



**FARRAGUT BOARD OF MAYOR AND ALDERMEN
AGENDA
March 14, 2019**

BUDGET WORKSHOP
General Fund Revenue/Expenditures Projections
6:00 PM

BMA MEETING
7:00 PM

- I. Silent Prayer, Pledge of Allegiance, Roll Call**
- II. Approval of Agenda**
- III. Mayor's Report**
 - A. Community Health Council Update
- IV. Approval of Minutes**
 - A. February 28, 2019
- V. Ordinances**
 - A. Public Hearing and Second Reading
 - 1. Ordinance 18-12, an ordinance on second reading to amend the Town of Farragut Zoning Map to change the zoning on Parcels 84, 84.01, and 87, Tax Map 130 (now Lot 2R), located near the eastern intersection of N. Campbell Station Road and Fretz Road, 10.23 Acres, from R-1 to R-1/OSR (Fred Long Construction Concepts, Applicant)
 - 2. Ordinance 18-16, an Ordinance to Amend the Text of The Farragut Stormwater Management Control Ordinance, Ordinance 05-16, As Amended, Pursuant to Authority Granted by Section 13-4-201, Tennessee Code Annotated, By Amending Chapter 111. Stormwater Management Control, Article 1 (In General), Section 111-1 Definitions, to Add A Definition; Article 2 (Administration And Enforcement), Division 2 (Violations And Penalties), Section 111-60 Recovery Of Damages And Costs, To Clarify Fee Recovery Methods; Article 3 (Permits), Division 2

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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 contact the ADA Coordinator at jcurry@townoffarragut.org or 865-966-7057 in advance of the meeting.

(Grading Permit), Section 111-111 Required, To Change Grading Permit Requirements; And Article 4 (Standards And Requirements), Section 111-150 General Performance Criteria For Stormwater Management, To Identify Additional Criteria For Select Sites

3. Ordinance 19-04, an ordinance on second reading to amend the Town of Farragut Zoning Map to change the zoning on a portion of Parcel 005, Tax Map 151, 501 N. Watt Road, from Agricultural (A) to Neighborhood/Convenience Commercial (NCC), 5.2 Acres (over three-fourths in the Town and the remainder in Knox County) (Richard Cox and Kathleen Cox, Applicant)

VI. Business Items

- A. Appointment to the Knox County Growth Policy Committee.

VII. Citizens Forum

VIII. Town Administrator's Report

IX. Town Attorney's Report

Board of Mayor and Aldermen Meeting Public Comment Protocol

The Board of Mayor and Aldermen welcomes and invites citizens to participate in public meetings.

At the beginning of each meeting, there will be time reserved for public comment under the Citizen Forum agenda item. If you are interested in speaking, please fill out a blue comment card and turn it in to the Town Clerk or staff member. This time is set aside specifically for comments on items that are not on the Board of Mayor and Aldermen regular agenda for the meeting. Each speaker will be given five (5) minutes to speak on his/her topic.

During the regular agenda portion of the meeting there may be an allowance for public comment for each agenda item. The Mayor may recognize individuals for public comment based on the following guidelines:

1. The Mayor shall maintain and control the meeting to provide a professional and objective environment conducive to presentation and discussion of the agenda items;
2. Anyone interested in speaking should fill out a blue comment card stating which agenda item they would like to comment on and turn in to the Town Clerk or a staff member;
3. Speakers shall come to the podium and identify themselves by name and address;
4. Public comment shall be limited to five (5) minutes per individual, time may be extended at the discretion of the Mayor; time is not transferable to other speakers;
5. Speakers should strive to avoid redundancy;
6. Comments shall address issues, not individuals or personalities;
7. Comments may support or oppose particular issues or measures, but the motives of those with differing views shall not be questioned or attacked;
8. Personal attacks and malicious comments shall not be tolerated;
9. An applicant, and/or their representative(s), for an item on the regular agenda shall be afforded the time necessary to present their request and respond to questions. The five (5) minute limitation shall not apply. However, the Mayor may ask an applicant to stay on point in order to facilitate the efficiency of the meeting.



**FARRAGUT BOARD OF MAYOR AND ALDERMEN
MINUTES
February 28, 2019**

**MCFEE PARK & CAMPBELL STATION WALL WORKSHOP
5:30 PM**

**BEER BOARD
6:55 PM**

**BMA MEETING
7:00 PM**

- I. Silent Prayer, Pledge of Allegiance, Roll Call**
- II. Approval of Agenda**
- III. Mayor's Report**
 - A. Community Health Council Update
 - B. Proclamation for Gage Kirby
 - C. Rural Metro, Jerry Harnish, Fire Chief
- IV. Approval of Minutes**
 - A. February 14, 2019
- V. Ordinances**
 - A. First Reading
 - 1. Ordinance 18-16, an Ordinance to Amend the Text of The Farragut Stormwater Management Control Ordinance, Ordinance 05-16, As Amended, Pursuant to Authority Granted by Section 13-4-201, Tennessee Code Annotated, By Amending Chapter 111. Stormwater Management Control, Article 1 (In General), Section 111-1 Definitions, to Add A Definition; Article 2 (Administration And Enforcement), Division 2 (Violations And Penalties), Section 111-60 Recovery Of Damages And Costs, To Clarify Fee Recovery Methods; Article 3 (Permits), Division 2 (Grading Permit), Section 111-111 Required, To Change Grading Permit

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Requirements; And Article 4 (Standards And Requirements), Section 111-150 General Performance Criteria For Stormwater Management, To Identify Additional Criteria For Select Sites

2. Ordinance 19-04, an ordinance to amend the Town of Farragut Zoning Map to change the zoning on a portion of Parcel 005, Tax Map 151, 501 N. Watt Road, from Agricultural (A) to Neighborhood/Convenience Commercial (NCC), 5.2 Acres (over three-fourths in the Town and the remainder in Knox County) (Richard Cox and Kathleen Cox, Applicant)

VI. Business Items

- A. Approval of Purchase of Museum Exhibit Case
- B. Approval of Town of Farragut History Film Production Contract
- C. Approval of Appointment to the Farragut Museum Committee
- D. Approval of Proposal from Crook and Company for Acquisition Services for Right-of-Way on Virtue Road
- E. Approval of Emergency Contract for Sedgefield subdivision stormwater pipe repairs with Whaley Construction, LLC

VII. Citizens Forum

VIII. Town Administrator's Report

IX. Town Attorney's Report

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

Approval of Agenda

Motion was made to approve the agenda with the addition of item VI.E. Approval of Emergency Contract for Sedgefield subdivision stormwater pipe repairs with Whaley Construction, LLC. Moved by Alderman Povlin, seconded by Alderman Pinchok; voting yes, Mayor Williams, Aldermen Burnette, Pinchok and Povlin; Alderman Meyer was absent; no nays; motion passed.

Mayor's Report

Community Health Council Update-postponed until the March 14 meeting.

Proclamation for Gage Kirby

Rural Metro, Jerry Harnish, Fire Chief

Approval of Minutes

Motion was made to approve the minutes of February 14, 2019 as presented. Moved by Alderman Povlin, seconded by Alderman Pinchok; voting yes, Mayor Williams, Aldermen Burnette, Pinchok and Povlin; Alderman Meyer was absent; no nays; motion passed.

Ordinances

First Reading

Ordinance 18-16, an Ordinance to Amend the Text of The Farragut Stormwater Management Control Ordinance, Ordinance 05-16, As Amended, Pursuant to Authority Granted by Section 13-4-201, Tennessee Code Annotated, By Amending Chapter 111. Stormwater Management Control, Article 1 (In General), Section 111-1 Definitions, to Add A Definition; Article 2 (Administration And Enforcement), Division 2 (Violations And Penalties), Section 111-60 Recovery Of Damages And Costs, To Clarify Fee Recovery Methods; Article 3 (Permits), Division 2 (Grading Permit), Section 111-111 Required, To Change Grading Permit Requirements; And Article 4 (Standards And Requirements), Section 111-150 General Performance Criteria For Stormwater Management, To Identify Additional Criteria For Select Sites

Motion was made to approve Ordinance 18-16 on first reading. Moved by Alderman Povlin, seconded by Alderman Pinchok; roll call vote; Alderman Burnette, yes; Alderman Pinchok, yes; Alderman Povlin, yes; Mayor Williams, yes; Alderman Meyer was absent; no nays; motion passed.

Ordinance 19-04, an ordinance to amend the Town of Farragut Zoning Map to change the zoning on a portion of Parcel 005, Tax Map 151, 501 N. Watt Road, from Agricultural (A) to Neighborhood/Convenience Commercial (NCC), 5.2 Acres (over three-fourths in the Town and the remainder in Knox County) (Richard Cox and Kathleen Cox, Applicant)

Motion was made to approve Ordinance 19-04 on first reading. Moved by Alderman Povlin, seconded by Alderman Pinchok; roll call vote; Alderman Pinchok, yes; Alderman Povlin, yes; Alderman Burnette, yes; Mayor Williams, yes; Alderman Meyer was absent; no nays; motion passed.

Business Items

Approval of Purchase of Museum Exhibit Case

Motion was made to approve the purchase of a Metro Gramercy Case from Gaylord Archival Supplies in the amount of \$11,464.94. Moved by Alderman Povlin, seconded by Alderman Pinchok; voting yes, Mayor Williams, Aldermen Burnette, Pinchok and Povlin; Alderman Meyer was absent; no nays; motion passed.

Approval of Town of Farragut History Film Production Contract

Motion was made to approve the contract with Keith McDaniel in the amount of \$25,000 (\$20,000-FY19 and \$5,000-FY20). Moved by Alderman Povlin, seconded by Alderman Pinchok; voting yes, Mayor Williams, Aldermen Burnette, Pinchok and Povlin; Alderman Meyer was absent; no nays; motion passed.

Approval of Appointment to the Farragut Museum Committee

Motion was made to appoint Annie Judkins to the Museum Committee with the term expiring June 2019. Moved by Alderman Povlin, seconded by Alderman Pinchok; voting yes, Mayor Williams, Aldermen Burnette, Pinchok and Povlin; Alderman Meyer was absent; no nays; motion passed.

Approval of Proposal from Crook and Company for Acquisition Services for Right-of-Way on Virtue Road

Motion was made to approve the contract with Crook and Company for acquisition services in the amount of \$43,800. Moved by Alderman Povlin, seconded by Alderman Pinchok; voting yes, Mayor Williams, Aldermen Burnette, Pinchok and Povlin; Alderman Meyer was absent; no nays; motion passed.

Approval of Emergency Contract for Sedgefield subdivision stormwater pipe repairs with Whaley Construction, LLC

Motion was made to approve the emergency contract Sedgefield subdivision stormwater pipe repairs with Whaley Construction, LLC. Moved by Alderman Povlin, seconded by Alderman Pinchok; voting yes, Mayor Williams, Aldermen Burnette, Pinchok and Povlin; Alderman Meyer was absent; no nays; motion passed.

Town Administrator's Report

David Smoak, Town Administrator, thanked the public works, engineering and parks department on their response to the flooding on Saturday, February 23. He also announced that the Town of Farragut will host the Shamrock Ball Saturday, March 2 from 7-9 Pm at the Farragut High School.

Meeting adjourned at 8:15 PM.

Ron Williams, Mayor

Allison Myers, Town Recorder

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Mark Shipley, Community Development Director

SUBJECT: Ordinance 18-12, an ordinance on second reading to amend the Town of Farragut Zoning Map to change the zoning on Parcels 84, 84.01, and 87, Tax Map 130 (now Lot 2R), located near the eastern intersection of N. Campbell Station Road and Fretz Road, 10.23 Acres, from R-1 to R-1/OSR (Fred Long Construction Concepts, Applicant)

INTRODUCTION AND BACKGROUND: The request was approved on first reading on August 23, 2018 but, consistent with the recommendation from the Planning Commission at their July 19, 2018 meeting, was not presented for second reading until a resubdivision plat was approved and recorded which combines the three parcels associated with this rezoning. This plat was approved by the Planning Commission and was recently recorded. Consequently, staff is now presenting the rezoning for second reading. The rezoning includes 10.23 acres and provides for a zoning map change from Rural Single Family Residential (R-1) to Rural Single Family/Open Space Residential Overlay (R-1/OSR). The property is near the southeast intersection of N. Campbell Station Road and Fretz Road. The southern portion of the property is heavily wooded and contains some relatively steep slopes.

DISCUSSION: The requested R-1/OSR zoning for the property would be consistent with the Future Land Use Plan (FLUP) and the surrounding existing land use, zoning, and development pattern. The FLUP designates the property as Very Low Density Residential. The surrounding area is a mix of residential developments at various densities and lot sizes, and the R-1/OSR zoning will allow the owner/developer to better design around the sites physical/environmental constraints and preserve some of its wooded character. According to KGIS information, there are existing public water lines along both N Campbell Station Road and Fretz Road. It also appears that a sanitary sewer line will need to be extended to the property to support the types of clustered/smaller-lot developments typically seen in the OSR district. Assuming the rezoning is approved, the applicant will likely be presenting a preliminary plat to the Planning Commission in March.

RECOMMENDATION: As the staff conveyed to both the Planning Commission and the Board of Mayor and Aldermen on first reading, the requested rezoning appears to be reasonable given the surrounding area and physical character of the subject property. The rezoning was unanimously recommended for approval by the Planning Commission on July 19, 2018 and was approved on first reading at the August 23, 2018 Board of Mayor and Aldermen meeting. Community Development Director, Mark Shipley, recommends approval of Ordinance 18-12 on second reading.

PROPOSED MOTION: To approve Ordinance 18-12 on second reading.

BOARD ACTION:

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

<u>VOTE/TOTAL</u>	<u>WILLIAMS</u>	<u>MEYER</u>	<u>PINCHOK</u>	<u>POVLIN</u>	<u>BURNETTE</u>
YES	_____	_____	_____	_____	_____
NO	_____	_____	_____	_____	_____
ABSTAIN	_____	_____	_____	_____	_____

RESOLUTION PC-18-13

FARRAGUT MUNICIPAL PLANNING COMMISSION

A RESOLUTION TO APPROVE AN AMENDMENT TO THE FARRAGUT ZONING MAP, ORDINANCE 86-16, TO RECOMMEND THE APPROVAL OF THE REZONING OF PARCELS 84, 84.01, AND 87, TAX MAP 130, SAID PROPERTY BEING LOCATED IN THE VICINITY OF THE INTERSECTION OF N. CAMPBELL STATION ROAD AND FRETZ ROAD, APPROXIMATELY 10.23 ACRES, FROM R-1 (RURAL SINGLE FAMILY RESIDENTIAL DISTRICT) TO R-1/OSR (RURAL SINGLE FAMILY RESIDENTIAL DISTRICT / OPEN SPACE RESIDENTIAL OVERLAY DISTRICT)

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 July 19, 2018;

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 18-12.

ADOPTED this 19th day of July, 2018.

Rita Holladay, Chairman

Edwin K. Whiting, Secretary

ORDINANCE:	18-12
PREPARED BY:	Hose
REQUESTED BY:	Town of Farragut
CERTIFIED BY FMPC:	July 19, 2018
PUBLIC HEARING:	_____
PUBLISHED IN:	_____
DATE:	_____
1ST READING:	_____
2ND READING:	_____
PUBLISHED IN:	_____
DATE:	_____

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE TOWN OF FARRAGUT, TENNESSEE, ORDINANCE 86-16, AS AMENDED, PURSUANT TO SECTION 13-4-201, TENNESSEE CODE ANNOTATED.

BE IT ORDAINED by the Board of Mayor and Aldermen of the Town of Farragut, Tennessee, that the Farragut Zoning Ordinance, Ordinance 86-16, as amended, is hereby amended as follows:

SECTION 1.

The Farragut Zoning Ordinance, Ordinance 86-16, as amended, is hereby amended by rezoning Parcels 84, 84.01, and 87, Tax Map 130, said property being located in the vicinity of the intersection of N. Campbell Station Road and Fretz Road, approximately 10.23 Acres, from R-1 (Rural Single Family Residential District) to R-1/OSR (Rural Single Family Residential District / Open Space Residential Overlay District) (See Exhibit A).

SECTION 2.

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

 Ronald Pinchok, Mayor

 Allison Myers, Town Recorder

Certified to the Farragut Board of Mayor and Aldermen this _____ day of _____, 2018, with approval recommended.

Rita Holladay, Chairman

Edwin K. Whiting, Secretary

FARRAGUT MUNICIPAL PLANNING COMMISSION



farragut

Exhibit A
Ordinance 18-12

Rezone
Parcels 84, 84.01, and 87
Tax Map 130

From
R-1 (Rural Single-Family Residential)

to

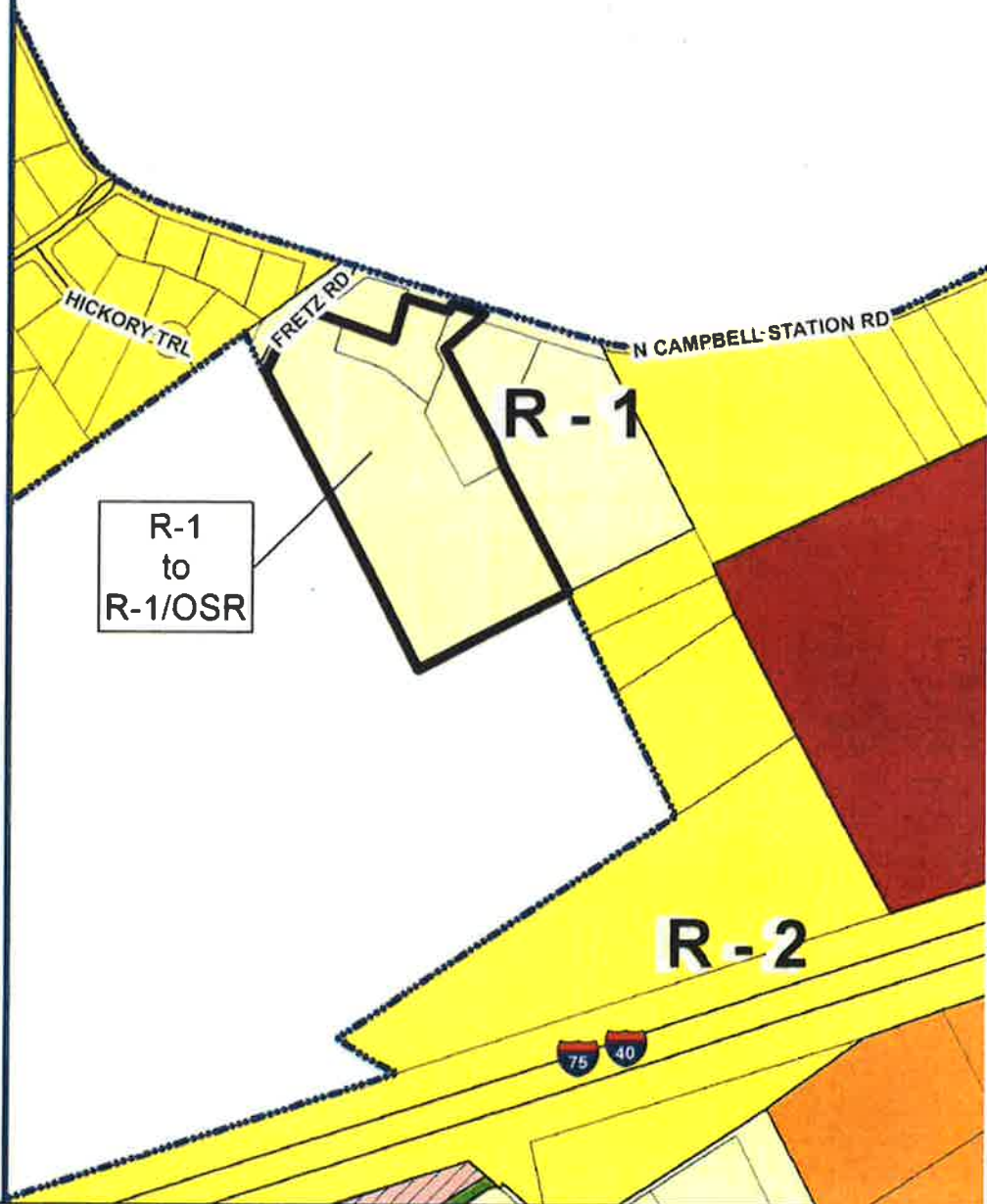
R-1/OSR (Rural Single-Family Residential/
Open Space Residential)

Legend

-  Subject Property
-  Streets
-  Parcels
-  B-1, Buffer
-  S-1, Community Service
-  R-1, Rural Single-Family Residential
-  R-2, General Single-Family Residential
-  R-4, Attached Single-Family Residential
-  C-2, Regional Commercial
-  Telecommunication Tower Overlay Zone



1 in = 500 ft



Document Path: G:\Farragut\Map Documents\2018\Rezoning map N Campbell Station Property\2018.mxd

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Lori Saal, Stormwater Coordinator

SUBJECT: Ordinance 18-16, an Ordinance to Amend the Text of The Farragut Stormwater Management Control Ordinance, Ordinance 05-16, As Amended, Pursuant to Authority Granted by Section 13-4-201, Tennessee Code Annotated, By Amending Chapter 111. Stormwater Management Control, Article 1 (In General), Section 111-1 Definitions, to Add A Definition; Article 2 (Administration And Enforcement), Division 2 (Violations And Penalties), Section 111-60 Recovery Of Damages And Costs, To Clarify Fee Recovery Methods; Article 3 (Permits), Division 2 (Grading Permit), Section 111-111 Required, To Change Grading Permit Requirements; And Article 4 (Standards And Requirements), Section 111-150 General Performance Criteria For Stormwater Management, To Identify Additional Criteria For Select Sites

INTRODUCTION:

As a result of the July 2018 audit, conducted by the Tennessee Department of Environment and Conservation (TDEC), of the Town's stormwater program, the Town is required to revise the Stormwater Ordinance to include the following:

- The definition of priority sites (priority construction activities)
- Requirements for land disturbance activities of greater than or equal to one acre, or less than one acre if part of a common plan of development (subdivision).

Additionally, a recent site compliance issue revealed that clarification was needed regarding the Town's authority for the recovery of damages and costs incurred by the Town.

DISCUSSION:

Several proposed amendments were incorporated to meet the TDEC-required revisions. Those proposed amendments have been reviewed by Town staff, discussed with and approved by the Stormwater Advisory Committee, and approved by the FMPC on November 15, 2018.

Section 111-1: Definitions

The definition "priority construction activities" was added in this section. The definition of "priority construction activities" matches the definition provided by TDEC in the Construction General Permit.

Section 111-111: Grading Permits

This section was modified to require that sites disturbing one acre or greater, or less if part of a common plan of development, obtain a grading permit. The majority of sites that meet this threshold for soil disturbing activity already require a grading permit by ordinance because they are required to submit either a site plan or preliminary plat. This language revision would impact sites that are not required to submit a site plan or plat, but are disturbing a large area (large, single-family residence on a single parcel, for instance). Sites that meet this threshold for soil disturbing activity are already required to obtain a Construction General Permit from TDEC, which requires a Stormwater Pollution Prevention Plan and Erosion Protection and Sediment Control Plan.

Section 111-150: General performance criteria for stormwater management

Item 7 was added to this section. Sites that require a grading permit are already required to have regular, formal inspections by Town staff. This item adds that those sites identified as having priority construction activities will also have regular, formal inspections conducted. These sites will be identified by Town staff via the building permit process. Examples of potentially-impacted sites include swimming pool installations, residential additions, accessory structures, etc. that will significantly disturb the soil and are discharging directly into or immediately upstream of a Waters of the State. New, single family residential not part of a subdivision with an active permit from TDEC may also be impacted by this section of the ordinance.

In addition to the TDEC-required amendments discussed above, a proposed amendment has been incorporated into Section 111-60. The proposed amendment clarifies the Town's authority to order corrective action be conducted by the Town or its contractor and to charge the cost of any action by the Town to the responsible party. It clarifies that the Town may obtain a judgment lien and satisfy such lien through judicial foreclosure proceedings should the fees go unpaid. The proposed amendment was recommended for approval by the Stormwater Advisory Committee on February 14, 2019.

RECOMMENDATION BY: Stormwater Coordinator Lori Saal for approval.

PROPOSED MOTION: To approve Ordinance 2018-16 on second reading.

BOARD ACTION:

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

<u>VOTE/TOTAL</u>	<u>BURNETTE</u>	<u>MEYER</u>	<u>PINCHOK</u>	<u>POVLIN</u>	<u>WILLIAMS</u>
YES	_____	_____	_____	_____	_____
NO	_____	_____	_____	_____	_____
ABSTAIN	_____	_____	_____	_____	_____

ORDINANCE: 18-16
PREPARED BY: Saal
REQUESTED BY: Staff
CERTIFIED BY FMPC: November 15, 2018
PUBLIC HEARING:
PUBLISHED IN: _____
DATE: _____
1ST READING: _____
2ND READING: _____
PUBLISHED IN: _____
DATE: _____

AN ORDINANCE TO AMEND THE TEXT OF THE FARRAGUT STORMWATER MANAGEMENT CONTROL ORDINANCE, ORDINANCE 05-16, AS AMENDED, PURSUANT TO AUTHORITY GRANTED BY SECTION 13-4-201, TENNESSEE CODE ANNOTATED, BY AMENDING CHAPTER 111. STORMWATER MANAGEMENT CONTROL, ARTICLE 1 (IN GENERAL), SECTION 111-1 DEFINITIONS, TO ADD A DEFINITION; ARTICLE 2 (ADMINISTRATION AND ENFORCEMENT), DIVISION 2 (VIOLATIONS AND PENALTIES), SECTION 111-60 RECOVERY OF DAMAGES AND COSTS, TO CLARIFY FEE RECOVERY METHODS; ARTICLE 3 (PERMITS), DIVISION 2 (GRADING PERMIT), SECTION 111-111 REQUIRED, TO CHANGE GRADING PERMIT REQUIREMENTS; AND ARTICLE 4 (STANDARDS AND REQUIREMENTS), SECTION 111-150 GENERAL PERFORMANCE CRITERIA FOR STORMWATER MANAGEMENT, TO IDENTIFY ADDITIONAL CRITERIA FOR SELECT SITES

WHEREAS, the Board of Mayor and Aldermen of the Town of Farragut, Tennessee, wishes to amend Chapter 111, Stormwater Management Control, Ordinance 05-16,

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

SECTION 1.

The Farragut Stormwater Management Control Ordinance, Article 1. In General, Section 111-1 Definitions, is hereby amended by adding the following:

Priority construction activity means any construction activities that discharge directly into, or immediately upstream of, waters the state recognized as having unavailable parameters for siltation or habitat alteration or Exceptional Tennessee Waters.

SECTION 2.

The Farragut Stormwater Management Control Ordinance, Article 2. Administration and Enforcement, Division 2 Violations and Penalties, Section 111-60 Recovery of damages and costs, is hereby amended by adding the following at the end of the section:

Additionally, if the responsible party fails or refuses to take corrective action required by the town administrator or his/her designee, then the town shall have the authority to order the corrective action(s) to be conducted by the town or others. In such cases where a letter of credit exists, the town shall utilize the letter of credit to conduct the corrective actions. In such cases where a letter of credit does not exist or is not sufficient to conduct the corrective actions, the town may conduct such actions and the cost of any action by the town shall be charged to the responsible party.

If the responsible party fails to reimburse the Town in accordance with this section, the Town is authorized to pursue collection of the amounts owed the Town as allowed by T.C.A. § 68-221-1106, including, but not limited to, obtaining a judgment lien and satisfying such lien through judicial foreclosure proceedings.

SECTION 3.

The Farragut Stormwater Management Control Ordinance, Article 3. Permits, Division 2. Grading Permit, Section 111-111 Required, is hereby amended by deleting in its entirety and substituting in lieu thereof the following:

Every person shall be required to obtain a grading permit from the town if any of the following apply:

- (1) Construction activities will result in soil disturbances of one or more acres or less than one acre if construction activities are part of a larger common plan of development or sale that comprises at least one acre of cumulative land disturbance; or
- (2) A site plan is required per the town zoning ordinance (appendix A to this Code) or when a preliminary plat is required per the town subdivision regulations (appendix B to this Code). An application for a grading permit as provided in section 111-112 shall be submitted during the process of applying for either a site plan or preliminary plat.

SECTION 4.

The Farragut Stormwater Management Control Ordinance, Article 4. Standards and Requirements, Section 111-150 General performance criteria for stormwater management, is hereby amended by adding the following:

- (7) Regular inspections of construction sites, including those requiring a grading permit or identified as sites with priority construction activities, shall be conducted by the Town Engineer or his/her designee. All inspections shall be documented, and written reports prepared that contain the information as noted in Sec. 111-115.

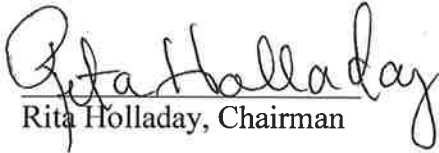
SECTION 5.

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

Ron Williams, Mayor

Allison Myers, Town Recorder

Certified to the Farragut Board of Mayor and Aldermen this ____ day of _____, 2018,
with approval recommended.


Rita Holladay, Chairman


Edwin K. Whiting, Secretary

FARRAGUT MUNICIPAL PLANNING COMMISSION

RESOLUTION PC-18-17

FARRAGUT MUNICIPAL PLANNING COMMISSION

A RESOLUTION TO APPROVE AMENDMENTS TO CHAPTER 111, STORMWATER MANAGEMENT CONTROL, BEING THE FARRAGUT STORMWATER ORDINANCE, OF THE FARRAGUT CODE, ORDINANCE 05-16, BY AMENDING ARTICLE 1 (IN GENERAL), SECTION 111-1 DEFINITIONS, TO ADD A DEFINITION; ARTICLE 2 (ADMINISTRATION AND ENFORCEMENT), DIVISION 2 (VIOLATIONS AND PENALTIES), SECTION 111-60 RECOVERY OF DAMAGES AND COSTS, TO CLARIFY FEE RECOVERY METHODS; ARTICLE 3 (PERMITS), DIVISION 2 (GRADING PERMIT), SECTION 111-111 REQUIRED, TO CHANGE GRADING PERMIT REQUIREMENTS; AND ARTICLE 4 (STANDARDS AND REQUIREMENTS), SECTION 111-150 GENERAL PERFORMANCE CRITERIA FOR STORMWATER MANAGEMENT, TO IDENTIFY ADDITIONAL CRITERIA FOR SELECT SITES

WHEREAS, the Tennessee Code Annotated, Section 6-2-201, delegates the authority to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of their citizenry; and

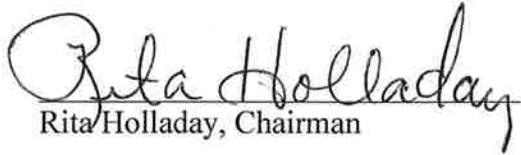
WHEREAS, the Tennessee Code Annotated, Section 13-4-201et seq, provides that the Municipal Planning Commission shall make and adopt a general plan for the physical development of the municipality; and

WHEREAS, the purpose of the new Stormwater Ordinance requirements is to define areas of priority construction activities and the associated performance criteria of those areas, and to clarify those developments which require a grading permit; and

WHEREAS, a public hearing was held on this request on November 15, 2018;

NOW, THEREFORE, BE IT RESOLVED that the Farragut Municipal Planning Commission hereby recommends approval of Ordinance 18-16 to the Farragut Board of Mayor and Aldermen an ordinance, amending Chapter 111, Stormwater Management Control, being the Farragut Stormwater Ordinance, of the Farragut Code, by amending Article 1 (In General), Section 111-1 Definitions, to add a definition; Article 2 (Administration and Enforcement), Division 2 (Violations and Penalties), Section 111-60 Recovery of Damages and Costs, to clarify fee recovery methods; Article 3 (Permits), Division 2 (Grading permit), Section 111-111 Required, to change grading permit requirements; and Article 4 (Standards and Requirements), Section 111-150 General performance criteria for stormwater management, to identify additional criteria for select sites.

ADOPTED this 15th day of November, 2018.


Rita Holladay, Chairman


Edwin K. Whiting, Secretary

REPORT TO THE BOARD OF MAYOR AND ALDERMEN**PREPARED BY:** Mark Shipley, Community Development Director**SUBJECT:** Ordinance 19-04, an ordinance on second reading to amend the Town of Farragut Zoning Map to change the zoning on a portion of Parcel 005, Tax Map 151, 501 N. Watt Road, from Agricultural (A) to Neighborhood/Convenience Commercial (NCC), 5.2 Acres (over three-fourths in the Town and the remainder in Knox County) (Richard Cox and Kathleen Cox, Applicant)**INTRODUCTION AND BACKGROUND:** This item involves a request to rezone the last tract in the Town limits on the west side of N. Watt Road as one travels north on N. Watt Road. The property currently includes one dwelling unit that is situated on the Knox County portion of the property. Historically, the property has been used for agriculture related activity and as a single-family residence.**DISCUSSION:** As part of the CLUP Steering Committee's efforts to focus more intensely on planning for remaining vacant (or under-developed) properties, the Committee decided to identify and focus on some priority areas. The first area selected was the Watt Road Corridor since it is a gateway to the Town, contains a large regional park, and has some sizable undeveloped land. After gathering community and Planning Commission input, amendments were made to the future land use map for the Watt Road Corridor.

The future land use for the property in question was changed from Open Space and Medium Density Residential to Mixed Use Neighborhood. Also, resulting from the CLUP Steering Committee's efforts along with input provided by the Planning Commission, a new zoning district was created and named Neighborhood/Convenience Commercial (NCC). This district would be a scaled down commercial district where an opportunity to include residential within a development as a transitional element would be possible. This new zoning district would be most similar to the Mixed-Use Neighborhood land use category on the future land use map.

RECOMMENDATION: As noted during discussions with the Planning Commission, since the future land use map was recently updated, and the proposed zoning district (NCC) is consistent with the updated future land use map, staff would support this rezoning. At their meeting on January 17, 2019, the Planning Commission unanimously recommended approval of Ordinance 19-04. At the Board of Mayor and Aldermen meeting on February 28, 2019, Ordinance 19-04 was unanimously approved on first reading. Community Development Director, Mark Shipley, recommends approval of Ordinance 19-04 on second reading.**PROPOSED MOTION:** To approve Ordinance 19-04 on second reading.**BOARD ACTION:****MOTION BY:** _____ **SECONDED BY:** _____

<u>VOTE/TOTAL</u>	<u>WILLIAMS</u>	<u>MEYER</u>	<u>PINCHOK</u>	<u>POVLIN</u>	<u>BURNETTE</u>
YES	_____	_____	_____	_____	_____
NO	_____	_____	_____	_____	_____
ABSTAIN	_____	_____	_____	_____	_____

ORDINANCE: 19-04
PREPARED BY: Hose
REQUESTED BY: Town of Farragut
CERTIFIED BY FMPC: January 17, 2019
PUBLIC HEARING:
PUBLISHED IN:
DATE:
1ST READING:
2ND READING:
PUBLISHED IN:
DATE:

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE TOWN OF FARRAGUT, TENNESSEE, ORDINANCE 86-16, AS AMENDED, PURSUANT TO SECTION 13-4-201, TENNESSEE CODE ANNOTATED.

BE IT ORDAINED by the Board of Mayor and Aldermen of the Town of Farragut, Tennessee, that the Farragut Zoning Ordinance, Ordinance 86-16, as amended, is hereby amended as follows:

SECTION 1.

The Farragut Zoning Ordinance, Ordinance 86-16, as amended, is hereby amended by rezoning all portions of Parcel 005, Tax Map 151 located within the Town of Farragut, said property being located at 501 N. Watt Road, from A (Agricultural) to NCC (Neighborhood/Convenience Commercial) (See Exhibit A).

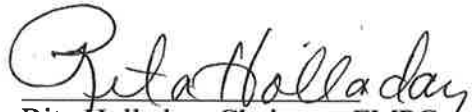
SECTION 2.

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


Ron Williams, Mayor

Allison Myers, Town Recorder

Certified to the Farragut Board of Mayor and Aldermen this _____ day of _____, 2019,
with approval recommended by the Farragut Municipal Planning Commission (FMPC).


Rita Holladay, Chairman FMPC


Edwin K. Whiting, Secretary FMPC



Exhibit A
Ordinance 19-04

Rezone
A portion of Parcel 5
Tax Map 151,
501 N. Watt Road

From
A (Agricultural)

to

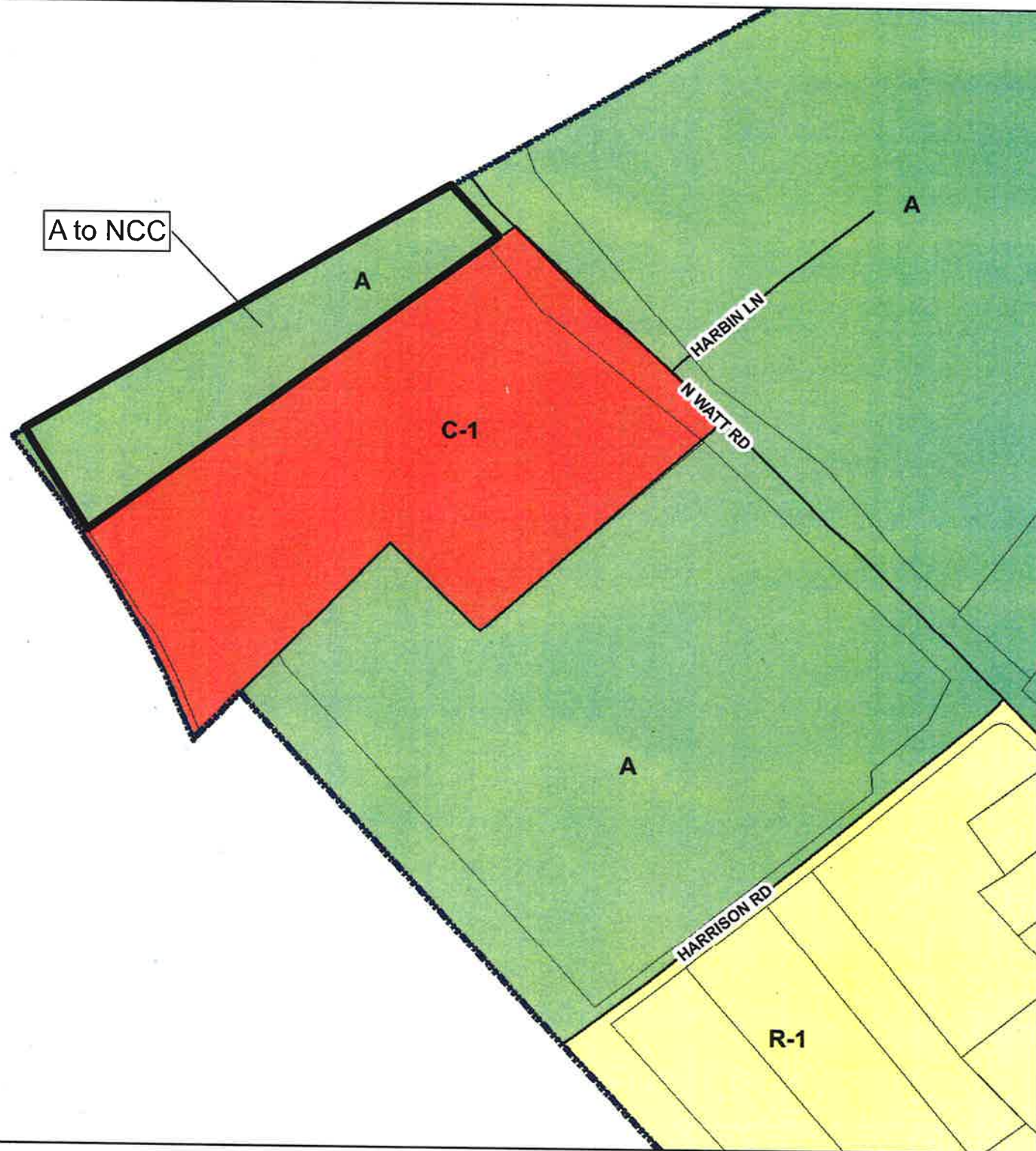
NCC (Neighborhood/Convenience
Commercial)

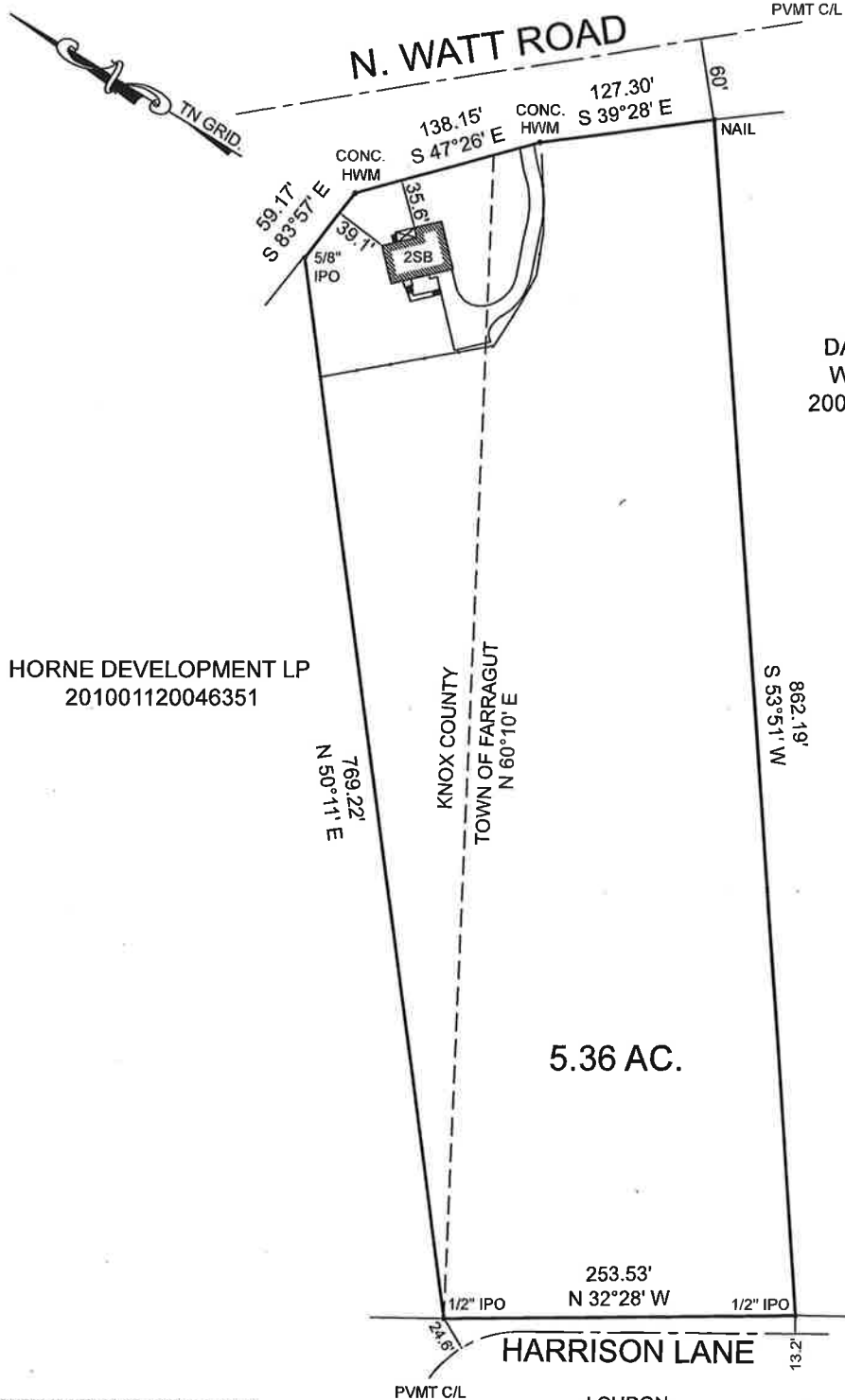
Legend

-  Subject Property
-  Town Limit
-  Streets
-  Parcels
-  A, Agricultural
-  R-1, Rural Single-Family Residential
-  C-1, General Commercial



1 in = 250 ft





DAVIS, SCOTT
W. & HOPE D.
200511210045393

HORNE DEVELOPMENT LP
201001120046351

5.36 AC.

CERTIFICATION OF CATEGORY AND ACCURACY OF SURVEY
I HEREBY CERTIFY THAT THIS CATEGORY 1 SURVEY AND THE RATIO OF PRECISION OF THE UNADJUSTED SURVEY IS 1:110,000 AS SHOWN HEREON
SURVEYOR: STANLEY E. HINDS TENN. REG. NO. 887

I HEREBY CERTIFY THAT THIS SURVEY HAS BEEN MADE USING THE LATEST RECORDED DEED AND OTHER DOCUMENTS FURNISHED BY THE ATTORNEY, THAT THERE ARE NO ENCROACHMENTS OR PROJECTIONS OTHER THAN THOSE SHOWN AND THAT THE SURVEY IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

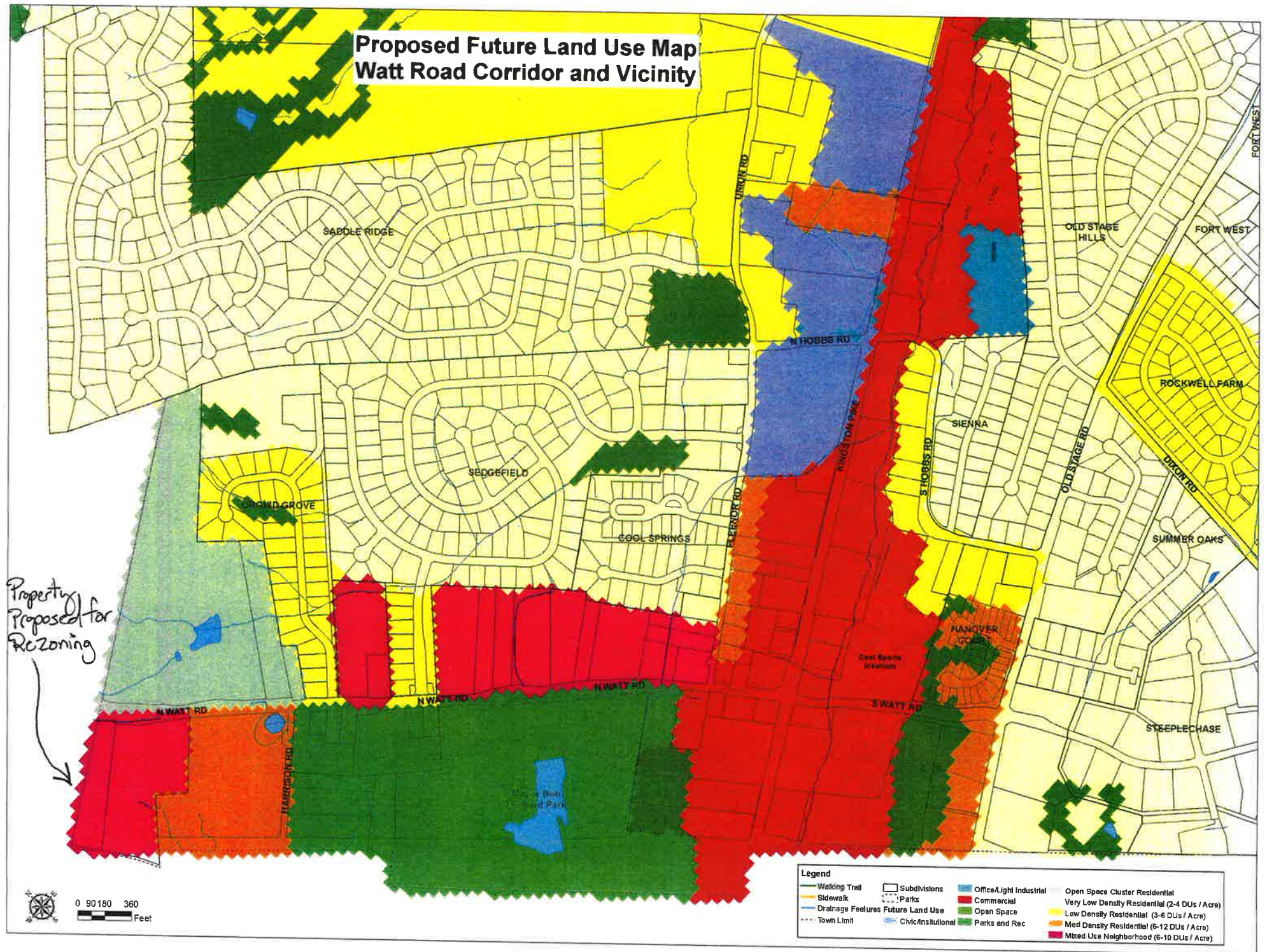


SURVEY FOR RICHARD COX
DIST. 6 WARD _____ CITY OF _____ COUNTY KNOX
ADDRESS 501 NORTH WATT ROAD
LOT NO. _____ BLOCK _____ UNIT _____
S/D _____
INSTR. 201811260032569 SCALE 1"= 100' DATE 01/09 2019
JOB NO. 1901002 ORDERED BY: INDEP.

HINDS SURVEYING CO.
3555 WINDY J FARMS DR. LOUISVILLE, TN 37777
PH. 588-9799 FAX. 233-3393
WWW.HINDSSURVEYING.COM

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FURNISHING OF HINDS SURVEYING CO.

Proposed Future Land Use Map Watt Road Corridor and Vicinity



RESOLUTION PC-19-02

FARRAGUT MUNICIPAL PLANNING COMMISSION

A RESOLUTION TO APPROVE AN AMENDMENT TO THE FARRAGUT ZONING MAP, ORDINANCE 86-16, TO RECOMMEND THE APPROVAL OF THE REZONING OF ALL PORTIONS OF PARCEL 005, TAX MAP 151 LOCATED WITHIN THE TOWN, SAID PROPERTY BEING LOCATED AT 501 N. WATT ROAD, FROM A (AGRICULTURAL) TO NCC (NEIGHBORHOOD/CONVENIENCE COMMERCIAL)

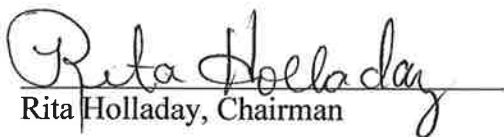
WHEREAS, the Tennessee Code Annotated, Section 13-4-201et seq, provides that the Municipal Planning Commission shall make and adopt a general plan for the physical development of the municipality; and

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 17, 2019;

NOW, THEREFORE, BE IT RESOLVED that the Farragut Municipal Planning Commission hereby recommends approval of Ordinance 19-04 to the Farragut Board of Mayor and Aldermen, an ordinance amending the Farragut Zoning Ordinance and Map, Ordinance 86-16, by rezoning the above noted property.

ADOPTED this 17th day of January, 2019.


Rita Holladay, Chairman


Edwin K. Whiting, Secretary