

FARRAGUT BOARD OF MAYOR AND ALDERMEN
AGENDA
January 22, 2015

WORKSHOP
6:15 PM
Stormwater Ordinance Workshop

BMA MEETING
7:00 PM

- I. Silent Prayer, Pledge of Allegiance, Roll Call**
- II. Approval of Agenda**
- III. Mayor's Report**
- IV. Citizens Forum**
- V. Approval of Minutes**
 - A. January 8, 2015
- VI. Ordinances**
 - A. Public Notice and Second Reading**
 - 1. **Ordinance 14-21**, An Ordinance to amend the text of the Farragut Zoning Ordinance, Ordinance 86-16, as amended, pursuant to authority granted by Section 13-4-201, Tennessee Code Annotated, by Amending Chapter 3. Specific District Regulations, Section XII. General Commercial District (C-1), by adding new requirements related to the mixed use town center district as outlined in the Farragut Comprehensive Land Use Plan.
 - 2. **Ordinance 14-22**, an Ordinance to adopt the area and text identified as Mixed Use Town Center, as shown on the Future Land Use Map in the Farragut Comprehensive Land Use Plan
 - 3. **Ordinance 14-23**, an Ordinance to amend the text of the Farragut Zoning Ordinance, Ordinance 86-16, as amended, pursuant to authority granted by Section 13-4-201, Tennessee Code Annotated, by amending Chapter 3. Specific District Regulations, Section XXVII. N. 6. Town Center District (TCD), Area Regulations, Land Area., to change minimum land area for development
 - 4. **Ordinance 14-24**, on first reading, to amend the text of the Farragut Zoning Ordinance, Chapter 3., Section XXIII. Telecommunication Tower Overlay Zone (T)., C. 1., to limit the overlay in the Mixed Use Town Center area outlined in the Comprehensive Land Use Plan

5. **Ordinance 14-25**, on first reading, to amend the text of the Farragut Zoning Ordinance, Chapter 3., Section XXVI., Planned Commercial Development District (PCD), as it relates to the Mixed Use Town Center area outlined in the Comprehensive Land Use Plan

VII. Business Items

- A. Approval of Request for Supplement from Fulghum MacIndoe & Associates for Additional Engineering Services – McFee/Wentworth Greenway Connector

VIII. Town Administrator's Report

IX. Town Attorney's Report

It is the policy of the Town of Farragut not to discriminate on the basis of race, color, national origin, age, sex, or disability pursuant to Title VI of the Civil Rights Act of 1964, Public Law 93-112 and 101-336 in its hiring, employment practices and programs. To request accommodations due to disabilities, please call 865-966-7057 in advance of the meeting.

FARRAGUT BOARD OF MAYOR AND ALDERMEN
MINUTES
January 8, 2015

RECEPTION & WORKSHOP
Town Center District Land Use Discussion
6:00 PM

BMA MEETING
7:00 PM

- I. **Silent Prayer, Pledge of Allegiance, Roll Call**
- II. **Approval of Agenda**
- III. **Mayor's Report**
 - A. Town of Farragut 35th Anniversary
- IV. **Citizens Forum**
- V. **Approval of Minutes**
 - A. December 11, 2014
- VI. **Ordinances**
 - A. Public Notice and Second Reading
 - 1. **Ordinance 14-19**, Ordinance to Amend the Town of Farragut Municipal Code Title 16 Streets and Sidewalks by adding Chapter 6 Everett Road Corridor Improvement Fee
 - B. First Reading
 - 1. **Ordinance 14-21**, An Ordinance to amend the text of the Farragut Zoning Ordinance, Ordinance 86-16, as amended, pursuant to authority granted by Section 13-4-201, Tennessee Code Annotated, by Amending Chapter 3. Specific District Regulations, Section XII. General Commercial District (C-1), by adding new requirements related to the mixed use town center district as outlined in the Farragut Comprehensive Land Use Plan.
 - 2. **Ordinance 14-22**, an Ordinance to adopt the area and text identified as Mixed Use Town Center, as shown on the Future Land Use Map in the Farragut Comprehensive Land Use Plan
 - 3. **Ordinance 14-23**, an Ordinance to amend the text of the Farragut Zoning Ordinance, Ordinance 86-16, as amended, pursuant to authority granted by Section 13-4-201, Tennessee Code Annotated, by amending Chapter 3. Specific District Regulations, Section XXVII. N. 6. Town Center District (TCD), Area Regulations, Land Area., to change minimum land area for development
 - 4. **Ordinance 14-24**, on first reading, to amend the text of the Farragut Zoning Ordinance, Chapter 3., Section XXIII. Telecommunication Tower Overlay Zone (T)., C. 1., to limit the overlay in the Mixed Use Town Center area outlined in the Comprehensive Land Use Plan
 - 5. **Ordinance 14-25**, on first reading, to amend the text of the Farragut Zoning Ordinance, Chapter 3., Section XXVI., Planned Commercial Development District (PCD), as it relates to the Mixed Use Town Center area outlined in the Comprehensive Land Use Plan

VII. Business Items

- A. Approval of continuing use agreement with TVA for the easement in Anchor Park
- B. Approval of Resolution R-2015-01, Appointment of Town of Farragut Municipal Judge
- C. Approval of Architectural Design Services for the Campbell Station Inn

VIII. Town Administrator's Report

IX. Town Attorney's Report

It is the policy of the Town of Farragut not to discriminate on the basis of race, color, national origin, age, sex, or disability pursuant to Title VI of the Civil Rights Act of 1964, Public Law 93-112 and 101-336 in its hiring, employment practices and programs. To request accommodations due to disabilities, please call 865-966-7057 in advance of the meeting.

The Farragut Board of Mayor and Aldermen met in a regular session on Thursday, January 8, 2015 at 7:00 p.m. Members present were Mayor McGill, Aldermen Honken, LaMarche, Markli and Pinchok.

Approval of Agenda

Motion was made to approve the agenda as presented. Moved by Alderman Honken, seconded by Alderman Pinchok; voting yes, Mayor McGill, Aldermen Honken, LaMarche, Markli and Pinchok; no nays; motion passed.

Mayor's Report

Mayor McGill announced that January marks the Town of Farragut's 35th anniversary.

Approval of Minutes

Motion was made to approve the minutes of December 11, 2014 as presented. Moved by Alderman LaMarche, seconded by Alderman Honken; voting yes, Mayor McGill, Aldermen Honken, LaMarche, Markli and Pinchok; no nays; motion passed.

Ordinances

Public Notice and Second Reading

Ordinance 14-19, Ordinance to Amend the Town of Farragut Municipal Code Title 16 Streets and Sidewalks by adding Chapter 6 Everett Road Corridor Improvement Fee

Motion was made to approve Ordinance 14-19 on second and final reading. Moved by Alderman Honken, seconded by Alderman Pinchok voting yes, Mayor McGill, Aldermen Honken, LaMarche, Markli and Pinchok; no nays; motion passed.

First Reading

Ordinance 14-21, An Ordinance to amend the text of the Farragut Zoning Ordinance, Ordinance 86-16, as amended, pursuant to authority granted by Section 13-4-201, Tennessee Code Annotated, by Amending Chapter 3. Specific District Regulations, Section XII. General Commercial District (C-1), by adding new requirements related to the mixed use town center district as outlined in the Farragut Comprehensive Land Use Plan.

Motion was made to approve Ordinance 14-21 on first reading. Moved by Alderman Honken, seconded by Alderman Markli; voting yes, Mayor McGill, Aldermen Honken, LaMarche, Markli and Pinchok; no nays; motion passed.

Ordinance 14-22, an Ordinance to adopt the area and text identified as Mixed Use Town Center, as shown on the Future Land Use Map in the Farragut Comprehensive Land Use Plan

Motion was made to approve Ordinance 14-22 on first reading. Moved by Alderman Honken, seconded by Alderman Markli; voting yes, Mayor McGill, Aldermen Honken, LaMarche, Markli and Pinchok; no nays; motion passed.

Ordinance 14-23, an Ordinance to amend the text of the Farragut Zoning Ordinance, Ordinance 86-16, as amended, pursuant to authority granted by Section 13-4-201, Tennessee Code Annotated, by amending Chapter 3. Specific District Regulations, Section XXVII. N. 6. Town Center District (TCD), Area Regulations, Land Area., to change minimum land area for development

Motion was made to approve Ordinance 14-23 on second and final reading. Moved by Alderman Honken, seconded by Alderman Markli; voting yes, Mayor McGill, Aldermen Honken, LaMarche, Markli and Pinchok; no nays; motion passed.

Ordinance 14-24, on first reading, to amend the text of the Farragut Zoning Ordinance, Chapter 3., Section XXIII. Telecommunication Tower Overlay Zone (T)., C. 1., to limit the overlay in the Mixed Use Town Center area outlined in the Comprehensive Land Use Plan

Motion was made to approve Ordinance 14-24 on first reading. Moved by Alderman Honken, seconded by Alderman Markli; voting yes, Mayor McGill, Aldermen Honken, LaMarche, Markli and Pinchok; no nays; motion passed.

Ordinance 14-25, on first reading, to amend the text of the Farragut Zoning Ordinance, Chapter 3., Section XXVI., Planned Commercial Development District (PCD), as it relates to the Mixed Use Town Center area outlined in the Comprehensive Land Use Plan

Motion was made to approve Ordinance 14-25 on first reading. Moved by Alderman Honken, seconded by Alderman LaMarche; voting yes, Mayor McGill, Aldermen Honken, LaMarche, Markli and Pinchok; no nays; motion passed.

Business Items

Approval of continuing use agreement with TVA for the easement in Anchor Park

Motion was made to approve the Public Recreation Lease Agreement with TVA for approximately 5.5 acres of land owned by TVA in Anchor Park. Moved by Alderman Honken, seconded by Alderman Markli; voting yes, Mayor McGill, Aldermen Honken, LaMarche, Markli and Pinchok; no nays; motion passed.

Approval of Resolution R-2015-01, Appointment of Town of Farragut Municipal Judge

Motion was made to approve Resolution R-2015-01, Appointing Lucinda Troyer as Farragut Municipal Judge. Moved by Alderman Honken, seconded by Alderman LaMarche; voting yes, Mayor McGill, Aldermen Honken, LaMarche, Markli and Pinchok; no nays; motion passed.

Approval of Architectural Design Services for the Campbell Station Inn

Motion was made to approve the professional services contract with Brewer Ingram Fuller for an amount not to exceed \$35,000. Moved by Alderman Honken, seconded by Alderman LaMarche; voting yes, Mayor McGill, Aldermen Honken, LaMarche, Markli and Pinchok; no nays; motion passed.

Town Administrator's Report

David Smoak, Town Administrator, announced that the Town had received the GFOA Distinguished Budget Award. He also announced that Gary Palmer had received the AICP designation.

Meeting adjourned at 7:40 PM

Ralph McGill, Mayor

Allison Myers, Town Recorder

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Mark Shipley, Community Development Director

SUBJECT: Ordinance 14-21, on second reading, to amend the text of the Farragut Zoning Ordinance, Chapter 3., Section XII., General Commercial District (C-1), as it relates to the Mixed Use Town Center outlined in the Comprehensive Land Use Plan

BACKGROUND AND DISCUSSION:

On August 13, 2014 a joint planning commission and board of mayor and alderman workshop was held to initiate a discussion on how the Town could move forward with implementing Strategy 1 in the Comprehensive Land Use Plan (CLUP) – Bringing About a Downtown. At that workshop the staff presented different approaches that could be pursued.

Based on the feedback received, the most preferred approach was to work on amending the existing zoning districts associated with properties in the area identified as mixed use town center (MUTC) so that re-development (i.e. where interior and/or exterior improvements to an existing building exceeds 50% of the current value of such building) and new development would be consistent with the effort to bring about a downtown. The staff notified all of the property owners in the MUTC so that they were aware of what was being considered. The owners were encouraged to attend subsequent planning commission meetings when this would be discussed in more detail. At their meeting on August 21, 2014, the planning commission confirmed their desire for the staff to pursue text amendments that would help to incrementally bring about a downtown in the area identified at MUTC.

At the September 18, 2014 planning commission meeting, the staff presented an initial draft of recommended changes to the C-1 (General Commercial) Zoning District that would encourage a built environment consistent with the appearance and function of a downtown. The staff focused on the C-1 Zoning District because most of the MUTC properties fall within this zoning designation. Within the C-1 Zoning District, the staff created a new section. This section included:

- 1) A general description and purpose (this addressed why we have this section and what we are trying to accomplish);
- 2) A list of uses that would be allowed in the MUTC. These uses were patterned largely after those permitted in the Town Center District (TCD) and the Business District Four Story (BD-4). One point made by the staff was that this would not affect existing uses that may not be listed as being allowed in the MUTC but that are currently in operation within the MUTC. The permitted uses outlined in this section would only apply to re-development and new development. To be consistent with the character descriptions in the CLUP for the MUTC, the list of uses that were included in this section would not be auto intensive and would be associated with a more pedestrian friendly plan of development. Some uses, such as residential on non-ground floor levels, that are not permitted in C-1 would be permitted for properties zoned C-1 in the MUTC;
- 3) Building façade requirements that would ensure that new buildings or re-developed buildings would have a timeless appearance with a significant masonry element. This would help distinguish the MUTC area and provide it with a built environment that would be consistent with a traditional downtown;
- 4) Low impact development requirements that would provide property owners with more flexibility to use innovative and visually appealing techniques to handle stormwater runoff;

- 5) Adjustments to setback requirements that would provide more flexibility in the placement of buildings and that would encourage buildings to be situated closer to the street;
- 6) Modifications to height regulations that would provide for taller buildings that would incorporate the opportunity for residential on the non-ground floors; and
- 7) Parking space allocations for mixed use buildings that would be based on the parking needs as governed by the uses permitted on the different floors of the building. Also included were provisions for encouraging shared parking.

The planning commission reviewed the initial draft and, along with some comments received by the public, the staff made some adjustments and presented a second draft to the planning commission for their meeting on October 16, 2014. This draft was discussed and some additional modifications were requested. At the November 20, 2014 planning commission meeting, the staff presented a third revision to the proposed changes to the C-1 Zoning District as applied to properties within the MUTC. This revision is reflected in Ordinance 14-21 and was approved unanimously by the planning commission via Resolution PC-14-14. This third revision included the following additional modifications:

- 1) Some minor adjustments to uses permitted (such as permitting small hotels and allowing outdoor theatres);
- 2) An increase in the lot coverage from 70% to 80% (this would provide for some additional flexibility in design and site arrangement and an incentive to a property owner);
- 3) Clarifying that buildings must at least have the appearance of a two story building as viewed from all building elevations;
- 4) Separating parking space requirements for single use buildings, such as a small hotel, vs. mixed use buildings;
- 5) Provisions for outdoor site lighting that would encourage consistency and more decorative light fixtures in the MUTC area; and
- 6) Provisions for prohibiting box or cabinet style signs on new buildings (this sign style would not be compatible with the architecture that is being encouraged in the MUTC).

Along with Ordinance 14-21, included in your packets is a version of the amendments which includes commentary and illustrates where changes have been made during the course of developing this ordinance. **Please note that in Section F. 10., Parking Spaces Required., the last sentence has been corrected to add the words “and fourth floors” and is stated as follows:**

One (1) parking space per seven hundred and fifty (750) square feet of gross floor area for the third and fourth floors.

RECOMMENDATION BY:

Ordinance 14-21 is consistent with both the CLUP and the Strategic Plan. In terms of the CLUP, Ordinance 14-21 would directly promote Strategy 1 – Bringing About a Downtown, Strategy 3 – Encouraging Greater Housing Choice, Strategy 7 – Enhancing our Identity, and Strategy 8 – Plan for Remaining Vacant Properties. In terms of the Strategic Plan, Ordinance 14-21 would promote Goal 2 – Strengthen the Local Economy, and Goal 4, Objectives 5 and 6, which encourage consistency with Town plans and more beautiful corridors and development.

At their meeting on November 20, 2014, the planning commission recommended 7-0 to approve Resolution PC-14-14 which recommends approval of Ordinance 14-21. The staff also recommends approval of Ordinance 14-21.

PROPOSED MOTION:

To approve Ordinance 14-21, on second reading, to amend the text of the Farragut Zoning Ordinance, Chapter 3., Section XII., General Commercial District (C-1), as it relates to the Mixed Use Town Center outlined in the Comprehensive Land Use Plan.

BOARD ACTION:

MOTION BY: _____ **SECONDED BY:** _____

<u>VOTE/TOTAL</u>	<u>MCGILL</u>	<u>PINCHOK</u>	<u>HONKEN</u>	<u>LAMARCHE</u>	<u>MARKLI</u>
YES	_____	_____	_____	_____	_____
NO	_____	_____	_____	_____	_____
ABSTAIN	_____	_____	_____	_____	_____

ORDINANCE:	14-21
PREPARED BY:	Shipley
REQUESTED BY:	Staff
CERTIFIED BY FMPC:	November 20, 2014
PUBLIC HEARING:	_____
PUBLISHED IN:	_____
DATE:	_____
1ST READING:	_____
2ND READING:	_____
PUBLISHED IN:	_____
DATE:	_____

AN ORDINANCE TO AMEND THE TEXT OF THE FARRAGUT ZONING ORDINANCE, ORDINANCE 86-16, AS AMENDED, PURSUANT TO AUTHORITY GRANTED BY SECTION 13-4-201, TENNESSEE CODE ANNOTATED, BY AMENDING CHAPTER 3. SPECIFIC DISTRICT REGULATIONS, SECTION XII. GENERAL COMMERCIAL DISTRICT (C-1), BY ADDING NEW REQUIREMENTS RELATED TO THE MIXED USE TOWN CENTER OUTLINED IN THE COMPREHENSIVE LAND USE PLAN UPDATE

WHEREAS, the Board of Mayor and Aldermen of the Town of Farragut, Tennessee, wishes to amend Chapter 3, Section XII. General Commercial District (C-1), of the Farragut Zoning Ordinance, Ordinance 86-16,

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

SECTION 1.

The Farragut Zoning Ordinance, Chapter 3, Specific District Regulations, Section XII., General Commercial District (C-1), is amended by deleting it in its entirety and substituting in lieu thereof the following:

SECTION 2.

Chapter 3, Specific District Regulations, Section XII., General Commercial District (C-1), is amended by inserting the following:

- A. *General description.* This district provides space for commercial uses which provide services primarily to community residents of the Town of Farragut. The intent is to permit lands adjacent to major arterial highways as designated by the Farragut Major Road Plan to be used for the provision of general commercial and business services to the community. These commercial uses are intended to be designed to minimize disruption of traffic flows and negative impacts on adjacent residential uses.

B. *Permitted principal and accessory uses and structures (Non-Mixed Use Town Center as identified in the Comprehensive Land Use Plan).* Unless provided for elsewhere in this section, property and structures located in the General Commercial District (C-1) shall be used only for the following purposes:

1. Generally recognized retail sales. This excludes flea markets and the sale of automobiles and the sale and/or rental of boats, trucks, trailers, construction equipment, mobile homes, and other similar uses as determined by the Board of Zoning Appeals.

The outdoor sale and/or storage of merchandise and/or any other materials shall be permitted provided the following development criteria are met:

- a. Such merchandise and/or materials are displayed or stored in a permanent area designed for such use;
 - b. Such merchandise and/or materials are not displayed or stored on any sidewalks, walkways, parking spaces, or other vehicle ways;
 - c. Required yard setbacks for buildings are met for the storage/display area;
 - d. Access to the display/storage area shall be restricted by means of a physical barrier such as a fence, a berm, landscaping, or other similar means; and
 - e. The total area reserved for outdoor display/storage shall not exceed two thousand (2,000) square feet if the net indoor retail floor area is greater than twenty-five thousand (25,000) square feet, and it shall not exceed one thousand (1,000) square feet if the net indoor retail floor area is less than twenty-five thousand (25,000) square feet.
2. The retail sale of alcoholic beverages, as provided for in the Farragut Municipal Code.
 3. Retail outlets for the sale of general farm implements and lawn care equipment such as tractors (less than 10,000 pounds), riding lawn mowers, and related accessories.
 - a. The outdoor display and/or storage of such implements and equipments shall be permitted provided the following development criteria are met:
 - (1) The outdoor storage and/or display of the implements and/or equipment shall lie behind a straight line running from side lot line to side lot line that coincides with the rear wall of the principal building located on the property;

- (2) The equipment and/or implements to be stored and/or displayed outdoors must be removed from the crate or cartons and displayed and/or stored in such a way as to allow for viewing and inspection, but so as not to prevent passage on sidewalks, walkways, or other vehicle ways;
- (3) Such businesses necessarily involve the use of outdoor areas on the premises for the unloading, uncrating, positioning and repositioning of items that are often larger and more cumbersome than most retailers handle. The temporary use of outdoor areas of the premises for such purposes during hours of operation shall not be a violation of this ordinance; and
- (4) Such businesses necessarily utilize packaging that is to be destroyed or reused. Such packaging materials shall be stored in areas on the premises to which access shall be restricted by means of a physical barrier such as an opaque fence or similar to a dumpster enclosure and shall comply with Chapter 4, Section I. B. of this ordinance.

b. The outdoor display of merchandise, except as provided for above, is permitted provided such merchandise is displayed in a permanent, covered porch. Such covered porch shall be attached to the principal building and shall meet all setback requirements of the principal building.

- 4. Financial and real estate services.
- 5. Professional, personal, and business services.
- 6. Restaurants, tea rooms, cafes, coffee houses, or other similar establishments serving food or beverage that is primarily consumed within the principal building or in designated outdoor seating areas associated with the principal building.

Coffee houses with drive-through service lanes that serve as the principal means for service. The principal location for consumption is offsite.

- 7. Automotive services, provided such services are for automobiles and light trucks only. Such services may include fuel sales and repairs. Facilities designed to accommodate the refueling and/or servicing of trucks with more than three (3) axles or more than ten (10) wheels are prohibited.
- 8. Retail rental and leasing of automobiles provided the following development criteria are met:
 - a. Such business is located in a freestanding building; and

- b. If the premises are fenced, such fencing shall be decorative, shall not exceed three (3) feet in height, and shall be of such design so as not to prevent the ability to see through the fence.
- 9. Public, governmental, and general offices.
- 10. Medical, dental, and veterinary facilities.
- 11. Medical spas.
- 12. Indoor kennel facilities, provided the following development criteria are met:
 - a. The building shall be sound proofed to prevent the noise of barking dogs being heard outside the building. A certification verifying the sound proofing capabilities must be submitted with the site plan; and
 - b. No outdoor fencing shall be located on the premises.
- 13. Mortuary establishments.
- 14. Commercial greenhouses, nurseries, and other similar uses as determined by the Board of Zoning Appeals provided the following development criteria are met:
 - a. There shall be a minimum lot size of two (2) acres;
 - b. Merchandise and/or any other material are displayed or stored in a permanent area designed for such use;
 - c. Merchandise and/or any other materials are not displayed or stored on any sidewalks, walkways, parking spaces, or other vehicle ways;
 - d. The outdoor storage and/or sale of mulch and other landscaping related materials is permitted as accessory to commercial greenhouses and nurseries, but not permitted as stand alone businesses.
 - e. Required yard setbacks for buildings are met for the storage/display area and for all temporary structures;
 - f. Access to the display/storage area shall be restricted by means of a physical barrier such as a fence, a berm, landscaping, or other similar means;
 - g. Outdoor areas used for the growing of products must be set back a minimum of thirty (30) feet in the front yard and twenty-five (25) feet in

the side and rear yards. Setbacks shall be measured from the nearest point of any property line;

- h. A minimum of a twenty-five (25) foot buffer strip along rear and side property lines shall be developed and maintained per the buffer strip requirements of this ordinance;
 - i. Security fencing located in the front yard shall be screened with a minimum of one (1) large evergreen shrub per five (5) linear feet of fence. Such large shrubs shall be on the visual resources review board's recommended large shrubs list and shall be a minimum of three (3) feet in height at the time of planting; and
 - j. A maximum of one (1) wall sign shall be permitted. Such wall sign shall meet all other sign requirements of the district.
- 15. Day care facilities as regulated in Chapter 4.
- 16. Nursing homes as regulated in Chapter 4.
- 17. Elderly housing as regulated in Chapter 4.
- 18. Churches and other places of worship.
- 19. Schools, public and private, provided the following development criteria are met:
 - a. Access shall be directly to a street having a designated classification of local collector or greater, or a local street which is not interior to a subdivision. The street on which the school accesses must meet the minimum design standards established in the Farragut Subdivision Regulations;
 - b. There shall be a minimum lot size of three (3) acres; and
 - c. The lot on which the school is located is a free-standing parcel.
- 20. Theaters, indoor only.
- 21. Cultural activities.
- 22. Parks, playgrounds, play fields, neighborhood buildings, and community buildings.
- 23. Indoor recreational facilities.

24. Outdoor recreational facilities such as miniature golf courses, golf courses, driving ranges, batting cages, tennis courts, swimming pools, skating/skateboard facilities, paintball facilities, and other similar non-motorized recreational facilities as determined by the Board of Zoning Appeals. Seasonal inflatable playground structures shall not be considered a similar non-motorized recreational facility. The following development criteria shall be met:

- a. A minimum of a forty (40) foot front yard setback is maintained for any recreational facility that does not require the construction of a structure;
- b. A minimum of a ten (10) foot rear and side yard setback is maintained for any recreational facility that does not require the construction of a structure; and
- c. All structures developed as an integral part of a recreational facility/use are set back a minimum of forty (40) feet in the front yard and ten (10) feet in the side and rear yards. Setbacks shall be measured from the nearest point of any property line.

25. Utility uses.

C. *Area regulations.* The purpose of these setback regulations is to create a flexible building envelope that will enable the creative possibilities for development of a parcel to be maximized and to allow consideration of the natural features of a parcel as it is being developed. Please refer to Illustrations 6, 7 and 8 (see Chapter 1). These illustrations depict the intent of the following regulations. Setbacks shall be measured from the nearest point of any property line and all structures shall comply with the following setback requirements:

1. *Front Yards.*

- a. All buildings shall be set back from the nearest point of any right-of-way a minimum of eighty (80) feet;
- b. All buildings shall be set back from the nearest point of any right-of-way a minimum of sixty (60) feet if only a driveway aisle is located in the front yard; or
- c. All buildings shall be set back from the nearest point of any right-of-way a minimum of forty (40) feet if no paved surfaces are located in the front yard.

All accessory structures, excluding detention basin structures and certain utility structures, shall be set back from the nearest point of any right-of-way a minimum of forty (40) feet, except as provided for elsewhere in this ordinance or the Municipal Code. Detention basin structures shall be set back from the nearest

point of any right-of-way a minimum of ten (10) feet. Electrical substations, utility offices, or any other utility building shall meet the front yard setback requirements.

2. *Side Yards.* All buildings shall be set back a combined total of at least sixty (60) feet on the two sides, but not less than twenty (20) feet on any one side.
 3. *Side and rear yards.* All accessory structures shall be set back a minimum of ten (10) feet, except as provided for elsewhere in this ordinance or the Municipal Code.
 4. *Rear Yards.* All buildings shall be set back a minimum of thirty (30) feet.
 5. *Buffer strips.*
 - a. There shall be a buffer strip a minimum of thirty-five (35) feet in width on all front property lines when the street adjacent to that front property line is classified as a collector or local street on the Major Road Plan and the property on the opposite side of the street is zoned residential or agricultural;
 - b. There shall be a buffer strip a minimum of thirty-five (35) feet in width on all side and rear property lines when the abutting property is zoned residential or agriculture;
 - c. Existing, mature vegetation shall be preserved and incorporated into the buffer strip; and
 - d. Detention basins, measured from top-of-slope to top-of-slope, and associated structures shall not be located within any buffer strips.
 6. *Maximum lot coverage.* Total lot coverage — Seventy (70) percent.
 7. *Land area.* Minimum lot size of one (1) acre.
- D. *Height regulations.* No structure shall exceed two and one-half (2½) stories, or thirty-five (35) feet in height, except as provided for elsewhere in this ordinance.
- E. *Parking.* As regulated in Chapter 4.
- F. *Mixed Use Town Center.*
1. *General Description and Purpose:*

In the Town's adopted Comprehensive Land Use Plan (CLUP), Strategy 1 describes the community's desire to Bring About a Downtown. Also included in the CLUP are land use descriptions related to the intent, uses, and character of

what is described as a Mixed Use Town Center (MUTC). The CLUP also includes a future land use map which identifies locations for a MUTC.

The purpose of this section is to ensure that properties zoned C-1 that are within (i.e. at least half of the existing parcel) the area shown as Mixed Use Town Center are developed and redeveloped in a manner that is consistent with the CLUP.

Where a property is zoned C-1 and is shown to be within the area identified as MUTC on the Future Land Use Map the following provisions shall apply:

2. *Permitted Principal and Accessory Uses and Structures* (if a use is not listed below it shall not be permitted unless it is approved by the Board of Zoning Appeals as a Special Exception and the proposed use is consistent with the CLUP as it relates to the MUTC).
 - a. Generally recognized retail sales. This excludes all outdoor sales or storage (unless part of an approved Farmers Market or similar seasonal pedestrian oriented use) and any “big box” entities where the total gross square footage exceeds 25,000 square feet.
 - b. Restaurants, tea rooms, cafes, coffee houses, bistros, or other similar establishments serving food or beverage that is primarily consumed within the principal building or in designated outdoor seating areas associated with the principal building. This excludes drive-through service lanes and windows.
 - c. Financial and real estate services. This excludes drive-through service lanes and windows.
 - d. Professional, personal, and business services.
 - e. Public, governmental, and general offices.
 - f. Medical, dental, and veterinary facilities (indoors only).
 - g. Medical spas.
 - h. Adult education and training facilities, indoors only.
 - i. Cultural activities.

- j. Theaters.
- k. Indoor recreational facilities.
- l. Parks and community facilities.
- m. Residential, provided located in upper stories.
- n. Bed and breakfasts/inns.
- o. Hotels, provided the gross square footage does not exceed 25,000 square feet.
- p. Churches and other places of worship, provided they are not located in freestanding buildings.
- q. Day care facilities, provided they are not located in freestanding buildings.
- r. Schools, public and private, provided they are not located in freestanding buildings.
- s. Utility uses. This excludes substations and telecommunication towers. These utility uses shall not be permitted.
- t. Other uses similar to any of the above, as approved by the Board of Zoning Appeals as a Special Exception. Any use approved as a Special Exception in this section shall be compatible with the CLUP as it relates to the Mixed Use Town Center.

3. *Building Façade Requirements:*

New construction shall comply with Title 14, Chapter 3, Section 14-305. and Section 14-306. (1) and (2) of the Farragut Municipal Code. The street facing building facade that does not have the storefront must provide windows or some other type architectural feature so the wall is not blank.

Where re-development involves improvements (interior and/or exterior) to an existing building(s) which exceed 50% of the current value (as determined by a certified appraisal) of such building(s), the building(s) façade(s) shall be modified to use high-quality, durable, materials that are architecturally compatible and include a significant masonry element. Such building façades shall not use

fabricated metal panels or vinyl siding and shall include only very limited use of synthetic stucco (EIFS) or panelized brick.

4. *Low Impact Development Requirements:*

Any new development or redevelopment where at least half of the existing site improvements are being modified (e.g. half of the existing parking lot is being altered from its current configuration), shall incorporate a minimum of one (1) of the following Low Impact Development (LID) practices into the design:

- a. Twenty-five (25) percent of the parking lot being constructed with permeable pavers;
- b. Stormwater runoff draining to rain gardens;
- c. A building(s) being constructed with a vegetated roof, commonly referred to as a green roof;
- d. Stormwater draining to bioswales/bioretenention facilities; or
- e. Rainwater being harvested for irrigation or gray water uses.

5. *Area Regulations*

a. Front Yards

- 1. All principal buildings shall be set back a minimum of ten (10) feet from all property lines and access easements.
- 2. All accessory structures, such as parking garages, dumpsters, HVAC units and generators, shall be set back a minimum of twenty (20) feet from all property lines and access easements. This excludes signage, detention basin structures (if associated with a low impact development measure), or structures typically associated with a store front or furnishing zone as described in the TCD Zoning District.

Where abutting an arterial street, no portion of a parking lot shall be closer to such street than the principal building(s). The minimum setback for a parking lot shall be twenty (20) feet from all property lines and access easements.

b. Side and Rear Yards

1. All principal buildings shall be set back a minimum of zero (0) feet if part of a larger plan to join a building on an adjoining property. Where a building is planned to be joined with another building to form a series of buildings the design requirements provided for in Title 14, Chapter 3 of the Farragut Municipal Code shall apply.

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

2. All accessory structures shall be set back a minimum of ten (10) feet, unless a greater setback is otherwise required in this ordinance or the Municipal Code.

6. *Buffer Strips*

- a. There shall be a buffer strip a minimum of thirty-five (35) feet in width on all side and rear property lines when the abutting property is zoned residential or agricultural.

7. *Maximum Lot Coverage*

Total lot coverage — Eighty (80) percent.

8. *Land Area*

Minimum lot size of one (1) acre.

9. *Height Regulations*

- a. Buildings shall be a minimum of two (2) stories in height or have the appearance, as viewed from all building elevations, of a building that is at least two (2) stories in height. Buildings shall not exceed four (4) stories in height. The minimum height requirement shall apply only to new buildings.

Whenever the adjacent property is zoned residential (other than multi-family), or agricultural, no buildings to be constructed within 100 feet of a periphery property line shall exceed the maximum height permitted for principal dwelling units in the adjacent zoning district(s).

No accessory building shall exceed fifteen (15) feet in height. Parking garages shall not exceed three stories or forty-five (45) feet in height. Parking garages may not access streets classified as arterial.

10. *Parking spaces required.*

1. *Number of parking spaces required.*

Unless the building is mixed use, the number of parking spaces required shall be as regulated by Chapter 4, Section XX. of the Zoning Ordinance.

Mixed use buildings shall be governed by the following parking space provisions:

One (1) parking space per two hundred and fifty (250) square feet of gross floor area for the first [ground] floor;

One (1) parking space per five hundred (500) square feet of gross floor area for the second floor; and

One (1) parking space per seven hundred and fifty (750) square feet of gross floor area for the third and fourth floors.

2. *Required bicycle parking.* One (1) bicycle space per five thousand (5,000) square feet of gross floor area. Bicycle racks shall be provided in desirable locations and shall be conveniently located at each building. The rack placement should not impede pedestrian movement and should not cause conflicts between bicycles and pedestrians.

3. *Shared parking.*

Shared parking within the area identified as MUTC shall be encouraged. The parking and access easements must be identified as part of the site plan review and a plat prepared and recorded which memorializes such easements prior to the issuance of a building permit.

11. *Streetscape and Outdoor Open Space:*

An active and interconnected streetscape with visually appealing and functional public spaces shall be provided and specifically addressed in the site plan submittal. Some specific design objectives are as follows:

- a. Provide for pedestrian and bicycle connections between properties and connections to existing pedestrian and bicycle facilities. Provide for a development that creates a pleasant and functional pedestrian experience.
- b. Encourage vehicular connections between adjoining properties.

- c. Locate and orient outdoor open space (e.g. plazas, courtyards, patios, outdoor seating and benches, small park spaces or landscaped features) to provide a focal point to be actively used.
- d. Provide landscape enhancements (e.g. bioswales, rain gardens, planters, flower gardens) to add visual interest, screen parking areas, and complement outdoor open spaces.

12. *Outdoor Site Lighting:*

As regulated in Chapter 4, Section XIII. of the Zoning Ordinance with the following additional provisions in the MUTC:

- a. New exterior lighting associated with new development or re-development within the MUTC shall have a consistency.
- b. Street lighting shall follow the requirements in Chapter 3, Section XXVII. K. 2. of the Zoning Ordinance.
- c. Parking lot lights shall have decorative posts and brackets and a decorative fixture, such as a bell shaped style fixture. The bulbs shall be contained within the fixture so that they are not visible.
- d. Building mounted lights shall be decorative, such as the acorn, lantern, or bell shaped styles. The bulbs shall be contained within the fixture so that they are not visible.
- e. Bollard lighting shall be permitted provided the bulbs are contained within the fixture so that they are not visible.

13. *Signage:*

As regulated in the Farragut Sign Ordinance with the following additional provisions in the MUTC:

- a. Box or cabinet style signs on new buildings shall not be permitted.

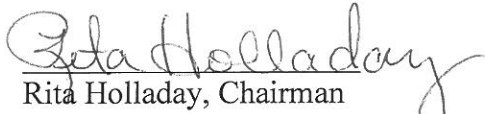
SECTION 3.

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

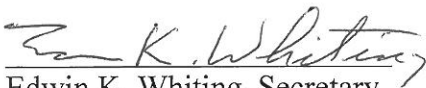
Dr. Ralph McGill, Mayor

Allison Myers, Town Recorder

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



Rita Holladay, Chairman



Edwin K. Whiting, Secretary

FARRAGUT MUNICIPAL PLANNING COMMISSION

RESOLUTION PC-14-14

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 3. SPECIFIC DISTRICT REGULATIONS, SECTION XII. GENERAL COMMERCIAL DISTRICT (C-1), BY ADDING NEW REQUIREMENTS RELATED TO THE MIXED USE TOWN CENTER OUTLINED IN THE COMPREHENSIVE LAND USE PLAN UPDATE

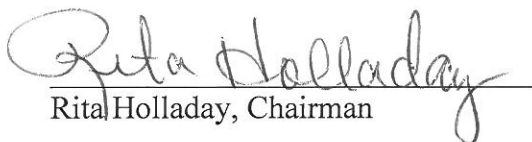
WHEREAS, the Tennessee Code Annotated, Section 13-4-201 et seq, provides that the Municipal Planning Commission shall make and adopt a general plan for the physical development of the municipality; and

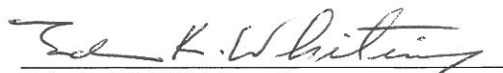
WHEREAS, the Farragut Municipal Planning Commission has adopted various elements of a zoning plan as an element of the general plan for physical development; and

WHEREAS, a public hearing was held on this request on November 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 14-21.

ADOPTED this 20th day of November, 2014.


Rita Holladay, Chairman


Edwin K. Whiting, Secretary

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Mark Shipley, Community Development Director

SUBJECT: Ordinance 14-22, on second reading, for the Board of Mayor and Aldermen to adopt, by ordinance, the area and text identified as Mixed Use Town Center, as shown on the future land use map in the Comprehensive Land Use Plan

BACKGROUND:

This item is related to the proposed ordinance text modifications (Ordinance 14-21) to the C-1 Zoning District for properties shown as being within the Mixed Use Town Center (MUTC) on the future land use map in the Comprehensive Land Use Plan (CLUP). Since the area identified as MUTC is being called out for zoning related provisions in the zoning ordinance, this area and the applicable text associated with this area must be adopted by ordinance. This will tie the zoning ordinance wording to a map and text that has been adopted by ordinance.

DISCUSSION:

When the CLUP was updated in late 2012 it was adopted by resolution by the planning commission but was not adopted by ordinance by the Board of Mayor and Aldermen. This approach was primarily selected because it would provide more flexibility and, when applicable, a less burdensome amendment process with regards to land use related decisions. The request at this time and that is reflected in Ordinance 14-22 is for the Board of Mayor and Aldermen to adopt only the MUTC portion of the CLUP. The adoption of this specific area by ordinance will help to advance the implementation of Strategy 1 of the CLUP – Bringing About a Downtown. Adopting the MUTC area and text, as outlined in Ordinance 14-22, will mean that any future land use decisions or approvals involving properties within the MUTC will be required to be consistent with the CLUP as it relates to the MUTC.

Since the adoption of this portion of the CLUP is advancing the most desired strategy that was identified during the public process of updating the CLUP, the legal authority for such action is well established in the Tennessee Code Annotated. This has been discussed with the town attorney and there is a solid legal basis, as provided for in the Tennessee Code Annotated (TCA), for adopting selected components of the CLUP. Again, this area and text are being adopted by ordinance in order to advance an important component of the CLUP.

RECOMMENDATION BY:

Similar to Ordinance 14-21, Ordinance 14-22 is consistent with both the CLUP and the Strategic Plan. In terms of the CLUP, Ordinance 14-22 would directly promote Strategy 1 – Bringing About a Downtown, Strategy 3 – Encouraging Greater Housing Choice, Strategy 7 – Enhancing our Identity, and Strategy 8 – Plan for Remaining Vacant Properties. In terms of the Strategic Plan, Ordinance 14-22 would promote Goal 2 – Strengthen the Local Economy, and Goal 4, Objectives 5 and 6, which encourage consistency with Town plans and more beautiful corridors and development.

At their meeting on November 20, 2014, the planning commission recommended 7-0 to approve Resolution PC-14-15 which recommends approval of Ordinance 14-22. The staff also recommends approval of Ordinance 14-22.

PROPOSED MOTION:

To approve Ordinance 14-22, on second reading, for the Board of Mayor and Aldermen to adopt, by ordinance, the area and text identified as Mixed Use Town Center, as shown on the future land use map in the Comprehensive Land Use Plan.

BOARD ACTION:

MOTION BY: _____ SECONDED BY: _____

<u>VOTE/TOTAL</u>	<u>MCGILL</u>	<u>PINCHOK</u>	<u>HONKEN</u>	<u>LAMARCHE</u>	<u>MARKLI</u>
YES	_____	_____	_____	_____	_____
NO	_____	_____	_____	_____	_____
ABSTAIN	_____	_____	_____	_____	_____

ORDINANCE: 14-22
PREPARED BY: Shipley
REQUESTED BY: Staff
CERTIFIED BY FMPC: November 20, 2014
PUBLIC HEARING: _____
PUBLISHED IN: _____
DATE: _____
1ST READING: _____
2ND READING: _____
PUBLISHED IN: _____
DATE: _____

AN ORDINANCE TO ADOPT THE AREA AND TEXT IDENTIFIED AS MIXED USE TOWN CENTER, AS SHOWN ON THE FUTURE LAND USE MAP IN THE COMPREHENSIVE LAND USE PLAN

WHEREAS, the Board of Mayor and Aldermen of the Town of Farragut, Tennessee, through the Farragut Municipal Planning Commission, created and adopted the Farragut Comprehensive Land Use Plan and Future Land Use Map; and,

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 adopted the Farragut Comprehensive Land Use Plan and Future Land Use Map by Resolution PC-12-18 on December 20, 2012; and

WHEREAS, the Tennessee Code Annotated, Section 13-4-202 et seq, provides that the Municipal Planning Commission and the chief legislative body may adopt parts of the Comprehensive Land Use Plan that correspond generally with one (1) or more of the functional subdivisions of the subject matter of the plan; and

WHEREAS, the Board of Mayor and Alderman of the Town of Farragut recognizes the need to implement Strategy 1, Bringing About a Downtown, of the Comprehensive Land Use Plan Update;

NOW, THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen of the Town of Farragut, Tennessee, that the Farragut Comprehensive Land Use Plan Update, Chapter Three, Future Land Use Plan, Land Use Descriptions Section, Description 1, Mixed Use Town Center and the area identified on the Farragut Future Land Use Map as Mixed Use Town Center (Exhibit A) are hereby adopted.

SECTION 1.

The Farragut Comprehensive Land Use Plan Update, Chapter 3 Future Land Use Plan, Land Use

Descriptions Section, Description 1 Mixed Use Town Center and the area identified on the Farragut Future Land Use Map as Mixed Use Town Center (Exhibit A) :

I. Chapter 3 Future Land Use Plan, Land Use Descriptions Section, 1. Mixed Use Town Center

A. *Intent*

1. Increase Farragut's long-term economic sustainability by diversifying the retail tax base through the creation of a traditional downtown with a variety of shops, restaurants, businesses and residences, in a pedestrian-oriented setting.
2. Integrate high-density residential development to help support retail and other commercial uses.
3. Consider the creation of an entertainment district that draws people to the area. This could include subsidies for galleries or a resident artist elected each year. This would require a planning process to establish a vision, governance structure, and secure seed money.
4. Create public gathering spaces
5. Provide extended (evening) hours of operation that will cater to shopping, dining, and entertainment to increase the vitality of the area.

B. *Uses*

1. A mix of uses including: employment, commercial, retail, services, civic, and residential.
2. Substantial residential use—primarily multi-family residences, but some attached units (townhomes, duplexes) for transitions to adjacent single-family neighborhoods.
3. Retail-oriented commercial uses, including “one off” establishments (local businesses) as well as chain establishments that utilize small footprints (such as coffee shops, small footprint versions of big box stores).
4. Offices and personal services such as doctor, dentists, bookkeeping, or studios.
5. Also encourage:
 - a. Public service providers (law enforcement, fire protection) and new schools.
 - b. Entertainment options such as theater or performing arts.
6. Residential Density: 8-15 dwelling units per acre

C. *Location*

1. Within a general 1 mile radius of Kingston Pike and Campbell Station Road.

D. *Character*

1. Connected building facades, with minor setback variations close to the sidewalk, on both sides of a street, that form a continuous shopping experience, with individual buildings adequately differentiated (to avoid strip appearance).
2. High degree of ground floor transparency (glass) for visual interest to pedestrians.
3. Comfortable bike and pedestrian connections to surrounding neighborhoods, with adequate bike parking.

4. Pedestrian-focused amenities, places for gathering (pocket parks and plazas), wide sidewalks, outdoor dining, street trees, benches, consolidated newspaper racks, planters, and paving.
5. Pedestrian scale signage.
6. On-street parking to separate pedestrians from traffic and provide convenient parking; Major parking behind buildings, out of sight of pedestrians.
7. Gridded or semi-gridded street network
 - a. A block pattern that includes a 'figure 8' pedestrian circulation pattern that wraps around corners (as opposed to a single street).

E. *Other*

1. Require consistent hours of operation. (See Chapter 2: Eight Key Strategies Strategy 1 Bring About a Downtown and Chapter 5: Extended Implementation Tools for more information)

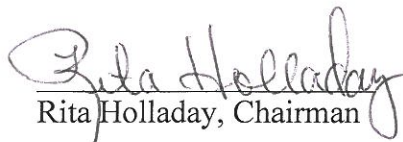
SECTION 2.

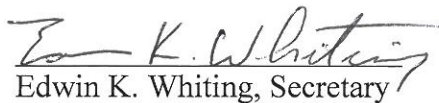
This ordinance shall take effect from and after its final passage and publication, the public welfare requiring it.

Dr. Ralph McGill, Mayor

Allison Myers, Town Recorder

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


Rita Holladay, Chairman

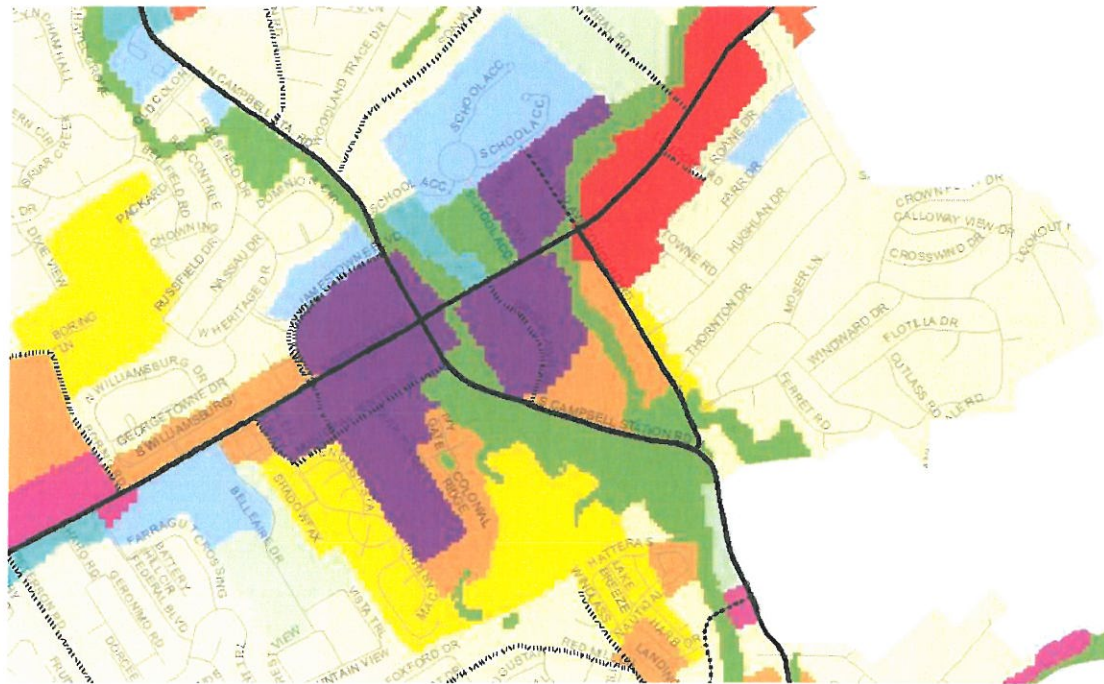

Edwin K. Whiting, Secretary

FARRAGUT MUNICIPAL PLANNING COMMISSION

Exhibit A

Future Land Use Map

(area identified as Mixed Use Town Center as shown in purple)



Future Land Use

- City/Institutional
- Office/Light Industrial
- Commercial
- Regional Commercial
- Open Space
- Parks and Rec
- Open Space Cluster Residential
- Rural Residential (> 1 Acre lots)
- Very Low Density Residential (2-4 DUs / Acre)
- Low Density Residential (3-6 DUs / Acre)
- Med Density Residential (6-12 DUs / Acre)
- Mixed Use Neighborhood (6-10 DUs / Acre)
- Mixed Use Town Center (5-15 DUs / Acre)

RESOLUTION PC-14-15

FARRAGUT MUNICIPAL PLANNING COMMISSION

A RESOLUTION TO RECOMMEND ADOPTION OF THE AREA AND TEXT IDENTIFIED AS MIXED USE TOWN CENTER, AS SHOWN ON THE FUTURE LAND USE MAP IN THE COMPREHENSIVE LAND USE PLAN

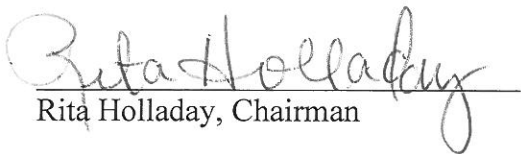
WHEREAS, the Tennessee Code Annotated, Section 13-4-201 et seq, provides that the Municipal Planning Commission shall make and adopt a general plan for the physical development of the municipality; and

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 November 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 Ordinance 14-22 to adopt the text of the Farragut Comprehensive Land Use Plan Update, Chapter Three, Future Land Use Plan, Land Use Descriptions Section, Description 1, Mixed Use Town Center and the area identified on the Farragut Future Land Use Map as Mixed Use Town Center.

ADOPTED this 20th day of November, 2014.


Rita Holladay, Chairman


Edwin K. Whiting, Secretary

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Mark Shipley, Community Development Director

SUBJECT: Ordinance 14-23, on second reading, to amend the text of the Farragut Zoning Ordinance, Chapter 3., Section XXVII. Town Center District (TCD), N. 6., Area Regulations, Land Area, to change the minimum land area for development

BACKGROUND:

During the discussions with the planning commission related to the Mixed Use Town Center (MUTC), one suggestion that was initiated by the staff was to revisit the minimum land area requirement for a property to be considered for a rezoning to the Town Center District (TCD).

DISCUSSION:

When the TCD Zoning District was created in 2007 it was tailored to fit a concept plan that was being considered at that time for a large scale downtown style development on a large vacant tract adjacent to the Town Hall property. Consequently, as currently provided for in the zoning ordinance, the minimum lot size for a property to be considered for a TCD rezoning is fifteen (15) acres.

Unfortunately the large scale development of a downtown did not proceed and, since that time, the Transportation and Land Use Policy Plan that was approved in 2001 was updated as the Comprehensive Land Use Plan (CLUP). The CLUP was adopted by the planning commission in December of 2012 and included an area identified as MUTC that was a preferred location for a downtown.

Within the MUTC, there are a number of parcels that are smaller than 15 acres but that, as part of an incremental development of a downtown, would be good candidates for a rezoning to TCD. Consequently, the staff is proposing to encourage more flexibility with the TCD Zoning District by removing the 15 acre minimum lot size. The proposed minimum lot size would be one (1) acre like other commercial and office zoning districts.

RECOMMENDATION BY:

Similar to Ordinances 14-21 and 14-22, Ordinance 14-23 is consistent with both the CLUP and the Strategic Plan. In terms of the CLUP, Ordinance 14-23 would directly promote Strategy 1 – Bringing About a Downtown, Strategy 3 – Encouraging Greater Housing Choice, Strategy 7 – Enhancing our Identity, and Strategy 8 – Plan for Remaining Vacant Properties. In terms of the Strategic Plan, Ordinance 14-23 would promote Goal 2 – Strengthen the Local Economy, and Goal 4, Objectives 5 and 6, which encourage consistency with Town plans and more beautiful corridors and development.

At their meeting on November 20, 2014, the planning commission recommended 6-0-1 (one commissioner abstained) to approve Resolution PC-14-16 which recommends approval of Ordinance 14-23. The staff also recommends approval of Ordinance 14-23.

PROPOSED MOTION:

To approve Ordinance 14-23, on second reading, to amend the text of the Farragut Zoning Ordinance, Chapter 3., Section XXVII. Town Center District (TCD), N. 6., Area Regulations, Land Area, to change the minimum land area for development.

BOARD ACTION:

MOTION BY: _____ **SECONDED BY:** _____

<u>VOTE/TOTAL</u>	<u>MCGILL</u>	<u>PINCHOK</u>	<u>HONKEN</u>	<u>LAMARCHE</u>	<u>MARKLI</u>
YES	_____	_____	_____	_____	_____
NO	_____	_____	_____	_____	_____
ABSTAIN	_____	_____	_____	_____	_____

ORDINANCE:	14-23
PREPARED BY:	Shipley
REQUESTED BY:	Staff
CERTIFIED BY FMPC:	November 20, 2014
PUBLIC HEARING:	_____
PUBLISHED IN:	_____
DATE:	_____
1ST READING:	_____
2ND READING:	_____
PUBLISHED IN:	_____
DATE:	_____

AN ORDINANCE TO AMEND THE TEXT OF THE FARRAGUT ZONING ORDINANCE, ORDINANCE 86-16, AS AMENDED, PURSUANT TO AUTHORITY GRANTED BY SECTION 13-4-201, TENNESSEE CODE ANNOTATED, BY AMENDING CHAPTER 3. SPECIFIC DISTRICT REGULATIONS, SECTION XXVII. N. 6., TOWN CENTER DISTRICT (TCD), AREA REGULATIONS, LAND AREA., TO CHANGE THE MINIMUM LAND AREA FOR DEVELOPMENT

WHEREAS, the Board of Mayor and Aldermen of the Town of Farragut, Tennessee, wishes to amend Chapter 3, Section XXVII.N.6., Town Center District (TCD), Area Regulations, Land Area, of the Farragut Zoning Ordinance, Ordinance 86-16,

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

SECTION 1.

The Farragut Zoning Ordinance, Chapter 3, Specific District Regulations, Section XXVII.N.6., Town Center District (TCD), Area Regulations, Land Area, is amended by deleting it in its entirety and substituting in lieu thereof the following:

SECTION 2.

Chapter 3, Specific District Regulations, Section XXVII.N.6., Town Center District (TCD), Area Regulations, Land Area, is amended by inserting the following:

6. Land area. Minimum development size of one (1) acre.

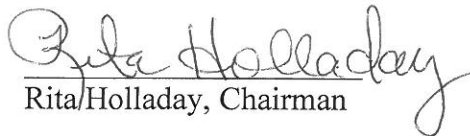
SECTION 3.

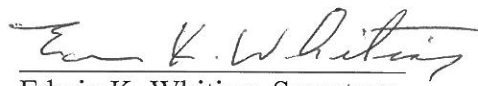
This ordinance shall take effect from and after its final passage and publication, the public welfare requiring it.

Dr. Ralph McGill, Mayor

Allison Myers, Town Recorder

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


Rita/Holladay, Chairman


Edwin K. Whiting, Secretary

FARRAGUT MUNICIPAL PLANNING COMMISSION

RESOLUTION PC-14-16

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 3. SPECIFIC DISTRICT REGULATIONS, SECTION XXVII., TOWN CENTER DISTRICT (TCD), SUBSECTION N. 6., AREA REGULATIONS, LAND AREA., TO CHANGE THE MINIMUM LAND AREA FOR DEVELOPMENT

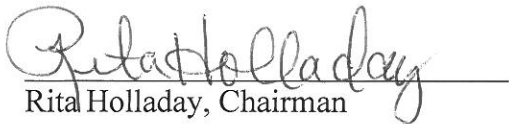
WHEREAS, the Tennessee Code Annotated, Section 13-4-201 et seq, provides that the Municipal Planning Commission shall make and adopt a general plan for the physical development of the municipality; and

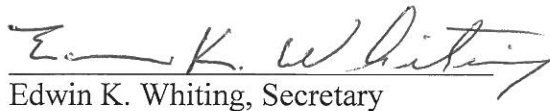
WHEREAS, the Farragut Municipal Planning Commission has adopted various elements of a zoning plan as an element of the general plan for physical development; and

WHEREAS, a public hearing was held on this request on November 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 14-23.

ADOPTED this 20th day of November, 2014.


Rita Holladay, Chairman


Edwin K. Whiting, Secretary

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Mark Shipley, Community Development Director

SUBJECT: Ordinance 14-24, on second reading, to amend the text of the Farragut Zoning Ordinance, Chapter 3., Section XXIII. Telecommunication Tower Overlay Zone (T)., C. 1., to limit the overlay in the Mixed Use Town Center area outlined in the Comprehensive Land Use Plan

BACKGROUND:

During the planning commission meetings related to the Mixed Use Town Center (MUTC), there was significant discussion concerning uses that would be appropriate for a MUTC. One use that was deemed inappropriate was a telecommunications tower. Consequently, as part of Ordinance 14-21 which involved amendments to the C-1 Zoning District, substations and telecommunication towers were specifically prohibited for properties zoned C-1 and that are within the MUTC. Ordinance 14-24 expands this objective and does not permit a rezoning to the Telecommunication Tower Overlay (T) Zoning District for any properties, not just those zoned C-1, within the MUTC.

DISCUSSION:

The area identified as MUTC in the Comprehensive Land Use Plan (CLUP) is fairly limited in size. Consequently, the impact of a new and potentially very visible use that would be incompatible with the development of a downtown could be significant. Currently, telecommunication towers are not permitted on properties zoned residential. Ordinance 14-24 expands this restriction to cover the relatively small MUTC area in order to promote Strategy 1 – Bringing About a Downtown - of the CLUP.

Included in your packet is the resolution and ordinance related to this amendment and a version of the amended language which illustrates where the proposed change has been made.

RECOMMENDATION BY:

Similar to Ordinances 14-21, 14-22, and 14-23, Ordinance 14-24 is consistent with both the CLUP and the Strategic Plan. In terms of the CLUP, Ordinance 14-24 would directly promote Strategy 1 – Bringing About a Downtown, Strategy 7 – Enhancing our Identity, and Strategy 8 – Plan for Remaining Vacant Properties. In terms of the Strategic Plan, Ordinance 14-24 would promote Goal 2 – Strengthen the Local Economy, and Goal 4, Objectives 5 and 6, which encourage consistency with Town plans and more beautiful corridors and development.

At their meeting on December 18, 2014, the planning commission recommended 8-0 to approve Resolution PC-14-17 which recommends approval of Ordinance 14-24. The staff also recommends approval of Ordinance 14-24.

PROPOSED MOTION:

To approve Ordinance 14-24, on second reading, to amend the text of the Farragut Zoning Ordinance, Chapter 3., Section XXIII. Telecommunication Tower Overlay Zone (T)., C. 1., to limit the overlay in the Mixed Use Town Center area outlined in the Comprehensive Land Use Plan.

BOARD ACTION:

MOTION BY: _____ SECONDED BY: _____

<u>VOTE/TOTAL</u>	<u>MCGILL</u>	<u>PINCHOK</u>	<u>HONKEN</u>	<u>LAMARCHE</u>	<u>MARKLI</u>
YES	_____	_____	_____	_____	_____
NO	_____	_____	_____	_____	_____
ABSTAIN	_____	_____	_____	_____	_____

ORDINANCE:	14-24
PREPARED BY:	Shipley
REQUESTED BY:	Staff
CERTIFIED BY FMPC:	December 18, 2014
PUBLIC HEARING:	_____
PUBLISHED IN:	_____
DATE:	_____
1ST READING:	_____
2ND READING:	_____
PUBLISHED IN:	_____
DATE:	_____

AN ORDINANCE TO AMEND THE TEXT OF THE FARRAGUT ZONING ORDINANCE, ORDINANCE 86-16, AS AMENDED, PURSUANT TO AUTHORITY GRANTED BY SECTION 13-4-201, TENNESSEE CODE ANNOTATED, BY AMENDING CHAPTER 3. SPECIFIC DISTRICT REGULATIONS, SECTION XXIII., TELECOMMUNICATIONS TOWER OVERLAY ZONE (T), SUBSECTION C.1., MINIMUM DEVELOPMENT REQUIREMENTS, TO LIMIT THE OVERLAY IN THE MIXED USE TOWN CENTER AREA OUTLINED IN THE COMPREHENSIVE LAND USE PLAN

WHEREAS, the Board of Mayor and Aldermen of the Town of Farragut, Tennessee, wishes to amend Chapter 3, Section XXIII.C.1., Telecommunications Tower Overlay Zone (T), Minimum Development Requirements, of the Farragut Zoning Ordinance, Ordinance 86-16,

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

SECTION 1.

The Farragut Zoning Ordinance, Chapter 3, Specific District Regulations, Section XXIII.C.1., Telecommunications Tower Overlay Zone (T), Minimum Development Requirements, is amended by deleting it in its entirety and substituting in lieu thereof the following:

SECTION 2.

Chapter 3, Specific District Regulations, Section XXIII.C.1., Telecommunications Tower Overlay Zone (T), Minimum Development Requirements, is amended by inserting the following:

1. The overlay zone shall not be permitted in residentially zoned property or within the Mixed Use Town Center area as identified on the future land use map in the Comprehensive Land Use Plan.

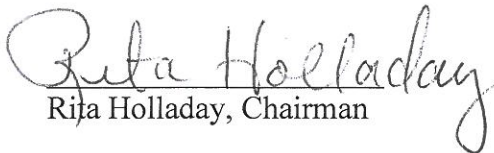
SECTION 3.

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

Dr. Ralph McGill, Mayor

Allison Myers, Town Recorder

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


Rita Holladay, Chairman


Edwin K. Whiting, Secretary

FARRAGUT MUNICIPAL PLANNING COMMISSION

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Mark Shipley, Community Development Director

SUBJECT: Ordinance 14-25, on second reading, to amend the text of the Farragut Zoning Ordinance, Chapter 3., Section XXVI., Planned Commercial Development District (PCD), as it relates to the Mixed Use Town Center area outlined in the Comprehensive Land Use Plan

BACKGROUND:

When ordinance amendments related to the Mixed Use Town Center (MUTC) area were being formulated with the planning commission, it was mentioned by staff that the properties where the MUTC designation was established were currently zoned predominantly General Commercial (C-1). Consequently, Ordinance 14-21 was initially developed to address these C-1 properties and ensure that they would be developed and re-developed in a manner consistent with the MUTC as described in the Comprehensive Land Use Plan (CLUP).

DISCUSSION:

Though smaller in area, a portion of the MUTC is also currently zoned Planned Commercial Development District (PCD). Consequently, for consistency purposes, Ordinance 14-25 applies the use and design provisions established in Ordinance 14-21 for properties zoned C-1 to those properties zoned PCD. This language will help to advance the implementation of Strategy 1 of the CLUP – Bringing About a Downtown. Additionally, as part of Ordinance 14-25, some language in Sections B.5 and D.2.a., of the PCD provisions are being updated to reflect the latest adopted plans.

Included in the packet is the resolution and ordinance related to this amendment and a version of the amended language which illustrates where the proposed changes have been made.

RECOMMENDATION BY:

Similar to Ordinances 14-21, 14-22, 14-23, and 14-24, Ordinance 14-25 is consistent with both the CLUP and the Strategic Plan. In terms of the CLUP, Ordinance 14-25 would directly promote Strategy 1 – Bringing About a Downtown, Strategy 3 – Encouraging Greater Housing Choice, Strategy 7 – Enhancing our Identity, and Strategy 8 – Plan for Remaining Vacant Properties. In terms of the Strategic Plan, Ordinance 14-25 would promote Goal 2 – Strengthen the Local Economy, and Goal 4, Objectives 5 and 6, which encourage consistency with Town plans and more beautiful corridors and development.

At their meeting on December 18, 2014, the planning commission recommended 8-0 to approve Resolution PC-14-18 which recommends approval of Ordinance 14-25. The staff also recommends approval of Ordinance 14-25.

PROPOSED MOTION:

To approve Ordinance 14-25, on second reading, to amend the text of the Farragut Zoning Ordinance, Chapter 3., Section XXVI., Planned Commercial Development District (PCD), as it relates to the Mixed Use Town Center area outlined in the Comprehensive Land Use Plan.

BOARD ACTION:

MOTION BY: _____ SECONDED BY: _____

<u>VOTE/TOTAL</u>	<u>MCGILL</u>	<u>PINCHOK</u>	<u>HONKEN</u>	<u>LAMARCHE</u>	<u>MARKLI</u>
YES	_____	_____	_____	_____	_____
NO	_____	_____	_____	_____	_____
ABSTAIN	_____	_____	_____	_____	_____

ORDINANCE:	14-25
PREPARED BY:	Shipley
REQUESTED BY:	Staff
CERTIFIED BY FMPC:	December 18, 2014
PUBLIC HEARING:	_____
PUBLISHED IN:	_____
DATE:	_____
1ST READING:	_____
2ND READING:	_____
PUBLISHED IN:	_____
DATE:	_____

AN ORDINANCE TO AMEND THE TEXT OF THE FARRAGUT ZONING ORDINANCE, ORDINANCE 86-16, AS AMENDED, PURSUANT TO AUTHORITY GRANTED BY SECTION 13-4-201, TENNESSEE CODE ANNOTATED, BY AMENDING CHAPTER 3. SPECIFIC DISTRICT REGULATIONS, SECTION XXVI., PLANNED COMMERCIAL DEVELOPMENT DISTRICT (PCD), BY ADDING NEW REQUIREMENTS RELATED TO THE MIXED USE TOWN CENTER OUTLINED IN THE COMPREHENSIVE LAND USE PLAN

WHEREAS, the Board of Mayor and Aldermen of the Town of Farragut, Tennessee, wishes to amend Chapter 3, Section XXVI. Planned Commercial Development District (PCD), of the Farragut Zoning Ordinance, Ordinance 86-16,

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

SECTION 1.

The Farragut Zoning Ordinance, Chapter 3, Specific District Regulations, Section XXVI., Planned Commercial Development District (PCD), is amended by deleting it in its entirety and substituting in lieu thereof the following:

SECTION 2.

Chapter 3, Specific District Regulations, Section XXVI., Planned Commercial Development District (PCD), is amended by inserting the following:

- A. *General description.* The planned commercial development district (PCD) is established to encourage creative and resourceful projects for interrelated commercial and office uses unified by a Development Plan. The PCD district is intended to provide for variety and flexibility in design necessary to implement integrated planned commercial development projects. It is intended that the PCD district be established along streets having a designated

classification of arterial on the Farragut Major Road Plan or a street which directly accesses a street having a designated classification of arterial on the Farragut Major Road Plan.

B. *Objectives.* The Planned Commercial Development District (PCD) shall have the following characteristics:

1. *Open space.* Encourage ingenuity, creativity, and resourcefulness in land planning techniques by developing functional common open spaces.
2. *Sense of place.* Allow the design of commercial and office developments that are architecturally and environmentally innovative and that achieve more efficient use of land than is possible through the application of conventional zoning and subdivision standards.
3. *Protection of natural resources.* Ensure the conservation of the natural environment including trees, floodplains, sinkholes, wetlands, springs, streams, wet weather conveyances, endangered species habitat, steep slopes, rock formations, other unique topographic features, and historic features per federal, state, and the Town of Farragut's laws and/or ordinances. Protect geological resources such as groundwater, soils, and drainage areas.
4. *Efficient land use.* Encourage efficient use of land, street networks, utility locations, and parking.
5. *Compatibility and consistency.* Maintain compatibility with nearby development and consistency with the Farragut Comprehensive Land Use Plan Update, Pedestrian and Bicycle Plan, and all other adopted plans and ordinances of the Town of Farragut and any subsequent amendments.

C. *Minimum standards.*

1. *Land uses.*
 - a. Unless otherwise prohibited through the approved Development Plan, any use permitted within the commercial and office districts shall be allowed within the PCD district. Where a property is zoned PCD and is shown to be within the area identified as Mixed Use Town Center (MUTC) on the Future Land Use Map the use shall be permitted and comply as established in Chapter 3, Section XII.F.;
 - b. The total land area of the PCD shall be designed as a planned development and, for the purposes of building and parking lot setbacks and landscaping requirements, shall be treated as a single parcel/lot;
 - c. The development shall be designed in a manner that ensures compatibility with adjacent land uses; and
 - d. Traffic circulation shall not route traffic through adjacent residential areas.
2. *General conditions.* By acceptance of approval of the PCD zoning, the applicant agrees to the conditions set forth in this section as part of such approval. As part of the approval of the PCD district, the town may require the following:
 - a. Rearrangement of structures, open space, driveways, and parking areas;
 - b. Modification of density, setbacks, and buffering; and

c. Limitation of specific commercial uses.

3. *Area regulations.*

a. *Front yard.*

- 1) If the street is classified as an arterial or a major collector on the Major Road Plan, all buildings shall be setback from the nearest point of any right-of-way a minimum of forty (40) feet, except as provided for elsewhere in this ordinance or the Municipal Code;
- 2) If the street is classified as a minor collector or a local street on the Major Road Plan, all buildings shall be set back from the nearest point of any right-of-way a minimum of thirty (30) feet, except as provided for elsewhere in this ordinance or the Municipal Code;
- 3) If the street is classified as a local street on the Major Road Plan and is constructed as part of the approved Development Plan, all buildings shall be setback from the nearest point of any right-of-way a minimum of ten (10) feet. All other structures shall be set back from the nearest point of any right-of-way a minimum of twenty (20) feet, except as provided for elsewhere in this ordinance or the Municipal Code; and
- 4) Driveway aisles, accessways, parking lots, and other vehicular ways shall be setback a minimum of twenty (20) feet from all public right-of-ways and a perimeter parkway shall be maintained.

b. *Peripheral side and rear property lines.* All buildings shall be set back a minimum of thirty-five (35) feet from all peripheral side and rear property lines, except as provided for elsewhere in this ordinance of the Municipal Code. Any required buffer strip shall be included in the required peripheral structure setback.

c. *Buffer strips.*

- 1) There shall be a buffer strip a minimum of thirty-five (35) feet in width on all front property lines when the street adjacent to that front property line is classified as a local street on the Major Road Plan, is not constructed as part of the Development Plan, the property on the opposite side of the street is not part of the Development Plan, and the property on the opposite side of the street is zoned residential or agricultural;
- 2) There shall be a buffer strip a minimum of thirty-five (35) feet in width on all peripheral side and rear property lines when the abutting property is zoned residential or agriculture;
- 3) Existing, mature vegetation shall be preserved and incorporated into the buffer strip; and
- 4) Detention basins, measured from top-of-slope to top-of-slope, and associated structures shall not be located within any buffer strips.

d. *Maximum lot coverage.* Total lot coverage for the entire development—seventy (70) percent.

- e. *Land area.* Minimum development size of five (5) acres.
 - f. *Minimum common open space.* A minimum of ten (10) percent of the gross land area of the development shall be reserved as common open space.
- 4. *Common open space ownership regulations.* Provision for the permanent ownership, operation, and maintenance of the common open space shall be provided by covenant, deed restriction, and/or easement. Ownership shall be a property owners association, land trust, or other legal authority.
- 5. *Height regulations.*
 - a. No building shall exceed three (3) stories, or forty-two (42) feet in height, except as provided for elsewhere in this ordinance of the Municipal Code; and
 - b. No accessory structure shall exceed fifteen (15) feet in height, except as provided for elsewhere in this ordinance or the Municipal Code.
- 6. *Street frontage.* All lots created as part of the development shall have a minimum of twenty-five (25) feet street frontage. Access to individual properties and establishments shall be restricted to shared access easements.
- 7. *Parking.* Parking requirements as defined in Chapter 4 shall serve as a guide only. All parking areas shall be shared parking easements for the total PCD development.
- 8. *Landscaping.* As regulated in Chapter 4. Requirements shall apply to the total PCD development.
- 9. *Outdoor site lighting.* As regulated in Chapter 4.
- 10. *Signs.* As regulated in the Farragut Municipal Code. Requirements shall apply to the total PCD development.
- 11. *Development controls.* As regulated in this ordinance, the Farragut Municipal Code, and the Farragut Subdivision Regulations.
- D. *Application for rezoning to Planned Commercial Development District (PCD).* The application for rezoning to PCD shall include a Development Plan, which shall consist of three (3) primary components:
 - 1. A survey of the total land area for consideration of rezoning.
 - 2. A written narrative statement describing the planned development shall include the following information:
 - a. A general statement of objectives to be achieved by the Planned Commercial Development District. This statement shall indicate the responsible person/entity for the development, indicate a description of the character of the proposed development, the market for which the development is oriented, and how the PCD district would be consistent with the Farragut Comprehensive Land Use Plan Update, Pedestrian and Bicycle Plan, and all other adopted plans and ordinances of the Town of Farragut and any subsequent amendments;
 - b. A statement describing the project phasing, including:

- 1) A development schedule indicating the phases in which the project will be built and the dates when construction of each phase can be expected to begin;
 - 2) A statement of the intended schedule for the selling or leasing of each phase of the project; and
 - 3) A description of how each phase shall be self-contained and self-sustaining with regard to access, traffic circulation, parking, utilities, common open spaces, and landscaping, as well as capable of substantial occupancy, operation, and maintenance upon completion of construction and development of each phase.
 - c. A schedule by which the developer will complete all open space and landscaping features;
 - d. Quantitative data for site development standards including, but not limited to density, setbacks, maximum heights, proposed lot coverage of buildings, parking lots and other structures, parcel sizes, gross densities per acre, and total amount of common open space;
 - e. An explanation and construction schedule for the utility and infrastructure requirements of the Planned Commercial Development, including all utilities serving the site, surface water runoff, and other pertinent information;
 - f. A statement pertaining to any architectural and community design guidelines to provide information on building designs, orientations, styles, lighting plans, landscape plans, signs, etc.; and
 - g. Specific provisions, including appropriate legal forms, to assure the permanent ownership, operation, and maintenance of common open space, parking lots, accessways, etc. This can be achieved through covenant, deed restriction, easement, or ownership by a property owners association, land trust, or other legal authority.
3. *Concept master plan.* The concept master plan shall be of sufficient clarity and scale to accurately identify the location, nature, and character of the proposed total development. At a minimum, the concept master plan shall include the following information:
- a. Site location map;
 - b. GIS topography of the site;
 - c. The approximate density, predominant species, general distribution of predominant species, and predominant level of maturity of trees within all tree covered area. Maturity levels shall be classified per the Tree Protection Ordinance;
 - d. All environmentally sensitive areas including but not limited to floodplains, sinkholes, wetlands, springs, streams, wet weather conveyances, endangered species habitat, steep slopes, rock formations, other unique topographic features, and historic features;
 - e. Sufficient information on the existing development within one hundred fifty (150) feet from the boundaries of the subject property to indicate their relationships with the proposed development related to land uses, lot lines, open space corridors,

vehicular and pedestrian circulation systems, environmentally sensitive areas, and other unique natural features of the landscape;

- f. General location of proposed buildings, including building uses;
- g. Boundaries of the total development, including all proposed interior property lines and boundaries for the proposed development phases;
- h. Location of existing and proposed public streets and access easements;
- i. Existing and proposed general vehicular circulation system including all points of access to the proposed development and existing driveways and intersections within the vicinity of the proposed points of access;
- j. Location of proposed off-street parking and loading facilities;
- k. Location of proposed internal and external alignments of existing and proposed sidewalks, bicycle and pedestrian facilities, and greenways/walking trails;
- l. Location of existing utilities;
- m. Proposed treatment of surface water runoff flow from and through the site;
- n. Specific locations and sizes of all areas to be reserved as common open space;
- o. Proposed landscaping plan;
- p. Proposed signage plan;
- q. Calculations of lot coverage for the total development; and
- r. Certification that all requirements of the Tree Protection, Sinkhole, Aquatic Buffer, and the Stormwater Ordinances can be met.

E. *Future modifications.*

1. *Revisions of plans after final approval.*

- a. If it becomes necessary for an approved concept plan or site plan to be changed, then the changes shall be defined as "minor" or "major" by the Town staff. If a proposed change, in the opinion of the Town staff will not substantially affect the terms of the original approval, then the change will be defined as "minor". Minor changes may be reviewed and approved by Town staff. If a proposed change, in the opinion of the Town staff, will substantially affect the terms of the original approval, then the change shall be defined as "major". Major changes require review and approval by the planning commission and the Board of Mayor and Aldermen. In both cases, full sets of revised site plans in accordance with the Town site plan submittal requirements along with a narrative describing the need for the changes shall be submitted.

- (1) *Minor Changes Defined.* Minor modifications are changes that do not substantially affect the character or intensity of the development, vehicular or pedestrian circulation, drainage patterns, the demand for public services, or the vulnerability to hazards. Town staff shall report any request defined as minor to the planning commission and Board of Mayor and Alderman. Examples of minor modifications include but are not limited to the following:

- (a) Adding or deleting parking spaces.
 - (b) Constructing additional stories that do not substantially affect other ordinance requirements of the development.
 - (c) An increase or decrease in floor space by no more than twenty-five (25) percent in the overall development that does not dramatically affect the other ordinance requirements, intent, and nature of the overall development.
 - (d) Re-occupancy of a building by a similar use permitted by the ordinance.
 - (e) Changes to building height/facade that do not add an additional floor.
 - (f) Additions or alterations to the landscape plan or landscape materials.
 - (g) Relocation or resizing of utility supply lines or service connections.
 - (h) Relocation or screening of utilities, HVAC equipment, transformers, or trash receptacles.
 - (i) Alterations to the internal parking layout of an off-street lot in which the total available spaces is unchanged.
- (2) *Major Modifications Defined.* Major modifications are changes that substantially affect the character or intensity of the use, vehicular or pedestrian circulation, drainage patterns, the demand for public services, or the vulnerability to hazards or natural terrain features. Examples of major modifications include but are not limited to the following:
- (a) Request for a variance.
 - (b) Construction of a new building or structure which will substantially affect the ordinance requirements of the development.
 - (c) Increase in the overall density of the development.
 - (d) Introduction or deletion of curb cuts into a public roadway.
2. Additional area may be added to an established Planned Commercial Development District if it adjoins and forms a logical addition to the approved development.
- a. The procedure for the addition of land to the PCD district shall be the same as if an original application was filed.
 - b. All requirements of the PCD district shall apply except for minimum lot area requirement.
- F. *Annual review.* To ensure continued progress toward completion, the approved Development Plan shall be submitted to the Farragut Municipal Planning Commission for annual review.

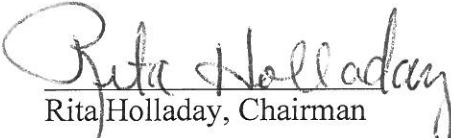
SECTION 3.

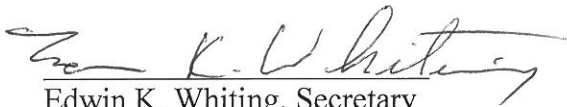
This ordinance shall take effect from and after its final passage and publication, the public welfare requiring it.

Dr. Ralph McGill, Mayor

Allison Myers, Town Recorder

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


Rita Holladay, Chairman


Edwin K. Whiting, Secretary

FARRAGUT MUNICIPAL PLANNING COMMISSION

AGENDA NUMBER VII. A.MEETING DATE January 22, 2015**REPORT TO THE BOARD OF MAYOR AND ALDERMEN****PREPARED BY:** Darryl W. Smith, PE**SUBJECT:** Approval of Request for Supplement from Fulghum MacIndoe & Associates for Additional Engineering Services – McFee/Wentworth Greenway Connector

INTRODUCTION: The purpose of this item is the approval of a supplement request from Fulghum MacIndoe & Associates for additional engineering services related to the recently completed McFee/Wentworth Connector project.

STRATEGIC PLAN: This project is applicable to Goal 5 of the Strategic Plan, "Expand Leisure Amenities (Venues and Programs), Objective 2: Extend the Greenway System, and Objective 4: Increase pedestrian connectivity within Farragut."

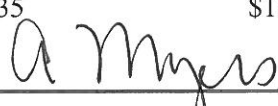
BACKGROUND: The Board approved a contract with Fulghum MacIndoe & Associates in February, 2011 for design of the bridge and greenway connecting the Wentworth Subdivision greenway to our own sidewalk and greenway on McFee Road. The project was designed according to the original scope of services contained within that contract, but further consideration as the project neared the construction phase dictated a more detailed design of several elements (please see attached description of additional services). While the additional design work comes with an obvious cost, most of the additional effort was required to show a more complete design to potential bidders, resulting in lower bids and fewer possibilities of change orders.

The attached request from Fulghum MacIndoe & Associates includes a total cost of \$18,500, which will increase our contract amount from \$51,900 to \$70,400.

The original project cost for the McFee/Wentworth connector was \$262,435. Due to the additional engineering services the total project cost will be \$280,935. The additional cost will be funded through the Greenway Connectors line item in the CIP budget.

FINANCIAL SECTION:**Project: 310-43910-280, Pedestrian/Greenway Connectors**

<u>Project Budget</u>	<u>Requested Amount</u>	<u>Expenditures to Date</u>	<u>Remaining Amount</u>
\$280,935	\$18,500	\$260,020.44	\$2,414.56

Approved By: **RECOMMENDATION BY:** Darryl Smith, Town Engineer, for approval.**PROPOSED MOTION:** Approval of Supplement Request from Fulghum MacIndoe & Associates, Inc. for \$18,500.**BOARD ACTION:****MOTION BY:** _____ **SECONDED BY:** _____VOTE/TOTALMCGILLLAMARCHEHONKENMARKLIPINCHOK

YES

NO

ABSTAIN





January 9, 2015

Mr. Darryl Smith, P.E.
Town of Farragut
11408 Municipal Center Drive
Farragut, TN 37934

Re: McFee Wentworth Greenway Connector – Amendment No. 1

Dear Mr. Smith:

Earlier in December, we discussed the additional services that were performed for completion of the McFee Wentworth Greenway Connector. I went back through the changes, work completed to date, and work remaining to complete the LOMR for FEMA. Based on this, we would like to add an amendment (Amendment No. 1) to our agreement, which would increase our fee by \$18,500 for the following additional services:

- **Revise the plans to change the bridge location and the length of bridge:** At the Town of Farragut's (TOF) request, the length of the bridge was increased to provide inadvertent impact to the Little Turkey Creek FEMA Floodway. The increased span provided better clearance during larger rain events, thus lowering flooding activity as well as future maintenance costs. Though the bridge cost would rise with increased length, a savings would be realized with 28 feet less trail construction (grading, base, pavement, etc.). Cost: \$6,100.
- **Provide geotechnical engineering services at bridge abutments.** At TOF request, FMA subcontracted with GeoServices to determine soil bearing pressures or location of bedrock at abutment locations in order to minimize abutment construction cost. The intent was to remove any unknown risks for the bidding contractors, thereby minimizing their bid prices. Cost: \$4,900.
- **Add structural engineering services to design the abutments.** At TOF request, FMA provided additional services using new geotechnical information (see above) to update the design of abutments. As previously stated above, providing this work during the design phase lowers risk to the contractor, thereby lowering the construction cost. Cost: \$3,500.
- **Add a topographic survey for the greenway from McFee Road to the bridge.** Original contract assumed only a minimal amount of grading would be required between McFee Road and the bridge. The initial grading had been accomplished during the construction of the McFee Road Improvement project in 2003. However, later field inspections found considerable erosion of the area since 2003. Therefore, a topographic surveying was needed for the full

Mr. Smith, P.E.
January 9, 2015
Page 2 of 2

length of the greenway easement in order to accurately define the required grading quantity for bidding purposes. Cost: \$2,100.

- **Boundary survey for the property line between the greenway and adjacent property owner (Floyd):** The trail is located in close proximity to the adjacent Floyd property. Clearing of vegetation up to the property line was required, thus locating the exact line was necessary. Additionally, the Town installed a privacy fence along the property line, and this additional survey work was required to properly locate (and stake) the line. Cost: \$1,900.

Based on this increase and upon your approval, our agreement will be amended as follows:

- Initial agreement \$51,900 (awarded February 15, 2011)
- Amendment No. 1 \$18,500

Total Project Fee = \$70,400

Please keep in mind that FEMA will require a review fee of \$5,300 (as listed on the FEMA website); this is not included in our fees. Please remember to add this to your total project budget.

Please contact me if you have any questions.

Thank you,



William C. Fulghum, Jr., P.E.