

ZONING ORDINANCE UPDATE MODULES 1 AND 2

SUMMARY OF ARTICLES



ARTICLE 1

GENERAL PROVISIONS

SUMMARY:

This Article contains important general provisions that are relevant to the Zoning Ordinance as a whole.

This Article plays an important role in making the Ordinance user-friendly by including certain overarching principles and establishing a clear basis for the authority by which the Zoning Ordinance is adopted, its administration, and its substantive regulations. While many provisions of the current Ordinance are carried forward and refined, new Sections have been added to assist in the administration of the new Ordinance, and to ensure a smooth transition from the current Ordinance to the new Ordinance.

KEY POINTS

The following are some of the key points/provisions within this Article:

- The Article articulates the goal of the Ordinance to ensure compliance with the County's Comprehensive Land Use Plan, which was adopted in 2007.
- The Article incorporates by reference the Official Zoning Map of Williamson County, provides guidance in interpreting zoning district boundaries, and provides for amendments of the Zoning Map upon approval of a rezoning application.
- A summary table is provided, which outlines the transition from the current zoning districts to the new zoning districts with the adoption of the new Ordinance.

- New Transitional Provisions establish rules governing how applications already approved or under review prior to adoption of the new Ordinance are to be treated under the new Ordinance.

MAJOR CHANGES FROM CURRENT ORDINANCE:

Many provisions of the current Ordinance are carried forward and refined. The key changes from the current Ordinance include:

- Establishing a new goal of ensuring compliance with the County's Comprehensive Land Use Plan, which was adopted in 2007.
- New Transitional Rules address how approved applications and those under review prior to adoption of the new Ordinance are to be treated under the new Ordinance.

ARTICLE 2 ADMINISTRATION

SUMMARY:

This Article establishes and identifies the review and decision-making bodies and officials.

The Article carries forward and refines the existing administrative provisions. It identifies the administrative and decision-making entities and persons responsible for the review and administration of development applications under the new Ordinance. The Article identifies the specific review responsibilities relative to the Zoning Ordinance for each review board and key official.

KEY POINTS

The following are some of the key points/provisions within this Article:

- Table 2.02-1 summarizes the role of the review and decision-making bodies and persons for each development review procedure established in the Ordinance.
- The powers and duties as they relate to the Zoning Ordinance are established for the Williamson County Board of County Commissioners, the Williamson County Regional Planning Commission, and the Williamson County Board of Zoning Appeals (BZA).

- The powers and duties as they relate to the Zoning Ordinance are established for the Community Development Director, the Planning Director, the Building Codes Director, the County Engineer, and the Codes Compliance Director.

MAJOR CHANGES FROM CURRENT ORDINANCE:

The Article primarily carries forward and refines existing administrative provisions.

A new summary table consolidates information about the roles various review and decision-making bodies and persons play in the review of development applications.

ARTICLE 3 COMMON REVIEW PROCEDURES

SUMMARY:

This Article establishes a common set of review procedures applicable to all applications for development approval.

This Article addresses procedures for reviewing development applications submitted under the new Ordinance. Among other things, the Article addresses application fees, pre-application conferences, and the submittal, review and approval procedures for development applications.

The Article also outlines public notice requirements and procedures related to Public Hearings, when such hearings are required.

KEY POINTS

The following are some of the key points/provisions within this Article:

- The Article clarifies who is authorized to submit an application for development approval.
- The Article establishes a pre-application conference requirement for Official Zoning Map Amendments (rezonings), Zoning Text Amendments, Special Uses, and Minor and Major Site Plans.
- The Article establishes that development applications are subject to a determination of application completeness to ensure the application contains the minimum amount of information necessary to conduct an adequate review of the proposal.

- The Article specifies which types of development applications are subject to a Public Hearing and contains provisions related to public notice and procedural requirements for such hearings.
- Specific procedural provisions related to deferrals and withdrawals of applications are outlined.

MAJOR CHANGES FROM CURRENT ORDINANCE:

The new Ordinance consolidates review procedures that are common to all development applications in one place, thus enhancing the user-friendliness of the Ordinance.

The new Ordinance provides much more specificity regarding the procedures for the submission, review and consideration of development applications.

ARTICLE 4

OFFICIAL ZONING MAP OR ZONING TEXT AMENDMENTS

SUMMARY:

This Article outlines the procedures for amending the Official Zoning Map (rezonings) or the text of the Zoning Ordinance.

KEY POINTS

The following are some of the key points/provisions within this Article:

- The Article describes the procedures for both Official Zoning Map Amendments (rezonings) and text amendments.
- The procedures include a Public Hearing, review and recommendation by the Planning Commission and a Public Hearing, review and action by the County Commission.
- The Article includes specific standards, or factors, that should be considered by the Planning Commission and County Commission during their consideration of these requests.

MAJOR CHANGES FROM CURRENT ORDINANCE:

This Article primarily carries forward existing procedures for zoning map amendments and text amendments.

New standards of review for have been developed to guide the Planning Commission and County Commission in their consideration of these requests.

ARTICLE 5

SPECIAL USES, VARIANCES AND APPEALS

SUMMARY:

This Article provides procedural standards for Special Uses, Variances, and Appeals.

Special Uses, Variances, and Appeals are all reviewed by the County's Board of Zoning Appeals (BZA). This Article consolidates these BZA-related procedures in one place to improve the user-friendliness of the Ordinance.

KEY POINTS

The following are some of the key points/provisions within this Article:

- The Article provides specific procedures for the BZA's review and action related to Special Uses, and contains a set of Review Standards upon which the BZA shall base its decision.
- The Article provides specific procedures for the BZA's review and action related to Variance requests, and contains a set of Review Standards upon which the BZA shall base its decision.
- The Article provides new procedures related to Appeals to the BZA, providing additional detail related to appeals of administrative decisions, and clarifying the right to appeal by persons affected by decisions of County Staff.

MAJOR CHANGES FROM CURRENT ORDINANCE:

This Article primarily carries forward existing procedures related to Special Uses, Variances and Appeals.

All BZA-related review procedures have been consolidated into one Article, which improves the user-friendliness of the Ordinance.

New procedures related to Appeals to the BZA have been developed. These procedural provisions provide additional detail related to appeals of administrative decisions and clarify the right to appeal by persons affected by decisions of County Staff.

ARTICLE 6

MINOR AND MAJOR SITE PLANS

SUMMARY:

This Article provides procedural standards related to Minor and Major Site Plans.

Minor Site Plans are required for non-residential uses where the proposed building is 5,000 square feet or less, Special Uses that have been approved by the BZA, single-family dwellings and accessory structures.

All other required Site Plans are considered Major Site Plans.

KEY POINTS

The following are some of the key points/provisions within this Article:

- Minor Site Plans are reviewed by County Staff and may be approved upon finding that the proposed Minor Site Plan complies with all applicable requirements of the Ordinance.
- Major Site Plans must be reviewed by the Williamson County Regional Planning Commission at a public meeting and may be approved upon finding that the proposed Major Site Plan complies with all applicable requirements of the Ordinance and a set of Major Site Plan Review Standards.
- The Article outlines specific procedures for amending an approved Major Site Plan.

MAJOR CHANGES FROM CURRENT ORDINANCE:

This Article differentiates between Minor Site Plans, which can be reviewed and approved by County Staff and Major Site Plans, which must be reviewed and approved by the Williamson County Regional Planning Commission.

The procedures for Site Plan review are streamlined in the new Ordinance, which eliminates reference to a two-step process involving a Preliminary Site Plan and a Final Site Plan. The new Ordinance requires only one approval step.

The new Ordinance extends the duration in which Site Plan approval remains valid from six (6) months to one (1) year.

ARTICLE 7

SIGN PERMITS

SUMMARY:

This Article provides procedural standards related to sign permits.

This Article primarily carries forward the procedural requirements of the current Ordinance with minimal changes.

KEY POINTS

The following are some of the key points/provisions within this Article:

- Sign Permit applications are reviewed by the Codes Compliance Director, or his/her designee, for compliance with the requirements of Article 18 and any other applicable provisions of the Ordinance.

MAJOR CHANGES FROM CURRENT ORDINANCE:

The new Ordinance primarily carries forward the procedural requirements for Sign Permit applications found in the current Ordinance.

ARTICLE 8

ZONING CERTIFICATES, TEMPORARY USE PERMITS, AND BUILDING PERMITS

SUMMARY:

This Article provides procedural standards related to Zoning Certificates, Temporary Use Permits, and Building Permits.

KEY POINTS

The following are some of the key points/provisions within this Article:

- The procedures related to Zoning Certificates have been refined and clarified in the new Ordinance.
- An approved Zoning Certificate must be issued prior to the erection, alteration or relocation of any building or structure and prior to the establishment of any new use on a property.
- The new Ordinance establishes a Temporary Use Permit process whereby Temporary Uses are reviewed by the Planning Director or his/her designee, for compliance with a set of General Standards for Temporary Uses and Structures and all other applicable provisions of the Ordinance.
- This Article carries forward procedural requirements for Building Permits found in the current Ordinance with a new set of Review Standards to ensure that Ordinance requirements are met and that all necessary approvals (water, wastewater, stormwater, etc.) have been obtained.

MAJOR CHANGES FROM CURRENT ORDINANCE:

The new Ordinance consolidates the review procedures related to Zoning Certificates, Temporary Use Permits and Building Permits into one Article.

The procedures related to Zoning Certificates have been refined and clarified.

A formal Temporary Use Permit process has been established, which allows the Planning Director (or designee) to issue Temporary Use Permits if all requirements of the Ordinance are met.

ARTICLE 9 INTERPRETATIONS

SUMMARY:

This Article provides procedural standards related Interpretations of the Zoning Ordinance.

The purpose of this Article is to provide a method for clarifying ambiguities in the text of this Ordinance, the Official Zoning Map, and the standards and requirements adopted pursuant to the Ordinance.

KEY POINTS

The following are some of the key points/provisions within this Article:

- This Article establishes that the Planning Director may issue an opinion on requests for Interpretations based on the procedures and guidance provided in the Article.
- Specific procedures (including a time frame for providing Interpretations) are outlined in this Article.
- This Article also provides a set of Interpretation Review Standards to guide the Planning Director and the Board of Zoning Appeals (BZA) in making Interpretations of Ordinance provisions.

MAJOR CHANGES FROM CURRENT ORDINANCE:

The new Ordinance primarily carries forward the procedural requirements for Interpretations found in the current Ordinance with minimal substantive changes.

ARTICLE 10

ZONING DISTRICTS

SUMMARY:

This Article establishes a new set of Zoning Districts that mirror the Land Use Categories established in the County’s Comprehensive Land Use Plan.

In most cases, the only significant difference between existing Zoning Districts and the corresponding new Zoning District is that the name of the District has been changed to match the Land Use designation of the Comprehensive Plan. While there are a few exceptions, by and large, there are not significant changes to allowable densities.

KEY POINTS

The following are some of the key points/provisions within this Article:

- Table 10.01-1 establishes the various Zoning Districts in the new Ordinance. Note: Table 1.07-1 (in Article 1) illustrates how the existing Zoning Districts will be translated into new Zoning Districts in the new Ordinance.
- This Article specifies the Dimensional Standards (e.g. minimum lot size, minimum lot width, building setbacks) for each Zoning District.
- The new Ordinance provides a slight increase in maximum allowable density in the RP-1, RD-1 and SIC Districts (vs. the current SE District). There is also an increase in maximum allowable density in the Village and Hamlet Districts (vs. the current CC District).

- The new Ordinance will include customized Village Districts for College Grove, Leiper’s Fork, Grassland and Triune upon completion of Special Area Plans for these Villages.
- The new Ordinance will include new Zoning Districts – The Municipal Growth Area District 1 (MGA-1) and the Municipal Growth Area District 5 (MGA-5) that will be applied to areas within the Urban Growth Boundaries (UGB’s) of the various municipalities in the County.
- The MGA-5 District will be applied to areas within a UGB that are currently zoned to allow a maximum density of one unit per 5 acres (the current Rural and Estate Districts).
- The MGA-1 District will be applied to areas within a UGB that are currently zoned to allow a maximum density that is greater than one unit per 5 acres.
- The new Ordinance increases the minimum lot width (from 200 feet to 300 feet) for traditional subdivisions in the RP-5 and RD-5 Districts as well as for exempt lots (5 acres and greater) in all Districts.

MAJOR CHANGES FROM CURRENT ORDINANCE:

The items listed under “Key Points” above can all be considered major changes from the current Ordinance. Note that in most cases, the fundamental densities allowed in the current Zoning Districts will not significantly change.

ARTICLE 11

USE REGULATIONS

SUMMARY:

This Article establishes the uses (e.g. single-family residential, offices, religious institutions, etc.) permitted in each Zoning District along with a set of Use-Specific Standards that must be met in order for a specific use to be approved at a given location.

In addition to providing allowable locations and specific standards for Principal Uses, the Article establishes standards for Accessory Uses, such as home occupations and swimming pools, and Temporary Uses, such as contractors' offices associated with ongoing construction sites and special events.

KEY POINTS

The following are some of the key points/provisions within this Article:

- Table 11.01-1 establishes the uses (e.g. single-family residential, offices, religious institutions, etc.) that are permitted in each Zoning District.
- The Article provides a set of Use-Specific Standards identifying the requirements associated with specific uses, regardless of Zoning District or the review procedure by which they are approved. These are in addition to other requirements, such as parking, landscaping, etc., found in other Articles.

- Some uses that are classified as Conditional Uses under the current Ordinance have been converted to Special Uses or Permitted Uses.
- Individual Sections have been created for Accessory Uses (such as home occupations and swimming pools) and Temporary Uses (such as contractor's offices associated with ongoing construction sites and special events).

MAJOR CHANGES FROM CURRENT ORDINANCE:

The new Ordinance provides a much more comprehensive list of potential uses, as well as accompanying Use-Specific Standards, than the current Ordinance provides.

Some uses that are classified as Conditional Uses under the current Ordinance have been converted to Special Uses or Permitted Uses.