

ORDINANCE 14-31

AN ORDINANCE TO AMEND ORDINANCE 86-47, THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF SPRING HILL, TENNESSEE BY AMENDING ARTICLE VII SECTION 3

BE IT ORDAINED BY THE CITY OF SPRING HILL:

WHEREAS, the Board of Mayor and Aldermen for the City of Spring Hill may, pursuant to its charter and the general laws of the State of Tennessee, have right to enact an amend the Spring Hill Zoning Ordinance 86-47.Said amendments being within the adopted Comprehensive Plan purpose of promoting the public health, safety, morals, convenience, order, prosperity, and general welfare of the community; and

WHEREAS, the Spring Hill Municipal Planning Commission has recommended to the Board of Mayor and Aldermen on the 10th of November 2014 to amend Zoning Ordinance 86-47 of the City of Spring Hill, as hereafter described;

BE IT THEREFORE ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF SPRING HILL, TENNESSEE.

Section 1. That Article VII Section 3 of Zoning Ordinance 86-47 of the City of Spring Hill is hereby amended as follows and attached hereto as "Exhibit A":

That Article VII Section 3.1, Uses Permitted be amended by correcting grammatical and numbering errors and adding "restaurants".

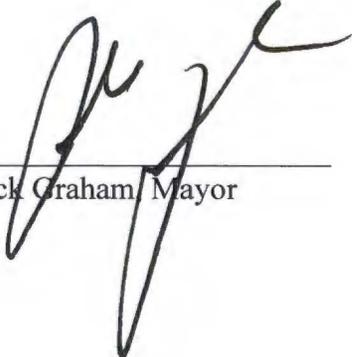
That Article VII Section 3.2, Uses on Appeal, be amended to resolve conflicts with permitted uses by striking "churches" and "restaurants" and adding corrective language.

That Article VII Section 3.4, Lot Area, Lot Width, Yards and Building Area, be amended to resolve conflicts the required yards.

BE IT FURTHER ENACTED, that all ordinances or parts of ordinances in conflict herewith, be and same hereby, are repealed or modified as the case may be.

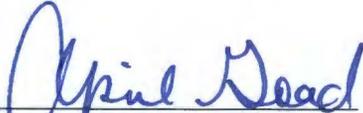
BE IT FURTHER ENACTED, that this Ordinance shall take effect from and after its adoption the public welfare requiring it.

Passed and adopted by the Board of Mayor and Aldermen of the City of Spring Hill, Tennessee on the 15th day of December, 2014.



Rick Graham, Mayor

ATTEST:



April Goad, City Recorder

LEGAL FORM APPROVED:



Patrick Carter, City Attorney

Passed on First Reading: November 17, 2014

Passed on Second Reading: December 15, 2014

Spring Hill Planning Commission Regular Meeting



TO: Spring Hill Planning Commission
 FROM: Dara Sanders, City Planner
 MEETING: November 10, 2014
 SUBJECT: ADM 14-1436 (B-3 Zoning District Amendments)

ADM 14-1436. Submitted by the Spring Hill Planning and Zoning Department. The request is to amend the B-3 zoning district to resolve inconsistencies in the use structure.

Project description: Staff has identified several conflicts between the lists of permitted uses and uses permitted on appeal (to the Board of Zoning Appeals), as well as typographical errors in the spelling of uses and in the required setbacks.

Request: The request is to amend the B-3 zoning district to accomplish the following –

Code Section	Proposed amendment(s)	Purpose
Section 3.1 (Uses Permitted)	<ul style="list-style-type: none"> • Correct spelling of “microbrewery” and “microdistillery” • Add restaurants to the permitted uses • Correct the sequential numbering of the section 	Restaurants are currently listed as a use permitted on appeal; however, a restaurant operation is required for a brew pub, which is listed as a permitted use, and drive-in restaurants are a permitted use. Staff recommends adding “restaurants” to the list of permitted uses for consistency with the accompanying list of permitted uses and the intent of the zoning district.
Section 3.2 (Uses Permitted on Appeal)	<ul style="list-style-type: none"> • Strike “churches” • Clarify language • Correct conflicts between permitted uses and uses permitted on appeal • Renumber the section accordingly 	Churches are listed as a permitted use and a use permitted on appeal. Additionally, specific establishments that sell/serve intoxicating beverages are listed a permitted uses, but these establishments also fall under uses permitted on appeal. Staff recommends amendments that would resolve these conflicts.
Section 3.4 (Lot Area, Lot Width, Yards and Building Area)	<ul style="list-style-type: none"> • Correct the numerical error in sections 3.4(3) and 3.4(4) 	The required yards (building setbacks) are spelled out and shown as a figure in parentheses. Conflicts exist between the word and the figure for front yards and side yards. Staff recommends resolving these conflicts maintaining the spelled requirement as the standard.

Staff has included with this report a marked up version of the B-3 zoning district reflecting these revisions, as well as a clean version incorporating these revisions.

Recommendation: Staff recommends forwarding ADM 14-1436 to the Board of Mayor and Aldermen with a recommendation for approval.

MARKED UP VERSION

Section 3. (B-3) Intermediate Business District.

Intent. This district is designed primarily to provide sufficient space primarily along arterial and collector streets for establishment and uses engaged in wholesale and retail trade, offering a wide variety of products and services.

3.1 Uses Permitted.

- 3.1(1) Automobile sales and service, bank, barbershop or beauty parlor, bus terminals, churches, clinics, drive-in restaurants, dry cleaning and laundry establishments, filling stations, funeral homes, hotels, indoor theaters, manufacture of articles to be sold at retail on the premises (provided such manufacturing is incidental to the retail business and employs not more than five (5) operators), motels, offices, outdoor advertising signs and outdoor advertising structures, parking lots, parking garages, places of amusement, printing and engraving establishments, public buildings, public and private clubs, retail businesses, used car lots, wholesale businesses, microbrewery, ~~microdistillery~~ **microdistillery**, day care centers, **restaurants**, retirement and assisted living facilities, and full medical care nursing homes.
- 3.1~~(1)~~**a 2)** Brewpubs (at least 25% of gross building square footage is encompassed as restaurant space and/or tasting room)
- 3.1~~(2 3)~~ Accessory structures.

3.2 Uses Permitted on Appeal.

- ~~3.2(1)~~ **Churches.**
- 3.2~~(2)~~ (1) Warehouses.
- 3.2~~(3)~~ (2) Any use complying with the intent of the district **not listed in Section 3.1.**
- ~~3.2(4)~~ **Restaurants.**
- 3.2(5 3)** Establishments that sell or serve intoxicating beverages **other than those listed in Section 3.1.**

3.3 Uses Prohibited.

Uses not specifically permitted.

3.4 Lot Area, Lot Width, Yards and Building Area.

- 3.4(1) No minimum lot area is required, however, off-street parking and loading/unloading requirements shall be observed.
- 3.4(2) Lot Width.
The minimum lot width at the building shall be twenty (20) feet.
- 3.4(3) Yards.
The minimum front yard shall be thirty ~~(10 30)~~ feet.
No minimum side yard unless the lot is adjacent to a residential district, at which time a ten ~~(25 10)~~ foot minimum buffer yard.

Rear yards shall be a minimum of twenty-five (25) feet for one story buildings and five (5) feet for each additional story.

A minimum Buffer Yard of twenty-five (25) feet shall be required
(Changed by Ord. 07-30.)

3.5 Height.

Buildings hereafter constructed shall not exceed fifty (50) feet in height.

3.6 Location of Accessory Structures.

3.6(1) With the exception of signs, accessory structures shall not be erected in any required front or side yards.

3.6(2) Accessory structures shall be located at least ten (10) feet from rear lot lines and five (5) feet from any building on the same lot.

CLEAN VERSION

Section 3. (B-3) Intermediate Business District.

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- 3.1(2) Brewpubs (at least 25% of gross building square footage is encompassed as restaurant space and/or tasting room)
- 3.1(3) Accessory structures.

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