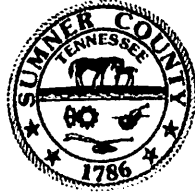


OCTOBER 16, 2017

STATE OF TENNESSEE
Sumner County



Date

Board of County Commissioners
RESOLUTION

No. 1710-01

TITLE

A RESOLUTION REQUESTING SPECIAL PROVISIONS GOVERNING INDUSTRIAL ZONING DISTRICTS

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 16th day of October, 2017, that this body hereby approves the request for Special Provisions Governing Industrial Zoning Districts, as shown on the attachment herewith; and

BE IT FURTHER RESOLVED that this is the second reading of this resolution.

CERTIFICATION OF ACTION

COUNTY EXECUTIVE

COUNTY CLERK

DATE

Ayes _____ Nays _____ Abs _____

APPROVED:

REJECTED:

Article VIII

Special Provisions Governing Industrial Zoning Districts

DRAFT

5.0 Intent and Description of the SP Specific Plan Industrial District

The SP Specific Plan Industrial District (SP) is an alternative zoning process that may permit any land uses, mixture of land uses, and alternative development standards, as may be required to address the unique characteristics of an individual property through a comprehensive site-specific zoning plan. In return, an SP district requires the site-specific zoning plan to be designed such that, at a minimum, the location, integration and arrangement of land uses, buildings, structures, utilities, access, transit, parking, and streets collectively avoid monotony, promote variety, and yield a context sensitive development. The site-specific zoning plan must comply with the building and safety codes as adopted by Sumner County.

5.1 Uses

Within the SP Specific Plan Industrial District, the activities and use classifications shall be as specifically listed and approved as part of the Preliminary Master Development Plan required for the development and the Ordinance adopting the SP Specific Plan Industrial District.

5.2 Bulk Regulations, Site Development and Design Regulations

The bulk regulations, site development, and design regulations in the SP Specific Plan Industrial District shall be specifically listed and approved as part of the Preliminary Master Development Plan required for the development and the Ordinance adopting the SP Specific Plan Industrial District.

5.3 Procedure

The establishment of an SP Specific Plan Industrial District zoning shall be conditioned upon the application for and approval of a site-specific zoning plan as part of a Preliminary Master Development Plan and Ordinance adopting the SP Specific Plan Industrial District, after public hearing as specified in T.C.A. This section outlines the site-specific zoning plan requirements and the process for Preliminary Master Development Plan and Final Master Development Plan review and approval.

A. Pre-application Conference

Prior to the filing of the application for a zoning amendment for a SP Specific Plan Industrial District, the applicant shall confer with the Planning and Stormwater Department and the Building and Codes Department to determine whether the applicant is proceeding under the proper section of this ordinance, to consider the desirability or necessity of amending the application or previously approved Preliminary Master Development Plan, to

clarify the issues to be addressed with the application, and to discuss any other issue that may aid in the disposition of the project.

B. Application

The applicant shall submit a zoning amendment application for the SP Specific Plan Industrial District along with an application review fee to the Planning and Stormwater Department in accordance with the published application schedule accompanied by a Preliminary Master Development Plan. The site-specific zoning plan and Preliminary Master Development Plan shall consist of the following information:

1. Written text, exhibits, and plans in a report format that describes existing conditions, the purpose and intent of the SP Specific Plan Industrial District and the proposed plan's consistency with the principles and objectives of the General Development and Transportation Plan.
2. Property boundary lines, dimensions, topography, general physical features of the property, and a location map of the proposed project.
3. Identification of surrounding property owners according to the latest tax roll available at the Sumner County Property Assessor's Office.
4. Detailed site layout and development plan showing the proposed layout of the entire property with respect to uses, potential road, lot and/or building configurations in the development.
5. Detailed transportation plan including routes of proposed major streets, driveways, sidewalks, pedestrian ways, and proposed transit facilities.
6. List of allowable uses of the property, including a tabulation of the land area to be devoted to various uses and activities and overall densities.
7. Specific site development standards and bulk regulations including, but not limited to, the height and size of proposed building types, minimum lot area, maximum floor area ratios, maximum lot coverage and impervious surface ratio, minimum lot width, minimum building setbacks, required yards, required open space, parking standards, and accessory building standards.
8. Landscaping plan including information and requirements pertaining to existing growth to be retained, buffer-yards, and other landscaped and open space requirements in the development. The landscaping plan shall also specify the proposed means of dedication of common open space areas and description of the proposed organizational arrangements for the ownership, maintenance, and preservation of common open space.
9. Utilities plan including water, sewer, storm water management, natural gas, electric, streetlights, and other infrastructure standards.
10. Detailed Traffic Study to be approved by an Engineering Review Consultant regarding the existing and anticipated traffic volumes and movements to and from the completed project and along the existing streets. The traffic study shall specify the required on and off-site improvements based on detailed development plan as approved by the Engineering Review Consultant.
11. The proposed phasing and time schedule for completion of the entire project.

12. Additional information sufficient to describe the general design of the development as required by the Planning and Stormwater Department.

All items must be submitted at the time of application for the zoning application to be deemed complete for review. Any omission of a required submittal item(s) shall be identified, and its reason(s) for omission explained in the Preliminary Master Development Plan.

C. Adoption of a SP Specific Plan Industrial District and Preliminary Master Development Plan The following steps shall constitute the process by which a SP Specific Plan Industrial District and Preliminary Master Development Plan are adopted:

1. The Planning Commission shall study the SP Specific Plan Industrial District and Preliminary Master Development Plan and supporting data and may make suggestions for changes and adjustments. Upon review and discussion, the Planning Commission shall recommend approval or disapproval of the SP Specific Plan Industrial District and Preliminary Master Development Plan and submit this recommendation to the County Commission.

The County Commission shall review and discuss the SP Specific Plan Industrial District and Preliminary Master Development Plan and approve or disapprove the proposal with or without conditions. The County Commission's actions shall comply with the T.C.A. and shall constitute the final action required of a proposal for preliminary approval. Whenever the County Commission approves the Preliminary Master Development Plan and supporting material, one copy shall be filed in the Planning and Stormwater Department and one copy shall be given to the Owner.

Upon receipt of the approved Preliminary Master Development Plan, the Owner may proceed with preparation of a Final Master Development Plan and specifications for all or for any portion of the project. The Final Master Development Plan shall be reviewed and approved by the Planning Commission according to the provisions of the T.C.A. Upon approval by the Planning Commission, one copy shall be filed in the office of the Planning and Stormwater Department. No building permits shall be issued until the Final Master Development Plan of the proposed development, or portion thereof, is approved and filed with the Planning and Stormwater Department.

2. Modification of Master Development Plan: The Planning Commission or the County Commission may require modification of a SP Specific Plan Industrial District and Preliminary Master Development Plan as a prerequisite for approval. Required modifications may be more restrictive than district and/or supplementary regulations and may include, but not be limited to, project phasing, provision for additional buffer-yards, open space, landscaping and screening, installation of erosion control measures, improvement to access and circulation systems, rearrangement of structures or uses within the site, and location and character of signs, architectural design of the proposed development, and other modifications.

deemed necessary to ensure compatibility with the surrounding environment and to protect public health, safety, and welfare.

3. Revisions to a Master Development Plan Approval: The Planning Commission may approve an application for modification of a previously-approved SP Specific Plan Industrial District and Preliminary Master Development Plan approval if it is determined that the revisions do not affect the findings relating to the criteria leading to the original approval.
 4. New Applications Following Denial or Revocation: No application for approval of the same or substantially the same site may be filed within one (1) year of the date of denial of a Preliminary Master Development Plan review by the County Commission. The Owner may petition the County Commission to grant a new review of the site if undue hardship or new facts concerning the site and/or application can be demonstrated.
 5. Approval to Run with the Land: A SP Specific Plan District and Preliminary Master Development Plan approval pursuant to these provisions shall run with the land and shall continue to be valid upon change of ownership of the site or structure that was the subject of the application.
- D. Final Approval by the Planning Commission of a SP Specific Plan Industrial District and Final Master Development Plan
- The County Commission's approval of a Preliminary Master Development Plan establishing a SP Specific Plan District shall authorize and form the basis for the Planning Commission's final approval of said development. The final approval of the Planning Commission of the development shall be subject to the following procedures and requirements:
1. Pre-application Conference: Prior to the filing of the application for a Final Master Development Plan, the applicant shall confer with the Planning and Stormwater Department to determine whether the applicant is proceeding according to the conditions of approval of the Preliminary Master Development Plan, to consider the desirability or necessity of amending the application or previously approved Preliminary Master Development Plan, to clarify the issues to be addressed with the application, and to discuss any other issue that may aid in the disposition of the project.
 2. Application for Final Master Development Plan Approval: After the approval of a SP Specific Plan Industrial District and Preliminary Master Development Plan, the landowner may make application to the Planning Commission for final approval of the development or portion thereof provided that the proposed Final Master Development Plan is in substantial conformance with the substance of the preliminary approval by the County Commission. Prior to submission of the Final Master Development Plan application, the Final Master Development Plan shall include all information contained in the Preliminary Master Development Plan receiving approval plus the following information:

- a. Property boundary lines and dimensions, topography (5' contour intervals), location map.
- b. Arrangement and size of buildings and the specific use of the property.
- c. Detailed information about the allowable uses of the property, including a tabulation of the land area to be devoted to various uses and activities and overall densities.
- d. Specific site development standards and bulk regulations including, but not limited to, the height and size of proposed building types, minimum lot area, maximum floor area ratios, maximum lot coverage and impervious surface ratio, minimum lot width, minimum building setbacks, required yards, required open space, parking standards and accessory building standards.
- e. Areas to be developed for parking, unloading, drives, walkways, recreation, or other uses designed in accordance with the approved Preliminary Master Development Plan for the SP Specific Plan Industrial District.
- f. Detailed landscape plans including the location of major existing growth that is to be retained. The landscape plan shall include specific information pertaining to buffer-yards, open space, and required landscaped areas as required by the Preliminary Master Development Plan.
- g. Detailed locations and types of utilities and easements including storm drainage as well as specific details of all surfaced areas.
- h. Details of the proposed traffic control and access management plan as required by the approved traffic study and Preliminary Master Development Plan. Plans shall also include details for street improvements, and grading and earth moving plans showing existing and proposed topography at 2-foot contour intervals.
1. Detailed architectural plans and elevations sufficient to indicate building, height, bulk, materials, and architectural design.
- J. Detailed signage plans and elevations sufficient to indicate the design of proposed signage, height, materials, and overall amount of signage.
- k. Time schedule for completion of the project.
- l. A statement regarding the proposed method of operating and maintaining the project.
- m. A statement of adequate surety, in the form specified in Subdivision Regulations to ensure construction of the planned development within the proposed phasing/time schedule.
- n. The Final Master Development Plan shall be sufficiently detailed to indicate fully the ultimate operation and appearance of the development. Also, the proposed Final Master Development Plan shall follow all applicable procedures and requirements governing the subdivision of land, and no building permit shall be issued for the project until a final plat, if necessary, of the proposed development, or portion thereof, is approved, filed, and recorded.

E. Final Planning Commission Action

Upon receipt of an application for final approval of a Final Master Development Plan, the Planning Commission shall examine the Final Master Development Plan and determine whether it substantially conforms to all applicable criteria and standards adopted as part of the Ordinance adopting the SP Specific Plan Industrial District and whether it substantially conforms in all respects to the previously approved Preliminary Master Development Plan. The Planning Commission may impose such conditions of approval as are, in its judgment, necessary to ensure conformity to the applicable criteria and standards.

F. Lapse of Approval

The lapse of approval of a SP Specific Plan Industrial District Preliminary Master Development Plan and Final Master Development Plan shall be in accordance with the provisions of the Zoning Resolution.

G. Procedures to Amend a Preliminary Master Development Plan or Final Master Development Plan

Major amendments to the SP Specific Plan District and Preliminary Master Development Plan and Final Master Development Plan must be submitted to the Planning Commission for review and recommendations and approved by the County Commission. Major amendments shall include, but not be limited to:

1. An increase in the density of the development;
2. Substantial changes in circulation or access;
3. Substantial changes in the mix of dwelling unit types included in the project;
4. Substantial changes in grading or utility provision;
5. Substantial changes in the mixture of land uses;
6. Reduction in approved open space, landscaping, and buffer-yards;
7. Substantial changes in architectural or site design features of the development; or
8. Any other change that the County Planner determines to be a major divergence from the approved Preliminary Master Development Plan. The Planning Commission may overrule this determination upon the favorable vote of a majority of the entire membership of the Planning Commission.

All other changes in the SP Specific Plan Industrial District Preliminary Master Development Plan or Final Master Development Plan shall be considered revisions to the approved plan. The Planning Commission may approve these minor revisions.

DEFINITIONS

Bulk Regulations: Regulations that govern the size of lots and placement of buildings on those lots.

Comprehensive Site Specific Zoning Plan: A broad scheme for a specific zoned area that attempts to achieve community goals and aspirations through zoning regulations.

County Commission: A group of elected officials charged with administering the Legislative Duties of Sumner County, Tennessee.

Design Regulations: Detailed standards provided to the staff and the applicant for guidance during the plans review process and construction within the public way and off-street development.

Industrial District: As described in the Intent of Article VIII; Provisions Governing Industrial Districts; of the Sumner County Zoning Resolution and those typical uses listed in the Use Classification System.

Master Development Plan (Preliminary/Final): A general plan that shows an overall development concept that includes urban design, landscaping, infrastructure, service provision, circulation, present and future land use and built form. It provides a structured approach and creates a clear framework for developing an area.

Planning Commission: Refers to the Sumner County Regional Planning Commission and its powers and authorities as established in Title 13 of the T.C.A.

Site-Specific Zoning Plan: A detailed plan of the area with specifics of the proposed construction operation, including the building outlines, parking, work areas, and/or property lines, and all other information deemed suitable by the Staff, Planning Commission and/or County Commission.

T.C.A. (Tennessee Code Annotated): The Tennessee Statutory Law that includes all state regulated Planning, Zoning and Subdivision requirements.

Use Classification System: An extensive, categorized list of various land uses as shown in Article VII of the Sumner County Zoning Resolution.

SIC CODE	A / D OFFICE	INDUSTRY TITLE
3390	6	MISCELLANEOUS PRIMARY METAL PRODUCTS
3411	6	METAL CANS
3412	6	METAL SHIPPING BARRELS, DRUMS, KEGS, & PAILS
3420	6	CUTLERY, HANDTOOLS, & GENERAL HARDWARE
3430	6	HEATING EQUIP, EXCEPT ELEC & WARM AIR; & PLUMBING FIXTURES
3433	6	HEATING EQUIP, EXCEPT ELECTRIC & WARM AIR FURNACES
3440	6	FABRICATED STRUCTURAL METAL PRODUCTS
3442	6	METAL DOORS, SASH, FRAMES, MOLDINGS & TRIM
3443	6	FABRICATED PLATE WORK (BOILER SHOPS)
3444	6	SHEET METAL WORK
3448	6	PREFABRICATED METAL BUILDINGS & COMPONENTS
3451	6	SCREW MACHINE PRODUCTS
3452	6	BOLTS, NUTS, SCREWS, RIVETS, & WASHERS
3460	6	METAL FORGINGS & STAMPINGS
3470	6	COATING, ENGRAVING & ALLIED SERVICES
3480	6	ORDNANCE & ACCESSORIES, (NO VEHICLES/GUIDED MISSILES)
3490	6	MISCELLANEOUS FABRICATED METAL PRODUCTS
3510	10	ENGINES & TURBINES
3523	10	FARM MACHINERY & EQUIPMENT
3524	10	LAWN & GARDEN TRACTORS & HOME LAWN & GARDEN EQUIPMENT

SIC CODE	A / D OFFICE	INDUSTRY TITLE
3530	10	CONSTRUCTION, MINING & MATERIALS HANDLING MACHINERY & EQUIPMENT
3531	10	CONSTRUCTION MACHINERY & EQUIPMENT
3532	10	MINING MACHINERY & EQUIPMENT (NO OIL & GAS FIELD MACHINE & EQUIPMENT)
3533	4	OIL & GAS FIELD MACHINERY & EQUIPMENT
3537	10	
3540	10	INDUSTRIAL TRUCKS, TRACTORS, TRAILORS & STACKERS
3541	10	METALWORKS MACHINERY & EQUIPMENT
3541	10	MACHINE TOOLS, METAL CUTTING TYPES
3550	10	SPECIAL INDUSTRY MACHINERY (NO METALWORKING MACHINERY)
3555	10	PRINTING TRADES MACHINERY & EQUIPMENT
3559	10	SPECIAL INDUSTRY MACHINERY, NEC
3560	10	GENERAL INDUSTRIAL MACHINERY & EQUIPMENT
3561	10	PUMPS & PUMPING EQUIPMENT
3562	6	BALL & ROLLER BEARINGS
3564	6	INDUSTRIAL & COMMERCIAL FANS & BLOWERS & AIR PURIFYING EQUIPMENT
3567	6	INDUSTRIAL PROCESS FURNACES & OVENS
3569	6	GENERAL INDUSTRIAL MACHINERY & EQUIPMENT, NEC
3570	3	COMPUTER & OFFICE EQUIPMENT
3571	3	ELECTRONIC COMPUTERS

SIC CODE	A / D OFFICE	INDUSTRY TITLE
3572	3	COMPUTER STORAGE DEVICES
3575	3	COMPUTER TERMINALS
3576	3	COMPUTER COMMUNICATIONS EQUIPMENT
3577	3	COMPUTER PERIPHERAL EQUIPMENT, NEC
3578	3	CALCULATING & ACCOUNTING MACHINES (NO ELECTRONIC COMPUTERS)
3579	3	OFFICE MACHINES, NEC
3580	6	REFRIGERATION & SERVICE INDUSTRY MACHINERY
3585	6	
		AIR-COND & WARM AIR HEATING EQUIPMENT & COMMERCIAL & INDUSTRIAL REFRIGERATION EQUIPMENT
3590	6	MISC INDUSTRIAL & COMMERCIAL MACHINERY & EQUIPMENT
3600	10	ELECTRONIC & OTHER ELECTRICAL EQUIPMENT (NO COMPUTER EQUIPMENT)
3612	10	POWER, DISTRIBUTION & SPECIALTY TRANSFORMERS
3613	10	SWITCHGEAR & SWITCHBOARD APPARATUS
3620	10	ELECTRICAL INDUSTRIAL APPARATUS
3621	10	MOTORS & GENERATORS
3630	11	HOUSEHOLD APPLIANCES
3634	11	ELECTRIC HOUSEWARES & FANS
3640	11	ELECTRIC LIGHTING & WIRING EQUIPMENT
3651	11	HOUSEHOLD AUDIO & VIDEO EQUIPMENT

SIC CODE	A / D OFFICE	INDUSTRY TITLE
3652	11	PHONOGRAPH RECORDS & PRERECORDED AUDIO TAPES & DISKS
3661	11	TELEPHONE & TELEGRAPH APPARATUS
3663	11	RADIO & TV BROADCASTING & COMMUNICATIONS EQUIPMENT
3669	11	COMMUNICATIONS EQUIPMENT, NEC
3670	10	ELECTRONIC COMPONENTS & ACCESSORIES
3672	3	PRINTED CIRCUIT BOARDS
3674	10	SEMICONDUCTORS & RELATED DEVICES
3677	10	ELECTRONIC COILS, TRANSFORMERS, & OTHER INDUCTORS
3678	10	ELECTRONIC CONNECTORS
3679	10	ELECTRONIC COMPONENTS, NEC
3690	10	MISCELLANEOUS ELECTRICAL MACHINERY, EQUIPMENT & SUPPLIES
3695	11	MAGNETIC & OPTICAL RECORDING MEDIA
3711	5	MOTOR VEHICLES & PASSENGER CAR BODIES
3713	5	TRUCK & BUS BODIES
3714	5	MOTOR VEHICLE PARTS & ACCESSORIES
3715	5	TRUCK TRAILERS
3716	5	MOTOR HOMES
3720	5	AIRCRAFT & PARTS
3721	5	AIRCRAFT

SIC CODE	A / D OFFICE	INDUSTRY TITLE
3724	5	AIRCRAFT ENGINES & ENGINE PARTS
3728	5	AIRCRAFT PARTS & AUXILIARY EQUIPMENT, NEC
3730	5	SHIP & BOAT BUILDING & REPAIRING
3743	5	RAILROAD EQUIPMENT
3751	5	MOTORCYCLES, BICYCLES, & PARTS
3760	5	GUIDED MISSILES & SPACE VEHICLES & PARTS
3790	5	MISCELLANEOUS TRANSPORTATION EQUIPMENT
3812	5	SEARCH, DETECTION, NAVIGATION, GUIDANCE, AERONAUTICAL SYSTEMS
3821	10	LABORATORY APPARATUS & FURNITURE
3822	10	AUTO CONTROLS FOR REGULATING RESIDENTIAL & COMMERCIAL ENVIRONMENTS
3823	10	INDUSTRIAL INSTRUMENTS FOR MEASUREMENT, DISPLAY, AND CONTROL
3824	10	TOTALIZING FLUID METERS & COUNTING DEVICES
3825	10	INSTRUMENTS FOR MEASURING & TESTING OF ELECTRICITY & ELECTRICAL SIGNS
3826	10	LABORATORY ANALYTICAL INSTRUMENTS
3827	10	OPTICAL INSTRUMENTS & LENS
3829	10	MEASURING & CONTROLLING DEVICES, NEC
3841	10	SURGICAL & MEDICAL INSTRUMENTS & APPARATUS
3842	10	ORTHOPEDIC, PROSTHETIC, & SURGICAL APPLIANCES & SUPPLIES

SIC CODE	A / D OFFICE	INDUSTRY TITLE
3843	10	DENTAL EQUIPMENT & SUPPLIES
3844	10	X-RAY APPARATUS & TUBES & RELATED IRRADIATION APPARATUS
3845	10	ELECTROMEDICAL & ELECTROTHERAPEUTIC APPARATUS
3851	10	OPHTHALMIC GOODS
3861	10	PHOTOGRAPHIC EQUIPMENT & SUPPLIES
3873	2	WATCHES, CLOCKS, CLOCKWORK OPERATED DEVICES/PARTS
3910	2	JEWELRY, SILVERWARE & PLATED WARE
3911	2	JEWELRY, PRECIOUS METAL
3931	5	MUSICAL INSTRUMENTS
3942	5	DOLLS & STUFFED TOYS
3944	5	GAMES, TOYS & CHILDREN'S VEHICLES (NO DOLLS & BICYCLES)
3949	5	SPORTING & ATHLETIC GOODS, NEC
3950	9	PENS, PENCILS & OTHER ARTIST'S MATERIALS
3960	6	COSTUME JEWELRY & NOVELTIES

Individual Voting Results

Yes

A Driver	-
B Geminden	-
B Pospisil	-
B Ring	-
B Taylor	-
C Krueger	-
C Taylor	-
Chr. Langford	-
J Becker	-
J Foster	-
J Kemp	-
J Vaughn	-
K Pomeroy	-
L Hinton	-
L Schell	-
M Akins	-
M Guthrie	-
M Hyde	-
M Taylor	-
P Decker	-
P Goode	-
S Graves	-
T LeMarbre	-

Not Voted

Dist 5	-
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Business: <No Agenda Name>;
Vote name: 1710-01
Vote subject: 1710-01 Approve Industrial Zoning
Meeting: October 16, 2017
Agenda name: <No Agenda Name>
Vote start: 10/16/2017 7:22:44 PM
Vote stop: 10/16/2017 7:23:01 PM

Total Voting Results

Votes: 24

Yes	23
No	0
Abstain	0

Group Voting Results

-

Yes	23
No	0
Abstain	0