

CHAPTER 4. RURAL CHARACTER SUBDIVISIONS

4-1. Intent

1. *Purpose.* Land designated in the General Plan as a T2 Rural Neighborhood policy reflects land with sensitive and unique topographic and geological characteristics, scarce prime agricultural land or landscapes with a historic rural community character. These areas provide living and working options differentiated from the more suburban and urban parts of the county. The value of rural and conservation land is recognized by the County in the General and Community Plans, which aim to protect and preserve the rural character and sensitive environmental resources on these lands. In areas designated as T2 Rural Neighborhood, the impact of land subdivision, land development, and intensification of activities can have significant ramifications to the region's resources and health and well-being. Therefore, these lands must be planned carefully to facilitate the maintenance of a harmonious development pattern, preservation of prime agricultural lands and the conservation of sensitive environmental resources and rural character is the key focus of any subdivision.

Development on the perimeter of the site should give consideration to protection of the property from adverse surrounding influences, as well as protection of the surrounding areas from potential adverse influences within the development. For example, development sites should not be located in proximity to neighboring agriculture operations without proper buffering. In addition, development sites should be located away from public roads and trails in order to preserve homeowner privacy. Diversity and an irregular in lot layout are encouraged in order to achieve the best possible relationship between the development and the land.

Through the application of Rural Character Subdivisions, it is the intent of the Planning Commission to:

- a. Provide for the preservation of open space as a watershed protection measure.
- b. Minimize adverse impacts on important natural resources and rural land.
- c. Preserve in perpetuity:
 1. Unique or sensitive natural resources such as groundwater, floodplains and floodways, wetlands, streams, steep slopes, prime agricultural land, woodlands and wildlife corridors and habitat.
 2. Scenic views.
 3. Historic and cultural features of the rural landscape, including historic farmhouses and outbuildings, stonewalls, and tree lines.
 4. Historic and archaeological sites.
- d. Permit flexibility of design of rural land that will result in a more efficient and environmentally sensitive use of land, while being harmonious with adjoining development and preserving rural character.
- e. Minimize land disturbance and removal of trees, vegetation, and soil during construction resulting in reduced erosion and sedimentation.
- f. Permit grouping of houses and structures on less environmentally sensitive soils that will reduce the amount of infrastructure, including paved surfaces and utility easements, necessary for development and will provide larger buffer areas to achieve appropriate rural development patterns.

- g. Promote interconnected open space, greenways and undeveloped natural vegetated corridors through the community for wildlife habitat, protection of watersheds and enjoyment and use by the community.
 - h. Produce a development pattern in rural areas consistent with rural character through variety in design rather than uniformity of appearance in siting and placement of buildings and use of open space.
 - i. Minimizing views of new development from existing roads.
2. *Application.* The Nashville-Davidson County General Plan and associated Community Plans establish a community vision to guide development. Compliance with the goals and policies of these plans ensures that new development is in harmony with existing and desired development patterns and promotes the community's vision. These regulations are designed to insure that the rural character of the specified areas designated as T2 Rural Neighborhood policies on the adopted General or Community Plan is maintained and enhanced to the greatest extent feasible. All requests for the subdivision of land within areas so designated as T2 Rural Neighborhood policies shall be reviewed and developed as a Rural Character Subdivision in accordance with the provisions of this Chapter.

4-2. Development Standards

1. Identification of Primary Conservation Land. Prior to design of any subdivision plan with new streets or joint access easement, Primary Conservation Land shall be identified and, subject to the provisions of Sections 4-2.2 and 4-2.3, preserved from any development or disturbance. Primary Conservation Areas include:
 - a. Land shown on FEMA maps as part of the 100 year floodplain or identified in local studies confirmed by the Stormwater Division of Metro Water Services (Stormwater Division)
 - b. All perennial and intermittent streams, floodways and associated buffers, as determined by Metro Stormwater.
 - c. Areas over 10,000 square feet of contiguous slopes over 15 percent.
 - d. Problem soil, as listed in Section 17.28.050 of the Metro Zoning Code.
 - e. Wetlands, as determined by Metro Stormwater.
 - f. Known habitat for rare, threatened, or endangered species.
 - g. Cedar Glade communities.
 - h. Archaeological sites, cemeteries and burial grounds.
 - i. Designated historic and specimen trees, as required by Section 17.40.450 of the Metro Zoning Code.
 - j. Scenic views onto the site from surrounding roads, as required by Section 4-2.5.

2. Preservation of Conservation Land. Unless an exception is granted under Section 4-2.3, all primary Conservation Areas shall be preserved and set aside through an appropriate means such as conservation easements and/or open space. Secondary Conservation Areas are encouraged to be preserved and set aside through an appropriate means, such as conservation easements and/or open space, to eliminate the possibility of future development of these areas. Examples of Secondary Conservation Areas are native forests, prime farmlands, wildlife habitats and significant historical and cultural sites.

3. Development Footprint. The remaining land outside the boundary of the Primary Conservation Land shall be designated as the Development Footprint. A preliminary grading plan is required with all concept plan applications.
 - a. The Planning Commission may approve an exception to permit land initially identified as a Primary Conservation area within the development footprint for public streets, joint access easements or other infrastructure, but not within lots, provided the development of such area minimizes impacts to environmental resources.
 - b. The Planning Commission may approve an exception for lots within areas over 10,000 square feet of contiguous slopes between 15 and 20 percent, provided there is no grading shown on the concept plan and/or final site plan within slopes over 15 percent. For lots within continuous slopes between 15 and 20 percent, grading for the driveway and structure shall be shown on a critical lot plan and shall tie into the natural grade within ten feet of the structure or driveway. Driveway width shall be a maximum of 16 feet. Grading is not permitted in areas over 20% slope.
4. Building Placement. In subdivisions without new streets or joint access easements, any subdivision application shall note proposed building envelopes. Building envelopes shall not be within areas listed in Section 4-2.1(a) through Section 4-2.1(j).
5. Rural Character Design. In order to preserve the desired rural character of these areas, two Character Options exist for the development of land.
 - a. Countryside Character Option. This option may be used for any rural character subdivision. It is intended to maintain a natural, open rural character by minimizing the visual intrusion of development along the primary roadways through the use of setbacks and building placement, existing vegetation and natural topographical features that obscure the view of development from the street.
 1. Open Alternative – Street frontage without existing vegetative or topographical screening. For the purposes of this section, “surrounding parcels” is defined as the five R, RS, AR2A or AG parcels oriented to the same block face on either side of the parcel proposed for subdivision, or to the end of the same blockface, whichever is less. If there are no surrounding parcels, the screened alternative shall be used.
 - a. Building Setback along existing public streets. The required building setback shall be varied between lots. Where the minimum required street setback is less than the average of the street setback of the two parcels abutting either side of the lot(s) proposed to be subdivided, a minimum building setback line shall be included on the proposed lots at the average setback of the abutting parcels. When one of the abutting parcels is vacant, the next developed parcel shall be used. For a corner lot, both block faces shall be used. Where the majority of the abutting parcels are not developed, the minimum building setback shall be two times the amount of lot frontage. However, in no instance shall the minimum building setback be greater than 1,000 feet.
 - b. Lot Depth along existing public streets. The minimum depth for lots along existing public streets shall be the building setback required by Section 4-2.5(a) plus 300 feet.
 - c. Lot size along existing public streets.

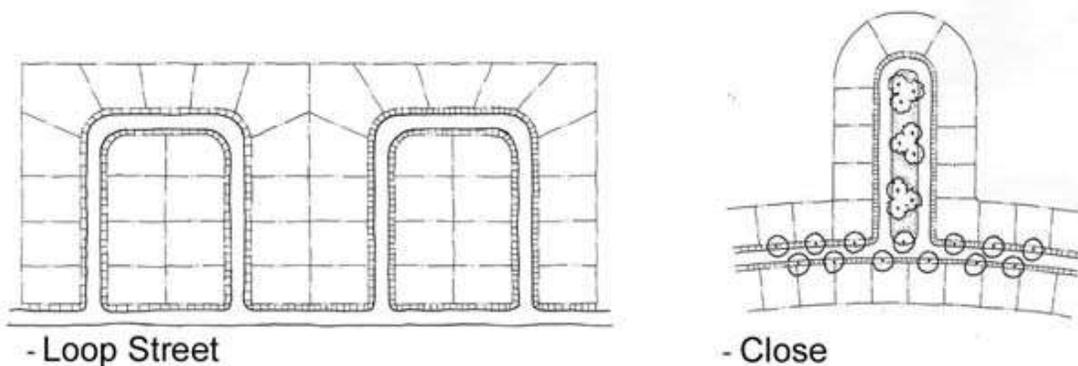
1. Individual lot sizes shall vary in size to reflect the rural character.
 2. The minimum lot size is either equal to or greater than 70% of the lot size of the average size of the surrounding parcels or equal to or larger than smallest of the surrounding parcels, whichever is greater.
 3. Flag lots shall not be included in the analysis.
- d. Lot frontage abutting existing public streets. Lot frontage is either equal to or greater than 70% of the average frontage of the surrounding parcels or equal to or greater than the smallest of the surrounding parcels, whichever is greater.
 - e. Street lights. Within the USD, street lighting shall be low intensity and shall be projected downward with illumination that shields light from being emitted upwards toward the night sky or on surrounding natural areas. Within the GSD, no private street lights are permitted.
 - f. Cluster lot option. Development through the Countryside (Open Alternative) Character Option may utilize the provisions of Cluster Lot Option (Section 17.12.090 of the Zoning Code) within the Development Footprint area, excluding lots abutting existing public streets. Smaller lot sizes may be appropriate with the application of a Specific Plan (SP) zoning district that addresses building height, architecture, landscaping, building placement and detailed grading plan.
2. Screened Alternative – Street frontage utilizing existing vegetative or topographical screening
 - a. Lot Screening. Lots shall be designed to minimize visibility from the existing roadway network. Preservation of existing tree stands, existing topography, natural berms, rock outcroppings, and other features that currently provide visual screening shall be prioritized as the preferred means to minimize visibility. The concept plan/final plat shall include a landscape plan stamped by a landscape architect indicating the method to minimize the visibility from the adjacent roadway network. The Planning Commission shall determine whether the proposed screening method is sufficient to achieve the purposes of screening the development within a short (2-4 year) period and may require a bond to ensure the protection or completion of this improvement. The building envelopes shall be shown on the concept plan/final plat as a means to evaluate the effectiveness of existing and/or proposed visual screening techniques. All existing or proposed screening areas shall be designated as Conservation Land. The depth of the screened area shall be equal to the farthest building setback of primary structures on the surrounding parcels plus 300 feet. If no surrounding parcels are developed, then the screened area shall be 500 feet from the public right of way.
 - b. Street lights. Within the USD, street lighting shall be low intensity and shall be projected downward with illumination that shields light from being emitted upwards toward the night sky or on surrounding natural areas. Within the GSD, no private street lights are permitted.

- c. Cluster lot option. Development through the Countryside (Screened Alternative) Character Option may utilize the provisions of Cluster Lot Option (Section 17.12.090 of the Zoning Code) within the Development Footprint area. Smaller lot sizes may be appropriate with the application of a SP that addresses building height, architecture, landscaping, etc.
 - d. Use of Lot Screening Areas. Within the area designated for lot screening, areas identified as Prime farmland soils and land in agricultural use may be used for agricultural purposes, if permitted by the base zoning.
 - b. Agricultural Character Option. This option may be used at the choice of the property owner when the primary function of the subdivision is for agricultural use and a more open character is desired. A deeper building setback is required in order to maintain a rural building framework along the street. Buffers shall be provided between houses and agricultural lands to reduce the potential for conflict between residents and farming activities.
 - 1. Building Setback. The building setback from the front lot line shall be a minimum of 200 feet or 2 times the width of the lot along the lot frontage, whichever is greater. However, in no instance shall the minimum building setback be greater than 1,000 feet.
 - 2. Street lights. Within the USD, street lighting shall be low intensity and shall be projected downward with illumination that shields light from being emitted upwards toward the night sky or on surrounding natural areas. Within the GSD, no private street lights are permitted.
 - 3. Use of Conservation Areas. Within the designated Conservation Land, areas identified as prime farmland soils and land already in agricultural use may be used for agricultural purposes, if permitted by the base zoning.
 - 4. Cluster lot option. Development through the Agricultural Character Option may utilize the provisions of Cluster Lot Option (Code Sec 17.12.090 of the Zoning Code) provided the Development Footprint is internal to the overall subdivision and can be shown to comply with Subsection d of this Section.
 - 5. Supporting Agricultural Uses. The application of the Agricultural Character option shall:
 - a. Support continuing or proposed new agricultural uses on the tract and adjacent tracts by configuring lots in a manner that maximizes the usable area remaining for such agricultural uses;
 - b. Include appropriate separations/buffers between agricultural uses and residential structures to allow for the continued agricultural use;
 - c. Minimize impacts to prime farmland soils and large tracts of land in agricultural use; and
 - d. Avoid interference with normal agricultural practices.
 - c. Public Road Frontage. The Planning Commission may approve up to ten lots within a Rural Character subdivision without direct frontage on a public street provided there is a joint access easement to the lots.
 - d. Preservation of Tree Canopy. Prior to any land disturbance within the Development Footprint, a tree survey shall be undertaken and all recommended canopy trees on the Urban Forestry Recommended and Prohibited Tree and Shrub List that are 12" or greater in diameter shall be identified. No such identified trees shall be removed unless the tree is within the designated building

envelope as designated on the final plat or approved for removal by the Urban Forester due to condition, disease or damage.

- e. **Street Design.** A primary objective of Rural Character Subdivisions is to maintain an open space and environmental network through the uninterrupted connection of Conservation Land. Buildings are often located and oriented on the land to reflect the natural features of the land, and not a standardized streetscape. When creating any new roads in rural policy areas, roads that complement the rural character of existing rural corridors by using a two-lane rural cross section with swale and reflective striping (ST-255) shall be required. It is anticipated that road connectivity in these subdivisions may be less than other parts of the County. However, road connections may be required whenever necessary to further the overall rural character of the area.
 1. The street pattern shall be designed to minimize impacts to environmental resources and follow existing terrain as much as possible to minimize earthmoving and disturbance of the existing topography.
 2. Streets and private driveways should avoid open fields, agricultural lands, and sensitive lands, preferably along tree lines.
 3. Wherever possible, streets and driveways shall follow existing fence lines, hedgerows, and any existing gravel/dirt road.
 4. Streets may be designed using the appropriate street types contained in the Contextual Street Classification as defined in Section 7-2. Use of Public Works Street Cross Section ST-255 or equivalent (Non Curb and Gutter Cross Section) is encouraged for all local streets.
 5. Driveway crossings on streets built without curb and gutters shall meet the standards for driveway crossings contained in Volume 1 of the Stormwater Management Manual.
 6. Cul-de-sacs are generally discouraged and shall be permitted only where all other street design alternatives, such as loop streets or closes shown in Figure 4-1, are not feasible and one of the following two conditions exists:
 - a. Where natural features such as wetlands or steep slopes exist or other primary or secondary conservation areas that are not desirable to remove.
 - b. Where connection to an existing or planned street is blocked by an existing permanent structure, an existing or planned interstate, or a protected open space area.

Figure 4-1: Alternatives to Cul-de-sacs.



7. The street network shall be designed to:
 - a. Preserve existing tree lines, hedgerows, and watercourses.
 - b. Minimize alteration of natural, cultural, or historic features.
 - c. Promote pedestrian movement.
 - d. Secure the view to prominent natural vistas.
 - e. Minimize crossing of designated Conservation Land.
- f. Private streets as defined in Section 3-9 3 of these regulations (Requirements for Streets) are appropriate as needed to maintain the rural character of proposed subdivision.
- g. Drainage and Storm Sewers. The storm water system within a subdivision shall be designed in accordance with the requirements of Section 3-14 of these regulations and the requirements of the Metropolitan Stormwater Management Regulations. Use of rural appropriate or light impact storm-water management designs is encouraged.
- h. Public Water Facilities. The public water system shall be designed in accordance with the requirements of Section 3-15 of these regulations and the requirements of the Metropolitan Department of Water Services.
- i. Utilities. All utilities shall be located underground in accordance with the provisions of Section 3-17 of these regulations.
- j. Sewerage Facilities. All sewerage facilities shall be designed in accordance with the requirements of Section 3-16 of these regulations.
- k. Areas of Common Sewage Disposal for Individual Sewage Disposal Systems. The location of all operating parts of the individual sewage disposal systems or other sewage disposal system approved by Metro Water Services, situated in lands held in common and any easements shall be shown on the final subdivision plat.
- l. Lands Set Aside. Land that is dedicated for use for a sanitary sewer disposal, whether for a public system or an individual sewage disposal system or other sewage disposal system approved by Metro Water Services, or land that is dedicated for conventional stormwater management devices, that require a disturbance to the land, shall be set aside for such purposes and not included as Conservation Lands.

4-3 Conservation Land and Common Property Management

1. *Homeowners' Association Required.* A homeowners' association shall be established and membership in the association shall be mandatory for all purchasers of homes in the development and their successors. The homeowners' association bylaws shall guarantee continuing maintenance of the open space and other common facilities.

