

24 May 2005
Daniel B. Klatt

RESOLUTION OF INTENTION TO ADOPT ORDINANCES CREATING TRANSFER OF DEVELOPMENT RIGHTS (TDR) WITHIN THE CITY OF FRANKLIN

WHEREAS, due to the continued pace of residential, commercial and industrial development in Franklin and Williamson County, there is an increasing need to protect environmentally sensitive areas, gateways and corridors, farmland, woodlands, historic sites, and open space; and

WHEREAS, the city has officially established the Land Conservation and Stewardship Task Force to prepare an inventory of already protected resources, determine what resources are desirable for conservation, establish methods and programs to ensure success, and coordinate initiatives between the city of Franklin and Williamson County planning efforts; and

WHEREAS, conventional zoning is often ineffectual to achieve such protection; and

WHEREAS, the acquisition of land for preservation through conservation easements or fee ownership is often prohibitively expensive; and

WHEREAS, transfer of development rights or TDR provides for a free-market complement to restrictive zoning, on the one hand, or acquisition, on the other, which will allow the City to direct development away from environmentally sensitive areas deserving of greater protection toward areas in which the City wishes to grow, and at the same time protecting the rights of property owners and developers;

WHEREAS, an immediate opportunity currently exists within the City that could provide a viable case study demonstration of appropriate TDR initiatives between a willing sender of development credits and a willing receiver of these credits, enabling the preservation of a significant land parcel adjacent to Harlinsdale Farm and the furtherance of a high-quality development on a parcel of property at the intersection of Mack Hatcher By-Pass and Franklin Road, a critical gateway into the City;

NOW THEREFORE:

SECTION I: BE IT RESOLVED by the Board of Mayor and Aldermen of the City of Franklin, Tennessee, that, understanding time is of the essence, we recommend the advancement of this single TDR case study in order to assist us in determining if a TDR program should be implemented citywide.

SECTION II: BE IT FURTHER RESOLVED that the Planning Staff and City Attorney are directed to prepare an ordinance pursuant to T.C.A. § 13-7-201 (a)(2)(A) to create a transfer of development rights as a TDR demonstration or pilot project for the above referenced properties.

SECTION III: BE IT FURTHER RESOLVED that it is understood that a vote in favor of this resolution does not bind the Board or any member to vote yea or nay on any ordinance eventually submitted.

SECTION IV: BE IT FINALLY RESOLVED 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 May 24, 2005, the health, safety and welfare of the citizens of Franklin requiring it.

ATTEST: CITY OF FRANKLIN, TENNESSEE

By: _____
James R. Johnson
City Administrator

By: _____
Thomas R. Miller
Mayor