

TOWN OF FRANKLIN
UNIFIED DEVELOPMENT ORDINANCE
References to Codified Ordinance
Table of Contents

ARTICLE 1 – LEGAL PROVISIONS

152.001	1.1	Short Title
152.002	1.2	Authority
152.003	1.3	Jurisdiction
152.004	1.4	Relationship to Existing Zoning and Subdivision Ordinances
152.005	1.5	Relationship to Principles of Growth
152.006	1.6	No Use of Land or Buildings Except in Conformity with Ordinance Provisions
152.007	1.7	No Boundary Line Adjustments Except in Conformity with Ordinance Provisions
152.008	1.8	Fees
152.009	1.9	Zoning Map and Districts
152.009(A)	1.9.1	Map Interpretation
152.009(B)	1.9.2	Zoning of Streets, Private Streets, and Alleys

ARTICLE 2 – DEFINITIONS

152.010(A)	2.1	Intent
152.010(B)	2.2	Interpretation of Commonly Used Terms and Words
152.010(C)	2.3	Definitions of Basic Terms

ARTICLE 3 – ZONING DISTRICT DIMENSIONAL AND USE REQUIREMENTS

152.020	3.1	R-1 Residential
152.020(A)	3.1.1	Dimensional Requirements
152.020(B)	3.1.2	Permitted Uses
152.020(C)	3.1.3	Special Uses
152.021	3.2	R-1SU Residential
152.022	3.3	R-2 Residential
152.022(A)	3.3.1	Dimensional Requirements
152.022(B)	3.3.2	Permitted Uses
152.022(C)	3.3.3	Special Uses
152.023	3.4	R-2SU Residential Special Use

152.024	3.5	C-1 Central Commercial
152.024(A)	3.5.1	Dimensional Requirements
152.024(B)	3.5.2	Permitted Uses
152.024(C)	3.5.3	Prohibited Uses
152.024(D)	3.5.4	Streetscape Design
152.025	3.6	C-1SU Central Commercial Special Use
152.026	3.7	C-2 Secondary Commercial
152.026(A)	3.7.1	Dimensional Requirements
152.026(B)	3.7.2	Permitted Uses
152.026(C)	3.7.3	Prohibited Uses
152.027	3.8	C-2SU Secondary Commercial Special Use
152.028	3.9	C-3 Highway Commercial
152.028(A)	3.9.1	Dimensional Requirements
152.028(B)	3.9.2	Permitted Uses
152.028(C)	3.9.3	Prohibited Uses
152.029	3.10	C-3SU Highway Commercial Special Use
152.030	3.11	I-1 Industrial
152.030(A)	3.11.1	Dimensional Requirements
152.030(B)	3.11.2	Permitted Uses
152.031	3.12	I-1SU Industrial Special Use
152.032	3.13	NMU Neighborhood Mixed Use
152.032(A)	3.13.1	Dimensional Requirements
152.032(B)	3.13.2	Permitted Uses
152.032(C)	3.13.3	Prohibited Uses
152.032(D)	3.13.4	Design and Appearance Standards
152.033	3.14	NMUSU Neighborhood Mixed Use Special Use
152.034	3.15	MICR Medical Institutional Cultural Residential
152.034(A)	3.15.1	Dimensional Requirements
152.034(B)	3.15.2	Permitted Uses
152.034(C)	3.15.3	Prohibited Uses
152.035	3.16	MICRSU Medical Institutional Cultural Residential Special Use
152.036	3.17	EC Entry Corridor Overlay
152.036(A)	3.17.1	Dimensional Requirements
152.036(B)	3.17.2	Permitted Uses
152.036(C)	3.17.3	Special Uses
152.036(D)	3.17.4	Prohibited Uses
152.036(E)	3.17.5	Development Standards
152.037	3.18	UV Urban Village

152.037(E)	3.18.1	Procedure
152.037(F)	3.18.2	Permitted Uses
152.037(G)	3.18.3	Development Standards
152.038	3.19	TN Traditional Neighborhood Overlay
152.038(B)	3.19.1	Application of Overlay Zone
152.038(C)	3.19.2	Use Regulations
152.038(D)	3.19.3	Dimensional Requirements
152.038(E)	3.19.4	Design and Appearance Standards
152.038(F)	3.19.5	Additional Standards
152.039	3.20	PRD Planned Residential Development
152.039(A)	3.20.1	Application
152.039(B)	3.20.2	Permissible Uses, Subject to Issuance of a Special Use Permit
152.039(C)	3.20.3	Site Requirements
152.039(D)	3.20.4	Density
152.039(E)	3.20.5	Density Bonus
152.039(F)	3.20.6	Development Standards
152.040	3.21	PCD Planned Commercial Development
152.040(A)	3.21.1	Application
152.040(B)	3.21.2	Permissible Uses, Subject to Issuance of a Special Use Permit
152.040(C)	3.21.3	District Requirements
152.040(D)	3.21.4	Development Standards
152.041	3.22	PMH Planned Manufactured Housing Development
152.041(A)	3.22.1	Application
152.041(B)	3.22.2	Permissible Uses, Subject to Issuance of a Special Use Permit
152.041(C)	3.22.3	District Requirements
152.041(D)	3.22.4	Development Standards

ARTICLE 4 – DEVELOPMENT REVIEW

152.050	4.1	Purpose and Structure
152.051	4.2	Land Development Permit Required
152.052	4.3	Development Plan Review
152.052(B)	4.3.1	Applications
152.052(C)	4.3.2	Fees
152.052(D)	4.3.3	Review of Preliminary Development Plans
152.052(E)	4.3.4	Review of Final Development Plans
152.053	4.4	Special Use Review
152.053(D)	4.4.1	Fee

152.053(E)	4.4.2	Pre-Application Conference
152.053(F)	4.4.3	Application
152.053(G)	4.4.4	Neighborhood Compatibility Meeting
152.053(H)	4.4.5	Preliminary Development Plan and Completeness Review
152.053(I)	4.4.6	Processing of Application
152.053(J)	4.4.7	Planning Board Review
152.053(K)	4.4.8	Public Hearing
152.053(L)	4.4.9	Final Action
152.053(M)	4.4.10	Findings of Fact
152.053(N)	4.4.11	Conditions to Approval of Special Use Permit
152.053(O)	4.4.12	Effect of Approval
152.053(P)	4.4.13	Final Development Plans
152.053(Q)	4.4.14	Issuance of Land Development Permit
152.053(R)	4.4.15	Expiration and Revocation of Special Use Permits
152.053(S)	4.4.16	Variances
152.054	4.5	Project Phasing
152.055	4.6	Modification of Development Authorizations
152.055(C)	4.6.1	Modification of Developments Authorized Under Land Development Review
152.055(D)	4.6.2	Modification of Developments Authorized Under Development Plan Review
152.055(E)	4.6.3	Modification of Developments Authorized Under Special Use Review
152.056	4.7	Expiration and Revocation of Land Development Permits
152.056(A)	4.7.1	Commencement
152.056(B)	4.7.2	Completion
152.056(C)	4.7.3	Revocation
152.057	4.8	Planned Developments
152.057(B)	4.8.1	Statement of Purpose
152.057(C)	4.8.2	Ownership Control
152.057(D)	4.8.3	Establishment of Planned Developments
152.057(E)	4.8.4	Development Standards for Planned Residential Developments
152.057(F)	4.8.5	Minor Planned Residential Developments
152.058	4.9	“As-Built” or Record Drawings
152.059	4.10	Project Infrastructure
152.059(A)	4.10.1	Construction of Project Infrastructure
152.059(B)	4.10.2	Guarantee in Lieu of Construction of Project Infrastructure
152.060	4.11	Adequate Facilities Review
152.060(A)(1)	4.11.1	Water Supply

152.060(A)(2)	4.11.2	Wastewater
152.060(A)(3)	4.11.3	Roads
152.061	4.12	Aggregation
152.062	4.13	Appeals of Development Decisions
152.062(A)	4.13.1	Administrative Remedies
152.062(B)	4.13.2	Judicial Review

ARTICLE 5 – BOARD OF ADJUSTMENT

152.070	5.1	Establishment of Board of Adjustment and Qualifications of Members
152.070(A)	5.1.1	Terms
152.070(B)	5.1.2	ETJ Members
152.070(C)	5.1.3	Alternates
152.071	5.2	Powers of the Board of Adjustment
152.072	5.3	Officers
152.073	5.4	Meetings
152.074	5.5	Quorum and Voting
152.075	5.6	Appeals of Administrative Decisions
152.076	5.7	Variances
152.077	5.8	Processing of Applications Before the Board of Adjustment
152.078	5.9	Judicial Review

ARTICLE 6 – GENERAL PROVISIONS

152.090	6.1	Application of Regulations
152.090(A)	6.1.1	Use
152.090(B)	6.1.2	Height and Density
152.090(C)	6.1.3	Lot Size
152.090(D)	6.1.4	Yard Use Limitations
152.090(E)	6.1.5	One Principal Building on a Lot
152.090(F)	6.1.6	Lot Frontage
152.091	6.2	Interpretation of District Regulations
152.091(A)	6.2.1	Uses
152.091(B)	6.2.2	Minimum Regulations
152.091(C)	6.2.3	Land Covenants
152.092	6.3	Visibility at Intersections
152.093	6.4	Off-Street Parking
152.093(A)	6.4.1	Presumptions

152.093(B)	6.4.2	Separate Uses
152.093(C)	6.4.3	Remote Parking
152.093(D)	6.4.4	Parking Space Design
152.093(E)	6.4.5	Use Classifications and Parking Space Requirements
152.093(F)	6.4.6	Flexible Administration
152.094	6.5	Off-Street Loading and Unloading
152.095	6.6	Accessory Structures
152.096	6.7	Calculation of Lot Areas
152.097	6.8	Storage Containers
152.098	6.9	Streets and Sidewalks
152.098(A)	6.9.1	Street Classification
152.098(B)	6.9.2	Access to Public Streets in General
152.098(C)	6.9.3	Entrances to Streets
152.098(D)	6.9.4	Coordination with Surrounding Streets
152.098(E)	6.9.5	Street Width and Drainage Requirements in Subdivisions and Planned Developments
152.098(F)	6.9.6	General Layout of Streets
152.098(G)	6.9.7	Street Intersections
152.098(H)	6.9.8	Construction Standards and Specifications
152.098(I)	6.9.9	Road and Sidewalk Requirements in Unsubdivided Developments
152.098(J)	6.9.10	Bridges
152.098(K)	6.9.11	Sidewalk Requirements
152.099	6.10	Nuisances
152.099(A)	6.10.1	Noise
152.099(B)	6.10.2	Fumes and Odors
152.099(C)	6.10.3	Vibration
152.099(D)	6.10.4	Lighting
152.100	6.11	Burden of Proof
152.101	6.12	Rights-of-Way for Roads and Streets
152.101(A)	6.12.1	Reservation of Right-of-Way
152.101(B)	6.12.2	Dedication of Right-of-Way with Density Transfer
152.102	6.13	Open Space Standards
152.102(A)	6.13.1	Extent of Open Space
152.102(B)	6.13.2	Open Space Design
152.102(B)(3)	6.13.3	Ownership and Maintenance of Open Space
152.103	6.14	Common Space Standards
152.103(A)	6.14.1	General Design Standards
152.103(B)	6.14.2	Specific Design Standards

152.103(C)	6.14.3	Lands Which May Be Designated as Common Space
152.103(D)	6.14.4	Ownership and Maintenance of Common Space
152.103(E)	6.14.5	Completion of Common Space
152.104	6.15	Separability
152.105	6.16	Transportation Impact Analysis
152.105(A)	6.16.1	TIA Required
152.105(B)	6.16.2	Presubmittal Conference
152.105(C)	6.16.3	TIA Submission

ARTICLE 7 – SPECIAL REQUIREMENTS FOR CERTAIN USES

152.120	7.1	Purpose
152.121	7.2	Applicability
152.122	7.3	Procedures for Applying Standards
152.123	7.4	Standards
152.123(A)	7.4.1	Accessory Dwelling Units
152.123(B)	7.4.2	Adaptive Reuses
152.123(C)	7.4.3	Animal Boarding Facilities
152.123(D)	7.4.4	Assisted Living Facilities
152.123(E)	7.4.5	Bed and Breakfast Facilities
152.123(F)	7.4.6	Cemeteries
152.123(G)	7.4.7	Child Care Centers
152.123(H)	7.4.8	Civic Clubs and Fraternal Organizations
152.123(I)	7.4.9	Cultural Arts Buildings
152.123(J)	7.4.10	Golf Driving Ranges
152.123(K)	7.4.11	Home Occupation
152.123(L)	7.4.12	Mini-Warehouses
152.123(M)	7.4.13	Private Clubs
152.123(N)	7.4.14	Public Utility Facilities
152.123(O)	7.4.15	Restaurants
152.123(P)	7.4.16	Schools, Elementary and Secondary
152.123(Q)	7.4.17	Shelter Facilities

ARTICLE 8 – ADMINISTRATION & ENFORCEMENT

152.130	8.1	Land Use Administrator
152.131	8.2	Land Development Permit Required
152.132	8.3	Application for a Land Development Permit

- 152.133 8.4 Construction and Use to Be as Provided in Applications, Plans, Permits and Certificates of Zoning Compliance
- 152.134 8.5 Remedies
- 152.135 8.6 Procedures Upon Discovery of Violations
- 152.136 8.7 Penalties for Violations

ARTICLE 9 – NONCONFORMITIES

- 152.150 9.1 Purpose
- 152.151 9.2 Nonconforming Uses
- 152.152 9.3 Nonconforming Structures
- 152.153 9.4 Nonconforming Vacant Lots
- 152.154 9.5 Repairs and Maintenance

ARTICLE 10 – AMENDMENTS

- 152.160 10.1 Initiation of Amendments
- 152.161 10.2 Application
- 152.162 10.3 Fee
- 152.163 10.4 Processing of Applications
 - 152.163(A) 10.4.1 Action by the Planning Board
 - 152.163(B) 10.4.2 Notice of Public Hearing
 - 152.163(C) 10.4.3 Nature of Proceedings
 - 152.163(D) 10.4.4 Protest Petitions
- 152.164 10.5 Property Owner Consent Under Certain Circumstances

ARTICLE 11 – BUFFERING, SCREENING & LANDSCAPING

- 152.170 11.1 Purpose and Intent
- 152.171 11.2 Landscaping, Buffering and Screening Required
- 152.172 11.3 Alternative Compliance
- 152.173 11.4 Existing Vegetation
 - 152.173(A) 11.4.1 Preservation of Existing Vegetation
 - 152.173(B) 11.4.2 Credits and Other Incentives to Preserve Vegetation
 - 152.173(C) 11.4.3 Protection of Existing Trees During Construction
 - 152.173(D) 11.4.4 Trees in Public Rights-of-Way
- 152.174 11.5 General Standards
 - 152.174(A) 11.5.1 Design

152.174(B)	11.5.2 Plant Material
152.174(C)	11.5.3 Installation
152.174(D)	11.5.4 Maintenance
152.174(E)	11.5.5 Walls and Fences
152.174(F)	11.5.6 Overhead Utilities
152.174(G)	11.5.7 Species Diversity
152.175	11.6 Bufferyards and Buffers
152.175(A)	11.6.1 Location of Buffers
152.175(B)	11.6.2 Determination of Buffer Requirements
152.175(C)	11.6.3 Buffer Specifications
152.175(D)	11.6.4 Use of Buffer
152.175(E)	11.6.5 Buffers Part of Required Yards
152.175(F)	11.6.6 Buffer Requirements When a Street Separates Incompatible Uses
152.175(G)	11.6.7 Bufferyards in the Central Commercial District
152.176	11.7 Screening
152.177	11.8 Letter of Compliance
152.178	11.9 Landscaping for Vehicular Use Areas
152.178(A)	11.9.1 Perimeter and Interior Plantings
152.178(B)	11.9.2 Planting Strips
152.178(C)	11.9.3 Buffering from Street
152.178(D)	11.9.4 Structured Parking Facilities
152.178(E)	11.9.5 Automobile Sales Facilities
152.178(F)	11.9.6 Effect on Other Regulations
152.178(G)	11.9.7 Small Lots
152.179	11.10 Buffer Requirements When a Street Separates Incompatible Uses

ARTICLE 12 – NATURAL RESOURCES & ENVIRONMENTAL PROTECTION

152.190	12.1 Statutory Authority and Legislative Findings of Fact
152.191	12.2 Statement of Purpose
152.192	12.3 Objectives
152.193	12.4 Steep Slope Area Requirements (Reserved)
152.194	12.5 Sedimentation and Erosion Prevention
152.195	12.6 Stormwater Runoff Provisions
152.195(A)	12.6.1 Affected Property
152.195(B)	12.6.2 Exempt Activities
152.195(C)	12.6.3 Stormwater Management Requirements
152.195(D)	12.6.4 Permit Requirements

152.195(E)	12.6.5 Inspections
152.195(F)	12.6.6 Maintenance of Stormwater Measures
152.195(G)	12.6.7 Illicit Discharges
152.195(H)	12.6.8 Illicit Connections
152.195(I)	12.6.9 Fee-in-Lieu of Stormwater Compliance
152.196	12.7 Surface Water Protection Requirements
152.196(A)	12.7.1 Applicability
152.196(B)	12.7.2 Relationship to Previously Approved Development Plans, Structures and Uses
152.196(C)	12.7.3 Surface Water Protection Area Delineation
152.196(D)	12.7.4 Surface Water Protection Area Requirements
152.197	12.8 Flood Plain Protection (Reserved)
152.198	12.9 Varying Requirements When There Is an Increase in Functionality
152.199	12.10 Remedies for Violations of the Natural Resources and Environmental Protection Article