

HARTSVILLE/TROUSDALE COUNTY METROPOLITAN GOVERNMENT

CODES AND ZONING COMMITTEE

David Thomas, Chair
Alan Carman, Vice Chair
Rosalie Myhan, Secretary (NVM)

Tommy Belcher
Jeff Gregory
Judy Kerr

David Nollner
Lonnie Taylor
Rick Gregory, Consultant

AGENDA

FEBRUARY 20, 2025 | 7:00PM | MAYOR'S OFFICE

1. Call Meeting to Order
2. Review minutes from January 9
3. Discussion
 - A. Impact Fee Review
 - B. Burn Permit
 - C. Other
4. Public Comment
5. Adjourn

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MINUTES

JANUARY 9, 2025 16:00PM | MAYOR'S OFFICE

1. Call Meeting to Order: 6:00 PM-

Members present: David Thomas, Alan Carman, Judy Kerr, David Nollner, Lonnie Taylor, Rosalie Myhan, Rick Gregory
Welcomed new member Jeff Gregory to the Committee

2. Review minutes from November 7

Motion to approve minutes: David Nollner, 2nd Judy Kerr PASSED

3. Discussion

- A. Update from Rick Gregory: Presented an updated Land Use Matrix from our Ordinances. The various uses that are listed in the Ordinances have been removed and placed in the Land Use Matrix. Permitted and Special Exceptions are noted for each zone. Updated the Matrix with newer Ordinances that have been passed assigning Mining to M2 and Adult Entertainment to M1.
- B. PUD - Planned Unit Development Zoning: A need was identified during the Planning Commission meeting when a Rezone request received an Unfavorable Recommendation for R3 zoning. The Planned Unit Development zoning was suggested to be explored as an option for Trousdale County. Rick Gregory reviewed the PUD zoning that has been adopted by Cheatam County that allows Mixed Use and Commercial. Rick Gregory explained the differences between the R3 zoning and the PUD zoning. The PUD zoning will have the developer provide exact plans for development that will be locked onto the property that will follow the land even if the land is resold unless a new PUD is brought to the Planning Commission to be approved. Rick Gregory provided a review sheet of the PUD ordinance reviewed. David Thomas wants to bring the PUD zoning exploration back to Planning for input and will discuss this with John Kerr, the Planning Chairman. Rosalie Myhan gave handouts concerning PUD zoning during the Planning meeting last month for review.

Motion to approve the Mixed Use PUD to limited to sewer access only: Lonnie Taylor, 2nd David Nollner PASSED

- C. Other- Rosalie Myhan shared that developments that will be coming to the Planning Commission will have to provide Utility Feasibility and Stormwater studies to be evaluated.

4. Public Comment- none

5. Adjourn:

Motion to adjourn: Lonnie Taylor, 2nd Alan Carman PASSED

HARTSVILLE/TROUSDALE COUNTY GOVERNMENT
ORDINANCE # _____

ORDINANCE TO AMEND ORD 163-2018-09 IMPACT FEE (ADEQUATE FACILITIES TAX)

PREVIOUSLY PASSED JUNE 2018 WITH EFFECTIVE DATE JULY 1, 2018

WHEREAS, in 2001 a Private Act was passed by the Tennessee General Assembly authorizing Hartsville/Trousdale County to levy an Impact Fee also known as an Adequate Facilities Tax; and

WHEREAS, Hartsville/Trousdale County legislative body levied this tax in 2003 by Ordinance 10-2003 and amended in 2018 by Ordinance 163-2018-09; and

WHEREAS, Hartsville/Trousdale County legislative body sees the need to amend the previous ordinance and establish new impact fees, and

WHEREAS, those fees need to be reviewed due to growth and changes in the economy to ensure our infrastructure is financially supportive; and

WHEREAS, those fees shall apply to all residential dwellings, commercial buildings, and industrial buildings constructed in this county.

THEREFORE, BE IT ORDAINED BY THE HARTSVILLE/TROUSDALE COUNTY COMMISSION, that the Impact Fee or Adequate Facilities Tax of Hartsville/Trousdale County shall be determined as follows:

- **Residential - \$5,000** shall be the minimum impact fee.
- **Commercial - \$5,000** shall be the minimum impact fee PLUS a fee of **\$0.50** per square foot over 5,000 square feet.
- **Industrial - \$7,500** shall be the minimum impact fee.

BE IT FURTHER ORDAINED, that the Impact fee or Adequate Facilities Tax will be credited as \$1,500 to the General Services Fund and the remaining amount to the Capital Projects Fund.

BE IT ENACTED that this ordinance shall amend the Impact Fees set by Ordinance 163-2018-09 and take effect on July 1, 2025 by majority vote on three (3) separate readings, the public welfare requiring it.

As recommended by the Codes & Zoning Committee on December 5, 2024

Fund appropriations recommended by Budget & Finance Committee on January 21, 2025, February 18, 2025

Motion: _____

	1M _____				Electronic Vote			
First Reading	_____	2m _____	Yes _____	No _____	Abstain _____	Absent _____	_____	_____

Motion: _____

	1M _____				Electronic Vote			
Second Reading	_____	2m _____	Yes _____	No _____	Abstain _____	Absent _____	_____	_____

Motion: _____

	1M _____				Electronic Vote			
Third Reading	_____	2m _____	Yes _____	No _____	Abstain _____	Absent _____	_____	_____

Approved:

Attest:

Lonnie Taylor, Commission Chairman

Rita Crowder, County Clerk

HARTSVILLE/TROUSDALE COUNTY GOVERNMENT

ORDINANCE #XXX-2025-XX

**AN ORDINANCE TO AMEND TITLE 7 OF THE HARTSVILLE/TROUSDALE COUNTY CODE
BY ADDING SECTION 7-207 BURN PERMITS**

WHEREAS, there is a need to provide for a safe and peaceful community for our citizens; and

WHEREAS, the Hartsville/Trousdale County Volunteer Fire Department along with the Codes and Zoning Committee recommends that current chapters within Title 7 of the Hartsville/Trousdale County Code be reviewed and edited to better service the community; and

WHEREAS, the Hartsville/Trousdale County Code Title 7 Fire Protection and Fireworks must reflect current laws, ordinances, and practices as required by the public.

NOW, THEREFORE, BE IT ORDAINED by the Hartsville/Trousdale County Commission meeting in regular session, that

SECTION 1. The Hartsville/Trousdale County Municipal Code Title 7 be amended as attached to this Ordinance by adding Section 7-207. Burn Permits.

SECTION 2. This ordinance shall take effect immediately upon its passage per the second reading by the County Commission, the public welfare requiring it.

*Recommended by the Codes & Zoning Committee on _____.
Public Hearing to be held on _____ if approved on 1st Reading*

Motion: _____

	1M _____	Electronic Vote				
First Reading	2m _____	Yes ___	No ___	Abstain ___	Absent ___	_____

Motion: _____

	1M _____	Electronic Vote				
Second Reading	2m _____	Yes ___	No ___	Abstain ___	Absent ___	_____

Approved:

Attest:

Commission Chairman

County Clerk

CHAPTER 2

FIRE CODE

SECTION

- 7-201 Fire Code Adopted
- 7-202 Enforcement
- 7-203 Definition of municipality
- 7-204 Gasoline Trucks
- 7-205 Variances
- 7-206 Violations

7-207 Burn Permits

7-207. Burn Permits. Subject refers to open burning within the Urban Services District and is Restricted as follows:

Definition: Open burning refers to the burning of any material in an open area where the combustion byproducts are released directly into the air and outside of an enclosed space.

(1) Open Burning Permitted Without a Permit: The following types of open burning may be conducted without a 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).

(2) Open Burning Requiring a Permit: The open burning of trees, limbs, leaves, brush, and grass shall be conducted by permit only.

(3) Prohibited Open Burning: No person shall cause, suffer, allow, or permit open burning of the following:

- Refuse
- Garbage
- Trade Waste
- Flammables
- Combustibles
- Wood Scraps
- Materials from Construction or Salvage Operations

(4) Liability for Damages: 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.

(5) Compliance with Tennessee Air Quality Act: Nothing in this section shall be construed to conflict with or be contrary to the Tennessee Air Quality Act (Tennessee Code Annotated, § 68-22-108, et seq.). The person or organization seeking a permit shall be solely responsible for compliance with the Act in the event a permit is issued.

- (6) Compliance with Tennessee Code Annotated (TCA):** Nothing in this section shall be construed to conflict with or be contrary to TCA 39-14-304 (Reckless Burning) or TCA 39-14-306 (Setting Fires at Certain Times Without a Permit).
- (7) Penalties for Non-Compliance:** Failure to obtain the required burn permit or to comply with the open burning regulations may result in punitive actions, including but not limited to fines, penalties, or other legal actions.
- (8) Ordinance Superseding:** 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."
- (9) Permit Application Availability:** Burn permit applications are available at the Trousdale County Clerk's office.
- (10) Application Fee:** A \$20 application fee is required with each burn permit application.