

City of Red Bank
Municipal Planning Commission

WORK SESSION AGENDA
September 15, 2020
12:00 pm
Red Bank Community Center

I. CALL TO ORDER

II. ROLL CALL – Secretary – Billy Cannon

☐ Commissioner Cannon

☐ Commissioner Millard

☐ Commissioner Hafley

☐ Commissioner Smith

☐ Commissioner Browder

III. Agenda items for the October 17th regular planning commission meeting:

A. CONSIDERATION OF THE MINUTES

1. August 20, 2020

A. NEW BUSINESS

1. Variance request for 22-foot access strip for a proposed lot at 2409 Briggs Avenue (117L B 019)

B. UNFINISHED BUSINESS

1. Subdivision Regulation Revisions
2. Zoning Ordinance Revisions

C. OTHER BUSINESS

IV. ADJOURNMENT

City of Red Bank
Municipal Planning Commission

REGULAR MEETING AGENDA
September 17, 2020
6:00pm
Red Bank Community Center

I. CALL TO ORDER

II. ROLL CALL – Secretary – Billy Cannon

☐ Commissioner Cannon

☐ Commissioner Hafley

☐ Commissioner Browder

☐ Commissioner Millard

☐ Commissioner Smith

III. Invocation – Commissioner Smith

IV. Pledge of Allegiance – Commissioner Hafley

V. CONSIDERATION OF THE MINUTES

1. August 20, 2020

VI. NEW BUSINESS

1. Variance request for 22-foot access strip for a proposed lot at 2409 Briggs Avenue (117L B 019)

VII. UNFINISHED BUSINESS

1. Subdivision Regulation Revisions
2. Zoning Ordinance Revisions

VIII. OTHER BUSINESS

IV. ADJOURNMENT



MUNICIPAL PLANNING COMMISSION

Ruth Jenó
Acting Mayor

Tim Thornbury
City Manager

MINUTES
August 20, 2020
6:00 p.m.
Red Bank City Hall

I. CALL TO ORDER

Commissioner Smith the meeting to order at 6:02 PM.

II. ROLL CALL

Commissioner Browder called the roll. Commissioners Browder, Cannon, Millard, and Smith were in attendance. The Commission's planning advisor from the Southeast Tennessee Development District was also present.

III. INVOCATION

Commissioner Smith gave the invocation.

IV. PLEDGE OF ALLEGIANCE

Commissioner Smith led the Pledge of Allegiance.

V. CONSIDERATION OF THE MINUTES

A. June 9, 2020 Meeting Minutes

Commissioner Smith 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. Election of Officers

Commissioner Cannon stated that he did not want to be considered for an office. Commissioner Browder asked if they could wait until after the general election. She suggested January because that would be after any new commissioners were appointed. Staff stated that a simple majority could change the by-laws to that effect.

Commissioner Browder motioned to change the by-laws to hold officer elections in January. Commissioner Millard seconded the motion. The motion passed unanimously.

2. Preliminary Plat for the Planned Unit Development at Pine Breeze Road, opposite the intersection of Pine Breeze Road and Ben Miller Parkway

Staff stated that the HGH Construction has submitted a plat for 29 residential lots for the previously approved Planned Unit Development. Staff stated that a community lot had been created for the drainage area, but the plat otherwise conformed to the approved PUD plan. Commissioner Smith asked if there were any questions for the applicant.

Commissioner Browder motioned to approve the Preliminary Plat for the Pine Breeze Road Subdivision. Commissioner Millard seconded the motion. The motion passed unanimously.

3. Rezoning request 626 Lullwater Road from R-1 Residential to R-T/Z Residential

Staff stated that the property owner wished to subdivide and build single family homes on this lot. She stated that to subdivide, the frontage could only be 50 feet wide, which too narrow for the R-1 zone. She stated that because there was an R-T/Z zoned property across the street with similarly sized lots, and that there were apartments to the rear of the property, the proposed rezoning would be appropriate for the neighborhood.

Commissioner Browder motioned to recommend approval of the rezoning with the condition that the property only be used for detached single-family homes. Commissioner Millard seconded the motion. The motion passed unanimously.

4. Preliminary Plat and PUD Plan for 5005 Dayton Boulevard

Staff stated that the developer proposed 68 single-family homes and 10 townhomes on the site, with 12.5 acres of space reserved for future development. The development met the zoning condition for a maximum of 5 units per acre. She stated that there would be a required 10-foot screening between the lot line and neighboring residential areas, and that a retaining pond would be along Dayton Boulevard providing a buffer between the homes and the busy street.

Additionally, the detention pond would serve as both a community lot and buffer along Dayton Boulevard. Staff stated that the engineer had previously said the detention pond was oversized and could serve future development in the open areas.

Staff stated that the developer had since the initial review, shown 5-foot sidewalks on the site plan and requested two variances. The variances requested were to allow a steeper than 4% road grade as it approached the internal intersections and a variance for to allow the width of the roads to be 22 feet wide. The Fire Department had submitted approval of the road width and the location of the fire hydrants. Commissioner Cannon asked if the Fire Department had submitted written approval of the road grad, and staff said that that was not included in their email but that she believed that they saw no issue with the road grade.

Staff stated that with these assurances from the Fire Department that she recommended approval of the Preliminary PUD plan and plat as well as the two variances requested. She stated that the development would be appropriate for the area of Dayton Boulevard as it is outside of the central business district and the higher density would offer a transition to lower density homes.

Chris Anderson from Greentech Homes stated he agreed with all of staff's comments. He stated his intent is to build 10 townhomes and 58 single family homes on these lots. He stated that he could not predict the market conditions, so he cannot provide a definite price point at this time. GreenTech's most recent development in Red Bank, North Point Ridge had a median price between \$350,000 and \$400,000 per unit, and he expects that this development will be similar.

Commissioner Browder asked about the timeline for development. Mr. Anderson stated that they home to before the end of the year, but that there are several factors that could result in a delay. He expects that they will have houses built in a year or less.

Commissioner Browder motioned to approve the plat with two variances due to the topography of the site.

- 1. A variance to the road grade requirement, allowing steeper vertical curves between 4% and 10% at the intersections.**
- 2. A variance to allow the road to be only 22 feet wide**

Commissioner Cannon asked Commissioner Browder to amend her motion to include the following contingency: Written documentation of the Fire Departments approval of the road grade variance be provided. Commissioner Browder amended her motion.

Commissioner Millard seconded the motion. The motion passed unanimously.

VII. UNFINISHED BUSINESS

1. Subdivision Revision Discussion

Commissioner Millard motioned to table this item until the next meeting.

Commissioner Browder seconded the motion. The motion passed unanimously.

2. Infill Development Standards

Staff stated that the City Manager had mentioned allowing removing the requirement that lots be "lots of record" for private drive access as a step to allow infill development to the rear of long, narrow lots.

Commissioner Browder stated that she felt the Planning Commission needed to develop standards for future infill development since there were few large tracts of land left in Red Bank. Commissioner Cannon stated that he was concerned about the impact of these developments and wanted to make sure Red Bank continued to get high quality development projects.

**Commissioner Millard motioned to table this item until the next meeting.
Commissioner Browder seconded the motion. The motion passed unanimously.**

VII. UNFINISHED BUSINESS

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

MEMORANDUM

To: Members of the Red Bank Planning Commission

Cc: Tim Thornbury, Public Works Director

From: Ashley Gates, Regional Planner

Date: September 11, 2020

Subject: Variance request for 22-foot wide flag stem at 2409 Briggs Avenue

Property Address: 2409 Briggs Avenue

Tax ID: 117L B 019

Property Owner: McCasslin Helms

Present Zoning: R-1

Background: In summer 2020, the home at 2409 was badly damaged by fire. The home is on the same lot as another residence, having been considered a legal nonconforming use for many years. As a nonconforming use, the Zoning Ordinance only allows the home to be restored, not demolished and rebuilt.

Subdividing the lot will bring the property into compliance. However, there is not enough frontage for both a flag stem and 60 feet of frontage that the lot requires. McClassin Helms has requested a variance to the Subdivision Regulations to allow a flag stem that is only 22 feet wide. This will allow him to demolish the home and build a new one.

Recommendation: Because an existing driveway will provide access to the lot, and the narrowness of the existing lot of record does not allow for a wider flag stem, staff recommends approval of this variance.

City of Red Bank
Application for a Zoning Variance

Date 8/25/2020

Application Fee Paid \$ 100.00
Amount

Name and Address of Applicant

Name (Print) MCCASSLIN HELMS
Street (Print) 5825 NORTH SHORE DRIVE
City and State (Print) HIXSON TENNESSEE 37343
Telephone Number (423) 635-1678

Location of Property Relating to the Variance Request

Street 2409 Briggs Ave
City Red Bank, Tennessee
Parcel Number 117L B 019
Subdivision Name South of Magnolia HGTS

Current Zoning: ☒ Residential ☐ Commercial ☐ Other

Attach a drawing of your property boundaries showing streets, utility connections, existing buildings or structures, proposed building or structures (use dotted lines to distinguish from existing buildings) and the name and address of all property owners within 200 feet of any part of your property. This may be a hand drawing.

Do you understand the present zoning requirements relating to your variance request?

☒ Yes ☐ No

What is your request? Please explain your request and why you are requesting it?

TO request a Flag Lot for the Rear House. The stem
would be 22 feet wide but all other setbacks for front
& Rear house would be as zoning requires.

Is the reason for your request due to exceptional narrowness, shallowness, shape, topography or other extraordinary and exceptional situation on such property? ☒ Yes ☐ No

If yes, please describe the exceptional condition.

Yes! Two Single Family Homes
on property if Flag lot approved would MAKE property
to be in compliance with zoning.

Would the approval of the variance impair the intent and purpose of the zoning ordinance?

☐ Yes ☒ No ☐ I do not know

Would the peculiar hardship, practical difficulties, or undue hardships apply to the particular land or building regardless of the owner?

☒ Yes ☐ No

Is the hardship created as the result of an act upon your part? ☐ Yes ☒ No

Application for a Zoning Variance

Are there reasonable alternatives available to you? ____ Yes ☒ No

Please explain: NO just trying to get property into compliance.

Would an approved variance or special exception relate only to your property and not to other like properties in the City? ____ Yes ____ No ☒ Unknown

Does your request involve the addition to or extension of an existing building or structure? ____ Yes ☒ No

Would it be any less conforming than the existing structure? ____ Yes ☒ No

Would the extension be in conflict with the character of the area in which the property is located? ____ Yes ☒ No

I certify that the information provided for this variance application is true and correct to the best of my knowledge.

Signature: _____

Do not write below this line – for City use only.

Board Finding for: Approval ____ Disapproval ____

Date of Finding: _____

Secretary: _____

GISMO 5



0 50.00 100.0 Feet
 NAD_1983_StatePlane_Tennessee_FIPS_4100_Feet
 © Latitude Geographics Group Ltd.



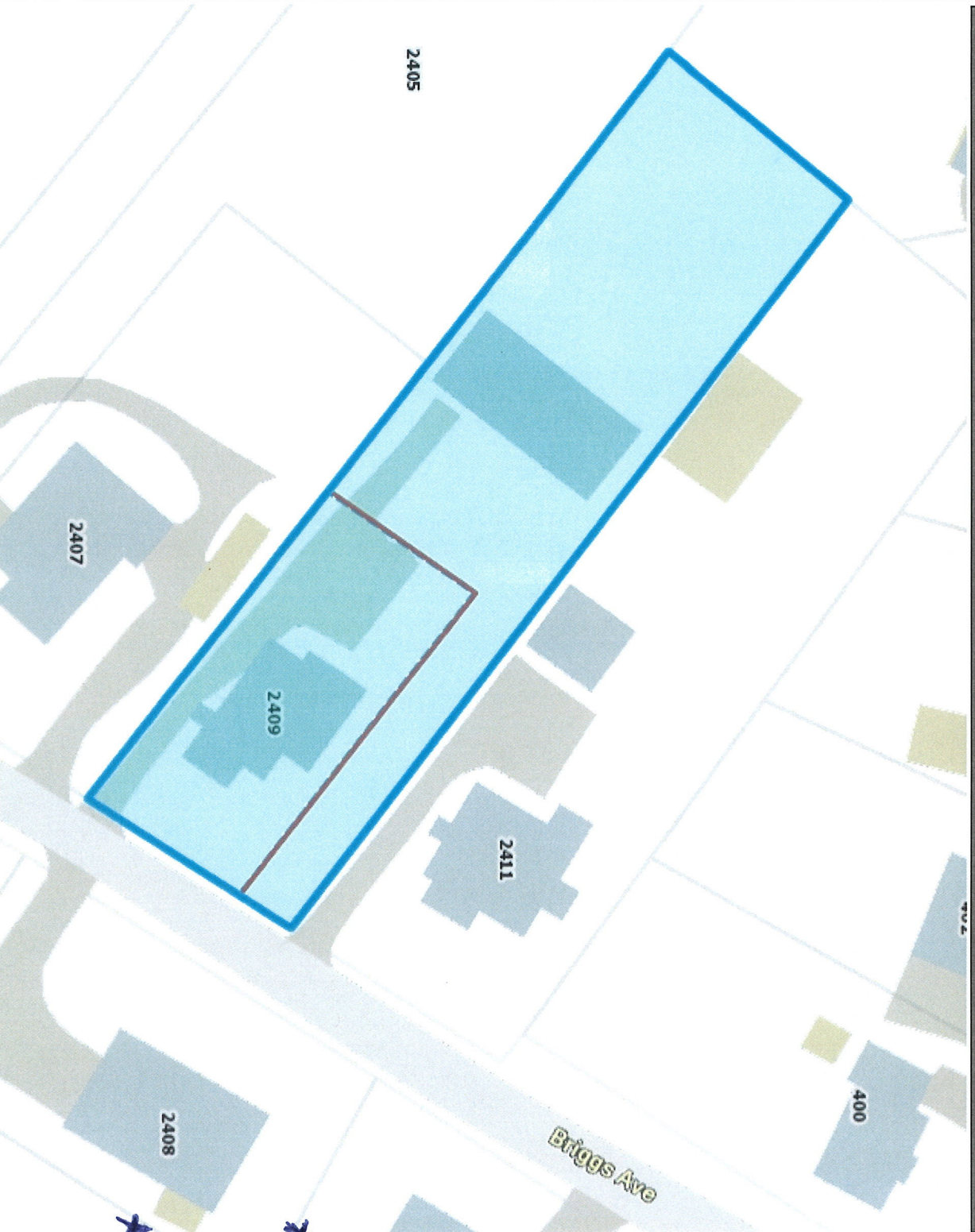
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Legend
 □ Parcels

★ ALL other
 Setbacks to
 be as required
 by zoning.
 ★ Need variance
 for 22 feet
 wide flag
 stem.

GISMO 5



0 50.00 100.0 Feet

NAD 1983 StatePlane_Tennessee_FPS_4100_Feet
© Latitude Geographics Group Ltd.



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Legend

- ☐ Parcels
- Addressing <600
- County Boundary
- Recycling Centers
- Healthcare Facilities
- Emergency Services Locations
- FIRE
- MEDIC
- POLICE
- Cemeteries
- Religious Facilities
- Schools
- Building Footprints
- Miscellaneous Structures
- Driveways
- Parking
- Water Bodies
- Other Water Bodies
- Recreational Areas
- Surrounding
- Hamilton

* All other setbacks
to be as required
by zoning.

* Need Variance
for 22 feet wide
stem

MEMORANDUM

To: Members of the Red Bank Planning Commission

Cc: Tim Thornbury, Public Works Director

From: Ashley Gates, Regional Planner

Date: September 11, 2020

Subject: Subdivision Regulation Revisions

SUMMARY

The Planning Commission has spent several months revising and reviewing the Subdivision Regulations. The major policy changes are outlined below. Several changes have been made throughout the document including:

- Reorganization of the document with the definitions being at the beginning
- New definitions, as discussed in prior meetings
- Removed references to the RPA and Hamilton County Plans
- Updated references to Director of Public Works, Governmental Engineer to City Manager, which includes his or her designee
- Changed all references to “Local Government” to the City of Red Bank
- Added additional appendices including:
 - Flow chart of subdivision process
 - Preliminary and final plat check lists
 - Drawings of the Hammerhead Turnaround options

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. ~~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.-

1. 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

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. The access easement shall comply with the following requirements:

- (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 that are less than 250 feet long shall be a minimum of 25 feet wide.
- (e) Access easements longer than 250 feet shall have shall be a minimum of 50 feet wide.
- (f) The improved area shall have a minimum width of 10 feet and shall be constructed of gravel aggregate or a hard surface.
- (g) 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.
- (h) 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 beyond the limits of the governmentally maintained road or street.

2. 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 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) The access strip shall not exceed 250 feet in length. The Planning Commission may approve longer access strips for existing lots of record and approved access easements that need more an access strip longer than 250 feet to have access via public 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.-

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

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.

4. Preliminary and Final Plats now required to show cluster mailboxes when applicable

(u) Location of cluster mailboxes when applicable

MEMORANDUM

To: Members of the Red Bank Planning Commission

Cc: Tim Thornbury, Public Works Director

From: Ashley Gates, Regional Planner

Date: August 13, 2020

Subject: Zoning Ordinance Revisions

SUMMARY

Chapter II: General Regulations

Allowed for lots of record to be accessed by easement or private drive. Referred to Subdivision Regulations.

Every building hereafter erected, reconstructed, or structurally altered shall be located on a lot fronting on a street as required by the Red Bank Subdivision Regulations. Up to two (2) lots of record, which were duly recorded prior to the adoption of the Subdivision Regulations, may be accessed by an approved private drive or easement.

Section 14.202: Definitions

- Added definition for Auto Wrecking Yards:

202.07 Auto Wrecking Yard: Any place where three (3) or more vehicles not in running condition, or the parts thereof, are stored in the open. This definition is not intended to include such businesses as auto repair garages, service stations, auto wrecker services of similar uses which store vehicles only on a temporary basis and not for salvage purposes. All outdoor storage areas of such uses shall be totally, visually screened on all sides by a site-obscuring fence at least six (6) feet in height. Slatted or a covering for chain link fences may be used subject to approval of slat or cover material by the inspection department. All front-yard areas use for vehicle or parts storage must be set back at least twenty-five (25) feet from any public right-of-way.

- Added the definition for Plasma Collection Center:

202.63 Plasma Collection Center: Any business or operation that has its primary function to be the acceptance of donations of human plasma. Plasma collection centers shall not exceed 5,000 square feet in size.

- Clarified Definition for Short Term Rental Units:

202.86 Short Term Rental Unit defined: "Short term rental unit" or "unit" means a residential dwelling that is rented wholly or partially for a fee for a period of less than thirty (30) continuous days and does not include a hotel as defined in T.C.A. Section 68-14-302 or a bed and breakfast establishment or a bed and breakfast homestay as those terms are defined in Section T.C.A. Section 68-15-502. Short term rental units are limited to one unit per structure and may not share the same interior or exterior walls as another short term rental unit.

- Deleted definitions for "Guest House" and "Tourist Home"

Section 14.204.07: Access Control

Require approval for residential parking along streets that have a speed limit above 25 MPH.

204.07 Access Control. In order to expedite the movement of traffic; to promote the safety of the motorist and pedestrian; and to minimize traffic congestion and conflict, it is necessary to reduce the points of vehicular contact. The location and design of all curb-cuts, points of access to and from all streets and parking and loading areas, parking and loading areas except single and two family residences that are accessed via public streets that have a speed limit of 25 miles per hour or less shall be submitted to and approved by the City Manager or his/her designee before building permits can be issued. The following regulations shall apply.

Permitted vehicles to back into right-of-way along streets that have a speed limit of 25MPH or less.

- 3) Off-Street Parking Lanes Entirely Independent of Public Streets: No off-street vehicular storage or parking area shall be allowed where the arrangement requires that vehicles back directly into a public street right-of-way where the speed limit exceeds 25 miles per hour.

Section 204.08 Flag Lots

Longer access strips may be approved by the Planning Commission for lots of record.

- 3) The access strip shall not exceed two hundred fifty (250) feet in length measured from the closet adjacent right-of-way line of the public road or street. The Planning Commission may approve longer access strips for existing lots of record that need more an access strip longer than 250 feet to have access via public 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.

Section 14-206. Board of Appeals for Variances

- Made Special Exceptions part of the powers of the Planning Commission, rather than BZA. Note: Staff recommends review of this change by the City Attorney.
- Fees adjusted to \$150 plus the cost of certified mailings.

~~206.04~~206.02 Applications ~~to the Board~~for Variances or Special Exceptions

Persons desiring consideration ~~for a variance or special exception by the Board~~ shall apply to the City Manager or his/her designee and shall supply such information as the Board ~~or Planning Commission~~ may require to identify the land and determine the reason for the appeal or review. ~~The Planning Commission shall have the power to grant Special Exceptions as outlined in each zone of this ordinance.~~ Each application by a property owner shall be accompanied by a receipt for a ~~\$150 fee as set by the Board of Commissioners, plus the full amount needed to cover the cost of mailing notices, either certified or by regular mail as required by the City Manager,~~ paid to the City of Red Bank to cover the City's cost of handling the application, no part of which ~~fee~~ is returnable. Persons objecting to the relief sought by the applicant or interested in the review or determination made by the Board ~~or Planning Commission~~ may likewise set forth their views and actual evidence in writing and be signed by the objectors. The application and objection shall be submitted to the Board ~~or Planning Commission~~ within the time provided in its rules of procedure.

- 209.03 That a Request to Rezone referred to the Board of Commissioners by the Planning Commission, shall not be heard unless said Request is set for public hearing before the Board of Commissioners within three (3) months of the date when the Planning Commission referred said Request to the Board of Commissioners, and such Request shall not be advertised for a public hearing unless the Petitioner pays to the City Recorder a ~~\$150~~ filing fee, together with the costs of ~~the advertisement-mailing the required notice.~~
- (Ordinance No. 473, April 3, 1984)

Section 304.01: R-2 Residential

Corrected heading, which should say "Prohibited" not "Permitted."

Section 305: R-3 Residential

Limited short-term rental units to one per structure.

- (J) Short Term Residential Rental Units, subject to certification and issuance and maintenance of current short term residential rental permit. ~~Short-term rental units shall be limited to one (1) unit per structure. No units shall share the same interior or exterior walls.~~

Section 306: R-4 Special Zone

- Clarified definition of clinic to exclude plasma centers. Removed laboratories from permitted uses.

- | | |
|-----|--|
| (H) | Professional, medical or dental office, and clinics, <u>excluding plasma collection centers, which are not permitted.</u> |
| (I) | Laboratories and research centers not objectionable because of odor, dust, noise, or vibration <u>Reserved.</u> |

- Minimum square footage of single-family homes increased.

- | | |
|-----|--|
| (F) | <u>Single-family dwellings part of a mixed-use residential development must be a minimum of 2,000 square feet.</u> If not part of a mixed-use residential development, a single-family dwelling shall be at least 1,200 <u>1,400</u> square feet. |
|-----|--|

Section 307: Planned Unit Developments

Streamlined the application process:

- The rezoning and special exceptions permit/PUD plan may be approved together
- OR, the PUD plan may be drawn to Preliminary Plat standards and meet that requirement of the Subdivision Regulations

- | | |
|------------|---|
| <u>(B)</u> | The Planning Commission shall hold a public hearing on the proposed Preliminary PUD Plan. Notice and publication of such public hearing shall conform to the procedures prescribed in Section 14-209 of this Ordinance. |
| <u>1)</u> | <u>The Preliminary PUD plan may be drawn to the Preliminary Plat standards as required by the Subdivision Regulations and fulfill the preliminary plat requirements.</u> |
| <u>2)</u> | <u>If rezoning is required, the Special Exceptions Permit may be considered at the same hearing as the rezoning request. If the submitted plans are not drawn to the standards of a Preliminary Plat as described in the Red Bank Subdivision Regulations, a separate public hearing for the Preliminary Plat will be required.</u> |

- Changed the term “Final PUD Plan” to “Final Plat” because they are the same document

- (E) No building permits shall be issued until after approval of the Final ~~PUD Plan~~Plat by the Planning Commission. The building inspector shall revoke any permit issued in reliance upon said plan as finally approved at such times as it becomes obvious such plan is not being complied with.
- (F) No Preliminary PUD Plan shall be approved by the City Commission unless it is first submitted to and approved by the Planning Commission, or if disapproved, shall receive the favorable vote of ~~a majority of~~ the entire membership of the Red Bank City Commission.
- (G) Upon approval of the City Commission, the developer shall then complete a Final ~~PUD Plan~~Plat for review by the Planning Commission. The Final Plat must conform to the Preliminary PUD Plan and meet all the standards of the Red Bank Subdivision Regulations ~~The Preliminary and the Final PUD Plan shall meet the requirements of the Red Bank Subdivision Regulations~~ and be processed and recorded in accordance with those regulations as applicable.

- Allowed extension of special exceptions permit to up to two years (three years total).

- (H) Any Special Exception Permit shall expire twelve months from and after its issuance if the development as planned has not been adhered to, provided, however, that for good cause shown said Special Exceptions Permit may be extended by the City Commission for additional periods not to exceed ~~one~~two years.

Section 309: RZ-1 Zero Lot Line Residential Zone

Adjusted side-yard setbacks to allow for a 10-foot building separation.

- ~~(E) For zero lot line homes, the side yard setback lot must be from zero to a tenth of a foot (1.2 inches) with the opposite side yard being a minimum of (10) feet. The opposite side yard setback of not less than ten (10) feet must be kept perpetually free of permanent obstructions (such as an accessory building), except in the instance of adjacent lots with separated family detached homes on adjacent lots and provided that both side setbacks of any such adjacent detached single family dwellings shall be at least six (6) feet and such detached single family dwellings must be separated by a minimum of at least twelve (12) feet. See Chapter XI, Communications Towers.~~
- ~~(E) For all other single-family detached homes, the side yard setback must be a minimum of five (5) feet with a minimum 10-foot building separation, with the exception of side yards that are on the exterior boundary of an RZ-1 Zero Lot Line Residential Zone (see Part I of this section) or that abuts a public street (see Part D of this section).~~
- ~~(F) The opposite side yard setback of not less than ten (10) feet must be kept perpetually free of permanent obstructions (such as an accessory building).~~

Section 310: R-TZ

Added a minimum lot size (same as the RZ-1)

- (A) Minimum lot size: two thousand six hundred and twenty-five (2625) feet.
(B) Minimum square footage: 1,400 square feet of heated living space per unit

Adjusted side-yard setbacks to 5 feet for a 10-foot building separation

- 1) Single -family detached units: ~~ten (10) feet~~ five (5)
2) Zero Lot Line units: ~~The side yard setback lot must be from zero to a tenth of a foot (1.2 inches) with the opposite side yard being a minimum of (10) feet. The opposite side yard setback of not less than ten (10) feet must be kept perpetually free of permanent obstructions (such as an accessory building). The wall on the zero-foot yard setback must be constructed of maintenance-free, solid, decorative masonry and no portion can project over any property line.~~
2) ~~from zero (0) to one and a half (1.5) feet, or a minimum of ten (10) feet from the adjacent property line if buildings are to be separated over one tenth (1/10) of a foot. The eave overhang is the only permitted element of the building structure allowed in the one and a half (1.5) foot setback. The opposite side yard must be at least ten (10) feet and must be kept perpetually free of permanent obstructions (such as accessory buildings).~~

Section 401: O-1 Office Zone

Deleted laboratories as permitted use

- (F) ~~Laboratories and research centers not objectionable because of odor, dust, noise or vibration~~Reserved.

Section 402: C-1 Commercial

- Added plasma collection centers to the Special Exceptions uses, limiting their size to 5,000 square feet. Also added laboratories, duplexes, and adult-oriented establishments.

- (M) Adult Oriented Establishments
(M)(N) Plasma collection centers, provided the structure does not exceed 5,000 square feet, and provided no other plasma collection center shall be located within 1,320 feet of the building.
(N)(O) Apartments
(P) Alternative Financial Services; provided further that no Alternative Financial Services establishment shall be located within 1,320 feet of any other Alternative Financial Services establishment not within fifty (50) feet of any residential zone, with the interval distances to be measured from property line to property line and the burden of establishing such to be on the applicant.
(Q) Laboratories and research centers, provided they are not objectionable because of odor, dust, noise or vibration.
(R) Two-family dwellings with a minimum of 1,800 square feet of heated living space

- Updated the setback requirements to follow the Design Review Standards

(B) ~~There shall be a front yard of not less than fifty (50) feet. The front setback shall conform to the requirements of the Design Review Standards, see Chapter X.~~

405: C-3 Neighborhood Residential

Added short-term residential rentals to the list of permitted uses.

(W) Short term residential units, subject to certification and issuance and maintenance of current short term residential rental permit and/or certification as otherwise provided by in Title 9, Chapter 16, Section 101, et seq., of the Red Bank City Code. Short term residential rental units shall be limited to one (1) unit per structure. No units shall share the same interior or exterior walls.

Adjusted the front setback to reflect the Design Review Standards.

- (A) ~~Yards-Front setbacks with a minimum depth shall be a minimum of of twenty-five (25) feet, except in cases where the Design Review Standards shall apply, in which case the required setback of the Design Review Standards shall prevail. See Chapter X. shall be provided along any public street or right of way and along any property line abutting developed residential property or residential zone.~~
- (B) There shall be a minimum 25-foot setback from all property lines abutting a residential property or residentially-zone property.

904: Screening

- D) Screening of Dumpsters: Dumpsters shall be screened in the manner described below when visible from the public right-of-way:
- 1) Screening shall be a minimum height of six (6) feet
 - 2) All four (4) sides of the dumpster shall be screened
 - 3) The screen should incorporate access to the dumpster by using a wood fence ~~or other opaque device to serve as a gate.~~
 - 4) Screening materials can be any combination of evergreen plantings, wood, or masonry material.

Changes throughout document:

Delete reference to guest house/tourist home

- Changed the term 'Yard' to 'Setback'
- All detached single-family residential structures now have a minimum square footage of 1,400 square feet.
- All two-family units require a minimum of 1,800 square feet.
- Specified that short-term rental units are limited to one unit per structure.
- Plasma Collection centers moved to prohibited except in C-1
- Adult-oriented establishments are prohibited except in C-1

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE TO AMEND
ORDINANCE NO. 15-1020, THE ZONING ORDINANCE OF THE CITY OF RED
BANK, TENNESSEE, CODIFIED AT RED BANK CITY CODE TITLE 14, CHAPTERS
2 AND 4 THEREOF IN ORDER TO PROMULGATE AND CLARIFY CERTAIN RULES
AND REGULATIONS GOVERNING PLASMA COLLECTION CENTERS**

WHEREAS, the Red Bank Planning Commission and the Red Bank City Commission and its professional planning agency, i.e. the Southeast Tennessee Development District, have reviewed and studied plasma collection centers their current and potential impact(s) on the City of Red Bank; and

WHEREAS, the City Commission, the Planning Commission, and as aided by the Southeast Tennessee Development District, wishes to promote economic revitalization through diversification of land uses in certain areas and by the reasonable and orderly regulation of plasma collection centers; and

WHEREAS, it is the determination of the Red Bank City Commission that “Plasma Collection Centers” should be subject to distance separation requirements and limited in size in allowed zones, and that the same should be prohibited in certain other zones.

NOW THEREFORE, BE IT ORDAINED by the City Commission of the City of Red Bank, Tennessee, as follows:

SECTION 1. That Title 14 of the Red Bank City Code, Section 14, Chapter 2, Section 14-202, Definitions, shall be amended by adding an additional subsection defining “plasma collection center” as follows:

Plasma Collection Center: Any business or operation that has its primary function to be the acceptance of donations of human plasma. Plasma collection centers shall not exceed 5,000 square feet in size.

SECTION 2. That Title 14 of the Red Bank City Code, Section 14, Chapter 2, Section 14-202, Definitions, shall be amended by adding two additional sentences to the definition of “Clinic”, as underlined below:

Clinic: Medical services for outpatients only. Clinics include whole blood donation centers where donors do not receive monetary compensation for their time or donation. Clinics do not include plasma collection centers.

SECTION 3. That Title 14 of the Red Bank City Code, Section 14, Chapter 3. Section 14-306(A) R-4 Special Zone, under the category of Permitted Uses, subsection (H) shall be amended to include the following as underlined:

(H) Professional, medical or dental office, and clinics, excluding plasma collection centers, which are not permitted.

SECTION 4. That Title 14 of the Red Bank City Code, Section 14, Chapter 3. Section 14-306.01(B) R-4 Special Zone, under the category of Prohibited Uses, shall be amended to include additional subsection (5) “Plasma Collection Centers.”

SECTION 5. That Title 14 of the Red Bank City Code, Section 14, Chapter 3. Section 14-401.01 (O-1 Office Zone), under the category of Permitted Uses, subsection (E) shall be amended to include the following as underlined:

(E) Professional, medical or dental office, and clinics, excluding plasma collection centers, which are not permitted.

SECTION 6. That Title 14 of the Red Bank City Code, Section 14, Chapter 3. Section 14-404.02 (C-2 Central Business District), under the category of Permitted Uses, subsection (Q) shall be amended to include the following as underlined:

(Q) Professional, medical or dental office, and clinics, excluding plasma collection centers, which are not permitted.

SECTION 7. That Title 14 of the Red Bank City Code, Section 14, Chapter 3. Section 14-405.06 (C-2 Central Business District), under the category of Prohibited Uses, shall be amended to include additional subsection (L) “Plasma Collection Centers.”

SECTION 8. That Title 14 of the Red Bank City Code, Section 14, Chapter 3. Section 14-404.03 (C-3 Neighborhood Commercial), under the category of Prohibited Uses, shall be amended to include additional subsection (X) “Plasma Collection Centers.”

SECTION 9. Every section, sentence, clause, and phrase of this Ordinance is separable and severable. Should any section, sentence, clause, or phrase be declared unconstitutional or invalid by a court of competent jurisdiction, said unconstitutionality or invalidity shall not affect or impair any other section, sentence, clause, or phrase.

SECTION 10. This Ordinance shall take effect upon the date of its passage upon second and final reading, the welfare of the citizens of the City of Red Bank requiring it.

MAYOR

CITY RECORDER

PASSED ON FIRST READING

PASSED ON SECOND AND FINAL READING

APPROVED AS TO FORM: