

**MINUTES OF THE
WILLIAMSON COUNTY REGIONAL PLANNING COMMISSION
COUNTY COMMISSION AND BOARD OF ZONING APPEALS
SPECIAL JOINT MEETING
OF SEPTEMBER 18, 2008**

WCPC MEMBERS PRESENT

John Cain
Don Crohan
Susan Fisher
Holli Givens
John Lackey
Pete Mosley
Jack Walton

STAFF PRESENT

Mike Matteson, Planning Director
Aaron Holmes, Planner
Robbie Hayes, Planner
Kristi Earwood, Attorney for Planning & Environment
Sheila Myers, Planning Assistant
Lania Escobar, Secretary

The Williamson County Regional Planning Commission held a special joint meeting with the Williamson County Board of Commissioners, Board of Zoning Appeals (BZA), and the Zoning Ordinance Update Steering Committee on Thursday, September 18, 2008, at 7:00 p.m., in the Auditorium of the Williamson County Administrative Complex. Commissioners Lane, Murdic, Pratt and Sanders were unable to attend.

Chairman Lackey opened the meeting. He stated that the purpose of this meeting is to get feedback concerning the diagnosis and annotated outline for the new Williamson County Zoning Ordinance. He then asked County Commission Chairman Naron if he had any comments.

Commissioner Naron stated he concurs with Chairman Lackey that everyone's input is important and thanked everyone in attendance.

Chairman Lackey asked BZA Chairman David Ausbrooks if he had any comments. He did not. Chairman Lackey then asked County Mayor Rogers Anderson if he would like to make any comments.

Mayor Anderson stated that Mr. Horne, who was not in attendance, was in Lebanon attending the Greater Nashville Regional Council banquet to accept the annual Planning Award for the County Comprehensive Plan. The following week next week Aaron Holmes will be going to East Tennessee to receive the Tennessee Chapter of the American Planning Association Award. The Williamson County Comprehensive Plan will be recognized with the Outstanding Plan Award for governments with populations over 100,000 for the State of Tennessee. He thanked everyone for their help and input in drafting the Comprehensive Plan.

Chairman Lackey introduced Greg Dale, with McBride, Dale Clarion.

Mr. Dale stated this meeting is to present a diagnosis and outline of the current Williamson County Zoning Ordinance. The Williamson County Comprehensive Land Use Plan was adopted unanimously in the fall of 2007. The Zoning Ordinance Update is intended to be one of the significant tools used to implement the Comprehensive Plan policies. He then introduced Windy Moeller, McBride, Dale Clarion to go over the diagnosis and outline of the current Williamson County Zoning Ordinance.

Ms. Moeller gave a brief presentation of the diagnosis and outline of the current Williamson County Zoning Ordinance stating the next step is to Draft the Zoning Ordinance in three (3) sections:

Module 1 – Administration and Procedures;
Module 2 – Zoning District and Use Regulations; and
Module 3 – Development Standards.

Ms. Moeller stated after the modules are completed, the new Ordinance will be ready for review and adoption by July, 2009.

Ms. Moeller stated this process would include a lot of public participation, and at the end of this process hopefully everyone will be in agreement with the updated Zoning Ordinance.

The initial goals for the Ordinance update process are:

1. Implement the Comprehensive Plan;
2. Improve user-friendliness;
3. Modernize the Ordinance;
4. Update of uses and use regulations;
5. Streamline procedures; and
6. Public participation in procedures.

The six keys themes of the plan are:

1. Implement the Plan;
2. Improve User-Friendliness;
3. Improve Efficiency of the Review Procedures;
4. Modify the District and Uses to Protect Rural Character;
5. Maintain Rural Character by Updating Standards; and
6. Enhance Quality of Development Outside Rural Areas.

The final step will be to incorporate feedback into the draft text:

1. First Module - Ordinance will relate to administration and review procedures. Completion by end of 2008;
2. Second Module – District and Use Regulation – Early 2009;
3. Third Module – Development Standards – Spring, 2009; and
4. Review and Adoption – July, 2009.

Questions and comments:

1. Commissioner Betsy Hester, 2nd District, asked what the term “by-right” means. Ms. Moeller stated it means the use is allowed by right and all that is required is a Zoning Certificate and perhaps Planning Commission Approval, verses a Special Use which has to be approved by the Board of Zoning Appeals or a Conditional Use which has to be approved by the Planning Commission.
2. Commissioner Clyde Lynch, 3rd District, asked if the current zoning is one (1) unit per acre, will it remain the same or will it increase to one unit per five (5) acres? Ms. Moeller stated if it is currently zoned one (1) unit per acre, it will remain one (1) unit per acre and if it is currently zoned one (1) unit per five (5) acres, it will remain one (1) unit per five (5) acres.
3. Commissioner Pete Mosley indicated he would like it written in the new Ordinance, with strict guidelines that if a person has land that is currently zoned Rural and is used for agricultural purposes that they could set aside ten (10) to fifteen (15) percent of this land for a commercial use such as storage units, and preserve the remainder of land as open space to produce income for the owner. He also stated that low density on hillsides and ridge tops should be allowed.
4. Commissioner Don Crohan asked if the Municipal Growth areas will be changed from one (1) unit per five (5) acres to one (1) unit per acre. Ms. Moeller indicated there is going to be more discussions concerning this. The intent is to keep everyone’s density as it currently is.
5. Dave Ausbrooks, Board of Zoning Appeals, stated it would be helpful to provide the legislative intent of the Ordinance provisions in order to

understand what the Planning Commission and County Commission intends with a particular requirement or standard in the Ordinance.

6. Chairman John Lackey asked for the definition of a Conservation Subdivision? Mr. Dale stated in a Conservation Subdivision the density that is allowed under the Zoning Ordinance can not be exceeded. However, the development may occur on smaller parcels. For example, if you have one hundred (100) acres with one (1) unit per five (5) acre density you would have twenty (20) lots to develop. Instead of developing the entire one hundred (100) acres you would develop the twenty (20) lots on fifty (50) acres and preserve the remainder as open space. The Conservation Subdivision would be a use by-right with the units clustered together with a larger amount of open space. The Conventional Subdivision is where all of the land is developed and no open space is provided.
7. Chairman John Lackey asked for clarification concerning conditional uses and the rules and regulations. Ms. Moeller stated for example a recording studio is currently a conditional use; under the new Ordinance this may become a use by-right if you meet a certain standards. Conditional uses, such as lawn mowing companies, because of their potential impact, may be special uses that have to be approved by the Board of Zoning Appeals (BZA).
8. Commissioner Susan Fisher asked how the open space in Conservation Subdivisions will be regulated and used. Mr. Dale stated there will be open space standards. The rules for the rural area open space will be different from the Suburban Infill and Conservation areas due to density. These rules and regulations are still being developed.
9. Commissioner Tom Bain, 7th District asked if Townhomes would be allowed in the rural areas in a case where you had one hundred (100) acres and you wanted to develop ten (10) acres and leave the remaining ninety (90) acres open space. Mr. Dale stated this would depend on septic areas and whether or not in a rural area you want to have lots that small. The 840 center may be an area for this type of use. At the current time this would not be allowed in the rural areas.
10. Commissioner Don Crohan asked what prevents someone, at a later time, from changing the rules and developing the open space that has been preserved. Ms. Moeller stated it will be recorded as permanent open space. The legal implications are still being discussed and will be written into the Ordinance.
11. Ginger Shirling asked if fifty (50) percent of the acreage is set aside for open space, what do lot sizes become. Mr. Dale state there are still issues with wastewater areas that will determine how small a lot can be. With one (1) unit per acre it is more difficult to have a Conservation Subdivision because there is less open space to use. This is something that will have to be worked out with the Steering Committee and brought back for public discussion. Some standards may be changed such as the amount of road frontage required for smaller lots to make the lots look bigger than they actually are.
12. Commissioner Ricky Jones, 1st District, asked if there are regulations that could keep a property owner from asking to be annexed into the city. Ms. Earwood stated if the property is outside the Urban Growth Boundary the owner could ask to be annexed by referendum. The city cannot annex by ordinance outside the UGB.
13. Commissioner Mary Brockman, 9th District, stated the Public needs to be kept informed of any changes and their input is vital in updating the

Ordinance. She emphasized the need to get the maximum amount of natural resources preservation.

14. County Commission Chairman Houston Naron, 10th District, asked who owns the open space and who takes care of it. How is this protected 20 years from now? Ms. Moeller stated this is one of the issues that are being looked at. We do want to make sure that the land is preserved over the long term. These are details that have to be considered.
15. Daniel Burton stated he would like for rural area land owners to have the ability to operate businesses on a small portion of their property while conserving the remainder of land. Ms. Moeller stated that Rural Business uses are something that can be discussed with certain limitations.
16. Commissioner Judy Hayes, 2nd District, stated she would like to encourage Agri-tourism uses in the rural areas.
17. Commissioner Pete Mosley asked what the purpose of the voluntary Agricultural District is. Ms. Moeller stated it would allow for a broad array of agricultural uses. The minimum lot size would be twenty (20) acres in the Agricultural District. If in the future the new owner would like to opt out of the Agricultural District they could ask to be reclassified but this is an area which needs to be studied.
18. Lee Sanders, Codes Compliance Director, asked if there is a purpose in mapping Villages & Hamlets if rural commercial development is going to be allowed elsewhere. Ms. Moeller stated the purpose of the Hamlets and Villages is historically a corner store or market versus warehouses and stables. Special Area Plans will be developed for the Villages.
19. Commissioner Holli Givens asked if we are going to stay consistent in each Hamlet or Village and how these will be developed. Mr. Dale stated "Yes". The purpose of the Hamlet or Village is to control what happens there in design and magnitude.

Chairman Lackey asked the Commissioners to speak with their constituents and get feedback. Future meeting dates will be announced.

- - - - -

There being no further business, the meeting was adjourned at approximately 8:45 p.m.

APPROVED BY A MAJORITY VOTE BY THE WILLIAMSON COUNTY REGIONAL PLANNING COMMISSION ON NOVEMBER 13, 2008.

CHAIRMAN JOHN LACKEY