

**FARRAGUT BOARD OF MAYOR AND ALDERMEN
MINUTES
MARCH 24, 2016**

**WORKSHOP
Building Codes Update
Capital Investment Program Budget
6:00 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. March 10, 2016
- VI. **Business Items**
 - A. Approval of Contract 2016-17, Synthetic Turf installation at Mayor Bob Leonard Park
- VII. **Ordinances**
 - A. Public Hearing and Second Reading
 1. Ordinance 16-04, 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 2. Definitions, to Change the Definitions Referencing Elderly Housing and Provide for New Definitions
 2. Ordinance 16-05, An Ordinance to Amend the Text of the Farragut Zoning Ordinance, Ordinance 86-16, as Amended, Pursuant to Authority Granted by Section 13-4-201, Tennessee Code Annotated, by Amending Chapter 3. Specific District Regulations, Section XX., Community Service District (S-1), to Provide for New Provisions, and Sections XI., Multi-Family Residential District (R-6), XII., General Commercial District (C-1), and XXVIII., Open Space Multi-Family Residential Overlay (OSMFR), to Change the Permitted Uses

3. Ordinance 16-06, 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, Sections VII. Elderly Housing, X. Group or Cluster Housing Projects, XVIII. Nursing Homes, and XX. Parking and Loading, to Change the Provisions Associated with Elderly Housing and Nursing Homes and Remove the Provisions for Group or Cluster Housing Projects

B. First Reading

1. Ordinance 16-03 and Ordinance to rezone Parcels 18 and 18.01, Tax Map 162, located at 1006 McFee Road approximately 6 Acres, from R-1 to R-2 (John and Teresa Kirkland, Applicant)

VIII. Town Administrator's Report

IX. Town Attorney's Report

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

The Farragut Board of Mayor and Aldermen met in a regular session on Thursday, March 24, 2016 at 7:00 p.m. Members present were Aldermen LaMarche, Markli, Pinchok and Povlin; Mayor McGill was absent.

Approval of Agenda

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

Approval of Minutes

Motion was made to approve the minutes of March 10, 2016 as written. Moved by Alderman Pinchok, seconded by Alderman Povlin; voting yes, Aldermen LaMarche, Markli, Pinchok and Povlin; Mayor McGill was absent; no nays; motion passed.

Business Items

Approval of Contract 2016-17, Synthetic Turf installation at Mayor Bob Leonard Park

Motion was made to award contract 2016-17 to Playrite, LLC in the amount of \$585,391. Moved by Alderman Pinchok, seconded by Alderman Markli; voting yes, Aldermen LaMarche, Markli, Pinchok and Povlin; Mayor McGill was absent; no nays; motion passed.

Ordinances

Public Hearing and Second Reading

Ordinance 16-04, 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 2. Definitions, to Change the Definitions Referencing Elderly Housing and Provide for New Definitions

Motion was made to approve Ordinance 16-04 on second and final reading. Moved by Alderman Markli, seconded by Alderman Povlin; voting yes, Aldermen LaMarche, Markli, Pinchok and Povlin; Mayor McGill was absent; no nays; motion passed.

Ordinance 16-05, An Ordinance to Amend the Text of the Farragut Zoning Ordinance, Ordinance 86-16, as Amended, Pursuant to Authority Granted by Section 13-4-201, Tennessee Code Annotated, by Amending Chapter 3. Specific District Regulations, Section XX., Community Service District (S-1), to Provide for New Provisions, and Sections XI., Multi-Family Residential District (R-6), XII., General Commercial District (C-1), and XXVIII., Open Space Multi-Family Residential Overlay (OSMFR), to Change the Permitted Uses

Motion was made to approve Ordinance 16-05 on second and final reading. Moved by Alderman Pinchok, seconded by Alderman Markli; voting yes, Aldermen LaMarche, Markli, Pinchok and Povlin; Mayor McGill was absent; no nays; motion passed.

Ordinance 16-06, 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, Sections VII. Elderly Housing, X. Group or Cluster Housing Projects, XVIII. Nursing Homes, and XX. Parking and Loading, to Change the Provisions Associated with Elderly Housing and Nursing Homes and Remove the Provisions for Group or Cluster Housing Projects

Motion was made to approve Ordinance 16-06 on second and final reading. Moved by Alderman Povlin, seconded by Alderman Markli; voting yes, Aldermen LaMarche, Markli, Pinchok and Povlin; Mayor McGill was absent; no nays; motion passed.

First Reading

Ordinance 16-03 an Ordinance to rezone Parcels 18 and 18.01, Tax Map 162, located at 1006 McFee Road approximately 6 Acres, from R-1 to R-2 (John and Teresa Kirkland, Applicant)

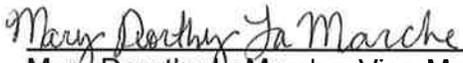
Motion was made to approve Ordinance 16-03 on first reading and second reading subject to the barn structure being removed. Moved by Alderman Pinchok, seconded by Alderman Povlin; voting yes, Aldermen LaMarche, Markli, Pinchok and Povlin; Mayor McGill was absent; no nays; motion passed.

Town Administrator's Report

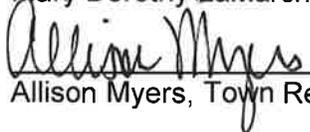
David Smoak, Town Administrator, announced the following:

- Economic Development Committee meets Wednesday March 30.
- Impact Fee Discussion is March 31 from 7-9 PM
- Adam Price received the "Building Official of the Year" award
- The Town received the Excellence in Financial Reporting for FY2015 from the GFOA
- Town is the 6th happiest city in Tennessee

Meeting adjourned at 7:30 PM



Mary Dorothy LaMarche, Vice-Mayor



Allison Myers, Town Recorder

**FARRAGUT BOARD OF MAYOR AND ALDERMEN
AGENDA
MARCH 24, 2016**

**WORKSHOP
Building Codes Update
Capital Investment Program Budget
6:00 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. March 10, 2016
- VI. **Business Items**
 - A. Approval of contract 2016-07, synthetic turf installation at MBLP
- VII. **Ordinances**
 - A. Public Hearing and Second Reading
 1. Ordinance 16-04, 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 2. Definitions, to Change the Definitions Referencing Elderly Housing and Provide for New Definitions
 2. Ordinance 16-05, An Ordinance to Amend the Text of the Farragut Zoning Ordinance, Ordinance 86-16, as Amended, Pursuant to Authority Granted by Section 13-4-201, Tennessee Code Annotated, by Amending Chapter 3. Specific District Regulations, Section XX., Community Service District (S-1), to Provide for New Provisions, and Sections XI., Multi-Family Residential District (R-6), XII., General Commercial District (C-1), and XXVIII., Open Space Multi-Family Residential Overlay (OSMFR), to Change the Permitted Uses

3. Ordinance 16-06, 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, Sections VII. Elderly Housing, X. Group or Cluster Housing Projects, XVIII. Nursing Homes, and XX. Parking and Loading, to Change the Provisions Associated with Elderly Housing and Nursing Homes and Remove the Provisions for Group or Cluster Housing Projects

B. First Reading

1. Ordinance 16-03 an ordinance to rezone Parcels 18 and 18.01, Tax Map 162, located at 1006 McFee Road approximately 6 Acres, from R-1 to R-2 (John and Teresa Kirkland Applicants)

VIII. Town Administrator's Report

IX. Town Attorney's Report

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

**FARRAGUT BOARD OF MAYOR AND ALDERMEN
MINUTES
MARCH 10, 2016**

**PUBLIC HEARING AT FARRAGUT TOWN HALL
FOR LOCAL PARKS AND RECREATION FUND GRANT
Improvements to Mayor Bob Leonard Park
5:00 PM**

**WORKSHOP
General Fund Revenue/Expenditure Projections
6:00 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**
- IV. **Citizens Forum**
- V. **Approval of Minutes**
 - A. February 25, 2016
- VI. **Business Items**
 - A. Approval of TekLinks/Clarix Information Technology Contract
 - B. Approval of Stormwater Advisory Committee By-Law and Charter Amendments
 - C. Approval of Contract 2016-11, Entrance, Park & Wayfinding Signage
 - D. Approval of Waiver of Permit Fee for the Knox County Sherriff's Office Substation Build Out in the Pinnacle at Turkey Creek
- VII. **Ordinances**
 - A. First Reading
 1. Ordinance 16-04
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

2. Definitions, to Change the Definitions Referencing Elderly Housing and Provide for New Definitions

2. Ordinance 16-05

An Ordinance to Amend the Text of the Farragut Zoning Ordinance, Ordinance 86-16, as Amended, Pursuant to Authority Granted by Section 13-4-201, Tennessee Code Annotated, by Amending Chapter 3. Specific District Regulations, Section XX., Community Service District (S-1), to Provide for New Provisions, and Sections XI., Multi-Family Residential District (R-6), XII., General Commercial District (C-1), and XXVIII., Open Space Multi-Family Residential Overlay (OSMFR), to Change the Permitted Uses

3. Ordinance 16-06

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, Sections VII. Elderly Housing, X. Group or Cluster Housing Projects, XVIII. Nursing Homes, and XX. Parking and Loading, to Change the Provisions Associated with Elderly Housing and Nursing Homes and Remove the Provisions for Group or Cluster Housing Projects

VIII. Town Administrator's Report

IX. Town Attorney's Report

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

The Farragut Board of Mayor and Aldermen met in a regular session on Thursday, March 10, 2016 at 7:00 p.m. Members present were Aldermen LaMarche, Markli, Pinchok and Povlin; Mayor McGill was absent.

Approval of Agenda

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

Mayor's Report

Vice-Mayor LaMarche announced that she and Mayor McGill attended the NLC Legislative Conference in Washington, DC.

Citizens Forum

Melissa Martin, 631 Herron Road, addressed the board concerning a drainage issue on Herron Road.

Approval of Minutes

Motion was made to approve the minutes of February 25, 2016 as written. Moved by Alderman Pinchok, seconded by Alderman Markli; voting yes, Aldermen LaMarche, Markli, Pinchok and Povlin; Mayor McGill was absent; no nays; motion passed.

Business Items

Approval of TekLinks/Claris Information Technology Contract

Motion was made to approve the TekLinks/Claris Information Technology Contract beginning June 30, 2016-2019. Moved by Alderman Povlin, seconded by Alderman Markli; voting yes, Aldermen LaMarche, Markli, Pinchok and Povlin; Mayor McGill was absent; no nays; motion passed.

Approval of Stormwater Advisory Committee By-Law and Charter Amendments

Motion was made to approve the Stormwater Advisory Committee By-Law and Charter Amendments. Moved by Alderman Markli, seconded by Alderman Povlin; voting yes, Aldermen LaMarche, Markli, Pinchok and Povlin; Mayor McGill was absent; no nays; motion passed.

Approval of Contract 2016-11, Entrance, Park & Wayfinding Signage

Motion was made to award contract 2016-11 to Graphic Creations in the amount of \$31,360. Moved by Alderman LaMarche, seconded by Alderman Markli; voting yes, Aldermen LaMarche, Markli, Pinchok and Povlin; Mayor McGill was absent; no nays; motion passed.

Approval of Waiver of Permit Fee for the Knox County Sherriff's Office Substation Build Out in the Pinnacle at Turkey Creek

Motion was made to waive all building permit fees for the Knox County Sherriff's Office Substation Build Out in the Pinnacle at Turkey Creek. Moved by Alderman Markli, seconded by Alderman Pinchoki; voting yes, Aldermen LaMarche, Markli, Pinchok and Povlin; Mayor McGill was absent; no nays; motion passed.

Ordinances

First Reading

Ordinance 16-04, 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 2. Definitions, to Change the Definitions Referencing Elderly Housing and Provide for New Definitions

Motion was made to approve Ordinance 16-04 on first reading. Moved by Alderman Markli, seconded by Alderman Povlin; voting yes, Aldermen LaMarche, Markli, Pinchok and Povlin; Mayor McGill was absent; no nays; motion passed.

Ordinance 16-05, An Ordinance to Amend the Text of the Farragut Zoning Ordinance, Ordinance 86-16, as Amended, Pursuant to Authority Granted by Section 13-4-201, Tennessee Code Annotated, by Amending Chapter 3. Specific District Regulations, Section XX., Community Service District (S-1), to Provide for New Provisions, and Sections XI., Multi-Family Residential District (R-6), XII., General Commercial District (C-1), and XXVIII., Open Space Multi-Family Residential Overlay (OSMFR), to Change the Permitted Uses

Motion was made to approve Ordinance 16-05 on first reading. Moved by Alderman Markli, seconded by Alderman LaMarche; voting yes, Aldermen LaMarche, Markli, Pinchok and Povlin; Mayor McGill was absent; no nays; motion passed.

Ordinance 16-06, 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, Sections VII. Elderly Housing, X. Group or Cluster Housing Projects, XVIII. Nursing Homes, and XX. Parking and Loading, to Change the Provisions Associated with Elderly Housing and Nursing Homes and Remove the Provisions for Group or Cluster Housing Projects

Motion was made to approve Ordinance 16-06 on first reading. Moved by Alderman LaMarche, seconded by Alderman Markli; voting yes, Aldermen LaMarche, Markli, Pinchok and Povlin; Mayor McGill was absent; no nays; motion passed.

Meeting adjourned at 8:45 PM

Mary Dorothy LaMarche, Vice-Mayor

Allison Myers, Town Recorder

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Darryl Smith, Town Engineer and Sue Stuhl, Parks & Leisure Services Director

SUBJECT: Approval of Contract 2016-07 for Mayor Bob Leonard Park Renovation of Field #1 to Synthetic Turf

INTRODUCTION: The purpose of this agenda item is to approve the contract for the installation of synthetic turf on field #1 at Mayor Bob Leonard Park. This project also includes the construction of an additional asphalt trail link to meet ADA regulations.

BACKGROUND: In 2013, the Town of Farragut converted field #2 at Mayor Bob Leonard Park to a synthetic surface. Requests for the synthetic turf field, especially during prime time hours, are very high even though the rental rate is twice the rate of a natural turf field. Included in this year's Capital Investment Plan is the conversion of another natural turf field to synthetic turf. Field #1 is in the northwest corner of MBLP and is the largest field in our park system. Field #1 had 598 hours of scheduled use in the last fiscal year while our first synthetic field (#2) had 1427 hours of use scheduled during the same time period. Knowing that the field is going to be open, regardless of the weather, is very important to the area athletic clubs – both youth and adult.

DISCUSSION: The Town received three bids for this project on March 9:

Playrite, LLC	\$585,391.00
East Tennessee Turf and Landscape	Bid Rejected
Sprinturf	Bid Rejected

The bid from Sprinturf was not opened, as Sprinturf failed to provide all information on their bid. This information was required in the bidding instructions, and staff had reminded all potential bidders of its necessity during our Pre-Bid meeting on February 24. Unfortunately, staff could not accept the bid as presented.

Staff has checked references provided with the two remaining bids, and has found that East Tennessee Turf and Landscape failed to meet the qualifications required of bidders, as the contract requires experience with at least two similar projects within the last three years as prime contractor. Staff recommends award of Contract 2016-07 to Playrite, LLC for their lowest qualified bid of \$585,391.00. This price includes grading and the installation of the drainage system and the synthetic turf. The price also includes the installation of an ADA accessible asphalt trail link from the main walk trail at the park.

Work is expected to begin in early May and the project is required to be complete by July 29, 2016 in preparation for the fall field use season. During the installation, the upper trail may have temporary closures. Public works will be installing perimeter fencing around the project site.

FINANCIAL SECTION:

Account Number: 310-43939-911

<u>Total Budget</u>	<u>Requested Amount</u>	<u>Contracted Amount</u>	<u>Remaining Amount</u>
\$800,000	\$585,391.00	\$23,275.00	\$191,334.00

Approved By: _____

RECOMMENDATION BY: Town Engineer Darryl Smith and Parks and Leisure Services Director Sue Stuhl for approval.

PROPOSED MOTION: Award of Contract 2016-07 for the installation of synthetic turf at field #1 at Mayor Bob Leonard Park to Playrite, LLC in the amount of \$585,391.00.

BOARD ACTION:

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

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

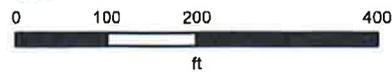


MBLP Field 1 Synthetic Turf Project

Knoxville - Knox County - KUB Geographic Information System



Printed: 3/16/2016 at 10:38:36 AM



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REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Mark Shipley, Community Development Director

SUBJECT: Ordinance 16-04, 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 2. Definitions, to change the definitions referencing elderly housing and provide for new definitions

INTRODUCTION: As part of a larger effort to revisit the Town’s provisions for elderly care facilities, the staff worked with professionals in the field of elderly care to update existing definitions related to elderly care so that they would be more in line with current terminology that is used in the elderly care profession and the Tennessee Department of Health which licenses these facilities.

In this ordinance the existing terms “Elderly Housing” and “Elderly Housing Unit,” which have been synonymous with assisted living, are being replaced with two new terms, “Assisted-Care Living Facility” and “Assisted-Care Living Facility Resident.” These new terms are from the State of Tennessee Department of Health. Also included in Ordinance 16-04 is a definition from the State of Tennessee Department of Health for “Primarily Aged Persons.”

In addition to updating the definition for assisted living facilities, Ordinance 16-04 includes two new terms that address elderly care type projects. Those new terms are “Independent Living and Care Facility” and “Senior Living Community.” These terms relate to facilities for more independent persons and/or larger developments with a mixture of assisted or nursing care and more independent facilities. The Town’s existing definitions for “Nursing Home” and “Nursing Home Facility” are not being changed at this time since they are still current.

The staff is updating some other definitions in Chapter 2 which previously referenced elderly housing so that they now reference assisted-care living facility. This is why the terms “Boarding House,” “Dwelling,” and “Dwelling Unit,” are included in Section 2.

DISCUSSION: The requested amendments to Chapter 2 are necessary as part of the amendments to Chapters 3 and 4 of the zoning ordinance that are contained in Ordinances 16-05 and 16-06. This helps to ensure that all of the ordinance language is consistent and clear in its application.

RECOMMENDATION BY: At their meeting on February 18, 2016, the Planning Commission reviewed this request and recommended approval of Ordinance 16-04. At the March 10, 2016 Board of Mayor and Aldermen meeting, Ordinance 16-04 was approved on first reading. The staff recommends approval of Ordinance 16-04 on second reading.

PROPOSED MOTION: To approve Ordinance 16-04 on second reading.

BOARD ACTION:

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

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

ORDINANCE: 16-04
PREPARED BY: Shipley
REQUESTED BY: Staff
CERTIFIED BY FMPC: February 18, 2016
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 2. DEFINITIONS, TO CHANGE THE DEFINITIONS REFERENCING ELDERLY HOUSING AND PROVIDE FOR NEW DEFINITIONS

WHEREAS, the Board of Mayor and Aldermen of the Town of Farragut, Tennessee, wishes to amend Chapter 2, Definitions, 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 2, Definitions, is amended by deleting the following definitions:

Elderly housing: The grouping or clustering of three (3) or more attached elderly housing units or attached single-family dwelling units. Elderly housing is intended for occupancy primarily by nontransient persons who are sixty (60) years of age or older. Elderly housing shall include central dining and kitchen facilities.

Elderly housing unit: One (1) or more rooms, with a kitchen or kitchenette, including a bath, designed for nontransient occupancy primarily by persons who are sixty (60) years of age or older. An elderly housing unit shall be distinguished from a dwelling unit or lodging unit.

SECTION 2.

The Farragut Zoning Ordinance, Chapter 2, Definitions, is amended by deleting the existing definitions for the following terms and substituting in lieu thereof the following:

Boarding house: A building containing two (2) or more lodging units where, for compensation and by prearrangement for definite but relatively short-term periods, meals

are provided. Assisted-care living facility shall not be considered as a boarding house. Such uses are permitted only in those zones permitting hotels or motels.

Dwelling: A building containing one (1) or more dwelling units. A dwelling does not include hotels, motels, boarding houses, assisted-care living facility, nursing homes, mobile homes, or rooming houses.

Dwelling unit: One (1) or more rooms designed as an independent living facility for no more than one (1) family. A dwelling unit shall have permanent provisions for living, sleeping, cooking, and sanitation. A dwelling unit shall be distinguished from an assisted-care living unit, lodging unit, and nursing home unit.

SECTION 3.

The Farragut Zoning Ordinance, Chapter 2, Definitions, is amended by adding the following definitions:

Assisted-Care Living Facility: A building, establishment, complex or distinct part thereof that accepts primarily aged persons for domiciliary care and services. Such facilities are licensed by the State of Tennessee. The parcel or tract of land and the units within the facility shall remain under single ownership so that individual units are not transferrable in fee simple.

Assisted-Care Living Facility Resident: Primarily an aged person who requires domiciliary care, and who upon admission to the facility, if not ambulatory, is capable of self-transfer from the bed to a wheelchair or similar device and is capable of propelling such wheelchair or similar device independently. Such a resident may require one or more of the following services: room and board, assistance with non-medical activities of daily living, administration of typically self-administered medications, and medical services subject to the limitations of these rules.

Independent Living and Care Facility: A residential use that could be single-family detached or attached to house older persons who are frail but not infirmed that require a lower level assistance than residents in assisted-care living facilities. Independent living residents do not require assistance or acute nursing home care but rather receive limited services including, but not restricted to nursing care, meals, housekeeping, social programs, daily maintenance and other services. Such homes may be licensed by the State of Tennessee as homes for the aged and are intended to be residential in character and will generate lower levels of impact than traditional residential units. Independent care facilities may be part of a Senior Living Community. The parcel or tract of land and the units within the facility shall remain under single ownership so that individual units are not transferrable in fee simple.

Primarily Aged Persons: A minimum of fifty-one percent (51%) of the population of the facility is at least sixty- two (62) years of age.

Senior Living Community: A specified combination of residential uses that shall include a minimum combination of at least two of the following three uses: Independent Living and Care Facility, Assisted Care Living Facility, and Nursing Home Unit, where the average length of stay in these type facilities is more than 45 days. At least one of such facilities must be State-licensed. Other non-residential uses may be included in this type of development when integrally designed to be compatible and accessory to the primary uses and intent of the development as a whole. The parcel or tract of land and the units within the facility shall remain under single ownership so that individual units are not transferrable in fee simple.

SECTION 4.

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 _____, 2016, with approval recommended.


Rita Holladay, Chairman


Edwin K. Whiting, Secretary

FARRAGUT MUNICIPAL PLANNING COMMISSION

ORDINANCE 16-04 – EXISTING AND PROPOSED LANGUAGE

Chapter 2. Existing Definitions – Modified and Deleted

Boarding house: A building containing two (2) or more lodging units where, for compensation and by prearrangement for definite but relatively short-term periods, meals are provided. ~~Elderly housing~~ *Assisted-care living facility* shall not be considered as a boarding house. Such uses are permitted only in those zones permitting hotels or motels.

Dwelling: A building containing one (1) or more dwelling units. A dwelling does not include hotels, motels, boarding houses, ~~elderly housing~~ *assisted-care living facility*, nursing homes, mobile homes, or rooming houses.

Dwelling unit: One (1) or more rooms designed as an independent living facility for no more than one (1) family. A dwelling unit shall have permanent provisions for living, sleeping, cooking, and sanitation. A dwelling unit shall be distinguished from an ~~elderly housing unit~~ *assisted-care living unit*, lodging unit, and nursing home unit.

~~Elderly housing: The grouping or clustering of three (3) or more attached elderly housing units or attached single-family dwelling units. Elderly housing is intended for occupancy primarily by nontransient persons who are sixty (60) years of age or older. Elderly housing shall include central dining and kitchen facilities.~~

~~Elderly housing unit: One (1) or more rooms, with a kitchen or kitchenette, including a bath, designed for nontransient occupancy primarily by persons who are sixty (60) years of age or older. An elderly housing unit shall be distinguished from a dwelling unit or lodging unit.~~

Chapter 2. New Definitions

Assisted-Care Living Facility: A building, establishment, complex or distinct part thereof that accepts primarily aged persons for domiciliary care and services. Such facilities are licensed by the State of Tennessee. The parcel or tract of land and the units within the facility shall remain under single ownership so that individual units are not transferrable in fee simple.

Assisted-Care Living Facility Resident: Primarily an aged person who requires domiciliary care, and who upon admission to the facility, if not ambulatory, is capable of self-transfer from the bed to a wheelchair or similar device and is capable of propelling such wheelchair or similar device independently. Such a resident may require one or more of the following services: room and board, assistance with non-medical activities of daily living, administration of typically self-administered medications, and medical services subject to the limitations of these rules.

Independent Living and Care Facility: A residential use that could be single-family detached or attached to house older persons who are frail but not infirmed that require a lower level assistance than residents in assisted care living facilities. Independent living residents do not require assistance or acute nursing home care but rather receive limited services including, but not

restricted to nursing care, meals, housekeeping, social programs, daily maintenance and other services. Such homes may be licensed by the State of Tennessee as homes for the aged and are intended to be residential in character and will generate lower levels of impact than traditional residential units. Independent care facilities may be part of a Senior Living Community. The parcel or tract of land and the units within the facility shall remain under single ownership so that individual units are not transferrable in fee simple.

Primarily Aged Persons: A minimum of fifty-one percent (51%) of the population of the facility is at least sixty- two (62) years of age.

Senior Living Community: A specified combination of residential uses that shall include a minimum combination of at least two of the following three uses: Independent Living and Care Facility, Assisted Care Living Facility, and Nursing Home Unit, where the average length of stay in these type facilities is more than 45 days. At least one of such facilities must be State-licensed. Other non-residential uses may be included in this type of development when integrally designed to be compatible and accessory to the primary uses and intent of the development as a whole. The parcel or tract of land and the units within the facility shall remain under single ownership so that individual units are not transferrable in fee simple.

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Mark Shipley, Community Development Director

SUBJECT: Ordinance 16-05, an ordinance to amend the text of the Farragut Zoning Ordinance, Ordinance 86-16, as amended, pursuant to authority granted by Section 13-4-201, Tennessee Code Annotated, by amending Chapter 3. Specific District Regulations, Section XX., Community Service District (S-1), to provide for new provisions, and Sections XI., Multi-Family Residential District (R-6), XII., General Commercial District (C-1), and XXVIII., Open Space Multi-Family Residential Overlay (OSMFR), to change the permitted uses

INTRODUCTION: Ordinance 16-05 involves proposed amendments to Chapter 3 of the zoning ordinance. Chapter 3 is the zoning ordinance chapter that provides for the different zoning districts in the Town. During the past few years the Town has received requests for assisted living developments on properties that would require a rezoning. The only districts that provided for assisted living projects were the Multi-Family Residential Districts (R-6 and R-6/OSMFR) and the General Commercial District (C-1).

This limitation adversely affected assisted living requests because there was a concern that other, perceived less desirable, uses permitted in the zoning district may be constructed rather than an assisted living development. After discussing this with the Planning Commission at a number of workshop sessions, the desired direction was to provide for low impact elderly care type uses in a zoning district that was largely institutional in nature and that could transition well with abutting residential developments. The Town's existing Community Service (S-1) Zoning District was selected because, as noted in the Comprehensive Land Use Plan (CLUP), it is the zoning district most consistent with a Civic/Institutional land use.

DISCUSSION: Ordinance 16-05 primarily involves the replacement of the existing provisions in the S-1 Zoning District with new provisions. These new provisions are more consistent with the policies and guidelines encouraged in the CLUP and outlined in the Architectural Design Standards (ADS). There are provisions for greater flexibility in setbacks, transition areas, streetscape and outdoor open space, connectivity, and low impact development. The proposed S-1 language helps to tie the Town's policies applicable to land use to the Town's regulations. Rather than re-naming the S-1 Zoning District, the staff and the commission recommended to leave the title unchanged so that the properties that are zoned S-1 will not need to be rezoned.

In relation to the multi-family residential zoning districts, elderly and group housing and nursing homes have been removed as permitted uses as part of Ordinance 16-05. There is no need to provide these uses in the multi-family residential districts if they are provided for in a transitional zoning district such as the S-1.

In the C-1 Zoning District, elderly housing (now referred to as assisted-care living facilities) and nursing homes have been retained as permitted uses. The assisted living and nursing home facilities that currently exist in the town are on properties that are zoned C-1. Removing such uses from the C-1 Zoning District would create non-conforming uses which would not be desirable.

RECOMMENDATION BY: At their meeting on February 18, 2016, the Planning Commission reviewed this request and recommended approval of Ordinance 16-05. At the March 10, 2016 Board of Mayor and Aldermen meeting, Ordinance 16-05 was approved on first reading. The staff recommends approval of Ordinance 16-05 on second reading.

PROPOSED MOTION: To approve Ordinance 16-05 on second reading.

BOARD ACTION:

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

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

ORDINANCE 16-05 – EXISTING AND PROPOSED LANGUAGE

CHAPTER 3. - SPECIFIC DISTRICT REGULATIONS

XI. - Multi-family residential district (R-6).

- A. General description. Consistent with adopted plans and policies of the Town, this district is intended primarily to provide for the development of multi-family developments, such as apartments and group housing facilities. This district shall serve as a transition area between more intense land uses or major roads and less intense land uses. These areas should be free from severe natural environmental limitations and provide access to a street having a designated classification of arterial, or a street which is not interior to a subdivision and which directly accesses a street having a designated classification of arterial. The street on which the development accesses must also meet the minimum design standards established in the Farragut Subdivision Regulations.
- B. Permitted uses and structures.
1. Apartment buildings.
 2. Recreational facilities and open spaces which are developed as an integral part of the development.
 3. ~~Elderly and group housing as regulated in Chapter 4.~~
 4. ~~Nursing homes as regulated in Chapter 4.~~
 5. Day care facilities as regulated in Chapter 4.
 6. Schools, public and private, and churches and other places of worship provided the following development criteria are met:
 - a. Access shall be directly to a street having a designated classification of local collector or greater, or a local street which is not interior to a subdivision. The street on which the school or church accesses must meet the minimum design standards established in the Farragut Subdivision Regulations.
 - b. There shall be a minimum lot size of five (5) acres.
 - c. There shall be a buffer strip which meets the following minimum development criteria:
 - 1) The buffer strip shall be a minimum of twenty-five (25) feet in width on all side and rear property lines;
 - 2) Existing, mature vegetation shall be preserved and incorporated into the buffer strip;
 - 3) No grading shall occur in the buffer strip; and
 - 4) Detention basins, measured from top-of-slope to top-of-slope, and associated structures shall not be located within any buffer strips.
 - d. The following setback requirements are met:
 - 1) Front yard. All buildings and structures, excluding signs, shall be set back from the nearest point of any right-of-way no less than fifty (50) feet. For the purposes of this ordinance, the interstate highway right-of-way shall be considered a side or rear lot line.
 - 2) Side and rear yards.
 - a) All buildings shall be set back a minimum of fifty (50) feet. Setbacks shall be measured from the nearest point of any property line; and
 - b) All accessory structures, excluding signs and fences, shall be set back a minimum of thirty (30) feet. Setbacks shall be measured from the nearest point of any property line.

- e. The maximum coverage for the total building area shall not exceed thirty-five (35) percent and the total lot coverage shall not exceed sixty (60) percent.
- f. A site plan and landscape plan shall be submitted as regulated in Chapter 4.
- 7. Agricultural crops, but not nursery sales or the raising of farm animals or poultry, provided there is a minimum lot size of five (5) acres.
- 8. Agricultural accessory uses and structures, provided there is a minimum lot size of five (5) acres.
- 9. Accessory uses and structures.
- 10. Customary Home Occupations as regulated in Chapter 4.
- 11. Signs as regulated in the Municipal Code.
- 12. Utility uses.

XII. - General commercial district (C-1).

- A. General description. This district provides space for commercial uses which provide services primarily to community residents of the Town of Farragut. The intent is to permit lands adjacent to major arterial highways as designated by the Farragut Major Road Plan to be used for the provision of general commercial and business services to the community. These commercial uses are intended to be designed to minimize disruption of traffic flows and negative impacts on adjacent residential uses.
- B. Permitted principal and accessory uses and structures (Non-Mixed Use Town Center as identified in the Comprehensive Land Use Plan). Unless provided for elsewhere in this section, property and structures located in the General Commercial District (C-1) shall be used only for the following purposes:

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

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

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

- (1) The outdoor storage and/or display of the implements and/or equipment shall lie behind a straight line running from side lot line to side lot line that coincides with the rear wall of the principal building located on the property;
 - (2) The equipment and/or implements to be stored and/or displayed outdoors must be removed from the crate or cartons and displayed and/or stored in such a way as to allow for viewing and inspection, but so as not to prevent passage on sidewalks, walkways, or other vehicle ways;
 - (3) Such businesses necessarily involve the use of outdoor areas on the premises for the unloading, uncrating, positioning and repositioning of items that are often larger and more cumbersome than most retailers handle. The temporary use of outdoor areas of the premises for such purposes during hours of operation shall not be a violation of this ordinance; and
 - (4) Such businesses necessarily utilize packaging that is to be destroyed or reused. Such packaging materials shall be stored in areas on the premises to which access shall be restricted by means of a physical barrier such as an opaque fence or similar to a dumpster enclosure and shall comply with Chapter 4, Section I.B. of this ordinance.
- b. The outdoor display of merchandise, except as provided for above, is permitted provided such merchandise is displayed in a permanent, covered porch. Such covered porch shall be attached to the principal building and shall meet all setback requirements of the principal building.
4. Financial and real estate services.
 5. Professional, personal, and business services.
 6. Restaurants, tea rooms, cafes, coffee houses, or other similar establishments serving food or beverage that is primarily consumed within the principal building or in designated outdoor seating areas associated with the principal building.
Coffee houses with drive-through service lanes that serve as the principal means for service. The principal location for consumption is offsite.
 7. Automotive services, provided such services are for automobiles and light trucks only. Such services may include fuel sales and repairs. Facilities designed to accommodate the refueling and/or servicing of trucks with more than three (3) axles or more than ten (10) wheels are prohibited.
 8. Retail rental and leasing of automobiles provided the following development criteria are met:
 - a. Such business is located in a freestanding building; and
 - b. If the premises are fenced, such fencing shall be decorative, shall not exceed three (3) feet in height, and shall be of such design so as not to prevent the ability to see through the fence.
 9. Public, governmental, and general offices.
 10. Medical, dental, and veterinary facilities.
 11. Medical spas.
 12. Indoor kennel facilities, provided the following development criteria are met:
 - a. The building shall be sound proofed to prevent the noise of barking dogs being heard outside the building. A certification verifying the sound proofing capabilities must be submitted with the site plan; and
 - b. No outdoor fencing shall be located on the premises.
 13. Mortuary establishments.

14. Commercial greenhouses, nurseries, and other similar uses as determined by the Board of Zoning Appeals provided the following development criteria are met:
 - a. There shall be a minimum lot size of two (2) acres;
 - b. Merchandise and/or any other material are displayed or stored in a permanent area designed for such use;
 - c. Merchandise and/or any other materials are not displayed or stored on any sidewalks, walkways, parking spaces, or other vehicle ways;
 - d. The outdoor storage and/or sale of mulch and other landscaping related materials is permitted as accessory to commercial greenhouses and nurseries, but not permitted as stand alone businesses.
 - e. Required yard setbacks for buildings are met for the storage/display area and for all temporary structures;
 - f. Access to the display/storage area shall be restricted by means of a physical barrier such as a fence, a berm, landscaping, or other similar means;
 - g. Outdoor areas used for the growing of products must be set back a minimum of thirty (30) feet in the front yard and twenty-five (25) feet in the side and rear yards. Setbacks shall be measured from the nearest point of any property line;
 - h. A minimum of a twenty-five (25) foot buffer strip along rear and side property lines shall be developed and maintained per the buffer strip requirements of this ordinance;
 - i. Security fencing located in the front yard shall be screened with a minimum of one (1) large evergreen shrub per five (5) linear feet of fence. Such large shrubs shall be on the visual resources review board's recommended large shrubs list and shall be a minimum of three (3) feet in height at the time of planting; and
 - j. A maximum of one (1) wall sign shall be permitted. Such wall sign shall meet all other sign requirements of the district.
15. Day care facilities as regulated in Chapter 4.
16. Nursing homes as regulated in Chapter 4.
17. ~~Elderly housing~~ **Assisted-care living facility** as regulated in Chapter 4.
18. Churches and other places of worship.
19. Schools, public and private, provided the following development criteria are met:
 - a. Access shall be directly to a street having a designated classification of local collector or greater, or a local street which is not interior to a subdivision. The street on which the school accesses must meet the minimum design standards established in the Farragut Subdivision Regulations;
 - b. There shall be a minimum lot size of three (3) acres; and
 - c. The lot on which the school is located is a free-standing parcel.
20. Theaters, indoor only.
21. Cultural activities.
22. Parks, playgrounds, play fields, neighborhood buildings, and community buildings.
23. Indoor recreational facilities.
24. Outdoor recreational facilities such as miniature golf courses, golf courses, driving ranges, batting cages, tennis courts, swimming pools, skating/skateboard facilities, paintball facilities, and other similar non-motorized recreational facilities as determined by the Board of Zoning Appeals.

Seasonal inflatable playground structures shall not be considered a similar non-motorized recreational facility. The following development criteria shall be met:

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

25. Utility uses.

XXVIII. - Open space multi-family residential overlay (OSMFR).

- A. General description. It is the intent of this overlay district to provide for greater flexibility and design freedom in order to encourage a better living environment and the conservation of environmentally sensitive areas. The increased flexibility associated with this overlay district allows for additional height and increased density along with lessened setbacks and buffer strips. In exchange, the multi-family development shall generate a superior design that provides extensive common open space that capitalizes on the inherent physical characteristics of the property and its surrounding area.
- B. Application of the district. The Open Space Multi-Family Residential Overlay District may be applied over the Multi-Family Residential District (R-6).
- C. Permitted uses and structures.
 1. Apartment buildings.
 2. Recreational facilities and open spaces which are developed as an integral part of the development.
 3. ~~Elderly and group housing as regulated in Chapter 4.~~
 4. ~~Nursing homes as regulated in Chapter 4.~~
 5. Accessory uses and structures.
 6. Customary Home Occupations as regulated in Chapter 4.
 7. Signs as regulated in the Municipal Code.
 8. Utility uses.

XX. Community service district (S-1). - Existing

- A. *General description.* This district provides space for community and public type uses that provide services to the residents of the Town of Farragut. The intent is to permit lands within and/or adjacent to residential neighborhoods to be used for the provision of community and public services. These uses are intended to be designed to minimize disruption of traffic flows and negative impacts on adjacent residential uses.
- B. *Permitted principal and accessory uses and structures.* Property and buildings in the Community Service District (S-1) shall be used only for the following purposes:
1. Churches and other places of worship.
 2. Schools, public and private.
 3. Community facilities.
 4. Indoor recreational facilities, provided they are owned and operated by not-for-profit entities.
 5. Parks, playgrounds, play fields, walking trails, tennis courts, swimming pools, and other similar non-motorized outdoor recreational facilities.
 6. Cultural activities.
 7. Public or private golf courses.
 8. Cemeteries and historical monuments.
 9. Utility uses.
- C. *Area regulations.*
1. *Front yard.* All structures, excluding detention basin structures and certain utility structures, shall be set back from the nearest point of any right-of-way a minimum of fifty (50) feet, except as provided for elsewhere in this ordinance or the Municipal Code. Detention basin structures shall be set back from the nearest point of any right-of-way a minimum of ten (10) feet. Electrical substations, utility offices, or any other utility building shall meet the front yard setback requirements. For the purposes of this ordinance, the interstate highway right-of-way shall be considered a side or rear lot line.
 2. *Side and rear yards.*
 - a. All buildings shall be set back a minimum of fifty (50) feet. Setbacks shall be measured from the nearest point of any property line; and
 - b. All accessory structures, excluding fences, shall be set back a minimum of thirty (30) feet. Setbacks shall be measured from the nearest point of any property line.
 3. *Buffer strips.*
 - a. There shall be a buffer strip a minimum of twenty-five (25) feet in width on all side and rear property lines;

- b. Existing, mature vegetation shall be preserved and incorporated into the buffer strip;
 - c. No grading shall occur in the buffer strip; and
 - d. Detention basins, measured from top-of-slope to top-of-slope, and associated structures shall not be located within any buffer strips.
4. *Maximum lot coverage.*
 - a. Total building area — Thirty-five (35) percent; and
 - b. Total lot coverage — Sixty (60) percent.
 5. *Land area.* Minimum lot size of three (3) acres.
- D. *Height regulations.*
1. No principal building shall exceed two and one-half (2½) stories, or thirty-five (35) feet in height, except as provided for elsewhere in this ordinance;
 2. No accessory structure shall exceed thirty-five (35) feet in height; and
 3. No accessory building shall exceed fifteen (15) feet in height.
- E. *Parking.* As regulated in Chapter 4.
- (Ord. No. 86-16, adopted Apr. 1986; amended Feb. 2006)

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Mark Shipley, Community Development Director

SUBJECT: Ordinance 16-06, 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, Sections VII. Elderly Housing, X. Group or Cluster Housing Projects, XVIII. Nursing Homes, and XX. Parking and Loading, to change the provisions associated with Elderly Housing and Nursing Homes and remove the provisions for Group or Cluster Housing Projects

INTRODUCTION: Ordinance 16-06 involves proposed amendments to Chapter 4 of the zoning ordinance. Chapter 4 is the zoning ordinance chapter that provides for general provisions and exceptions as applied in the Town's zoning ordinance.

DISCUSSION: Primarily Ordinance 16-06 would replace the Elderly Housing section with a new section for a Senior Living Community. General provisions that would apply to assisted-care living facilities would be addressed in the base zoning district with larger senior living community developments being addressed in this new section that would replace elderly housing.

The term, "Senior Living Community" was created in consultation with professionals that develop these type of communities throughout the region. Prior to Ordinance 16-06, the Town did not have specific provisions that would address these larger, multiple building elderly care developments. Similar to the S-1 amendments, the provisions in Ordinance 16-06 would bring the Town's zoning ordinance more in line with its CLUP and ADS.

Ordinance 16-06 includes the proposed removal of the Group or Cluster Housing Projects section. This is a section that is never used and that is very outdated. The staff wanted to address this issue as part of the amendments to Chapter 4. Also included are minor modifications to the Nursing Home provisions in Chapter 4 so that they are consistent with the other amendments under consideration. And, the Parking and Loading section in Chapter 4 is being modified in Ordinance 16-06 so that this section is consistent with the other amendments under consideration.

RECOMMENDATION BY: At their meeting on February 18, 2016, the Planning Commission reviewed this request and recommended approval of Ordinance 16-06. At the March 10, 2016 Board of Mayor and Aldermen meeting, Ordinance 16-06 was approved on first reading. The staff recommends approval of Ordinance 16-06 on second reading.

PROPOSED MOTION: To approve Ordinance 16-06 on second reading.

BOARD ACTION:

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

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

ORDINANCE 16-06 – EXISTING AND PROPOSED LANGUAGE

X. - Group or cluster housing projects.

~~A. — Group or cluster housing projects with two (2) or more buildings may be constructed on a plot of ground of at least three (3) acres not subdivided into the customary streets and lots and which will not be so subdivided or where the existing or contemplated street and lot layout make it impracticable to apply the requirements of this ordinance to the individual building units in such housing projects. A special exception to the terms of this ordinance may be made by the board in a manner that will be in harmony with the character of the neighborhood, will insure substantially the same character of occupancy and an intensity of land use no higher and a standard of open space no lower than that permitted by this ordinance in the district in which the project is to be located. However, in no case shall the board authorize a use prohibited in the district in which the project is located, or a greater height, or a larger coverage than the requirements of this ordinance permit in such a district. No commercial activity may be permitted within a group or cluster housing project except self-service laundry facilities to serve only the residents of the project. Such facilities may be provided to residents of group or cluster housing if no advertisement or general solicitation is undertaken and where the board determines the scale of operation to be accessory to the dwelling units. The board shall address the relevance of all ordinances, regulations, resolutions, and the Farragut Municipal Code which relate to all of the elements of the site plan.~~

XVIII. - Nursing homes.

The following regulations shall apply to nursing homes as defined in Chapter 2.

- A. At least a portion of the development site shall be adjacent and contiguous to the right-of-way of a major or minor arterial. Access to the public right-of-way shall be governed by the provisions of the Farragut Municipal Code, but in no instance shall the principal access be onto other than a major or minor arterial.
- B. Landscaped buffer strips, installed in accordance with the definition provided in Chapter 2, shall be required along the side and rear property lines, regardless of the adjacent zoning classification.
- C. A certificate of need shall have been issued by the Tennessee Department of Health and Environment or other appropriate state agency and evidence of such shall be submitted prior to beginning the development review process in the Town of Farragut.
- D. All nursing home projects must be on sewer.
- E. Area regulations.
 - 1. ~~Minimum site size: five (5) acres.~~
 - 2. Maximum lot coverage: ~~The combined total of all floor area under roof shall not exceed thirty-five (35) percent of the total site.~~ Determined by zoning district.
 - 3. Maximum building height: Determined by zoning district.
 - 4. Maximum number of nursing home units per acre: Determined by site and building design.
- F. On-site incineration of any type is prohibited.

XX. - Parking and loading.

- A. Off-street parking requirements.
 - 3. Number of parking spaces required.
 - ~~Elderly housing~~ Assisted-care living facility: Three-fourth (¾) parking spaces per each housing unit.

Independent living and care: One (1) parking space per bedroom and one (1) guest space per ten (10) bedrooms.

VII. - Elderly housing. - Existing

It is the intent of this section to establish the development requirements specific to elderly housing developments.

- A. Access to the development shall be to a street having a designated classification of a local collector or greater, or a local street which is not interior to a subdivision. The street on which the development accesses shall meet the minimum design standards established in the Farragut Subdivision Regulations.
- B. The intent to provide housing primarily for persons sixty (60) years or older shall be demonstrated in the design, services, and management of the development. The development shall include central dining and kitchen facilities.
- C. Any accessory use such as dining facilities, beauty/barber shops, retail stores, or pharmacies shall be for the use and benefit of the residents of the development and shall be oriented so that such uses are not readily identifiable from a public street or adjacent properties.
- D. Outdoor and indoor recreation areas shall be provided. Outdoor recreation areas may include landscaped garden areas with walks and seating, a community vegetable garden for residents, greenhouse, shuffleboard courts, etc. Indoor recreation areas shall include areas for social, craft, or other group activities.
- E. Due consideration shall be given to include such design features as will make the development safe and convenient for elderly residents.
- F. All elderly housing developments shall be on public sewer.
- G. All structures shall meet the setback requirements of the zone in which it is located with the following exceptions:
 1. All mechanical units five (5) tons or greater and other service areas shall be set back a minimum of one hundred (100) feet from all property lines;
 2. All dumpsters shall be set back a minimum of one hundred (100) feet from all residentially zoned property;
 3. Front yard.
 - a. If a street is classified as an arterial on the Major Road Plan, all buildings shall be set back from the nearest point of any right-of-way a minimum of eighty (80) feet;
 - b. If a street is classified as a major collector on the Major Road Plan, all buildings shall be set back from the nearest point of any right-of-way a minimum of seventy (70) feet;
 - c. If a street is classified as a local collector on the Major Road Plan, all buildings shall be set back from the nearest point of any right-of-way a minimum of sixty (60) feet; and
 - d. If a street is classified as a local street on the Major Road Plan, all buildings shall be set back from the nearest point of any right-of-way a minimum of fifty (50) feet.
 4. All buildings shall be set back a minimum of eighty (80) feet from side and rear property lines when abutting property lines.

sidential or agriculture.

H. *Buffer strips:*

1. There shall be a buffer strip a minimum of thirty-five (35) feet in width on all front property lines. The buffer strip shall be included in the required building setback;
2. There shall be a buffer strip a minimum of thirty-five (35) feet in width on all side and rear peripheral property lines when the abutting property is zoned residential or agriculture. The buffer strip shall be included in the required building setback;
3. There shall be a buffer strip a minimum of twenty-five (25) feet in width on all side and rear peripheral property lines when the abutting property is zoned office or commercial. The buffer strip shall be included in the required building setback;
4. Existing, mature vegetation shall be preserved and incorporated into the buffer strip; and
5. Detention basins, measured from top-of-slope to top-of-slope, and associated structures shall not be located within any buffer strips.

(Ord. No. 86-16, adopted Apr. 1986; amended Feb. 2006; Ord. No. 06-10, § 1, 5-25-2006; Ord. No. 06-26, § 1, 10-26-2006; Ord. No. 09-16, § 1, 8-27-2009; Ord. No. 10-14, § 1, 10-28-2010)



FMPC Workshop Discussion – January 21, 2016

Note: This is a revised draft based on the comments provided at the December planning commission meeting. New modifications are shown in red. Formatting has not been added at this point since this is still a draft.

Chapter 3, Section XX. – Community Service District (S-1) or Civic/Institutional District (C/I)

Comment: A clarification is needed as to whether the existing Community Service District (S-1) designation would be retained so that the zoning map would not need to be amended or the district re-named to Civic/Institutional. If S-1 is replaced and renamed it will require amendments to the zoning map for those properties currently zoned S-1.

A. General description

Consistent with adopted plans and policies of the Town, this district is intended primarily to provide for the development of community and public types uses. This district is also intended as a transitional district to lower density residential by providing for low impact quasi institutional/residential uses that have minimal traffic demands. Key to this district is continuity in general building and site development form.

B. Permitted principal and accessory uses and structures

Assisted-care living facilities

Cemeteries and historical monuments

Churches and other places of worship

Community facilities

Cultural activities

Independent living and care facility

Nursing homes

Parks

Schools, public and private

Senior living community

Utility uses

Comment: After looking into terminology in more depth, the staff is proposing to redefine “elderly housing” as “assisted-care living facilities” and to provide two other terms, “independent living and care facility” and “senior living community”, that would provide for different types of developments that would be targeted toward seniors.

C. Minimum development requirements

The property must directly access a street that is classified on the Major Road Plan as a collector or arterial.

A site plan and landscape plan for the development shall be submitted as regulated in Chapter 4. The approved plan shall be in compliance with the Farragut Comprehensive Land Use Plan, the Pedestrian and Bicycle Plan, the Architectural Design Standards, and all other adopted plans and ordinances of the Town of Farragut, **as amended**.

Prior to site plan submittal, the applicant shall conduct a **site inventory** of the natural features on the property so as to determine those areas that should be preserved and those that may be most appropriate for development. This **inventory** should be discussed with the Town staff prior to finalizing plans for review. **The inventory should demonstrate that the Town's adopted land use related documents, such as the Tree Protection Ordinance, the Sinkhole Ordinance, the Stormwater Ordinance, and other adopted documents that may be applicable to the proposed development have been referenced.**

From the site inventory, a sketch plan is required in consultation with the Town staff with the first step in the preparation of such plan being the establishment of potential building locations that would minimize site grading and preserve to the greatest extent possible the natural topography, especially where tree covered areas exist. The road and trail systems would then be connected through the development and to abutting properties. The maximum slope created as a result of a proposed development shall not be greater than 2.5:1 (run/rise).

D. Area regulations

Front yard. All structures, including parking lots, shall be set back a minimum of twenty (20) feet from the nearest point of any right of way. This excludes signage (which would be subject to the provisions in the sign ordinance), detention basin structures (if associated with a low impact development measure), and/or non-roofed structures that provide for pedestrian engagement with the public street (such as outdoor patios, pedestrian facilities, sitting areas, public art). With the exception of linear pedestrian facilities that connect to similar facilities in the right of way, no structures shall encroach into the public right of way and/or platted utility easements.

Service areas and their associated structures (e.g. dumpsters, loading areas, utility buildings) shall be located to the side or rear of a building so as to minimize visual impacts from the street and foster a more pedestrian friendly streetscape.

Side and rear yards. Unless provided for otherwise in this ordinance, where an adjacent property is zoned residential **and/or agriculture**, all principal buildings that are positioned along a side or rear property line shall be set back a minimum of fifty (50) feet from the nearest side or rear property line (s).

Where an adjacent property is zoned non-residential **and/or non-agriculture**, all structures shall be set back a minimum of twenty-five (25) feet from the nearest side or rear property line (s).

Unless specified otherwise in this ordinance, where an adjacent property is zoned residential, all accessory structures, excluding fences, pedestrian facilities, signage, and structures associated with low impact development stormwater measures, shall be set back a minimum of fifty (50) feet from the nearest side or rear property line. Mechanical units five (5) tons or greater, dumpsters, and other service areas shall be set back a minimum of one-hundred (100) feet from all side or rear property lines where the abutting property is zoned residential.

E. Transition areas

Unless specified otherwise in this ordinance, where an abutting property is zoned residential **and/or agriculture**, a transition area of at least fifty (50) feet in width shall be provided. The intent of a transition area is to provide for a visually appealing interface to an abutting residential area that will serve to establish protection for but also context appropriate integration with the surrounding plan of development. Transition areas shall accommodate the connectivity requirements of this district. This will result in some modest breaks in the transition element. As provided for in this district, transition areas **shall include, at a minimum, any one of the following or a combination thereof:**

- a. A landscaped low impact development stormwater management area, such as a rain garden(s), bioswale(s), or naturalized areas with existing and/or new tree plantings that, in total, consume the full depth of the transition area. At a minimum, such an area shall include a plant unit count that equals the count required for a **thirty-five (35) foot buffer strip**, as provided for in Chapter 4 of this ordinance. Under this option, the arrangement of plant material may include more flexibility than an traditional buffer strip planting, provided this arrangement best promotes the intended stormwater function of the low impact development measure(s);
- b. A heavily landscaped pocket park area designed for passive use and that is approved as part of a site and landscape plans as an equivalent to other natural transition measures provided for in this subsection. Such area could serve as a shared amenity between a use in this district and an abutting residential neighborhood;
- c. A traditional planted buffer strip area that complies with the **thirty-five (35) foot** buffer strip plantings provided for in Chapter 4 of this ordinance;
- d. An existing tree covered area that consumes largely the full depth of the transition area and where the existing tree count within such area clearly exceeds the plant unit count and minimum tree sizes for a **thirty-five (35) foot** buffer strip per 100 linear feet;
- e. **Where freestanding attached and detached independent and catered living residential buildings are proposed around the periphery of a senior living community that abuts property zoned residential and/or agriculture, such buildings may be proposed as the transitional element. In order to qualify as such, buildings shall be generally consistent with the predominant size, scale, height,**

and arrangement of residential structures that abut that portion of the senior living community. Where the abutting property is undeveloped and zoned residential and/or agriculture and transitional buildings are proposed along this interface in the senior living community, the size, scale, height, and arrangement of residential structures shall be reviewed as part of the concept plan that is required for the senior living community.

As part of the analysis of appropriateness of the transitional buildings along the undeveloped properties, the planning commission shall consider the surrounding context and the overall concept plan proposed by the applicant. Buildings proposed for transitional elements shall comply with the setbacks, platted building envelopes, and landscape planting required in association with a senior living community. These specific provisions are addressed in Chapter 4 of this ordinance.

Where a development combines different transition elements these shall be considered as part of the **sketch plan or, as applicable, concept plan and then reflected on the site and landscape plans**. Such an approach must clearly fulfill the intent of the transition area provision. Existing tree covered areas within transitions shall be protected. **Exceptions would apply** for the removal of invasive exotic plant material and context appropriate pedestrian and/or vehicular connections and utilities adjacent to such improvements that bisect the transition area in a generally perpendicular manner.

Transition areas shall not be required for developments that abut properties that are not zoned residential and/or agriculture.

Comment: Transition option "e" has been re-written to address a scenario where an abutting property is zoned residential or agriculture and is currently undeveloped. A sentence has also been added to clarify that a transition is not required where an abutting property is not zoned residential or agriculture.

F. Streetscape and outdoor open space

As part of a site plan review, a context appropriate active and interconnected streetscape with visually appealing and functional public spaces is encouraged. Some specific design objectives would be as follows:

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

G. Connectivity

Development shall provide for context appropriate pedestrian and vehicular connectivity. This shall include providing connections within the property and to abutting properties, pedestrian connections into the development from the public street(s), and the construction of pedestrian facilities along the public street(s) frontages.

H. Low Impact Development

Development shall incorporate a minimum of one (1) of the following Low Impact Development (LID) practices into the design:

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

I. Maximum Lot Coverage

Total lot coverage — Seventy (70) percent, except as provided for elsewhere in this ordinance.

Comment: This was increased to 70% per the January 21 FMPC discussion.

J. Land area

Minimum lot size of three (3) acres, except as provided for elsewhere in this ordinance.

K. Height

No principal building shall exceed two and one-half (2.5) stories or thirty-five (35) feet in height, except as provided for elsewhere in this ordinance. No accessory structure shall exceed fifteen (15) feet in height, except as provided for elsewhere in this ordinance.

L. Parking, as regulated in Chapter 4

Comment: Same as existing S-1 District. Some parking space requirements will be revisited and presented as part of this amendment process.

M. Lighting, as regulated in Chapter 4, Sections (Outdoor Site Lighting and the provisions for Senior Living Communities)

(Comment: This was discussed in some depth at the December meeting and the general feeling was that lighting should be encouraged but not required to have a residential feel where the abutting property was zoned residential. The Town's Outdoor Site Lighting provisions in Chapter 4 provide for lighting that does not create glare and that has minimal footcandles at the property lines. Providing for residential scale lighting for certain projects that may contain single family dwellings and serve as a transition to

lower density residential could aid in the transition effect. Consequently, in Chapter 4, some additional lighting provisions are proposed in relation to senior living communities and independent living and care facilities.

Chapter 2. Definitions

Comment: The terms below are referenced in the draft Community Service or Civic/Institutional District. As proposed, the existing term for "elderly housing" will be deleted and substituted with "assisted-care living facility." In addition, new terms are proposed for "independent living and care facilities" and "senior living communities." The definitions related to nursing homes and nursing home units will remain unchanged.

The terms below have been developed in consultation with professionals that work with the development and management of elderly care facilities of various types.

Assisted-Care Living Facility: A building, establishment, complex or distinct part thereof that accepts primarily aged persons for domiciliary care and services. Such facilities are licensed by the State of Tennessee. The parcel or tract of land and the units within the facility shall remain under single ownership so that individual units are not transferrable in fee simple.

Assisted-Care Living Facility Resident: Primarily an aged person who requires domiciliary care, and who upon admission to the facility, if not ambulatory, is capable of self-transfer from the bed to a wheelchair or similar device and is capable of propelling such wheelchair or similar device independently. Such a resident may require one or more of the following services: room and board, assistance with non-medical activities of daily living, administration of typically self-administered medications, and medical services subject to the limitations of these rules.

Independent Living and Care Facility: A residential use that could be single-family detached or attached to house older persons who are frail but not infirmed that require a lower level assistance than residents in assisted care living facilities. Independent living residents do not require assistance or acute nursing home care but rather receive limited services including, but not restricted to nursing care, meals, housekeeping, social programs, daily maintenance and other services. Such homes may be licensed by the State of Tennessee as homes for the aged and are intended to be residential in character and will generate lower levels of impact than traditional residential units. Independent care facilities may be part of a Senior Living Community. The parcel or tract of land and the units within the facility shall remain under single ownership so that individual units are not transferrable in fee simple.

Nursing Home: Unchanged from current definition. (*Currently defined as "a facility licensed as such by the Tennessee Department of Health and Environment or other appropriate state agency"*)

Nursing Home Unit: Unchanged from current definition. (*Currently defined as "one (1) or more rooms designed for occupancy by persons requiring skilled or intermediate nursing care located in a nursing home licensed by the Tennessee Department of Health and Environment or other appropriate state agency"*)

Senior Living Community: A specified combination of residential uses that shall include a minimum combination of at least two of the following three uses: Independent Living and Care Facility, Assisted Care Living Facility, and Nursing Home Unit, where the average length of stay in these type facilities is more than 45 days. At least one of such facilities must be State-licensed.

Other non-residential uses may be included in this type of development when integrally designed to be compatible and accessory to the primary uses and intent of the development as a whole. The parcel or tract of land and the units within the facility shall remain under single ownership so that individual units are not transferrable in fee simple.



Chapter 4. Section....Senior Living Community *(Comment: Below would be a proposed new section in Chapter 4 that would address Senior Living Communities)*

..... Senior Living Community.

Intent.

It is the intent of this section to establish development requirements that would be specific to what is defined as a **senior living** community in this ordinance. Unless specified below, all other requirements associated with this use shall be provided for in the base zoning district.

General plan/plat approval requirements.

After consulting with the Town staff as part of a preliminary sketch plan review, a concept plan, as regulated in the applicable portions of the Farragut Subdivision Regulations, shall be submitted to the planning commission for review and approval. All applicable requirements shall be included as part of the development plan submission. The concept plan shall be of the entire senior living community development and is required whether the project is developed in multiple phases or not. The concept plan is a precursor to the more detailed site plan that will subsequently be required per the applicable provisions of this section and the base zoning district.

Where public streets and/or public utilities are to be constructed or extended in association with the overall development, a preliminary plat and final plat shall be provided as regulated in the Farragut Subdivision Regulations. All applicable requirements shall be included as part of the plat submissions.

The approved plans and plats shall be in compliance with the Comprehensive Land Use Plan, the Pedestrian and Bicycle Plan, the Architectural Design Standards, and all other adopted plans and ordinances of the Town of Farragut, as amended.

Land area.

In addition to the other requirements of this section, a senior living community shall only be permitted on tracts that are contiguous and that, in total and as part of the concept plan approval, are at least ten (10) acres.

Height.

Whenever the adjacent property is zoned residential and/or agricultural, no buildings to be constructed within 100 feet of a periphery property line shall exceed the maximum height permitted in the base zoning district.

When abutting all other zoning districts or where buildings are greater than 100 feet from a periphery property line such buildings shall not exceed three (3) stories, or forty-five (45) feet in height. No accessory structure shall exceed fifteen (15) feet in height, except as provided for elsewhere in this ordinance.

Comment: A height allowance of up to 3 stories or 45 feet is proposed to provide for different options and enhanced flexibility in the development of a senior living community. This language is virtually identical to the provisions associated with the Multi-Family Residential (R-6) Zoning District and could provide for a more efficient use of land.

Access.

The primary access to the development shall be from a street having a classification of major collector or arterial on the Major Road Plan. Such street, based on its classification on the Major Road Plan, shall be built to a standard that is generally consistent with the cross sections provided for in the Subdivision Regulations and the Town of Farragut Pedestrian and Bicycle Plan, as amended. Private accessways internal to the development and that connect to public streets shall be constructed with compaction, aggregate base, binder, and surface course that complies with the standards for a local street in the Farragut Subdivision Regulations.

Accessory uses.

Any accessory use, such as dining facilities, personal care services, retail stores, or pharmacies shall be only for the use and benefit of the residents of the development and shall be oriented so that such uses are not readily identifiable from a public street or adjacent residentially zoned property.

Freestanding independent and catered living buildings.

As defined, senior living communities may include smaller single family attached and detached residential scale buildings that provide housing for individuals that are more independent than those living in a traditional senior care facility. The provisions below are specific to the form and arrangement of such buildings as part of a senior living community.

- a. **Building arrangement.** If arranged around the periphery and the abutting property is zoned residential or agriculture, freestanding buildings may be used as form based transition from the senior living community. The building envelopes shall be shown on the concept and site plan and platted as part of a final plat. The envelopes must demonstrate that the freestanding buildings are at least twenty (20) feet apart, at least thirty-five (35) feet from the periphery of an abutting residential and/or agriculture zoning district, and are generally consistent with the predominant size, scale, height, and arrangement of residential structures that abut that portion of the senior living community. Where the abutting property is undeveloped and zoned residential and/or agriculture and transitional buildings are proposed along this interface in the senior living community, the size, scale, height, and arrangement of residential structures shall be reviewed as part of the concept plan.
As part of the analysis of appropriateness of the transitional buildings along the undeveloped properties, the planning commission shall consider the surrounding context and the overall concept plan proposed by the applicant.
- b. **Landscaping.** Though freestanding buildings may serve as form based transition to abutting residential areas they shall be constructed so as to avoid blank walls facing the

periphery and shall include landscaping within the thirty-five (35) foot peripheral setback. Such landscaping shall be shown and approved as part of the overall landscape plan for the elderly care community. The landscaping shall primarily ensure a naturalized transition and shall not include barriers such as screen walls and privacy fences.

All buildings, including residential scale freestanding independent and catered living buildings, within a senior living community shall comply with the Town's adopted Architectural Design Standards. This will help ensure effective transitions to abutting residential areas.

Parking.

As provided for in Chapter 4, Parking and Loading.

Comment: Please see next section.

Lighting.

As provided for in Chapter 4, Outdoor Site Lighting, with the following additional provisions:

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

Chapter 4. Parking and Loading

Replace “elderly housing” with “assisted-care living facility” and provide for three fourths ($\frac{3}{4}$) parking spaces per each housing unit.

Comment: This is the same parking space allocation that is currently provided for elderly housing. Only the use name would change.

Independent living and care: One (1) parking space per bedroom and one (1) guest space per ten (10) bedrooms.

Comment: The above parking space provisions have been formulated in consultation with individuals that frequently work with elderly care developments. The parking space allocations for nursing homes are proposed to remain unchanged.

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Mark Shipley, Community Development Director

SUBJECT: Ordinance 16-03, an ordinance to rezone Parcels 18 and 18.01, Tax Map 162, located at 1006 McFee Road, approximately 6 Acres, from R-1 to R-2 (John and Teresa Kirkland, Applicants)

INTRODUCTION: This item involves a request to rezone two existing parcels along McFee Road south of the roundabout from Rural Residential to General Single-Family Residential.

DISCUSSION: The southwest portion of the Town is still largely undeveloped and has historically been large lot residential and agriculture. With the improvements to McFee Road that occurred a few years ago, the area is likely to transition away from this rural character and into a more suburban plan of development. When the land use plan was being updated in 2012, the general southwest area was primarily seen as a candidate for open space oriented residential development. The area is known to have numerous sinkholes and an open space overlay would work best with this land feature. The staff is not aware of any sinkholes, however, on the subject parcels.

The request before you reflects a minimal change from the current zoning. The property owner is interested in developing a small subdivision but the property does not currently have access to utility district sanitary sewer. Under the existing Rural Residential Zoning District (R-1), the minimum lot size for a new lot without utility district sewer is one acre. The applicant is requesting a rezoning to the General Single-Family Residential District (R-2) because it permits a smaller minimum lot size where sanitary sewer is not available. In such a case, the minimum lot size in R-2 is 25,000 square feet (a little over half an acre).

RECOMMENDATION BY: From the staffs' perspective these parcels would best be used in combination with larger adjoining tracts (which are not owned by the applicant) as part of an open space overlay residential development. Such a development could also provide for a housing mixture (attached and detached) that could transition well with the mixed use neighborhood land use that is shown on the future land use map to the north near the roundabout.

Though the request to R-2 is not inconsistent with some of the current zoning in the area, this request should also be considered in relation to the future development of this general area. The vision of the CLUP is a small mixed use neighborhood node near the roundabout with abutting residential development that would provide for appropriate transition and account for the physical characteristics of much of the land in this portion of the Town. From the staffs' perspective, the question is whether this rezoning request would impact the vision of the CLUP for this general area.

At their meeting on January 21, 2016, the Planning Commission reviewed this request and, given the small acreage involved, did not see any harm to the CLUP as a result of this rezoning. Consequently, the commission recommended unanimously to approve Ordinance 16-03.

PROPOSED MOTION: To approve Ordinance 16-03 on first reading with it being noted that if the property is rezoned to R-2 it must be subject to the condition that either the barn will be removed and all agricultural use of the property abandoned or the two parcels combined into a lot that is at least 5 acres. The R-2 Zoning District requires a minimum of 5 acres for any agriculture use and structures. A rezoning cannot create a use violation.

As noted above, the staffs' understanding is that the applicant will be subdividing the property for purposes of residential development. There would be no remaining agricultural use of the property.

BOARD ACTION:

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

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

ORDINANCE: 16-03
PREPARED BY: Shipley
REQUESTED BY: John & Teresa Kirkland
CERTIFIED BY FMPC: January 21, 2016
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 18 and 18.01, Tax Map 162, located at 932 and 1006 McFee Road, from Rural Single-Family Residential (R-1) to General Single-Family Residential (R-2) (Exhibits A and B).

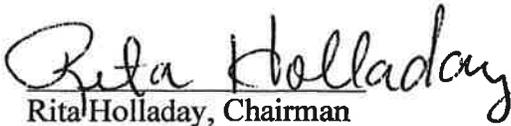
SECTION 2.

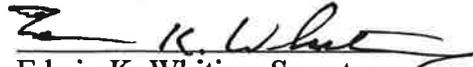
This ordinance shall take effect from and after its final passage and publication, the public welfare requiring it.

 Dr. Ralph McGill, Mayor

 Allison Myers, Town Recorder

Certified to the Farragut Board of Mayor and Aldermen this _____ day of _____, 2016, with approval recommended.


Rita Holladay, Chairman


Edwin K. Whiting, Secretary

FARRAGUT MUNICIPAL PLANNING COMMISSION



farragut
LIVE CLOSER • 22 MILES

**Ordinance 16-03
Exhibit A**

Rezone
Parcels 18 and 18.01, Tax Map 162

From
Rural Single Family
Residential (R-1)
to
General Single Family
Residential (R-2)

OS-P

R-1/OSMR

R-2

Subject
Property

R-1

A

Legend

- Streets
- Subject Property
- Parcel Owners TOF
- A, Agricultural
- OS-P, Open Space/Park
- R-1, Rural Single-Family Residential
- R-2, General Single-Family Residential
- OSMR, Open Space Mixed Residential Overlay
- Town Limit



1 in = 400 ft

EXHIBIT B

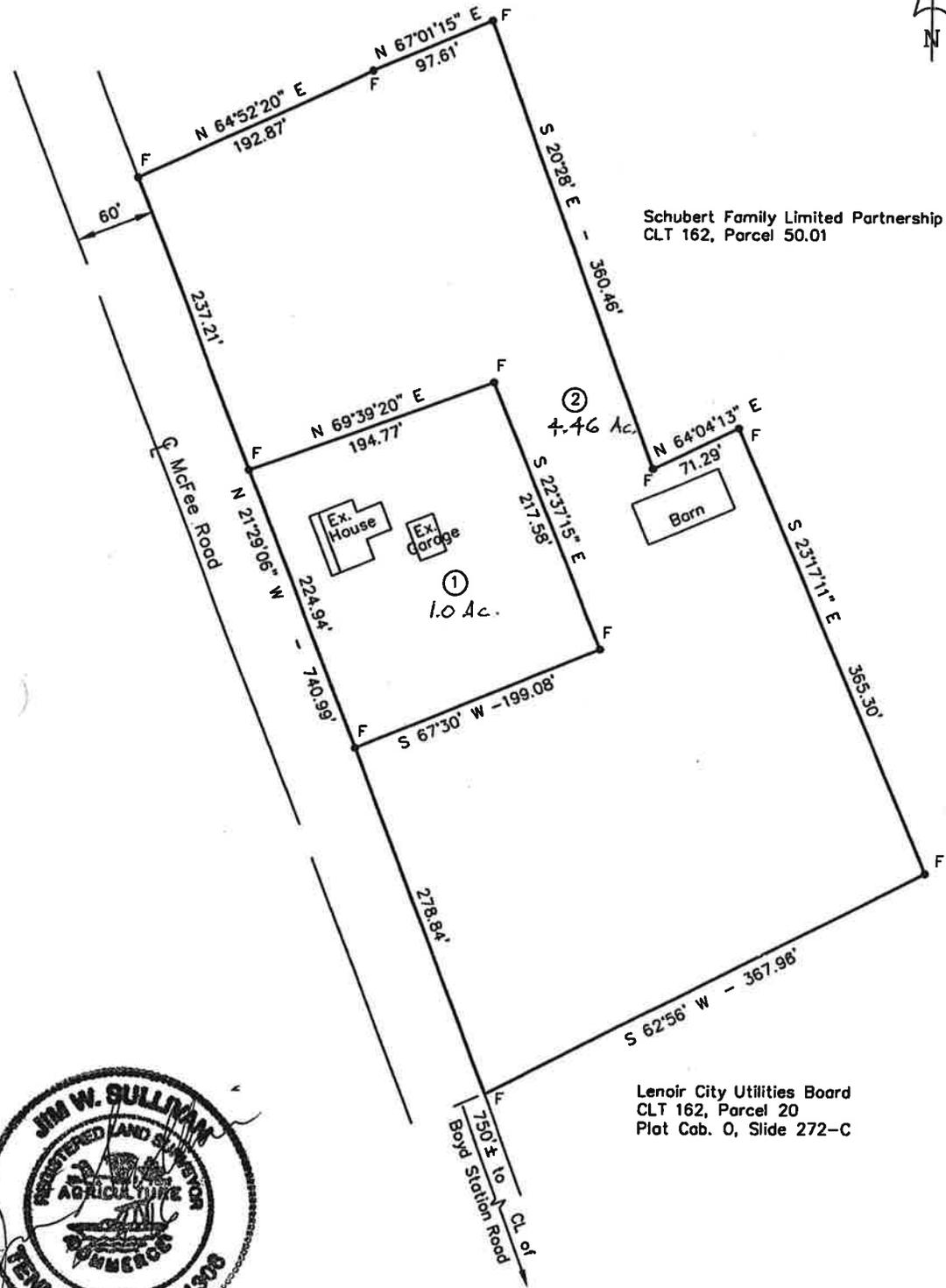
Schubert Family Limited Partnership
CLT 162, Parcel 50.01



Schubert Family Limited Partnership
CLT 162, Parcel 50.01

Lenoir City Utilities Board
CLT 162, Parcel 20
Plat Cab. O, Slide 272-C

Plat Cab. P, Slide 284-A



_____ _____ _____		Lot <u>1 & 2</u> Subd. <u>Linginfelter S/D</u> County <u>Knox</u> Dist. <u>6</u> City <u>Farragut</u> State <u>Tennessee</u>
Jim Sullivan, Land Surveyor Maryville, Tenn. Ph. 406-7324	Scale <u>1"=100'</u> Date <u>Feb. 3, 2016</u>	

RESOLUTION PC-16-02

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 PARCELS 18 AND 18.01, TAX MAP 162, LOCATED AT 932 AND 1006 MCFEE ROAD, APPROXIMATELY 6 ACRES, FROM R-1 (RURAL SINGLE-FAMILY RESIDENTIAL) TO R-2 (GENERAL SINGLE-FAMILY RESIDENTIAL)

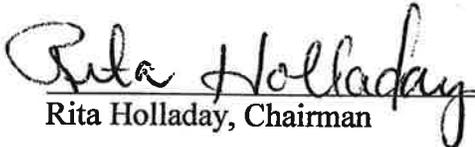
WHEREAS, the Tennessee Code Annotated, Section 13-4-201et seq, provides that the Municipal Planning Commission shall make and adopt a general plan for the physical development of the municipality; and

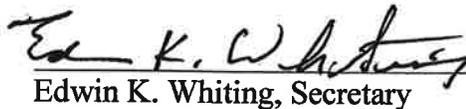
WHEREAS, the Farragut Municipal Planning Commission has adopted various elements of a zoning plan as an element of the general plan for physical development; and

WHEREAS, a public hearing was held on this request on January 21, 2016;

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 16-03.

ADOPTED this 21st day of January, 2016.


Rita Holladay, Chairman


Edwin K. Whiting, Secretary