

ORDINANCE:	14-12
PREPARED BY:	Shipley
REQUESTED BY:	TDK Construction and PMG
CERTIFIED BY FMPC:	August 21, 2014
PUBLIC HEARING:	_____
PUBLISHED IN:	_____
DATE:	_____
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2ND READING:	<u>October 9, 2014</u>
PUBLISHED IN:	_____
DATE:	_____

AN ORDINANCE TO AMEND THE TEXT OF THE ZONING ORDINANCE OF THE TOWN OF FARRAGUT, TENNESSEE, ORDINANCE 86-16, AS AMENDED, BY AMENDING CHAPTER 3., SPECIFIC DISTRICT REGULATIONS., TO CREATE A NEW ZONING DISTRICT ENTITLED OPEN SPACE MULTI-FAMILY RESIDENTIAL OVERLAY (OSMFR), AS AUTHORIZED PURSUANT TO SECTION 13-4-201, TENNESSEE CODE ANNOTATED.

BE IT ORDAINED by the Board of Mayor and Aldermen of the Town of Farragut, Tennessee, that the Farragut Zoning Ordinance, Ordinance 86-16, as amended, is hereby amended as follows:

SECTION 1.

Chapter 3, Section XI., Specific District Regulations., is amended by adding the following:

XXVIII. OPEN SPACE MULTI-FAMILY RESIDENTIAL OVERLAY (OSMFR)

A. General Description

It is the intent of this overlay district to provide for greater flexibility and design freedom in order to encourage a better living environment and the conservation of environmentally sensitive areas. The increased flexibility associated with this overlay district allows for additional height and increased density along with lessened setbacks and buffer strips. In exchange, the multi-family development shall generate a superior design that provides extensive common open space that capitalizes on the inherent physical characteristics of the property and its surrounding area.

B. Application of the District

The Open Space Multi-Family Residential Overlay District may be applied over the Multi-Family Residential District (R-6).

C. Permitted Uses and Structures

1. Apartment buildings.
2. Recreational facilities and open spaces which are developed as an integral part of the development.
3. Elderly and group housing as regulated in Chapter 4.
4. Nursing homes as regulated in Chapter 4.
5. Accessory uses and structures.
6. Customary Home Occupations as regulated in Chapter 4.
7. Signs as regulated in the Municipal Code.
8. Utility uses.

D. General Minimum Development Requirements

1. A site plan, as regulated in the Farragut Zoning Ordinance, shall be submitted to the planning commission for review and approval. All applicable requirements shall be included as part of the development plan submission. The site plan shall be of the entire development and is required whether the project is developed in multiple phases or not.
2. The approved site plan shall be in compliance with the Farragut Comprehensive Land Use Plan, the Pedestrian and Bicycle Plan, and all other adopted plans and ordinances of the Town of Farragut.
3. Common open space.
 - a. Common open space shall be created as an integral part of the overall design. Within the designated open space, the development shall conserve, natural and manmade features on the site, including but not limited to trees, floodplains, sinkholes, wetlands, springs, streams, wet weather conveyances, endangered species habitat, steep slopes, rock formations and other unique topographic features, and historic features.
 - b. In order to identify the areas to be designated as common open space, a survey of the natural features shall be completed. Natural features shall include but are not limited to wetlands, rock formations, trees, sinkholes, streams, topographic features, and endangered species habitats. Development shall comply with the Tree Protection Ordinance.
 - c. Common open space may be improved for certain passive recreation uses, but open space containing natural features worthy of preservation (e.g. wetlands, woodlands, steep slopes, streams, springs, sinkholes, etc.,) must be left unimproved and undisturbed. Areas within approved common open space that are not considered environmentally sensitive, such as historic features, buffer strips, stormwater detention facilities, and approved passive recreational facilities (such as walking or

- hiking trails) may be maintained as approved by the Town staff or the planning commission.
- d. Common open space shall be designated as permanent on the approved site plan and referenced as an exhibit in a covenant that runs with the land and that is recorded at the Register of Deeds.
 4. Access ways and parking areas shall be designed to reduce the grading of the site and preserve the natural topography as much as practical. Site design should preserve large, existing trees when possible and reduce the clearing necessary for building sites. The maximum slope created as a result of a proposed development shall not be greater than 2½:1 (run/rise). Terracing may be permitted per the Town Engineer's approval.
 5. Developments shall directly access a street having a designated classification of arterial, or a street which is not interior to a subdivision and which directly accesses a street having a designated classification of arterial. The street on which the development accesses must meet the minimum design standards established in the Farragut Subdivision Regulations.
 6. Internal access and circulation shall provide for adequate ingress/egress of firefighting equipment, service deliveries, furniture moving vans, and refuse collection vehicles.
 7. Internal pedestrian access and circulation shall be provided where deemed appropriate by the planning commission.
 8. Parking areas and sidewalks shall be lighted for night use where appropriate. All lighting shall comply with Town of Farragut lighting provisions.
 9. A landscape plan for the development shall be submitted as regulated in Chapter 4.

E. Area Regulations

1. Setback Requirements

a. Front Yard:

All buildings (principle and accessory) shall be set back a minimum of thirty-five (35) feet from front property lines. Parking shall be set back a minimum of twenty (20) feet from front property lines. Detention basin structures, subdivision walls, entrance pillars, and certain utility structures shall be set back a minimum of ten (10) feet from front property lines. Electrical substations, utility offices, or any other utility building shall meet the required thirty-five (35) foot front yard setback.

b. Side/Rear Yard:

All principle buildings that are positioned along a side or rear property line that is adjacent to property that is zoned residential or agricultural shall be set back a minimum of thirty-five (35) feet from the nearest side or rear property line(s). Where surface parking is arranged along a side or rear property line and the adjacent property is zoned residential or agricultural, all principle buildings and parking lots shall be set back a minimum of fifty (50) feet from the nearest side or rear property line(s).

Whenever a side or rear property line abuts a non-residential or non-agricultural zone, all principle buildings and parking lots shall be set back a minimum of twenty (20) feet from the nearest side or rear property line(s).

c. Accessory Structures:

Where the adjacent property is zoned residential or agricultural, accessory structures shall be set back from the nearest point of any side or rear property line a minimum of one hundred (100) feet.

Where the adjacent property is zoned non-residential or non-agricultural, accessory structures shall be set back from the nearest point of any side or rear property line a minimum of thirty-five (35) feet.

2. Minimum Distance Between Buildings

There shall be a minimum of twenty (20) feet between all freestanding buildings, as measured from the closest point between two buildings.

3. Density

Maximum overall density shall not exceed twelve (12) units per acre. This density of twelve (12) units per acre is a maximum number only, and is permitted only if all requirements of the Town of Farragut have been met.

4. Land Area

Minimum tract size for such a development shall be five (5) acres.

5. Common Open Space

A minimum of fifty (50) percent of the gross land area of the development shall be preserved as common open space. Such open space is to include environmentally sensitive lands, historic features, buffer strips, stormwater detention facilities, passive recreational facilities (such as walking or hiking trails) and other natural features as may be beneficial to the development and the community.

6. Buffer Strips

a. Front Yard:

A buffer strip is not required in a front yard but the development must provide for a landscape design that, at a minimum, would include plant material distributed within the area twenty (20) feet from the front property line(s). The landscape design shall be approved by the Visual Resources Review Board.

b. Side/Rear Yard:

Whenever a principle building is positioned along a side or rear property line and the adjacent property is zoned residential or agricultural, there shall be a buffer strip a minimum of thirty-five (35) feet in width as provided for in the landscaping requirements of Chapter 4. If the area within this buffer strip is not wooded the area

shall be planted to the requirements of a fifty (50) foot buffer strip as provided for in the landscaping requirements of Chapter 4.

Whenever a surface parking lot is arranged along a side or rear property line and abuts property zoned residential or agricultural, there shall be a buffer strip a minimum of fifty (50) feet in width as provided for in the landscaping requirements of Chapter 4.

- c. Whenever a side or rear property line abuts property that is zoned non-residential or non-agricultural, there shall be a buffer strip a minimum of ten (10) feet in width.
- d. Other than an approved fence or masonry screen wall used for buffering purposes or a utility or pedestrian facility that bisects a buffer strip in a perpendicular manner, no structures are permitted within a required buffer strip.
- e. Existing, mature vegetation shall be preserved and incorporated into the buffer strips.
- f. Detention basins, measured from top-of-slope to top-of-slope, and associated structures shall not be located within any buffer strips.

F. Height Regulations

- 1. Whenever the adjacent property is zoned residential or agricultural, no buildings to be constructed within 100 feet of a periphery property line shall exceed three (3) stories, or forty-five (45) feet in height.
- 2. When abutting all other zoning districts or where buildings are greater than 100 feet from a periphery property line, such buildings shall not exceed four (4) stories, or fifty-five (55) feet in height.
- 3. No accessory structures, other than a clubhouse or comparable amenities building, shall exceed fifteen (15) feet in height. A clubhouse or comparable amenities building shall not exceed twenty-five (25) feet in height.

G. Parking

Parking shall be provided as regulated in Chapter 4. All overflow parking shall be centrally located or uniformly distributed throughout the development.

H. Building Façade Requirements

Building façades shall use high-quality, durable, materials that are architecturally compatible and include a significant masonry element. Building façades shall not use fabricated metal panels or vinyl siding and shall include only limited use of synthetic stucco (EIFS) or panelized brick (such materials may be appropriate as accents or on upper floor façades). The use of high-quality, durable, stone veneer may be acceptable when it is detailed to have the appearance of authentic stone. At a building corner, the veneer should wrap around the

corner and should, at a minimum, extend to a depth of traditional stone. The objective is to assure that synthetic products convey an authenticity similar to genuine masonry.

SECTION 2.

This ordinance shall take effect from and after its final passage and publication, the public welfare requiring it.

Dr. Ralph McGill, Mayor

Allison Myers, Town Recorder

Certified to the Farragut Board of Mayor and Aldermen this _____ day of _____, 2014, with approval recommended.

Rita Holladay, Chairman

Edwin K. Whiting, Secretary

FARRAGUT MUNICIPAL PLANNING COMMISSION