

Ordinance 2021-007
Amending
ORDINANCE 2020-002
AMENDING
ORDINANCE NO. 2016-009

AN ORDINANCE TO AMEND SECTION 5.081 G 5

Whereas, Section 5.080 of the Eagleville Zoning Ordinance allows for Planned Developments and Section 5.081 specifically addresses Planned Residential Developments; and

Whereas, the Eagleville City Council desires to amend these sections;

NOW THEREFORE, BE IT ORDAINED by the City of Eagleville Tennessee City Council that Sections 5.080 and 5.081 of the Eagleville Zoning Ordinance will be amended as follows:

Revised Section 5.080: (Delete Section in its entirety and replace with)

Planned Developments (Overlay Zone) may be approved when in the opinion of the Planning Commission, it has been determined that deviations to the Zoning Ordinance as laid out in Section 5.081, 5.082 and 5.083 are in the spirit of the Land Use Plan and the Zoning Ordinance by promoting the efficient use of land, protecting natural features or resources, efficiently managing or creating less storm water run-off, or providing other desirable qualities. The Planned Development shall be designed and developed in a manner compatible and complementary to existing and potential development in the immediate vicinity of the project site.

Planned Development overlays will be considered through the same process as a rezoning of property as specified in this Ordinance.

The overall density of a Planned Development will be established according to the underlying base zone. Other aspects of Planned Developments, including but not limited to the lot size, lot configuration, and setbacks will be established during the review of the proposed planned overlay as part of the subdivision/site plan process.

Revised Section 5.081 (Delete section in its entirety and replace with)

A. Planned Residential Developments may be considered by the Planning Commission as an overlay district which will be made up completely of residential uses. The Planning Commission may consider such plans if/when brought by developers considering larger scale developments that may warrant negotiation of certain elements of the Zoning Ordinance.

B. Minimum Bulk Requirements:

1. While greater lot sizes and setbacks may be required, the minimum requirements are as follows: Minimum Lot Size: 10,000 square feet; Minimum Setbacks: Front: 30 feet; Side 5 feet, Rear 15 feet. The minimum setbacks of lots abutting a non-PRD development: the same setback as the abutting property or 15 feet, whichever is greater, unless a buffer is established to the satisfaction of the Planning Commission which diminishes any impact of the lesser required setback.

2. Required Floor Area for Dwelling Units – 1800 gross square feet of heated and cooled space (garages are not included).
 3. Minimum of an attached two-car garage.
- C. Open Space - Due to generally smaller lot sizes, the Planning Commission shall require that fifteen (15%) percent the total development be set aside as open space, whether it be for passive recreation or to protect a natural feature, to be owned by the Home Owner’s Association and not part of any private lot. Land occupied by buildings, streets, driveways or parking spaces may not be counted in satisfying this open space requirement; provided, however, that land occupied by recreational buildings and structures may be counted as required open space. If the PRD is developed in Phases, open space must be planned for future phases or included in those future phases separately. All open space must be accessible to all phases of a development.

Common open space and amenities must be maintained through an association or other corporation. Such organization shall provide for the maintenance, administration and operation of such land/amenities and any other non-privately owned property within the PRD.

- D. Planned Residential Developments shall relate harmoniously to the topography of the site, shall make suitable provision for the preservation of watercourses, drainage areas, wooded areas, rough terrain, and similar natural features and areas, and, shall otherwise be so designed as to use and retain such natural features and amenities to the greatest extent possible.
- E. Covenants and Home Owner’s Association - All Planned Residential Developments must establish a Home Owner’s Association with all covenants to be approved by the Planning Commission before the approval of the PRD. Any such development requirements adopted with such plan shall become binding land use requirements for the proposed PRD. Any changes to the Covenants must be approved by the City Planning Commission for at least 25 years after approval of the development.
- F. If a development is to be implemented in phases, each phase shall have adequate provision for access, parking, storm water management, and other public improvements to serve the development in accordance with the applicable criteria set forth above. Each phase shall be provided with temporary or permanent transitional features, buffers, or protective areas in order to prevent any adverse impact on completed phases, future phases, and adjoining property.
- G. Other Requirements.
1. Any Retention Pond shall have an aerator.
 2. If erosion controls are necessary, rip rap shall be allowed only when no other method satisfactorily exists to control water flow.
 3. The development shall have Planning Commission approved decorative street lighting and shall show that lighting will be adequate for the safety of the residents. All street lighting shall be of the same style, height and materials.
 4. If mailboxes are proposed, they shall be Planning Commission approved decorative mailboxes of the same style, height and materials. Only if required by Federal or State law, or if determined by the Commission to be in the best interest of the community, may a communal mailbox be constructed. If such communal mailbox is required, it shall be

encased in materials and be of a style as required by the Planning Commission. A roof shall be required over the communal mailbox.

- ~~5. Houses shall follow the 85/15 rule with at least 85 percent of the total façade (all sides totaled) of the house being made of natural materials such as brick, rock, or wood. High quality Fiber Cement Board may be approve by the Planning Commission as part of the 85 percent requirement.~~
6. Houses in the same development shall be of a similar and compatible architectural style.
7. All streets shall be constructed according to the City's Subdivision Regulations.
8. Developments must be connected to public or private sewer and have access to public water.
9. Sidewalks are required on both sides of the street and shall meet all ordinance criteria.
10. All utilities shall be underground.
11. Streets shall have curbs and gutters. Rolled curb and gutters are preferred.
12. All developments shall have a decorative Entry Sign. Street signs shall be a decorative sign as approved by the Planning Commission.

BE IT ENACTED that this ordinance shall take effect 15-days from and after its final passage, the public welfare requiring it.

Approved:

Chad Leeman, Mayor

ATTEST:

Phillip Dye, City Recorder

Passed First Reading: August 24, 2021
Passed Second Reading: September 21, 2021

APPROVED AS TO FORM:

J. Stephen Aymett Jr., City Attorney