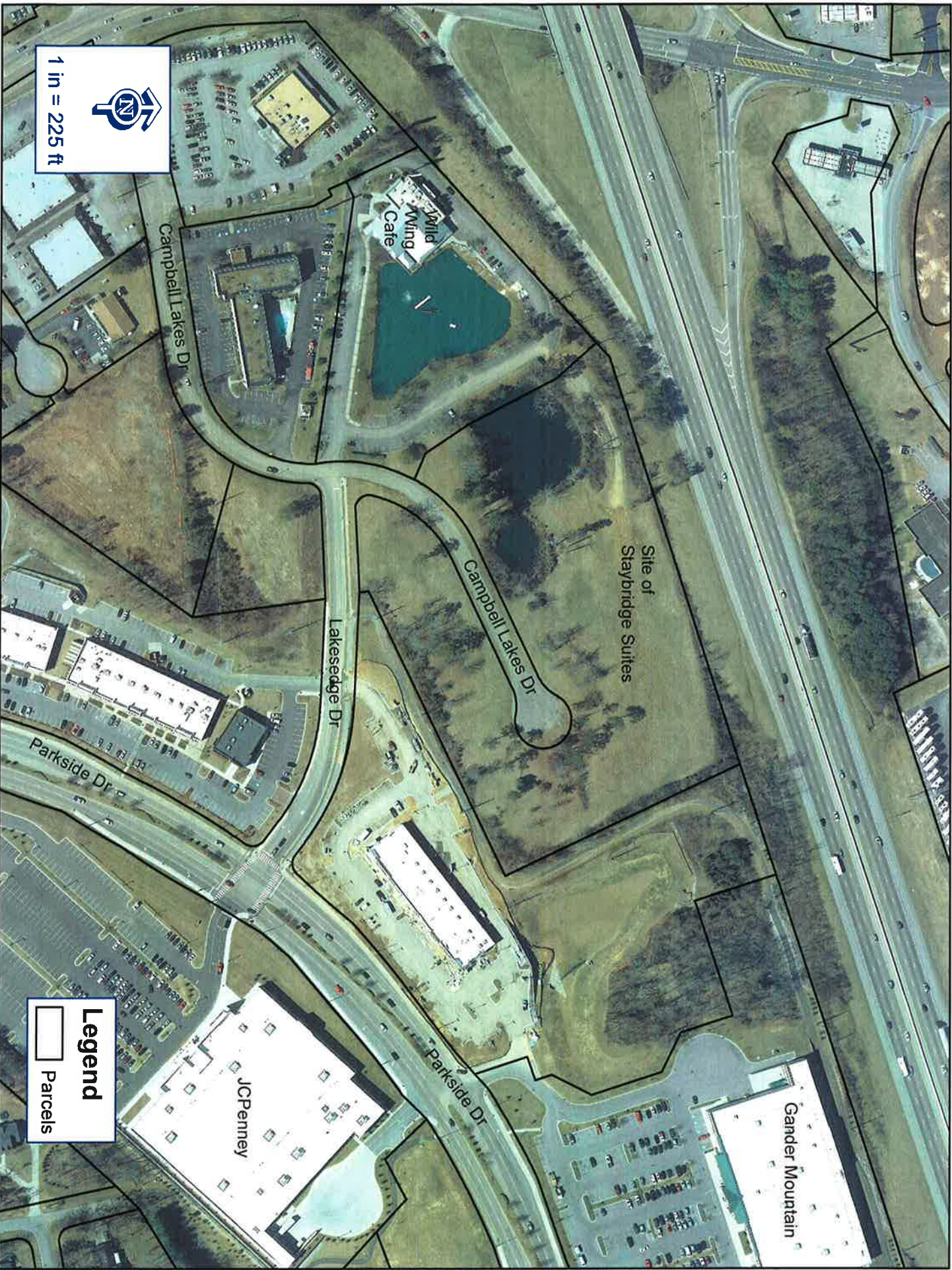




MEETING DATE: February 20, 2014

REPORT TO THE FARRAGUT MUNICIPAL PLANNING COMMISSION

PREPARED BY: Mark Shipley, Interim Community Development Director 

SUBJECT: Discussion and public hearing on an amendment to the text of the Farragut Zoning Ordinance, Chapter 3, to consider providing for accessory dwelling units (ADU's) within certain single-family residentially zoned neighborhoods

INTRODUCTION: This item was initiated by Alderman Markli and has been discussed at four recent planning commission meetings.

DISCUSSION: As you may recall, at the January 16, 2014 meeting, the planning commission discussed the latest version of the Accessory Dwelling Unit (ADU) Overlay ordinance. Commissioners felt that formal action on the ordinance should be postponed until the staff could make some additional modifications based on the comments noted at the meeting.

The staff has made revisions to the overlay ordinance to try to address the following comments that were brought up during the January planning commission meeting:

- 1) Please re-visit the proposed definition so that it addresses ADU's within a principal dwelling unit (comment from Ed St. Clair). *This has been modified in the Definition section of the ordinance;*
- 2) Please make the overlay option only possible for new subdivisions (comment from Betty Dick and others). *This has been added in the General Description section of the ordinance;*
- 3) Please consider allowing an ADU for any lot that may be platted in an ADU Overlay. In other words, remove the ADU specific minimum lot size that was associated with lots that would have an ADU and let the standard lot sizes, setbacks, and lot coverages in the base zones govern the land area needed for a lot with an ADU (comment from Louise Povlin and Alderman Markli). *This has been addressed and now the minimum lot sizes that govern R-1 and R-1-S-A also apply to the ADU Overlay;*
- 4) Please address requirements that would be impossible to enforce. For example, remove how many occupants may reside in an ADU and let the number of bedrooms (which could be reviewed as part of building plans) be the governing factor (comment from Betty Dick). *This has been removed from the Occupancy Requirements section of the ordinance;*
- 5) Please clarify setback requirements for patios, decks, etc., that may be associated with a detached ADU (comment from Ed St. Clair). *This has been addressed in the Height, Size, Lot Coverage, and Setbacks section of the ordinance;*
- 6) Please address parking associated with lots that have an ADU (comment from Betty Dick). *This has been addressed in the Parking Requirements section of the ordinance;*

- 7) Please provide for the possibility of a buffer strip to protect existing subdivisions that may abut an ADU Overlay development (comment from Louise Povlin). *This has been addressed in the Buffer Strips section of the ordinance.*

Though it was mentioned that the staff could e-mail commissioners a revised ordinance for their individual input, the staff felt that it may be more helpful to review the latest version of this ordinance at the meeting so that any remaining issues could be discussed collectively.

RECOMMENDATION: If the revised ordinance is deemed ready for a vote the staff would recommend that the planning commission make a formal recommendation as part of Resolution PC-14-01 so that this matter may be considered by the Farragut Board of Mayor and Aldermen.

RESOLUTION PC-14-01

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 APPENDIX A. ZONING, CHAPTER 2. DEFINITIONS BY ADDING AND THEREFORE DEFINING “ACCESSORY DWELLING UNIT” AND APPENDIX A. ZONING, CHAPTER 3. SPECIFIC DISTRICT REGULATIONS BY ADDING SECTION XXVIII., “ACCESSORY DWELLING UNIT OVERLAY DISTRICT”

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 February 20, 2014;

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 14-01.

ADOPTED this 20th day of February, 2014.

Rita Holladay, Chairman

Edwin K. Whiting, Secretary

ORDINANCE:	14-01
PREPARED BY:	SHIPLEY/PALMER
REQUESTED BY:	ALDERMAN MARKLI
PUBLIC HEARING:	_____
PUBLISHED IN:	_____
DATE:	_____
1ST READING:	_____
2ND READING:	_____
PUBLISHED IN:	_____
DATE:	_____

DESCRIPTION:

WHEREAS, the Board of Mayor and Aldermen of the Town of Farragut, Tennessee, recognize a cultural and economic shift resulting in multi-generational families living in the same dwelling unit; and,

WHEREAS, the Board of Mayor and Aldermen of the Town of Farragut, Tennessee, desire to add regulations which would allow flexible housing options for those multi-generational families within the Town of Farragut; and,

WHEREAS, in order to permit additional housing choices the Board of Mayor and Aldermen of the Town of Farragut, Tennessee, wish to amend the Farragut Municipal Code, Appendix A Zoning, Chapter 2. Definitions by adding and therefore defining “*Accessory Dwelling Unit*”; and,

WHEREAS, in order to permit additional housing choices the Board of Mayor and Aldermen of the Town of Farragut, Tennessee, wish to amend the Farragut Municipal Code, Appendix A Zoning, Chapter 3. Specific District Regulations by adding Section XXVIII. “Accessory Dwelling Unit Overlay District”

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

SECTION 1:

The Farragut Municipal Code, Appendix A. Zoning, Chapter 2. Definitions, is amended by adding “Accessory Dwelling Unit” to be defined as follows:

Accessory Dwelling Unit: *A separate smaller dwelling unit either detached from or within a principal dwelling unit on the same lot.*

The Farragut Municipal Code, Appendix A. Zoning, Chapter 3. Specific District Regulations, is

amended by adding:

SECTION XXVIII. ACCESSORY DWELLING UNIT (ADU) OVERLAY DISTRICT

A. General Description

The Accessory Dwelling Unit (ADU) Overlay District is created to enable the establishment of accessory dwelling units within new subdivisions that have a base zone of R-1 (Rural Single-Family Residential) or R-1-S-A (Rural Single-Family Acre Residential).

Accessory dwelling units give these larger lot residential neighborhoods the opportunity to provide greater housing choice for elderly or other family members, and to utilize their land base more efficiently.

B. Application of the District

In addition to the requirements of the base zoning district, the ADU Overlay District provides additional requirements that must be satisfied for those in this district that may opt to establish an ADU on their property.

C. Land Area

To be considered for a rezoning request for an ADU Overlay District, the area within the rezoning request must be comprised of a minimum of fifteen (15) acres of contiguous lots within the same development.

D. Designation Process

All requests for creation of an ADU Overlay District shall follow the Amendment Procedures set forth in Appendix A. Zoning, Chapter 4. General Provisions, Section II., Administration, Sub-section (I), Amendments. Proposals shall be submitted to the Community Development Department by utilizing the Zoning Map Amendment Application (see www.townoffarragut.org).

E. Occupancy Requirements

1. The principal dwelling or the accessory dwelling unit (ADU) shall be property owner occupied.
2. The principal dwelling shall be a single-family detached residential dwelling.
3. An ADU shall have no more than two (2) bedrooms.
4. Only one (1) ADU, either internal or external, shall be permitted per lot.
5. The ADU shall not be sold separately from the principal dwelling unit.

F. Height, Size, Lot Coverage, and Setbacks

1. The maximum height of a detached ADU, including one built above a garage, shall not exceed twenty-five (25) feet, as measured per the adopted building code.
2. The maximum size of an ADU shall be 800 square feet. In no case, however, shall an ADU exceed 40% of the gross floor area of the principal dwelling unit.
3. The maximum lot coverage permitted by the base zone shall apply for an ADU Overlay District.
4. A detached ADU shall not be permitted within a front yard and shall be set back at least twenty-five (25) feet from the nearest side and/or rear property line. This twenty-five (25) foot setback shall also apply to any patio, deck, pergola, arbor, or other similar non-roofed and/or non-enclosed structure attached to a detached ADU.
5. A detached ADU shall be at least ten (10) feet from any other freestanding accessory building, except where an ADU is built within a detached garage.

G. Parking Requirements

Any lot with an ADU shall provide one (1) additional off street parking space.

H. Construction and Design Standards

1. All ADU's shall comply with the adopted building and fire codes and shall be site built on a permanent foundation.
2. For ADU's that are within the principal dwelling unit, additional entrances shall not be added to the front elevation(s).
3. The predominant exterior finish material of an ADU shall match the predominant exterior finish material of the principal dwelling unit. If the principal dwelling unit is predominantly brick then the ADU shall also be predominantly brick.
4. The predominant roof pitch of an ADU shall match the predominant roof pitch of the principal dwelling unit.
5. The window and door trim, projecting eaves, and general architectural accents of an ADU shall match the principal dwelling unit. The windows of an ADU shall match those in the principal dwelling unit in terms of proportion and orientation.

I. Buffer Strips

Buffer strips are not mandatory. The planning commission may require a buffer strip at various locations in a development, however, when it is determined that a buffer strip is necessary to promote compatibility with an abutting land use. When a buffer strip is required by the planning commission, the following criteria shall be followed:

1. The buffer strip shall be a minimum of twenty-five (25) feet in width, shall be planted and platted at the time of final plat, and shall be owned and maintained by the property owners' organization; and

2. Existing, mature vegetation shall be preserved and incorporated into the buffer strip. The buffer strip shall be landscaped per the landscaping requirements of this ordinance or the planning commission may permit the required number of plantings to be clustered rather than distributed evenly throughout the buffer strip.

SECTION 2.

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

Ralph McGill, Mayor

Allison Myers, Town Recorder

Certified to the Farragut Board of Mayor and Aldermen this ____ day of _____, 2014.