

CITY COUNCIL MEETING

AGENDA ITEM XI



CITY OF FRANKLIN
COUNCIL AGENDA REPORT
City Council Meeting of April 6, 2015

From: Richard Lewis, Planning and Zoning Director
Subject: Proposed Zoning Amendment; Ordinance 12-15

Recommended Motion for Ordinance 12-15:

"I move that the Franklin City Council adopt Ordinance 12-15, approving the proposed amendment to increase the required side yard setback from Zero feet to Fifteen [15] feet in the B-1, Low-Density Business and Commercial District. The proposed amendment was the subject of a public hearing conducted by the Franklin Planning Board on March 25, 2015.

Discussion / Concurrences:

The Franklin Planning Board is forwarding to the City Council a proposed ordinance to amend the Franklin Zoning Ordinance. The Planning Board conducted a fully noticed public hearing on this amendment at their meeting of March 25, 2015. Following the hearing, the Board voted 6-0-0 on the following motion:

"I move to send a positive recommendation to the Franklin City Council for an amendment to Section 305-14, Lot and Yard Requirement Table, of the Zoning Ordinance that would increase the required side yard setback from Zero [0] feet to Fifteen [15] feet in the B-1 Zoning District. In the opinion of the Planning Board, this will provide for appropriate separation between buildings to better safeguard the abutting properties and ensure adequate areas for drainage, parking, snow removal, and general safe site development."

The issues associated with a zero side yard setback came to the forefront due to recent commercial development. After Site Plan approval was granted and construction had begun, concerns were raised by an abutter about the proximity of the building to their property; the building was approximately 6-feet off of the lot line.

In a historic downtown area it is a common to have a zero lot-line setback since the buildings are constructed one right against the other. In the outlying business zones, where large parking areas created, having a 15-foot setback requirement is more appropriate. The Planning Board took note that the Fire Code requires special fire-rated walls if a building is closer than 10 feet away from a lot line. Having a 15-foot building setback helps to provide for enhanced fire safety protection. It was also noted that parking areas can be located within the 15-foot setback area, so that land can still be an important component of the site development plans.

Fiscal Impact: None

Alternatives:

The Council can approve the proposed amendment as presented. If the Council felt that additional debate was warranted then the amendments could be sent back to the Planning Board for further review and discussions.

Attachments/Exhibits:

1. Copy of Ordinance 12-15



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ORDINANCE 12-15

AN AMENDMENT TO THE FRANKLIN MUNICIPAL CODE:

In the Year of our Lord, Two Thousand Fifteen

Be it ordained by the City Council of the City of Franklin that Section 305-14 of the Franklin Zoning Ordinance be amended as follows:

Change the side yard setback width from Zero (0) feet to Fifteen (15) feet as shown in the table below.

District ----->	RR	RS	R-1	R-2	R-3	B-1	B-2	I-1	I-2	C	LP
Minimum Side Yard Width (feet)	25	25	20	15	15	NR 15	NR	25	25	25	50

NR = No Regulation

Roll Call Vote:

Councilor Clarenbach	_____	Councilor Dzujna	_____
Councilor Guinta	_____	Councilor Wells	_____
Councilor Boyd	_____	Councilor Feener	_____
Councilor Desrochers	_____	Councilor Barton	_____
Councilor Starkweather	_____		

A True Copy Attested _____
City Clerk

Passed: _____
Date

Approved: _____
Mayor