

ORDINANCE NO. 01-01

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF SPRING HILL, TENNESSEE, WITH REGARD TO CHANGES TO THE R-4, RESIDENTIAL (HIGH DENSITY), AS WELL AS ADDING ANOTHER RESIDENTIAL ZONE AS R-5, RESIDENTIAL (APARTMENTS)

Whereas, the Board of Mayor and Aldermen for the City of Spring Hill may, pursuant to its charter and general laws of the State of Tennessee, enact and amend zoning ordinance regulations in accordance with a comprehensive plan for the purpose of promoting the public health, safety, morals, convenience, order, prosperity, and general welfare of the community.

BE IT THEREFORE ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF SPRING HILL, TENNESSEE:

Section 1: That the following Subsections of Article VI, PROVISIONS GOVERNING RESIDENTIAL DISTRICTS, Section 5, (R-4) Residential (High Density), of the Zoning Ordinance of the Town of Spring Hill, Tennessee, is hereby amended by changing the language of Subsection 5.1(2) to read as follows:

Group housing, excluding apartments, in accordance with Subsection 5.8 of this Article.

Section 2: That the following be added to Article VI, PROVISIONS GOVERNING RESIDENTIAL DISTRICTS:

Section 6. R-5 Residential (Apartments).

Intent: To accommodate apartment developments in relation to land area at locations where large volumes of traffic can be safely handled, and where public schools, water, sewerage, and other community facilities and commercial services are readily available.

Within the R-5 Residential Districts, as shown on the municipal zoning map, the following shall apply:

6.1 Uses Permitted.

6.1(1) Apartments, in accordance with Subsection 6.8 of this Article.

6.2 Uses Permitted on Appeal.

6.2(1) Uses or structures permitted on appeal in R-1, Residential Districts.

6.3 Uses Prohibited.

6.3(1) Uses not specifically permitted, permitted on appeal, or permitted by implication are prohibited.

6.4 Lot Area, Lot Width, Yards and Building Area.

The principal structure or structures shall be located to comply with the following requirements:

6.4(1) Lot Area, Lot Width, and Building Area.

Minimum lot area for four-unit apartment 19,000 sq. ft.
Minimum lot area for each additional dwelling unit, after first four (4) and not to exceed eighteen (18) units 2,400 sq. ft.
Minimum lot width at building line 75 feet
Minimum rear yard 25 feet
Minimum side yard:
For one or two-story buildings 10 feet
Plus an additional five (5) feet for each additional story

6.4(2) Front Yards.

All principal and accessory structures shall be set back from the right-of-way lines of streets the minimum distance shown below, according to their classifications as indicated on the latest official municipal thoroughfare plan.

Arterial Street 50 feet
Collector Streets 40 feet
Minor Streets 30 feet

6.4(3) Building Area.

On any lot or tract containing an apartment structures or structures, the area occupied by all structures, including accessory structures, shall not exceed fifty percent (50%) of the total area. On any other lot, the total building area shall not exceed thirty-five percent (35%). Accessory structures shall not cover ore than thirty percent (30%) of any required rear yard.

6.5 Height.

Principal structures shall not exceed three (3) stories, thirty-five (35) feet in height.

6.6 Location of Accessory Structures.

6.6(1) With the exception of signs, accessory structures shall not be erected in any required front or side yard.

6.6(2) Accessory structures shall be located at least five (5) feet from rear lot lines and from any building on the same lot.

6.7 Limitations on Signs.

As for R-1, Residential (Low Density), except group and cluster housing, one Class "B" sign shall be allowed.

6.8 Procedure for Submission and Review.

The provisions of this section shall apply to properties, which are proposed for location upon a site for which a change in the zoning classification is proposed in order to allow such use. Where a change in the zoning classification is required to permit such use, the procedure set forth in this Section shall apply.

6.8(2) Preliminary Site Development Plan.

The provisions of this section shall apply to all requests for reclassifications of property where the intended use is multi-family housing.

6.8(2.1) Information Required.

(a) General Location Sketch Map at a scale not smaller than 1' = 200', showing:

- The approximate boundaries of the site.
- External (public) access streets or roads in relation to the site
- Surrounding development (i.e., general residential, commercial, and industrial areas) within the general vicinity of the site.
- Any public water and sewer systems in relation to site.

(b) Site Plan drawn to a scale no smaller than 1" = 200', showing:

- The proposed ground coverage floor area and building heights.
- The location and dimensions of proposed internal streets, structures, off-street parking spaces and amenity facilities (i.e., pools, tennis courts, etc.).
- The location of proposed drainage ways and a general concept for storm water management.

6.8(2.2) Planning Commission Recommendation.

Ten (10) copies of the proposal containing the information required above shall be submitted to the Spring Hill Regional Planning Commission for recommendation. The Planning Commission may:

- (a) Recommend approval of the plan as submitted.
- (b) Recommend disapproval of the plan.

- (c) Recommend approval of the plan with conditions or recommendations for alterations.

6.8(2.3) Action by City Council.

After review and recommendation by the Planning Commission, the applicant may proceed to the City Council with the proposal. At the meeting of the council where the proposal is presented, the site development plan, along with the action recommended by the Planning Commission shall be presented for review. The City Council may approve or disapprove the proposal, or in an instance where the Planning Commission has recommended approval with conditions or recommendations for alterations, the Council may establish specific conditions within the purview of this ordinance for approval. Upon action by the City Council approving the plan and the proposed change in zoning classification, the applicant may proceed to prepare and present to the Planning Commission a final site development plan as set forth in Section 6.8(3) (below).

6.8(3) Final Site Development Plan.

6.8(3.1) Information Required.

As regulated in ARTICLE IV, Section 8.

6.8(3.2) Review Procedure.

Ten (10) copies of the proposal containing the information required above shall be submitted to the Spring Hill Regional Planning Commission for consideration. The Planning Commission may, upon a finding of substantial compliance (as set forth in Section 6.8(3.3):

- (a) Approve the plan as submitted.
- (b) Disapprove the plan.
- (c) Approve the plan with modifications. In any instance where a plan is approved with modifications, the issuance of a use and occupancy permit shall be conditioned upon compliance with these modifications.

6.8(3.3) Determination of Substantial Compliance.

The final site development plan shall be deemed in substantial compliance with the preliminary site development plan, provided modifications by the applicant do not involve changes which in aggregate:

- (a) Violate any provisions of this ordinance;
- (b) Involve any increase in the number of dwelling units shown on the preliminary development plan;
- (c) Involve a reduction of more than five percent (5%) of the

area shown on the preliminary development plan as reserved for open space, including parking areas;

- (d) Increase the floor area proposed in the preliminary development plan by more than five percent (5%).

6.8(4) Required Development Standards.

The following shall apply:

6.8(4.1) Location.

- (a) The site shall comprise a single lot or tract of land, except where divided by public streets.
- (b) The site shall abut a public street.

6.8(4.2) Density and Dimension.

- (a) The average number for dwelling units per acre of buildable land, not including streets, shall not exceed eighteen (18). Maximum buildable acreage shall consist of seventy-five percent (75%) of the total residentially zoned acreage available.
- (b) All yard requirements as established for the R-5, Residential (Apartments), districts are applicable.

6.8(4.3) Design.

- (a) The maximum grade on any drive shall be seven percent (7%) unless an alteration is specifically approved by the city engineer.
- (b) Where feasible, all drive intersections shall be at right angles.

6.8(4.4) Public Street Access.

- (a) The minimum distance between access points along public street frontage, center line to center line, shall be two hundred (200) feet.
- (b) The minimum distance between the center line of an access point and the nearest curb line or street line of a public street intersection shall be one hundred (100) feet.

6.8(4.5) Required Improvements.

- (a) Internal Drives.

Specifications for drives in apartment developments shall be the same as the roadway specifications contained in the Spring Hill Subdivision Regulations to which reference is hereby made and incorporated herein by reference.

(b) Utilities.

The development shall be served with utility systems as deemed necessary by the appropriate City Department.

(c) Storage of Waste.

Any central refuse disposal area shall be maintained in such manner as to meet City health requirements, and shall be screened from view.

(d) Service Building.

Service buildings housing laundry, sanitary, or other facilities for use by occupants shall be permanent structures complying with all applicable codes.

6.8(5) Time Limits Upon Approval.

If no "actual construction" has begun in the development within three (3) years from the date of approval of the final site development plan, said approval of the final site development plan shall lapse and be of no further effect. The Planning Commission, upon showing of good cause by the applicant, may extend for periods of twelve (12) months, the time for beginning construction.

6.8(6) Minor Changes to an Approved Site Development Plan.

Minor modifications in the terms and conditions of the approved site development plan may be made from time to time as provided herein. Any proposed modification, which is not permitted under these provisions, may be approved only as an amendment to the approved site development plan.

6.8(6.1) Minor Modifications During Construction.

The building inspector may upon recommendation of the city engineer approve minor modifications in the location, siting, and configuration of buildings and structures if required by engineering or other circumstances not foreseen at the time the site development plan was approved so long as:

- (a) No modification violates any provision of this ordinance.
- (b) No modification involves:
 - (1) Any change in the uses permitted;
 - (2) Any increase in the number of dwelling units approved;
 - (3) Any increase in building height (except minor modifications in

non-occupied portions of the building);

- (4) Any decrease in the number of parking spaces approved;
- (5) Any significant alteration in the approved storm water drainage system;
- (6) Any significant reduction in any required screening area of planting plan; and
- (7) Any reduction of a required vision clearance area.

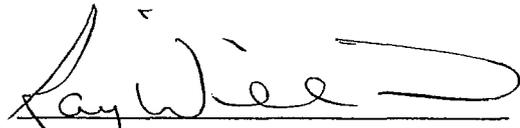
6.8(6.2)

Violations.

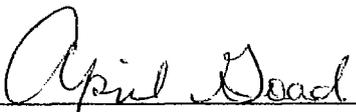
Any modification which exceeds the minor changes authorized herein shall be a violation of this Ordinance and punishable as provided in Article XII.

BE IT ENACTED that this ordinance shall take effect from and after its adoption, the public welfare requiring it.

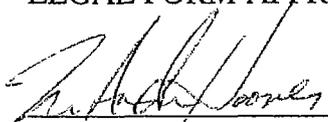
Passed and adopted by the Board of Mayor and Aldermen of the City of Spring Hill, Tennessee on the 20th day of FEBRUARY, 2001.


RAY WILLIAMS, MAYOR

ATTEST:


APRIL GOAD, CITY RECORDER

LEGAL FORM APPROVED


M. ANDREW HOOVER, CITY ATTORNEY

Passed on 1st Reading: 1-16-2001
Passed on 2nd Reading: 2-20-2001