

# HARTSVILLE/TROUSDALE COUNTY METROPOLITAN GOVERNMENT

## **CODES AND ZONING COMMITTEE**

*David Thomas, Chair*  
*Lonnie Taylor, Vice Chair*  
*Rosalie Myhan, Secretary (NVM)*

*Tommy Belcher*  
*Alan Carman*  
*David Nollner*

*Rick Gregory, Consultant*

## **AGENDA**

JUNE 6, 2024 | 7:00PM | MAYOR'S OFFICE

1. Call Meeting to Order
2. Review minutes from April 9
3. Discussion
  - A. Update from Rick Gregory
  - B. Burn Permits
  - C. Blasting Permit Review
  - D. Other
4. Public Comment
5. Adjourn

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### **AGENDA**

APRIL 9, 2024 | 7:00PM | MAYOR'S OFFICE

1. Call Meeting to Order- 7:00 PM
2. Attendance- David Thomas, Lonnie Taylor, Rosalie Myhan, Tommy Belcher, Alan Carman, David Nollner, Rick Gregory, Mark Beeler
3. Review Minutes from February 7, 2024  
Motion to approve: David Nollner; Second by Lonnie Taylor PASSED

4. Discussion

Rick Gregory Update-

Rick analyzed all the Land Uses in Hartsville and Trousdale County Ordinances. The designation of the land use included whether the land use be a(n) allowed use, accessory use, or special exception. Telecommunication Facilities were discussed and cell towers specifically. Cell towers are classified as a "Utility" and as such are allowed in any zone. The Planning Commission during the Site Plan evaluation would be able to enforce the particulars such as fall radius, height, etc. Professional Services, Civil Defense facilities, and Stone, Clay and Glass manufacturing require further discussion about being listed in the Special Exception. The Stone, Clay Glass Manufacturing was suggested to be in the M2 district as a Special Exception. Professional Services is such a broad category based on the Industrial (Standard Industrial Code). Civil Defense Facilities could be found to be included in the Administrative Services category. Civil Defense Facilities could be removed from the list and be included in the Administrative Services. Daycare centers would be better promoted in the Commercial and Industrial Zones as Permitted use rather than a Special Exception.

The changes that are suggested for the M2 District,

Signs and Billboards be listed under Accessory Use instead of Permitted.

Civil Defense be removed from the listing as it will be included in the Administrative Services category.

Stone, Clay, And Glass Manufacturing be moved to Special Exception Use.

Childcare Facilities and Telecommunication Services be moved up to Permitted Use.

**MOTION: To have Rick Gregory to make the changes listed above:**

**Lonnie Taylor; second by David Nollner**

**PASSED**

Rick Gregory presented a Matrix that he is compiling the uses into General Headings then reflect the Zones allowed. Any changes in the allowed Zones would be brought before the County Commission as a packet for them to vote on. Rick Gregory stated that he was working on making it apparent that some of the uses are more heavy than shown and they are not where they need to be thus the County is not as protected as they need to be because of it. Reviewing the Matrix of uses allowed us to identify some uses such as Tailor Shop, Electrical, Electrical Repair Shops, and various related items may need to be placed in other zones. The presentation of the information to the County Commission was discussed pointing out that a whole packet should be presented rather than sections to avoid confusion. Rick Gregory has agreed to be present for the County Commission presentation to help explain the items and the process.

**MOTION: To accept the Zoning Matrix that Rick Gregory presented and allow him to continue the process:**

**Lonnie Taylor; second by Tommy Belcher**

**PASSED**

**BURN PERMITS-**

HTC Fire Chief Mark Beeler has reached out to Rick Gregory and Rick has been gathering information from three other municipalities (Lebanon, Goodlettsville, and Ashland City) on what they are using for Burn Permits. Mark Beeler presented examples. The intent is to put some restrictions in place on open and free burning inside the Urban Service District. Items that Mr. Beeler is requesting that the committee help with coming up with the permit, associated charge for the permit, and the enforcement of the permit. The Burn Ordinance 993 that is on the books has not been found. The minutes of the Commission meeting stated that the Ordinance did contain a Fire Plan. Mark Beeler asked for feedback on the burn template. Mr. Beeler shared that the State would issue Burn Permits to the rural areas during specific times of the year. The Urban districts, if they have Burn restrictions in place, will be allowed to enforce their own restrictions. The State was under the impression that Hartsville did in fact have an Ordinance for this but was unable to produce it. Discussion concerning the Permit Process, appropriate Fees, and where to get the Permit led to exploring how, who, and where would the fees go. David Thomas asked Mark Beeler to work on the wording that references trees, limbs, brush, leaves, and grass from the first paragraph. Lonnie Taylor suggested that we could bring those items back in under a number being a special exception or by permit only. Commercial Burning was addressed in the Urban District discussing the practice of some contractors burning building scraps on Urban lots. The use of roll off dumpsters for building scraps may be a need to include in the Ordinance. David Thomas said that he would invite Cliff Sallee to the next meeting to speak about the Rolloff Dumpster use and perhaps facilitating the Burn Permit.

**Other Items-**

David Thomas wanted to discuss updating the Ordinances references as related to the A-1 zone and what a "Farm" allows. (which is defined as having 15 acres, zoned A-1, with a Green Belt Tax Credit) The State of Tennessee has had several Attorney Generals give opinions on what "Farm" owners are allowed to do on their property. Mr. Thomas asked Rick Gregory to look at what he could do to bring our Ordinances concerning "Farms" current.

Mr. Thomas asked for an update from Rosalie Myhan on the status of the Building, Codes, and Zoning Office. Mrs. Myhan shared that Permit issuance has remained steady from the prior years where total number of permits per year reaches or exceeds 300 permits. The number of permits and Commercial Plats are such that in the current office space it is very difficult to organize and view plats as needed. There was a plan to move the Building office into the space where the County Clerk's office used to be. There have not been any updates regarding more office space.

Discussion continued on the need to keep the Permitting Process in the County by ensuring the Building Inspector position is funded and filled. The Building Office has generated funds in excess of expenses in the past few years to an average of \$200,000 a year.

5. Public Comment- *none*
6. Adjourn Motion to adjourn David Nollner; second by Alan Carman

Section \_\_\_\_\_

Open burning restricted. Open burning within the Urban Services District is restricted as follows:

(1) No person shall cause, suffer, allow or permit open burning of refuse, garbage, trade waste, ~~trees, limbs, leaves, brush, grass~~, flammables, combustibles, wood scraps, or materials from construction or salvage operations.

(2) Open burning of trees, limbs, leaves, brush, and grass shall be by permit only.

~~(23)~~ Open burning as listed below may be conducted without permit provided that no public nuisance is or will be created by the open burning:

(a) Fires used for the cooking of food or for ceremonial or recreational purposes including barbecues, fire pits and outdoor fireplaces:

(b) Fires set for the training and instruction of firemen or for research in fire protection or prevention or Right-of-Way clearing by authorized contractor(s).

~~(34)~~ Adherence to these regulations will not relieve the person responsible for such burning from the consequences of any damages, injuries, or claims resulting from such open burning.

~~(45)~~ Nothing in this section shall be construed to conflict or be contrary to the Tennessee Air Quality Act (Tennessee Code Annotated, § 68-22-108, et seq.), and the person or organization seeking a permit shall be solely responsible for compliance with the Act in the event a permit is issued. (Ord. 88-647, §§ 1-5, as replaced by Ord. #97-1575, Feb. 1997, and renumbered by Ord. #06-2921, July 2006)

(6) Nothing in this section shall be construed to conflict or be contrary to TCA 39-14-304 Reckless burning or TCA 39-14-306. Setting fires at certain times without permit

~~(57)~~ Adoption of this ordinance voids, vacates and supersedes Ordinance #9-93 entitled "An Ordinance of the Town of Hartsville, Tennessee, to amend Title 7, Chapter 2, Section 7-202 of the Hartsville Municipal Code"

~~(68)~~ As approved by Committee, Date?

~~(79)~~ Effective Date?

HARTSVILLE/TROUSDALE COUNTY GOVERNMENT  
**ORDINANCE #303-2024-03**

**AN ORDINANCE TO SET A FEE FOR BLASTING EVENTS**

**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**, as referenced in the Hartsville Zoning Ordinance Article VII.D Fee, "The Hartsville/Trousdale County Commission shall establish a schedule of fees and collection procedure...The schedule of fees shall be posted in the Office of the Building Inspector. Only the Commission may alter or amend the fee schedule";

**WHEREAS**, the Hartsville/Trousdale County Regional Planning Commission has duly reviewed and recommended this request to the County Commission at their February 12, 2024 regular meeting ; 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 a fee of \$100 (One Hundred Dollars) is set for blasting activity in the County.

**BE IT ENACTED** that this ordinance shall be adopted and effective on June 1, 2024, the public welfare requiring it.

*As recommended by Planning Commission February 12, 2024  
As recommended by the Codes & Zoning Committee January 5, 2024  
Public Hearing to be held on May 27, 2024 if passed at 1<sup>st</sup> reading*

First Reading:	<u>April 22, 2024</u>	1M _____ 2m _____	<b>Voice Vote</b>	Absent _____
Second Reading:	<u>May 27, 2024</u>	1M _____ 2m _____	<b>Voice Vote</b>	Absent _____

**Approved:**

**Attest:**

\_\_\_\_\_  
*Commission Chairman*

\_\_\_\_\_  
*County Clerk*



HARTSVILLE/TROUSDALE COUNTY  
**PLANNING OFFICE | CODES, ZONING, AND BUILDING**  
 328 Broadway, Room 1 | Hartsville, TN 37074  
 office (615) 374-1125 | cell (615) 374-5066

<b>Blasting Permit Fee</b> \$ _____
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## BLASTING PERMIT

*While the State of Tennessee regulates all construction blasting, Hartsville/Trousdale County Planning Department also requires a permit which serves to notify of blasting taking place within the County.*

*If you have questions about construction blasting, please contact the State Fire Marshall's office at (615) 741-2241.*

Application Date \_\_\_\_\_

Check one:  **New work**  **Renewal**  
*(Renewal required after 1 year)*

Expiration Date \_\_\_\_\_

Project Name \_\_\_\_\_

Project Location \_\_\_\_\_

Anticipated Start Date \_\_\_\_\_ *Minimum 5 days after notification date*

Anticipated Completion Date \_\_\_\_\_

Actual Completion Date \_\_\_\_\_ *County to be notified when blasting operations cease*

Reason for Blasting \_\_\_\_\_

Will explosives be stored on site?  YES \*  NO

*If the answer is YES, you must notify the Trousdale County Fire Department.  
 Contact Chief Mark Beeler at [firedept@trousdalecountyttn.gov](mailto:firedept@trousdalecountyttn.gov)*

Name of Blasting Contractor \_\_\_\_\_

Address \_\_\_\_\_

24-hour Contact and Phone \_\_\_\_\_

Email Address \_\_\_\_\_

**Checklist (Attach Copies)**

- Blaster's Certificate of Insurance
- Federal License of Purchase
- TN Explosive Users Registration Certification
- Handler's Card

*The undersigned applicant hereby agrees to comply with all applicable requirements as prescribed by TCA, the Standard Fire Prevention Code, and the National Fire Code as adopted by the State of Tennessee and Hartsville/Trousdale County. In the event of handler changes, the undersigned is to notify the HTC Planning office within 48 hours of the change. This document in no way releases the holder from any liability nor authorizes any practices that are unsafe, malicious, or that violate any law or ordinance, either federal, state, or local. A copy of this document must be kept on the job site during blasting and/or related operations. Hartsville/Trousdale County reserves the right to stop blasting operations on this project if the safety of the general public and/or city facilities are endangered until the situation is mutually resolved.*

**Initial the following statements after reading:**

\_\_\_\_\_ **I UNDERSTAND THAT NO BLASTING IS ALLOWED WITHIN 50 FEET OF STREAMS OR WETLANDS.**

\_\_\_\_\_ **I UNDERSTAND THAT NO BLASTING IS ALLOWED WITHIN 50 FEET OF POLYETHLENE NATURAL GAS LINES.**

\_\_\_\_\_ **I UNDERSTAND THAT NO BLASTING IS ALLOWED WITHIN 100 FEET OF STEEL NATURAL GAS LINES.**

\_\_\_\_\_  
 Signature of Responsible Party (Contractor/Blaster)

\_\_\_\_\_  
 Print Name & Title

For office use only

Authorized by: \_\_\_\_\_

Copies to: Gas Dept. Police Dept. Fire Dept. Water and Sewer Dept. EMS Project File

**APRIL 22, 2024 - BE IT REMEMBERED**, That the Hartsville/Trousdale County Commission met pursuant to adjournment with the Honorable Mayor Jack McCall , Commission Chairman presiding and the following commissioners present to wit: Beverly Atwood, Tommy Belcher, Shane Burton, Alan Carman, Grant Cothron, Brian Crook, Will Dennis, Jerry Ford, Chris Gregory, T. "Bubba" Gregory, Landon Gulley, Richard Johnson, Judy Kerr, David Nollner, Lesley Overman, Mark Presley, Amber Russell, David Thomas, and Steve Whittaker.

1. **Open Court** - Sgt. Brad Basford

2. **Invocation** - Steve Whittaker

3. **Pledge to the American Flag** - Brian Crook

4. **Roll Call** - Rita Crowder, County Clerk - 19 **PRESENT**, 1 **ABSENT**

5. **Approval of Minutes**

Motion this court approve these minutes

Motion by Jerry Ford, Second by Beverly Atwood

**VOICE VOTE**

**MOTION CARRIED**

6. **Announcements**

Condolences to the family of Joe Fergusson, son of former Mayor Pat Fergusson and brother to Bill Fergusson, former Co. Commissioner.

The Hartsville Volunteer Fire Dept. had their 100 Year celebration last week.

7. **Set the Agenda**

Remove Ord. 303-2024-03 Blasting Permit Fee from the agenda and send it back to committee for more clarification. Add superintendent of schools quarterly report to the agenda.

Motion this court set the agenda as amended

Motion by Chris Gregory, Second by Amber Russell

**VOICE VOTE**

**MOTION CARRIED**

8. **Citizens' Response to Agenda Items**

Commissioner Brian Crook signed in to speak.

9. **County Mayor Report** - Jack McCall

**Budget Hearings** will begin in 2 weeks.

**Park Project** - Equipment has been delivered, installation should start soon. Possibility that this will be completed by July of this year.

**Enbridge** - They will be purchasing the Bratton Property. Things will move quickly once this happens.

**Chamber of Commerce** - There is a \$95,000 grant waiting for them to claim. They met today to move that forward. This is a non-matching grant.

10. **Committee/Board Reports**

A. **Buildings** - April 2

B. **Public Works** - April 4

C. **Codes & Zoning**

D. **Emergency Services** - April 10

E. **Finance Committee** - April 15

F. **Other Reports**

# Hartsville/Trousdale County Planning Commission Regular Meeting

## Meeting Minutes

February 12, 2024 - 7:00 P.M. – Trousdale County Community Center

**Present:** Heather Bay, Amanda Carman, Katie Dillon, Arthur Harper, John Kerr, Rosalie Myhan, David Nollner, David Thomas, Cal Welch

**Absent:** Mitch Gregory

**Others Present:** Mike Carey, Jim Carman, Ron Moreland

### Roll Call

- Chairman Kerr called the meeting to order at 7:00 P.M. and asked Amanda Carman to conduct a roll call.

### Approval of Minutes

- Chairman Kerr asked for a review of the January 8th, 2024 meeting minutes. Cal Welch made a motion to approve minutes. Seconded by David Thomas. None opposed **MOTION CARRIED**

**Changes to the Agenda – None**

**Public Hearing – None**

**Old Business – None**

### NEW BUSINESS

- REZONE REQUEST BY BARBARA WILLIAMS FROM A1 TO R1 AT 1880 HWY 25W (Map 29 Parcel 11.02) of 3.2 ACRES TO SUBDIVIDE IN THE 6<sup>TH</sup> CIVIL DISTRICT**  
Mike Carey spoke on behalf of his niece Barbara Williams. Ms. Williams would like to divide the property into 3 lots if it surveys correctly. David Thomas made a motion send the request to the County Commission with a favorable recommendation. Seconded by Heather Bay. None opposed. **MOTION CARRIED**
- PLAT AMMENDMENT REQUEST BY TERRY AND DEANNA COX FOR A LOT RATIO VARIANCE ON 2160 AND 2199 HWY 141N (Map 14 Parcel 17.02 & 17.05) TO ADJUST LOT LINES IN THE 7<sup>TH</sup> CIVIL DISTRICT**  
Jim Carman spoke on behalf of Terry and Deanna Cox. Mr. Carman stated the Cox's inherited two tracts of land and asked Carman Surveying to survey the lots. The Cox's would like to adjust the line for the property that will not meet the 5-1 rule. They have asked the Planning Commission to grant a variance to adjust the line. David Thomas made a motion to grant the width to depth ratio variance. Seconded by David Nollner. None opposed. **MOTION CARRIED**

### DISCUSSION

- BLASTING NOTIFICATION**  
Chairman John Kerr discussed the importance of needing the Blasting Notification Permit for Trousdale County. David Thomas reported to the Planning Commission that he spoke with the County Attorney, Branden Bellar, and asked for his opinion on whether the Planning Commission has the authority to be able to do a permit as long as a fee was not attached. Mr. Bellar's reply was under his conclusion there is no prohibition against it therefore the Planning Commission does have that authority as long as there is no fee associated. Mr. Thomas presented to the Planning Commission a Blasting Permit form created by Codes and Zoning that does not have a fee associated. Codes and Zoning voted to send this form to the full County Commission and the Planning Commission as it sits. After voting, it was requested by Codes and Zoning that the Planning Commission add an extra statement be added to the bottom of the form. The sentence requested is "In the event of any operator changes on this project, please notify the Planning Office within 48 hours of the change." Jessica Hill with GNRC looked into what the State Fire Marshal requires and found that it was very minimum. Ms. Hill stated that there are no requirements that the State Fire Marshal set for the blaster to notify local government or the public. GNRC stated that the State Fire Marshal was not clear on how the blaster should notify the public. Ms. Hill was told to contact the Department of Consumer Affairs and has received no response. Cal Welch made a motion to approve the Blasting Permit form adding the verbiage from the Codes and Zoning Committee. Seconded by Amanda Carman. **MOTION CARRIED**

***BLASTING NOTIFICATION – CON'T***

Cal Welch made a second motion to request that the County Commission adds a fee of \$100 for the Blasting Permit to offset the administrative costs associated with the permit. Seconded by Katie Dillon.

**MOTION CARRIED**

- **PLANNING TRAINING: THE ROLE OF THE PLANNING COMMISSIONER**

Ms. Hill with GNRC presented a PowerPoint handout to the Planning Commissioners that discusses the Role of the Planning Commissioner.

**Report from Building Office**

**Closing Remarks from the Chair**

**Adjourn**

- Heather Bay made a motion to adjourn, Seconded by Katie Dillon. None opposed.

**MOTION CARRIED**

**Requirements for Blasters:**

The State Fire Marshal's office has established specific requirements for companies seeking to conduct blasting activities. These requirements can be accessed on the Fire Marshal's website at <https://www.tn.gov/commerce/fire/permit/licensing/blasting/blasters.html>. Companies interested in becoming licensed blasters can apply through this link: <https://www.tn.gov/commerce/fire/permit/licensing/blasting/blasters/initial/>

**Suggestions for Blasters in Regard to Public Notice:**

Upon receiving registration from the Department of Commerce and Insurance, blasting companies have the discretion to conduct blasts with or without public notification. While companies have the option to provide advanced notices to the public about planned blasts, this practice is voluntary and typically coordinated with local zoning and planning committees. Companies may schedule one or multiple blasts and decide on the frequency of public notifications. To submit a blasting notice, companies can visit <https://www.tn.gov/commerce/fire/permit/blasting-notice.html>. Concerned individuals can contact the State Fire Marshal's office by submitting a blasting complaint here <https://www.tn.gov/commerce/fire/permit/licensing/blasting/consumers/complaint.html>.

(Attempted to find information regarding how a company should go about notifying the public, but was told to call a number that wasn't in service. I emailed the Division of Consumer Affairs, but they never responded.)