

A G E N D A
FARRAGUT MUNICIPAL PLANNING COMMISSION

May 16, 2013
7:00 p.m. Farragut Town Hall

For questions please call Ruth Viergutz Hawk at Farragut Town Hall, 966-7057

1. **Citizen Forum**
2. **Approval of minutes - April 18, 2013**
3. **Discussion and public hearing on the annual review and approval of the concept plan for Bridgemoore subdivision, located on McFee Road between Allen Kirby Road and the round-about, Zoned R-1 and OSR**
4. **Discussion and public hearing on a site plan for Thornton Professional Building, 10904 Kingston Pike, located on the southwest corner of Kingston Pike/Thornton Drive, Zoned C-1, 1.26 Acres (T.J. Development & Management, Applicant)**
5. **Discussion of a request for abandonment of right-of-way of old Snyder Road right-of-way at N. Campbell Station Road, located between Parcels 122 & 123.02, Tax Map 130, Farragut Municipal Code, Title 16, Chapter 3. Road Closing or Terminating Policy (Eddie Kherani/Marathon Gas Station, Applicant)**
6. **Discussion and public hearing on an amendment to the Farragut Zoning Ordinance, Chapter 4, Section VIII. Farragut Municipal Flood Damage Prevention Regulations, to adopt the latest flood study of Turkey Creek and North Fork Turkey Creek and to update regulations accordingly**
7. **Discussion of a request to amend the *2012 Comprehensive Land Use Plan Update*, Parcel 109, Tax Map 130, located on the east side of N. Campbell Station Road, north of Holiday Inn Express, 30.5 Acres, from Open Space Cluster Residential to Mixed Use (Kim Wellons, Applicant)**
8. **Public hearing on proposed locations for new utilities**
9. **Planning Commissioner Training**

**MINUTES
FARRAGUT MUNICIPAL PLANNING COMMISSION**

April 18, 2013

MEMBERS PRESENT

Rita Holladay, Chairman
Ed St. Clair, Vice-Chairman
Ed Whiting, Secretary
Ralph McGill, Mayor
Betty Dick
Melissa Mustard
Noah Myers
Ron Honken, Alderman

MEMBERS ABSENT

Annette Brun

Staff Representatives: Ruth Viergutz Hawk, Community Development Director
Gary Palmer, Assistant Town Administrator

Chairman Holladay called the meeting to order at 7:00 p.m.

CITIZEN FORUM

TDEC and ETDD will hold a training entitled "Using Soils and Geology to Secure a Successful Future" on April 30, 2013, at 6:30 p.m. at the Oak Ridge TDEC offices.

Chairman Holladay recognized Dan Johnson, Fire Marshal, for being named the ETBOA Code Official of the Year. Chairman Holladay also recognized the work of the Public Works crews for a job well done in Campbell Station Park with the flower planting.

Mayor McGill assured everyone that the Town will not be considering a gun ordinance that would require every household to have a weapon.

APPROVAL OF MINUTES

*Commissioner Honken moved to approve the March 21, 2013, minutes as submitted.
Commissioner Whiting seconded the motion and the motion passed 8-0.*

AGENDA ITEMS

DISCUSSION AND PUBLIC HEARING ON A FINAL PLAT FOR CLARITY POINTE COURT, PARCEL 37.04, TAX MAP 153, LOCATED ON THE WEST SIDE OF CONCORD ROAD APPROXIMATELY 1,200 FEET NORTH OF NORTHSHORE DRIVE, ZONED C-1, 12.31 ACRES (Tom Schaffler, Jr., Applicant)

Staff recommended approval of the final plat subject to addressing the following items:

FMPC – Minutes

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Page 2

1. In the title block, label Sheet 1 of 2, and Sheet 2 of 2;
2. Plat note #9 - clarify “recreational uses” allowed. In this case, it would be walking trails;
3. Meet all town requirements; and
4. Obtain appropriate signatures.

*Commissioner Honken moved to approve the final plat subject to staff's recommendation.
Commissioner St. Clair seconded the motion and the motion passed 8-0.*

**DISCUSSION AND PUBLIC HEARING ON A SITE PLAN FOR A SWIMMING POOL
AT THE COTTAGES AT PRYSE FARMS RECREATION AREA, 744 PRYSE FARMS
BOULEVARD, ZONED R-1 & OSMR, .89 ACRES (Michael Versen, Applicant)**

Staff recommended approval of the site plan subject to addressing the following items:

1. Correct pool gate note on sheet C-2 to reflect compliance with the 1999 Standard Swimming Pool Code;
2. Detail P1/Fixture SA - indicate that no glass/globe/plastic etc. may protrude below the fixture housing;
3. Pool fence detail - indicate height, color, and construction material;
4. The bollard light detail is difficult to see, but it appears to not comply;
5. Delete Sheet 4;
6. A landscape maintenance letter of credit for \$12,500 is needed prior to the issuance of any C.O. This is for all of the landscaping shown on the landscape plan; and
7. Meet all town requirements.

*Commissioner Whiting moved to approve the site plan subject to staff's recommendation.
Commissioner Myers seconded the motion and the motion passed 8-0.*

**DISCUSSION AND PUBLIC HEARING ON A SITE PLAN FOR A RETAIL BUILDING
AT THE COSTCO WAREHOUSE, 115 LOVELL ROAD, PARCEL 34, TAX MAP 131,
1.75 ACRES, ZONED C-1 (George Armour Ewart, Architect, Applicant)**

Staff recommended approval of the site plan subject to addressing the following items:

1. Provide written approval from First Utility District of Knox County;
2. Provide the calculated fire flow, in accordance with appendix B & C of the International Fire Code. Pay particular attention to table B105.1 and C105.1. The designer may utilize the sprinkler reduction described within that section;
3. Please re-check the square footage of the proposed landscaped area on the south side of the building. It does not appear to add up to the 443 square feet listed;

4. The improved swale should be referenced as Detail 15/C2.1 rather than C2.2. Also, do you have any information on the “concrete cloth” that is proposed. This information needs to be included as a detail;
5. Replacement trees approved by the Town will be required for any trees that were planted as part of the Costco project that are adversely affected by this project;
6. The landscape plan will be reviewed by the VRRB on April 23. Separate comments (if there are any) will be generated on this plan;
7. Landscape stone flume detail should be called out as on sheet C2.1, not C2.2;
8. Please submit Drainage Fee of \$1100;
9. Please submit Erosion Control Letter of Credit for \$9600;
10. Please submit NOC; and
11. Meet all town requirements.

Commissioner Honken moved to approve the site plan subject to staff's recommendation. Commissioner Mustard seconded the motion and the motion passed 8-0.

DISCUSSION AND PUBLIC HEARING ON A REQUEST TO REZONE A PORTION OF PARCEL 14, TAX MAP 151EA, 109 WAY STATION TRAIL, OLD STAGE HILLS SUBDIVISION, FROM R-2 TO B-1 (Stephen Prince, Applicant)

Staff (Hawk) announced that she is a resident of Old Stage Hills neighborhood, but does not live near this rezoning. Commissioner Myers announced that this rezoning does affect his commercial BD-4 project, but that he is not the owner of the project.

Resolution PC-13-04 recommends approval of Ordinance 13-16 and the rezoning request.

Staff stated that approval of this rezoning is a precedent setting action. The primary question before the planning commission is whether you feel it is appropriate to rezone a portion of a single-family parcel at the entrance to a neighborhood so that:

1. The commercial building can be constructed closer to the residential neighborhood;
2. No buffer strip is required on the commercially zoned property next to the residential land; and
3. The commercially zoned property can be developed more intensely than the zoning district would otherwise allow.

A lengthy discussion followed.

Commissioner Honken moved to approve Resolution PC-13-04. Commissioner Dick seconded the motion and the motion passed 6-1-1 with Commissioner Mustard voting “nay” and Commissioner Myers abstaining.

DISCUSSION AND PUBLIC HEARING ON A SITE PLAN FOR A FOUR-STORY FINANCIAL CENTER BUILDING, PARCEL 63, TAX MAP 151, LOCATED ON THE SOUTHWEST CORNER OF KINGSTON PIKE AND WAY STATION TRAIL IN THE RENAISSANCE DEVELOPMENT, 2.547 ACRES, ZONED BD-4 (Myers Bros. Holding /Knick Myers, Applicant)

Staff stated the following items remain outstanding on the site plan:

1. The building is 82' from the existing R-2 zoning district (currently minimum 100' is required). The rezoning must be finalized prior to the issuance of a building permit;
2. The parking lot is 15' from the existing R-2 zoning district (currently minimum 35' buffer strip required). The rezoning must be finalized prior to the issuance of a building permit or prior to grading occurring within the required buffer strip;
3. Sheet C0 - HVAC screening note #3 - revise note stating the town requires HVAC units to be screened from adjacent properties and rights-of-way;
4. On the line-of-sight drawing, show on the plans where the units will be located and show the HVAC units' height in relation to the parapet wall height;
5. Verify compliance with the 75% face brick minimum requirement;
6. Sheet A-3.0 - the dumpster enclosure must use the same face brick as the building. Modify detail and notes accordingly;
7. Sheet A-3.0 - indicate the color of the dumpster doors;
8. Headwall 4 - remove the rip rap from the 10' perimeter parkway;
9. On at least one sheet clearly show the retaining wall locations;
10. Submit retaining wall details;
11. Include a detail of the railing for the top of the retaining walls;
12. Please be aware that the Town will need certification on the construction of the retaining walls. The designer must inspect the retaining walls as they are being constructed submit certifications accordingly - add a plan note;
13. A request has been made to the Board of Zoning Appeals for a variance from the 10' minimum setback for the retaining wall from Way Station Trail right-of-way. The variance must be approved prior to the issuance of any permits;
14. A request has been made to the Board of Zoning Appeals for a variance from the requirement to construct a sidewalk on Way Station Trail to the south property line. The variance must be approved prior to the issuance of any permits;
15. Show sewer line relocation per FUD approved design;
16. Sheet C2 - Note 01 - is that applicable with pavers? Notes 02 & 03 are identical. Is that for the pad or for the site? Note 04 - pavement?
17. Sheet C7 - the headwall detail must show the actual extent of the rip rap at the headwall and/or include internal baffles for energy dissipation;
18. Sheet C8 - Since the parking lot will be permeable pavers, are Details 01/C7.0, 02/C7.0 & 03/C7.0 for this site?

19. In a plan note or with the detail, indicate how often the permeable pavers are to be vacuumed upon installation;
20. The utility sheet (water and sewer) must be signed by First Utility District;
21. A plat of correction reflecting the relocated sewer easement must be approved and recorded prior to the issuance of any Certificate of Occupancy;
22. Provide a sequence of events for the construction of the permeable pavers. This was discussed at the staff/developer meeting but needs to be outlined on the plans;
23. The tree preservation/removal plan must be prepared by a professional provided for in the *Tree Protection Ordinance*. The plan also needs to be revised per retaining wall approval;
24. If portions of tree drip lines are encroached upon as a result of this project please address if and what type of protection/treatment measures will need to be taken;
25. Use metal t-posts instead of wooden posts for the tree protection fencing. These are more durable and can be re-used;
26. Submit Drainage Fee of \$1285;
27. Submit Erosion Control Letter of Credit for \$13,500;
28. Submit NOC; and
29. Meet all town requirements.

A general discussion followed.

Commissioner St. Clair moved to approve the site plan subject to addressing items #1-29. Commissioner Honken seconded the motion and the motion passed 7-0-1 with Commissioner Myers abstaining.

DISCUSSION AND PUBLIC HEARING ON AN AMENDMENT TO THE FARRAGUT ZONING ORDINANCE, CHAPTER 4., SECTION XIII. OUTDOOR SITE LIGHTING, A., 5., TO ADD BACK DECORATIVE WALL LIGHT REQUIREMENTS

Staff recommended approval of Resolution PC-13-03, which recommends approval of Ordinance 13-15 and the Zoning Ordinance text amendment to the Board of Mayor and Aldermen.

Commissioner Honken moved to approve Resolution PC-13-03. Commissioner St. Clair seconded the motion and the motion passed 8-0.

DISCUSSION OF A REQUEST TO AMEND THE 2012 COMPREHENSIVE LAND USE PLAN UPDATE, PARCEL 109, TAX MAP 130, LOCATED ON THE EAST SIDE OF N. CAMPBELL STATION ROAD, NORTH OF HOLIDAY INN EXPRESS, 30.5 ACRES, FROM OPEN SPACE CLUSTER RESIDENTIAL TO MIXED USE (Kim Wellons, Applicant)

For discussion purposes only

DISCUSSION AND PUBLIC HEARING ON THE FY 2014 CAPITAL INVESTMENT PLAN

Gary Palmer presented the FY 2014 Capital Investment Plan. A general discussion followed.

Commissioner Honken moved to approve the FY 2014 CIP with prioritizing improvements to Everett Road from Smith Road to Split Rail Farm subdivision entrance, McFee Park, Everett Road from Union Road to Smith Road, and move back Union Road improvements with the potential of moving it out of the 5 year plan. Commissioner Myers seconded the motion and the motion passed 8-0.

PUBLIC HEARING ON PROPOSED LOCATIONS FOR NEW UTILITIES

None at this time

ADJOURNMENT

The meeting adjourned at 9:03 p.m.

Edwin K. Whiting, Secretary

MEETING DATE: May 16, 2013

REPORT TO THE FARRAGUT MUNICIPAL PLANNING COMMISSION

PREPARED BY: Ruth Viergutz Hawk, Community Development Director

SUBJECT: Discussion and public hearing on annual review and approval of the Concept Plan for Bridgemore subdivision, located on McFee Road approximately 2,200 feet south of Old Stage Road, Zoned R-1 and OSR

INTRODUCTION: The concept plan for Bridgemore subdivision was initially approved on May 20, 2004. Per the ordinance, the planning commission is required to review/re-approve the plan on an annual basis until the project is built out.

DISCUSSION: The Bridgemore subdivision is located on both the east and west sides of McFee Road north of Allen Kirby Road. There are a total of 431 single-family lots on 326.92 acres. A total of 115.41 Acres (35.3%) is platted as open space. Unit 1 has already been platted. It consists of 121 residential estate sized lots. The area abutting Fort West subdivision consists of medium sized single-family lots. The area located on the east side of McFee Road and the area located on the far western side of the development consists of small lot single-family lots.

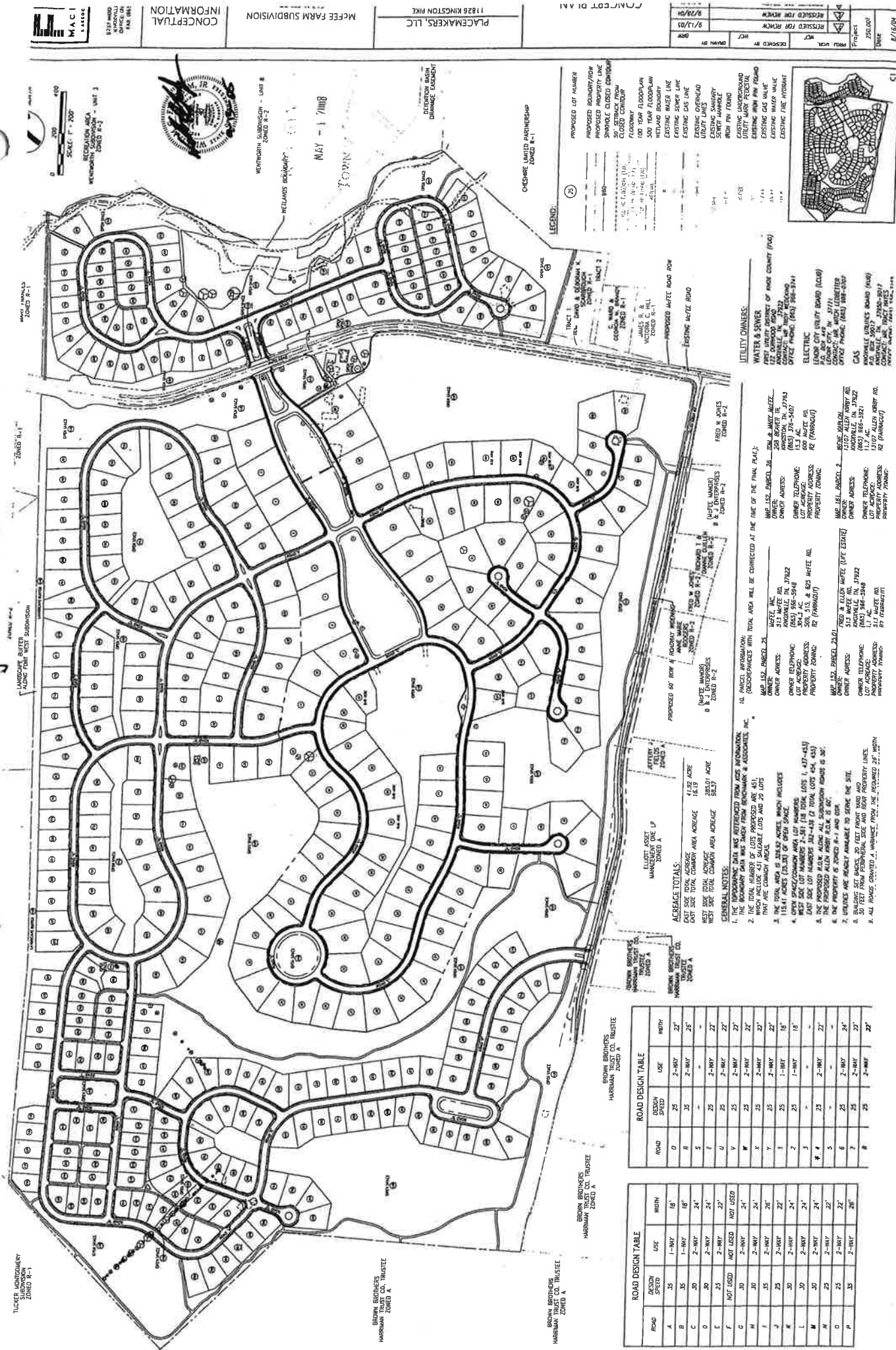
Bridgemore has twenty (20) open space lots which include numerous walking trails, one active recreation lot (pool & clubhouse), and the old farm house. Much of the open space is sinkholes, wetlands, and steep slopes. Walking trails currently connect Bridgemore to the McFee Manor subdivision. Future trails will connect to the Montgomery Trail, the Wentworth Trail, and other adjoining vacant properties. Trails will also run parallel the full length of Allen Kirby Road.

Attached please find a reduced copy of the concept plan, an aerial photo of the general area, and a GIS map of the general area.

RECOMMENDATION BY: Staff recommends re-approval of the concept plan for Bridgemore subdivision.

PROPOSED MOTION: Move to approve concept plan for Bridgemore subdivision.

Bridgemore Subdivision



ROAD DESIGN TABLE			
ROAD	DESIGN SPEED	USE	WIDTH
A	35	1-WAY	18'
B	35	1-WAY	18'
C	30	2-WAY	24'
D	30	2-WAY	24'
E	25	2-WAY	22'
F	NOT USED	NOT USED	NOT USED
G	30	2-WAY	24'
H	30	2-WAY	24'
I	35	2-WAY	26'
J	30	2-WAY	22'
K	30	2-WAY	24'
L	30	2-WAY	24'
M	30	2-WAY	24'
N	25	2-WAY	22'
O	25	2-WAY	22'
P	35	2-WAY	26'

ROAD DESIGN TABLE				
ROAD	DESIGN SPEED	USE	WIDTH	
O	25	2-WAY	27'	
B	35	2-WAY	28'	
S	-	-	-	
F	25	2-WAY	27'	
U	25	2-WAY	27'	
V	25	2-WAY	27'	
W	25	2-WAY	27'	
X	25	2-WAY	27'	
Y	25	2-WAY	27'	
I	25	1-WAY	18'	
J	25	1-WAY	18'	
* J	-	-	-	
* 4	23	2-WAY	27'	
5	-	-	-	
6	25	2-WAY	27'	
7	25	2-WAY	27'	
8	25	2-WAY	27'	

Town of Farragut

Legend

- Streets
- ▬ Town Limit
- ▭ Parcels
- ▨ Bridgmore Subdivision



1 in = 750 ft

Town of Farragut

Legend

— Streets

▬ Town Limit

▭ Parcels

▬ Bridgemoor Subdivision



1 in = 750 ft

MEETING DATE: May 16, 2013

REPORT TO THE FARRAGUT MUNICIPAL PLANNING COMMISSION

PREPARED BY: Ruth Viergutz Hawk, Community Development Director

SUBJECT: Discussion and public hearing on a site plan for Thornton Professional Building, 10904 Kingston Pike, located on the southwest corner of Kingston Pike/Thornton Drive, Zoned C-1, 1.26 Acres (T.J. Development & Management, Applicant)

INTRODUCTION: In early 2007, the site plan for the Parkview West Assisted Living Center and the Thornton Center (Genesis Chiropractic) were approved and then constructed. The site plan before you is a part of that overall development plan.

DISCUSSION: T.J. Development & Management is now proceeding with the third and last portion of their development. The two existing buildings on the property are being removed as part of this project. The existing billboard will remain. The proposed building is a multi-tenant building with an anticipated two or three tenants.

There is a shared access easement across the existing Thornton Center and this property. The driveway will connect with the existing driveway on the west side of this property. The parking lot will then also have an access onto Thornton Drive. This access plan is part of the initial approvals of the site. The parking lots/driveways for the Parkview West Assisted Living Center, the Thornton Center, and the Thornton Professional Building are all interconnected.

A deceleration/turn lane is being constructed on Kingston Pike at Thornton Drive in front of this site as part of this project. Due to a large utility pole, a concrete island will remain on Kingston Pike and the deceleration/turn lane will be constructed south of the concrete island.

Attached please find a reduced copy of the site plan, an aerial photo of the general area, and a letter to the applicant identifying the necessary changes to the site plan.

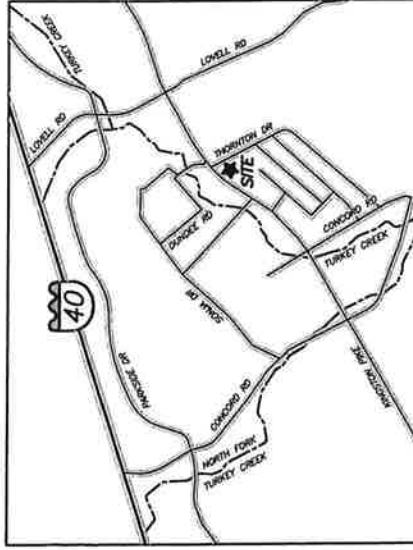
RECOMMENDATION BY: Staff will make a recommendation at the meeting.

SITE DEVELOPMENT PLANS

U.S. PROJECT NO. 1308008

THORNTON PROFESSIONAL BUILDING

SITE ADDRESS: 10804 KINGSTON PIKE, FARRAGUT, TENNESSEE 37834
CLT MAP 143, PARCEL 19



LOCATION MAP

OWNER/DEVELOPER
TJ DEVELOPMENT & MANAGEMENT
JAY MCGRIDE
5018 KINGSTON PIKE
KNOXVILLE, TN 37819
(865) 330-0013

SITE ENGINEER/SURVEYOR
URBAN ENGINEERING, INC.
11832 KINGSTON PIKE
FARRAGUT, TENNESSEE 37834
(865) 808-1244



SPECIFICATIONS
EXCEPT WHERE DIRECTED OTHERWISE BY THE PLANS, WORKMANSHIP AND MATERIAL (BUT NOT MEASUREMENT AND PAYMENT) FOR THIS PROJECT SHALL BE IN ACCORDANCE WITH THE FOLLOWING SPECIFICATIONS AND STANDARDS:
ELECTRICAL - AS DIRECTED BY LCB
GAS - AS DIRECTED BY AIB
WATER - AS DIRECTED BY FIRST UTILITY DISTRICT
CABLE TV - AS DIRECTED BY CHARTER
TELEPHONE - AS DIRECTED BY TDS
TOWN OF FARRAGUT - ALL APPLICABLE TOWN REGULATIONS AND ORDINANCES

SHEET INDEX

TITLE	SHEET
TITLE SHEET	C-0
BOUNDARY AND TOPOGRAPHIC SURVEY	C-1
DEMOLITION PLAN	C-2
SITE PLAN	C-3
SITE GRADING & DRAINAGE PLAN	C-4
EROSION & SEDIMENT CONTROL PLAN	C-5
SITE WATER, SEWER, GAS & SECONDARY ELECTRIC SERVICE PLAN	C-6
SITE CONSTRUCTION DETAILS	C-7
SITE PLAN - LIGHTING	ED.1
SITE PLAN - PHOTOMETRICS	ED.1A
EXTERIOR ELEVATIONS	A-1
SITE SCREENING AND DAMPSTER DETAILS	A-2
ROOF PLAN	A-3
TREE PROTECTION/REMOVAL PLAN	TP-1

BUILDING SUMMARY:

BUILDING AREA (S.F.):	7,540
NUMBER OF STORIES:	1
CONSTRUCTION TYPE:	I-B
OCCUPANCY TYPE:	BUSINESS
ONE-HOUR PROTECTED:	YES
BUILDING SPRINKLER:	NO

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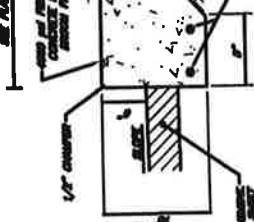
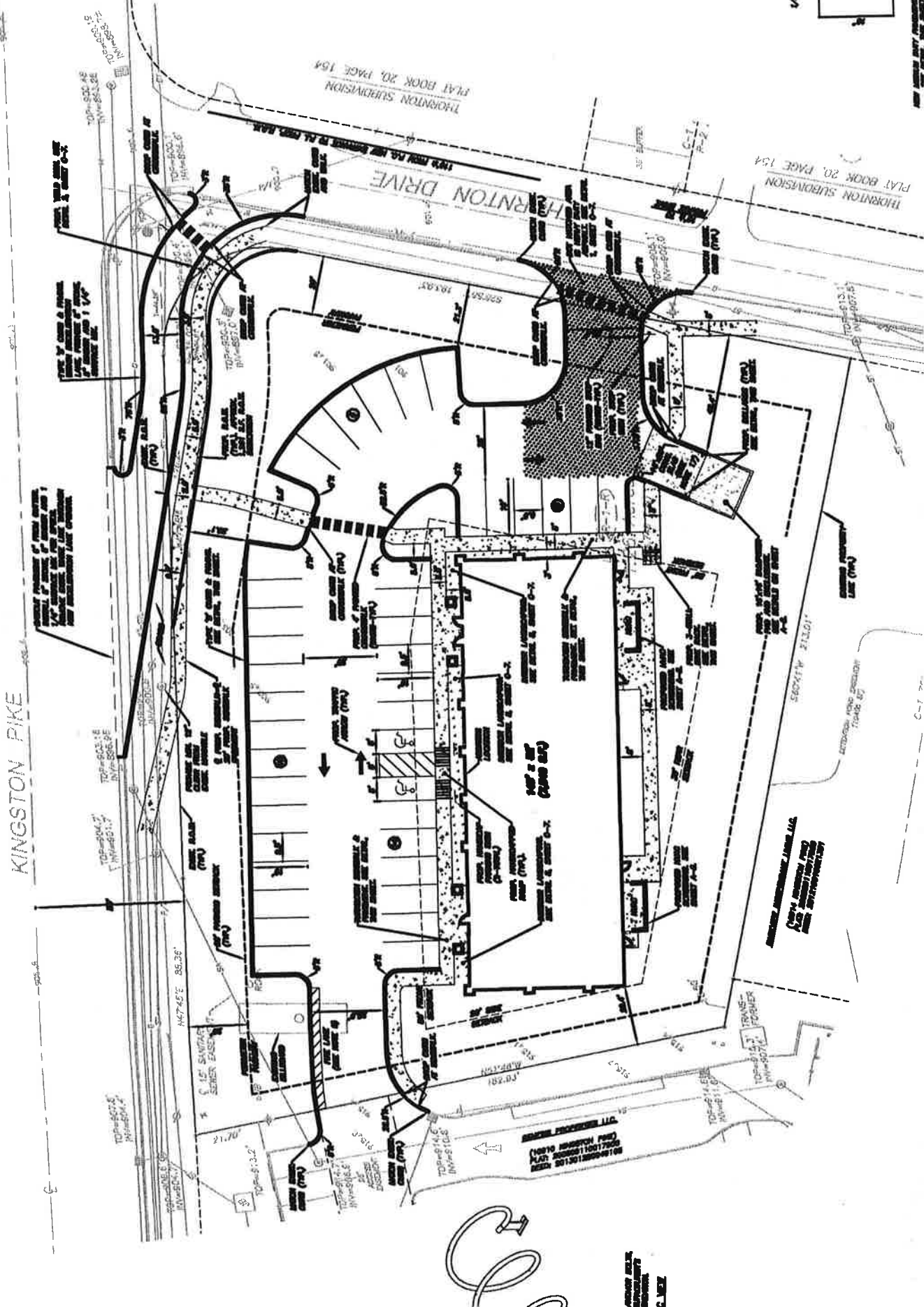
MAY 3 2013

TOWN OF FARRAGUT

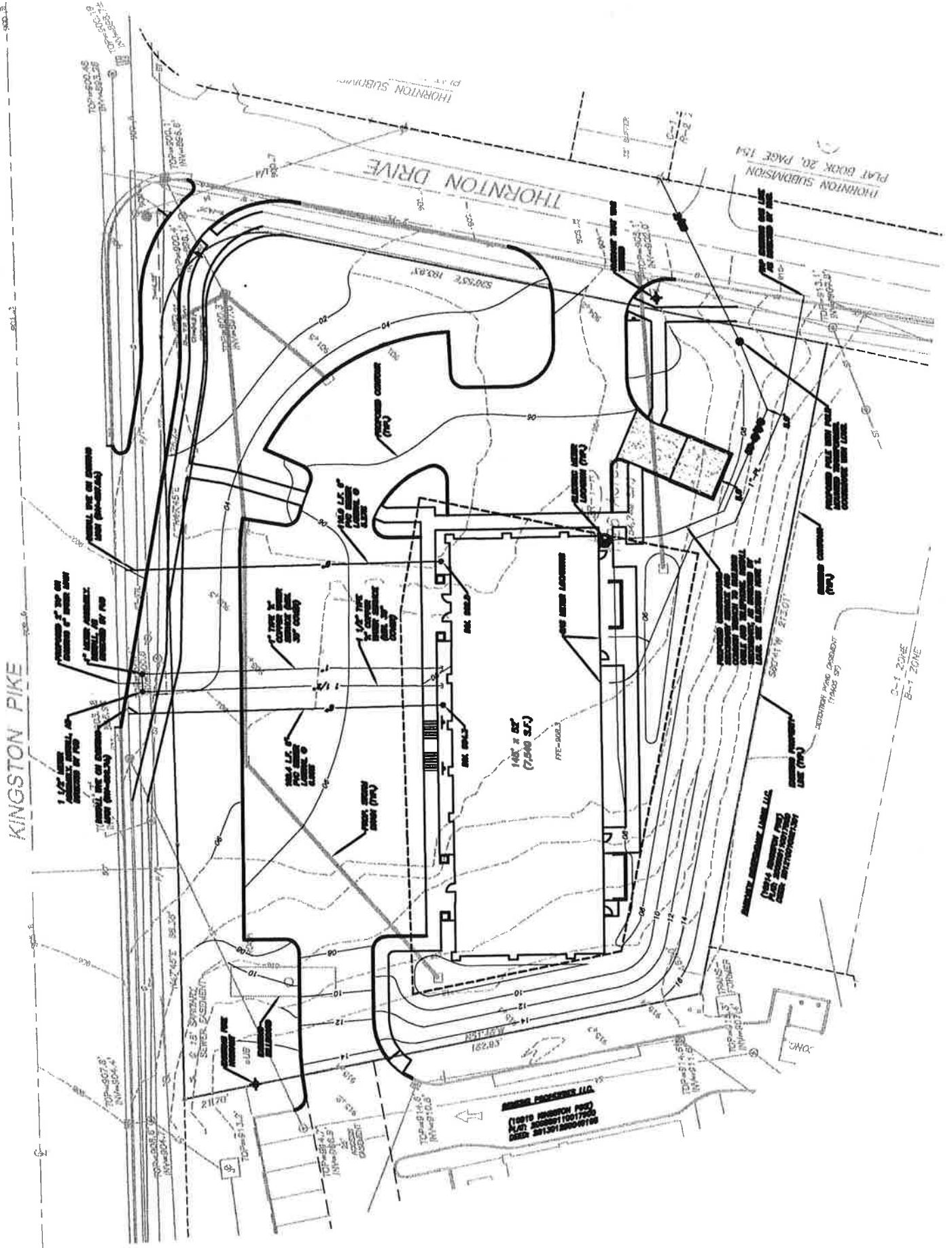
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NOTES:
 1. PROPERTY OF
 2. THE STATE
 3. THE COUNTY
 4. THE CITY
 5. THE TOWNSHIP
 6. THE VILLAGE
 7. THE WARD
 8. THE DISTRICT
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KINGSTON PIKE



C. MEYER
 C. MEYER
 C. MEYER



BREWER
INGRAM
FULLER
Architects Inc.

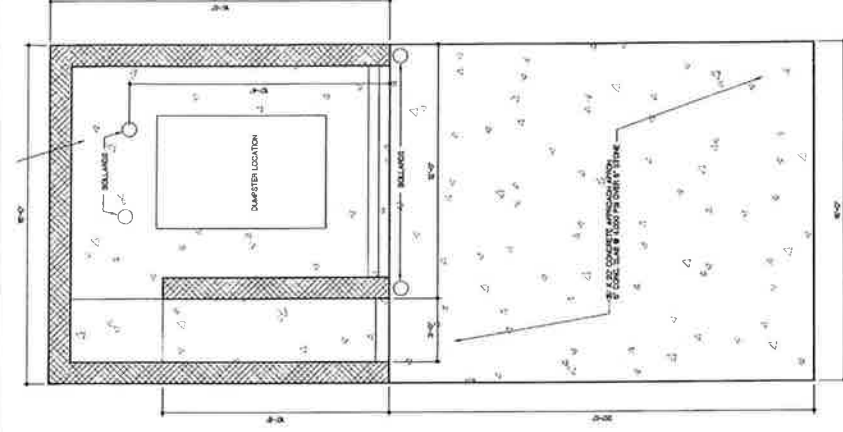
THORNTON
PROFESSIONAL
BUILDING

SHEET 12 OF 14
SITE SCREENING +
DUMPSTER DETAILS

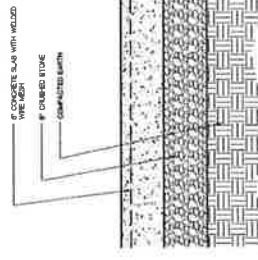


FOR REVIEW ONLY
PROJECT NUMBER 100

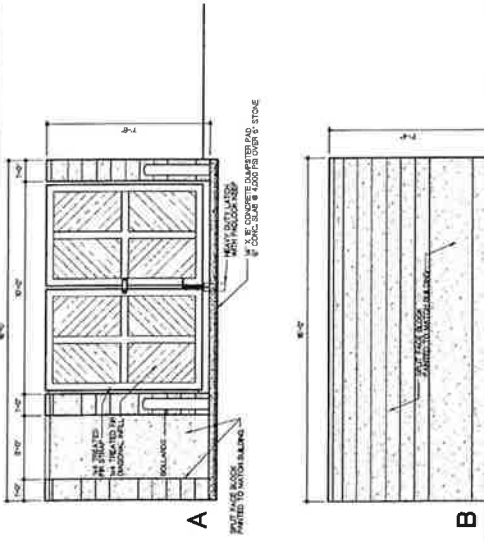
A-2



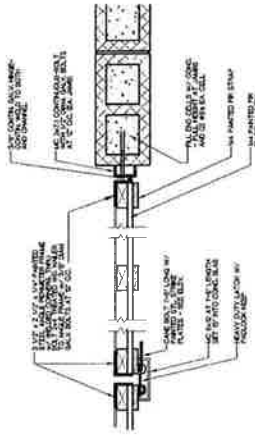
4 DUMPSTER ENCLOSURE PLAN
A-2 3/8\"/>



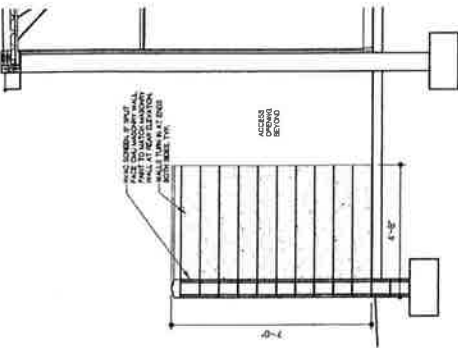
5 SECTION AT CONC. PAD
A-2 1/4\"/>



2 DUMPSTER ELEVATIONS
A-2 3/8\"/>



3 DUMPSTER GATE DETAIL
A-2 1/4\"/>



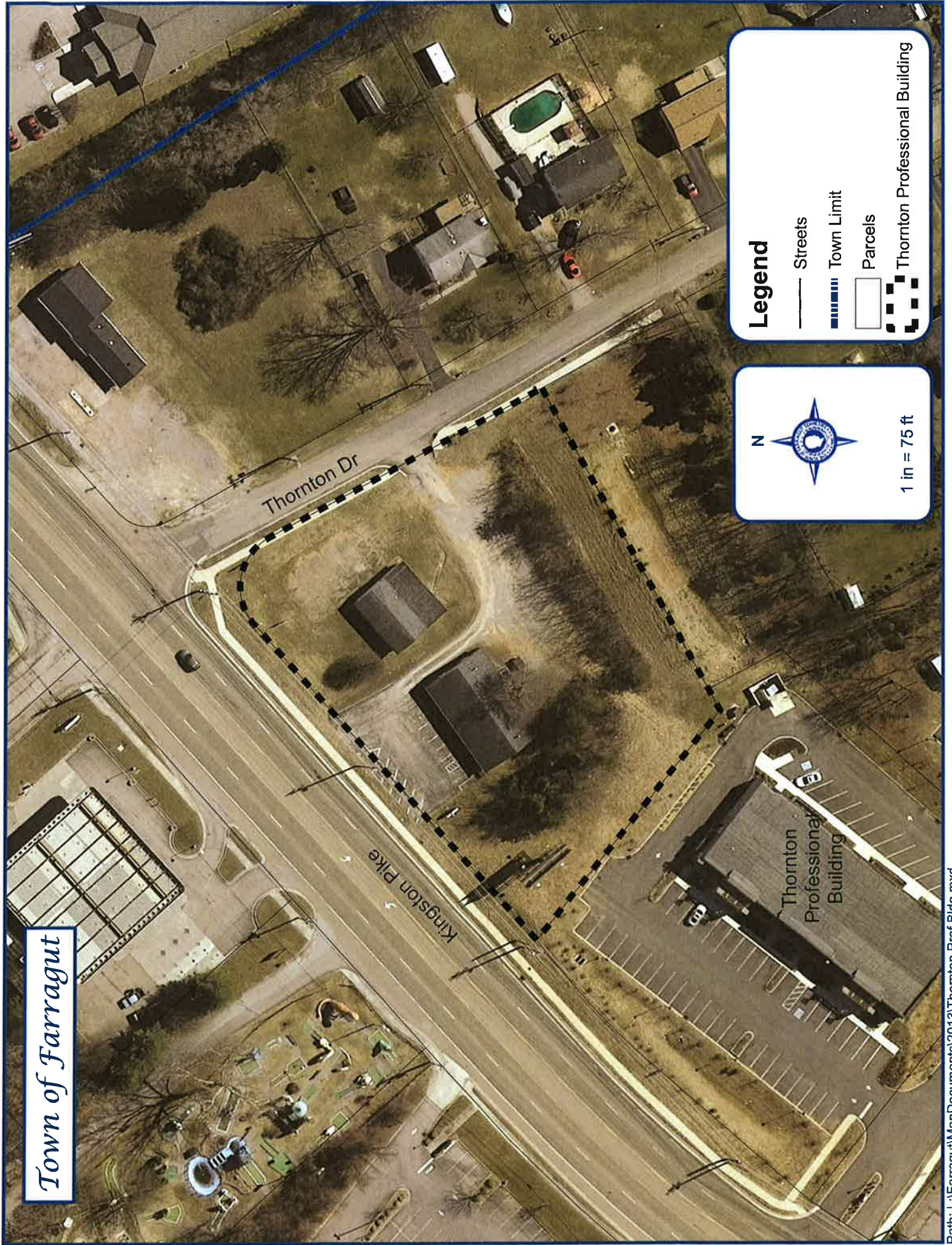
1 SITE SCREEN DETAIL
A-2 1/4\"/>

RECEIVED

MAY 3 2013

TOWN OF FARRAGUT

Town of Farragut



1 in = 75 ft

Legend

- Streets
- Town Limit
- Parcels
- Thornton Professional Building

Dr. Ralph McGill, *Mayor*
Mary Dorothy LaMarche, *Vice-Mayor*
David Smoak, *Town Administrator*
Allison M. Myers, *Town Recorder*



Jeff Elliott, *Alderman*
Ron Honken, *Alderman*
Robert N. Markli, *Alderman*

April 26, 2013

Mr. Jay McBride
T.J. Development & Management
P.O. Box 50215
Knoxville, TN 37950
Fax # 584-6230

SUBJECT: Staff comments on site plan for Thornton Professional Building, 10904 Ingston Pike, Farragut

Dear Jay,

The Town staff has reviewed the above referenced site plan for compliance with the Town's regulations. Please address the following items and submit five (5) complete sets of 24" x 36" revised plans and one 8 ½" x 11" reduced set to the Farragut Town Hall by **Monday, May 6, 9:00 a.m.** If plans are not resubmitted by the deadline or the items are not adequately addressed, this item will not be placed on the planning commission agenda. Also, upon resubmittal please include a letter which addresses these comments and that indicates where the information can be found on the plans.

Please remember this item will be discussed at the Staff/Developer Meeting at the Farragut Town Hall on Tuesday, April 30, from 9:00 - 9:30 a.m. The purpose of this meeting is to discuss questions you may have on staff comments. Modifications to the plans are not due until Monday, May 6.

Fire Division: (Contact Dan Johnson at 675-2384)

1. Please clarify the location of the fire hydrant on the Kingston Pike side of the site;

Planning Division: (Contact Ruth Viergutz Hawk at 966-7057)

2. Submit a certified address verification from the Addressing Division of the Knoxville/Knox County Metropolitan Planning Commission;
3. First Utility District must sign off on the water and sewer (utility) sheet;
4. Label the billboard on all sheets;
5. Clearly show the extent of the billboard face on the site plan;

6. Please consider removing the billboard from the site. Tenants of the Stonecrest Shopping Center have regularly complained to town staff over the years because of the on premise billboard. They feel that passing motorists look at the billboard and do not see their businesses;
7. Show the east side of Thornton Drive - the existing property line, buffer strip, etc.;
8. Indicate the distance the proposed driveway is from the intersection;
9. How do you plan to address the sign for Concord United Methodist Church? Where are you proposing to relocate it?
10. The sign for Thornton Heights subdivision. Per the Sign Ordinance, it is to be located off the right-of-way and inside a sign easement. Has the sign been maintained of late?
11. The Thornton Heights sign needs to be moved so that the sidewalks on both side of the access driveway can line up and so that there is not such a sharp curve in the sidewalk around the sign;
12. Include a diagram verifying the landscaping requirements between the building and parking lots are met;
13. The dumpster enclosure must be set back a minimum of 40' from the right-of-way;
14. The dumpster enclosure must be constructed with the same masonry blocks as the building. Please clarify;
15. Are there three tenant spaces in this building? The parking requirements for a multi-occupancy building is 5/1,000 gross square feet vs. the indicated 1/250 gross square feet;
16. Sheet C-3 - indicate the dimension of both driveway widths (east and west exits);
17. Clearly show the existing and proposed front property lines;
18. The new front property line must be located as such to accommodate the sidewalk and required setbacks. Maintain the 20' front perimeter parkway;
19. Indicate drop curb at all sidewalk connections with pavement;
20. Pedestrian connection required to west;
21. Sheet C-4, Note #1 - provide detail and specifications;
22. The detention basin and all associated structures must be set back a minimum of 10' from the front property line;
23. All utilities must be undergrounded. Do not add a new utility pole and above ground utilities across Thornton Drive;
24. Show where the transformer will be located;
25. Add a note stating that no antennas will be added to this site/building;
26. Sheet C-6 - what is WYE?
27. Label water and sewer;
28. Sheet C-7- indicate the Town of Farragut vs. City of Knoxville;
29. Submit details for all proposed light fixtures and label such details as "A", "B", and "C";
30. The detail of the light submitted does not match the pole detail of the light. Is that detail the proposed pole light?
31. Please re-check the footcandle values. The numbers are quite low, even under the lights;

32. Building elevations - what color is Stonehenge Greige?
33. What kind of masonry block is proposed?
34. The HVAC screening must be architecturally compatible with the building. The screening must be constructed of same materials as the building;
35. Color schedule - indicate where each of these colors are located on the building;
36. Prior to the issuance of any Certificate of Occupancy, a resubdivision plat must be approved and recorded;
37. Prior to the issuance of any Certificate of Occupancy, please submit a pdf of the finalized stamped approved site plans;

Tree Preservation/Removal Plan/Landscape Plan: (Contact Mark Shipley at 966-7057)

38. Garbage dumpsters must be at least forty (40) feet from the nearest point of any right of way. You have eleven more parking spaces than required so there should be some options on moving the dumpster to comply with required setbacks;
39. Please consider permeable pavers for the extra parking spaces that are being proposed for this project;
40. Are there any opportunities for adding a rain garden, rainwater harvesting, or other low impact development stormwater related measures;
41. The 2.5:1 slopes proposed must be a matted, plugged, or sodded grass cover (non-exotic invasive) that doesn't require mowing. If applied in warm weather, a mix of primarily Buffalo grass might be an option. This should be specified on the plans;
42. Please include tree protection fencing around the two trees to be saved and include a detail of the tree protection fencing. The fencing is to be orange and five feet high, mounted to metal t-posts that are spaced not more than 6 feet apart;
43. On the "Trees Saved" table please show the two trees to be saved as "# To Be Saved";
44. Please outline the proposed limits of disturbance on the tree protection plan;
45. A landscape plan must be submitted to and approved by the Visual Resources Review Board prior to the issuance of a grading permit;
46. A two year maintenance Letter of Credit from a local lending institution will be required for the landscaping prior to the issuance of a Certificate of Occupancy;

Engineering Division: (Contact Darryl Smith at 966-7057)

47. Earlier development of adjacent properties "over-detained" in order to cover development of this parcel. This is documented by the designer;
48. Is gas to be provided?
49. Show distance to driveways on Thornton Drive (both sides);
50. Submit letter of credit for erosion control of \$7500;
51. Submit Drainage Fee of \$565; and
52. Submit NOC.

Mr. Jay McBride

4/26/13

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Please call the designated staff person if you have any questions on the above items. Unless specified otherwise, please include all requested information on the plans. You may note that there are some duplicate comments. This is done so that if you have a question, you know that you can call either person regarding that particular issue. Please note that due to the nature and extent of the comments, additional comments may be generated upon resubmission. Also, a foundation survey will be required for the building within ten (10) working days of the footer inspection. An as-built survey of the site is required to verify the setbacks of the parking lot and all other improvements. Once approved, such as-built will need to be submitted in a pdf format. A certification on the lighting will also be required before the issuance of a Certificate of Occupancy.

Sincerely,



Ruth Viergutz Hawk, AICP

Community Development Director



Darryl W. Smith, P.E.

Town Engineer

attachments - Grading Permit Checklist [mailed copy only]
Certificate of Occupancy Checklist [mailed copy only]

pc: Chris Sharp (Urban Engineering, Inc., e-mail)

MEETING DATE: May 16, 2013

REPORT TO THE FARRAGUT MUNICIPAL PLANNING COMMISSION

PREPARED BY: Ruth Viergutz Hawk, Community Development Director

SUBJECT: Discussion of a request for abandonment of right-of-way of old Snyder Road right-of-way at N. Campbell Station Road, located between Parcels 122 & 123.02, Tax map 130, Farragut Municipal Code, Title 16, Chapter 3. Road Closing or Terminating Policy (Eddie Kherani/Marathon Gas Station, Applicant)

INTRODUCTION: The Snyder Road/Outlet Drive road project was completed in December 2012. As part of this roadway construction project, a portion of Snyder Road was moved north so as to connect it with Outlet Drive to the east and with Snyder Road to the west. As a result of this realignment, the portion of old Snyder Road immediately adjacent to the marathon Gas Station has been closed to traffic.

DISCUSSION: The request before you is for the abandoned right-of-way to be given to the adjacent property owner, Eddie Kherani, the owner of the Marathon Gas Station. Per the Farragut Municipal Code, such requests are to start with the planning commission. The commission in turn makes a recommendation on the request to the Board of Mayor and Aldermen.

The commission has acted on requests such as this in the past. You may recall that recently the planning commission recommended to the Board of Mayor and Aldermen that the Herron Road right-of-way north of I-40/75 be quit claim deeded to the adjacent property, Buddy Gregg Motor Homes. As part of the abandonment process, the Herron Road right-of-way was to be used as a land swap for the right-of-way for the Snyder Road/Outlet Drive connector and the property owner was required to prepare and record a plat incorporating the right-of-way into their tract.

Staff feels this request is premature and that nothing should be done at this time. Since the road project was just recently completed, we are uncertain of future needs of the area. For example, the right-of-way could possibly be used as some type of pedestrian connection in the future.

Attached please find a copy of the letter of request, an aerial photo of the general area, and a zoomed in aerial photo of the now closed Snyder Road.

RECOMMENDATION BY: For discussion purposes only.

AZIZ A. KHERANI
644 BLUE HERRON ROAD
KNOXVILLE, TN 37934
865-388-5431.



March 25, 2013

Ms. Ruth Hawk

Town of Farragut

**Plans Review
11408 Municipal Center Drive**

Farragut, TN 37934

Project: Marathon Gas Station, Campbell Station Road

Re: Abandoned Right of Way

Ruth: Per our discussion, the extension of Outlet Drive and abandonment of Snyder Road has created a parcel of property that is currently owned by the Town of Farragut.

As the Owner of the *Marathon Oil* property, I am interested in the entire abandoned property as it has been brought to me that the property owner to the north has declined the option on their portion of the parcel.

Based on this information and a subsequent conversation with R2R studio, llc., it is my understanding that the Town of Farragut would entertain the possibility of transferring the property's ownership to me without monetary compensation to the Town. If this direction is amenable with the Town of Farragut, then I would be interested. If monetary exchange is deemed necessary for the property then I would not be interested.

Upon your review, please do not hesitate contact me if the Town of Farragut has further questions of me.

Respectfully submitted,


Aziz Kherani (Eddie)
865-388-5431.

Town of Farragut

New Snyder Road

McCannell Station Road

Old Snyder Road



1 in = 150 ft

Legend

Town Limit

Streets

Parcels

Town of Farragut

New Snyder Road

Old Snyder Road

N Campbell Station Road

Legend

Town Limit

Streets

Parcels



1 in = 75 ft

MEETING DATE: May 16, 2013

REPORT TO THE FARRAGUT MUNICIPAL PLANNING COMMISSION

PREPARED BY: Ruth Viergutz Hawk, Community Development Director

SUBJECT: Discussion and public hearing on an amendment to the Farragut Zoning Ordinance, Chapter 4., Section VIII. Farragut Municipal Flood Damage Prevention Regulations, to adopt the latest flood study of Turkey Creek and North Fork Turkey Creek and to update regulations accordingly

INTRODUCTION: This amendment is needed in order to adopt the latest flood study of Turkey Creek and North Fork Turkey Creek and so that the town will remain compliant with the National Flood Insurance program.

DISCUSSION: The National Flood Insurance Program (NFIP) in Tennessee works closely with private insurance companies to offer flood insurance to property owners and renters. In order to qualify for flood insurance, a community must join the NFIP and agree to enforce sound floodplain management standards.

The National Flood Insurance Program (NFIP) is a federal program created in 1968 that allows citizens in participating communities to purchase insurance coverage for potential property damage as a result of flooding. This voluntary program for local communities is administered by the Mitigation Division of the Federal Emergency Management Agency (FEMA). The three components of the NFIP are:

- Flood Insurance
- Floodplain Management
- Flood Hazard Mapping

In return for a local community adopting and enforcing local floodplain management regulations, flood insurance is available in the community. Of all natural disasters, flooding is historically responsible for the most loss of life and the greatest damage to property in the state. This loss of life and property damage, however, is also the most preventable.

As part of the floodplain management aspect of the regulations, the NFIP requires that buildings be constructed a minimum of one (1) foot above the Base Flood Elevation (BFE). Currently the town requires the Minimum Floor Elevation (MFE) to be a minimum of three (3) feet above the BFE. The difference between the BFE and the MFE is called "freeboard". Freeboard means a factor of safety. It compensates for the many unknown factors that could contribute to flood heights greater than the

height calculated for a selected size flood and floodway conditions, such as blockage of bridge or culvert openings, the hydrological effect of urbanization of the watershed, or a greater flood size.

Staff is recommending that the minimum freeboard be increased from three (3) feet to four (4) feet. In the restudy of Turkey Creek and North Fork Turkey Creek, the BFE increase ranged from two (2) to four (4) feet. This means that properties that were constructed in compliance with the town's regulations and per the previous flood study may now be considered at risk for flooding. The city of Nashville, for example, adopted a minimum four (4) foot freeboard prior to the flood of 2010.

The Biggert Waters Flood Insurance Reform Act of 2012 requires the Federal Emergency Management Agency (FEMA) and other agencies to make a number of changes to the way the NFIP is run. Key provisions of the legislation will require the NFIP to raise rates to reflect true flood risk. This means that insurance subsidies for at risk properties are being eliminated. This change not only affects properties that were knowingly constructed below the BFE, but also properties that are newly identified as being at risk because of newly completed flood studies.

An example in Farragut is the Pinnacle Bank located on the northeast corner of Brooklawn Street and S. Campbell Station Road. The bank was constructed three (3) feet above the BFE. Staff met with the FEMA consultant in January 2011 to review the new flood study. At that time we were informed of the increased BFE for North Fork Turkey Creek and Turkey Creek. To say the least, we were surprised. During the storm of February 2011, however, the water rose just shy of the lowest floor elevation of the bank.

The recommended increase from a three (3) foot to a four (4) foot freeboard is the most significant change in the proposed new ordinance. The majority of the changes to the ordinance are fairly minor, but these changes keep us compliant with the NFIP. An example of such a change is the elimination of the word "permanent" from the definition of "DEVELOPMENT". Currently "DEVELOPMENT" is defined as:

Any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations, or permanent storage of equipment or materials.

Attached please find a copy of Resolution PC-13-05 and Ordinance 13-18. Also attached please find a copy of the legend, the cover, and a map section of one of the panel maps.

RECOMMENDATION BY: Staff recommends approval of Resolution PC-13-05, which recommends approval of Ordinance 13-18 and the Zoning Ordinance text amendment to the Board of Mayor and Aldermen.

PROPOSED MOTION: Move to approve Resolution PC-13-05.

RESOLUTION PC-13-05

FARRAGUT MUNICIPAL PLANNING COMMISSION

A RESOLUTION TO APPROVE AN AMENDMENT TO 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 4, SECTION VIII. FARRAGUT MUNICIPAL FLOOD DAMAGE PREVENTION REGULATIONS, TO ADOPT THE MODEL FLOODPLAIN ORDINANCE AND NEW MAPS

WHEREAS, the Tennessee Code Annotated, Section 13-4-201 et seq, provides that the Municipal Planning Commission shall make and adopt a general plan for the physical development of the municipality; and

WHEREAS, the Farragut Municipal Planning Commission has adopted various elements of a zoning plan as an element of the general plan for physical development; and

WHEREAS, a public hearing was held on this request on May 16, 2013;

NOW, THEREFORE, BE IT RESOLVED that the Farragut Municipal Planning Commission hereby recommends approval to the Farragut Board of Mayor and Aldermen of an ordinance, amending Ordinance 86-16, of the Farragut Zoning Ordinance, by adding Ordinance 13-18.

ADOPTED this 16th day of May, 2013.

Rita Holladay, Chairman

Edwin K. Whiting, Secretary

ORDINANCE:	13-18
PREPARED BY:	Hawk
REQUESTED BY:	Staff
CERTIFIED BY FMPC:	May 16, 2013
PUBLIC HEARING:	_____
PUBLISHED IN:	_____
DATE:	_____
1ST READING:	_____
2ND READING:	_____
PUBLISHED IN:	_____
DATE:	_____

AN ORDINANCE TO AMEND THE TEXT AND MAP OF THE ZONING ORDINANCE OF THE TOWN OF FARRAGUT, TENNESSEE, ORDINANCE 86-16, AS AMENDED, BY AMENDING CHAPTER 4, SECTION VIII. FARRAGUT MUNICIPAL FLOOD DAMAGE PREVENTION REGULATIONS, TO UPDATE THE REGULATIONS PER MODIFICATIONS REQUIRED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, 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 4., Section VIII. Farragut Municipal Flood Damage Prevention Regulations, is amended by deleting it in its entirety and substituting in lieu thereof the following:

VIII. FARRAGUT MUNICIPAL FLOOD DAMAGE PREVENTION REGULATIONS

A. Statutory authorization, findings of fact, purpose and objectives

1. Statutory Authorization

The Legislature of the State of Tennessee has in Sections 13-7-201 through 13-7-210, Tennessee Code Annotated delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the Town of Farragut, Tennessee, Board of Mayor and Aldermen, do ordain as follows:

ORDINANCE 13-18

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2. Findings of Fact

- a. The Town of Farragut, Tennessee, and the Board of Mayor and Aldermen wishes to maintain eligibility in the National Flood Insurance Program (NFIP) and in order to do so must meet the NFIP regulations found in Title 44 of the Code of Federal Regulations (CFR), Ch. 1, Section 60.3.
- b. Areas of the Town of Farragut, Tennessee are subject to periodic inundation which could result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.
- c. Flood losses are caused by the cumulative effect of obstructions in floodplains, causing increases in flood heights and velocities; by uses in flood hazard areas which are vulnerable to floods; or construction which is inadequately elevated, floodproofed, or otherwise unprotected from flood damages.

3. Statement of Purpose

It is the purpose of this ordinance to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas. This ordinance is designed to:

- a. Restrict or prohibit uses which are vulnerable to flooding or erosion hazards, or which result in damaging increases in erosion, flood heights, or velocities;
- b. Require that uses vulnerable to floods, including community facilities, be protected against flood damage at the time of initial construction;
- c. Control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of floodwaters;
- d. Control filling, grading, dredging and other development which may increase flood damage or erosion;

ORDINANCE 13-18

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- e. Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

4. Objectives

The objectives of this ordinance are:

- a. To protect human life, health, safety and property;
- b. To minimize expenditure of public funds for costly flood control projects;
- c. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- d. To minimize prolonged business interruptions;
- e. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodprone areas;
- f. To help maintain a stable tax base by providing for the sound use and development of floodprone areas to minimize blight in flood areas;
- g. To ensure that potential home buyers are notified that property is in a floodprone area;
- h. To maintain eligibility for participation in the NFIP.

B. Definitions

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted as to give them the meaning they have in common usage and to give this ordinance its most reasonable application given its stated purpose and objectives.

ACCESSORY STRUCTURE means a subordinate structure to the principal structure on the same lot and, for the purpose of this ordinance, shall conform to the following:

- 1. Accessory structures shall only be used for parking of vehicles and storage.

ORDINANCE 13-18

Page 4

2. Accessory structures shall be designed to have low flood damage potential.
3. Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters.
4. Accessory structures shall be firmly anchored to prevent flotation, collapse, and lateral movement, which otherwise may result in damage to other structures.
5. Utilities and service facilities such as electrical and heating equipment shall be elevated or otherwise protected from intrusion of floodwaters.

ADDITION (TO AN EXISTING BUILDING) means any walled and roofed expansion to the perimeter or height of a building.

APPEAL means a request for a review of the local enforcement officer's interpretation of any provision of this Ordinance or a request for a variance.

AREA OF SHALLOW FLOODING means a designated AO or AH Zone on a community's Flood Insurance Rate Map (FIRM) with one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate; and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

AREA OF SPECIAL FLOOD-RELATED EROSION HAZARD is the land within a community which is most likely to be subject to severe flood-related erosion losses. The area may be designated as Zone E on the Flood Hazard Boundary Map (FHBM). After the detailed evaluation of the special flood-related erosion hazard area in preparation for publication of the FIRM, Zone E may be further refined.

AREA OF SPECIAL FLOOD HAZARD see SPECIAL FLOOD HAZARD AREA.

BASE FLOOD means the flood having a one percent chance of being equaled or exceeded in any given year. This term is also referred to as the 100-year flood or the one (1)-percent annual chance flood.

BASEMENT means any portion of a building having its floor subgrade (below ground level) on all sides.

BUILDING see STRUCTURE.

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DEVELOPMENT means any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations, or storage of equipment or materials.

ELEVATED BUILDING means a non-basement building built to have the lowest floor of the lowest enclosed area elevated above the ground level by means of solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of floodwater, pilings, columns, piers, or shear walls adequately anchored so as not to impair the structural integrity of the building during a base flood event.

EMERGENCY FLOOD INSURANCE PROGRAM or EMERGENCY PROGRAM means the program as implemented on an emergency basis in accordance with Section 1336 of the Act. It is intended as a program to provide a first layer amount of insurance on all insurable structures before the effective date of the initial FIRM.

EROSION means the process of the gradual wearing away of land masses. This peril is not “per se” covered under the Program.

EXCEPTION means a waiver from the provisions of this ordinance which relieves the applicant from the requirements of a rule, regulation, order or other determination made or issued pursuant to this ordinance.

EXISTING CONSTRUCTION means any structure for which the "start of construction" commenced before the effective date of the initial floodplain management code or ordinance adopted by the community as a basis for that community's participation in the NFIP.

EXISTING MANUFACTURED HOME PARK OR SUBDIVISION means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, final site grading or the pouring of concrete pads) is completed before the effective date of the first floodplain management code or ordinance adopted by the community as a basis for that community's participation in the NFIP.

EXISTING STRUCTURES see EXISTING CONSTRUCTION.

EXPANSION TO AN EXISTING MANUFACTURED HOME PARK OR SUBDIVISION means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

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FLOOD OR FLOODING means a general and temporary condition of partial or complete inundation of normally dry land areas from:

1. The overflow of inland or tidal waters.
2. The unusual and rapid accumulation or runoff of surface waters from any source.

FLOOD ELEVATION DETERMINATION means a determination by the Federal Emergency Management Agency (FEMA) of the water surface elevations of the base flood, that is, the flood level that has a one percent or greater chance of occurrence in any given year.

FLOOD ELEVATION STUDY means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) or flood-related erosion hazards.

FLOOD HAZARD BOUNDARY MAP (FHBM) means an official map of a community, issued by FEMA, where the boundaries of areas of special flood hazard have been designated as Zone A.

FLOOD INSURANCE RATE MAP (FIRM) means an official map of a community, issued by FEMA, delineating the areas of special flood hazard or the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY is the official report provided by FEMA, evaluating flood hazards and containing flood profiles and water surface elevation of the base flood.

FLOODPLAIN OR FLOODPRONE AREA means any land area susceptible to being inundated by water from any source (see definition of "flooding").

FLOODPLAIN MANAGEMENT means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.

FLOOD PROTECTION SYSTEM means those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the area within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs,

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levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

FLOODPROOFING means any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities and structures and their contents.

FLOOD-RELATED EROSION means the collapse or subsidence of land along the shore of a lake or other body of water as a result of undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as a flash flood, or by some similarly unusual and unforeseeable event which results in flooding.

FLOOD-RELATED EROSION AREA OR FLOOD-RELATED EROSION PRONE AREA means a land area adjoining the shore of a lake or other body of water, which due to the composition of the shoreline or bank and high water levels or wind-driven currents, is likely to suffer flood-related erosion damage.

FLOOD-RELATED EROSION AREA MANAGEMENT means the operation of an overall program of corrective and preventive measures for reducing flood-related erosion damage, including but not limited to emergency preparedness plans, flood-related erosion control works and floodplain management regulations.

FLOODWAY means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

FREEBOARD means a factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, blockage of bridge or culvert openings, and the hydrological effect of urbanization of the watershed.

FUNCTIONALLY DEPENDENT USE means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

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HIGHEST ADJACENT GRADE means the highest natural elevation of the ground surface, prior to construction, adjacent to the proposed walls of a structure.

HISTORIC STRUCTURE means any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
3. Individually listed on the Tennessee inventory of historic places and determined as eligible by states with historic preservation programs which have been approved by the Secretary of the Interior; or
4. Individually listed on the Town of Farragut, Tennessee inventory of historic places and determined as eligible by communities with historic preservation programs that have been certified either:
 - a. By the approved Tennessee program as determined by the Secretary of the Interior or
 - b. Directly by the Secretary of the Interior.

LEVEE means a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control or divert the flow of water so as to provide protection from temporary flooding.

LEVEE SYSTEM means a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

LOWEST FLOOR means the lowest floor of the lowest enclosed area, including a basement. An unfinished or flood resistant enclosure used solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance.

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MANUFACTURED HOME means a structure, transportable in one or more sections, which is built on a permanent chassis and designed for use with or without a permanent foundation when attached to the required utilities. The term "Manufactured Home" does not include a "Recreational Vehicle".

MANUFACTURED HOME PARK OR SUBDIVISION means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

MAP means the Flood Hazard Boundary Map (FHBM) or the Flood Insurance Rate Map (FIRM) for a community issued by FEMA.

MEAN SEA LEVEL means the average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. For the purposes of this Ordinance, the term is synonymous with the National Geodetic Vertical Datum (NGVD) of 1929, the North American Vertical Datum (NAVD) of 1988, or other datum, to which Base Flood Elevations shown on a community's Flood Insurance Rate Map are referenced.

NATIONAL GEODETIC VERTICAL DATUM (NGVD) means, as corrected in 1929, a vertical control used as a reference for establishing varying elevations within the floodplain.

NEW CONSTRUCTION means any structure for which the "start of construction" commenced on or after the effective date of the initial floodplain management Ordinance and includes any subsequent improvements to such structure.

NEW MANUFACTURED HOME PARK OR SUBDIVISION means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of this ordinance or the effective date of the initial floodplain management ordinance and includes any subsequent improvements to such structure.

NORTH AMERICAN VERTICAL DATUM (NAVD) means, as corrected in 1988, a vertical control used as a reference for establishing varying elevations within the floodplain.

100-YEAR FLOOD see BASE FLOOD.

PERSON includes any individual or group of individuals, corporation, partnership, association, or any other entity, including State and local governments and agencies.

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REASONABLE SAFE FROM FLOODING means base flood waters will not inundate the land or damage structures to be removed from the Special Flood Hazard Area and that any subsurface waters related to the base flood will not damage existing or proposed structures.

RECREATIONAL VEHICLE means a vehicle which is:

1. Built on a single chassis;
2. 400 square feet or less when measured at the largest horizontal projection;
3. Designed to be self-propelled or permanently towable by a light duty truck;
4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

REGULATORY FLOODWAY means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

RIVERINE means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

SPECIAL FLOOD HAZARD AREA is the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. The area may be designated as Zone A on the FHBM. After detailed ratemaking has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zones A, AO, AH, A1-30, AE or A99.

SPECIAL HAZARD AREA means an area having special flood, mudslide (i.e., mudflow) and/or flood-related erosion hazards, and shown on an FHBM or FIRM as Zone A, AO, A1-30, AE, A99, or AH.

START OF CONSTRUCTION includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; and includes the placement of a manufactured home on a foundation. Permanent construction does not include initial land preparation, such as

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clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds, not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

STATE COORDINATING AGENCY, the Tennessee Department of Economic and Community Development, as designated by the Governor of the State of Tennessee at the request of FEMA to assist in the implementation of the NFIP for the State.

STRUCTURE for purposes of this ordinance, means a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

SUBSTANTIAL DAMAGE means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty percent (50%) of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT means any reconstruction, rehabilitation, addition, alteration or other improvement of a structure in which the cost equals or exceeds fifty percent (50%) of the market value of the structure before the "start of construction" of the initial improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The market value of the structure should be (1) the appraised value of the structure prior to the start of the initial improvement, or (2) in the case of substantial damage, the value of the structure prior to the damage occurring.

The term does not, however, include either: (1) Any project for improvement of a structure to correct existing violations of State or local health, sanitary, or safety code specifications which have been pre-identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions and not solely triggered by an improvement or repair project or; (2) Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".

SUBSTANTIALLY IMPROVED EXISTING MANUFACTURED HOME PARKS OR SUBDIVISIONS is where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds fifty percent (50%) of the value of the streets, utilities and pads before the repair, reconstruction or improvement commenced.

VARIANCE is a grant of relief from the requirements of this ordinance.

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VIOLATION means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certification, or other evidence of compliance required in this ordinance is presumed to be in violation until such time as that documentation is provided.

WATER SURFACE ELEVATION means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, the North American Vertical Datum (NAVD) of 1988, or other datum, where specified, of floods of various magnitudes and frequencies in the floodplains of riverine areas.

C. General Provisions

1. Application

This ordinance shall apply to all areas within the incorporated area of the Town of Farragut, Tennessee.

2. Basis for Establishing the Areas of Special Flood Hazard

The Areas of Special Flood Hazard identified on the Town of Farragut, Tennessee, as identified by FEMA, and in its Flood Insurance Study (FIS) and Flood Insurance Rate Map (FIRM), Community Panel Number(s) 47093C - 0238F, 0239F, 0352F, 0356F, and 0360F dated, May 2, 2007, and Community Panel Number(s) 47093C - 0241G, 0242G, 0243G, 0244G, and 0357G, Dated August 5, 2013, along with all supporting technical data, are adopted by reference and declared to be a part of this ordinance.

3. Requirement for Development Permit

A development permit shall be required in conformity with this ordinance prior to the commencement of any development activities.

4. Compliance

No land, structure or use shall hereafter be located, extended, converted or structurally altered without full compliance with the terms of this ordinance and other applicable regulations.

5. Abrogation and Greater Restrictions

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants or deed restrictions. However, where this ordinance conflicts or overlaps with another regulatory instrument, whichever imposes the more stringent restrictions shall prevail.

6. Interpretation

In the interpretation and application of this ordinance, all provisions shall be: (1) considered as minimum requirements; (2) liberally construed in favor of the governing body and; (3) deemed neither to limit nor repeal any other powers granted under Tennessee statutes.

7. Warning and Disclaimer of Liability

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the Areas of Special Flood Hazard or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the Town of Farragut, Tennessee or by any officer or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made hereunder.

8. Penalties for Violation

Violation of the provisions of this ordinance or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance shall constitute a misdemeanor punishable as other misdemeanors as provided by law. Any person who violates this ordinance or fails to comply with any of its requirements shall, upon adjudication therefore, be fined as prescribed by Tennessee statutes, and in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the Town of Farragut, Tennessee from taking such other lawful actions to prevent or remedy any violation.

D. Administration

1. Designation of Ordinance Administrator

The Town Administrator or his/her designee is hereby appointed as the administrator to implement the provisions of this ordinance.

2. Permit Procedures

Application for a development permit shall be made to the administrator on forms furnished by the community prior to any development activities. The development permit may include, but is not limited to the following: plans in duplicate drawn to scale and showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, earthen fill placement, storage of materials or equipment, and drainage facilities. Specifically, the following information is required:

a. Application stage

- (1) Elevation in relation to mean sea level of the proposed lowest floor, including basement, of all buildings where Base Flood Elevations are available, or to certain height above the highest adjacent grade when applicable under this ordinance.
- (2) Elevation in relation to mean sea level to which any non-residential building will be floodproofed where Base Flood Elevations are available, or to certain height above the highest adjacent grade when applicable under this ordinance.
- (3) A FEMA Floodproofing Certificate from a Tennessee registered professional engineer or architect that the proposed non-residential floodproofed building will meet the floodproofing criteria in this ordinance.
- (4) Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

b. Construction Stage

Within AE Zones, where Base Flood Elevation data is available, any lowest floor certification made relative to mean sea level shall be prepared by or under the direct supervision of, a Tennessee registered land surveyor and certified by same. The administrator shall record the elevation of the lowest floor on the development permit. When floodproofing is utilized for a non-residential building, said certification shall be prepared by, or under the direct supervision of, a Tennessee registered professional engineer or architect and certified by same.

Within approximate A Zones, where Base Flood Elevation data is not available, the elevation of the lowest floor shall be determined as the measurement of the lowest floor of the building relative to the highest adjacent grade. The administrator shall record the elevation of the lowest floor on the development permit. When floodproofing is utilized for a non-residential building, said certification shall be prepared by, or under the direct supervision of, a Tennessee registered professional engineer or architect and certified by same.

For all new construction and substantial improvements, the permit holder shall provide to the administrator an as-built certification of the lowest floor elevation or floodproofing level upon the completion of the lowest floor or floodproofing.

Any work undertaken prior to submission of the certification shall be at the permit holder's risk. The administrator shall review the above-referenced certification data. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further work being allowed to proceed. Failure to submit the certification or failure to

make said corrections required hereby, shall be cause to issue a stop-work order for the project.

3. Duties and Responsibilities of the Administrator

Duties of the administrator shall include, but not be limited to, the following:

- a. Review all development permits to assure that the permit requirements of this ordinance have been satisfied, and that proposed building sites will be reasonably safe from flooding.
- b. Review proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334.
- c. Notify adjacent communities and the Tennessee Department of Economic and Community Development prior to any alteration or relocation of a watercourse and submit evidence of such notification to FEMA.
- d. For any altered or relocated watercourse, submit engineering data/analysis within six (6) months to FEMA to ensure accuracy of community FIRM's through the Letter of Map Revision process.
- e. Assure that the flood carrying capacity within an altered or relocated portion of any watercourse is maintained.
- f. Record the elevation, in relation to mean sea level or the highest adjacent grade, where applicable, of the lowest floor (including basement) of all new and substantially improved buildings, in accordance with this ordinance.
- g. Record the actual elevation, in relation to mean sea level or the highest adjacent grade, where applicable to which the new and substantially improved buildings have been floodproofed, in accordance with this ordinance.
- h. When floodproofing is utilized for a nonresidential structure, obtain certification of design criteria from a Tennessee registered professional engineer or architect, in accordance with this ordinance.
- i. Where interpretation is needed as to the exact location of boundaries of the Areas of Special Flood Hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions), make the necessary interpretation. Any person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this ordinance.
- j. When Base Flood Elevation data and floodway data have not been provided by FEMA, obtain, review, and reasonably utilize any Base Flood

Elevation and floodway data available from a Federal, State, or other sources, including data developed as a result of these regulations, as criteria for requiring that new construction, substantial improvements, or other development in Zone A on the Town of Farragut, Tennessee FIRM meet the requirements of this ordinance.

Within unnumbered A zones, where base flood elevations have not been established and where alternative data is not available, the administrator shall require the lowest floor of a building to be elevated or flood proofed to a level of at least four (4) feet above the highest adjacent grade. All applicable data including elevations or flood proofing certifications shall be recorded as set forth in this ordinance.

- k. Maintain all records pertaining to the provisions of this ordinance in the office of the administrator and shall be open for public inspection. Permits issued under the provisions of this ordinance shall be maintained in a separate file or marked for expedited retrieval within combined files.

E. Provisions for Flood Hazard Reduction

1. General Standards

In all areas of special flood hazard, the following provisions are required:

- a. New construction and substantial improvements shall be anchored to prevent flotation, collapse and lateral movement of the structure;
- b. Manufactured homes shall be installed using methods and practices that minimize flood damage. They must be elevated and anchored to prevent flotation, collapse and lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State of Tennessee and local anchoring requirements for resisting wind forces.
- c. New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage;
- d. New construction and substantial improvements shall be constructed by methods and practices that minimize flood damage;
- e. All electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
- f. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;

- g. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters;
- h. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding;
- i. Any alteration, repair, reconstruction or improvements to a building that is in compliance with the provisions of this ordinance, shall meet the requirements of "new construction" as contained in this ordinance;
- j. Any alteration, repair, reconstruction or improvements to a building that is not in compliance with the provision of this ordinance, shall be undertaken only if said non-conformity is not further extended or replaced;
- k. All new construction and substantial improvement proposals shall provide copies of all necessary Federal and State permits, including Section 404 of the Federal Water Pollution Control Act amendments of 1972, 33 U.S.C. 1334;
- l. All subdivision proposals and other proposed new development proposals shall meet the standards of this ordinance;
- m. When proposed new construction and substantial improvements are partially located in an area of special flood hazard, the entire structure shall meet the standards for new construction;
- n. When proposed new construction and substantial improvements are located in multiple flood hazard risk zones or in a flood hazard risk zone with multiple Base Flood Elevations, the entire structure shall meet the standards for the most hazardous flood hazard risk zone and the highest Base Flood Elevation.

2. Specific Standards

In all Areas of Special Flood Hazard and Other Flood Areas (Zone X), in addition to those set forth above, the following provisions are required:

a. Residential Structures

Where Base Flood Elevation data is available, new construction and substantial improvement of any residential building (or manufactured home) shall have the lowest floor, including basement, elevated to no lower than four (4) feet above the Base Flood Elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of this section: "Enclosures".

Within approximate A Zones where Base Flood Elevations have not been established and where alternative data is not available, the administrator shall require the lowest floor of a building to be elevated to a level of at least four (4) feet above the highest adjacent grade (as defined in this ordinance). Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of this section: "Enclosures"

b. Non-Residential Structures

Where Base Flood Elevation data is available, new construction and substantial improvement of any commercial, industrial, or non-residential building, shall have the lowest floor, including basement, elevated or floodproofed to no lower than four (4) feet above the level of the Base Flood Elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of this section: "Enclosures"

In approximate A Zones, where Base Flood Elevations have not been established and where alternative data is not available, new construction and substantial improvement of any commercial, industrial, or non-residential building, shall have the lowest floor, including basement, elevated or floodproofed to no lower than four (4) feet above the highest adjacent grade (as defined in this ordinance). Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of this section: "Enclosures"

Non-Residential buildings located in all A Zones may be floodproofed, in lieu of being elevated, provided that all areas of the building below the required elevation are watertight, with walls substantially impermeable to the passage of water, and are built with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. A Tennessee registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above, and shall provide such certification to the Administrator as set forth in this ordinance.

c. Enclosures

All new construction and substantial improvements that include fully enclosed areas formed by foundation and other exterior walls below the lowest floor that are subject to flooding, shall be designed to preclude finished living space and designed to allow for the entry and exit of flood waters to automatically equalize hydrostatic flood forces on exterior walls.

- (1) Designs for complying with this requirement must either be certified by a Tennessee professional engineer or architect or meet or exceed the following minimum criteria.
 - (a) Provide a minimum of two openings having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding;
 - (b) The bottom of all openings shall be no higher than one (1) foot above the finished grade;
 - (c) Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwaters in both directions.
- (2) The enclosed area shall be the minimum necessary to allow for parking of vehicles, storage or building access.
- (3) The interior portion of such enclosed area shall not be finished or partitioned into separate rooms in such a way as to impede the movement of floodwaters and all such partitions shall comply with the provisions of this ordinance.

d. Standards for Manufactured Homes and Recreational Vehicles

- (1) All manufactured homes placed, or substantially improved, on: (1) individual lots or parcels, (2) in expansions to existing manufactured home parks or subdivisions, or (3) in new or substantially improved manufactured home parks or subdivisions, must meet all the requirements of new construction.
- (2) All manufactured homes placed or substantially improved in an existing manufactured home park or subdivision must be elevated so that either:
 - (a) Where Base Flood Elevation data is available, the lowest floor of the manufactured home shall be elevated on a permanent foundation to no lower than four (4) feet above the level of the Base Flood Elevation or
 - (b) In approximate A Zones, without Base Flood Elevations, the manufactured home chassis is elevated and supported by reinforced piers (or other foundation elements of at least equivalent strength) that are at least four (4) feet in height above the highest adjacent grade (as defined in this ordinance).
- (3) Any manufactured home, which has incurred “substantial damage” as the result of a flood, must meet the standards of this ordinance.

- (4) All manufactured homes must be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement.
- (5) All recreational vehicles placed in an identified Special Flood Hazard Area must either:
 - (a) Be on the site for fewer than 180 consecutive days;
 - (b) Be fully licensed and ready for highway use (a recreational vehicle is ready for highway use if it is licensed, on its wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached structures or additions); or
 - (c) The recreational vehicle must meet all the requirements for new construction.

e. Standards for Subdivisions and Other Proposed New Development Proposals

Subdivisions and other proposed new developments, including manufactured home parks, shall be reviewed to determine whether such proposals will be reasonably safe from flooding.

- (1) All subdivision and other proposed new development proposals shall be consistent with the need to minimize flood damage.
- (2) All subdivision and other proposed new development proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.
- (3) All subdivision and other proposed new development proposals shall have adequate drainage provided to reduce exposure to flood hazards.
- (4) Base flood elevation data shall be provided for subdivision proposals and all other proposed development (including manufactured home parks and subdivisions).
- (5) The floodway, the special flood hazard areas, and other flood areas shall be shown on all subdivision proposals and other proposed developments (including manufactured home parks and subdivisions).

f. Requirements for Flood Fringe Fill

Construction fill that alters the conveyance and storage capacity of the natural floodplain is prohibited in the flood fringe one-half the linear

distance between the exterior line of the floodway line and the exterior line of the 500-year floodplain line. This no fill line shall be shown on all development plans and plats.

The administrator may authorize an exception to this requirement if a grading plan prepared for the site shows that alteration in the storage capacity of the natural floodplain is mitigated by removal of an equal or greater volume of soil elsewhere in the floodplain located on the site. If this option is used, the administrator may also require the preparation of a drainage study by a registered professional engineer in the State of Tennessee to determine if the cut and fill activities will cause a rise in flood elevations greater than 0.01 feet within 0.5 miles (upstream and downstream) of the proposed development. In no case, however, shall the aquatic buffer be encroached with this option.

3. Standards for Special Flood Hazard Areas with Established Base Flood Elevations and With Floodways Designated

Located within the Special Flood Hazard Areas established in this ordinance, are areas designated as floodways. A floodway may be an extremely hazardous area due to the velocity of flood waters, debris or erosion potential. In addition, the area must remain free of encroachment in order to allow for the discharge of the base flood without increased flood heights and velocities. Therefore, the following provisions shall apply:

- a. Encroachments are prohibited, including earthen fill material, new construction, substantial improvements or other development within the regulatory floodway. Development may be permitted upon approval by the planning commission and that it is demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practices that the cumulative effect of the proposed encroachments or new development shall not result in any increase in the water surface elevation of the Base Flood Elevation, velocities, or floodway widths during the occurrence of a base flood discharge at any point within the community. A Tennessee registered professional engineer must provide supporting technical data, using the same methodologies as in the effective Flood Insurance Study for the Town of Farragut, Tennessee and certification, thereof.
- b. New construction and substantial improvements of buildings, where permitted, shall comply with all applicable flood hazard reduction provisions of this ordinance.

4. Standards for Areas of Special Flood Hazard Zones AE with Established Base Flood Elevations but Without Floodways Designated

Located within the Special Flood Hazard Areas established in this ordinance, where streams exist with base flood data provided but where no floodways have been designated (Zones AE), the following provisions apply:

- a. No encroachments, including fill material, new construction and substantial improvements shall be located within areas of special flood hazard, unless approved by the planning commission and certification by a Tennessee registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood at any point within the community. The engineering certification should be supported by technical data that conforms to standard hydraulic engineering principles. In no case, however, shall the aquatic buffer be encroached with this option.
- b. New construction and substantial improvements of buildings, where permitted, shall comply with all applicable flood hazard reduction provisions of this ordinance.

5. Standards for Streams without Established Base Flood Elevations and Floodways (A Zones)

Located within the Special Flood Hazard Areas established in this ordinance where streams exist, but no base flood data has been provided and where a Floodway has not been delineated, the following provisions shall apply:

- a. The Administrator shall obtain, review, and reasonably utilize any Base Flood Elevation and floodway data available from any Federal, State, or other sources, including data developed as a result of these regulations (see b. below), as criteria for requiring that new construction, substantial improvements, or other development in approximate A Zones meet the requirements of this ordinance.
- b. Base flood elevation data shall be provided for subdivision proposals and all other proposed development (including manufactured home parks and subdivisions).
- c. Within approximate A Zones, where Base Flood Elevations have not been established and where such data is not available from other sources, require the lowest floor of a building to be elevated or floodproofed to a level of at least four (4) feet above the highest adjacent grade. All applicable data including elevations or floodproofing certifications shall be recorded as set forth in this ordinance. Openings sufficient to facilitate automatic equalization of hydrostatic flood forces on exterior walls shall be provided in accordance with the standards of this ordinance.
- d. Within approximate A Zones, where Base Flood Elevations have not been established and where such data is not available from other sources, no encroachments, including structures or fill material, shall be located within an area equal to the width of the stream or twenty-five feet (25), whichever

is greater, measured from the top of each stream bank, unless approved by the planning commission and certification by a Tennessee registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood at any point within the Town of Farragut, Tennessee. The engineering certification should be supported by technical data that conforms to standard hydraulic engineering principles. In no case, however, shall the aquatic buffer be encroached with this option.

- e. New construction and substantial improvements of buildings, where permitted, shall comply with all applicable flood hazard reduction provisions of this ordinance. Within approximate A Zones, require that those subsections dealing with the alteration or relocation of a watercourse, assuring watercourse carrying capacities are maintained and manufactured homes provisions are complied with as required.

6. Standards For Areas of Shallow Flooding (AO and AH Zones)

Located within the Special Flood Hazard Areas established in this ordinance are areas designated as shallow flooding areas. These areas have special flood hazards associated with base flood depths of one (1) to three (3) feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate; therefore, the following provisions, in addition to those set forth in this ordinance, apply:

- a. All new construction and substantial improvements of residential and non-residential buildings shall have the lowest floor, including basement, elevated to at least four (4) feet above as many feet as the depth number specified on the FIRM's, in feet, above the highest adjacent grade. If no flood depth number is specified on the FIRM, the lowest floor, including basement, shall be elevated to at least four (4) feet above the highest adjacent grade. Openings sufficient to facilitate automatic equalization of hydrostatic flood forces on exterior walls shall be provided in accordance with standards of this ordinance.
- b. All new construction and substantial improvements of non-residential buildings may be floodproofed in lieu of elevation. The structure together with attendant utility and sanitary facilities must be floodproofed and designed watertight to be completely floodproofed to at least four (4) feet above the flood depth number specified on the FIRM, with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. If no depth number is specified on the FIRM, the structure shall be floodproofed to at least four (4) feet above the highest adjacent grade. A Tennessee registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this ordinance and shall provide such

certification to the administrator as set forth above and as required in accordance with this ordinance.

- c. Adequate drainage paths shall be provided around slopes to guide floodwaters around and away from proposed structures.

7. Standards For Areas Protected by Flood Protection System (A-99 Zones)

Located within the Areas of Special Flood Hazard established in this ordinance are areas of the 100-year floodplain protected by a flood protection system but where Base Flood Elevations have not been determined. Within these areas (A-99 Zones) all provisions of this ordinance shall apply.

8. Standards for Unmapped Streams

Located within the Town of Farragut, Tennessee, are unmapped streams where areas of special flood hazard are neither indicated nor identified. Adjacent to such streams, the following provisions shall apply:

- a. No encroachments including fill material or other development including structures shall be located within an area of at least equal to twice the width of the stream, or twenty-five (25) feet, whichever is greater, measured from the top of each stream bank, unless approved by the planning commission and certification by a Tennessee registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood at any point within the locality. In no case, however, shall the aquatic buffer be encroached with this option.
- b. When a new flood hazard risk zone, and Base Flood Elevation and floodway data is available, new construction and substantial improvements shall meet the standards established in accordance with this ordinance.

F. Variance Procedures

1. Farragut Board of Zoning Appeals

a. Authority

The Farragut Board of Zoning Appeals shall hear and decide appeals and requests for variances from the requirements of this ordinance.

b. Procedure

Meetings of the Farragut Board of Zoning Appeals shall be held at such times, as the Board shall determine. All meetings of the Farragut Board of Zoning Appeals shall be open to the public. The Farragut Board of Zoning Appeals shall adopt rules of procedure and shall keep records of applications and actions thereof, which shall be a public record.

Compensation of the members of the Farragut Board of Zoning Appeals shall be set by the Farragut Board of Mayor and Aldermen.

c. Appeals: How Taken

An appeal to the Farragut Board of Zoning Appeals may be taken by any person, firm or corporation aggrieved or by any governmental officer, department, or bureau affected by any decision of the administrator based in whole or in part upon the provisions of this ordinance. Such appeal shall be taken by filing with the Farragut Board of Zoning Appeals a notice of appeal, specifying the grounds thereof. In all cases where an appeal is made by a property owner or other interested party, a fee per the general fee schedule resolution adopted by the Farragut Board of Mayor and Aldermen for the cost of publishing a notice of such hearings shall be paid by the appellant. The administrator shall transmit to the Farragut Board of Zoning Appeals all papers constituting the record upon which the appeal action was taken. The Farragut Board of Zoning Appeals shall fix a reasonable time for the hearing of the appeal, give public notice thereof, as well as due notice to parties in interest and decide the same within a reasonable time which shall not be more than ninety (90) days from the date of the hearing. At the hearing, any person or party may appear and be heard in person or by agent or by attorney.

d. Powers

The Farragut Board of Zoning Appeals shall have the following powers:

(1) Administrative Review

To hear and decide appeals where it is alleged by the applicant that there is error in any order, requirement, permit, decision, determination, or refusal made by the administrator or other administrative official in carrying out or enforcement of any provisions of this ordinance.

(2) Variance Procedures

In the case of a request for a variance the following shall apply:

(a) The Farragut Board of Zoning Appeals shall hear and decide appeals and requests for variances from the requirements of this ordinance.

(b) Variances may be issued for the repair or rehabilitation of historic structures as defined, herein, upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary deviation from the requirements of this ordinance to preserve the historic character and design of the structure.

- (c) In passing upon such applications, the Farragut Board of Zoning Appeals shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this ordinance, and:
 - 1) The danger that materials may be swept onto other property to the injury of others;
 - 2) The danger to life and property due to flooding or erosion;
 - 3) The susceptibility of the proposed facility and its contents to flood damage;
 - 4) The importance of the services provided by the proposed facility to the community;
 - 5) The necessity of the facility to a waterfront location, in the case of a functionally dependent use;
 - 6) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
 - 7) The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
 - 8) The safety of access to the property in times of flood for ordinary and emergency vehicles;
 - 9) The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site;
 - 10) The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, water systems, and streets and bridges.
- (d) Upon consideration of the factors listed above, and the purposes of this ordinance, the Farragut Board of Zoning Appeals may attach such conditions to the granting of variances, as it deems necessary to effectuate the purposes of this ordinance.
- (e) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

2. Conditions for Variances

- a. Variances shall be issued upon a determination that the variance is the minimum relief necessary, considering the flood hazard and the factors listed in this ordinance.
- b. Variances shall only be issued upon: a showing of good and sufficient cause, a determination that failure to grant the variance would result in exceptional hardship; or a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
- c. Any applicant to whom a variance is granted shall be given written notice that the issuance of a variance to construct a structure below the Base Flood Elevation will result in increased premium rates for flood insurance (as high as \$25 for \$100) coverage, and that such construction below the Base Flood Elevation increases risks to life and property.
- d. The administrator shall maintain the records of all appeal actions and report any variances to FEMA upon request.

G. Legal Status Provisions

1. Conflict with Other Ordinances

In case of conflict between this ordinance or any part thereof, and the whole or part of any existing or future ordinance of the Town of Farragut, Tennessee, the most restrictive shall in all cases apply.

2. Validity

If any section, clause, provision, or portion of this ordinance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision, or portion of this ordinance which is not of itself invalid or unconstitutional.

SECTION 2.

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

Dr. Ralph McGill, Mayor

ORDINANCE 13-18
Page 28

Allison Myers, Town Recorder

Certified to the Farragut Board of Mayor and Aldermen this ____ day of _____,
2013, with approval recommended.

Rita Holladay, Chairman

Edwin K. Whiting, Secretary

FARRAGUT MUNICIPAL PLANNING COMMISSION

PANEL 0242G

FIRM

FLOOD INSURANCE RATE MAP

KNOX COUNTY, TENNESSEE AND INCORPORATED AREAS

PANEL 242 OF 430

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

<u>COMMUNITY</u>	<u>NUMBER</u>	<u>PANEL</u>	<u>SUFFIX</u>
KNOXVILLE, CITY OF	475434	0242	G
KNOX COUNTY	475433	0242	G
FARRAGUT, TOWN OF	470387	0242	G

Notice to User: The **Map Number** shown below should be used when placing map orders; the **Community Number** shown above should be used on insurance applications for the subject community.



MAP NUMBER
47093C0242G
MAP REVISED
AUGUST 5, 2013

Federal Emergency Management Agency

LEGEND



SPECIAL FLOOD HAZARD AREAS (SFHAs) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD

The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zones A, AE, AH, AO, AR, A99, V, and VE. The Base Flood Elevation is the water-surface elevation of the 1% annual chance flood.

ZONE A

No Base Flood Elevations determined.

ZONE AE

Base Flood Elevations determined.

ZONE AH

Flood depths of 1 to 3 feet (usually areas of ponding); Base Flood Elevations determined.

ZONE AO

Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding, velocities also determined.

ZONE AR

Special Flood Hazard Areas formerly protected from the 1% annual chance flood by a flood control system that was subsequently decertified. Zone AR indicates that the former flood control system is being restored to provide protection from the 1% annual chance or greater flood.

ZONE A99

Area to be protected from 1% annual chance flood by a Federal flood protection system under construction; no Base Flood Elevations determined.

ZONE V

Coastal flood zone with velocity hazard (wave action); no Base Flood Elevations determined.

ZONE VE

Coastal flood zone with velocity hazard (wave action); Base Flood Elevations determined.



FLOODWAY AREAS IN ZONE AE

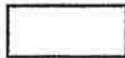
The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.



OTHER FLOOD AREAS

ZONE X

Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.



OTHER AREAS

ZONE X

Areas determined to be outside the 0.2% annual chance floodplain.

ZONE D

Areas in which flood hazards are undetermined, but possible.



COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS



OTHERWISE PROTECTED AREAS (OPAs)

CBRS areas and OPAs are normally located within or adjacent to Special Flood Hazard Areas.



Floodplain Boundary



Floodway Boundary



Zone D Boundary



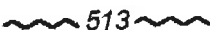
CBRS and OPA boundary



Boundary dividing Special Flood Hazard Areas of different Base Flood Elevations, flood depths or flood velocities.



Limit of Moderate Wave Action



Base Flood Elevation line and value; elevation in feet*

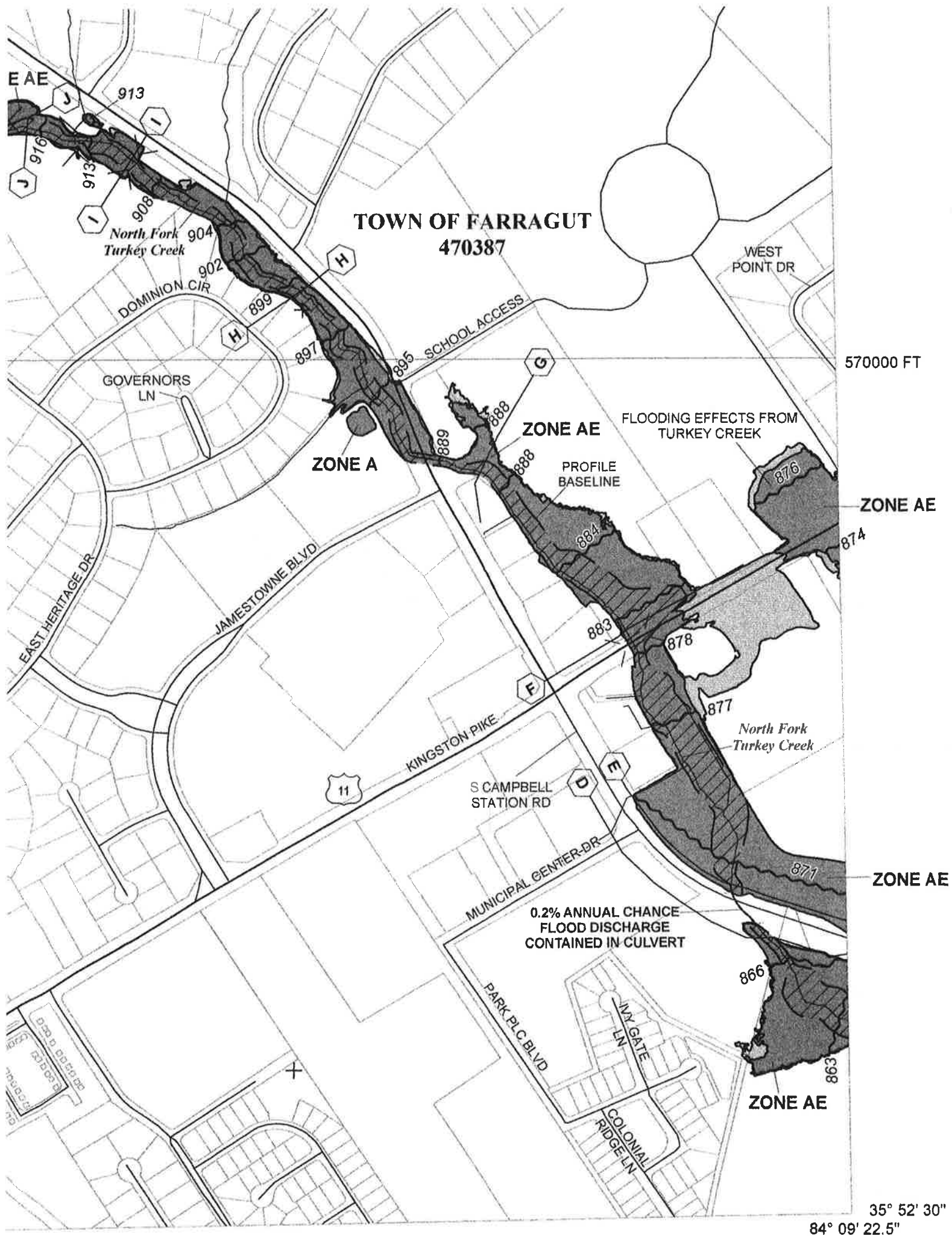
(EL 987)

Base Flood Elevation value where uniform within zone; elevation in feet*

*Referenced to the North American Vertical Datum of 1988



Cross section line



MEETING DATE: May 16, 2013

REPORT TO THE FARRAGUT MUNICIPAL PLANNING COMMISSION

PREPARED BY: Ruth Viergutz Hawk, Community Development Director

SUBJECT: Discussion of a request to amend the *2012 Comprehensive Land Use Plan Update*, Parcel 109, Tax Map 130, located on the east side of N. Campbell Station Road, north of Holiday Inn Express, 30.5 Acres, from Open Space Cluster Residential to Mixed Use (Kim Wellons, Applicant)

Staff is working with the applicant and will report at the meeting.

**Farragut Municipal Planning Commission
May 16, 2013
Staff Recommendations**

3. **Discussion and public hearing on the annual review and approval of the concept plan for Bridgemore subdivision, located on McFee Road between Allen Kirby Road and the round-about, Zoned R-1 and OSR**

Staff recommends re-approval of the concept plan for Bridgemore subdivision.

Proposed Motion: Move to approve concept plan for Bridgemore subdivision.

4. **Discussion and public hearing on a site plan for Thornton Professional Building, 10904 Kingston Pike, located on the southwest corner of Kingston Pike/Thornton Drive, Zoned C-1, 1.26 Acres (T.J. Development & Management, Applicant)**

Staff recommends approval of the site plan subject to addressing the following items:

1. Undergrounding all utilities;
2. Show where the transformer will be located;
3. Prior to the issuance of any Certificate of Occupancy, a resubdivision plat must be approved and recorded;
5. Provide information on the ground cover (grass) that will be applied to the slopes that are 2.5:1 if the work is not completed in warm weather;
6. Sheets 9 and 10 are out of order (Sheet 10 was not labeled);
7. The staff did not find the 10 inch cedar identified on Sheet 14. Also, there is a thick line of young trees and undergrowth on the south end of the property that is not identified on Sheet 14. Please update Sheet 14 to reflect field conditions and address what is proposed for this area;
8. A solid wall will be needed for the HVAC screening enclosure on the east side of the enclosure facing Thornton Drive and the west side of the enclosure facing the Thornton Center property. The other ends can be open as shown;
9. Submit TDOT approvals of the deceleration lane on Kingston Pike, as well as the island at the corner of Kingston Pike/Thornton Drive;
10. Submit letter of credit for erosion control of \$7500;
11. Submit Drainage Fee of \$565;
12. Submit NOC; and
13. Meet all town requirements.

Proposed Motion: Move to approve site plan subject to staff's recommendation.

5. **Discussion of a request for abandonment of right-of-way of old Snyder Road right-of-way at N. Campbell Station Road, located between Parcels 122 & 123.02, Tax Map 130, Farragut Municipal Code, Title 16, Chapter 3. Road Closing or Terminating Policy (Eddie Kherani/Marathon Gas Station, Applicant)**

For discussion purposes only

6. **Discussion and public hearing on an amendment to the Farragut Zoning Ordinance, Chapter 4, Section VIII. Farragut Municipal Flood Damage Prevention Regulations, to adopt the latest flood study of Turkey Creek and North Fork Turkey Creek and to update regulations accordingly**

Staff recommends approval of Resolution PC-13-05, which recommends approval of Ordinance 13-18 and the Zoning Ordinance text amendment to the Board of Mayor and Aldermen.

Proposed Motion: Move to approve Resolution PC-13-05.

7. **Discussion of a request to amend the *2012 Comprehensive Land Use Plan Update*, Parcel 109, Tax Map 130, located on the east side of N. Campbell Station Road, north of Holiday Inn Express, 30.5 Acres, from Open Space Cluster Residential to Mixed Use (Kim Wellons, Applicant)**

For discussion purposes only

8. **Public hearing on proposed locations for new utilities**

None at this time

9. **Planning Commissioner Training**