

Ruth Jenó
Mayor

City of Red Bank
Municipal Planning Commission

Tim Thornbury
City Manager

REGULAR MEETING AGENDA
November 19, 2020
6:00 pm
Red Bank City Hall

I. CALL TO ORDER

II. ROLL CALL – Secretary – Billy Cannon

- | | |
|---|---|
| ☐ Commissioner Cannon | ☐ Commissioner Millard |
| ☐ Commissioner Hafley | ☐ Commissioner Smith |
| ☐ Commissioner Browder | |

III. INVOCATION – Commissioner Smith

IV. PLEDGE OF ALLEGIANCE – Commissioner Hafley

V. CONSIDERATION OF THE MINUTES

1. October 15, 2020

VI. NEW BUSINESS

1. Final Plat Revision for Avant Gardens Subdivision located at the intersection of Hedgewood Drive and Everly Drive
2. Request to Rezone 5309 Delashmitt Road from R-1 Residential to R-T/Z Residential
3. Request to Rezone 221 Sweetland Drive from R-1 Residential to R-3 Residential
4. Any properly presented new business

VII. UNFINISHED BUSINESS

1. Subdivision Regulation Amendments
2. Any properly presented unfinished business

VIII. OTHER BUSINESS

IX. ADJOURNMENT



MUNICIPAL PLANNING COMMISSION

Ruth Jenó
Mayor

Tim Thornbury
City Manager

MINUTES
October 15, 2020
6:00 p.m.
Red Bank City Hall

I. CALL TO ORDER

Commissioner Hafley called the meeting to order at 6:00 PM.

II. ROLL CALL

Commissioner Browder called the roll. Commissioners Browder, Hafley, Millard, and Smith were in attendance. Ashley Gates, the Commission's planning advisor from the Southeast Tennessee Development District. Additional attendees are listed on the sign-in sheet.

III. INVOCATION

Commissioner Smith gave the invocation.

IV. PLEDGE OF ALLEGIANCE

Having no flag in the room, the Pledge of Allegiance was not said.

V. CONSIDERATION OF THE MINUTES

A. September 17, 2020 Meeting Minutes

Commissioner Hafley asked for any corrections to the minutes. Having none, Commissioner Browder motioned to approve the minutes as written. Commissioner Millard seconded the motion. The motion passed unanimously.

VI. NEW BUSINESS

1. Request to Rezone 3348 Easton Avenue (118H F 027) from R-1 Residential to R-2 Residential

Staff stated that Jarred Marrow had requested rezoning the property at 3348 Easton Avenue from R-1 to R-2 so that it could be used as a duplex as originally built. Staff stated that, as discussed at the working session, the Planning Commission could require a vehicle turnaround as a condition of the zoning.

Mr. Morrow stated that he had not realized the property was zoned R-1 when he purchased it and had to stop working on it in order to go through the rezoning process. He said that he has experience managing rental units and with maintaining rental properties.

He stated that the neighbors were happy to see it fixed up. He also stated that a sprinkler system had been installed for fire protection.

Commissioner Hafley stated that this was a public hearing and noted that there was no response.

Commissioner Browder motioned to recommend rezoning the property at 3348 Easton Avenue to R-2 with the condition that the property owner provide a vehicular turnaround so that cars do not need to back out of the driveway onto Easton Avenue. Commissioner Millard seconded the motion. The motion passed unanimously.

VII. UNFINISHED BUSINESS

1. Ordinance to Limit the Size and Location of Blood Plasma Collection Centers

Staff presented the proposed area which would include R-4 zoned property along Morrison Springs Drive. The ordinance also limits the size of these businesses to 5,000 square feet.

Commissioner Hafley stated that this was a public hearing and noted that there was no response.

Commissioner Browder motioned to recommend the Ordinance to Limit the Size and Location of Blood Plasma Collection Centers, which limits them to the R-4 zoned area along Morrison Springs Drive and to a size of under 5,000 square feet, as written. Commissioner Millard seconded the motion. The motion passed unanimously.

2. Subdivision Regulation Revisions

Staff presented the revisions to allow access easements to new lots. Commissioner Hafley asked whether this could just be part of the flag lot ordinance. Staff recommended not making that change because some access easements may not be shaped like a flag lot, and having specific regulations for access easements is necessary because it goes beyond just the shape of the lot.

Commissioner Hafley asked whether the section about allowing three flag lots on one parcel should be removed from the regulations. Staff and other commissioners agreed.

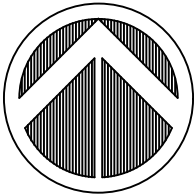
Staff went through the remaining changes in the document. Commissioner Browder asked if a public hearing on these could be held next month. The other commissioners and staff agreed to move forward with the amendments.

VIII. OTHER BUSINESS

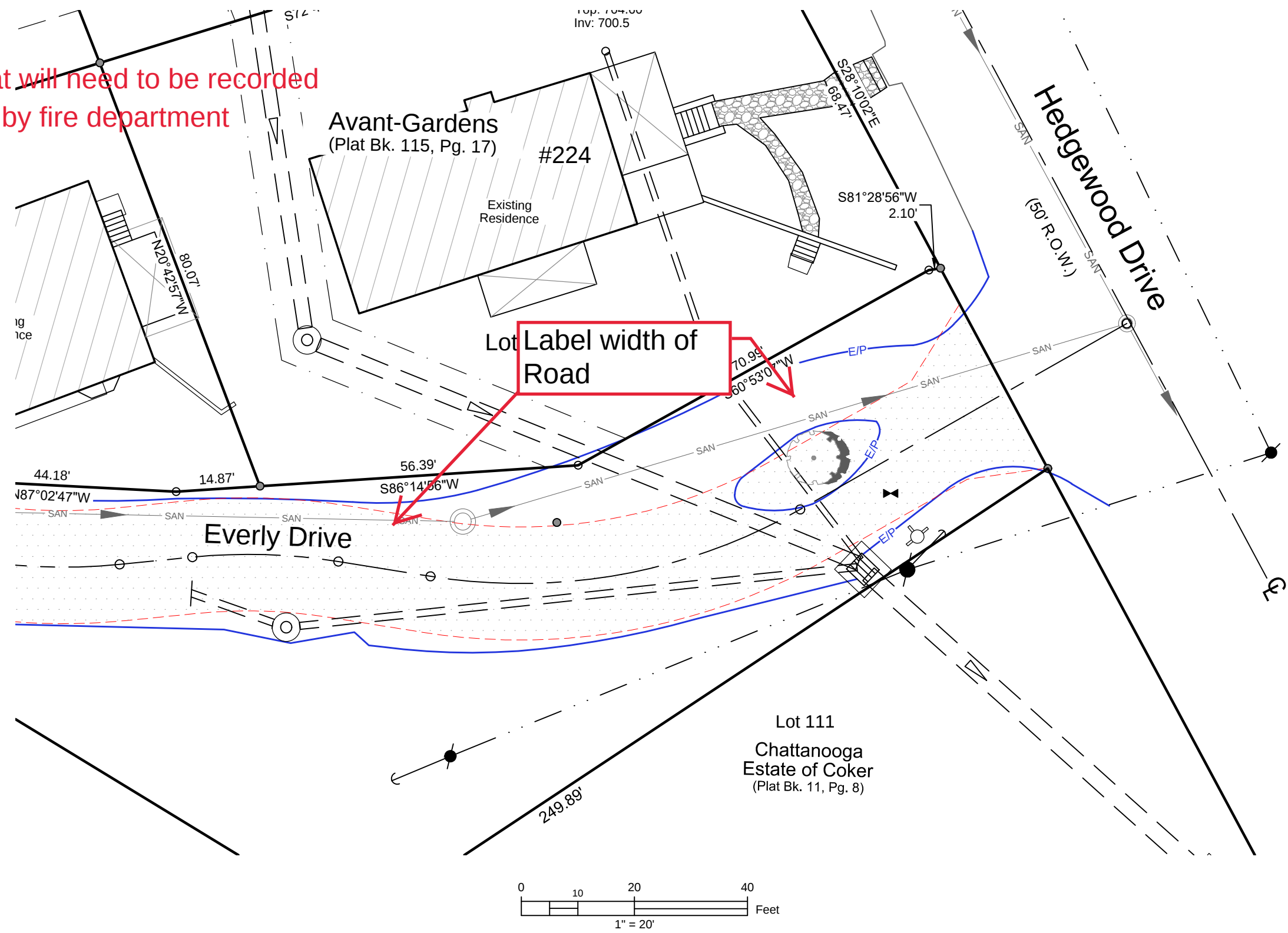
No other business was presented. Commissioner Smith motioned to adjourn. Commissioner Millard seconded the motion. The meeting was adjourned at 7:15 PM.

Chairman

REVIEWED
By Ashley Gates at 4:22 pm, Nov 13, 2020



New plat will need to be recorded
Review by fire department



Know what's below.
Call before you dig.

As-Built - Everly Drive Entrance
Avant-Gardens
(Plat Book 115, Page 17)
City of Red Bank, Hamilton Co., Tennessee

No.	Revision/Issue	Date

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PROJECT NO. 15-0004
DATE 9-11-2020
SCALE AS SHOWN

DRAWN BY RBR
CHECKED BY RBR
TITLE

As-Built
Survey

SHEET NO.

S.1e

MEMORANDUM

To: Members of the Red Bank Planning Commission

Cc: Tim Thornbury, Public Works Director

From: Ashley Gates, Regional Planner

Date: November 13, 2020

Subject: Request to Rezone 5309 Delashmitt Road from R-1 Residential to R-T/Z Residential

SUMMARY

Property Address:	5309 Delashmitt Road	Property Owner:	Reinvented Concepts, LLC
Tax ID:	099N D 019	Applicant:	Same
Deed Reference:	11695-0289	Current Zoning:	R-1
Flood Zone:	No	Requested Zoning:	R-T/Z
Current Land Use:	Single family home built in 1948	Surrounding Zoning:	R-1A and R-2
Surrounding Land Use:	Single-family residential and two-family residential		
Proposed Use:	Three additional single-family homes		
Staff Recommendation:	approval with the condition that the only single-family homes be developed with a maximum density of 4 units per acre		

ANALYSIS

Current and Proposed Use

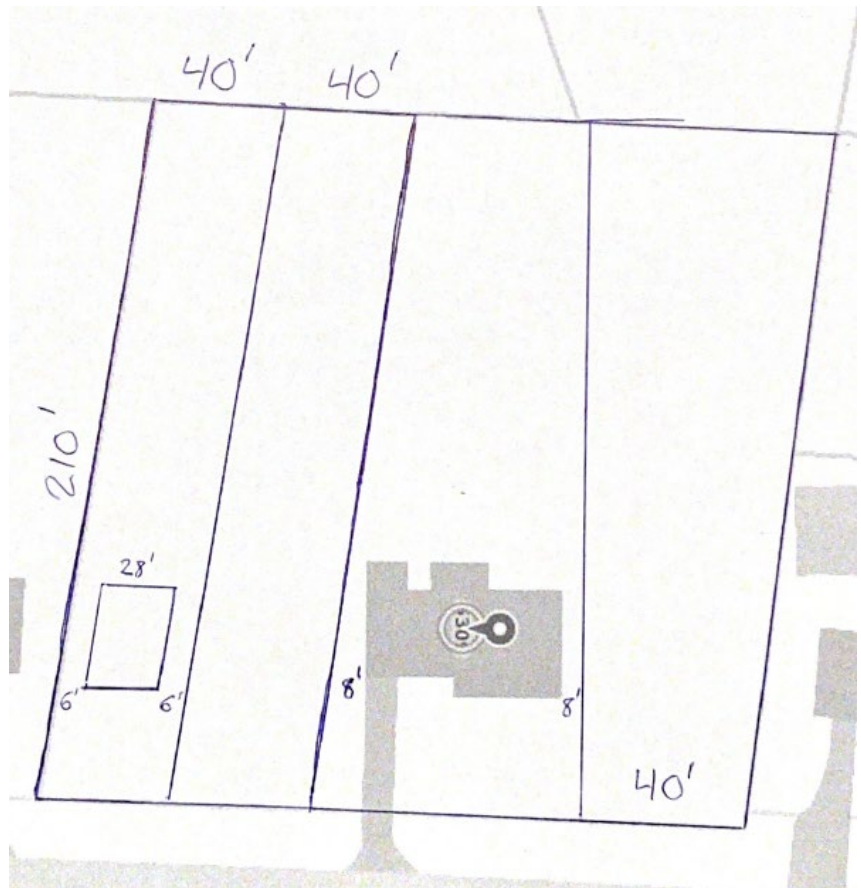
The property at 5309 Delashmitt Road is currently has a single-family home built in 1948. On behalf of Reinvented Concepts, LLC, Michael Cinelli has requested that the property be rezoned to R-T/Z in order to build three additional single-family homes.

The existing lot is approximately 213 feet wide with an existing home. The applicant intends to subdivide the property into four lots. The existing home would require a lot of at least 70 feet wide to meet the 12-foot building separation requirement of the R-T/Z zone. The remaining lots would be approximately 40-feet wide, meeting the minimum width requirement of 35 feet.

Zoning Ordinance

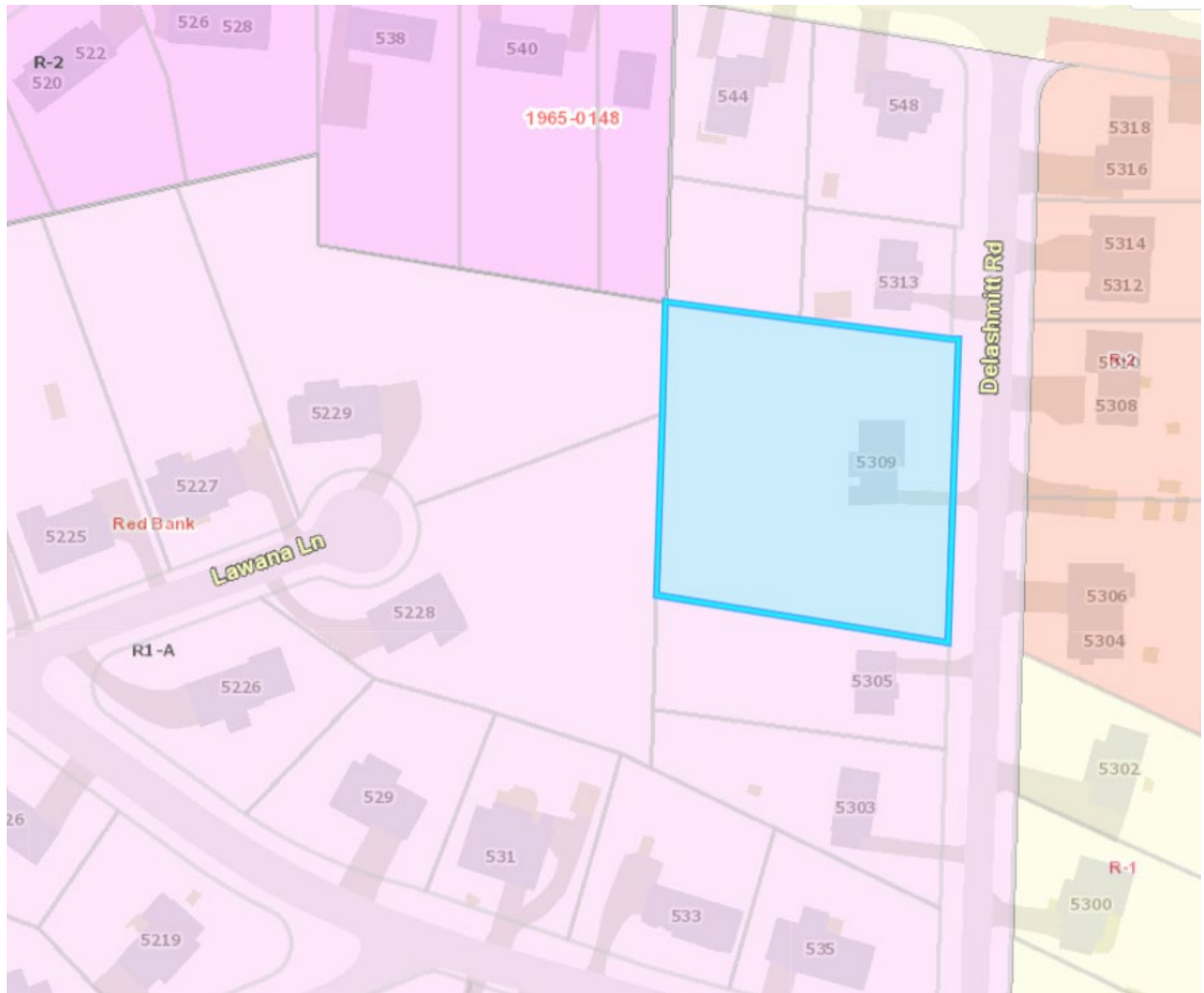
In order to fit more than two homes on this property, the property would need to be rezoned to R-T/Z due to the 60-foot frontage requirement of the R-1 zone. Below is a comparison of the zoning requirements of the current and proposed rezoning.

Rezoning this property will require a 10-foot planted Type C screening along all side and rear lot lines. The proposed lot lines will not allow for this buffer and will need to be revised, possibly reducing the number of units. The developer could also consider a flag lot arrangement.



	R-1	R-TZ
Permitted Uses	Single-family dwellings; schools; parks, playgrounds, and community buildings; golf courses; fire halls; churches; accessory uses; kindergartens; day care homes	Single-family dwellings; townhouses; single-family zero lot-line dwellings; parks, playgrounds, schools, churches, and community-owned non-profits; golf courses; accessory uses; home occupations; kindergartens
Frontage / Width	60 feet (Frontage)	35 feet (Width)
Front Yard	25 feet	25 feet
Rear Yard	25 feet	25 feet
Side Yard	10 feet	Single family: 10 feet / 12-foot building separation Townhouse: 25 feet
Lot Size	7,500 square feet	N/A
Setback from R-1 Zone	N/A	10 feet (Landscaped)
Building size (Single Family)	1,400 square feet	N/A

Zoning Map

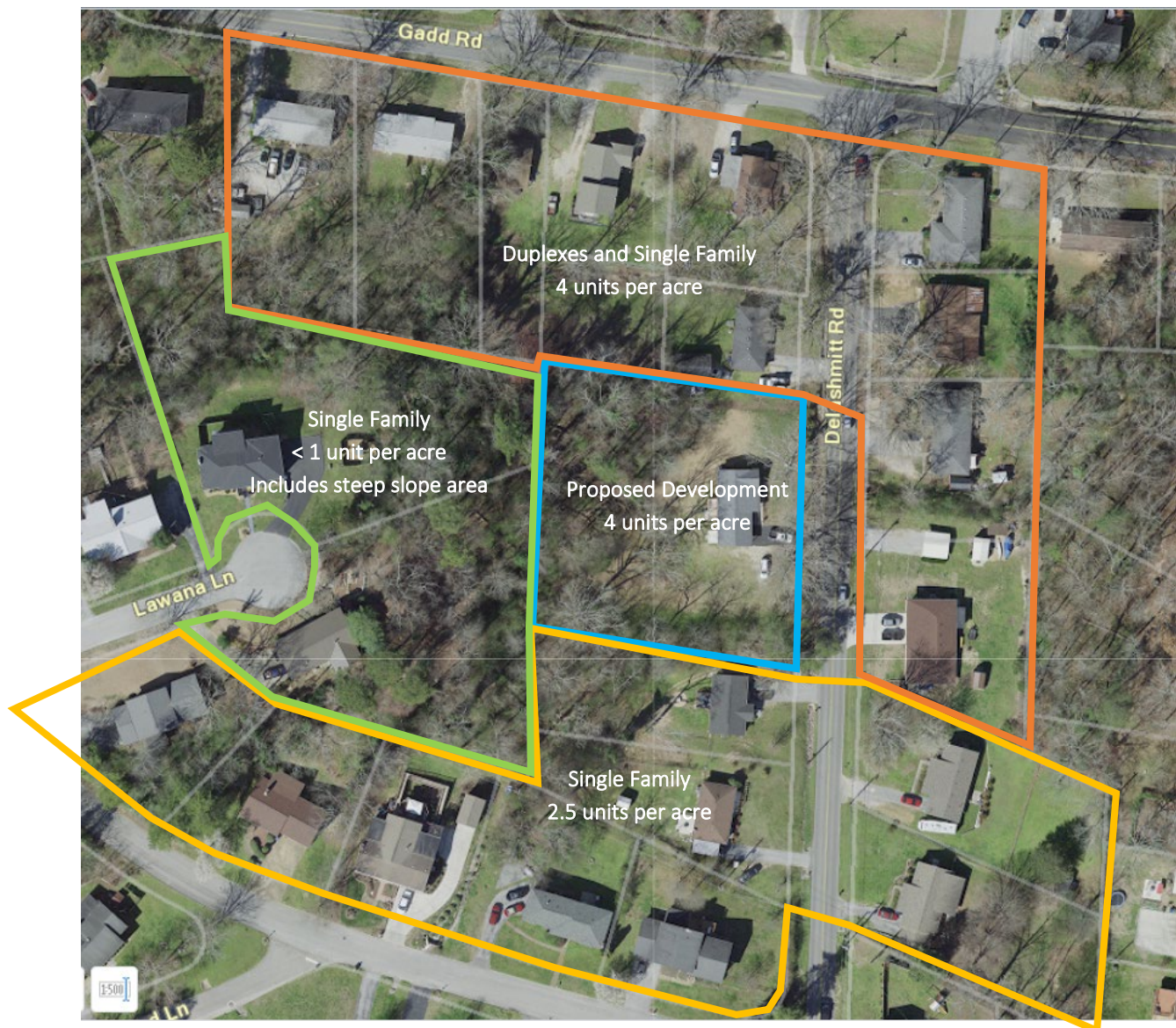


Compatibility with Surrounding Land Use

The surrounding neighborhood is a combination of single-family homes and duplexes. The proposed use of single-family homes would fit the character of the area. The overall density would be similar to the duplexes along the east side of Delashmitt Road. The proposed lot division, however, would result in the narrowest lots in the immediate vicinity.

One might interpret more closely spaced houses as incompatible with the surrounding neighborhood. On the other hand, having single family homes of a similar density to the two-family homes in the area may offer a transition to the more densely developed neighborhood to the east of Delashmitt Road. Furthermore, the existing lot lines are fairly irregular with no established pattern. There exists small lots, narrow lots, and some fairly large lots. These lots would not stick out as especially different considering the wide variation of lots.

Generally, increased pressures on the housing market are resulting in more dense development overall and a greater variation in housing types within neighborhoods. With more demand for infill, this particular property may offer a means of concentrating the increased density near existing medium density development.



Land Use Plan

Red Bank does not have a proposed land use map, but the Land Use Plan does provide some goals to guide the development of property in Red Bank. Because the proposed development will add to the diversity of housing in the area, it can be interpreted as being in alignment with C-Goal:

C-GOAL: Attract residential developers back to Red Bank for new development and redevelopment.

ACTION: New residential zones that provide more options and diversity of development while still protecting single-family neighborhoods.

ACTION: Reduced minimum lot size standards and setback requirements to make Red Bank competitive with surrounding communities.

Spot Zoning

Spot zoning is not a legal practice in Tennessee, but it is not always easy to determine if a particular rezoning can be considered spot zoning. Generally, courts have viewed spot zoning as a rezoning that has economic harm on neighboring property owners and no public benefit (Source: MTAS).

In this case, the proposed rezoning is for a single-family development within a neighborhood that has mixed residential uses, and a wide variation in lot sizes and shapes. While the shape of the lot will be narrower than the neighboring lots, it will have a similar density to the properties to the east. Additionally, a screened buffer will be required between the property and neighboring R-1 lots. For these reasons, staff does not feel that the proposed development would have economic harm on the abutting properties.

RECOMMENDATION

Staff recommends approval with the condition that the only single-family homes be developed with a maximum density of 4 units per acre.

Zoning Board

Application for Zoning Amendments or Changes of Zone Use

City of Red Bank, Tennessee

General

The proposed change or amendment must first be referred to the Red Bank Planning Commission for a recommendation. The Board shall give at least fifteen (15) days notice of the time and place for a public hearing, which shall be held in regard to the proposed changes or amendments. The notice shall be published in a newspaper of general circulation in the city. Certified notices shall be mailed to all property owners within 200 feet for the property under consideration for a change or amendment. The cost of the application and advertising is \$100.

1. Name of Applicant: Reinvented Concepts / Michael Cinelli
2. Street Address: PO Box 15923
3. City: Chattanooga State: TN Zip: 37415
4. Telephone Number: 423-314-8920
5. Property Address: 5309 Delashmit Rd
6. Are you the owner of the property: Yes X No _____

If you are not the owner, a letter signed by the owner agreeing to the rezoning must accompany this Application.

7. Please attach a drawing of the property boundaries. Show all easements, utility locations, and buildings. Describe any physical characteristics of the property such as wetlands, steep grades, ravines, Etc.
8. What is the present zoning classification for the subject property? B1
9. What is the requested zone desired or proposed use of the property?
BTZ to build single family homes
10. Are you requesting special conditional use of the property? No
11. Is the proposed use compatible with that of surrounding properties? Yes

I certify that the above information is true and accurate to the best of my knowledge and belief:

[Signature] Date: 10/20/20

Amount Paid: 100.00 Date Paid: 10/20/2020

By signing this application I understand that the application fee is non-refundable.

Recommendation of the Planning Commission: _____

Date Reviewed by the Planning Commission: _____

Action of the Zoning Board: _____

Date Reviewed by the Zoning Board: _____

List of any special conditions that may apply to the Zoning: _____

Approved by Ordinance Number: _____ Date: _____



October 29, 2020

Re: City of Red Bank Municipal Planning Commission – Notice of Property Rezoning Request – 5309 Delashmitt Road from R-1 Residential to R-T/Z Residential Townhome/Zero Lot Line

Dear property owner, resident or interested party:

The City of Red Bank Municipal Planning Commission will hold a public hearing to consider a request to rezone the following property from R-1 Residential to R-T/Z Residential Townhome/Zero Lot Line. The intent of the applicant is to construct three additional single-family homes on the property.

- 5309 Delashmitt Road, 099N D 019, Owner and Applicant: Reinvented Concepts, LLC

The Planning Commission will discuss the rezoning request at the next work session, and make a recommendation to the City Commission at the regular meeting after the public hearing.

Planning Commission Work Session

- Tuesday, November 17th at 12:00 pm
- Red Bank City Hall (3105 Dayton Blvd)

Planning Commission Regular Meeting (Public Hearing)

- Thursday, November 19th at 6:00 pm
- Red Bank City Hall (3105 Dayton Blvd)

The Planning Commission meetings are open to the public. You are receiving this letter because you are an adjacent or nearby property owner, or have expressed interest in the rezoning. You are encouraged to attend the public hearing. You may also attend the work session to learn more about the proposed rezoning. The City requests that owners applying for the rezoning attend the both meetings in person.

Please contact me if I can provide additional information or answer any questions.

Sincerely,

Ashley Gates
Regional Planner
Southeast Tennessee Development District
agates@sedev.org

MEMORANDUM

To: Members of the Red Bank Planning Commission

Cc: Tim Thornbury, Public Works Director

From: Ashley Gates, Regional Planner

Date: November 13, 2020

Subject: Request to Rezone 221 Sweetland Drive from R-1 Residential to R-3 Residential

SUMMARY

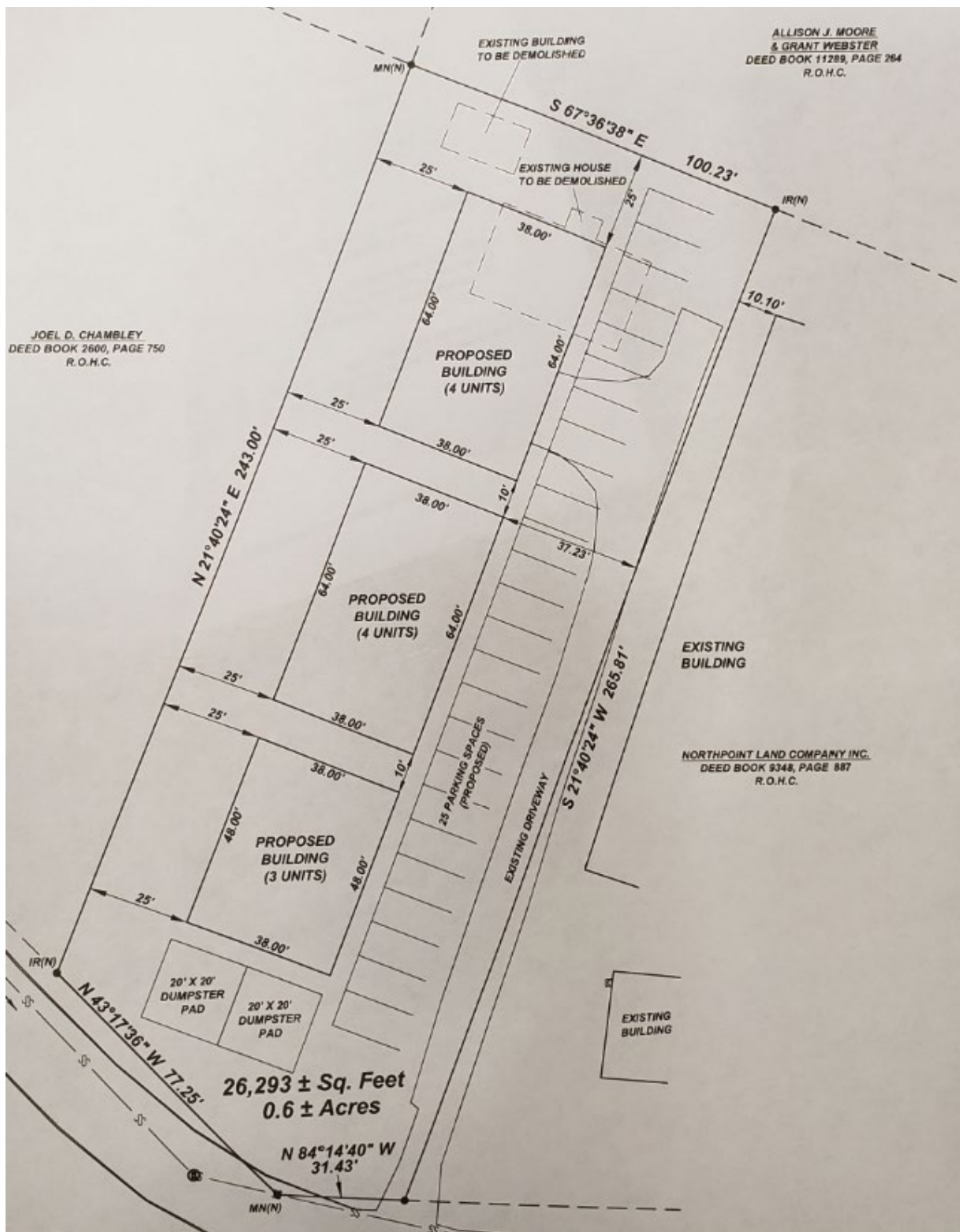
Property Address:	221 Sweetland Drive	Property Owner:	Patel and Shilpa Kirtikumar
Tax ID:	117N F 021	Applicant:	Patel Kirtikumar
Deed Reference:	10878-0167	Current Zoning:	R-1
Flood Zone:	No	Requested Zoning:	R-3
Current Land Use:	Single family home built in 1972	Surrounding Zoning:	R-1 and R-3 to the east.
Surrounding Land Use:	Single-family residential and multi-family residential (apartments)		
Proposed Use:	Multi-family development with eleven (11) units in three structures		
Staff Recommendation:	Staff recommends approval with the following condition: a special exceptions permit must be obtained within 12 months of rezoning, or the zoning shall revert to R-1.		

ANALYSIS

Current and Proposed Use

The property at 221 Sweetland Drive is currently used as Single family home built in 1972. Patel Kirtikumar has requested that the property be rezoned to R-3 in order to build multi-family development with eleven (11) units in three structures. The site will include two dumpster pads and 25 parking spaces.

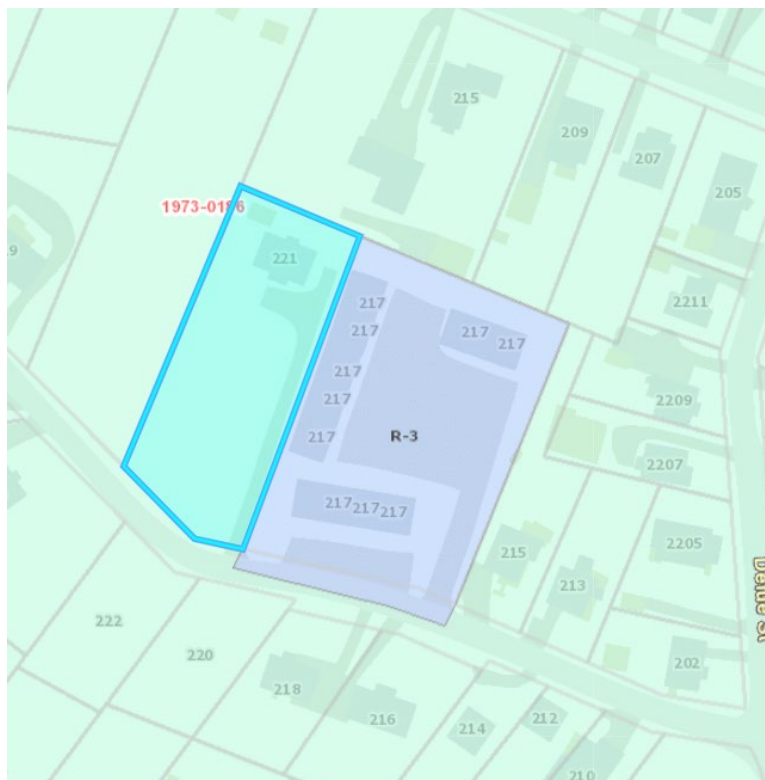




Zoning Ordinance

A change from R-1 to R-3 would allow for a multi-family development to be built. Because this development does not include the minimum 50% single family homes, the proposed development would require a Special Exceptions Permit to be approved by the Planning Commission and City Commission.

	R-1	R-3
Permitted Uses	Single-family dwellings; schools; parks, playgrounds, and community buildings; golf courses; fire halls; churches; accessory uses; kindergartens; day care homes	Single-family dwellings; townhouses; parks, playgrounds, schools, churches, and community-owned non-profits; golf courses; accessory uses; home occupations; kindergartens Special Exceptions: Two-family and multi-family when not part of a mixed residential development
Frontage / Width	60 feet (Frontage)	35 feet (Width)
Front Yard	25 feet	25 feet
Rear Yard	25 feet	25 feet
Side Yard	10 feet	10 feet
Lot Size	7,500 square feet	N/A
Setback from R-1 Zone	N/A	10 feet (Landscaped)
Parking	N/A	1.25 per unit
Building size (Single Family)	1,400 square feet	N/A



Compatibility with Surrounding Land Use

The lot abuts an existing apartment complex with 10 units and a single-family residence. Sweetland Drive has a mix of multi-family and single-family homes, including three triplexes and a 31-unit apartment complex. The large apartment complex is about 800 feet from the proposed development.

Overall, the proposed use and density appears to be compatible with the neighborhood development pattern. Staff does, however, recommend working on the design and layout of the site. The developer should work with the garbage collection agency to determine a suitable site for the dumpster pads, or an attractive screening, as having the dumpsters between the structure and the public right-of-way would not be compatible with the neighboring single-family residential development.

Land Use Plan

The Land Use Plan expressly discourages the spot-zoned R-3 developments. However, this proposal is abutting an existing R-3 property and will be of a similar density to other properties along Sweetland Drive.

The development may be considered compatible with D-Goal, as it will be an extension of existing multi-family developments rather than being in the middle of an established single-family residential neighborhood. Additionally, a special exceptions permit will be required, resulting in more stringent review.

D-GOAL: Increase value of and protect single-family residential development.

ACTION: New R-1A Zone that has a 2,000 square foot minimum house size requirement and rezone certain appropriate areas to R-1A as part of Zoning Study. Minimum 1,200 sqft house size for R-1.

ACTION: New screening and landscaping regulations that is required of all multi-family, commercial, office and industrial development under certain conditions.

ACTION: More stringent zoning regulations for apartment development.

RECOMMENDATION

Staff recommends approval with the following condition: a special exceptions permit must be obtained within 12 months of rezoning, or the zoning shall revert to R-1.

Zoning Board

Application for Zoning Amendments or Changes of Zone Use

City of Red Bank, Tennessee

General

The proposed change or amendment must first be referred to the Red Bank Planning Commission for a recommendation. The Board shall give at least fifteen (15) days notice of the time and place for a public hearing, which shall be held in regard to the proposed changes or amendments. The notice shall be published in a newspaper of general circulation in the city. Certified notices shall be mailed to all property owners within 200 feet for the property under consideration for a change or amendment. The cost of the application and advertising is \$100.

1. Name of Applicant: Patel Kirtikumar
2. Street Address: 221 Sweetland Drive
3. City: Red Bank State: TN Zip: 37415
4. Telephone Number: 847-636-7847
5. Property Address: 221 Sweetland Drive
6. Are you the owner of the property: Yes ☒ No ☐
7. Please attach a drawing of the property boundaries. Show all easements, utility locations, and buildings. Describe any physical characteristics of the property such as wetlands, steep grades, ravines, Etc.
8. What is the present zoning classification for the subject property? R-1
9. What is the requested zone desired or proposed use of the property?
R-3 Rental Units Multi-Family
10. Are you requesting special conditional use of the property? N/A
11. Is the proposed use compatible with that of surrounding properties? Yes

I certify that the above information is true and accurate to the best of my knowledge and belief:

K. Patel

Date: 10/20/2020

Amount Paid: 100.00 Date Paid: 10/20/2020

By signing this application I understand that the application fee is non-refundable.

Recommendation of the Planning Commission: _____

Date Reviewed by the Planning Commission: _____

Action of the Zoning Board: _____

Date Reviewed by the Zoning Board: _____

List of any special conditions that may apply to the Zoning: _____

Approved by Ordinance Number: _____ Date: _____



October 29, 2020

Re: City of Red Bank Municipal Planning Commission – Notice of Property Rezoning Request – 221 Sweetland Drive from R-1 Residential to R-3 Residential

Dear property owner, resident or interested party:

The City of Red Bank Municipal Planning Commission will hold a public hearing to consider a request to rezone the following property from R-1 Residential to R-3 Residential Zone. The intent of the applicant is to construct a multi-family development with eleven (11) units across in three structures.

- 221 Sweetland Drive, 117N F 201, Owner and Applicant: Patel and Shilpa Kirtikumar

The Planning Commission will discuss the rezoning request at the next work session, and make a recommendation to the City Commission at the regular meeting after the public hearing.

Planning Commission Work Session

- Tuesday, November 17th at 12:00 pm
- Red Bank City Hall (3105 Dayton Blvd)

Planning Commission Regular Meeting (Public Hearing)

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The Planning Commission meetings are open to the public. You are receiving this letter because you are an adjacent or nearby property owner, or have expressed interest in the rezoning. You are encouraged to attend the public hearing. You may also attend the work session to learn more about the proposed rezoning. The City requests that owners applying for the rezoning attend the both meetings in person.

Please contact me if I can provide additional information or answer any questions.

Sincerely,

Ashley Gates
Regional Planner
Southeast Tennessee Development District
agates@sedev.org

MEMORANDUM

To: Members of the Red Bank Planning Commission

Cc: Tim Thornbury, Public Works Director

From: Ashley Gates, Regional Planner

Date: November 13, 2020

Subject: Subdivision Regulation Amendments

Changes throughout document:

- Updated references to sections/appendices
- Removed references to RPA and Hamilton County plans
- Referenced City Manager rather than Governmental Engineer
- Local Government – City of Red Bank
- Public Works Director – City Manager
- Removed numbering for definitions due to software glitch (will add back in)
- Added checklist and other appendices

Major Policy Changes

1. Sidewalks are now required along all new roads

403.14

Sidewalks and Pedestrian Ways

In residential and non-residential subdivisions, sidewalks or pedestrian ways are ~~not~~ required along all new roads. ~~In the event the developer desires to install sidewalks or pedestrian ways, they~~ Sidewalks or pedestrian ways shall meet the following requirements:

In residential areas, sidewalks or pedestrian ways shall be ~~portland cement concrete~~, four (4) inches thick and four (4) feet wide.

In commercial areas, sidewalks shall be concrete, six (6) inches thick and six (6) feet wide or wide enough to meet ADA (Americans with Disabilities Act) Standards.

2. Access may be provided by access easement (i.e., a shared driveway or private drive) for up to three (3) lots in subdivisions that have a total of less than five (5) lots.

404

REQUIRED ACCESS FOR ALL LOTS

All residential lots in the City of Red Bank must have by means of an approved easement that meets the requirements of Section 406 or by frontage on an existing city-accepted and publicly maintained street or road. ~~Lots whose only access is a private road or easement are not permitted.~~

All non-residential lots in the City of Red Bank must have frontage on a city accepted and maintained street except that the Planning Commission may permit, only with the recommendations of approval of the ~~Director of Public Works or~~ City Manager, any non-residential lot to obtain access by means of a private road or private easement.

Access Easements

(a) **Intent:** The intent of these standards is to encourage reinvestment in existing neighborhoods in a way that complements the neighborhood's established character. Access easements are intended to provide access to land in existing residential areas that is not suitable for large-scale residential subdivisions. Access easements are to provide economical but safe vehicular access to these residences while still meeting the standards of the underlying zoning.

(b) **Applicability:** Minor subdivisions of up to five (5) total lots (including those with road access) may be served by a permanent vehicular access easement. The platting of the sixth (6th) lot will require that all easements to be paved to City standards and dedicated as public right-of-ways.

(c) **Design Standards:** All access easements shall comply with the following standards:

- (a) Access easements may provide access for up to three (3) lots.
- (b) All access easements shall connect to a public road.
- (c) Easements shall be properly maintained to provide year-round access for emergency, public safety and utility vehicles.
- (d) Access easements shall be a minimum of 22 feet wide, and fully clear of any obstructions for the entire length of the easement allowing a 15-foot vertical clearance.
- (e) The improved area shall have a minimum width of 12 feet and shall be constructed of gravel aggregate or a hard surface. The apron of the driveway shall be constructed of a hard surface.
- (f) Access easements longer than 250 feet shall provide appropriate turn arounds as required by the Red Bank Fire Department.
- (g) Access easements longer than 500 feet shall provide adequate fire hydrants as required by the Red Bank Fire Department.

- (h) Plats for subdivisions served by unimproved easements shall include an easement map showing the extent of the easement from its connection point on a public road to the lots presented on the subdivision plat.
- (i) Plats for subdivisions served by access easements shall show areas designated for public services including trash collection and mail delivery.
- (j) Subdivisions accessed by an unimproved access easement shall have the following notes added to the plat setting forth the limits of public liability and responsibility to properties and citizens which are served by the shared driveway:

“The access easement shown on this plat is to be privately constructed and maintained by the owners, not by the City of Red Bank. The property owners are responsible for providing all required utilities and services along the easement. Hamilton County and the City of Red Bank are not responsible for providing services other than fire protection beyond the limits of the governmentally maintained road or street.”

- (d) **Review:** All subdivisions that are accessed by easement shall be reviewed by the Planning Commission and may not be staff approved. The Planning Commission must determine that the planned subdivision meets the intent of this section. They shall also be reviewed by the Red Bank Fire Department.

3. **Flag Lots (which may contain Access Easements) may be longer than 250 feet**

407

FLAG LOTS

- (a) A "Flag Lot" is a lot which is accessed by a strip of land of a width less than the required street frontage and which is located behind another lot which meets the required street frontage.
- (b) Flag lots shall be permitted by the Planning Commission subject to the following conditions:
 - (1) No access strip shall be less than ~~25~~²² feet in width for its entire length.
 - (2) The access strip shall provide access for only one lot and shall be deeded and platted as a part of the building site. No building or structure shall be located in the access strip.
 - (3) Access strips shall exceeding 250 feet in length require approval from the Planning Commission. The Planning Commission may

approve longer access strips for existing lots of record and approved access easements that require an access strip longer than 250 feet to reach the right of way. The Planning Commission may require additional width if it is determined that a wider access strip is needed to provide safe ingress and egress to the property.
 - (4) Access strips shall be located no closer than 120 feet from another access strip, measured along the right-of-way between the nearest corner of each access strip.
 - (5) The point where the access strip abuts the public street shall be safe for vehicular ingress and egress as far as visibility and grade are concerned since, unlike conventional lots, flag lots have no other alternatives for driveway locations.
 - (6) All required building setbacks shall apply and be measured from the boundaries of the portion of the lot excluding the access strip.
 - (7) All lot area, width and depth requirements shall apply and be measured from the boundaries of the portion of the lot excluding the access strip.
 - (8) The developer shall restrict the flag lot from further subdivision unless a street meeting all requirements, including right-of-way, is constructed. Said restriction shall be placed on the Final Plat.
- (c) A flag lot shall not be used to avoid constructing a street to the required standards, except when an access easement meeting the standards of Section 406 are approved.

4. Septic systems permitted where sewer moratorium is in place.

413

SANITARY SEWAGE DISPOSAL SYSTEMS

Where an adequately sized sanitary sewer is on the site, or on the street abutting the site, or readily accessible (as determined by the developer's financial feasibility study) without the need for off-site easements, or a construction contract for a sewer to be located on or adjacent to the site has been signed, the developer shall construct, at his own expense, a sewage collection system and connect it to the existing sanitary sewer. The design and construction of sanitary sewers and appurtenances shall be in accordance with the regulations, standards, and specifications of the Division of Sanitary Engineering, Tennessee Department of Public Health, and of the ~~Director of Public Works~~City Manager.

Where an adequately sized sanitary sewer is not on the site, nor on the street adjacent to the site, nor readily-accessible to the site without the need for off-street easements, the developer shall have the option of choosing one of the following methods of sewage disposal:

- (a) Installing septic tanks and field lines in areas where soil conditions, geology and topography are favorable. The design, construction and installation of the septic tanks and field lines shall be in conformance with the standards and regulations of the ~~Chattanooga-Hamilton County Health Department~~Hamilton County Division of Groundwater Protection and subject to the approval of the ~~Health Department~~Division of Groundwater Protection.
- (b) Constructing, at the developer's expense, a sanitary sewage collection system and submain to the nearest adequately sized, functioning sewer line.

Where a moratorium on sewer connections impacts a site where an adequately sized sanitary sewer is on the site, or on the street abutting the site, or readily accessible (as determined by the developer's financial feasibility study) without the need for off-site easements, or a construction contract for a sewer to be located on or adjacent to the site has been signed, the developer may be issued a permit to install, at the developer's expense, a subsurface sewage disposal system. The subsurface sewage disposal system must meet the requirements of the Hamilton County Division of Groundwater Protection and subject to approval from the Division of Groundwater Protection. As stated in TCA 38-221-409, service to the subsurface sewage disposal system must be discontinued within 90 days of the moratorium being lifted, and the property must connect to the public sewer system.