

HICKMAN COUNTY, TENNESSEE

RESOLUTION NO. 09 – 08

ADDING SECTION 3.200 OF THE HICKMAN COUNTY ZONING RESOLUTION, “DEVELOPMENT STANDARDS FOR MULTI-FAMILY DWELLINGS”

WHEREAS, on July 18, 2005, the Board of County Commissioners of Hickman County adopted Resolution No. 05-32 enacting a “Land Use Plan” for the unincorporated areas of the county; and

WHEREAS, said resolution consists of a document titled “Final Draft No. 2-05, Zoning Resolution for Hickman County, Tennessee” (Zoning Resolution); and

WHEREAS, the original document contained no provisions for the development and construction of multi-family dwellings; and

WHEREAS, the Hickman County Regional Planning Commission, at their meeting of January 8, 2009, voted to recommend the addition of Article III, Section 3.200, subsection 3.201 thru 3.203; and

WHEREAS, the Board of County Commissioners is desirous of adding Article III, Section 3.200, “Development Standards for Multi-family Dwellings”;

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Hickman County, Tennessee, assembled in regular session this 23rd day of March 2009, that:

SECTION 1: Article III, Section 3.200, “Development of Multi-Family Dwellings” is hereby added to the Hickman County, Tennessee, Zoning Resolution.

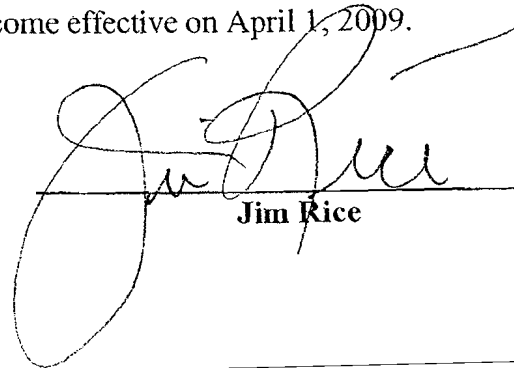
SECTION 2: The responsibility for reviewing the final development plan and to resolve issues relating to the legality, location and the appropriateness of the plan rest with the Hickman County Regional Planning Commission.

SECTION 3: This added section will become effective on April 1, 2009.

SPONSORS:



Danny Clark



Jim Rice


BOARD ACTION: _____ Aye _____ Nay _____ Pass _____ Absent

ADOPTED:

ATTEST:

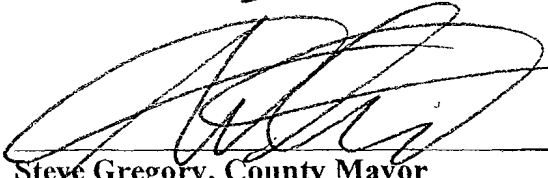


Mark McFarlin, Chairman



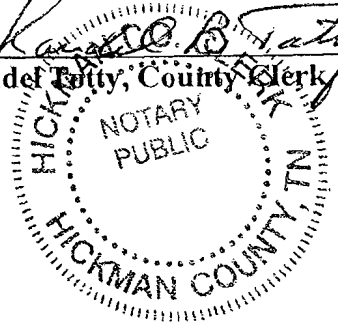
Randel Totty, County Clerk

APPROVED/~~DISAPPROVED~~:



Steve Gregory, County Mayor

DATE: 3-24-09



3.200 DEVELOPMENT STANDARDS FOR MULTI-FAMILY DWELLINGS

The provisions set forth herein are intended to provide design criteria for multi-family dwellings located on a single zone lot or tract that abuts a public street. Specifically, these provisions are intended to provide regulations controlling the spacing, internal orientation, etc., of multiple buildings located on a single site. It is the express purpose of these provisions to establish design criteria and to provide for the implementation of these provisions by Planning Commission review of the site plan required for all such developments by Section 2.080.

3.201 Development Standards

1. General Standards

It is the intent that multi-family dwellings where they are permitted:

- a. May be appropriately intermingled with other types of housing, within the same development;
- b. Shall not contain more than twelve (12) dwelling units per floor on a single unbroken frontage; and
- c. Shall constitute groupings making efficient economical, comfortable, and convenient use of land and open space, and serving the public purposes of zoning by means alternative to conventional arrangements of yards and buildable areas.
- d. Shall provide a landscaped buffer of at least twenty-five feet adjacent to any single-family residential development. If deemed to be needed by the Planning Commission and/or the Board of Zoning Appeals a six (6) to eight (8) foot fence adjacent to the single family residential development can be required.

2. Detailed Standards

- a. Each dwelling unit shall be provided with reasonable visual and acoustical privacy. Fences, walks, and landscaping shall be provided for the protection and aesthetic enhancement of the development and privacy of the occupants, screening of objectionable views or uses and the reduction of noise. A minimum of thirty (30) feet shall be maintained between buildings.
- b. Street sidewalks and on-site walks shall be provided for convenient and safe access to all living units from streets, driveways, parking courts, or garages and for convenient circulation and access to all facilities.
- c. The appearance and character of the site shall be preserved and enhanced by retaining and protecting existing trees and other site features; and additional new plant material shall be

- b. Off-street parking may be grouped in bays, either adjacent to streets or in the interior of blocks. Such parking areas shall generally be located in close proximity to the dwelling units they are designed to serve. At least two (2) parking spaces per dwelling unit shall be located so as to provide a maximum walking distance of two hundred (200) feet from the nearest entrance of the dwelling unit the space is to serve. Where appropriate, common driveways, parking areas, walks and steps shall be maintained and lighted for night use. Screening of parking and service areas shall be encouraged through ample use of trees, shrubs, hedges and screening walls.
- c. Parking areas are required to be lighted in such a manner as direct the lighting away from adjacent residential developments.

3.203 Open Space Requirements

Any common open space established within a multi-family dwelling development shall be subject to the following:

1. Quality Use and Improvement of Common Open Space

- a. Common open space must be for amenity or recreational purposes. The uses authorized for common open space must be appropriate to the scale and character of the development considering its size, density, expected population, topography and other factors.
- b. No common open space may be put to any use not specified on the approved final development plan, unless such amendment has been approved by the Planning Commission. However, no change authorized may be considered as a waiver of any of the covenants limiting the use of common open space areas, and all rights to enforce the covenants is expressly reserved.
- c. Common open space may consist of either improved or unimproved land. In this regard the approving agency may determine that all or part of stream areas, bodies of water and slopes in excess of fifteen (15) percent may be included in common open space. In making this determination, the approving agency shall be guided by the extent of these areas in relation to the development and the degree to which these areas contribute to the quality, livability, and amenity of the development.

2. Maintenance of Open Space

In an instance where common open space is to be deeded to a maintenance organization, the developer shall file a declaration of covenants and restrictions that will govern the association. This document is to be submitted with the application for final approval

of the planned development plan. The provisions shall be included but not limited to the following:

- a. The maintenance organization must be established and operational before any unit is sold.
- b. Membership must be mandatory for each unit and must run with the land so that any successive purchaser will automatically become a member.
- c. The restrictions covering the use, etc., of the open space must be permanent; not just for a period of years.
- d. The association(s) must be responsible for liability insurance, local taxes and the maintenance of all facilities and lands deeded to it.
- e. Homeowners must pay their pro rata share of the cost assessed by the maintenance association; said assessment by the association can become a lien on the homeowner's property for failure to pay.
- f. The association must be able to adjust the assessment of fees to meet changing needs.

3. Conveyance of Common Open Space

All land shown on the final development plan as common open space must be conveyed under one of the following options:

- a. It may be conveyed to a public agency which will agree to maintain the common open space and any buildings, structures, or improvements which have been placed on it.
- b. It may be conveyed to trustees provided in an indenture establishing an association, funded trust, or similar organization.

The common open space must be conveyed to the trustees subject to covenants to be approved by the Planning Commission which restrict the common open space to the uses specified on the final development plan, and which provide for the maintenance of the common open space in a manner which assures its continuing use for its intended purposes.

CONTINUED:

Also to be amended in 4.042. A-2, Suburban Residential District.

E. Dimensional Regulations---#4, last paragraph to read:

On lots or parcels of land where multiple-family dwellings are constructed, the minimum lot size shall be 3 acres with a land area per dwelling unit of 5,000 sq. ft. Public Sewer or STATE APPROVED PACKAGE SEWER SYSTEM is required for multiple-family dwelling developments.

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