main Street

Franklin, TN 37064

License # 00332884

Firm License # 00059191

Phone: 615-790-7400

Fax: 615-790-7413

Andrew Orr

From: Kelly Dannenfelser
Sent: Thursday, August 8, 2019 11:16 AM
To: Scott Bernick
Cc: Caleb Thorne; Alan Thompson; Emily Hunter; Andrew Orr
Subject: RE: Next Design Professionals/Developer Group Meeting - Draft Zoning Ordinance Discussion - Wednesday, August 7 @ 7:30 AM

Scott,
Thank you for your team's thoughtful review of the draft ZO. We appreciate your team's thoughtful comments and the understanding that Franklin does work toward setting high standards that achieve quality development and exceptional places for people. I'll add these comments to our feedback list for staff/consultant discussion preceding the release of the final draft. I've provided responses where there are simpler answers in blue below.

Kelly

From: Scott Bernick <sbernick@ragansmith.com>
Sent: Tuesday, August 6, 2019 11:35 PM
To: Kelly Dannenfelser <kellyd@franklintn.gov>
Cc: Scott Bernick <sbernick@ragansmith.com>; Caleb Thorne <cthorne@ragansmith.com>; Alan Thompson <athompson@ragansmith.com>
Subject: FW: Next Design Professionals/Developer Group Meeting - Draft Zoning Ordinance Discussion - Wednesday, August 7 @ 7:30 AM

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

Good Evening Kelly –

We've reviewed the zoning ordinance draft and wanted to provide the following comments/questions prior to our meeting tomorrow. Your team has done an excellent job organizing the new ZO and expect the COF will continue to set the standard here in Middle TN and beyond. Great work on the formatting! We hope these comments are productive and look forward to our Q & A session tomorrow.

- Frontage Types for RC6 and RC12 are vastly different than the development pattern in those proposed zones today. We definitely foresee some growing pains for the market and developers by eliminating parking in front of retail all together. We expect some end users in our current market will initially look elsewhere due to the restrictions in parking, however, one day will embrace a walkable community. With that said, it seems logical to consider limited parking in front of some retail based on road classifications. For example, removing parking in front of Lennox Village on Nolensville Pike seems devastating to the small retail component within the mixed use....at the same time we understand the feel of a Hillsboro Village and feel it works well because of the tight street scape. Along many of our arterials with several lanes and exclusive easements, we feel limited parking in front may not be a bad thing.
- Related to item above, would drive thrus also be restricted between the building and road? In certain scenarios....form should follow function and interested to see examples.

- We noticed General Office is intended to provide a transition between RC areas and residential neighborhoods. Seems like a live-work use and building type would be promoted or allowed?
- The 20' garage setback from front façade on homes on front loaded garages is significant. We agree with a setback to place emphasis on the front door but feel that same approach is achievable by a lesser distance...such as 8-10'. This requirement will definitely eliminate some national builders and their products from considering Franklin's market and providing "Franklin Affordable" options. Ideally, National builders would modify their product but that doesn't happen a lot. We also get that standards aren't put in place to accommodate all builders but there's a large portion of homes in Franklin that don't meet this standard.
- Requiring Big Box retailers to park half their parking via structured spaces is a massive cost at approximately $20,000 a space. Between requiring parking in the rear and 50% structured parking it'll be interesting to see how today's market responds. Structured parking and impact fees are the (2) biggest concerns we hear from clients that break their proformas. For example...would Lifetime Athletic pay an extra 3 million for half structured parking or look at an adjacent market?
  The large-scale retail building type is specific to retail use (and as we talked about yesterday it was a directive from the BOMA back in 2008). It wouldn't apply to a commercial recreation use like Lifetime Fitness. I'll revise the description to make it more clear.
- The requirement for all 20% slopes and greater to be placed in open space or an easement can be challenging with our middle TN terrain. There are some sites adjacent to arterial roads/infrastructure that flirt with those slopes and should absolutely be considered for development to encourage growth along our improved corridors. At the same time, we appreciate the sensitivity to natural resources. Consideration should be given to cut vs. fill. There are many instances where earthwork within an existing slope wouldn't impact the untouched slopes. Again this is location specific.
  In the Steep Slopes section, the provision to preserve 20% slopes became more flexible in the draft. It will not be all 20% slopes; rather, it will only apply to the more significant areas with those slopes—hence the 20 feet of rise over 100 feet of run.
- Page 161 of the ZO references a 40' intenal drive maximum. Clarity is needed when a turn lane is required by the traffic study. (3) 12' lanes plus 8' parallel parking on each side exceeds this requirement. Parallel parking is being required on all internal drives.
- The ZO doesn't seem to allow the removal of specimen trees. It discusses the replacement requirement of 2:1 as a default for trees not authorized to be removed. We completely agree Specimen trees should be maintained for obvious reasons, however, sometimes the location is so impactful to a layout that it's impossible to keep them. Does this ZO take a different stance than the current policy?
  Yes. If it hinders access to the site then it can be removed and replaced at a 2:1.
- We feel that staff should have the authority to administratively approve a site plan that has and complies with the buffer standards. Currently, the ZO requires any plan with a buffer to go before the FMPC. Why is that required if one complies with the Code?
  The BOMA/FMPC would like to discuss the triggers for FMPC and Administrative site plan approvals. This topic is tentatively scheduled for the September 19 special joint workshop.
- Figure 23.2.3.B seems confusing. Shouldn't the "Lot Width" label be pushed back to the front façade and the current location labeled "lot width" actually be labeled "Front Lot Line"? It's our understanding the lot with is the plane at the building front façade but allows the front lot line to be less at a cul-de-sac?
  Good catch! Thank you.
- Page 241: Should 'Tree Save Areas" be referred to as "Canopy Retention Areas" or is any tree save on site required to go to open space? Basically, does only the minimum requirement have to get recorded if you're saving more?
  The term 'tree canopy retention' is being replaced by 'tree save area' as it is more typically called that by Las. You are correct--only the minimum is required to be recorded in an easement.
- The ZO deems any lot with a specimen tree a critical lot...what's the impact if the specimen tree gets removed? More discussion needed on the intent.
  See above. The intent of a critical lot is so that it can have extra review to make sure critical root zones are protected, etc.
- Page 246: Is the discussion of planting wet retention ponds referring to "bio-retention"?

- Page 246: additional considerations should be given for water quality wall finishes in urban infill. What do you suggest?

  All of the pages below are from the State-adopted model, which comes from the Federal level. It was adopted by Franklin following the 2010 Flood. We don't have much leeway to make any changes and left it alone for this update (other than to remove some of the redundant cross section references).
- Page 252: #9 Is this new?
- Page 252: Define substantial improvements under #13: It has a very long definition from the State here: http://web.franklintn.gov/FlippingBook/2019ZoningOrdinanceDraft/376/index.html
- Page 253: b Did the FFE increase for non-res?
- Page 256-257: Clarify flood study requirements
- Page 258: H Assume this is new and in addition to Stream Buffers?

As a resident and a consultant I appreciate the strict standards incorporated into our ZO and the draft ZO. The draft ZO format has been significantly improved and we're excited about the hyperlink capabilities. We appreciate all of staff's hard work and time put into the development of this document. Please feel free to contact us with any questions and let us know if we can assist in any way.

Thanks again for your comments. We really appreciate them.

Sincerely,

Scotty M. Bernick, R.L.A.
Associate

RAGAN • SMITH ASSOCIATES, INC.
315 Woodland Street, Nashville, TN 37206
615.244.8591 | ragansmith.com

From:g Vernon Gerth <vernon.gerth@franklintn.gov>
Sent: Sunday, July 28, 2019 1:14 PM
Cc: Kelly Dannenfelser <kellyd@franklintn.gov>
Subject: Next Design Professionals/Developer Group Meeting - Draft Zoning Ordinance Discussion - Wednesday, August 7 @ 7:30 AM

Good afternoon Design Professionals/Developer Group. Please remember that our next meeting is scheduled for Wednesday, August 7 and the topic of discussion is the public draft of the City's updated Zoning Ordinance. The City's consultant and staff will be leading this discussion.

Hopefully, you had a chance to check out the top ten significant changes for the new Ordinance in my last email. We thought you might be interested in these highlights (with links to specific pages) in advance of our August 7 meeting:

1. The RC6 and RC12 districts (formerly GC) in Cool Springs have multifamily residential as a secondary permitted use within the district, reducing the need for a rezoning/development plan process. The setbacks have also been reduced to promote walkability. Check out the RC6 and RC12 districts here: http://web.franklintn.gov/FlippingBook/2019ZoningOrdinanceDraft/56/index.html
2. The RC6 and RC12 districts have reduced tree canopy retention and landscape surface area (formerly LSR) to allow a more intense, walkable development pattern that achieves the vision of Envision Franklin: http://web.franklintn.gov/FlippingBook/2019ZoningOrdinanceDraft/194/index.html
3. The connectivity index has been eliminated and replaced with simpler standards: http://web.franklintn.gov/FlippingBook/2019ZoningOrdinanceDraft/162/index.html

4. We've worked toward more predictability for transitional features. Transitional features and incompatible use buffers has been combined into a transitional features chapter with specific standards and applicability: http://web.franklintn.gov/FlippingBook/2019ZoningOrdinanceDraft/154/index.html
5. To address the conflict between lot size minimum and density maximums, the requirements shifted to minimum lot size rather than density for almost all districts.

Please forward questions prior to this meeting to Assistant Planning and Sustainability Department Director Kelly Dannenfelser at kellyd@franklintn.gov or, at 615.550.6735

The draft Zoning Ordinance and draft zoning maps are available online at www.zonefranklin.com

See you next Wednesday, August 7 at 7:30 AM in the City Hall Training Room.

Vernon

This message has been prepared on resources owned by the City of Franklin, Tennessee. It is subject to the City's Policy for the Use of Computers, Internet and Email. Messages that are received or created by any City staff member may be a public record subject to Tennessee Open Records Act, T.C.A. §10-7-503, et seq., and the rules of the Open Records Commission. DO NOT COPY OR FORWARD TO UNAUTHORIZED PERSONS. This message may contain confidential information and is intended only for the use of the specific individual(s) to which it is addressed. If you are not an intended recipient of this message, you are hereby notified that any unauthorized use, dissemination or copying of this email or any information it contains is strictly prohibited. If you have received this message in error, please delete it and immediately notify the sender by reply email.

Andrew Orr

From: Morton Stein <tracerealty@mindspring.com>
Sent: Wednesday, July 31, 2019 2:19 PM
To: Andrew Orr; Kelly Dannenfelser
Subject: RE: Proposed Zoning Ordinance Questions

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

Thank you for sending me the information. You guys have made the ordinance so much easier to use that I was looking for other chapters to find the use regulations and not where it is suppose to be. Also, the zoning map is so much easier to use. Thank you for your work.

Mort

Morton Stein
317 Main Street, Suite 201
Franklin, TN 37064
Mobile 615 973-5437
Mortstein927@gmail.com

From: Andrew Orr [mailto:andrew.orr@franklintn.gov]
Sent: Monday, July 29, 2019 10:11 AM
To: Kelly Dannenfelser; Morton Stein
Subject: RE: Proposed Zoning Ordinance Questions

HI Mort,

If you are having trouble with the interactive map, you can see the attached pdf map. We have coded areas along Liberty Pike MR as well as all through Fairgrounds Street to match Envision Franklin. You'll have to zoom in to see it. MR is yellow on the map.

Thanks,

Andrew

From: Kelly Dannenfelser
Sent: Monday, July 29, 2019 10:03 AM
To: Morton Stein <tracerealty@mindspring.com>
Cc: Andrew Orr <andrew.orr@franklintn.gov>
Subject: RE: Proposed Zoning Ordinance Questions

Mort,
Below is the link to the Use Regulations. They start right after the Table, and we can add a "See Subsection 45.1.4" in the header of the table where it says permitted with use regulations.
http://web.franklintn.gov/FlippingBook/2019ZoningOrdinanceDraft/86/index.html

I'm pulling Andrew in for your second question about MR.

Kelly

From: Morton Stein <tracerealty@mindspring.com>
Sent: Monday, July 29, 2019 9:56 AM
To: Kelly Dannenfelser <kellyd@franklintn.gov>
Subject: Proposed Zoning Ordinance Questions

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

Kelly: In reviewing the Use Tables, I have a couple of questions: What is the "Permitted with use Regulations" and where can I find what the "Use Regulations"?
I am having a problem reading the zoning map can you tell me if there are any MR districts designated for vacant property?

Morton Stein
317 Main Street, Suite 201
Franklin, TN 37064
Mobile 615 973-5437
Mortstein927@gmail.com

Andrew Orr

From: Hunkler, Mike <mike.hunkler@greshamsmith.com>
Sent: Tuesday, July 23, 2019 3:27 PM
To: Kelly Dannenfelser
Subject: RE: City of Franklin Draft Zoning Ordinance - Released

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

Okay.

Thank you for the quick reply, Kelly.

Mike.

Michael D. Hunkler, P.E.
Gresham Smith

D: 615.770.8156
M: 615.478.3283

From: Kelly Dannenfelser <kellyd@franklintn.gov>
Sent: Tuesday, July 23, 2019 1:17 PM
To: Hunkler, Mike <mike.hunkler@greshamsmith.com>
Cc: Scruggs, Dustin <dustin.scruggs@greshamsmith.com>; Lucyshyn, Jessica <jessica.lucyshyn@greshamsmith.com>; Andrew Orr <andrew.orr@franklintn.gov>
Subject: RE: City of Franklin Draft Zoning Ordinance - Released

Mike,
I'm so impressed! Thank you for taking the time to review the draft Zoning Ordinance. Let me see if I can address your questions in blue below:

From: Hunkler, Mike <mike.hunkler@greshamsmith.com>
Sent: Friday, July 19, 2019 9:54 AM
To: Kelly Dannenfelser <kellyd@franklintn.gov>
Cc: Scruggs, Dustin <dustin.scruggs@greshamsmith.com>; Lucyshyn, Jessica <jessica.lucyshyn@greshamsmith.com>
Subject: City of Franklin Draft Zoning Ordinance - Released

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

Kelly,

Thank you for the opportunity to provide review and input on this new document. In general I found it to be clear and concise. Hopefully it answers more questions than it creates?

I few comments/questions:

- Did you consider requiring a minimum project acreage size for the PD district?
  We did consider it, but we left it out because when a property is rezoned to PD, we rely on Envision Franklin to provide the lot size recommendations. One of the issues we have run into in the past is that when a standard is in both the guiding plan and the Zoning Ordinance, and it changes in Envision Franklin, then we must also update the Zoning Ordinance, which is a lengthy process. The PD is supposed to be used to implement Envision Franklin, so our thought was that it should be the device that influences the PD district.

- Did you consider a multi-family zone district?
  One of the bigger changes with the new Ordinance is that it allows some multifamily by-right alongside commercial uses in regional commerce. Envision Franklin doesn't support much stand-alone multifamily, instead recommending mixed use and walkable multifamily near commercial uses in the Cool Springs area.

- Gas stations are now as much convenience stores as fuel stations. Did you consider more districts to allow their construction?
  There are certain topics that are BOMA-directed and staff felt that this was one of them. Convenience stores would simply be retail under the new Ordinance.

- On page 173 I believe there is a typo that should address 90 degree parking dimensions (instead of 2 -60 degree dimensions.)
  Good catch. We've updated that in our files for the final draft.

- Did you consider revisiting not allowing presplit or prefinished masonry units on retaining walls? This restriction created a significant hardship on the recent Ramsey Headquarters project.
  We built in some flexibility where retaining walls are not visible. Check out the link to the materials page below for more:
  http://web.franklintn.gov/FlippingBook/2019ZoningOrdinanceDraft/208/index.html

- FYI many exterior equipment heights exceed the maximum screen height of 8'; alternate screening using installed plant materials taller than 8' may be a challenge to thrive.
  I'm thinking this comment is for the ground- or wall-mounted mechanical and utility equipment? It may be that when the equipment reaches beyond that height, the alternative for landscaping may not be available as such.

- Are there any zone changes being implemented with the zone map, or is it just an existing zoning snapshot based on the date of the new ordinance approval?
  There are some limited zoning changes, but mostly name changes e.g. R-1 to R1, GC to RC, etc. There is a cool interactive map of the zoning districts that compares the old and new with a slide bar. Be sure to use Google chrome for the best viewing for this one:
  http://franklin.maps.arcgis.com/apps/opsdashboard/index.html#/947c4bc0a11b480bbf777500dab8ed8d

Mike.

Michael D. Hunkler, P.E., LEED AP
Senior Vice President

D: 615.770.8156
M: 615.478.3283

Gresham Smith
222 Second Avenue South, Suite 1400
Nashville, TN 37201-2308

From: Vernon Gerth <vernon.gerth@franklintn.gov>
Sent: Thursday, June 13, 2019 5:24 PM
Subject: Draft Zoning Ordinance - Released

Good afternoon Design Professionals/Developer Group,

Since late 2017, City staff has been working on updating the City Zoning Ordinance, with the goal of guiding the type of high-quality, vibrant, and sustainable development prescribed by Envision Franklin. In February 2019, City staff and consultant Town Planning & Urban Design Collaborative (TPUDC) hosted Planapalooza, a code demonstration and design process. Staff, stakeholders, and citizens worked with the consultant team to test draft zoning concepts through prototypical urban design scenarios. Staff and TPUDC then continued to work on the zoning ordinance update using input received during Planapalooza.

Our team has recently released the public review draft for community and stakeholder input. While a Public Draft Open House will be held on August 15 from 5-8 pm at the City Hall Training Room, **City staff and our consultant will be facilitating a discussion with the Design Professionals/Developer Group on Wednesday morning, August 7 beginning at 7:30 AM in the City Hall Training Room.** Please mark your calendars and invite your colleagues and clients to join us.

The Public Draft Ordinance and the Draft Zoning Map are located on-line at https://zonefranklin.com/public-draft-zoning-ordinance.

In the meantime, please contact Kelly Dannenfelser, Assistant Director of our Department of Planning and Sustainability with questions and comments.
kellyd@franklintn.gov 615.550.6735

Vernon

This message has been prepared on resources owned by the City of Franklin, Tennessee. It is subject to the City's Policy for the Use of Computers, Internet and Email. Messages that are received or created by any City staff member may be a public record subject to Tennessee Open Records Act, T.C.A. §10-7-503, et seq., and the rules of the Open Records Commission. DO NOT COPY OR FORWARD TO UNAUTHORIZED PERSONS. This message may contain confidential information and is intended only for the use of the specific individual(s) to which it is addressed. If you are not an intended recipient of this message, you are hereby notified that any unauthorized use, dissemination or copying of this email or any information it contains is strictly prohibited. If you have received this message in error, please delete it and immediately notify the sender by reply email.

This E-mail, and any attachments thereto, is intended only for use by the addressee(s) named herein and may contain proprietary, legally privileged, confidential or copyrighted information belonging to the sender. If you are not the intended recipient of this E-mail, you are hereby notified that any use of, reliance on, disclosure, dissemination, distribution or copying of the contents of this email, and any attachments thereto, in whole or in part, is strictly prohibited. If you have received this E-mail in error, please immediately notify me by phone or by return E-mail and permanently delete the original and any copy of any E-mail and any printout thereof. Mail delivered by Gresham Smith mail system.

This E-mail, and any attachments thereto, is intended only for use by the addressee(s) named herein and may contain proprietary, legally privileged, confidential or copyrighted information belonging to the sender. If you are not the intended recipient of this E-mail, you are hereby

Andrew Orr

From: Brian Laster <brianlaster@gmail.com>
Sent: Monday, July 15, 2019 2:11 PM
To: Kelly Dannenfelser
Subject: New zoning overlays

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

Kelly,

Kim commented to me on what a great presentation you made at the DNA meeting and I must agree.

We spent some time looking at the new overlays and it appears our property is located within 3: Scenic Corridor, Flood Fringe and Central Franklin. We are located at 424 Murfreesboro Rd.

Proposed in the Scenic Corridor Overlay is a 150' setback along Murfreesboro Rd from Mac Hatcher to town for what I'm assuming is new development. Most of the houses north of Murfreesboro Road already meet the 150' setback. This is because North Ewingville Creek runs near the road and creates a flooding hazard. Most of the houses located on the south side of Murfreesboro Rd are less than 150' from the road. The houses nearer to town are approx 50 -75 feet from the road. None of these homes are in a straight line concerning setbacks and this contributes to the character of the neighborhood.

I'd like to propose a flexible setback for Murfreesboro Rd in the SCO that is dependent on, and an average of the setbacks represented by a grouping of existing houses. For instance, homes on the north side of the road might adhere to the 150' set back down to Eddy Ln. From Eddy Ln to the river other set backs, indicative of the existing homes on the north & south sides, would apply.

In the Central Franklin Overlay, for properties located outside the HZO, is demolition of existing structures allowed? There is a clause regarding a ban on demolition for parking but that seems vague.

All the best,
Brian Laster

Andrew Orr

From: Mort Stein <mortstein927@gmail.com>
Sent: Thursday, June 20, 2019 3:06 PM
To: Kelly Dannenfelser; Andrew Orr; brian@tpudc.com; Tom Marsh
Subject: Draft Zoning Ordinance Work Shop

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

Kelly: You and Brian did an excellent job yesterday at the zoning ordinance work shop. I wish you would have taped Kelly's presentation since it was so detailed and informative. My objective and I believe that yours is too, is to prepare an ordinance that is easy to comply with and understand with more certainty of outcomes, I am not sure that is the objective of the BOMA. I had to leave a little early, but I picked up resistance from a few of the members to the idea of leaving them out of the process of approvals even if the property is zoned properly. It would be great if we could eliminate the need for modification of standards by having more flexibility in the ordinance. As I find out more by getting into the details, I will find out that you have come a long way in giving more certainty and simplifying the process as I found out yesterday.

Connectivity is going to be another problem that is going to be difficult to achieve and that means that encouraging mixed use development is the only way to do it, however, there are certain areas and projects that do not lend themselves to this type of development. I have observed that mixed use developments usually do not lead to the provision of work force and affordable housing. We are going to have to look for other mechanisms to accomplish this.

I will try to be more positive in the future and attempt to be more constructive in my comments. I do appreciate your listening to me and look forward to seeing how this all turns out.

--

Morton Stein

317 Main Street, Suite 201

Franklin, TN 37064

Mobile 615 973-5437

Mortstein927@gmail.com

Andrew Orr

From: Kelly Dannenfelser
Sent: Friday, June 21, 2019 4:03 PM
To: Patrick Harrington
Cc: Andrew Orr
Subject: Re: Email contact from City of Franklin, TN

Hello Patrick,
Thank you for reaching out and your kind words. Franklin is a special place indeed.

I'll be on vacation that first week of July, but would be happy to meet sometime the second week of July.

I can tell you, in advance, that the draft Ordinance addresses billboards simply by referencing the particular section of State law that addresses them. Check out Provision 15.1.11.B on the page link below:
http://web.franklintn.gov/FlippingBook/2019ZoningOrdinanceDraft/219/index.html

Kelly

On Jun 21, 2019, at 3:39 PM, City of Franklin, TN <CityofFranklin@franklintn.gov> wrote:

> Message submitted from the <City of Franklin, TN> website.
>
> **Site Visitor Name:** Patrick Harrington
> **Site Visitor Email:** patrick.harrington@outfrontmedia.com
>
> Hi Kelly
> My name is Patrick Harrington. First, I am a citizen of Franklin and I want to thank you for the work you do and for keeping the quality of life in Franklin the best in the country!
> I also wanted to reach out to you regarding the new zoning ordinance that the City of Franklin is working on, specifically the sign ordinance. I work for OUTFRONT Media, and we have several signs on the interstate in Franklin. I would like to set up a meeting to discuss the changes in the ordinances.
> Please let me know if you are available to meet July 1st or 2nd. I am happy to come to your office.
> My email is patrick.harrington@outfrontmedia.com and my cell is 404-310-4445.
> Thank you and look forward to speaking to you soon.
> Best,
>
> Patrick Harrington
> 5048 Maysbrook Lane,
> Franklin, TN 37064

Andrew Orr

From: Kelly Dannenfelser
Sent: Thursday, June 13, 2019 10:02 AM
To: Ernie Bacon
Subject: RE: request for information

Ernie,
We sure did lose and miss Josh. Below are links to the current and proposed requirements. I've listed the section numbers where the standards are that correspond to your questions. (The new draft is definitely easier to navigate with simpler, reorganized standards.)

Current Ordinance
The current parking standards for downtown are found here:
https://www.franklintn.gov/government/departments-k-z/planning-and-sustainability/zoning-ordinance
Section 3.5.6(2)(b)(ix) CFCO-1 Standards Off Street Parking starting on page 3-63
Section 3.5.6(2)(c)(ix) CFCO-2 Standards Off Street Parking starting on page 3-69
Section 5.9, Off Street Parking and Loading, starting on page 5-118
Section 5.9.11, Alternative Parking Plan, starting on page 5-130

Draft Ordinance
The draft parking standards are found at the direct link below:
http://web.franklintn.gov/FlippingBook/2019ZoningOrdinanceDraft/166/index.html
Subsection 10.1.2, Exemptions (DD is generally current CFCO-1 area)
Subsection 10.1.6, Minimum Parking
Subsection 10.1.9 Alternative Parking Plan

The draft Ordinance is out for public review through the summer, with a large public open house scheduled for August 15 from 5-8 p.m. at City Hall. We will gather community input and present a final draft for adoption toward the end of the year. Best case, the Ordinance would be adopted sometime early/spring 2020.

I hope this helps.

Kelly

From: Ernie Bacon <ebacon224@gmail.com>
Sent: Thursday, June 13, 2019 9:07 AM
To: Kelly Dannenfelser <kellyd@franklintn.gov>
Subject: Fwd: request for information

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

Hello Kelly - I first sent this inquiry to Josh thinking that he was going to be around for several more weeks, but it appears that he has already left. Could you please provide me with this requested material?
Ernie

---------- Forwarded message ---------
From: **Ernie Bacon** <ebacon224@gmail.com>
Date: Tue, Jun 11, 2019 at 3:57 PM
Subject: request for information
To: Josh King <josh.king@franklintn.gov>

Hello Josh - my name is Ernie Bacon and I reside at 224 4th avenue south in Franklin. I am addressing this request to you inasmuch as you are on record of discussing parking issues with proposed developments.

My request is information and the current regulations that apply to the Downtown Historic Overlay District specific to the situation wherein a new development and/or redevelopment and/or newly proposed additions/modifications to existing properties that require the owner to provide additional parking. I understand that ratios apply to the type of use. And in event the owner cannot provide the required parking spaces on site; what permitted alternatives are available such as shared parking arrangements; and the current requirements for acceptable shared arrangements.

Further, I understand that the current requirements may be up for some modification and if so, not only would I appreciate the current reqs but should a draft exist of of proposed reqs, I would appreciate that information and the anticipated timing of any changes.

And further, would you please inform me as to when in the approval process of any such expansion does the parking reqs become effective on any proposal.

Thanks!

Ernie Bacon
615/791-8485

Andrew Orr

To: Stanton Higgs
Cc: Debbie Henry; Chase Harper; Andrew Orr
Subject: RE: Draft Zoning Ordinance Links

Stanton,
Thank you for your comments. We believe the Ordinance takes great strides forward for transit in Franklin, particularly the connection between the density/intensity of the proposed development and the needed transit infrastructure that provides mobility options for the people who will be living, working, or playing there.

Related to bicycle parking, I could see different developments wanting to use creative or unique bike racks. (One was just approved by the BOMA as an art/bike rack of the Harpeth River in downtown Franklin last month.) As long as the bicycle parking is provided, flexibility

Related to the transit comment, what do you think the criteria should be to trigger a requirement for an additional stop within the walking distance of 1,320 feet? We would need some something, other than DRT saying we need it, to require it. If you have some ideas, please send them on over. For example, would more frequent stops be something identified in the master plan for FTA? (Then we could reference that.)

Thanks again for your review and I'll see you later today!

Kelly

From: Stanton Higgs <shiggs@tmagroup.org>
Sent: Wednesday, June 12, 2019 10:30 AM
To: Kelly Dannenfelser <kellyd@franklintn.gov>
Cc: Debbie Henry <dhenry@tmagroup.org>; Chase Harper <charper@tmagroup.org>
Subject: RE: Draft Zoning Ordinance Links

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

Thanks Kelly,

I have not gone through the entire document, but I did go through the specific pages connected to the links you sent, Parking and Transit, Bicycle Parking and Transit Infrastructure.

Here are my comments

10.1 Parking – No Comments at this time
10.2 Bicycle Parking – My only comment is that it might be nice to have a general approval of the design and look of the bicycle rack. In the case we go with a general look through an entire corridor or through out the city.
10.3 Transit – 10.3 B 1 – The mention of 1,320 feet (a five minute walk). I am wondering if the distance should be at a minimum 1,320, but give language that allows the spacing of transit infrastructure be tied to the

existing or planned density of the development as determined by the city planning department. In some cases there might be two or three stops within that 1320 feet in the future.

Does any city request the building of the stop on the planned site and then a fee to fund the pad and connection to sidewalk on the corresponding other side of the street?

10.3.4 It is most likely understood, but I did do not specifically see the language of "meeting ADA requirements". ADA is included in the Franklin Transit Authority and we are just use to emphasizing this requirement.

Thanks

Stanton

From: Stanton Higgs
Sent: Friday, June 07, 2019 9:18 AM
To: Kelly Dannenfelser <kellyd@franklintn.gov>
Subject: RE: Draft Zoning Ordinance Links

Thanks Kelly,

Good seeing you also. I will review the specific pages and the document.

Stanton

From: Kelly Dannenfelser [mailto:kellyd@franklintn.gov]
Sent: Thursday, June 06, 2019 5:43 PM
To: Debbie Henry <dhenry@tmagroup.org>; Stanton Higgs <shiggs@tmagroup.org>; Chase Harper <charper@tmagroup.org>
Subject: Draft Zoning Ordinance Links

Debbie, Stanton, and Chase,
It was great seeing you three today. I'm sending you a couple links for the draft Zoning Ordinance.

Transit infrastructure requirements:
http://web.franklintn.gov/FlippingBook/2019ZoningOrdinanceDraft/174/index.html

Bicycle parking requirements:
http://web.franklintn.gov/FlippingBook/2019ZoningOrdinanceDraft/174/index.html

We would love to have your support via emailed stakeholder input and during the public hearing portions of this process (for which the goal is December and February).

Kelly Dannenfelser, AICP
Assistant Director · Department of Planning and Sustainability · City of Franklin
E kellyd@franklintn.gov **T** 615.550.6735 **W** www.franklintn.gov

Andrew Orr

From: Mort Stein <mortstein927@gmail.com>
Sent: Tuesday, June 11, 2019 9:33 AM
To: Andrew Orr
Cc: Tom Marsh; brian@tpudc.com; Kelly Dannenfelser
Subject: Re: Comments on Draft Zoning Ordinance

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

I went to the units that CHP built on West Main this morning at 6:30. There are 27 units occupied at this time. I counted 21 vacant units which I believe is about half of the parking spaces the city required. See photo. I plan to go out there around 7:30 this afternoon to do another count. I suggest the staff perform a comprehensive study of existing residential as well as commercial sites. Also read the article I sent you for
ideas.

Sent from my iPad

On Jun 10, 2019, at 4:11 PM, Andrew Orr <andrew.orr@franklintn.gov> wrote:

Hey Mort,

Thank you for taking the time to review the draft ordinance and for sharing your comments. What are you suggesting for changing the parking requirements?

Thanks,

Andrew

From: Mort Stein <mortstein927@gmail.com>
Sent: Monday, June 10, 2019 3:19 PM
To: Andrew Orr <andrew.orr@franklintn.gov>; Tom Marsh <tomm@franklintn.gov>; brian@tpudc.com
Subject: Comments on Draft Zoning Ordinance

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

Andrew: Summarized below are my comments for the proposed Franklin Zoning Ordinance:

There are no multifamily districts; the only options for such uses are the planned districts which does not meet the goals of certainty and reduced time to obtain approvals.

There are no transitional housing or homeless shelters allowed in the ordinance. Where can these uses be placed?

The parking requirements do not seem to be changed from the existing ordinance. Attached is a very good article concerning parking and affordable housing.

Even though mixed use developments are allowed , they still have to go through the long expensive process of rezoning and site plan approvals with no assurances that they will be eventually approved. (example the Dell Webb rezoning proposal)
There is no "Formed Based" provisions in the ordinance. I could see these type of districts in the Cool Springs area to implement high density mixed use development envisioned in the "Envision Plan" and a different type of form based district in the central part of the city.

I did not see any provision for a speedy approval process. This may not have to be in the zoning ordinance. I have attached an article about a case study in a city similar in size to Franklin that was able to cut the time for approvals for building permits and plan approvals by a considerable amount.

The "Envision Plan" as well as the ordinance does not allow higher intensity uses where infrastructure can be easily expanded with the least amount of cost according to an analysis presented a recent Tech Advisory meeting. This needs to be "re-envisioned."

There were several changes to the existing zoning ordinance that was recommended in the Housing Plan approved by the Housing Commission. Enclosed is a copy of the plan with those suggestions.

Thank you for giving me the opportunity to comment on the draft ordinance. I look forward to working with you, Brian and the staff to make this ordinance reflect the goals expressed by residents of Franklin in several of the surveys and meetings concerning problems with affordable housing, traffic congestion and the perception of too much growth.

--

Morton Stein

317 Main Street, Suite 201

Franklin, TN 37064

Mobile 615 973-5437

Mortstein927@gmail.com

Andrew Orr

From: Patrick Baggett <pbaggett@fullserviceins.com>
Sent: Saturday, May 25, 2019 3:11 PM
To: Andrew Orr
Subject: Franklin Zoning Comments

Follow Up Flag: Follow up
Flag Status: Flagged

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

Andrew,
How long do we have to make comments on draft zoning ordinance?

I have a few things regarding flood zone zoning I'd like to comment on and need some perspective.

To start Looking for answers to these questions:

1. Why has City of Franklin elected to mandate 3ft over BFE instead of the 1ft required by FEMA? Any specific ordinances related to this?
2. Why are secondary structures such as an unattached garage prohibited from having living space over the garage in a flood zone? There doesn't seem to be any FEMA regulation demanding that. Any specific ordinances related to this?
3. What is the time frame for determining if you've met criteria for a substantial improvement?
4. Given the flood zone revision a few years back where many homes went from a 500year to a 100 year based on new calculations, do you you think some of these more strict flood zone zoning ordinances need to be revisited?

I have been speaking with multiple home owners in the flood plain all over town and it is of great concern to us. Especially when we are self imposing some of these requirements that exceed what is mandated by FEMA to be a part of NFIP.

Thanks and look forward to speaking with you on this after the holiday.

Best Regards,

PLANNING AND SUSTAINABILITY DEPARTMENT

Emily Hunter, AICP
Director

Dr. Ken Moore
Mayor

Eric S. Stuckey
City Administrator

HISTORIC
FRANKLIN
TENNESSEE

Dear Resident,

The City of Franklin is in the process of updating the Zoning Ordinance and Zoning Map. You are receiving this notice letter because a property you own on Fairground Street in the City of Franklin is currently proposed to be rezoned as a part of the Zoning Ordinance update to better align with the City's Long-Range Plan, Envision Franklin.

Your property is currently zoned Heavy Industrial (HI) and is proposed to change to Mixed Residential (MR), which allows for a mix of residential uses including single family homes, duplexes, townhouses, and multiplexes (up to four units per structure).

If you wish to follow along in the public process of the proposed zoning ordinance, the following are key meetings to attend/view online:

- October 24, 2019 – Franklin Municipal Planning Commission Meeting (Public Hearing)
  7 PM in the Board Room at City Hall

- November 12, 2019 – Board of the Mayor and Aldermen (1st Reading and Public Hearing)
  7 PM in the Board Room at City Hall

- November 26, 2019 – Board of the Mayor and Aldermen (2nd Reading and Public Hearing)
  7 PM in the Board Room at City Hall

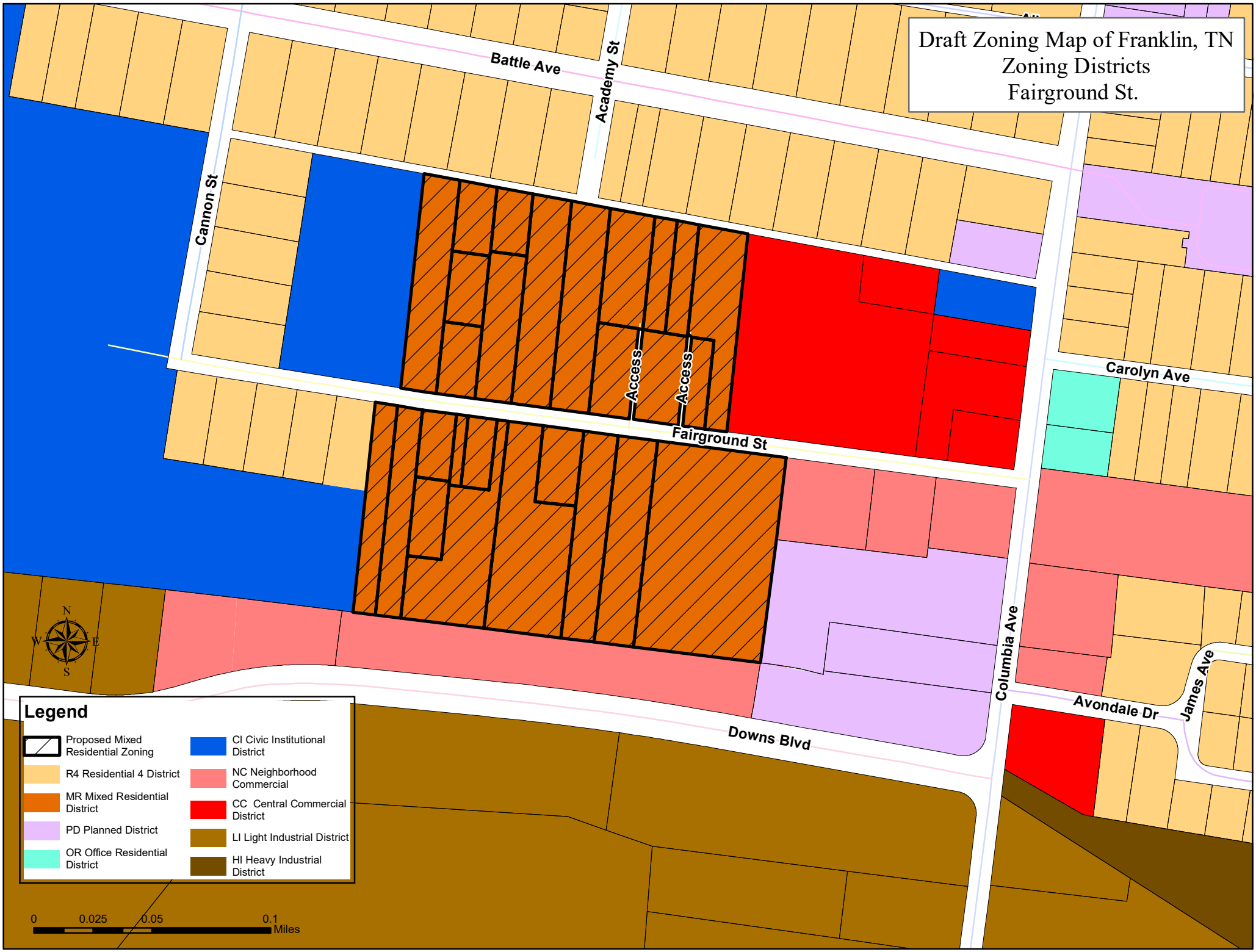
- December 10, 2019 – Board of the Mayor and Aldermen (3rd and Final Reading)
  7 PM in the Board Room at City Hall

To view the public draft ordinance and map, please visit www.zonefranklin.com. The final drafts will be available to view online on October 16th.

Feel free to contact Andrew Orr, Long Range Planning Supervisor, at Andrew.Orr@franklintn.gov or (615) 550-6741 for more information.

Sincerely,

Andrew Orr


Draft Zoning Map of Franklin, TN
Zoning Districts
Fairground St.
Battle Ave
Academy St
Cannon St
Access
Access
Fairground St
Carolyn Ave
Columbia Ave
Avondale Dr
James Ave
Downs Blvd
N
W
E
S
Legend
Proposed Mixed Residential Zoning
R4 Residential 4 District
MR Mixed Residential District
PD Planned District
OR Office Residential District
CI Civic Institutional District
NC Neighborhood Commercial
CC Central Commercial District
LI Light Industrial District
HI Heavy Industrial District
0
0.025
0.05
0.1
Miles

HISTORIC
FRANKLIN
TENNESSEE

Dear Property Owner,

This mailer serves as notification that the Franklin Zoning Ordinance is undergoing a comprehensive zoning text and zoning map update which may or may not affect your current zoning.

In January of 2017, the Franklin Municipal Planning Commission (FMPC) adopted Envision Franklin, the City's Land Use Plan. Following adoption, the Department of Planning and Sustainability began working to bring the Zoning Ordinance into alignment with the Envision Franklin Plan. In fall of 2018, the City hired Franklin-based Town Planning and Urban Design Collaborative (TPUDC) to provide expertise in zoning, site design, and community engagement. On May 14, 2019, the City released the public draft zoning ordinance and map for public review and comment.

The Zoning Ordinance contains standards for how land can be used and developed. The purpose of the update is to:

- Better align the Zoning Ordinance / Zoning Map with the Envision Franklin policies
- Reduce the number of conflicts and overlapping provisions
- Re-focus the standards on zoning districts by eliminating multiple overlay districts
- Make the document more user friendly, interactive and easier to understand.

ZONING
ORDINANCE
UPDATE

LEARN MORE...

- Go to **ZoneFranklin.com** to see the public draft of the Zoning Ordinance and to check the zoning on your property by clicking on the interactive zoning districts and zoning overlay maps.
- Attend a come and go **Public Open House on August 15, 2019** at Franklin City Hall, 109 3rd Ave South, between 5:00 PM and 8:00 PM.
- Stop by City Hall to ask questions during our **Drop-In Open Office Hours** from 8:00 AM to 5:00 PM on Friday, August 16 or on September 20 from 8:00 AM to 5:00 PM.
- Contact the Department of Planning and Sustainability at **615-791-3212** or email anytime **Zonefranklin@franklintn.gov** with your questions and comments.

Thank you, we are honored to serve the citizens of Franklin!

ZONE FRANKLIN

City of Franklin Housing Commission

Date: October 22, 2019

City of Franklin Planning Commission
Mike Hathaway, Chair
109 3rd Ave S #120
Franklin, TN 37064

Re: Motion in Regard's to Proposed Change to Zoning Ordinance

Dear Mr. Hathaway:

The City of Franklin Housing Commission met on Thursday, October 4th for our regular monthly meeting. One topic of discussion was a requirement proposed in the new Zoning Ordinance that Accessory Dwelling Units (ADUs) be restricted to only properties that are owner occupied. After discussion, a motion was made and overwhelmingly ratified by the Commission to ask that this requirement for ADUs be removed from the new Zoning Ordinance.

The proposed updated Zoning Ordinance expands the overlay allowing ADUs and this provides an opportunity for the City to address its need for attainable housing. The Housing Commission believes that limiting ADUs to solely be on properties that are owner-occupied limits the potential for such units to be an innovative way to address the City's need for attainable housing. Since the proposed zoning ordinance already requires short-term rentals to be owner-occupied, if the ADU was to be used as a short-term rental, it would have to comply with the ordinance regarding that provision.

As Chairman of the Housing Commission, I have spoken with the Assistant Director of Planning and Sustainability, Kelly Dannenfelser, and understand the City's concern of possibly changing single family residential to multi-family residential if ADUs are not required to be owner-occupied. The Housing Commission does not intend to change the zoning of any neighborhood with this request, but we believe that requiring ADUs to be owner-occupied creates an unnecessary burden on the homeowner and limits innovation towards attainable housing initiatives within the City.

We respectfully request you to consider the Housing Commission's recommendation in the proposed Zoning Ordinance, and remove the requirement for ADUs to be solely on properties that are owner-occupied.

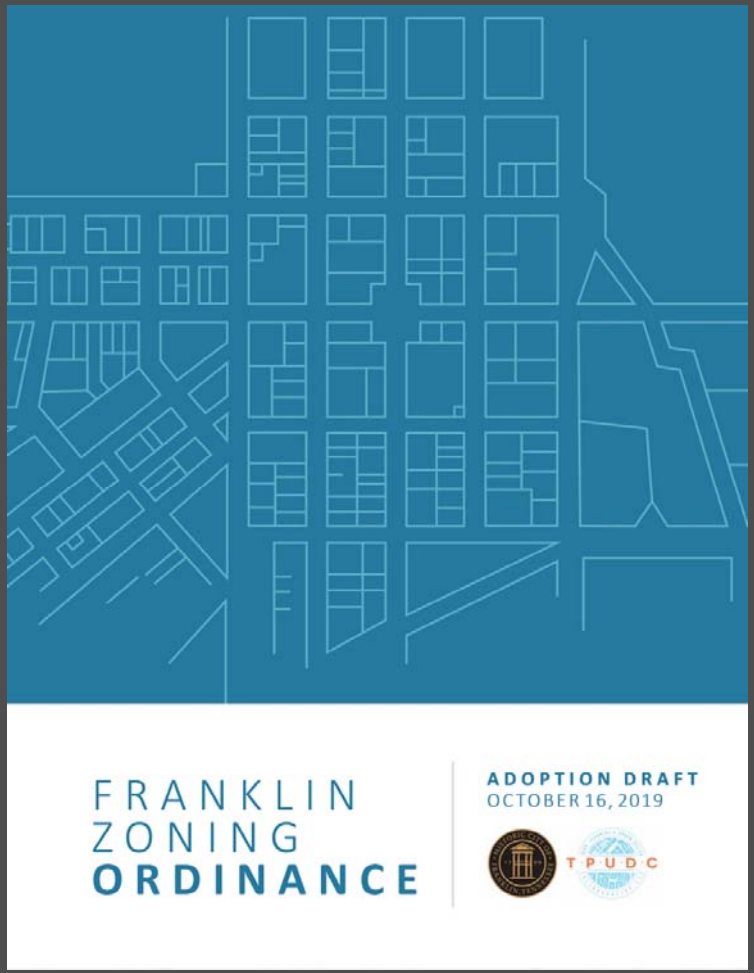
Sincerely,

Elizabeth D. Wanczak

Elizabeth D. Wanczak
Chair, City of Franklin Housing Commission

Ordinance 2019-37

An Ordinance to Adopt a New Zoning Ordinance and Map of the City of Franklin, Tennessee



PROJECT INTRODUCTIONS

Emily Hunter
The Fearless Leader

Kelly Dannenfelser
The Mastermind

Andrew Orr
The Zoning Mapper/
Zen Master of Citizen
Comments

Amy Diaz-Barriga
Think Tank Team Leader
Idea Sniper/Realist

Annette Dalrymple
Technical Guru
Tree Saver 1

Jason Arnold
Tree Saver 2

Paula Kortas
The Surety Queen

Dianna Tomlin
The New Gal

Joey Bryan
The Fence Master

Amanda Rose
The Downtown Guardian

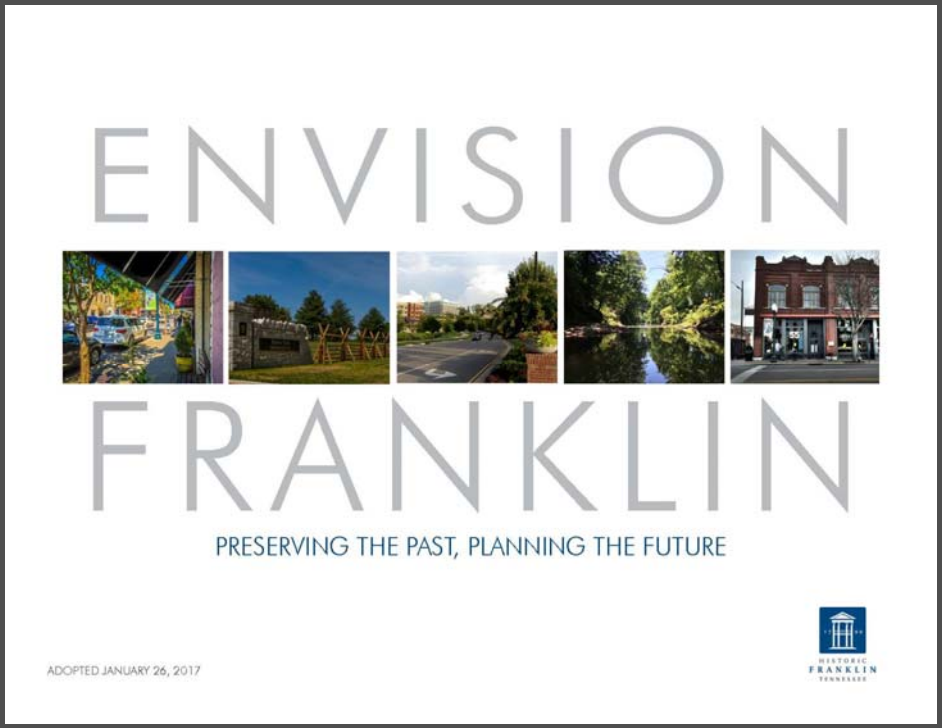
Eric Conner
The New Guy

PLANNING STAFF

WHERE WE WORK

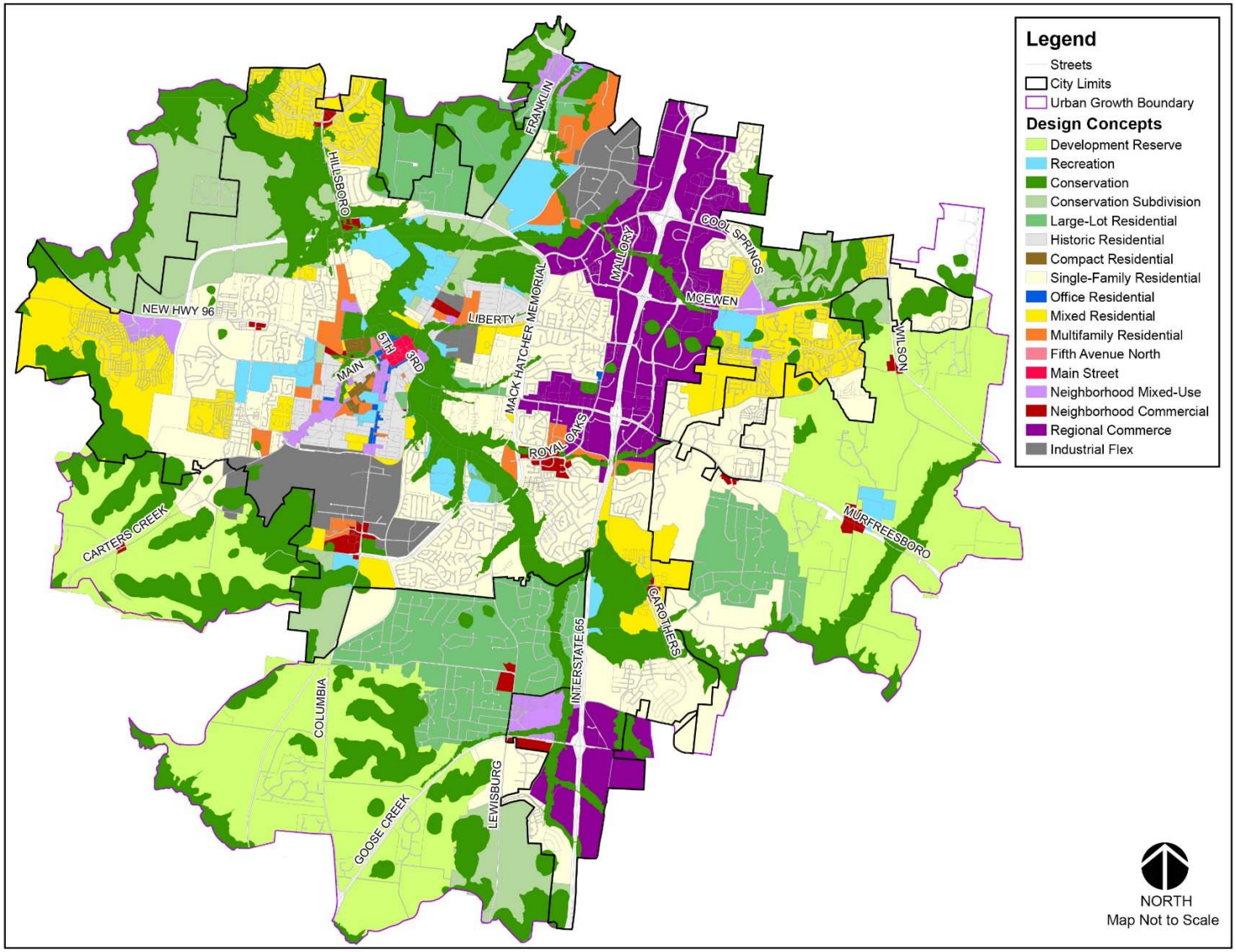
- WHERE ARE YOU TRYING TO GO?
- WHAT TIME IS YOUR FLIGHT?
- WHAT SEAT ARE YOU SITTING IN?
- WHERE IS THE BATHROOM?
Photo Copyright Patrick Lutz
AIRLINERS.NET

- OUR GOAL IS TO MAKE SURE YOU DON'T FEEL THE PRESSURE TO BECOME A PILOT OR A CODING EXPERT.
Photo Copyright Patrick Lutz
AIRLINERS.NET



ESTABLISHES THE VISION

DESIGN CONCEPTS

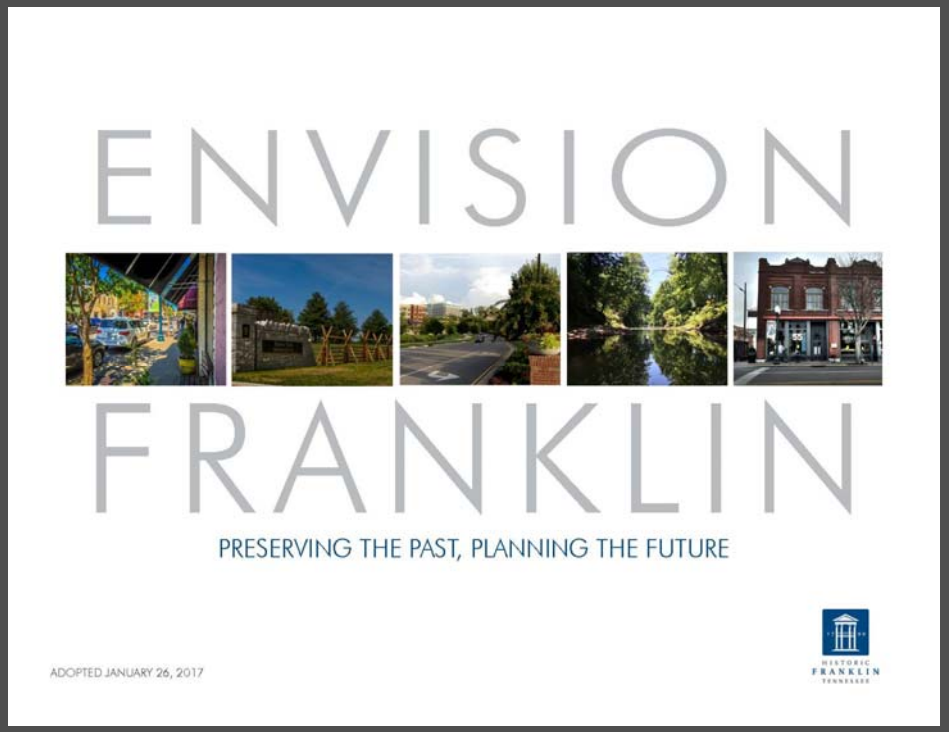


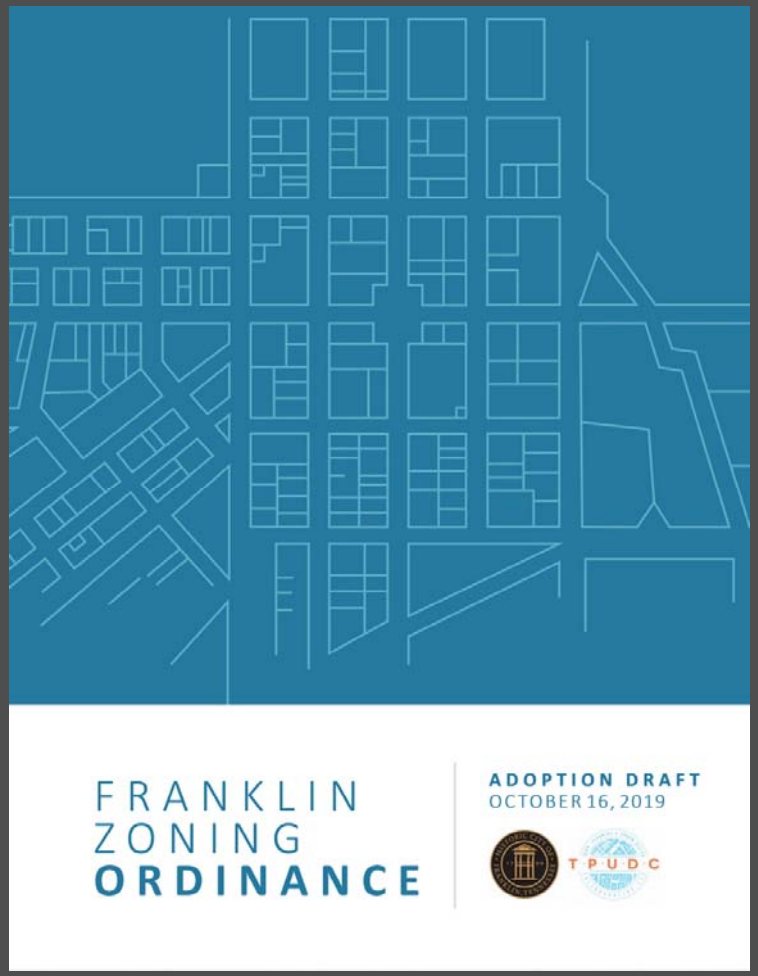
REGIONAL COMMERCE

NEIGHBORHOOD COMMERCIAL

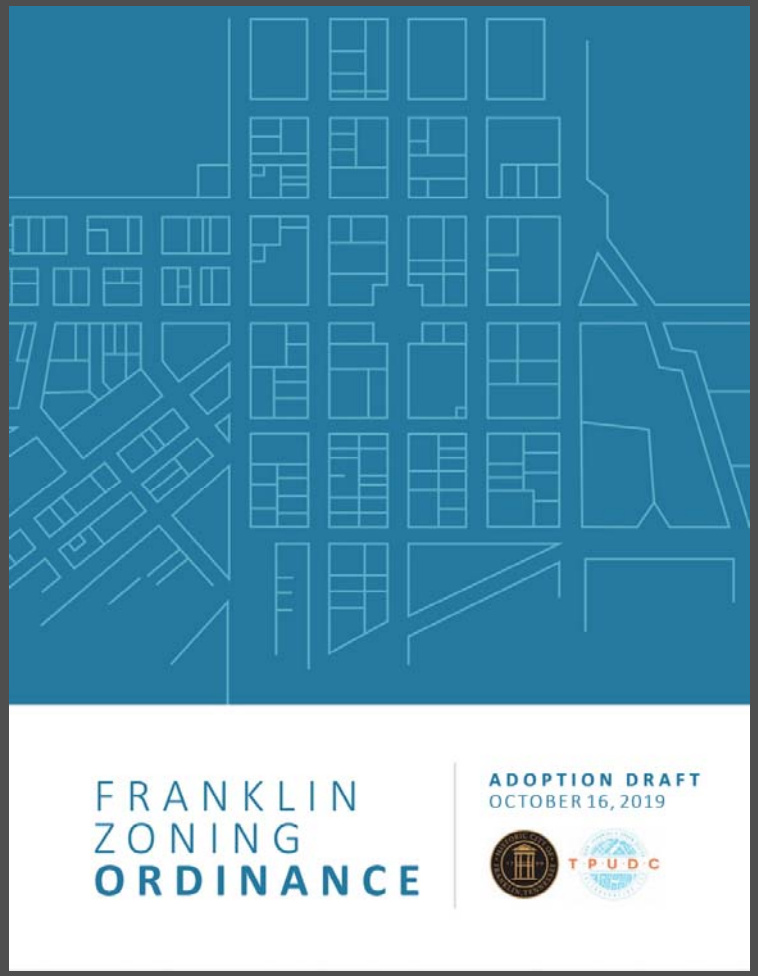
RESIDENTIAL DESIGN CONCEPTS

DEVELOPMENT RESERVE


ENVISION
FRANKLIN
PRESERVING THE PAST, PLANNING THE FUTURE
ADOPTED JANUARY 26, 2017
HISTORIC
FRANKLIN


FRANKLIN
ZONING
ORDINANCE
ADOPTION DRAFT
OCTOBER 16, 2019
TPUDC

ALLOWS THE VISION TO BE IMPLEMENTED

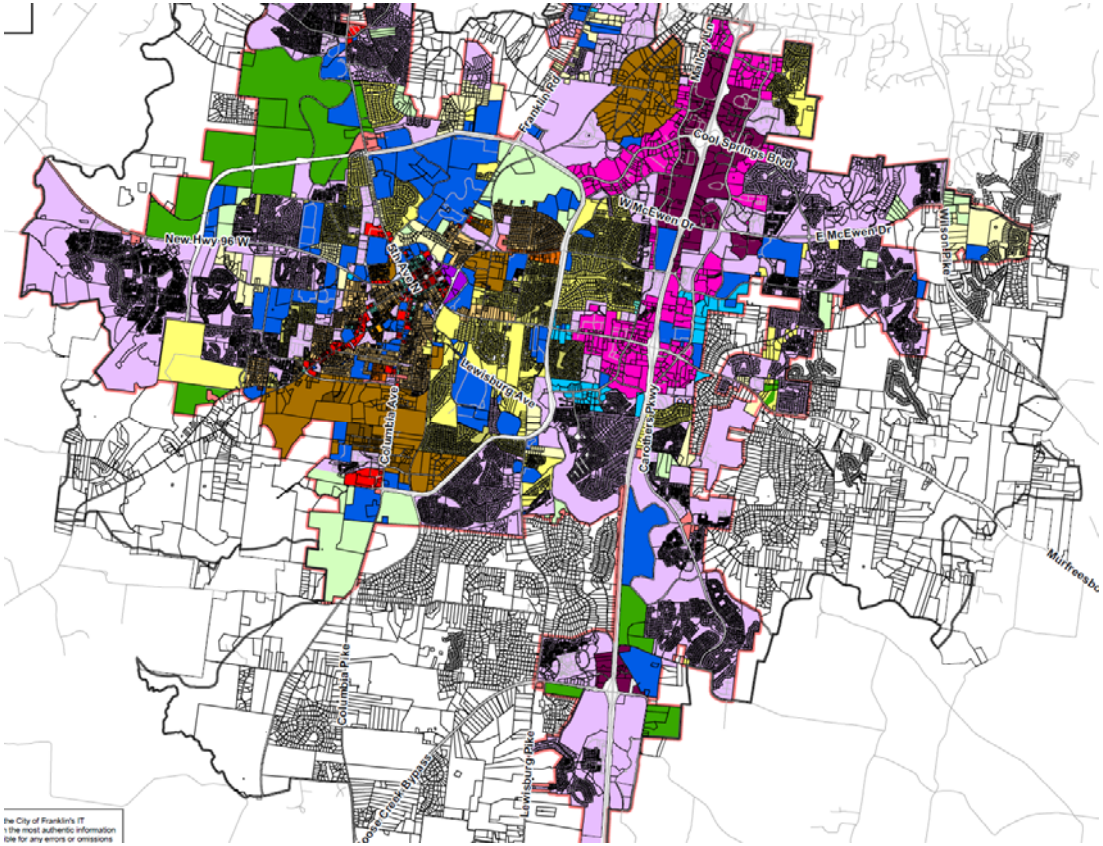


WHY ZONE FRANKLIN?

WHAT IS ZONING?

- The City uses zoning to group land into different areas, or zones, with different rules about what you build or do in each one.

- Zoning doesn't <u>CAUSE</u> anything to be built. It simply guides and limits what and how things can be built in different zones.



- Too much subjectivity in process
- Complicated development review process
- Not user-friendly
- Not enough regulation of building appearance/materials
- Too many PUDs and Modification of Standards
- Lots of nonconformances
- Traffic issues, especially In Cool Springs

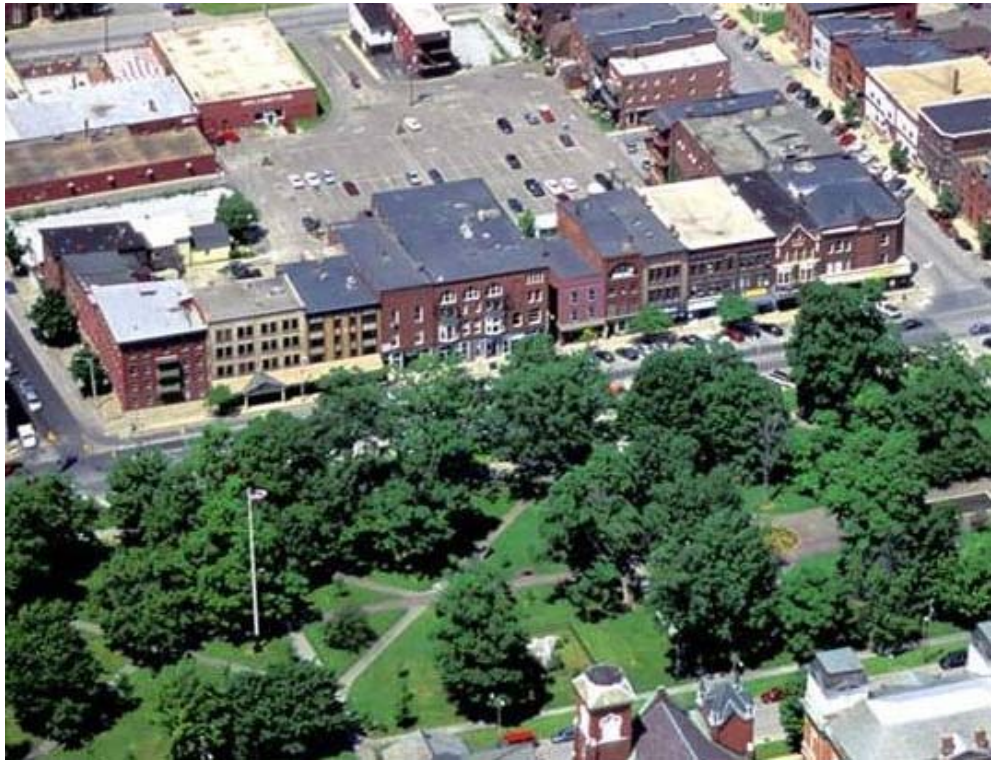
PERCEIVED CHALLENGES OF CURRENT ORDINANCE?

- Align more with Envision Franklin
- Emphasize community character
- Organize the document for easier use
- Protects most-loved parts of the city
- Enhances areas that need improvement
- Achieve desired development with zoning districts and development standards for straightforward projects
- Reduce the number of conflicts and overlapping provisions
- Create more predictable outcomes
- Enhances Long-Term economic viability of the City
- Be clear, simple, and understandable

WHAT WILL AN UPDATED ORDINANCE DO?

MIXED RESULTS

MIXED RESULTS



CHERISHED OPEN SPACE

LEFT OVER OPEN SPACE

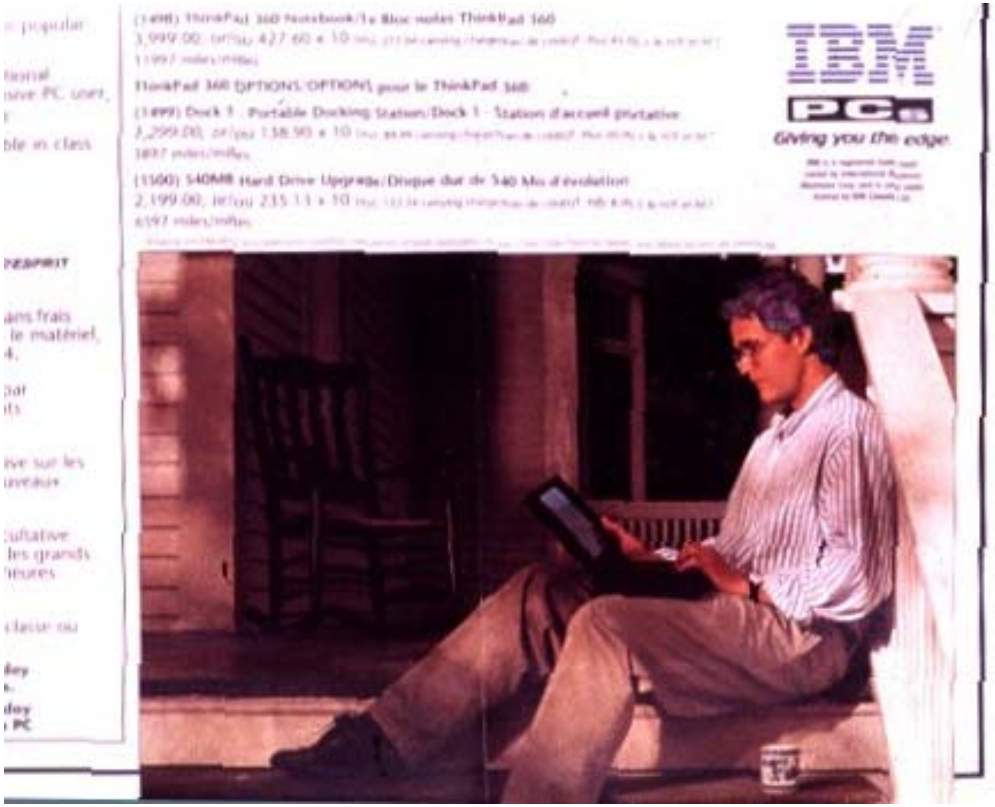
MIXED RESULTS

MIXED RESULTS

BACK TO THE FUTURE

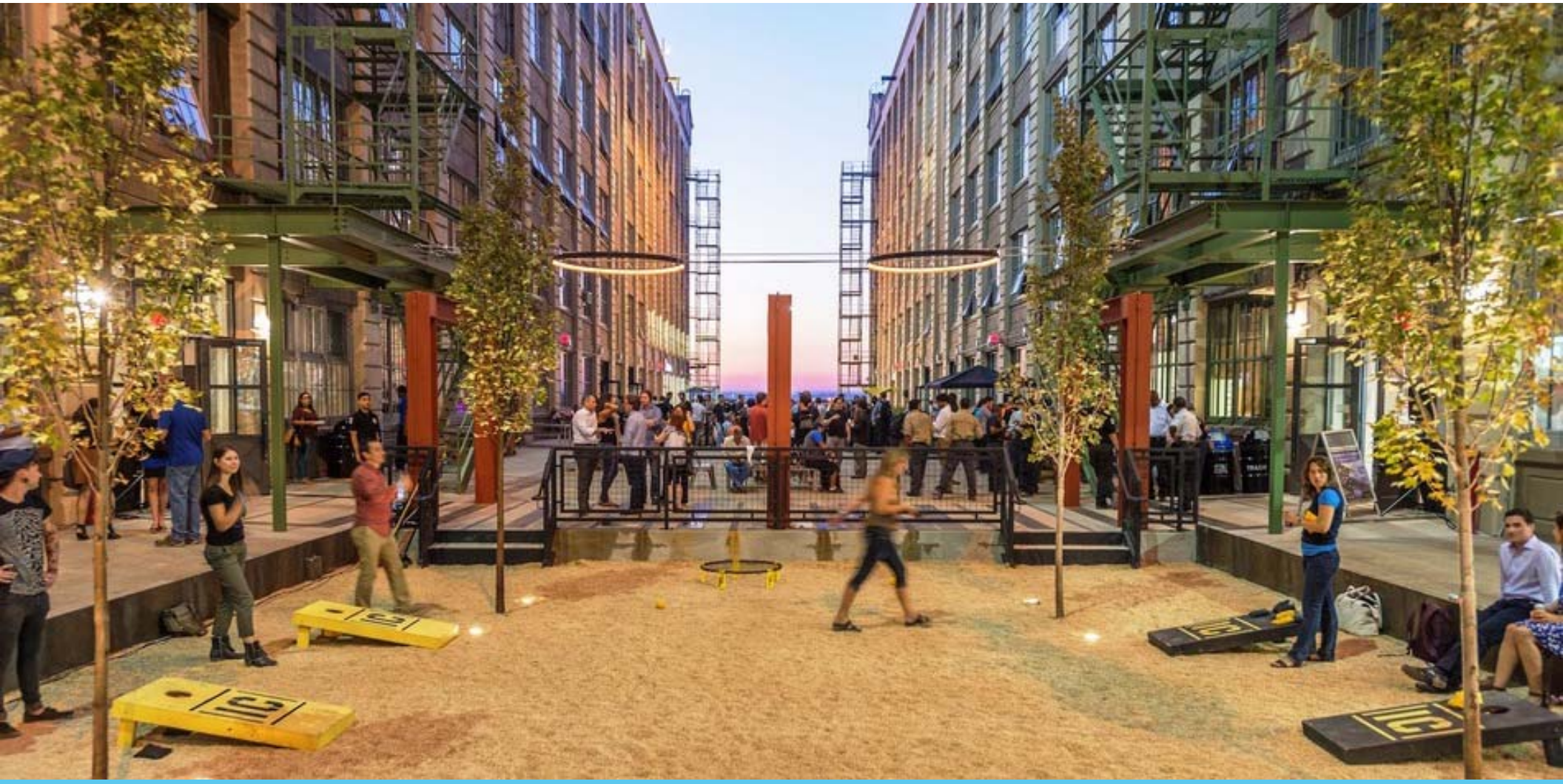
CHANGING PREFERENCES

CHANGING PREFERENCES



CHANGING PREFERENCES

CHANGING PREFERENCES



CHANGING PREFERENCES

CHANGING PREFERENCES

PROTECTING FRANKLIN'S FUTURE ECONOMIC VIABILITY

PROTECTING FRANKLIN'S FUTURE ECONOMIC VIABILITY

INITIAL PUBLIC INPUT

PLANAPALOOZA PUBLIC OUTREACH

FOCUS MEETINGS

What we heard:

- Increase housing options to increase affordability
- Needs mixed use
- Parking standards makes affordability difficult
- Add structured parking
- Increase connectivity
- Streets have sidewalks but are still auto-oriented
- Stormwater requirements between street and parking impedes redevelopment
- Transit between downtown & Cool Springs

MEETING #1: FUTURE OF COOL SPRINGS

What we heard:

- Need more open space of all types
- Should have a 10 min walk max to play area or open space
- Trail system connects all the parks
- Many connections are planned but need to be built
- Need more/better parks signage
- Need safe routes to schools

MEETING #2: OPEN SPACES & NATURAL RESOURCES

What we heard:

- Comfortable & safe character
- Sidewalks
- Nice details
- Reminiscent of downtown
- Bistro lights shouldn't be used too much

MEETING #3: ARCHITECTURE AND DESIGN

What we heard:

- Connectivity benefits health
- Need a safer connection between downtown and the Factory
- Sidewalks need to be accessible
- Need more sidewalks along West Main
- Lewisburg Pike needs better facilities
- Increase options for moving around the City using multiple modes
- Feature the Harpeth River
- Vehicles should not be the main priority

MEETING #4: CONNECTIVITY

What we heard:

- Concerns about companies buying homes and turning into rental properties
- Incentives for a density bonus to create affordable housing?
- Need to adhere to standards.
- Affordable housing needs to stay affordable
- Independent living

MEETING #5: HOUSING & NEIGHBORHOODS

What we heard:

- Too much through-traffic
- Not enough convenient parking
- Residential area should not allow additional uses
- Airbnb's should be owner-occupied
- Would like to have a grocery store and/or pharmacy in walking distance

MEETING #6: DOWNTOWN FRANKLIN

HANDS ON WORKSHOP

They liked:

- Activated pedestrian environments
- Outdoor dining & seating
- Activated shopfronts & vibrant

WORKSHOP RESULTS: COMMON THREADS

They liked:

- Masonry
- Natural materials
- Punched window openings

WORKSHOP RESULTS: COMMON THREADS

They didn’t like:

- Auto-oriented development
- Parking in front of buildings

WORKSHOP RESULTS: COMMON THREADS

They didn’t like:

- Large spans of glass
- Reflective materials

WORKSHOP RESULTS: COMMON THREADS

They didn’t like:

- Conventional suburban apartments

WORKSHOP RESULTS: COMMON THREADS

They liked:

- Building articulation
- Vertical proportions
- Contemporary industrial design

WORKSHOP RESULTS: COMMON THREADS

They liked:

- Traditional Architecture & materials

WORKSHOP RESULTS: COMMON THREADS

They didn’t like:

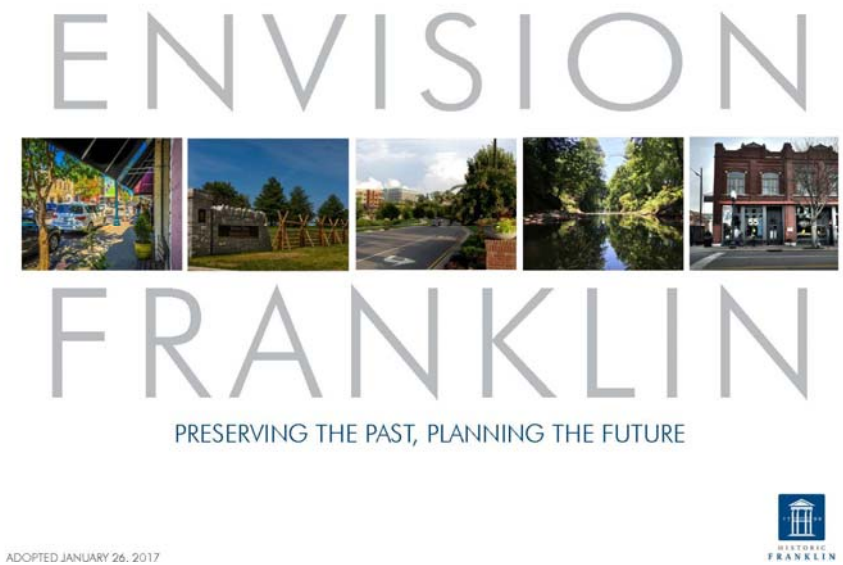
- Garage-dominated residential

WORKSHOP RESULTS: COMMON THREADS

THE ORDINANCE UPDATE

TOP CHANGES

1. Align the zoning district standards with Envision Franklin recommendations
2. Reduce the number of overlay districts, but add a scenic corridor overlay district
3. Refine the building and site design standards
4. Make improvements to the usability of the Ordinance



OLD

1. GENERAL PROVISIONS
2. DEVELOPMENT APPROVAL AUTHORITY AND PROCEDURES
3. ZONE DISTRICTS, USE TABLES, & DIMENSIONAL STANDARDS
4. USE REGULATIONS
5. **DEVELOPMENT STANDARDS**
6. PERFORMANCE AGREEMENTS
7. ENFORCEMENT
8. RULES OF CONSTRUCTION & DEFINITIONS

NEW

1. Introductory Provisions
2. Nonconformities
3. Zoning Districts
4. Overlay Zoning Districts
5. Use Regulations
6. Building Types
7. Frontage Types
8. Transitional Features
9. Streets and Circulation
10. Parking and Transit
11. Open Space
12. Landscape
13. Fences, Walls, and Screening
14. Lighting
15. Signs
16. Utilities
17. Natural Resources
18. Historic Resources
19. Review Bodies
20. Procedures
21. Performance Agreements
22. Enforcement
23. Definitions and Interpretations
24. History Table

FRAMEWORK CHANGES: CHAPTERS

OLD

- Historic Preservation
- Neighborhood Conservation
- Floodway
- Floodway Fringe
- Hillside/Hillcrest
- Columbia Avenue
- Height Overlay
- Scientific Research
- Berrys Chapel (8 Special Areas)
- Carnton (4 Special Areas)
- Central Franklin (10 Special Areas)
- Goose Creek (9 Special Areas)
- McEwen (10 Special Areas)
- McLemore (2 Special Areas)
- Seward Hall (7 Special Areas)
- Southall (6 Special Areas)
- West Harpeth (3 Special Areas)
- Traditional Areas or Conventional Areas

NEW

- Historic Preservation
- Neighborhood Conservation
- Floodway
- Floodway Fringe
- Hillside/Hillcrest
- Columbia Avenue
- Central Franklin (reduce
- Scenic Corridors (new)

FRAMEWORK CHANGES: OVERLAY DISTRICTS

TABLE 3-2: PERM

Use Types "P" = Permitted	Base Zoni									
	AG	ER	R-1	R-2	R-3	R-6	SD-R	SD-X	RM-10	
AGRICULTURAL USES										
Agricultural Uses	P	P	P	P	P	P	P	P	P	P
RESIDENTIAL USES										
Attached Dwellings							P	P	P	P
Detached Dwellings	P	P	P	P	P	P	P	P		
Group Homes							P	P		
CIVIC AND INSTITUTIONAL USES										
Active Park Facilities							P	P		
Assisted Living Facility							P	P		
Cemeteries										
Charitable, Fraternal, or Social Organizations								P		
Clinics								P		
Correctional Facilities										
Day Care Centers								P		
Educational Facilities								P		
Essential Services	P	P	P	P	P	P	P	P	P	P
Hospitals										
Nursing/Convalescent Home							P	P		
Passive Parks and Open Space	P	P	P	P	P	P	P	P	P	P
Public Buildings or Uses								P		
Rehabilitation Centers								P		
Place of Public Assembly								P		
OFFICE USES										
Offices								P		
COMMERCIAL USES										
Adult-Oriented Establishments										
Automotive Body Shops										

TABLE 3-6: SITE DEVELOPM CONV

		Standard	AG	ER
Residential Detached (Street Loaded)	Front Yard and Side Street Setback (feet) [4]	Local	100	75
		Collector	150	100
		Arterial/ Mack Hatcher	225	150
	Side Yard Setback (feet) [6] [10]		50	35
	Rear Yard Setback (feet)[5]		100	65
	Minimum Lot Size (square feet) [4]		1 per 15 acres	45,000
	Minimum Lot Width (feet) [4]		200	150
	Minimum Lot Frontage (feet) [11]		160	120
Residential Detached (Alley Loaded)	Front Yard and Side Street Setback (feet) [4]	Local	100	75
		Collector	150	100
		Arterial/ Mack Hatcher	225	150
	Side Yard Setback (feet) [5]		50	35
	Rear Yard Setback (feet) [5]		100	65
	Minimum Lot Size (square feet) [4]		1 per 15 acres	45,000
	Minimum Lot Width (feet) [4]		200	150
	Minimum Lot Frontage (feet) [11]		160	120
Residential Attached	Front Yard and Side Street Setback (feet) [4] [5]	Local		
		Collector		
		Arterial/ Mack Hatcher		
	Side Yard Setback (feet)			
	Rear Yard/Alley Setback (feet)			

TABLE 3-6: SITE DEVEL C

Standard	AG

NOTES:
[1] For lots in recorded subdivisions or apply, and the requirements shown
[2] Unified developments may establis boundaries of the development sha
[3] Shaded cells indicate that no requir
[4] The minimum setback, minimum lot Features.
[5] Where an immediately adjacent exi or rear yard requirement shall inste Buildings shall maintain a minimum
[6] Minimum of eight feet each side, mi
[7] Minimum of five feet each side, min
[8] Larger or smaller setbacks, lot widt where topographical or natural cons Subsection 2.4.2, Planned Unit Dev
[9] Appurtenances may encroach into ten feet from principal structures on
[10] For unified developments, internal City of Franklin.
[11] The minimum lot frontage width sha width shall apply. However, the min sac.

TABLE 3-7: SIT

Standard		AG
Front Yard and Side Street Setback (feet) [3]	Local	100
	Collector	150
	Arterial/ Mack Hatcher	225
Side Yard Setback (feet) [4] [7]		50
Rear Yard Setback (feet) [4]		100

NOTES:
[1] For lots in recorded subdivisions shall not apply, and the requiren
[2] Unified developments may esta boundaries along the developm
[3] The minimum setback shall be
[4] Where an immediately adjacent minimum side or rear yard requi
[5] Minimum of eight feet each side
[6] Minimum of five feet each side,
[7] Appurtenances are permitted to to five feet from the property line

3.3.4 Site Development Standards for Traditional Areas

(1) Table 3-8 establishes the site developments standards, by building type, for development within traditional areas established pursuant to Section 5.1, Traditional and Conventional Area Standards Distinguished, and for development within the R-6, OR, and CC Districts.

(2) All applicable development shall comply with the standards established within this subsection unless otherwise expressly stated, or unless a different standard is required by an applicable overlay district.

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] The minimum setback, minimum lot width, and minimum lot size 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.

OLD ZONING DISTRICT REGULATIONS

3.6 R3—Residential 3 District

3.6.1 Purpose

The R3 district is intended to provide for single-family residential with lot sizes of at least 9,000 square feet, designed with walkable, well-connected street systems, and designed around natural features as accessible community amenities.

3.6.2 Use Regulations

A. Principal uses shall comply with Section 5.1, Principal Uses.
B. Accessory uses and structures shall comply with Section 5.2, Accessory Uses and Structures.
C. Temporary uses and structures shall comply with Section 5.3, Temporary Uses and Structures.

3.6.3 Building Types

The following principal building type is permitted:

A. House

3.6.4 Frontage Types

The following frontage type is permitted:

A. Yard Frontage

3.6.5 Dimensional Standards

The following dimensional standards are required:

Lot Standards	Minimum
Lot Size	9,000 square feet
Lot Width	65 feet
Front Lot Line	52 feet, but may be reduced to 30 feet when on a turning radius of a cul-de-sac
Number of Buildings	**Maximum**
Principal Building	1 per lot
Accessory Structure	1 per lot
Minor Accessory Structure	1 per lot
Principal Building Setbacks	**Minimum**
Front Yard	20 feet
Side Yard	10 feet
Rear Yard	30 feet
Rear Yard Abutting Alley	See building type for attached garage setbacks
Encroachments	
Appurtenances may encroach into a front or rear yard setback up to 6 feet and into a side yard setback up to 5 feet	
Steps may encroach into any required yard	
Accessory Structure Setbacks	
Location	At least 5 feet behind the principal building At least 5 feet from any lot line

Building Height	Maximum
Principal Building	2 ½ stories
Accessory Structure	2 stories, but shall not exceed the height of the principal building
Landscape	**Minimum**
Landscape Surface Area	40%
Alternate Standards	
For lots in recorded subdivisions, if there are different dimensional standards on the final plat, then those standards on the final plat shall govern	

3.6.6 Additional Standards

Chapter References	
Building Types	Chapter 6
Frontage Types	Chapter 7
Transitional Features	Chapter 8
Streetscape and Circulation	Chapter 9
Parking and Transit	Chapter 10
Open Space	Chapter 11
Landscape	Chapter 12
Fences, Walls, and Screening	Chapter 13
Lighting	Chapter 14
Signs	Chapter 15
Utilities	Chapter 16
Natural Resources	Chapter 17
Historic Resources	Chapter 18

NEW ZONING DISTRICT REGULATIONS

ZONE FRANKLIN

Zone Franklin is a Zoning Ordinance Update for the City of Franklin. The Public Draft of the Ordinance was completed in May 2019, and is available here for public review. You are invited to join the discussion about the City's Draft Zoning Ordinance and how it relates to your goals for the future. This site will provide information about the process and tools to provide input throughout the project.

About The Project

Adoption Draft Zoning Ordinance

Outreach

REGISTER FOR UPDATES

Draft Zoning Ordinance & Map Links

- Adoption Draft of the Zoning Ordinance
- Adoption Draft Overlay District Map
- Adoption Draft Zoning District Map

Key Dates

Franklin Municipal Planning Commission Meeting/Public Hearing
Oct 24 2019

Board of Mayor and Alderman 1st Reading/Public Hearing
Nov 12 2019

Board of Mayor and Alderman 2nd Reading/Public Hearing
Nov 26 2019

Board of Mayor and Alderman 3rd and Final Reading
Dec 10 2019

8 PLANAPALOOZA™ MEETINGS

336 UNIQUE PARTICIPANTS

- **2** Rounds of BOMA/FMPC Interviews
- **1** Departmental Review Team Input Session
- **1** Design Professionals/ Developers Input Session

15 THINK TANK MEETINGS

15 TOTAL PARTICIPANTS

2 DAYS OF DROP-IN OFFICE HOURS

AUGUST 16TH AND SEPTEMBER 20TH

40 CITIZENS

7 Joint BOMA/ FMPC workshop discussions

24,361 property owner notices mailed

PUBLIC DRAFT OPEN HOUSE

AUGUST 15TH

81 Participants

6 OUTREACH PRESENTATIONS

625 ATTENDEES

1. Downtown Neighborhood Association — July 14th
2. Franklin Tomorrow Breakfast with the Mayors — July 30th
3. Design Professionals / Developers Meeting — August 7th
4. Williamson County Association of Realtors — August 15th
5. Historic Zoning Commission Design Review Committee — August 19th
6. Sustainability Commission — September 6th

50 Signs posted around the city

5,315 Views on the Interactive Zoning Maps

420 Internal staff meetings over two years

ZONEFRANKLIN.COM

- **130** ACTIVATED PARTICIPANTS
- **7,245** VISITS
- **138** REGISTERED

8 e-blast notifications to an average of **963** PEOPLE EACH TIME

849 DOWNLOADS OF THE DRAFT ZONING DISTRICT MAP

568 DOWNLOADS OF THE DRAFT OF ORDINANCE

533 DOWNLOADS OVERLAY DISTRICT MAP

PUBLIC INPUT

PUBLIC INPUT—MULTIFAMILY IN RC DISTRICTS

- The new RC6 and RC12 districts allow by-right multifamily up to 40 percent of the building square footage in a proposed mixed-use development
- Common developer comment was that 40% maximum was too low

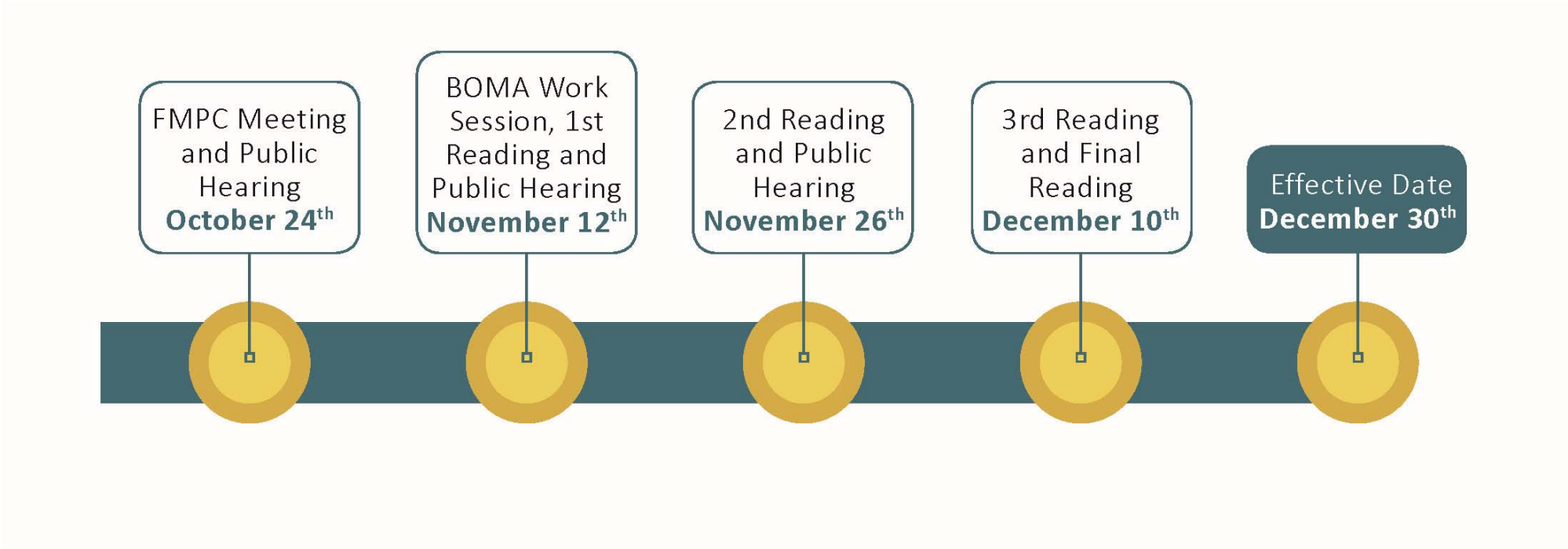
- This proposal is a step toward implementation of Envision Franklin, but BOMA may consider more than 40% through the development plan approval process
- Staff will revisit this provision after the conclusion of the Cool Springs Infrastructure Study

PUBLIC INPUT-DISTRICTS AND OVERLAY DISTRICTS

- Some citizens seeking clarifications about zoning districts – ok after explanation
- Handful of individual concerns about zoning of specific properties, which staff worked through with most situations
- Several concerns about the Scenic Corridor Overlay District on the northwest side of the City, which staff reduced Old Charlotte and Del Rio Pike corridor setbacks

PUBLIC INPUT—SHORT-TERM VACATION RENTALS

- Majority of comments opposed short-term vacation rentals/wanted more regulation, seem supportive of the proposed requirements
- Handful have expressed concern about the future of their existing rental units, but support State law allowances for nonconformities in the draft
- Three citizen concerns about the desire to have the option in the future
- Staff is proposing requirements in all residential districts due to long-term impacts to the housing supply:
  - A maximum of one per lot
  - The owner resides on the property



SCHEDULE FOR ADOPTION

- The new Ordinance is waaaay better than our current one!
- Ordinance doesn’t have to be perfect to adopt it
- Can’t anticipate every scenario right now
- Test the Ordinance for a year
- Conduct a cleanup after 12 months

A PATH FORWARD

WRAP UP

WORKS FOR THE COMMUNITY

WORKS FOR BUSINESS

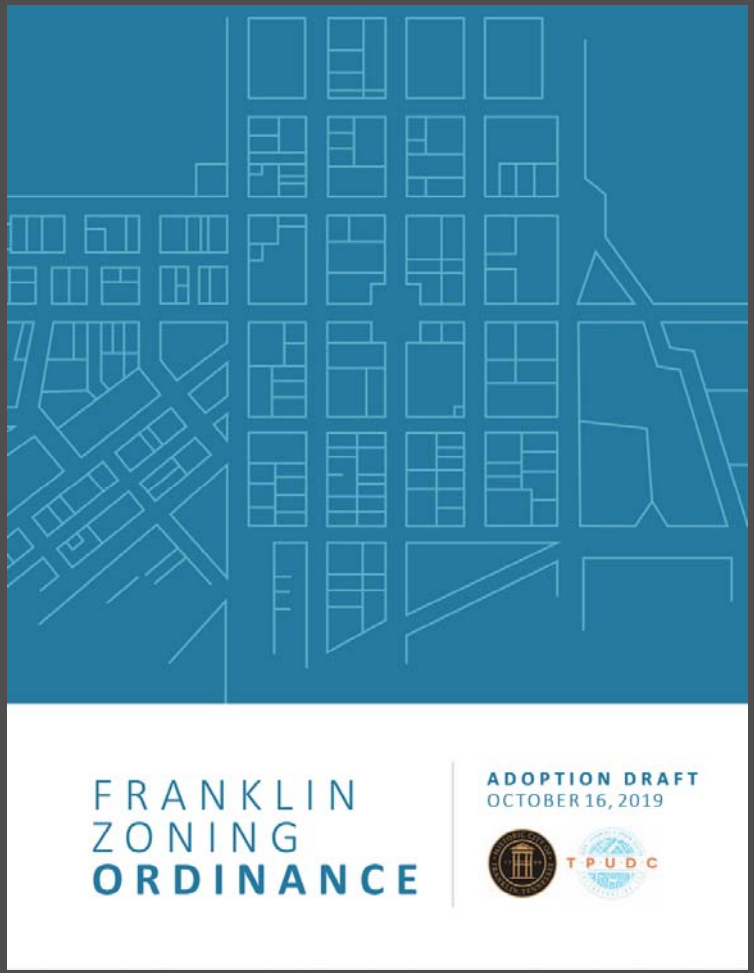
WORKS FOR ALL STAGES OF LIFE

WORKS ECONOMICALLY

WORKS FOR CHARACTER

Ordinance 2019-37

An Ordinance to Adopt a New Zoning Ordinance and Map of the City of Franklin, Tennessee

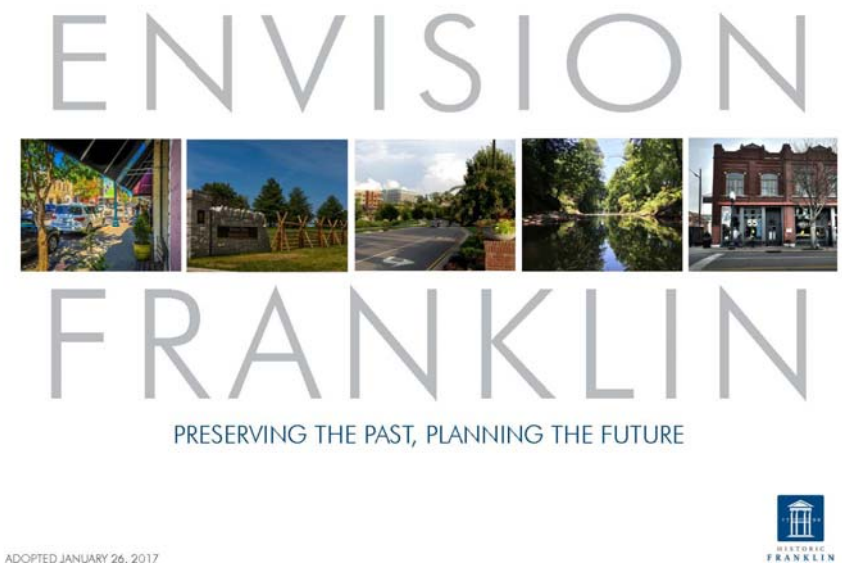


ZONING ORDINANCE UPDATE GOALS

- Align more with Envision Franklin
- Emphasize community character
- Be clear, simple, and understandable
- Organize the document for ease of use
- Reduce the number of conflicts and overlapping provisions

TOP CHANGES

- Align the zoning district standards with Envision Franklin recommendations
- Reduce the number of overlay districts, but add a scenic corridor overlay district
- Refine the building and site design standards
- Make improvements to the usability of the Ordinance



8 PLANAPALOOZA™ MEETINGS

336 UNIQUE PARTICIPANTS

- **2** Rounds of BOMA/FMPC Interviews
- **1** Departmental Review Team Input Session
- **1** Design Professionals/ Developers Input Session

15 THINK TANK MEETINGS

15 TOTAL PARTICIPANTS

2 DAYS OF DROP-IN OFFICE HOURS

AUGUST 16TH AND SEPTEMBER 20TH

40 CITIZENS

7 Joint BOMA/ FMPC workshop discussions

24,361 property owner notices mailed

PUBLIC DRAFT OPEN HOUSE

AUGUST 15TH

81 Participants

6 OUTREACH PRESENTATIONS

625 ATTENDEES

1. Downtown Neighborhood Association — July 14th
2. Franklin Tomorrow Breakfast with the Mayors — July 30th
3. Design Professionals / Developers Meeting — August 7th
4. Williamson County Association of Realtors — August 15th
5. Historic Zoning Commission Design Review Committee — August 19th
6. Sustainability Commission — September 6th

50 Signs posted around the city

5,315 Views on the Interactive Zoning Maps

420 Internal staff meetings over two years

ZONEFRANKLIN.COM

- **130** ACTIVATED PARTICIPANTS
- **7,245** VISITS
- **138** REGISTERED

8 e-blast notifications to an average of **963** PEOPLE EACH TIME

849 DOWNLOADS OF THE DRAFT ZONING DISTRICT MAP

568 DOWNLOADS OF THE DRAFT OF ORDINANCE

533 DOWNLOADS OVERLAY DISTRICT MAP

PUBLIC INPUT

PUBLIC INPUT—SHORT-TERM VACATION RENTALS

- Proposed requirements for all residential districts:
  - Existing permitted STVRs are grandfathered
  - A maximum of one per lot
  - The owner resides on the property
- Majority of comments seem supportive of the proposed requirements
- Three citizens would like future STVRs without living on the property

PUBLIC INPUT—MULTIFAMILY IN COOL SPRINGS

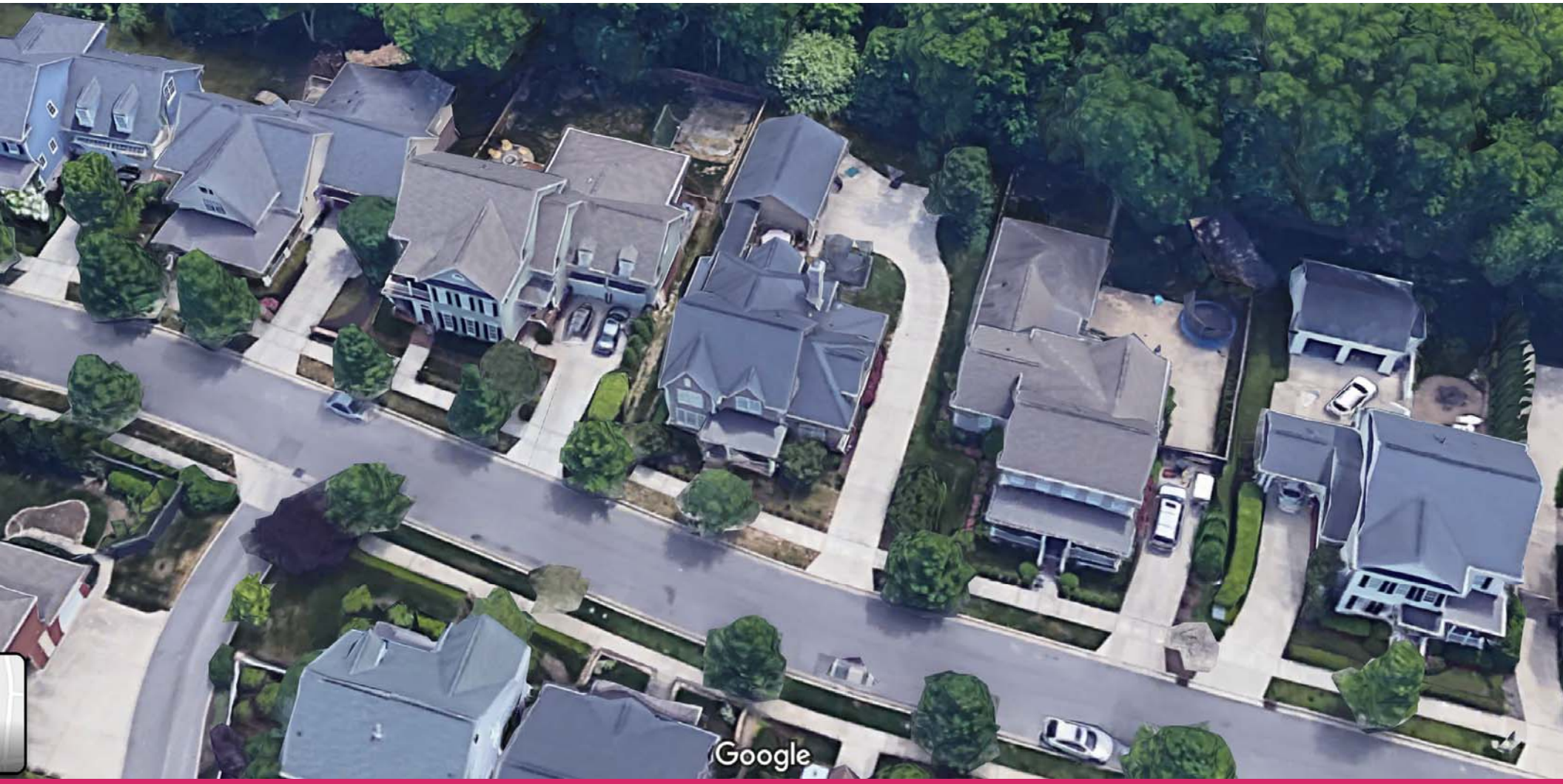
- The new RC6 and RC12 districts allow by-right multifamily up to 40% of the building square footage in a proposed mixed-use development
- Common developer comment was that 40% maximum was too low
- This proposal is a step toward implementation of Envision Franklin, but higher multifamily mixes would go through the BOMA development plan approval process (like they currently do)
- Staff would like to revisit this provision after the conclusion of the Cool Springs Infrastructure Study

PUBLIC INPUT-SCENIC CORRIDOR OVERLAY DISTRICT

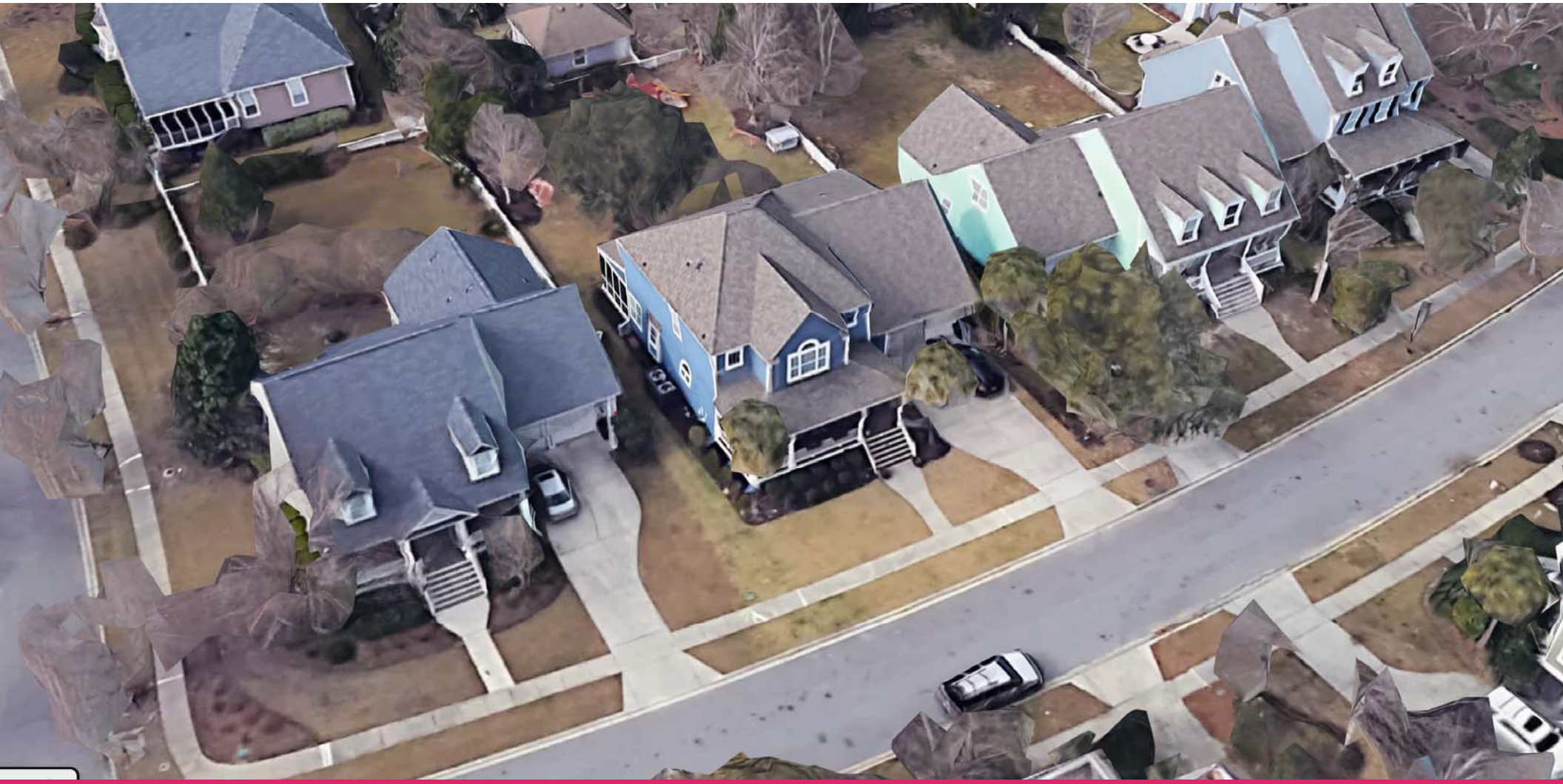
- One of the topics we heard the most was—preserve rural character
- SCO geared toward protecting community character and scenic viewsheds along corridors entering Franklin and downtown Franklin
- Through building setbacks and informal landscaping
- A few concerned about the SCO on the northwest side of the City
- This concept began with the adoption of Westhaven in late 1990s, continuing with the 2004 Land Use Plan…
- These setbacks came from a lot of community input on protecting the places and corridors that matter

PUBLIC INPUT—GARAGE DOMINATED FACADES

- Proposed is going back to the 20-foot setback (rather than 10 feet)
- Shorter setback impedes use of sidewalk
- The public didn’t like garage-dominated residential



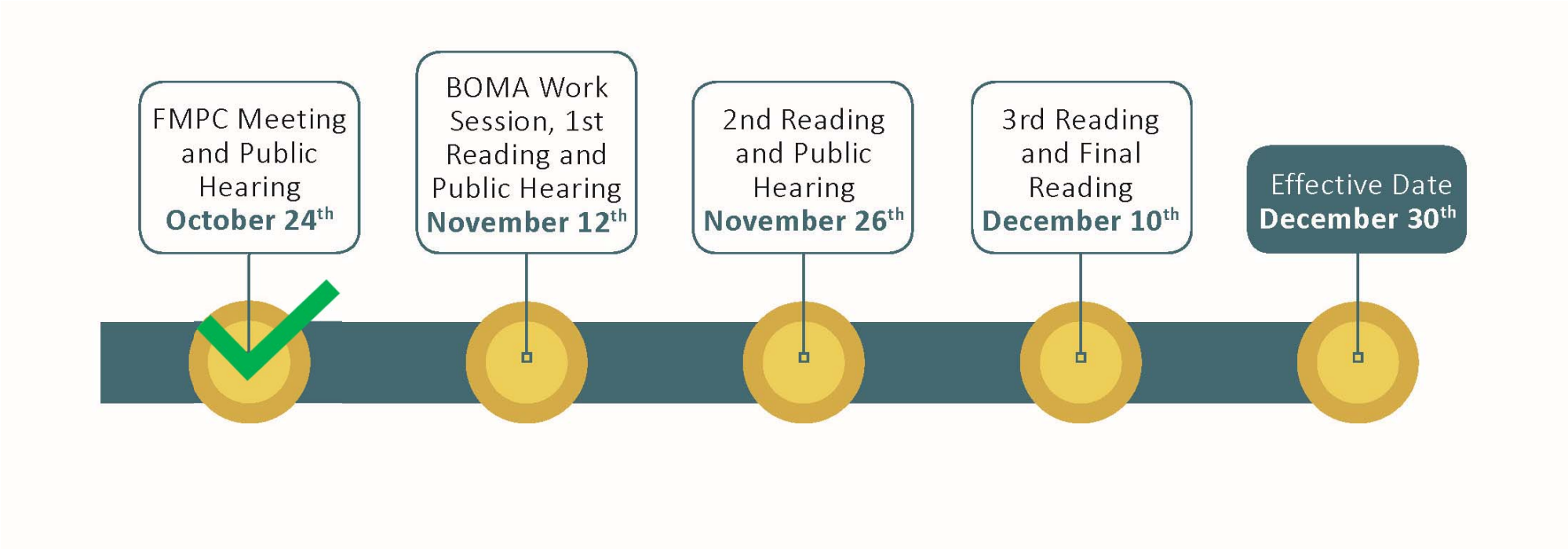
20’ GARAGE SETBACK



20’ GARAGE SETBACK

10’ GARAGE SETBACK

20’ GARAGE SETBACK



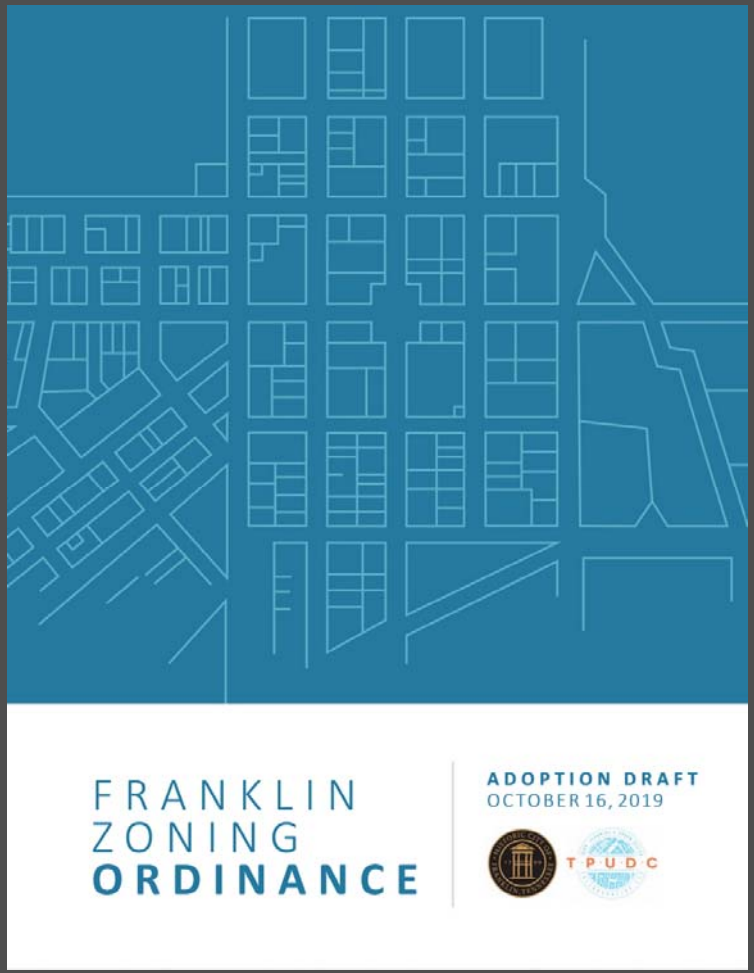
SCHEDULE FOR ADOPTION

- The new Ordinance is waaaay better than our current one!
- Ordinance doesn’t have to be perfect to adopt it
- Can’t anticipate every scenario right now
- Test the Ordinance for a year
- Conduct a cleanup after 12 months

A PATH FORWARD

Ordinance 2019-37

An Ordinance to Adopt a New Zoning Ordinance and Map of the City of Franklin, Tennessee



PROJECT INTRODUCTIONS

Emily Hunter
The Fearless Leader

Kelly Dannenfelser
The Mastermind

Andrew Orr
The Zoning Mapper/
Zen Master of Citizen
Comments

Amy Diaz-Barriga
Think Tank Team Leader
Idea Sniper/Realist

Annette Dalrymple
Technical Guru
Tree Saver 1

Jason Arnold
Tree Saver 2

Paula Kortas
The Surety Queen

Dianna Tomlin
The New Gal

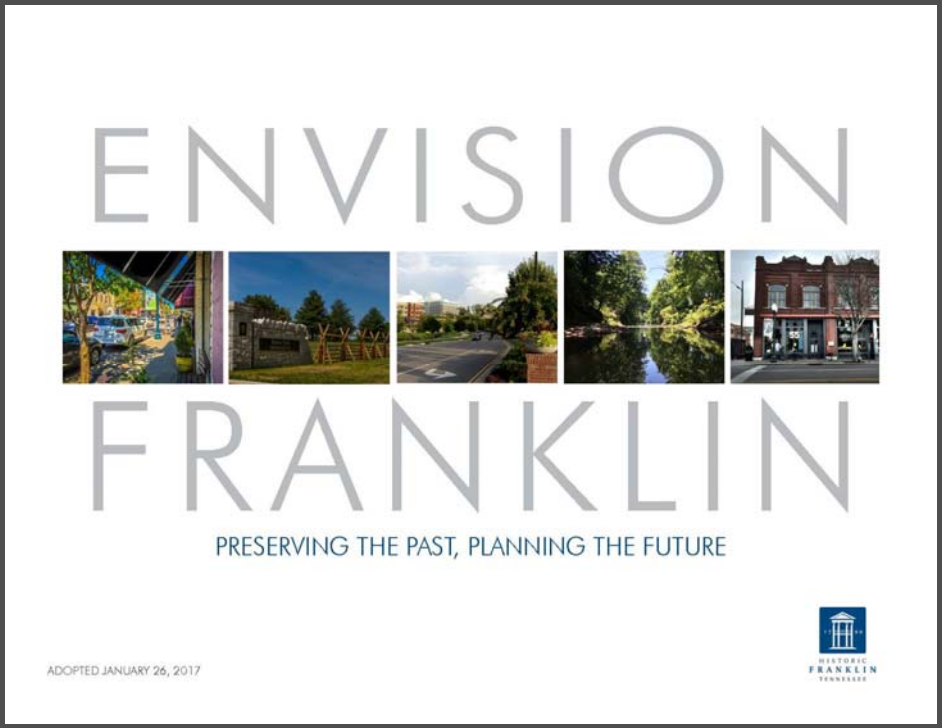
Joey Bryan
The Fence Master

Amanda Rose
The Downtown Guardian

Eric Conner
The New Guy

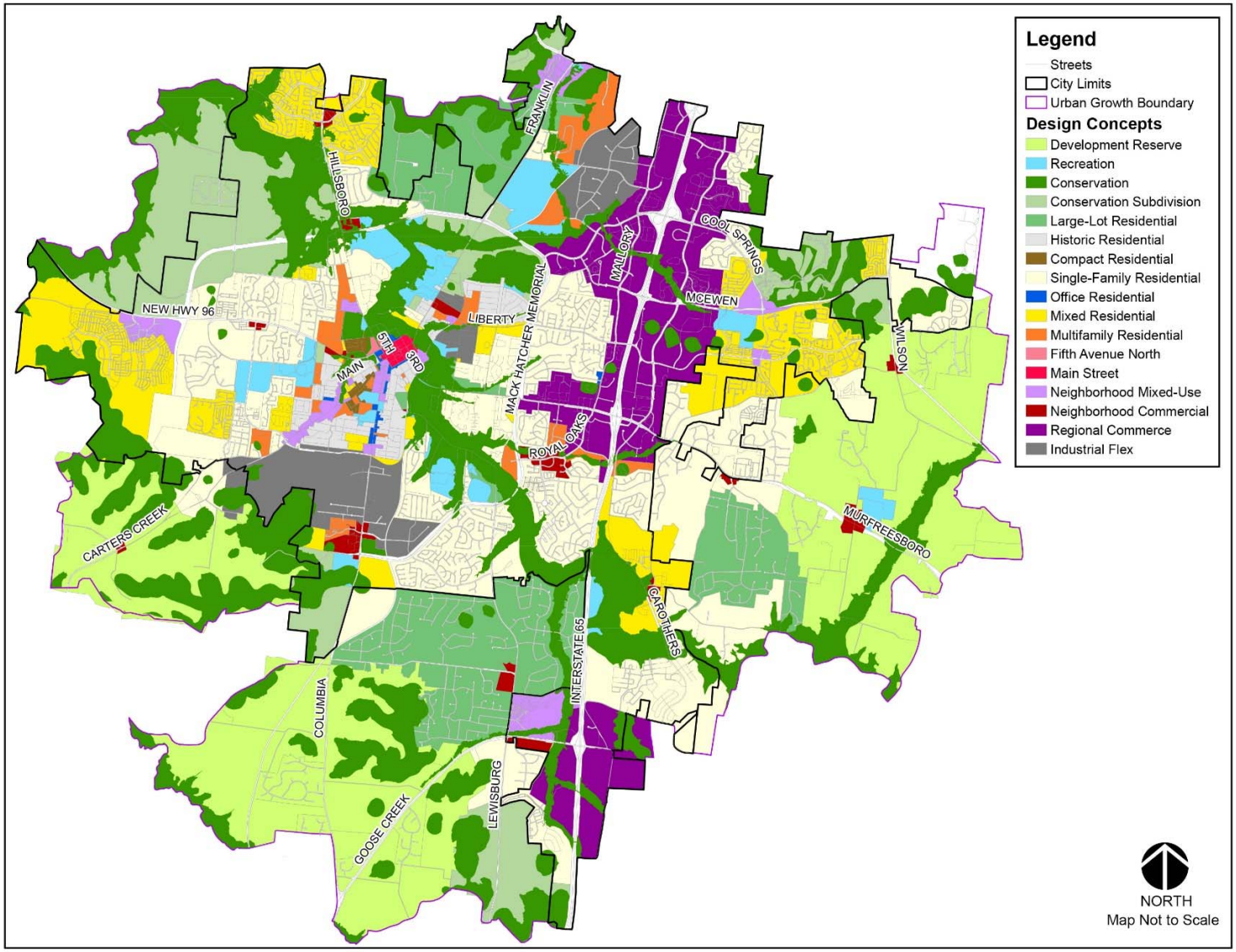
PLANNING STAFF

WHERE WE WORK



ESTABLISHES THE VISION

DESIGN CONCEPTS

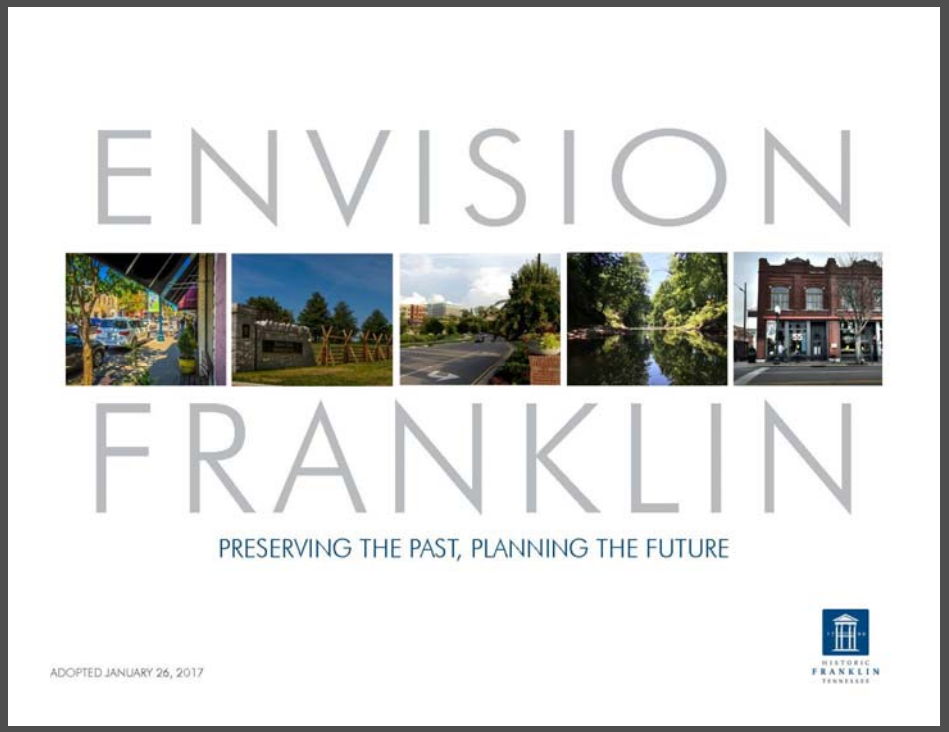


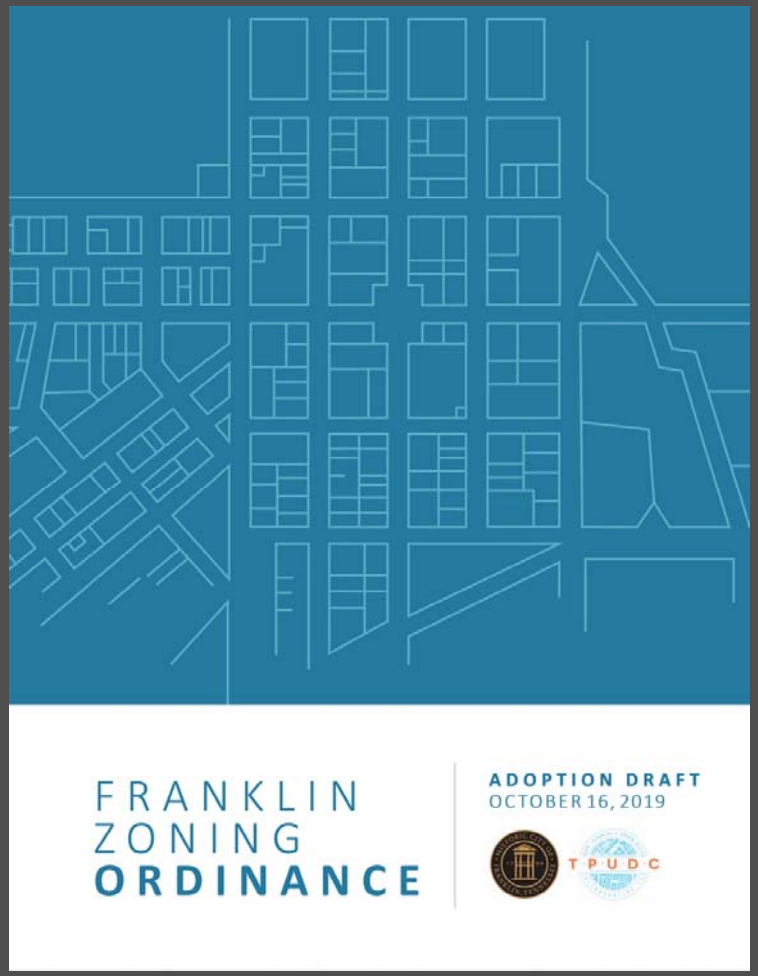
REGIONAL COMMERCE

NEIGHBORHOOD COMMERCIAL

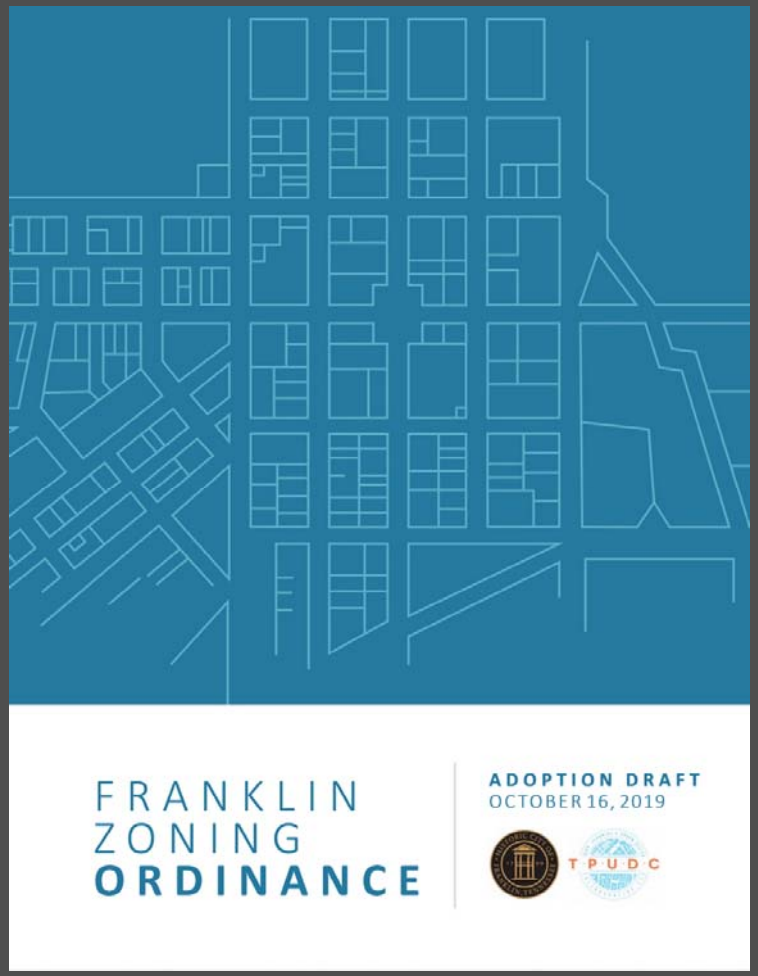
RESIDENTIAL DESIGN CONCEPTS

DEVELOPMENT RESERVE


ENVISION
FRANKLIN
PRESERVING THE PAST, PLANNING THE FUTURE
ADOPTED JANUARY 26, 2017
HISTORIC
FRANKLIN


FRANKLIN
ZONING
ORDINANCE
ADOPTION DRAFT
OCTOBER 16, 2019
TPUDC

ALLOWS THE VISION TO BE IMPLEMENTED

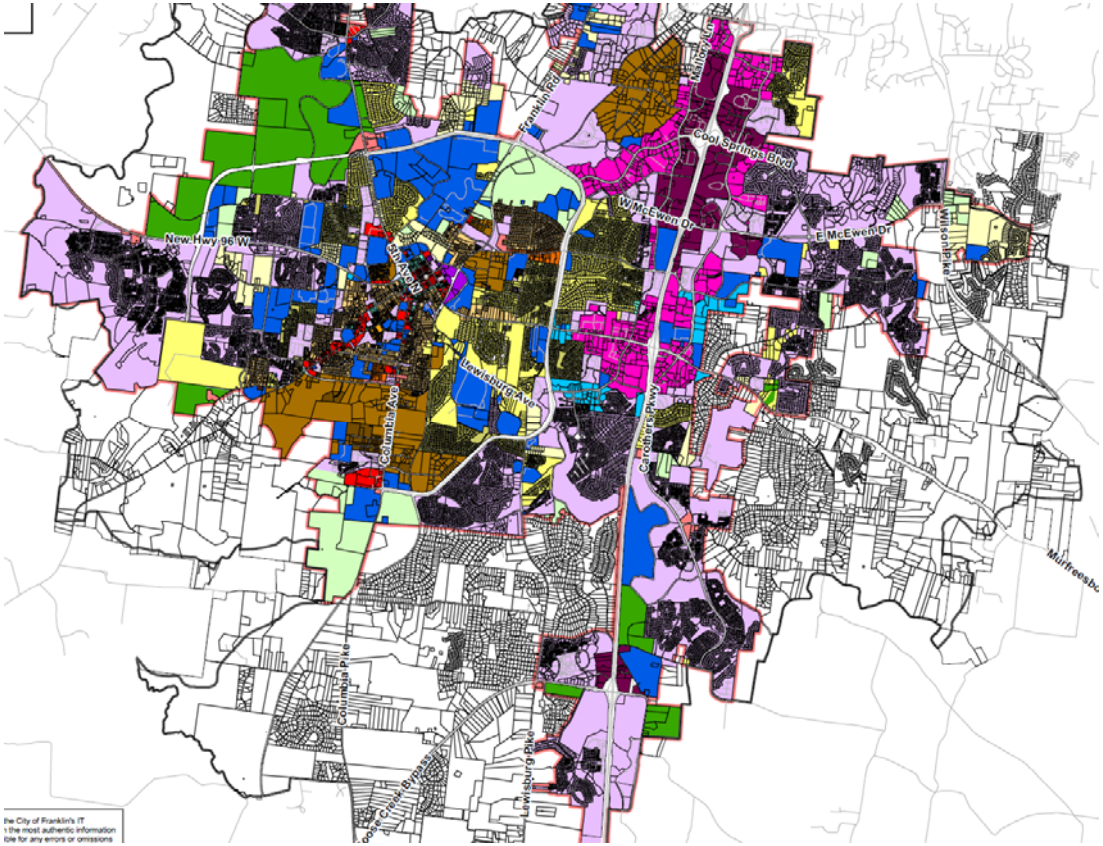


WHY ZONE FRANKLIN?

WHAT IS ZONING?

- The City uses zoning to group land into different areas, or zones, with different rules about what you build or do in each one.

- Zoning doesn't <u>CAUSE</u> anything to be built. It simply guides and limits what and how things can be built in different zones.



- Too much subjectivity in process
- Complicated development review process
- Not user-friendly
- Not enough regulation of building appearance/materials
- Too many PUDs and Modification of Standards
- Lots of nonconformances
- Traffic issues, especially In Cool Springs

PERCEIVED CHALLENGES OF CURRENT ORDINANCE?

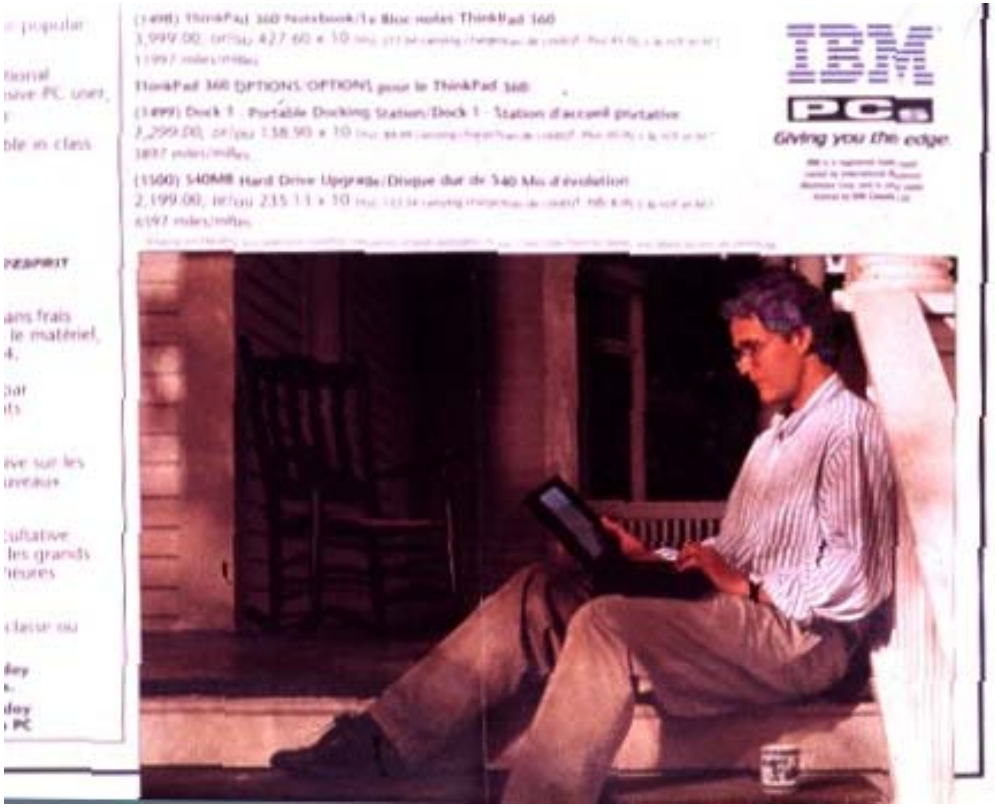
- Align more with Envision Franklin
- Emphasize community character
- Organize the document for easier use
- Protects most-loved parts of the city
- Enhances areas that need improvement
- Achieve desired development with zoning districts and development standards for straightforward projects

WHAT WILL AN UPDATED ORDINANCE DO?

- Reduce the number of conflicts and overlapping provisions
- Create more predictable outcomes
- Enhances Long-Term economic viability of the City
- Be clear, simple, and understandable

WHAT WILL AN UPDATED ORDINANCE DO?

CHANGING PREFERENCES



CHANGING PREFERENCES

CHANGING PREFERENCES

CHANGING PREFERENCES

PROTECTING FRANKLIN'S FUTURE ECONOMIC VIABILITY

PROTECTING FRANKLIN'S FUTURE ECONOMIC VIABILITY

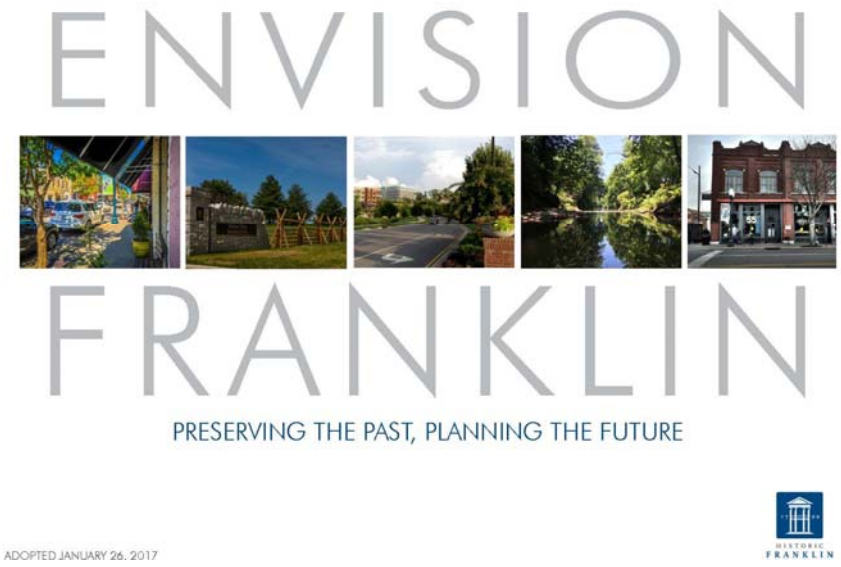
THE ORDINANCE UPDATE

ZONING ORDINANCE UPDATE GOALS

- Align more with Envision Franklin
- Emphasize community character
- Be clear, simple, and understandable
- Organize the document for ease of use
- Reduce the number of conflicts and overlapping provisions

TOP CHANGES

- Align the zoning district standards with Envision Franklin recommendations
- Reduce the number of overlay districts, but add a scenic corridor overlay district
- Refine the building and site design standards
- Make improvements to the usability of the Ordinance



OLD

1. GENERAL PROVISIONS
2. DEVELOPMENT APPROVAL AUTHORITY AND PROCEDURES
3. ZONE DISTRICTS, USE TABLES, & DIMENSIONAL STANDARDS
4. USE REGULATIONS
5. **DEVELOPMENT STANDARDS**
6. PERFORMANCE AGREEMENTS
7. ENFORCEMENT
8. RULES OF CONSTRUCTION & DEFINITIONS

NEW

1. Introductory Provisions
2. Nonconformities
3. Zoning Districts
4. Overlay Zoning Districts
5. Use Regulations
6. Building Types
7. Frontage Types
8. Transitional Features
9. Streets and Circulation
10. Parking and Transit
11. Open Space
12. Landscape
13. Fences, Walls, and Screening
14. Lighting
15. Signs
16. Utilities
17. Natural Resources
18. Historic Resources
19. Review Bodies
20. Procedures
21. Performance Agreements
22. Enforcement
23. Definitions and Interpretations
24. History Table

FRAMEWORK CHANGES: CHAPTERS

OLD

- Historic Preservation
- Neighborhood Conservation
- Floodway
- Floodway Fringe
- Hillside/Hillcrest
- Columbia Avenue
- Height Overlay
- Scientific Research
- Berrys Chapel (8 Special Areas)
- Carnton (4 Special Areas)
- Central Franklin (10 Special Areas)
- Goose Creek (9 Special Areas)
- McEwen (10 Special Areas)
- McLemore (2 Special Areas)
- Seward Hall (7 Special Areas)
- Southall (6 Special Areas)
- West Harpeth (3 Special Areas)
- Traditional Areas or Conventional Areas

NEW

- Historic Preservation
- Neighborhood Conservation
- Floodway
- Floodway Fringe
- Hillside/Hillcrest
- Columbia Avenue
- Central Franklin (reduced in geographic area)
- Scenic Corridors (new)

FRAMEWORK CHANGES: OVERLAY DISTRICTS

TABLE 3-2: PERM

Use Types "P" = Permitted	Base Zoni									
	AG	ER	R-1	R-2	R-3	R-6	SD-R	SD-X	RM-10	
AGRICULTURAL USES										
Agricultural Uses	P	P	P	P	P	P	P	P	P	P
RESIDENTIAL USES										
Attached Dwellings							P	P	P	P
Detached Dwellings	P	P	P	P	P	P	P	P		
Group Homes							P	P		
CIVIC AND INSTITUTIONAL USES										
Active Park Facilities							P	P		
Assisted Living Facility							P	P		
Cemeteries										
Charitable, Fraternal, or Social Organizations								P		
Clinics								P		
Correctional Facilities										
Day Care Centers								P		
Educational Facilities								P		
Essential Services	P	P	P	P	P	P	P	P	P	P
Hospitals										
Nursing/Convalescent Home							P	P		
Passive Parks and Open Space	P	P	P	P	P	P	P	P	P	P
Public Buildings or Uses								P		
Rehabilitation Centers								P		
Place of Public Assembly								P		
OFFICE USES										
Offices								P		
COMMERCIAL USES										
Adult-Oriented Establishments										
Automotive Body Shops										

TABLE 3-6: SITE DEVELOPM CONV

		Standard	AG	ER
Residential Detached (Street Loaded)	Front Yard and Side Street Setback (feet) [4]	Local	100	75
		Collector	150	100
		Arterial/ Mack Hatcher	225	150
	Side Yard Setback (feet) [6] [10]		50	35
	Rear Yard Setback (feet)[5]		100	65
	Minimum Lot Size (square feet) [4]		1 per 15 acres	45,000
	Minimum Lot Width (feet) [4]		200	150
	Minimum Lot Frontage (feet) [11]		160	120
Residential Detached (Alley Loaded)	Front Yard and Side Street Setback (feet) [4]	Local	100	75
		Collector	150	100
		Arterial/ Mack Hatcher	225	150
	Side Yard Setback (feet) [5]		50	35
	Rear Yard Setback (feet) [5]		100	65
	Minimum Lot Size (square feet) [4]		1 per 15 acres	45,000
	Minimum Lot Width (feet) [4]		200	150
	Minimum Lot Frontage (feet) [11]		160	120
Residential Attached	Front Yard and Side Street Setback (feet) [4] [5]	Local		
		Collector		
		Arterial/ Mack Hatcher		
	Side Yard Setback (feet)			
	Rear Yard/Alley Setback (feet)			

TABLE 3-6: SITE DEVEL C

Standard	AG

NOTES:
[1] For lots in recorded subdivisions or apply, and the requirements shown
[2] Unified developments may establis boundaries of the development sha
[3] Shaded cells indicate that no requir
[4] The minimum setback, minimum lot Features.
[5] Where an immediately adjacent exi or rear yard requirement shall inste Buildings shall maintain a minimum
[6] Minimum of eight feet each side, mi
[7] Minimum of five feet each side, min
[8] Larger or smaller setbacks, lot widt where topographical or natural cons Subsection 2.4.2, Planned Unit Dev
[9] Appurtenances may encroach into ten feet from principal structures on
[10] For unified developments, internal City of Franklin.
[11] The minimum lot frontage width sha width shall apply. However, the min sac.

TABLE 3-7: SIT

Standard		AG
Front Yard and Side Street Setback (feet) [3]	Local	100
	Collector	150
	Arterial/ Mack Hatcher	225
Side Yard Setback (feet) [4] [7]		50
Rear Yard Setback (feet) [4]		100

NOTES:
[1] For lots in recorded subdivisions shall not apply, and the requiren
[2] Unified developments may esta boundaries along the developm
[3] The minimum setback shall be
[4] Where an immediately adjacent minimum side or rear yard requi
[5] Minimum of eight feet each side
[6] Minimum of five feet each side,
[7] Appurtenances are permitted to to five feet from the property line

3.3.4 Site Development Standards for Traditional Areas

(1) Table 3-8 establishes the site developments standards, by building type, for development within traditional areas established pursuant to Section 5.1, Traditional and Conventional Area Standards Distinguished, and for development within the R-6, OR, and CC Districts.

(2) All applicable development shall comply with the standards established within this subsection unless otherwise expressly stated, or unless a different standard is required by an applicable overlay district.

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] The minimum setback, minimum lot width, and minimum lot size 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.

OLD ZONING DISTRICT REGULATIONS

3.6 R3—Residential 3 District

3.6.1 Purpose

The R3 district is intended to provide for single-family residential with lot sizes of at least 9,000 square feet, designed with walkable, well-connected street systems, and designed around natural features as accessible community amenities.

3.6.2 Use Regulations

A. Principal uses shall comply with Section 5.1, Principal Uses.
B. Accessory uses and structures shall comply with Section 5.2, Accessory Uses and Structures.
C. Temporary uses and structures shall comply with Section 5.3, Temporary Uses and Structures.

3.6.3 Building Types

The following principal building type is permitted:

A. House

3.6.4 Frontage Types

The following frontage type is permitted:

A. Yard Frontage

3.6.5 Dimensional Standards

The following dimensional standards are required:

Lot Standards	Minimum
Lot Size	9,000 square feet
Lot Width	65 feet
Front Lot Line	52 feet, but may be reduced to 30 feet when on a turning radius of a cul-de-sac
Number of Buildings	**Maximum**
Principal Building	1 per lot
Accessory Structure	1 per lot
Minor Accessory Structure	1 per lot
Principal Building Setbacks	**Minimum**
Front Yard	20 feet
Side Yard	10 feet
Rear Yard	30 feet
Rear Yard Abutting Alley	See building type for attached garage setbacks
Encroachments	
Appurtenances may encroach into a front or rear yard setback up to 6 feet and into a side yard setback up to 5 feet	
Steps may encroach into any required yard	
Accessory Structure Setbacks	
Location	At least 5 feet behind the principal building At least 5 feet from any lot line

Building Height	Maximum
Principal Building	2 ½ stories
Accessory Structure	2 stories, but shall not exceed the height of the principal building
Landscape	**Minimum**
Landscape Surface Area	40%
Alternate Standards	
For lots in recorded subdivisions, if there are different dimensional standards on the final plat, then those standards on the final plat shall govern	

3.6.6 Additional Standards

Chapter References	
Building Types	Chapter 6
Frontage Types	Chapter 7
Transitional Features	Chapter 8
Streetscape and Circulation	Chapter 9
Parking and Transit	Chapter 10
Open Space	Chapter 11
Landscape	Chapter 12
Fences, Walls, and Screening	Chapter 13
Lighting	Chapter 14
Signs	Chapter 15
Utilities	Chapter 16
Natural Resources	Chapter 17
Historic Resources	Chapter 18

NEW ZONING DISTRICT REGULATIONS

ZONE FRANKLIN

Zone Franklin is a Zoning Ordinance Update for the City of Franklin. The Public Draft of the Ordinance was completed in May 2019, and is available here for public review. You are invited to join the discussion about the City's Draft Zoning Ordinance and how it relates to your goals for the future. This site will provide information about the process and tools to provide input throughout the project.

About The Project

Adoption Draft Zoning Ordinance

Outreach

REGISTER FOR UPDATES

Draft Zoning Ordinance & Map Links

- Adoption Draft of the Zoning Ordinance
- Adoption Draft Overlay District Map
- Adoption Draft Zoning District Map

Key Dates

Franklin Municipal Planning Commission Meeting/Public Hearing
Oct 24 2019

Board of Mayor and Alderman 1st Reading/Public Hearing
Nov 12 2019

Board of Mayor and Alderman 2nd Reading/Public Hearing
Nov 26 2019

Board of Mayor and Alderman 3rd and Final Reading
Dec 10 2019

8 PLANAPALOOZA™ MEETINGS

336 UNIQUE PARTICIPANTS

- **2** Rounds of BOMA/FMPC Interviews
- **1** Departmental Review Team Input Session
- **1** Design Professionals/ Developers Input Session

15 THINK TANK MEETINGS

15 TOTAL PARTICIPANTS

2 DAYS OF DROP-IN OFFICE HOURS

AUGUST 16TH AND SEPTEMBER 20TH

40 CITIZENS

7 Joint BOMA/ FMPC workshop discussions

24,361 property owner notices mailed

PUBLIC DRAFT OPEN HOUSE

AUGUST 15TH

81 Participants

6 OUTREACH PRESENTATIONS

625 ATTENDEES

1. Downtown Neighborhood Association — July 14th
2. Franklin Tomorrow Breakfast with the Mayors — July 30th
3. Design Professionals / Developers Meeting — August 7th
4. Williamson County Association of Realtors — August 15th
5. Historic Zoning Commission Design Review Committee — August 19th
6. Sustainability Commission — September 6th

50 Signs posted around the city

5,315 Views on the Interactive Zoning Maps

420 Internal staff meetings over two years

ZONEFRANKLIN.COM

- **130** ACTIVATED PARTICIPANTS
- **7,245** VISITS
- **138** REGISTERED

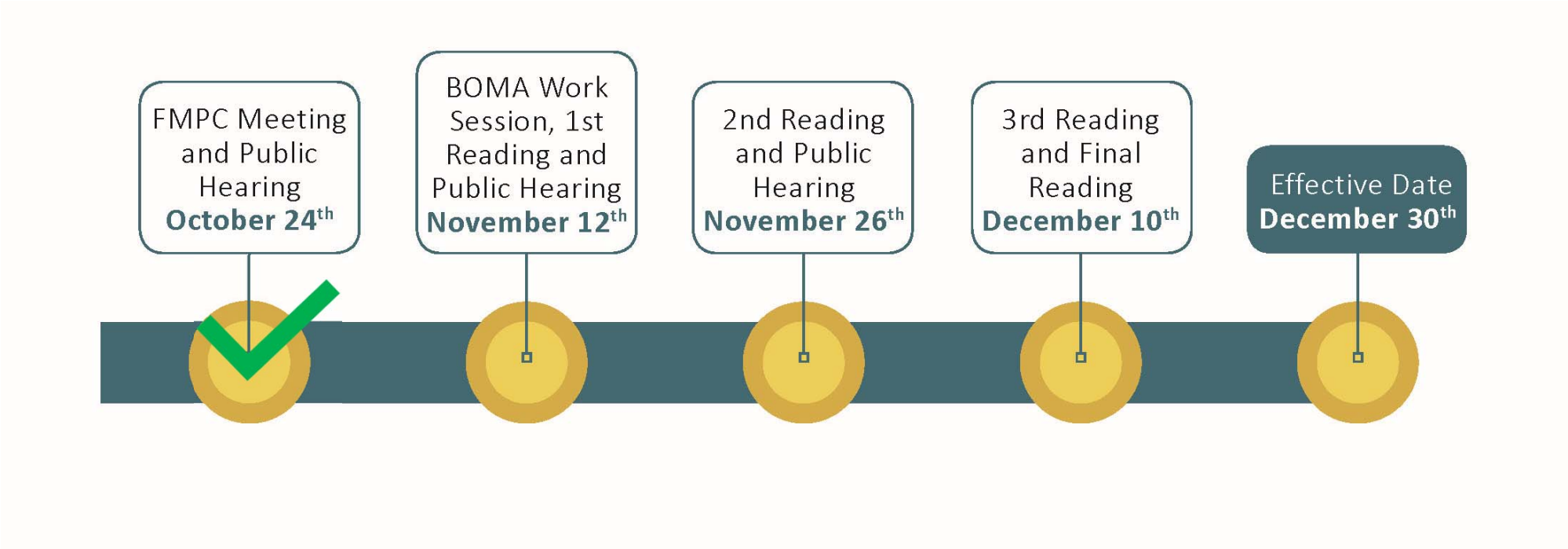
8 e-blast notifications to an average of **963** PEOPLE EACH TIME

849 DOWNLOADS OF THE DRAFT ZONING DISTRICT MAP

568 DOWNLOADS OF THE DRAFT OF ORDINANCE

533 DOWNLOADS OVERLAY DISTRICT MAP

PUBLIC INPUT



SCHEDULE FOR ADOPTION

- The new Ordinance is waaaay better than our current one!
- Ordinance doesn’t have to be perfect to adopt it
- Can’t anticipate every scenario right now
- Test the Ordinance for a year
- Conduct a cleanup after 12 months

A PATH FORWARD

WRAP UP

WORKS FOR THE COMMUNITY

WORKS FOR BUSINESS

WORKS FOR ALL STAGES OF LIFE

WORKS ECONOMICALLY

WORKS FOR CHARACTER

City of Franklin Housing Commission

Date: November 11, 2019

City of Franklin Board of Mayor and Aldermen
Ken Moore, Mayor
109 3rd Ave S
Franklin, TN 37064

Re: Housing Commission Motion in Support of Accessory Dwelling Units

Dear Honorable City of Franklin Board of Mayor and Aldermen:

The City of Franklin Housing Commission met on Thursday, October 4th for our regular monthly meeting. After discussion, a motion was made and overwhelmingly ratified by the Commission regarding the proposed zoning ordinance update that Accessory Dwelling Units (ADUs) be only on properties that are owner occupied, and in my position as Chair, I sent a letter to the Planning Commission explaining the Housing Commission's motion and asking them to consider it in their final discussion of the proposed Zoning Ordinance. At the Housing Commission's meeting on Thursday, November 3rd, a second motion was made and unanimously passed to directly speak to this issue with the Board of Mayor and Aldermen in further detail.

The proposed updated zoning ordinance expands the overlay allowing ADUs and this provides an opportunity for the City to address its need for attainable housing. The Housing Commission believes that limiting ADUs to solely be on properties that are owner-occupied limits the potential for such units to be an innovative way to address the City's need for attainable housing. Since the proposed zoning ordinance already requires short-term rentals to be owner-occupied, if the ADU was to be used as a short-term rental, it would have to comply with the ordinance regarding that provision.

The concern about short-term rentals is particularly of interest to the Housing Commission and through discussion, we want to emphasize that we are not trying to change the proposed requirement of short-term rentals to be owner-occupied. We understand that short-term rentals are a complex issue that weighs the needs of the City as well as those of the free market. That said, we believe having neighborhoods that are primarily short-term rentals may possibly inhibit the making of the diverse community as outlined in Envision Franklin, as well as potentially removing units that are attainable from the housing market.

In my position as Chair, I have spoken with the Assistant Director of Planning and Sustainability, Kelly Dannenfelser, and understand the City's concern of possibly changing single family residential to multi-family residential if ADUs are not required to be owner-occupied. The Housing Commission is not intending to change the residential zoning of any

neighborhood with this request, but we do believe that requiring ADUs to be owner-occupied creates an unnecessary burden on the homeowner and limits innovation towards affordable housing initiatives within the City, and are asking that ADUs be removed from this requirement within the new Zoning Ordinance.

We respectfully request you to consider the Housing Commission's motion in the proposed zoning ordinance, and remove the requirement for ADUs to be solely on properties that are owner-occupied.

Sincerely,

Elizabeth D. Wanczak

Elizabeth D. Wanczak
Chair, City of Franklin Housing Commission

City of Franklin Housing Commission

Date: November 8, 2019

City of Franklin Board of Mayor and Aldermen
Ken Moore, Mayor
109 3rd Ave S
Franklin, TN 37064

Re: Housing Commission Motion in Support of Lots of Varying Sizes

Dear Honorable City of Franklin Board of Mayor and Aldermen:

Alderman Speedy requested the Commission have an opportunity to review a possible development that would include a variety of lot sizes and price points at our October Commission meeting that was held Thursday, October 3rd. After much discussion regarding this specific proposal within the City of Franklin, a motion was made by Alderman McLendon and unanimously ratified, for the Commission to support housing options on lot sizes less than the 45 feet that is currently required by Envision Franklin and a letter was sent to the City of Franklin Planning Commission in support of this change.

The City of Franklin Housing Commission held its regular monthly meeting on Thursday, November 7th and a follow up motion was passed and unanimously ratified to send this same recommendation directly to The Board of Mayor and Aldermen.

The mission of the City of Franklin Housing Commission is to encourage the production and maintenance of affordable housing, raise community awareness of potential business opportunities involving partnerships with neighborhood residents and community development organizations, and advise the Board of Mayor and Aldermen on affordable, workforce, and moderately-priced housing issues and opportunities.

Per our mission, the Commission supports any endeavors that are working towards providing and maintaining affordable/workforce housing, and it is our belief that by allowing for a variety of lot sizes, this will spur production from both the private and non-profit sector. It is the unanimous consent of the Commission that limiting lot sizes for potential housing developments in the City to 45 foot lots, as required currently by Envision Franklin, reduces the opportunity for innovative ways to address the City's need for attainable and workforce housing, whether that be single family home, townhome, condominium, or multi-family home. Envision Franklin desires a diverse and vibrant community; this provision handicaps that vision.

We do understand and appreciate the amount of time and study that has gone into Envision Franklin, but we ask you to consider each project on its merit, especially if a proposed project is addressing the need for attainable and workforce housing. Therefore, we support and encourage

the Board of Mayor and Alderman to consider future development projects that have proposals for dwellings on varying lot sizes, not just those limited to 45 foot lots, and make relevant changes necessary to Envision Franklin that would make the development of attainable and workforce housing pursuable and innovative for the City of Franklin.

Sincerely,

Elizabeth D. Wanczak

Elizabeth D. Wanczak
Chair, City of Franklin Housing Commission

Andrew Orr

From: Walter Green <greenwr7@gmail.com>
Sent: Saturday, November 9, 2019 8:48 AM
To: ZoneFranklin
Subject: Zone Franklin Comments

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

I live at 227 4th Ave South and am a board member of the Franklin Downtown Neighborhood Assn, the DNA. The DNA's most important duty is to advocate for the neighborhoods within its boundaries. Our boundaries most closely resemble those of residential district R-4 that is proposed in Franklin's Zoning Ordinance Update.

Until recently, almost NO ONE knew that there were so many Short-term Vacation Rentals (STVR's) in Franklin (about **250**) or in R-4 (about **100**). Now, STVR's are not all bad. What is TROUBLING, however, is that so many (about **40%**) have no owner permanently residing on-site. The DNA is very concerned about the non-owner-occupied STVR's in R-4.

Why? Here are some of the reasons:

First, R-4 is intended to be strictly residential. Short-term rentals are BUSINESSES – THEY ARE SMALL HOTELS. The ones that have NO OWNER LIVING ON-SITE (non-owner-occupied) are SMALL HOTELS WITH NO ON-SITE MANAGER. THERE IS NOTHING RESIDENTIAL ABOUT THEM AND THEY SHOULD NOT BE IN R-4 !! BUT THEY ARE!! The proliferation of STVR's has put about **40** of these non-owner-occupied rentals in R-4.

Also, non-owner-occupied STVR's replace neighbors with small hotels that are either empty or are occupied by transients. This creates voids in our residential areas, damaging the character and connectivity of our neighborhoods.

AND, because STVR's are typically located in our smaller, less expensive properties, they reduce the inventory of affordable housing.

The Zoning Ordinance Update calls for newly permitted STVR's within R-4 to have an owner permanently occupying the premises and limits the number of rentals to one per lot. The DNA Board of Directors has voted overwhelmingly to SUPPORT that language. We ALSO feel strongly that the existing non-owner-occupied rentals

in R-4 should be eliminated as soon as possible and ask the City to add WHATEVER resources are needed to monitor ALL STVR's and to strictly enforce appropriate rules.
Thank you.
Walter Green

Andrew Orr

From: Michael Good <mgood@goodsmercantile.com>
Sent: Tuesday, November 12, 2019 9:01 AM
To: Andrew Orr
Subject: Zoning Ordinance considerations for flood zone regulations

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

Dear Mr. Orr,

My wife and I are recent new homeowners in the wonderful city of Franklin. We live on Ewingville Dr and are one of the homes included in the Army Corp of Engineers house raising program.

While we are thankful for the opportunity to participate in the program and for the city's involvement, we have a couple major reservations. The main one is the height with which we'd have to raise. The current regulations would require us to raise our ranch home 8 feet. We have major concerns about all the steps needed to get in and out of our home with a raise to that height and also the aesthetics of that type of change.

We're asking you'd please consider changing the 3ft freeboard requirement to a 1ft freeboard requirement for existing residential structures, the industry standard.

Additionally, we ask you consider shortening the monitoring period for substantial improvement expenditures on residential structures from 10 years (present and proposed) to a 5 year period. This change will keep the more affordable homes that are in flood zone just that- more affordable, encourage maintenance and routine re-investment in property, and give those homeowners the ability to maintain and improve their existing property over a reasonable amount of time (5 years).

Thank you for all you do and for your consideration.

Sincerely,

Michael Good
131 Ewingville Dr

Michael Good
Good's Mercantile, LLC
104 Carr Ave, Ste #3
Franklin, TN 37064
(615) 348-8862

Andrew Orr

From: Patrick Baggett <pbaggett@fullserviceins.com>
Sent: Monday, November 11, 2019 1:34 PM
Subject: Flood Fringe Overlay Comments

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

Good afternoon
I regret that I will not be able to attend tomorrow's public comments regarding the Zoning Ordinance. I am out of town on business that I could not move due to a regularly scheduled Board Meeting in Columbus, OH. I know we will have a few residents attend to speak on this item and I will be at the second and third reading. If my little one Ruthie is not sick, my brave and beautiful wife will be commenting on my behalf.

I want to ask that the Board of Mayor and Aldermen and City Staff review the recommendations I have previously sent via email and adopt these common sense changes to provide the opportunity for existing residents who reside in the flood fringe overlay some additional property liberties that are presently not provided for within the City Zoning Ordinance. (I have included this at bottom of email)

I have heard a few comments back on my initial email and most relate to insurance premiums or FEMA.

- "We can't do this because it will impact citizen insurance premiums."
- "We don't want to risk our status with FEMA."
- And a few others in the same vein.

Citizen flood insurance premiums are based on what is called a CRS (Community Rating System) Score. If you fall between 500-999 points you are a Class 9 with a 5% flood insurance premium discount. If you fall within 1000-1500 points you are a Class 8 with a 10% discount… and so on all the way to a Class 1. https://www.fema.gov/national-flood-insurance-program-community-rating-system

As you can see below, Williamson County has the same CRS score (8) that we do and they **DO NOT** have the Cumulative Substantial Improvement Window of 10 years OR the 3ft Freeboard requirement I have reccomended.

City of Franklin Community Rating: 8 (1182 CRS points)

- 3ft Free Board 2ft higher than 500-year Flood Level*
- 10-year Cumulative Substantial Improvement window

Williamson County Community Rating: 8 (1152 CRS points)

- 1ft Free Board = 500-year flood level*
- 5 Year Cumulative Substantial Improvement window

*Based on CRS Credit for Higher Regulatory Standards https://www.fema.gov/media-library-data/20130726-1555-20490-7239/crs_credit_higher_standards.pdf

If the City makes these changes it would be a reduction of 240 points. (my est) This would move us from a Class 8 to a 9 resulting in the loss of a 5% flood insurance discount. **We would still maintain a 5% discount for being a Class 9.** On an average flood insurance policy of $2,000/year this comes out to be roughly $100/year premium changes or roughly **$8/month**. The overall benefits to the citizen and existing homeowner would far outweigh this nominal cost change with no deterioration in life safety standards and no increased factors that could contribute to future flood levels across the city. (if this just applies to existing homes)

Finally, it is also important to note that 1Ft of Freeboard is equivalent to the **500-year flood level.** So, presently ,the City of Franklin is requiring homes within flood fringe overlay to be built 2 feet higher than the 500-year flood level. Regardless as to if May 2010 was a 75-year flood, 100-year flood, 300-year flood or 500-year flood as I have heard it debated on the Board, this change would put the base floor of residences at the 500-year level and at the minimum standards set by the Tennessee Floodplain Managers Association.

Thank you for your service to our community and for LISTENING to this one citizen who is just looking to try and make things a little better for friends, neighbors and myself who reside in the flood fringe overlay.

Thank you!

Patrick F. Baggett
Vice President Commercial Lines

903 Murfreesboro Rd
Franklin, Tn 37064
Main Office: 615-790-0990
Cell: 615-955-0411

*Please note that coverage cannot be amended or bound by e-mail until confirmed in writing or by phone from an FSI licensed agent

---

Good Morning City Elected Officials a s City Staff,

I have thought through some recommendations for Zoning Ordinance that isn't presently included in Staff recommendations relating to the Flood Zone. These items could be altered with ease and would positively impact homeowners in the flood zone without impacting our status with NFIP.

Please consider these recommendations and reach out to me directly with any specific questions you have. As of now, I do not believe this will be included in a Staff recommendation and so I wanted to vocalize directly to BOMA to consider. My Personal Cell Phone: 615-955-0411

Presently, the proposed Zoning Ordinance will continue and expand restrictive Flood Zone regulations that go well above and beyond basic life safety consideration and moves to excessively restrict property owners who reside and wish to do business in these areas. The new Zoning Ordinance continues to impose excessive requirements over and above what is mandated and I wish to make a few recommendations that I believe will provide some relief to those who reside and do business in the Flood Fringe Overlay.

The following 3 recommended changes will do much to relieve property owners and City Staff from having to navigate and adhere to constricting regulations that are proposed within the new Zoning Ordinance while still maintaining more than adequate consideration for life safety and respecting the aesthetic of our community that is found in the Flood Fringe Overlay.

I ask you to consider the following:

1. Move the monitoring period for substantial improvement expenditures from 10 years (present and proposed) to a 5 year period. This means a homeowner will have the ability to spend up to 50% of the home value on renovations/improvements/additions within a 5 year window rather than a longer 10 year window which presently constrains a homeowner from making improvements as needed.
    - This change accomplishes the following:
        - Keeps the more affordable homes that are in flood zone just that- more affordable.
        - Encourages maintenance and routine re-investment in property.
        - People who invest and buy homes in floodplain deserve the ability to maintain and improve their existing property over a reasonable amount of time (5 years).
2. Change 3ft freeboard requirement to a 1ft freeboard requirement. Tennessee Floodplain Managers Assn recommends 1ft minimum freeboard requirement in model Ordinance.
    - This change accomplishes the following:
        - We would continue to meet the life safety recommendations displayed within the Tennessee Floodplain Managers Association model flood ordinance language.
        - Since the City has entered into agreements to paying/lend partial funds to raise select homes for select flood zone residents, this change would help the rest of the property owners who did not receive that benefit from local and Federal government and might encourage property owners to raise and then further improve their homes.
        - Aesthetically, raising a home 5-6 feet in some cases causes a real deterioration of the neighborhood aesthetic and neighboring property values could fall as a result.
        - If life safety isn't significantly improved by the 2ft of ADDITIONAL freeboard presently included, we must ask ourselves is this a necessary regulation and constraint on property owners? Though the cost to raise two more feet may not be significantly more for a homeowner, the practical implications of this for small additions, decks and porches is significant cost and an esthetic hurdle.
3. Historic and other residential structures within the Entry Corridor Overlay and Central Franklin Overlay District should be exempt from the freeboard requirements in order to maintain the aesthetic of the Entry Corridors and Central Franklin Overlay that this Zoning Ordinance revision seeks to achieve. Do we want to drive into downtown Franklin with one side of 96 raised 5-6 feet without seriously considering the WHY behind these regulations?

Most arguments against implementing these recommendations revolve around Life Safety and Community Rating Flood Insurance Premiums (https://www.fema.gov/national-flood-insurance-program-community-rating-system). Clearly, it is self-evident that life safety is important to those who live within a flood zone. We do enjoy our lives and want to be as safe as possible in our homes. However, there is an optimum level of regulation that maximizes life safety that intersects with the least amount of property owner restrictions and I believe presently we are beyond that intersection within the City of Franklin. Regarding the Community Rating Insurance Premiums, the above changes can be made and with relative certainty it would not significantly impact the premiums paid by City of Franklin Citizens. At the absolute most, it would be a 3-5% variance from what is presently paid. On the average flood insurance policy that is around $80-$100/year. However the relief from this regulation would positively impact property values in a way that would far exceed this nominal change to ordinance.

These changes are well within the authority to be made by BOMA and do not put our community's eligibility with the NFIP at risk. These standards are simply PREFERENCE set by City Staff that have been adopted by BOMA that exceed minimum standards set in various model ordinances and recommended minimum standards in our State and Nationally.

Thank you for your consideration of these changes.

Finally, a big thank you to City Staff for always being willing to listen. We are so fortunate to have such a wonderful City Hall full with Staff that are open to citizen suggestions.

Patrick F. Baggett
Vice President Commercial Lines

903 Murfreesboro Rd
Franklin, Tn 37064
Main Office: 615-790-0990
Cell: 615-955-0411

*Please note that coverage cannot be amended or bound by e-mail until confirmed in writing or by phone from an FSI licensed agent