

ORDINANCE: 19-20
PREPARED BY: Vermilyea
REQUESTED BY: Board of Mayor and Alderman
CERTIFIED BY FMPC:
PUBLIC HEARING: _____
PUBLISHED IN: _____
DATE: _____
1ST READING: _____
2ND READING: June 27, 2019 _____
PUBLISHED IN: _____
DATE: _____

AN ORDINANCE TO AMEND THE TEXT OF THE FARRAGUT ZONING ORDINANCE, ORDINANCE 86-16, AS AMENDED, PURSUANT TO AUTHORITY GRANTED BY SECTION 13-4-201, TENNESSEE CODE ANNOTATED, BY AMENDING CHAPTER 2., DEFINITIONS, TO PROVIDE FOR A DEFINITION FOR SHORT TERM RENTAL UNIT, BED & BREAKFAST, PERMITTED USE, PROHIBITED USE, AND TO MODIFY THE DEFINITION OF FAMILY; AND CHAPTER 4., SECTIONS IV. X., AND XIV. TO CLARIFY PERMITTED AND PROHIBITED USE, PROHIBIT SHORT TERM RENTALS, PROVIDE REGULATIONS TO ADDRESS GRANDFATHERED SHORT TERM RENTALS, AND FURTHER ADDRESS THE USE AND DEVELOPMENT OF LOTS AND PARCELS.

WHEREAS, the Board of Mayor and Aldermen of the Town of Farragut, Tennessee, wishes to amend Chapter 2., Definitions; Chapter 4., Section IV., Measurements of Setbacks, Open Space, Visibility Triangle, Use of Lots and Access Points; Chapter 4., Section X., Reserved; and Chapter 4., Section XIV., Lots or Parcels.

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

SECTION 1.

The Farragut Zoning Ordinance, Chapter 2., Definitions, is amended by inserting “Short-term rental unit,” “Bed & Breakfast,” “Permitted Use,” and “Prohibited Use” and defining them as follows:

Short Term Rental Unit: A residential dwelling unit that is rented wholly or partially for a fee for a period of less than thirty (30) continuous days and does not include a hotel (as defined in T.C.A 68-14-302 or this Ordinance) or a bed and breakfast establishment or a bed and breakfast homestay (as defined in T.C.A 68-14-502).

Bed and breakfast: a private home, inn or other unique residential facility offering bed and breakfast accommodations and one (1) daily meal and having less than four (4) guest rooms furnished for pay, with guests staying not more than fourteen (14) days, and where the innkeeper resides on the premises or property or immediately adjacent to it. Guest rooms shall be

established and maintained distinct and separate from the innkeeper's quarters.

Permitted Use: A use listed and expressly allowed in a given zoning district and subject to the restrictions applicable to that zoning district.

Prohibited Use: A use that is not expressly permitted in a given zoning district.

SECTION 2.

The Farragut Zoning Ordinance, Chapter 2., Definitions, is amended by altering the definition of “Family” to read as follows:

Family: One or more persons occupying the same dwelling unit. A family shall be deemed to include domestic servants employed by said family. This definition shall not be deemed applicable to those persons occupying a boarding house, hotel, motel, club, rooming house, nursing home, and short term rental unit.

SECTION 3.

The Farragut Zoning Ordinance, Chapter 4., Section X., Reserved, is amended by altering the title from “Reserved” to “Short Term Rental Units”, and inserting the following provisions:

- A. Except as provided for in part B below, and in accordance with T.C.A. 13-7-601 thru 606, short term rental units, as defined in Chapter 2 of this Ordinance, shall be prohibited in all zoning districts within the Town.
- B. Short term rentals recognized by the Town as legally operating prior to May 17, 2018 or the initial adoption of these requirements (Section X., Short Term Rentals) shall be afforded the protections of and be subject to the provisions of T.C.A 13-7-603(a).

SECTION 4.

The Farragut Zoning Ordinance, Chapter 4., Section IV., Measurements of Setbacks, Open Space, Use of Lots, Access Points and Visibility Triangle, is amended by adding “Permitted Uses and Zoning” to the title and inserting the following as a new subsection:

- E. Zoning affects every lot, building, structure, and use. No building or structure shall be erected or altered, or shall any lot, building, structure, or premises be used for any purposes, other than a use expressly permitted in the district in which such lot, building, structure, or premises is located. No lot, building, structure, or premises shall be used so as to produce greater heights, smaller yards, less unoccupied area, or in any other manner contrary to the provisions of this ordinance.

SECTION 5.

The Farragut Zoning Ordinance, Chapter 4., Section XIV., Lots or Parcels, is amended by inserting the following as a new subsection:

- E. No lot which is now or may in the future be built upon, shall be reduced in area so that the yards and other open spaces will be smaller than prescribed by this ordinance; and except as otherwise provided for by this ordinance no yard, court, or open space provided about any building for the purpose of complying with the provisions of this ordinance, shall be used as a yard, court, or other open space for any other building.

SECTION 6.

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

Ron Williams, Mayor

Allison Myers, Town Recorder

Certified to the Farragut Board of Mayor and Aldermen this ____ day of _____, 2019, with approval recommended by the Farragut Municipal Planning Commission (FMPC).

Rita Holladay, Chairman

Edwin K. Whiting, Secretary