

Ethan Greer

From: Abby Bowlin <abbybowlin@gmail.com>
Sent: Sunday, September 14, 2025 10:28 PM
To: Ethan Greer
Cc: pcarter@mtlawgroup.net
Subject: New Fairview Zoning Code

You don't often get email from abbybowlin@gmail.com. [Learn why this is important](#)

Dear Mr. Greer and City of Fairview Planning Staff,

I am writing to express concern regarding the proposed new Zoning Code for the City of Fairview, in particular the proposed zoning changes to 5185 Old Harding Road.

I oppose this new Zoning Code and I am asking that you slow down this process and allow more time for comments and consideration concerning the long-term impact this new Code may have on the City of Fairview and the impact that it will certainly have on the surrounding rural property.

On September 4, 2025, you participated in a Board of Zoning Appeals hearing where citizens, neighbors and experts expressed concerns regarding a conditional use application for a “Rural Retreat/Private Club” for 5185 Old Harding Road. The proposed conditional use was commercial in nature and not appropriate for the land, including a racetrack, a gun-range, short-term rental units and an amphitheater. The citizens of the affected area were given short notice to respond and respond they did, with clarity. The conditional use application was denied.

Today, again with short notice, I write during the public comment period of the proposed new Development Code to express serious concerns. Specifically, it seems the proposed Code seeks to expand and codify permitted uses on 5185 Old Harding Road in a manner that directly conflicts with the “Rural Settlement” characterization of the property provided within the Fairview 2040 Comprehensive Plan.

The Future Land Use and Character Map of the 2040 Comprehensive Plan clearly designates 5185 Old Harding Road as “Rural Settlement” and lists only agriculture and single-family detached residential as appropriate land uses. This is consistent with the top two “Major Takeaways” of the Fairview 2040 Comprehensive Plan which are to: 1) Keep a quaint, country Fairview, and 2) Maintain the small community feel.

The new Code describes CD-2 areas, which is the proposed new zoning category for 5185 Old Harding Road, as “sparsely settled, primarily agriculture or low density single-family detached residential areas.” However, buried deep within the proposed Code are many permitted uses, some by right and others subject to limited use, that are clearly commercial uses, and should not be permitted because they are inconsistent with the Rural Settlement designation in the 2040 Comprehensive Plan. This includes a curious but familiar footnote for Rural Retreat. Examples of CD-2 permitted uses in the proposed code that I find objectionable include but are not limited to:

- Amphitheatre

- Membership Club or Lodge
- Rural Retreat
- Inn
- Schools
- Funeral Home

These uses are intrinsically commercial and incompatible with 1) the existing character of the land, 2) the sentiment of the surrounding area and property owners, and 3) Fairview's own 2040 Comprehensive Plan.

The new zoning for 5185 Old Harding Road is also not appropriate when considered in the context of unique natural features and development challenges posed by the property's topography. To restate some important attributes of that topography:

1. Multiple streams and springs that feed directly into the South Harpeth River, with multiple surrounding residences reliant on spring water as their primary water source;
2. Severe slopes and pronounced heavily wooded ridgelines that exceed 800 feet;
3. Most of the property is covered by dense forest which provides a biodiverse natural habitat protects against erosion and stormwater runoff;
4. Part of the property is in or immediately adjacent to the South Harpeth floodplain; and,
5. Working livestock farms operate adjacent to the property.

Since 1991, when 5185 Old Harding was annexed, the zoning has never properly considered the physical character of that property and the surrounding area. The result has been failed projects and wasted resources for developers and the neighboring community alike. Over the past three decades, the enforcement standards related to challenging topography and storm water have only become more stringent; the weather has only become more severe.

Further to this point, the Fairview Forward Vision Statement contained in the 2040 Comprehensive Plan explicitly states that the City of Fairview "is sensitive to the natural features and the environment." I would submit that there is no more environmentally sensitive parcel in Fairview than 5185 Old Harding Road.

Finally, I have real concerns that the interests of Fairview constituents, including neighboring communities, have not been fairly considered in spots of the Code like 5185 Old Harding Road.

To conclude, we ask that you take additional time to carefully review this Zoning Code and the impact it will have on some of these last remaining rural areas of town such as 5185 Old Harding Road. As drafted the Zoning Code will not protect these areas. 5185 Old Harding Road deserves protection. It should remain rural agricultural or residential in character consistent with the 2040 Plan with no permitted or conditional use exceptions (including footnotes) that would be commercial in character, because commercial uses will destroy the agricultural character of the land and surrounding area that we love.

Thank you again for your time and consideration,
 Abby Bowlin
 615-424-6544

Ethan Greer

From: Abby Mitchell <abbymitchell@mac.com>
Sent: Sunday, September 14, 2025 6:09 AM
To: Ethan Greer
Cc: pcarter@mtlawgroup.net
Subject: Zoning change

You don't often get email from abbymitchell@mac.com. [Learn why this is important](#)

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Thank you again for your time and consideration,
Abby L. Mitchell

Ethan Greer

From: Andrew Mitchell <andrew.mitchell9@ymail.com>
Sent: Tuesday, September 9, 2025 5:08 PM
To: Ethan Greer
Subject: Public comment to new development code

You don't often get email from andrew.mitchell9@ymail.com. [Learn why this is important](#)

Hi Mr. Greer,

In the last BOZA meeting it was mentioned by the developer that within the new development code they wouldn't have need to ask for a permit to put in a racetrack, lodges, shooting range, etc. on that R-20 parcel of land. I also understand that TPUDC is the developer's representative and also is writing the new codes, so it can be assumed that there is some reality in that statement.

It may mean that in the new code they could go straight to the planning commission with the plans and not to the BOZA, which still requires approval but not a public hearing as it did with BOZA.

Either way, if it is true that they could move forward without the scrutiny and approval of some type of board and the public best interest within the city, it should be edited before approval to ensure the public and the city have say in what it placed on open land. Require BOZA approval of special conditions and special permits is a worthy avenue for anything outside of standard planned subdivisions with homes.

Please take into consideration the potential avenues of skirting public input the developers may take in the new code rules.

Thank you,

Andrew Mitchell
7309 Buckhorn Ct.
Fairview, TN 37062
(City Resident)
BOZA member

Ethan Greer

From: anthony vincent <ajvincent2@gmail.com>
Sent: Sunday, September 14, 2025 6:47 PM
To: Ethan Greer
Cc: pcarter@mtlawgroup.net
Subject: proposed new Zoning Code for the City of Fairview, in particular the proposed zoning changes to 5185 Old Harding Road.

You don't often get email from ajvincent2@gmail.com. [Learn why this is important](#)

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Thank you again for your time and consideration,
 Anthony Vincent
 7935 Fernvale Road, Fairview, TN 37062
 615-799-8001

Ethan Greer

From: Art Erickson <aherickson3@gmail.com>
Sent: Sunday, September 14, 2025 10:29 AM
To: Ethan Greer
Cc: pcarter@mtlawgroup.nets
Subject: Proposed new development zoning code

You don't often get email from aherickson3@gmail.com. [Learn why this is important](#)

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Thank you again for your time and consideration,

Arthur H and Barbara S Erickson
5304 Old Harding Rd
Franklin, TN 37064

Ethan Greer

From: Comcast <bcmorelli@comcast.net>
Sent: Sunday, September 14, 2025 3:10 PM
To: Ethan Greer; pcarter@mtlawgroup.net
Subject: Proposed Zoning Code

[You don't often get email from bcmorelli@comcast.net. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Dear Mr. Greer and City of Fairview Planning Staff:

We are writing to express our concern about, and opposition to, the new Zoning Code for the City of Fairview. Our belief is that the proposed changes will subvert the intent of the well reasoned and collaboratively developed Fairview 2040 Comprehensive Plan which recognized the unique character of the special rural areas within Fairview and sought to limit the types of usage which are incompatible with those areas.

Particularly with regard to the property on 5185 Harding Road which was designated as "Rural Settlement", the proposed changes would drastically change the character of that property to the detriment of the surrounding community. The South Harpeth watershed is an environmentally important and diverse ecological area which would be negatively impacted by the development proposed for that property. The continued erosion of rural and agricultural land use for high traffic, high water usage commercial developments disguised as "rural retreats" or "inns" will destroy the character of the community you're charged with protecting.

We sincerely and respectfully request that this process be slowed down to allow further comment and a more in-depth study of unintended, but negative, impacts.

Sincerely,
Bill and Cindy Morelli
7346 Caney Fork Road
Fairview TN 37064
Sent from my iPhone

Ethan Greer

From: Callie Fold <callie.fold@gmail.com>
Sent: Saturday, September 13, 2025 1:13 PM
To: Ethan Greer
Cc: pcarter@mtlawgroup.net
Subject: Concerned about proposed development code

You don't often get email from callie.fold@gmail.com. [Learn why this is important](#)

Dear Mr. Greer and City of Fairview Planning Staff,
I am writing to express concern regarding the proposed new Zoning Code for the City of Fairview, in particular the proposed zoning changes to 5185 Old Harding Road.

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Thank you again for your time and consideration,
Callie Fold

Ethan Greer

From: Cindy Griffin <cindygriffin615@gmail.com>
Sent: Saturday, September 13, 2025 8:40 AM
To: Ethan Greer
Cc: pcarter@mtlawgroup.net
Subject: Proposed new zoning code for City of Fairview

You don't often get email from cindygriffin615@gmail.com. [Learn why this is important](#)

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Thank you again for your time and consideration,
Cindy Griffin
Fernvale resident
5850 Old 96

Sent from my iPhone

Ethan Greer

From: C K Durso <ckd7207@gmail.com>
Sent: Sunday, September 14, 2025 1:04 PM
To: Ethan Greer
Subject: Hell no

You don't often get email from ckd7207@gmail.com. [Learn why this is important](#)

Sir: just to be clear, I am writing to state direct and implacable opposition to the new regs for Fairview Development Code.

How did the drafting of these regs square with the zoning board's unanimous decision to deny the commercial use application by Walker Lunn?

Why did Walker Lunn boldly state that "in the fall" he wouldn't need community consent to ram his project through?

I live in the northern end of Fernvale, actually a Metro Davidson physical location; there are a couple dozen landowners up here who are attached to the valley via the South Harpeth River. Development in the valley, whether it is Fairview annexed or not, is a major concern, especially to our water sources.

Has anyone in the Fairview zoning office been in touch with Metro? Have they been apprised of potential impacts on Old Harding road traffic, has TDEC been apprised of potential septic/runoff issues affecting the river?

You cannot do this in a vacuum, everything in Fernvale is connected to everything else. I am told the new regs have loopholes in them to allow exactly the kinds of commercial uses that Walker Lunn proposed and which the zoning board voted down, is this true??

If it is, the zoning board is a mockery. Do the members know this?

Is it true that you outsourced the drafting of the regs to a company which is aligned with Walker Lunn? Can you say 'conflict of interest'?

The old song says "you don't know what you got til it's gone, they paved paradise and put up a parking lot."

Is this your plan?

If I am off base here, please prove me wrong. If I am not, what possible justification can there be?

sincerely

Ethan Greer

From: Clint Crossno <ccrossno@leecompany.com>
Sent: Sunday, September 14, 2025 3:46 PM
To: Ethan Greer; pcarter@mtlawgroup.net
Subject: OPPOSE New Zoning for 5185 Old Harding Road

You don't often get email from ccrossno@leecompany.com. [Learn why this is important](#)

Dear Mr. Greer and City of Fairview Planning Staff,

I am writing to express concern regarding the proposed new Zoning Code for the City of Fairview, in particular the proposed zoning changes to 5185 Old Harding Road.

I oppose this new Zoning Code and I am asking that you slow down this process and allow more time for comments and consideration concerning the long-term impact this new Code may have on the City of Fairview and the impact that it will certainly have on the surrounding rural property.

On September 4, 2025, you participated in a Board of Zoning Appeals hearing where citizens, neighbors and experts expressed concerns regarding a conditional use application for a "Rural Retreat/Private Club" for 5185 Old Harding Road. The proposed conditional use was commercial in nature and not appropriate for the land, including a racetrack, a gun-range, short-term rental units and an amphitheater. The citizens of the affected area were given short notice to respond and respond they did, with clarity. The conditional use application was denied.

Today, again with short notice, I write during the public comment period of the proposed new Development Code to express serious concerns. Specifically, it seems the proposed Code seeks to expand and codify permitted uses on 5185 Old Harding Road in a manner that directly conflicts with the "Rural Settlement" characterization of the property provided within the Fairview 2040 Comprehensive Plan.

The Future Land Use and Character Map of the 2040 Comprehensive Plan clearly designates 5185 Old Harding Road as "Rural Settlement" and lists only agriculture and single-family detached residential as appropriate land uses. This is consistent with the top two "Major Takeaways" of the Fairview 2040 Comprehensive Plan which are to: 1) Keep a quaint, country Fairview, and 2) Maintain the small community feel.

The new Code describes CD-2 areas, which is the proposed new zoning category for 5185 Old Harding Road, as "sparsely settled, primarily agriculture or low density single-family detached residential areas." However, buried deep within the proposed Code are many permitted uses, some by right and others subject to limited use, that are clearly commercial uses, and should not be permitted because they are inconsistent with the Rural Settlement designation in the 2040 Comprehensive Plan. This includes a curious but familiar footnote for Rural Retreat. Examples of CD-2 permitted uses in the proposed code that I find objectionable include but are not limited to:

- Amphitheatre
- Membership Club or Lodge

- Rural Retreat
- Inn
- Schools
- Funeral Home

These uses are intrinsically commercial and incompatible with 1) the existing character of the land, 2) the sentiment of the surrounding area and property owners, and 3) Fairview's own 2040 Comprehensive Plan.

The new zoning for 5185 Old Harding Road is also not appropriate when considered in the context of unique natural features and development challenges posed by the property's topography. To restate some important attributes of that topography:

- 1 Multiple streams and springs that feed directly into the South Harpeth River, with multiple surrounding residences reliant on spring water as their primary water source;
- 2 Severe slopes and pronounced heavily wooded ridgelines that exceed 800 feet;
- 3 Most of the property is covered by dense forest which provides a biodiverse natural habitat protects against erosion and stormwater runoff;
- 4 Part of the property is in or immediately adjacent to the South Harpeth floodplain; and,
- 5 Working livestock farms operate adjacent to the property.

Since 1991, when 5185 Old Harding was annexed, the zoning has never properly considered the physical character of that property and the surrounding area. The result has been failed projects and wasted resources for developers and the neighboring community alike. Over the past three decades, the enforcement standards related to challenging topography and storm water have only become more stringent; the weather has only become more severe.

Further to this point, the Fairview Forward Vision Statement contained in the 2040 Comprehensive Plan explicitly states that the City of Fairview "is sensitive to the natural features and the environment." I would submit that there is no more environmentally sensitive parcel in Fairview than 5185 Old Harding Road.

Finally, I have real concerns that the interests of Fairview constituents, including neighboring communities, have not been fairly considered in spots of the Code like 5185 Old Harding Road.

To conclude, we ask that you take additional time to carefully review this Zoning Code and the impact it will have on some of these last remaining rural areas of town such as 5185 Old Harding Road. As drafted the Zoning Code will not protect these areas. 5185 Old Harding Road deserves protection. It should remain rural agricultural or residential in character consistent with the 2040 Plan with no permitted or conditional use exceptions (including footnotes) that would be commercial in character, because commercial uses will destroy the agricultural character of the land and surrounding area that we love.

Thank you again for your time and consideration,

Clint Crossno, 5143 Bedford Creek Road

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Clint Crossno
Senior Account Representative



m: 615-979-5181

ccrossno@leecompany.com



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Ethan Greer

From: Colleen Curran <ccurran_22@yahoo.com>
Sent: Saturday, September 13, 2025 8:03 AM
To: pcarter@mtlawgroup.net; Ethan Greer; Mayor Lisa Anderson
Subject: Zoning Code for the City of Fairview

You don't often get email from ccurran_22@yahoo.com. [Learn why this is important](#)

Dear Mr. Greer and City of Fairview Planning Staff,

I am writing to express concern regarding the proposed new Zoning Code for the City of Fairview, in particular the proposed zoning changes to 5185 Old Harding Road.

I oppose this new Zoning Code and I am asking that you slow down this process and allow more time for comments and consideration concerning the long-term impact this new Code may have on the City of Fairview and the impact that it will certainly have on the surrounding rural property.

The flooding along Fernville and Old Harding should be taken into consideration much more than it has been. I am not sure everyone is informed of even how bad things were this spring for several of us. I'm quite literally worried that if the flooding is not taken into consideration when developing the land, my land and home will be destroyed.

On September 4, 2025, you participated in a Board of Zoning Appeals hearing where citizens, neighbors and experts expressed concerns regarding a conditional use application for a "Rural Retreat/Private Club" for 5185 Old Harding Road. The proposed conditional use was commercial in nature and not appropriate for the land, including a racetrack, a gun-range, short-term rental units and an amphitheater. The citizens of the affected area were given short notice to respond and respond they did, with clarity. The conditional use application was denied.

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- Membership Club or Lodge
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-

These uses are intrinsically commercial and incompatible with 1) the existing character of the land, 2) the sentiment of the surrounding area and property owners, and 3) Fairview's own 2040 Comprehensive Plan.

The new zoning for 5185 Old Harding Road is also not appropriate when considered in the context of unique natural features and development challenges posed by the property's topography. To restate some important attributes of that topography:

1.
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2.
Severe slopes and pronounced heavily wooded ridgelines that exceed 800 feet;
3.
Most of the property is covered by dense forest which provides a biodiverse natural habitat protects against erosion and stormwater runoff;
4.
Part of the property is in or immediately adjacent to the South Harpeth floodplain; and,
5.
Working livestock farms operate adjacent to the property.

Since 1991, when 5185 Old Harding was annexed, the zoning has never properly considered the physical character of that property and the surrounding area. The result has been failed projects and wasted resources for developers and the neighboring community alike. Over the past three decades, the enforcement standards related to challenging topography and storm water have only become more stringent; the weather has only become more severe.

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Finally, I have real concerns that the interests of Fairview constituents, including neighboring communities, have not been fairly considered in spots of the Code like 5185 Old Harding Road.

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Thank you again for your time and consideration,

[Sent from Yahoo Mail for iPhone](#)

Ethan Greer

From: Corri Knight <coriknight@gmail.com>
Sent: Sunday, September 14, 2025 9:52 AM
To: Ethan Greer
Cc: pcarter@mtlawgroup.net
Subject: 5185 Old Harding Road // PUBLIC COMMENT

You don't often get email from coriknight@gmail.com. [Learn why this is important](#)

Dear Mr. Greer and City of Fairview Planning Staff,

I am writing to express concern regarding the proposed new Zoning Code for the City of Fairview, in particular the proposed zoning changes to 5185 Old Harding Road.

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Thank you again for your time and consideration,

Corri Knight

Ethan Greer

From: Courtney Scott <cdsnash@att.net>
Sent: Saturday, September 13, 2025 5:15 PM
To: Ethan Greer
Cc: pcarter@mtlawgroup.net; Court Scott
Subject: Opposition Statement to Pending Zoning Development Code affecting Fernvale and Fairview by Courtney and Susan Scott, of Old Harding Rd. in Fernvale.

You don't often get email from cdsnash@att.net. [Learn why this is important](#)

Dear Mr. Greer and City of Fairview Planning Staff:

I am Courtney David Scott and my wife is Susan Lynn Scott. We are taxpayers and have owned/resided in our home and 5 acre property in FERNVALE since December of 2013, at 5386 Old Harding Rd., Franklin, TN 37064.

I go by "Court", and am a retired Legal Analyst, Regulatory Compliance Analyst, and previously a Social Worker, and am also a published/recorded songwriter/singer/musician, wildlife expert and Tae Kwon Do black belt holder. Susie is a retired Mortgage Funding analyst and also current singer/songwriter/musician.

I voiced our vehement opposition to the proposed **"alleged Rural Retreat"** (which it is **NOT**) at the Board of Zoning Appeals hearing on September 4, 2025.

We moved to **Fernvale** in 2013 precisely because **Fernvale** was and already is a **true retreat**. We do not want to see it ruined by setting precedents for the types of commercial enterprises that are threatening us and our Fernvale neighbors. Please see a photo of our property and home below:



The proposed intrusion of a **"false rural retreat"** and other similar obviously commercial uses are frankly disgusting to us. Our spring-fed property is a natural wildlife and bird sanctuary that includes otter and 3 species of owl.

Our lives are enriched by the simple sights, sounds and scents of nature. We would be devastated by the sights, sounds and scents of a 180 mph racetrack, gun range and huge increase in vehicle traffic air and noise pollution. So much will be destroyed, while also reducing our property value. Loud noises will echo up and down the 'Vale like a war zone, harming wildlife and the Fernvale way of life.

Please be so kind as to allow me to support and reiterate the statements below from Ms. Gill Murrey - I have highlighted several sections for emphasis.

.....
.....
"Dear Mr. Greer and City of Fairview Planning Staff,

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Thank you again for your time and consideration".

.....

Mr. Greer and Colleagues, thank you so much for considering our serious plight.

Please:

1. Protect our unique wonderful natural neighborhood retreats and wildlife.
2. Don't accept the proposed Development Code verbiage as is - reconsider as outlined by Ms. Murrey, and
3. Do not allow THE FERNVALE VISION to be trampled by these unenvisioned/unintended noxious developments.

Let me know if any questions, and thanks so much for listening. :) :)

Best,

Court & Susie Scott, Taxpayers

5386 Old Harding Rd., Franklin, TN 37064

cdsnash@att.net

(615) 403-6218

Ethan Greer

From: Cynthia Bennett <cbee.0820@gmail.com>
Sent: Saturday, September 13, 2025 1:35 PM
To: Ethan Greer
Cc: pcarter@mtlawgroup.net
Subject: New Fairview Codes

You don't often get email from cbee.0820@gmail.com. [Learn why this is important](#)

Dear Mr. Greer and City of Fairview Planning Staff,

I am writing to express concern regarding the proposed new Zoning Code for the City of Fairview, in particular the proposed zoning changes to 5185 Old Harding Road.

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Thank you again for your time and consideration,

Robert and Cindy Bennett

Ethan Greer

From: Daisy Jabas <daisyjabas@gmail.com>
Sent: Sunday, September 14, 2025 9:25 PM
To: Ethan Greer; pcarter@mtlawgroup.net
Subject: I oppose the adoption of the new Fairview Development Code

You don't often get email from daisyjabas@gmail.com. [Learn why this is important](#)

Dear Mr. Greer and City of Fairview Planning Staff,

I strongly oppose the adoption of the new Fairview, TN Development Code.

The City of Fairview has technically fulfilled its citizen-notification requirements, but making the public aware was insufficient. A significant portion of Fairview's residents—along with many from the surrounding rural communities—were unaware of this sweeping proposal and had little to no opportunity to meaningfully participate in the process. The lack of transparency and the speed with which these changes are scheduled to happen raise serious questions

The public outcry on September 4, 2025, made it clear: citizens oppose the development of a road course and strongly reject the broader urbanization of Fairview's rural outskirts. To proceed with the proposed code would be to ignore the expressed will of the people. These concerns were voiced clearly during the Sept 4th public hearing and reflect a wider opposition to altering the character of annexed or potentially annexed rural land.

Residents on Sept 4th raised valid concerns regarding flood risks, traffic impacts, stormwater runoff, erosion, spring water contamination, and other serious safety and environmental risks. These merit comprehensive study before any consideration of moving forward the new development code. They have not been adequately addressed.

There are the apparent conflicts of interest. Mr. W. B. Wright, the founding principal of TPUDC, is directly involved in a proposed rural development project (Parcel 5185) annexed by Fairview. At the same time, Mr. W. S. Wright, also from TPUDC, is leading the framework tasked with drafting the very development code that would govern these lands. Additionally, Mr. Brandon Butler, who stands to profit from the land sale, is also serving as a consultant on this code. These overlapping roles raise serious ethical questions and threaten the integrity of the entire process.

I urge you to slow this process down and protect 5185 Old Harding Road in alignment with the 2040 Plan. This is a moment to leave a lasting legacy—how you steward Fairview's remaining rural lands will be remembered for generations. Please keep this land rural and

agricultural, without conditional or commercial-use loopholes, so that our shared vision of a quaint, small-town Fairview endures.

Daisy Jabas
Landowner
7935 Fernvale Road
615-799-8001

Ethan Greer

From: this... <patmurph00@aol.com>
Sent: Saturday, September 13, 2025 6:28 PM
To: Ethan Greer
Cc: pcarter@mtlawgroup.net
Subject: PLEASE ADD US TO THE LIST OF THOSE OPPOSED

You don't often get email from patmurph00@aol.com. [Learn why this is important](#)

----- Forwarded Message -----

From: Daisy Jabas <daisyjabas@gmail.com>
To: Marshall Abbott <marsh.abbott@gmail.com>; Karen Johnson <karen.johnson1220@gmail.com>; Kayla <kayla13328@gmail.com>; Eddie Wilson <eddiekeithwilson@gmail.com>; Chris Simmons <csimmons@higusa.com>; Terri Super <terrisuper@att.net>; James Kee <jkee0521@gmail.com>; Susie & Kenny <susiemeeks@yahoo.com>; Ruth Drury <natureandlaughter@gmail.com>; Mary Stone <maryostone@gmail.com>; John Jordan <jcj1940@hughes.net>; John Stone <jstone@jwstonelaw.com>; Nikki <lnj24@aol.com>; Chris King <wendellicking@yahoo.com>; Rona Branson <ronabran@gmail.com>; Ed Begun <10cwalker@proton.me>; Jodi Tomlinson <jodibeeisme@gmail.com>; David Inman <valleyviewranch3@aol.com>; Stephanie Kelley <texashomegirl@icloud.com>; Robert Bennett <rdbennett7@gmail.com>; "tomlinson78@gmail.com" <tomlinson78@gmail.com>; Wade McKinney <wademckinney@gmail.com>; Mom King <momking2nd@yahoo.com>; Lark Foster <gardeninglark@aol.com>; Fred Harvey <harveyhas@aol.com>; Daisy Jabas <daisyjabas@gmail.com>; Glenna and Bill Dickerson <wgddickerson@aol.com>; Delcinia <dmroy1996@aol.com>; Dina Capitani <dinaraedoodles@gmail.com>; Patty Morena <pjmorena@gmail.com>; Eric Fold <efold85@gmail.com>; Jerry Vermer <jv@drippingrock.farm>; Sean <sean615@gmail.com>; Bennett & Haley Lamb <lamb.bennett.1996@gmail.com>; "ahorick@gmail.com" <ahorick@gmail.com>; Keith <keithedwinbranson@gmail.com>; Randy Rudolph <drudolph48@gmail.com>; "ferraronem1@msn.com" <ferraronem1@msn.com>; Tina White <etwhite88@gmail.com>; Steven Lee <sleehereford@gmail.com>; chelsey <chelsey.butrum@gmail.com>; Steve down Caney fork <msb2tn@gmail.com>; Karina Hammer <5soulmates@bellsouth.net>; Matt King <matthew.king2005@gmail.com>; Karla Graul <weseehills@aol.com>; Joyce Skelton <joyceskelton@yahoo.com>; Louise & Joe Kitrell <louise.kitchell@gmail.com>; Lyn Cava? <lynlacava@att.net>; Joel Moenkhoff <jmoenkhoff@gmail.com>; Noel Jones <bisonhomebuilders@gmail.com>; Bud Carman <bill.carman@comcast.net>; Vivi Miller <vivi@caneyfork.net>; Gretchen And Mark Long <mark@gentiantrailgallery.com>; DEBORAH DEBAECKE <debfehrd@att.net>; Brink Fidler <rbfidler@gmail.com>; Angie Blankenship <a_blankenship7@yahoo.com>; Todd Fannin <todd.fannin@advcmp.com>; Paul Clare Nugent's Dad <husbandp@gmail.com>; Graham Goodloe <grahamandemily2002@gmail.com>; Emily & Graham Goodloe <egggoodloe@att.net>; Leah Benjamin <leahthewoo@icloud.com>; lee <levcsunriseelectric@yahoo.com>; Susie and Court Scott <cdsnash@att.net>; Kim Rosa <marykimrosa@icloud.com>; lisa mcconnell <mmlisa2@hotmail.com>; Steve Turner <tunaturnertunes@googlemail.com>; Deedee Brickner <deedee.brickner@gmail.com>; Michael Ann Born <mbornmborn1@gmail.com>; Veronica's friend <claurq82@outlook.com>; Ruth & Les Irwin <ruthrwin@gmail.com>; Lee Porter <lporter@aspiringmark.com>; Jean & Gary Lallement <jeanwlallement@msn.com>; patmcgaw <patmcgaw@att.net>; "angelasp69@gmail.com" <angelasp69@gmail.com>; Molly Moenkhoff <moxymtq@aol.com>; Mack Jones <mackalynjones@gmail.com>; Suzi Ambar-Worrell <suzi7773@msn.com>; Tom Quigley <tquigley@gmail.com>; Kevin & Jane Funk <kfunk560@att.net>; Rebecca & Aaron Howald <rebhowald@gmail.com>; Denise & Fred Harvey <deniseannharvey@aol.com>; Kay Anderson <kayanderson37064@yahoo.com>; L. Mccloud- Laura <laura.mccloud@gmail.com>; "emily.lemings@gmail.com" <emily.lemings@gmail.com>; John Ritchie <johnritchiejr@gmail.com>; Pam & Mack Beasley <markbeasley62@gmail.com>; Scott Cash <scottcash@mac.com>; Callie Fold <callie.fold@gmail.com>; Lee Lindsey <leelindsey7@gmail.com>; Susan Card <susanc615@aol.com>; bree abernathy <breematlock@hotmail.com>; Niki Yoder <niki.yoder@protonmail.com>; Lizet & Jesus Coreno <smartchick08@yahoo.com>; Dad Maple <bpenza3@gmail.com>; John Noel <johnhnoel@outlook.com>; Dave Wilbert <dhwilbert@gmail.com>; Laura & Dave Wilbert <laurajones81@me.com>; Kent Durst <ckd7207@gmail.com>; Bill Dobbins <billdobbins@gmail.com>; Barbara Erickson <barbaraserickson@aol.com>; Elizabeth Andersen <elizabethandersen@me.com>; Joe <fernvalefarm@gmail.com>; Aaron Howald <aaron.howald@gmail.com>; Ryan Morgan <r.patrickmorgan@gmail.com>; Matt & Carol Moore <hiddenstab@yahoo.com>; Kathy & Bill Dobbins <kathywood.dobbins@gmail.com>; Nancy Huddleston <njenhud@gmail.com>; Cindy Morelli <bcmorelli@comcast.net>; Lynn and Wade Marek

<lynnandwademarek@yahoo.com>; Aaron Davis <aaronloringdavis@gmail.com>; Colleen Curran <ccurran_22@yahoo.com>; Heather & Noel Jones <noelandheather@yahoo.com>; Laura & Steve McCloud <stevelaureamc@gmail.com>; "molly.knapp80@gmail.com" <molly.knapp80@gmail.com>; "djg135@gmail.com" <djg135@gmail.com>; Patsy McFadden <patsymcfadden60@gmail.com>; Pam Jolly Haile <pamjollyhaile@gmail.com>; "jakemes@hotmail.com" <jakemes@hotmail.com>; Gill Murrey <gill.murrey@gmail.com>; BudC <bud.carman@gmail.com>; "jolynnemeseck@gmail.com" <jolynnemeseck@gmail.com>; Jason Warner & deMarco DeCicco <demarcogenix@gmail.com>; Rebecca & Michael Freedman <ezdozitu@bellsouth.net>; David Miller <reddirtranch@gmail.com>; Boyd <boydgibbs@att.net>; Sindra H. Jones <sluv2run@aol.com>; Clare Nugent <clare Nugent@gmail.com>; "dannynix1964@icloud.com" <dannynix1964@icloud.com>; Abby Bowlin <abowlin@bellsouth.net>; Hollie B <holliebaradit@gmail.com>; Kathyryn Grey <tnmiddles@gmail.com>; Anna Jaap <waterdress@hotmail.com>; Angie Bryan <ambryan812@gmail.com>; Diane St. Clair <d.stclair@hotmail.com>; "mhadden425@me.com" <mhadden425@me.com>; Sydney Reichman <sydneyreichman@gmail.com>; Cindy Shapton <hyssophill@aol.com>; Erie <moorefarmtennessee@gmail.com>; Jamie Brasher <jamieatthefarm@gmail.com>; Cindy & Clint Griffin <cindygriffin615@gmail.com>; Cindy Santi <cindysanti13@gmail.com>; Art Erickson <aherickson3@gmail.com>; Jody Clinard <jodyclinard@gmail.com>; Dave Paczko <dap225@gmail.com>; Teresa Pickel <tkpickel@gmail.com>; Cindy & Lamar Holmes <lholmes1010@gmail.com>; Ron Shapton <rshapton@aol.com>; Tony Vincent <ajvincent2@gmail.com>; Parick & Caren Prince <carenprince@aol.com>; Elaine and Phil Husband <husbande@gmail.com>; Pat & Harvey Thomas <patmurph00@aol.com>; "donnaks54@gmail.com" <donnaks54@gmail.com>; Rob Johnson <rjohnsonfurniture@gmail.com>; Pam Quigley <pamjquigley@gmail.com>; Stuart Moore <moorestu@netscape.net>; Ray Beasley <ray.beasley55@yahoo.com>; "jamelaweez@yahoo.com" <jamelaweez@yahoo.com>; Jo and Harvey Mitchell <jomitchell229@gmail.com>; "chaz92691@yahoo.com" <chaz92691@yahoo.com>; Joycelyn <joycelyngibbs@att.net>

Sent: Saturday, September 13, 2025 at 12:40:54 PM GMT-5

Subject: Please we NEED a large number of people to speak out opposing the new Development Code for the City of Fairview

Fernvalians,

It is no accident that this new Development Code is not well known and the time frame for comments is limited. Gill gave us all the information we need to voice our opposition. You can just copy and paste or write "I oppose this Development Code". Then sign your name.

Save Fernvale!

Daisy

Hi Neighbors and Friends,

Fairview is proposing a new Development Code that would affect Fernvale. Neighbors with expertise have reviewed the 476 page document and found several areas of concern.

The last day to make public comments about the proposed Development Code is Sunday, September 14. All comments must be received by that date to be considered. **Please email your comments by Sunday, September 14 to egreer@fairview-tn.org and "cc" pcarter@mtlawgroup.net**

When you write your email, you are welcome to use the text below. It's fine if all of us send the same information. Or you can use your own words.

Your neighbor,

Gill Murrey, 7840 Whippoorwill Lane, Fairview

----- Text for public comment is below -----

Dear Mr. Greer and City of Fairview Planning Staff,

I am writing to express concern regarding the proposed new Zoning Code for the City of Fairview, in particular the proposed zoning changes to 5185 Old Harding Road.

I oppose this new Zoning Code and I am asking that you slow down this process and allow more time for comments and consideration concerning the long-term impact this new Code may have on the City of Fairview and the impact that it will certainly have on the surrounding rural property.

On September 4, 2025, you participated in a Board of Zoning Appeals hearing where citizens, neighbors and experts expressed concerns regarding a conditional use application for a "Rural Retreat/Private Club" for 5185 Old Harding

Road. The proposed conditional use was commercial in nature and not appropriate for the land, including a racetrack, a gun-range, short-term rental units and an amphitheater. The citizens of the affected area were given short notice to respond and respond they did, with clarity. The conditional use application was denied.

Today, again with short notice, I write during the public comment period of the proposed new Development Code to express serious concerns. Specifically, it seems the proposed Code seeks to expand and codify permitted uses on 5185 Old Harding Road in a manner that directly conflicts with the “Rural Settlement” characterization of the property provided within the Fairview 2040 Comprehensive Plan.

The Future Land Use and Character Map of the 2040 Comprehensive Plan clearly designates 5185 Old Harding Road as “Rural Settlement” and lists only agriculture and single-family detached residential as appropriate land uses. This is consistent with the top two “Major Takeaways” of the Fairview 2040 Comprehensive Plan which are to: 1) Keep a quaint, country Fairview, and 2) Maintain the small community feel.

The new Code describes CD-2 areas, which is the proposed new zoning category for 5185 Old Harding Road, as “sparsely settled, primarily agriculture or low density single-family detached residential areas.” However, buried deep within the proposed Code are many permitted uses, some by right and others subject to limited use, that are clearly commercial uses, and should not be permitted because they are inconsistent with the Rural Settlement designation in the 2040 Comprehensive Plan. This includes a curious but familiar footnote for Rural Retreat. Examples of CD-2 permitted uses in the proposed code that I find objectionable include but are not limited to:

- Amphitheatre
- Membership Club or Lodge
- Rural Retreat
- Inn
- Schools
- Funeral Home

These uses are intrinsically commercial and incompatible with 1) the existing character of the land, 2) the sentiment of the surrounding area and property owners, and 3) Fairview’s own 2040 Comprehensive Plan.

The new zoning for 5185 Old Harding Road is also not appropriate when considered in the context of unique natural features and development challenges posed by the property’s topography. To restate some important attributes of that topography:

1. Multiple streams and springs that feed directly into the South Harpeth River, with multiple surrounding residences reliant on spring water as their primary water source;
2. Severe slopes and pronounced heavily wooded ridgelines that exceed 800 feet;
3. Most of the property is covered by dense forest which provides a biodiverse natural habitat protects against erosion and stormwater runoff;
4. Part of the property is in or immediately adjacent to the South Harpeth floodplain; and,
5. Working livestock farms operate adjacent to the property.

Since 1991, when 5185 Old Harding was annexed, the zoning has never properly considered the physical character of that property and the surrounding area. The result has been failed projects and wasted resources for developers and the neighboring community alike. Over the past three decades, the enforcement standards related to challenging topography and storm water have only become more stringent; the weather has only become more severe.

Further to this point, the Fairview Forward Vision Statement contained in the 2040 Comprehensive Plan explicitly states that the City of Fairview “is sensitive to the natural features and the environment.” I would submit that there is no more environmentally sensitive parcel in Fairview than 5185 Old Harding Road.

Finally, I have real concerns that the interests of Fairview constituents, including neighboring communities, have not been fairly considered in spots of the Code like 5185 Old Harding Road.

To conclude, we ask that you take additional time to carefully review this Zoning Code and the impact it will have on some of these last remaining rural areas of town such as 5185 Old Harding Road. As drafted the Zoning Code will not protect these areas. 5185 Old Harding Road deserves protection. It should remain rural agricultural or residential in character consistent with the 2040 Plan with no permitted or conditional use exceptions (including footnotes) that would be commercial in character, because commercial uses will destroy the agricultural character of the land and surrounding

area that we love.

Thank you again for your time and consideration,

Ethan Greer

From: David Bradley <valleyviewranch3@aol.com>
Sent: Saturday, September 13, 2025 9:16 PM
To: Ethan Greer
Subject: codes

You don't often get email from valleyviewranch3@aol.com. [Learn why this is important](#)

Dear Mr. Greer and City of Fairview Planning Staff,

I am writing to express concern regarding the proposed new Zoning Code for the City of Fairview, in particular the proposed zoning changes to 5185 Old Harding Road.

I ask that no changes be made to the code and keep this area agricultural, or at least residential with large lots. We do not need or want a commercial development in this area. We have been a primary agricultural community for over 100 years. There have been cows on that property within the past 5 years. There will be plenty of other areas that can be developed closer to town without ruining this area. The people who live within 10 miles of this commercial project will have their peace and tranquil environment ruined by these people who will contribute nothing to Fairview. They will purchase nothing from local vendors, will not eat at local restaurants, and employ no local residents. No locals will be members. This commercial club will be people from outside our community who come here to use our peaceful area for their amusement. It was obvious from the man who made the presentation at the City Meeting what they think of local residents. The board, and the citizens were talked down to like children. This is not who, or what we want in this area.

Please do not change our codes to allow this project to ruin our community. It provides nothing for Fairview.

Thank you,
David Bradley
7450 Caney Fork Rd.
Fairview, Tn 37062

Fairview, Tennessee Development Code

Public Draft August 2025

The following review comments are being submitted September 14, 2025 by David L Bynum AIA Emeritus who has 48 years in the profession.. The City of Fairview, Tennessee has gone to great lengths to determine what its future should look like. On May 2, 2019 it adopted and published its Fairview Forward, The 2040 Comprehensive Plan. The plan was the result of ten months of public planning meetings and input from the citizens of Fairview. The following Vision Statement was written:

“The City of Fairview is a **rural community** that cherishes its small-town character and is committed to preserving and enhancing that character through **balanced, responsible growth.**”

The areas along Old Harding Road, Cumberland Drive, and Fernvale Road are some of the most rugged in Fairview and are marked **Rural Settlement** in the 2040 Plan and are intended to be kept that way.

The Development Code presented by TPUDC dated August 2025 defines CD-2 Rural in Article 3, page 3-4. They state”

“The CD-2 Rural Character District consists of sparsely settled, primarily agricultural or low density single-family detached Residential areas. Typical Buildings include farmhouses and agricultural Buildings.”

The Development Code developed by TPUDC violates the intent of the 2040 Plan and their very own definition of CD-2 Rural in every possible way. Below I have cited various page numbers and heading under which they have said that it is permissible to add building types or used into the CD-2 Rural zone. They are as follows:

Article 4

Page 4-13

Rural Character District

TPUDC has identified Private Frontage Types of buildings normally seen in dense housing, urban settings or commercial areas. They are indicating that this is permissible in CD-2 Rural. The foot note indicates that they are **permissible in Rural Retreats only**. This is not in compliance with the 2040 Plan and their own definition of CD-2 Rural zoning. This must be deleted.

Page 4-119

Principal Building Type

Commercial

The commercial building shown is described as “non-Residential” “pedestrian-oriented Retail”. The 2040 Plan did not intend for commercial development to be extended into the Rural portions of Fairview. CD-2 shall be deleted as a Permitted District.

Page 4-134

Adult Care Home

Violates 2040 plan/Not appropriate for CD-2. Requires EMS services and access to highway for hospital transport.

Assisted Living

Violates 2040 plan/Not appropriate for CD-2 & CD-2W. Requires EMS services and access to highway for hospital transport

Nursing Home Etc.

Violates 2040 plan/Not appropriate for CD-2. Requires EMS services and access to highway for hospital transport

Family Care	Violates 2040 plan/Not appropriate for CD-2. Requires EMS services and access to highway for hospital transport
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Group Care	Violates 2040 plan/Not appropriate for CD-2. Requires EMS services and access to highway for hospital transport
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Page 4-135

Civic Building	Violates 2040 plan/Not appropriate for CD-1, CD-2 &CD-2W
-----------------------	--

Civic-Playground	Violates 2040 plan/Not appropriate for CD-2 & CD-2W
-------------------------	---

Pocket Park	Violates 2040 plan/Not appropriate for CD-2 & CD-2W There is no definition in Article 9 for the pocket park. This is typically an inner-City green space where green spaces are in short supply.
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Page 4-136

Civic-Sports Field	Violates 2040 plan/Not appropriate for CD-2 & CD-2W
---------------------------	---

Nature Preserve There is no definition in Article 9 of a nature preserve.

Place of Worship Violates 2040 plan/Not appropriate for CD-2 & CD=2W, Introduces a high volume of traffic on rural roads.

Cemetery Violates 2040 plan/Not appropriate for CD-2. The steeply sloped topography in CD-2 Rural is not conducive to a cemetery.

Funeral Home Violates 2040 plan/Not appropriate for CD-2. A funeral home will generate a large volume of traffic for family visitation then also the day of the service. Multiple bodies will compound the traffic problem.

EMS/Fire/Police Violates 2040 plan/Not appropriate for CD-2. Access to major roads is required.

Page 4-137

Elementary School Violates 2040 plan/Not appropriate for CD-2 & CD-2W. This requires multi-lane roads to provide for stacking and turn lanes during drop off and pick up.

High School

Violates 2040 plan/Not appropriate for CD-2 & CD-2W. This requires multi-lane roads to provide for stacking and turn lanes during drop Off and pick up.

Kindergarten

Violates 2040 plan/Not appropriate for CD-2 & CD-2W. This requires multi-lane roads to provide for stacking and turn lanes during drop Off and pick up.

Middle School

Violates 2040 plan/Not appropriate for CD-2 & CD-2W. This requires multi-lane roads to provide for stacking and turn lanes during drop Off and pick up.

Pre-School

Violates 2040 plan/Not appropriate for CD-2 & CD-2W. This requires multi-lane roads to provide for stacking and turn lanes during drop Off and pick up.

Page 4-138

Inn Violates 2040 plan/Not appropriate for CD-2 & CD-2W. TPUDC did not provide a definition in Article 9 for an Inn.

Rural Retreat Violates 2040 plan/Not appropriate for CD-2 This introduces **Commercial Activity** into the most rural part of the City.

Membership Club Violates 2040 plan/Not appropriate for CD-2. Increases traffic on rural roads.

Page 4-139

Place of Assembly Violates 2040 plan/Not appropriate for CD-2 & CD-2W. Provides a high volume of traffic before and after services.

Amphitheater Violates 2040 plan/Not appropriate for CD-2. This introduces a **Commercial Activity** into CD-2 Rural.

Golf Course, Swim Club Violates 2040 plan/Not appropriate for CD-2

General Comments

Page 4-146

Paragraph D.6.a.(4) This sentence should be changed to read “shall be counted in Density calculations.” If not the lot coverage may be over the allowed limit.

Page 4-147

Paragraph b.

Additional Primary Dwellings

Just as in mortgage fraud, you can have only one Principal Dwelling. The concept of adding 5 Principal Dwelling units makes no sense. This must be explained.

Paragraph e.

Agricultural Uses

Subparagraph (a) should be modified to provide 15 feet from all property lines.

Subparagraph (b) should be increased possibly to 10 acres or 15 acres which is required for Green Belt.

Page 43-149

Paragraph k.

Amphitheater

- (1) There is no definition of an amphitheater in terms of size limitations, etc.
- (2) “local road or lessor standard road”. This is not covered under Article 9.

Page 43-155

Paragraph ak.

Indoor Recreation, Entertainment

- (1) There is no definition of “local road or lessor standard road”. This is not covered under Article 9.

Page 43-158

Paragraph au.

Rural Retreat

Subparagraphs (2) and (3) are clearly intended to accommodate TPUDC’s private client Walker Lunn.

Page 43-160

Paragraph bg.

Veterinary Clinic, Veterinary Hospital, or Kennel

Subparagraph (1) limits the size of the building. Four thousand square feet appears to be an arbitrary number.

Subparagraph (3) Limits the use of outdoor exercise runs to the hours of 7am to 7 pm. Elderly, ill dogs cannot be expected to hold their bladders for 12 hours. The hours should be extended to 10 pm.

Page 4-164

**Accessory Use
Accessory Dwelling
Unit**

There is no definition of the number of permissible units in CD-2 & CD-2W

**Camping, Conference,
Meeting ...Dining Etc.**

Violates 2040 plan/Not appropriate for CD-2 & CD-2W. This was written for the benefit of TPUDC's private client, Walker Lunn.

**Parish House.....
W/ Place of Worship**

Violates 2040 plan/Not
appropriate for CD-2 & CD-2W

**Page 4-167
Temporary Use**

**New Subdivision Sales
& Management Office**

Violates 2040 plan / Not
appropriate for CD-2 & CD-2W.
The zoning code designates the
districts for single family farm
houses and single family homes
on large wooded lots.
Subdivisions are not permitted.

Page 4-179

Table 4.3.12.A-3

The chart calls for 7.5 ft
compact parking spaces.
Larger cars always find there
way into these spaces. An 8 ft
minimum width would make
more sense.

Article 3 Zoning Districts

Page 3-3

CD-2 (Rural)

“The CD-2 Rural Character District consists of sparsely settled, primarily agricultural of low density single-family detached Residential areas. Typical buildings include farmhouses and Agricultural Buildings.’

Page 3-27

Paragraph b. Specific Standards indicates that the lowest occupied floor in a house must be a minimum of one foot above the BFE, I believe that Brentwood requires 2.5 feet. This height above BFE should be verified with FEMA and the City.

Article 9

Definitions

Page 9-3 **Accommodations**

This is the first of several paragraphs that mention the word “Inn”. However, there is never a definition of the word as to the building type, size

or maximum number of rooms allowed.

Page 9-5
Amphitheater

“An open-air venue used for entertainment”. This makes it unacceptable for a CD-2 Rural district. It will generate high traffic volumes prior to and after a show.

Page 9-7
Illustration 9.3.B-2

This illustration should be modified to include the end of the building at the right end of the block per TPUDC definition of “Block Face”.

Page 9-9
Civic Green

TPUDC utilizes this exterior space but never defines it.*

Ethan Greer

From: David L Bynum <Bynumarch@comcast.net>
Sent: Sunday, September 14, 2025 10:05 PM
To: Ethan Greer
Cc: Keene Bartley
Subject: Fairview Development Code Public Comments
Attachments: Zoning Review.pdf

You don't often get email from bynumarch@comcast.net. [Learn why this is important](#)

Ethan,

Attached you will find my review comments of the Public Draft dated August 2025. I have focused on the CD-2 Rural Character District and identified as many of the elements that TPUDC is trying to insert into that zoning that are not in keeping with the Fairview 2040 Plan as well as their own definition of the CD-2 Rural District. I will be glad to sit down with you to review my comments so that you may better understand my thinking.

Regards,

David L Bynum AIA Emeritus
615.594.4290

Ethan Greer

From: David Bradley <valleyviewranch3@aol.com>
Sent: Sunday, September 14, 2025 5:13 PM
To: Ethan Greer
Subject: Opposition to Proposed Development Code - Protecting Fernvale and 5185 Old Harding Road

You don't often get email from valleyviewranch3@aol.com. [Learn why this is important](#)

Dear Mr. Greer and Fairview Planning Staff,

I am a Fernvale resident who is very concerned about the impact of your proposed development code on my 111 year old family farm. Those of us who call Fernvale home pray you will not approve changes to allow all the negative changes to our rural way of life.

Again, I am writing to express my opposition to the proposed new Development Code, particularly as it applies to 5185 Old Harding Road.

This property is designated as “Rural Settlement” in the Fairview 2040 Comprehensive Plan, which allows only agriculture and single-family residential uses. The proposed Code, however, introduces a range of commercial and incompatible uses — including amphitheaters, lodges, inns, and rural retreats — that directly conflict with the rural character our community treasures and that the 2040 Plan promised to protect.

The natural topography and sensitive environmental features of this land—streams feeding the South Harpeth River, severe slopes, dense forest, and proximity to working farms—further reinforce why commercial development is neither appropriate nor sustainable here. Past proposals have failed for these very reasons, wasting resources and leaving neighbors frustrated.

The people of Fernvale are united in our desire to preserve the quiet, peaceful environment that defines our community. This is not only about zoning—it is about culture, identity, and the future of Fairview. As I shared in a recent community meeting, *“I hope that an event like tonight will help galvanize the community in a better clarity of our culture, who we are, and what we value for now and for the future. We stand together in a way that helps define us as a community.”*

I urge you to slow this process down and protect 5185 Old Harding Road in alignment with the 2040 Plan. This is a moment to leave a lasting legacy—how you steward Fairview’s remaining rural lands will be remembered for generations. Please keep this land rural and agricultural, without conditional or commercial-use loopholes, so that our shared vision of a quaint, small-town Fairview endures.

Thank you for your time and consideration.

Respectfully,

Deborah Inman Bradley

Sent from my iPhone

Ethan Greer

From: DeeDee B <deedee.brickner@gmail.com>
Sent: Sunday, September 14, 2025 9:18 AM
To: Ethan Greer
Cc: pcarter@mtlawgroup.net; ricky.jones@williamsoncounty-tn.gov;
lisa.hayes@williamsoncounty-tn.gov
Subject: CD2 - Development Code CD-2 proposal -- Vote NO

You don't often get email from deedee.brickner@gmail.com. [Learn why this is important](#)

Please NO!!! Please do not create the proposed development code CD-2.

The 476 page document was clearly written to allow doing what the Fairview commissioners just voted against.

The proposed development code CD-2, if approved and applied to the property in Fernvale would conflict with Fairview 2040 Comprehensive Plan.

Please do not create this new code!

Thank you
DeeDee Brickner
7516 Fernvale Road
Fairview TN

--

"Never be afraid to raise your voice for honesty and truth and compassion against injustice and lying and greed. If people all over the world...would do this, it would change the earth." — [William Faulkner](#)

"If you think you're too small to make a difference, you haven't spent a night with a mosquito"
~African Proverb

From: Don Bufalini
Sent: Tuesday, September 2, 2025 3:25 PM
To: Ethan Greer; Tom Daugherty; City Engineer
Subject: Questions about New Codes part 1

Authority & Scope

- Can you explain how this code's claim of being the *exclusive and mandatory* framework interacts with existing private covenants or HOA restrictions?
 - What protections do residents have if this code conflicts with agreements they already rely on?
-

Property Rights & Vested Interests

- How does the “vested property rights” provision work in practice? Once a project is approved, does the city lose the ability to adapt to new circumstances?
 - Could this lock the community into developments that no longer fit Fairview's needs 10–20 years from now?
-

Nonconforming Uses & Transitional Rules

- How many properties in Fairview are likely to become “nonconforming” under this new code, and what practical impact will that have on those owners?
 - The transitional section allows for “applicant waivers” what's the scope of those waivers, and who has the authority to grant them?
-

Zoning & District Assignments

- What specific checks are in place to ensure the translation from current zoning to new “Character Districts” is accurate and fair?
 - Why are some districts marked as “not available for rezoning”? Doesn't that limit flexibility for property owners?
 - For parcels over 20 acres, the Board can assign districts what objective criteria guide that process to avoid arbitrary or political decisions?
-

Special & Overlay Districts

- In flood hazard areas, why does the code allow density adjustments rather than focusing on risk reduction?
 - How will Scenic Street Buffers or new overlay rules affect landowners along those corridors?
-

Enforcement & Accountability

- The performance bond section allows early release once “substantial completion” is reached who defines “substantial,” and what happens if public infrastructure is left unfinished?
 - Which approvals can staff grant administratively without public hearings, and how will residents be notified when those occur?
-

Community Impact

- What studies or projections show how these zoning changes will affect traffic, schools, and city services?
- How does this code advance Fairview’s stated comprehensive plan goals rather than just accommodating developer requests?

Donald A. Bufalini
City Commissioner

Fairview City Hall
7100 City Center Way
Fairview, TN 37062
Main: 615-799-2484

Cell: **615-678-3808**
dbufalini@fairview-tn.org

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September 14, 2025

To: Ethan Greer, Fairview City Planner

Fairview Plann Commission

Re: Comments on the Public Draft of the Development Code

The Harpeth Conservancy is a science-based conservation organization working across Tennessee to ensure clean water and healthy river ecosystems. Our organization has been deeply involved in stormwater and floodplain management and growth planning among other areas of specialty for over 25 years. We have worked with the city of Fairview in the past on sewer infrastructure planning. We would like to provide the following comments that are focused on stormwater, floodplain and flood management in the Public Draft of the Development Code¹ that is out on a 30-day comment period that ends September 14, 2025.

1. Include Flood depth on Roads as part of Stormwater and Floodplain Regulations

An important component of floodplain management includes prevention of flood fatalities that are the second leading weather-related cause of death after heat. Flood fatalities are predominantly from people driving into floodwaters, especially at night. The National Weather service, Turn Around, Don't Drown,² campaign is very clear about floodwater risks. Six inches of water will reach the bottom of most passenger cars and cause loss of control and possibly stalling. A foot of water will float most vehicles. Two feet of moving water can carry away most vehicles including SUVs and pick-up trucks.

Over the past several years water depth on roads where the 100-year floodplain and floodway are mapped was a major focus in evaluating two complex development proposals on the Harpeth, one in Franklin and one in Nashville. Both from an emergency response and public safety perspective, development proposals need to be evaluated for flood water depth on roads. This includes both existing roads, especially those that are providing the only ingress and egress, and new roads proposed within the development. Both Franklin and Williamson county have standards in their stormwater ordinance regarding depth of water on roads during the 100-year, 24-hour design storm event.

Fairview is situated on the Western Highland with a number of headwater streams that flow through the city limits and Urban Growth Boundary toward larger waterways. For example, headwater streams on the eastern side are tributaries of the South Harpeth. The city limits abut areas along Old Harding Road that are inundated during floods along the South Harpeth. The final city development ordinance ought to include a stormwater design requirement for water depth on roads that includes evaluating roads and waterways adjacent to the city limits and Urban Growth Boundary.

¹ <https://www.fairview-tn.org/news-updates/development-code-public-draft/>

² https://www.weather.gov/tsa/hydro_tadd

Below are excerpts as examples:

Williamson county TN Stormwater Ordinance, latest revision 2023.³

Williamson County, Tennessee
Storm Water Management Regulations

Section 2: Standards

2.1 Storm Water Quantity

- A. New development shall meet a storm water quantity level of service defined by:
 - 1. Designing road catch basins and connecting culverts to convey the 10-year, 24-hour design storm runoff.
 - 2. Designing bridges, channels and cross-drains to pass the 25-year, 24-hour design storm runoff. Calculations shall also be provided for the 100-year, 24-hour design storm.
- B. Storm water infrastructure shall be designed in the following manner:
 - 1. Critical service roads shall be designed to have no more than three (3) inches of road overtopping at the 100-year, 24-hour design storm event.
 - 2. Other new roads shall be designed to have no more than six (6)-inches of road overtopping at the 25-year, 24-hour design storm event.
- C. Re-development activities will be required to follow storm water quantity requirements.

City of Franklin, TN, Stormwater Ordinance 2023-37, Section, 23-106 – Objectives and policy:⁴

(c) *Stormwater design requirements.* New Development shall meet a Stormwater quantity level of service defined by:

(iv) New roadway, existing roadways, and *Critical Service Roads* are not inundated by more than three inches of water over one-half the roadway width under a 100-year Flood event.

2. Stormwater Runoff section- 6.9.2.C. and the Stormwater Management Regulations

In a cursory review of these important sections on the draft Development Code on stormwater, these are new requirements in addition to the city's current Stormwater Management Regulations adopted in 2022 and most recently amended in 2023.⁵ For clarity, it would be valuable to have the Stormwater Runoff section and any other components of the proposed Development Code related to stormwater put with the Stormwater Management Regulations. Some cities have combined requirements for floodplain management and stormwater into one set of regulations since these are integrated in several ways.

We appreciate the time of the Planning Staff, Planning Commission, and TPUDC, the city's planning consultant, to review and consider these comments and recommendations. I have been a member of Franklin and Williamson county's Stormwater Committees as well as chair and vice-chair at times during my service. In 2003, the Harpeth Conservancy secured an EPA grant

³ <https://williamsoncounty-tn.gov/403/Regulations>

⁴ <https://www.franklintn.gov/government/departments-a-j/engineering/stormwater/>

⁵ <chrome-extension://efaidnbmnnnibpcajpcgicfindmkaj/https://www.fairview-tn.org/wp-content/uploads/docs/Stormwater-Ordinance.pdf>

to work on Stormwater management with the city of Franklin, Williamson county and several development partners on developing stormwater management approaches. As part of this collaborative work, our organization helped in the founding of the TN Stormwater Association and the TDEC's stormwater program. We have also been involved in the various revisions since the early 2000s of the state MS4 Phase II stormwater permit and General Construction Permit.

We would be happy to meet with staff and others in Fairview to see how we can provide assistance in this major effort the city has been undertaking these past few years to update stormwater management, floodplain management, the development code, land use plan and any other areas that are of interest.

Sincerely,



Dorie Bolze
Founder & President
doriebolze@haprethriver.org
615-479-0181

Ethan Greer

From: Dorie Bolze <DorieBolze@harpethriver.org>
Sent: Sunday, September 14, 2025 12:52 PM
To: Ethan Greer; Will King; Demetrius Ritt; Mayor Lisa Anderson; Chris McDonald; Salvatore Cali; Jeff Pape; Shonda Schilling; Rod Dawson
Subject: Comments on the Fairview draft Development Code from the Harpeth Conservancy
Attachments: HC Comment letter -Fairview proposed zoning ordinance 9-14-2025.docx

Some people who received this message don't often get email from doriebolze@harpethriver.org. [Learn why this is important](#)

Hello Ethan Greer and the Fairview Planning Commission,

Please find attached comments the Harpeth Conservancy would like to provide with regard to stormwater, floodplain and flood management in the draft Development Code. One topic in these comments focuses on flood water depth on roads as a part of Stormwater and floodplain management. Over the past several years we have noticed more focus on including the depth of flood waters on roads as part of proposed development review, especially in areas where existing roads, some that are the only ingress and egress, already have flood depths that pose risk of drowning during significant flood events. I have in these comments examples from Williamson county and city of Franklin as a guide.

The Harpeth Conservancy has been deeply involved stormwater and floodplain management and other areas of specialty over our 25 years. We have worked with the city of Fairview in the past on sewer infrastructure planning and other topics in the past. We would be happy to discuss with staff, members of the planning commission and others any aspects of these comments and other topics that are of interest. Please do not hesitate to reach out anytime.

Sincerely,

Dorie Bolze



Dorene Bolze
President & Founder

Harpeth Conservancy
215 Jamestown Park, Suite 101
Brentwood, TN 37027
o) 615-790-9767 m) 615-479-0181

HarpethConservancy.org



Ethan Greer

From: Douglas Kaufman <douglas.kaufman@mac.com>
Sent: Sunday, September 14, 2025 10:20 AM
To: Ethan Greer
Subject: OPPOSE new zoning for 5185 Old Harding Rd

[You don't often get email from douglas.kaufman@mac.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Dear Mr. Greer and City of Fairview Planning Staff,

I am writing to express concern regarding the proposed new Zoning Code for the City of Fairview, in particular the proposed zoning changes to 5185 Old Harding Road. My wife and I live at 5144 Bedford Creek Rd, less than 1/2 mile from the property at 5185 Old Harding Rd.

I oppose this new Zoning Code and I am asking that you slow down this process and allow more time for comments and consideration concerning the long-term impact this new Code may have on the City of Fairview and the impact that it will certainly have on the surrounding rural property.

On September 4, 2025, you participated in a Board of Zoning Appeals hearing where citizens, neighbors and experts expressed concerns regarding a conditional use application for a "Rural Retreat/Private Club" for 5185 Old Harding Road. The proposed conditional use was commercial in nature and not appropriate for the land, including a racetrack, a gun-range, short-term rental units and an amphitheater. The citizens of the affected area were given short notice to respond and respond they did, with clarity. The conditional use application was denied.

Today, again with short notice, I write during the public comment period of the proposed new Development Code to express serious concerns. Specifically, it seems the proposed Code seeks to expand and codify permitted uses on 5185 Old Harding Road in a manner that directly conflicts with the "Rural Settlement" characterization of the property provided within the Fairview 2040 Comprehensive Plan.

The Future Land Use and Character Map of the 2040 Comprehensive Plan clearly designates 5185 Old Harding Road as "Rural Settlement" and lists only agriculture and single-family detached residential as appropriate land uses. This is consistent with the top two "Major Takeaways" of the Fairview 2040 Comprehensive Plan which are to: 1) Keep a quaint, country Fairview, and 2) Maintain the small community feel.

The new Code describes CD-2 areas, which is the proposed new zoning category for 5185 Old Harding Road, as "sparsely settled, primarily agriculture or low density single-family detached residential areas." However, buried deep within the proposed Code are many permitted uses, some by right and others subject to limited use, that are clearly commercial uses, and should not be permitted because they are inconsistent with the Rural Settlement designation in the 2040 Comprehensive Plan. This includes a curious but familiar footnote for Rural Retreat. Examples of CD-2 permitted uses in the proposed code that I find objectionable include but are not limited to:

- Amphitheatre
- Membership Club or Lodge
- Rural Retreat
- Inn
- Schools
- Funeral Home

These uses are intrinsically commercial and incompatible with 1) the existing character of the land, 2) the sentiment of the surrounding area and property owners, and 3) Fairview's own 2040 Comprehensive Plan. My concerns also include

excessive noise levels and light pollution that an outdoor amphitheater, hotel and lodge will create, destroying our families ability to enjoy the peace and quiet of country living and to see the night sky and the stars of the Milky Way. Traffic from additional vehicles entering and exiting the property will also increase noise and endanger horse and bicycle riders along Old Harding and Bedford Creek Roads.

The new zoning for 5185 Old Harding Road is also not appropriate when considered in the context of unique natural features and development challenges posed by the property's topography. To restate some important attributes of that topography:

- 1 Multiple streams and springs that feed directly into the South Harpeth River, with multiple surrounding residences reliant on spring water as their primary water source;
- 2 Severe slopes and pronounced heavily wooded ridgelines that exceed 800 feet;
- 3 Most of the property is covered by dense forest which provides a biodiverse natural habitat protects against erosion and stormwater runoff;
- 4 Part of the property is in or immediately adjacent to the South Harpeth floodplain; and,
- 5 Working livestock farms operate adjacent to the property.

Since 1991, when 5185 Old Harding was annexed, the zoning has never properly considered the physical character of that property and the surrounding area. The result has been failed projects and wasted resources for developers and the neighboring community alike. Over the past three decades, the enforcement standards related to challenging topography and storm water have only become more stringent; the weather has only become more severe.

Further to this point, the Fairview Forward Vision Statement contained in the 2040 Comprehensive Plan explicitly states that the City of Fairview "is sensitive to the natural features and the environment." I would submit that there is no more environmentally sensitive parcel in Fairview than 5185 Old Harding Road.

Finally, I have real concerns that the interests of Fairview constituents, including neighboring communities, have not been fairly considered in spots of the Code like 5185 Old Harding Road.

To conclude, we ask that you take additional time to carefully review this Zoning Code and the impact it will have on some of these last remaining rural areas of town such as 5185 Old Harding Road. As drafted the Zoning Code will not protect these areas. 5185 Old Harding Road deserves protection. It should remain rural agricultural or residential in character consistent with the 2040 Plan with no permitted or conditional use exceptions (including footnotes) that would be commercial in character, because commercial uses will destroy the agricultural character of the land and surrounding area that we love.

Thank you again for your time and consideration,

Sincerely,

Douglas Kaufman and Darlene Rose
5144 Bedford Creek Rd
Franklin, TN 37064
(602) 908-2458

Ethan Greer

From: Ed Begun <10cwalker@proton.me>
Sent: Saturday, September 13, 2025 8:13 AM
To: Ethan Greer
Cc: pcarter@mtlawgroup.net
Subject: Fairview Zoning Code Proposed Changes

You don't often get email from 10cwalker@proton.me. [Learn why this is important](#)

Dear Mr. Greer and City of Fairview Planning Staff,

I am writing to express concern regarding the proposed new Zoning Code for the City of Fairview, in particular the proposed zoning changes to 5185 Old Harding Road.

I oppose this new Zoning Code and I am asking that you slow down this process and allow more time for comments and consideration concerning the long-term impact this new Code may have on the City of Fairview and the impact that it will certainly have on the surrounding rural property.

This is not the first time that we, the people living in this area, are experiencing actions by the Town of Fairview to "sneak" changes into the Zoning Code that have a dramatic impact on the residents of the local community. These changes not only significantly change the atmosphere of the community but also imply that changes are being made to erode our way of life to accommodate folks who have little or no interest in how this community prefers to operate. We live here year around, we vote and we love the rural atmosphere that exists in our community. We are not interested in being transitioned into a playground for rich out of area people or into a community that has lost it's character and atmosphere in favor of merely increasing tax revenue for the Town.

On September 4, 2025, you participated in a Board of Zoning Appeals hearing where citizens, neighbors and experts expressed concerns regarding a conditional use application for a "Rural Retreat/Private Club" for 5185 Old Harding Road. The proposed conditional use was commercial in nature and not appropriate for the land, including a racetrack, a gun-range, short-term rental units and an amphitheater. The citizens of the affected area were given short notice to respond and respond they did, with clarity. The conditional use application was denied.

Today, again with short notice, I write during the public comment period of the proposed new Development Code to express serious concerns. Specifically, it seems the proposed Code seeks to expand and codify permitted uses on 5185 Old Harding Road in a manner that directly conflicts with the "Rural Settlement" characterization of the property provided within the Fairview 2040 Comprehensive Plan.

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by right and others subject to limited use, that are clearly commercial uses, and should not be permitted because they are inconsistent with the Rural Settlement designation in the 2040 Comprehensive Plan. This includes a curious but familiar footnote for Rural Retreat. Examples of CD-2 permitted uses in the proposed code that I find objectionable include but are not limited to:

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5. Working livestock farms operate adjacent to the property.

Since 1991, when 5185 Old Harding was annexed, the zoning has never properly considered the physical character of that property and the surrounding area. The result has been failed projects and wasted resources for developers and the neighboring community alike. Over the past three decades, the enforcement standards related to challenging topography and storm water have only become more stringent; the weather has only become more severe.

Further to this point, the Fairview Forward Vision Statement contained in the 2040 Comprehensive Plan explicitly states that the City of Fairview "is sensitive to the natural features and the environment." I would submit that there is no more environmentally sensitive parcel in Fairview than 5185 Old Harding Road.

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Thank you again for your time and consideration,

Ed Begun
7399 Caney Fork Road
(650) 619-6633

Ethan Greer

From: Elizabeth Andersen <elizabethandersencounseling@gmail.com>
Sent: Sunday, September 14, 2025 8:04 PM
To: Ethan Greer; pcarter@mtlawgroup.net
Subject: Proposed zoning changes to 5185 Old Harding Road.

You don't often get email from elizabethandersencounseling@gmail.com. [Learn why this is important](#)

Dear Mr. Greer and City of Fairview Planning Staff,
I am writing to express concern regarding the proposed new Zoning Code for the City of Fairview, in particular the proposed zoning changes to 5185 Old Harding Road.

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Further to this point, the Fairview Forward Vision Statement contained in the 2040 Comprehensive Plan explicitly states that the City of Fairview "is sensitive to the natural features and the environment." I would submit that there is no more environmentally sensitive parcel in Fairview than 5185 Old Harding Road.

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Thank you again for your time and consideration,
Elizabeth

--

Elizabeth Andersen, LPC-MHSP, RPT
7118 Fernvale Road
Fairview, TN 37062

I have itemized my comments on the new zoning ordinance open for public comment below. These are based on my 18 years experience working for a residential general contractor, 5 years as a citizen and homeowner in Fairview, and 4 years serving on the planning commission. Additionally prior to those itemized comments, I would like to summarize the buckets that these fall into.

1. Process and Document Quality

The draft zoning ordinance contains proofreading and formatting errors, including a duplicated table of contents. These errors make the document difficult to navigate and understand. There has been no public forum for questions and answers since the document was released for public comment. The planning commission worksession was rushed and did not allow time for citizens to ask questions or voice concerns. These issues suggest the document was not in a complete state for public review. An extension of the public comment period is requested to allow time for the document to be revised and for the public to review it.

2. Legal Concerns Regarding Rezoning

The new ordinance proposes reclassifying some existing R-40 and R-20 zoned properties into new designations like CD-3L. This appears to contradict the previous understanding that the city would not force rezonings on existing commercial properties, and that commercial-general properties would retain their zoning unless the landowner requested a change. Clarification is requested from Mr. Carter regarding the legal basis and ramifications of this proposed forced rezoning.

3. Intent and Scope of Regulations

The proposed ordinance appears to be a reaction to recent developments. The regulations, such as the one concerning driveways, may be overly strict. A statement was made at the planning commission worksession that over 90% of existing driveways in Fairview would be non-compliant under the new rules. This suggests the ordinance may be more focused on changing the character of the city rather than preserving its current nature. It is suggested that the ordinance should focus on regulating specific issues like landscaping, green space, impervious surfaces, and stormwater management, without being overly restrictive. The level of regulation seems more aligned with an architectural-controlled neighborhood or an HOA than a city.

Table of Contents

Comment: There seems to be a very confusing duplication / typo on the table of contents list starting at roughly page 12 of the document. The duplication exists up to about the bottom of page 17. Then starts duplicating again at page 21 through page 23.

Article 4: Building, Lot & Building Site Standards

CD-1 Table 4.3.1-A District Standards Natural Character District

Setbacks / Yards

Comment: The document permits a principal and accessory structure but notes setbacks as not applicable. This should actually read NR (not regulated) if there is a structure that is correctly permitted and there is to be no regulation. Additionally While minimal structures are permitted, setbacks may be necessary to keep structures off property lines.

Building Standards

Comment: The document states that all building standards are "Not applicable." This suggests either the permission of structures is an error, it should read "not regulated," or standards should be included.

Vehicular Parking Requirements

Off Street Parking

Comment: The document states "Off Street Parking" is "Not applicable," yet a material is listed for the surface in the next section. If civil buildings are permitted, parking standards would be necessary.

Additional Parking Requirements

Off Street Parking Surface

Comment: The document states "Off Street Parking" is "Not applicable," yet a material is listed for the surface. One is an error.

Driveway / Vehicular Entrance Location

Comment: "Driveway / Vehicular Entrance Location" is listed as "Not applicable." If civil buildings are permitted, driveway standards would be necessary.

Driveway / Vehicular Entrance Maximum Width

Comment: "Driveway / Vehicular Entrance Maximum Width" is listed as "Not applicable." If civil buildings are permitted, driveway standards would be necessary.

Loading & Access

Comment: "Loading & Access" is listed as "Not applicable." If civil buildings are permitted, these standards would be necessary.

Non-Building Components

Comment: "Non Building Components" are listed as "Not applicable." If civil buildings are permitted, these standards would be necessary.

Private Landscaping and Fencing

Comment: Similar to the comments above, Under Private Landscaping and Fencing it is noted to be Not applicable. I would think that of all things you would find in this district that landscape and fencing would be in this district and it should read NR or there should be standards.

Screens, Streetscreens & Buffers

Comment: "Private Landscaping and Fencing" is listed as "Not applicable." Landscape and fencing standards may be applicable in this district.

CD-2 Table 4.3.1-B District Standards Rural Character District

Lot Occupation

Impervious Surface Coverage

Comment: The document states that "Impervious Surface Coverage" is not regulated. It is suggested that this should be regulated to maintain the rural character of the district.

Additional Parking Requirements

Driveway / Vehicular Entrance Maximum Width

Comment: The document sets a 12' maximum driveway width after the first 10'. This width is narrow and may render a large number of existing driveways non-compliant. A 16' maximum width is suggested to allow for vehicle passing or side-by-side parking, which is common in the area. Additionally I do not understand the reasoning for the allowance of 26' wide for the first 10' at the driveway entrance.

Loading & Access

Comment: The document permits Heating and Air Conditioning Equipment, Utility, Service and Mechanical Equipment in the 1st layer, which is the front yard. I believe this to be an error.

Private Landscaping and Fencing

Materials

Comment: Chain link fence (particularly vinyl coated chain link) should be permitted on larger lots. It is affordable for large rural lots, characteristic of Fairview and is very open for sight purposes & can blend with landscaping.

Location of Retaining Walls

Comment: Most cities use the standard that it must be off the property line as far as it is tall because that typically means the footer won't extend. I think it should be 10' or the height of the wall of the property line, whichever is greater.

Screens, Streetscreens & Buffers

Comment: Wall screen, Streetscreen Height, Fence Screen, Hedge Screen are not well diagramed or defined anywhere for the general population to understand what is being referred to here.

CD-2W Table 4.3.1-C District Woodlot Character District

Lot Occupation

Impervious Surface Coverage

Comment: The document states that "Impervious Surface Coverage" is not regulated. It is suggested that this should be regulated to maintain the rural character of the district.

Building Standards

Roof Type & Pitch

Pitch

Comment: The document requires a specific roof pitch. This requirement conflicts with many older homes in

Fairview, including a common 1970s house plan with a 5:12 roof pitch. A caveat for renovations and additions to match existing structures is suggested or a directive to the Board of Zoning appeals that they are clearly able to approve variance requests to the roof pitch for additions if it is in keeping with the existing buildings roof pitch. Additionally, it is suggested that shed roofs be permitted with down to a pitch of 2:12 because this pitch can still have a metal roofs

Vehicular parking Requirements

Additional Parking Requirements

Garage Design

Comment: The "carriage house garage door" requirement is not defined or diagrammed, which creates ambiguity. As a residential general contractor, my understanding of this term refers to doors that open outward, not the more common roll-up style. I surmise that the reference is actually to the actual style of the garage door slab as more of a barn door style rollup door with more relief to the design than the stamped paneled aluminum doors seen in 90% of Fairview. This requirement may be an attempt to regulate a specific aesthetic that is becoming less common in high-end residential design, which now favors doors that blend into the facade.

Furthermore, this section limits the use of double garage doors in favor of single ones less than 9' wide. I believe this regulation may not align with the needs of the community, as double garage doors are a common feature in the area and 10' wide single garage doors are common in higher end construction.

The required 2-foot spacing between garage doors also seems arbitrary, as a 12-to-18-inch spacing is all that is necessary for garage door bucks and clean wiring.

Finally, the requirement for ornamental lighting over doors is overly prescriptive. Alternative lighting placements, such as side sconces or recessed cans, could also meet code and provide a suitable aesthetic, particularly on homes with lower rooflines.

It is suggested that if these regulations are to be included, they should apply only to front-facing garage doors and

provide clear definitions and diagrams for all terms, including "carriage house style."

Driveway / Vehicular Entrance Maximum Width

Comment: The document sets a 12' maximum driveway width. This width may render a large section of existing driveways non-compliant. A 16' maximum width is suggested to allow for vehicle passing or side-by-side parking

Loading & Access

Utility Box & Service Meter Locations

Comment: The document restricts the location of utility boxes and service meters. It is suggested that this regulation is overly restrictive, as meter location is often dictated by utility providers. It is suggested that this should be permitted in zone 2.

Non Building Components

Solar panels

*Comment: There is a clear typo here as permitted in **2st** or 2nd layer is not correct.*

Private Landscaping and Fencing

Materials

Comment: The document may not permit chain link fencing. Vinyl-coated chain link fencing is suggested as a permitted material for larger lots due to its affordability and common use in the area.

Additional Standards

Pedestrian connections through to Adjacent Neighborhoods or Uses

Comment: This Gray R symbol is not part of the legend and likely is a typo and should be green.

Location of Retaining Walls

Comment: Most cities use the standard that it must be off the property line as far as it is tall because that typically means the footer won't extend. I think it should be 10' or the height of the wall of the property line, whichever is greater.

Screens, Streetscreens & Buffers

Comment: Wall screen, Streetscreen Height, Fence Screen, Hedge Screen are not well diagramed or defined anywhere for the general population to understand what is being referred to here.

Additional Standards

Screening of Parking, Loading Areas, Service Areas, Outdoor Storage, Drive-Throughs, Trash

Receptacles / Dumpsters, HVAC and other equipment Screened from Frontage, Civic Space and Adjacent Property

Comment: This Gray R symbol is not part of the legend and likely is a typo and should be green.

HVAC, Mechanical and other Equipment Screening

Comment: This Gray R symbol is not part of the legend and likely is a typo and should be green.

CD-3L Table 4.3.1-D District Neighborhood Large Character District

Density

Comment: The document states that density only applies to development sites. This may not be correct, as it could apply in all cases.

Lot Occupation

Lot / Building Site Width

Comment: Currently ½ acre lots are 100' width minimum and this would make a large number of lots non-conforming. I would redirect you to the general summary comment I made above about combining some acre lots and ½ acre lots into this zoning. I think it gets into murky land law and is an arbitrary change. Sticking with the current 100' minimum that currently makes up the character of fairview (and should make it more walkable) seems more in the vein of preserving Fairview and less overwhelming to the Board of zoning but not creating a large portion of non-conforming lots.

Setbacks / Yards

Setbacks / Yards - Principal Building

Side Setback / Yard, Each Side

Comment: This is currently 15' in our zoning. Taking into consideration that the current minimum width is 100' and that the 1970's Fairview house plan is 40' wide (set in the middle of the lot) then a 15' side setback allows for garage additions that increase property values and seems to be most common addition. 20' sidesetback only allows for 10' room to either side of the 3/1 house plan and really handicaps and plummets the value of the existing fairview home and lot. I refer you back to the general summary comment that I made at the beginning at combining some acre lots and some ½ acre lots into this zoning.

Building Standards

Building Composition

Vertical Composition

Comment: The capitalized terms Base, Middle, & Cap are not defined or diagrammed in the document. Clear definitions are requested.

Facade

Facade & Facade Element Design Proportions

Comment: This section lacks diagrams and examples for clarity. The regulation of a vertical facade proportion may conflict with the architectural style of existing ranch-style homes in Fairview. A provision is needed to allow additions to existing homes without requiring them to meet a vertical proportion standard.

Facade Glazing

Comment: The ordinance does not provide clear directives on how this requirement applies to additions and renovations on existing properties. A significant number of existing homes may become non-conforming, and meeting this standard could pose a challenge for simple additions like a garage. It is suggested that this requirement apply only to new development sites.

Porch Frontages

This seems very arbitrary and I am unclear what we are trying to regulate here. An 8' deep front porch being dictated seems extreme and not in line with existing buildings in Fairview. This might be a good area for the asterisk of "only applicable to development sites".

Roof Type & Pitch

Pitch

Comment: The document requires a specific roof pitch. This requirement conflicts with many older homes in Fairview, including a common 1970s house plan with a 5:12 roof pitch. A caveat for renovations and additions to match existing structures is suggested or a directive to the Board of Zoning appeals that they are clearly able to approve variance requests to the roof pitch for additions if it is in keeping with the existing buildings roof pitch. Additionally, it is suggested that shed roofs be permitted with down to a pitch of 2:12 because this pitch can still have a metal roofs

Building Materials

Building Colors

Comment: The section on Building Colors contains what appears to be a typo: "Up to 3 colors, including the natural 'tone' of any allowed materials, but excluding trim colors."

It is suggested that the regulation limiting a building to three colors may be overly restrictive. In many common residential designs, a combination of materials and elements—such as brick, siding, shutters, and trim—can necessitate more than three colors to achieve a desired aesthetic, which may also include a stained front door.

A more flexible standard of 4-5 colors is recommended. Alternatively, this level of regulation could be applied specifically to new development sites, as indicated by an asterisk in the document.

Vehicular parking Requirements

Additional Parking Requirements

Garage Design

Comment: The "carriage house garage door" requirement is not defined or diagrammed, which creates ambiguity. As a residential general contractor, my understanding of this term refers to doors that open outward, not the more common roll-up style. I surmise that the reference is actually to the actual style of the garage door slab as more of a barn door style rollup door with more relief to the design than the stamped paneled aluminum doors seen in 90% of Fairview. This requirement may be an attempt to regulate a specific aesthetic that is becoming less common in high-end residential design, which now favors doors that blend into the facade.

Furthermore, this section limits the use of double garage doors in favor of single ones less than 9' wide. I believe this regulation may not align with the needs of the community, as double garage doors are a common feature in the area and 10' wide single garage doors are common in higher end construction.

The required 2-foot spacing between garage doors also seems arbitrary, as a 12-to-18-inch spacing is all that is necessary for garage door bucks and clean wiring.

Finally, the requirement for ornamental lighting over doors is overly prescriptive. Alternative lighting placements, such as side sconces or recessed cans, could also meet code and provide a suitable aesthetic, particularly on homes with lower rooflines.

It is suggested that if these regulations are to be included, they should apply only to front-facing garage doors and provide clear definitions and diagrams for all terms, including "carriage house style."

Driveway / Vehicular Entrance Maximum Width

Comment: The document sets a 12' maximum driveway width. This width may render a large section of existing driveways non-compliant. A 16' maximum width is suggested to allow for vehicle passing or side-by-side parking

Loading & Access

Utility Box & Service Meter Locations

Comment: The document restricts the location of utility boxes and service meters. It is suggested that this regulation is overly restrictive, as meter location is often dictated by utility providers. It is suggested that this should be permitted in zone 2.

Private Landscaping and Fencing

Materials

Comment: The document may not permit chain link fencing. Vinyl-coated chain link fencing is suggested as a permitted material for larger lots due to its affordability and common use in the area.

Additional Standards

Location of Retaining Walls

Comment: Most cities use the standard that it must be off the property line as far as it is tall because that typically means the footer won't extend. I think it should be 10' or the height of the wall of the property line, whichever is greater.

Screens, Streetscreens & Buffers

Comment: Wall screen, Streetscreen Height, Fence Screen, Hedge Screen are not well diagramed or defined anywhere for the general population to understand what is being referred to here.

CD-3 Table 4.3.1-E District Neighborhood Character District

Density

Comment: The document states that density only applies to development sites. This may not be correct, as it could apply in all cases.

Building Standards

Building Composition

Vertical Composition

Comment: The capitalized terms Base, Middle, & Cap are not defined or diagrammed in the document. Clear definitions are requested.

Facade

Facade & Facade Element Design Proportions

Comment: First this should be diagrammed with examples for clarity. Second, while I am not arguing that contemporary portions that we seek to see in new developments are vertically inclined, I think we are overstepping the regulations here. Fairview has a ton of Ranch style homes and there should be some precedent that they could get a building permit to add on without having to increase vertical height to be vertically portioned.

Facade Glazing

Comment: There should be clear directives on how this applies to additions and renovations on existing properties because a large portion of the existing homes would be non conforming and to make them conforming would be very challenging for someone that just wants to add an addition of a garage. This maybe a good area for the asterisk of "only applicable to development sites to be applied".

Window Glazing Material

Comment: On 3L we allowed for bath windows to be frosted. Should we not on smaller lots with more privacy issues also allow this.

Porch Frontages

Comment: The ordinance dictates an 8-foot minimum front porch depth, which does not align with the characteristics of many existing buildings in Fairview. It is suggested that we first identify the

necessary reason for this ordinance and that if needed that this regulation be applied only to new development sites.

Roof Type & Pitch

Pitch

Comment: The document requires a specific roof pitch. This requirement conflicts with many older homes in Fairview, including a common 1970s house plan with a 5:12 roof pitch. A caveat for renovations and additions to match existing structures is suggested or a directive to the Board of Zoning appeals that they are clearly able to approve variance requests to the roof pitch for additions if it is in keeping with the existing buildings roof pitch. Additionally, it is suggested that shed roofs be permitted with down to a pitch of 2:12 because this pitch can still have a metal roofs

Building Materials

Building Colors

Comment: The section on Building Colors contains what appears to be a typo: "Up to 3 colors, including the natural 'tone' of any allowed materials, but excluding trim colors."

It is suggested that the regulation limiting a building to three colors may be overly restrictive. In many common residential designs, a combination of materials and elements—such as brick, siding, shutters, and trim—can necessitate more than three colors to achieve a desired aesthetic, which may also include a stained front door.

A more flexible standard of 4-5 colors is recommended. Alternatively, this level of regulation could be applied specifically to new development sites, as indicated by an asterisk in the document.

Vehicular parking Requirements

Additional Parking Requirements

Garage Design

Comment: The "carriage house garage door" requirement is not defined or diagrammed, which creates ambiguity. As a residential general

contractor, my understanding of this term refers to doors that open outward, not the more common roll-up style. I surmise that the reference is actually to the actual style of the garage door slab as more of a barn door style rollup door with more relief to the design than the stamped paneled aluminum doors seen in 90% of Fairview. This requirement may be an attempt to regulate a specific aesthetic that is becoming less common in high-end residential design, which now favors doors that blend into the facade.

Furthermore, this section limits the use of double garage doors in favor of single ones less than 9' wide. I believe this regulation may not align with the needs of the community, as double garage doors are a common feature in the area and 10' wide single garage doors are common in higher end construction.

The required 2-foot spacing between garage doors also seems arbitrary, as a 12-to-18-inch spacing is all that is necessary for garage door bucks and clean wiring.

Finally, the requirement for ornamental lighting over doors is overly prescriptive. Alternative lighting placements, such as side sconces or recessed cans, could also meet code and provide a suitable aesthetic, particularly on homes with lower rooflines.

It is suggested that if these regulations are to be included, they should apply only to front-facing garage doors and provide clear definitions and diagrams for all terms, including "carriage house style."

Driveway / Vehicular Entrance Maximum Width

Comment: The document sets a 10' maximum driveway width. This width may render a large section of existing driveways non-compliant. A 12' - 14' maximum width is suggested for this size lot.

Loading & Access

Utility Box & Service Meter Locations

Comment: The document restricts the location of utility boxes and service meters. It is suggested that this regulation is overly restrictive, as meter location is often dictated by utility providers. It is suggested that this should be permitted in zone 2.

Private Landscaping and Fencing

Additional Standards

Location of Retaining Walls

Comment: Most cities use the standard that it must be off the property line as far as it is tall because that typically means the footer won't extend. I think it should be 10' or the height of the wall of the property line, whichever is greater.

Screens, Streetscreens & Buffers

Comment: Wall screen, Streetscreen Height, Fence Screen, Hedge Screen are not well diagrammed or defined anywhere for the general population to understand what is being referred to here.

CD-4 Table 4.3.1-F District Neighborhood Center Character District

Density

Comment: The document states that density only applies to development sites. This may not be correct, as it could apply in all cases.

Building Standards

Building Composition

Vertical Composition

Comment: The capitalized terms Base, Middle, & Cap are not defined or diagrammed in the document. Clear definitions are requested.

Facade

Facade & Facade Element Design Proportions

Comment: This should be diagrammed with examples for clarity.

Porch Frontages

Comment: The ordinance dictates an 8-foot minimum front porch depth, which does not align with the characteristics of many existing buildings in Fairview. It is suggested that we first identify the necessary reason for this ordinance and that if needed that this regulation be applied only to new development sites.

Roof Type & Pitch

Pitch

Comment: It is suggested that shed roofs be permitted with down to a pitch of 2:12 because this pitch can still have a metal roofs

Building Materials

Building Colors

Comment: The section on Building Colors contains what appears to be a typo: "Up to 3 colors, including the natural 'tone' of any allowed materials, but excluding trim colors."

It is suggested that the regulation limiting a building to three colors may be overly restrictive. In many common residential designs, a combination of materials and elements—such as brick, siding, shutters, and trim—can necessitate more than three colors to achieve a desired aesthetic, which may also include a stained front door.

A more flexible standard of 4-5 colors is recommended. Alternatively, this level of regulation could be applied specifically to new development sites, as indicated by an asterisk in the document.

Vehicular parking Requirements

Additional Parking Requirements

Garage Design

Comment: The "carriage house garage door" requirement is not defined or diagrammed, which creates ambiguity. As a residential general contractor, my understanding of this term refers to doors that open outward, not the more common roll-up style. I surmise that the reference is actually to the actual style of the garage door slab as more of a barn door style rollup door with more relief to the design than the stamped paneled aluminum doors seen in 90% of Fairview. This requirement may be an attempt to regulate a specific aesthetic that is becoming less common in high-end residential design, which now favors doors that blend into the facade.

Furthermore, this section limits the use of double garage doors in favor of single ones less than 9' wide. I believe this regulation may not align with the needs of the community, as double garage doors

are a common feature in the area and 10' wide single garage doors are common in higher end construction.

The required 2-foot spacing between garage doors also seems arbitrary, as a 12-to-18-inch spacing is all that is necessary for garage door bucks and clean wiring.

Finally, the requirement for ornamental lighting over doors is overly prescriptive. Alternative lighting placements, such as side sconces or recessed cans, could also meet code and provide a suitable aesthetic, particularly on homes with lower rooflines.

It is suggested that if these regulations are to be included, they should apply only to front-facing garage doors and provide clear definitions and diagrams for all terms, including "carriage house style."

Driveway / Vehicular Entrance Maximum Width

Comment: The document sets a 10' maximum driveway width. This width may render a large section of existing driveways non-compliant. A 12' - 14' maximum width is suggested for this size lot.

Loading & Access

Utility Box & Service Meter Locations

Comment: The document restricts the location of utility boxes and service meters. It is suggested that this regulation is overly restrictive, as meter location is often dictated by utility providers. It is suggested that this should be permitted in zone 2.

Private Landscaping and Fencing

Additional Standards

Location of Retaining Walls

Comment: Most cities use the standard that it must be off the property line as far as it is tall because that typically means the footer won't extend. I think it should be 10' or the height of the wall of the property line, whichever is greater.

Screens, Streetscreens & Buffers

Comment: Wall screen, Streetscreen Height, Fence Screen, Hedge Screen are not well diagramed or defined anywhere for the general population to understand what is being referred to here.

CD-4C Table 4.3.1-G District Neighborhood Corridor Character District

Density

Comment: The document states that density only applies to development sites. This may not be correct, as it could apply in all cases.

Building Standards

Building Composition

Vertical Composition

Comment: The capitalized terms Base, Middle, & Cap are not defined or diagrammed in the document. Clear definitions are requested.

Facade

Facade & Facade Element Design Proportions

Comment: This should be diagrammed with examples for clarity.

Porch Frontages

Comment: The ordinance dictates an 8-foot minimum front porch depth, which does not align with the characteristics of many existing buildings in Fairview. It is suggested that we first identify the necessary reason for this ordinance and that if needed that this regulation be applied only to new development sites.

Roof Type & Pitch

Pitch

Comment: It is suggested that shed roofs be permitted with down to a pitch of 2:12 because this pitch can still have a metal roofs

Building Materials

Building Colors

Comment: It is suggested that the regulation limiting a building to three colors may be overly restrictive. In many common residential designs, a combination of materials and elements—such as brick, siding, shutters, and trim—can necessitate more than three colors to achieve a desired aesthetic, which may also include a stained front door.

A more flexible standard of 4-5 colors is recommended. Alternatively, this level of regulation

could be applied specifically to new development sites, as indicated by an asterisk in the document.

Vehicular parking Requirements

Additional Parking Requirements

Garage Design

Comment: The "carriage house garage door" requirement is not defined or diagrammed, which creates ambiguity. As a residential general contractor, my understanding of this term refers to doors that open outward, not the more common roll-up style. I surmise that the reference is actually to the actual style of the garage door slab as more of a barn door style rollup door with more relief to the design than the stamped paneled aluminum doors seen in 90% of Fairview. This requirement may be an attempt to regulate a specific aesthetic that is becoming less common in high-end residential design, which now favors doors that blend into the facade.

Furthermore, this section limits the use of double garage doors in favor of single ones less than 9' wide. I believe this regulation may not align with the needs of the community, as double garage doors are a common feature in the area and 10' wide single garage doors are common in higher end construction.

The required 2-foot spacing between garage doors also seems arbitrary, as a 12-to-18-inch spacing is all that is necessary for garage door bucks and clean wiring.

Finally, the requirement for ornamental lighting over doors is overly prescriptive. Alternative lighting placements, such as side sconces or recessed cans, could also meet code and provide a suitable aesthetic, particularly on homes with lower rooflines.

It is suggested that if these regulations are to be included, they should apply only to front-facing garage doors and provide clear definitions and

diagrams for all terms, including "carriage house style.

Loading & Access

Utility Box & Service Meter Locations

Comment: The document restricts the location of utility boxes and service meters. It is suggested that this regulation is overly restrictive, as meter location is often dictated by utility providers. It is suggested that this should be permitted in zone 2.

Private Landscaping and Fencing

Additional Standards

Location of Retaining Walls

Comment: Most cities use the standard that it must be off the property line as far as it is tall because that typically means the footer won't extend. I think it should be 10' or the height of the wall of the property line, whichever is greater..

Screens, Streetscreens & Buffers

Comment: Wall screen, Streetscreen Height, Fence Screen, Hedge Screen are not well diagramed or defined anywhere for the general population to understand what is being referred to here.

Article 5: Development Parcel Standards

Development Site Standards

5.9 Scenic Street Buffers

5.9.1 General

Comment: There seems to be erroneous highlight on several of these words.

Article 9: Definitions

L

Land Disturbance Plan

Comment: There seems to be erroneous outline on several of these words.

Layers

Comment: During the planning commission worksession, a depth of 20' was pointed out for Layer 2. This definition section of the zoning is the only location that I can find a specific depth is provided in the document. The worksession included a suggestion to change this to a percentage; however, a concern was raised about the potential for inconsistency in how percentages are calculated. This concern may be unfounded, as percentages are used elsewhere in this code.

The 20' depth for Layer 2 is problematic in Character Districts 2W and 3L, as it is inconsistent with the typical 25' depth of the 1970s "Fairview floorplan."

It is suggested that the ordinance use a more flexible standard, such as a 10' depth or 50% of the house depth. This depth should also be varied by district and clearly specified within Article 4.

Additional Comments:

Comment: I don't see carports addressed and feel like as common as these are, they should be clearly addressed.

Ethan Greer

From: Emilee Warren <EmileeMSWarren@gmail.com>
Sent: Saturday, September 13, 2025 3:44 PM
To: Ethan Greer; Maria Bruce; Marisa Howell
Subject: Comments on Zoning Ordinance Draft Open for Public Comment
Attachments: zoning comments.pdf

You don't often get email from emileemswarren@gmail.com. [Learn why this is important](#)

I have itemized my comments on the new zoning ordinance open for public comment below. These are based on my college architectural design degree, 18 years experience working for a residential general contractor, 5 years as a citizen and homeowner in Fairview, and 4 years serving on the planning commission. Additionally prior to those itemized comments, I would like to summarize the buckets that these fall into.

1. Process and Document Quality

The draft zoning ordinance contains proofreading and formatting errors, including a duplicated table of contents. These errors make the document difficult to navigate and understand. There has been no public forum for questions and answers since the document was released for public comment. The planning commission work session was rushed and did not allow time for citizens to ask questions or voice concerns. These issues suggest the document was not in a complete state for public review. An extension of the public comment period is requested to allow time for the document to be revised and for the public to review it.

2. Legal Concerns Regarding Rezoning

The new ordinance proposes reclassifying some existing R-40 and R-20 zoned properties into new designations like CD-3L. This appears to contradict the previous understanding that the city would not force rezonings on existing commercial properties, and that commercial-general properties would retain their zoning unless the landowner requested a change. Clarification is requested from Mr. Carter regarding the legal basis and ramifications of this proposed forced rezoning.

3. Intent and Scope of Regulations

The proposed ordinance appears to be a reaction to recent developments. The regulations, such as the one concerning driveways, may be overly strict. A statement was made at the planning commission work session that over 90% of existing driveways in Fairview would be non-compliant under the new rules. This suggests the ordinance may be more focused on changing the character of the city rather than preserving its current nature. It is suggested that the ordinance should focus on regulating specific issues like landscaping, green space, impervious surfaces, and stormwater management, without being overly restrictive. The level of regulation seems more aligned with an architectural-controlled neighborhood or an HOA than a city.

Emilee Senyard Warren

Comments:

Table of Contents

Comment: There seems to be a very confusing duplication / typo on the table of contents list starting at roughly page 12 of the document. The duplication exists up to about the bottom of page 17. Then starts duplicating again at page 21 through page 23.

Article 4: Building, Lot & Building Site Standards

CD-1 Table 4.3.1-A District Standards Natural Character District

Setbacks / Yards

Comment: The document permits a principal and accessory structure but notes setbacks as not applicable. This should actually read NR (not regulated) if there is a structure that is correctly permitted and there is to be no regulation. Additionally While minimal structures are permitted, setbacks may be necessary to keep structures off property lines.

Building Standards

Comment: The document states that all building standards are "Not applicable." This suggests either the permission of structures is an error, it should read "not regulated," or standards should be included.

Vehicular Parking Requirements

Off Street Parking

Comment: The document states "Off Street Parking" is "Not applicable," yet a material is listed for the surface in the next section. If civil buildings are permitted, parking standards would be necessary.

Additional Parking Requirements

Off Street Parking Surface

Comment: The document states "Off Street Parking" is "Not applicable," yet a material is listed for the surface. One is an error.

Driveway / Vehicular Entrance Location

Comment: "Driveway / Vehicular Entrance Location" is listed as "Not applicable." If civil buildings are permitted, driveway standards would be necessary.

Driveway / Vehicular Entrance Maximum Width

Comment: "Driveway / Vehicular Entrance Maximum Width" is listed as "Not applicable." If civil buildings are permitted, driveway standards would be necessary.

Loading & Access

Comment: "Loading & Access" is listed as "Not applicable." If civil buildings are permitted, these standards would be necessary.

Non-Building Components

Comment: "Non Building Components" are listed as "Not applicable." If civil buildings are permitted, these standards would be necessary.

Private Landscaping and Fencing

Comment: Similar to the comments above, Under Private Landscaping and Fencing it is noted to be Not applicable. I would think that of all things you would find in this district that landscape and fencing would be in this district and it should read NR or there should be standards.

Screens, Streetscreens & Buffers

Comment: "Private Landscaping and Fencing" is listed as "Not applicable." Landscape and fencing standards may be applicable in this district.

CD-2 Table 4.3.1-B District Standards Rural Character District

Lot Occupation

Impervious Surface Coverage

Comment: The document states that "Impervious Surface Coverage" is not regulated. It is suggested that this should be regulated to maintain the rural character of the district.

Additional Parking Requirements

Driveway / Vehicular Entrance Maximum Width

Comment: The document sets a 12' maximum driveway width after the first 10'. This width is narrow and may render a large number of existing driveways non-compliant. A 16' maximum width is suggested to allow for vehicle passing or side-by-side parking, which is common in the area. Additionally I do not understand the reasoning for the allowance of 26' wide for the first 10' at the driveway entrance.

Loading & Access

Comment: The document permits Heating and Air Conditioning Equipment, Utility, Service and Mechanical Equipment in the 1st layer, which is the front yard. I believe this to be an error.

Private Landscaping and Fencing

Materials

Comment: Chain link fence (particularly vinyl coated chain link) should be permitted on larger lots. It is affordable for large rural lots, characteristic of Fairview and is very open for sight purposes & can blend with landscaping.

Location of Retaining Walls

Comment: Most cities use the standard that it must be off the property line as far as it is tall because that typically means the footer won't extend. I think it should be 10' or the height of the wall of the property line, whichever is greater.

Screens, Streetscreens & Buffers

Comment: Wall screen, Streetscreen Height, Fence Screen, Hedge Screen are not well diagrammed or defined anywhere for the general population to understand what is being referred to here.

CD-2W Table 4.3.1-C District Woodlot Character District

Lot Occupation

Impervious Surface Coverage

Comment: The document states that "Impervious Surface Coverage" is not regulated. It is suggested that this should be regulated to maintain the rural character of the district.

Building Standards

Roof Type & Pitch

Pitch

Comment: The document requires a specific roof pitch. This requirement conflicts with many older homes in Fairview, including a common 1970s house plan with a 5:12 roof pitch. A caveat for renovations and additions to match existing structures is suggested or a directive to the Board of Zoning appeals that they are clearly able to approve variance requests to the roof pitch for additions if it is in keeping with the existing buildings roof pitch. Additionally, it is suggested that shed roofs be permitted with down to a pitch of 2:12 because this pitch can still have a metal roofs

Vehicular parking Requirements

Additional Parking Requirements

Garage Design

Comment: The "carriage house garage door" requirement is not defined or diagrammed, which creates ambiguity. As a residential general contractor, my understanding of this term refers to doors that open outward, not the more common roll-up style. I surmise that the reference is actually to the actual style of the garage door slab as more of a barn door style rollup door with more relief to the design than the stamped

paneled aluminum doors seen in 90% of Fairview. This requirement may be an attempt to regulate a specific aesthetic that is becoming less common in high-end residential design, which now favors doors that blend into the facade.

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It is suggested that if these regulations are to be included, they should apply only to front-facing garage doors and provide clear definitions and diagrams for all terms, including "carriage house style."

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Comment: The document sets a 12' maximum driveway width. This width may render a large section of existing driveways non-compliant. A 16' maximum width is suggested to allow for vehicle passing or side-by-side parking

Loading & Access

Utility Box & Service Meter Locations

Comment: The document restricts the location of utility boxes and service meters. It is suggested that this regulation is overly restrictive, as meter location is often dictated by utility providers. It is suggested that this should be permitted in zone 2.

Non Building Components

Solar panels

*Comment: There is a clear typo here as permitted in **2st** or 2nd layer is not correct.*

Private Landscaping and Fencing

Materials

Comment: The document may not permit chain link fencing. Vinyl-coated chain link fencing is suggested as a permitted material for larger lots due to its affordability and common use in the area.

Additional Standards

Pedestrian connections through to Adjacent Neighborhoods or Uses

Comment: This Gray R symbol is not part of the legend and likely is a typo and should be green.

Location of Retaining Walls

Comment: Most cities use the standard that it must be off the property line as far as it is tall because that typically means the footer won't extend. I think it should be 10' or the height of the wall of the property line, whichever is greater.

Screens, Streetscreens & Buffers

Comment: Wall screen, Streetscreen Height, Fence Screen, Hedge Screen are not well diagrammed or defined anywhere for the general population to understand what is being referred to here.

Additional Standards

Screening of Parking, Loading Areas, Service Areas, Outdoor Storage, Drive-Throughs, Trash Receptacles / Dumpsters, HVAC and other equipment Screened from Frontage, Civic Space and Adjacent Property

Comment: This Gray R symbol is not part of the legend and likely is a typo and should be green.

HVAC, Mechanical and other Equipment Screening

Comment: This Gray R symbol is not part of the legend and likely is a typo and should be green.

CD-3L Table 4.3.1-D District Neighborhood Large Character District

Density

Comment: The document states that density only applies to development sites. This may not be correct, as it could apply in all cases.

Lot Occupation

Lot / Building Site Width

Comment: Currently ½ acre lots are 100' width minimum and this would make a large number of lots non-conforming. I would redirect you to the general summary comment I made above about combining some acre lots and ½ acre lots into this zoning. I think it gets into murky land law and is an arbitrary change. Sticking with the current 100' minimum that currently makes up the character of fairview (and should make it more walkable) seems more in the vein of preserving Fairview and less overwhelming to the Board of zoning but not creating a large portion of non-conforming lots.

Setbacks / Yards

Setbacks / Yards - Principal Building

Side Setback / Yard, Each Side

Comment: This is currently 15' in our zoning. Taking into consideration that the current minimum width is 100' and that the 1970's Fairview house plan is 40' wide (set in the middle of the lot) then a 15' side setback allows for garage additions that increase property values and seems to be most common addition. 20' side setback only allows for 10' room to either side of the 3/1 house plan and really handicaps and plummets the value of the existing fairview home and lot. I refer you back to the general summary comment that I made at the beginning at combining some acre lots and some ½ acre lots into this zoning.

Building Standards

Building Composition

Vertical Composition

Comment: The capitalized terms Base, Middle, & Cap are not defined or diagrammed in the document. Clear definitions are requested.

Facade

Facade & Facade Element Design Proportions

Comment: This section lacks diagrams and examples for clarity. The regulation of a vertical facade proportion may conflict with the architectural style of existing ranch-style homes in Fairview. A provision is needed to allow additions to existing homes without requiring them to meet a vertical proportion standard.

Facade Glazing

Comment: The ordinance does not provide clear directives on how this requirement applies to additions and renovations on existing

properties. A significant number of existing homes may become non-conforming, and meeting this standard could pose a challenge for simple additions like a garage. It is suggested that this requirement apply only to new development sites.

Porch Frontages

This seems very arbitrary and I am unclear what we are trying to regulate here. An 8' deep front porch being dictated seems extreme and not in line with existing buildings in Fairview. This might be a good area for the asterisk of "only applicable to development sites".

Roof Type & Pitch

Pitch

Comment: The document requires a specific roof pitch. This requirement conflicts with many older homes in Fairview, including a common 1970s house plan with a 5:12 roof pitch. A caveat for renovations and additions to match existing structures is suggested or a directive to the Board of Zoning appeals that they are clearly able to approve variance requests to the roof pitch for additions if it is in keeping with the existing buildings roof pitch. Additionally, it is suggested that shed roofs be permitted with down to a pitch of 2:12 because this pitch can still have a metal roofs

Building Materials

Building Colors

Comment: The section on Building Colors contains what appears to be a typo: "Up to 3 colors, including the natural 'tone' of any allowed materials, but excluding trim colors."

It is suggested that the regulation limiting a building to three colors may be overly restrictive. In many common residential designs, a combination of materials and elements—such as brick, siding, shutters, and trim—can necessitate more than three colors to achieve a desired aesthetic, which may also include a stained front door.

A more flexible standard of 4-5 colors is recommended. Alternatively, this level of regulation could be applied specifically to new development sites, as indicated by an asterisk in the document.

Vehicular parking Requirements

Additional Parking Requirements

Garage Design

Comment: The "carriage house garage door" requirement is not defined or diagrammed, which creates ambiguity. As a residential general contractor, my understanding of this term refers to doors that open outward, not the more common roll-up style. I surmise that the reference is actually to the actual style of the garage door slab as more of a barn door style rollup door with more relief to the design than the stamped paneled aluminum doors seen in 90% of Fairview. This requirement may be an attempt to regulate a specific aesthetic that is becoming less common in high-end residential design, which now favors doors that blend into the facade.

Furthermore, this section limits the use of double garage doors in favor of single ones less than 9' wide. I believe this regulation may not align with the needs of the community, as double garage doors are a common feature in the area and 10' wide single garage doors are common in higher end construction.

The required 2-foot spacing between garage doors also seems arbitrary, as a 12-to-18-inch spacing is all that is necessary for garage door bucks and clean wiring.

Finally, the requirement for ornamental lighting over doors is overly prescriptive. Alternative lighting placements, such as side sconces or recessed cans, could also meet code and provide a suitable aesthetic, particularly on homes with lower rooflines.

It is suggested that if these regulations are to be included, they should apply only to front-facing garage doors and provide clear definitions and diagrams for all terms, including "carriage house style."

Driveway / Vehicular Entrance Maximum Width

Comment: The document sets a 12' maximum driveway width. This width may render a large section of existing driveways non-compliant. A 16' maximum width is suggested to allow for vehicle passing or side-by-side parking

Loading & Access

Utility Box & Service Meter Locations

Comment: The document restricts the location of utility boxes and service meters. It is suggested that this regulation is overly restrictive, as meter location is often dictated by utility providers. It is suggested that this should be permitted in zone 2.

Private Landscaping and Fencing

Materials

Comment: The document may not permit chain link fencing. Vinyl-coated chain link fencing is suggested as a permitted material for larger lots due to its affordability and common use in the area.

Additional Standards

Location of Retaining Walls

Comment: Most cities use the standard that it must be off the property line as far as it is tall because that typically means the footer won't extend. I think it should be 10' or the height of the wall of the property line, whichever is greater.

Screens, Streetscreens & Buffers

Comment: Wall screen, Streetscreen Height, Fence Screen, Hedge Screen are not well diagramed or defined anywhere for the general population to understand what is being referred to here.

CD-3 Table 4.3.1-E District Neighborhood Character District

Density

Comment: The document states that density only applies to development sites. This may not be correct, as it could apply in all cases.

Building Standards

Building Composition

Vertical Composition

Comment: The capitalized terms Base, Middle, & Cap are not defined or diagrammed in the document. Clear definitions are requested.

Facade

Facade & Facade Element Design Proportions

Comment: First this should be diagrammed with examples for clarity. Second, while I am not arguing that contemporary portions that we seek to see in new developments are vertically inclined, I think we are overstepping the regulations here. Fairview has a ton of Ranch style homes and there should be some precedent that they could get a building permit to add on without having to increase vertical height to be vertically portioned.

Facade Glazing

Comment: There should be clear directives on how this applies to additions and renovations on existing properties because a large portion of the existing homes would be non conforming and to make them conforming would be very challenging for someone that just wants to add an addition of a garage. This maybe a good area for the asterisk of "only applicable to development sites to be applied".

Window Glazing Material

Comment: On 3L we allowed for bath windows to be frosted. Should we not on smaller lots with more privacy issues also allow this.

Porch Frontages

Comment: The ordinance dictates an 8-foot minimum front porch depth, which does not align with the characteristics of many existing buildings in Fairview. It is suggested that we first identify the necessary reason for this ordinance and that if needed that this regulation be applied only to new development sites.

Roof Type & Pitch

Pitch

Comment: The document requires a specific roof pitch. This requirement conflicts with many older homes in Fairview, including a common 1970s house plan with a 5:12 roof pitch. A caveat for renovations and additions to match existing structures is suggested or a directive to the Board of Zoning appeals that they are clearly able to approve variance requests to the roof pitch for additions if it is in keeping with the existing buildings roof pitch. Additionally, it is suggested that shed roofs be permitted with down to a pitch of 2:12 because this pitch can still have a metal roofs

Building Materials

Building Colors

Comment: The section on Building Colors contains what appears to be a typo: "Up to 3 colors, including the natural 'tone' of any allowed materials, but excluding trim colors."

It is suggested that the regulation limiting a building to three colors may be overly restrictive. In many common residential designs, a combination of materials and elements—such as brick, siding, shutters, and trim—can necessitate more than three colors to achieve a desired aesthetic, which may also include a stained front door.

A more flexible standard of 4-5 colors is recommended. Alternatively, this level of regulation could be applied specifically to new development sites, as indicated by an asterisk in the document.

Vehicular parking Requirements

Additional Parking Requirements

Garage Design

Comment: The "carriage house garage door" requirement is not defined or diagrammed, which creates ambiguity. As a residential general contractor, my understanding of this term refers to doors that open outward, not the more common roll-up style. I surmise that the reference is actually to the actual style of the garage door slab as more of a barn door style rollup door with more relief to the design than the stamped paneled aluminum doors seen in 90% of Fairview. This requirement may be an attempt to regulate a specific aesthetic that is becoming less common in high-end residential design, which now favors doors that blend into the facade.

Furthermore, this section limits the use of double garage doors in favor of single ones less than 9' wide. I believe this regulation may not align with the needs of the community, as double garage doors are a common feature in the area and 10' wide single garage doors are common in higher end construction.

The required 2-foot spacing between garage doors also seems arbitrary, as a 12-to-18-inch spacing is all that is necessary for garage door bucks and clean wiring.

Finally, the requirement for ornamental lighting over doors is overly prescriptive. Alternative lighting placements, such as side sconces or recessed cans, could also meet code and provide a suitable aesthetic, particularly on homes with lower rooflines.

It is suggested that if these regulations are to be included, they should apply only to front-facing garage doors and provide clear definitions and diagrams for all terms, including "carriage house style."

Driveway / Vehicular Entrance Maximum Width

Comment: The document sets a 10' maximum driveway width. This width may render a large section of existing driveways non-compliant. A 12' - 14' maximum width is suggested for this size lot.

Loading & Access

Utility Box & Service Meter Locations

Comment: The document restricts the location of utility boxes and service meters. It is suggested that this regulation is overly restrictive, as meter location is often dictated by utility providers. It is suggested that this should be permitted in zone 2.

Private Landscaping and Fencing

Additional Standards

Location of Retaining Walls

Comment: Most cities use the standard that it must be off the property line as far as it is tall because that typically

means the footer won't extend. I think it should be 10' or the height of the wall of the property line, whichever is greater.

Screens, Streetscreens & Buffers

Comment: Wall screen, Streetscreen Height, Fence Screen, Hedge Screen are not well diagrammed or defined anywhere for the general population to understand what is being referred to here.

CD-4 Table 4.3.1-F District Neighborhood Center Character District

Density

Comment: The document states that density only applies to development sites. This may not be correct, as it could apply in all cases.

Building Standards

Building Composition

Vertical Composition

Comment: The capitalized terms Base, Middle, & Cap are not defined or diagrammed in the document. Clear definitions are requested.

Facade

Facade & Facade Element Design Proportions

Comment: This should be diagrammed with examples for clarity.

Porch Frontages

Comment: The ordinance dictates an 8-foot minimum front porch depth, which does not align with the characteristics of many existing buildings in Fairview. It is suggested that we first identify the necessary reason for this ordinance and that if needed that this regulation be applied only to new development sites.

Roof Type & Pitch

Pitch

Comment: It is suggested that shed roofs be permitted with down to a pitch of 2:12 because this pitch can still have a metal roofs

Building Materials

Building Colors

Comment: The section on Building Colors contains what appears to be a typo: "Up to 3 colors, including the natural 'tone' of any allowed materials, but excluding trim colors."

It is suggested that the regulation limiting a building to three colors may be overly restrictive. In many common residential designs, a combination of materials and elements—such as brick, siding, shutters, and trim—can necessitate more than three colors to achieve a desired aesthetic, which may also include a stained front door.

A more flexible standard of 4-5 colors is recommended. Alternatively, this level of regulation could be applied specifically to new development sites, as indicated by an asterisk in the document.

Vehicular parking Requirements

Additional Parking Requirements

Garage Design

Comment: The "carriage house garage door" requirement is not defined or diagrammed, which creates ambiguity. As a residential general contractor, my understanding of this term refers to doors that open outward, not the more common roll-up style. I surmise that the reference is actually to the actual style of the garage door

slab as more of a barn door style rollup door with more relief to the design than the stamped paneled aluminum doors seen in 90% of Fairview. This requirement may be an attempt to regulate a specific aesthetic that is becoming less common in high-end residential design, which now favors doors that blend into the facade.

Furthermore, this section limits the use of double garage doors in favor of single ones less than 9' wide. I believe this regulation may not align with the needs of the community, as double garage doors are a common feature in the area and 10' wide single garage doors are common in higher end construction.

The required 2-foot spacing between garage doors also seems arbitrary, as a 12-to-18-inch spacing is all that is necessary for garage door bucks and clean wiring.

Finally, the requirement for ornamental lighting over doors is overly prescriptive. Alternative lighting placements, such as side sconces or recessed cans, could also meet code and provide a suitable aesthetic, particularly on homes with lower rooflines.

It is suggested that if these regulations are to be included, they should apply only to front-facing garage doors and provide clear definitions and diagrams for all terms, including "carriage house style."

Driveway / Vehicular Entrance Maximum Width

Comment: The document sets a 10' maximum driveway width. This width may render a large section of existing driveways non-compliant. A 12' - 14' maximum width is suggested for this size lot.

Loading & Access

Utility Box & Service Meter Locations

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Private Landscaping and Fencing

Additional Standards

Location of Retaining Walls

Comment: Most cities use the standard that it must be off the property line as far as it is tall because that typically means the footer won't extend. I think it should be 10' or the height of the wall of the property line, whichever is greater.

Screens, Streetscreens & Buffers

Comment: Wall screen, Streetscreen Height, Fence Screen, Hedge Screen are not well diagramed or defined anywhere for the general population to understand what is being referred to here.

CD-4C Table 4.3.1-G District Neighborhood Corridor Character District

Density

Comment: The document states that density only applies to development sites. This may not be correct, as it could apply in all cases.

Building Standards

Building Composition

Vertical Composition

Comment: The capitalized terms Base, Middle, & Cap are not defined or diagrammed in the document. Clear definitions are requested.

Facade

Facade & Facade Element Design Proportions

Comment: This should be diagrammed with examples for clarity.

Porch Frontages

Comment: The ordinance dictates an 8-foot minimum front porch depth, which does not align with the characteristics of many existing buildings in Fairview. It is suggested that we first identify the necessary reason for this ordinance and that if needed that this regulation be applied only to new development sites.

Roof Type & Pitch

Pitch

Comment: It is suggested that shed roofs be permitted with down to a pitch of 2:12 because this pitch can still have a metal roofs

Building Materials

Building Colors

Comment: It is suggested that the regulation limiting a building to three colors may be overly restrictive. In many common residential designs, a combination of materials and elements—such as brick, siding, shutters, and trim—can necessitate more than three colors to achieve a desired aesthetic, which may also include a stained front door.

A more flexible standard of 4-5 colors is recommended.

Alternatively, this level of regulation could be applied specifically to new development sites, as indicated by an asterisk in the document.

Vehicular parking Requirements

Additional Parking Requirements

Garage Design

Comment: The "carriage house garage door" requirement is not defined or diagrammed, which creates ambiguity. As a residential general contractor, my understanding of this term refers to doors that open outward, not the more common roll-up style. I surmise that the reference is actually to the actual style of the garage door slab as more of a barn door style rollup door with more relief to the design than the stamped paneled aluminum doors seen in 90% of Fairview. This requirement may be an attempt to regulate a specific aesthetic that is becoming less common in high-end residential design, which now favors doors that blend into the facade.

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Loading & Access

Utility Box & Service Meter Locations

Comment: The document restricts the location of utility boxes and service meters. It is suggested that this regulation is overly restrictive, as meter location is often dictated by utility providers. It is suggested that this should be permitted in zone 2.

Private Landscaping and Fencing

Additional Standards

Location of Retaining Walls

Comment: Most cities use the standard that it must be off the property line as far as it is tall because that typically means the footer won't extend. I think it should be 10' or the height of the wall of the property line, whichever is greater..

Screens, Streetscreens & Buffers

Comment: Wall screen, Streetscreen Height, Fence Screen, Hedge Screen are not well diagramed or defined anywhere for the general population to understand what is being referred to here.

Article 5: Development Parcel Standards

Development Site Standards

5.9 Scenic Street Buffers

5.9.1 General

Comment: There seems to be erroneous highlight on several of these words.

Article 9: Definitions

L

Land Disturbance Plan

Comment: There seems to be erroneous outline on several of these words.

Layers

Comment: During the planning commission worksession, a depth of 20' was pointed out for Layer 2. This definition section of the zoning is the only location that I can find a specific depth is provided in the document. The worksession included a suggestion to change this to a percentage; however, a concern was raised about the potential for inconsistency in how percentages are calculated. This concern may be unfounded, as percentages are used elsewhere in this code.

The 20' depth for Layer 2 is problematic in Character Districts 2W and 3L, as it is inconsistent with the typical 25' depth of the 1970s "Fairview floorplan."

It is suggested that the ordinance use a more flexible standard, such as a 10' depth or 50% of the house depth. This depth should also be varied by district and clearly specified within Article 4.

Additional Comments:

Comment: I don't see carports addressed and feel like as common as these are, they should be clearly addressed.

Ethan Greer

From: Emily Lemings <emily.lemings@gmail.com>
Sent: Saturday, September 13, 2025 12:54 PM
To: Ethan Greer
Cc: pcarter@mtlawgroup.net
Subject: Zoning code

You don't often get email from emily.lemings@gmail.com. [Learn why this is important](#)

Dear Mr. Greer and City of Fairview Planning Staff,

I am writing to express concern regarding the proposed new Zoning Code for the City of Fairview, in particular the proposed zoning changes to 5185 Old Harding Road.

I oppose this new Zoning Code and I am asking that you slow down this process and allow more time for comments and consideration concerning the long-term impact this new Code may have on the City of Fairview and the impact that it will certainly have on the surrounding rural property.

On September 4, 2025, you participated in a Board of Zoning Appeals hearing where citizens, neighbors and experts expressed concerns regarding a conditional use application for a “Rural Retreat/Private Club” for 5185 Old Harding Road. The proposed conditional use was commercial in nature and not appropriate for the land, including a racetrack, a gun-range, short-term rental units and an amphitheater. The citizens of the affected area were given short notice to respond and respond they did, with clarity. The conditional use application was denied.

Today, again with short notice, I write during the public comment period of the proposed new Development Code to express serious concerns. Specifically, it seems the proposed Code seeks to expand and codify permitted uses on 5185 Old Harding Road in a manner that directly conflicts with the “Rural Settlement” characterization of the property provided within the Fairview 2040 Comprehensive Plan.

The Future Land Use and Character Map of the 2040 Comprehensive Plan clearly designates 5185 Old Harding Road as “Rural Settlement” and lists only agriculture and single-family detached residential as appropriate land uses. This is consistent with the top two “Major Takeaways” of the Fairview 2040 Comprehensive Plan which are to: 1) Keep a quaint, country Fairview, and 2) Maintain the small community feel.

The new Code describes CD-2 areas, which is the proposed new zoning category for 5185 Old Harding Road, as “sparsely settled, primarily agriculture or low density single-family detached residential areas.” However, buried deep within the proposed Code are many permitted uses, some by right and others subject to limited use, that are clearly commercial uses, and should not be permitted because they are inconsistent with the Rural Settlement designation in the 2040 Comprehensive Plan. This includes a curious but familiar footnote for Rural Retreat. Examples of CD-2 permitted uses in the proposed code that I find objectionable include but are not limited to:

- Amphitheatre
- Membership Club or Lodge

- Rural Retreat
- Inn
- Schools
- Funeral Home

These uses are intrinsically commercial and incompatible with 1) the existing character of the land, 2) the sentiment of the surrounding area and property owners, and 3) Fairview's own 2040 Comprehensive Plan.

The new zoning for 5185 Old Harding Road is also not appropriate when considered in the context of unique natural features and development challenges posed by the property's topography. To restate some important attributes of that topography:

1. Multiple streams and springs that feed directly into the South Harpeth River, with multiple surrounding residences reliant on spring water as their primary water source;
2. Severe slopes and pronounced heavily wooded ridgelines that exceed 800 feet;
3. Most of the property is covered by dense forest which provides a biodiverse natural habitat protects against erosion and stormwater runoff;
4. Part of the property is in or immediately adjacent to the South Harpeth floodplain; and,
5. Working livestock farms operate adjacent to the property.

Since 1991, when 5185 Old Harding was annexed, the zoning has never properly considered the physical character of that property and the surrounding area. The result has been failed projects and wasted resources for developers and the neighboring community alike. Over the past three decades, the enforcement standards related to challenging topography and storm water have only become more stringent; the weather has only become more severe.

Further to this point, the Fairview Forward Vision Statement contained in the 2040 Comprehensive Plan explicitly states that the City of Fairview "is sensitive to the natural features and the environment." I would submit that there is no more environmentally sensitive parcel in Fairview than 5185 Old Harding Road.

Finally, I have real concerns that the interests of Fairview constituents, including neighboring communities, have not been fairly considered in spots of the Code like 5185 Old Harding Road.

To conclude, we ask that you take additional time to carefully review this Zoning Code and the impact it will have on some of these last remaining rural areas of town such as 5185 Old Harding Road. As drafted the Zoning Code will not protect these areas. 5185 Old Harding Road deserves protection. It should remain rural agricultural or residential in character consistent with the 2040 Plan with no permitted or conditional use exceptions (including footnotes) that would be commercial in character, because commercial uses will destroy the agricultural character of the land and surrounding area that we love.

Thank you again for your time and consideration,
Emily Lemings

Ethan Greer

From: Eric Fold <efold85@gmail.com>
Sent: Sunday, September 14, 2025 8:15 PM
To: Ethan Greer
Cc: pcarter@mtlawgroup.net
Subject: I oppose this development code

You don't often get email from efold85@gmail.com. [Learn why this is important](#)

Dear Mr. Greer and City of Fairview Planning Staff,

I am writing to express concern regarding the proposed new Zoning Code for the City of Fairview, in particular the proposed zoning changes to 5185 Old Harding Road.

I oppose this new Zoning Code and I am asking that you slow down this process and allow more time for comments and consideration concerning the long-term impact this new Code may have on the City of Fairview and the impact that it will certainly have on the surrounding rural property.

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The Future Land Use and Character Map of the 2040 Comprehensive Plan clearly designates 5185 Old Harding Road as “Rural Settlement” and lists only agriculture and single-family detached residential as appropriate land uses. This is consistent with the top two “Major Takeaways” of the Fairview 2040 Comprehensive Plan which are to: 1) Keep a quaint, country Fairview, and 2) Maintain the small community feel.

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- Amphitheatre
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- Schools
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These uses are intrinsically commercial and incompatible with 1) the existing character of the land, 2) the sentiment of the surrounding area and property owners, and 3) Fairview's own 2040 Comprehensive Plan.

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1. Multiple streams and springs that feed directly into the South Harpeth River, with multiple surrounding residences reliant on spring water as their primary water source;
2. Severe slopes and pronounced heavily wooded ridgelines that exceed 800 feet;
3. Most of the property is covered by dense forest which provides a biodiverse natural habitat protects against erosion and stormwater runoff;
4. Part of the property is in in or immediately adjacent to the South Harpeth floodplain; and,
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Since 1991, when 5185 Old Harding was annexed, the zoning has never properly considered the physical character of that property and the surrounding area. The result has been failed projects and wasted resources for developers and the neighboring community alike. Over the past three decades, the enforcement standards related to challenging topography and storm water have only become more stringent; the weather has only become more severe.

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To conclude, we ask that you take additional time to carefully review this Zoning Code and the impact it will have on some of these last remaining rural areas of town such as 5185 Old Harding Road. As drafted the Zoning Code will not protect these areas. 5185 Old Harding Road deserves protection. It should remain rural agricultural or residential in character consistent with the 2040 Plan with no permitted or conditional use exceptions (including footnotes) that would be commercial in character, because commercial uses will destroy the agricultural character of the land and surrounding area that we love.

Thank you again for your time and consideration,

ERIC FOLD, DVM
615-425-6568

Ethan Greer

From: Ernest F. Moore, JR. <moorefarmtennessee@gmail.com>
Sent: Sunday, September 14, 2025 5:44 PM
To: Ethan Greer
Cc: pcarter@mtlawgroup.net
Subject: Opposition to new development code

You don't often get email from moorefarmtennessee@gmail.com. [Learn why this is important](#)

As a 25-year resident of the Fernvale community I have been living on 125-acre family farm, raising our children and our 8 grandchildren. Not only that, the governor's family has had a history of farming my land, both crops and cattle.

It has become completely disturbing and horrifying to hear of a new development code that intends on turning this valley and my property into a metropolis--a Disneyland--an entertainment world to include a gun range, a race track, etc.

I have 13 of my family members who have been raised through their childhood and intend on raising their families here. I am concerned such aspirations for my family could not come to fruition if the new development code were passed. The community needs to be taken into serious consideration because of the impact on the current residents and their heirs.

As demonstrated by 50+ signs along Old Harding Rd the new development code is a needless horrifying concept to all of us, that is, neighbors who have expressed their sentiments by posting signs outside their property, along the entire length of Old Harding Rd. The new development code is in direct conflict with the body of people who have posted their signs. This would be a shame to be at odds with such a large body of residents who use Fairview businesses.

As a neighbor to the governor of TN and his family, who is aware of the development code, I am sure he would understand the impact this would have to his neighbors and the community as a whole.

I am vehemently opposed to the new development code.

Thank you for your consideration,

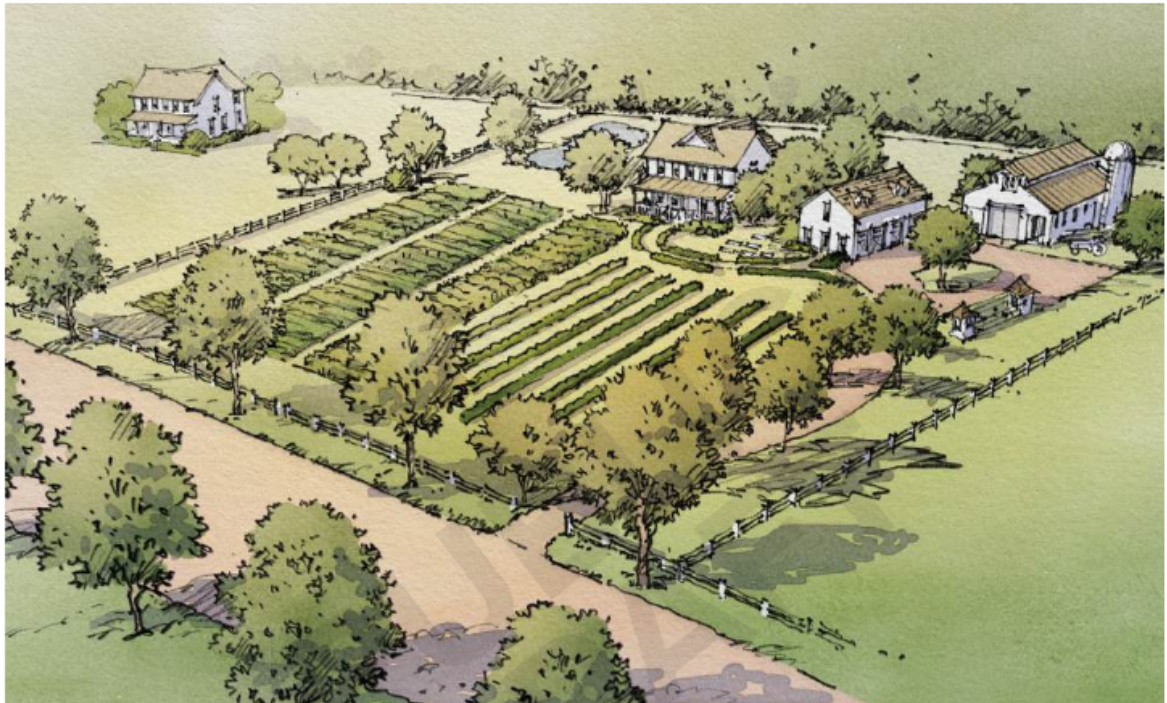
Ernest Moore

Questions/Comments:

- In the new zoning ordinance, the only reference I see to how the new zoning character districts were identified and proposed is the conversion matrix and the map. That said, did anyone on the city side back up and reassess the new zoning character districts as it relates to the 2040 Plan vision and guiding principles and how that matches up with physical characteristics of the land, surrounding property characteristics and zoning, and existing infrastructure or expansion plans to better inform the new zoning districts? That process allows the city to confirm that they are meeting Section 1.5.1 of this new ordinance. Without that level of evaluation, the city is forced to look at each development, rezoning or a variance/conditional use permit application on a case by case basis with little to no base line established other than the city followed a matrix to convert it to a new zoning district. If TPUDC did further work outside of the conversion matrix and that hasn't been shown to the city or allowed for public comment, can it be?
- Rural Retreat:
 - Proposed zoning code definition is “a Principal Commercial Use owned and operated by a non-governmental entity for the purpose of providing a rural setting in which Accommodations/Lodging and related camping, conference/meeting/event venue facilities, dining and recreational amenities are provided.”
 - Has the city staff and Planning Commission discussed/revisited the intent of having “Rural Retreat” as a use in the zoning code? If not, can there be more discussion on the intent and subsequent zoning parameters that support the intent?
 - What is the reasoning for having the Rural Retreat use (a commercial use) being allowed in CD-2 or potentially any other non-commercial zoning district?
 - In CD-2, number of accessory buildings, impervious surface area, block sizes, lot/building site area, and building composition are not regulated. Yes, Rural Retreat as a use is allowed to introduce commercial, mixed use and flex uses into a base zoning district that is intended for rural character. This use and bulk regs do not support the base zoning intention and/or are so broadly written that the initial intention of the rural retreat can be stretched to meet other intentions.

CD-2

Table 4.3.1-B District Standards
Rural Character District



CD-2

Rural

The CD-2 Rural Character District consists of sparsely settled, primarily agricultural or low density single-family detached Residential areas. Typical Buildings include farmhouses and agricultural Buildings.

CD-2

Table 4.3.1-B District Standards
Rural Character District

Building Types

House	P	Commercial	P+
Duplex	NP	Mixed Use	P+
Townhouse	NP	Flex	P+
Small Multifamily	NP	Large Scale Commercial	NP
Live/Work	NP	Civic	P

See **Table 4.3.8.A-1 (Principal Building Types - Summary)** and **Table 4.3.8.A-2 (Principal Building Types - Specific Standards)**. For Development Sites, see also **Table 5.1.9 (Building Type Mix)**.

*Permitted in CD-2 only in a Rural Retreat Commercial Use per **Table 4.3.9.A-1 (Building, Lot & Building Site Principal Uses)**.

- To further the questions above, is it possible for “recreational amenities” to be clearly defined as it relates to the Rural Retreat use since that has been loosely applied (even before this code has been accepted)?

- If Rural Retreat is kept as a commercial use under any non-commercial zoning district, what development standards apply in the steep slope/ISR (section 6.9)?
- 5185 Old Harding Road – We wanted to express concern as it relates to this parcel since it directly touches our parcel. The proposed zoning per the conversion matrix is CD-3L. The map shows it as CD-2. The access is limited to Old Harding (a rural/agricultural area) per direct parcel access and grades. If it does become CD-2, there are concerns that the allowed new use of “Rural Retreat” is allowed (see above). However, the CD-3L character district reads like it should be in suburban development with no consideration given to the surrounding area, grades, etc. The new ordinance states that newly annexed land will be brought in as CD-2W unless a rezoning runs concurrently. The characteristics when looking at this specific land and surrounding area are more in line with CD-2 or CD-2W, and we ask that the Planning Commission and staff take time to assess this and other zoning districts in detail as it relates to the periphery of the city limits particularly.
- Section 6.4:
 - What does negatively impact mean as it relates to traffic? Does this need to be defined more for clarity or tied to another regulation document with that information?
 - Can there be a TIA, Vehicular Circulation Plan, Access Plan (Section 6.4.2, 6.4.3, 6.4.4 requirements) required during a rezoning for any projects that meet a certain density? That would be helpful to have during the process.
 - What happens if the proposed development’s access point is under the jurisdiction of another body? For example, Old Harding Road is controlled by Davidson and Williamson Counties depending on where your property is. Can the zoning code provide guidance on what the responsibilities of the developer would be with those agencies during the Fairview development process to streamline review and resources for all parties involved.
- Section 6.6:
 - Why are CD-2 and CD-2W exempt from doing underground power? If the intent is because these are less dense areas and meant for rural type development, what applies if Rural Retreat is approved (since it’s a commercial use)?
- Section 6.7: What is the intent of this section? Can there be more clarity as this is a stand alone section?

SECTION 6.7 PRESERVATION OF NATURAL & HISTORIC FEATURES

Development shall preserve the natural features of the site, such as wetlands, unique wildlife habitats, Historic Structures, major trees and scenic views both from and into the site.

- Section 6.8:
 - Does 6.8.1 (exemption 1) apply to existing lots or proposed lots in a development? Can this be clearly defined? Is there an opportunity to reduce the lot size for existing or proposed residential lots?
 - Exemption 3 gives the zoning administrator broad power for tree removal of nuisance trees. Understanding that exemptions are needed for city operations, however, the intent of this section of the code is for tree preservation. Can there be an offset of new trees required for implementation of nuisance trees being removed as that could be a very broad category? Should the city be held to the same standards and developers? Exemption 7 already allows for trees being exempt on city owned land and in right-of-ways.
 - Exemption 8 – why is this an exemption? Shouldn't this be part of a tree preservation plan during the approval process? If not, can more details be added so this isn't an overly broad exemption.

SECTION 6.8 TREE PROTECTION

6.8.1 Exemptions

The following Tree Removal activities are exempt from this Section 6.8:

1. The tree proposed for removal is located:
 - a. on a Single-Family Detached Residential Lot or Building Site of one (1) acre or less; or
 - b. on a Lot or Building Site in District CD-CV;
3. Removal of trees that are determined by the Zoning Administrator to be nuisance trees or a threat to an existing Structure, underground Utility, or public safety;
8. Removal of a tree is necessary to access the site and no alternative exists for relocating such access, as determined by the Zoning Administrator;

- Section 6.8.3(4): I've included the definition of Specimen Tree below as well. With low density development (residential), can #4 require all specimen

trees be saved in the tree save plan or at least a max for removal? There is ample space to work around them in those developments and preserving those trees is so important for a host of environmental reasons.

Specimen Tree: any canopy tree with a diameter of twenty-four (24) inches or greater measured at diameter breast height (DBH).

6.8.3 Tree Preservation Plan

As part of any Application required for a Development Plan, site plan, Preliminary Plat, or Final Plat, the Applicant shall submit a Tree Preservation Plan with the following information:

1. The Lot or Building Site lines associated with the proposed Development;
2. A recent aerial photograph with date photograph was taken;
3. The location and extent of the existing on-site tree canopy, including an estimate of the total percentage of the Parcels covered by the existing on-site tree canopy;
4. The exact location, health, and size of all Specimen Trees; however, in the instances of large established tree stands, the Zoning Administrator may accept an approximation of the location, health, and size of Specimen Trees if the trees are not being counted towards landscape requirements, or if the trees are located within a designated Tree Save Area; and
5. The minimum tree canopy retention requirement.

- For Section 6.8.5, can a limit of how many Specimen Trees can be removed on residential lower density development (CD-2W, CD-2 and CD-3L) as replacements at 12-2" caliber trees does not have the same outcome when surrounded by a natural, agricultural landscape and the goal of the 2040 Plan.
- Can existing parcels over a certain acreage be exempt from a payment in lieu of or tree bank mitigation? This goes counter to preserving rural landscapes (same reasoning of previous bullet).
- Section 6.8.9 – Why is a tree removal permit not required for all sites? In reality, contractors are not given tree preservation plans so requiring that they pull a tree removal permit is helpful to make sure the contractor knows

what can and can't be removed as once it's done, it's done. It's a check and balances system.

- Section 6.9:
 - Exemption #2 brings into question any development that is in the process now. Should development plans be paused to ensure compatibility with the new code, or at a minimum, that it meets the current steep slope, etc. requirements?

SECTION 6.9 RESOURCE PROTECTION & MANAGEMENT

The following resource protection and management standards and requirements shall apply to all Development in all Districts in which any of the situations or conditions described in Sections 6.9.1 - 6.9.4 exist.

The following are exempt from the requirements of this Section 6.9:

1. Public infrastructure and passive parks;
2. Any Construction, Development or Use initiated pursuant to any validly approved or issued Development Plan, Building Permit, or site plan issued or approved prior to adoption of this Ordinance.

- Steep Slopes: There are different requirements for lot sizes and % of land being developed which makes this a bit confusing. Is there any opportunity to provide more detail here for staff interpretation and the public to understand how all of the requirements interact when layered together for both residential and commercial developments? Maybe images?
- How would Rural Retreat be treated under this section – commercial or residential – as there are different requirements?
- Hilltops vs. Ridgetops: The zoning ordinance definitions are confusing. Development of these areas are a major concern as it directly ties to the 2040 Plan vision to preserve rural characteristics and erosion/stormwater

Hilltop: the part of a hill over 700 feet in elevation, as shown on the U.S.G.S. 7.5 minute quadrangle maps, where (a) the average slope is less than five (5) percent and such area is less than ten (10) acres; or (b) the maximum width of such area which is less than five (5) percent slope is 400 feet or less, with an area greater than ten (10) acres.

concerns. Would a visual be helpful to add to clearly define these and again how these regulations interact with the steep slope regulations?

Ridgetop: the part of a ridge which at any point is over 700 feet in elevation, as shown on the U.S. Geological Survey's (USGS) 7.5 minute quadrangle sheets covering the City, where the average slope is less than five (5) percent within an area of ten (10) acres or more and where the minimum width is 400 feet.

- Road grades: There are parking and driveway grade maximums in the Subdivision Regulations, but there doesn't seem to be any road grade maximums in those regulations or the Zoning Ordinance. This may not live in the Zoning Ordinance, but there are maximum road grades (in line and cross grades) that are recommended by NFPA Fire Access Standards as well as AASHTO Green Book for the safety of emergency vehicle access and allowing cars to access a site without bottoming out and getting out safely during inclement weather.

- Section 6.9.2

- What is this process?

6.9.2 Resource Management

A. Sinkholes

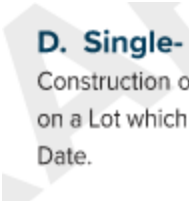
Sinkholes are formed from the action of rain, stormwater runoff and ground water on limestone strata. Development of any Parcel that contains sinkholes must be designed and approved by the City Engineer.

- Should any reference to Stormwater design criteria in this section reference the Stormwater Ordinance passed in 2022 and revised in 2023 to avoid confusion?
- Section 6.9.4 – Why is Delrose the only soil type called out? There are other soil types that have these similar characteristics of slippage on steep slopes, if not more. How was this section evaluated?

Table 6.9.4.A (Soil Type and Critical Lots)

Soil Type	Characteristics to be Addressed in Plan or Report
Delrose	Slippage Condition

- Section 6.11.13: This allows for an exemption from all requirements of section 6.11 prior to the adoption of the new ordinance. My concern is if any subdivision plats are in process and how this impact them.



D. Single- or Two-Family Dwellings

Construction of a Single-Family detached or Duplex Dwelling on a Lot which was platted and recorded prior to the Effective Date.

Ethan Greer

From: Gill Murrey <gill.murrey@gmail.com>
Sent: Saturday, September 13, 2025 8:13 AM
To: Ethan Greer
Cc: pcarter@mtlawgroup.net
Subject: Public comment on Fairview's new Development Code

You don't often get email from gill.murrey@gmail.com. [Learn why this is important](#)

Dear Mr. Greer and City of Fairview Planning Staff,

I am writing to express concern regarding the proposed new Zoning Code for the City of Fairview, in particular the proposed zoning changes to 5185 Old Harding Road.

I oppose this new Zoning Code and I am asking that you slow down this process and allow more time for comments and consideration concerning the long-term impact this new Code may have on the City of Fairview and the impact that it will certainly have on the surrounding rural property.

On September 4, 2025, you participated in a Board of Zoning Appeals hearing where citizens, neighbors and experts expressed concerns regarding a conditional use application for a “Rural Retreat/Private Club” for 5185 Old Harding Road. The proposed conditional use was commercial in nature and not appropriate for the land, including a racetrack, a gun-range, short-term rental units and an amphitheater. The citizens of the affected area were given short notice to respond and respond they did, with clarity. The conditional use application was denied.

Today, again with short notice, I write during the public comment period of the proposed new Development Code to express serious concerns. Specifically, it seems the proposed Code seeks to expand and codify permitted uses on 5185 Old Harding Road in a manner that directly conflicts with the “Rural Settlement” characterization of the property provided within the Fairview 2040 Comprehensive Plan.

The Future Land Use and Character Map of the 2040 Comprehensive Plan clearly designates 5185 Old Harding Road as “Rural Settlement” and lists only agriculture and single-family detached residential as appropriate land uses. This is consistent with the top two “Major Takeaways” of the Fairview 2040 Comprehensive Plan which are to: 1) Keep a quaint, country Fairview, and 2) Maintain the small community feel.

The new Code describes CD-2 areas, which is the proposed new zoning category for 5185 Old Harding Road, as “sparsely settled, primarily agriculture or low density single-family detached residential areas.” However, buried deep within the proposed Code are many permitted uses, some by right and others subject to limited use, that are clearly commercial uses, and should not be permitted because they are inconsistent with the Rural Settlement designation in the 2040 Comprehensive Plan. This includes a curious but familiar footnote for Rural Retreat. Examples of CD-2 permitted uses in the proposed code that I find objectionable include but are not limited to:

- Amphitheatre
- Membership Club or Lodge

- Rural Retreat
- Inn
- Schools
- Funeral Home

These uses are intrinsically commercial and incompatible with 1) the existing character of the land, 2) the sentiment of the surrounding area and property owners, and 3) Fairview's own 2040 Comprehensive Plan.

The new zoning for 5185 Old Harding Road is also not appropriate when considered in the context of unique natural features and development challenges posed by the property's topography. To restate some important attributes of that topography:

1. Multiple streams and springs that feed directly into the South Harpeth River, with multiple surrounding residences reliant on spring water as their primary water source;
2. Severe slopes and pronounced heavily wooded ridgelines that exceed 800 feet;
3. Most of the property is covered by dense forest which provides a biodiverse natural habitat protects against erosion and stormwater runoff;
4. Part of the property is in or immediately adjacent to the South Harpeth floodplain; and,
5. Working livestock farms operate adjacent to the property.

Since 1991, when 5185 Old Harding was annexed, the zoning has never properly considered the physical character of that property and the surrounding area. The result has been failed projects and wasted resources for developers and the neighboring community alike. Over the past three decades, the enforcement standards related to challenging topography and storm water have only become more stringent; the weather has only become more severe.

Further to this point, the Fairview Forward Vision Statement contained in the 2040 Comprehensive Plan explicitly states that the City of Fairview "is sensitive to the natural features and the environment." I would submit that there is no more environmentally sensitive parcel in Fairview than 5185 Old Harding Road.

Finally, I have real concerns that the interests of Fairview constituents, including neighboring communities, have not been fairly considered in spots of the Code like 5185 Old Harding Road.

To conclude, we ask that you take additional time to carefully review this Zoning Code and the impact it will have on some of these last remaining rural areas of town such as 5185 Old Harding Road. As drafted the Zoning Code will not protect these areas. 5185 Old Harding Road deserves protection. It should remain rural agricultural or residential in character consistent with the 2040 Plan with no permitted or conditional use exceptions (including footnotes) that would be commercial in character, because commercial uses will destroy the agricultural character of the land and surrounding area that we love.

Thank you again for your time and consideration,
 Gillian Murrey
 7840 Whippoorwill Lane
 Fairview, TN 37062

Ethan Greer

From: gretchen <gl_zip@yahoo.com>
Sent: Saturday, September 13, 2025 5:14 PM
To: Ethan Greer
Cc: pcarter@mtlawgroup.net
Subject: zoning codes

[You don't often get email from gl_zip@yahoo.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

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Thank you again for your consideration

Gretchen Bruce Long
5280 Old Harding Road
Franklin, TN 37064

Ethan Greer

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Sent: Saturday, September 13, 2025 8:15 AM
To: Ethan Greer
Cc: pcarter@mtlawgroup.net
Subject: Fairview's new Development Code - public comment

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Thank you again for your time and consideration,
 Henry Murrey
 7850 Whippoorwill Lane
 Fairview, TN 37062

Fairview Zoning Ordinance Client Draft Review Notes – Jeff Pape

1.7 – What requires a development plan? Need to be clear.

1.9.2 – State that the development ordinance governs over subdivision regulations in case of conflict. That could be a short-term fix for not updating sub regs at the same time.

1.14.2.B - why include them if they're not regulatory?

1.19 - should we add a category for special use permits that are approved by the Planning Commission? I think we should consider that.

1.22.2 B 2 - Add item C that says an expansion can be no more than 50%.

1.22.2 C 2 - Why 30 months here but only 12 months in C1? We should keep it consistent at 12 months for both.

1.22.2 D 3 - why give a waiver for multifamily? Doesn't seem like we should do that.

1.22.2 D 5 - I don't think we should allow this. No reason to let people take down their facility and rebuild and still be considered a non-conforming use.

1.22.2 F - drop the time frame from 30 months to 12 months.

1.22 3 C - I don't see any reason to allow the merger of two nonconforming lots.

1.22.4 B 1 - I didn't find a definition for structural alteration in section 9.2 definitions. We need to make sure this is defined appropriately.

1.22.4 C 2 - the wording of this section seems very confusing period I'm not sure it makes sense. I think we need to take a harder look at it and decide whether we even need this entire section.

1.22.4 D - for this entire section, we should take out the references to standard sheet posters and bulletins. When I look that up online, I find different size definitions. We should just use actual sizes to be clear. Also, why would we allow for the expansion of any non-conforming sign?

1.24.2 B – Is three years a state law? If not, we should consider 1 year instead.

1.24.7 A - the conditions for denial are not strong enough. We should stick with the 8 tests we have in the current zoning ordinance. Perhaps we can fine tune those a bit and further define them but those eight are very strong and should be held. Especially the change in access. Change in access is a common trigger for any planned development approvals.

1.24.10 E - should we exclude ordinary farming operations to be safe?

1.25.1 - zoning administrator is listed twice.

1.26.5 – Typo for the word “as”.

Table 2.4.1.A - are these percentages intended to limit the developable area of a site?

3.3.2 – Does this allow us to designate a lot over 20 acres as a special district in the future and set standards similar to a Planned Development District?

3.3.3 – missing the word “to” between the words “converted the”

3.7.3 A - I think we still need to have planned development district zoning available to us.

3.7.3 B 2 - it reads to me that we have to create a historic zoning Commission and design standards now. Could we tweak this to have the ability to create it but not the requirement to do it right now? I'm not sure it's necessary today.

3.7.3 C - I think any references to city planner in the floodplain overlay district should actually refer to city engineer.

Table 4.3.1-B – CD- 2

Building materials - I don't think we should regulate any building materials in this district.

Vehicular parking requirements continued-does garage location refer to a detached garage? If so that makes sense. If not we should clarify.

Maximum driveway width should be 12 feet.

Additional Standards - I don't think we should require pedestrian connections to adjacent neighborhoods or uses for a large single-family lot.

Table 4.3.1-C-CD-2W

Maximum driveway width should be 12 feet.

Additional Standards - I don't think we should require pedestrian connections to adjacent neighborhoods or uses for a large single-family lot.

Table 4.3.1-D-CD-3L

Civic Space Types - natural area should be permitted in this district and all districts. We should always encourage natural area anywhere that it can be incorporated.

Lot's occupation- 60% impervious seems way too high for residential use. I think we drop this to 40%.

Building standards- building composition- finished floor level-why are we dictating that the finished floor has to be at least 18 inches higher than the average grade at the facade. Not sure why we want to regulate this.

Building standards- facade- window alignment-do we really want to regulate this?

Parking and circulation- garage design-are detached garages allowed? We should clarify.

Table 4.3.1-E-CD-3

Civic Space Types - natural area should be permitted in this district and all districts. We should always encourage natural area anywhere that it can be incorporated.

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Building standards- facade- window alignment-do we really want to regulate this?

Parking and circulation- garage design-are detached garages allowed? We should clarify.

Table 4.3.1-F-CD-4

Civic Space Types - natural area, green area and plaza area should be permitted in this district.

Lot occupation-frontage build out-60% is too high. We should drop that to 40%.

Setbacks / yards- front setback maximum should be 24 feet instead of 18. This could allow for if you have a retail storefront to have one row of head in parking before the sidewalk.

Building standards-facade- facade articulation- remove the reference to “each of which includes a separate entrance”. If we require multiple entrances across a frontage, it could limit the retailers that we could get there. There are many retailers that simply will not do 2 entrance points. We can make it look just fine with the facade articulation without having another actual entrance.

Building standards- facade-window glazing material-we should allow for some method of approval either through the zoning administrator or through the Planning Commission to provide for the ability for someone like a retailer to have some parts of the glass to be fogged. There are going to be times where they are willing to put glass but we don't want to see what's directly behind it.

Building standards- facade- shop front frontages- we should not require a knee wall. In most cases it looks better to have all glass for shop fronts. It is also much more economical to build that way. Not sure why we think a new wall is required or makes it look any better.

Building standards- roof type and pitch-we should allow flat roofs. There are many old downtown Main Street areas that have three story buildings with retail on the four first floor, residential above and have flat roofs.

Vehicular parking requirements- parking location- we should allow off street parking for domestic vehicles in all layers. That will allow for parking of one row of cars head in like what happened sometimes on an old Main Street.

Vehicular parking requirements- driveway / vehicular entrance maximum width-what if a driveway is a service access to allow service vehicles to get behind retail businesses. Retail businesses will need larger trucks to service them, and 10 feet is not wide enough for something like that. How do we handle that?

Loading & access- off street dumpster locations- these need to be permitted. You won't get any retail if they can't have a dumpster. They should only be permitted in the third layer with screening.

Table 4.3.1-G-CD-4C

Civic Space Types - natural area, green area and plaza area should be permitted in this district.

Lot occupation-frontage build out-60% is too high. We should drop that to 40%.

Lot occupation- lot / building site width- for large scale commercial building, why would we limit the maximum width of a lot? There are going to be larger commercial buildings that need to be much wider than 300 feet.

Lot occupation - impervious surface coverage - this should be 80% since we allow large scale commercial.

Setbacks yards- front setback-we should not put a maximum in this district. We need to allow buildings to be set back and have parking in front of them in this district. We will significantly limit the retail tenants we will attract if we don't allow for this.

Building standards-facade- facade articulation- remove the reference to “each of which includes a separate entrance”. If we require multiple entrances across a frontage, it could limit the retailers that we could get there. There are many retailers that simply will not do 2 entrance points. We can make it look just fine with the facade articulation without having another actual entrance.

Building standards-façade - facade glazing- 70% of total facade needing to be glazing is too much for large format retailers. We need to allow for a method for either the planning administrator or the Planning Commission to allow for much less for large scale retailer provided they give us good building articulation and architecture.

Building standards- facade-window glazing material-we should allow for some method of approval either through the zoning administrator or through the Planning Commission to provide for the ability for someone like a retailer to have some parts of the glass to be

fogged. There are going to be times where they are willing to put glass but we don't want to see what's directly behind it.

Building standards- facade- shop front frontages- we should not require a knee wall. In most cases it looks better to have all glass for shop fronts. It is also much more economical to build that way. Not sure why we think a new wall is required or makes it look any better.

Building standards- building colors-only allowing up to three colors may not be enough for large scale commercial and larger buildings.

Vehicular parking requirements- parking location- we should allow off street parking for domestic vehicles in all layers.

Vehicular parking requirements-driveway / vehicular entrance maximum width-for non-residential it should be 30 feet instead of 24 feet.

Loading & access- off street dumpster locations- these need to be permitted. They should only be permitted in the third layer with screening.

Loading & access- drive through locations- these need to be permitted. They should only be permitted in the second layer.

Screens / streetscreens and buffers- additional standards-for this district we should not require that parking lots and parking areas must be screened by buildings or walls or street screens. We need to be able to allow them to be screened by landscaping and hedges.

Table 4.3.1-H-SD-LI

Number of buildings per lot or building site-why would we limit this to one? There are many industrial sites where they build multiple buildings on one lot.

Lot occupation- lot/ building site area- why would we limit this to essentially one acre. There are many industrial sites that are more than one acre with multiple buildings.

Setbacks / yards-we should increase the minimum to 50 feet for side and rear setbacks if abutting residential.

Building standards- facade-would we not want to have some controls even in industrial district? Right now we have some controls over building elevations.

Vehicular parking requirements-driveway / vehicular entrance maximum should be 30 feet instead of 24 feet.

Loading & access- off street dumpster locations- I don't think it's realistic to expect that there will be self-closing gates on any dumpster enclosure.

Private landscaping and fencing- materials- why would we allow chain link fencing in the sides and rear of other districts but not industrial?

Private landscaping and fencing- additional standards-do we really want to require pedestrian connectivity into industrial districts?

Screens / streetscreens and buffers- additional standards-for this district we should not require that parking lots and parking areas must be screened by buildings or walls or street screens. We need to be able to allow them to be screened by landscaping and hedges.

Table 4.3.1-H-SD-HI

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Screens / streetscreens and buffers- additional standards-for this district we should not require that parking lots and parking areas must be screened by buildings or walls or street screens. We need to be able to allow them to be screened by landscaping and hedges.

Table 4.3.1-J-CD-CV

No comments.

4.3.4-A 2 - I don't see a need to provide relief because of slopes over 10%. If we do include that, I think it should have to come to the Planning Commission.

4.3.4-C-2-c- why do we have an exception for communication towers? It seems that allows a communication tower to be in the first or second layer. I think those should always be in the third layer.

Table 4.3.8.A-1 - within the definition of a townhouse, should we consider limiting it to no more than 8 units in a row. I've seen that done in some municipalities.

Table 4.3.8.A-1 - in the small multifamily building definition I think we should increase it to 8 side by side units.

Table 4.3.8.A-1 - we need to think about our definitions of commercial building and large scale commercial building. If we use the 50,000 square foot designation for large scale, where does that leave all of the national retailers who have landed in the 20,000 square foot range? I don't feel like they fit into the current definition of commercial building so maybe we adjust that one and keep the large scale at 50. We should definitely discuss this. Also, in the definition of large scale commercial building, it should not be required to have inline retail or line or buildings. You could say that those can be adjacent but not as liner buildings.

Townhouse specific standards-12 feet seems very narrow for minimum width. I feel like that should be 16 or 18 feet.

Small multifamily specific standards- number of units- I think the maximum here should be 8 similar to a townhome. Maybe even go as high as 10-12.

Flex specific standards- building size and massing- width-do we want to restrict this to 50 foot minimum? Why not just leave it more flexible?

4.3.9 - I think we should consider one more category of some type of special use. That special use could be approved by the Planning Commission but does not have to go to the board of zoning appeals.

Table 4.3.9.A-1

Household living- since we have a defined term for short term rental, do we not want to make that a use and only allow it in certain districts?

Greenhouse (commercial)- do we really want to allow a commercial greenhouse in CD-2? Should we have a separate category for residential greenhouse and commercial greenhouse?

Plant nursery-this seems to indicate a business. Is that really allowed in CD-2?

Membership club or lodge-we should make sure there's no confusion that this could be a Costco type membership club.

Short term lender- do we want to allow this anywhere?

Convenience or grocery store with fuel sales-we may want to consider breaking out a convenience store that has commercial truck fueling. We would only want to allow that in the light industrial district.

Brewery, distillery, or winery- we should allow this as a limited permitted use under CD-4C. There are so many breweries and distilleries that have restaurants now that is an overlap use.

Signs-this should probably be allowed as a limited permitted use under CD-4C. Lots of sign companies land in commercial areas.

Utilities uses- we need to add 2 separate categories to this. One for sewage treatment facilities. Those would be full blown sewage treatment plants. They should only be allowed in heavy industrial districts. The second should be step septic systems. Those should be some type of conditional or limited use that would have to be approved by the Planning Commission for any residential district. We need to put controls on the size and magnitude of the step septic systems that can be used in different districts.

4.3.9.D.j-(3) - Amphitheatre lighting standards should require 1 foot candle at the property line instead of three.

4.3.9.D.v. (2) – drive throughs should be allowed in the second layer.

4.3.9.D.af (3) - exterior lighting limits at the property line should be 1 foot candle instead of three.

Table 4.3.9.A-2 – Accessory Use

Employee cafeteria - this should be permitted in both industrial zones.

Tasting room on site with brewery, distillery, winery- this should be allowed in CD-4 and CD-4C.

Table 4.3.10 – Encroachments

Covered patios- these should be permitted in the side yard.

Parking areas- these need to be permitted in certain front setbacks. Anywhere in districts where we allow them.

4.3.11 H - we need to allow for the requirement of undisturbed buffers. Particularly in situations where we're screening existing residential uses. It could be something the Planning Commission could require if the existing vegetation will provide a better buffer than a new one.

Table 4.3.12.B-1 – Vehicular Parking Requirements

Convenience or grocery store without fuel sales- this should be one per 200 square feet.

Retail Sales, et al - one per 500 square feet seems way too low. It should at least be one per 250 square feet.

Do we need to add a category for large format retail?

Table 4.3.12.C-1 - we should not allow a range for stall width. Not sure who would get to decide that but it just makes things confusing period we need to pick a minimum and stick with it. It should likely be 8 feet 430 to 53° and then nine feet for everything over 54° to 90°.

Table 4.3.12.C-2 - for compact spaces the stall width should be 8 foot minimum for 90° parking.

4.3.12 C 11 - the maximum grade permitted for parking area should only be 5%.

4.3.12 C 14 a. - we should change this to 1 island for every 12 spaces.

4.3.12 E 1. - I don't think it's feasible to expect that all public areas will be accessed by rear alleys. We have to allow for access to parking areas through front driveways.

4.3.12.E 7 - I don't think we can require cross access easements if two lots are not owned by the same entity. That could make something almost impossible to develop if the adjacent owner simply says no to a cross access easement.

4.3.12.G - we should consider requiring a bailout lane for any drive through.

4.3.13 - the bicycle parking requirements seem quite excessive. We are still a rural community and I don't think we need anywhere near the amount of bicycle spaces listed in this table.

Table 4.3.14.B - the loading requirements seem way too high for commercial office and industrial. I think it should be somewhere closer to 1 loading space per 50,000 square feet or somewhere in that range.

4.3.16-C - I'm not sure what this section is trying to accomplish as it seems to somewhat contradict with section 6.8.

5.2.4 – B - we should not say that bicycle lanes or ways are always required, we should just have the ability to require them at Planning Commission level if appropriate.

Table 5.3.3-A - why limit the maximum size of a green, square or Plaza? We have lots of very large tracts of land and it's certainly possible that you could do a development with a square larger than 5 acres or a Plaza larger than two acres.

5.4.2 – 2 - I think there's an improper reference at the end of this paragraph. I think it should reference table b.

5.8.14 B - the first sentence should reference section A not section B. We should strike item 5 in section B. Relief due to topography should come to the Planning Commission.

6.5 - this section still allows the applicant to prepare the study from the way I read it. We should consider having the city direct to the consultant and simply have the applicant pay for it.

6.5.1 -2 - we should increase the requirement to 50,000 square feet for non-residential developments.

6.5.2 - we should change zoning administrator to city engineer as far as who will determine the extent of the TIS.

6.5.3 - it should be made clear that only the Planning Commission can waive the requirement for a traffic study.

6.7 - we should add the words or significant tree stands after the words major trees.

6.8.4 - we should consider excluding federally or state protected resources like wetlands and streams as counting as tree save area under the protection of tree canopy section.

6.8.4 3 - the penalty needs to be greater than two to one period we should put that at 4 caliper inches per every one inch removed. This entire section needs to be strengthened. We need to make sure that developers don't just calculate the risk of clear-cutting trees and paying into the bank later. It needs to be economically unfeasible for them to buy into the bank so that they have to replace the trees on site before they can come in for a development plan review. Also, in section B the reference to development review committee should be replaced with Planning Commission.

6.8.5 C - this section is much too weak period developers will simply cut down specimen trees and replace them with smaller trees. The penalty needs to be 5 Cal per inches of replacement trees for each one inch of specimen tree removed. Also, the minimum replacement tree should be 6 caliper inches.

6.8.8 C 2 - it should be made clear that a developer can only buy into a tree bank if approved by the decision making authority. It shouldn't be that they can automatically decide to do that.

6.9.1 A 1 - we need to clarify this section. The way it could read is that if a site has any slopes between 15 and 19 percent then 40% of the entire site needs to remain undisturbed. I think the intent is that 40% of any areas that are 15 to 19% must remain undisturbed. We just need to make sure that is clear.

6.9.1.A – 2 a. - we need to clarify that the standards A1 and A2 are completely separate. Meaning, if there is a site that has 15 to 19% slopes, there needs to be at least 1-3 acre lot in the area where the 15 to 19% slopes occur. That is irrelevant of whether a plan is created under section A1.

6.9.2 B - we may want to enhance this section to address STEP septic systems.

6.9.2 C - I don't see where anywhere in this section references our current stormwater management regulations. It seems that instead of duplicating information here we should simply reference our stormwater regulations.

Table 6.9.4.B - this may be a good place to enhance this chart or create a second chart that lists the size subdivisions or maximum number of lots that can be handled by a step septic system.

6.11 - we should consider adding standards in this section for working hours permitted for construction sites.

6.11.2 B – 1 - it seems odd that temporary construction excavation and grading is exempted. Isn't all grading and construction temporary? We need to clarify this because it seems that this entire section should apply to all construction excavation and grading.

Table 7.1.2.B-1 - monument sign- do we need to allow monument signs in any residential districts so that a subdivision could have a monument entrance sign?

Table 7.1.2.B-2

Band Sign - under additional standards Part B, I think we should consider allowing the letters to be mounted on a Raceway. We could require the Raceway to be the same color as the facade. This helps when signs are removed and replaced over the years period when the individual letters are attached to the building, and it gets changed over the years the building facade ends up with lots of different holes plugged and re-plugged and it can make the building facade look like a mess. The Raceway avoids all that. Also, the code doesn't allow whether these are allowed to be internally illuminated. Most retailers are going to want that. We should specify whether they are or are not.

Blade sign-the allowed size seems way too big. The area should be 3.75 square feet, and the dimensions should be 18 inches by 30 inches Max. These are intended to be pedestrian scale and therefore don't need to be read by the street. 1/2 a sheet of plywood is just way too big for a blade sign.

Monument sign- several questions here. Can these be internally illuminated? If not can there be uplighting? With the Max area does that include the base? What happens if there is a small shopping center or a large shopping center with multiple tenants? We need to have some type of allowance for larger projects to have a sign that advertises more than one tenant on the monument. That would have to allow for a larger sign, and we would only want to do that for larger projects. But we should figure out a way to have that ability within the code.

Wall sign-is a business permitted this along with a band sign? We should clarify.

Window sign-the maximum area seems way too high. I don't think it should be more than 20% of the glass.

7.1.7 B - all temporary signs are required to be put on 4 by 4 wooden posts? That seems excessive. Not sure if campaign signs and for sale signs count as this but most of them are

simply on steel posts. It doesn't look like this new code addresses campaign signs similar to our current code. We may want to specifically address that.

7.1.8 B - this section excludes internally illuminated or backlit signs. I think we need to make an exception for that for the band signs and put that in the table in the appropriate section.

7 - one more general signage comment period we may want to allow for large projects to submit a comprehensive sign plan that can be approved by the Planning Commission that can vary from the regulations. A plan like that would include both site and building signage if there were a need for things different than the code.

8.2.1.C.2.a - I don't think interpretations of this code should be the sole responsibility of the zoning administrator. I think that should be struck. Everyone should always have the ability to make their own interpretation of the code.

8.3.2 A - this section should also reference the city charter. Same for section B5 below.

8.3.3.B.1 - do we need to reference final action on plats as well?

8.4 - this paragraph says shall not be liable personally but the way that first sentence is written I don't think the word not should be included. That's something we should have legal look at period that's a paragraph we certainly need to get right.

Table 8.5.3 - should subdivision plat be included on this list?

8.5.4.C.7- I don't think certified mail should be required to notify an applicant that their application is not complete. In today's world we should be able to use e-mail or some other method.

8.5.4.C.9 - the reference to paragraph C10 within this paragraph doesn't seem appropriate.

Table 8.5.4.D.1 - I think both an ordinance amendment and a comprehensive plan et all amendment should both require posted and mailed as well.

8.5.4.D.2.c. - everyone complains about our notice signs being too small. I think we should increase them to 24 by 36 minimum.

8.5.4.D.6 - and we're current standards for the number of signs that need to be posted based on the amount of frontage for each property are very good and I think we should keep those in the new code.

8.5.4.D.7.f - I think it should be adjacent owners plus any property owners within 1000 feet.

Table 8.5.4.D.9 - I think a rezoning should have a public hearing at Planning Commission as well. Section 8.5.6.M references a public hearing for a development plan that goes to the Planning Commission. Also, do we want to add a procedure of major development plans?

We would need to define what is considered major. Possibly anything over 20 acres? That would just be a public hearing in front of Planning Commission. Or is that the intent of a special district. So anything over 20 acres that we feel is requiring more detail we can request that to be a special district?

8.5.6.c - it looks like this is where we could create a third category for a major development plan if we wanted to do that. That would allow further scrutiny of larger applications unless this is where we are supposed to be using the special district category.

8.5.6.G.4 - don't we want all plot plans to have both existing and proposed grades shown?

8.5.6.H - do we need a procedure for how the decision making authority, if it is the Planning Commission, requires a traffic impact analysis parking study or environmental impact analysis prior to it getting to a PC meeting. This would be for items 16, 17 and 18.

8.5.6.H.#.t(24) - I'm not really sure what the trigger in this paragraph is for the additional requirements under this section. It seems like any development site would fall under this.

8.5.6.I - this seems like a good spot to insert the public participation plan requiring the applicant have at least one community meeting before submittal.

8.5.6.K.1 - 20 days seems too close to a meeting for a submittal. I think that needs to be at least 30 days.

8.5.6.N.2 - I don't like the statement that the Planning Commission shall rely on the certificate with respect to article 1-7. What if we either disagree or if we find something that may have been missed inadvertently? I think there needs to be flexibility for the Planning Commission to act if they see anything not in compliance with any of the articles of this development code.

8.5.15 - this section needs to refer to our current design review manual. That needs to be either adopted into this or we need to abandon that and just make sure all the key items are covered in this code.

8.5.16.D.3 - I think we should strike parking and signs in this section. I think both parking and signs should be open to a possible variance.

8.5.18.J - would a change like this only require one meeting? I thought any change at that level would need 2 meetings.

8.5.19.A - there is a typo in the numbers after the words this section.

8.5.18.j - I think the public hearing should be at first reading. That way any public input can be incorporated into the final decision.

8.5.18.M - I think there should be flexibility on large tracts that are annexed into the city for the zoning administrator to recommend a different zoning classification and that could be confirmed by the Planning Commission.

9.3 – Defined Terms

Bars, Taverns, and nightclubs: I've seen these definitions include a percentage for alcohol sales. It could be something to the effect of at least 70% of their gross sales must be made-up of alcohol sales.

Canopy sign-why do we have a definition for a canopy sign that is not part of our sign regulation chapter or defined in that chapter?

Commercial building- I struggle with the constant reference to pedestrian oriented retail. I don't know exactly what that means. I think that could be too vague and we should just strike that and have the word retail.

Critical lot or building site plan-I think we need to add into this definition a requirement that it show the specific features that required it to be a critical lot.

Design review manual-should we add a definition of this into the definition section if we are going to keep using the one we have?

Development site-I think we should consider dropping the 10 acres to five acres.

Driveway-this definition seems to preclude any parking in the first or second layer. Is that consistent with the intent of the residential districts?

Economic hardship-I think this needs to also say that it's not self-imposed.

Internal drive-do we want to say that this always has to be curbed?

Large scale commercial building-as mentioned in other comments earlier I think we need to discuss the size of 50,000 square feet. There are lots of retail establishments now that are in the 20 to 30,000 square foot range.

Illustration 9.3.L- 1-we should add the 20-foot dimension to this illustration for the second layer.

Multifamily building-this only lists small multifamily buildings but we also has a have a designation for large multifamily buildings. Not sure why the definition wouldn't cover both.

Sewage facility-I think we should add a specific definition for step septic system.

Site development plan-I think it should say a map or a series of maps and drawings.

Specimen tree- I think we should use 18 inches instead of 24 inches.

Utility facility- I think we should take out the sewage facility or clarify that it can't be a treatment facility for sewage or water.

Ethan Greer

From: Jennifer Moody <jennwmoody@gmail.com>
Sent: Friday, September 5, 2025 10:09 AM
To: Ethan Greer
Subject: Fairview Zoning Code

You don't often get email from jennwmoody@gmail.com. [Learn why this is important](#)

Good Morning -

I am hoping to send you additional comments on the new Zoning Code for Fairview, but I would first like to know whether there is an adopted comprehensive plan and/or master transportation plan that I can review. I think that the only responsible way to view the proposed zoning map is in the context of how to manage the traffic volume that would be generated if all zones develop at their maximum allowable density. If these documents are also available for review, please send me the links and or attachments.

As a bedroom community (Fairview has no major employers to speak of), you must know that all of these residents, existing and potential, are going to need to commute and without a plan, there only route is Hwy 100, the same road that must be used to get to every single one of our schools, so how are we planning to mitigate that congestion and preserve safety so that emergency vehicles can access all areas of the city? At this time, I believe that any new zoning more dense than R-20 should be restricted to areas closer to 840 and not in the center of town or perhaps we don't need the proposed C-3 (R-10 and R-15) zoning district at all. Why not delete all of C-3 and re-assign it as CD-3L. Look at other communities in Williamson County - they have been very successful at protecting property values and the rural character and natural beauty of this county by not allowing dense residential development. Some communities don't allow subdivisions of less than 1-acre. I think we should create zoning policies that intentionally prevent new residential lots of less than a 1/2 acre and protect larger lots from being further subdivided.

Even before seeing the new plan, I have been increasingly concerned about the amount of multi-family and townhome developments that are being allowed today to develop in the center of town and potentially under the new zoning plan with seemingly no plan to build new roads or improve connectivity. As developed today, it's already alarmingly unsafe that there are no detour routes or alternative roads that connect east/west without relying upon some use of Hwy 100. Not to mention no center lane nor wide shoulders on Hwy 100. All roads dump you back to Hwy 100 and if it is blocked, as I've already seen several times by a tree down and/or vehicle accident, there is no alternative to get around it without going very far out of town and back in.

Thank you!

Jennifer Moody
7115 Cooper Lane

Ethan Greer

From: Jerry Rice <jsrice3@gmail.com>
Sent: Thursday, September 11, 2025 5:33 PM
To: Ethan Greer
Subject: Development Code

You don't often get email from jsrice3@gmail.com. [Learn why this is important](#)

I did not see anything about this in the Development Code, but does Fairview have any plans to return our water service to the city? The rates Dickson charges are almost twice the amounts I have found out from people I know that live in Franklin and Murfreesboro. With all the new developments we have, it seems we are giving away money to Dickson.

Thanks, Jerry Rice
7103 Sweetbriar Lane
615-335-4519

Ethan Greer

From: Jody Clinard <jodyclinard@gmail.com>
Sent: Saturday, September 13, 2025 4:19 PM
To: Ethan Greer; pcarter@mtlawgroup.net
Subject: Proposed Zoning Code

Importance: High

Follow Up Flag: Follow up
Flag Status: Completed

You don't often get email from jodyclinard@gmail.com. [Learn why this is important](#)

Dear Mr. Greer and City of Fairview Planning Staff,

I am writing to express concern regarding the proposed new Zoning Code for the City of Fairview, in particular the proposed zoning changes to 5185 Old Harding Road.

I oppose this new Zoning Code and I am asking that you slow down this process and allow more time for comments and consideration concerning the long-term impact this new Code may have on the City of Fairview and the impact that it will certainly have on the surrounding rural property.

On September 4, 2025, you participated in a Board of Zoning Appeals hearing where citizens, neighbors and experts expressed concerns regarding a conditional use application for a “Rural Retreat/Private Club” for 5185 Old Harding Road. The proposed conditional use was commercial in nature and not appropriate for the land, including a racetrack, a gun-range, short-term rental units and an amphitheater. The citizens of the affected area were given short notice to respond and respond they did, with clarity. The conditional use application was denied.

Today, again with short notice, I write during the public comment period of the proposed new Development Code to express serious concerns. Specifically, it seems the proposed Code seeks to expand and codify permitted uses on 5185 Old Harding Road in a manner that directly conflicts with the “Rural Settlement” characterization of the property provided within the Fairview 2040 Comprehensive Plan.

The Future Land Use and Character Map of the 2040 Comprehensive Plan clearly designates 5185 Old Harding Road as “Rural Settlement” and lists only agriculture and single-family detached residential as appropriate land uses. This is consistent with the top two “Major Takeaways” of the Fairview 2040 Comprehensive Plan which are to: 1) Keep a quaint, country Fairview, and 2) Maintain the small community feel.

The new Code describes CD-2 areas, which is the proposed new zoning category for 5185 Old Harding Road, as “sparsely settled, primarily agriculture or low density single-family detached residential areas.” However, buried deep within the proposed Code are many permitted uses, some by right and others subject to limited use, that are clearly commercial uses, and should not be permitted because they are inconsistent with the Rural Settlement designation in the 2040 Comprehensive Plan. This includes a

curious but familiar footnote for Rural Retreat. Examples of CD-2 permitted uses in the proposed code that I find objectionable include but are not limited to:

- Amphitheatre
- Membership Club or Lodge
- Rural Retreat
- Inn
- Schools
- Funeral Home

These uses are intrinsically commercial and incompatible with 1) the existing character of the land, 2) the sentiment of the surrounding area and property owners, and 3) Fairview's own 2040 Comprehensive Plan.

The new zoning for 5185 Old Harding Road is also not appropriate when considered in the context of unique natural features and development challenges posed by the property's topography. To restate some important attributes of that topography:

1. Multiple streams and springs that feed directly into the South Harpeth River, with multiple surrounding residences reliant on spring water as their primary water source;
2. Severe slopes and pronounced heavily wooded ridgelines that exceed 800 feet;
3. Most of the property is covered by dense forest which provides a biodiverse natural habitat protects against erosion and stormwater runoff;
4. Part of the property is in or immediately adjacent to the South Harpeth floodplain; and,
5. Working livestock farms operate adjacent to the property.

Since 1991, when 5185 Old Harding was annexed, the zoning has never properly considered the physical character of that property and the surrounding area. The result has been failed projects and wasted resources for developers and the neighboring community alike. Over the past three decades, the enforcement standards related to challenging topography and storm water have only become more stringent; the weather has only become more severe.

Further to this point, the Fairview Forward Vision Statement contained in the 2040 Comprehensive Plan explicitly states that the City of Fairview "is sensitive to the natural features and the environment." I would submit that there is no more environmentally sensitive parcel in Fairview than 5185 Old Harding Road.

Finally, I have real concerns that the interests of Fairview constituents, including neighboring communities, have not been fairly considered in spots of the Code like 5185 Old Harding Road.

To conclude, we ask that you take additional time to carefully review this Zoning Code and the impact it will have on some of these last remaining rural areas of town such as 5185 Old Harding Road. As drafted the Zoning Code will not protect these areas. 5185 Old Harding Road deserves protection. It should remain rural agricultural or residential in character consistent with the 2040 Plan with no permitted or conditional use exceptions (including footnotes) that would be commercial in character, because commercial uses will destroy the agricultural character of the land and surrounding area that we love.

Thank you again for your time and consideration.

Joseph M Clinard III
5350 Old Harding Road

Ethan Greer

From: John Stone <jstone@jwstonelaw.com>
Sent: Saturday, September 13, 2025 4:59 PM
To: Ethan Greer
Cc: pcarter@mtlawgroup.net
Subject: Proposed New Zoning Code

You don't often get email from jstone@jwstonelaw.com. [Learn why this is important](#)

Dear Mr. Greer and City of Fairview Planning Staff,

My name is John Stone and my address is 7941 Fernvale Road.

I am writing to express concern regarding the proposed new Zoning Code for the City of Fairview, in particular the proposed zoning changes to 5185 Old Harding Road.

I oppose this new Zoning Code and I am asking that you slow down this process and allow more time for comments and consideration concerning the long-term impact this new Code may have on the City of Fairview and the impact that it will certainly have on the surrounding rural property.

On September 4, 2025, you participated in a Board of Zoning Appeals hearing where citizens, neighbors and experts expressed concerns regarding a conditional use application for a "Rural Retreat/Private Club" for 5185 Old Harding Road. The proposed conditional use was commercial in nature and not appropriate for the land, including a racetrack, a gun-range, short-term rental units and an amphitheater. The citizens of the affected area were given short notice to respond and respond they did, with clarity. The conditional use application was denied.

Today, again with short notice, I write during the public comment period of the proposed new Development Code to express serious concerns. Specifically, it seems the proposed Code seeks to expand and codify permitted uses on 5185 Old Harding Road in a manner that directly conflicts with the "Rural Settlement" characterization of the property provided within the Fairview 2040 Comprehensive Plan.

The Future Land Use and Character Map of the 2040 Comprehensive Plan clearly designates 5185 Old Harding Road as "Rural Settlement" and lists only agriculture and single-family detached residential as appropriate land uses. This is consistent with the top two "Major Takeaways" of the Fairview 2040 Comprehensive Plan which are to: 1) Keep a quaint, country Fairview, and 2) Maintain the small community feel.

The new Code describes CD-2 areas, which is the proposed new zoning category for 5185 Old Harding Road, as "sparsely settled, primarily agriculture or low density single-family detached residential areas." However, buried deep within the proposed Code are many permitted uses, some by right and others subject to limited use, that are clearly commercial uses, and should not be permitted because they are inconsistent with the Rural Settlement designation in the 2040 Comprehensive Plan. This includes a curious but familiar footnote for Rural Retreat. Examples of CD-2 permitted uses in the proposed code that I find objectionable include but are not limited to:

- Amphitheatre
- Membership Club or Lodge
- Rural Retreat
- Inn
- Schools
- Funeral Home

These uses are intrinsically commercial and incompatible with 1) the existing character of the land, 2) the sentiment of the surrounding area and property owners, and 3) Fairview's own 2040 Comprehensive Plan.

The new zoning for 5185 Old Harding Road is also not appropriate when considered in the context of unique natural features and development challenges posed by the property's topography. To restate some important attributes of that topography:

1. Multiple streams and springs that feed directly into the South Harpeth River, with multiple surrounding residences reliant on spring water as their primary water source;
2. Severe slopes and pronounced heavily wooded ridgelines that exceed 800 feet;
3. Most of the property is covered by dense forest which provides a biodiverse natural habitat protects against erosion and stormwater runoff;
4. Part of the property is in or immediately adjacent to the South Harpeth floodplain; and,
5. Working livestock farms operate adjacent to the property.

Since 1991, when 5185 Old Harding was annexed, the zoning has never properly considered the physical character of that property and the surrounding area. The result has been failed projects and wasted resources for developers and the neighboring community alike. Over the past three decades, the enforcement standards related to challenging topography and storm water have only become more stringent; the weather has only become more severe.

Further to this point, the Fairview Forward Vision Statement contained in the 2040 Comprehensive Plan explicitly states that the City of Fairview “is sensitive to the natural features and the environment.” I would submit that there is no more environmentally sensitive parcel in Fairview than 5185 Old Harding Road.

Finally, I have real concerns that the interests of Fairview constituents, including neighboring communities, have not been fairly considered in spots of the Code like 5185 Old Harding Road.

To conclude, we ask that you take additional time to carefully review this Zoning Code and the impact it will have on some of these last remaining rural areas of town such as 5185 Old Harding Road. As drafted the Zoning Code will not protect these areas. 5185 Old Harding Road deserves protection. It should remain rural agricultural or residential in character consistent with the 2040 Plan with no permitted or conditional use exceptions (including footnotes) that would be commercial in character, because commercial uses will destroy the agricultural character of the land and surrounding area that we love.

Thank you again for your time and consideration,

John Stone
7941 Fernvale Road
Fairview, TN 37062

Ethan Greer

From: Justin Lee <jlee@leecompany.com>
Sent: Sunday, September 14, 2025 9:17 AM
To: Ethan Greer
Cc: pcarter@mtlawgroup.net
Subject: OPPOSE Zoning for 5185 Old Harding Road

You don't often get email from jlee@leecompany.com. [Learn why this is important](#)

Dear Mr. Greer and City of Fairview Planning Staff,

I am writing to express concern regarding the proposed new Zoning Code for the City of Fairview, in particular the proposed zoning changes to 5185 Old Harding Road.

I oppose this new Zoning Code and I am asking that you slow down this process and allow more time for comments and consideration concerning the long-term impact this new Code may have on the City of Fairview and the impact that it will certainly have on the surrounding rural property.

On September 4, 2025, you participated in a Board of Zoning Appeals hearing where citizens, neighbors and experts expressed concerns regarding a conditional use application for a "Rural Retreat/Private Club" for 5185 Old Harding Road. The proposed conditional use was commercial in nature and not appropriate for the land, including a racetrack, a gun-range, short-term rental units and an amphitheater. The citizens of the affected area were given short notice to respond and respond they did, with clarity. The conditional use application was denied.

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Thank you again for your time and consideration,

Justin W. Lee



Justin Lee
Senior Project Manager

m: 615-924-9117

jlee@leecompany.com



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Ethan Greer

From: Keith Branson <keithedwinbranson@gmail.com>
Sent: Sunday, September 14, 2025 7:53 AM
To: Ethan Greer
Cc: pcarter@mtlawgroup.net
Subject: Opposition to Proposed Development Code – Protecting Fernvale and 5185 Old Harding Road

You don't often get email from keithedwinbranson@gmail.com. [Learn why this is important](#)

Dear Mr. Greer and Fairview Planning Staff,

I am writing to express my opposition to the proposed new Development Code, particularly as it applies to 5185 Old Harding Road.

This property is designated as “Rural Settlement” in the Fairview 2040 Comprehensive Plan, which allows only agriculture and single-family residential uses. The proposed Code, however, introduces a range of commercial and incompatible uses — including amphitheaters, lodges, inns, and rural retreats — that directly conflict with the rural character our community treasures and that the 2040 Plan promised to protect.

The natural topography and sensitive environmental features of this land—streams feeding the South Harpeth River, severe slopes, dense forest, and proximity to working farms—further reinforce why commercial development is neither appropriate nor sustainable here. Past proposals have failed for these very reasons, wasting resources and leaving neighbors frustrated.

The people of Fernvale are united in our desire to preserve the quiet, peaceful environment that defines our community. This is not only about zoning — it is about culture, identity, and the future of Fairview. As I shared in a recent community meeting, *“I hope that an event like tonight will help galvanize the community in a better clarity of our culture, who we are, and what we value for now and for the future. We stand together in a way that helps define us as a community.”*

I urge you to slow this process down and protect 5185 Old Harding Road in alignment with the 2040 Plan. This is a moment to leave a lasting legacy — how you steward Fairview’s remaining rural lands will be remembered for generations. Please keep this land rural and agricultural, without conditional or commercial-use loopholes, so that our shared vision of a quaint, small-town Fairview endures.

Thank you for your time and consideration.

Respectfully,

Keith Branson

Ethan Greer

From: moorestu@netscape.net
Sent: Saturday, September 13, 2025 1:21 PM
To: Ethan Greer
Subject: Kimberley Lawrence on the Proposed new Zoning Codes for the City pf Fernvale

You don't often get email from moorestu@netscape.net. [Learn why this is important](#)

Dear Mr. Greer and City of Fairview Planning Staff,

I am writing to express concern regarding the proposed new Zoning Code for the City of Fairview, in particular the proposed zoning changes to 5185 Old Harding Road.

I oppose this new Zoning Code and I am asking that you slow down this process and allow more time for comments and consideration concerning the long-term impact this new Code may have on the City of Fairview and the impact that it will certainly have on the surrounding rural property.

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Thank you again for your time and consideration,

Respectfully,

Kimberley Lawrence

It takes many unique individuals to create a vibrant community, and only one individual to destroy a community!

Ethan Greer

From: Lark Foster <gardeninglark@aol.com>
Sent: Sunday, September 14, 2025 9:41 AM
To: Ethan Greer
Cc: pcarter@mtlawgroup.net
Subject: Zoning changes to 5185 Old Harding

You don't often get email from gardeninglark@aol.com. [Learn why this is important](#)

Dear Mr. Greer and City of Fairview Planning Staff,
I am writing to express concern regarding the proposed new Zoning Code for the City of Fairview, in particular the proposed zoning changes to 5185 Old Harding Road.

I oppose this new Zoning Code and I am asking that you slow down this process and allow more time for comments and consideration concerning the long-term impact this new Code may have on the City of Fairview and the impact that it will certainly have on the surrounding rural property.

On September 4, 2025, you participated in a Board of Zoning Appeals hearing where citizens, neighbors and experts expressed concerns regarding a conditional use application for a "Rural Retreat/Private Club" for 5185 Old Harding Road. The proposed conditional use was commercial in nature and not appropriate for the land, including a racetrack, a gun-range, short-term rental units and an amphitheater. The citizens of the affected area were given short notice to respond and respond they did, with clarity. The conditional use application was denied.

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Thank you again for your time and consideration,
Lark Foster
7344 S. Harpeth Rd.
Franklin, TN 37064
Sent from my iPhone

Ethan Greer

From: leelindsey7@gmail.com
Sent: Sunday, September 14, 2025 12:57 PM
To: Ethan Greer
Cc: pcarter@mtlawgroup.net; ricky.jones@williamsoncounty-tn.gov;
lisa.hayes@williamsoncounty-tn.gov
Subject: Opposition to Proposed Development Code - Protecting Fernvale and 5185 Old Harding Road

You don't often get email from leelindsey7@gmail.com. [Learn why this is important](#)

Dear Mr. Greer, Fairview Planning Staff & Government Officials,

I am writing to express my opposition to the proposed new Development Code, particularly as it applies to 5185 Old Harding Road.

This property is designated as “Rural Settlement” in the Fairview 2040 Comprehensive Plan, which allows only agriculture and single-family residential uses. The proposed Code, however, introduces a range of commercial and incompatible uses — including amphitheaters, lodges, inns, and rural retreats — that directly conflict with the rural character our community treasures and that the 2040 Plan promised to protect.

The natural topography and sensitive environmental features of this land—streams feeding the South Harpeth River, severe slopes, dense forest, and proximity to working farms—further reinforce why commercial development is neither appropriate nor sustainable here. Past proposals have failed for these very reasons, wasting resources and leaving neighbors frustrated.

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I have owned land in Fernvale (for 8 years) on which I built a custom home. Having recently sold I am looking for more land to build on in Fernvale and I am very much part of this vibrant and close-knit community.

Thank you for your time and consideration.

Respectfully,

Lee Lindsey

5617A Pinewood Rd

Franklin TN 37064

Ethan Greer

From: Marki Hailey-Steele <markihaileysteele@gmail.com>
Sent: Sunday, September 14, 2025 9:43 AM
To: Ethan Greer
Cc: pcarter@mtlawgroup.net
Subject: New Zoning Code : Fairview

[You don't often get email from markihaileysteele@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Dear Mr. Greer and City of Fairview Planning Staff,

I am writing to express concern regarding the proposed new Zoning Code for the City of Fairview, in particular the proposed zoning changes to 5185 Old Harding Road.

I live on the neighboring property on Whippoorwill lane, and I oppose this new Zoning Code and I am asking that you slow down this process and allow more time for comments and consideration concerning the long-term impact this new Code may have on the City of Fairview and the impact that it will certainly have on the surrounding rural property.

On September 4, 2025, you participated in a Board of Zoning Appeals hearing where citizens, neighbors and experts expressed concerns regarding a conditional use application for a "Rural Retreat/Private Club" for 5185 Old Harding Road. The proposed conditional use was commercial in nature and not appropriate for the land, including a racetrack, a gun-range, short-term rental units and an amphitheater. The citizens of the affected area were given short notice to respond and respond they did, with clarity. The conditional use application was denied.

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Thank you again for your time and consideration,

Marki Steele

Ethan Greer

From: Marshall Abbott <marsh.abbott@gmail.com>
Sent: Friday, September 12, 2025 4:23 PM
To: Ethan Greer
Cc: pcarter@mtlawgroup.net
Subject: Comments to Public Draft of the Development Code

You don't often get email from marsh.abbott@gmail.com. [Learn why this is important](#)

Dear Mr. Greer and City of Fairview Planning Staff,

I am writing to express concern regarding the proposed new Zoning Code for the City of Fairview, in particular the proposed zoning changes to 5185 Old Harding Road.

I oppose this new Zoning Code and I am asking that you slow down this process and allow more time for comments and consideration concerning the long-term impact this new Code may have on the City of Fairview and the impact that it will certainly have on the surrounding rural property.

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Further to this point, the Fairview Forward Vision Statement contained in the 2040 Comprehensive Plan explicitly states that the City of Fairview "is sensitive to the natural features and the environment." I would submit that there is no more environmentally sensitive parcel in Fairview than 5185 Old Harding Road.

Finally, I have real concerns that the interests of Fairview constituents, including neighboring communities, have not been fairly considered in spots of the Code like 5185 Old Harding Road.

To conclude, we ask that you take additional time to carefully review this Zoning Code and the impact it will have on some of these last remaining rural areas of town such as 5185 Old Harding Road. As drafted the Zoning Code will not protect these areas. 5185 Old Harding Road deserves protection. It should remain rural agricultural or residential in character consistent with the 2040 Plan with no permitted or conditional use exceptions (including footnotes) that would be commercial in character, because commercial uses will destroy the agricultural character of the land and surrounding area that we love.

Thank you again for your time and consideration,

Marshall and Fiona Abbott

5185 Old Harding Road

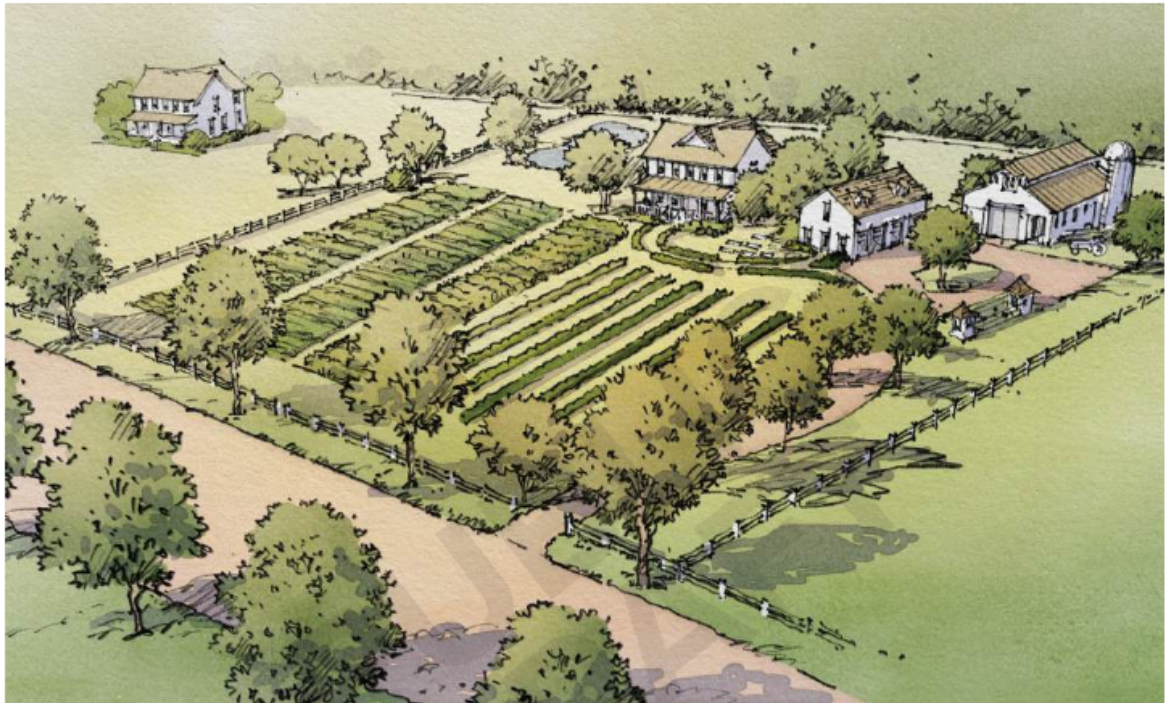
Franklin, TN 37064

Questions/Comments:

- In the new zoning ordinance, the only reference I see to how the new zoning character districts were identified and proposed is the conversion matrix and the map. That said, did anyone on the city side back up and reassess the new zoning character districts as it relates to the 2040 Plan vision and guiding principles and how that matches up with physical characteristics of the land, surrounding property characteristics and zoning, and existing infrastructure or expansion plans to better inform the new zoning districts? That process allows the city to confirm that they are meeting Section 1.5.1 of this new ordinance. Without that level of evaluation, the city is forced to look at each development, rezoning or a variance/conditional use permit application on a case by case basis with little to no base line established other than the city followed a matrix to convert it to a new zoning district. If TPUDC did further work outside of the conversion matrix and that hasn't been shown to the city or allowed for public comment, can it be?
- Rural Retreat:
 - Proposed zoning code definition is “a Principal Commercial Use owned and operated by a non-governmental entity for the purpose of providing a rural setting in which Accommodations/Lodging and related camping, conference/meeting/event venue facilities, dining and recreational amenities are provided.”
 - Has the city staff and Planning Commission discussed/revisited the intent of having “Rural Retreat” as a use in the zoning code? If not, can there be more discussion on the intent and subsequent zoning parameters that support the intent?
 - What is the reasoning for having the Rural Retreat use (a commercial use) being allowed in CD-2 or potentially any other non-commercial zoning district?
 - In CD-2, number of accessory buildings, impervious surface area, block sizes, lot/building site area, and building composition are not regulated. Yes, Rural Retreat as a use is allowed to introduce commercial, mixed use and flex uses into a base zoning district that is intended for rural character. This use and bulk regs do not support the base zoning intention and/or are so broadly written that the initial intention of the rural retreat can be stretched to meet other intentions.

CD-2

Table 4.3.1-B District Standards
Rural Character District



CD-2

Rural

The CD-2 Rural Character District consists of sparsely settled, primarily agricultural or low density single-family detached Residential areas. Typical Buildings include farmhouses and agricultural Buildings.

CD-2

Table 4.3.1-B District Standards
Rural Character District

Building Types

House	P	Commercial	P+
Duplex	NP	Mixed Use	P+
Townhouse	NP	Flex	P+
Small Multifamily	NP	Large Scale Commercial	NP
Live/Work	NP	Civic	P

See **Table 4.3.8.A-1 (Principal Building Types - Summary)** and **Table 4.3.8.A-2 (Principal Building Types - Specific Standards)**. For Development Sites, see also **Table 5.1.9 (Building Type Mix)**.

*Permitted in CD-2 only in a Rural Retreat Commercial Use per **Table 4.3.9.A-1 (Building, Lot & Building Site Principal Uses)**.

- To further the questions above, is it possible for “recreational amenities” to be clearly defined as it relates to the Rural Retreat use since that has been loosely applied (even before this code has been accepted)?

- If Rural Retreat is kept as a commercial use under any non-commercial zoning district, what development standards apply in the steep slope/ISR (section 6.9)?
- 5185 Old Harding Road – We wanted to express concern as it relates to this parcel since it directly touches our parcel. The proposed zoning per the conversion matrix is CD-3L. The map shows it as CD-2. The access is limited to Old Harding (a rural/agricultural area) per direct parcel access and grades. If it does become CD-2, there are concerns that the allowed new use of “Rural Retreat” is allowed (see above). However, the CD-3L character district reads like it should be in suburban development with no consideration given to the surrounding area, grades, etc. The new ordinance states that newly annexed land will be brought in as CD-2W unless a rezoning runs concurrently. The characteristics when looking at this specific land and surrounding area are more in line with CD-2 or CD-2W, and we ask that the Planning Commission and staff take time to assess this and other zoning districts in detail as it relates to the periphery of the city limits particularly.
- Section 6.4:
 - What does negatively impact mean as it relates to traffic? Does this need to be defined more for clarity or tied to another regulation document with that information?
 - Can there be a TIA, Vehicular Circulation Plan, Access Plan (Section 6.4.2, 6.4.3, 6.4.4 requirements) required during a rezoning for any projects that meet a certain density? That would be helpful to have during the process.
 - What happens if the proposed development’s access point is under the jurisdiction of another body? For example, Old Harding Road is controlled by Davidson and Williamson Counties depending on where your property is. Can the zoning code provide guidance on what the responsibilities of the developer would be with those agencies during the Fairview development process to streamline review and resources for all parties involved.
- Section 6.6:
 - Why are CD-2 and CD-2W exempt from doing underground power? If the intent is because these are less dense areas and meant for rural type development, what applies if Rural Retreat is approved (since it’s a commercial use)?
- Section 6.7: What is the intent of this section? Can there be more clarity as this is a stand alone section?

SECTION 6.7 PRESERVATION OF NATURAL & HISTORIC FEATURES

Development shall preserve the natural features of the site, such as wetlands, unique wildlife habitats, Historic Structures, major trees and scenic views both from and into the site.

- Section 6.8:
 - Does 6.8.1 (exemption 1) apply to existing lots or proposed lots in a development? Can this be clearly defined? Is there an opportunity to reduce the lot size for existing or proposed residential lots?
 - Exemption 3 gives the zoning administrator broad power for tree removal of nuisance trees. Understanding that exemptions are needed for city operations, however, the intent of this section of the code is for tree preservation. Can there be an offset of new trees required for implementation of nuisance trees being removed as that could be a very broad category? Should the city be held to the same standards and developers? Exemption 7 already allows for trees being exempt on city owned land and in right-of-ways.
 - Exemption 8 – why is this an exemption? Shouldn't this be part of a tree preservation plan during the approval process? If not, can more details be added so this isn't an overly broad exemption.

SECTION 6.8 TREE PROTECTION

6.8.1 Exemptions

The following Tree Removal activities are exempt from this Section 6.8:

1. The tree proposed for removal is located:
 - a. on a Single-Family Detached Residential Lot or Building Site of one (1) acre or less; or
 - b. on a Lot or Building Site in District CD-CV;
3. Removal of trees that are determined by the Zoning Administrator to be nuisance trees or a threat to an existing Structure, underground Utility, or public safety;
8. Removal of a tree is necessary to access the site and no alternative exists for relocating such access, as determined by the Zoning Administrator;

- Section 6.8.3(4): I've included the definition of Specimen Tree below as well. With low density development (residential), can #4 require all specimen

trees be saved in the tree save plan or at least a max for removal? There is ample space to work around them in those developments and preserving those trees is so important for a host of environmental reasons.

Specimen Tree: any canopy tree with a diameter of twenty-four (24) inches or greater measured at diameter breast height (DBH).

6.8.3 Tree Preservation Plan

As part of any Application required for a Development Plan, site plan, Preliminary Plat, or Final Plat, the Applicant shall submit a Tree Preservation Plan with the following information:

1. The Lot or Building Site lines associated with the proposed Development;
2. A recent aerial photograph with date photograph was taken;
3. The location and extent of the existing on-site tree canopy, including an estimate of the total percentage of the Parcels covered by the existing on-site tree canopy;
4. The exact location, health, and size of all Specimen Trees; however, in the instances of large established tree stands, the Zoning Administrator may accept an approximation of the location, health, and size of Specimen Trees if the trees are not being counted towards landscape requirements, or if the trees are located within a designated Tree Save Area; and
5. The minimum tree canopy retention requirement.

- For Section 6.8.5, can a limit of how many Specimen Trees can be removed on residential lower density development (CD-2W, CD-2 and CD-3L) as replacements at 12-2" caliber trees does not have the same outcome when surrounded by a natural, agricultural landscape and the goal of the 2040 Plan.
- Can existing parcels over a certain acreage be exempt from a payment in lieu of or tree bank mitigation? This goes counter to preserving rural landscapes (same reasoning of previous bullet).
- Section 6.8.9 – Why is a tree removal permit not required for all sites? In reality, contractors are not given tree preservation plans so requiring that they pull a tree removal permit is helpful to make sure the contractor knows

what can and can't be removed as once it's done, it's done. It's a check and balances system.

- Section 6.9:
 - Exemption #2 brings into question any development that is in the process now. Should development plans be paused to ensure compatibility with the new code, or at a minimum, that it meets the current steep slope, etc. requirements?

SECTION 6.9 RESOURCE PROTECTION & MANAGEMENT

The following resource protection and management standards and requirements shall apply to all Development in all Districts in which any of the situations or conditions described in Sections 6.9.1 - 6.9.4 exist.

The following are exempt from the requirements of this Section 6.9:

1. Public infrastructure and passive parks;
2. Any Construction, Development or Use initiated pursuant to any validly approved or issued Development Plan, Building Permit, or site plan issued or approved prior to adoption of this Ordinance.

- Steep Slopes: There are different requirements for lot sizes and % of land being developed which makes this a bit confusing. Is there any opportunity to provide more detail here for staff interpretation and the public to understand how all of the requirements interact when layered together for both residential and commercial developments? Maybe images?
- How would Rural Retreat be treated under this section – commercial or residential – as there are different requirements?
- Hilltops vs. Ridgetops: The zoning ordinance definitions are confusing. Development of these areas are a major concern as it directly ties to the 2040 Plan vision to preserve rural characteristics and erosion/stormwater

Hilltop: the part of a hill over 700 feet in elevation, as shown on the U.S.G.S. 7.5 minute quadrangle maps, where (a) the average slope is less than five (5) percent and such area is less than ten (10) acres; or (b) the maximum width of such area which is less than five (5) percent slope is 400 feet or less, with an area greater than ten (10) acres.

concerns. Would a visual be helpful to add to clearly define these and again how these regulations interact with the steep slope regulations?

Ridgetop: the part of a ridge which at any point is over 700 feet in elevation, as shown on the U.S. Geological Survey's (USGS) 7.5 minute quadrangle sheets covering the City, where the average slope is less than five (5) percent within an area of ten (10) acres or more and where the minimum width is 400 feet.

- Road grades: There are parking and driveway grade maximums in the Subdivision Regulations, but there doesn't seem to be any road grade maximums in those regulations or the Zoning Ordinance. This may not live in the Zoning Ordinance, but there are maximum road grades (in line and cross grades) that are recommended by NFPA Fire Access Standards as well as AASHTO Green Book for the safety of emergency vehicle access and allowing cars to access a site without bottoming out and getting out safely during inclement weather.

- Section 6.9.2

- What is this process?

6.9.2 Resource Management

A. Sinkholes

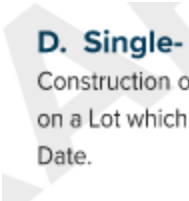
Sinkholes are formed from the action of rain, stormwater runoff and ground water on limestone strata. Development of any Parcel that contains sinkholes must be designed and approved by the City Engineer.

- Should any reference to Stormwater design criteria in this section reference the Stormwater Ordinance passed in 2022 and revised in 2023 to avoid confusion?
- Section 6.9.4 – Why is Delrose the only soil type called out? There are other soil types that have these similar characteristics of slippage on steep slopes, if not more. How was this section evaluated?

Table 6.9.4.A (Soil Type and Critical Lots)

Soil Type	Characteristics to be Addressed in Plan or Report
Delrose	Slippage Condition

- Section 6.11.13: This allows for an exemption from all requirements of section 6.11 prior to the adoption of the new ordinance. My concern is if any subdivision plats are in process and how this impact them.



D. Single- or Two-Family Dwellings

Construction of a Single-Family detached or Duplex Dwelling on a Lot which was platted and recorded prior to the Effective Date.

Ethan Greer

From: John Stone <jstone3817@gmail.com>
Sent: Sunday, September 14, 2025 2:03 PM
To: Ethan Greer
Cc: lisa.hayes@williamsoncounty-tn.gov; pcarter@mtlawgroup.net;
ricky.jones@williamsoncounty-tn.gov
Subject: Opposition to Proposed Development Code – Protecting Fernvale and 5185 Old Harding Road

You don't often get email from jstone3817@gmail.com. [Learn why this is important](#)

Dear Mr. Greer and Fairview Planning Staff,

I am writing to express my opposition to the proposed new Development Code, particularly as it applies to 5185 Old Harding Road.

This property is designated as “Rural Settlement” in the Fairview 2040 Comprehensive Plan, which allows only agriculture and single-family residential uses. The proposed Code, however, introduces a range of commercial and incompatible uses — including amphitheaters, lodges, inns, and rural retreats — that directly conflict with the rural character our community treasures and that the 2040 Plan promised to protect.

The natural topography and sensitive environmental features of this land—streams feeding the South Harpeth River, severe slopes, dense forest, and proximity to working farms—further reinforce why commercial development is neither appropriate nor sustainable here. Past proposals have failed for these very reasons, wasting resources and leaving neighbors frustrated.

The people of Fernvale are united in our desire to preserve the quiet, peaceful environment that defines our community. This is not only about zoning—it is about culture, identity, and the future of Fairview. As I shared in a recent community meeting, *“I hope that an event like tonight will help galvanize the community in a better clarity of our culture, who we are, and what we value for now and for the future. We stand together in a way that helps define us as a community.”*

I urge you to slow this process down and protect 5185 Old Harding Road in alignment with the 2040 Plan. This is a moment to leave a lasting legacy—how you steward Fairview’s remaining rural lands will be remembered for generations. Please keep this land rural and agricultural, without conditional or commercial-use loopholes, so that our shared vision of a quaint, small-town Fairview endures.

Thank you for your time and consideration.

Respectfully,

Mary Stone

7941 Fernvale Road

Fairview, TN 37062

Ethan Greer

From: Mimi Verner <mv@drippingrock.farm>
Sent: Sunday, September 14, 2025 9:23 PM
To: Ethan Greer
Cc: pcarter@mtlawgroup.net
Subject: Proposed new Zoning Code in Fairview for 5185 Old Harding Rd

You don't often get email from mv@drippingrock.farm. [Learn why this is important](#)

Dear Mr. Greer and City of Fairview Planning Staff,

I am writing to express concern regarding the proposed new Zoning Code for the City of Fairview, in particular the proposed zoning changes to 5185 Old Harding Road.

I oppose this new Zoning Code and I am asking that you slow down this process and allow more time for comments and consideration concerning the long-term impact this new Code may have on the City of Fairview and the impact that it will certainly have on the surrounding rural property.

On September 4, 2025, you participated in a Board of Zoning Appeals hearing where citizens, neighbors and experts expressed concerns regarding a conditional use application for a “Rural Retreat/Private Club” for 5185 Old Harding Road. The proposed conditional use was commercial in nature and not appropriate for the land, including a racetrack, a gun-range, short-term rental units and an amphitheater. The citizens of the affected area were given short notice to respond and respond they did, with clarity. The conditional use application was denied.

Today, again with short notice, I write during the public comment period of the proposed new Development Code to express serious concerns. Specifically, it seems the proposed Code seeks to expand and codify permitted uses on 5185 Old Harding Road in a manner that directly conflicts with the “Rural Settlement” characterization of the property provided within the Fairview 2040 Comprehensive Plan.

The Future Land Use and Character Map of the 2040 Comprehensive Plan clearly designates 5185 Old Harding Road as “Rural Settlement” and lists only agriculture and single-family detached residential as appropriate land uses. This is consistent with the top two “Major Takeaways” of the Fairview 2040 Comprehensive Plan which are to: 1) Keep a quaint, country Fairview, and 2) Maintain the small community feel.

The new Code describes CD-2 areas, which is the proposed new zoning category for 5185 Old Harding Road, as “sparsely settled, primarily agriculture or low density single-family detached residential areas.” However, buried deep within the proposed Code are many permitted uses, some by right and others subject to limited use, that are clearly commercial uses, and should not be permitted because they are inconsistent with the Rural Settlement designation in the 2040 Comprehensive Plan. This includes a curious but familiar footnote for Rural Retreat. Examples of CD-2 permitted uses in the proposed code that I find objectionable include but are not limited to:

- Amphitheatre
- Membership Club or Lodge

- Rural Retreat
- Inn
- Schools
- Funeral Home

These uses are intrinsically commercial and incompatible with 1) the existing character of the land, 2) the sentiment of the surrounding area and property owners, and 3) Fairview's own 2040 Comprehensive Plan.

The new zoning for 5185 Old Harding Road is also not appropriate when considered in the context of unique natural features and development challenges posed by the property's topography. To restate some important attributes of that topography:

1. Multiple streams and springs that feed directly into the South Harpeth River, with multiple surrounding residences reliant on spring water as their primary water source;
2. Severe slopes and pronounced heavily wooded ridgelines that exceed 800 feet;
3. Most of the property is covered by dense forest which provides a biodiverse natural habitat protects against erosion and stormwater runoff;
4. Part of the property is in or immediately adjacent to the South Harpeth floodplain; and,
5. Working livestock farms operate adjacent to the property.

Since 1991, when 5185 Old Harding was annexed, the zoning has never properly considered the physical character of that property and the surrounding area. The result has been failed projects and wasted resources for developers and the neighboring community alike. Over the past three decades, the enforcement standards related to challenging topography and storm water have only become more stringent; the weather has only become more severe.

Further to this point, the Fairview Forward Vision Statement contained in the 2040 Comprehensive Plan explicitly states that the City of Fairview "is sensitive to the natural features and the environment." I would submit that there is no more environmentally sensitive parcel in Fairview than 5185 Old Harding Road.

Finally, I have real concerns that the interests of Fairview constituents, including neighboring communities, have not been fairly considered in spots of the Code like 5185 Old Harding Road.

To conclude, we ask that you take additional time to carefully review this Zoning Code and the impact it will have on some of these last remaining rural areas of town such as 5185 Old Harding Road. As drafted the Zoning Code will not protect these areas. 5185 Old Harding Road deserves protection. It should remain rural agricultural or residential in character consistent with the 2040 Plan with no permitted or conditional use exceptions (including footnotes) that would be commercial in character, because commercial uses will destroy the agricultural character of the land and surrounding area that we love.

Thank you again for your time and consideration,
Mimi and Jerry Verner

Ethan Greer

From: patmcgaw@att.net
Sent: Saturday, September 13, 2025 6:12 PM
To: Ethan Greer
Cc: pcarter@mtlawgroup.net
Subject: New Development Code

You don't often get email from patmcgaw@att.net. [Learn why this is important](#)

I am writing to express my opposition to the proposed development code that will affect the Fernvale Community and surrounding neighborhoods. The proposed zoning changes to 5185 Old Harding Road do not match the 2040 plan.

You participated and I attended the Board of Zoning Appeal Hearing held on September 4, 2025. The representatives who came forward expressed very clearly the concerns of our community and reflected all of my concerns.

The new proposed development code change

Would negate and be in direct conflict with our rural

Settlement covered in the Fairview 2040 Comprehensive plan.

Fairview is already experiencing growth beyond its infrastructure: noise, Road hazards, speeding, reckless drivers, massive construction vehicles taking over our narrow country roads, traffic jams, water and sewage systems unable to manage the growth. Our beautiful natural habitat has shifted and not for the good.

The City of Fairview is being called the "New Springhill"

And this is a nightmare not a compliment.

As a resident of Fernvale/ Fairview for 40 years I can see we are losing our quaint small town feel and our countryside is being destroyed each day.

Please STOP the everlasting damage to our beautiful

Fernvale countryside. Once gone we will never get it back.

Thank you

Pat McGaw

7816 Fernvale Road

Fairview, Tn. 37062

[Sent from AT&T Yahoo Mail on Android](#)

Ethan Greer

From: Rachel Cherry <recherry@alumni.lipscomb.edu>
Sent: Sunday, September 14, 2025 9:39 AM
To: Ethan Greer
Cc: pcarter@mtlawgroup.net
Subject: Say No! Save Old Harding Road

You don't often get email from recherry@alumni.lipscomb.edu. [Learn why this is important](#)

Dear Mr. Greer and City of Fairview Planning Staff,

I am writing to express concern regarding the proposed new Zoning Code for the City of Fairview, in particular the proposed zoning changes to 5185 Old Harding Road.

I oppose this new Zoning Code and I am asking that you slow down this process and allow more time for comments and consideration concerning the long-term impact this new Code may have on the City of Fairview and the impact that it will certainly have on the surrounding rural property.

On September 4, 2025, you participated in a Board of Zoning Appeals hearing where citizens, neighbors and experts expressed concerns regarding a conditional use application for a "Rural Retreat/Private Club" for 5185 Old Harding Road. The proposed conditional use was commercial in nature and not appropriate for the land, including a racetrack, a gun-range, short-term rental units and an amphitheater. The citizens of the affected area were given short notice to respond and respond they did, with clarity. The conditional use application was denied.

Today, again with short notice, I write during the public comment period of the proposed new Development Code to express serious concerns. Specifically, it seems the proposed Code seeks to expand and codify permitted uses on 5185 Old Harding Road in a manner that directly conflicts with the "Rural Settlement" characterization of the property provided within the Fairview 2040 Comprehensive Plan.

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-
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-
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-
- Funeral Home

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- 1
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- 2
Severe slopes and pronounced heavily wooded ridgelines that exceed 800 feet;
- 3
Most of the property is covered by dense forest which provides a biodiverse natural habitat protects against erosion and stormwater runoff;
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Part of the property is in or immediately adjacent to the South Harpeth floodplain; and,
- 5
Working livestock farms operate adjacent to the property.

Since 1991, when 5185 Old Harding was annexed, the zoning has never properly considered the physical character of that property and the surrounding area. The result has been failed projects and wasted resources for developers and the neighboring community alike. Over the past three decades, the enforcement standards related to challenging topography and storm water have only become more stringent; the weather has only become more severe.

Further to this point, the Fairview Forward Vision Statement contained in the 2040 Comprehensive Plan explicitly states that the City of Fairview "is sensitive to the natural features and the environment." I would submit that there is no more environmentally sensitive parcel in Fairview than 5185 Old Harding Road.

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To conclude, we ask that you take additional time to carefully review this Zoning Code and the impact it will have on some of these last remaining rural areas of town such as 5185 Old Harding Road. As drafted the Zoning Code will not protect these areas. 5185 Old Harding Road deserves protection. It should remain rural agricultural or residential in character consistent with the 2040 Plan with no permitted or conditional use exceptions (including footnotes) that would be commercial in character, because commercial uses will destroy the agricultural character of the land and surrounding area that we love.

Thank you again for your time and consideration,
Sent from my iPhone

Ethan Greer

From: Randall Kelley <kelleybus@aol.com>
Sent: Saturday, September 13, 2025 4:38 PM
To: Ethan Greer
Cc: pccarter@mtlawgroup.net
Subject: 5185 Old Harding Rd Zoning Changes

You don't often get email from kelleybus@aol.com. [Learn why this is important](#)

Dear Mr. Greer and City of Fairview Planning Staff:

I'm sure by now that you have received many messages from my neighbors living along the upper South Harpeth River Valley therein expressing issues and concerns about the proposed zoning changes applicable to the property at 5185 Old Harding Road.

There isn't need for me to add to or further elaborate on our collective shared concerns.

I attended the 4 September Board of Zoning Appeals hearing and, after hearing the presentation of the prospective developer and the reasoned arguments against his proposal, I feel the board's decision to turn down his proposal is technically correct, but fails to succinctly address future development of the property.

The Zoning Code change now under consideration appears troubling because, if approved, might go a long way toward resurrecting the developer's application.

I believe in the inevitability of progress and I'm confident that, down the road, the future of 5185 Old Harding Road will change. I pray that it will be done in a way that preserves the property as the beautiful gateway to the historic Fernvale Community and the upper South Harpeth Valley.

I submit that the best way to accomplish that admirable goal is to restrict the property's zoning to rural non-commercial agricultural and very low density residential development.

Thank you for considering my input as well as that of my fellow Fernvale Community neighbors.

Randall Kelley
5181 Old 96

Ethan Greer

From: Randall Rudolph <drudolph48@gmail.com>
Sent: Friday, September 12, 2025 6:31 PM
To: Ethan Greer
Subject: Opposition to new proposed zoning code for rural lands

You don't often get email from drudolph48@gmail.com. [Learn why this is important](#)

I am writing to express concern regarding the new Zoning Code for the city of Fairview. In particular the proposed zoning changes for 5185 Old Harding Rd. and any surrounding rural areas. I oppose this new zoning code and I am asking that you halt this process. For three decades the results have been failed projects and developments without concern for the rural landscape and the potentiality for excessive flooding due to worsening weather patterns in an area that has a history of devastating floods. With the current proposal there will be:

1. devastation to the watersheds
2. no protection to the multiple streams that feed directly into the South Harpeth River,
3. no protection of heavily wooded slopes and biodiverse habitats which protect against erosion and storm runoff.

These last remaining areas such as 5185 Old Harding Rd. and surrounding rural areas should remain rural agriculture or residential in character consistent with the 2040 Plan with no conditional use exceptions, that would be commercial in character because commercial uses destroy the agriculture of the land and the surrounding area that our community loves.

Thank you.
Dr. Randall Rudolph

T

Ethan Greer

From: Ryan.Curran@Ferguson.com
Sent: Monday, September 15, 2025 6:27 AM
To: Ethan Greer
Cc: pcarter@mtlawgroup.net; Mayor Lisa Anderson; ccurran_22@yahoo.com
Subject: Fernvale / proposed Development Code

You don't often get email from ryan.curran@ferguson.com. [Learn why this is important](#)

Mr. Greer and Planning Staff,

I am sure you have seen the majority of the below text many times already. However, I would like to also express the amount of times that my property has flooded since 2010. I have had a family living adjacent to my house for the past 30 - 40 years and prior to 2010, the property had never flooded in those years leading up to 2010. Since then, the frequency of flooding has increased significantly. I had waist deep waters in my garage in 2017, shoulder deep in 2020, knee deep in 2023, and in 2025 have been flooded twice (once was a few inches and the second was waist deep).

Thanks, Ryan Curran / 5121 Old Harding Rd. Franklin, Tn 37064

I am writing to express concern regarding the proposed new Zoning Code for the City of Fairview, in particular the proposed zoning changes to 5185 Old Harding Road.

I oppose this new Zoning Code and I am asking that you slow down this process and allow more time for comments and consideration concerning the long-term impact this new Code may have on the City of Fairview and the impact that it will certainly have on the surrounding rural property.

On September 4, 2025, you participated in a Board of Zoning Appeals hearing where citizens, neighbors and experts expressed concerns regarding a conditional use application for a "Rural Retreat/Private Club" for 5185 Old Harding Road. The proposed conditional use was commercial in nature and not appropriate for the land, including a racetrack, a gun-range, short-term rental units and an amphitheater. The citizens of the affected area were given short notice to respond and respond they did, with clarity. The conditional use application was denied.

Today, again with short notice, I write during the public comment period of the proposed new Development Code to express serious concerns. Specifically, it seems the proposed Code seeks to expand and codify permitted uses on 5185 Old Harding Road in a manner that directly conflicts with the "Rural Settlement" characterization of the property provided within the Fairview 2040 Comprehensive Plan.

The Future Land Use and Character Map of the 2040 Comprehensive Plan clearly designates 5185 Old Harding Road as "Rural Settlement" and lists only agriculture and single-family detached residential as appropriate land uses. This is consistent with the top two "Major Takeaways" of the Fairview 2040 Comprehensive Plan which are to: 1) Keep a quaint, country Fairview, and 2) Maintain the small community feel.

The new Code describes CD-2 areas, which is the proposed new zoning category for 5185 Old Harding Road, as “sparsely settled, primarily agriculture or low density single-family detached residential areas.” However, buried deep within the proposed Code are many permitted uses, some by right and others subject to limited use, that are clearly commercial uses, and should not be permitted because they are inconsistent with the Rural Settlement designation in the 2040 Comprehensive Plan. This includes a curious but familiar footnote for Rural Retreat. Examples of CD-2 permitted uses in the proposed code that I find objectionable include but are not limited to:

- Amphitheatre
- Membership Club or Lodge
- Rural Retreat
- Inn
- Schools
- Funeral Home

These uses are intrinsically commercial and incompatible with 1) the existing character of the land, 2) the sentiment of the surrounding area and property owners, and 3) Fairview’s own 2040 Comprehensive Plan.

The new zoning for 5185 Old Harding Road is also not appropriate when considered in the context of unique natural features and development challenges posed by the property’s topography. To restate some important attributes of that topography:

1. Multiple streams and springs that feed directly into the South Harpeth River, with multiple surrounding residences reliant on spring water as their primary water source;
2. Severe slopes and pronounced heavily wooded ridgelines that exceed 800 feet;
3. Most of the property is covered by dense forest which provides a biodiverse natural habitat protects against erosion and stormwater runoff;
4. Part of the property is in or immediately adjacent to the South Harpeth floodplain; and,
5. Working livestock farms operate adjacent to the property.

Since 1991, when 5185 Old Harding was annexed, the zoning has never properly considered the physical character of that property and the surrounding area. The result has been failed projects and wasted resources for developers and the neighboring community alike. Over the past three decades, the enforcement standards related to challenging topography and storm water have only become more stringent; the weather has only become more severe.

Further to this point, the Fairview Forward Vision Statement contained in the 2040 Comprehensive Plan explicitly states that the City of Fairview “is sensitive to the natural features and the environment.” I would submit that there is no more environmentally sensitive parcel in Fairview than 5185 Old Harding Road.

Finally, I have real concerns that the interests of Fairview constituents, including neighboring communities, have not been fairly considered in spots of the Code like 5185 Old Harding Road.

To conclude, we ask that you take additional time to carefully review this Zoning Code and the impact it will have on some of these last remaining rural areas of town such as 5185 Old Harding Road. As drafted the Zoning Code will not protect these areas. 5185 Old Harding Road deserves protection. It should

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Thank you again for your time and consideration,

RYAN CURRAN

SALES REPRESENTATIVE

Ferguson Heating and Cooling

1708 Elm Hill Pike Nashville, Tn 37210 USA

T: (615)-316-1900 C: (615)-504-7391 F: (615)-885-4883

E: ryan.curran@ferguson.com



“Your talent determines what you can do. Your motivation determines how much you’re willing to do. Your attitude determines how well you do it.” ~ Lou Holtz

Ethan Greer

From: Stephanie Kelley <texashomegirl@icloud.com>
Sent: Saturday, September 13, 2025 9:01 AM
To: Ethan Greer
Cc: pcarter@mtlawgroup.net
Subject: 5185 Old Harding Rezoning

You don't often get email from texashomegirl@icloud.com. [Learn why this is important](#)

Dear Mr. Greer and City of Fairview Planning Staff,

I am writing to express concern regarding the proposed new Zoning Code for the City of Fairview, in particular the proposed zoning changes to 5185 Old Harding Road.

I oppose this new Zoning Code and I am asking that you slow down this process and allow more time for comments and consideration concerning the long-term impact this new Code may have on the City of Fairview and the impact that it will certainly have on the surrounding rural property.

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Thank you again for your time and consideration,

Stephanie Kelley
5881 Old 96
(210) 867 8743

Ethan Greer

From: Stephen Santi <ssantidoc@me.com>
Sent: Sunday, September 14, 2025 6:49 AM
To: Ethan Greer
Cc: pcarter@mtlawgroup.net
Subject: 5185 Old Harding Road zoning changes

You don't often get email from ssantidoc@me.com. [Learn why this is important](#)

Dear Mr. Greer and City of Fairview Planning Staff,

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Thank you again for your time.

Best Regards,
Steve Santi
5110 Old Harding Rd

Sent from Steve Santi's iphone

Ethan Greer

From: Steven Lee <sleehereford@gmail.com>
Sent: Sunday, September 14, 2025 3:42 PM
To: Ethan Greer; pcarter@mtlawgroup.net
Subject: OPPOSE New Zoning Code for 5185 Old Harding Road

You don't often get email from sleehereford@gmail.com. [Learn why this is important](#)

Dear Mr. Greer and City of Fairview Planning Staff,

I am writing to express concern regarding the proposed new Zoning Code for the City of Fairview, in particular the proposed zoning changes to 5185 Old Harding Road.

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(including footnotes) that would be commercial in character, because commercial uses will destroy the agricultural character of the land and surrounding area that we love.

Thank you again for your time and consideration.

Steven Lee, 5141 Bedford Creek Road

Ethan Greer

From: moorestu@netscape.net
Sent: Saturday, September 13, 2025 1:16 PM
To: Ethan Greer
Subject: Deeply concerned about what constitutes "Progress", and a lack of consideration of all citizens in Northwestern Williamson County.

You don't often get email from moorestu@netscape.net. [Learn why this is important](#)

Dear Mr. Greer and City of Fairview Planning Staff,

I am writing to express concern regarding the proposed new Zoning Code for the City of Fairview, in particular the proposed zoning changes to 5185 Old Harding Road.

I oppose this new Zoning Code and I am asking that you slow down this process and allow more time for comments and consideration concerning the long-term impact this new Code may have on the City of Fairview and the impact that it will certainly have on the surrounding rural property.

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Thank you again for your time and consideration,

Stuart McFarland Moore, resident of greater Fernvale, on Caney Fork Road.

One other mention: the Rural Retreat will not pay taxes if the owner gets his desired, 503(c)7 IRS designation. The nature of the Rural Retreat will adversely affect surrounding property values in a negative way, due to the sound of gunfire, potentially throughout the day, and incredibly expensive cars racing around a three mile track. There is no way on God's Green Earth that a the noise can be maintained at 54 decibels or less. I've spent countless hours in the woods hunting, hiking and camping. This Rural Retreat should represent the best interests of all local residents. The nature of community is not a one man show.

Ethan Greer

From: Suzi Ambar-Worrell <suzi7773@msn.com>
Sent: Saturday, September 13, 2025 9:16 PM
To: Ethan Greer
Subject: development code

You don't often get email from suzi7773@msn.com. [Learn why this is important](#)

I oppose this development code!! Suzi Ambar-Worrell

SUZI AMBAR-WORRELL

Registered Yoga Teacher (RYT)

Certified Reiki Master

Macrobiotic Private Cook

??

(615) 799-0813

Ethan Greer

From: Sydney Reichman <sydneyreichman@gmail.com>
Sent: Sunday, September 14, 2025 7:08 PM
To: Ethan Greer; pcarter@mtlawgroup.net
Subject: I strongly oppose this new Development Code

You don't often get email from sydneyreichman@gmail.com. [Learn why this is important](#)

Dear Mr. Greer and City of Fairview Planning Staff,

I strongly oppose the adoption of the new Fairview, TN Development Code until further explanation and community concerns are addressed and alleviated.

I have been a resident of the Fernvale area since 1978 and have personally witnessed the worsening cycle of floods in our valley. In 1979, a major flood washed away the road near the Bedford Creek bridge, isolating residents with no way out. In 2010, an even larger flood once again destroyed the road, stranding the community. These events reveal a clear and escalating pattern of flood severity—yet no comprehensive flood study has ever been undertaken in the new development code.

On the ridges of Fairview, hundreds of watersheds drain directly into Fernvale and Old Harding Road. As forest systems are cleared for development, downstream communities like ours bear the brunt of the damage. Without careful study and responsible planning, the risk of catastrophic flooding—including the loss of life—will only grow. For these reasons, I strongly oppose the adoption of the new Fairview, TN Development Code.

While the City of Fairview may have technically met its citizen-notification requirements, the outreach efforts fell far short. Many residents of Fairview—and especially those in surrounding rural communities—were unaware of this sweeping proposal and had little to no chance to meaningfully participate in the process.

At the August 13, 2025 meeting, it was reported that input for the new code came from consultants and developers. Notably absent were farmers, adjacent landowners, and long-standing residents whose properties border annexed or neighboring rural areas. These are the people most directly affected, yet their voices were excluded.

The public outcry on September 4, 2025 made it clear: citizens oppose the proposed road course and reject the broader push toward urbanizing Fairview's rural outskirts. To move forward with this code would be to dismiss the clearly expressed will of the people.

In addition, the new code's provision that allows annexed rural land to be used for civic purposes—such as parks, ball fields, and town squares—directly conflicts with established zoning and land-use principles for rural areas. These concerns were voiced at the September 4th public hearing and reflect widespread opposition to altering the character of annexed or potentially annexed rural land.

Other serious issues remain unaddressed. Residents have raised valid concerns about flood risks, traffic congestion, stormwater runoff, erosion, spring water contamination, and broader safety and

environmental hazards. Each of these issues warrants comprehensive study before any further consideration of the new development code.

Equally troubling are the conflicts of interest surrounding this process. Mr. W. B. Wright, founding principal of TPUDC, is directly tied to a proposed rural development project (Parcel 5185) annexed by Fairview. Simultaneously, Mr. W. S. Wright of TPUDC is leading the framework that drafts the very development code governing these lands. Meanwhile, Mr. Brandon Butler, realtor—who stands to profit from the sale of the land, Parcel 5185—is serving as a consultant on the code. These overlapping roles raise profound ethical concerns and threaten the integrity of the process itself.

The evidence suggests that developer interests—not citizen welfare—are driving this policy. The expedited timeline, in which public comments were to be collected, analyzed, and incorporated into a final draft only two days before the scheduled vote, further highlights the lack of transparency and disregard for authentic community engagement.

I urge the City of Fairview to halt the adoption of this proposed Development Code immediately. The process must be paused, thoroughly reviewed, and restarted with full transparency, meaningful citizen input, and safeguards against conflicts of interest. The future of Fairview—and its surrounding rural heritage—depends on it.

In closing, I want to reiterate what makes Fairview so special. When I searched for what defines this town, the answer was clear: its rural charm—the pastoral fields and woodlands, streams and wildlife, like those in Fernvale and beyond. Yet these very landscapes, the heart of Fairview’s identity and appeal, are now under threat. If we allow this code to proceed, developers driven by huge profit—not by care for our land or community—will erase what makes this place historic and magnificent. They will move on to the next town, leaving behind a legacy of loss that once destroyed, can never be replaced.

-

Sydney Reichman

sydneyreichman.com

The Art House

<https://www.airbnb.com/rooms/2580878?preview>

<https://www.vrbo.com/623502?unitId=1171283>

Ethan Greer

From: Tamara Dunn <dunntamara@me.com>
Sent: Saturday, September 13, 2025 9:27 AM
To: Ethan Greer
Cc: pcarter@mtlawgroup.net
Subject: Fwd: Fernvale: urgent action needed for Fairview's new proposed Development Code

You don't often get email from dunntamara@me.com. [Learn why this is important](#)

Please note that I support the following letter enclosed below my email.

The public comment deadline dates are in direct contrast to what the Mayor told us in a private meeting over a week ago about the timeline for approvals for the new Code. She was under the impression that there was more time to formulate data for your consideration. There are significant flaws in the lengthy proposal, none of which address the new levels of extreme flooding we are all experiencing in our area every year now...not just generationally. My property, which is very close to 5185 Old Harding Rd has been impacted by the South Harpeth overflowing to heights that exceed what 2010 inflicted all the way to Russell Road. My property was improved in the last year. The buildings were engineered according to 2010 flood calculations for crawl space and basement elevations. This year's water levels and force exceeded all of those expensive diagnostics. THIS MATTER NEEDS TO BE FEATURED AS A CORNERSTONE WITH REGARD TO ANY FURTHER DEVELOPMENT OF THE AREA. I'm not whining about noise, or lifestyle preferences. This is a major safety consideration.

Respectfully,
Ms. Dunn
5171 Russell Rd

Dear Mr. Greer and City of Fairview Planning Staff,

I am writing to express concern regarding the proposed new Zoning Code for the City of Fairview, in particular the proposed zoning changes to 5185 Old Harding Road.

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- Inn
- Schools
- Funeral Home

These uses are intrinsically commercial and incompatible with 1) the existing character of the land, 2) the sentiment of the surrounding area and property owners, and 3) Fairview’s own 2040 Comprehensive Plan.

The new zoning for 5185 Old Harding Road is also not appropriate when considered in the context of unique natural features and development challenges posed by the property’s topography. To restate some important attributes of that topography:

1. Multiple streams and springs that feed directly into the South Harpeth River, with multiple surrounding residences reliant on spring water as their primary water source;

2. Severe slopes and pronounced heavily wooded ridgelines that exceed 800 feet;
3. Most of the property is covered by dense forest which provides a biodiverse natural habitat protects against erosion and stormwater runoff;
4. Part of the property is in or immediately adjacent to the South Harpeth floodplain; and,
5. Working livestock farms operate adjacent to the property.

Since 1991, when 5185 Old Harding was annexed, the zoning has never properly considered the physical character of that property and the surrounding area. The result has been failed projects and wasted resources for developers and the neighboring community alike. Over the past three decades, the enforcement standards related to challenging topography and storm water have only become more stringent; the weather has only become more severe.

Further to this point, the Fairview Forward Vision Statement contained in the 2040 Comprehensive Plan explicitly states that the City of Fairview “is sensitive to the natural features and the environment.” I would submit that there is no more environmentally sensitive parcel in Fairview than 5185 Old Harding Road.

Finally, I have real concerns that the interests of Fairview constituents, including neighboring communities, have not been fairly considered in spots of the Code like 5185 Old Harding Road.

To conclude, we ask that you take additional time to carefully review this Zoning Code and the impact it will have on some of these last remaining rural areas of town such as 5185 Old Harding Road. As drafted the Zoning Code will not protect these areas. 5185 Old Harding Road deserves protection. It should remain rural agricultural or residential in character consistent with the 2040 Plan with no permitted or conditional use exceptions (including footnotes) that would be commercial in character, because commercial uses will destroy the agricultural character of the land and surrounding area that we love.

Thank you again for your time and consideration,

Ethan Greer

From: terrisuper <terrissuper@att.net>
Sent: Saturday, September 13, 2025 1:51 PM
To: Ethan Greer
Cc: pcarter@mtlawgroup.net
Subject: New Development Code

You don't often get email from terrissuper@att.net. [Learn why this is important](#)

Gentlemen,

I am opposed to the New Development Code. The many permitted uses are clearly allowing for commercial use and as such are inconsistent with the Rural Settlement designation of the 5185 Old Harding Rd parcel.

Taressa Super
5880 Old 96

Sent from my Galaxy

Ethan Greer

From: Zina Yzquierdo <mcyzqfam@gmail.com>
Sent: Sunday, September 14, 2025 3:34 PM
To: Ethan Greer
Cc: pcarter@mtlawgroup.net
Subject: Statement Opposing the Proposed Development Code

You don't often get email from mcyzqfam@gmail.com. [Learn why this is important](#)

Dear Mr. Greer and City of Fairview Planning Staff,

I strongly oppose the adoption of the new Fairview, TN Development Code.

While the City of Fairview has technically fulfilled its citizen-notification requirements, the outreach efforts were insufficient. A significant portion of Fairview's residents—along with many from the surrounding rural communities—were unaware of this sweeping proposal and had little to no opportunity to meaningfully participate in the process.

At the August 13, 2025 meeting, it was reported that input for the new development code was gathered from consultants and developers, but notably absent were farmers, adjacent landowners, and long-standing residents whose properties border the annexed and neighboring rural areas. These individuals—those most directly impacted—were not consulted.

The public outcry on September 4, 2025, made it clear: citizens oppose the development of a road course and strongly reject the broader urbanization of Fairview's rural outskirts. To proceed with the proposed code would be to ignore the expressed will of the people. The new code's provision allowing annexed rural areas to be used for civic purposes—such as parks, ball fields, and squares, etc.—conflicts with current zoning and land-use principles for rural land. These concerns were voiced clearly during the Sept 4th public hearing and reflect a wider opposition to altering the character of annexed or potentially annexed rural land.

Furthermore, vital issues have not been adequately addressed. Residents on Sept 4th raised valid concerns regarding flood risks, traffic impacts, stormwater runoff, erosion, spring water contamination, and other serious safety and environmental risks. These merit comprehensive study before any consideration of moving forward the new development code.

In addition, other troubling facts are the apparent conflicts of interest. Mr. W. B. Wright, the founding principal of TPUDC, is directly involved in a proposed rural development project (Parcel 5185) annexed by Fairview. At the same time, Mr. W. S. Wright, also from TPUDC, is leading the framework tasked with drafting the very development code that would govern these lands. Additionally, Mr. Brandon Butler, who stands to profit from the land sale, is also serving as a consultant on this code. These overlapping roles raise serious ethical questions and threaten the integrity of the entire process.

It appears that the interests of developers—not the citizens of Fairview—are driving the direction of this policy. The expedited timeline, in which public comments were to be collected, analyzed, and incorporated into a final draft within just two days before a vote, underscores the lack of acknowledging care for genuine community engagement and transparency.

I urge the City of Fairview to halt the adoption of the proposed Development Code immediately. The process must be paused, thoroughly reviewed, and restarted with full transparency, meaningful citizen input, and safeguards against conflicts of interest. The future of Fairview—and its surrounding rural heritage—depends on it.

Thank you, Zina Yzquierdo