



# **COMPREHENSIVE PLAN**

Adopted January 21, 2010

**RESOLUTION OF THE MUNICIPAL PLANNING COMMISSION**  
**OF THE CITY OF FOREST HILLS, TENNESSEE**

**WHEREAS**, the City initiated a planning effort to develop strategies for protecting community character and preserving important resources in the fall of 2007; and

**WHEREAS**, the City and its consultants conducted a number of community meetings that led to the development of a vision for the City, which vision was memorialized in the “Green Community Framework Report,” which was published in August 2008; and

**WHEREAS**, the next step in the planning process was to review and to update the City’s Comprehensive Plan; and

**WHEREAS**, pursuant to T.C.A. § 13-4-201, it is the function and duty of the Planning Commission to make and to adopt a general plan for the physical development of the City; and

**WHEREAS**, pursuant to T.C.A. § 13-4-203, the plan shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the City which will, in accordance with existing and future needs, best promote public health, safety, morals, order, convenience, prosperity and the general welfare, as well as efficiency and economy in the process of development; and

**WHEREAS**, this Planning Commission finds that it is in the best interests of the City to adopt the attached Comprehensive Plan.

**NOW, THEREFORE, BE IT RESOLVED**, by the Planning Commission of the City of Forest Hills that the attached Comprehensive Plan and the maps and appendices incorporated and referenced therein are hereby adopted effective on this the 21<sup>st</sup> day of January, 2010.

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, that the Planning Commission of the City of Forest Hills directs that a copy of this Comprehensive Plan and the maps and appendices incorporated and referenced therein be transmitted to the Board of Commissioners for its consideration.

**Adopted this 21st day of January, 2010.**

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E. Warner Bass, Chairman

**Attest:**

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Al Deck, Secretary to the Planning Commission

**RESOLUTION 2010-01**

**A Resolution endorsing the Comprehensive Plan for the City of Forest Hills**

**WHEREAS**, the City of Forest Hills by and through its Planning Commission and the Green Community Task Force, has endeavored to study and to develop strategies for protecting community character and preserving important resources; and

**WHEREAS**, the “Green Community Framework Report,” published in August 2008, provided a framework for further study and community discussions, and

**WHEREAS**, between January 2009 and December 2009, members of the Board of Commissioners, the Planning Commission, the Board of Zoning Appeals, the Green Community Task Force, the Cultural and Natural Resources Committee, and members of the general public organized numerous meetings to develop their vision for the future of the City of Forest Hills; and

**WHEREAS**, the Green Community Task Force developed a restatement of the Comprehensive Plan that it forwarded to the Planning Commission for its consideration; and

**WHEREAS**, on January 21, 2010 the Planning Commission approved the attached Comprehensive Plan; and

**WHEREAS**, it is fitting and proper that the City of Forest Hills recognize the efforts of the citizens of Forest Hills in developing the Comprehensive Plan.

**NOW THEREFORE BE IT RESOLVED** by the City of Forest Hills:

1. The Board of Commissioners hereby goes on record as accepting and endorsing the Comprehensive Plan.
2. The Board of Commissioners further resolves to work with the members of the community and the Planning Commission to discuss and to develop measures that will contribute to the achievement of these plans and goals.
3. This Resolution shall take effect from and after its adoption, the welfare of the City of Forest Hills requiring it.
4. The Board of Commissioners directs that the Comprehensive Plan and the maps and appendices incorporated or referenced therein be recorded in the Minutes of the Board of Commissioners and that a copy of the Comprehensive Plan, as adopted, be placed upon the City’s website and a copy delivered to all members of the Planning Commission and Board of Zoning Appeals.

**ATTEST:**

**CITY OF FOREST HILLS**

\_\_\_\_\_  
City Manager/Recorder

\_\_\_\_\_  
Mayor William Coke

\_\_\_\_\_  
Vice Mayor John Lovell

\_\_\_\_\_  
Commissioner Tim Douglas

## **ACKNOWLEDGEMENTS**

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Vice Mayor John C. Lovell	Audra Ladd
Commissioner Timothy J. Douglas	James H. Littlejohn
Winston Evans	Jeannie Nelson
Sally Huston	Janie Rowland

### **BOARD OF COMMISSIONERS OF THE CITY OF FOREST HILLS**

Mayor William G. Coke	Commissioner Timothy J. Douglas
Vice Mayor John C. Lovell	

### **PLANNING COMMISSION OF THE CITY OF FOREST HILLS**

Mayor William G. Coke	Em Ghianni
Vice Mayor John C. Lovell	James Gardner
Commissioner Timothy J. Douglas	Sandy Moore
E. Warner Bass	Carroll Kimball
Winston Evans	David Waller

### **BOARD OF ZONING APPEALS OF THE CITY OF FOREST HILLS**

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# I. **CHAPTER ONE**: INTRODUCTION

## A. **Introduction**

The City of Forest Hills (the “City” and sometimes “Forest Hills”) is located on the southern border of Metropolitan Nashville, Davidson County (“Metro”) generally centered on either side of Hillsboro Pike within six (6) miles of downtown Nashville. Forest Hills is one of six (6) satellite cities in Metro that retained its own zoning powers when Metro was formed in 1963.

Forest Hills is a premier community in the Nashville metropolitan area. The City is well known for its rolling hillsides, scenic vistas, and high quality neighborhoods. Families cherish living in this community because it offers both a small town, pastoral atmosphere, and close proximity to Nashville. It provides a unique respite from big city living while still providing the benefits of a metropolitan lifestyle.

Forest Hills’ community character is a result of its natural features, open spaces, and its historical development patterns. Large-lot, single-family residential development has created a “suburban estate” character within the community. Past community planning efforts have focused on maintaining the natural character of the community. These efforts have prohibited smaller lot development, commercial development, and discouraged encroachment upon important natural features.

When the first Comprehensive Plan was adopted in 1991, 25% of the land was un-subdivided. Development has occurred since then, and now only sixteen percent (16%) of land within the City remains un-subdivided. Much of this land is constrained by environmental features, such as floodplains and steep slope areas.

The manner in which these last remaining lands may be developed is of particular interest to the community. The City has an opportunity to provide additional options for future residential subdivision development, which can set aside open space and maintain community character. In addition there is also an interest to strengthen provisions to preserve environmental features. Current regulations should be improved to ensure environmentally sensitive areas are not developed. Another concern is infill or redevelopment of lots in existing neighborhoods. The community would like to ensure that these new homes enhance the City and existing neighborhoods, and do not negatively impact adjoining properties.

## B. **The Planning Process**

The City initiated a planning effort to develop strategies for protecting community character and preserving important open spaces in the fall of 2007. The planning effort provided a structured community dialogue for deciding the most appropriate manner to preserve community character and open space in the City. A steering committee comprised of various members of the community, the Board of Commissioners, Board of Zoning Appeals, and the Planning Commission oversaw the process. The City Board of Commissioners hired McBride Dale Clarion and The Walker Collaborative to facilitate

the initial planning process. This effort examined current development and open space preservation practices, engaged the community in a dialogue regarding development and open space protection efforts, and examined a set of tools that could be used to further protect the City's community character.

That initial planning process included (1) Project Initiation and Reconnaissance, (2) Inventory and Diagnosis of Existing Development and Open Space Policies and Regulations, (3) Open Space Plan Recommendations, and (4) the Adoption Process. The result of the planning team's efforts was the *Green Community Framework Report*, issued in August of 2008, which was subsequently adopted by the Board of Commissioners.

Following adoption of the *Green Community Framework Report*, the Board of Commissioners appointed the "Green Community Study Group" to study the report further, and present findings and recommendations to the Board of Commissioners. Nine areas for study were identified, including (1) amending or restating the Comprehensive Plan, (2) studying and recommending initiatives for preserving open space, (3) studying and recommending alternative methods of subdividing large parcels of property that would be consistent with preserving community character and open spaces, (4) studying and recommending methods of improving small parcel protection standards, (5) studying and recommending methods of improving natural resource protection standards, and (6) studying the feasibility of and recommending a long term plan for greenways, bikeways, and enhancing connections between Forest Hills neighborhoods and neighboring communities and resources, including the Warner Parks bordering on the west and Radnor Lake State Park bordering on the east. Much of the work of the Green Community Study Group is included in this Comprehensive Plan.

### **C. Role of the Comprehensive Plan**

The primary purpose of this Comprehensive Plan is to establish a clear vision of the kind of place Forest Hills residents would like it to be in the future and to provide a course of action that strengthens the process of creating and preserving the community envisioned.

The contents of this Comprehensive Plan are legally non-binding; however, it should be used as a guide for the many decisions and actions that will shape the community. Among the key decisions that should be guided by this plan are: (1) Planning Commission recommendations and the Board of Commissioners actions regarding zoning change proposals, development plan approvals, and other regulatory measures that affect development, (2) Planning Commission actions regarding the subdivision of land, and (3) Board of Zoning Appeals interpretations of the zoning ordinance, as amended in compliance with this Plan, and grants of variances and special exceptions. The Comprehensive Plan should be reviewed every five years to ensure it remains current.

### **D. Plan Overview**

This Comprehensive Plan is organized into 5 chapters, including this introduction. In addition to this introduction, the Plan includes:

**Chapter 2 - Background and Issues.** This chapter contains a summary of the research and analysis that served as the basis for this Plan.

**Chapter 3 – Vision, Goals, and Objectives.** This chapter contains an overall vision for the City as well as a series of goals and objectives related to that vision.

**Chapter 4 – Land Use Element.** This chapter establishes a proposed future land use pattern that is designed to achieve the goals and objectives of Chapter 3. An analysis of key challenges facing the City will be presented with guidance for future development.

**Chapter 5 – Implementation Strategies.** This chapter provides a “road map” of specific actions that should be taken to achieve the vision and implement the land use element.

## II. CHAPTER TWO: BACKGROUND AND ISSUES.

### A. **Introduction**

In the process of developing the *Green Community Framework Report*, the planners and the community analyzed existing conditions, development opportunities, policies and regulatory frameworks for protecting open spaces, and evaluated tools used in the City in comparison with similar communities. The analysis revealed certain facts and background issues, namely:

### B. **Development Potential**

Forest Hills can be defined as nearing “build out.” Most of the land within the City has been subdivided and is developed. Some key statistics about the remaining large parcels include the following:

There are 19 parcels of land in Forest Hills that are 15 acres or greater and could be further subdivided. These lands total 926 acres – or 16% of the City’s total land area. All of these lands are in private ownership at the current time. One of the parcels is Richland Country Club containing over 171 acres. Most of these parcels have one single-family residence constructed on the property. Under current zoning, approximately 200-250 new residential lots and homes could be developed on these lands.

In addition to the 19 remaining large parcels, there are 165 smaller parcels (i.e., less than 15 acres in size) that could be further subdivided under current zoning regulations. Many of these properties are included within existing neighborhoods and have a single family home constructed on the property.

Appendix 1 identifies these parcels and lots that that may be further subdivided under current zoning regulations.

### C. **Environmental Features**

The presence of environmental features, such as surface waters, floodplains, forested areas, steep slopes, hilltops, and dellrose soils, affect the development of new and existing lots in Forest Hills. Many of the last remaining lots available for development lie within areas that contain environmental features that the community generally wishes to protect. Appendices 2A-2E depict these various environmental features.

### D. **Regulatory Regime**

An analysis of the past and current regulatory regime addressing development within Forest Hills reveals certain facts, including:

1. The open and natural character of Forest Hills is due in large part to the low-density development patterns of the City.

2. Open space lands in the City are not permanently protected and are included as part of private lots.
3. There is one model for developing subdivisions in Forest Hills. This model does not provide alternatives for permanently protecting open space.
4. The City's development regulations set aside critical natural resources during the development review process, but these lands are not permanently protected.
5. There is no dedicated funding source for acquiring open space land, critical lots, or property for greenways and paths that could connect Forest Hills to Radnor Lake and Warner Parks. There is also no funding plan for capital improvements such as sidewalks, bikeways, or storm water management.
6. Other than setbacks and footprint regulations, there are no means of regulating the size of new dwellings in context with the neighborhood.

**E. Key Issues Facing the City**

During the development of the *Green Community Framework Report*, residents, large parcel landowners, developers, and elected officials were interviewed to assess specific concerns about open space protection and the future of the City. Several common concerns and issues were raised in these meetings, all of which are further discussed in the *Green Community Framework Report*. Common concerns and issues included:

1. The community is generally satisfied with the character of the City. Proposed changes to the way the City regulates new development should be carefully considered.
2. There is a need for additional options to subdivide the few remaining large parcels in Forest Hills. Any new options should not reduce value and should provide opportunities to permanently protect open space lands. During public meetings held in 2008, many residents expressed interest in developing an alternative to the traditional subdivision. Such a "conservation subdivision" is described in Section 4(E) of this Plan.
3. Many residents are concerned about the type of redevelopment that is taking place in existing neighborhoods. In certain cases, new homes are regarded as being too large for the respective lot, not well sited, and otherwise out of context with the community.
4. There is interest in further protecting open spaces and community character in Forest Hills.
5. There is support for maintaining the low-density character of the community. Residents are concerned about increasing densities.

6. The community opposes multi-family housing and new non-residential uses of land.

7. The community desires to protect the natural character of existing neighborhoods. Clear cutting of trees and a lack of appropriate landscaping is apparent in some recently redeveloped areas. In certain cases, new homes required that too many trees be cleared during construction, removing the natural buffer between the new home, the street and adjacent lots.

8. The community desires to protect environmentally sensitive lands such as floodplains, steep slopes, and hilltops. Current standards go far in setting critical environmental lands aside during the development process, but these features are not permanently protected. In some cases, areas with environmentally sensitive features have been developed.

9. The community desires additional recreational opportunities within Forest Hills. Many citizens suggested that passive recreational opportunities like sidewalks, greenways, and trails would further enhance the desirability of the community.

#### **F. Challenges Facing the City**

The community has identified eleven major challenges that face the City today and that will continue to confront the community over the next several decades. Those challenges are:

##### **1. Open Space Preservation**

The City must act now to preserve and to protect its dedicated open spaces, such as parks, bikeways, greenways and other passive and active recreational areas. At the same time, the City must preserve and protect its “borrowed” green spaces such as the scenic views of forests and hills along thoroughfares and between structures.

The City’s “Open Space Framework” consists of natural areas adjacent to the City’s jurisdiction, natural areas within the City’s jurisdiction, and natural areas in private ownership. Warner Parks and Radnor Lake State Park and Natural Area are critical components to Forest Hills’ open space framework. The parks serve not only as public recreational spaces for Forest Hill’s citizens, but also as natural “bookends” that connect the City into a larger regional network of connected open spaces. Although, for the most part, the parks lie outside of the City’s jurisdiction, the City has historically provided support to these parks, and should continue to do so.

Equally important are green spaces within Forest Hills, such as Bison Meadows and the bikeway running beside Otter Creek. As the City nears build-out and real estate prices continue to increase, the City will find it increasingly difficult to

acquire land for public use without a dedicated funding source; furthermore the City must plan for the maintenance of its bikeways and parks.

Lastly, much of the City's natural beauty depends on the preservation of open space and natural features on private property. The City's Zoning Ordinance and Subdivision Regulations provide the basis for protection of the natural environment and the City's suburban estate character. The City is constantly challenged by developments and redevelopments that would attempt to circumvent the community's vision for the City's development.

2. **Opportunities for Recreation and Connection.** The construction of the bikeway along Otter Creek has proven to be a popular amenity among the City's residents. Support exists for creating new connections between neighborhoods within the City and connections with the City's neighboring communities. Such connections could be developed as sidewalks, bikeways, and greenways.

Developing a system of sidewalks and paths will be a major challenge. Not only must the City identify a funding source, but it must also establish priorities for construction and work with area residents to make construction a reality.

### 3. **Large Parcel Development and Redevelopment**

Since its incorporation, the City has utilized a traditional subdivision model, where all land is divided into lots and streets with the only open space being undevelopable lands and the space between structures.

Some members of the community believe the traditional subdivision model, while useful, may inherently limit open space protection. There is a strong interest among some community members to develop an alternative option to the traditional subdivision model. Alternatives should provide opportunities to permanently protect open space lands as part of the fabric of new development while maintaining the overall low-density development patterns of the community.

### 4. **Small Parcel Development and Redevelopment**

Residents have expressed concern that projects requiring the construction of new structures and/or resubdivision of existing lots are sometimes out of context with existing neighborhoods. For example, some structures are constructed in such a way as to be out of scale with the lot upon which they sit and with structures on neighboring lots. Other projects have cut down trees without replacing them, thereby causing the landscaping to be out of context with the City and the surrounding neighborhood.

Because the majority of lands in Forest Hills are subdivided and developed, it is certain that "tear downs" will continue to occur over time. The community desires to ensure that new construction complements the character of the City and its existing neighborhoods.

## **5. Natural Resource Standards.**

The previous comprehensive plan and current zoning ordinance protect the City's natural resources, including floodplains, steep slopes, dellrose soils, wetlands, forests, and drainageways, by directing development to areas on lots that are more appropriate for development. However, the Zoning Ordinance does not outright prohibit degradation of natural resources or afford permanent protection to such natural resources.

Many lots most likely to be further subdivided or redeveloped tend to be environmentally constrained lots with steep slopes, heavy forest, and problem soils. The community is generally supportive of strengthening standards to protect natural resources in the City. The challenges will include not just developing more stringent standards, but implementing and enforcing them as well.

## **6. Flag Lots**

Flag lots have been used within the City with mixed results. The objective of flag lots, as stated in the first Comprehensive Plan, was to allow the most effective use of land without wasting good land and while preserving community character and natural resources. Flag lots were intended to allow the orderly development of land while reducing the need for new subdivisions and streets.

The experience of the City has been that flag lots have been used to open up land that has substantial natural resources, such as forest and steep slopes, to new development. Flag lots have also been used to increase density for the economic benefit of the subdividing party and to the detriment of the larger community.

## **7. Commercialization and Expansion of Non-Residential Uses**

Non-residential uses within the City are substantially restricted by the City's Zoning Ordinance. As these uses mature and non-residential owners seek to expand, the City faces the challenge of protecting the suburban community character of its neighborhoods against the expansion of uses serving non-residents to the detriment of neighborhood tranquility.

## **8. Development on the City's Borders**

The City of Forest Hills is a residential community with few non-residential uses. The City does not, however, control property outside its jurisdiction, despite the fact that such developments have significant effects upon the community character of the City. Recent years have brought an increasing number of proposals to develop non-residential projects adjacent to the City's jurisdiction or to widen roads on the City's borders, both of which will negatively impact the suburban estate quality of the City.

## 9. **Storm Water Management**

The City operates under its own National Pollutant Discharge Elimination System (“NPDES”) permit from the Tennessee Department of Environment and Conservation, but spends relatively little money on storm water infrastructure. Metro recently developed a master plan for funding and constructing storm water infrastructure, a master plan which the City opted not to join because the Board of Commissioners determined that the City can provide a higher level of service than Metro. Managing storm water discharges and setting aside funds for capital improvements will be a challenge for years to come.

## 10. **Cultural and Historical Resources**

Forest Hills is home to a variety of cultural and historical resources, including but not limited to, historic homes, cemeteries, and stone fences. These cultural resources are too often overlooked or forgotten until the demolition crew arrives. The City has made extensive efforts to catalogue historic stone fences and cemeteries. Persuading residents to preserve cultural, historical, and natural landmarks, however, is a constant challenge. Likewise, creating new landmarks and resources for the benefit of the community, due to shortages of land and funding, will be a challenge.

## 11. **Traffic**

Forest Hills is bounded to the north, east, and south by major thoroughfares (Harding Place, Granny White Pike, and Old Hickory Boulevard, respectively); Hillsboro Road and Tyne Boulevard bisect the City as well. As a result of Nashville and Williamson County’s population growth, traffic has markedly increased over recent decades, even though the population of Forest Hills has not markedly increased in the same period.

Dealing with traffic, both in terms of quantity and velocity is a challenge today that will continue for the foreseeable future. Neighboring jurisdictions (and the State of Tennessee) will continue to press for the widening of thoroughfares affecting the City’s residents.

### III. CHAPTER THREE: VISION, GOALS, AND OBJECTIVES.

#### A. Introduction

The residents of Forest Hills are proud of their community. Its picturesque and pastoral landscape is highly regarded and commonly cited as the reason why people choose to live in Forest Hills. Residents support the protection of this unique community character as a critical community goal. Throughout the planning process, residents have been engaged in a structured community dialogue focused on defining open space protection goals and strategies for the City. They have given voice to their hopes and goals for the community. The following vision statement embodies the community aspirations heard from Forest Hills' residents.

#### B. Vision for Forest Hills

*The City of Forest Hills will maintain its unique community character and low-density pattern over time. Scenic vistas, environmental features, and unique landscapes will be protected. Opportunities will be sought to link the community to regional parklands through preserved natural corridors. New residential neighborhoods will be built in a context sensitive manner that takes into account the natural qualities of the community. New neighborhoods may include natural open space areas that enhance community character. New homes will be sited and designed to protect important natural features and scenic qualities of lots. Existing neighborhoods will be enhanced by redevelopment that reflects the character of the City, and is in context with existing homes in the neighborhood. The City will seek to provide recreational opportunities in the form of sidewalks, greenways, trails, and new parklands. The City will seek to protect its historic and cultural treasures, including historic homes, stone fences, and cemeteries from loss due to neglect and redevelopment.*

#### C. Goals

Eight (8) goals arise from the Vision for Forest Hills that can and should guide development of the City as a community. When considering amendments to the Zoning Ordinance, when considering applications for re-zoning, subdivision or zoning variances, or special exceptions, the Board of Commissioners, Planning Commission, and Board of Zoning Appeals should consider the application in light of the following community goals: These principles are:

1. Preserve the current quality of life and community character that is so valued by residents.
2. Maintain the low-density, wooded character of the community, including protecting forestlands, hillsides, and scenic vistas.
3. Protect existing property values.

4. Consider options for development / subdivision of larger properties that would strengthen the quality and character of the community.
5. Ensure that the subdivision of smaller properties, siting of new homes, and redevelopment of existing lots maintain the character of the City and its neighborhoods.
6. Minimize negative impacts of new development, particularly drainage, tree removal, and visual impacts.
7. Encourage the development of linked parks, community open spaces, sidewalks, bikeways, and greenways within and adjacent to the City.
8. Encourage the preservation of historic homes and places, as identified on Appendix 3, and the preservation of stone fences and cemeteries as shown on Appendix 4.

**D. Specific Objectives To Be Pursued in Satisfaction of the Above Goals**

As a general matter, there is consensus that prior to adopting changes to the Zoning Ordinance, Subdivision Regulations, or other ordinances, the City's leaders should carefully consider any changes so as not to detract from today's successful practices. In order to address the challenges facing the City (identified in Chapter 2 above), the City should pursue the following courses of action:

1. **Open Space Preservation.** The City should establish programs to protect valuable open spaces within the City. The programs should include (i) a formal initiative to educate landowners on the benefits of conservation easements, (ii) assistance to landowners in placing easements on their property, and (iii) a public land acquisition program for permanently protecting prime open spaces.
2. **Connecting the City with Sidewalks, Bikeways, and Greenways.** The City should establish a program for the purpose of creating connections between neighborhoods in the City and between the City and its neighbors, including, but not limited to, Warner Parks and Radnor Lake. Such a program should assess opportunities and needs, community priorities, and identify a funding mechanism for building sidewalks, bikeways, greenways and similar means of connecting the community.
3. **Subdivision of Large Parcels of Land.** The City should promote the protection of open spaces within the community by adopting an alternative to the traditional subdivision. Such a "conservation subdivision" or "open space subdivision" would allow landowners to protect open spaces without incurring a financial penalty for doing so.
4. **Bulk Standards; Redevelopment of Existing Lots.** The City should protect the character of existing neighborhoods by improving standards for development and redevelopment of existing lots and smaller lots.

5. **Natural Resource Standards.** To maintain the existing natural character of Forest Hills and its existing neighborhoods, the City should update its tree protection and landscaping development standards for private residential lots. The City should encourage residents to eliminate existing invasive species and not to plant additional invasive species.

The City should improve existing natural resource protection standards. The City should implement natural resource protection strategies that are specific to each resource.

6. **Flag Lots.** The City should remove flag lots as an option for subdividing new lots. Shared or private drives and access easements should be used to access landlocked properties.

7. **Commercialization and Expansion of Non-Residential Uses.** New non-residential uses should be prohibited. Expansions of existing non-residential uses should be carefully reviewed.

8. **Development on the City's Borders.** The City should foster relationships with its neighboring municipal, state and local governments and should be proactive in discouraging expansion of commercial uses, or the creation of new commercial uses, that will affect the City.

9. **Storm Water Management.** The City should maintain its own NPDES permit. The City should update its storm water management procedures, pass a storm water management ordinance, and develop a capital improvement plan that addresses the City's storm water needs.

10. **Cultural, Natural and Historical Resources.** The City should update its catalogue of cultural, natural and historical resources. The City should convert its Cultural, Natural and Historical Resources Committee into a standing committee under ordinance and charge it with preserving current cultural, natural and historical resources and developing new ones on public property and encourage the same on private property, as well as identifying and recommending means of improving the appearance of public spaces within the City.

11. **Traffic.** The City should revise and update its Major Street Plan and record the new plan in the property records of Davidson County. The City should be proactive in planning for streets not within the City but which border the City or are otherwise important to the movement of traffic within the City.

#### IV. CHAPTER FOUR: LAND USE ELEMENT.

##### A. **Planned Use Districts**

The land use districts shown on the City Land Use Map, as shown on Appendix 5, have been designed to achieve specific community character objectives. There are six (6) residential land use districts and three (3) non-residential land use districts as follows:

##### 1. **Residential Land Use Districts**

Estates 1A (E1A)	6 acres
Estates A (EA)	3 acres
Estates B (EB)	2 acres
Estates C (EC)	1.5 acres
Residential A (RA)	1.25 acres
Neighborhood Conservation (NC)	1 acre

The City will remain a residential community. Thus, the purpose of the residential land use districts is to promote the residential character of various areas of the City and to allow for the control of all new development. The purpose and intent of each of the residential land use districts is stated below.

- (a) **Estates 1A (E1A) District (6 acres):** The purpose of this land use district is to maintain and preserve a countryside character in the area adjoining Percy Warner Park along Chickering and Page Roads as shown on the City's zoning map.
- (b) **Estates A (EA) District (3 acres):** The purpose of this land use district is to maintain and preserve an estate character in areas shown on the zoning map along Hillsboro Pike. This district is established to provide greater setbacks and a more rural appearance along one of the City's major roads.
- (c) **Estates B (EB) District (2 acres):** The purpose of this land use district is to maintain and preserve an estate character in the core areas of the City, as shown on the zoning map, for areas generally east and west of Hillsboro Pike and that are located beyond the corridor of the road itself. This district is established to provide the desired estate character in terms of lot size and setbacks.
- (d) **Estates C (EC) District (1.5 acres):** The purpose of this land use district is to provide an estate character along Granny White Pike. In light of the existing smaller lot development located to the west of Granny White Pike, this district is used to provide the estate character along the eastern border of Forest Hills.

(e) **Residential A (RA) District (1.25 acres):** This land use district is primarily intended to recognize the character of older developed and platted areas of the City, some of which predate the creation of the City of Forest Hills. The areas designated for this district preserve a generally suburban community character and cover those areas so designated on the City’s zoning map. This district respects those portions of the City where smaller lots were an established form of development.

(f) **Neighborhood Conservation (NC) District (1 acre):** This land use district is intended to preserve existing neighborhoods that were developed as one acre lots under former zoning district classifications no longer in use in the City, or which were developed before the City was incorporated. The NC District should not be used in unplatted areas within the City.

If the City adopts a conservation or open space subdivision, as described in Section E below, the Planning Commission should study whether a new land use district should be adopted specifically to address the needs for such a subdivision.

**2. Non-Residential Land Use Districts**

Historic Commercial (HC)	1.25 acres
Country Club (CC)	160 acres
Institutional (IN)	10-50 acres

The purpose and intent of each of the non-residential land use districts is stated below.

(a) **Historic Commercial (HC) District (1.25 acres):** The Historic Commercial (HC) land use district is the only commercial land use district in the City of Forest Hills. Its purpose is to control the historically commercial properties in the City. Such HC District properties were commercially used before the City was formed and have remained in commercial use since that time. Only properties that meet those requirements are so designated on the plan map. Furthermore, there should be no expansion of the boundaries of this district and no new designations of land for the HC District classification.

(b) **Country Club (CC) District (160 acres):** This land use district is created to allow for development of a country club or recreational club, which may have such amenities as a main club house and accessory buildings or uses as are customarily incident to country clubs, generally, including a golf course, pro shops, swimming pool, tennis courts, kitchen, dining and similar facilities, which may serve food and alcoholic beverages as are otherwise permitted by law on the premises.

(c) **Institutional (IN) District (10-50 acres):** This land use district is created for use by schools and places of worship. No Institutional District should be

created unless it meets strict size, set back and other requirements to preserve the estate character of Forest Hills. The use should be consistent with, in the best interests of, and promote the public health, safety, morals, convenience, order, prosperity, and general welfare of the City and the specific area in which the use's district would be located.

The City's residents oppose new non-residential use of property. New non-residential uses should be prohibited. No expansion of an existing non-residential use should be permitted unless the application is reviewed by the Planning Commission and approved by the Board of Commissioners and found to be appropriate for the district based on the following criteria: (i) the expansion complies with all bulk, performance, and other standards set forth in the Zoning Ordinance, (ii) the expanded use will not have detrimental effects upon the adjoining neighborhood in the vicinity of the proposed expanded use with regard to flow of traffic, noise, and lighting, (iii) the structure is consistent with the suburban estate character of the City, and (iv) the landscaping provides full screening for adjacent residential areas. Notice of applications for new non-residential uses and expansions thereof should be provided to all City residents.

3. **Legally Non-Conforming, Non-Residential Uses.** There are some legally non-conforming, non-residential uses within the City, namely the Sequoia Swim Club, the broadcasting towers along Old Hickory Boulevard, and other public utilities. The City should discourage the expansion of these non-conforming uses and should work with the owners of these properties to continue to minimize their impact on the community.

## B. **Overlay Land Use Districts**

1. **Introduction.** The City has already created one overlay district: The Floodplain District. The City should maintain the floodplain district and should consider the addition of similar overlays for the protection of natural resources.

2. **Floodplain (FP) District:** Areas of Forest Hills are subject to periodic inundation that could result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare. These flood losses are caused by the cumulative effect of obstructions in floodplains, causing increases in flood heights and velocities; by uses in flood hazard areas which are vulnerable to floods; or construction which is inadequately elevated, flood proofed, or otherwise unprotected from flood damages.

The FP district is established pursuant to Section 14-301 of the Forest Hills Municipal Code. As the Federal Emergency Management Agency ("FEMA") and the City complete further mapping of flood-prone areas within the City, the City should amend the FP District to encompass the additional areas. Additionally, the

City should consider amending the FP District regulations in accord with changes in Natural Resource Protection Standards, described in Section F below.

3. **Hillside and Hilltop Protection District (HP):** The City should consider establishing an HP District to address the challenges of development in the higher elevation areas of the City. This district should include areas above a specified elevation. Additionally, the HP District should include areas with steep slopes. Appendices 2A and 2B show certain relevant information with regard to portions of the City that could be part of the proposed overlay district.

The purpose of the HP District should be to encourage prudent land disturbance and development activities that maintain the natural, topographic character of the land. Development standards unique to the HP District should minimize the impact of building construction and land disturbance activities in protected areas including, but not limited to, unsafe geologic disturbance, soil erosion and storm water runoff from excessive removal of trees and other vegetative cover, and severe cutting, physical scarring and visual modification of the natural terrain.

All construction within the HP District should be subject to the base zoning requirements plus additional technical standards intended to protect the health, safety, and general welfare of the community. Construction on steep slopes should be generally prohibited while construction in high elevation areas should be restricted, but not prohibited.

#### C. **Open Space Protection.**

1. **Introduction.** The City should (i) develop a conservation easement program to assist residents interested in preserving private property and (ii) support and protect land that is of great value to the community.

Successful open space preservation efforts are strategic and comprehensive. These efforts must educate stakeholders on preservation options, coordinate the efforts of many landowners that often have different interests, and maintain a “big picture” perspective when setting long-term, strategic goals. The City of Forest Hills has an opportunity to educate, guide, and assist with open space preservation efforts in the City. Fostering the dedication of conservation easements on private lands and developing a public land acquisition program are two non-regulatory methods the City could use to permanently protect open space in Forest Hills.

2. **Conservation Easements.** A conservation easement program should educate landowners on the benefits of conservations easements and link local landowners interested in preserving their properties with an entity, such as the Land Trust for Tennessee, which could manage the easements for the long term.

A conservation easement is a transfer of usage rights which creates a legally enforceable land preservation agreement between a landowner and a municipality or a qualified land protection organization, such as the Land Trust for Tennessee,

for the purposes of conservation.<sup>1</sup> It restricts real estate development and certain other activities on a property to a mutually agreed level. These easements generally protect lands in perpetuity, and may provide permanent public access for greenways and trails. Landowners who protect lands using conservation easements may be eligible for certain income tax benefits. Conservation easements can be placed on a portion or all of a lot, providing opportunities both to protect environmentally sensitive areas and to maintain development rights on the lot.<sup>2</sup>

The City should create a formal effort (i) to identify potential areas for conservation easements, (ii) to educate local landowners on the benefits of conservation easements, (iii) to develop a long-term strategy for securing and managing small and large conservation easements, and (iv) to assist with placement of easements on private lands. The City should also consider creating an entity that can accept, hold, and manage easements that would not otherwise fit with the criteria of the Land Trust for Tennessee, or another similar certified land protection organization.

**3. Support for and Acquisition of Public Open Space.** Many communities in Tennessee have used public dollars to support protection of important natural and cultural resource lands.<sup>3</sup>

Percy Warner Park, Edwin Warner Park, and Radnor Lake State Park are critical components of Forest Hills' open space framework. While these parklands for the most part lie outside of the City's corporate limits, they effectively serve as city parks and provide highly valued recreational amenities to the City's citizens, as well as natural open space benefits. Any public acquisition efforts should include opportunities to expand existing open space features that lie outside of the City, specifically including these parks that serve as the City's natural "bookends." Acquisition of property to be added to these parks offers an efficient means of acquiring open space lands that can benefit the City. Two organizations—the Friends of Warner Parks and the Friends of Radnor Lake—are dedicated to improving and expanding these parks and have established fundraising efforts in

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<sup>1</sup> The Land Trust for Tennessee is one such local non-profit land trust. Historically, the Trust has focused on protecting large acreages of lands outside urban areas. More recently, the Trust has begun to focus on preservation opportunities within developed areas. Some landowners in Forest Hills are considering placing conservation easements on their properties and have consulted with the land trust. In addition, the West Meade Land Conservancy, another land conservation organization operating in the metro region, has identified a natural corridor through Forest Hills that links Warner Parks and Radnor Lake State Park and may have some resources available to assist the City in permanently protecting lands within the corridor.

<sup>2</sup> For example, an easement could be placed on the portion of a lot located on a hillside that contains areas of steep slopes, while still allowing development to occur on areas that are more appropriate for development.

<sup>3</sup> For example, the City of Franklin, Tennessee, partnered with a local philanthropist and a non-profit organization to purchase and protect the 125-acre property Franklin Battlefield Park. Murfreesboro, Tennessee, used public funding to develop the 4.5 mile Stones River Greenway, which links an old family farm site with historic civil war sites and provides a natural buffer along the Stones River.

the region. Public funding for acquisition to expand and improve these parks could be leveraged by these organizations to provide even greater enhancements to the parks.

An open space corridor, often called “the southern arc,” exists in southern Davidson County and provides a natural linkage that extends from Warner Parks west of Forest Hills to the southeastern most point of the county. This corridor flows through Forest Hills along Otter Creek. The City and Metro should work together to protect the lands within this corridor.

Given the fact that the majority of land in Forest Hills is developed, open space acquisition options are limited. However, there are some key parcels of land that are located in the southern arc that could be permanently protected through land acquisition, tying into regional land conservation efforts. Lands along Otter Creek, along TVA utility rights-of-way, and the small parcel adjacent to the convenience store at the corner of Granny White Pike and Otter Creek are examples of lands that could possibly be acquired and protected, such as has been accomplished with Bison Meadows Park.

The City should explore all available funding options available to support public land acquisition efforts. One option is for the City to request the state legislature to approve a real estate transfer tax to raise public dollars for open space protection. Another option is to apply for grants from federal or state agencies, or private foundations.<sup>4</sup>

Public land acquisition is one of the most successful methods for protecting open spaces over the long-term in partnership with the county and local conservation groups. The City should consider pursuing a local land acquisition program that could leverage funding and administrative capacity and tie local conservation efforts into the regional open space framework.

**D. Sidewalks, Bikeways, and Connecting the Community.** Residents of Forest Hills have voiced a desire for additional recreational opportunities. Passive recreational opportunities, such as sidewalks, bike paths, greenways, and trails would create new connections among neighborhoods and enhance the desirability of the community.

Forest Hills has the potential to develop three types of connectors: Pedestrian and bicycle corridors, recreational areas and corridors, and wildlife corridors.

Pedestrian and bicycle corridors include sidewalks, various classes of bike lanes, medians, and crosswalks. These encourage safe recreational bicycling and walking, which improve health and encourage civic engagement. The bikeway along Otter Creek Road provides some opportunities for bicycling and walking in a protected natural setting

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<sup>4</sup> One such source of funding is the American Greenways Program that provides small seed grants for greenway development. Other funding programs exist that provide grants for local land acquisition efforts. Land trusts sometimes offer funding through revolving loan funds that provide bridge financing until other loan funds can be secured. Land trusts can also provide long-term management of protected open space.

and has been a tremendous success with area residents. Area residents have begun identifying potential areas for new sidewalks and bikeways, as well as assigning levels of priority to the proposals. **Appendix 7** shows some existing and proposed such improvements. Because these proposals are little more than a wish list today, the City should consider developing a Master Plan and Capital Improvements Budget to make these pedestrian and bicycle corridors a reality.

Recreation areas and corridors include hiking trails, walking paths, bird viewing areas and small parks. They offer residents opportunities to enjoy the natural beauty of Forest Hills while helping protect the land, water, and air quality from intrusive development. Bison Meadows, at the corner of Hillsboro Road and Tyne Boulevard, provides one such opportunity to walk among several acres of native plants. The City should look for similar opportunities to preserve the community's natural beauty.

Wildlife corridors are areas of contiguous natural lands, such as forests, open fields, and backyards without fences, that allow wildlife to travel, live, eat and multiply. As natural habitats are destroyed or bisected by development, wildlife are put under increasing pressure to find food, water, mates and shelter to rear their young.

**E. Large Parcel Land Use: The Conservation Subdivision**

1. **Introduction:** Over 900 acres of land in Forest Hills exist as large parcels that have not been subdivided. Although there are no known plans to develop these parcels into residential subdivisions at this time, it is possible that this will occur at some point in the future. Currently, landowners have one option for subdividing their lands. The traditional subdivision model divides the entire parcel into multiple private lots, and, other than the protection afforded by current zoning classifications, does not provide any permanent protection of open space lands. Critical environmental features, like steep slopes and floodplains, are often divided between lots, making it even more difficult to protect these areas in the future. Under the current model, landowners must be willing to reduce the lot yield on their property to permanently protect open space.

2. **Conservation Subdivision:** The City should consider adopting an alternative to the traditional subdivision model, which alternative could be called the "conservation subdivision" or the "open space subdivision." The approval process for a conservation subdivision should be no less and no more stringent than that which is required for a traditional subdivision. While traditional subdivisions result in homes more or less evenly spaced throughout the land, the conservation subdivision should allow individual lot and yard requirements to be reduced to permit the arrangement of homes on a portion of the subdivision property while permanently protecting the balance of the property. The conservation subdivision should be a voluntary alternative to traditional subdivision developments and should not supplant or replace the traditional subdivision.

Generally, a conservation subdivision has three primary characteristics: smaller building lots than allowed under base zoning, more open space, and the protection of natural features. Within this framework, the rules for site development emphasize setting aside and conserving the most sensitive areas of a site, with the development of building lots on the remaining, less sensitive areas. Open space areas are permanently protected as open space lots, as land dedicated to the City, or are placed under a conservation easement. This should be a voluntary option available to property owners and developers interested in protecting common open spaces, but one which does not reduce development potential.

The purpose of the conservation subdivision should be to (1) permit flexibility of design in order to promote environmentally sensitive and efficient use of land; (2) preserve in perpetuity unique or sensitive natural resources, scenic views, and historical or culturally significant sites; (3) permit the grouping of homes and structures on less environmentally sensitive lands so as to reduce the amount of infrastructure, including paved surfaces and utilities; (4) minimize land disturbance and removal of vegetation; and (5) promote interconnected greenways and other natural corridors throughout the community.

Additional standards and criteria for the conservation subdivision should be established, including, but not limited to:

- (a) Bulk standards and performance requirements, including lot coverage, floor area ratios, and setbacks, that fit the context of the neighborhood and community;
- (b) A set of priorities for determining the lands that should be designated as open space. This could include dellrose soils, steep slopes, floodplains, forests, drainage areas, cultural or historic structures, lands along roadways, hillsides, hilltops, areas adjacent to existing greenways and trails, wildlife corridors, and others;
- (c) The linkage between natural resource protection standards and open space set asides. Specifically, any lands that are set-aside to comply with natural resource protection standards should be credited as part of the open space requirement;
- (d) The location and pattern of open space areas. Most communities require that open space lands within a development be contiguous and form a communal open space “lot” that is bordered by individual private lots;
- (e) The type of activities that can occur on open space lands. Options include prohibiting any public use of open space lands, allowing low impact (i.e., walking trails and benches) park uses, or permitting active park uses (i.e., playgrounds, fields, park equipment, etc.) This will depend

upon the site and the owners within the subdivision's interest in providing recreational opportunities; and

(f) Ownership and maintenance standards for open spaces by homeowners associations or other entities.

**3. Density and Incentives.** After considerable research and discussion, some members of the community believe that there should be an incentive for landowners to select the conservation subdivision over the traditional subdivision – and to dedicate more than the minimum amount of open space. In order to accomplish these two objectives, some citizen participants have recommended allowing a density bonus in exchange for the dedication of permanent open space to the community; provided however, that there should be a minimum threshold of lot size and that the density bonus be related to the amount of open space protected.<sup>5</sup>

A density bonus as described herein could be one way of encouraging open space preservation. Such a bonus would grant to the owner/developer the right to develop a number of lots in excess of the number generally permissible under the base zoning in exchange for the dedication of a material amount of acreage to open space. For further explanation of how a density bonus could function, see footnote 5 herein.

Such a density bonus should be further researched and considered by the Planning Commission and Board of Commissioners.

## F. **Development and Redevelopment of Existing Lots**

1. **Introduction:** Large, open lots are the foundation of Forest Hills' natural character. Low-density development patterns have maintained this character over time. Recently, building trends in the community have been changing. As seen in other communities across the nation, there has been an increase in the demolition or substantial renovation of older homes in Forest Hills. Often this type of redevelopment involves expanding homes and results in an increase in the size of building footprints and floor area. In some instances, these projects have been deemed out of context by neighbors, because the home is too large for the lot, because the house is more visually prominent, because trees and vegetation are removed from yards during the development process, or some combination of the foregoing. Because there is a limited amount of land left to develop in Forest Hills, it is certain that redevelopment of existing structures will continue to occur. In addition, there are some remaining lots in older neighborhoods that have not yet been developed.

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<sup>5</sup> For example, if the subdivision sets aside 30% of the land area as open space, then the number of lots permitted would be the same as is permitted under the base zoning. If a subdivision sets aside additional open space beyond the minimum threshold, the property owner could become entitled to develop additional lots in proportion to the amount of total land preserved; provided, however, that in no case should the net buildable area of any individual lot within the subdivision fall below one acre.

Residents would like to ensure that new and redeveloped homes contextually fit within the City and its neighborhoods. There is community support to strengthen existing regulations to ensure that future development, redevelopment, and construction remain appropriate in scale to the lot. In order to ensure that new, redeveloped, and renovated homes remain appropriate in scale to the lot, the City should consider making the following changes to its Zoning Ordinance: (i) revise its Maximum Lot Coverage standards, (ii) implement floor area ratio standards, (iii) reconsider setback requirements and implement maximum building width to lot width ratio standards, and (iv) ensure that redeveloped lots maintain the character of the landscape.

The new standards should apply to all properties. Appropriate exemptions should be considered for existing lots of record.

2. **Maximum Lot Coverage:** One way to ensure that new homes or expansions of existing homes are appropriately scaled to their lots is to apply a maximum lot coverage standard. This standard limits the building footprint of a dwelling unit in relationship to the lot size. Forest Hills currently applies such a regulation within all residentially zoned districts.<sup>6</sup> This standard should be strengthened to reduce the permitted building footprint size in districts where homes appear out of scale with lots.

The City should also consider establishing maximum lot coverage ratios for impervious surfaces, thereby limiting lot coverage to include driveways, pools, terraces, porches, and accessory structures. “Lot coverage” should be defined to include these other impervious features, which would further reduce development of natural lands and reduce storm water runoff. It is recommended that if the City decides to move forward with the expansion of this standard, an analysis should be conducted to determine the appropriate lot coverage standards for each zoning district.

3. **Floor Area Ratio:** Floor Area Ratio (FAR) is another form of bulk development standard that limits the amount of development on a lot. It is similar to the lot coverage standard in that it establishes the maximum square footage of a dwelling unit based on the size of the lot. However, floor area ratios determine the maximum square footage for the entire unit, rather than the building footprint, and

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<sup>6</sup> For example, under current regulations, lots zoned EB (one dwelling unit per two acres) have a cap on lot coverage of 0.08, or eight percent (8%) of the lot size. This means that the building footprint of a house built on a two-acre lot (87,120 square feet) will be no larger than eight percent (8%) of the lot size, approximately 6,969 square feet. The maximum height for all homes in Forest Hills is 35 feet. Assuming that 35 feet equals 2 stories, this means that there is the potential to develop a 13,938 square foot home (6,969 base area times 2 floors) on a lot zoned EB under the current regulations.

The City’s current lot coverage standards allow for greater lot coverage in higher density zoning districts. The maximum building coverage for lots in NC1 and NC2 districts (1 unit per 1 acre) is 12% of the lot size. This means that the lot coverage standard limits development on a one acre lot to a 5,200 square foot building footprint. The maximum building coverage for lots in RA (1 unit per 1.25 acres) is 10% of the lot size and limits development to a 5,445 square foot building footprint.

provide flexibility in how that area is designed. The floor area ratio regulates a structure's volume, whereas the lot coverage standard only limits a structure's footprint. Together these two standards can work to limit the footprint and volume of a structure relative to the lot size.<sup>7</sup>

Currently, the City only regulates floor area ratio with respect to accessory buildings, the purpose of which regulation is to prevent accessory buildings from dominating principal structures. The City should implement FAR standards to complement maximum building coverage ratios in order to regulate the size of a structure's volume in relation to the size of the lot. An analysis should be conducted to determine the appropriate FAR for each zoning district.

4. **Setbacks; Building Width to Lot Width Ratio:** Setbacks, particularly side setbacks, have come under closer scrutiny in recent years. Concerns exist that current setback requirements do not adequately prevent newly constructed homes from dwarfing neighboring homes. An analysis should be conducted to assess the appropriate front, side, and rear setback for each zoning district.

The building width to lot width ratio is another bulk standard that should be considered. This standard is intended to ensure that the width of buildings is compatible with the width of lots and that side yards provide adequate separation between adjacent lots. This standard does not limit the footprint or the size of the home, but it limits the width of the home and the distance of the home from the side lot lines. It is appropriate to apply this standard in districts where houses appear to be built too close to lot lines.<sup>8</sup>

The City should consider whether, in addition to the City's setback requirements, the City should implement building width to lot width ratios in order to ensure that there is adequate green space between adjacent lots and structures. An analysis should be conducted to determine the appropriate building and lot width standard for each zoning district.

5. **Landscaping.** Preserving trees and existing landscaping is a paramount concern with respect to the development of smaller lots and the redevelopment of existing lots. The City's Board of Zoning Appeals currently requires the submission of a landscaping plan with all applications for variances and special exceptions. The City should consider extending this requirement to all proposals for tear downs and major redevelopments and requiring landscape buffering to

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<sup>7</sup> For example, if there were a FAR standard of 0.12 (12%) on two acre lots, the largest home that could be developed would be 10,454 square feet, as opposed to the 13,938 square foot home that could be built under the existing maximum lot coverage limitation.

<sup>8</sup> For example, a lot zoned EA is required to have a minimum lot width of 250 feet. Applying a 50% building width to lot width ratio would limit the width of the building to 125 feet. The side yard setbacks could be the greater of either 20% of the lot width or the existing setback applied under the lot's zoning regulations. Lot coverage standards should be adjusted to ensure that the width of homes and the side yards are appropriate given the context of the lot.

mitigate the effects of new construction. Section G 5, below, further addresses the importance of preserving trees and landscaping.

6. **Applicability of Bulk Standards:** Most bulk standards are specific to one aspect of building design, such as setbacks, building coverage, and the like. It is common for communities to adopt multiple tools to address several aspects of development. Forest Hills currently has multiple bulk standards that define the space within which a home can be built. The tools offered here also are not mutually exclusive and should be implemented as a package to further define the appropriate building envelope within each zoning district.

The new standards should apply to all properties. Appropriate exemptions should be considered for existing lots of record.

## G. **Natural Resource Protection Standards**

1. **Introduction.** The most effective tool that Forest Hills currently uses to protect open space is the set of natural resource protection standards found in the City's Zoning Ordinance. These standards identify specific natural features that are to be protected during the development process. They set open space requirements that specify how much of each natural feature must be protected.

There is community support for improving and extending natural resource protection in the community. The City should strengthen natural resource protection by implementing natural resource protection strategies that are specific to each resource, including, but not limited to, (i) water features, including surface waters, wet weather conveyances, floodplains, and storm water discharges, (ii) hillsides and hilltops, (iii) dellrose soils, (iv) trees, forests, and landscaping, and (v) cemeteries, stone fences, and other cultural resources.

The new standards should apply to all properties. Appropriate exemptions should be considered for existing lots of record.

When considering any development plan, subdivision of land, variance, or exception, the Planning Commission, Board of Zoning Appeals, and City staff should be guided by the principle that construction in areas with protected natural resources should be subject to restrictions designed to protect such natural resources to the maximum extent reasonably possible.

2. **Floodplain Protection.** A map of the City's waterways and floodplain is shown on Appendix 2D. In 2008, Forest Hills created the Floodplain Protection District, further discussed in Section B above, to protect floodplain and floodway areas from development and to ensure that local landowners would have the right to purchase flood insurance. This ordinance currently allows for development within the floodplain if certain engineering practices are used; development within the floodway is currently prohibited. The City's FP Overlay District current floodplain protection ordinance should be amended to prohibit development in floodplain areas.

3. **Surface Waters and Wetlands.** Residents of Forest Hills expressed support for protecting wetlands and surface waters (i.e., ponds, streams, creeks) from development impacts. Protection of wetland areas is currently included within the City's natural resource protection standards, but these lands can be developed under certain circumstances, and riparian buffers are currently not a requirement. A buffer requirement should be required for all construction near surface waters and wet weather conveyances.

First, the City should adopt a storm water management ordinance in accordance with the City's NPDES permit. Furthermore, the City should adopt new provisions to permanently protect wetlands and surface waters through the development review process. The standards should require permanently protected buffers around wetlands and surface waters and prohibit development of wetlands completely. These lands should be set-aside as open space for passive recreation, such as a greenway along Otter Creek, or as natural lands. Another alternative is to encourage landowners to place conservation easements on riparian buffer areas and wetlands. The community could also choose to purchase these lands and protect them as public open space.

4. **Hilltops, Hillsides, and Critical Slopes.** Maps of the City's hillside and hilltops are shown on Appendices 2A and 2B. Residents expressed interest in further protecting areas of steep slopes, and adding standards to protect hilltops. The City should create the HP Overlay District, as described in Chapter 4, Section B(3).

Construction on steep slopes should be generally prohibited while construction in high elevation areas should be restricted, but not prohibited. An analysis should be conducted to determine the appropriate standards for specific grades of slopes and specific elevations.

The City should also adopt development and design standards to lessen the negative impacts hilltop development can have on community character. Standards to consider for additional research include more rigorous building setbacks from the hilltop or ridgeline, a shorter building height, a maximum for the amount of woodland clearing permitted, and a standard for the extent of grading and benching permitted for principal and accessory structures as well as private access roads.

5. **Trees and Landscaping.** The City currently applies tree protection standards to new subdivisions and nonresidential development through its tree ordinance, which is codified in the Forest Hills Municipal Code at 20-101, *et seq.* The ordinance also applies landscaping and buffering standards to nonresidential developments. Currently, these ordinances do not apply to individual residential lots of record. Concerns over clear-cutting trees and similar practices on individual lots were raised by citizens. These concerns should be addressed by revising the tree ordinance and making the new ordinance applicable whenever a building permit is issued.

The City should require street trees and foundation plantings on private residential lots. Street trees can provide needed buffering of lots from public viewing areas, such as roadways and adjacent lots. They can also help to maintain the forested character of the neighborhood. Foundation plantings improve the visual character of the lot and reduce the prominence of built structures. The City should adopt regulations requiring a certain amount and type of landscaping materials to be provided along home foundations. The requirement for foundation plantings should be triggered at the site planning stage for new development and the building permit stage for redevelopment of existing lots. Landowners should be required to provide a plan for landscaping along the foundation lines of their own homes and specify the type of materials to be planted.

Additionally, the City should explore establishment of a tree bank into which owners and developers of heavily wooded and treed lots may pay funds in lieu of plantings in order to fund landscape improvements throughout the City.

Forest Hills is plagued with rapidly spreading invasive species. The City should strongly encourage the eradication and/or replacement of such invasive species with native shrubs and trees that are compatible with the City's climate and soil conditions.

6. **Preservation of the Night Sky.** Excessive night-time lighting is one hallmark of an urban environment. The City, however, is a suburban estate community in which the night sky is every bit as important a natural resource as streams, hilltops and trees – and every bit as fragile. While the City currently regulates light pollution caused by both residential and non-residential uses, City residents have expressed support for greater protection of the night sky as a natural resource that may be lost as quickly as the flip of a switch. The City should further study options for preserving and protecting the night sky against all forms of light pollution. Furthermore, the City should commit the resources necessary to strictly enforce its regulations and discourage intensive lighting in adjacent municipal jurisdictions.

## H. **Transportation**

1. **Introduction.** Since Forest Hills is a residential community, with no major employment within its boundaries, the residents are sensitive to traffic problems. The City desires to protect the arterial and collector network so that it can continue to function at a high level of service, but the desire for adequate road capacity should not destroy the scenic character of the City, nor create a barrier between residents on opposite sides of the roads.

2. **Transportation System Management:** The densities in Forest Hills, which average one house per two acres of land, are such that two lane arterials (spaced about one to two miles apart) will more than adequately handle the traffic generated by its residents. The full build-out of the City will not overburden the roads, provided that regional pass through traffic does not overwhelm the system.

The land planning and transportation system planning must be coordinated with regional transportation authorities.

Where arterial streets pass through Forest Hills carry large volumes of traffic generated by regional demands, the City should establish scenic corridors that will preserve the character of the City.

Plans from Metro Nashville and Tennessee Department of Transportation suggest that the widening of Old Hickory Boulevard and Hillsboro Road are “inevitable.” The City and its constituents disagree with this analysis. In the past, the City has resisted movements to reconstruct these two roads into four lane highways. The City’s residents continue to insist that these roads should not be widened, but should be beautified and the areas’ rural estate character embellished with landscaping, plantings, and perhaps a system of bikeways to make the roads pedestrian friendly and to decrease the speed of traffic.

The City’s Major Street Plan, designed and recorded in 1991, and attached as the **Appendix 6**, should be updated. An update should include the following revisions: (i) designation of Old Hickory Boulevard, Hillsboro Road, Granny White Pike, and Harding Place as scenic two-lane arterials and(ii) analysis of the benefits and proposed locations of additional left-turning lanes. Furthermore, the City should foster relationships with TDOT and Metro’s Planning Organization to encourage cooperation in refining the transportation plan for Forest Hills and its regional neighbors.

## **I. Non-Residential Development**

The City of Forest Hills is a residential community with very limited non-residential uses such as religious, educational, country club, and historic commercial uses. Since the original plan was adopted, there have been several requests to add additional non-residential properties and to expand existing non-residential uses. The City has found that most of these additions have not been appropriate or in compliance with the residential character of the City.

The City’s residents oppose the non-residential use of property. New non-residential uses should be prohibited. No expansion of an existing non-residential use should be permitted unless the application is reviewed by the Planning Commission and approved by the Board of Commissioners and found to be appropriate for the district based on the following criteria: (i) the expansion complies with all bulk, performance, and other standards set forth in the Zoning Ordinance, (ii) the expanded use will not have detrimental effects upon the adjoining neighborhood in the vicinity of the proposed expanded use with regard to flow of traffic, noise, and lighting, (iii) the structure is consistent with the suburban estate character of the City, and (iv) the landscaping provides full screening for adjacent residential areas. Notice of applications for new non-residential uses and expansions thereof should be provided to all City residents.

**J. Cultural and Natural Resources and Beautification of the City**

The City's Cultural and Natural Resources Committee in recent years has spearheaded initiatives that increase awareness of the City and civic pride. Successful projects include creation and dedication of new street signs and the construction of gateways marking the borders of the City.

The Cultural and Natural Resources Committee should develop a master plan for increasing civic pride, highlighting cultural and natural resources, and otherwise beautifying the City. Such a master plan should include, but not be limited to, locating and constructing gateways, markers, and signage throughout the City, assisting the City in the location, design, and construction of a City Hall or similar public space, and generating a master plan for landscaping and beautification efforts along Hillsboro Road, Harding Place, Tyne Boulevard, Granny White Pike, Otter Creek, Chickering Road, and other valuable corridors within the City. Finally, the master plan should include proposals for the protection of cemeteries, historic homes, and existing stone fences within the City.

## V. CHAPTER FIVE: IMPLEMENTATION STRATEGIES.

A. **Conclusion.** Over its fifty year history, the City has developed a suburban estates character that prizes its natural resources and pastoral feel. The City of Forest Hills is a well-planned community. Opportunities exist for the City to improve on its existing planning and zoning and to ensure that new developments and redevelopments will complement the City's rich history.

Numerous citizens have contributed their time and energy to developing this Community Plan. Many more citizens will work to implement it in the coming decades. While some disagreements exist in planning for the City's future, one consensus goal remains clear: When revising or updating ordinances, regulations, and policies, do no harm. The City has a successful history of land use planning, and changes should be carefully considered before adoption.

This Community Plan envisions many ways to improve the community. Strategies for implementing the City's vision include the following:

B. **Open Space Preservation.** The Board of Commissioners should establish a program the objective of which is to protect natural open spaces. This program should have three specific goals: first, the program should develop and implement a public awareness program that educates landowners about the benefits of conservation easements. Second, the program should provide real assistance to residents who desire to place an easement on their property. Third, the program should include a land acquisition component that could acquire lands for the public welfare.

C. **Connect the City with Sidewalks, Bikeways, and Greenways.** The City should establish a program for the purpose of creating connections between neighborhoods in the City and between the City and its neighbors, including, but not limited to, Warner Parks and Radnor Lake. Such a program should assess opportunities and needs for infrastructure, assess the community's priorities, and identify a funding mechanism for sidewalks, bikeways, greenways and similar means of connecting the community.

D. **Amend the Zoning Ordinance and Subdivision Regulations.** This Community Plan proposes a number of possible amendments to the Zoning Ordinance and Subdivision Regulations. Such amendments must be certified by the Planning Commission and adopted by the Board of Commissioners prior to becoming law. The Planning Commission and Board of Commissioners should carefully study each of the following proposed changes:

1. Adopt the conservation subdivision as an optimal alternative to the traditional subdivision.
2. Study and analyze all performance and bulk standards for each zoning district and consider whether revisions are necessary. New bulk standards

proposed for possible implementation include floor area ratios for primary structures and building width to lot width ratio.

3. Consider revision of the natural resource protection standards in the Zoning Ordinance.

4. Eliminate flag lots as a means of subdividing land.

E. **Storm Water Management.** The City should adopt a storm water management ordinance. Not only is such an ordinance required under the City's NPDES permit, but such an ordinance will substantially improve the City's management of storm water runoff generated by new development. The City should consider the adoption of a capital improvement plan that budgets for storm water management into the future.

F. **Traffic Management Plan.** The City should revise and update its Major Street Plan and record the new plan in the property records of Davidson County.

G. **Amend and Update the City Zoning Map.** While this Community Plan does not recommend changing or amending the existing land use districts or the City Zoning Map, the City should consider whether amendments or updates are needed, such as in the case of creation of a conservation subdivision.

H. **Amend and Update the Tree Ordinance.** The City should update the City's Tree Ordinance.

I. **Enforcement of the Zoning Ordinance.** The City should conduct a thorough review of its application, approval, and permitting process to ensure clarity to residents and consistent application. Furthermore, the City should consider strengthening its enforcement capabilities with additional inspections, the cost of which may be borne by applicants through additional fees, and use of general sessions courts to enforce the City's standards.

J. **Capital Improvement Plan.** The City should consider development of a long-term capital improvement plan for the orderly funding of open space land acquisition, development of bikepaths, greenways, and other recreational developments, road maintenance, infrastructure improvements, the construction of a City Hall and other beautification measures, and the funding of storm water infrastructure.

K. **Intergovernmental Coordination.** The City should be forward thinking and proactive in its efforts to contain non-residential developments on the borders of the City. The City should foster strong relationships not only with Metropolitan Nashville, but also with Williamson County, and the cities of Oak Hill, and Brentwood, which have interests at stake in the development of property to the south and east of Forest Hills, which development will undoubtedly affect the City's residents.

Likewise, the City should take an active role in planning for the development of transportation within and through the City. Thus far, the City has resisted efforts to widen key corridors within the City limits; however, as Davidson and Williamson Counties

continue to grow, pressure will also grow to enhance the Hillsboro Pike and Old Hickory Boulevard corridors. To the extent the City might find itself unable to prevent reconstruction and widening, the City should place itself in the center of the debate and help form a solution that will protect the City's values while ensuring continuing connectedness with its neighbors.

Lastly, the City has immense resources and opportunities to create passive recreational opportunities in the form of greenways, trails, and bike paths. These opportunities can and should be connected with the City's neighbors, including Friends of Warner Parks, Friends of Radnor Lake, the City of Belle Meade, the City of Oak Hill, Metro Nashville, and the Metro Greenways Commission. Opportunities for grants and other funding are likely to increase with coordination and cooperation among these organizations with a result that benefits all parties.

## VI. APPENDICES.

- Appendix 1 – Parcels of Land with Potential for Subdivision
- Appendix 2A – Slopes in Excess of 15% and 20%
- Appendix 2B – Topographic Map
- Appendix 2C – Forested Areas
- Appendix 2D – Waterways, Floodplains, and other Water Features
- Appendix 2E – Soils Map
- Appendix 3 – Historic Places
- Appendix 4 – Stone Fences and Cemeteries
- Appendix 5 – Zoning Map
- Appendix 6 – Major Street Plan
- Appendix 7 – Existing and Proposed Sidewalks, Greenways and Bike Routes

### NOTE:

These appendices and maps are provided for reference only. The City of Forest Hills makes no representations or warranties as to the accuracy of the information or data contained in these appendices, is not responsible for errors or omissions herein, and provides this information “as is.”

### **Appendix 3**

The following homes within the city are listed on the National Register of Historic Places:

<b>NAME</b>	<b>LOCATION</b>
The Guilford Dudley, Sr. House (Hunter's Hill)	5401 Hillsboro Pike
The R.E. Martin House (Castlewood)	30 Castlewood Court
The P.D. Houston House (Woodcote)	5617 Hillsboro Pike
The Thomas P. Kennedy House	6231 Hillsboro Pike
The Dr. Cobb Pilcher House (Deepwood)	5335 Stanford Drive
The Henry Neuhoff House	1407 Chickering Road
The Mrs. Edward B. Craig House	1418 Chickering Road
The McCrory-Mayfield House	1280 Old Hickory Boulevard
The Hibbett/Evers House (The Hibbetteage)	2160 Old Hickory Boulevard
The Tyne House (Longleat)	5819 Hillsboro Pike

The following homes in the city are not listed on the National Register of Historic Places, but qualify for such registration:

<b>NAME</b>	<b>LOCATION</b>
The Henry Compton House	1645 Tyne Boulevard
The Philip Kerrigan House	1800 Chickering Road
The Howard Werthan House	5826 Hillsboro Pike

In 2001, the city conducted a survey of homes within the city to identify those with architectural, cultural, and historic significance. The city identified 114 properties with potential significance. Since that time, 15 homes have been razed. The homes catalogued in 2001 that remain standing today are identified on the following pages.

<b>NAME</b>	<b>LOCATION</b>
Robert J. and Louise Akin House	5130 Stanford Drive
Anderson House	6135 Hillsboro Pike
June and C. W. Andree House	3817 Harding Place
Nelson C. and Susan Andrews House	2812 Tyne Boulevard
Dr. Eddie H. Barksdale House	3904 Wayland Drive
Scott Beisel House	1420 Otter Creek Road
James V. Blevins House	5350 Hillsboro Pike
Jerry Bradley House	6027 Hillsboro Pike
Dr. T. Fort Bridges House	5140 Stanford Drive
Brightwood/Simmons-Herrin House	1510 Old Hickory Boulevard
Charles Burke Sr. House	1600 Old Hickory Boulevard
William A. Byrn Sr. House	5830 Hillsboro Pike
Charles Byron House	5650 Hillsboro Pike
Edward T. and Alice Carey House	2615 Hemingway Drive
Dr. Horton Casparis House	5400 Stanford Drive
Louise Castleberry House	5330 Stanford Drive
Castlewood/R. E. Martin House	30 Castlewood Court
Neely B. Coble Sr. House	5537 Stanford Drive
Henry Compton House	1645 Tyne Boulevard
Mrs. Edward Burr Craig House	1418 Chickering Road
Deepwood/Dr. Cobb Pilcher House	5335 Stanford Drive
Guilford Dudley Sr. House/Northumberland	2201 Harding Place
Guilford Dudley Sr. House/Hunter's Hill	5401 Hillsboro Pike
Robert Dunn House	5340 Stanford Place
E. A. Erickson House	3801 Harding Place
Alec T. and Kathleen Estes House	3819 Harding Place
Charles Evers House/B. K. Hibbett House	2160 Old Hickory Boulevard
Falzoue House	3815 A Harding Place
Falzoue House	3815 B Harding Place

<b>NAME</b>	<b>LOCATION</b>
Franklin Farrar House	5619 Granny White Pike
Delmas Goodwin House	3910 Wayland Drive
Gordon House	5661 Granny White Pike
Harold Hassenfeld House	5840 Hillsboro Pike
B. K. Hibbett House/Charles Evers House	2160 Old Hickory Boulevard
Will Hook House	5141 Granny White Pike
P. D. Houston House	5617 Hillsboro Pike
Joseph T. Howell House	1416 Chickering Road
Hunter's Hill/Guilford Dudley Sr. House	5401 Hillsboro Pike
Murray M. Johnson House	1625 Otter Creek Road
Edwin Keeble House	5405 Stanford Drive
Thomas P. Kennedy Jr. House	6231 Hillsboro Pike
Philip Kerrigan House	1800 Chickering Road
Dr. Paul D. Lamson House	5520 Stanford Drive
Dr. Frank H. and Milbrey Y. Luton House	5401 South Stanford Drive
R. E. Martin House/Castlewood	30 Castlewood Court
Robert W. McFadden House	1809 Otter Creek Drive
Dan E. McGugin Jr. House	5120 North Stanford Drive
Leon McQuiddy House	6101 Hillsboro Pike
William Minton House	5123 Stanford Drive
Henry Neuhoff House	1407 Chickering Road
Jeannette Acklen Noel House	5750 Hillsboro Road
Northumberland/Guilford Dudley Sr. House	2201 Harding Place
T. Murphy Payne House	6250 Hillsboro Pike
Louie M. and Betty Phillips House	5527 Stanford Drive
Dr. Cobb Pilcher House/Deepwood	5335 Stanford Drive
William C. Pinder Jr. House	2500 Tyne Boulevard
I. G. Pooley House	3908 Wayland Drive
Darwin A. Reavis House	3906 Wayland Drive
John W. Reynolds House	6119 Hillsboro Pike
John W. Reynolds, Jr. House	6115 Hillsboro Pike

<b>NAME</b>	<b>LOCATION</b>
William S. Riddle House	5146 Stanford Drive
Herman and Baylie Rosenblum House	2404 Tyne Boulevard
J. W. Rowland Jr. House	5912 Hillsboro Pike
J. W. Rowland Sr. House	5920 Hillsboro Pike
Earl Sadler House	6005 Hillsboro Pike
Dr. Herbert Sanborn House	1540 Old Hickory Boulevard
Edward Scruggs House	6251 Hillsboro Pike
Julian G. Scruggs House	4417 Chickering Lane
Seigenthaler House	5400 Hillsboro Pike
Simmons-Herrin House/Brightwood	1510 Old Hickory Boulevard
Snodgrass House	6129 Hillsboro Pike
Hugh Stallworth House	5904 Hillsboro Pike
Walter Stokes Jr. House	5403 Stanford Drive
Clifford M. Taggart House	5511 Granny White Pike
Ray and Anne Tarkington House	6107 Hillsboro Pike
George D. Thomas House	5300 Hillsboro Pike
Stephen and Margaret Tocknell House	1330 Otter Creek Road
Robert and Louisa F. Trance House	5134 Stanford Drive
William Waller House	4419 Chickering Lane
Colonel Marion Webb House	6139 Hillsboro Pike
Howard Werthan House	5826 Hillsboro Pike
Charles Whitworth House	6035 Hillsboro Pike
Cohen Williams House	1410 Chickering Road
Louis C. and Ethel Williams House	5137 Stanford Drive
Witherspoon-Zeigler House	5133 Stanford Drive
William T. York House	5627 Hillsboro Pike