

Ordinance #333

An Ordinance amending Ordinance #179 known as the zoning ordinance of Ashland City, Tennessee by adding an R-4 Mixed Density Residential – Planned Unit Development (MDR-PUD) District.

WHEREAS, the Ashland City Municipal-Regional Planning Commission has recommended the Zoning Ordinance of Ashland City be amended as herein provided; and

WHEREAS, the Board of Mayor and Council have given due consideration to said recommendation ;

NOW THEREFORE, BE IT Ordained by the Board of Mayor and Council of Ashland City, Tennessee that Ordinance #179 be amended by adding a Mixed Density Residential – Planned Unit Development District as follows:

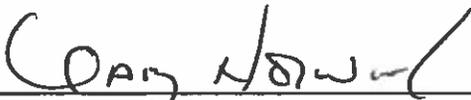
See Attached

BE IT FURTHER ORDAINED by the Mayor and Council of Ashland City, Tennessee that this Ordinance shall become effective 20 days after its final passage the public welfare requiring it.

1st reading _____

Public hearing 5-8-07

2nd reading 5-8-07



Gary Norwood, Mayor



Phyllis Schaeffer, City Recorder

5.051.4 R-4, Mixed Density Residential - Planned Unit Development (MDR-PUD) District

A. District Description

This district is designed to provide suitable areas for mixed density residential development, hereinafter referred to as the R-4 Mixed Density Residential - Planned Unit Development District, is defined as that which is intended for Planned Unit Developments (PUDs) that offer flexibility in housing types, provide extensive open space, and innovative design concepts. Maximum densities permitted for residential development vary according to those delineated in this ordinance. Because of the mix of land uses permitted in the MDR-PUD District, emphasis on insuring the compatibility of MDR-PUD Districts to surrounding areas is achieved by imposing landscaping and screening standards in higher intensities for planned unit developments than for conventional residential developments.

It shall be expressly understood that MDR-PUD District shall be granted as a matter of privilege and not as a matter of right. The MDR-PUD District shall be a design and density alternative. In considering whether MDR-PUD Districts shall be approved, the following shall be taken into consideration:

- (1) Innovative design goals based on the incorporation of community vision, character, design standards, and growth planning.
- (2) Density goals based on housing needs within Cheatham County.
- (3) Sensitivity to surrounding established land use, character, density, and traffic flow.
- (4) Sensitivity to natural and man-made features on the site, such as trees, historic features, topography, and floodplains.
- (5) Other considerations which would render the PR District distinctive and deserving of approval.
- (7) Proximity to high density developments, retail or commercial developments.
- (8) Conditions that apply to this District.

B. Uses Permitted

In the R-4 Mixed Density Residential Planned Unit Development (MDR-PUD) District, the following uses and the accessory uses are permitted:

1. Single Family Dwellings
2. Duplex Dwellings
3. Multi-Family Dwellings

4. Customary accessory buildings including private garages and workshops, located in the rear yard not closer than 12 feet from any lot line.
5. Customary incidental home occupations as regulated in ARTICLE IV, SECTION 4.040.
6. Essential Public Transport, Communication, Government, and Utility Services.
7. Signs as regulated by the PUD agreement.

C. Uses Permitted by Special Exception

In the R-4 Mixed Density Residential Planned Unit Development (MDR-PUD) District, the following uses and the accessory uses are permitted as special exceptions after review and approval in accordance with ARTICLE VII, SECTION 7.060:

1. Community Assembly Uses.
2. Religious Facilities.
3. Educational Facilities.
4. Cultural and Recreational Services.
5. Golf Courses.
6. Neighborhood Commercial Services.
7. Professional Office.
8. Associations of Physically or Mentally Handicapped Persons.
9. Nursing Homes and Rest Homes.
10. Retirement Homes and Assisted Living Centers.
11. Orphanages
12. Government Administration
13. Cemeteries

D. Uses Prohibited.

Uses not specifically permitted or uses not permitted on approval as a Special Exception.

E. Conditional and Dimensional Regulations.

1. No more than three (3) out of every ten (10) dwelling buildings in a Mixed Density Residential Development shall be multifamily dwellings.
2. An exclusively multifamily development shall not be permitted In the R-4 Mixed Density Residential Planned Unit Development
3. Submission of a housing need analysis, traffic impact study, school impact study, and infrastructure need analysis together with the Site Plan.

4. A Concept Application and Review are required before submission to the Planning Commission.
5. Approved densities shall be determined in reliance on the growth management policies of the Growth Plan, and on the submission and review of items in compliance with 5.051.4 (E) [3].
6. The planning commission and/or the Mayor and Council are not obligated to grant the maximum density permitted.
7. Minimum Lot Size, Yard Requirements, Lot Coverage:
 - a. As Recommended by the Planning Commission and approved by the Mayor and Council
 - b. R-4 Districts shall reserve not less than thirty (30) percent of the gross acreage as usable common open space.
 - c. Where land is dedicated to the city for public purposes, this land may be included as part of the usable common open space requirement.
 - d. Consult the Ashland City Design Standards, Subdivision Regulations, PUD regulations, and Zoning Book for other requirements.
8. All R-4 projects require an approved, written agreement between the owner/contractor/developer and the Ashland City Council.
9. All R-4 projects are subject to Subdivision Regulations, and RPUD Zoning Regulations where appropriate and not in conflict with R-4 specific regulations.

F. Concept Plan and Rezoning Requests for R-4 Mixed Density Residential Planned Unit Development District

1. Specific information for the District MDR-PUD. In lieu of a preliminary subdivision plat, the applicant shall submit a concept plan concurrently with the rezoning request, which shall be drawn on reproducible material, suitable for making blue line prints, and on one (1) or more sheets as dictated by the types of information required:
 - a. a. Name of the development.
 - b. b. Key map drawn to a scale of one (1) inch equals one thousand (1,000) feet, which shall include streets and corporate limit lines within a one half (0.5) mile radius of the site, and boundaries and number of acres in the drainage basins within which the project will be located.
 - c. Name, address, telephone number, and the signed consent of the owner to the filing of the application. Where the owner is designated as a partnership, corporation, or other business venture, then the names and addresses of all individual parties, officers, directors,

- and/or beneficial owners holding more than a five-(5) percent interest in the project shall be identified.
- d. Names, addresses, and telephone numbers of the applicant and the sub-divider, if different than the owner. Where these are designated as a partnership, corporation, or other business venture, then the names and addresses of all individual parties, officers, directors, and/or beneficial owners holding more than a five-(5) percent interest in the project shall be identified.
 - e. Names and addresses of all property owners adjacent to, or across any streets or rivers from, the property as shown on the most recent tax records, including the map, group, and parcel numbers of all adjacent properties, and boundary lines of all adjacent properties shown with dashed lines.
 - f. North point.
 - g. Drawn to a scale of one (1) inch equals one hundred (100) feet, with the scale indicated on the plan. Any other scale shall be approved by the planning department.
 - h. City, county, and state.
 - i. Date.
 - j. Existing zoning and density.
 - k. Names, addresses, telephone numbers, and seals
 - l. of all professional consultants participating in the development.
 - m. The length of the boundaries of the project measured to the nearest foot and the value of all true bearings and angles Existing and proposed land uses of the site and surrounding properties.
 - n. Proposed common open space and buffer areas.
 - o. Floodway (FW) and Floodway Fringe (FF) boundaries, with elevations referenced to, and showing the exact location of, the nearest benchmark.
 - p. Existing topographical features.
 - q. Locations and widths of all existing and proposed street and alley rights-of-way within or adjacent to the proposed project, including total trip generation projected for the development.
 - r. Existing and proposed land use locations:
 - s. Total acreage of all uses, total acreage of each individual use, and acreage of each individual section.
2. Gross density and the gross density of each individual section.
 3. Net density and the net density of each individual section.
 4. Total number of dwelling units by types and the number of dwelling units by types of each individual section.
 5. Overall floor area ratio and the floor area ratio of each individual nonresidential section or lot.
 6. Total square footage of each nonresidential building.

7. Types, acres, and locations of common open space and amenities.
8. Lot dimensions to the nearest foot, square feet of each lot, and lot numbers.
 - t. A general statement addressing lighting proposed for the development.
 - u. A general statement addressing sign controls proposed for the development.
 - v. Properties within five hundred (500) feet of the site shall be shown with United States Geological Survey contours.
 - w. Topographical map showing existing land contours at two-(2) foot contour intervals, except that, in areas where slopes exceed twenty-five (25) percent, contour intervals may be twenty (20) feet. A reference benchmark shall be clearly designated.
 - x. Existing physical features map, including geological formations or structures; watercourses; water bodies; marshes; existing streets and railroads; existing utility easements; and mineral rights.
 - y. Areas having extensive tree growth, and those portions to be preserved shall be delimited. In areas where trees will be destroyed, all trees four (4) inches in diameter at breast height (DBH), shall be inventoried and plotted on the concept plan; however, for forested land over two (2) acres, sampling methods may be used if approved by the planning department, provided that specimen trees shall be plotted and inventoried. Tree inventories shall identify a tree's caliper, genus, health condition (poor, fair, or good), size, if it is to remain or to be removed, and contact information for the professional who determined the tree's health. Tree preservation and transplantation program, with particular emphasis on mature trees.
 - z. Soils map, based upon data from the United States Soil Conservation Service, or other acceptable standards.
 - aa. Street classification of each street within or adjacent to the development in accordance with intended use based on design, such as local, collector, or arterial, which shall be shown within parentheses next to the existing and proposed street names.
 - bb. Existing structures and buildings, including the exact locations, dimensions, dates of construction, and architectural styles of historical structures and sites, original accesses to historical structures and sites, and proposed plans for all structures, buildings, and sites.
 - cc. A general statement indicating the substance of restrictive covenants, grants of easements, or other restrictions imposed, or to be imposed, upon the uses of the land, buildings, and structures in the development, including proposed easements for utilities and greenbelts.
 - dd. Water and sewer facilities.
10. Existing facilities:
 - a. Utility district jurisdiction.

- b. Utility district capacity, by gallons per day. Gallons-per-minute flow with static and residual pressures at the nearest fire hydrant.
11. Proposed facilities:
 - c. Demand in gallons per day.
 - d. General statement regarding projected facilities needs.
 - e. Driving distance to the nearest fire and police facilities.
12. A statement describing the probable impact of the rezoning on the following:
 - a. Water facilities.
 - b. Sewer facilities.
 - c. Streets as shown on the major thoroughfare plan.
13. Downstream stormwater infrastructure and stormwater runoff quality and quantity as required by the Stormwater Management Ordinance or Designated Stormwater Authority.
14. Police, fire, and recreational facilities.
15. Projected student population increase necessitated by development of the site; if no on-site schools are proposed, then the driving distance to the nearest schools, by type and classroom availability. A statement verifying these figures and confirming the availability of existing facilities shall be obtained from the appropriate school superintendents.
16. A general statement addressing refuse storage and sanitation collection facilities proposed for the development.
17. Proposed grading showing vertical intervals at two (2) feet, except that, in areas where existing slopes exceed ten (10) percent, contour intervals shall be ten (10) feet.
18. The applicant shall provide any additional information, as determined by the planning department, necessary to obtain a review by the planning commission and the board of mayor and council.

If the rezoning is disapproved, then the concept plan is void. A concept review and/or rezoning request for any R-4 Mixed Density Residential Planned Unit Development shall provide a development book that includes, but is not limited to, illustrations of elevations and floor plans for dwelling units, nonresidential buildings, and amenities structures, building materials, square footages of structures, street lighting details, and typical streetscapes.

G. Review Process – Action by the Planning Commission and the Board of Mayor and Aldermen:

The planning commission shall recommend approval, approval with conditions, or disapproval of a R-4 Mixed Density Residential Planned Unit Development Project to the board of mayor and Council, which may approve, approve with conditions, or disapprove the project.

Conditional approval may include, but not be limited to, visual and acoustical screening, land use mixes, order of construction, vehicular and pedestrian traffic circulation systems, availability and reservation of sites for public services including fire protection facilities, educational and cultural institutions, protection of natural resources and sites, off-site improvements, infrastructure needs, design standards and materials, and other conditions for which provision should be made.