

A G E N D A
FARRAGUT MUNICIPAL PLANNING COMMISSION

August 15, 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 - July 18, 2013**
3. **Discussion of an amendment to the text of the Farragut Zoning Ordinance, Chapter 3, to allow accessory structure apartments within single-family residentially zoned neighborhoods**
4. **Discussion of an amendment to the text of the Farragut Zoning Ordinance, Chapter 4., Section IV. Measurement of Setbacks, Open Space, Visibility Triangle, Use of Lots and Access Points, to clarify method of measuring setbacks**
5. **Discussion of an amendment to the text of the Farragut Zoning Ordinance, to apply the Open Space Mixed Residential Overlay District to the R-6 Multi-Family Residential District**
6. **Public hearing on proposed locations for new utilities**

**MINUTES
FARRAGUT MUNICIPAL PLANNING COMMISSION**

July 18, 2013

MEMBERS PRESENT

Rita Holladay, Chairman
Ed St. Clair, Vice-Chairman
Ed Whiting, Secretary
Ron Honken, Alderman
Annette Brun
Betty Dick
Noah Myers
Louise Povlin

MEMBERS ABSENT

Ralph McGill, Mayor

Staff Representatives: Ruth Viergutz Hawk, Community Development Director
Sue Stuhl, Parks and Leisure Services Director
Gary Palmer, Assistant Town Administrator

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

CITIZEN FORUM

Boy Scout Brian Turbyfill of Troop 444 was in attendance and working on his Communication Badge.

ETDD Training will be held on July 30, 2013 at the Rural Metro Training Center.

Commissioner St. Clair announced that Ed Glass had passed away. The Town sends condolences to the family.

APPROVAL OF MINUTES

*Commissioner St. Clair moved to approve the June 20, 2013, minutes as corrected.
Commissioner Whiting seconded the motion and the motion passed 8-0.*

AGENDA ITEMS

ELECTION OF OFFICERS

Commissioner Dick nominated Ed Whiting as Secretary. The nomination passed with a 8-0 vote.

Commissioner Whiting nominated Ed St. Clair as Vice-Chairman. Commissioner Myers seconded the nomination and the nomination passed with a 8-0 vote.

Commissioner St. Clair nominated Rita Holladay as Chairman. Commissioner Myers seconded the nomination and the nomination passed with a 8-0 vote.

APPROVAL OF FMPC BY-LAWS

Staff recommended approval of the Farragut Municipal Planning Commission By-Laws as submitted.

Commissioner Honken moved to approve the Farragut Municipal Planning Commission By-Laws as submitted. Commissioner St. Clair seconded the motion and the motion passed 8-0.

DISCUSSION AND PUBLIC HEARING ON THE PARKS & LEISURE SERVICES MASTER PLAN 2013 - 2023 UPDATE

Sue Stuhl presented the *Parks and Leisure Services Master Plan 2013-2023* update. Staff recommended approval of the *Parks and Leisure Services Master Plan 2013-2023* update.

Commissioner Honken moved to approve the Parks and Leisure Services Master Plan 2013-2023 update. Commissioner Brun seconded the motion and the motion passed 8-0.

DISCUSSION AND PUBLIC HEARING ON 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 (Kay Wellons, Applicant)

Staff recommended denial of the request. Staff recommended a single or multi-family cluster residential development on the front (clearly developable) portion of the property with passive/recreational walking trails on the challenging rear portion of the property, as an amenity to the development and surrounding area. Following are the highlights for the recommendation:

1. Topography and environmentally sensitive areas are major issues with developing;
2. Risk of over saturation of commercial and/or cannibalization of our existing commercial districts by creating new;
3. Eventual shift of Campbell Station Road right-of-way (not a major issue at this time); and
4. Different elements of the commercial and residential zoning districts.

This recommendation is in keeping with the town's long-standing position of protecting environmentally sensitive areas.

Commissioner Honken moved to approve the request. Commissioner St. Clair seconded the motion. The motion failed 2-6 with Commissioners Brun, Dick, Holladay, St. Clair, Povlin, and Whiting casting the dissenting votes.

DISCUSSION OF AN AMENDMENT TO THE TEXT OF THE FARRAGUT ZONING ORDINANCE TO ALLOW ACCESSORY STRUCTURE APARTMENTS WITHIN THE R-1 RURAL SINGLE-FAMILY RESIDENTIAL DISTRICT

For discussion purposes only

PUBLIC HEARING ON PROPOSED LOCATIONS FOR NEW UTILITIES

None at this time

ADJOURNMENT

The meeting adjourned at 8:15 p.m. Staff conducted a training session on the Open Space Cluster Districts.

Edwin K. Whiting, Secretary

MEETING DATE: August 15, 2013

REPORT TO THE FARRAGUT MUNICIPAL PLANNING COMMISSION

PREPARED BY: Ruth Viergutz Hawk, Community Development Director

SUBJECT: Discussion of an amendment to the text of the Farragut Zoning Ordinance, Chapter 3, to allow accessory structure apartments within single-family residentially zoned neighborhoods

INTRODUCTION: On April 12, 2013, Alderman Markli met with David Smoak and me to discuss amending the Farragut Zoning Ordinance to provide for the construction of accessory structure apartments. During the discussion it was decided that the provision for such accessory dwelling units should be limited to separate freestanding buildings and to property zoned Rural Single-Family Residential District (R-1). This would not apply to R-1 zoned property that is also zoned with an open space cluster overlay district.

DISCUSSION: The request before you is to provide for accessory structure apartments within the R-1 zoning district. The apartments would not be part of the principal building, but would be in accessory buildings.

We had a lengthy discussion on this possible amendment at the last planning commission meeting. In summary, I was left with the impression that you all had issues with allowing accessory structure apartments within existing neighborhoods.

In doing research on accessory dwelling units (ADU's), the literature recommended that before an ADU ordinance is enacted, the community should assess the need for ADU's. What determines the need for accessory dwelling units?

1. Are there many legal non-conforming or illegal ADU's in Farragut?
2. Is there unfulfilled demand for rental housing?
3. Have citizens sought information or permits on constructing mother-in-law or additional housing for extended family?
4. Does Farragut provide affordable housing options?

Generally, ADU ordinances are enacted in the following areas:

- Cities with high land values
- Neighborhoods close to transit facilities
- Neighborhoods close to downtown
- Rural areas that need to accommodate farm employees

Examples:

1. Lexington, MA – suburb of Boston, fully built out, 2002 Median Home price +\$600,000
2. Santa Cruz, CA – 2006 Median Home price \$746,000, close to San Francisco & Silicon Valley, home to the University of California – Santa Cruz
3. Barnstable, MA – Cape Code area, require to rent to low income (80% or less of median income)
4. Fauquier County, VA – 50 miles from Washington D.C., rapid population growth, between 2000 & 2006 the median housing price increased by 127% and median household income increased by 21%

Following are some points to consider and for discussion:

1. Parking requirements. Currently most driveways reasonably accommodate 2-3 cars. The addition of an extra dwelling unit will increase the number of cars, which in turn will increase the likelihood of on-street parking.
2. Accessory buildings currently must meet a 5' side and rear setback. This setback used to be 10', but due to the large number of variance requests, the ordinance was amended and the setback was reduced to 5'. When a jurisdiction gets numerous variance requests, it means that the requirements are no longer meeting the needs of the jurisdiction and should be amended accordingly. Is 5' an adequate setback?
3. Accessory buildings currently have a size limit of 30% of the footprint of the principal building/residence or 600 square feet, whichever is greater. Would this still be appropriate? To give you an idea of size, the standard garage in new construction is about 20' (w) x 25' (d), or 500 square feet.
4. There are no town architectural requirements. The apartments may or may not "fit" architecturally with the principal residence or the rest of the neighborhood.
5. It is common to reference the need for a mother-in-law apartment or granny flat and that such a dwelling unit would be constructed above a garage. An apartment designed for an elderly person, however, would likely be at ground level so that there would be no stairs.
6. Often people are "okay" with family members living in an accessory apartment, but there would be no way to require such.
7. Is potentially doubling the density and associated traffic within a neighborhood acceptable? It is reasonable to believe that residents of such apartments will drive and will have a car.

Current Lot Size Requirements:

- R-1 Rural Single-Family Residential District – 20,000 square feet (100' x 200' typical)
- R-2 General Single-Family Residential District – 15,000 square feet (100' x 150' typical)
- R-1-S-A Rural Single-Family Acres Residential District – 1 Acre (43,560 square feet)
- R-3 Small Lot Single-Family Residential District -- 8,500 square feet (85' x 100' typical)
- R-5 Two-Family Residential District – 15,000 square feet [7,500 square feet/dwelling unit]

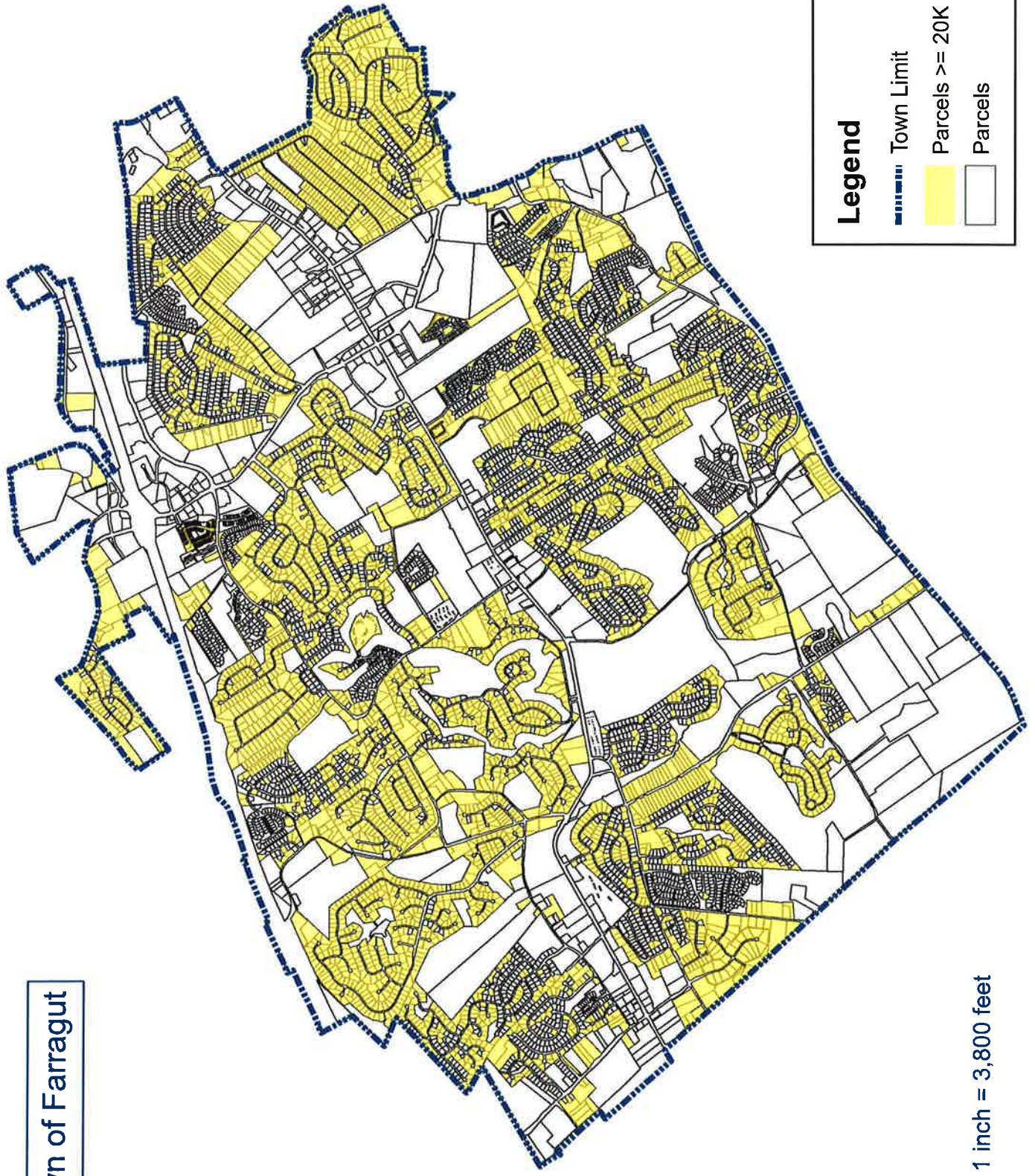
Attached please find four (4) maps of the Town of Farragut. The maps identify lots greater than 20,000 square feet, lots greater than 25,000 square feet, lots greater than 30,000 square feet, and lots greater than 40,000 square feet. The purpose of these maps is to show you lot size distribution within the town.

Also attached are three (3) aerial photos of several lots in town. The purpose of these aerial photos is to give you an idea of what lots that are approximately 20,000, 30,000, and 40,000 square feet look like on the ground.

The question before you is whether you feel accessory apartments are a desirable land use within certain neighborhoods within the town.

RECOMMENDATION BY: For discussion purposes only.

Town of Farragut



Legend

— Town Limit

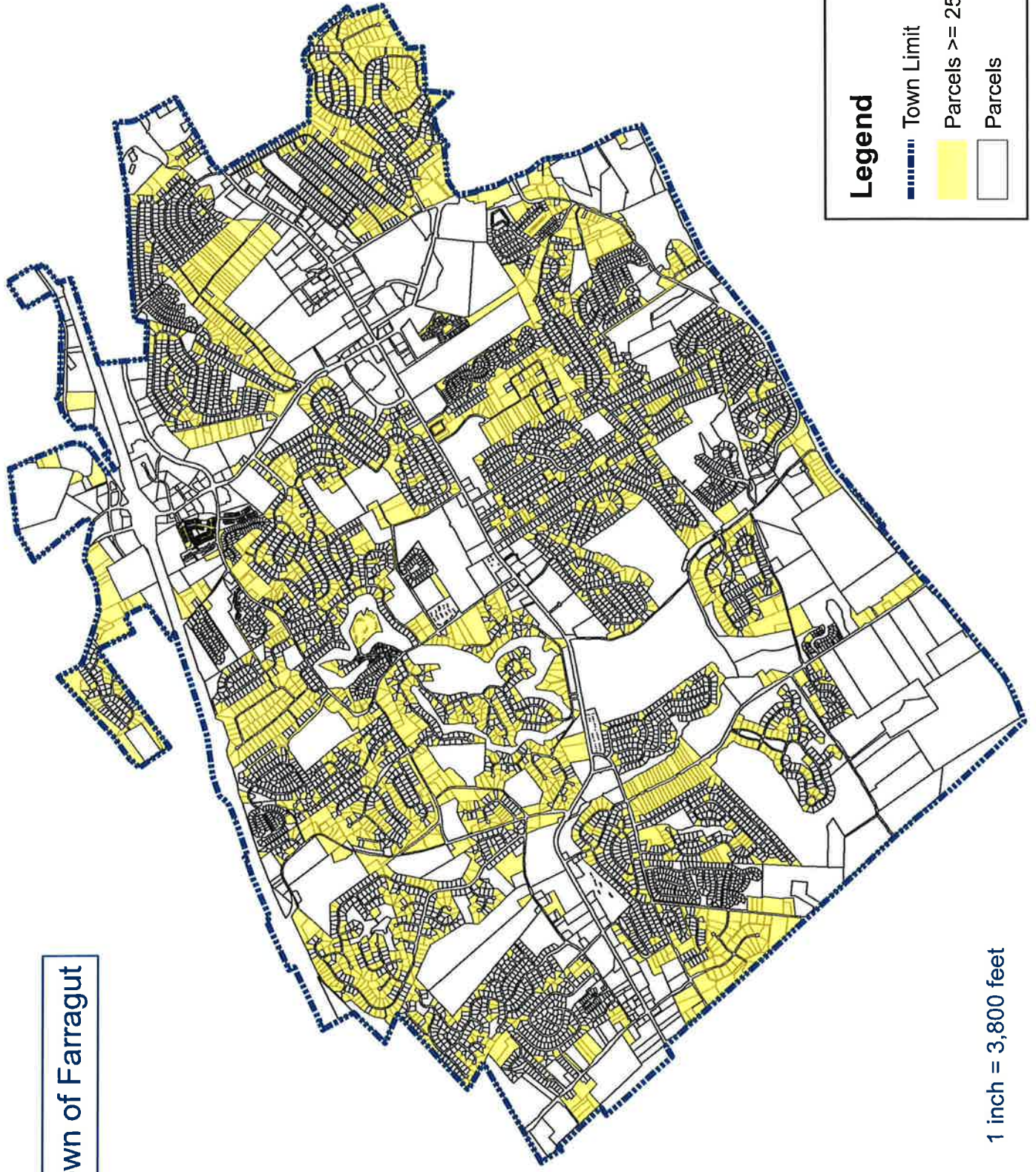
■ Parcels $\geq$ 20K Sq ft

□ Parcels



1 inch = 3,800 feet

Town of Farragut



Legend

----- Town Limit

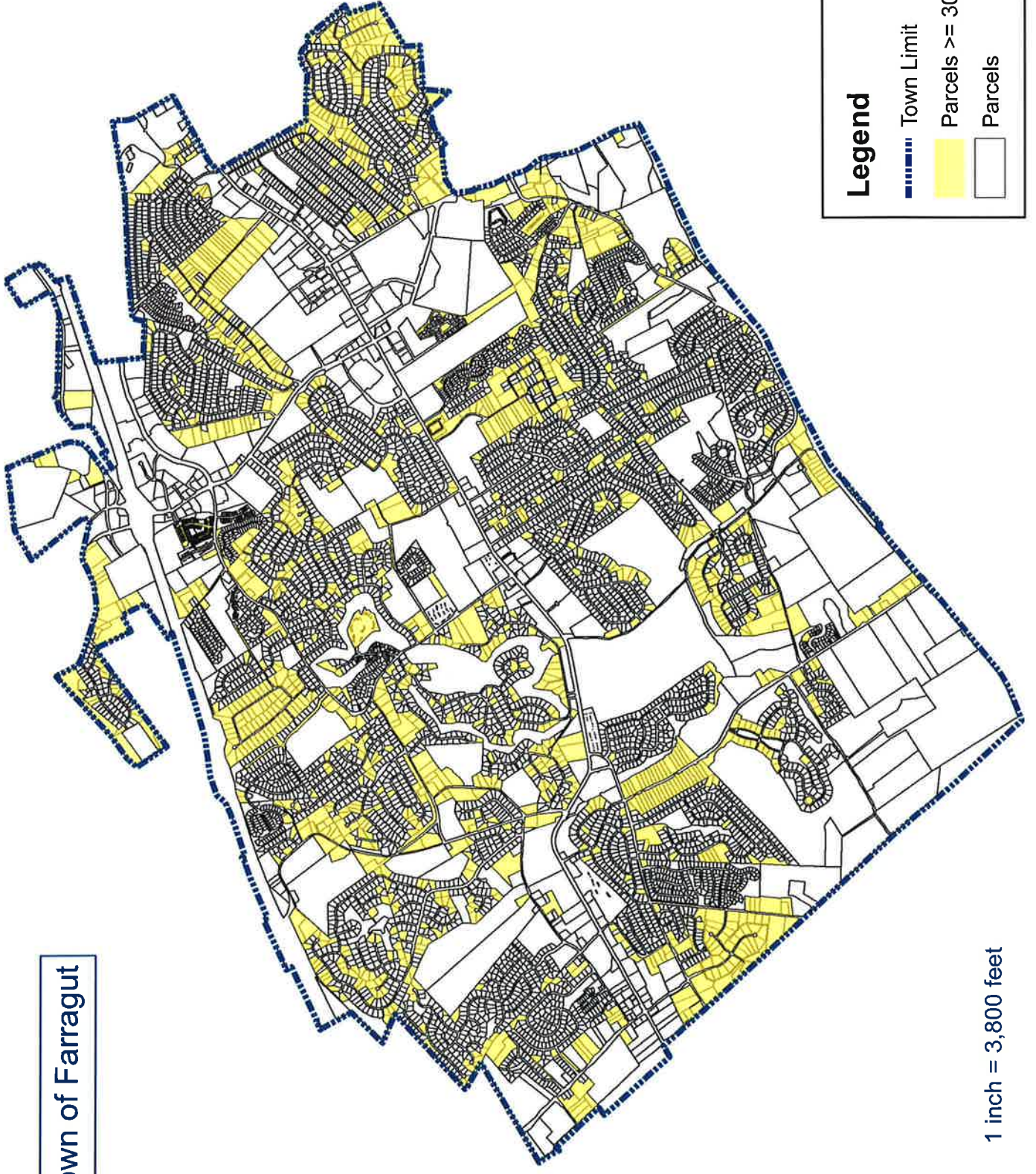
Parcels $\geq$ 25K Sq ft

Parcels



1 inch = 3,800 feet

Town of Farragut



Legend

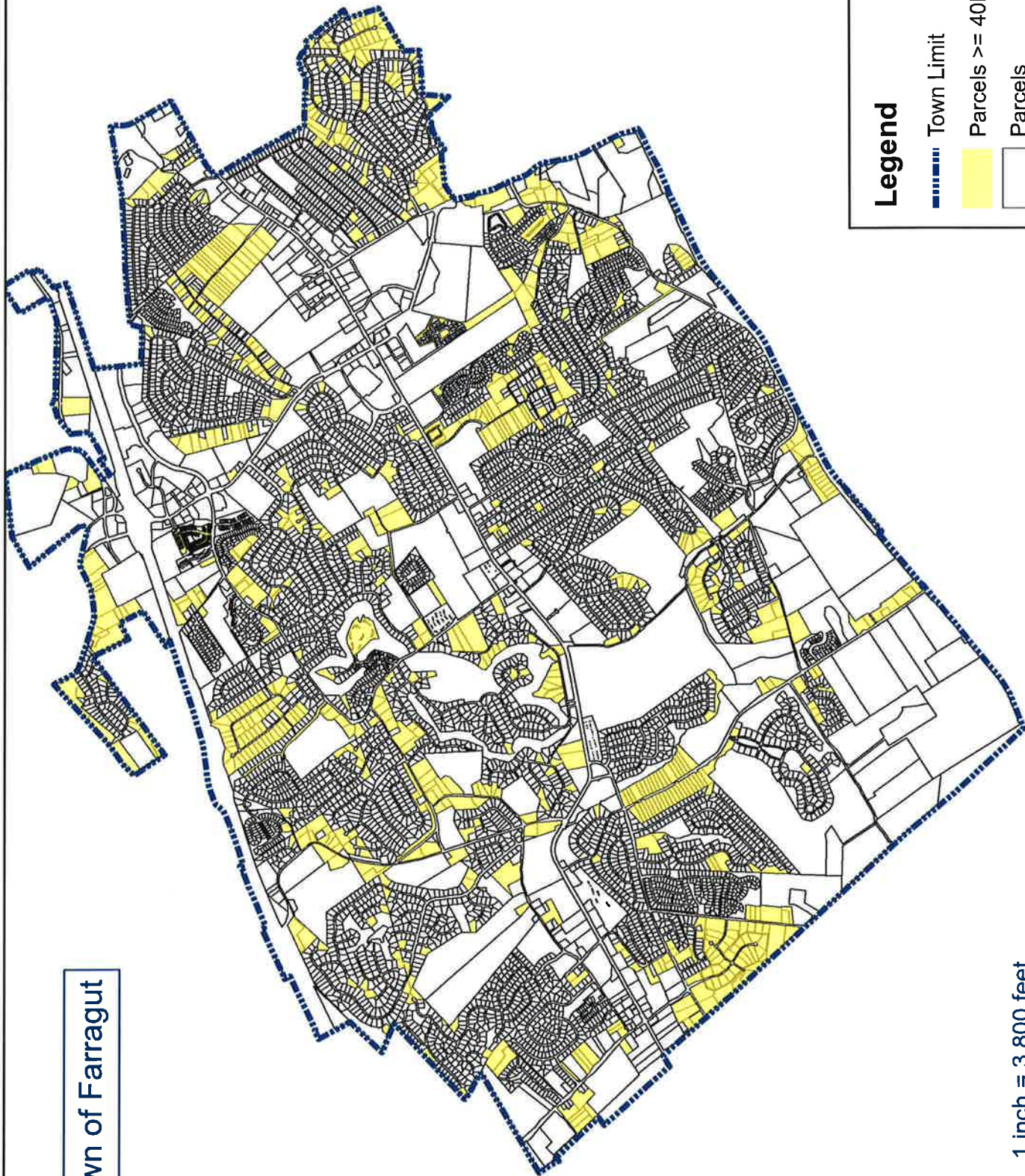
— Town Limit

Parcels $\geq 30K$ Sq ft

Parcels

N
1 inch = 3,800 feet

Town of Farragut



Legend

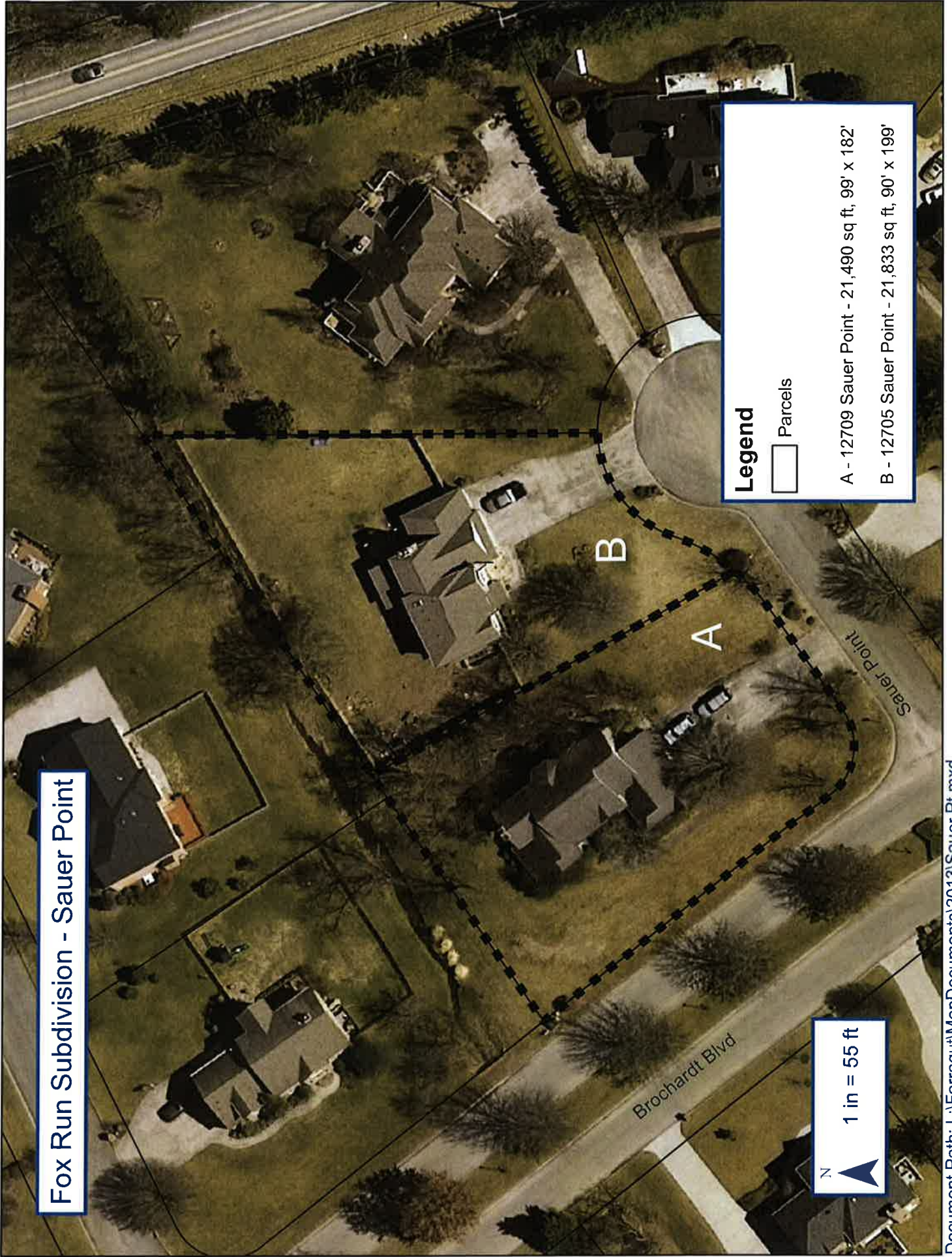
Town Limit

Parcels $\geq 40K$ Sq ft

Parcels

1 inch = 3,800 feet

Fox Run Subdivision - Sauer Point



Sugarwood Subdivision

C

Sugarwood Dr

Fruitwood Ln

Legend



Parcels

1 in = 50 ft



C - 324 Sugarwood Drive - 29,640 sq ft, 104' x 216'

Woodshase Subdivision - Woodsmoke Circle



Legend

 Parcels

D - 928 Woodsmoke Circle - 42,440 sq ft, 140' x 300'

E - 924 Woodsmoke Circle - 42,621 sq ft, 140' x 300'

 1 in = 80 ft

MEETING DATE: August 15, 2013

REPORT TO THE FARRAGUT MUNICIPAL PLANNING COMMISSION

PREPARED BY: Ruth Viergutz Hawk, Community Development Director

SUBJECT: Discussion of an amendment to the text of the Farragut Zoning Ordinance, Chapter 4., Section IV. Measurement of Setbacks, Open Space, Visibility Triangle, Use of Lots and Access Points, to clarify method of measuring setbacks

INTRODUCTION: On November 29, 2012, the Court of Appeals of Tennessee at Knoxville upheld a previous ruling made by the Chancery Court of Knox County in the "Lura McBride vs. Farragut Board of Zoning Appeals and Mark Shipley" court case. The point in question was about a building setback and how an addition to the building is to be measured. John Batson, an attorney with The Pool of the Tennessee Municipal League defended our case.

DISCUSSION: In response to the above referenced law suit, we are proposing to amend the Zoning Ordinance to clarify the intent. Following please find the proposed wording:

IV. - Measurement of setbacks, open space, visibility triangle, use of lots and access points.

A.

Measurement of setbacks.

1.

Setbacks shall be measured from the foundation of a building to the nearest point of any property line, except when the overhanging roof, eaves, gutters, or other architectural feature protrudes more than two (2) feet from the foundation. In such case, the setback shall be measured from the furthestmost projection of the building;

2.

Patios, decks, pergolas, arbors, and other similar non-roofed and or non-enclosed structures attached to and/or adjacent to appurtenances of a principal building shall not be required to meet the side and rear setback requirements of the principal building. Such non-roofed and non-enclosed structures appurtenances shall be setback a minimum of ten (10) feet from side and rear property lines; and

3.

Setbacks shall be measured from the furthestmost protrusion of any non-building structure to the nearest point of any property line.

Attached please find a copy of Section IV. Measurement of Setbacks, Open Space, Visibility Triangle, Use of Lots and Access Points. Tom Hale has reviewed this amendment and is in agreement with the proposed wording.

RECOMMENDATION BY: For discussion purposes only.

IV. MEASUREMENT OF SETBACKS, OPEN SPACE, VISIBILITY TRIANGLE, USE OF LOTS AND ACCESS POINTS

A. Measurement of Setbacks

1. Setbacks shall be measured from the foundation of a building to the nearest point of any property line, except when the overhanging roof, eaves, gutters, or other architectural feature protrudes more than two (2) feet from the foundation. In such case, the setback shall be measured from the furthestmost projection of the building;
2. Patios, decks, and other similar non-roofed and non-enclosed appurtenances of a principal building shall not be required to meet the side and rear setback requirements of the principal building. Such appurtenances shall be setback a minimum of ten (10) feet from side and rear property lines; and
3. Setbacks shall be measured from the furthestmost protrusion of any non-building structure to the nearest point of any property line.

B. Open Space

No yard, open space, or lot area required for a building or structure shall, during its life, be occupied by, or counted as open space for, any other building or structure.

C. Visibility Triangle

The following regulations provide for the maximum safety of persons using sidewalks and streets, and for the maximum enjoyment of the use of property.

1. On any corner lot, no wall, fence, sign, structure, plant growth, or any other object, whether movable or stationary, which obstructs the vision at elevations between two and one-half (2 1/2) feet and ten (10) feet above the crown of the adjacent roadway shall be placed or maintained within a visibility triangle, created by measuring 25 feet from the rights-of-way intersection along each right-of-way (ROW). (See Illustration 2.)
2. In any required front yard, except as provided in Section C1 above, no fence, wall, hedge or yard ornament shall be permitted which materially impedes vision across such yard above the height of three and one-half (3 1/2) feet.

D. Use of Lots and Access Points

The purpose of the following is to clarify certain conditions pertaining to the use of lots and access points:

1. Double frontage lots shall provide the required front yard setbacks along both streets.
2. For all buildings located on corner lots, there shall be a side yard setback from all intersecting streets the same as the required front yard setback. The interior side yard shall be the same as required for interior lots.
3. On all lots of record, all yards (front, rear and side) shall conform to the district regulations except where existing yards on the same side and in the same block of the street do not meet the requirements of the district. The yards on such street may be equal to the average depth or width of the existing yards provided such average depth does not extend into the visibility triangle.
4. Where a permitted use of land involves no structures, such use, excluding agricultural uses, shall nonetheless comply with all yards and minimum lot area requirements applicable to the district in which located, as well as obtaining any other license or permit applicable to that particular use.
5. Where the dedicated street right-of-way is less than required by the Farragut Subdivision Regulations for a street of its classification, the depth of the front yard shall be measured by starting at a line located a distance equal to fifty percent (50%) of the total required right-of-way from the centerline of the street.
6. No dwelling shall be erected on a lot which does not abut on at least one street for at least twenty-five (25) feet. A Street shall form the direct and primary means of ingress and egress for all dwelling units. Alleys, where they exist, shall form only a secondary means of ingress and egress.

MEETING DATE: August 15, 2013

REPORT TO THE FARRAGUT MUNICIPAL PLANNING COMMISSION

PREPARED BY: Ruth Viergutz Hawk, Community Development Director

SUBJECT: Discussion of an amendment to the text of the Farragut Zoning Ordinance, to apply the Open Space Mixed Residential Overlay District to the R-6 Multi-Family Residential District

INTRODUCTION: With the request by Kay Wellons to amend the Land Use Plan for her property on N. Campbell Station Road and the Open Space Cluster District workshop fresh on our minds, I thought it was best to move forward and gather your ideas on permitting the Open Space Mixed Residential Overlay District with the R-6 zoning district.

DISCUSSION: As we discussed at the workshop session, currently land zoned R-6 is to be free of environmental limitations. The idea behind applying the OSMR district to the R-6 district is to acknowledge that some properties with environmental limitations would be suitable for cluster apartment development because of their proximity to transportation and other infrastructure. Although we are primarily focusing on the Wellons' land, I can think of several other parcels that this designation may be appropriate.

Uses permitted within the R-6 district:

- Apartments
- Elderly and group housing (assisted living)
- Nursing homes
- Day care facilities
- Schools, churches and other places of worship

R-6 Area Regulations:

- 50' peripheral property building setbacks
- Buffer strip requirements: 50' buffer strips adjacent to residential or agricultural zones
25' buffer strip adjacent to commercial or office
20' buffer strip adjacent to streets
- Floor Area Ratio (FAR) – 25%
- Lot coverage – 50%
- Land area – minimum 5 acres/maximum 15 acres
- Density – 10 units/acre
- Height regulations: 42 feet/3 stories with Major Arterial access
35 feet/2 ½ stories with Minor Arterial access

Currently the density in an R-6 district is calculated based on the gross acreage of the site (10 units/acre). This is same way density is calculated within the open space cluster districts. This means that on the Wellons' land which is 31.7 acres, a total of 317 dwelling units would be allowed in the R-6 district with or without the overlay district.

What is a Floor Area Ratio (FAR)? It is the gross floor area of all buildings or structures on a lot divided by the total lot area. For example, the Wellons' property is 31.7 acres (1,380,852 square feet). With a 25% FAR, the total square footage of building allowed would be 7.9 acres (345,213 square feet). 31.7 acres would permit 317 units, so the average unit size would be 1,089 square feet. The FAR provides flexibility while ensuring compatibility of scale.

During the workshop we discussed the option of permitted four (4) stories with a 65% open space.

Using the Wellons' property as an example: 31.7 Total Acres
317 dwelling units
20.6 acres open space (65%)
2 acres building footprint (31.7 x 25% FAR / 4 stories)
8 – 10 acres parking

Currently we require single and two-family dwellings to have two (2) parking spaces per dwelling unit. We then require apartments to have two and one-fourth (2.25) parking spaces per dwelling unit. I spoke to Lanesborough and Derby Run apartment managers and they concurred that this parking requirement is very realistic. Lanesborough has 2.25 spaces/unit and Derby Run has 2.3 spaces/unit. Both managers stated this was a good parking ratio because it provided for 2 spaces per unit plus guest parking.

The lot size for the R-6 district is now limited to 5 – 15 acres. This was done because it was our first venture in apartment development regulations and because of the inability to require open space. If we allow the OSMR district with the R-6 district, the acreage maximum should be eliminated.

This will be discussed in more detail at the meeting.

Attached please find a copy of Section XI. Multi-Family Residential District (R-6).

RECOMMENDATION BY: For discussion purposes only.

**Farragut Municipal Planning Commission
August 15, 2013
Staff Recommendations**

3. **Discussion of an amendment to the text of the Farragut Zoning Ordinance, Chapter 3, to allow accessory structure apartments within single-family residentially zoned neighborhoods**

For discussion purposes only

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

For discussion purposes only

