

HARTSVILLE/TROUSDALE COUNTY METROPOLITAN GOVERNMENT

CODES AND ZONING COMMITTEE

David Thomas, Chair
Lonnie Taylor, Vice Chair

Lesley Overman, Secretary
Tommy Belcher

David Nollner

AGENDA

MARCH 15, 2023 | 6:00PM | MAYOR'S OFFICE

1. Call Meeting to Order
2. Attendance
3. Review Minutes from February 6, 2023
4. Discussion
 - A. Unifying the zoning codes
 - B. Update on Commercial building regulations
 - C. Tree Preservation
 - D. ADA compliance for parking lots
 - E. Other
5. Public Comment
6. Adjourn

HARTSVILLE/TROUSDALE COUNTY METROPOLITAN GOVERNMENT

CODES AND ZONING COMMITTEE

JANUARY 5, 2023 | 7:00PM | MAYOR'S OFFICE

MINUTES

Members Present: 6/6

David Thomas, *Chairman*

Lesley Overman, *Sec*

Tommy Belcher

David Nollner

Lonnie Taylor, *Vice Chair*

Sam Edwards

Others Present: Johnny Kerr, Rosalie Myhan

Chairman David Thomas called meeting to order at 7:00.

A quorum was determined with the members present.

Motion to approve minutes from January 2023 meeting made by Nollner, seconded by Belcher,

MOTION CARRIED

Old Business

Campground amendment to go to Planning and then Commission this month.

New business

- **Resolution to contract with Rick Gregory for consulting with unification coding ordinances.**
 - Rick Gregory is familiar with Trousdale county codes and is very willing to help and will come to meetings of planning commission and codes and zoning committee.
 - Money coming from GNRC line item for master planning budget not new money.
 - Rick not interested in coming on as full-time planning consultant and has no recommendation to replace GNRC because there is no other firm. More than likely, it won't be the \$11K.
- **Proposal for Grass amendment: if you are in a subdivision you have to maintain your property to 1ft or shorter of grass he wants to change it to only 25ft needs to be cut to fit regulation.**
 - Does not apply to A1 or anyone outside of a "subdivision"
 - Is this worth addressing? Sam believes this is valid point, this is meant to make subdivision developers maintain properties that aren't yet built on. Fines are already in place but must go to court to collect those fees. Could be included in new resolution or ordinance.
 - David would like to include more authority in new codes so that fees can be collected without going to court. Sam says other counties have codes enforcement officers who work for sheriff and can cite property owners who don't comply.
 - Motion to send to planning for GNRC to research by Nollner second by Taylor

MOTION CARRIED

Discussion

- Commercial Building Regulation: can't limit business material but you can limit how much of the building is made up of certain materials on façade 70%. Architectural style consistent. At planning commission and will be brought back here from planning commission for us to review. No more pole barns like the DG at Hickory Ridge. New construction only unless major remodel is done. Major remodel is adding 40% value to existing building. Just a way to manage growth. A way to address issues before a problem occurs.

- Thomas stated for clarification purposes the impact fees go directly to the 101 fund not to the schools.
 - Impact fee possibility to raise it. Flood plan impact fee. CTAS suggests State Laws have changed the way impact fees can be enacted. Have Bellar and or Budget committee discuss impact fee and updating it to a more current rate.
 - Rosalie-planning has received more info on the commercial business from GNRC
- Junkyards must be approved through the BZA. Not allowed anywhere.
 - Complaints remain anonymous. Sam cannot investigate until receives citizen complaint.
 - Sam suggests county needs to look for more industrial property.
 - Sam suggests ordinances be presented with at least 30-day notice and he must be consulted on resolutions.

Meeting adjourned with a motion by Nollner, second by Taylor

Minutes submitted by Lesley Overman

HARTSVILLE/TROUSDALE COUNTY GOVERNMENT

ORDINANCE #xxx-2023-xx

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF HARTSVILLE, TENNESSEE
ARTICLE IV, BY ADDING SECTION 4.141 TREE PRESERVATION AND MAINTENANCE REQUIREMENTS AND
SECTION 4.142 ADA ACCESSIBLE PARKING LOT DESIGN REQUIREMENTS**

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;

WHEREAS, the preservation of existing trees is deemed essential to softening the design of commercial and industrial development and promoting the health and welfare of residents the Hartsville/Trousdale County Regional Planning Commission has recommended the creation of Tree Preservation and Maintenance Requirements; and

WHEREAS, the Americans with Disabilities Act (ADA) requires that all state or local governments, businesses and non-profit organizations provide accessible parking spaces complying with the Americans with Disabilities Act (ADA); and

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

WHEREAS, the County Commission has reviewed such recommendation and has conducted a public hearing thereon.

NOW, THEREFORE, BE IT ORDAINED BY THE HARTSVILLE/TROUSDALE COUNTY COMMISSION:

Section 1. That Article IV of The Zoning Ordinance of Hartsville, Tennessee be amended by the addition of Section 4.141 Tree Preservation and Maintenance Requirements, which reads as attached:

See 'ATTACHMENT, Section 1'

Section 2. That Article IV of The Zoning Ordinance of Hartsville, Tennessee be amended by the addition of Section 4.142 ADA Accessible Parking Lot Design Requirements, which reads as attached:

See 'ATTACHMENT, Section 2'

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

*Recommended by Planning Commission March 14, 2023
Recommended by Codes & Zoning Committee _____
Public Hearing to be held on April 24, 2023 if passed at 1st reading*

		1M _____	Voice Vote	
First Reading:	March 27, 2023	2m _____		Absent _____
		1M _____	Voice Vote	
Second Reading:	April 24, 2023	2m _____		Absent _____

Approved:

Attest:

Commission Chairman

County Clerk

'ATTACHMENT, Section 1'

4.141 TREE PRESERVATION AND MAINTENANCE REQUIREMENTS

A. Applicability

Tree Preservation and Maintenance Requirements are applicable to all development within the any commercial or industrial zoning district.

B. Tree Preservation Standards

Within all industrial and commercial zoning districts trees shall be reserved in the following ways;

1. All 4"-7" caliper trees removed must be replaced at 25% caliper ratio;
2. 8"-23" caliper trees in good condition shall be preserved;
3. All 24" or greater caliper "heritage trees" shall be preserved.

Deviation from these standards requires a variance be granted by the Board of Zoning Appeals following proof that the condition or location of the tree would create an undue burden on the development of the lot. In granting the variance the Board of Zoning Appeals may require that trees greater than 8" shall be replaced at an equivalent caliper ratio elsewhere on the property.

C. Existing Vegetation in Buffer Yards

Existing trees within the required buffer yards may be counted towards a maximum of 50% of the required shrubs and/or trees; credit preference given to "stands" of trees (5 or more clustered together) or trees of significant size (10" or greater). When existing vegetation is used to meet a portion of the buffer yard landscaping requirements, all planted landscaping must be located so that the combination of existing vegetation and landscaping creates a continuous buffer within all requires buffer yards.

D. Existing Tree Preservation Plan

To receive credit for existing trees counted towards the buffer yard landscaping requirements, a tree preservation plan shall be submitted as part of the landscape plan. A certified arborist shall review the tree preservation plan and shall visit the site to confirm the accuracy of the tree survey. The certified arborist shall provide documentation regarding the health and survivability of existing vegetation and establish the critical root zone for each tree or grove of trees. The Enforcing Officer may waive the requirement for a certified arborist if the disturbed area is at least 20 feet away from the existing canopy drip line and the existing vegetation on site creates an opaque screen from the adjacent property.

E. Tree Protection During Construction

Protective barricades shall be placed around the critical root zone of all trees designated in the tree preservation plan prior to the start of development activities and shall remain in place until development activities are complete.

1. A protection barrier or tree fence shall be installed at a minimum of 3 feet in height around the tree or tree grove that is identified to be protected. The tree fence shall be constructed of a barrier material securely fastened to a wood or metal frame properly braced by 2 by 4 inch minimum structural members with cross braces, or another form of substantial barrier approved by the County.
2. The area within the protective barricade shall remain free of all building materials, dirt or other construction debris, and vehicles. No substantial disturbance shall occur within the protective barricade including compaction of soil, trenching, placing backfill, grading or dumping trash, oil, paint, or other materials detrimental to plant health.
3. Failure to comply with these requirements will result in the denial of tree credits and the landscape plan will have to be modified to include new tree plantings.

'ATTACHMENT, Section 2'

4.142 ADA Accessible Parking Lot Design Requirements

A. Minimum number of Accessible Parking Spaces:

Minimum Number of Accessible Parking Spaces Table

Parking Facility Total	Minimum Standard	Number of Van Spaces	Accessible Spaces Total <i>(Standard + Total)</i>
1 to 25	0	1	1
26 to 50	1	1	2
51 to 75	2	1	3
76 to 100	3	1	4
101 to 150	4	1	5
151 to 200	5	1	6
201 to 300	5	2	7
301 to 400	6	2	8
401 to 500	7	2	9
501 to 550	9	2	11**

* In general; 1 van accessible space is required for each 6 accessible spaces

** For facilities with more than 550 parking spaces 2% of all parking spaces are required to be ADA accessible.

B. Parking Stall Size:

- i. Standard Accessible Parking Space
 - 1. Minimum Parking stall: 96" wide x 18' long
 - 2. Minimum Aisle: 60" wide x length of adjacent parking stall
 - 3. Two ADA parking spaces may share an accessible aisle between them.
- ii. Van Accessible Parking Space
 - 1. Minimum Parking stall: 96" wide x 18' long
 - 2. Minimum Aisle: 96" wide x length of adjacent parking stall
 - 3. Two ADA van accessible parking spaces may share an accessible aisle between them.

C. Location:

- i. Where parking serves multiple entrances to a facility, accessible spaces must be dispersed among accessible entrances. (If the number of accessible entrances exceeds the number of accessible spaces, additional accessible spaces are not required). Accessible parking spaces must be located on the shortest accessible route to an accessible entrance, relative to other spaces in the same parking facility. A maximum travel distance is not specified in the Standards.
- ii. Accessible spaces required for one parking facility can be located in another if doing so results in substantially equal or better access in terms of travel distance to an accessible entrance, parking fee, or user conveniences such as protection from weather, better security and lighting. The minimum number must still be determined separately for each parking facility. Locating accessible spaces required for a parking structure in a surface lot often will not qualify for this exception because such a location typically offers less convenience, security, and protection from the elements.

D. Required Public Sidewalks

- i. All required public sidewalks associated with a development shall meet the requirements outlined in Section 4-108 of the Hartsville-Trousdale Subdivision Regulations.