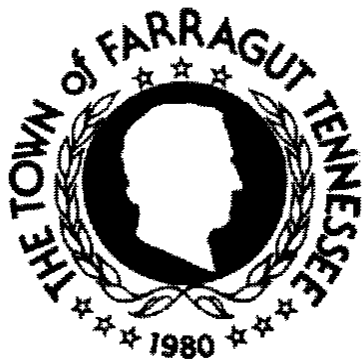


TOWN OF FARRAGUT



DEVELOPMENT PROCEDURES MANUAL

1998

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**APPLICATION PROCEDURES
FOR
THE CONCEPT PLAN
[FOR PROPERTY SUBDIVISION]**

I. PURPOSE

The purpose of the concept plan is to provide for a review of the significant physical features of a property proposed for subdivision so that an early general agreement on the comprehensive development of the entire property, particularly transportation and open space networks and their connections with adjoining properties and the immediate area, can be secured and the final design can take into consideration and capitalize on those features identified.

II APPLICATION AND APPROVAL PROCESS

The concept plan application must be submitted at least thirty one (31) days prior to the planning commission meeting at which it is to be considered. The subdivider must submit four (4) full-sized copies and one 8 ½ x 11 inch reduced copy of the concept plan. The plan should be prepared by a professional team that includes a Tennessee licensed engineer, a Tennessee registered land surveyor, a Tennessee licensed landscape architect, and/or a physical planner with a comparable background and experience. At a minimum, the plan shall require the seal of at least one (1) of the above listed professionals.

The filing of the concept plan with the staff shall not constitute “submission” of the concept plan for consideration by the planning commission. When the planning commission itself determines that it has sufficient information upon which to base its decision with respect to a particular matter, the matter will at that time be deemed “submitted” to the planning commission.

This summary and outline presented here is intended as a general guide and does not represent an inclusive set of details or requirements. Applicants should review detailed requirements as set forth in the Farragut Subdivision Regulations.

APPLICATION PROCEDURES FOR SITE PLAN APPROVAL

I. PURPOSE

In an effort to provide public notice and to allow for public input, the Town requires site plans for all new developments or redevelopments of commercial, office, public, semi-public, recreation, and other non-single family residential uses to be reviewed by the Farragut Municipal Planning Commission (FMPC).

II. APPLICATION AND APPROVAL PROCESS

Site plans must be submitted on or before the Monday, 31 days prior to the FMPC meeting. The FMPC meets the 3rd Thursday of each month at 7:00 pm. A complete site plan application packet includes five (5) complete sets of plans (24" x 36"), one reduced set of plans (8 1/2" x 11"), a completed application form, and an application fee. A Traffic Impact Study must also be submitted.

A site plan and a landscape plan must be approved before a grading permit or building permit will be issued. The landscape plan must be approved in conjunction with the site plan.

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APPLICATION PROCEDURES FOR THE SUBDIVISION OF PROPERTY

I. WHAT IS A SUBDIVISION?

A subdivision represents the division of a tract or parcel of land into two or more lots, sites or divisions for the purpose, whether immediate or future, of sale or building development and includes the resubdivision of land or the area subdivided. A subdivision also includes the combining of one or more lots into one parcel. Any subdivider of land within the Town of Farragut must submit a subdivision plat to the Farragut Municipal Planning Commission (FMPC). Such application is typically a two-step process:

- A. Filing a preliminary plat, which upon approval allows the commencement of site preparation activities (i.e., grading, installation of utilities, roads) and having successfully completed such improvements; and
- B. A final plat must be filed, which upon approval allows individual lots to be sold and/or building construction to begin.

Certain scenarios may constitute a “minor subdivision” (i.e., one lot into two, two lots into one, or a movement of an interior lot line) and may simply require a final plat as opposed to both a preliminary and a final plat. Such “minor subdivision” plats may not require FMPC approval and may be reviewed by staff and signed by the secretary of the planning commission.

II. APPLICATION AND APPROVAL PROCESS

Subdivision requests that are presented to the FMPC must be submitted on or before the Monday, 31 days prior to the FMPC meeting. The FMPC meets on the 3rd Thursday of each month at 7:00 pm. The FMPC may request additional discussion if the information presented is incomplete or inadequate.

A grading permit will not be issued until the preliminary plat has been approved and all fees have been paid and irrevocable letters of credit have been posted.

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**APPLICATION PROCEDURES
FOR
REZONING PROPERTY
AND
ZONING ORDINANCE TEXT AMENDMENTS**

I. REZONING OF PROPERTY

A property owner, or a designated agent of the owner, may request a rezoning of a parcel of land. A rezoning request is a two level process:

- A. The request is first presented to the Farragut Municipal Planning Commission (FMPC) which reviews all rezoning requests.
- B. The recommendation made by the FMPC is forwarded to the Farragut Board of Mayor and Aldermen (BMA). The BMA has final authority in approving or denying all rezoning requests. The BMA must consider the request on first and second reading.

The rezoning application must accompany a map/survey of the property. Applications must be submitted on or before the Monday, 31 days prior to the FMPC meeting. The FMPC meets the 3rd Thursday of each month at 7:00 pm.

The entire process takes approximately 3 ½ months.

II. AMENDMENTS TO THE ZONING ORDINANCE TEXT

An amendment to the text of the Farragut Zoning Ordinance may be requested by residents or people doing business within the Town. Like the rezoning of property, such requests are a two level process involving both the FMPC and the BMA.

The FMPC reviews all such requests at a regular meeting. The FMPC may discuss the request at several meetings in order to fine tune the new wording. The FMPC's recommendation is forwarded to the BMA. The BMA must consider such revision on first and second reading. If approved at a second reading, the amendment becomes effective pending publication in a local newspaper.

The application must be submitted on or before the Monday, 31 days prior to the FMPC meeting. The FMPC meets the 3rd Thursday of each month at 7:00 pm.

The entire amendment process usually takes about 3 ½ months.

APPLICATION PROCEDURES FOR LANDSCAPE PLAN APPROVAL

I. PURPOSE

The intent of these landscaping requirements is to foster the Town's attractiveness as a place in which to live and work, to raise the level of citizen expectations about the quality of the community's visual environment, to promote qualities in the environment that improve the Town's economic well-being, and to promote the preservation of existing mature vegetation.

Landscape plans are required for all commercial, office, public, semi-public, multi-family residential developments, residential recreation areas, and any development where buffering is required and/or new or expanded above-ground storm water detention or retention basins are being constructed.

II. APPLICATION AND APPROVAL PROCESS

- A. Landscape plans must be submitted on or before the Monday, 15 days prior to the Visual Resources Review Board (VRRB) meeting. The VRRB meets at 7:00 pm on the 4th Tuesday of each month with the exception of November and December when the meeting could be held on an alternate week in the month due to the holidays. With the exception of plans prepared for ground-mounted signs, all other landscape plans must be prepared by professionals noted in the Landscaping Requirements found in the Farragut Zoning Ordinance and, where applicable, the Tree Protection Ordinance found in the Farragut Municipal Code.
- B. An irrevocable letter of credit (LOC) for the completion of all landscaping may be placed by the developer or appropriate party with the Town for a period of not more than one (1) year. This completion related irrevocable LOC would only apply if a Certificate of Occupancy or final plat is needed and it is clearly not an appropriate time of year for planting.
- C. A maintenance/replacement irrevocable LOC in an amount equal to at least 110% of the projected cost of the landscaping of the approved Landscape Plan shall be placed by the developer or appropriate party with the Town for a period of not less than two (2) years. Upon expiration of any applicable landscape irrevocable LOC, property owner's shall remain responsible for maintaining plantings in a healthy and orderly manner.

*** The summary and outline presented here are intended for general guidance and do not represent an inclusive set of details or requirements. An applicant should review the detailed requirements as set forth in the Farragut Zoning Ordinance and, where

applicable, the Farragut Municipal Code.

**APPLICATION PROCEDURES
FOR
SIGN PERMITS**

I. PURPOSE

It is the intent of the Sign Ordinance to interpret and apply assistance in the economic development of the Town, but without lessening a quality of life which the citizens of Farragut strive to maintain and improve to the extent possible through the administration of these regulations. All signs will be regulated so as to provide for the public safety, area development, preservation of property values, and the general welfare of the town.

II. APPLICATION AND APPROVAL PROCESS

Unless otherwise provided by this ordinance, permits are required for all types of signs. It shall be unlawful for any person, agency, firm, or corporation to erect, structurally repair (other than normal maintenance), replace, alter, relocate, change the panels of, change the establishment being advertised on a sign, as defined in this ordinance, without first obtaining a permit to do so from the Town.

- A. Applicants shall submit a separate sign application for each new or replacement sign, along with the required fee. An additional penalty fee will be required if work is commenced prior to receiving a permit;
- B. Wall Mounted signs will be reviewed by the sign administrator within fifteen (15) days of submittal. Two (2) complete sets of plans which include a dimensioned schematic drawing of the building showing the proposed sign location, the businesses located on either side, the width of the building wall or lease space upon which the sign is to be mounted, and a dimensioned drawing of the sign, must be submitted with the application and fee;
- C. All ground-mounted sign applications will be reviewed by the Visual Resources Review Board (VRRB). The VRRB meets at 7:00 pm on the 4th Tuesday of each month and applications must be submitted on or before the Monday, 15 days prior to the meeting. Two (2) complete sets of plans which include a dimensioned site plan of the parcel showing the proposed sign location, a proposed landscaping plan for the sign base, a detail of the sign lighting, and a dimensioned drawing of the sign showing the height and length need to accompany the application and fee; and
- D. A sign permit shall become null and void if erection is not commenced or work is suspended/abandoned within one hundred and eighty (180) days of issuance. A new permit will be required in order to commence work or if any changes are made in the original plans. After a permit expires, a partially completed sign

structure must be removed within thirty (30) days if no new permit is issued.

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**APPLICATION PROCEDURES
FOR**

STREET CLOSURE OR ACCEPTANCE

I. STREET CLOSURE

Any citizen, property owner, or group of citizens of Farragut wishing to have a road closed or terminated may petition the Board of Mayor and Aldermen requesting such road closure/termination. The petition must be accompanied with a sketch map indicating the desired location of the closure or termination and must conform to the specifications of the Farragut Municipal Code. The BMA will refer the request to the FMPC for evaluation and a recommendation.

The town staff will evaluate the closure/termination according to specifications in the Farragut Municipal Code. The staff will present this report to the FMPC first in a workshop setting. The commission will vote on its recommendation to the BMA at a subsequent regular meeting. The commission's recommendation will be in a resolution, along with information supplied in the staff report.

The FMPC must provide its resolution to the BMA regarding its recommendation on road closure/termination within 90 days of the request by the BMA. The BMA will then conduct a public hearing and determine its decision.

II. STREET ACCEPTANCE

A. Acceptance of newly constructed roads

When road construction is completed and the irrevocable letter of credit covering the 2-year maintenance has expired, the Town Engineer will make a final inspection and provide his/her findings and recommendations of acceptance to the BMA. The BMA has the final authority in accepting a road.

B. Acceptance of private roads

Residents or officials (whether of the Town of Farragut or other agency) may, when they believe that an existing non-public road is an important link in the Town's road network, petition the Board of Mayor and Aldermen for acceptance of a road for public maintenance. The petition will be referred to the FMPC for its recommendation, with the petition meeting the requirements specified in the Farragut Municipal Code.

The FMPC will initiate a review of the proposal, first through a report of the town staff and as workshop discussion at one of the Commission's regularly scheduled meetings. At a subsequent meeting the FMPC will consider the petition and make a recommendation to the BMA. In making its determination whether or not to recommend acceptance of a road, the FMPC will take into consideration certain criteria, as specified in the Farragut Municipal Code. The FMPC is required within

90 days of receipt of the petition to make a recommendation to the BMA.

**APPLICATION PROCEDURES
FOR
THE FARRAGUT BOARD OF ZONING APPEALS**

I. POWERS OF THE FARRAGUT BOARD OF ZONING APPEALS

The board of appeals has the power to:

- A. Hear and decide appeals where it is alleged by the appellant that there is error in any order, requirement, permit, decision, or refusal made by Town staff in the carrying out or enforcement of any provision of the zoning ordinances;
- B. Hear and decide, in accordance with the provisions of any such ordinance, requests for special exceptions or for interpretation of the map or for decisions upon other special questions upon which such board is authorized by the zoning ordinance; and
- C. Where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property at the time of the enactment of the zoning regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of such piece of property, the strict application of the zoning ordinance would result in peculiar and exceptional practical difficulties to or exception or undue hardship upon the owner of such property, authorize, upon an appeal relating to the property, a variance from such strict application so as to relieve such difficulties or hardship; provided, that such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zone plan and zoning ordinance. (T.C.A. 13-7-207)

II. APPLICATION PROCEDURE

The policy of the Farragut Board of Zoning Appeals (FBZA) requires an applicant to be present at the meeting which his/her request is scheduled for consideration. This provides opportunity to answer questions that may arise.

- A. Applications must be submitted to the Town Hall on or before the Monday, 16 days prior to the FBZA meeting. The FBZA meets on the 4th Wednesday of each month at 7:00 pm, in the Farragut Town Hall.
- B. The applicant shall provide complete information before the application will be accepted for a hearing before the FBZA. An application is not officially accepted until it is complete;
- C. The applicant must submit the appropriate fee to the Town of Farragut before the request is placed upon the agenda and the application is considered complete;
- D. Failure of an applicant to provide full and accurate information shall justify reconsideration by the FBZA of any action taken;

- E. The burden of furnishing adequate proof supporting any request rests with the applicant;.
- F. Prior to filing an application with the FBZA, an applicant should meet with Town staff and review and understand the applicable ordinance provisions; and
- G. Upon receipt of an application, the FBZA shall hold a public hearing, having first given not less than seven (7) days public notice. The FBZA is required to consider and decide all applications for variances within thirty (30) days of the public hearing and within (45) days of the public hearing for special exceptions and all other requests.

III. VARIANCES

The FBZA has the power and authority to grant variances from requirements of the Farragut Zoning Ordinance according to the procedure and under the restrictions set out in the zoning ordinance and in accordance with authority provided by Tennessee Code Annotated.

IV. SPECIAL EXCEPTIONS

The FBZA is also charged with the responsibility of approving uses that are allowed in particular zones as special exceptions. Requests for special exceptions include multi-family housing in certain residential districts, expansion of non-conforming uses/structures, and non-listed home occupations.

The procedures established to integrate properly the uses permitted as special exceptions with other land use located in the district are found in Chapter 4, of the Farragut Zoning Ordinance. These uses shall be reviewed by the FBZA and authorized or rejected per the procedures set out in the same Chapter.

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