



**DEPARTMENT OF COMMUNITY DEVELOPMENT
PLANNING - BUILDING INSPECTIONS – ZONING**



What is this?

This is a notice to inform you of an upcoming joint meeting of the Franklin Planning Commission and City Council to discuss and gather public input regarding several potential changes to the City's zoning map and zoning ordinance. When zoning designations are changed and/or zoning ordinances are amended, it is required that all affected property owners are informed of the opportunity to hear and make comments about such proposed changes.

Why did I get it?

By current City tax records, you own property within one of the areas that changes are proposed. If you have recently sold your property, that change may not have been reflected in the tax rolls the day the mailing list was compiled in late June, so you may have received a notice for property you no longer own. If so, please feel free to discard this notice.

For R-O change, Item #1 on the notice

What does R-O mean?

R-O is the One-Family Residential zoning district. That means the only uses permitted are single family homes and their accessory uses such as pools or garages, public parks and playgrounds, agricultural uses such as orchards, nurseries, and truck gardens, and in-home day care facilities for no more than eight (8) children. No changes to these uses are proposed with this ordinance amendment; these uses are all permitted today.

Why is this change being made? Why now?

In 2005 and 2006, rapid growth was taking place throughout the country, including Franklin. The number of applications for new subdivisions caused the City Council to begin to worry about being able to absorb such rapid development, including being able to provide water and sanitary sewer capacity, schools, roads, etc. At that time, the R-O zoning district permitted the development of single family residences on 20,000 square foot lots, just as is proposed with this ordinance amendment. It was decided in 2006 that a way to slow development to a manageable pace was to require increased lots sizes, thereby halving the number of residences that could be constructed on a particular piece of property. The increased lot size and increased lot frontage requirements would require more spread-out development to take place.

The national economy changed in 2007-2008, and development slowed substantially. In 2009, the paper mill closed, further impacting the local economy. While there were subdivisions that were approved with the 20,000 square foot lots that were a concern, no building was taking place on those lots. The worry of too much building was soon replaced with the worry that little to no building was taking place.

In 2018, the City Council sought amendments to the zoning ordinance to again encourage development to take place in the R-O zoning designation on 20,000 square foot lots as it was prior to 2006. It is hoped that increasing the number of residences that could be included in a new subdivision would spur development again.

What happens to my property if my house is destroyed? Can I replace it?

Yes, if your property is in the R-O zoning district, or any other zoning district in fact, and it does not meet the minimum lot size required in that district, your home can be replaced if it is destroyed. The zoning ordinance even provides the means to reduce the required setbacks on lots that are less than the required minimum, so a home can be fitted on the lot. Please note, however, that if your home is destroyed and it is in the floodplain, those floodplain regulations will influence what can be done with your property, in addition to zoning regulations.

What does this do to my property value and my taxes?

This does not change your property value. Property value is based on the use of the property, not the zoning of the property. Your property's value today in a zoning designation that requires 40,000 square foot lots is no more or less that it would be should the zoning designation be amended to permit 20,000 square foot lots. Even if you had several acres of vacant land and the zoning changed to permit you to create the proposed smaller, 20,000 square foot lots as opposed to the currently-required 40,000 square foot lots, property value is based on a property's current use, not its potential use.

Does this mean people are going to divide property and build twice as many houses in my neighborhood?

The zoning ordinance requires properties be at least 150 feet wide now. The proposed amendment would reduce that to 100 feet. So it would seem that property lines could be redrawn to get more lots in an established neighborhood. It seems that two 150'-wide lots could be redrawn to make three 100'-wide lots, doesn't it? However, houses are typically located in the center or near the center of each lot. And each house requires a minimum lot size, a minimum lot width, road frontage, and setbacks.

With those requirements, it would be most unusual to be able to carve a new parcel out the center of two existing lots, even in a neighborhood such as Wynnwood that has properties larger than the current 40,000 square foot minimum. There are some neighborhoods today with properties considerably larger than 40,000 square feet such as along Meadow Lane, but again, with the requirements for road frontage, minimum lot widths, and setbacks, the opportunities to re-draw property lines in existing, developed neighborhoods would be minimal, if not non-existent.

For B-3A change, Item #2 on the notice

What does B-3A mean?

B-3A is a General Business zoning district. The purpose of the proposed B-3A district is to provide for commercial development to serve the needs of the residents of downtown Franklin neighborhoods and businesses, including those which serve a large portion of the community. It is also the intent of this district to preserve and enhance the established character of older mixed use commercial and residential neighborhoods in the city by ensuring that infill development, as well as redevelopment, will be consistent with the predominant existing development pattern of such neighborhoods. The district regulations are also intended to encourage traditional neighborhood development, as well as the improvement and efficient use of older commercial-style buildings by enabling by right, commercial uses and mixed use developments that are limited in location, type and scale and are intended to provide for the convenience of neighborhood residents within walking distance and to avoid traffic, parking congestion, noise and other impacts that typically result from uses that draw patrons from outside downtown.

Why is this change being made? Why now?

The City Council, working in concert with the Downtown Franklin Association, decided in recent years to make a renewed effort to find ways to encourage development and redevelopment in the downtown part of Franklin, the heart of the City. The Council also wanted to encourage more people to live, work, and enjoy themselves downtown, to make downtown vital and alive 24 hours a day. The Council did not, however, want to encourage wholesale removal of the older buildings that make Franklin look like it does. The proposed B-3A district does just that. It provides for single family residences and townhomes, apartments over commercial uses, and a wide range of service and commercial uses in the downtown area. It provides for mixed use development, with residential, commercial, and office uses on the same parcel or in the same building. To make downtown living and commercial areas viable, however, the proposed district does not allow uses that generate excessive noise, dust, and odors, such as some manufacturing and industrial uses. And it encourages the use of existing buildings in new ways, with uses that might include commercial, office, and residential uses in one building.

What can I do now that I won't be able to if this change is made?

If your property currently has a zoning designation of B-3 and is included in the properties proposed for a zoning amendment to B-3A, under the B-3 regulations you may currently seek a Special Use Permit to permit various manufacturing and industrial uses, some of which are not permitted in the proposed B-3A district. The current B-3 district also permits manufactured home parks and dog kennels with a Special Use Permit, which are not proposed to be permitted in the B-3A district. So impactful industrial and manufacturing uses that could have been permitted with a Special Use Permit will no longer be an option, nor will manufactured home parks and commercial dog kennels.

Can I rebuild my business if it's destroyed?

Sec. 2.5 of the zoning ordinance details the potential replacement of nonconforming buildings City-wide, buildings that may not meet setback requirements for example. In short, if a building is damaged to the extent of two-thirds or more of its insurable value prior to the damage, it must be rebuilt to meet the ordinance in effect at that time. Sec. 2.5 is in effect now and applies throughout Franklin. Note that buildings damaged or destroyed in a floodplain must be repaired or redeveloped under both the zoning ordinance as well as the floodplain ordinance, just as is required today.

What does this do to my property value and my taxes?

Property values are based on the use of the property, not the zoning. Therefore, any changes in the zoning of a property does not increase or decrease your property's value.

Why are some of these uses included? What if I don't want them to be allowed? How can I suggest additions or subtractions to the list of permitted uses?

The uses proposed are those which are intended to make the downtown area more walkable, livable, and commercially viable. The purpose of the public hearing is for the Planning Commission and City Council to hear from residents, business owners, property owners, and the general public regarding both the R-O and B-3A districts, including the proposed uses. You are encouraged to attend the public hearing and make your comments heard when the public hearing is open for comments. All who want to contribute will be heard, and that is your opportunity to speak up and let the Planning Commission and City Council know what you think. The proposed ordinance and all its components are not in effect until the ordinance is passed, so any changes can be suggested and discussed at the public hearing, and may be adopted should the City Council choose to make such changes.