



**FARRAGUT BOARD OF MAYOR AND ALDERMEN
MINUTES
March 9, 2017**

**BUDGET WORKSHOP
GENERAL FUND REVENUE/EXPENDITURE PROJECTIONS
STATE STREET AID FUND
5:45 PM**

**BEER BOARD MEETING
6:55 PM**

**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. February 23, 2017
- VI. Business Items**
 - A. Approval of Professional Services Agreement between the Town of Farragut and AECOM Inc. for Geographic Information Systems management
- VII. Ordinances**
 - A. Public Hearing and Second Reading
 1. Ordinance 16-27, an ordinance to amend the Farragut Zoning Ordinance, Chapter 4., Section XX., Parking and Loading., to provide for new requirements

11408 MUNICIPAL CENTER DRIVE | FARRAGUT, TN 37934 | 865.966.7057
WWW.TOWNOFFARRAGUT.ORG

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.

B. First Reading

1. Ordinance 16-28, Ordinance to amend the Farragut Municipal Code Title 14, Chapter 6., Farragut Architectural Design Standards to provide for Appendix A, being an Adopted Color Palette.

VIII. Town Administrator's Report

IX. Town Attorney's Report

Vice-Mayor Pinchok called the meeting to order at 7:00 PM. Members present were Aldermen Markli, Pinchok, Povlin and Williams; Mayor McGill was absent.

Approval of Agenda

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

Mayor's Report

Alderman Povlin reported that the Shamrock Ball was a huge success.

Approval of Minutes

Motion was made to approve the minutes of February 23, 2017 as presented. Moved by Alderman Markli, seconded by Alderman Williams; voting yes, Aldermen Markli, Pinchok and Williams; Alderman Povlin abstained, Mayor McGill was absent; no nays; motion passed.

Business Items

Approval of Professional Services Agreement between the Town of Farragut and AECOM Inc. for Geographic Information Systems management

Motion was made to approve the Professional Services Agreement between the Town of Farragut and AECOM Inc. for Geographic Information Systems management. Moved by Alderman Povlin, seconded by Alderman Markli; voting yes, Aldermen Markli, Pinchok, Povlin and Williams; Mayor McGill was absent; no nays; motion passed.

Ordinances

Public Hearing and Second Reading

Ordinance 16-27, an ordinance to amend the Farragut Zoning Ordinance, Chapter 4., Section XX., Parking and Loading., to provide for new requirements

Motion was made to approve Ordinance 16-27 on second and final reading. Moved by Alderman Povlin, seconded by Alderman Markli; voting yes, Aldermen Markli, Pinchok, Povlin and Williams; Mayor McGill was absent; no nays; motion passed.

First Reading

Ordinance 16-28, Ordinance to amend the Farragut Municipal Code Title 14, Chapter 6., Farragut Architectural Design Standards to provide for Appendix A, being an Adopted Color Palette.

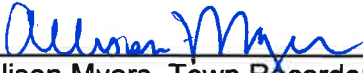
Motion was made to approve Ordinance 16-28 on first reading. Moved by Alderman Povlin, seconded by Alderman Markli; voting yes, Aldermen Markli, Pinchok, Povlin and Williams; Mayor McGill was absent; no nays; motion passed.

Town Administrator's Report

Meeting adjourned at 7:25 PM.



Ron Pinchok, Vice-Mayor



Allison Myers, Town Recorder



FARRAGUT BOARD OF MAYOR AND ALDERMEN AGENDA

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B. First Reading

1. Ordinance 16-28, Ordinance to amend the Farragut Municipal Code Title 14, Chapter 6., Farragut Architectural Design Standards to provide for Appendix A, being an Adopted Color Palette.

VIII. Town Administrator's Report

IX. Town Attorney's Report



FARRAGUT BEER BOARD

March 9, 2017

6:55 PM

I. Approval of Minutes

A. September 22, 2016

II. Beer Permit Request

A. Approval of a Class 6, Special Occasion Beer Permit for the Farragut Food and Wine Festival

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FARRAGUT BEER BOARD

September 22, 2016

6:55 PM

Alderman Pinchok, Chairman, called the beer board meeting to order at 6:55 PM. Members present were Mayor McGill, Aldermen Markli, Pinchok, Povlin and Williams.

Approval of Minutes

Motion was made to approve the minutes of September 8, 2016 as presented. Moved by Alderman Povlin, seconded by Alderman Williams; voting yes, Mayor McGill, Aldermen Markli, Pinchok, Povlin and Williams.

Beer Permit Request

Approval of a Class 1, On-Premise Other Beer Permit for Don Delf's Pancake House & Restaurant, 120 West End Ave.

Motion was made to approve the Class 1 permit for Don Delf's Pancake House. Moved by Alderman Povlin, seconded by Alderman Markli; voting yes, Mayor McGill, Aldermen Markli, Pinchok, Povlin and Williams.

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REPORT TO THE BEER BOARD

PREPARED BY: Allison Myers, Town Recorder

SUBJECT: Approval of a special occasion beer permit for the Farragut Business Alliance Annual Farragut Food and Wine Festival

DISCUSSION:

The Farragut Business Alliance is planning its 8th Annual Farragut Food & Wine Festival event and is requesting a special event beer permit. The Town's Municipal Code governing special occasion beer permits is below.

Sec. 8-212. - Special occasion beer permit.

The special occasion beer permit request shall be made on such form as the board shall prescribe and/or furnish and shall be accompanied by a non-refundable application fee of one hundred dollars (\$100.00).

- (1) The beer board is authorized to issue a special occasion beer permit to bona fide charitable or nonprofit organizations for special events.
- (2) The special occasion beer permit shall not be issued for longer than one (1) forty-eight-hour period, unless otherwise specified by the beer board, subject to the limitations on the hours, imposed by law.
- (3) The application for the special occasion beer permit shall state whether the applicant is a charitable or nonprofit organization, include documents showing evidence of the type of organization, and state the location of the premise upon which alcoholic beverages shall be served and the purpose for the request of the license.
- (4) For purposes of this section:

Bona fide charitable or nonprofit organization means any corporation or other legal entity which has been recognized as exempt from federal taxes under section 501(c) of the Internal Revenue Code.
- (5) No charitable or nonprofit organization possessing a special occasion beer permit shall purchase, for sale or distribution, beer from any source other than a licensee as provided pursuant to state law.
- (6) Failure of the special occasion permittee to abide by the conditions of the permit and all laws of the State of Tennessee and the Town of Farragut will result in a denial of a special occasion beer permit for the sale of beer for a period of two (2) years.

The Farragut Business Alliance is a nonprofit organization and is requesting the permit for May 5, 2017. They are also requesting the \$100 application fee be waived as the Town is an event sponsor of the event.

RECOMMENDATION BY:

Allison Myers, Town Recorder, for approval.

PROPOSED MOTION:

Motion to waive the \$100 application fee and approve the special occasion beer permit for the 8th Annual Farragut Food Festival event.

BOARD ACTION:

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

APPLICATION FOR BEER PERMIT

STATE OF TENNESSEE

TOWN OF FARRAGUT

I hereby make application for a permit to sell, store, manufacture, or distribute Beer under the provisions of Tennessee Code Annotated Section 57-5-101 et seq. and base my application upon the answers to the following questions:

1. Reason for application: New Business ____ New Ownership ____ Name Change ____ Other ☒
2. Type of permit requested, please circle all that apply:

Class 1 On-Premise

Class 2 On-Premise, Other

Class 3 On-Premise, Hotel/Motel

Class 4 On-Premise, Tavern

Class 5 Off-Premise

Class 6, Special Occasion

3. Name of Applicant(s) (Owner(s) of Business) Farragut Business Alliance, Inc.

4. Type of applicant (check one):

Person ____ Firm ____ Corporation ☒ Joint-Stock Company ____ Syndicate ____ Other ____

5. List all persons, firms, corporations, joint-stock companies, syndicates, or associations having at least a 5% ownership interest in the business:

6. Applicant's present home address:

10609 Chevy Dr. Knoxville TN 37922

7. Date of Birth 10/04/55 Home Telephone Number 865-288-0672

Business Telephone Number 865-307-2486 Social Security Number 275-52-6087

8. Representative Email Address: stue@farragutbusiness.com

9. Under what name will the business operate? Farragut Business Alliance

10. Business address PO Box 23583 Farragut, TN 37933

Business Telephone number 865-307-2486

11. Specify the identity, email and physical address of the person to receive annual privilege tax notices and any other communication from the Town:

12. Information of any manager, other than the applicant:

Name: _____ Birth Date: _____

Address: _____

Phone Number: _____

13. Has any person having at least a 5% ownership interest, any of the managers, or any other employee of the business, been convicted of any violation of the beer or alcoholic beverage laws or any crime within the last ten (10) years: ____ Yes ____ No. If yes, give particulars of each charge, court, and date convicted.

14. Have you or your organization ever had a Beer Permit revoked, suspended, or denied in the State of Tennessee? NO If so, specify, where, when, and why:

15. Name and address of property owner, if other than the business owner:

Myers Bros. Holdings, 12740 Kingston Pike, Farragut, TN 37934

16. What is the name and address of the Church (or other place of worship) nearest to your business?

1st Farragut United Methodist Church

17. What is the name and address of the school nearest to your business?

18. Special Occasion Event Name: Farragut Food & Wine Festival

Location of the special occasion event: Front Lawn at Renaissance | Farragut

Event Date & Times: Friday May 5, 2017 6:30 - 9:30 pm

Representative name & phone number: Steve Krempasky 865-307-2486

Have you received a special event permit to hold the event in the Town of Farragut? In-process

19. Tennessee Sales Tax Number: _____

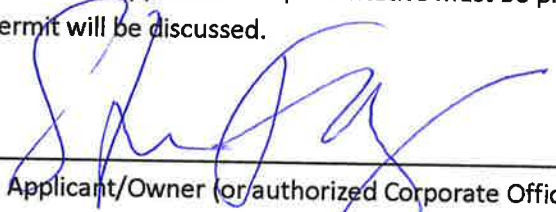
20. Town of Farragut Business License Number _____

I certify that I am knowledgeable of the laws prohibiting the sale of beer to minors and that this application contains true information to the best of my knowledge and belief.

I understand that this application is subject to the Tennessee Public Records Act and shall be open for inspection and reproduction by any citizen. Tennessee Code Annotated 10-7-503.

I understand that by submitting this application, a background investigation shall be conducted and any and any and all documents related to my request shall become public records.

I understand that the applicant or representative must be present at the beer board meeting in which the permit will be discussed.



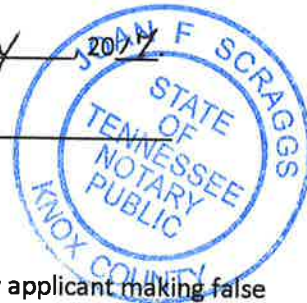
Signature of Applicant/Owner (or authorized Corporate Official)

Sworn to and subscribed before me this 21st day of FEBRUARY, 2017



Notary Public

My Commission Expires: 6-2-18



Notice: A non-refundable \$250 fee must accompany this application. Any applicant making false statement in this application shall forfeit his/her permit and shall not be eligible to receive any permit for a period of ten years.

A privilege tax of \$100 is imposed on the business of selling, distributing, storing or manufacturing beer in this state effective January 1, 1994 and each successive January 1. Any holder of a beer permit issued after January 1, 1994 shall pay a pro rata portion of this annual tax when the permit is issued.

FOR OFFICE USE ONLY

Application is hereby: Approved _____ Denied _____

On this date: _____, 20__

Beer Board Chairman

Town Recorder



FARRAGUT BOARD OF MAYOR AND ALDERMEN AGENDA

February 23, 2017

WORKSHOP

FEASIBILITY STUDY FOR PARKSIDE DRIVE/OUTLET DRIVE CONNECTOR

6:15 PM

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. February 9, 2017
- VI. Business Items**
 - A. Approval of Proposal from Kimley-Horn and Associates, Inc. for Engineering Services for Union Road Improvements
- VII. Town Administrator's Report**
- VIII. Town Attorney's Report**

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Mayor McGill called the meeting to order at 7:00 PM. Members present were Mayor McGill, Aldermen Markli, Pinchok and Williams; Alderman Povlin was absent.

Approval of Agenda

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

Approval of Minutes

Motion was made to approve the minutes of February 9, 2017 as presented. Moved by Alderman Pinchok, seconded by Alderman Markli; voting yes, Mayor McGill, Aldermen Markli, Pinchok and Williams; Alderman Povlin was absent; no nays; motion passed.

Business Items

Approval of Proposal from Kimley-Horn and Associates, Inc. for Engineering Services for Union Road Improvements

Motion was made to approve contract for engineering services with Kimley-Horn and Associates for the Union Road Improvements in the amount of \$473,185. Moved by Alderman Markli, seconded by Alderman Williams; voting yes, Mayor McGill, Aldermen Markli, Pinchok and Williams; Alderman Povlin was absent; no nays; motion passed.

Town Administrator's Report

David Smoak, Town Administrator, announced that the Town would host a public hearing on March 7 for the Union Road improvement project. Also, Adam Price received the Code Official of the Year award for the second year in a row.

Meeting adjourned at 7:15 PM.

Ralph McGill, Mayor

Allison Myers, Town Recorder

AGENDA NUMBER VI. A.

MEETING DATE

March 09, 2017

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: G. Palmer, Assistant Town Manager

SUBJECT: Consideration of an agreement between the Town of Farragut and AECOM Inc. for continuous professional planning and engineering services (primarily Geographic Information Systems; GIS)

ATTACHMENTS: DRAFT Agreement for Professional Services between the Town of Farragut and AECOM Inc. and Attachments A&B
September 24, 2015 BOMA Meeting Minutes

INTRODUCTION: Around September 2015 we *renewed* our continuous service contract with Arcadis to provide the subject service (GIS management). Around January of 2017 Arcadis notified the Town their GIS personnel were no longer going to be working out of the Knoxville office and they could not provide the service the Town needs. We both agreed we will no longer be able to continue under that agreement so we will be terminating same in March 2017.

Therefore, in order to continue to fulfill the GIS needs of our Town staff, other govt. agencies, and the public, we immediately published a request for qualifications (RFQ) for professional services in early February 2017. We received responses from 7 qualified firms. The RFQs were reviewed and ranked with AECOM Inc. (offices in Oak Ridge) clearly being the most qualified firm for this project with the Town of Farragut. Contract negotiations with AECOM commenced with the agreement and attachments resulting for your consideration.

DISCUSSION: Most of the responding firms could not provide the local, in-person service the Town needs but AECOM has offices locally. Moreover, and fortunately for the Town, the GIS employee that left Arcadis went to AECOM so she will continue to be our GIS consultant, but with another firm.

The Town allocated \$40,000 for GIS related services in FY17 and we will continue to maintain the system within that amount. The hourly rate between firms doesn't vary too much so we should see no adverse impact fiscally.

RECOMMENDATION BY: G. Palmer, Assistant Town Manager with agreement review and recommendation for approval by T. Hale, Town Attorney.

PROPOSED MOTION: Approve the Professional Services Agreement between the Town and AECOM, Inc.

BOARD ACTION:

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

<u>VOTE/TOTAL</u>	<u>MCGILL</u>	<u>WILLIAMS</u>	<u>POVLIN</u>	<u>MARKLI</u>	<u>PINCHOK</u>
YES	_____	_____	_____	_____	_____
NO	_____	_____	_____	_____	_____
ABSTAIN	_____	_____	_____	_____	_____

TOWN OF FARRAGUT

PROFESSIONAL SERVICES AGREEMENT

This Agreement is made by and between Town of Farragut a Tennessee municipal corporation ("Client"), and AECOM Technical Services, Inc. a Delaware corporation licensed to work in the State of Tennessee ("Contractor"), for professional services.

WHEREAS, the Town contracted with another firm for the same services provided for herein, which contract was memorialized in that certain Professional Services Agreement dated September 24, 2015, and;

WHEREAS, due to unforeseen personnel circumstances is the Contractor under the previous Agreement can no longer provide adequate GIS services to the Town and the Town and said Contractor have agreed to terminate the Agreement; and,

WHEREAS, AECOM proposes to provide the same services under similar terms, and;

WHEREAS, in accordance with the TCA, contracts in excess of \$10,000 must be approved by the governing body;

NOW, THEREFORE, for and in consideration of the promises contained in this AGREEMENT, the parties agree as follows:

1. **Professional Planning and Engineering Services.** Upon request of Client, Contractor agrees to perform specific professional planning and engineering related services.
2. **Term.** This Agreement shall be continuous until either party terminates the Agreement in accordance with Section 10 of this Agreement.
3. **Compensation.** Client shall compensate Contractor for requested services in accordance with **Attachment A "Fee Schedule"**. Any revisions to Attachment A, such as an increase in hourly rate, must be mutually agreed upon and approved by Client and Contractor, in writing, and attached as an addendum to this Agreement before any changes take effect.
4. **Schedule.** Upon approval of this agreement, Contractor may receive specific professional service requests from Client. Upon receipt of a professional service request and within a reasonable time period, Contractor shall provide to Client a written cost estimate and completion schedule (SEE Section 5 of this agreement for "communication"). Client shall review the cost estimate and completion schedule within a reasonable time period and provide Contractor written authorization to proceed (SEE Section 5 of this agreement for proper authorization). Various meeting schedules and collaboration necessary for the advancement of a process shall be agreed upon mutually by Client and Contractor.

5. **Contract Administration/Communication/Work Authorization/Notice**

Contract Manager; Client. Client shall assign the Assistant Town Manager as the contract manager. When possible, communication and notice related to the terms of this agreement, from the Contractor to the Client, shall be directed through the contract manager by digital transmission or mailed to:

Assistant Town Manager
Town of Farragut
11408 Municipal Center Dr.
Farragut, Tennessee 37934

Approved Email Addresses for all digital transmissions:

gpalmer@townoffarragut.org (Asst. Town Manager)
with copy to:
jhatmaker@townoffarragut.org (Ex. Assistant to the Town Manager)

Contract Manager; Contractor. Contractor shall assign Jay White as the contract manager. When possible, communication and notice related to the terms of this agreement, from the Client to Contractor, shall be directed through the contract manager by digital transmission or mailed to:

AECOM Inc.
1000 Corporate Center Drive
One Corporate Centre Suite 250
Franklin, Tennessee 37067

Approved email addresses for all digital transmissions:
jay.white@aecom.com
With copy to:
robby.mckinney@aecom.com

Work Authorization. Other than normal day to day GIS maintenance, work authorization by Client to Contractor shall only be communicated in writing and by digital transmission when possible. On behalf of Client, **only** one or more of the following individuals may authorize Contractor to proceed with any work under the terms of this agreement: Town Attorney, Town Administrator, or Assistant Town Administrator.

6. **Invoicing and Payments.** Typically utilized invoices or payment requests shall be submitted to Client, by digital transmission when possible, no more than monthly and shall include such information, documentation or data as Client may require.

- a. Upon request by Client, Contractor shall provide information including, but not limited to, the amount and breakdown of the payment requested, the period covered by the request, and the work performed during the period covered by the payment request. After review, Client will indicate approval of the payment request, or shall explain to Contractor, in writing, reasons for not approving any portion or all of the request, and authorize payment of the amount approved. In the event Client does not approve any portion of a payment request, and has communicated the reasons to Contractor, Contractor will then take the necessary action to satisfy the reasons for non-approval and resubmit the payment request. Client shall endeavor to remit payment of payment requests or portions thereof which are approved by Client within thirty (30) days of receipt by Client. From time to time approval of a payment request may require action by the Board of Mayor and Aldermen which meets on the second and fourth Thursday of most months.

7. **Time.** Time for performance shall be extended as necessary for delays or suspensions due to circumstances beyond Contractor's control. If such delay or suspension extends more than six (6) months (cumulatively), Contractor's compensation shall be equitably adjusted; provided, however, such adjustment and amendment to this Agreement must be approved as a written addendum to this Agreement.

8. **Suspension of Services.** If Client fails to pay any invoice when due or otherwise is in material breach of this Agreement, Contractor may, at its sole discretion, suspend performance of services upon five (5) days' written notice to Client. Contractor shall have no liability to Client and Client agrees to make no claim for any delay or damage as a result of such suspension, unless (i) the Town Administrator has refused to approve payment, (ii) his reasons are justified pursuant to this Agreement, and (iii) Contractor has failed to satisfy the reasons as required by Paragraph 4 hereof. Upon cure of the cause of a justified suspension, Contractor shall resume services within a reasonable time, and there shall be equitable adjustments of the project schedule and fees to reflect the effects of such suspension, if such adjustments are deemed reasonable and appropriate by the parties.

9. **Standard of Care.** Notwithstanding any other provision of this Agreement or any other document describing the services produced by Client, Contractor shall perform its services in accordance with the standard of professional care ordinarily exercised under similar circumstances by reputable members of its profession in the same locality at the time the services are provided. Beyond the foregoing and unless otherwise provided herein or in other documents produced, generated or provided by Contractor, no warranty, expressed or implied, is made or intended by Contractor. The parties further agree that Contractor is not a fiduciary of Client.

10. **Termination.** The obligation to provide further services under this Agreement may be terminated with or without cause by either party upon thirty (30) day's written notice to the other party. On termination by either Client or Contractor, Client shall pay Contractor all

amounts due for any services performed to the date of termination (plus all reimbursable expenses incurred) as Contractor's sole and exclusive remedy, subject to any setoffs to which the Client is entitled as a result of Contractor's failure to perform as required by this Agreement.

11. **Reuse of Documents.** All documents, including drawings, specifications, and reports, prepared by Contractor pursuant to this Agreement are instruments of professional service and shall become the property of the Client. They are not intended or represented to be suitable for reuse by Client or others for additions or modifications of the Project or on any other project. Any reuse without written consent, verification or adaption by Contractor for the specific purposes intended shall be at Client's sole risk and without liability or legal exposure to Contractor. Any such verification and adaption will entitle Contractor to further compensation at rates to be agreed upon by Client and Contractor.

12. **Access to the Site/Jobsite Safety.** Unless otherwise stated, Contractor will have access to the site for activities necessary for the performance of its services. Client agrees that Contractor shall have no responsibility for the means, methods, sequences, procedures, techniques, and scheduling of construction, as these decisions are solely the responsibility of the contractors. Contractor further shall have no authority or duty to supervise the construction workforce and shall not be responsible for jobsite safety or for any losses or injuries that occur at the Project site.

13. **Insurance.** Upon execution of this agreement, Contractor shall deliver to Client a certificate of insurance evidencing general liability coverage with a limit of not less than \$1,000,000 each occurrence for bodily injury, personal injury and property damage. If such insurance contains a general aggregate limit, it shall apply separately to the work/location of any site authorized for work under this Agreement or be no less than \$2,000,000. In addition, Contractor shall endeavor to secure and maintain insurance in such amounts as it deems necessary to protect itself from claims of professional negligence arising from the performance of services under this Agreement. Such insurance shall:

a. Except for Professional Liability/Errors and Omissions, contain or be endorsed to contain a provision that includes Client, its officials, officers, employees, and volunteers as additional insureds with respect to liability arising out of work performed by or on behalf of the Contractor. The coverage shall contain no special limitations on the scope of its protection afforded to the above-listed insureds.

b. For any claims related to this Project, the Contractor's insurance coverage shall be primary insurance as respects the Client, its officers, officials, employees, and volunteers. Any insurance or self-insurance programs covering the Client, its officials, officers, employees, and volunteers shall be excess of the Contractor's insurance and shall not contribute with it.

14. **Risk Allocation.** In recognition of the relative risks, rewards, and benefits of the Project to both Client and Contractor, to the fullest extent permitted by law, the parties agree to allocate the risks such that Contractor's total liability to Client for any and all injuries, claims,

losses, expenses, damages, and/or claim expenses arising out of Contractor's services under this Agreement from any cause or causes shall not exceed the amount of Contractor's fee, or One Hundred Thousand Dollars (\$100,000), or the amount of insurance coverage Contractor has, or is required to have, covering the risk or claim that is the basis for the injury, claim, loss, expense or damages, recovery for which is sought, whichever is greater. This limitation shall apply regardless of the cause of action or legal theory pled or asserted.

15. **Dispute Resolution.** It is agreed that all claims, disputes, or other matters in question arising out of or related to this Agreement shall be submitted to nonbinding mediation before any legal proceedings is commenced. The parties shall equally bear the fees and expenses charged by the mediator.

16. **Indemnification.**

a. The Contractor shall defend, indemnify and hold harmless the Client, its officers, employees and agents from any and all liabilities which may arise or be claimed against the Client, its officers, employees and agents or any third party for any and all lawsuits, claims, demands, losses or damages alleged to the extent have arisen from a negligent act or omission of the Contractors, its employers, agents or contractors in performance of this Agreement or from the Contractor's failure to perform this Agreement using ordinary care and skill, except where such injury, damage, or loss was caused by the - negligence of the Client, its agents or employees.

b. The Contractor shall save, indemnify and hold the Client harmless from the cost of the defense of any claim, demand, suit or cause of action made or brought against the Client alleging liability referenced above, including, but not limited to, costs, fees, attorney fees, and other expenses of any kind whatsoever arising in connection with the defense of the Client to the extent of the contractor's negligence; and the Contractor shall assume and take over the defense of the Client in any such claim, demand, suit, or cause of action upon written notice and demand for same by the Client. The Contractor will have the right to defend the Client with notice and demand for same by the Client. The Contractor will have the right to defend the Client with counsel of its choice that is satisfactory to the Client and the Client will provide reasonable cooperation in the defense as the Contractor may request. The Contractor will not consent to the entry of any judgment or enter into any settlement with respect to an indemnified claim without the prior written consent of the Client, such consent not to be unreasonably withheld or delayed. The Client shall have the right to participate in the defense against the indemnified claims with counsel of its choice at its own expense.

Client and Contractor waive indirect, or consequential damages, loss of revenues or profits from claims, disputes or other matters in question arising out of or relating to this Agreement or any Work Order, whether such claims arise from negligence, breach of contract, or strict liability. This mutual waiver is applicable, without limitation, to all consequential damages due to either party's termination. This disclaimer and exclusion shall apply even if the express warranty set forth herein fails in its essential purpose.

c. The Contractor shall save, indemnify and hold Client harmless and pay judgments that shall be rendered in any such actions, suits, claims or demands against Client alleging liability referenced above.

d. The indemnification and hold harmless provisions of this Agreement shall survive termination of the Agreement.

17. **Miscellaneous.**

a. The Contractor will not assign or transfer any interest in this Agreement without obtaining the prior written approval of the Client.

b. The Contractor will not enter into a subcontract for any of the services performed under this Agreement without obtaining the prior written approval of the Client.

c. The contract between the parties consists of this Agreement, its attachments, any written request for services issued by Client and any response thereto made by Contractor, including any addenda thereto. To the extent there is a conflict between the terms of any of the documents that constitute the contract between the parties, the terms that are most specific to the matter in dispute shall govern over the more general. In the event the conflicting terms cannot be characterized as specific vs. general, then the terms that provide the greater benefit to the Client and/or impose the greater obligation on the Contractor shall control.

d. This Agreement may be modified only by a written amendment or addendum that has been executed and approved by the appropriate officials of each party. Minor, logistical amendments may be approved on behalf of Client by the Town Administrator or his/her designee. Major, substantive amendments shall be approved on behalf of Client by the governing body; Board of Mayor and Aldermen.

e. If any provision of this Agreement is determined to be unenforceable or invalid, such determination will not affect the validity of the other provisions contained in this Agreement. Failure to enforce any provision of this Agreement does not affect the rights of the parties to enforce such provision in another circumstance, nor does it affect the rights of the parties to enforce any other provision of this Agreement at any time.

f. In the event legal action is necessary to enforce the terms of the contract between the parties, the prevailing party shall be entitled to recovery of its attorney's fees, court costs, and other expenses of the legal action.

g. In the performance of this contract, Contractor will comply with all applicable laws, ordinances, rules, regulations and orders of local, state and federal governments, including, but not limited to, the President's Executive Order No. 11246 and 11375, which prohibit discrimination in employment regarding race, color, religion, sex or national origin, Title VI of the Civil Rights Act of 1964, Copeland Anti-Kick Back Act, the Contract Work Hours and

Safety Standards Act, Section 402 of the Vietnam Veterans Adjustment Act of 1974, Section 503 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990, all of which are herein incorporated by reference.

h. This agreement will be governed and construed in accordance with the laws of the State of Tennessee. Any legal action arising from this agreement shall be under the jurisdiction of the appropriate State of Tennessee Court within Knox County, TN and/or the United States District Court, Eastern District of Tennessee Knoxville Divisional Office within Knox County, TN.

CLIENT:

Town of Farragut

By: _____

Printed
Name: _____

Title: _____

Date: _____

CONTRACTOR:

By: Jay D White

Printed
Name: JAY D. WHITE

Title: ENVIRONMENT LEAD - TN

Date: 29 FEB 2017

ATTACHMENT A "Hourly Rate"

Effective January 1, 2013

BILLING RATES

STAFF - Charges for all professional, technical and administrative personnel directly charging time to the project will be calculated and billed on the basis of the following staff category hourly "Billing Rates". Billing Rates are in U.S. dollars, net of all applicable taxes, duties, fees and related charges, and include fringe benefits, burden and fee.

STAFF CATEGORY	RATE/HOUR
Technician I, Project Administrator I	\$60.00
Data Administrator I, Technician II	\$75.00
Project Controls I, Scientist I, Project Administrator II, Construction Mgmt I	\$90.00
Scientist II, Engineer I, Data Administrator II, Construction Mgmt II, Technician III	\$105.00
Project Controls II, Scientist III, Engineer II, Technician IV, Data Administrator III, Project Administrator III	\$120.00
Project Manager I, Scientist IV, Engineer III, Construction Mgmt III	\$135.00
Scientist V, Engineer IV	\$150.00
Project Director I, Project Manager II, Construction Mgmt IV	\$170.00
Project Director II, Engineer V	\$195.00
Project Director III, Project Director IV	\$225.00

AECOM may revise these rates annually. All staff personnel have been classified in the above staff categories based on discipline skills, education and experience level.

All travel, to a maximum of eight hours per day, will be charged at the Billing Rates. Billing Rates are based on a forty-hour work week. Overtime hours for exempt employees (non-hourly) will be charged at the standard Billing Rates. Overtime hours of non-exempt (hourly-non-supervisory) employees are charged at 130% of the Billing Rates.

ESTIMATES OF COSTS AND SCHEDULES - AECOM's estimates of costs and schedules are for Client's budget and planning assistance only. Cost and schedule estimates are based on AECOM's best judgment of the requirements known at the time of the proposal and can be influenced favorably or adversely by Client needs and other circumstances. In no event shall AECOM's estimate be interpreted as a not-to-exceed or fixed price. In the event AECOM is required to exceed its original estimate for any reason, the Client may wish to (1) redefine the scope of Services in order to accomplish Client's budget objectives, or (2) terminate Services at a specific expenditure level. If option (2) is chosen, AECOM will turn over all information to the extent completed at the authorized level without further obligation or liability to either party except payment for Services performed. Notwithstanding any other terms to the contrary, AECOM shall be entitled to petition the Town for a change order for additional compensation or additional time to perform its work, in the event that work outside the Services is requested or required to be performed by AECOM, or in the event that the assumptions underlying AECOM's proposal prove to be different from the facts actually encountered by AECOM during the performance of the Services.

ATTACHMENT B: Scope of Work

The following list of activities may be assigned to the Contractor, by mutual agreement between both parties, during the agreement term:

- All Geographic Information Systems (GIS) related work to include but not limited to: database maintenance, mapping, and analysis; all reasonable GIS needs in general
- Provide reasonable, general assistance to Town staff or other governmental/private agencies authorized for collaboration by the Town staff. This may or may not involve GIS depending on the expertise of the Contractor.

The Town shall have the option of negotiating the expansion of this scope of work under this agreement. Any such expansion shall be governed by the provisions of this Agreement. The following activities may be added at some point during the agreement term upon mutual agreement by both parties:

- Asset, Contract, and Program Management
- Data Warehousing
- Surveying (including CCTV pipe surveys)
- Phase I/II Environmental Assessments
- Environmental Impact Statements
- HAZMAT Management (Asbestos, Lead Based Paint, Mold)
- Master Planning
- Transportation and Infrastructure assessment and design
- Americans with Disabilities Act (ADA) Infrastructure Analysis and Compliance
- Building Inspection Services

The Farragut Board of Mayor and Aldermen met in a regular session on Thursday, September 24, 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 LaMarche; voting yes, Mayor McGill, Aldermen Honken, LaMarche, Markli and Pinchok; no nays; motion passed.

Mayor's Report

Mayor McGill presented the following proclamations to those representing the organizations.

Presentation of Donations to the Knox County Schools
Constitution Week & DAR Day Proclamations

Citizens Forum

Cory Fancher, 10500 Diane Drive, addressed the Board with concerns regarding the RedFlex, the Town's traffic enforcement contractor. Alderman Markli made a motion to discuss the RedFlex contract at the next meeting. The motion failed for a lack of a second.

Michael Wilson, 333 Burney Drive, addressed the board concerning procedure and policy for amending the Land Use Plan.

Approval of Minutes

Motion was made to approve the minutes of September 10, 2015 as presented. Moved by Alderman Markli, seconded by Alderman Pinchok; voting yes, Mayor McGill, Aldermen Markli and Pinchok; no nays; Aldermen Honken and LaMarche abstained; motion passed.

Business Items

Consider approval of a continuing service agreement between the Town and Arcadis U.S. Inc. for professional planning and engineering services

Motion was made to approve a continuing service agreement between the Town and Arcadis U.S. Inc. for professional planning and engineering services, not to exceed \$40,000 for Fiscal Year 2016. Moved by Alderman Pinchok, seconded by Alderman LaMarche; voting yes, Mayor McGill, Aldermen Honken, LaMarche, Markli and Pinchok; no nays; motion passed.

Ordinances

Public Hearing and Second Reading

Ordinance 15-14, ordinance to rezone a portion of Parcel 59.04, Tax Map 152, located at 11737 Turkey Creek Road, 7.22 Acres, from R-2 to R-1/OSMR (KnoxFi Two, LLC, Applicant)

Motion was made to approve Ordinance 15-14 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.

First Reading

Ordinance 15-15, Ordinance to rezone a portion of Parcel, 37.03, Tax Map 153, located off Concord Road adjoining Clarity Pointe and First Utility District, from R-1/OSR and A to C-1 and Telecommunications Tower Overlay (Branch Towers, Applicant)

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Mark Shipley, Community Development Director

SUBJECT: Ordinance 16-27, an ordinance to amend the Farragut Zoning Ordinance, Chapter 4., Section XX., Parking and Loading., to provide for new requirements

INTRODUCTION AND BACKGROUND: As part of a continuing effort to implement different components of the Town's adopted Architectural Design Standards (ADS), the staff has been working with the Planning Commission to address certain aspects of the standards that have presented some challenges.

One site related standard in the ADS that has received attention is how to soften the visual and functional impact of surface parking. The Commission and Board approved some recent amendments to the Zoning Ordinance related to building and parking lot placement, screening parking lots along street frontages, and increasing the width of interior parking lot islands. These all assist in promoting the ADS and a higher quality of development.

DISCUSSION: Related to this is the larger question of how surface parking is allocated and its land use and financial impact to the Town. The staff noted to the Planning Commission at their meeting in November and December that some flexibility in terms of parking space allocations and addressing sites that are over-parked is likely needed in the Zoning Ordinance. The staff presented some visual images of parking lots in the Town and the significant amount of space they consume that is mostly unused during a majority of the year. This excessive surface parking has a significant visual impact on the community and creates additional challenges in terms of stormwater management. Devoting a significant portion of valuable property to largely unused surface parking also represents a very inefficient use of real estate and detracts from the opportunity to make more productive and tax generating use of an area that otherwise creates little value. The Town is rapidly approaching build out in its commercial land and, from the staffs' perspective, it is critical to provide for regulations that promote greater land use efficiency.

Too often an applicant comes before the Planning Commission with a site plan with parking space allocations that are based on 1 or 2 days during the year that are very atypical in terms of parking space demand. Occasionally, an applicant will also come to the Commission and indicate that the Town's required amount of parking exceeds what they would need.

A key objective of Ordinance 16-27 is to address these situations and provide some flexibility in the allocation and configuration of required parking. Instead of simply providing parking to meet a Town requirement or a corporate number that may not be based on what is actually needed in the desired location, Ordinance 16-27 includes language that would give an applicant and the Commission more tools to thoughtfully consider how surface parking will be applied to a proposed development.

Ordinance 16-27 replaces the Town's existing Parking and Loading Section with many new provisions and removes some outdated provisions that do not reflect current practice. Some specific new provisions that are addressed in Ordinance 16-27 are the following:

- 1) Adding section headings to make information easier to find;

- 2) Providing for the flexibility to reduce required parking;
- 3) Providing for standards to justify excess parking;
- 4) Including visual and stormwater related enhancements that would apply when excess parking is approved;
- 5) Removing special exceptions that provide for unimproved surface parking (these provisions have not been used in many years and are unnecessary);
- 6) Providing for an opportunity for compact car parking;
- 7) Applying new parking space dimensions and travel lanes to standard spaces that encourage more efficient land use;
- 8) Applying compact car parking space and travel lane dimensions;
- 9) Providing for more opportunities to share parking;
- 10) Providing for on-street parking provisions; and
- 11) Establishing turning radius requirements that promote land use efficiency and pedestrian safety and reflect current practice.

RECOMMENDATION: At their meeting on January 19, 2017, the Planning Commission unanimously recommended approval of Ordinance 16-27. At the Board of Mayor and Aldermen meeting on February 9, Ordinance 16-27 was approved on first reading with a modification being made to remove, from Section A. 4. *Increasing or reducing required parking*, the second sentence which stated "Allocations shall not be based on selected dates where parking demands are atypical in comparison to the remainder of the year."

The staff has removed this sentence from Ordinance 16-27 and recommends approval on second reading.

PROPOSED MOTION: To approve Ordinance 16-27 on second reading.

BOARD ACTION:

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

<u>VOTE/TOTAL</u>	<u>WILLIAMS</u>	<u>MARKLI</u>	<u>PINCHOK</u>	<u>POVLIN</u>	<u>MCGILL</u>
YES	_____	_____	_____	_____	_____
NO	_____	_____	_____	_____	_____
ABSTAIN	_____	_____	_____	_____	_____

ORDINANCE:	16-27
PREPARED BY:	Shipley
REQUESTED BY:	Town Staff
CERTIFIED BY FMPC:	January 19, 2017
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 4., GENERAL PROVISIONS AND EXCEPTIONS, SECTION XX., PARKING AND LOADING., TO PROVIDE FOR NEW REQUIREMENTS

WHEREAS, the Board of Mayor and Aldermen of the Town of Farragut, Tennessee, wishes to amend Chapter 4, General Provisions and Exceptions, 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 4, General Provisions and Exceptions, Section XX., Parking and Loading., is amended by deleting it in its entirety and substituting in lieu thereof the following:

XX. - Parking and loading.

A. Off-street parking requirements.

1. General requirements.

- a. Residential off-street parking space shall consist of a parking lot, driveway, garage, or combination thereof and shall be located on the lot it is intended to serve.
- b. Unless approved by the Planning Commission as provided for in this ordinance, any area once designated as required off-street parking shall not be changed to any other use unless and until equal facilities are provided elsewhere.
- c. The placement of motor vehicles for sale or the repair of vehicles on required off-street parking facilities is prohibited. This provision does not apply to the placing of a "For Sale" sign on or in not more than one (1) licensed vehicle, boat, or other equipment at the same time located in a private residential driveway and which

licensed vehicle, boat, or other equipment is owned by an occupant of said private residence.

- d. Wherever parking is required by this ordinance, no building permit shall be issued prior to approval of entrance to affected city streets and/or state highways by the appropriate town and/or state official.

2. Location and setbacks.

- a. With the exception of shared parking, as provided for in this ordinance, all off-street parking shall be located on land owned by or under long-term lease to the owner or owners of the principal use it is intended to serve.
- b. Where the commercial parking lot abuts side lot lines of a residential district, the required buffer strip shall not be used for parking purposes.
- c. Where parking is to be provided in the front yard of a commercial, office, or multi-family development, the parking lot shall be set back a minimum of twenty (20) feet from the front property line.
- d. Where parking is to be provided in the rear or side yard of a commercial or office development, the parking lot shall be set back a minimum of ten (10) feet from the side or rear property line.
- e. Where parking is to be provided in the rear or side yard of a multi-family development, the parking lot shall be set back a minimum of fifty (50) feet from the side or rear property line, except as provided for elsewhere in this ordinance.

3. Number of parking spaces required.

Bicycle parking. The minimum number of bicycle spaces provided in all districts at such time any non-single-family or two-family residential building is constructed or modified, shall be one (1) bicycle space per five thousand (5,000) square feet of gross floor area. Such bicycle racks shall be provided in desirable locations and shall be conveniently located near the building entrance. The rack placement should not impede pedestrian movement and should not cause conflicts between bicycles and pedestrians.

Vehicular parking. Unless a modification, as authorized in this ordinance, is approved by the Planning Commission as part of the site plan review process, provisions for off-street parking in all districts at such time any building or structure is erected or enlarged or increased in capacity shall be based on the minimum number of off-street parking spaces provided below.

For uses not specifically mentioned herein, off-street parking requirements shall be determined by the Board of Zoning Appeals.

- Assisted-care living facility: Three-fourth ($\frac{3}{4}$) parking spaces per each housing unit.
- Automobile and/or truck repair shop: One (1) parking space per two hundred fifty (250) square feet of gross floor area.
- Automobile sales, new and/or used: Five (5) plus one (1) per two hundred (200) square feet of gross floor area.

- Banks, business offices: One (1) per three hundred (300) square feet of gross floor area.
- Barber shop or beauty parlor: One (1) per two hundred (200) square feet of gross floor area.
- Boarding or rooming house: One (1) for each lodging unit.
- Bowling alleys: Five (5) per bowling lane.
- Business services: One (1) for every fifty (50) square feet of customer service area, plus two (2) per three (3) employees based on the design capacity of the largest shift.
- Carpet, rug, linoleum and floor covering sales: One (1) per four hundred (400) square feet of gross floor area.
- Churches: One (1) per thirty (30) square feet of gross floor area of auditorium.
- Coin operated laundry and/or dry cleaning establishments: One (1) per one hundred (100) square feet of gross floor area.
- Coin operated automatic automobile washing establishments: Three (3) stack-up spaces per washer bay. Such spaces must be designed so that the spaces will not limit ingress or egress to the site.
- Conveyor-type automatic automobile washing establishments: One (1) stack-up space per five (5) feet of conveyor tunnel. Such spaces must be designed so that the spaces will not limit ingress or egress to the site.
- Country club/private club: One (1) per four hundred (400) square feet of gross floor area. Plus one and one-half (1½) per hole for golf course, two (2) per tennis court, and one (1) per one hundred (100) square feet of surface for swimming pools.
- Day care center: One (1) per employee plus one (1) per twenty-five (25) children.
- Dry cleaning and laundry collection stations: One (1) per four hundred (400) square feet of gross floor area.
- Furniture and major appliance establishments: One (1) per four hundred (400) square feet of gross floor area.
- Gasoline/mini-mart station: Two (2) per one (1) gas pump island plus two (2) per each employee during the major work shift or two (2) per one (1) gas pump island plus one (1) per one hundred fifty (150) square feet of gross floor area, whichever is greater.
- Governmental office building: One (1) per three hundred (300) square feet of gross floor area.

- Handicapped/accessible parking spaces: Where parking is provided, the number of handicapped/accessible parking spaces shall be as specified by the current adopted edition of the International Building Code, as amended by the Town of Farragut.
- Hospital: Two (2) per bed.
- Hotel: One (1) per one (1) room or suite.
- Independent living and care: One (1) parking space per bedroom and one (1) guest space per ten (10) bedrooms.
- Indoor soccer, inline hockey, baseball, and softball fields: Forty-one (41) parking spaces per indoor play field.
- Kennel: One (1) per four hundred (400) square feet of gross floor area.
- Lawn and tractor sales and service establishments: One (1) parking space per six hundred ninety (690) square feet of gross floor area.
- Library: One (1) for each four hundred (400) square feet of floor area.
- Mortuary establishments: One (1) per one hundred (100) square feet of gross floor area.
- Motels and tourist courts: One (1) per guest bedroom.
- Nursing homes: One (1) per three (3) patient beds.
- Professional offices: One (1) per two hundred fifty (250) square feet of gross floor area.
- Residential:
 - Single and two-family dwellings: Two (2) spaces per dwelling unit.
 - Apartments/multi-family: One and three-fourth (1 $\frac{3}{4}$) spaces per dwelling unit.
- Residential recreational facilities:
 - Pavilion: One (1) per four hundred (400) square feet of gross floor area or a minimum of three (3) parking spaces, whichever is greater.
 - Arbor: No parking required.
 - Decorative fountain: No parking required.
- Restaurants, tea rooms, cafes, coffee houses, or other similar establishments serving food or beverage: One (1) per one hundred (100) square feet of gross floor space plus one (1) per two hundred (200) square feet of discernable outdoor dining area.
- Retail liquor store: One (1) per four hundred (400) square feet of gross floor area.

- Retail stores (except as otherwise specified herein): One (1) per two hundred fifty (250) square feet of gross floor area.
- Retail stores larger than fifty thousand (50,000) square feet: Three and one-half (3.5) per one thousand (1,000) square feet of gross floor area.
- Retail warehousing, building supplies, home improvement super centers/stores, and construction supplies establishments: One (1) parking space per four hundred (400) square feet of gross floor area.
- Schools shall be provided with parking spaces under the following schedules:
 - Elementary, junior high, and the equivalent private or parochial schools:
 - Two (2) per three (3) teachers and employees normally engaged in or about the building or grounds, plus one (1) space for each one hundred fifty (150) square feet of seating area, including aisles, in any auditorium.
 - Senior high schools and the equivalent private or parochial schools:
 - Two (2) per three (3) teachers and employees normally engaged in or about the building or grounds, plus one (1) space per five (5) students, or one (1) space for each one hundred fifty (150) square feet of seating area, including aisles, in any auditorium, gymnasium or cafeteria intended to be used as an auditorium, whichever is greater.
 - Kindergartens, day schools, and the equivalent private or parochial schools:
 - Two (2) parking spaces per three (3) teachers and employees normally engaged in or about the building or grounds, plus one (1) off-street loading space per eight (8) pupils.
- Shopping centers: For shopping centers and other multiple use buildings larger than seventy-five thousand (75,000) gross square feet, there shall be four (4) parking spaces for each one thousand (1,000) square feet of gross floor area.
- For shopping centers and other multiple use buildings between fifty thousand (50,000) and seventy-five thousands (75,000) gross square feet, there shall be four and one-half (4½) parking spaces for each one thousand (1,000) square feet of gross floor area.
- For shopping centers and other multiple use buildings with less than fifty thousand (50,000) gross square feet, there shall be five (5) parking spaces for each one thousand (1,000) square feet of gross floor area.
- Parking for detached facilities and buildings that are located on the same lot, parcel, or tract as the shopping center and/or multiple use building shall be in accordance with the regulations of parking required for such uses in these regulations.
- Skating rinks: One (1) parking space per one hundred thirty (130) square feet of skating surface area.

- Stadiums and sports arenas: One (1) per twelve (12) feet of benches.
- Swimming pools (nonresidential): One (1) per one hundred fifty (150) square feet of water area for swimming pools developed as part of a subdivision, or one (1) per one hundred (100) square feet of water area for public swimming pools.
- Theaters, auditoriums and places of assembly without fixed seats: One (1) per one hundred (100) square feet of gross area.

4. Increasing or reducing required parking.

Where an applicant requests to increase or reduce parking from the minimum number of required off-street parking spaces, such request shall be based on demonstrated parking demands that are typical for the proposed use(s) throughout a majority of the year. An applicant shall be responsible for providing such documentation and this documentation shall be current and part of the site plan submittal.

Where the Planning Commission is asked to consider an increase from the minimum number of required off-street parking spaces and the applicant can properly demonstrate a need based on the language provided in this ordinance, the Planning Commission shall not authorize additional parking spaces in excess of 10% above the minimum number required unless the following measures are provided and reflected on the approved site and landscape plans:

- a. An additional interior parking lot island is provided for every 5 parking spaces in excess of the minimum required; and
- b. The additional surface parking and travel lanes associated with the parking in excess of the minimum required shall be constructed in permeable pavers or a comparable and widely recognized low impact development surface parking application.

5. Off-street parking lot construction and maintenance.

Whenever the required off-street parking requires the building of a parking lot, and wherever a parking lot is built, such parking lot shall be constructed and maintained in accordance with the following regulations:

- a. All areas devoted to permanent off-street parking shall be of a sealed-surface construction such as plant mix asphalt, penetrating asphalt or concrete, or permeable pavers and shall be properly maintained;
- b. The curbs surrounding parkways, terminal islands, and interior parking lot islands shall be constructed with six (6) inch high raised curbs to prevent uncontrolled access of vehicles. Where the area within a parkway or island is being used to accommodate stormwater an alternate means of preventing uncontrolled access of vehicles into such areas may be considered. In this manner, stormwater may be directed from the parking lot into the parkway or island without being inhibited by curbing.

6. Minimum site design.

To provide for orderly, safe, and systematic circulation within parking areas, off-street parking areas shall meet the following general requirements:

- a. **Backing Prohibited onto Public Street.** Except for parcels of land devoted to one (1) and two (2) family residential uses, all areas devoted to off-street parking shall be so designed and be of such size that no vehicle is required to back into a public street to obtain egress.

Turn-around areas. Back-up or turn-around areas located at the end of dead-end parking aisles shall be a minimum of ten (10) feet in depth.

- b. **Handicap Parking.** Each handicapped/accessible parking space shall be a minimum of eight (8) feet in width and nineteen (19) feet in length. Such spaces shall have an adjacent access aisle, which shall be a minimum of five (5) feet in width and extend the full length of the parking spaces they serve. For every six (6) handicapped/accessible parking spaces, at least one (1) shall be a van-accessible parking space. Such van-accessible parking space shall have an adjacent access aisle of eight (8) feet in width.

Handicapped/accessible parking spaces shall be located on the shortest accessible route of travel from adjacent parking to an accessible building entrance. In parking facilities that do not serve a particular building, accessible parking spaces shall be located on the shortest route to an accessible pedestrian entrance to the parking facility. Where buildings have multiple accessible entrances with adjacent parking, accessible parking spaces shall be dispersed and located near the accessible entrances.

- c. **Compact Car Parking.** An applicant may design and construct up to twenty percent of their parking spaces for compact cars, as defined by the Environmental Protection Agency, in accordance with the dimensions listed below in this ordinance. Compact car spaces shall be grouped together to the greatest possible extent in areas clearly designated for compact cars. Parking lots shall have a system of regulatory compliant signs beginning at the entrance that clearly indicates the location of compact car spaces.
- d. **Parking Space and Travel Lane Dimensions.** For the purposes of this ordinance, the minimum parking space width shall be measured perpendicular to the center line of the parking space. For standard cars, the minimum parking space width shall be nine (9) feet and the minimum parking space depth shall be nineteen (19) feet. For compact cars, the minimum parking space width shall be eight (8) feet and the minimum parking space depth shall be seventeen (17) feet. Travel lanes shall conform to the following minimum standards:

Parking Angle	Travel Lane Width (one way)		Travel Lane Width (two way)	
	Standard Space	Compact Car	Standard Space	Compact Car
45°	14 feet	12 feet	24 feet	22 feet
60°	16 feet	14 feet	24 feet	22 feet
90°	22 feet	19 feet	24 feet	22 feet

- e. **Shared Off-Site Parking.** Shared off-site parking is encouraged, where applicable, as a means of more efficient land use. The development of a site should take into consideration any opportunities to share parking with an adjacent use. Shared off-site parking shall be considered as part of a site plan review and shall be subject to the following conditions:
 - 1. No more than 30% of an applicant's required amount of off-street parking may be shared with an adjacent use;
 - 2. Off-site parking shall be within five hundred (500) feet of the property for which it is being requested;
 - 3. Off-site parking may only be provided if the off-site lot has an excess number of spaces or if the applicant can demonstrate, using the latest peak demand analyses published by the Institute of Traffic Engineers (ITE) or other comparable source acceptable to the Planning Commission, that the on-site and off-site uses have non-competing peak demands;
 - 4. The amount of off-site parking spaces shall not be less than the amount of reduced on-site parking spaces;
 - 5. Off-site parking spaces provided by a separate private property owner shall be subject to a shared parking easement agreement that is legally binding and runs with the land and that is graphically displayed on a recorded plat. Site plan approval where off-site parking is requested, shall be subject to the recorded agreement and plat; and
 - 6. Uses sharing a parking facility shall provide for safe, convenient walking between uses and parking, including safe, well-marked pedestrian crossings, signage, and adequate lighting that complies with the Town's Outdoor Site Lighting requirements.
- f. **Addressing Fractions in Parking Space Determination.** In any determination of parking requirements as set forth in this section, where the resultant figure contains a fraction, any fraction less than one-half ($\frac{1}{2}$) may be dropped and any fraction one-half ($\frac{1}{2}$) or more shall be counted as one (1) parking space.
- g. **Driveways and Other-Access Ways.** Driveways and other access ways shall meet the requirements of the Farragut Municipal Code.
- h. **Perimeter Parkways.** Perimeter parkways no less than twenty (20) feet in width shall be provided adjacent to the front property line. Perimeter parkways no less than ten (10) feet in width shall be provided adjacent to the side and rear property lines (Illustration 5 (see Chapter 1)). If an access easement exists on a front property line, a perimeter parkway no less than twenty (20) feet in width shall be provided adjacent to the edge of the access easement. If an access easement exists on a side or rear property line, a perimeter parkway no less than ten (10) feet in width shall be provided adjacent to the edge of the access easement.
- i. **Interior Parkways.** Interior parkways not less than ten (10) feet wide shall be provided for at least every other parking aisle. The curbs shall be constructed with six (6) inch high raised curbs to prevent uncontrolled access of vehicles.

- j. Terminal Islands. Terminal islands not less than five (5) feet wide from inside of curb to inside of curb shall be provided for at both ends of parking rows and interior parkways. The curbs shall be constructed with six (6) inch high raised curbs to prevent uncontrolled access of vehicles.
- k. Interior Islands. Interior islands not less than seven and one-half (7½) feet wide from inside of curb to inside of curb and extending the full length of the parking space shall be provided every fifteen ten (15) spaces within a row. As an alternative, an interior island not less than ten (10) feet wide from inside of curb to inside of curb and extending the full length of the parking space shall be provided every twenty (20) spaces within a row.
- l. Curbing Around Parkways or Islands. Curbing around parkways or islands shall be constructed with six (6) inch high raised curbs to prevent uncontrolled access of vehicles. Where the area within a parkway or island is being used to accommodate stormwater, an alternate means of preventing uncontrolled access of vehicles into such areas may be considered. In this manner, stormwater may be directed from the parking lot into the parkway or island area without being inhibited by curbing.

B. Off-street loading requirements.

For all commercial and institutional uses, a plan for parking lot and loading areas access shall be submitted as part of the site plan application. No service loading space shall be counted for a required parking space. A plan for delivery circulation through a site shall be included as part of the site plan.

C. On-street parking.

In relation to on-street parking, within the Town Center District (TCD), the Primary Street Cross Section included as Diagram TCD-1, as amended, shall be used.

In other areas where on-street parking spaces are proposed, such applications shall be considered only on joint access easements and streets classified as local on the Major Road Plan. Such on-street parking shall also be reviewed with the Town Engineer, emergency service providers, and other applicable entities to ensure that adequate space is available and no safety related issues will be created. A minimum parking space width of eight (8) feet and a minimum parking space depth of twenty-three (23) feet shall be provided.

D. Turning radius requirements.

When designing curb radii for a site, the default design vehicle should be the passenger vehicle. Therefore, the default corner radius should be 15 feet. Larger design vehicles should be used only where they are known to regularly make turns at the intersection, and corner radii should be designed based on the larger design vehicle traveling at crawl speed. In such case, the turning radius shall not exceed 25 feet. In all cases, consideration shall be given to minimize any pedestrian and vehicular conflicts.

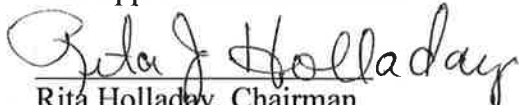
SECTION 2.

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 _____, 2017,
with approval recommended.



Rita Holladay, Chairman



Edwin K. Whiting, Secretary

FARRAGUT MUNICIPAL PLANNING COMMISSION

RESOLUTION PC-16-20

FARRAGUT MUNICIPAL PLANNING COMMISSION

A RESOLUTION TO APPROVE AN AMENDMENT TO THE FARRAGUT ZONING ORDINANCE, ORDINANCE 86-16, TO RECOMMEND THE APPROVAL OF AN AMENDMENT TO CHAPTER 4, GENERAL PROVISIONS AND EXCEPTIONS, SECTION XX., PARKING AND LOADING., TO PROVIDE FOR NEW REQUIREMENTS

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

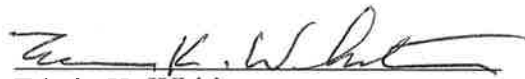
WHEREAS, the Farragut Municipal Planning Commission has adopted various elements of a zoning plan as an element of the general plan for physical development; and

WHEREAS, a public hearing was held on this request on January 19, 2017;

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 16-27.

ADOPTED this 19th day of January, 2017.


Rita Holladay, Chairman


Edwin K. Whiting, Secretary

XX. - Parking and loading. (new wording in red)

A. Off-street parking requirements.

1. General requirements.

- a. Residential off-street parking space shall consist of a parking lot, driveway, garage, or combination thereof and shall be located on the lot it is intended to serve.
- b. ~~Any area once designated as required off-street parking shall not be changed to any other use unless and until equal facilities are provided elsewhere.~~

Unless approved by the Planning Commission as provided for in this ordinance, any area once designated as required off-street parking shall not be changed to any other use unless and until equal facilities are provided elsewhere.

- ~~c. Off-street parking existing at the effective date of these regulations in connection with the operation of an existing building or use shall not be reduced to an amount less than hereinafter required for a similar new building or use.~~
- c. The placement of motor vehicles for sale or the repair of vehicles on required off-street parking facilities is prohibited. This provision does not apply to the placing of a "For Sale" sign on or in not more than one (1) licensed vehicle, boat, or other equipment at the same time located in a private residential driveway and which licensed vehicle, boat, or other equipment is owned by an occupant of said private residence.
- d. Wherever parking is required by this ordinance, no building permit shall be issued prior to approval of entrance to affected city streets and/or state highways by the appropriate town and/or state official.

2. Location and setbacks.

- ~~a. All off-street parking required by this ordinance shall be located on land owned by or, with the approval of the board, under long-term lease to the owner or owners of the principal use it is intended to serve.~~

With the exception of shared parking, as provided for in this ordinance, all off-street parking shall be located on land owned by or under long-term lease to the owner or owners of the principal use it is intended to serve.

- ~~b. Off-street parking for other than residential use shall be on the same lot, however, theaters and churches may establish joint parking facilities not to exceed fifty (50) percent of the required spaces, with commercial uses, public institutions and agencies that do not have a time conflict in parking demand. The joint parking facilities shall be located not to exceed four hundred (400) feet from the theater or church sanctuary.~~
- b. Where the commercial parking lot abuts side lot lines of a residential district, the required buffer strip shall not be used for parking purposes.
- c. Where parking is to be provided in the front yard of a commercial, office, or multi-family development, the parking lot shall be set back a minimum of twenty (20) feet from the front property line.
- d. Where parking is to be provided in the rear or side yard of a commercial or office development, the parking lot shall be set back a minimum of ten (10) feet from the side or rear property line.
- e. Where parking is to be provided in the rear or side yard of a multi-family development, the parking lot shall be set back a minimum of fifty (50) feet from the side or rear property line, except as provided for elsewhere in this ordinance.

3. Number of parking spaces required.

Bicycle parking. The minimum number of bicycle spaces provided in all districts at such time any non single-family or two-family residential building is constructed or modified, shall be one (1) bicycle space per five thousand (5,000) square feet of gross floor area. Such bicycle racks shall be provided in desirable locations and shall be conveniently located near the building entrance. The rack placement should not impede pedestrian movement and should not cause conflicts between bicycles and pedestrians.

~~The minimum number of off-street parking spaces provided in all districts at such time any building or structure is erected or enlarged or increased in capacity, shall be determined in accordance with the specific uses as set forth below.~~

Vehicular parking. Unless a modification, as authorized in this ordinance, is approved by the Planning Commission as part of the site plan review process, provisions for off-street parking in all districts at such time any building or structure is erected or enlarged or increased in capacity shall be based on the minimum number of off-street parking spaces provided below.

For uses not specifically mentioned herein, off-street parking requirements shall be determined by the Board of Zoning Appeals.

- Assisted-care living facility: Three-fourth ($\frac{3}{4}$) parking spaces per each housing unit.
- Automobile and/or truck repair shop: One (1) parking space per two hundred fifty (250) square feet of gross floor area.
- Automobile sales, new and/or used: Five (5) plus one (1) per two hundred (200) square feet of gross floor area.
- Banks, business offices: One (1) per three hundred (300) square feet of gross floor area.
- Barber shop or beauty parlor: One (1) per two hundred (200) square feet of gross floor area.
- Boarding or rooming house: One (1) for each lodging unit.
- Bowling alleys: Five (5) per bowling lane.
- Business services: One (1) for every fifty (50) square feet of customer service area, plus two (2) per three (3) employees based on the design capacity of the largest shift.
- Carpet, rug, linoleum and floor covering sales: One (1) per four hundred (400) square feet of gross floor area.
- Churches: One (1) per thirty (30) square feet of gross floor area of auditorium.
- Coin operated laundry and/or dry cleaning establishments: One (1) per one hundred (100) square feet of gross floor area.
- Coin operated automatic automobile washing establishments: Three (3) stack-up spaces per washer bay. Such spaces must be designed so that the spaces will not limit ingress or egress to the site.
- Conveyor-type automatic automobile washing establishments: One (1) stack-up space per five (5) feet of conveyor tunnel. Such spaces must be designed so that the spaces will not limit ingress or egress to the site.
- Country club/private club: One (1) per four hundred (400) square feet of gross floor area. Plus one and one-half ($1\frac{1}{2}$) per hole for golf course, two (2) per tennis court, and one (1) per one hundred (100) square feet of surface for swimming pools.

- Day care center: One (1) per employee plus one (1) per twenty-five (25) children.
- Dry cleaning and laundry collection stations: One (1) per four hundred (400) square feet of gross floor area.
- Furniture and major appliance establishments: One (1) per four hundred (400) square feet of gross floor area.
- Gasoline/mini-mart station: Two (2) per one (1) gas pump island plus two (2) per each employee during the major work shift or two (2) per one (1) gas pump island plus one (1) per one hundred fifty (150) square feet of gross floor area, whichever is greater.
- Governmental office building: One (1) per three hundred (300) square feet of gross floor area.
- Handicapped/accessible parking spaces: Where parking is provided, the number of handicapped/accessible parking spaces shall be as specified by the current adopted edition of the International Building Code, as amended by the Town of Farragut.
- Hospital: Two (2) per bed.
- Hotel: One (1) per one (1) room or suite.
- Independent living and care: One (1) parking space per bedroom and one (1) guest space per ten (10) bedrooms.
- Indoor soccer, inline hockey, baseball, and softball fields: Forty-one (41) parking spaces per indoor play field.
- Kennel: One (1) per four hundred (400) square feet of gross floor area.
- Lawn and tractor sales and service establishments: One (1) parking space per six hundred ninety (690) square feet of gross floor area.
- Library: One (1) for each four hundred (400) square feet of floor area.
- Mortuary establishments: One (1) per one hundred (100) square feet of gross floor area.
- Motels and tourist courts: One (1) per guest bedroom.
- Nursing homes: One (1) per three (3) patient beds.
- Professional offices: One (1) per two hundred fifty (250) square feet of gross floor area.
- Residential:
 - Single and two-family dwellings: Two (2) spaces per dwelling unit.
 - Apartments/multi-family: One and three-fourth (1 ¾) spaces per dwelling unit.
- Residential recreational facilities:
 - Pavilion: One (1) per four hundred (400) square feet of gross floor area or a minimum of three (3) parking spaces, whichever is greater.
 - Arbor: No parking required.
 - Decorative fountain: No parking required.

- Restaurants, tea rooms, cafes, coffee houses, or other similar establishments serving food or beverage: One (1) per one hundred (100) square feet of gross floor space plus one (1) per two hundred (200) square feet of discernable outdoor dining area.
- Retail liquor store: One (1) per four hundred (400) square feet of gross floor area.
- Retail stores (except as otherwise specified herein): One (1) per two hundred fifty (250) square feet of gross floor area.
- Retail stores larger than fifty thousand (50,000) square feet: Three and one-half (3.5) per one thousand (1,000) square feet of gross floor area.
- Retail warehousing, building supplies, home improvement super centers/stores, and construction supplies establishments: One (1) parking space per four hundred (400) square feet of gross floor area.
- Schools shall be provided with parking spaces under the following schedules:
 - Elementary, junior high, and the equivalent private or parochial schools:
 - Two (2) per three (3) teachers and employees normally engaged in or about the building or grounds, plus one (1) space for each one hundred fifty (150) square feet of seating area, including aisles, in any auditorium.
 - Senior high schools and the equivalent private or parochial schools:
 - Two (2) per three (3) teachers and employees normally engaged in or about the building or grounds, plus one (1) space per five (5) students, or one (1) space for each one hundred fifty (150) square feet of seating area, including aisles, in any auditorium, gymnasium or cafeteria intended to be used as an auditorium, whichever is greater.
 - Kindergartens, day schools, and the equivalent private or parochial schools:
 - Two (2) parking spaces per three (3) teachers and employees normally engaged in or about the building or grounds, plus one (1) off-street loading space per eight (8) pupils.
- Shopping centers: For shopping centers and other multiple use buildings larger than seventy-five thousand (75,000) gross square feet, there shall be four (4) parking spaces for each one thousand (1,000) square feet of gross floor area.
- For shopping centers and other multiple use buildings between fifty thousand (50,000) and seventy-five thousands (75,000) gross square feet, there shall be four and one-half (4½) parking spaces for each one thousand (1,000) square feet of gross floor area.
- For shopping centers and other multiple use buildings with less than fifty thousand (50,000) gross square feet, there shall be five (5) parking spaces for each one thousand (1,000) square feet of gross floor area.
- Parking for detached facilities and buildings that are located on the same lot, parcel, or tract as the shopping center and/or multiple use building shall be in accordance with the regulations of parking required for such uses in these regulations.
- Skating rinks: One (1) parking space per one hundred thirty (130) square feet of skating surface area.
- Stadiums and sports arenas: One (1) per twelve (12) feet of benches.

- Swimming pools (nonresidential): One (1) per one hundred fifty (150) square feet of water area for swimming pools developed as part of a subdivision, or one (1) per one hundred (100) square feet of water area for public swimming pools.
- Theaters, auditoriums and places of assembly without fixed seats: One (1) per one hundred (100) square feet of gross area.

4. Increasing or reducing required parking.

Where an applicant requests to increase or reduce parking from the minimum number of required off-street parking spaces, such request shall be based on demonstrated parking demands that are typical for the proposed use(s) throughout a majority of the year. Allocations shall not be based on selected dates where parking demands are atypical in comparison to the remainder of the year. An applicant shall be responsible for providing such documentation and this documentation shall be current and part of the site plan submittal.

Where the Planning Commission is asked to consider an increase from the minimum number of required off-street parking spaces and the applicant can properly demonstrate a need based on the language provided in this ordinance, the Planning Commission shall not authorize additional parking spaces in excess of 10% above the minimum number required unless the following measures are provided and reflected on the approved site and landscape plans:

- a. An additional interior parking lot island is provided for every 5 parking spaces in excess of the minimum required; and
- b. The additional surface parking and travel lanes associated with the parking in excess of the minimum required shall be constructed in permeable pavers or a comparable and widely recognized low impact development surface parking application.

5. Off-street parking lot construction and maintenance.

Whenever the required off-street parking requires the building of a parking lot, and wherever a parking lot is built, such parking lot shall be constructed and maintained in accordance with the following regulations:

- a. ~~All areas with fifty (50) or more parking spaces devoted to permanent off-street parking shall be of a sealed surface construction such as plant mix asphalt, penetrating asphalt or concrete, and shall be maintained in such a manner that no dust will result from continuous use. Surface drainage shall be collected so as to preclude uncontrolled drainage onto the paved portion of any public street.~~
- b. ~~Unless a request for a special exception is approved by the BZA, all commercial, office, and multi-family developments with less than fifty (50) parking spaces devoted to permanent off-street parking shall be of a sealed surface construction such as plant mix asphalt, penetrating asphalt or concrete, and shall be maintained in such a manner that no dust will result from continuous use. Surface drainage shall be collected so as to preclude uncontrolled drainage onto the paved portion of any public street.~~

~~The BZA may grant a special exception to the requirement for the paving of areas devoted to permanent off-street parking for those parking areas with less than fifty (50) parking spaces subject to the following conditions:~~

- ~~(1) The parking area does not serve a generally recognized retail business.~~
- ~~(2) The parking area is maintained in such a manner that no dust will result from continuous use.~~
- ~~(3) The parking area is maintained in such a way that mud and gravel are not displaced onto public streets.~~

- ~~(4) The access drive(s) from a public street(s) is paved to the standard of subsection XX, A., 4., a of Chapter 4 for a distance of fifty (50) feet from the pavement of the public street(s).~~
 - ~~(5) The special exception must be reconsidered by the BZA at the expiration of a two (2) year period.~~
 - ~~c. The curbs surrounding interior parkways, terminal islands, and interior islands shall be constructed with six (6) inch high raised curbs.~~
 - a. All areas devoted to permanent off-street parking shall be of a sealed-surface construction such as plant mix asphalt, penetrating asphalt or concrete, or permeable pavers and shall be properly maintained;
 - b. The curbs surrounding parkways, terminal islands, and interior parking lot islands shall be constructed with six (6) inch high raised curbs to prevent uncontrolled access of vehicles. Where the area within a parkway or island is being used to accommodate stormwater an alternate means of preventing uncontrolled access of vehicles into such areas may be considered. In this manner, stormwater may be directed from the parking lot into the parkway or island without being inhibited by curbing.
6. Minimum site design.

To provide for orderly, safe, and systematic circulation within parking areas, off-street parking areas shall meet the following general requirements:

- ~~a. Except for parcels of land devoted to one (1) and two (2) family uses, all areas devoted to off-street parking shall be so designed and be of such size that no vehicle is required to back into a public street to obtain egress.~~
- ~~b. Parking spaces. Each parking space shall be a minimum of nine and one-half (9½) feet in width and nineteen (19) feet in length.~~

~~Each handicapped/accessible parking space shall be a minimum of eight (8) feet in width and nineteen (19) feet in length. Such spaces shall have an adjacent access aisle, which shall be a minimum of five (5) feet in width and extend the full length of the parking spaces they serve. For every six (6) handicapped/accessible parking spaces, at least one (1) shall be a van-accessible parking space. Such van-accessible parking space shall have an adjacent access aisle of eight (8) feet in width.~~

~~Handicapped/accessible parking spaces shall be located on the shortest accessible route of travel from adjacent parking to an accessible building entrance. In parking facilities that do not serve a particular building, accessible parking spaces shall be located on the shortest route to an accessible pedestrian entrance to the parking facility. Where buildings have multiple accessible entrances with adjacent parking, accessible parking spaces shall be dispersed and located near the accessible entrances.~~

- ~~c. Minimum width of aisles and back-up areas. Minimum width of parking lot aisles shall be as follows:~~
 - ~~(1) Ninety (90) degree parking—Twenty-five (25) feet.~~
 - ~~(2) Sixty (60) degree parking—Eighteen (18) feet (twenty-five (25) feet for two-way aisle).~~
 - ~~(3) Forty-five (45) degree parking—Thirteen (13) feet (twenty-five (25) feet for two-way aisle).~~
 - ~~(4) Thirty (30) degree parking—Twelve (12) feet (twenty-five (25) feet for two-way aisle).~~
 - ~~(5) Other—To be determined on basis of above by the Town Engineer.~~

~~Back-up or turn-around areas located at the end of dead-end parking aisles shall be a minimum of ten (10) feet in length.~~

- d. ~~In any determination of parking requirements as set forth in this section, where the resultant figure contains a fraction, any fraction less than one-half ($\frac{1}{2}$) may be dropped and any fraction one-half ($\frac{1}{2}$) or more shall be counted as one (1) parking space.~~
 - e. ~~Driveways shall meet the requirements of the Farragut Municipal Code.~~
 - f. ~~Perimeter parkways no less than twenty (20) feet in width shall be provided adjacent to the front property line. Perimeter parkways no less than ten (10) feet in width shall be provided adjacent to the side and rear property lines (Illustration 5 (see Chapter 1)). If an access easement exists on a front property line, a perimeter parkway no less than twenty (20) feet in width shall be provided adjacent to the edge of the access easement. If an access easement exists on a side or rear property line, a perimeter parkway no less than ten (10) feet in width shall be provided adjacent to the edge of the access easement.~~
 - g. ~~Interior parkways not less than ten (10) feet wide shall be provided for at least every other parking aisle. The curbs shall be constructed with six (6) inch high raised curbs to prevent uncontrolled access of vehicles.~~
 - h. ~~Terminal islands not less than five (5) feet wide from inside of curb to inside of curb shall be provided for at both ends of parking rows and interior parkways. The curbs shall be constructed with six (6) inch high raised curbs to prevent uncontrolled access of vehicles.~~
 - i. ~~Interior islands not less than five (5) feet wide from inside of curb to inside of curb and extending the full length of the parking space shall be provided every fifteen (15) spaces within a row. As an alternative, an interior island not less than ten (10) feet wide from inside of curb to inside of curb and extending the full length of the parking space shall be provided every twenty (20) spaces within a row. The curbs shall be constructed with six (6) inch high raised curbs to prevent uncontrolled access of vehicles.~~
- a. **Backing Prohibited onto Public Street.** Except for parcels of land devoted to one (1) and two (2) family residential uses, all areas devoted to off-street parking shall be so designed and be of such size that no vehicle is required to back into a public street to obtain egress.
- Turn-around areas.** Back-up or turn-around areas located at the end of dead-end parking aisles shall be a minimum of ten (10) feet in **depth**.
- b. **Handicap Parking.** Each handicapped/accessible parking space shall be a minimum of eight (8) feet in width and nineteen (19) feet in length. Such spaces shall have an adjacent access aisle, which shall be a minimum of five (5) feet in width and extend the full length of the parking spaces they serve. For every six (6) handicapped/accessible parking spaces, at least one (1) shall be a van-accessible parking space. Such van-accessible parking space shall have an adjacent access aisle of eight (8) feet in width.
- Handicapped/accessible parking spaces shall be located on the shortest accessible route of travel from adjacent parking to an accessible building entrance. In parking facilities that do not serve a particular building, accessible parking spaces shall be located on the shortest route to an accessible pedestrian entrance to the parking facility. Where buildings have multiple accessible entrances with adjacent parking, accessible parking spaces shall be dispersed and located near the accessible entrances.
- c. **Compact Car Parking.** An applicant may design and construct up to twenty percent of their parking spaces for compact cars, as defined by the Environmental Protection Agency, in accordance with the dimensions listed below in this ordinance. Compact car spaces shall be grouped together to the greatest possible extent in areas clearly designated for compact cars. Parking lots shall have a system of regulatory compliant signs beginning at the entrance that clearly indicates the location of compact car spaces.
- d. **Parking Space and Travel Lane Dimensions.** For the purposes of this ordinance, the minimum parking space width shall be measured perpendicular to the center line of the parking space. For standard cars, the minimum parking space width shall be nine (9) feet and the minimum parking space depth shall be nineteen (19) feet. For compact cars, the

minimum parking space width shall be eight (8) feet and the minimum parking space depth shall be seventeen (17) feet. Travel lanes shall conform to the following minimum standards:

Parking Angle	Travel Lane Width (one way)		Travel Lane Width (two way)	
	Standard Space	Compact Car	Standard Space	Compact Car
45°	14 feet	12 feet	24 feet	22 feet
60°	16 feet	14 feet	24 feet	22 feet
90°	22 feet	19 feet	24 feet	22 feet

- e. **Shared Off-Site Parking.** Shared off-site parking is encouraged, where applicable, as a means of more efficient land use. The development of a site should take into consideration any opportunities to share parking with an adjacent use. Shared off-site parking shall be considered as part of a site plan review and shall be subject to the following conditions:
 1. No more than 30% of an applicant's required amount of off-street parking may be shared with an adjacent use;
 2. Off-site parking shall be within five hundred (500) feet of the property for which it is being requested;
 3. Off-site parking may only be provided if the off-site lot has an excess number of spaces or if the applicant can demonstrate, using the latest peak demand analyses published by the Institute of Traffic Engineers (ITE) or other comparable source acceptable to the Planning Commission, that the on-site and off-site uses have non-competing peak demands;
 4. The amount of off-site parking spaces shall not be less than the amount of reduced on-site parking spaces;
 5. Off-site parking spaces provided by a separate private property owner shall be subject to a shared parking easement agreement that is legally binding and runs with the land and that is graphically displayed on a recorded plat. Site plan approval where off-site parking is requested, shall be subject to the recorded agreement and plat; and
 6. Uses sharing a parking facility shall provide for safe, convenient walking between uses and parking, including safe, well-marked pedestrian crossings, signage, and adequate lighting that complies with the Town's Outdoor Site Lighting requirements.
- f. **Addressing Fractions in Parking Space Determination.** In any determination of parking requirements as set forth in this section, where the resultant figure contains a fraction, any fraction less than one-half ($\frac{1}{2}$) may be dropped and any fraction one-half ($\frac{1}{2}$) or more shall be counted as one (1) parking space.
- g. **Driveways and Other-Access Ways.** Driveways and other access ways shall meet the requirements of the Farragut Municipal Code.
- h. **Perimeter Parkways.** Perimeter parkways no less than twenty (20) feet in width shall be provided adjacent to the front property line. Perimeter parkways no less than ten (10) feet in width shall be provided adjacent to the side and rear property lines (Illustration 5 (see Chapter 1)). If an access easement exists on a front property line, a perimeter parkway no less than twenty (20) feet in width shall be provided adjacent to the edge of the access easement. If an access easement exists on a side or rear property line, a perimeter parkway no less than ten (10) feet in width shall be provided adjacent to the edge of the access easement.

- i. Interior Parkways. Interior parkways not less than ten (10) feet wide shall be provided for at least every other parking aisle. The curbs shall be constructed with six (6) inch high raised curbs to prevent uncontrolled access of vehicles.
- j. Terminal Islands. Terminal islands not less than five (5) feet wide from inside of curb to inside of curb shall be provided for at both ends of parking rows and interior parkways. The curbs shall be constructed with six (6) inch high raised curbs to prevent uncontrolled access of vehicles.
- k. Interior Islands. Interior islands not less than seven and one-half (7½) feet wide from inside of curb to inside of curb and extending the full length of the parking space shall be provided every fifteen ten (15) spaces within a row. As an alternative, an interior island not less than ten (10) feet wide from inside of curb to inside of curb and extending the full length of the parking space shall be provided every twenty (20) spaces within a row.
- l. Curbing Around Parkways or Islands. Curbing around parkways or islands shall be constructed with six (6) inch high raised curbs to prevent uncontrolled access of vehicles. Where the area within a parkway or island is being used to accommodate stormwater, an alternate means of preventing uncontrolled access of vehicles into such areas may be considered. In this manner, stormwater may be directed from the parking lot into the parkway or island area without being inhibited by curbing.

B. Off-street loading requirements.

For all commercial and institutional uses, a plan for parking lot and loading areas access shall be submitted **as part of the site plan application**. ~~at a scale of one (1) inch equals fifty (50) feet. The town administrator or his designated representative shall insure that adequate service access for loading and unloading for each structure is available. In making the determination, the town administrator or his designated representative shall insure that all turning radii are adequate for a truck of a minimum of thirty (30) feet in length without encroaching on any parking spaces or other vehicular lanes or aisles. No service loading space shall be counted for required parking space.~~ **A plan for delivery circulation through a site shall be included as part of the site plan.**

C. On-street parking.

In relation to on-street parking, within the Town Center District (TCD), the Primary Street Cross Section included as Diagram TCD-1, as amended, shall be used.

In other areas where on-street parking spaces are proposed, such applications shall be considered only on joint access easements and streets classified as local on the Major Road Plan. Such on-street parking shall also be reviewed with the Town Engineer, emergency service providers, and other applicable entities to ensure that adequate space is available and no safety related issues will be created. A minimum parking space width of eight (8) feet and a minimum parking space depth of twenty-three (23) feet shall be provided.

D. Turning radius requirements.

When designing curb radii for a site the default design vehicle should be the passenger vehicle. Therefore, the default corner radius should be 15 feet. Larger design vehicles should be used only where they are known to regularly make turns at the intersection, and corner radii should be designed based on the larger design vehicle traveling at crawl speed. In such case, the turning radius shall not exceed 25 feet. In all cases, consideration shall be given to minimize any pedestrian and vehicular conflicts.

~~The town administrator or his designated representative shall require access from arterial streets to comply with Illustration 4 (see Chapter 1). Where a variance is requested from this requirement in accordance with all provisions of the section, the board shall utilize Illustration 3 (see Chapter 1) as a design alternative only if the variance is warranted.~~

(Ord. No. 86-16, adopted Apr. 1986; amended Feb. 2006; Ord. No. 06-23, § 1, 8-10-2006; Ord. No. 06-10, § 2, 5-25-2006; Ord. No. 06-09, §§ 1, 2, 5-11-2006; Ord. No. 07-39, § 3, 1-10-2008; Ord. No. 08-12, § 1, 7-24-2008; Ord. No. 09-01, §§ 1, 2, 2-26-2009; Ord. No. 10-19, § 1, 1-27-2011; Ord. No. 11-03, § 1, 4-28-2011; Ord. No. 11-27, §§ 1, 2, 1-26-2012; Ord. No. 14-13, §§ 1, 2, 19-9-2014)

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Mark Shipley, Community Development Director

SUBJECT: Ordinance 16-28, an ordinance to provide for a color palette and specific parameters for colors as they relate to buildings and the implementation of the Architectural Design Standards (ADS)

INTRODUCTION AND BACKGROUND: This item was discussed with the Planning Commission at both their November and December meetings as part of an effort to address certain aspects of the ADS that have presented some challenges in terms of implementation.

DISCUSSION: From the staffs' perspective, the ADS has been very successful and has helped provide for more attractive developments in terms of both the building and the site. However, since the adoption of the ADS, the Commission has reviewed projects where the accent colors were not muted nor earth tone (as encouraged in the ADS) and staff has questioned some of the yellows, blues and reds that were used. Given these issues, the staff felt that the Planning Commission may consider adopting a color palette of earth tone colors to be used as accent colors. In this manner, both the Commission and an applicant would know what colors would be allowed and there would be more predictability in the approval process.

Based on feedback received at the November Planning Commission meeting, the staff developed a color palette with related CMYK and Hex color codes to be added to the ADS as Appendix B and presented those as part of Ordinance 16-28 at the December Planning Commission meeting. An important goal of the proposed color palette was to provide for a number of options with corresponding numbers in each major color group so that the Commission and the applicant would have plenty of choices and the colors could be re-produced. As part of the Commission's unanimous recommendation of approval of Ordinance 16-28, the Commission asked that some additional language be incorporated into Design Guideline 2.20 so that further clarification would be provided in relation to building trim and accent colors. Consequently, along with the color palette proposed as Appendix B in the ADS, Design Guideline 2.20., would include the following additional provision:

- e. Color bands used as building trims and accent colors may feature any color reflected in Appendix B of the Architectural Design Standards, provided that they are limited to 10% of the effected façade segment and have a height of no more than 18 inches.*

This language is similar to that used in other communities in relation to color bands on buildings. This provision would help lessen subjectivity and provide both the Commission and an applicant with very clear parameters related to color bands.

RECOMMENDATION: At their meeting on December 15, 2016, the Planning Commission unanimously recommended approval of Ordinance 16-28. The staff recommends approval of Ordinance 16-28 on first reading.

PROPOSED MOTION: To approve Ordinance 16-28 on first reading.

BOARD ACTION:

MOTION BY: _____ SECONDED BY: _____

<u>VOTE/TOTAL</u>	<u>WILLIAMS</u>	<u>MARKLI</u>	<u>PINCHOK</u>	<u>POVLIN</u>	<u>MCGILL</u>
YES	_____	_____	_____	_____	_____
NO	_____	_____	_____	_____	_____
ABSTAIN	_____	_____	_____	_____	_____

ORDINANCE: 16-28
PREPARED BY: Shipley
REQUESTED BY: Town Staff
CERTIFIED BY FMPC: January 19, 2017
PUBLIC HEARING:
PUBLISHED IN:
DATE:
1ST READING:
2ND READING:
PUBLISHED IN:
DATE:

AN ORDINANCE TO AMEND THE FARRAGUT MUNICIPAL CODE, PURSUANT TO AUTHORITY GRANTED BY SECTION 6-54-133, TENNESSEE CODE ANNOTATED, BY AMENDING TITLE 14, CHAPTER 6., FARRAGUT ARCHITECTURAL DESIGN STANDARDS TO PROVIDE FOR APPENDIX A, BEING AN ADOPTED COLOR PALETTE

WHEREAS, the Board of Mayor and Aldermen of the Town of Farragut, Tennessee, wishes to amend Title 14., Land Use Controls, Chapter 6., Architectural Design Standards, of the Farragut Municipal Code, Ordinance 15-03,

NOW, THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen of the Town of Farragut, Tennessee, that the Farragut Architectural Design Standards are hereby amended as follows:

SECTION 1.

The Farragut Municipal Code, Title 14, Land Use Controls, Chapter 6., Farragut Architectural Design Standards, is amended by adding Appendix B as reflected in the attached document referenced as Exhibit A.

SECTION 2.

The Farragut Municipal Code, Title 14, Land Use Controls, Chapter 6., Farragut Architectural Design Standards, Chapter 2.0, Building Design Guidelines, Design Guideline 2.20, Use exterior material, paint and roof colors that are compatible with the surrounding context., is amended by adding the following:

e. Color bands used as building trims and accent colors may feature any color reflected in Appendix B of the Architectural Design Standards, provided that they are limited to 10% of the effected façade segment and have a height of no more than 18 inches.

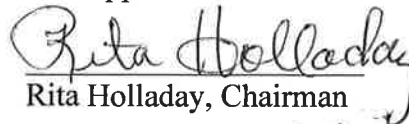
SECTION 3.

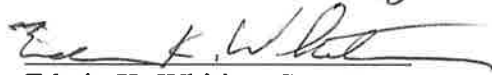
This ordinance shall take effect from and after its final passage and publication, the public welfare requiring it.

Dr. Ralph McGill, Mayor

Allison Myers, Town Recorder

Certified to the Farragut Board of Mayor and Aldermen this _____ day of _____, 2017,
with approval recommended.


Rita Holladay, Chairman


Edwin K. Whiting, Secretary

FARRAGUT MUNICIPAL PLANNING COMMISSION

Any
WHITE-GRAY-BLACK
grayscale:

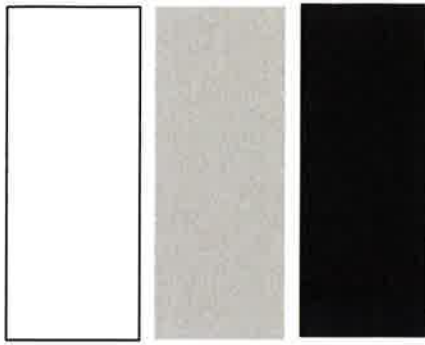


Exhibit A

Appendix B

Architectural
Design Standards
**Color Palette for
Building Trims and
Accent Colors**

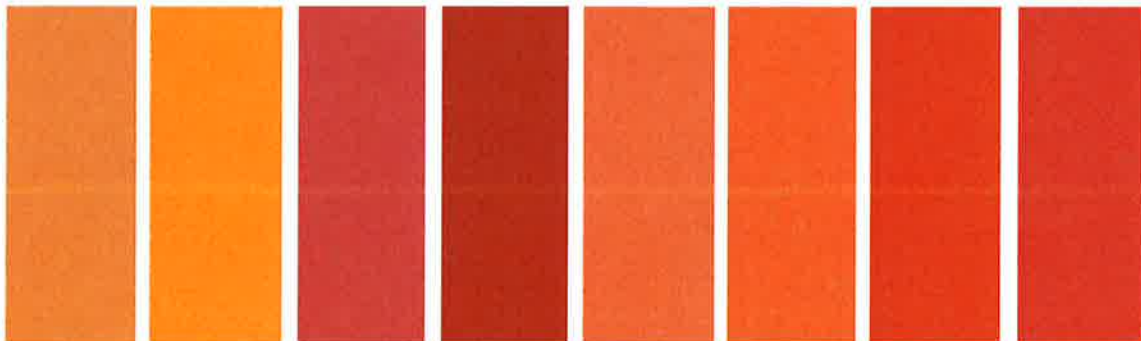
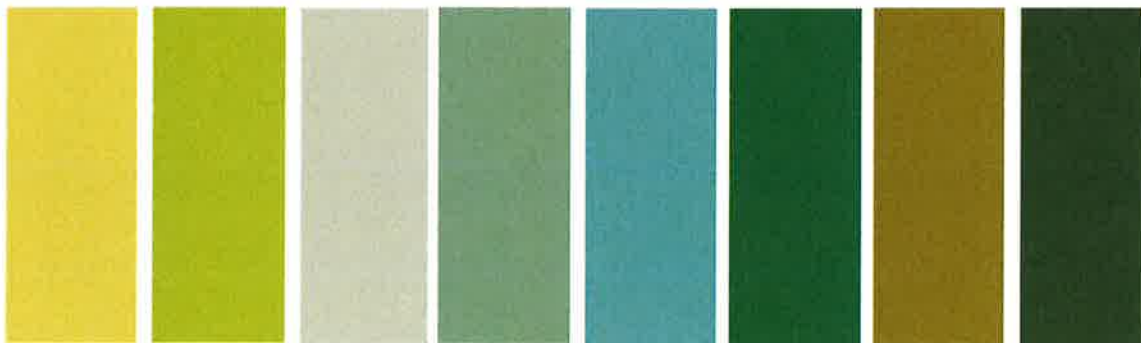
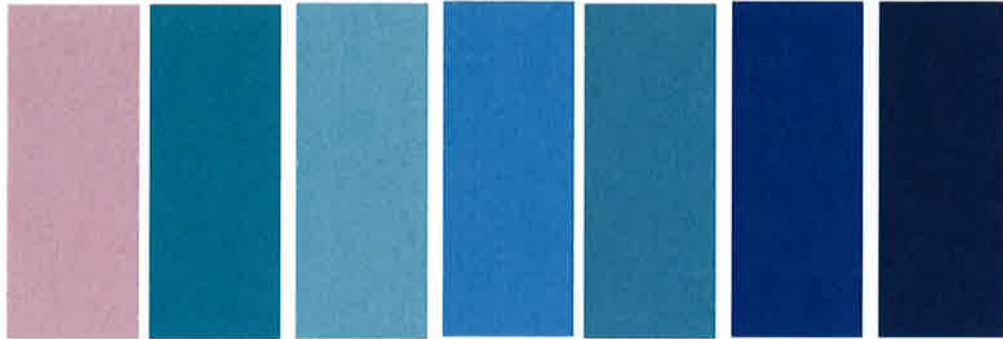


Exhibit A

Appendix B

Architectural
Design Standards
Color Palette for
Building Trims and
Accent Colors

Any
WHITE-GRAY-BLACK
grayscale:

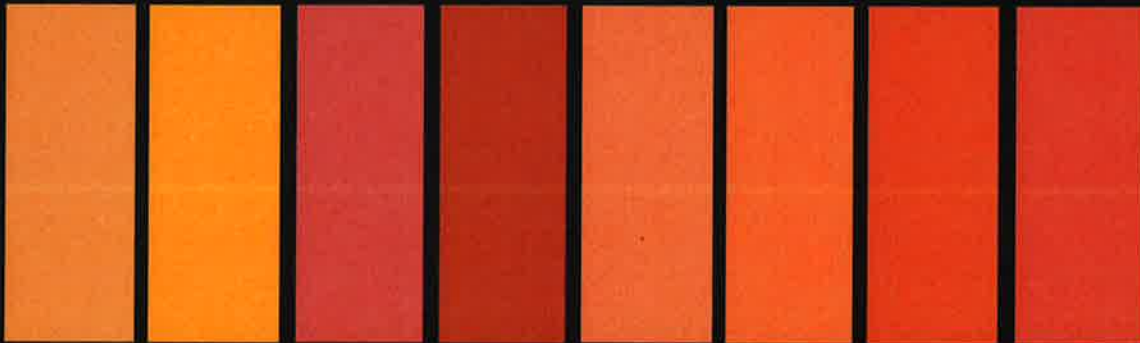
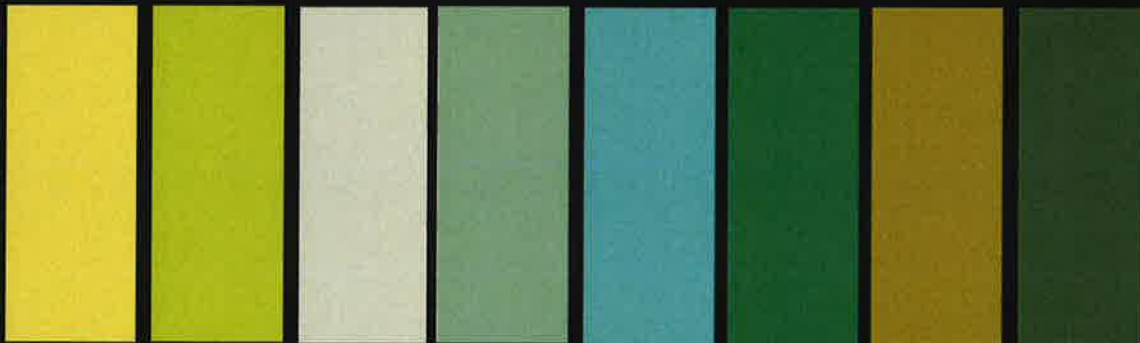
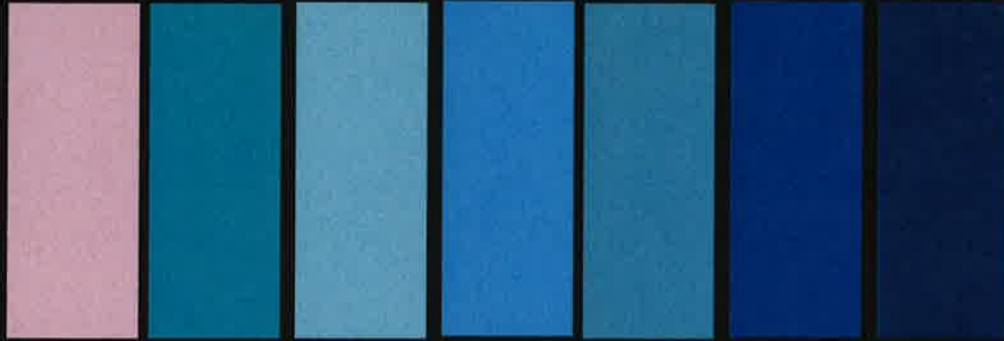
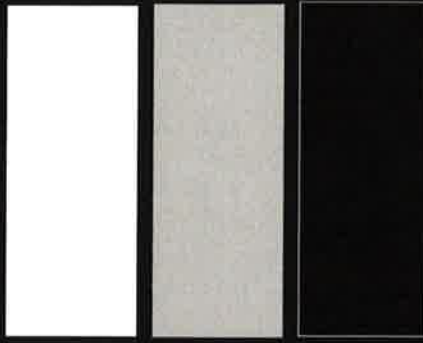


Exhibit A

Any
WHITE-GRAY-BLACK
grayscale:



Appendix B Architectural Design Standards Color Palette for Building Trims and Accent Colors

0 0 10 0 #ffffe6	0 33 64 5 #f2a257	2 0 57 15 #d4d95d	0 15 0 26 #bda0bd
0 13 39 8 #ebcc8f	0 35 100 0 #ffa600	15 0 57 10 #c3e663	100 0 0 40 #009999
0 38 57 35 #a66747	0 58 61 24 #c2514c	5 0 11 20 #c2ccb6	46 10 0 27 #65a8ba
0 42 73 70 #4d2c15	0 83 100 40 #991a00	28 0 26 38 #729e75	66 28 0 20 #4593cc
0 59 53 44 #8f3b43	0 45 67 4 #f58751	59 11 25 13 #5bc5a6	56 12 0 42 #418294
0 31 60 12 #e09b5a	0 48 77 0 #ff853b	100 0 73 46 #008aa5	98 81 3 35 #031fa1
0 17 74 0 #ffd442	0 65 92 9 #e85113	0 0 100 50 #808000	100 90 10 64 #000953
32 63 91 20 #8b4b12	0 68 77 16 #d64531	59 0 69 68 #215219	

C Y M K
HEX#

RESOLUTION PC-16-21

FARRAGUT MUNICIPAL PLANNING COMMISSION

A RESOLUTION TO APPROVE AN AMENDMENT TO TITLE 14, CHAPTER 6., BEING THE FARRAGUT ARCHITECTURAL DESIGN STANDARDS, OF THE FARRAGUT MUNICIPAL CODE, ORDINANCE 15-03, TO ADD APPENDIX A, BEING AN ADOPTED COLOR PALETTE

WHEREAS, the Tennessee Code Annotated, Section 6-54-133, provides that municipalities may create and adopt general guidelines for the exterior appearance of nonresidential property, multiple family residential property, and any entrance to a nonresidential development within the municipality; and

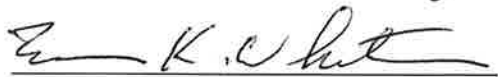
WHEREAS, the Farragut Municipal Planning Commission has been designated as the design review commission; and

WHEREAS, a public hearing was held on this request on January 19, 2017;

NOW, THEREFORE, BE IT RESOLVED that the Farragut Municipal Planning Commission hereby recommends approval to the Farragut Board of Mayor and Aldermen an ordinance, amending Title 14, Chapter 6., being the Farragut Architectural Design Standards, of the Farragut Municipal Code, by adding Ordinance 16-28.

ADOPTED this 19th day of January, 2017.


Rita Holladay, Chairman


Edwin K. Whiting, Secretary