

HARTSVILLE/TROUSDALE COUNTY GOVERNMENT

ORDINANCE #271-2023-08

AN ORDINANCE TO AMEND THE HARTSVILLE ZONING ORDINANCE

ARTICLE V ZONING DISTRICTS BY ADDING SECTION 5.090 USES AND INTERPRETATION

WHEREAS, the land use controls of Hartsville/Trousdale County, Tennessee have been adopted for the purpose of promoting the public health, safety, morals, convenience, order, prosperity, and general welfare of the community; and

WHEREAS, the land use controls of Hartsville/Trousdale County include uses permitted by right or by special exception within specific zoning districts; and

WHEREAS, the Hartsville/Trousdale County Regional Planning Commission has duly reviewed and recommended this amendment to the County Commission; and

WHEREAS, the County Commission has reviewed such recommendation and has conducted a public hearing prior to the second reading.

NOW, THEREFORE, BE IT ORDAINED BY THE HARTSVILLE/TROUSDALE COUNTY COMMISSION that the attached section be added to Article V of the Hartsville Zoning Ordinance:

See Attachment 1: Article V, Section 5.090 Table of Uses and Interpretation

BE IT ENACTED that this ordinance shall take effect from and after its adoption, the public welfare requiring it.

*Recommended by Planning Commission December 12, 2022
Public Hearing to be held on February 27, 2023 if passed at 1st reading*

		1M <u>Lesley Overman</u>	Voice Vote			
First Reading:	<u>January 23, 2023</u>	2m <u>Chris Gregory</u>	Approved w/o opposition	Absent	<u>0</u>	PASSED
		1M <u>Chris Gregory</u>	Voice Vote			
Second Reading:	<u>February 27, 2023</u>	2m <u>Beverly Atwood</u>	Approved w/o opposition	Absent	<u>0</u>	PASSED

IN EFFECT AND APPROVED IN REGULAR SESSION ON FEBRUARY 27, 2023

Approved:



Commission Chairman

Attest:



County Clerk

5.050: Table of Uses and Interpretation

- A. Each zoning district has uses permitted by right or by special exception. The detailed permitted uses table below contains a listing of uses which may be permitted in one or more of the various zoning districts listed across the top. Uses are listed in alphabetical order within five categories as follows: Residential, Community Facility, Commercial, Agricultural, and Industrial. A more detailed description of each use permitted by right or by special exception within each Zoning District is detailed in Article V Section 5.040 of this Zoning Ordinance. If there is a conflict between the Table of Uses and the provisions outlined in each Zoning District Regulations the Zoning District Standards shall supersede.
- i. Permitted by right (P): Approval subject to district provisions and other applicable requirements.
 - ii. Special Exception (SE): Some Special Exceptions may also be subject to additional requirements outlined in Article VIII Section 8.060.
 - iii. Prohibited Uses: An empty cell indicates the listed use is not allowed within the respective zoning district.
- B. The table of uses does not necessarily include all possible land uses. Some uses may fall into more than one classification depending upon the use characteristics. Where there is a question concerning the appropriate activity classification for any use not listed as a use permitted by right, by accessory use, or as a special exception in any zoning district listed in this Ordinance, the Board of Zoning Appeals shall determine the most appropriate zoning district for the proposed use. The Board of Zoning Appeals may use the North American Industry Classification System (NAICS) to evaluate the characteristics of the unlisted use.

The Board of Zoning Appeals may determine that a proposed land use unlisted in this Ordinance may be permitted if the following criteria are met:

- i. The characteristics of, and activities associated with, the proposed use are equivalent to those of one or more of the uses listed as permitted in the zoning district, and will not involve a greater level of activity, population density, intensity, traffic generation, parking, dust, odor, noise, or similar impacts than the uses permitted in the zoning district;
 - ii. The proposed use meets the purpose/intent of the zoning district applicable to the proposed location;
 - iii. The proposed use is consistent with the goals, objectives, and policies of the Comprehensive Plan, or any applicable specific plan;
 - iv. The proposed use is not listed as permitted by right, by accessory use, or by special exception in another zoning district; and
 - v. The proposed use is not an illegal use.
- C. When the Board of Zoning Appeals determines that a proposed unlisted land use is equivalent to a listed use, the proposed use will be treated in the same manner as the listed use in determining where the use is allowed, what permits are required, and what other standards and requirements of this zoning resolution apply.

Table 1: Hartsville Zoning District Table of Uses

Hartsville Zoning District Table of Uses							
P=Permitted, SE=Special Exception Use	AGRICULTURE	RESIDENTIAL			COMMERCIAL		INDUSTRIAL
	A-1 Agricultural	R-1 Residential Low Density	R-2 Residential Medium Density	R-3 Residential High Density	C-1 Central Commercial	C-2 Highway Commercial	I-1 General Industrial
RESIDENTIAL							
Detached single-family dwellings	P	P	P	P	P		
Duplex dwellings	P		P	P	P		
Multi-family dwellings				P	P		
Mobile Home Park ¹				SE			
Group home for physically or mentally		P	P	P		P	
Boarding and rooming houses					P	P	
Personal and Group Care Facilities	SE	SE	SE	SE			
COMMUNITY FACILITIES							
Administrative Services	SE	SE	SE	SE	P	P	
Community Assembly	SE	SE	SE	SE	P	P	
Community Education	SE	SE	SE	SE			
Cultural and Recreational Services	SE	SE	SE	SE	P	P	
Essential Services	P	P	P	P	P	P	P
Intermediate Impact Facilities	SE	SE	SE	SE			
Public Parks and Recreation Facilities							P
Religious Facilities	SE	SE	SE	SE	P	P	SE
COMMERCIAL							
Animal care and veterinarian clinics	SE					P	P
Art, Book and Music Stores					P		
Automotive parking lots and garages					P	P	P
Automotive services and repairs					P	P	
Broadcasting and Receiving Station					P	P	
Construction sales and services, including building supply houses					P	P	P
Consumer repair services and sales					P	P	
Convenience commercial					P	P	
Day Care Center	SE					P	P
Drive-in restaurants and fast food restaurants						P	P
Drug Store, Food Store and Markets							P
Electrical Equipment, Appliance and Supply Store and Repair							P
Entertainment and amusement centers					P	P	
Financial, consulting, and administrative services					P	P	
Florist and Jewelry Shops					P		
Funeral Home					P	P	P
General business, communication services, and business schools					P	P	
Health care facilities					P	P	P
Hotels and motels					P	P	
Liquor stores							P
Laundromats and Dry Cleaners					P	P	SE
Manufacturing incidental to retail business or service					P		
Medical and professional offices					P	P	
Mini-warehousing						P	P
Office Supply Stores					P	P	P
Plumbing and Heating Fixture Supply Shop							P
Printing, Publishing and Engraving Concerns					P		

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COMMERCIAL (continued)

Restaurants and taverns					P	P	P
Retail sale of general merchandise items					P	P	
Sale of building materials and supplies, farm equipment and Sale of building materials and supplies, farm equipment and supplies and lawn and garden supplies					P	P	P
Sale or rental of automobiles, boats, motorcycles and of motorized vehicles						P	
sporting goods stores							
Tailor Shop							P
Telecommunication Facilities ²					SE	SE	SE
TV and Radio Repair Shop							P
Wholesale sales of consumer goods						P	P

AGRICULTURE

Agricultural Services	P						
Crop and Animal Raising	P						
Fisheries and Related Services	P						
Forestry Activities and Related Services Including Nurseries	P						

INDUSTRIAL

Intermediate Manufacturing Activities							P
Junk, Automobile Wrecking and Scrap Operations ³							P
Limited Manufacturing Activities							P
Transport and warehousing, storage, freight handling, shipping, and trucking services							P

P=Permitted, SE=Special Exception

1) Subject to the provisions of Article IV, Section 4.089

2) Subject to Article IV, Section 4.130

3) As regulated in Article IV, Section 4.100

The table of uses does not necessarily include all possible land uses. Some uses may fall into more than one classification depending upon the use characteristics. Where there is a question concerning the appropriate activity classification for any use not listed as a use permitted by right, by accessory use, or as a special exception in any zoning district listed herein, the Board of Zoning Appeals shall make the determination based upon the characteristics of the unlisted use as defined within the North American Industry Classification System (NAICS).