

9.A

ORDINANCE 2023-03

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF FAIRVIEW, BY APPROVING THE MAJOR MODIFICATION AMENDMENT OF THE BELLEHAVEN PLANNED UNIT DEVELOPMENT WITH 513 RESIDENTIAL UNITS ON 251.16 ACRES OF PROPERTY, CONSISTING OF MAP 021 PARCEL 21.01, APPLICANT: D.R. HORTON, PROPERTY OWNER: WALTON TENNESSEE, LLC

WHEREAS, the city of Fairview Zoning Ordinance requires Major Modifications as defined in Zoning Ordinance § 10-203.8 - Modifications to an Adopted Planned Overlay District Development, and the DEVELOPER is proposing changes in roadway alignments or lot layouts that deviate from the approved RM-8 Planned Unit Development, herein described as Bellehaven with 251.16 acres of property, consisting of Map 021, Parcel 21.01 (**EXHIBIT A**); and

WHEREAS, the City of Fairview Zoning Ordinance § 10-201.1.7 states that previously approved Planned Unit Development Districts may continue under the development plan as approved or changes such as this major modification will be subject to further review by the Board of Commissioners following Planning Commission review; and

WHEREAS, this PUD amendment (Bellehaven) is intended to replace the July 3, 2008, previously approved PUD (Trails of Brownlyn Farms Revised) of record in the Williamson County Register of Deeds Office in Plat Book P50, Page 106; and

WHEREAS, the Planned Unit Development is located within the corporate limits of the City of Fairview; and

WHEREAS, the City of Fairview Municipal Planning Commission forwarded the request to the Board of Commissioners on March 14, 2023, with a recommendation for approval with conditions per Resolution 10-23; and

WHEREAS, all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF FAIRVIEW, TENNESSEE, BOARD OF COMMISSIONERS, to amend the Zoning Ordinance of the City of Fairview, by approving the major modification of the Bellehaven RM-8 Planned Unit Development with 513 residential units on 251.16 acres of property, consisting of Map 021 Parcel 21.01, as requested by applicant D.R. Horton and owners Walton Tennessee, LLC. The major modification of this Planned Unit Development shall be subject to all City ordinances and regulations, including the following condition:

1. The Developer's portion of the City of Fairview Capital Improvement Plan

to expand Northwest Highway to a three-lane collector shall be agreed upon by the City of Fairview and Developer and approved by the Board of Commissioners as a **Development Agreement** prior to the Phase One Final PUD Plan submission with roadway construction fully funded by the City prior to the Phase One Final Subdivision Plat.

Approved by the Board of Commissioners:

Lisa Anderson, Mayor

ATTEST:

Rachel Jones, City Recorder

LEGAL FORM APPROVED:

Patrick M. Carter, City Attorney

First Reading: April 20, 2023

Public Hearing Held: June 1, 2023

Second Reading: _____

Published in Main Street Fairview Newspaper on: May 10, 2023

EXHIBIT A



Anderson Road

Elrod Road

Planned Unit Development Major Modification
513 Residential Units
251.16+/- Acres
Map: 021 Parcel: 21.01
Owner: Walton Tennessee, LLC

Highway 96

Northwest Highway

Dice Lampley Road

MASTER DEVELOPMENT PLAN MAJOR MODIFICATION



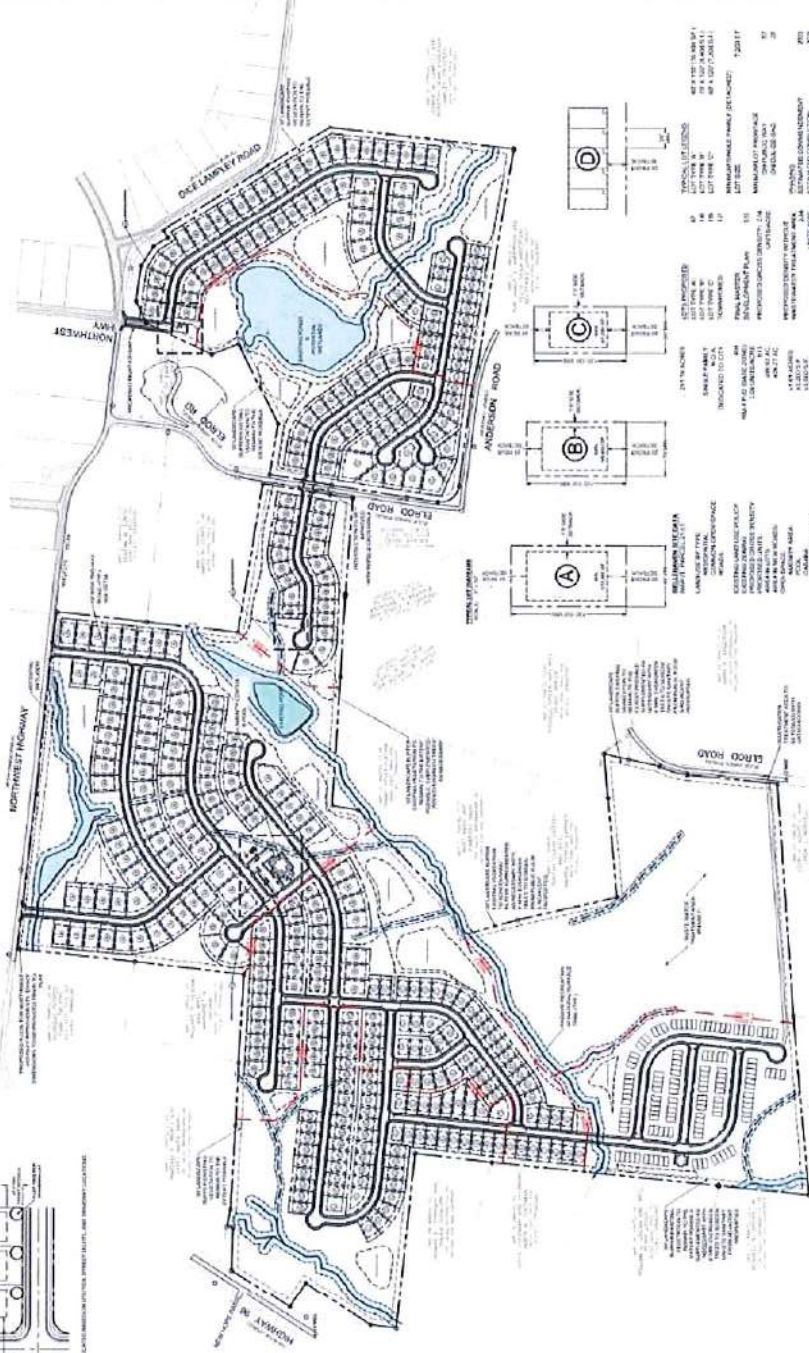
CITY OF FAIRVIEW, OREGON
D.R. HORTON
FOR
BELLEHAVEN

NO.	DATE	DESCRIPTION
1	10/1/2023	PRELIMINARY
2	10/1/2023	REVISIONS
3	10/1/2023	REVISIONS
4	10/1/2023	REVISIONS
5	10/1/2023	REVISIONS
6	10/1/2023	REVISIONS
7	10/1/2023	REVISIONS
8	10/1/2023	REVISIONS
9	10/1/2023	REVISIONS
10	10/1/2023	REVISIONS

Overall Layout
Scale: 1" = 100'
C2.0
1425-1003

- NOTES:**
1. ALL UTILITIES SHOWN ARE BASED ON THE RECORD DRAWINGS FOR THE EXISTING DEVELOPMENT. THE DEVELOPER SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION.
 2. THE DEVELOPER SHALL MAINTAIN ALL EXISTING UTILITIES AND STRUCTURES UNLESS OTHERWISE SHOWN ON THIS PLAN.
 3. ALL UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE OREGON PLUMBING, MECHANICAL, AND ELECTRICAL CODES.
 4. THE DEVELOPER SHALL PROVIDE ADEQUATE DRAINAGE FOR ALL IMPAVED AREAS AND UNPAVED AREAS.
 5. ALL UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE OREGON PLUMBING, MECHANICAL, AND ELECTRICAL CODES.
 6. THE DEVELOPER SHALL PROVIDE ADEQUATE DRAINAGE FOR ALL IMPAVED AREAS AND UNPAVED AREAS.
 7. ALL UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE OREGON PLUMBING, MECHANICAL, AND ELECTRICAL CODES.
 8. THE DEVELOPER SHALL PROVIDE ADEQUATE DRAINAGE FOR ALL IMPAVED AREAS AND UNPAVED AREAS.
 9. ALL UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE OREGON PLUMBING, MECHANICAL, AND ELECTRICAL CODES.
 10. THE DEVELOPER SHALL PROVIDE ADEQUATE DRAINAGE FOR ALL IMPAVED AREAS AND UNPAVED AREAS.

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WATER SYSTEM

1. ALL WATER MAINS SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE OREGON PLUMBING, MECHANICAL, AND ELECTRICAL CODES.

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9. B.

ORDINANCE 2023-05

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF FAIRVIEW, TENNESSEE, BY REZONING 2 ACRES OF PROPERTY LOCATED AT 2065 FAIRVIEW BLVD, CONSISTING OF WILLIAMSON COUNTY TAX MAP 042H C, PARCEL 012.00, FROM RS-40 SINGLE FAMILY RESIDENTIAL TO C-1 COMMERCIAL ZONING, PROPERTY OWNER: SOUTHEAST INVESTMENT PARTNERS

WHEREAS, the City of Fairview zoning ordinance, and the zoning maps therein adopted be, and the same are hereby amended by rezoning the property herein described as 2 acres of property consisting of Williamson County tax map 042H C, parcel 012.00, located at 2065 Fairview Blvd, from RS-40 Single Family Residential to C-1 Commercial Zoning, property owners: Southeast Investment Partners; and

WHEREAS, said property to be rezoned from RS-40 (Single Family Residential) to C-1 (Commercial Zoning) is located within the corporate limits of the City of Fairview; and

WHEREAS, the City of Fairview Municipal Planning Commission forwarded the request to the Board of Commissioners on April 11, 2023, with a **positive** recommendation for approval without conditions; and

WHEREAS, that all ordinances or parts of ordinances in conflict are hereby repealed; and

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

The zoning ordinance of the City of Fairview, Tennessee, is hereby amended by rezoning 2 acres of property consisting of Williamson County tax map 042H C, parcel 012.00, located at 2065 Fairview Blvd, from RS-40 Single Family Residential to C-1 Commercial Zoning, as requested by owner Southeast Investment Partners, the public welfare requiring it. The rezoning of this site shall be subject to all City of Fairview ordinances and regulations.

COX PIKE



FAIRVIEW
BLVD

PARCEL PROPOSED FOR REZONING:
2065 FAIRVIEW BLVD
MAP 042H C, PARCEL 012.00
2 ACRES
RS-40 TO C-1 COMMERCIAL
OWNER: SOUTHEAST INVESTMENT PARTNERS

Approved by the Board of Commissioners:

Lisa Anderson, Mayor

ATTEST:

Rachel Jones, City Recorder

LEGAL FORM APPROVED:

Patrick M. Carter, City Attorney

Passed 1st Reading: May 4, 2023

Public Hearing: June 1, 2023

Passed 2nd Reading: _____

Published for public notice on:

May 10, 2023

In:

Main Street Fairview Newspaper
Publication

9.C.

ORDINANCE 2023-07

**AN ORDINANCE TO AMEND TITLE 14, CHAPTER 4, CITY'S STORMWATER
ORDINANCE FOR THE CITY OF FAIRVIEW, TN**

WHEREAS, the City of Fairview has previously adopted a stormwater ordinance as provided in Ordinance #2022-08 adopted March 24, 2022, in order to comply with the National Pollution Discharge Elimination System permit (NPDES) and applicable regulations, 40 CFR 122.26, as well as to exercise the powers granted in Tennessee Code Annotated § 68-221-1105 et seq; and

WHEREAS, the City Commission determines that the Section 14-405(20) - "Stormwater System Design: Construction/Permanent Stormwater Management – Slope Grading Standards" needs to be amended and revised to further clarify slope restrictions in the City of Fairview; and

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

Title 14, Chapter 4, Stormwater Regulations, Section 14-405(20), is hereby repealed in their entirety and replaced with the following:

"Portions of the development site that contain slopes of twenty (20) percent or greater shall be retained as undisturbed open space in commercial, industrial, and multi-family developments. Slopes of twenty (20) percent or greater can either be open space or a portion of a home lot that remains undisturbed for all residential developments and must be marked as a critical lot submittal. Shrubbery, undergrowth, and saplings four (4) inch diameter at breast height or smaller may be removed by methods approved in the construction documents. The City Engineer or their designee shall, on a case-by-case basis, grant special consideration for disturbance to twenty (20) percent slopes or greater in areas such as site accesses, roadway networks, and other similar design restraints. Steep slope standards shall not apply to isolated steep slopes with a contiguous area of less than 5,000 square feet.

To further preserve waterways, stormwater conveyances, and adjacent properties, the maximum permitted proposed grade for cut and fill areas shall be three units horizontal to one (3:1) unit vertical for all residential and non-residential development. Without the use of approved grade changing devices, the maximum uninterrupted slope length of proposed slopes four units horizontal to one (4:1) unit vertical or steeper shall not exceed twenty-five (25) feet."

This ordinance shall become effective immediately upon its passage the public welfare requiring it.

Approved by the Board of Commissioners:

Lisa Anderson, Mayor

ATTEST:

Rachel Jones, City Recorder

LEGAL FORM APPROVED:

Patrick M. Carter, City Attorney

Passed 1st Reading: May 18, 2023

Passed 2nd Reading: _____

10. A

RESOLUTION 33-23

A RESOLUTION OF THE CITY OF FAIRVIEW ACCEPTING THE LOWEST BID PROPOSAL FOR MOWING & TRIMMING SERVICES AND AUTHORIZING THE CITY MANAGER TO EXECUTE RELATED DOCUMENTS AND CONTRACTS FOR SERVICES.

WHEREAS, the City of Fairview recently advertised for bids for mowing and trimming services for the following locations: Historical Village, Fairview Health Department, Fairview City Hall and adjacent property, Hwy 96 Fire Station, Hwy 100 Sidewalks, Veterans Park, Intersection of New Hope Rd and Black Pine Rd, Hwy 100 at Hwy 96 Interchange, Crow Cut Rd at Bethshears Rd, Industrial Park Entrance, Across from Volunteer Fire Hall, Chessington Drive Castleberry Entrance, Hwy 100 Northeast Welcome Sign, Deere Ridge Rd property, spring house on Horn Tavern Rd, City Hall replacement of mulch and trim bushes and tree limbs prior to July 3rd event; and

WHEREAS, the aggregate lowest responsible bidder for this work was Greenway Landscaping, LLC, of Fairview, Tennessee, and

WHEREAS, the contract / services agreement for this work shall not exceed twelve (12) months and shall be in accordance with the terms set forth in the Invitation to Bid, and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF FAIRVIEW, TENNESSEE, AS FOLLOWS:

The City of Fairview, Tennessee, Board of Commissioners resolves to accept the mowing & trimming services bid submitted by Greenway Landscaping, LLC, and further authorizes the city manager to execute any related contracts and/or agreements necessary to secure these services.

Approved and adopted this _____ day of _____, 2023.

Lisa Anderson, Mayor

ATTEST:

Rachel Jones, City Recorder

LEGAL FORM APPROVED:

Patrick M. Carter, City Attorney

10.B.

PREPARED BY
RACHEL JONES
7100 CITY CENTER WAY
FAIRVIEW, TENNESSEE
37062

ORDINANCE 2023-08

AN ORDINANCE TO AMEND THE BOUNDARIES OF THE CITY OF FAIRVIEW, TENNESSEE, BY DEANNEXING 99.33 ACRES OF PROPERTY, LOCATED AT 7252 NORTHWEST HWY, CONSISTING OF WILLIAMSON COUNTY TAX MAP 021, PARCEL 058.00, PROPERTY OWNER: JUNE WARDEN

WHEREAS, the Tennessee Law, T.C.A. §6-51-201(b)(1) provides a process to initiate deannexation through an ordinance of the Board of Commissioners if the city finds it to be in the best interest of the city; and

WHEREAS, the City of Fairview, having been requested by the legal power of attorney of the property owner, to consider a reduction of the city’s corporate limits by the deannexation of certain territory; and

WHEREAS, deannexations are at the sole discretion of the city, there being no legal authority for a citizen to directly request a deannexation; and

WHEREAS, the property boundaries are shown on map provided; and

WHEREAS, the City of Fairview believes the deannexation is in the best interest of the city; and

WHEREAS, the City of Fairview Municipal Planning Commission forwarded the request to the Board of Commissioners on May 16, 2023, with a **negative** recommendation for approval without conditions; and

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

The boundaries of the City of Fairview, Tennessee, is hereby amended by deannexing 99.33 acres of property, located at 7252 Northwest Hwy, consisting of Williamson County tax map 021, parcel 058.00, property owner: June Warden, the public welfare requiring it.

Northwest Hwy

Highway 96



Parcel Proposed for Deannexation
7252 Northwest Hwy
99.33 Acres, Map 021, Parcel 058.00
Property Owner: June Warden

Approved by the Board of Commissioners:

Lisa Anderson, Mayor

ATTEST:

Rachel Jones, City Recorder

LEGAL FORM APPROVED:

Patrick M. Carter, City Attorney

Passed 1st Reading: _____

Public Hearing: _____

Passed 2nd Reading: _____

Published for public notice:

On: _____ In: Main Street Fairview Newspaper

10.C.

RESOLUTION 34-23

A RESOLUTION OF THE CITY OF FAIRVIEW, TENNESSEE, BOARD OF COMMISSIONERS ADOPTING A POLICY ON DEANNEXATION

WHEREAS, Tennessee law only permits cities to initiate deannexation through referendum or action by the Board of Commissioners; and

WHEREAS, the Board of Commissioners does not believe deannexation to be in the best interest of the City of Fairview at this period of time; and

WHEREAS, the City of Fairview desires to state its policy regarding deannexation.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF FAIRVIEW, TENNESSEE, AS FOLLOWS:

The Board of Commissioners of the City of Fairview, Tennessee, states that it is its policy until further action of the Board of Commissioners that it will not consider deannexation of property from the City of Fairview, the public good demanding it.

Approved and adopted this ____ day of _____, 2023.

Lisa Anderson, Mayor

ATTEST:

Rachel Jones, City Recorder

LEGAL FORM APPROVED:

Patrick M. Carter, City Attorney