

ORDINANCE 23-34

AN ORDINANCE AMENDING CHAPTER 10 OF THE SPRINGFIELD ZONING ORDINANCE TO READ AS SET FORTH IN “EXHIBIT A” ATTACHED.

Whereas, T.C.A. Sections 13-7-201 through 13-7-210 delegate the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

NOW, THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen of Springfield, Tennessee as follows:

Section 1. Chapter 10 of the Springfield Zoning Ordinance is hereby amended by deleting Chapter 10 and replacing it to read as set forth in “Exhibit A” attached;

Section 2. All ordinances, resolutions, and policies in conflict herewith are hereby rescinded to the extent of the conflict only.

Passed 1st reading: September 19, 2023

Passed 2nd reading: October 17, 2023



Ann Schneider, Mayor

Attest:



Lisa H. Crockett, City Recorder

EXHIBIT A

CHAPTER 10

SPECIAL DISTRICTS & OVERLAYS

SECTIONS:

11-1001	Statement of Purpose
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11-1001 Statement of Purpose

The general purpose of special districts and overlays is to accommodate special needs identified in the community that other zoning districts do not address.

A. SP – Specific Plan Districts

This class of district is designed to promote flexibility in the location, integration and arrangement of land uses, buildings, structures, utilities, access, transit, parking, and streets. The SP district is not subject to the traditional zoning districts' land use and design standards. Instead, permitted uses and design elements like height, size, setbacks, buffers, signage and materials, are determined for the *specific development*. The design elements are written into the zone change ordinance, which becomes law.

(1) List of Specific Plan (SP) Districts:

B. PUD – Planned Unit Development

The PUD, an overlay zone,

(1) List of Specific PUD Developments:

1	Green Hills Subdivision	R20PUD	1999
2	Sleepy Hollow Subdivision	R10PUD	1999
3	Village Green Subdivision	R10PUD	2006
4	Spring View Village Development	R7PUD	2022
5	Legacy of Springfield Subdivision	RS20PUD	2003
6	Oakland Farms Subdivision	RS20PUD	2004
7	Wood-Brock Development (Kroger)	CS-PUD	1998

11-1002 Intent And Description of Specific Plan (SP) Regulations

A. **Purpose:** The SP District is an alternative zoning process that may permit any land uses, mixture of land uses, and alternative development standards, as shall be required to address the unique characteristics of an individual property through a comprehensive site-specific zoning plan. Each plan district has its own nontransferable set of regulations. This contrasts with base zone and overlay zone which are intended to be applicable in large areas or in more than one (1) area. These plans contain detailed development standards and implementation measures to which future projects are located within a specified geographic area. The SP district provides flexibility in the location, integration and arrangement of land uses, buildings, structures, utilities, access, transit, parking, and streets to yield a context sensitive development. The design elements are written into the zone change ordinance, which becomes law. All uses may be considered and are subject to the legislative approval of the Board of Mayor and Aldermen (hereinafter called BMA.) Additionally, a development within the SP District should incorporate an interconnected street network that includes sidewalks and bikeways that connect

internally and externally to adjacent development and the existing road network adjacent to the development site.

(1) More specifically a development within an SP District should generally contain the following elements:

- a. A mixture of uses that include residential, commercial, civic, and open spaces in close proximity to one another with the neighborhood and to the existing development adjacent to the project site.
- b. A mixture of housing types, styles, and sizes to accommodate households of all sizes and season of life.
- c. A street network that is interconnected with narrower travel lanes for pedestrian safety and traffic calming that provides multiple paths for pedestrians, cyclists, runners, as well as motorists to connect to existing development and all portion of the proposed development. This includes greenways, open spaces, sidewalks and roadways.
- d. A compact and walkable design that is pedestrian oriented while accommodating vehicular traffic.
- e. Retention and/or adaptively reusing existing buildings on site that are deemed to have historic and architectural value to the community.
- f. Incorporation of environmentally sensitive areas and features into the overall design of the development.
- g. Incorporation of public green space or parks that include amenities like: Play opportunities, shade, comfortable places to sit and gather for social interaction and landscaping that provides the layering of trees, shrubs, perennials, and ground cover designed to have seasonal interest.

B. General Provisions: The following provisions apply to all developments that are approved on property zoned SP District.

- (1) Any development within the SP District shall comply with all other regulations, requirements and procedures within the Springfield Zoning Ordinance and Subdivision Regulations that are not address specifically with this Section 10-1009.
- (2) Any construction within the SP District shall comply with the current version of building codes and fire code, subdivision regulations and stormwater regulations as adopted by the City of Springfield and all applicable state and federal regulations.

- (3) The development shall also be consistent with the most recently adopted version of the Springfield Comprehensive Land Use Plan, Zoning Map, and any other city adopted plan used for evaluation of development.

C. Applicability:

- (1) The SP zone district can be requested for any property within the municipal boundary of the City of Springfield.
- (2) The SP zone district requires a minimum development size of 15 acres if the development will be a new stand-alone development.
- (3) The SP zone district requires a minimum development size of 5 acres if the development is located adjacent to existing development with a focus on redevelopment and/or infill development.
- (4) The Springfield Planning Commission will evaluate each SP zoning request and determine if the location is suitable for the proposed development with a focus on existing zoning in the area, existing land uses, existing road network and the ability to handle the proposed traffic volumes, along with existing utilities and the capacity to provide water and sewer to the proposed development.

D. Application Procedures and Approval Process:

- (1) The SP zone district is established through the submission of a zoning amendment application, request to rezone the property to SP and a Preliminary Master Development Plan (PMDP), which is a comprehensive development specific zoning plan for the entire development.
- (2) Pre-Application Meeting: Prior to the submission of the zoning amendment application, request for rezoning and the PMDP, the applicant shall have a pre-application meeting with the community development and planning department and city departments. This meeting is to ensure the applicant is proceeding forward within the correct regulations and procedures. If an SP District is existing, the pre-application meeting is to discuss potential amendments to the approved PMDP and to direct the application to the correct procedure for amending the PMDP.
- (3) Community Engagement: The applicant shall hold a neighborhood meeting to present the project concept. The applicant shall mail a notification letter to all property owners within 100 feet of the SP boundary and post in the local paper a brief description of the SP proposal, date, time, and location of the neighborhood meeting. A copy of the

invitation shall be provided to the community development and planning department. The applicant shall coordinate the neighborhood meeting with the community development and planning department so city staff can attend the meeting. The pre-application conference and neighborhood meeting shall be held prior to the Planning Commission's consideration of the PMDP.

- (4) Following the Pre-Application and Neighborhood Meeting the applicant may formally submit all necessary documents and information to the community development and planning department in order to begin the review process of the zoning amendment request in accordance with the City of Springfield rezoning schedule and procedures.
- (5) The zoning request process will begin with the Springfield Planning Commission providing review and consideration of the request and the related PMDP at a regularly scheduled meeting or a special called meeting. The Planning Commission will make a recommendation to the Springfield Board of Mayor and Aldermen.
- (6) The Springfield Board of Mayor and Aldermen shall consider the zoning request and review the PMDP as a regularly scheduled or special called meeting. Once the Board of Mayor and Aldermen approve the zoning request and the PMDP the SP zone district will be applied to the property. After approval of the PMDP and SP property zoning, the applicant can begin the process of creating the Final Master Development Plan for all or any phase(s) of the development.

E. Preliminary Master Development Plan (PMDP) Requirements:

The Preliminary Master Development Plan (PMDP), which is required as part of the zoning request for the SP district, shall contain the following information:

- (1) Written text, exhibits, and plans, in a report format, that describes existing conditions, the purpose and intent of the SP Specific Plan District and the proposed plan's consistency with the principles and objectives of the Springfield General Development and Transportation Plan.
- (2) Property boundary lines, dimensions, topography, general physical features of the property, and a location map of the proposed project.
- (3) Identification of surrounding property owners according to the latest tax roll available at the Robertson County Property Assessor's Office.
- (4) Identification of property zoning for adjacent properties, including across all adjacent road rights-of-way.

- (5) Conceptual site layout and development plan showing the proposed layout of the entire property with respect to land uses, road network, lot sizes and configurations, open spaces, amenities, and housing and commercial building types within the development.
- (6) Conceptual transportation plan including routes of proposed major streets, local streets, alleyways, driveways, sidewalks, pedestrian ways, and proposed transit facilities.
- (7) List of proposed land uses within the development, including a tabulation of the land area devoted to each land use as well as densities for all proposed residential portions of the development.
- (8) List of and visual details of all proposed bulk regulations including, but not limited to, building heights, minimum lot area, minimum lot width, maximum floor area ratios, maximum lot coverage, minimum building setbacks, required yard lines, impervious surface ratio, and standards for accessory building.
- (9) Conceptual Landscape and Open Space Plan that includes information pertaining to existing trees and plant material that is proposed to be retained, proposed bufferyards and screening, and other all proposed open space within the development. A tabulation of the acreage proposed for bufferyard yards and open space shall be included within the Landscape and Open Space Plan. Additionally, the Landscape and Open Space Plan shall specify the proposed means of dedication of common open space areas and description of the proposed organizational arrangements for the ownership, maintenance, and preservation of common open space.
- (10) Conceptual Utilities Plan including all proposed locations of water, sewer, stormwater management, natural gas, electric, streetlights, and other required utility infrastructure. The applicant shall also provide a copy of a current letter indicating water and sewer availability from the Water/Wastewater Department.
- (11) A traffic study is encouraged but not required. However, the Springfield Board of Mayor and Aldermen at its discretion may require a traffic study at any time. A traffic study will be required as part of the Final Master Development Plan (FMDP).
- (12) A Phasing Plan, where more than one (1) phase is proposed, for the entire development, with a preliminary time schedule for completion of each phase as well as the entire project.
- (13) Additional information sufficient to describe the general design of the development as required by the Community Development Department.

- (14) Any other information deemed necessary by the Planning Commission and/or Board of Mayor and Aldermen in order to evaluate the PMDP.
- (15) All items listed above must be included within the Preliminary Master Development Plan (PMDP), which shall be submitted at the time of application for the zoning request to be deemed complete.

F. Adoption of a SP District and Preliminary Master Development Plan:

The following steps shall constitute the process by which a SP District and Preliminary Master Development Plan are adopted:

- (1) The Planning Commission shall review and consider the SP District zoning request, the accompanying Preliminary Master Development Plan (PMDP) and all supporting information. After such review the Planning Commission may require updates to the PMDP and associated information.
- (2) Following their review and consideration, the Planning Commission shall provide a recommendation of the SP District zoning request and accompanying Preliminary Master Development Plan (PMDP) to the Springfield Board or Mayor and Aldermen. This recommendation will be forwarded to the Board of Mayor and Aldermen along with a brief report from the community development and planning department.
 - a. The Planning Commission shall make one (1) of the following recommendations:
 - i. Recommend the Preliminary Master Development Plan and zoning map amendment as submitted;
 - ii. Recommend the Preliminary Master Development Plan and zoning map amendment with modifications; or
 - iii. Do Not Recommend the Preliminary Master Development Plan and zoning map amendment.
- (3) Following the receipt of the Planning Commission recommendation, the Board of Mayor and Aldermen shall review and consider the SP District zoning request, the

accompanying Preliminary Master Development Plan (PMDP) and all supporting information. After such review, the Board of Mayor and Aldermen shall approve or disapprove, the proposal. with or without conditions.

- a. The Board of Mayor and Aldermen shall make one (1) of the following decisions:
 - i. Approval of the Preliminary Master Development Plan and zoning map amendment as recommended by the Planning Commission;
 - ii. Approval of the Preliminary Master Development Plan and zoning map amendment with modifications; or
 - iii. Disapproval of the Preliminary Master Development Plan and zoning map amendment.
- b. The Mayor and Aldermen's actions shall comply with Chapter 10 of this Ordinance and shall constitute the final action required of a proposal for establishment of the SP zone district on a specific property or properties.
- c. Whenever the Mayor and Aldermen approve the Preliminary Master Development Plan and supporting material, one (1) copy shall be filed in the community development and planning department and one (1) copy shall be given to the Owner.

(4) Modification of Preliminary Master Development Plan: The Planning Commission and/or the Board of Mayor and Aldermen may require modification of a SP Specific Plan District and Preliminary Master Development Plan as a prerequisite for approval. Required modifications may be more restrictive than district and/or supplementary regulations and may include, but not be limited to, project phasing, provision for additional bufferyards, open space, landscaping and screening, installation of erosion control measures, improvement to access and circulation systems, rearrangement of structures and/or uses within the site, and location and character of signs, architectural design of the proposed development, and other modifications deemed necessary to ensure compatibility with the surrounding environment and to protect public health, safety, and welfare.

(5) New Applications Following Denial or Revocation: No application for approval of the same or substantially the same site may be filed within one (1) year of the date of denial of a SP District zoning request and associated Preliminary Master Development Plan (PMDP) by the Board of Mayor and Aldermen. The Applicant/Owner may

petition the Mayor and Aldermen to grant a new review of the site if undue hardship and/or new facts concerning the site and/or application can be demonstrated.

- (6) Approval to Run with the Land: A SP Specific Plan District and Preliminary Master Development Plan approval, pursuant to these provisions, shall run with the land and shall continue to be valid upon change of ownership of the property that was the subject of the application. An approved SP Preliminary Master Development Plan will obtain vested rights per standards as stated in Tennessee Code Annotated Section 13-4-310.

G. Approval of a Final Master Development Plan (FMDP) for an SP District:

The approval of a Preliminary Master Development Plan and establishment of the Specific Plan (SP) district, by the Board of Mayor and Aldermen, shall authorize and form the basis for the review and consideration, by the Planning Commission, of a Final Master Development Plan (FMDP) for the development. The review and consideration of the FMDP shall be subject to the following procedures and requirements:

Upon receipt of the approved Preliminary Master Development Plan, the Owner may proceed with the preparation of a Final Master Development Plan (FMDP) and specifications for all or any phase of the development. The Final Master Development Plan shall be reviewed and approved by the Planning Commission according to the provisions of Section 11-1009.4 of this Ordinance. Upon approval by the Planning Commission, one (1) copy shall be filed in the community development and planning department. No building permit(s) shall be issued until the Final Master Development Plan of the proposed development, or specific phase of the development, is approved and filed with the community development and planning department.

- (1) Final Master Development Plan (FMDP) Process: Following approval of the Preliminary Master Development Plan, the applicant shall submit a Final Master Development Plan to the Springfield Planning Department.
 - a. The Planning Commission shall receive comments from the City Staff with specific recommended modifications after review of the FMDP. The Planning Commission shall review the proposed FMDP and the Planning Commission shall make one (1) of the following decision.

- i. Approval of the FMDP as submitted;
- ii. Approval of the FMDP with specific modifications; or
- iii. Denial of the FMDP.

(2) Pre-application Conference: Prior to the filing of the application for a Final Master Development Plan, the applicant shall meet with the community development and city departments. The meeting is to determine whether the applicant is proceeding according to the conditions of approval, is applicable, of the Preliminary Master Development Plan, to consider if amending the application or previously approved Preliminary Master Development Plan is needed, and to discuss any other issue that may aid in the submission of the Final Master Development Plan.

a) Application for Final Master Development Plan Approval: After the approval of a SP Specific Plan District and Preliminary Master Development Plan, the landowner may make an application to the Planning Commission for final approval of the entire development or a specific phase of the development provided that the submitted Final Master Development Plan is in conformance with the approved Preliminary Master Development Plan. The Final Master Development Plan shall include all information contained in the most recent version of the approved Preliminary Master Development Plan plus the following information:

- i) Property boundary lines and dimensions, topography (5' contour intervals), and location map.
- ii) Arrangement and size of buildings and the specific use of the property.
- iii) Detailed information about the allowable uses of the property, including a tabulation of the land area to be devoted to various uses and activities and overall densities.
- iv) Specific site development standards and bulk regulations including, but not limited to, the height and size of proposed building types, minimum lot area, maximum floor area ratios, maximum lot coverage and impervious surface ratio, minimum lot width, minimum building setbacks, required yards, required open space, parking standards and accessory building standards.

- v) Areas to be developed for parking, unloading, drives, walkways, recreation, or other uses designed in accordance with the approved Preliminary Master Development Plan for the SP Specific Plan District.
- vi) Detailed landscape plans including the location of major existing growth that is to be retained. The landscape plan shall include specific information pertaining to bufferyards, open space, and required landscaped areas as required by the Preliminary Master Development Plan.
- vii) Detailed locations and types of utilities and easements including storm drainage as well as specific details of all surfaced areas.
- viii) Details of the proposed traffic control and access management plan as required by the approved traffic study and Preliminary Master Development Plan. Plans shall also include detailed street cross sections and street network configuration for street improvements, and grading and earth moving plans showing existing and proposed topography at 2-foot contour intervals.
- ix) Detailed architectural plans and elevations sufficient to indicate building, height, bulk, materials, and architectural design
- x) Detailed signage plans and elevations sufficient to indicate the design of proposed signage, height, materials, and overall amount of signage.
- xi) Time schedule for completion of the project.
- xii) A statement regarding the proposed method of operating and maintaining the project.
- xiii) A statement of adequate surety, in the form specified in Chapter 10, to ensure construction of the planned development within the proposed phasing/time schedule.
- xiv) The Final Master Development Plan shall be sufficiently detailed to indicate fully the final design, function, and appearance of the development. Also, the proposed Final Master Development Plan shall follow all applicable procedures and requirements governing the subdivision of land, and no building permit shall be issued for the project until a final plat, if necessary, of the proposed development, or portion thereof, is approved, filed, and recorded.

(3) Final Planning Commission Action

Upon receipt of an application for approval of a Final Master Development Plan, the Planning Commission shall review the Final Master Development Plan and determine whether it conforms to all applicable requirements adopted as part of the Ordinance adopting the SP Specific Plan District and whether it conforms to the approved Preliminary Master Development Plan. The Planning Commission may impose such conditions of approval necessary to ensure the satisfaction of all applicable requirements and compliance with the approved Preliminary Master Development Plan.

(4) Lapse of Approval

The lapse of approval of a SP District Preliminary Master Development Plan and Final Master Development Plan shall be in accordance with vested rights standards found in Tennessee Code Annotated 13-4-310.

The vested rights standards in T.C.A. 13-4-310 are as follows:

- a. During the vesting time period the zoning regulations in effect on the date of approval for the Preliminary Master Development Plan shall remain the zoning regulations that apply to the project.
- b. The Vesting Period for a Preliminary Master Development Plan shall be three (3) years, which starts on the date of approval of the PMDP and provided the applicant obtains approval of a Final Master Development Plan (FMDP), obtains necessary permits, and begins site preparation.
- c. If the applicant obtains approval of a FMDP, obtains necessary permits, and begins site preparation during the three (3) year vesting period, the vesting period will be extended by two (2) years to begin construction. During the two (2) years construction shall commence and necessary permits must be maintained.
- d. The total vesting period shall not exceed ten (10) years from the date of the PMDP approval, unless the City grants an extension.
- e. If a development contains two (2) or more sections or phases, as shown within the PMDP, there is a separate vesting period for each section or phase. For a development with two (2) or more sections or phases the total vesting period shall not exceed fifteen (15) years from the date of approval of the PMDP for the first section or phase.

(5) Procedures to Amend a Master Development Plan (Preliminary or Final)

Material amendments to the SP District Preliminary Master Development Plan and Final Master Development Plan must be submitted to the Planning Commission for review and recommendation and approval by the Board of Mayor and Aldermen. Material amendments shall include, but are not limited to:

- a. A one (1) unit per acre increase in the density of the development;
- b. Material reduction and/or increase in the number of access points and/or the relocation of previously approved access points.
- c. Material reduction and/or increase in proposed streets;
- d. Material changes in the mix of building types (both residential and non-residential) included in the project;
- e. Material changes in grading that may create issue with stormwater runoff;
- f. Material reduction in the provision of utilities to the project;
- g. Material changes in the percentage of proposed land uses;
- h. Material reduction in the size of approved open space, or any reduction in the amount of plant material in proposed landscaping and/or bufferyards;
- i. Material change in previously approved architectural elevations; or
- j. Any other change that the community development and planning department determines to be a material divergence from the approved Preliminary Master Development Plan. The Planning Commission may overrule this determination upon the favorable vote of a majority of the Planning Commission.

- (6) All other changes in the SP Specific Plan District Preliminary Master Development Plan or Final Master Development Plan shall be considered minor amendments to the approved plan. The Planning Commission may approve any minor amendment to a Preliminary Master Development Plan or a Final Master Development Plan.

H. SP District: Design Standards

- (1) **Land Uses:** In order to achieve the proximity necessary to create a walkable development, it is important to mix land uses. An SP development should consist of a mix of residential uses, a mixed-use area, and open space(s) as provided below:

(2) **Permitted Residential Uses:** The following residential building types and land uses can occur anywhere within a Specific Plan District development. For Specific Plan District developments that are infill development, the mixture of residential uses can be created by existing residential uses adjacent to the development.

- a. Single-family detached dwellings;
- b. Single-family attached dwellings, including duplexes, townhouses, and row houses;
- c. Multifamily dwellings, including senior housing;
- d. Secondary dwelling units such as in-law or granny flats;
- e. Special needs housing, such as community living and assisted living facilities.
- f. Residential units located on upper floors above commercial uses or to the rear of storefronts;
- g. "Live/work" units that combine a residence and the resident's workplace;
- h. Independent and assisted living facilities.

(3) **Permitted Non-Residential Uses:** Non-Residential land uses are comprised of commercial, civic, institutional; education and open space land uses as listed below. No industrial land use as defined in the zoning ordinance as RI or GI is permitted within a Specific Plan District development.

- a. Commercial Uses:
 - i. Food services (neighborhood grocery stores; butcher shops; bakeries; restaurants, not including drive-throughs; cafes; coffee shops; neighborhood bars or pubs);
 - ii. Retail uses (florists or nurseries; hardware stores; stationery stores; book stores; studios and shops of artists and artisans);

- iii. Services (day care centers; music, dance or exercise studios; offices, including professional and medical offices; barber; hair salon; dry cleaning)
- iv. Accommodations (bed and breakfast establishments, small hotels or inns).
- v. Live/Work residential uses for use by artists, photographers, and other studio-type uses.

b. Civic or Institutional Uses:

- i. Municipal offices, fire stations, libraries, museums, community meeting facilities, senior citizens centers, and postoffices;
- ii. Transportation shelters;
- iii. Places of worship;
- iv. Educational facilities.

(4) **Open Space Types and Uses:** Different types of open space and functional spaces shall be incorporated into all Specific Plan District developments. The following open space types and functional uses of open space are typical

- a. Protected Natural Areas and Viewsheds;
- b. Community Parks;
- c. Nature Trails and Nature Watching Areas
- d. Open Space Types and Functional Uses
 - i. Central Square or Town Square;
 - ii. Neighborhood Park;
 - iii. Playground;

- iv. Greenways;
- v. Educational Nature Areas;

(5) **Permitted Development Densities:** The maximum density of residential dwelling units (excluding open spaces, rights-of-way, floodways and detention areas) listed in plan will be evaluated in conjunction with factors that affect the public health, safety, and general welfare of citizens.

(6) **Open Space Requirements:** A minimum of 20 percent of the gross acreage of the SP development shall be designated as open space with at least 10 percent of the open space acreage designated as functional open space. Functional open space includes the Open Space Types provided in H(4) of this section. Functional open spaces shall have road frontage onto a least one (1) public right-of-way. Any functional open space area shall be a part of the homeowners' association responsibility and shall be maintained in perpetuity. The remaining 10 percent of the required open space may be floodways, floodplains, water bodies, and stormwater areas.

An open space plan shall be included, separate from any landscaping plan(s), within the Preliminary Master Development Plan for the establishment of the SP zone district and any Final Master Development Plan associated with an approved SP Preliminary Master Development Plan.

(7) **Circulation:** The circulation system within an SP development shall allow for a mixture of transportation modes. The circulation system shall provide physical connections within as well as between residential areas, mixed-use areas, commercial areas, and functional open space areas. Additionally, the circulation system shall connect to any existing or proposed roadways, sidewalks, bike paths, and greenways that are adjacent to the SP development or proposed to be adjacent to the development.

The circulation system shall be developed in a manner that provides adequate traffic capacity; connections between pedestrian and bicycle routes; minimize and/or calm through traffic; and promote safe pedestrian and vehicular movements within the entirety of the development.

- a. **Pedestrian Circulation:** Pedestrian circulation route should minimize pedestrian-motor vehicle conflicts and be located throughout the SP Development. When

possible, existing pedestrian routes through the site should be retained. Sidewalks are required along new streets and shall be constructed in accordance with the specifications listed in the subdivision regulations and requirements listed below.

- i. Residential Sidewalks. Sidewalks, a minimum of 5-feet in width, shall be provided in order to connect residential areas to the adjacent areas of the development. Wider sidewalks may be required dependent upon the amount of projected pedestrian traffic.
 - ii. Commercial and Mixed-Use Sidewalks. Walkways shall connect building entrances to public sidewalks and parking areas. These walkways shall be a minimum of 5-feet in width.
 - iii. Sidewalks along rights-of-way. A 4' wide planting strip or tree well is required between the sidewalk and the curb, in both residential and commercial areas.
 - iv. ADA Accessibility. Sidewalks shall comply with all applicable requirements of the Americans with Disabilities Act (ADA) standards.
- b. **Bicycle Circulation:** Bicycle routes shall be provided on streets and/or on dedicated bicycle paths/corridors. Existing bicycle routes through the site, if any exist, shall be retained. Bicycle infrastructure may include off-street bicycle paths, separate bicycle lanes, and on-street bike lanes. Narrow streets shall be encouraged on local streets to provide traffic calming, where a separate bike lane may not be possible.
 - c. **Vehicular Circulation:** Vehicular routes shall be designed to minimize conflicts with both pedestrian and bicycle traffic. Traffic calming features such as curb extensions, traffic circles, and medians may be used to encourage slow traffic speeds and provides protected areas for pedestrian and cyclists.
- i. Parking. Parking requirements will follow the parking standards found in Section 11-807 of this ordinance, unless a specific parking plan is provided as part of the SP Preliminary Master Development

Plan.

- (8) **Architectural Standards.** A variety of architectural details and building materials is encouraged to give each building or group of buildings a distinct character but also complementary. The development should be designed for the human scale, which places importance on walking distances, height of buildings, design of street lights and signs, sidewalks, and other features.

a. **Guidelines for Existing Structures**

- i. Existing structures, if determined to be historic or architecturally significant by the Springfield Planning Commission, the Tennessee Historical Commission, or listed in the National Register of Historic Places shall be protected from demolition or encroachment of incompatible structures.
- ii. If the structure is designated a local landmark or located within a locally designated historic district, then any work completed to this structure shall follow locally adopted design guidelines. If the structure is listed in the National Register of Historic Places, then the U.S. Secretary of the Interior's Standards for Rehabilitation of Historic Properties shall be used as the criteria for the rehabilitation of the structure.

b. **Guidelines for New Structures**

- i. **Height.** Structures within an SP Development generally shall not exceed 70' in height for any structures, including single-family residential, mixed residential use, commercial, multi-family residential, or mixed-use. A formal request can be made as part of the Preliminary Master Development Plan process to increase the building height above 70' in height.
- ii. **Entries and Facades**
 - a. The architectural features and materials of proposed buildings shall be present on all building elevations visible from a street or sidewalk.

- b. Generally, the front elevation of a building on any lot shall face onto a public street instead of a parking lot. Exceptions to this general requirement that would be considered include, but are not limited to, larger commercial development (such as “big box retail” or shopping centers), transitional areas not designed or intended to contain predominantly residential development or high walkability factors, etc.
- c. For commercial buildings or the ground floor of a mixed-use building shall have a minimum of 40 percent transparency. This can be achieved through both window or door openings that permit seeing into and out of the interior of the building.

(9) **Garages and Secondary Dwelling Units.** Additional garages and/or a secondary dwelling unit may be placed on a single-family detached residential lot provided that the secondary dwelling unit or garage has a smaller footprint and are shorter than the primary residence on the lot.

(10) **Signage.** All signage will follow the signage regulations found in Section 11- 808 of this ordinance unless a comprehensive signage plan is included within the Preliminary Master Development Plan for consideration and approval.

11-1003 Planned Unit Development (PUD) Overlay

A. Purpose

These regulations are designed to promote flexibility in design and permit planned diversification in the location of structures; to promote efficient use of land that will facilitate a more economic arrangement of buildings; circulation systems, land use, and utilities; to preserve as much as possible existing landscape features and utilize them in a harmonious fashion; to encourage the total planning of tracts of land; and to provide a mechanism for the ownership of land, utilities, streets, and facilities in common as well as the maintenance and disposition thereof.

11-1004 General Provisions

A. Master Plan Required

No application for a Planned Unit Development (PUD) shall be considered unless a master plan meeting the requirements outlined in Section 11-1003 A is submitted therewith.

B. Ownership and Division of land

No tract of land may be considered for or approved as a planned development unless such tract is under single ownership or under multiple ownership if approved by the Springfield Planning Commission. The holder(s) of a written option to purchase, any governmental agency, or a redeveloper under contract shall be considered landowners for purposes of this section. Unless otherwise provided as a condition of approval of a PUD, the landowner of an adopted PUD may divide and transfer parts of such development. The transferee shall complete each such unit, and use and maintain it in strict conformance with the adopted final master plan. Prior to the transfer of any section, a subdivision plat shall be filed with the planning commission.

C. Relationship to Subdivision Regulations

The uniqueness of each proposal for a planned unit development may require that specifications for the width and surfacing of streets, public ways, public utility rights-of- ways, curbs, and other standards may be subject to modification from the specifications established in the subdivision regulations adopted by the planning commission.

Modifications may be incorporated only with the approval of the planning commission as a part of its review of the master plan for a PUD and granted as a variance in the preliminary approval of the subdivision which must be concurrent with the final approval by the planning commission of the master plan.

D. Development Period, Staging Schedule

The expeditious construction of any PUD shall be undertaken to assist in the assurance of the full completion of the development in accord with the approved master plan.

Within one year after the date of approval, actual construction shall have commenced in such development. In the event that construction has not been started, the planning

commission shall conduct a hearing on the project and review the zoning of the PUD and may proceed through the Board of Mayor and Aldermen to cancel or extend such zoning depending on the circumstances of each case.

The planning commission may permit the development to be constructed in stages so that completion is achieved in a logical manner. The following provisions shall govern the staging schedule:

- (1) Each stage be so planned and so related to existing surroundings and available facilities and services that failure to proceed to the subsequent stages will not have an adverse impact on the planned unit development or its surroundings at any stage of the development.

E. Common Open Space and Facilities

Any common space or public or private facilities shall be subject to the following provisions:

- (2) The location, shape, site, and character of the common open space shall be reviewed in detail, and it must be used for amenity or recreational purposes. The uses authorized for the common open space must be appropriate to the scale and character of the planned development considering its size, density, expected population, topography, and the number and type of dwellings or structures to be provided.
- (3) Common open space must be suitably improved for its intended uses but common open space containing natural features worthy of preservation may be left unimproved. The buildings, structures, and improvements which are permitted in the common space must be appropriate to the uses, which are authorized for the common open space and must conserve and enhance the amenities of the common open space with regard to its topography and unimproved condition.
- (4) The planning commission may require that the landowner provide for and establish an organization for the ownership and maintenance of any common open space and facilities and such organization shall not be dissolved nor shall it dispose of any common open space, by sale or otherwise (except to an organization conceived and established to own and maintain the common open

space), without first offering to dedicate the same to an appropriate public agency and said dedication be approved by the planning commission. However, the conditions of any transfer shall conform to the adopted final master plan.

- (5) In the event that the organization established to own and maintain common open space, or any successor organization, shall at any time after the establishment of the planned unit development fail to maintain the common open space in reasonable order and condition in accordance with the adopted master plan, the building inspector may serve written notice upon such organization and/or the owners or residents of the planned unit development and hold a public hearing. After 30 days when deficiencies of maintenance are not corrected, the building inspector shall call upon any public or private agency to maintain the common open space for a period of one (1) year. When the building inspector determines that the organization is not prepared for the maintenance for the common open space such agency shall continue maintenance for yearly periods.
- (6) The cost of such maintenance by such agency shall be assessed proportionally against the properties within the planned unit development that have a right of enjoyment of the common open space, and shall become a lien on said properties.
- (7) If the common open space is deeded to a Homeowners Association, the developer shall file a declaration of covenants and restrictions that will govern the association, to be submitted with the application for preliminary approval. The provisions shall include, but not be limited to the following:
 - (a) The homeowner's association must be set up before the homes are sold.
 - (b) Membership must be mandatory for each home buyer and any successive buyer.
 - (c) The open space restrictions must be permanent, not just for a period of years.
 - (d) The association must be responsible for liability insurance, local taxes, and the maintenance of recreational and other facilities.
 - (e) Homeowners must pay their pro rata share of the cost and the assessment levied by the association can become a lien on the property.
 - (f) The association must be able to adjust the assessment to meet changing needs.

11-1005 Administrative Procedure.

The provisions of this section govern the procedure for approval for all PUDs as provided herein. A PUD shall be an overlay zone upon the base district. Any landowner may apply for a Residential PUD in any residential district, or a Commercial PUD in the CS District. (A Mixed Residential - Commercial PUD shall not be allowed).

A. Preliminary Approval

Application for preliminary approval shall be made by the landowner of the affected property or his authorized agent to the Community Development Director in accordance with such written general rules regarding general procedure, form of application, and required information as the planning commission may determine, provided they are not inconsistent herewith. The application for preliminary approval shall be accompanied by:

- (1) The preliminary master plan for the proposed planned unit development shall be a general concept plan which shall include such items as the planning commission by general rule shall specify in order to disclose;
 - (a) The location and size of the area involved,
 - (b) Transportation routes including streets, driveways, sidewalks, and pedestrian ways, and off-street parking and loading areas,
 - (c) Location and approximate dimensions of structures including approximate height and bulk and the utilization of structure including activities and the number of living units,
 - (d) Estimated population and density and extent of activities to be allocated to parts of the project,
 - (e) Reservations for public uses including schools, parks and other open spaces,
 - (f) Other major landscaping features, and

- (g) The general means of the disposition of sanitary wastes and storm water.
- (2) A tabulation of the land area to be devoted to various uses and activities and overall densities.
- (3) The nature of the landowner's interest in the land to be developed shall be examined by the Planning Commission. All parties having a beneficial interest in the affected property will be afforded an opportunity to state their views at the public hearings held by the Board of Mayor and Aldermen and the Springfield Planning Commission.
- (4) The substance of covenants, grants of easements or other restrictions to be imposed upon the use of the land, buildings and structures including proposed easements for public utilities.
- (5) A stage development schedule, setting forth when the landowner intends to commence construction and a completion period.
- (6) When it is proposed that the final master development plan will be submitted in stages, a schedule of submission thereof.

B. Board of Mayor and Aldermen Concurrence

Any PUD granted preliminary approval by the planning commission shall be transmitted to the Board of Mayor and Aldermen for their concurrence. After Board of Mayor and Aldermen approval, the planning commission may proceed with final approval of the PUD or any stage thereof.

C. Application for Final Approval

Within one year of the preliminary approval of a planned unit development, the landowner may make application to the planning commission, provided that the proposed master development plan and other elements associated with the planned unit development are in substantial compliance with the substance of the preliminary approval of the planning commission. The application shall include all aspects of the preliminary application, the proposed final master development plan, other required drawings, specifications, covenants,

easements, and conditions and forms of bonds as were set forth by the planning commission resolution of preliminary approval. Copies of all legal documents required for dedication or reservation of group or common open space and/or for the creation of a non-profit association shall also be submitted. When appropriate, this application shall contain the stage development schedule.

D. Final Approval of Stages

The application for final approval and the final approval by the planning commission may be limited to each stage as appropriate in a large planned unit development, in compliance with the Section 11-1002 D.

E. Final Master Development Plan of Planned Unit Development

The final master plan of a planned unit development for the entire development, or as submitted in stages if authorized, shall be substantially consistent with the approved preliminary master development plan receiving preliminary approval plus the following: the location of water, sewerage, and drainage facilities; detailed buildings and landscaping plans and elevations; character and locations of signs; plans for street improvements; and grading and earth moving plans showing existing and proposed topography. The final master development plan shall be sufficiently detailed to indicate fully the ultimate operation and appearance of the development.

F. Amendments to the PUD

The terms, conditions, and the final master plan of a PUD may be changed from time to time by official action of the planning commission. Any such amendments must remain in compliance with the appropriate zoning regulations and comply with the following.

The landowner, the residents and/or owners of or in the PUD may apply to the planning commission for an amendment to the master plan. The planning commission may approve such amendment so long as the original intent is not abrogated and the change does not in any way damage any part of the PUD nor any adjoining properties. Minor changes in the location, siting, and height of buildings may be authorized by the planning commission if required by engineering or other circumstances of the location not foreseen at the time of final approval. Other

changes in use, size or rearrangement of lots, blocks, or building tracts, provisions for open space, or any other desired change must be justified by changes in conditions or markets since the final plat was approved. Changes of this nature are considered major changes and must be approved by the Planning Commission and Board of Mayor and Aldermen as an amendment to the PUD.

G. Cancellation of an Adopted Planned Unit Development

In the event that actual construction has not begun within one year from and after the date of the ordinance adopting or amending a planned unit development, (or after any period of extension officially authorized), the planning commission may, after an official meeting with notice to the landowner, act to cancel the adopted planned unit development or at any time upon the petition of the landowner.

11-1006 Permitted Uses.

Within an approved PUD, the following uses may be permitted by the planning commission as a part of the approval process:

A. Residential PUD

(1) Residential Activities

Permanent: Dwelling,
attached Dwelling,
one-family detached
Dwelling, semi-
detached Dwelling,
two-family detached
Dwelling, multi-family

(2) Community Facility Activities

Community Assembly
Cultural and Recreational
Services Essential Services

(3) General Requirements for Residential Zones

Duplex, Condominium, and Multi-Family Units are allowed in all residential districts through the use of PUD overlay zoning. Developers can seek to increase the density in these zones by providing common open space, underground wiring, and other amenities authorized by this Chapter.

B. Commercial PUD

(1) Commercial

Activities

Convenience

Commercial

Financial, Consultive, and Administrative

Services Food and Beverage Services

Food Service Drive-In

General Business and Communication

Services General Personal Services

General Retail Trade

Medical and Professional Services

(2) Community Facility

Activities Essential

Services

11-1007 Area Regulations.

All PUDs shall comply with the following area regulations:

A. Minimum Size

Residential PUD - five
(5) acres Commercial
PUD - one (1) acre

B. Front Yard

- (1) There shall be a front yard setback for all detached dwellings of twenty-five (25) feet. The front yard for other types of structures shall be as required by the planning commission.
- (2) Where the PUD fronts on a street with other houses on adjacent properties also fronting on such street which have front yards greater than twenty-five (25) feet, then no building shall be erected closer to the street line than the minimum setback established by the existing buildings.
- (3) In a Commercial PUD the front setback for buildings shall be forty (40) feet with a permanently landscaped front yard of ten (10) feet.

C. Periphery Boundary

All buildings shall maintain a minimum setback from the peripheral boundary of the PUD of not less than twenty-five (25) feet. A Commercial PUD shall maintain a minimum side and rear yard of ten (10) feet, which shall be permanently landscaped.

D. Other Yard Requirements

Within the boundary of the PUD other than the required yards above, no yard requirements are established. The planning commission shall specify internal yard as part of the approval of the final master based upon the type of buildings and nature of the PUD.

E. Lot Area and Frontage

In the case of detached dwellings, no lot shall be approved with an area of less than 5,000 square feet and a street frontage of less than forty (40) feet at the building setback line.

11-1008 Density of Development.

The maximum overall density shall be specified in terms of the number of dwelling units per gross acres of the acreage of the entire development. The maximum density shall be as follows:

- A. For mixed residential types, a maximum increase of five (5) percent.**
- B. For underground utilities, a maximum increase of ten (10) percent.**
- C. For improved common open space, a maximum increase of five (5) percent.**
- D. For preservation of natural, historic or archaeological features, a maximum of five (5) percent.**

11-1009 Required Improvements.

All PUDs shall comply with the schedule of improvements required in this section.

A. Internal Streets

Within any PUD, streets may be public or private. Whether the developer requests that the streets be dedicated to the public or request that they remain private, specifications and procedures of the subdivision regulations shall apply. Streets privately constructed may be maintained either by the landowner/developer or deeded to the homeowner's association.

B. Off-Street Parking

The off-street parking requirements contained in Section 11-807 B or Section 11-807 D shall apply. All off-street parking areas shall be paved, marked, and landscaped. Large expanses of pavement shall not be permitted to dominate a site, and the planning commission may require a variety of design and landscaping techniques to achieve this.

C. Utilities

The development shall be serviced with public or private sanitary sewerage systems. The water systems shall be capable of providing needed fire flows for the development as well as domestic water supply. Fire hydrants shall be installed a minimum of 500 feet apart except for areas of detached dwellings where the fire hydrants may be spaced so that no dwelling is farther than 500 feet away from such hydrant.

D. Waste Disposal

If any central waste disposal containers are provided, they shall be completely enclosed and screened from view.

11-1010 Other Requirements

A. Maximum Height of Buildings

No building shall exceed three (3) stories or thirty-five (35) feet in height.

B. Subdivision Plat Required

A PUD may be subdivided and sold. When this is to be the case at the time of submission of the final master plan, a final subdivision plat shall also be submitted meeting the requirements for a final plat to be recorded in the office of the county registrar.

When the subdivision includes attached dwellings in either a horizontal or vertical relationship, the final plat shall also contain an "as-built" building and boundary survey showing the complete and accurate dimensions and angles of the boundary of the parcel(s) on which the unit is located. In a vertical relationship (for example a second-floor apartment) the plat must contain a datum plane or other suitable location reference. In meeting this

requirement, it is necessary that the upper and lower limits of each level of each dwelling unit be identified specifically in relation to the vertical reference.

C. Building Reconstruction

In the event a building is substantially damaged or destroyed by fire or natural disaster, such building may be reconstructed in exact compliance with approved master plan. No change in any dimension or location shall be permitted without an official amendment approved by the planning commission.