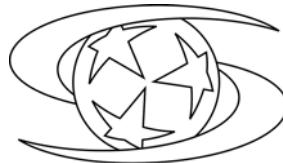


McCormick Road Annexation Study For Munford, Tennessee

Prepared by the



**State of Tennessee Department of Economic and Community Development
Local Planning Assistance Office
April 2010**

I. INTRODUCTION

The absence or the inadequacy of urban planning in developing fringe areas can result in poorly designed and/ or maintained roads, and insufficient water and/ or sewage systems. Such a situation could present a threat to the health, safety and welfare of the citizens of the municipality as well as the people living in the fringe areas. In many instances, the process of suburbanizing of these fringe areas occurs at a pace at which often exceed the capacity and / or financial ability of the local governments to support. The result is often urban sprawl where control can generally be characterized as too little too late. Annexation of the areas usually presents major problems in terms of the provision of services, costs, and the resolution of land use conflicts associated with unplanned and loosely controlled development.

Through the expansion of its boundaries by annexation, a municipality can plan for and deliver the urban services required by the fringe areas surrounding the municipality. Through annexation, a municipality can also retain its political and economic vitality by periodically adjusting its legal boundaries to reflect the social and economic boundaries of the city. A proper balance of the interest and needs of a municipality and its fringe areas is crucial. The growth and prosperity of the municipality must be weighed against considerations of fairness and equity to the residents of the fringe areas. Newly annexed areas should receive the services to which they are entitled, thus the annexation of an area should not be utilized as means to merely create new sources of municipal revenue.

The primary purpose of this study is to provide the Munford Municipal-Regional Planning Commission and Board of Mayor and Aldermen with pertinent information regarding the possible annexation of a fringe area along McCormick Road that is located within the Urban Growth Boundary / Planning Region for the City of Munford. Since the provision of services is an integral part of any annexation effort, this study will provide estimates on the cost of providing certain services.

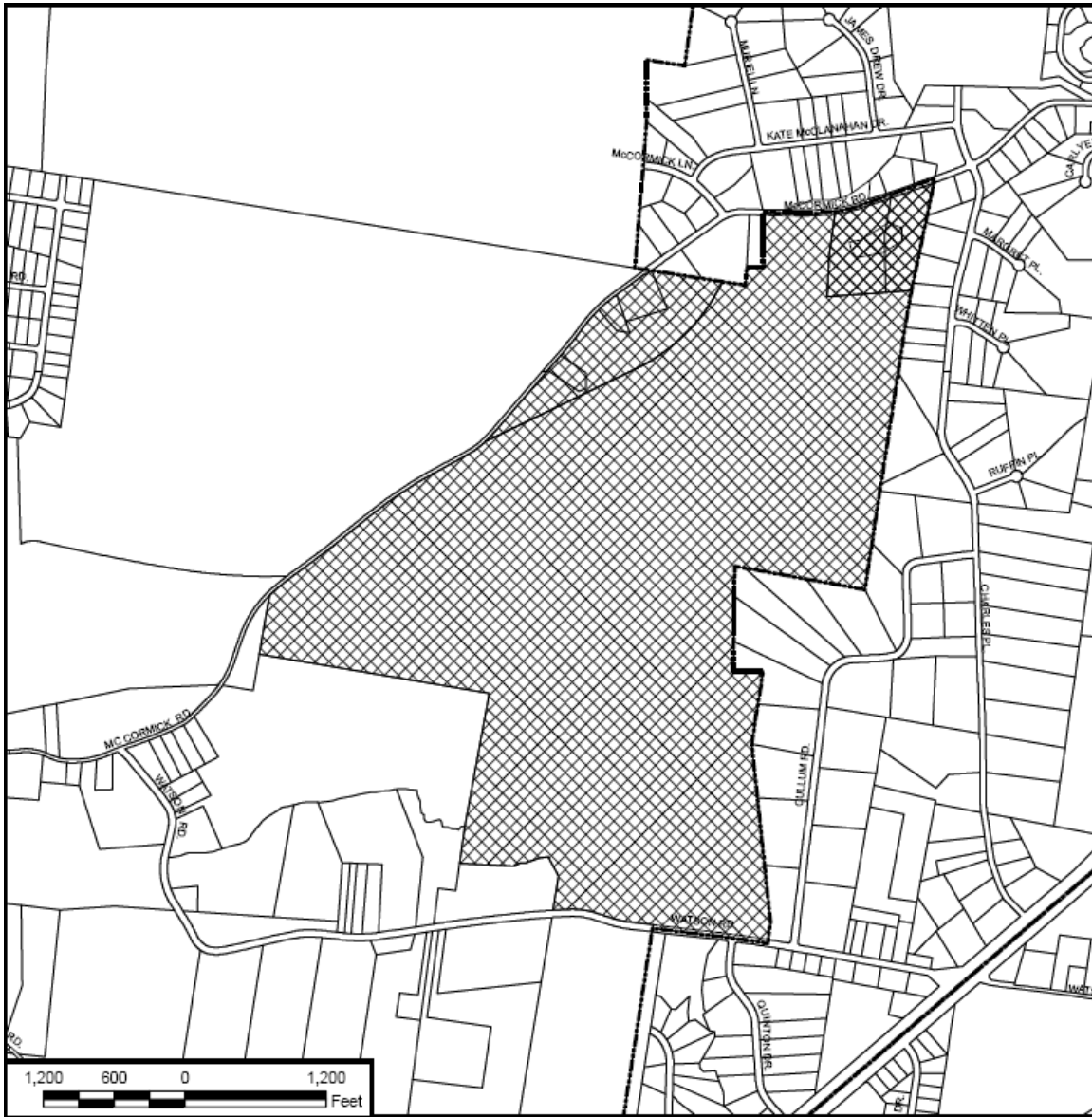
II. PURPOSE

As mentioned previously, the primary purpose of this study is to provide the Munford Municipal-Regional Planning Commission and the Munford Board of Mayor and Aldermen with information relative to an area outside of the corporate limits of the City of Munford which would have the potential for development and should be evaluated to determine its feasibility for annexation. This study should also be utilized to establish a time frame for the future annexation of the studied area.

III. PROPOSAL AREA DEFINED

The following table describes the proposal:

| Parcel # | Tax Map # | Acreage | Imp. Value | Assessed Value |
|---------------------|------------------|----------------|-------------------|-----------------------|
| 075.04 | 112 | 6.02 | \$205,600.00 | \$69,275.00 |
| 075.05 | 112 | 6.84 | \$363,200.00 | \$109,900.00 |
| 076.00 | 112 | 0.94 | \$50,000.00 | \$20,325.00 |
| 077.00 (portion) | 112 | 16.00 | - | - |
| 077.01 | 112 | 1.03 | \$101,700.00 | \$33,375.00 |
| 077.02 | 112 | 2.35 | \$125,400.00 | \$44,600.00 |
| 001.00 | 127 | 375.56 | \$0 | \$73,275.00 |
| | | TOTAL | TOTAL | TOTAL |
| | | 408.74 | \$845,900.00 | \$350,750.00 |



PROPOSED ANNEXATION AREA

MUNFORD, TENNESSEE

April 5, 2010

Map Attachment for Ordinance # _____



IV. OVERVIEW OF ANNEXATION PROPOSAL

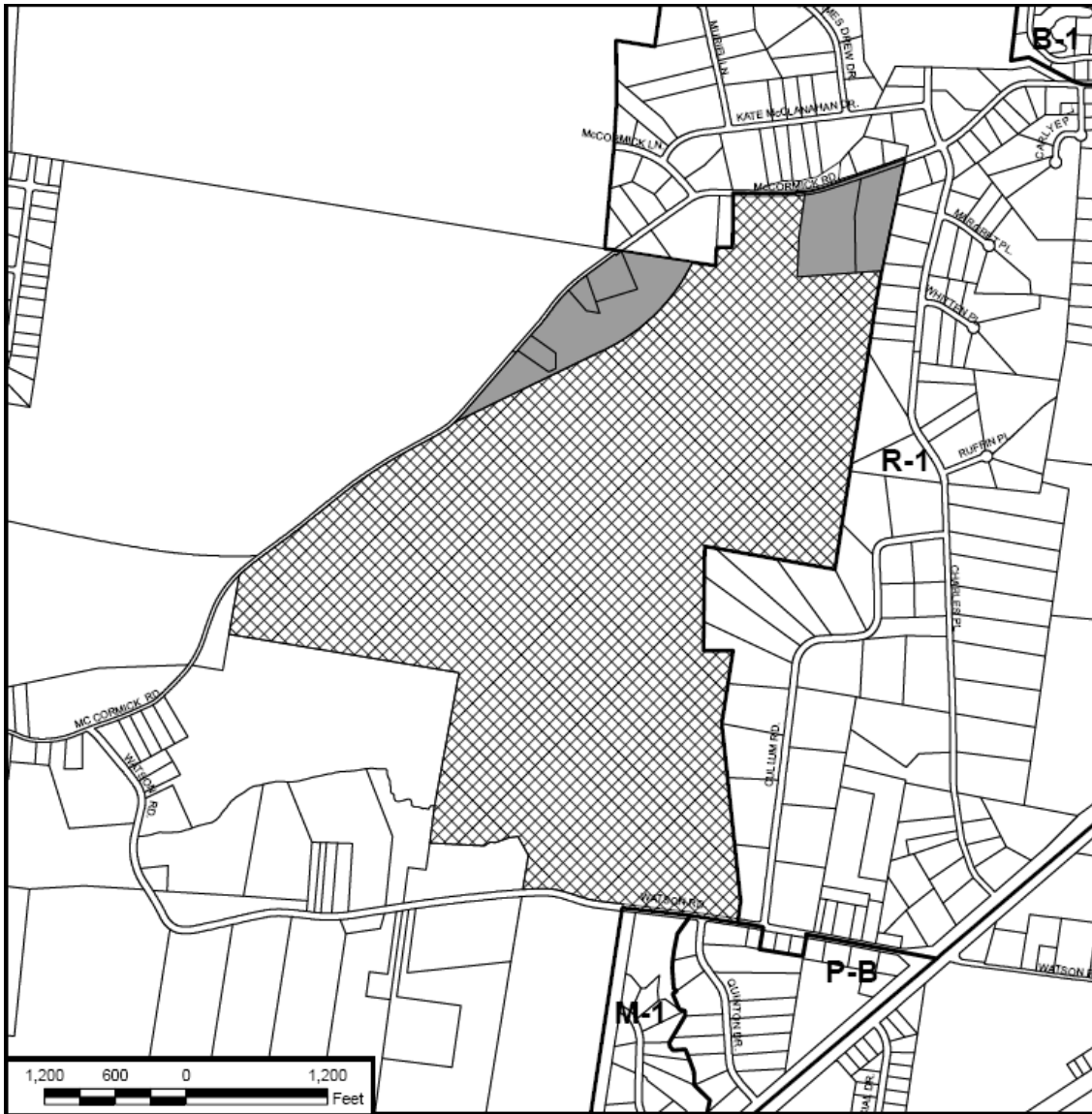
The proposed annexation of the subject area consists of approximately 408.74 acres with a total approximate assessed value of \$350,750.00. The subject properties contain five (5) single family residential structures. Public water is available within the proposed annexation area. However, upgrades have been proposed. Public sanitary sewer infrastructure will need to be delivered to the area in question. The population figures are based on current status information only.

| | | |
|----|--|-------------------|
| A. | Number of Single-family Dwelling Units | 05 |
| B. | Estimated Population (Based on the 2000 Census with an Average Family Size of 2.725) | 14 |
| C. | Other Land Uses | |
| | Residential | 33.18 |
| | Agricultural / Vacant | 375.56 |
| | Commercial | 00 |
| | Industrial | 00 |
| D. | Total Acreage (Excluding Roads) | 408.74 |
| E. | Miles of Roads (approximate) | 0.47 |
| F. | Assessed Property Valuation | \$375,750.00 |
| G. | Estimated Property Tax Revenue (Annual) | \$3,493.72 |
| H. | Estimated State Shared Taxes (Annual) | \$1,396.15 |
| I. | Total Tax Revenue | \$4,889.87 |
| J. | Estimated cost of Sewer Extension | \$300,000.00 |
| K. | Water upgrades (Estimated) | \$175,000.00 |
| L. | Gas Main Extensions | \$110,000.00 |
| M. | Street Lighting | As needed |

| | | |
|----|------------------------------|-----------|
| N. | Roadway Repair & Maintenance | As needed |
| O. | Additional Policemen Needed | 00 |
| M. | Additional Firemen Needed | 00 |

V. **ZONING PLAN**



The proposed zoning plan for the subject area consists of two districts. The properties that are situated along McCormick Road with the exception of tax parcel 001.00, Tipton County Tax Map 127, have been proposed to be zoned R-1 (Low Density Residential). Tax parcel 001.00, Tipton County tax map 127 has been proposed for a new zoning district designation entitled Planned Village Development (PVD). This newly proposed district allows for the mixture of different residential uses along with limited retail commercial uses. The minimum acreage needed for this district is 100 acres. Said district is described further as follows:



PROPOSED ZONING

MUNFORD, TENNESSEE

April 5, 2010

-  Area to be zoned PVD, Planned Village District
-  Area to be zoned R-1, Low Density Residential

Map Attachment for Ordinance # _____



ORDINANCE _____

**AN ORDINANCE TO AMEND THE MUNICIPAL ZONING ORDINANCE OF MUNFORD,
TENNESSEE: TO INCORPORATE PLANNED VILLAGE DEVELOPMENT DISTRICT
PROVISIONS WITHIN ARTICLE VI PROVISIONS GOVERNING RESIDENTIAL DISTRICTS**

WHEREAS, pursuant to Tennessee Code Annotated Sections 13-7-201 through 13-7-211, a municipal zoning ordinance has been adopted for City of Munford, Tennessee; and,

WHEREAS, the Munford Municipal-Regional Planning Commission has recommended the following amendment to the text of the municipal zoning ordinance to include Planned Village Development districts, under the provisions governing residential districts; and,

WHEREAS, pursuant to Tennessee Code Annotated Section 13-7-203, a public hearing was held, the time and place of which was published with fifteen days advance notice;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF MUNFORD, TENNESSEE:

SECTION 1. That the text of the municipal zoning ordinance of Munford, Tennessee, be amended by including Section 67 (PVD – Planned Village Development) district:

Section 67 Planned Village Development District

This section is intended to provide the means and the guidelines through which tracts of land may be developed through an overall unified approach rather than the traditional lot-by-lot treatment afforded by other districts in this Ordinance. It is intended to provide a maximum of design freedom in order to create a better living environment, by making the best use of topography and land features and by permitting the developer an opportunity to more fully utilize the physical characteristics of the site through the reduction of lot sizes, the absence of yard and bulk restrictions and the planned mixing of uses. Through the requirement of a development plan, it is the intent that property under this section will be developed through a unified design providing continuity between the various elements and ultimately leading to a better environment. This section is not intended as a panacea and should not be utilized as a device for making increased densities more acceptable or as a means of circumventing the City's development regulations.

67.1 Objectives

The Board of Mayor and Aldermen may, upon proper application, rezone a site of at least one hundred (100) acres to PVD to facilitate the use of flexible techniques of land development and site design by providing relief from zone requirements designed for conventional developments. In

addition, the Board may establish standards and procedures, including restricting land uses to only those compatible to surrounding development prior to a rezoning in order to obtain one or more of the following objectives:

1. Promote flexibility in design and permit planned diversification in the location of structures.
2. Promote the efficient use of land to facilitate a more economic arrangement of buildings, circulation systems, land use and utilities.
3. Preserve to the greatest extent possible the existing landscape features and amenities and to utilize such features in a harmonious fashion.
4. Provide for more usable and suitably located recreation facilities and other public and common facilities than would otherwise be provided under conventional land development procedures.
5. Combine and coordinate architectural styles, building forms and building relationships within the planned developments.
6. Ensure a quality of construction commensurate with other developments within the city.
7. Creation of a safe and desirable living environment for residential areas characterized by a unified building and site development program along with buffered neighborhood commercial uses.
8. Rational and economic development in relation to public services.
9. Efficient and effective traffic circulation, both within and adjacent to the development site.
10. Creation of a variety of housing compatible with surrounding neighborhoods to provide a greater choice of types of environment and living units.

67.2 Planned Village Developments

Under this section, Planned Village Developments (PVD) shall be permitted. A zoning amendment is required following the procedures outlined in this section and in accordance with Article XIII of this Zoning Ordinance.

67.3 Modification of District Regulations

Planned Village Developments may be constructed subject to the standards and procedures set forth below:

The ordinance approving the preliminary development plan for the Planned Village Development may provide for such exceptions from the district regulations governing area, setback, width and other bulk regulations, parking, and such subdivision regulations as may be necessary or desirable to achieve the objectives of the proposed Planned Village Development, provided such exceptions are consistent with the standards and criteria contained in this section and have been specifically requested in the application for a Planned Village Development and further provided that no modification of the district requirements or subdivision regulations may be allowed when such proposed modification would result in:

- a. Inadequate or unsafe access to the Planned Village Development.
- b. Traffic volume exceeding the anticipated capacity of the major street network in the vicinity.
- c. An undue burden on public parks, recreation areas, schools, fire and police protection and other public facilities which serve or are proposed to serve the Planned Village Development.
- d. A development which will be incompatible with the purposes of this Ordinance.

67.4 Coordination with Subdivision Regulations

The uniqueness of each proposal for a Planned Village Development may require that specifications for which the width and surfacing of streets, public ways, public utility right-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 review of the Munford Municipal-Regional Planning Commission as part of its review of the Development Plan for a PVD 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 plan.

1. It is the intent of this Ordinance that subdivision review under the Subdivision Regulations be carried out simultaneously with the

review of a Planned Village Development under this section of the Zoning Ordinance.

2. The development plans submitted under section 67.7 must be submitted in a form that will satisfy the requirements of the Subdivision Regulations for preliminary and final plats.
3. The requirements for both this section of the Zoning Ordinance and those of the Subdivision Regulations shall apply to all PVD's and all actions of the Board of Mayor and Aldermen pertaining to PVD's shall be based upon a recommendation by the Planning Commission.

67.5 General Provisions

The following general provisions shall apply to any Planned Village Development Districts created by the Board of Mayor and Aldermen.

67.51 Application for Planned Village Development Permit Required

Each application for a Planned Village Development shall be submitted in accordance with requirements of these regulations and the requirements set forth in the Subdivision Regulations. Variances to the requirements of both regulations may be granted upon review of the Planning Commission.

67.52 Waiver of Board of Zoning Appeals Action

No action of the Board of Zoning Appeals shall be required in the approval of a Planned Village Development District.

67.53 Ownership and Division of Land

No tract of land may be considered for or approved as a PVD unless such tract is under the single ownership of a landowner. For the purpose of this Ordinance, a landowner may be a person, partnership, corporation, association or any other legal entity entitled to own property. The holder of a written option to purchase, a party purchaser to a contract for the sale of real property contingent upon the success of a PVD application for the property, or any governmental agency shall be considered landowners for the purpose of this Section. Unless otherwise provided as a condition of approval of PVD, the landowner of an adopted PVD may divide and transfer parts of such development. The transferee shall complete each section and use and maintain it in strict conformance with the final development plan.

67.54 Professional Design

The Munford Municipal-Regional Planning Commission shall not consider any development plan for any proposed Planned Village Development, either on a preliminary or final basis, nor shall the Munford Board of Mayor and Aldermen concur with any preliminary development plan for a proposed Planned Village Development unless such proposed plan includes a certification that the services of a licensed civil engineer or licensed land surveyor was utilized in the preparation of the master plan.

67.55 Development Period; Staging

The expeditious construction of any Planned Village Development authorized under these provisions shall be undertaken to assist in the assurance of the full completion of the development in accordance with the adopted final development plan.

a. Start of Development

Within one year from and after the date of the action establishing a PVD, actual construction shall have commenced in such development. Actual construction is defined to include the placing of construction materials in a permanent position and fastened permanently or extensive grading including demolition or removal of existing structures necessary for the development. If no substantial construction, as determined by the Building Inspector, has begun within the time stated in the final development and construction schedule, the final development plan shall lapse upon written notice to the applicant from the Planning Commission and shall be of no further effect. At its discretion and for good cause, the Planning Commission may extend for a reasonable time, not to exceed one year, the period for the beginning of construction.

b. Completion Period

The Munford Municipal-Regional Planning Commission may establish a reasonable period of time for the completion of the Planned Village Development at the time the PVD district is established.

c. Staging of Development

The Planning Commission may elect to permit the staging of development, in which case, the following provision shall be complied with:

- (1) Each stage shall be so planned and so related to existing surrounding and available facilities and services that failure to proceed to the subsequent stages will not have an adverse impact on the development or its surrounding at any stage of the development. The development staff shall review any proposed phasing plan and recommend to the Planning Commission a plan for the phasing and recommended construction of improvements including site improvements, streets, surface and subsurface drainage, water lines, sewer lines, parking areas, landscaping, plantings and screening. The Developer shall also prepare a cost estimate of the recommended improvements to be approved by the City Engineer for bonding purposes.

67.56 Common Open Space and Public Facilities

The requirements of common open space and public facilities shall be in accordance with the provisions of this Section.

- a. Common open space must be usable for recreational purpose or must provide visual, aesthetic and environmental amenities. The uses authorized for the common open space must be appropriate to the scale and character of the Planned Village Development considering its size, density, expected population, topography and the number and type of structures to be provided.
- b. Common open space must be suitably improved for its intended use, but open space containing natural features worthy of preservation may be left unimproved. Any buildings, structures and improvements to be located in the common open space must be appropriate to the uses which are authorized therefore, and must conserve and enhance the amenities of the common open space having regard to its topography and the intended function of the common open space.

- c. The development phasing sequence which is part of the preliminary development plan must coordinate the improvement of the common open space, the construction of the buildings, structures and improvements in the common open space, the construction of public improvements and the construction of residential dwellings in a Planned Village Development, but in no event shall occupancy permits for any phase of the final development plan be issued unless and until the open space which is part of that phase has been dedicated or conveyed and improved.

- d. No common open space of a Planned Village Development shall be conveyed or dedicated by the developer or any other person to any public body, homeowner's association or other responsible party unless the Munford Municipal-Regional Planning Commission has determined that the character and quality of the tract to be conveyed make it suitable for the purpose for which it was intended. The Planning Commission may give consideration to the size and character of the dwellings to be constructed within the Planned Village Development, the topography and existing trees, the ground cover and other natural features, the manner in which the open space is to be improved and maintained for recreational or amenity purposes, and the existence of public parks or other public recreational facilities in the vicinity.

- e. All land shown on the final development plan as common open space may be either:
 - (1) conveyed to a public body, if said public body agrees to accept conveyance and to maintain the common open space and any buildings, structures or improvements which have been placed on it; or
 - (2) conveyed to an organization for ownership and maintenance subject to the following:
 - (a) The Munford Municipal-Regional Planning Commission and Munford Board of Mayor and Aldermen may require that the landowner provide for and establish an organization for the ownership and maintenance of any common open space 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 the City of Munford and said dedication be approved by the Munford Municipal-Regional Planning Commission. However, the conditions of any transfer shall conform to the adopted final development plan.

- (b) 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 Village Development fail to maintain the common open space in reasonable order and condition in accordance with the adopted final development plan, the Building Official may serve written notice upon such organization and/or the owners or residents of the Planned Village Development and hold a public hearing. After 30 days when the deficiencies of maintenance are not corrected, the Building Official shall call upon any public or private agency to maintain the common open space.
- (c) The cost of such maintenance by such agency shall be assessed proportionally against the properties within the Planned Village Development that have a right of enjoyment of the common open space and shall become a lien on said properties.
- (d) If the common open space is deeded to a Homeowners' and/or Property Owners 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:
 - (i) The Association must be set up before homes are sold.

- (ii) Membership must be mandatory for each homebuyer and any successive buyer.
- (iii) The open space restrictions must be permanent, not just for a period of years.
- (iv) The Association must be responsible for liability insurance, local taxes and the maintenance of recreational and other facilities.
- (v) Homeowners/Property owners must pay their pro rata share of the cost of the assessment levied by the association to meet changed needs.

67.57 Dedication of Public Facilities

The Munford Municipal-Regional Planning Commission and the Munford Board of Mayor and Aldermen may, as a condition of approval and adoption and in accordance with the final development plan, require that suitable areas for streets, public rights-of-way, schools, parks and other public areas be set aside, improved and/or dedicated for public use.

67.58 Bond Requirement for Improvements

The Planning Commission shall require that a performance bond be furnished and filed with the City of Munford for private and public improvements. An escrow agreement and account approved by the City Attorney as to form and content and by the Planning Commission shall be required in the amount of one hundred (100) percent of the estimated construction cost and engineering. These funds may be dispersed upon certification by the Building Inspector and by the City acting through the City Attorney. Said escrow shall accompany the request for final plan approval to insure completion of all improvements including, but not limited to, public site improvements, streets, surface and subsurface drainage, water lines, sewer lines, parking areas, landscaping, planting, and screening, as recommended by the planning staff.

67.59 Relation to Utilities, Public Facilities

PVD districts shall be so located in relation to sanitary sewers, water lines, storm and surface drainage systems and other utilities systems and installations that neither extension nor enlargement of such systems will be required in manner, form, character, location, degree, scale, or timing resulting in higher net public cost or earlier incursion of public cost than would development in a form generally permitted in the area. Such districts shall be so located with respect to schools, parks, playgrounds and other public facilities required as having access in the same degree as would development in a form generally permitted in the area.

67.591 Site Planning

Site planning within any PVD shall provide for the protection of the development from potentially adverse surrounding influences and shall also provide for the protection of surrounding areas from potentially adverse influences within the development, including, but not limited to, area storm water management plans, hydrological studies, water and wastewater facilities, streets, noise and other environmental considerations.

All reports and plans shall be submitted to the planning staff for review and approval and shall be made a part of the final development plan. Site plans shall be required for all uses except single-family detached dwellings.

67.592 Accessory Off-Street Parking and Loading

Accessory off-street parking and loading in the PVD shall be regulated by Article III of this Zoning Ordinance.

67.6 Specific Standards and Criteria for Planned Village Developments

In addition to the general standards and general provisions set forth above, Planned Village Developments shall comply with the requirements and standards that follow.

67.61 Permitted Uses

It is the intent of this Ordinance that any site or parcel of land to be developed as PVD shall not be less than 100 (100) acres and shall be under single ownership. Within the PVD District, the following

uses are permitted subject to review by the Planning Commission and approval of the Board of Mayor and Aldermen:

Residential -In designated residential areas in accordance to densities illustrated on an approved Final Plan.

- a. Single-family detached dwellings, not to include mobile homes.
- b. Single-family attached dwellings.
- c. Single-family semi-detached dwellings.
- d. Townhouses.

Commercial - In designated commercial areas illustrated on an approved Final Plan.

- a. Limited Retail:
 - i. Gift Shops
 - ii. Flower Shops
 - iii. Clothing Stores
 - iv. Delicatessens
 - v. Book / Stationery Stores
 - vi. Grocery Stores not to exceed 10,000 square feet of building area.
 - vii. Fruit and Vegetable Markets
 - viii. Candy, Nuts, and Confectionary Stores
 - ix. Dairy Product Stores
 - x. Specialty Markets
 - xi. Shoe Stores
 - xii. Cafes & Tea Rooms
 - xiii. Drug Stores
 - xiv. Antique Stores
 - xv. Sporting Goods and Bicycle Shops
 - xvi. Hobby, Toy, and Game Shops
 - xvii. Tobacco Stores and Stands
- b. Personal Services:
 - i. Dry-Cleaning (clothing)
 - ii. Barber Shops
 - iii. Beauty Shops
 - iv. Shoe Shine Shops
 - v. Shoe Repair

- vi. Photographic Studios
- c. Professional Services Limited to:
 - i. Real Estate Offices
 - ii. Insurance Offices
 - iii. Accounting Offices
 - iv. Attorney Offices
 - v. Computer Repair Services
 - vi. Offices and Clinics of Medical Professionals
 - vii. Offices and Clinics of Dental Professionals
- d. Depository Institutions
 - i. Banks
 - ii. Automatic Teller Machine Stations
- e. Public Recreation:
 - i. Assembly Hall
 - ii. Banquet Hall
 - iii. Community Center
 - iv. Clubs / Lodges
 - v. Parks
 - vi. Playgrounds
 - vii. Fitness Centers
 - viii. Dance Studios
- f. Places of Worship
 - i. Churches / Chapels
 - ii. Mosques
 - iii. Synagogues
 - iv. Temples
- g. Child Day Care Centers
- h. Public Administration Services:
 - i. Fire Stations
 - ii. Police Stations
- i. Educational Services

Commercial uses shall be clustered and concentrated within areas suitable for such within the planned village development district

and be separated from residential uses by buffering. Commercial uses must also be located on collector status roads which serve the PVD.

67.62 Uses Permitted on Appeal

Any uses not mentioned specifically within Section 67.61 that are found within Article IX, Zoning Table for Commercial and Industrial Districts, under the B-1 (Neighborhood Business) column of that Article of this ordinance. Home Occupations provided that these uses do not exceed 15 percent of the floor space within a principle structure are also allowed as uses permitted on appeal. These uses are not permitted within any accessory building. Home Occupations are not permitted to have any signage of any kind and must be able to accommodate off-street parking as per the requirements found within Sections 67.64 and 43 of this ordinance.

67.63 Accessibility of Site

All proposed streets and driveways shall be adequate to serve the residents, occupants, visitors or other anticipated traffic of the Planned Village Development, but may be designed so as to discourage outside through traffic from traversing the development. The location of the entrance points of the streets and driveways upon existing public roadways shall be subject to the approval of the Planning Commission.

67.64 Off-Street Parking

Off-street parking shall be conveniently accessible to all dwelling units and other uses. Where appropriate, common driveways, parking areas, walks and steps may be provided, maintained and lighted for night use. Screening of parking and service areas shall be required through use of trees, shrubs, berms, and/or hedges and screening walls.

67.65 Pedestrian Circulation

The pedestrian circulation system and its related walkways shall be separated, whenever feasible, from the vehicular street system in order to provide an appropriate degree of separation of pedestrian and vehicular movement.

67.66 Privacy

The Planned Village Development shall provide reasonable visual and acoustical privacy for dwelling units within and adjacent to the Planned Village Development. Protection and enhancement of property and the privacy of its occupants may be provided by the screening of objectionable views or uses and reduction of noise through the use of fences, insulation, natural foliage, berms and landscaped barriers.

67.67 Minimum Lot Area

| | |
|---------------------------------------|--|
| Single- family detached dwellings | 12,500 square feet |
| Single- family attached dwellings | 12,500 square feet |
| Single-family semi-detached dwellings | 12,500 square feet |
| Townhouses | 5,000 square feet per dwelling unit plus an additional 15 percent required open space calculated on the entire development |
| Commercial uses | None |

67.68 Minimum Lot Width at Building Line

| | |
|---------------------------------------|--------------------------------------|
| Single-family detached dwellings | 75 feet |
| Single-family attached dwellings | 100 feet per unit |
| Single-family semi-detached dwellings | 25 feet per unit plus required yards |
| Townhouses | 25 feet per unit plus required yards |
| Places of worship | 100 feet |
| Commercial uses | None |

67.69 Minimum Yard Requirements

67.691 Minimum Required Front Yard

| | |
|---------------------------------------|---------|
| Single-family detached dwellings | 30 feet |
| Single-family attached dwellings | 30 feet |
| Single-family semi-detached dwellings | 30 feet |
| Townhouses | 30 feet |
| Places of worship | 30 feet |
| Commercial uses | 30 feet |

67.692 Minimum Required Side Yard on Each Side of Lot

| | |
|---------------------------------------|---|
| Single-family detached dwellings | 10 feet |
| Single-family attached dwellings | 10 feet |
| Single-family semi-detached dwellings | None |
| Townhouses | None |
| Places of worship | 10 feet except when adjacent to residential uses. Twenty (20) feet when adjacent to residential uses. |
| Commercial uses | 10 feet except when adjacent to residential uses. Twenty (20) feet when adjacent to residential uses. |

67.693 Yards on Corner Lots

On corner lots there shall be a minimum required front yard abutting each of the intersecting streets. The remaining yards shall be considered side yards.

67.694 Minimum Required Rear Yard

| | |
|---------------------------------------|--|
| Single-family detached dwellings | 25 feet |
| Single-family attached dwellings | 25 feet |
| Single-family semi-detached dwellings | 25 feet |
| Townhouses | 20 feet |
| Places of worship | 30 feet |
| Commercial uses | 20 feet except when adjacent to residential uses. 30 feet shall be required when adjacent to residential uses. |

67.695 Height Regulations

- a. No building shall exceed three (3) stories or thirty-five (35) feet in height unless each side yard is increased over the required yard minimum by five (5) feet for every five (5) feet, or fraction thereof, of additional height over thirty-five (35) feet, not to exceed forty-five (45) feet.
- b. On a lot less than fifty (50) feet in width at the building line, no building shall exceed one and one-half (1 ½) stories or twenty-five (25) feet in height.
- c. No accessory building shall exceed two (2) stories in height.
- d. Free standing poles, spires, towers, antennae and similar structures not designed for, or suitable to human occupancy may exceed the height provisions of this Ordinance provided they comply with all other codes and ordinances, and provided that they are located a distance equal to their height plus ten (10) feet from the nearest property line.

67.696 Accessory Buildings and Uses

No accessory building shall be erected in any front yard or any required side yard. Accessory buildings may be located within any required rear yard, and shall be at least five (5) feet from all rear lot lines and from any other building on the same lot, and shall not cover more than thirty (30) percent of any required rear yard.

67.7 Procedures for Planned Village Development Approval

The provisions of this Section govern the procedure for approval of all Planned Village Developments provided herein.

67.71 Pre-Application Procedure

- a. At least thirty (30) days prior to filing any application for a Planned Village Development, the prospective applicant shall request a pre-application conference with the Planning Staff.
- b. To obtain information, each applicant shall confer with the planning staff in connection with the preparation of the Planned Village Development application. The general outlines of the proposal, evidenced schematically by sketch plans, are to be considered before submission of the Planned Village Development application. Thereafter, the planning staff shall furnish the applicant with comments regarding such conference, including appropriate recommendations to inform and assist the applicant prior to his preparing the components of the Planned Village Development application.

67.72 Preliminary Development Plan

A preliminary development plan shall be submitted to the Planning Commission with the application for the Planned Village Development.

- a. Written Documents
 - (1) A legal description of the total site proposed for development, including a statement of present and proposed ownership and present and proposed zoning.

- (2) A statement of planning objectives to be achieved by the PVD through the particular approach proposed by the applicant. This statement should include a description of the character of the proposed development and the rationale behind the assumptions and choices made by the applicant.
- (3) A development schedule indicating the approximate date when construction of the PVD or stages of the PVD can be expected to begin and be completed.

If the Planned Village Development is proposed to be constructed in stages or units during a period extending beyond a single construction season, a development schedule indicating:

- (a) the approximate date when construction of the project can be expected to begin;
 - (b) the order in which the phases of the project will be built; and
 - (c) the minimum area and the approximate location of common open space and public improvements that will be required at each stage.
- (4) A statement of the applicant's intentions with regard to the future selling or leasing of all or portions of the PVD, such as land areas, dwelling units, etc.
 - (5) Quantitative data for the following: total number and type of dwelling units; parcel size; proposed lot coverage of buildings and structures; approximate net residential densities; total amount of open space (including a separate figures for usable open space).
 - (6) A statement setting forth in detail either, (1) the exceptions which are required from the zoning and subdivision regulations otherwise applicable to the property to permit the development of the proposed Planned Village Development, or, (2) the bulk regulations under which the Planned Village Development is proposed.

b. Site Plan and Supporting Maps

A site plan and any maps necessary to show the major details of the proposed PVD must contain the following minimum information:

1. A map illustrating designated residential uses and their apropos densities as well as designated commercial uses.
2. The existing site conditions including contours at two (2) foot intervals, water courses, flood plains, unique natural features and forest cover.
3. Proposed lot lines and plot designs.
4. The location and floor area size of all existing and proposed buildings, structures and other improvements including maximum heights, types of dwelling units, and density per type.
5. The location and size in acres or square feet of all areas to be conveyed, dedicated or reserved as common open spaces, public parks, recreational areas, school sites and similar public and semi-public uses.
6. The existing and proposed circulation system of arterial, collector and local streets including off-street parking areas, service areas, loading areas and major points of access to public rights-of-way (including major points of ingress and egress to the development). Notations of proposed ownership, public or private, should be included where appropriate.
7. The existing and proposed pedestrian circulation system, including its interrelationships with the vehicular circulation system, indicating proposed treatments of points of conflict.
8. The existing and proposed utility systems including sanitary sewers, storm sewers, water lines, and drainage. (Detailed drainage plan and calculations shall be handled at the final development plan stage.)

9. A general landscape plan indicating the treatment of materials used for private and common open spaces.
10. Enough information on land areas adjacent to the proposed PVD to indicate relationships between the proposed development and existing and proposed adjacent areas, including land uses, zoning classifications, densities, circulation systems, public facilities and unique natural features of the landscape.
11. The proposed treatment of the perimeter of the PVD, including materials and techniques used such as screens, fences and walls.
12. Any additional information as required by the Planning Commission necessary to evaluate the character and impact of the proposed PVD.

67.8 Preliminary Development Plan Approval Process and Effect of Approval

67.81 At least thirty (30) days prior to the Planning Commission meeting at which it is to be considered, the owner of the property or his agent shall submit to the Planning Commission the Preliminary Development Plan, a completed application form, and all other information required under this Section. The Planning Commission shall review the application and shall recommend to the Board of Mayor and Aldermen to: approve; disapprove; or approve the Planned Village Development subject to conditions. The Planning Commission may also defer a decision or take the matter under advisement until the next regular meeting.

67.82 The Board of Mayor and Aldermen shall hold a public hearing on the application for the Planned Village Development and the preliminary plan after receipt of recommendations from the Planning Commission and any notice of appeal. The Board of Mayor and Aldermen shall establish a date for a public hearing and shall provide written notice and publication in accordance with Section 124 of this Ordinance. The Board of Mayor and Aldermen shall render a decision on any appeal and shall: approve; disapprove; or approve the proposed Planned Village Development and preliminary development plan subject to conditions, and if approved, shall set forth the conditions imposed.

- 67.83** The approved preliminary development plan shall bind the applicant, owner, and mortgagee, if any, and the City of Munford Board with respect to the contents of such plan.
- 67.84** The preliminary development plan shall be used in lieu of a Master Subdivision Plan to comply with the provisions of the Subdivision Regulations pertaining to Master Plans.
- 67.85** The Munford Planning Commission may amend or waive a development schedule upon submission of written justification by the applicant.

67.9 Final Development Plan Approval Process

- 67.91** An application for approval of a final development plan of the entire Planned Village Development, if it is to be completed in one phase, or of a portion of the Planned Village Development, if it consists of more than one phase, shall be submitted by the applicant at least thirty (30) days prior to the Planning Commission meeting.
- 67.92** The application for final development plan approval shall be filed with the Planning Commission and shall include, but not be limited to, the following:
- (1) A final plat suitable for recording with the Tipton County Register's Office.
 - (2) Proof referred to on the plan and satisfactory to the City Attorney as to the provision and maintenance of common open space.
 - (3) All certificates, seals and signatures required for the dedication of land and recordation of documents.
 - (4) Tabulations of each separate use area, including land area, bulk regulations and number of dwelling units per gross acre and the gross floor area for commercial and industrial uses.
 - (5) Location and type of landscaping.
 - (6) Location and dimensions of utility and drainage facilities.
 - (7) All other requirements of a Final Plan under the Munford Municipal Subdivision Regulations.

67.93 A decision shall be rendered on a final development plan by the Planning Commission. If a final plan is disapproved by the Planning Commission the applicant may file a final development plan that substantially conforms to the approved preliminary plan, or the applicant may file for an amendment to the approved preliminary development plan.

67.94 After a final development plan is approved by the Planning Commission, the Building Inspector shall record such plan in the Tipton County Register's Office after receipt of any necessary bonds, fees and contracts to provide improvements required in the City of Munford Subdivision Regulations and the required signatures for recordation have been secured.

67.10 Zoning Administration - Permits

The Building Official may issue building permits for the area of the Planned Village Development covered by the approved final development plan for work in conformity with the approved final development plan and with all other applicable ordinances and regulations. However, the Building Official shall not issue an occupancy permit for any building or structure shown on the final development plan of any stage of the Planned Village Development unless the open space and public facilities allocated to that stage of the development schedule have been conveyed to the designated public agency or Homeowners' Association or a responsible party. The Building Official shall issue a certificate of occupancy for any completed building or structure located in an area covered by the approved final development plan if the completed building or structures conforms to the requirements of the approved final development plan and all other applicable regulations and ordinances.

67.11 Reapplication if Denied

If any application for a Planned Village Development is denied by the legislative body, a reapplication pertaining to the same property and requesting the same Planned Village Development may not be filed within twelve (12) months of the date final action was taken on the previous application unless such reapplication is initiated by the Planning Commission or authorized by the Board of Mayor and Aldermen.

67.12 Procedure for Amendment

A Planned Village Development and the approved preliminary development plan may be amended in accordance with the procedure that governed its approval as set forth in this Section.

SECTION 2. BE IT FURTHER ORDAINED that this Ordinance shall take effect from and after its passage, THE WELFARE OF THE CITY REQUIRING IT.

Passed First Reading

Dwayne Cole, Mayor

Passed Second Reading

Dorothy Williams, City Recorder

Public Hearing (s)

VI. CONCLUSION

The proposed annexation will incorporate 408.74 acres of property within the corporate limit boundary of Munford, Tennessee. There are five (5) residential dwelling units and two (2) vacant properties having a total assessed value of \$305,750.00. This will generate \$3,493.72 in property taxes annually. The estimated population of the area is 14 persons. Based upon this estimate, the approximate state shared taxes will be \$1,396.15 annually. Therefore **\$4,889.87** will be brought in total tax revenue on an annual basis.

According to rough engineering estimates, there is a 12" water main line located on McCormick and Tipton Roads. This line will soon be fed by a new elevated storage tank. The termini are just southwest of the intersection of Harvey Lane and McCormick Road and the intersection of Tipton and McCormick Roads. A 5,000 linear foot 12" line at a cost of \$35 per foot has been suggested. This will cost \$175,000.00. There is a regional wastewater pumping station / force main project under construction to the north of the Watson Road area. The pumping station is located at Ridgecrest and Tipton Road. The engineer has estimated 8,500 linear feet of a 12" main at a cost of \$35 per foot which totals \$300,000.00. An 8" high pressured steel gas main is already situated along Watson Road. However, it has been determined that a metering and regulator station is required. It has been projected to cost \$110,000.00. The total cost of the proposed services within the annexation area is **\$585,000.00**.

APPENDIX

ORDINANCE _____

AN ORDINANCE TO ANNEX CERTAIN TERRITORY AND INCORPORATE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF MUNFORD, TENNESSEE: TAX PARCELS 075.04 (CARL ROBERTSON), 075.05 (DAVID BOSWELL), 076.00 (SARAH McCORMICK), 077.00 (C. & WILLIAM McCORMICK), 077.01 (WILLIAM McCORMICK), 077.02 (ROBERT WILSON), TIPTON COUNTY TAX MAP 112 LOCATED ON McCORMICK ROAD; AND TAX PARCEL 001.00 (McCORMICK FAMILY PARTNERSHIP), TIPTON COUNTY TAX MAP 127 LOCATED ON McCORMICK AND WATSON ROADS

WHEREAS, pursuant to Tennessee Code Annotated, 6-51-102 the Munford Municipal-Regional Planning Commission has recommended for such annexation and recommended a plan of service for said annexed property; and,

WHEREAS, pursuant to Tennessee Code Annotated 6-51-102, the Munford Board of Mayor and Aldermen has approved the plan of service for the annexed territory; and

WHEREAS, pursuant to Tennessee Code Annotated 6-51-102, a public hearing was held, the time and place of which was published with fifteen days advance notice; and

WHEREAS, the Munford Board of Mayor and Aldermen has deemed such an annexation to be in the interest of the public welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF MUNFORD, TENNESSEE:

SECTION 1. Pursuant to authority conferred by Sections 6-51-101 through 6-51-117, *Tennessee Code Annotated*, there is hereby annexed to the City of Munford, Tennessee, and incorporated within the corporate boundaries thereof, the following described territory adjoining the present corporate boundaries:

Beginning at a point, said point being the intersection of the centerline of Watson Road and a northerly projected straight line of the western boundary of parcel 7.00, Tipton County tax map 127, 2008, point located in the current corporate limits boundary of Munford, Tennessee as of 3/10/2010; thence in a northerly direction along a projected straight line of the western boundary of said parcel 7.00 to it's intersection with the northern right of way of Watson Road; thence in a westerly direction along said northern right of way to it's intersection with a southerly projected straight line of the western boundary of parcel 1.00, Tipton County tax map 127, 2008; thence in a northerly direction along said projected

straight line and continuing in a northerly, then westerly, then northerly, then westerly and then northerly direction along the western boundaries of said parcel 1.00 to it's intersection with the eastern right of way of McCormick Road; thence in a northeasterly direction along the eastern right of way of McCormick Road to it's intersection with the existing corporate limits of Munford, Tennessee as of 3/10/2010; thence in a easterly, then northerly direction, then easterly, then southerly, then westerly, then southerly and then westerly direction along said existing corporate limits to the point of beginning.

Section 2. **BE IT FURTHER ORDAINED** that this Ordinance shall take effect 30 days from and after its passage, **THE WELFARE OF THE CITY REQUIRING IT.**

Passed First Reading

Dwayne Cole, Mayor

Passed Second Reading

Dorothy Williams, City Recorder

Public Hearing Date

ORDINANCE _____

AN ORDINANCE TO PROVIDE MUNICIPAL ZONING SERVICES FOR A CERTAIN TERRITORY WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF MUNFORD, TENNESSEE: TAX PARCELS 075.04 (CARL ROBERTSON), 075.05 (DAVID BOSWELL), 076.00 (SARAH McCORMICK), 077.00 (C. & WILLIAM McCORMICK), 077.01 (WILLIAM McCORMICK), 077.02 (ROBERT WILSON), TIPTON COUNTY TAX MAP 112 LOCATED ON McCORMICK ROAD; AND TAX PARCEL 001.00 (McCORMICK FAMILY PARTNERSHIP), TIPTON COUNTY TAX MAP 127 LOCATED ON McCORMICK AND WATSON ROADS

WHEREAS, pursuant to Tennessee Code Annotated Sections 13-7-201 through 13-7-210 a municipal zoning ordinance has been adopted for the City of Munford; and,

WHEREAS, the Munford Municipal-Regional Planning Commission has recommended the following amendment to the Municipal Regional Zoning Map of Munford, Tennessee to zone said properties R-1 and PVD; and,

WHEREAS, pursuant to Tennessee Code Annotated Section 13-7-203, a public hearing was held, the time and place of which was published with fifteen days advance notice;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF MUNFORD, TENNESSEE:

SECTION 1. That the Municipal-Regional Zoning Map of Munford, Tennessee be amended by providing municipal zoning services in the form of a R-1 (Low Density Residential) designation to the following annexed property on McCormick Road, and is more fully described as follows:

Beginning at a point, said point being the intersection of the centerline of McCormick Road and a northerly projected straight line of the western boundary of parcel 75.05, Tipton County tax map 112, 2008; thence in a northeasterly direction along the centerline of McCormick Road to it's intersection with a northerly projected straight line of the eastern boundary of parcel 75.04, Tipton County tax map 112, 2008; thence in a southerly direction along said projected straight line and continuing in a southerly direction along the eastern boundary of said parcel 75.04 to the southeasternmost corner of said parcel; thence in a westerly direction along the southern boundary of parcel 75.04 and continuing in a westerly direction along the southern boundary of parcel 75.05, Tipton County tax map 112, 2008 to the southwesternmost corner of said parcel 75.05; thence in a northerly

direction along the western boundary of parcel 75.05 and continuing in a northerly direction along a projected straight line of the western boundary of parcel 75.05 to the point of beginning.

SECTION 2. That the Municipal-Regional Zoning Map of Munford, Tennessee be amended by providing municipal zoning services in the form of a R-1 (Low Density Residential) Designation to the following annexed property on McCormick Road, and is more fully described as follows:

Beginning at a point, said point being the intersection of the southern boundary of parcel 16.00, group “A”, Tipton County tax map 112O, 2008 and the eastern boundary of parcel 1.00, Tipton County tax map 127, 2008; thence in a southwesterly direction along the western boundary of said parcel 1.00 to it’s intersection with the eastern right of way of McCormick Road; thence in a northeasterly direction along the eastern right of way of McCormick Road to it’s intersection with the southwesternmost corner of parcel 15.00, group “A”, Tipton County tax map 112O, 2008; thence in a easterly direction along the southern boundaries of parcels 15.00 and 16.00, group “A”, Tipton County tax map 112O, 2008 to the point of beginning.

SECTION 3. That the Municipal-Regional Zoning Map of Munford, Tennessee be amended by providing municipal zoning services in the form of a PVD (Planned Village Development) district designation to the following annexed property on McCormick and Watson Roads, and is more fully described as follows:

Beginning at a point, said point being the intersection of the centerline of Watson Road and a southerly projected straight line of the eastern boundary of parcel 1.00, Tipton County tax map 127, 2008; thence in a westerly direction along the centerline of Watson Road to it’s intersection with a northerly projected straight line of the eastern boundary of parcel 51.00, Tipton County tax map 127, 2008; thence in a northerly direction along said projected straight line to it’s intersection with the northern right of way of Watson Road; thence in a westerly direction along the northern right of way of Watson Road to it’s intersection with the western boundary of said parcel 1.00; thence in a northerly, then westerly, then northerly, then westerly and then northerly direction along the boundaries of said parcel 1.00 to it’s intersection with the eastern right of way of McCormick Road; thence in a northeasterly direction along said right of way and continuing in a northeasterly, then easterly, then northerly, then easterly and then northerly

direction along the western boundaries of said parcel 1.00 and continuing in a northerly direction along a projected straight line of the western boundary of parcel 1.00 to its intersection with the centerline of McCormick Road; thence in a easterly direction along the centerline of McCormick Road to its intersection with a northerly projected straight line of the western boundary of parcel 75.05, Tipton County tax map 112, 2008; thence in southerly direction along said projected straight line and continuing in a southerly direction along the westerly boundary of said parcel 75.05 to the southwesternmost corner of said parcel; thence in a easterly direction along the southern boundaries of parcels 75.05 and 75.04, Tipton County tax map 127, 2008 to the northeasternmost corner of parcel 1.00, Tipton County tax map 127, 2008; thence in a southerly, then westerly, then southerly, then easterly and then southerly direction along the eastern boundary of said parcel 1.00 and continuing in a southerly direction along a projected straight line of the eastern boundary of said parcel 1.00 to the point of beginning.

SECTION 4. BE IT FURTHER ORDAINED that this Ordinance shall take effect 30 days from and after its passage, **THE WELFARE OF THE CITY REQUIRING IT.**

Passed First Reading

Dwayne Cole, Mayor

Passed Second Reading

Dorothy Williams, City Recorder

Date of Public Hearing

RESOLUTION _____

A RESOLUTION ADOPTING A PLAN OF SERVICES FOR AN AREA TO BE ANNEXED INTO THE CITY OF MUNFORD, TENNESSEE: TAX PARCELS 075.04 (CARL ROBERTSON), 075.05 (DAVID BOSWELL), 076.00 (SARAH McCORMICK), 077.00 (C. & WILLIAM McCORMICK), 077.01 (WILLIAM McCORMICK), 77.02 (ROBERT WILSON), TIPTON COUNTY TAX MAP 112 LOCATED ON McCORMICK ROAD AND TAX PARCEL 001.00 (McCORMICK FAMILY PARTNERSHIP), TIPTON COUNTY TAX MAP 127 LOCATED ON McCORMICK AND WATSON ROADS

WHEREAS, Tennessee Code Annotated 6-51-102 as amended requires that a plan of service be adopted by the governing body of a city prior to annexing an area; and,

WHEREAS, the Munford Municipal-Regional Planning Commission has recommended the following Plan of Services for the annexation of an area referred to as the McCormick and Watson Road Properties located on McCormick Road and Watson Road.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF MUNFORD, TENNESSEE:

SECTION 1. Pursuant to Tennessee Code Annotated Section 6-51-102, there is hereby adopted for the proposed annexation area the following Plan of Services:

A. Police

- (1) Patrolling, radio responses to calls, and other routine police services, using present personnel and equipment, will be provided on the effective date of annexation.
- (2) No additional personnel or equipment will be needed.

B. Fire

- (1) Fire protection by the present personnel and the equipment of the fire fighting force, within the limitations of available water and distances from fire stations, will be provided on the effective date of annexation.
- (2) No additional personnel or equipment will be added during the first year after effective date of

annexation, but with the growth and development of the area additional personnel and equipment will be expanded as needed.

C. Water

- (1) Water for domestic use is presently provided by the City of Munford.
- (2) Water for fire protection is currently available, and the annexation area is currently served with an existing fire hydrant.

D. Sewer

Sanitary sewer service will be provided as the need occurs.

E. Refuse Collection

The same regular refuse collection services now provided within the City will be extended to the annexed areas within one month after the effective date of annexation.

F. Streets

Portions of McCormick and Watson Roads are in the proposed annexation area where there are adjacent to the existing corporate limit boundary. These portions will be maintained by the City of Munford as the need is required.

G. Inspection Services

Any inspection services now provided by the city will begin in the annexed areas on the effective date of annexation.

H. Planning and Zoning

The planning and zoning jurisdiction of the city will extend to the annexed area on the effective date of annexation. City planning will thereafter encompass the annexed area. According to an ordinance proposed by the Munford Municipal-Regional Planning Commission, the properties within the area in question will have the zoning

classification of R-1 (Low Density Residential) and PVD (Planned Village Development).

I. Street Lighting

Streetlights will be installed in the area as the need for such occurs, under the standards currently prevailing in the existing city.

J. Recreation

Residents of the annexed area may use all existing recreational facilities, parks, etc. on the effective date of annexation. The same standards and policies now used in the present city will be followed in expanding the recreational program and facilities in the enlarged city.

SECTION 2. THAT THIS RESOLUTION shall take effect from and after its passage, THE WELFARE OF THE CITY REQUIRING IT.

ADOPTED this _____ day of _____, 2010,
FOLLOWING A PUBLIC HEARING.

Dwayne Cole, Mayor

Attest:

Dorothy Williams, City Recorder