

ORDINANCE NO. 2024-03

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF FOREST HILLS

WHEREAS, the City of Forest Hills Planning Commission and City of Forest Hills Board of Commissioners have determined, after experience with the Zoning Ordinance, that adjustments are needed to achieve the desired objectives of the City of Forest Hills; and

WHEREAS, the City of Forest Hills Planning Commission has reviewed and recommended the adoption of this Amendment to the Zoning Ordinance; and

WHEREAS, public notice has been given and a public hearing on this Amendment to the Zoning Ordinance has been held in accordance with T.C.A. §§ 13-7-203 and 204.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF FOREST HILLS, TENNESSEE that the Zoning Ordinance for the City of Forest Hills, as codified in Title 14, Chapter 2 of the Municipal Code of the City of Forest Hills is hereby amended as follows:

3.04. Certain Accessory Uses.

(a) *Swimming Pools and Pool Houses.*

- (i) *Generally.* All Swimming Pools shall comply with all requirements of the Municipal Code, as amended, and all applicable state laws, including, but not limited to T.C.A. § 68-14-801, et seq.
- (ii) *Fence Required.* All Swimming Pools, together with all mechanical equipment necessary to the operation of the same, shall be enclosed, either by the structural wall or walls of the Dwelling to which it is an accessory, or by a Fence or wall that (i) complies with the requirements of Section 4.08 of this Zoning Ordinance, and (ii) is of the type required by the latest edition of the International Residential Code, as adopted by the City of Forest Hills.
- (iii) *Gate Required.* Every door, gate or other entrance to said Swimming Pool enclosure shall be self-closing and self-latching and shall be capable of being secured with lock and key. All Swimming Pool lighting shall be located within the Swimming Pool itself or no more than 24 inches above ground level around the Swimming Pool.
- (iv) *Pool Houses with Living Quarters.* Any pool house that can be used as a Dwelling shall be deemed a Guest House/Caretaker Cottage and subject to the requirements of Section 3.04(b).

(v) *Swimming Pools shall not be illuminated with exterior lighting mounted on poles or fixtures.*

(b) *Guest Houses and Caretaker Cottages.*

- (i) A Guest House/Caretaker Cottage shall comply with all Rear Yard and Side Yard setbacks, maximum height and maximum building cover requirements set forth in Table 4.02 and Table 4.05(a).
- (ii) There shall be no further Subdivision of any Lot upon which a Guest House/Caretaker Cottage is located.

(c) *Accessory Apartments.* An Accessory Apartment shall be permitted and considered to be an Accessory Use to a Dwelling subject to the following conditions:

- (i) The principal Dwelling is owner-occupied and meets all applicable regulations;
 - (ii) The Accessory Apartment shall not be rented;
 - (iii) Only one Accessory Apartment shall be permitted;
 - (iv) There is free and clear access between the principal Dwelling and the Accessory Apartment without going outdoors;
 - (v) Only one meter per utility may be installed to service both the Accessory Apartment and the principal Dwelling;
 - (vi) A maximum of 25 percent of the total Floor Area may be used for the Accessory Apartment;
 - (vii) No entrance to the Accessory Apartment shall be visible from the street;
 - (viii) The Accessory Apartment must be occupied by a family member defined herein as a grandmother, grandfather, grandson, granddaughter, mother, father, sister, brother, son, daughter, mother in-law, father in-law, sister in-law, brother in-law, son in-law, daughter in-law, aunt or uncle; and
 - (ix) An instrument shall be recorded with the register's office covenanting that the Accessory Apartment is being established pursuant to this Section and may only be used under the conditions listed above.
- (d) *Stables and Barns.* A Stable is required if any horses or ponies are kept on property consisting of less than 15 acres.
- (e) *Domesticated hens.*
- (f) *Sports Courts.* Including but not limited to tennis courts, basketball courts, pickleball courts.

The follow restrictions shall apply for all sports courts.

- (i) Shall not be used before the hours of 7:00 a.m. and not after the hours of 8:00 p.m.
- (ii) Shall not be illuminated with exterior lighting mounted on poles or fixtures

4.02. Residential Bulk Standards.

- (d) *Minimum Front Yard Setback.* ~~The front yard setback shall be determined by the minimum front yard setback as established in Table 4.02 of this Ordinance, unless the Lot is determined legal non-conforming by the standards contained in these regulations. In that instance, the provisions as set forth in Article 7, Section 7.03 shall govern. The distances set forth in Table 4.02 of this Ordinance shall be measured from the point at which the Lot satisfies the minimum Lot Width requirement.~~ The front setback shall be determined by the average setbacks of the four most adjacent Lots with like-facing homes. If such an average is not capable of being determined due to lack of development on adjacent Lots or is otherwise impracticable due to site conditions affecting adjacent Lots, then the Minimum Front Yard Setback is as set forth in Table 4.02. *For Lots in District NC1, the Lot line, as measured to the centerline of the private road, may be used to calculate the size of the Lot and the Front Yard setbacks.*

Table 4.02
Residential Bulk Standards

District	Min. Lot Area (acres)	Min. Lot Width (ft)	Min. Street Front (ft)	Front Yard Setback (ft)	Side Yard Setback Greater of 24% or (ft)	Rear Yard Setback (ft)	Max. Height (ft)		Max. Bldg. Cover	ISR	FAR
							Zone 1	Zone 2			
EIA	6	250	125	150	24% / 60	100	27	35	0.05	0.14	~~0.075~~ 0.060
EA	3	250	125	150	24% / 60	100	27	35	0.06	0.16	0.090
EB	2	200	100	125	24% / 50	75	27	35	0.08	0.18	0.120
EC	1.5	200	100	90	24% / 45	50	28	30	0.09	0.20	0.135
RA	1.25	185	90	90	24% / 45	50	28	30	0.10	0.20	0.150
NC1	1	100	80	90	24% / 20	25	28	30	0.12	0.20	0.180
NC2	1	175	100	90	24% / 40	40	28	30	0.12	0.20	0.180
OS	1	-	-	-	-	-	27	35	0.12	0.30	0.180

4.05. Accessory Use and Structure Bulk Standards.

All Accessory Uses and Structures shall meet the requirements of this Section.

- (a) *Bulk Standards.* ~~Generally, All Accessory Uses and Structures shall be in the rear yard and shall be subject to the Accessory Use and Structure Bulk Standards as set forth in Table 4.05(a):~~
- (i) ~~Generally, all Accessory Uses and Structures shall be in the rear yard and shall be subject to table 4.05(a) of the Accessory Use and Structural Bulk Standards.~~
 - (ii) ~~Sports courts – All sports courts must add an additional 10' to side and rear set back areas as set forth in table 4.05(a) of the Accessory Use and Structural Bulk Standards.~~
 - (iii) ~~Landscaping - Buffering is required for all sports courts to buffer sound from neighboring lots. Details of the landscaping plan must be approved by the City Manager.~~

4.09. Lighting.

To encourage lighting practices and systems which will minimize light pollution, glare and light trespass; control excessive lighting levels; conserve energy and resources while maintaining night-time safety, utility, security and productivity; and curtail the degradation of the night-time visual environment, the following requirements shall apply:

- (a) *Residential Lighting Standards.* Any eve lights or other lighting used to illuminate any building, ~~S~~structure, off-street parking areas, ~~athletic court, athletic field,~~ or any landscape feature located in any residential zoning district shall not be directed toward adjacent Lots in such a way as to create a nuisance and no such lighting shall exceed one-half footcandle at any point on or above the property line of the Lot.
- (i) ~~No other exterior lighting mounted on poles or other similar fixtures shall be permitted.~~

10.03. Definitions.

Accessory Use(s): A use, ~~structure~~, or building customarily incidental and accessory to the principal use of a Lot, building, principal Dwelling or Structure and located upon the same Lot as the principal use and not repetitious thereof. For the purposes of this Zoning Ordinance, Accessory Uses shall include, but shall not be limited to, ~~athletic courts~~ pickleball courts, basketball courts, tennis courts, Swimming Pools, pool houses, Guest Houses and Caretaker Cottages, Accessory Apartments, Stables, barns, tool or utility sheds, and putting greens.

Lanson Hyde III / Mayor

ATTEST:

Charlotte Hunter / City Recorder

Passage:

Planning Commission Recommendation:	Nov 21st, 2024
Passed Board of Commissioners (1 st):	Dec 12th, 2024
Passed Board of Commissioners (Final):	Dec 19th, 2024

