

ORDINANCE 2020-26

AS AMENDED

AN ORDINANCE TO AMEND TITLE 8, CHAPTER 1, SECTION 106, TITLE 12, CHAPTER 5, SECTION 502, TITLE 15, CHAPTER 3, SECTION 301, AND TITLE 15, CHAPTER 6, SECTION 617 OF THE FRANKLIN MUNICIPAL CODE RELATIVE TO ZONING DISTRICT NAMES, THE LOCATION OF INFORMATION RELATED TO STANDARDS FOR DRIVEWAYS AND PARKING PADS, SPECIFICATIONS FOR SPEED LIMITS ON RESIDENTIAL STREETS, AND THE PARKING OF TRAILERS IN RESIDENTIAL AREAS

WHEREAS, the City of Franklin is committed to providing for the safety, health, and welfare of the public; and

WHEREAS, the Board of Mayor and Aldermen found that in order to effectively promote the safety and general welfare of the people of Franklin, Tennessee, the City of Franklin should amend the Municipal Code to reflect the 2020 Zoning Ordinance update and move information on driveways and parking pads to the Zoning Ordinance; and

WHEREAS, the Board of Mayor and Aldermen found that in order to effectively promote the safety and general welfare of the people of Franklin, Tennessee, the City should clarify language regarding speed limits on residential streets; and address the parking of trailers in residential areas; and

WHEREAS, the Board of Mayor and Aldermen believes these amendments promote the private and public interests of the City of Franklin and its citizens; and

WHEREAS, on November 10, 2020, an amendment was made by the Board of Mayor and Aldermen to amend Title 15, Chapter 6, Section 617 (4) of the Municipal Code to replace the first sentence with "Parking of trailers shall be prohibited in front yards and on streets of residential areas" and to add a sentence at the end of the paragraph that states "Exceptions are made during times of emergencies due to acts of nature, residents moving into or out of the premises, occasional family celebrations, permitted construction activities, and routine maintenance on structures or landscaping."

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

SECTION I. That Title 8, Chapter 1, Section 106 of the Franklin Municipal Code is hereby modified by deleting the section in its entirety and replacing it with the following:

Sec. 8-106. – Restrictions as to location of retailers.

- (1) A certificate issued under this article for a retail liquor store or for the sale of wine at a retail food store shall be valid only for the premises proposed in the application, and any change of location of the business shall be cause for immediate nullification of the certificate. No certificate of compliance shall be issued for the operation of a retail liquor store or for the sale of wine at a retail food store where such store would be a prohibited use under the city's zoning ordinance. No license shall be granted for the operation of a retail liquor store on any premises except on

premises which are zoned CC-Central Commercial, NC-Neighborhood Commercial, RC6-Regional Commerce 6, RC12-Regional Commerce 12, or PD-Planned District in accordance with an adopted development plan, as shown on the official zoning map. Furthermore, no certificate shall be issued for a retail liquor store where the proposed place of business is located:

SECTION II. That Title 12, Chapter 5, Section 502 of the Franklin Municipal Code is hereby modified by deleting the section in its entirety and replacing it with the following:

Sec. 12-502. –Modifications

(3) For information on standards for driveways and parking pads, see the City of Franklin Zoning Ordinance.

SECTION III. That Title 15, Chapter 3, Section 301 of the Franklin Municipal Code is hereby modified by deleting the section in its entirety and replacing it with the following:

Sec. 15-301. –In general.

(3) Except as provided, it shall be unlawful for any person to operate or drive a motor vehicle upon any residential local street at a rate of speed in excess of 25 miles per hour unless otherwise posted.

SECTION IV. That Title 15, Chapter 6, Section 617 of the Franklin Municipal Code is hereby modified by deleting the section in its entirety and replacing it with the following:

Sec. 15-617. – Parking of commercial vehicles in residential zones prohibited.

- (1) No person shall park any motor vehicle licensed and/or primarily used for commercial purposes, continuously for more than 15 days within a residential zoning district, either on a public street, or upon any lot smaller than five acres in size; nor shall any person allow any such motor vehicle to be parked on any such property belonging to him or under his control in violation of this section.
- (2) The parking of a commercial vehicle otherwise prohibited under subsection (1) shall be permitted so long as the vehicle is located in the rear yard of the lot, as defined in the Franklin Zoning Ordinance, and is effectively screened from any adjoining roadway or adjoining property by a wall, enclosure, fence, greenery or shrubbery.
- (3) No school buses shall be parked in any residential zone at any time.
- (4) Parking of trailers shall be prohibited in front yards and on streets of residential areas. Trailers with a maximum length of 18 feet are permitted to be parked and stored behind the front façade of the dwelling on an approved parking pad, as defined by the Franklin Zoning Ordinance. The Building and Neighborhood Services Department Director or their designee shall have the discretion to approve alternative locations if adequate space is not available behind the front façade of the

dwelling. Exceptions are made during times of emergencies due to acts of nature, residents moving into or out of the premises, occasional family celebrations, permitted construction activities, and routine maintenance on structures or landscaping.

- (5) Excluded from this section entirely are emergency service vehicles and other vehicles actively performing a service on the residential property, including moving vans and vehicles needed for construction purposes

SECTION V. BE IT FINALLY ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF FRANKLIN, TENNESSEE, that this Ordinance shall take effect on the effective date of the Franklin Zoning Ordinance amendment, 2020-21, the health, safety, and welfare of the citizens requiring it.

ATTEST:

By: Eric S. Stuckey
Eric S. Stuckey
City Administrator/Recorder

CITY OF FRANKLIN, TENNESSEE:

By: Dr. Ken Moore
Dr. Ken Moore
Mayor

Approved as to form by:

Shauna R. Billingsley
Shauna R. Billingsley
City Attorney

PASSED FIRST READING:

11/10/20

PASSED SECOND READING:

12/8/20