

§ 152.042 RD River District Overlay

The purpose of the River District Overlay is to create a district that will promote, celebrate, conserve and manage the areas along the Little Tennessee River and Cullasaja River within the corporate limits and the areas of the extraterritorial jurisdiction of the Town of Franklin, North Carolina. It is the intent of these standards to promote economic revitalization, business and the cultural heritage of the river valley all while providing opportunities for recreation and enjoyment for residents and visitors.

Goals of the River District Overlay:

1. Promote responsible development that will result in minimal stormwater runoff, soil erosion, river bank destabilization, grading and flood damage.
2. Promote the protection and improvements of the Little Tennessee and Cullasaja Rivers as a water resource.
3. Encourage the conservation, protection and promotion of the districts natural, cultural and Native American historical assets to enhance the significance of the district.
4. Encourage the creation of neighborhoods with a real sense of place that is can be readily identified.
5. Encourage new construction to be built at minimum setbacks along thoroughfares to create walkable communities.
6. To continue to develop and promote use of the greenway along the Little Tennessee River. Plus the encouragement to land owners to dedicate wetland and flood prone lands for future conservation and preservation enhancements.

(A) *Dimensional requirements.* Same as for the underlying district(s).

(B) *Permitted uses.* Same as for the underlying district(s).

(C) *Special uses.* Same as for the underlying district(s).

(D) *Prohibited uses.* The following uses are prohibited in the River District Overlay.

Asphalt Plants

~~Body Art Establishments (Tattoo/ Body Piercing)~~

Chemical Storage Facilities

Hazardous Waste Management Facilities

Solid Waste Disposal Facilities

Solid Waste Landfills

Warehouse, Mini

(E) *Development standards.* Dimensional requirements and all other development standards shall be the same as for underlying zoning district(s) except as modified herein.

(1) *Setbacks.* Setbacks shall be the same as for the underlying zoning district; unless the lot is abutting to the river;

(a) Lots abutting the river shall be setback a minimum of 50 feet from the river and outside of the floodway as defined in the Town of Franklin Flood Hazard Damage Ordinance.

(b) Lots abutting a major thoroughfare shall have new construction built to the minimum setback for the front of the lot to create a walkable environment. Unless the lot has access to a water front, the lot can be developed to water front side.

(2) *Sidewalks.* Sidewalks shall be constructed in all new developments and redevelopments, with curb and gutter and necessary storm water along public streets.

(3) *Driveways.* Driveways serving a Development parcel shall be permitted in accordance with the standards of the NCDOT; provided, however, a development parcel shall be limited to no more than two driveways on any road and no more than three driveways total. Additional driveways may be permitted when they are necessary to improve traffic movement, increase sight distances or for other safety reasons. Developers are encouraged to share parking areas and driveways with adjoining developments. No landscaping or structures of any kind shall be required or allowed to be placed near the intersections of driveways and streets that would impede safe vision of traffic.

(4) *Outdoor storage.* Outdoor storage shall be prohibited in the River District overlay. Provided, however, this section shall not apply to the outdoor display of goods for sale. **Any business needing to have outdoor storage may still apply for a special use permit and follow the standard that are set in 152.053.**

(5) *Lighting.* Lighting for the site shall be designed and installed so that it is directed away from the roadway and any adjacent properties and does not interfere with the safe use of public rights-of-way.

(6) *Signs.* Signs shall be governed by the regulations contained in the sign regulations of the Town of Franklin.

(7) *Parking.* In consideration of the goals of this section and the increased landscaping requirements contained herein, the off-street parking requirements contained in § 152.093(E) may be reduced, at the discretion of the Land Use Administrators, by up to 20%. Parking for the site is placed to the side or rear of such structure(s) so that it is screened from view from the street by means of such structure(s) and landscaping, as necessary.

(8) *Street trees.*

(a) Street trees shall be **native trees breeds to North Carolina** and be required at the rate of one large-maturing tree (30 feet in height) for every 50 linear feet of property abutting a street, or one small-maturing tree (20 feet in height) for every 40 linear feet of property abutting a street if overhead utility lines are present. Trees do not need to be spaced evenly. They may be clustered with a minimum spacing of 15 feet and a maximum spacing of 75 feet. Street trees shall be placed in a planting strip on private property and not within the street right-of-way.

(b) No street tree can be planted farther than 35 feet from the edge of the right-of-way to count as a street tree. The width of the planting strip may vary, but the minimum width cannot be less than **four** feet and the average width shall be at least ten feet. The planting area must be covered with living material, including ground cover and/or shrubs, except for mulched areas directly around trees and shrubs, so that no soil is exposed. When a sidewalk is proposed to be constructed on a development site and right-of-way configuration requires that it be constructed on the developer's property, the width of the planting strip may be reduced to an average of **four** feet. During the development review process, the approving authority for the town may permit minor deviations in the placement of trees in order to avoid conflict with utility structures and utility lines.

(c) Existing vegetation on a development parcel may count toward meeting the requirements of this section when such is in good condition and helps to further the purpose of the

district. But these vegetative types must be native species to North Carolina to be counted toward requirements.

(9) Impervious surface standards. The maximum impervious surface coverage in the River District overlay shall be 80 percent. **Stormwater runoff provisions are required for stormwater control in the River District Overlay as laid out in chapter 152.195 – 199. The maximum allowed development area can be increased to the minimum allowed underlying open space requirements when equal amounts of pervious surfaces are developed instead of impervious surfaces. This shall not be limited to pervious parking areas, green roofs, cisterns and other comparable standards.**

(10) *Exceptions.*

(a) Single-family and two-family residential dwellings shall be required to comply with the provisions of the underlying district.