

ORDINANCE NO. 02-39

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF
SPRING HILL, TENNESSEE**

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.

WHEREAS, the Spring Hill Planning Commission has recommended to the Board of Mayor and Aldermen that the Zoning Ordinance of the City of Spring Hill, Tennessee, be amended as hereafter described;

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

**THAT Article X, Section 3, is hereby amended and replaced in its entirety
by the following sections;**

Section 3. Residential Planned Unit Development.

3.1 Purposes and Intent of a Residential Planned Unit Development

A residential planned unit development shall only be allowed in the R-2, Residential (Medium Density) District. A residential planned unit development is designed to accomplish the following:

- 3.1(1) To encourage variety, flexibility and innovation in land development and land use for basically residential areas which are consistent with the overall goals and objectives of the long-range general plan.
- 3.1(2) To provide a harmonious blending with the surrounding development, minimizing such negative influences as land use conflicts, heavy traffic congestion and excessive demands on existing or proposed public facilities.
- 3.1(3) To provide for increased safety, amenity and livability through improved design.
- 3.1(4) To provide open space.

3.1(5) To provide for the best use of the site consistent with the goals of protecting and enhancing the natural environment.

3.2 General Standards Governing Project Approval.

The Planning Commission shall consider the proposed planned unit development from the point of view of the standards and purposes of the regulation governing the residential planned unit development so as to achieve a maximum of coordination between the proposed development and the surrounding uses; the conservation of woodland and the protection of water courses from erosion and siltation; and a maximum of safety, convenience and amenity for the residents of the development. To these ends, the Planning Commission shall consider the location of buildings, parking areas and other features, such as streams and trees; the efficiency, adequacy and location of green areas provided; the adequacy, location, and screening of the parking areas; and such other matters as the Planning Commission may find to have a material bearing upon the stated standards and objectives of these regulations.

3.3 Activities Permitted Within Residential Planned Unit Development.

Single-detached dwellings shall be allowed in a residential planned unit development. The planning Commission may consider a proposed residential planned unit development with alternative types of dwellings. If attached dwellings are proposed within a residential planned unit development, then no more than twenty-five (25) percent of any remaining net development area for the site shall be allowed for such dwellings. The area within the residential planned unit development consisting of any attached dwellings shall be separated from single-detached dwellings by open space. The types of attached dwellings that shall be allowed in residential planned unit development are townhouses, triplex dwellings, quadruplex dwellings and zero-lot line dwellings.

3.4 Minimum Size of Residential Planned Unit Developments.

A residential planned unit development shall not contain less than five (5) acres.

3.5 Density Permitted.

The maximum number of dwelling units permitted shall be calculated as follows:

3.5(1) From the gross residentially zoned site shall be subtracted:

3.5(1.1) All land to be utilized as public street right-of-way.

3.5(1.2) Any portion of the site lying within a Floodway District.

- 3.5(2) The remaining net development area is then multiplied by a factor of not more than twelve (12) dwelling units per net acre. Any fractions of .5 or greater will be rounded to the next whole number.
- 3.5(3) The maximum allowable density shall be 3.5 dwelling units /acre for single family detached structures. Developments which include multi-family dwelling units and attached structures shall be evaluated on a per case basis by the planning commission.

3.6 Open Space Requirements

Within any development approved under the provisions of this section, a minimum of 15% of the total land area shall be designated as open space. At a minimum open space shall be provided which is adequate to:

- (a) Buffer both internal and external objectionable or conflicting characteristics associated with such uses.
- (b) Assure adequate space light and air, along with visual and acoustical privacy.
- (c) Assure reasonable protection of surrounding uses from possible negative effects resulting from a greater density or intensity of use which may be permitted within any planned unit development district.
- (d) Assure adequate protection from fire and adequate spacing of buildings.

3.6(1) Ownership of Open Space.

Any open space located within a residential planned unit development shall be under the direct and continuing control of:

3.6(1.1) An individual, or

3.6(1.2) A maintenance association created to hold and maintain such property.

3.6(2) Use of Open Space.

Open space shall be incorporated in a planned unit development, the purpose of which to provide recreation (active and passive) and aesthetic screening features as required due to higher developed densities. All open space shown on a development plan of any residential planned unit development shall be indicated as to its intended use. Detention ponds and open drainage channels shall

not constitute open space. In this regard, such property shall be designated as:

3.6(2.1) Shared general public use area.

3.6(2.2) Shared limited use area.

3.6(2.3) Private use area.

Private or shared limited use areas shall generally be provided as required herein for all dwelling units located within a residential planned unit development. Such areas shall be designed so as to assure privacy and control of access by and for the exclusive use of the intended residents. In any instance where an alternative to this provision is recommended, the Planning Commission shall make a specific finding (and enter its finding into its recommendation to the Board of Mayor and Aldermen) that an equal or greater measure of controlled use outdoor living area is to be provided.

3.7 Lot Size and Coverage.

Single-detached dwellings may exceed the minimum lot size and maximum lot coverage provisions established for an R-2, Residential (Medium Density) District. However, in no instance shall the aggregate density of all dwelling units and site coverage of all dwelling units exceed the density and coverage provisions established for an R-2, Residential (Medium Density) District.

In a residential planned unit development where townhouses, triplex dwellings, quadruplex dwellings and zero-lot line dwellings are allowed, each dwelling unit shall on its own lot have one (1) yard containing not less than seven hundred and fifty (750) square feet. This yard shall be reasonably secluded from view from streets and from neighboring property and shall not be used for off-street parking or for accessory buildings.

3.8 Access Requirement.

Every dwelling shall be located on a lot adjacent to a public street, or with access to a private street approved for said lot. All structures shall be so located on lots as to provide safe and convenient access for servicing, fire protection, and required off-street parking.

3.9 Setback Requirement.

For all structures located within the internal portion of the site, the following setbacks shall apply:

Minimum distance between structures and Street right-of-way line20 feet

Minimum spacing between structures.....15 feet

Minimum distance between structures and rear lot lines.....30 feet

In addition to the provisions set forth above, for structures or portions of any lots located along the periphery of the site, the setback provisions established for the district located adjacent to a residential planned unit development shall apply.

3.10 Pedestrian Circulation.

The pedestrian circulation system and its related walkways shall be insulated as completely as possible from the street system in order to provide separation of pedestrian and vehicular movements. This may include, where deemed necessary by the Planning Commission, pedestrian underpasses and overpasses in the vicinity of schools, playgrounds, local shopping areas and other neighborhood uses which generate a considerable amount of pedestrian traffic.

3.12 Height Restrictions.

In general, the height restrictions applicable within an R-2, Residential (Medium Density) District shall apply to all uses permitted within a residential planned unit development. However, the Planning Commission may act to restrict height in any instance where visual privacy of adjoining property may be threatened as a result of height variation along the periphery of an residential planned unit development. All structures exceeding thirty-five (35) feet in height are subject to specific approval by the City Fire Department and the Building Official.

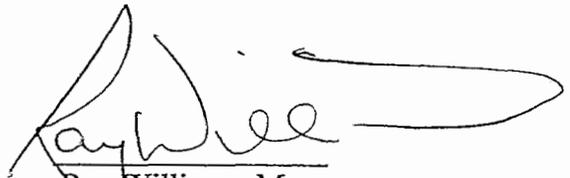
3.13 Parking Requirements.

Two (2) parking spaces for every dwelling unit shall be required. If additional parking spaces are also required, they shall be grouped in off-site, off-street areas. The maximum number of parking spaces allowed for these parking areas shall be six (6) spaces per area. The location of these parking areas shall be determined by The Planning Commission at the preliminary phase.

BE IT FURTHER ENACTED, that all ordinances or parts of ordinances in conflict herewith, be and the same hereby, are repealed or modified as the case may be.

BE IT FURTHER ENACTED, that this Ordinance shall take effect from and after it adoption the public welfare requirements.

Passed and adopted by the Board of Mayor and Aldermen of the City of Spring Hill, Tennessee on the 16th day of December, 2002.

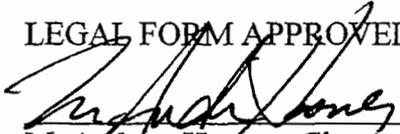

Ray Williams, Mayor

ATTEST:



April Goad, City Recorder

LEGAL FORM APPROVED:



M. Andrew Hoover, City Attorney

Passed on 1st Reading 11 - 18 - 02

Passed on 2nd Reading 12 - 16 - 02