

**CITY OF FAIRVIEW  
BOARD OF COMMISSIONERS**

**JANUARY 2, 2020**

**7:00 P.M.**

**AGENDA**

- 1. Roll Call**
- 2. Call to Order**
- 3. Prayer and Pledge**
- 4. Approval of Agenda and Executive Session Announcements**
- 5. Public Hearing(s)**
- 6. Citizen Comments** (Limited to the first 5 citizens to sign in and a limit of 3 minutes each)
- 7. Public Announcements, Awards and Recognitions**
- 8. Staff Comments and Monthly Reports**
  - A. Police Report
  - B. Fire Report
  - C. Public Works Report
  - D. City Manager Report
- 9. Consent Agenda** (Any Item May be Removed for Individual Consideration)
  - A. Minutes from the December 19, 2019, Board of Commissioners Meeting
  - B. Minutes from the December 19, 2019, Special-Called Board of Commissioners Meeting
  - C. Ordinance 2019-32, An Ordinance Establishing the Compensation of City of Fairview Elected Officials
  - D. Ordinance 2019-33, An Ordinance Establishing Employment Benefits Eligibility for City of Fairview Elected Officials
  - E. Ordinance 2019-38, A Resolution to Adopt Revisions to the Zoning Ordinance for the City of Fairview, Tennessee, to Amend the Zoning Ordinance as it Pertains to Article IV "Supplementary Use Regulations", Section 4-101.5 "Provisions Applicable to Community Facility Activities", Subsection 101.5.12 "Special Personal and Group Care Facilities"
  - F. Ordinance 2019-39, A Resolution to Adopt Revisions to the Zoning Ordinance for the City of Fairview, Tennessee, to Amend the Zoning Ordinance as it Pertains to Article VIII "Commercial District Regulations"
  - G. Ordinance 2019-40, A Resolution to Adopt Revisions to the Zoning Ordinance for the City of Fairview, Tennessee, to Amend the Zoning Ordinance as it Pertains to Article XVII "Administration and Enforcement", Section 17-102.2 "Zoning Permits," Subsection 102.2 "Grading Permits."
  - H. Ordinance 2019-41, A Resolution to Adopt Revisions to the Zoning Ordinance for the City of Fairview, Tennessee, to Amend the Zoning Ordinance as it Pertains to Article XVII "Administration and Enforcement," Section 17-103 "Required Plans," Subsections 17-103.8 "Bonding of Site Improvements," and 17-103.8 "Maintenance Bonds."
- 10. Old Business**
  - A. Second and Final Reading on Ordinance 2018-26, An Ordinance to Amend the City of Fairview Zoning Ordinance by Changing the Official Zoning Map for Tax Map 043, Parcel 23.00, Consisting of 111 Acres, Located on Cox Pike, From a RS-40 (Low-Density Residential) Zoning District to a R-20 PUD (Medium-Density Residential Planned Unit Development) Zoning District (141 Proposed Lots)
- 11. New Business**
  - A. Ordinance 2019-36, Amended Budget for Fiscal Year 2020
- 12. Communications from the Mayor and Commissioners**
  - A. Commissioner
  - B. Commissioner

- C. Commissioner
- D. Vice Mayor
- E. Mayor

### 13. Adjournment

ORDINANCE NO. 2019-32



AN ORDINANCE ESTABLISHING THE COMPENSATION OF  
CITY OF FAIRVIEW ELECTED OFFICIALS

**WHEREAS**, the City of Fairview, Tennessee, currently has as its part-time elected officials its mayor, city commissioners and general sessions court judge, and

**WHEREAS**, the general sessions (municipal) court clerk will be a full-time elected position upon the installation of the court clerk elected in 2020 City of Fairview general elections, and

**WHEREAS**, the city desires to codify the compensation of its elected officials pursuant to its city charter, its budgeting authority, and TCA 8-24-102 which governs annual salary schedule for general sessions court clerks, and

**NOW THEREFORE BE IT ORDAINED BY THE CITY OF FAIRVIEW, TENNESSEE AS FOLLOWS:**

**BE IT ORDAINED**, that the City of Fairview Municipal Code is hereby amended, and Title 1 Chapter 6, entitled "Elected Officials Compensation" is hereby created; and Section 1-601, entitled "City Mayor Compensation" is hereby created; and Section 1-602, entitled "City Commissioner Compensation" is hereby created; and Section 1-603 entitled "General Sessions Court Judge Compensation" is hereby created; and Section 1-604 entitled "General Sessions Court Clerk Compensation" is hereby created, and

**BE IT FURTHER ORDAINED**, Title 1, Chapter 6, Section 6-101, shall read as follows:

**6-101. City Mayor Compensation.** Effective January 1, 2023, and in accordance with 6-20-204 of the Fairview City Charter, the compensation of the city mayor shall be \$1,000 per month and shall be payable on the last regular city payroll distribution of each month; and

**BE IT FURTHER ORDAINED**, Title 1, Chapter 6, Section 6-102, shall read as follows:

**6-102. City Commissioner Compensation.** Effective January 1, 2021, and in accordance with 6-20-204 of the Fairview City Charter, the compensation of each city commissioner shall be \$950 per month and shall be payable on the last regular city payroll distribution of each month; and

**BE IT FURTHER ORDAINED**, Title 1, Chapter 6, Section 6-103, shall read as follows:

**6-103. General Sessions Court Judge Compensation.** Effective January 1, 2021, the compensation for the city's general sessions court judge shall be not less than \$2,200 per month and shall be payable on the last regular city payroll distribution of each month; and

**BE IT FURTHER ORDAINED**, Title 1, Chapter 6, Section 6-104, shall read as follows:

**6-104. General Sessions Court Clerk Compensation.** Effective January 1, 2021, the compensation for the city's general sessions court clerk shall not be less than the applicable annual salary prescribed in the most recently adopted "Trustee, Clerks of Court, County Clerk and Register Deeds Fiscal Year Salary Schedule" pursuant to TCA 8-24-102. The general sessions court clerk shall be paid on the same payroll distribution schedule as are full-time employees of the City of Fairview.

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**MAYOR**

\_\_\_\_\_  
**CITY RECORDER**

**APPROVED AS TO FORM:**

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**CITY ATTORNEY**

**Passed First Reading**

December 19, 2019

**Passed Second Reading**

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9D

**AN ORDINANCE ESTABLISHING EMPLOYMENT BENEFITS EL  
FOR CITY OF FAIRVIEW ELECTED OFFICIALS**

**WHEREAS**, the City of Fairview, Tennessee, desires to codify employment benefit eligibility for its part-time and full-time elected officials, and

**WHEREAS**, the city mayor, city commissioners and general sessions court judge are part-time elected officials, and

**WHEREAS**, the city's general sessions court clerk will be a full-time elected position upon the swearing in of the clerk elected in the 2020 City of Fairview municipal general elections, and

**NOW THEREFORE BE IT ORDAINED BY THE CITY OF FAIRVIEW,  
TENNESSEE AS FOLLOWS:**

**BE IT ORDAINED**, that the City of Fairview Municipal Code is hereby amended, and Title 1 Chapter 7, entitled "Elected Officials Employment Benefits" is hereby created; and Section 7-101 entitled "Part-time Elected Officials Employment Benefits" is hereby created; and Section 7-102 entitled "Full-time Elected Officials Employment Benefits" is hereby created, and

**BE IT FURTHER ORDAINED**, Title 1, Chapter 7, Section 7-101, shall read as follows:

**7-101. Part-time Elected Officials Employment Benefits.**

(1) The city mayor, each city commissioner and the city's general sessions court judge are part-time elected positions for the city.

(2) Effective January 1, 2021, each city commissioner and the city's general sessions court judge shall be eligible to participate in the city's health insurance plan offered to its full-time city employees. This participation in the city's health insurance plan shall be done so with 100% of the plan participation cost being paid by the elected official and no subsidy or offset being paid by the city.

(3) Effective January 1, 2023, the city mayor shall be eligible to participate in the city's health insurance plan offered to its full-time city employees. This participation in the city's health insurance plan shall be done so with 100% of the plan participation cost being paid by the elected official and no subsidy or offset being paid by the city.

**BE IT FURTHER ORDAINED**, Title 1, Chapter 7, Section 7-102, shall read as follows:

**7-102. Full-time Elected Officials Employment Benefits.**

(1) Elected officials shall be considered full-time if their duties require an average of thirty (30) hours of service per week or one hundred thirty (130)

hours of service per month, or as full-time is otherwise defined by the Fair Labor Standards Act (FLSA).

(2) The city's general sessions court clerk is a full-time elected position.

(3) Upon the installation to office of the city's general sessions court clerk elected in the City of Fairview 2020 general elections, and for each day thereafter that the city has a general sessions court clerk, the clerk shall be eligible for the following employment benefits:

(a) Participation in the city's health insurance plan offered to full-time city employees, and at the same contribution rates and/or subsidies offered to full-time city employees.

(b) Participation in the city's retirement plan offered to full-time city employees, and at the same contribution rates and/or subsidies offered to full-time city employees.

(4) Full-time elected positions created after the passage of this ordinance shall be afforded eligibility for full-time employment benefits as specified and described in (3)(a) and (3)(b) of this Section.

(5) Full-time elected officials shall not be eligible for any employment benefits other than those specified and described in (3)(a) and (3)(b) of this Section.

**BE IT FURTHER ORDAINED**, that this ordinance shall be effective upon its adoption and nothing in this ordinance shall in any way diminish elected official benefits participation in effect prior to the adoption of this ordinance or prior to the effective dates prescribed Sections 7-101 and 7-102 above.

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**MAYOR**

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**CITY RECORDER**

**APPROVED AS TO FORM:**

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**CITY ATTORNEY**

**Passed First Reading** December 19, 2019

**Passed Second Reading** \_\_\_\_\_

9E

AN ORDINANCE OF THE CITY OF FAIRVIEW, TENNESSEE, TO AMEND  
THE ZONING ORDINANCE AS IT PERTAINS TO ARTICLE IV  
“SUPPLEMENTARY USE REGULATIONS”, SECTION 4-101.5 “PROVISIONS  
APPLICABLE TO COMMUNITY FACILITY ACTIVITIES”, SUBSECTION  
101.5.12 “SPECIAL PERSONAL AND GROUP CARE FACILITIES.

WHEREAS, the City of Fairview Planning Commission recommends to the City  
of Fairview Board of Commissioners to amend current provisions of the zoning  
ordinance as they pertain to plans and permits in order to best serve the citizens  
of Fairview, and

**BE IT ORDAINED BY THE CITY OF FAIRVIEW, TENNESSEE, AS FOLLOWS,**

The Fairview, Tennessee Zoning Articles, Article IV “Supplementary Use  
Regulations”, Section 4-101.5 “Provisions Applicable to Community Facility  
Activities”, Subsection 101.5.12 “Special Personal And Group Care Facilities”  
hereby removes and replaces the current regulations to read as follows:

1. Special Personal and Group Care Facilities

In all districts where authorized as a use permitted with supplemental  
provisions (SUP) or a conditional (C) use, the following supplementary  
regulations shall apply to uses classified in the special personal and  
group care activity type as indicated.

A. All Activities

- i. The purpose(s) of the facility must be clearly established by the  
agency responsible and the appropriate staff services must be  
provided to achieve the stated purpose(s). Written findings shall be  
presented to the Planning Commission regarding these  
requirements based on advice from such agencies as the  
Tennessee Department of Human Services.
- ii. An appropriate license must be secured for any activity regulated  
by any public agency, including the Tennessee Department of  
Human Services. Any activity lawfully regulated by any public  
agency may be permitted for only that time period for which a valid  
license is obtained. Where grades or classes of approvals are  
granted, only the most restrictive may be permitted.
- iii. Necessary utilities including a central sewage collection and  
treatment system (as defined by this ordinance) shall be available  
to the site.
- iv. Notwithstanding the previously listed provisions, the Board of  
Zoning Appeals may be permitted to vary the required yards and  
the screening strip for parking when the application involves a  
change in activities in existing structures. The plan shall provide for

compensating features to offset any potentially adverse conditions that might be brought about by said variance.

**B. Family Care and Group Care Facilities**

- i. Family Care and Group Care facilities shall meet the State of Tennessee Department of Health standards and requirements of the Tennessee Department of Human Services.
- ii. Family Care and Group Care shall meet all bulk regulations of the zoned district.
- iii. The minimum side and rear yards for group care facilities accommodating thirteen (13) or more persons shall be fifty (50) feet for a one- or two-story building, increased by five (5) feet for each story above two (2).

**C. All Other Facilities**

- i. No such facility shall be permitted on a zone lot within any residential district, unless it contains twice the lot area requirements of the zone district.
- ii. All bulk regulations of the district shall be met.
- iii. The requirements of the accessory off-street parking presented in Section 11-103.2, shall apply to the particular use as specified.

**2. Waste Disposal Operations**

In all districts where authorized as a use permitted with supplemental provisions (SUP), the supplementary regulations established in Section 9-107 shall apply to uses classified in the waste disposal operations activity type.

The remaining sections of this Article and Section remain unchanged by this Ordinance.

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**MAYOR**

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**CITY RECORDER**

**APPROVED AS TO FORM:**

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**CITY ATTORNEY**



Passed First Reading December 19, 2019

Passed Second Reading \_\_\_\_\_

9F

ORDINANCE NO. 2019-39

**AN ORDINANCE OF THE CITY OF FAIRVIEW, TENNESSEE, TO AMEND THE ZONING ORDINANCE AS IT PERTAINS TO ARTICLE VIII "COMMERCIAL DISTRICT REGULATIONS"**

**WHEREAS**, the City of Fairview Planning Commission recommends to the City of Fairview Board of Commissioners to amend current provisions of the zoning ordinance as they pertain to plans and permits in order to best serve the citizens of Fairview, and

**BE IT ORDAINED BY THE CITY OF FAIRVIEW, TENNESSEE, AS FOLLOWS,**

The Fairview, Tennessee Zoning Articles, Article VIII "Commercial District Regulations" hereby removes and replaces the current regulations to read as attached:

SEE ATTACHED ARTICLE 8: COMMERCIAL DISTRICT REGULATIONS

The remaining sections of this Article and Section remain unchanged by this Ordinance.

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MAYOR

\_\_\_\_\_  
CITY RECORDER

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY

Passed First Reading December 19, 2019

Passed Second Reading \_\_\_\_\_

## ARTICLE 8: COMMERCIAL DISTRICT REGULATIONS

### SECTIONS

8-101: PURPOSES OF COMMERCIAL DISTRICTS

8-102: USES AND STRUCTURES

8-103: BULK REGULATIONS

8-104: PURPOSES AND INTENTS OF CG – COMMERCIAL-GENERAL DISTRICTS

8-105: PURPOSES AND INTENTS OF CI – COMMERCIAL-INTERCHANGE DISTRICTS

8-106: INTENTIONALLY LEFT BLANK

8-107: PURPOSES AND INTENTS OF CMU, COMMERCIAL - MIXED USE DISTRICTS

8-108: INTENTIONALLY LEFT BLANK

8-109: INTENTIONALLY LEFT BLANK

8-110: PURPOSES AND INTENTS OF OG, OFFICE GENERAL DISTRICTS

8-111: PURPOSES AND INTENTS OF MSMU, MAIN STREET MIXED USE DISTRICT

8-112: SUPPLEMENTAL DESIGN PROVISIONS

### 8-101: PURPOSES OF COMMERCIAL DISTRICTS

#### 8-101.1 General Purposes

The commercial districts established by this ordinance are designed to promote and protect the health, safety, morals, convenience, order, prosperity, and other aspects of the general welfare. These goals include, among others, the following:

1. To provide sufficient space, in appropriate locations in proximity to established residential areas, for local retail and service trades catering specifically to the recurring shopping needs of the occupants of nearby residences.
2. To protect both retail and service developments and nearby residences against fire, explosions, toxic and noxious matter, radiation, and other hazards, and against offensive noise, vibration, smoke, dust and other particulate matter, odorous matter, heat, humidity, glare, and other objectionable influences.
3. To protect both retail and service developments and nearby residences against congestion, by regulating the intensity of retail and service developments consistent with their marketing functions, by restricting those types of establishments which generate heavy traffic, and by providing for off-street parking and loading facilities.

4. To provide sufficient and appropriate space, and in particular sufficient area, to meet the needs of the area's expected future need for planned commercial floor space, including the need for off-street parking space in areas where a large proportion of customers come by automobile, and to encourage the tendency of commercial establishments to concentrate in integrated planned developments, to the mutual advantage of both consumers and merchants.
5. To provide sufficient space in appropriate locations for commercial districts to satisfy specific functional needs of the area, and in particular the need for medical services, and the needs of the general public traveling along major thoroughfares.
6. To provide sufficient space in appropriate locations for the mixture of compatible residential and restricted commercial developments where standards for development will provide protection for the environmental essentials of either.
7. To provide appropriate locations for transitional uses intervening between commercial developments and residential areas, and thereby alleviate the friction inherent between dissimilar activities.
8. To provide sufficient space in appropriate locations for all types of commercial and miscellaneous service activities.
9. To provide freedom of architectural design, in order to encourage the development of more attractive, efficient, and economic building forms, within appropriate standards which ensure that buildings are in character with their surroundings.
10. To promote the most desirable use of land and direction of building development in accord with a well-considered plan, to promote stability of commercial development, to strengthen the economic base of the area, to protect the character of the districts and their peculiar suitability for particular uses, to conserve the value of land and buildings.

## **8-102: USES AND STRUCTURES**

### **8-102.1 General Provisions**

Principal uses of buildings or other structures and land have been classified and combined into major classes and activity types in Article III, of this ordinance. The procedure for interpreting the classes and type of activities is provided in Article 3, Use Regulations. The following sections provide information regarding uses and structures which are classified as "principal permitted" (P), "permitted with supplemental provisions" (SUP) or "conditional" (C) uses within the various commercial districts. The supplemental design provisions with which (SUP) and (C) uses and activities are required to comply appear in Article 4 (Supplemental Use Regulations).

### **8-102.2 Principal Permitted Uses (P)**

Principal permitted uses are permitted as a matter of right within the district indicated, subject to the general requirements established for the district wherein the use is located.

### **8-102.3 Use Permitted with Supplemental Provisions (SUP)**

A use permitted with supplemental provisions is an activity, use or structure which is permitted subject to a finding by the City Planner that the specific standards indicated for the use in question have been met. Only those uses and structures so indicated in Article 4, Section 4-101, may be allowed within the districts indicated.

### **8-102.4 Conditional Uses (C)**

A conditional use is an activity, use, or structure which may require large land area, have unique operating, traffic generating or other characteristics that may tend to dominate or adversely affect the area more than do other uses permitted within the same zone district. Because the impacts of these uses cannot be satisfactorily predetermined for every possible location within a zone district, these land uses are permitted only upon approval by the Board of Zoning Appeals. Each conditional use is subject to a finding by the Board of Zoning Appeals that the specific standards indicated for the use in question have been met. Only those uses and structures so indicated in the following sections, may be allowed within the districts indicated.

### **8-102.5 Accessory Uses**

In addition to the principal activities expressed above, each activity type shall be deemed to include activities customarily associated with, and appropriate, incidental, and subordinate to the principal activity when such accessory activity is located on the same zone lot as such principal activity and meets the further conditions set forth in Article 4, Section 4-102. Accessory uses designated within

each zone district sections, as follows, are permitted as a matter of right and no permit is required to conduct the activity in question. Those accessory uses designated with the letters "ASP" do require a permit obtained from the Fairview City Planning Department. Permits for accessory uses designated "ASP" shall be issued upon demonstration that the activity in question meets the requirements established for such activity Article 4, Section 4-102.

### **8-102.6 Temporary Uses**

The temporary uses and structures specified in Article 4, Section 4-103, as permissible within commercial districts may be permitted for the limited time periods indicated for each such use or activity.

### **8-102.7 Uses Not Permitted**

Any uses or structures not allowable as permitted uses, conditional uses, temporary uses or accessory uses are prohibited within the various commercial districts.

## **8-103: BULK REGULATIONS – APPLICABLE TO ALL COMMERCIAL DISTRICTS**

### **8-103.1 General**

The minimum lot dimensions, maximum lot coverage, minimum front, rear, interior and street side yards, maximum building heights and minimum separation between buildings on the same zone lot within any base commercial district shall be as listed in Section 8-104 through Section 8-111. For certain uses, alternative bulk regulations may be specified in this section or other sections of this zoning ordinance. Bulk regulations for Planned Overlay Districts shall be as specified in Article 10.

### **8-103.2 Lot Dimensions**

No lot shall be created and no building permit or zoning approval shall be issued for any lot that does not meet the minimum dimensional requirements as listed in Sections 8-104 through Section 8-111, unless otherwise provided as part of a Planned Unit Development (PUD).

#### **1. Reduction in Lot Area Prohibited**

No lot, even though it may consist of one (1) or more adjacent lots of record, shall be reduced in area so that yards, lot width, building area, or other requirements of the zoning ordinance are not maintained. This section shall not apply when a portion of a lot is acquired for a public purpose.

2. Lot Frontage

All lots shall have a minimum of fifty (50) feet of frontage on a publicly dedicated and maintained street, except that lots located along the terminus of a cul-de-sac shall have a minimum of thirty-five (35) feet of frontage. Within the Town Center Overlay District, minimum required lot frontages shall be established by the governing Master Plan as approved by the Board of Commissioners. (Amended by Ordinance 509, August 16, 2001)

**8-103.3 Height Regulations**

1. General Exception to Height Regulations

The height limitation contained in the district regulations does not apply to spires, belfries, cupolas, radio towers, water tanks, ventilators, chimneys, or other appurtenances usually required to be placed above the roof level and not intended for human occupancy.

**8-103.4 Yard Regulations**

1. Permitted Obstructions in Required Yards

In all commercial districts, the following shall not be considered obstructions when located within a required yard except and comply with the provisions of Section 8-103.5(Obstructions Prohibited at Street Intersections).

A. Arbors and trellises.

B. Awnings or canopies projecting from a building wall over a required yard not more than six (6) feet, and having no supports other than provided by the wall or its integral parts.

C. Chimneys projecting not more than three (3) feet into, and not exceeding two (2) percent of the area, of the required yard.

D. Driveways subject to other specific provisions of this ordinance related directly thereto.

E. Eaves, gutters, or down spouts, projecting into or over required yards not more than twenty-four (24) inches or twenty (20) percent of the width of such yard, whichever is the lesser distance.

F. Fire escapes or staircase, the riser area of which shall be at least fifty (50) percent open, and whose vertical projection downward onto a required yard does not exceed thirty (30) percent of the area of such yard.

G. Flagpoles, having only one structural ground member.

H. Fountains.

I. Mailboxes.

J. Open terraces, including natural plant landscaping.

K. Retaining walls.

L. Sculpture or other similar objects of art.

M. Street furniture such as, but not limited to benches, drinking fountains, trash receptacles, ash trays, light standards, or directional signs.

N. Vents necessary for use of fallout shelters constructed below grade of such yards, but excluding all other parts of such shelters.

O. Walls or fences not exceeding six (6) feet in height measured from finish grade level at any point along the length of, and on any side of, such walls or fences, and not roofed or structurally part of a building.

2. Measurement of Yard Width

In all commercial districts, the width or depth of a yard shall be measured perpendicular to lot lines.

3. Accessory Off-Street Parking in Required Yards

Accessory off-street parking may be permitted within the required yards of commercial districts only to the extent set forth below. Within any area where permitted such parking areas shall: Be properly maintained and have no obstructions thereon, except as permitted by Subpart 1, of this section, and shall not obstruct the visibility triangle as required by Subsection 8-103.5.

A. Accessory Off-Street Parking in Required Front Yards (Amended by Ordinance 509, August 16, 2001)

Within any commercial district not located within the Main Street Mixed Use Sub-district of the Town Center Overlay District, permitted or required accessory off-street parking may be permitted within ten (10) feet of the front lot line. Within the Main Street Mixed Use Sub-district of the Town Overlay District, off-street parking shall be prohibited between the



building and the front lot line. Off-street parking areas in that sub-district shall be located either to the rear or side of buildings.

**B. Accessory Off-Street Parking in Side Yards**

In all commercial districts, accessory off-street parking may be located within eight (8) feet of any side lot line, except when such yard is adjacent to a residential district. (See Subpart 5, of this section, for special provisions applicable along residential district boundaries).

**C. Accessory Off-Street Parking and Loading in Rear Yards (Amended by Ordinance 509, August 16, 2001)**

Within the Town Center Overlay District, parking and loading areas may occur back to the rear property line if so authorized by the enacting PUD. Except as provided by Subpart 6, of this section, in all commercial districts, accessory off-street parking or loading may be located within ten (10) feet of any rear lot line except when such yard is adjacent to a residential district. (See Subpart 6, of this section, for special provisions applicable along residential district boundaries).

**4. Special Provisions for Through Lots**

In all commercial districts no rear yard is required for a through lot. In lieu thereof a front yard shall be required for each frontage.

**5. Special Provisions Applying to Required Yards and Building Setbacks Along District Boundaries Coincident with Side or Rear Lot Line of Zone Lot in any Residential District (Amended by Ordinance 509, August 16, 2001)**

In all commercial districts, except those associated with a corresponding Planned Overlay District located within the Town Center Overlay District; and along such portion of the boundary of a commercial district which coincides with a lot line of a zone lot in any residential district the following yard provisions shall apply. The open space may be utilized for parking. Within the Town Center Overlay District, minimum required lot frontages shall be established by the governing Master Plan as approved by the Board of Commissioners.

**A. Special Front Setback**

Regardless of the front yard provisions established for any commercial district, no building located on any zone lot adjacent to any residential district shall not extend closer to the street than the average of the distances of the buildings located within one hundred (100) feet of the lot whereon the commercial activity is located; provided that no

building shall be required to setback more than twice the minimum front yard applicable within the commercial district.

B. Special Side and Rear Yards

Along all portions of the boundary of any commercial zone lot where such lot abuts or is contiguous to any residential zone lot without an intervening public street, an open area, unobstructed from the ground to the sky, shall be provided within the commercial district, said area being at least twenty (20) feet in width or depth. Such open area shall not be used for accessory off-street parking, or accessory off-street loading, or for storage or processing of any kind.

6. Special Provisions for Party Walls

In commercial districts, side or rear yard requirements may be waived along the side or rear adjacent to another commercially zoned lot if the following conditions are met:

- A. At all points of attachment adjoining buildings shall be separated from each other by a four (4) hour wall in accordance with the currently adopted Building Code and Fire Code.
- B. A party wall may bisect the dividing line of two (2) adjacent lots so that one-half (1/2) of the party wall is located on each of the properties, provided that the owners of each property sign a covenant running with the land and granting an easement on the property to the owners of the adjoining property for the purpose of maintaining, reconstructing or protecting the party wall.
- C. In the event of the construction of a building on the lot line, the wall along the lot line, if it is not constructed as a party wall between two (2) buildings, shall be built in such a manner that it will meet all requirements of Subpart A, of this section, without regard to the wall or building on the adjoining property.
- D. No wall constructed within ten (10) feet of a property line shall have less than a four (4) hour fire rating and shall have such additional ratings as required by the currently adopted Building Code and Fire Code.

**8-103.5 Obstructions Prohibited at Street Intersections** (Amended by Ordinance 509, August 16, 2001)

On a corner lot, no fence, wall, hedge, or other planting or structure that will materially obstruct vision between a height of two and one-half (2 1/2) feet and ten (10) feet above the center line grades of the intersecting streets shall be erected, placed, or maintained within the triangular area formed by the street lines at such corner lots and a straight line joining such street lines at points which are thirty-five (35) feet distance from the intersection of the street lines and measured along said street lines. In case of rounded street lines at the intersecting streets, such measurement shall be made from the point of intersection of the tangents of the curve constituting the rounding. The above requirements shall not apply to development located within the Town Center Overlay District wherein setbacks from intersections shall be established by the governing Master Plan, as approved by the Board of Commissioners.

**8-103.6 Requirements for Fire Lanes** (Amended by Ordinance 509, August 16, 2001)

Unless specified by the City of Fairview and/or International Fire Codes, all commercial buildings shall have fire lanes with a minimum width of ten (10) feet and shall be located adjacent to the front and rear entrances of all buildings. Such fire lanes shall be positioned directly adjacent to emergency water facilities designed for fire protection and shall be paved with an all-weather surface capable of supporting the imposed loads of fire apparatus. The required fire lanes shall not be obstructed in any manner, including the parking of vehicles. Installation of No Parking signs or other appropriate notice, or of approved obstructions inhibiting parking, may be required and if installed shall be maintained. The owner or his representative of a building which is adjacent to the fire lane shall be responsible for keeping the fire lane free of obstructions.

**8-103.7 Requirements for Sidewalks**

Street sidewalks and on-site walks shall be provided for convenient, ADA compliant, and safe access to all commercial buildings and amenities from streets, driveways, or parking areas and for convenient circulation and access to all facilities.

**Standards for Walkways**

The following design standards for walkways shall apply within all commercial developments.

- A. Walkways, a minimum of six (6) feet in width, shall be provided along all public right- of- ways along the zoned lot lines and to all buildings and amenities. At a minimum these walkways shall connect along all public streets and from all street crossings to the major points of building entry.
- B. Walkways shall be provided along the full length of the building on any side which provides building access to the public or where public parking is available, to provide safe and comfortable pedestrian access to the building.
- C. All walkways within public right- of- ways- shall be built to Fairview Street and Sidewalk Standards.
- D. Internal walkway surfaces shall be designed to be visually attractive and distinguishable from driving surfaces through use of durable, low maintenance materials such as pavers, bricks, or scored concrete to enhance pedestrian safety and comfort.

#### Sidewalk Requirement Variance

Where approved by the Planning Commission, a waiver of City required sidewalks may be requested in circumstances where sidewalk installation may not be reasonable, suitable or effective. Should a waiver be granted, a payment in lieu of sidewalk construction shall be remitted to the City's Sidewalk Maintenance, Repair, and Installation Fund. The valuation of any funds remitted to the City of Fairview shall not be less than 75% of the engineered construction costs, as determined by current published average unit prices.

## **8-104: PURPOSES AND INTENTS OF CG – COMMERCIAL-GENERAL DISTRICTS**

This district is designed to provide for a wide range of commercial uses concerned with retail trade and consumer services; amusement and entertainment establishments; automotive and vehicular service establishments; transient sleeping accommodations; drive-in stores; eating and drinking places, financial institutions; and offices. The uses in this district service a broad market spectrum and, therefore, ease of automotive access is a requirement. However, it is not intended that this district permit uses which generate large volumes of truck traffic. Community facilities and utilities necessary to serve these districts, or necessary for the general community welfare are also permitted. Appropriate open space between commercial and residential areas is required. This classification is intended to recognize an existing undesirable development pattern but not repeat or significantly expand the pattern beyond those areas where such is already established.

### **1. Permitted Uses**

#### **A. Community Facilities Activities**

- i. Administrative Services
- ii. Community Assembly
- iii. Cultural and Recreational Facilities
- iv. Educational Facilities
- v. Essential Public Transport, Communication and Utility Services

#### **B. Commercial Activities**

- i. Automotive Parking
- ii. Banking, Financial, Insurance, and Real Estate Services
- iii. Convenience Retail Sales and Services
- iv. General Business and Communications
- v. General Retail Trader
- vi. Outdoor Material and Equipment Sales and Repair
- vii. Professional Services – Medical
- viii. Professional Services – Non-Medical
- ix. Restaurant – Full Service
- x. Restaurant – Fast Food
- xi. Self-Service Storage
- xii. Transient Habitation
- xiii. Warehousing, Goods, Transport, and Storage
- xiv. Wholesale Sales

2. Uses Permitted with Supplemental Provisions (SUP)
  - A. Residential Activities
    - i. Multi-Family Dwelling (See Section 8-112 for Supplemental Regulations)
  - B. Community Facilities Activities
    - i. Child Care Facilities
    - ii. Health Care Facilities
    - iii. Religious Facilities
    - iv. Special Personal and Group Care Facilities
  - C. Commercial Activities
    - i. Animal Care and Veterinary Services
3. Conditional Uses
  - A. Community Facilities Activities
    - i. Extensive Impact Facilities
    - ii. Intermediate Impact Facilities
    - iii. Special Institutional Care Facilities
  - B. Commercial Activities
    - i. Automotive and Marine Craft Sales, Service and Repair
    - ii. Entertainment and Amusement Services – Limited
    - iii. Group Assembly and Commercial Outdoor Recreation
4. Accessory Uses
  - A. Permitted Uses
    - i. Accessory Storage
    - ii. Administrative Office
    - iii. Private Recreational Facilities
5. Bulk Regulations
  - A. Minimum Zone Lot Requirements
    - i. Area – 10,000 square feet
  - B. Maximum Lot Coverage - (As % of Total Lot Area)
    - i. 50 percent
  - C. Maximum Impermeable Surface Ratio (As % of Total Lot Area)
    - i. 80 percent

- D. Maximum Height
  - i. 35 feet

- E. Minimum Yard Requirements
  - i. Front Yard – 30 Feet
  - ii. Side Yard – 10 Feet
  - iii. Rear Yard – 20 Feet

## **8-105: PURPOSES AND INTENTS OF CI – COMMERCIAL-INTERCHANGE DISTRICTS**

This district is designed to provide adequate space at major freeway interchanges for uses that are directly related to the needs of the motoring public. Due to the extremely hazardous condition found at the I-40/Highway 96, Interchange, it has been determined that the uses and activities permitted must be carefully evaluated relative to traffic generation and other site specific characteristics, including access, that have a direct bearing on the health, safety and welfare of the motoring public. Community facilities and utilities necessary to serve these districts, or necessary for the general community welfare are also permitted. Bulk limitations established for uses in these districts are designed to recognize the market need of the uses and activities that are permitted. Appropriate locations for this district are near major transportation interchanges in clustered development patterns and not patterns of striped commercial development extending in a continuous manner along major traffic arteries. (Amended by Ordinance No. 513, November 15, 2001)

### **1. Permitted Uses**

#### **A. Community Facilities Activities**

- i. Administrative Services
- ii. Community Assembly
- iii. Cultural and Recreational Facilities
- iv. Educational Facilities
- v. Essential Public Transport, Communication and Utility Services

#### **B. Commercial Activities**

- i. Automotive Parking
- ii. Banking, Financial, Insurance, and Real Estate Services
- iii. Convenience Retail Sales and Services
- iv. General Business and Communications
- v. General Retail Trader
- vi. Restaurant – Full Service
- vii. Restaurant – Fast Food
- viii. Transient Habitation

### **2. Uses Permitted with Supplemental Provisions (SUP)**

#### **A. Community Facilities Activities**

- i. Health Care Facilities

#### **B. Commercial Activities**

- i. Animal Care and Veterinary Services



3. Conditional Uses

A. Community Facilities Activities

- i. Child Care Facilities
- ii. Extensive Impact Facilities
- iii. Intermediate Impact Facilities
- iv. Religious Facilities
- v. Special Institutional Care Facilities
- vi. Special Personal and Group Care Facilities
- vii. Waste Disposal Operations

B. Commercial Activities

- i. Automotive and Marine Craft Sales, Service and Repair
- ii. Entertainment and Amusement Services – Limited

4. Accessory Uses

A. Permitted Uses

- i. Accessory Storage
- ii. Administrative Office
- iii. Private Recreational Facilities

5. Bulk Regulations

A. Minimum Zone Lot Requirements

- i. Area – 10,000 square feet

B. Maximum Lot Coverage - (As % of Total Lot Area)

- i. 50 percent

C. Maximum Impermeable Surface Ratio (As % of Total Lot Area)

- i. 80 percent

D. Maximum Height

- i. 35 feet

E. Minimum Yard Requirements

- i. Front Yard – 30 Feet
- ii. Side Yard – 10 Feet
- iii. Rear Yard – 20 Feet

**8-106: INTENTIONALLY LEFT BLANK**

**8-107: PURPOSES AND INTENTS OF CMU, COMMERCIAL - MIXED USE DISTRICTS**

These districts are designed primarily to provide sufficient space in appropriate locations for establishments and uses engaged in wholesale trade, the warehousing of a wide variety of products or materials, manufacturing processes having the highest performance standards and the least objectionable characteristics, and services ancillary thereto. As these districts tend to generate relatively large volumes of heavy vehicular traffic and have other characteristics detrimental to residential environments, their locations are removed from the proximity of residential districts insofar as possible. Where these districts must necessarily abut residential areas, requirements designed to lessen incompatible features of commercial development are stipulated. In addition, a selection of consumer retail trade establishments, consumer service uses, and community facilities and utilities, considered necessary to service the principal uses in these districts or necessary for the general community welfare, are permitted.

1. Permitted Uses

A. Community Facilities Activities

- i. Administrative Services
- ii. Community Assembly
- iii. Cultural and Recreational Facilities
- iv. Educational Facilities
- v. Essential Public Transport, Communication and Utility Services

B. Commercial Activities

- i. Automotive Parking
- ii. Banking, Financial, Insurance, and Real Estate Services
- iii. Convenience Retail Sales and Services
- iv. General Business and Communications
- v. General Retail Trader
- vi. Outdoor Material and Equipment Sales and Repair
- vii. Professional Services – Medical
- viii. Professional Services – Non-Medical
- ix. Restaurant – Full Service
- x. Restaurant – Fast Food
- xi. Self-Service Storage
- xii. Transient Habitation
- xiii. Warehousing, Goods, Transport, and Storage
- xiv. Wholesale Sales

2. Uses Permitted with Supplemental Provisions (SUP)
  - A. Community Facilities Activities
    - i. Child Care Facilities
    - ii. Health Care Facilities
    - iii. Religious Facilities
    - iv. Special Personal and Group Care Facilities
  - B. Commercial Activities
    - i. Animal Care and Veterinary Services
  - C. Manufacturing Activities
    - i. Manufacturing-Limited
3. Conditional Uses
  - A. Community Facilities Activities
    - i. Extensive Impact Facilities
    - ii. Intermediate Impact Facilities
    - iii. Special Institutional Care Facilities
  - B. Commercial Activities
    - i. Automotive and Marine Craft Sales, Service and Repair
    - ii. Entertainment and Amusement Services – Limited
    - iii. Group Assembly and Commercial Outdoor Recreation
4. Accessory Uses
  - A. Permitted Uses
    - i. Accessory Storage
    - ii. Administrative Office
    - iii. Private Recreational Facilities
5. Bulk Regulations
  - A. Minimum Zone Lot Requirements
    - i. Area – 10,000 square feet
  - B. Maximum Lot Coverage - (As % of Total Lot Area)
    - i. 50 percent
  - C. Maximum Impermeable Surface Ratio (As % of Total Lot Area)
    - i. 80 percent
  - D. Maximum Height
    - i. 35 feet

E. Minimum Yard Requirements

- i. Front Yard – 30 Feet
- ii. Side Yard – 10 Feet
- iii. Rear Yard – 20 Feet

**8-108: INTENTIONALLY LEFT BLANK**

**8-109: INTENTIONALLY LEFT BLANK**

## **8-110: PURPOSES AND INTENTS OF OG, OFFICE GENERAL DISTRICTS**

These districts are designed to provide suitable areas for medium to large scale office and community service facilities within free standing structures or multi-building complexes located along major arterial streets, at major intersections, and within the Town Center Overlay District, particularly the Government Core sub-district. This district is designed to permit either single or mixed-occupancy facilities at a range of intensities with building types generally comparable to the scale and bulk of high density multi-family structures. This district is intended to permit a broad range of administration service, community assembly, educational, health care, religious assembly, banking, financial, insurance and real estate service activities, along with a limited range of office-related general business and communication services.

### 1. Permitted Uses

#### A. Community Facilities Activities

- i. Administrative Services
- ii. Community Assembly
- iii. Educational Facilities
- iv. Essential Public Transport, Communication and Utility Services

#### B. Commercial Activities

- i. Banking, Financial, Insurance, and Real Estate Services
- ii. Professional Services – Medical
- iii. Professional Services – Non-Medical

### 2. Uses Permitted with Supplemental Provisions (SUP)

#### A. Community Facilities Activities

- i. Child Care Facilities

### 3. Conditional Uses

#### A. Community Facilities Activities

- i. Cultural and Recreational Facilities
- ii. Health Care Facilities
- iii. Intermediate Impact Facilities
- iv. Religious Facilities
- v. Special Personal and Group Care Facilities

### 4. Accessory Uses

#### A. Accessory Uses With Supplemental Regulations

- i. Accessory Day Care
- ii. Employee Cafeteria



5. Bulk Regulations

A. Minimum Zone Lot Requirements

- i. The Office General (OG) Zone District Does Not Have A Minimum Lot Size.

B. Maximum Lot Coverage - (As % of Total Lot Area)

- i. 40 percent

C. Maximum Impermeable Surface Ratio (As % of Total Lot Area)

- i. 75 percent

D. Maximum Height

- i. 45 feet – A maximum of three (3) stories in height.

E. Minimum Yard Requirements

- i. Front Yard – 30 Feet
- ii. Side Yard – 10 Feet
- iii. Rear Yard – 20 Feet

6. OG Zone District Requirements in the Town Center Overlay

- A. Front, Side, and Rear Yard requirements for the Office General (OG) zone district, when located within the Town Center Overlay District, shall be established as part of a Planned Overlay District that is approved by the Board of Commissioners.

## **8-111: PURPOSES AND INTENTS OF MSMU, MAIN STREET MIXED USE DISTRICT**

This district is designed to provide for the complete integration of commercial retail and consumer service, financial and professional office, amusement, eating and drinking establishments, and higher intensity residential uses within the Main Street Mixed Use sub-district of the Town Center Overlay District. It is the clear intention that multiple land uses be integrated into mixed use structures that are designed to a pedestrian scale and oriented directly to the street. The segregation of uses, while permitted, is to be discouraged in favor of structures designed for retail, consumer service, restaurants and other comparable activities located at the street level, with office and residential uses located on the second and third stories of structures.

The building setback, bulk and design standards for this district are intended to create an attractive, active and engaging street environment for the use and convenience of the pedestrian. Buildings are intended to be built generally to the sidewalk line along the majority of a block face. Building facades oriented to the street should be designed to a high architectural standard, with sensitive articulation of walls, an abundance of (clear) glass area and easily identifiable main entrances oriented to the street. Service areas and loading docks should be oriented away from the street and to the greatest extent possible, screened from public view. Drive-through facilities should be located to the side or rear of buildings and not towards the public street. Sidewalk widths along storefronts should be of sufficient width to encourage outdoor activities and pedestrian interaction, and should contain street trees and high quality street furniture such benches, trash receptacles and bicycle stands of comparable character and quality.

It is the expressed intention of this district to discourage on-site vehicular parking lots located between the street and the building, and to emphasize the careful placement and arrangement of joint-use parking lots oriented to the rear or side of buildings. The parking requirements associated with uses located within this urban district may be lower than comparable uses located in a suburban setting given the availability of on-street parking, the close proximity of residential neighborhoods and the emphasis on pedestrian and bicycle mobility in lieu of the automobile.

### **1. Permitted Uses**

#### **A. Residential Activities**

##### **i. Multi-Family Dwelling**

- .B. Community Facilities Activities
  - i. Administrative Services
  - ii. Child Care Facilities
  - iii. Community Assembly
  - iv. Educational Facilities
  - v. Essential Public Transport, Communication and Utility Services
  - vi. Religious Facilities
  
- C. Commercial Activities
  - i. Automotive Parking
  - ii. Banking, Financial, Insurance, and Real Estate Services
  - iii. Convenience Retail Sales and Services
  - iv. General Business and Communications
  - v. Professional Services – Medical
  - vi. Professional Services – Non-Medical
  - vii. Restaurant, Full Service
  - viii. Transient Habitation
  
- 2. Uses Permitted with Supplemental Provisions (SUP)
  - A. Commercial Activities
    - i. General Retail Trader
  
- 3. Conditional Uses
  - A. Community Facilities Activities
    - i. Cultural and Recreational Facilities
    - ii. Intermediate Impact Facilities
  
  - B. Commercial Activities
    - i. Entertainment and Amusement Services – Limited
  
- 4. Accessory Uses
  - A. Permitted Uses
    - i. Accessory Storage
    - ii. Administrative Office
    - iii. Private Recreational Facilities
    - iv. Residential Occupancy
  
  - B. Accessory Uses With Supplemental Regulations
    - i. Production for Retail Sale

5. Bulk Regulations

A. Minimum Zone Lot Requirements

- i. The Main Street Mixed-Use Zone District Does Not Have A Minimum Lot Size.

B. Maximum Lot Coverage - (As % of Total Lot Area)

- i. 70 percent

C. Maximum Impermeable Surface Ratio (As % of Total Lot Area)

- i. 90 percent

D. Maximum Height

- i. 45 feet – A maximum of three (3) stories in height.

E. Minimum Yard Requirements

- i. Front Yard – 0 Feet
- ii. Side Yard – 0 Feet
- iii. Rear Yard – 0 Feet

6. Building Setback, Bulk and Façade Standards for the Main Street Mixed Use District (Added by Ordinance 509, August 16, 2001)

The special design provisions set forth herein are intended to create an attractive, safe and pedestrian oriented Main Street Mixed Use (MSMU) area within the Town Center.

A. Design Criteria

i. Front Yard Setbacks

Buildings built to the front property line are strongly encouraged. Front building walls shall be located no more than fifteen (15) feet from the front property line.

ii. Street Wall as a Percentage of Lot Frontage

Buildings built to the front sidewalk line shall be the predominant character of the Main Street Mixed Use area. A minimum of fifty (50) percent of the each lot frontage shall be comprised of building wall built up to or within fifteen (15) feet of the front property line.

iii. Building Heights at the Street Line

Buildings heights shall not exceed three (3) stories; the maximum street facade elevation shall be forty-five (45) feet as measured from the finished sidewalk grade to the top of wall (including parapets).

iv. Street Wall Glazing

A minimum of fifty (50) percent and a maximum of eighty-five (85) percent of a street facing building facade shall be comprised of transparent glass area. Ground floor store levels should provide prominent display windows easily viewed from the sidewalk. Blank walls oriented to the street shall not exceed fifty (50) feet in length.

v. Street Facade Design

Building designs that provide an attractive appearance and an interactive relationship with the sidewalk shall be required. Encouraged are facade designs that promote outdoor activity and contain interesting architectural features such as awnings, columns, porches, decorative stoops, courtyards, terraces and upper story balconies. Building facades comprised predominantly of natural looking materials such as brick, stone, stucco and painted wood are encouraged in lieu of synthetic materials such as vinyl coated elements and aluminum siding.

i. Sidewalk Standards

Sidewalks located between the street curb line and a front building wall should be a minimum of eight (8) feet in width. A minimum clearance of seven (7) feet shall be maintained at all times along the frontage of the sidewalk and to and from the main doorway(s) into business establishments.

## **8-112: SUPPLEMENTAL DESIGN PROVISIONS**

### **8-112.1 Density, Height, Lot Size, and Open Space Requirements Applicable to Residential Activities**

The provisions of this section apply to any residential building or mixed building located on any zone lot or portion of a zone lot in any commercial district. The following requirements shall not apply to development located within the Town Center Overlay District wherein requirement shall be established by the governing Master Plan, as approved by the Board of Commissioners. (Amended by Ordinance 509, August 16, 2001)

#### **1. Provisions Applicable to Residential Buildings**

Within those commercial districts where residential uses are permitted, the height, density, bulk, lot size and open space provisions applicable to the RM-8 District (See Section 6-114) shall apply to all residential buildings located upon any zone lot or portion of a zone lot. The supplemental provisions appearing in Article 7, Section 7-101.1 – Development Standards for Multi-Family Dwellings, shall apply to all residential buildings located in any commercial district.

#### **2. Provisions Applicable to Mixed Buildings**

The provisions appearing below shall apply to all vertical and/or horizontal mixed buildings where such are permitted within any commercial district.

##### **A. Maximum Bulk Permitted**

For any mixed building permitted within any commercial district the height, density, bulk, lot size and open space provisions applicable to the RM-8, District (See Section 6-114) shall apply.

##### **B. Calculation of Residential Density Permitted in Mixed Use Buildings**

To determine the residential density permitted within any mixed use building, the following procedure shall be utilized.

- i. The zone lot upon which the mixed use building is located will be apportioned as to its nonresidential-residential components. (Example: If twenty-five (25) percent of a mixed building is to be utilized for commercial purposes and seventy-five (75) percent of the lot area will be used in calculating the residential density permitted).
- ii. The residential density permitted will then be calculated in a like manner as for any zone lot located within said district.

- iii. In no instance, however, shall the total building bulk permitted be increased beyond that established for the district within which the mixed building is located.

### **8-112.2 Development Standards for Commercial Complexes**

The provisions of this section are applicable to all commercial complexes, as defined by this Ordinance (see Article 2, Section 2-102). The intent of this provision is to assure coordination of certain critical design elements within commercial complexes by Planning Commission review of the master development plan required for all such development by Article 17, Section 17-103.2. Provided, however, that in any instance where this use is located within a planned unit development this requirement may be fulfilled by submission of the plans required by that section.

1. Parking and Access Control

The parking and access control provisions contained in Article 11, Section 11-102.8, "Joint Parking Facilities", shall apply within all commercial complexes.

2. Design Standards

The following design standards shall apply to all site development plans submitted for property located within any commercial complex.

- A. Site features such as landscaping, site fences, walls, dumpsters and recycle containers shall be coordinated into a unitary design and shall otherwise comply with all provisions of found within the Fairview Design Review Manual.
- B. Buildings shall incorporate similar design elements, such as surface materials, color, roof treatment, windows and doors on all sides of the building(s) to achieve a unity of design. The sides of a building that face a public street shall include elements such as windows, doors, color, texture, landscaping and wall treatment to provide visual interest and prevent development of a long continuous blank wall.
- C. All buildings within a multi-building complex shall achieve a unity of design by use of similar architectural elements, such as roof form, exterior building materials, colors and window pattern.
- D. Site drainage shall be designed to incorporate all buildings and structures included with the total development site.

E. A "Common Signage Plan" meeting the standards established in Article 12, Section 12-110, shall be required for all commercial complexes.

3. Standards for Internal Walkways

The following design standards for internal walkways shall apply within all commercial complexes.

A. Internal walkway surfaces shall be designed to be visually attractive and distinguishable from driving surfaces through use of durable, low maintenance materials such as pavers, bricks, or scored concrete to enhance pedestrian safety and comfort.



9G

ORDINANCE NO. 2019-40

AN ORDINANCE OF THE CITY OF FAIRVIEW, TENNESSEE, TO AMEND THE ZONING ORDINANCE AS IT PERTAINS TO ARTICLE XVII "ADMINISTRATION AND ENFORCEMENT", SECTION 17-103 "REQUIRED PLANS", SUBSECTIONS 17-103.8 "BONDING OF SITE IMPROVEMENTS" and 17-103.9 "MAINTENANCE BONDS".

WHEREAS, the City of Fairview Planning Commission recommends to the City of Fairview Board of Commissioners to amend current provisions of the zoning ordinance as they pertain to plans and permits in order to best serve the citizens of Fairview, and

BE IT ORDAINED BY THE CITY OF FAIRVIEW, TENNESSEE, AS FOLLOWS,

The Fairview, Tennessee Zoning Articles, Article XVII "Administration and Enforcement", Section 17-103 "Required Plans", Subsections 17-103.8 "Bonding of Site Improvements" And 17-103.9 "Maintenance Bonds, hereby removes and replaces the current regulations to read as attached:

SEE ATTACHED ARTICLE 17: SECTIONS 103.8, 103.9, AND 103.10

The remaining sections of this Article and Section remain unchanged by this Ordinance.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY RECORDER

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY

Passed First Reading December 19, 2019

Passed Second Reading \_\_\_\_\_

## **17-103.8 Bonding of Site Grading**

### **1. Site Stabilization**

Prior to the issuance of any grading permit for development covered by any site plan or grading plan submitted in accordance with this ordinance, an applicant shall be required to provide to the City a Site Reclamation Bond.

### **2. Site Reclamation Bond**

The City, shall require the submittal of a site stabilization bond prior to issuance of a grading permit in order to ensure that the stormwater practices are installed by the permit holder as required by the approved site or grading plan. The amount of the installation performance surety shall be in the amount of one hundred twenty-five (125) percent of the total estimated construction cost of the structural BMPs approved under the permit plus any reasonably foreseeable additional related costs, e.g., for damages or enforcement. The performance surety shall contain forfeiture provisions for failure to complete work specified in the site or grading plan. The applicant shall provide an itemized construction cost estimate complete with unit prices which shall be subject to acceptance, amendment or rejection by the City. Alternatively, an estimate will be prepared by the City Engineer in the amount of one hundred twenty-five (125) percent of the estimate of cost to assure completion of the work.

The performance surety shall be released in full only upon submission of as-built plans and written certification by a registered professional engineer licensed to practice in Tennessee that the structural BMPs have been installed in accordance with the City approved plan and other applicable provisions of this ordinance. The City will make a final inspection of the structural BMPs to review for compliance with the approved plan and the provisions of this ordinance.

### **3. Bonding Obligees**

The site reclamation bond shall name the City of Fairview as obligees and shall be satisfactory to the City Attorney as to form, sufficiency and manner of execution. The performance bond shall remain in force in its full-face amount until improvements are completed.

### **4. Surety**

A site stabilization bond shall be secured by a surety bond, irrevocable letter of credit, escrow account or other surety deemed adequate by the city.

The beneficiary of the surety shall be the Planning Commission and/or the City of Fairview. If a surety bond is used, then the guarantor of the debt shall have a commercial rating of not lower than "A" as designated by the A.M. Best and Company or other similar corporate rating service acceptable to the Planning Commission. If an irrevocable letter of credit is used as surety, then the bank or other financial institution issuing the letter of credit shall have total capital and unrestricted surplus of not less than twenty million dollars (\$20,000,000). The bank or other financial institution shall allow the letter of credit to be presented for collection at a place physically located within the boundaries of Williamson County, Tennessee.

5. Release of Site Reclamation Bond and Surety

The site reclamation bond, and the surety securing it, may be released by the City after a final site stabilization inspection has been performed and approved by the City. It shall be the responsibility of the permit holder to contact the City for inspection scheduling.

6. Appeal to the Fairview Municipal Planning Commission

The applicant may, upon disapproval of a request for release of a bond, appeal the decision of the City staff to the Planning Commission. The appeal shall be filed within ten (10) days of the adverse decision and shall be set for hearing on the next available agenda of the Planning Commission.

7. Failure to Complete Improvements

Where a site reclamation bond has been posted, and required improvements have not been installed within the terms of the bond, then the City may declare the bond to be in default and authorize the calling of the bond and surety and the completion of the improvements under the supervision of the City departments.

### **17-103.9 Bonding of Site Improvements**

1. Completion of Improvements

Prior to the issuance of any use and occupancy permit for developments covered by any site plan or grading plan submitted in accordance with this ordinance, an applicant shall be required to complete all site improvements indicated on the approved plan.

2. Performance Bond

When use and occupancy is requested before completion of site improvements, a performance bond shall be provided to the City. A temporary use and occupancy permit may be issued in the alternative, upon posting an acceptable performance bond to insure the construction,

installation and/or dedication of all remaining public and private improvements and landscaping. The performance bond shall also secure site improvements and private access improvements required pursuant to this ordinance, including necessary off-site improvements. The performance bond shall be in the amount of one hundred twenty-five (125) percent of the total estimated construction cost. The applicant shall provide an itemized construction cost estimate, complete with unit prices which shall be subject to acceptance, amendment or rejection by the City. Alternatively, an estimate will be prepared by the City Engineer in the amount of one hundred twenty-five (125) percent of the estimate of cost to assure completion of the work. Posting of an acceptable performance bond shall constitute prior permission for the properly designated parties to enter upon said property to complete these improvements.

3. Bonding Period - Obligee

The period within which required improvements shall be completed shall be specified by the Planning Commission, incorporated in the performance bond, and shall not exceed one (1) year from the date of approval of any Temporary Use and Occupancy Permit.

The performance bond shall name the Planning Commission and/or the city as obligees and shall be satisfactory to the City Attorney as to form, sufficiency and manner of execution. The performance bond shall remain in force in its full face amount until improvements are completed.

4. Surety

A performance bond shall be secured by a surety bond, irrevocable letter of credit, escrow account or other surety deemed adequate by the city.

The beneficiary of the surety shall be the Planning Commission and/or the City of Fairview. If a surety bond is used, then the guarantor of the debt shall have a commercial rating of not lower than "A" as designated by the A.M. Best and Company or other similar corporate rating service acceptable to the Planning Commission. If an irrevocable letter of credit is used as surety, then the bank or other financial institution issuing the letter of credit shall have total capital and unrestricted surplus of not less than twenty million dollars (\$20,000,000). The bank or other financial institution shall allow the letter of credit to be presented for collection at a place physically located within the boundaries of Williamson County, Tennessee.

5. Release of Performance Bond and Surety

The performance bond, and the surety securing it, may be released by the City Planner upon completion of the site improvements and landscaping.

- A. A request for release of the performance bond shall be made by the applicant in the form of a letter to the City Planner requesting release of the performance bond, including a written statement from the engineer employed by the applicant stating that the improvements have been installed in accordance with the plans and specifications approved by the city departments.
  - B. All costs incurred in connection with a request for release of the surety or of the performance bond (that is, engineering, inspection fees, legal fees, etc.) shall be borne by the applicant, regardless of whether his request is ultimately granted. No bond shall be released until the City Planner certifies that all fees have been paid.
6. Appeal to the Fairview Municipal Planning Commission  
The applicant may, upon disapproval of a request for release of a bond, appeal the decision of the City Planner to the Planning Commission. The appeal shall be filed within ten (10) days of the adverse decision and shall be set for hearing on the next available agenda of the Planning Commission.
7. Failure to Complete Improvements  
Where a performance bond has been posted, and required improvements have not been installed within the terms of the performance bond, then the City may declare the bond to be in default and authorize the calling of the bond and surety and the completion of the improvements under the supervision of the city departments.

### **17-103.10 Bonding of Site Maintenance**

1. Completion of Improvements  
Prior to the issuance of any permanent use and occupancy permit for developments covered by any site plan or grading plan submitted in accordance with this ordinance, an applicant shall be required to complete all site improvements indicated on the approved plan. At completion, all site improvements shall be documented in "as-built" drawings, inspected by the City and a maintenance bond be set and posted.
1. Basic Requirement  
Maintenance bonds shall be required for the purpose of ensuring:
- A. Landscape material which is installed to meet the requirements of this ordinance does not die or significantly deteriorate for a period of one (1) year.

- B. Off-site improvements are in proper working order and maintained in an acceptable manner to the City for a period of one (1) year.
- C. All public infrastructure and right of ways are maintained in an acceptable manner to the City for a period of one (1) year.
- D. All storm water infrastructure is in proper working order and maintained in an acceptable manner to the City for a period of one (1) year.

2. Maintenance Bond Amount

The maintenance bond shall be calculated by the City Engineer.

3. Bonding Period - Obligee

The period of the bond shall be one (1) year from the date of approval of any Permanent Use and Occupancy Permit.

The maintenance bond shall name the City of Fairview as obligee and shall be satisfactory to the City Attorney as to form, sufficiency and manner of execution.

4. Release of Maintenance Bond and Surety

The maintenance bond, and the surety securing it, may be released by the City upon one (1) year of the site improvements and landscaping being approved, and after a site inspection by the City.

ORDINANCE NO. 2019-41

9H

AN ORDINANCE OF THE CITY OF FAIRVIEW, TENNESSEE, TO AMEND THE ZONING ORDINANCE AS IT PERTAINS TO ARTICLE XVII "ADMINISTRATION AND ENFORCEMENT", SECTION 17-102.2 "ZONING PERMITS", SUBSECTION 102.2 "GRADING PERMITS".

**WHEREAS**, the City of Fairview Planning Commission has recommended to the City of Fairview Board of Commissioners to amend current provisions of the zoning ordinance as they pertain to plans and permits in order to best serve the citizens of Fairview, and

**WHEREAS**, the Fairview, Tennessee Zoning Articles, Article XVII "Administration and Enforcement", Section 17-102.2 "Zoning Permits", Subsection 102.2 "Grading Permits" and Subsection 102.3 "Site Utilization and Reclamation Permits" and Subsection 102.4 "Foundation Permits, currently read is as follows:

**17-102.2 Grading Permits**

In any instance where no building or construction activity is to take place upon a site, a grading permit may be issued by the City Engineer, provided that a tree inventory and protection plan meeting the requirements for such set out in Article 2, Section 2-103 of the Fairview Design Review Manual, has been approved and the applicant has demonstrated that the use or activity will comply with all provisions of this ordinance.

**17-102.3 Site Utilization and Reclamation Permits**

Site utilization and reclamation permits are required for any mining and quarrying uses and for the removal or stripping of topsoil in excess of ten thousand (10,000) square feet of land area. If the proposed land disturbance exceeds an area of 10,000 square feet, the Owner shall submit a site grading and drainage plan, irrespective of the volume of soils to be disturbed, brought in, or removed from the site. Additionally, if the proposal affects a smaller area, but changes the existing ground elevation by three (3) feet or more, either up or down, or any excavation or placement of fill material which would infringe upon a drainage way, floodplain or wetland area as determined by the City Engineer, the Owner shall submit a site grading and drainage plan. If a proposal does not meet the above criteria, but alters the point at which natural drainage leaves the Owner's property, the Owner shall submit a site grading and drainage plan.

For proposals in which grading is not proposed, but the impervious surface area is increased by 10,000 square feet, the Owner shall submit a

site grading and drainage plan for the project. Typical instances include, but are not limited to, building expansions of 10,000 square feet or more or parking lot expansions of 10,000 square feet or more.

For proposals in established residential neighborhoods, commercial or industrial site in which no grading is proposed, but which proposed to remove trees, and the net balance of trees is reduced by more than 33 percent, the Owner shall submit a site plan.

Site grading and drainage plans shall be prepared by person licensed in the State of Tennessee to prepare such plans, and shall be submitted to the City of Fairview Planning and Code Department for review and subsequent review by the Fairview Planning Commission.

This section expressly exempts excavation or fill for the purpose of constructing a swimming pool, basement, garage, or similar use which is deemed to be an accessory structure to a principal residential building or minor grading three (3) feet or less in depth done for the purposes of constructing a one (1) or two (2) family dwelling. Also exempt from this requirement are proposals in developed residential lots that disturb less than 10,000 square feet and do not change the existing ground elevation by three (3) feet or more; typical residential and commercial landscaping proposals; other similar applications and agricultural development within the state of Tennessee's guidelines and regulations in regard to drainage and stormwater runoff. The City Planner shall have authority to make determinations regarding the applicability of this requirement to any given project.

#### **17-102.4 Foundation Permits**

In any instance where building or construction activity is proposed to take place upon a site, a building permit may be issued upon approval of a grading plan (as specified in Section 17-103.3). Such permit may be limited to preliminary site grading and construction of the foundation only.

**BE IT ORDAINED BY THE CITY OF FAIRVIEW, TENNESSEE, AS FOLLOWS,**

The Fairview, Tennessee Zoning Articles, Article XVII "Administration and Enforcement", Section 17-102.2 "Zoning Permits", Subsection 102.2 "Grading Permits" are hereby amended to read as follows:

#### **17-102.2 Grading, Site Utilization, and Reclamation Permits**

##### **A. Required Permit and Site Plan Submission**

Prior to building construction or site excavation activities taking place, a Grading, Site Utilization, and Reclamation Permit and site plan shall be required when meeting any of the following:



- 1) Grading, site utilization and reclamation permits are required for any removal, disturbance, or stripping of ten thousand (10,000) square feet or more of land area. If the proposed land disturbance equals or exceeds an area of 10,000 square feet, the Owner shall submit a site plan, irrespective of the volume of soils to be disturbed, brought in, or removed from the site. Additionally, if the proposal affects a smaller area, but changes the existing ground elevation by three (3) feet or more, either up or down, or any excavation or placement of fill material which would infringe upon a drainage way, floodplain or wetland area as determined by the City Engineer, the Owner shall submit a site plan. If a proposal does not meet the above criteria, but alters the point at which natural drainage leaves the Owner's property, the Owner shall submit a site plan.
- 2) For proposals in which grading is not proposed, but the impervious surface area is increased by 10,000 square feet, the Owner shall submit a site plan for the project. Typical instances include, but are not limited to, building expansions of 10,000 square feet or more or parking lot expansions of 10,000 square feet or more.
- 3) For proposals in established residential neighborhoods, commercial or industrial sites in which no grading is proposed, but which proposes to remove trees with a diameter of six (6) inches measured four (4) feet from the ground on any side, and the net balance of trees is reduced by more than 33 percent, the Owner shall submit a site plan.

**B. Site Plan Preparation**

Site plans shall be prepared by a person(s) licensed in the State of Tennessee to prepare such plans, and shall be submitted to the City of Fairview for Planning/Engineering Staff review and subsequent review by the Fairview Planning Commission.

**C. Exempt Sites**

This section expressly exempts excavation or fill for the purpose of constructing a swimming pool, basement, garage, or similar use which is deemed to be an accessory structure to a principal residential building or minor grading less than three (3) feet in depth done for the purposes of constructing a one (1) or two (2) family dwelling. Also exempt from this requirement are proposals in developed residential lots that disturb less than 10,000 square feet and do not change the existing ground elevation by three (3) feet or more; typical residential and commercial landscaping proposals; other similar applications and agricultural development within the state of Tennessee's guidelines and regulations in regard to drainage and stormwater runoff. City Planning/Engineering Staff shall have authority to make determinations regarding the applicability of this requirement to any given project.

D. Grading, Site Utilization, and Reclamation Permit Application Requirements

Permit applications and fees shall be submitted to the City for review, provided:

- 1) The tree inventory and protection plan meet the requirements for such set out in Article 2, Section 2-103 of the Fairview Design Review Manual.
- 2) The applicant demonstrates that the use or activity will comply with all provisions of this ordinance.
- 3) All Erosion Prevention and Sediment Control measures are installed and maintained per the City approved construction plans and in accordance with state and local requirements.

The remaining sections of this Article and Section remain unchanged by this Ordinance.

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MAYOR

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CITY RECORDER

APPROVED AS TO FORM:

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CITY ATTORNEY

Passed First Reading

December 19, 2019

Passed Second Reading

\_\_\_\_\_

10A

**ORDINANCE #2018-26**

AN ORDINANCE TO AMEND THE CITY OF FAIRVIEW ORDINANCE BY CHANGING THE OFFICIAL ZONING MAP FOR TAX MAP 043, PARCEL 23.00, CONSISTING OF 111 ACRES, LOCATED ON COX PIKE, FROM A RS-40 (LOW-DENSITY RESIDENTIAL) ZONING DISTRICT TO A R-20 PUD (MEDIUM-DENSITY RESIDENTIAL PLANNED UNIT DEVELOPMENT) ZONING DISTRICT (141 PROPOSED LOTS).

**WHEREAS**, a request has been made by Tony Cavender to rezone property located within the City of Fairview; and

**WHEREAS**, the City of Fairview Planning Commission, on November 20, 2018, made a favorable recommendation to the Board of Commissioners that this request be approved.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY OF FAIRVIEW BOARD OF COMMISSIONERS THAT:**

**SECTION 1.** That the Zoning Ordinance be and is hereby amended by making certain changes to the Official Zoning Map for the City of Fairview, by changing the property identified as Tax Map 043, Parcel 23.00 from a RS-40 (Low-Density Residential) Zoning District to a R-20 PUD (Medium-Density Residential Planned Unit Development) Zoning District. This property consists of approximately 111 acres and is proposed to have 141 lots. Tony Cavender has submitted an application for the rezoning of this parcel, which is attached to and made a part of this ordinance as though copied herein.

**SECTION 2. BE IT FURTHER ORDAINED**, that the Codes and Planning Department is hereby authorized and directed, upon approval of this Ordinance, to cause the change to be made on the Official Zoning Map, as set out in Section 1 of this Ordinance, and to make notation thereon of reference to the date of passage and approval of this Ordinance.

**SECTION 3. BE IT FURTHER ORDAINED**, that this Ordinance take effect immediately after its passage and such change be published in a newspaper of general circulation, the welfare of the City of Fairview requiring it.

First Reading: January 3, 2019

Public Hearing Held: February 7, 2019

Second Reading: \_\_\_\_\_

Approved by the Board of Commissioners:

\_\_\_\_\_  
John Blade, Mayor

ATTEST:

\_\_\_\_\_  
Brandy Johnson, City Recorder

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

Published in the Fairview Observer on January 22, 2019

*Richland Estates  
Residential Planned  
Unit Development*

SEC, Inc.  
850 Middle TN Blvd  
Murfreesboro, TN 37129  
Contact: Jamie Reed P.E., R.L.S.

Richland Estates, LLC  
P.O. Box 764  
Fairview, TN 37062  
Contact: Tony Cavender

# *Richland Estates*

## **Introduction**

Introduction

1

## **Existing Conditions**

Right-of-way, Utilities, Topography & Physical Features

2

## **Proposed Development**

Master Plan

Proposed Site

Proposed Homes

Ingress/Egress

3

4

5-5.1

6-6.1

## **Amenities**

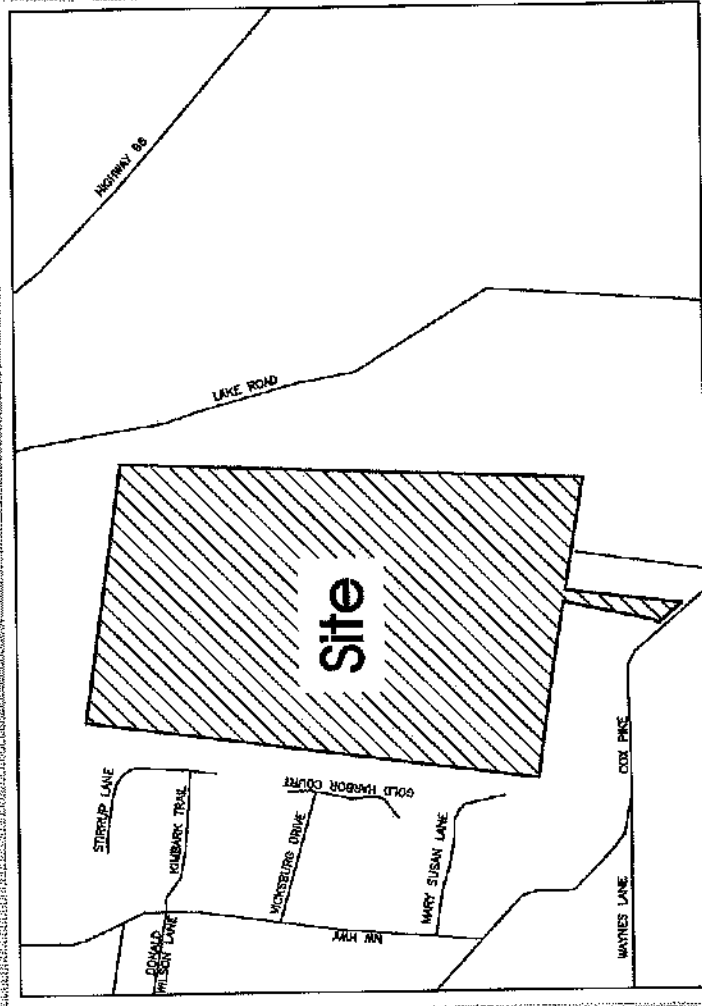
Amenities

7

# Richland Estates

## INTRODUCTION

Richland Estates LLC is requesting rezoning from RS-40 to R-20 PUD for Tax Map 43 of Parcel 23. The subject property is 111.09 Acres (total) and is located along Cox Pike and Hall Lane just to the west of Lake Road.



Site Location Map  
Not To Scale

The entire site is currently zoned RS-40. We are proposing an alternative R-20 Residential Planned Unit Development. The R-20 base density zone allows for a density of 2.2 lots per acre. We are proposing the following Base Zone Density Formula.

### Density Formula

Base Zone Density = R-20 (2.2 lots / acre)  
 $(111.09 \text{ acres} \times 2.2) / (2.2 \text{ lots/acre}) = 244.40 \text{ lots allowed}$   
Lots Proposed = 141

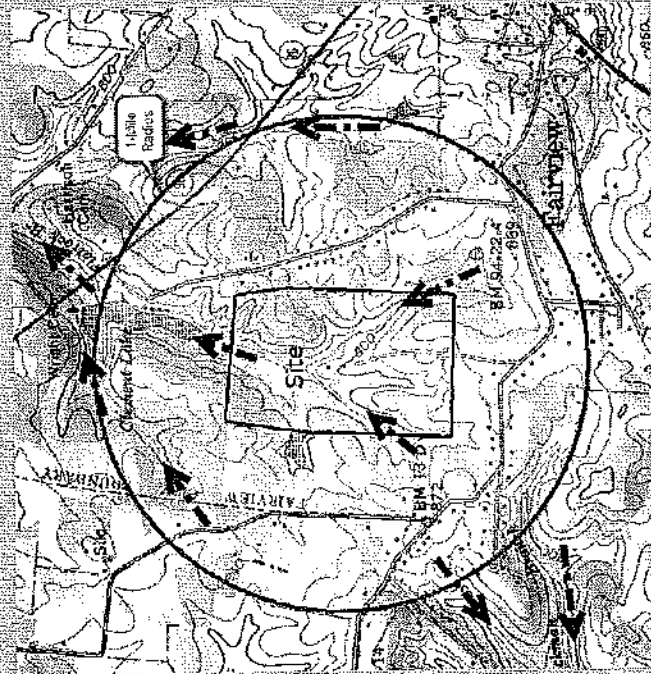
The RPUD section contains 19.12 acres of open space (17%).

# Richland Estates

## EXISTING CONDITIONS

Rights-of-way, Utilities, Topography & Physical Features

The property currently has access to public right-of-way along Cox Pike and Lake Road.



The attached USGS maps indicate the Richland Estates wastewater treatment area drainage flow path is to the north discharging into Clement Lake watershed and ultimately to Flatrock Branch to the north. The site is comprised of approximately 11 acres. The topography is mainly gently rolling to rolling slopes of 5 - 15%. The property is bordered by existing tracks and subdivisions. Roughly 30-40% of the site is wooded and the 7-8 acres for drip dispersal is mostly cleared with some minor underbrush.



### WATER AUTHORITY OF DICKSON COUNTY

Water will be provided by the Water Authority of Dickson County. Sanitary Sewer service will be provided in the form of a decentralized SUEP system. The developer will design and construct the system, then dedicate the system to Water Authority of Dickson County to maintain the system.

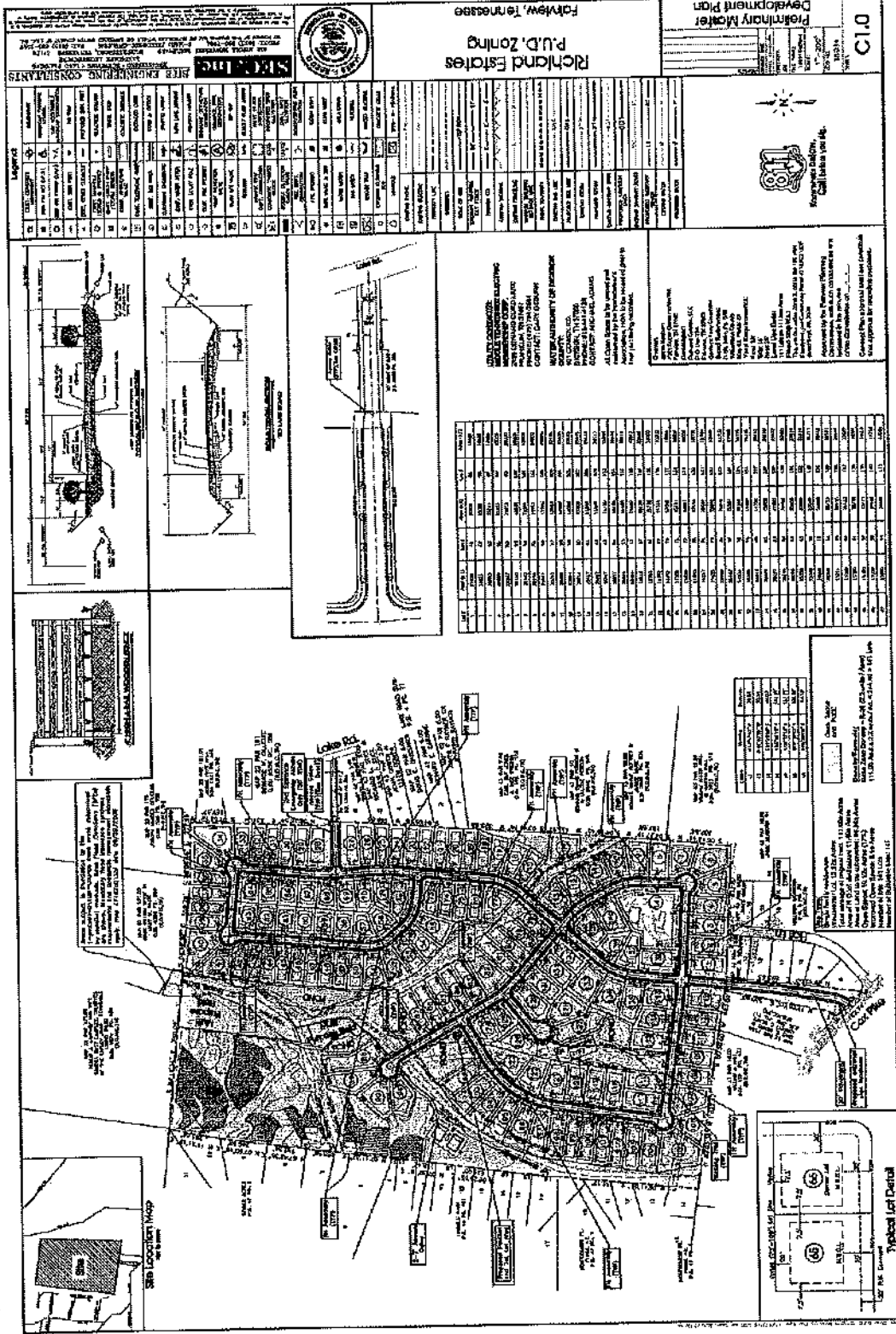


Middle Tennessee Electric will be providing service to the development.



# Master Plan

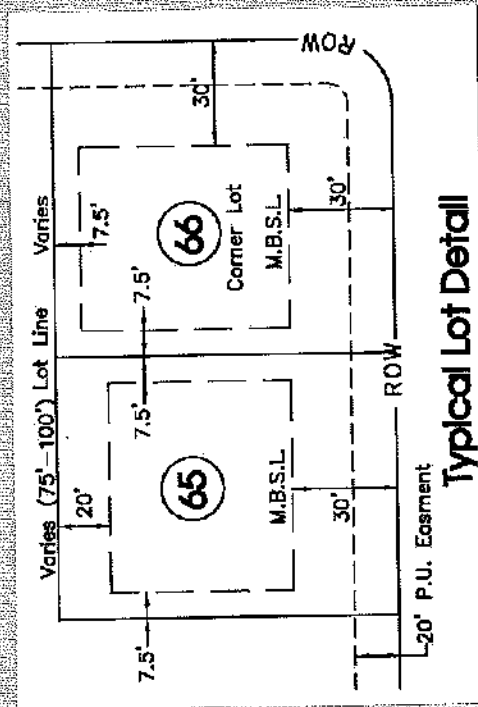
# Richard Estates



# Richland Estates

## PROPOSED SITE

Richland Estates consists of a total of 111.09 acres located along the north side of Cox Pike. The proposed lots are to be a minimum of 15,000 s.f. in size. The typical lot size varies as follows 75' x 200', 100' x 150' or 100' x 200'. In addition, over 19.12 acres (17%) of open space has been integrated into the plan.



### PROPOSED SITE CHARACTERISTICS

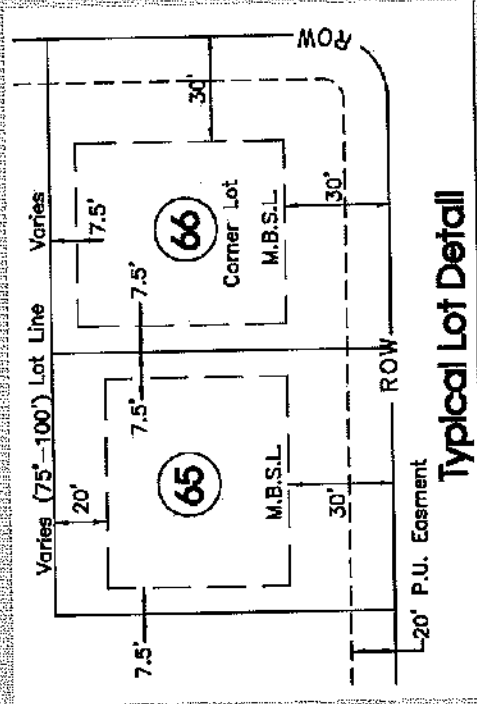
- > Setbacks are:
  - 30 foot Front
  - 7.5 foot Side (with min 15' between structures)
  - 20 foot Rear
- > For corner lots see detail below
- > Left turn lanes will be installed along Cox Pike along with adding additional pavement of 30 ft along the entrance drive from Cox Pike.
- > All internal homes will have 2 car garages.
- > All concrete driveways
- > 5 foot concrete sidewalks with 5.5-foot grass strips along both sides of all streets with street trees every 40'. (Typical street sections are given on page 6)
- > Home sizes will range from min. 1,800 - 3,200 square feet
- > All homes will be constructed of 100% masonry products that include brick, stone or cement board siding on all four sides
- > The entire development will base all underground utilities
- > All homeowners must be a member of the Homeowners Association which must be managed by an independent third party management group
- > 3<sup>rd</sup> Party Homeowner's Association will maintain the common area and amenities.
- > The development will have an entrance sign at the entrance off Cox Pike
- > Curb & Gutter along all streets
- > Top lot, walking trails and pavilion along with large areas of open space
- > The plan provides for 19.12 acres of open space
- > Paved emergency access with access gates to Lake Road

# Richland Estates

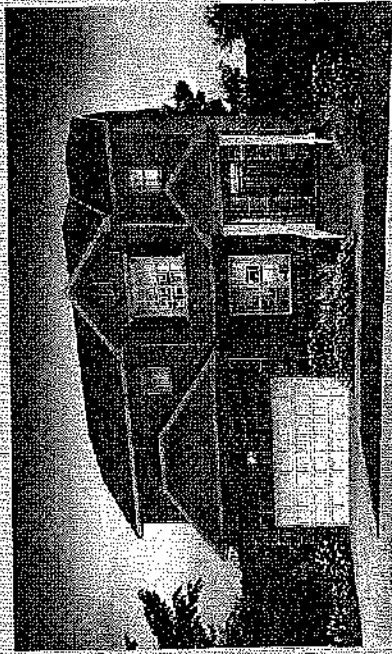
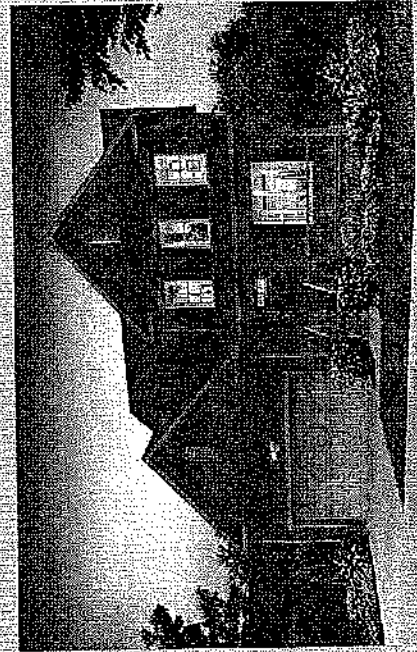
## PROPOSED HOMES

15,000-20,000 Sq. Ft. Lots  
Lots will vary (75' x 200'), (100' x 150'),  
and (100' x 200')

- + All Homes will range from 1,800 s.f. to 3,200 s.f.
- + All homes will have 2 car garages.
- + The homes can be 1, 1 1/2, or 2-story buildings.
- + All homes will be constructed of 100% masonry products that include brick, stone or cement board siding on all four sides
- + Vinyl siding will be used in trim areas, and soffits.
- + Building Heights will comply with the standards for zoning in the City of Fairview's Zoning Ordinance.
- + All homes will have at least 3 bed rooms.



The elevations and floorplans of the homes will vary across the development due to the different lot sizes. The elevations and floorplans are meant to convey the general appearance and functionality of the buildings.



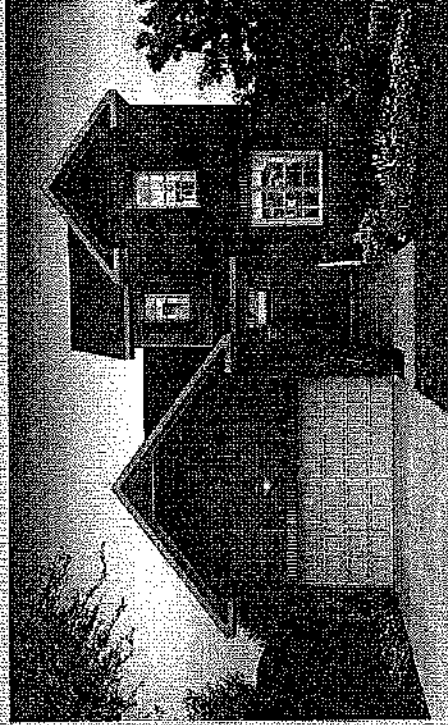
REPRESENTATIVE FRONT ELEVATIONS

# *Richland Estates*

## **PROPOSED HOMES**

15,000-20,000 Sq. Ft. Lots  
Lots will vary (75' x 200'), (100' x 150'), and (100' x 200')

- ✦ All Homes will range from 1,800 s.f. to 3,200 s.f.
- ✦ All homes will have 2 car garages.
- ✦ The homes can be 1, 1 1/2, or 2-story buildings.
- ✦ All home will be constructed of 100% masonry products that include brick, stone or cement board siding on all four sides.
- ✦ Vinyl siding will be used in trim areas, and soffits.
- ✦ Building Heights will comply with the standards for zoning in the City of Fairview's Zoning Ordinance.
- ✦ All homes will have at least 3 bedrooms.

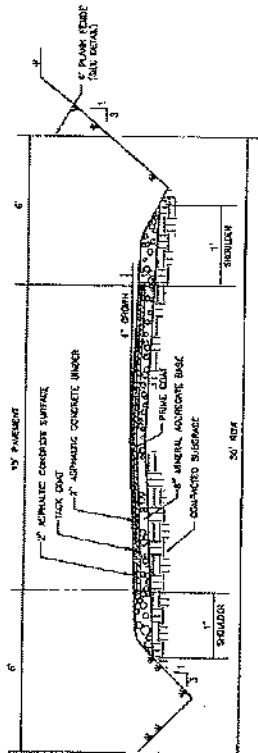
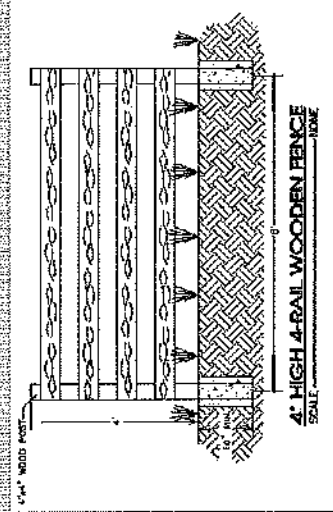
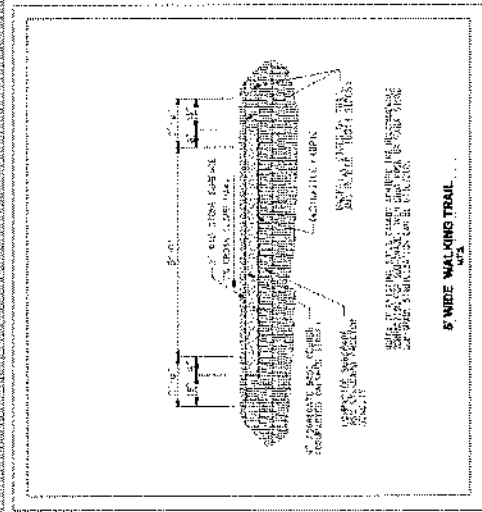
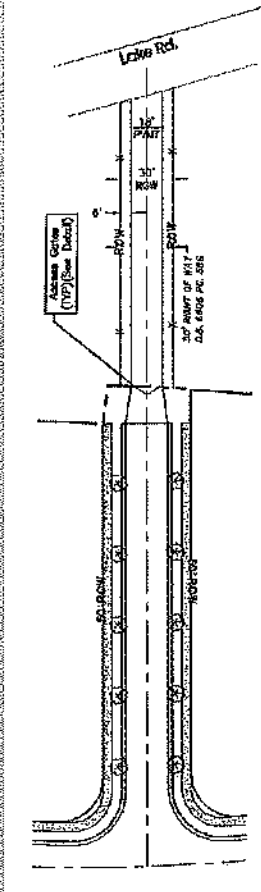


REPRESENTATIVE FRONT  
ELEVATIONS



*Richland Estates*

**INGRESS/EGRESS**



ROAD TYPICAL SECTION  
SIDEWALK TO LAKE ROAD

Shown here is the typical street section for the typical 30 foot wide right-of-way to be used access Lake Road. A 4-rail fence will be provided for both sides of the 30 foot wide right-of-way



