

## ORDINANCE #15-14

### **AN ORDINANCE TO AMEND THE ZONING ORDINANCE #04-09, OF THE TOWN OF NOLENSVILLE, TENNESSEE PERTAINING TO ARTICLE 2.2.10, PLANNED COMMERCIAL DISTRICTS**

**WHEREAS**, the Town of Nolensville enacted Zoning Ordinance 04-09 in 2004. Prior to the enactment of 04-09, the Town enacted Ordinance #98-22 in 1998 which amended the initial zoning ordinance of the Town of Nolensville. Subsequent amendments have been enacted prior to the enactment of Ordinance 04-09; and

**WHEREAS**, the Town of Nolensville Planning Commission has considered proposed revisions to Article 2.2.2 Zoning Districts section of the Nolensville Zoning Ordinance; and

**WHEREAS**, the Town of Nolensville Planning Commission, on July 14, 2015, approved recommendations to the Town of Nolensville Board of Mayor and Aldermen on certain amendments of the zoning text revising Article 2.2.2 regulating Planned Commercial Districts (PCD's); and

**WHEREAS**, the Board of Mayor and Aldermen has conducted a public hearing on \_\_\_\_\_, 2015, thereon; and

**NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMAN**, that Zoning Ordinance 04-09 of the Town of Nolensville is amended by revising said ordinance as follows:

Section 1. The first section under Article 2.2.10 that reads as follows:

The Planning Commission may approve, approve with conditions, or disapprove a master plan for the overall development of a tract of land with a minimum of five (5) acres in size that includes a planned commercial development. Any acreage designated to commercial will be deducted from the overall density calculations. Such commercial facilities shall be designated to complement the residential portion of the plan and shall be limited in size and scope of uses. Such developments must comply with the Nolensville Design Review Standards, Appendix E, Part B, Architectural Design Standards, and other site design standards set forth in Appendix E, Parts A and C. Also, landscaping and screening buffers shall be a consideration of the planning commission. Adequate frontage on a public street shall be required. In the event that individual lots are created for sale or lease that are internal to the planned unit development, each such lot shall be guaranteed access from either a public street or a private street and use and access agreements.

The following standards shall apply:

**Permitted Uses:**

- Professional Offices
- Medical Offices
- Business Services
- Financial Institutions
- Restaurants (excluding drive-thru operations)
- General Retail (excluding auto sales)
- Convenience Stores
- Residential Apartments (on second and third floors only)
- Government Offices

**Prohibited Uses:**

Any use or structure not permitted above by right or conditional use is specifically prohibited.

<b>Area and Lot Requirements:</b>	
Minimum land area:	five (5) acres
Minimum lot size:	No minimum lot size is required for commercial. Lots and structural locations shall be established by approval of the final plan.
Setbacks:	External setbacks shall be: front - 25 feet
	Side - 35 feet
	Rear - 35 feet
	Internal setbacks - established by the final plan
Maximum floor area ratio:	.15
Maximum first floor area per use:	10,000
Maximum height:	3 stories or 35 feet
Maximum Impervious Surface Ratio:	.80

**Is proposed to be amended to read as follows:**

The Planning Commission may approve, approve with conditions, or disapprove a master plan for the overall development of a tract of land with a minimum of five acres in size that includes a planned commercial development. Any acreage designated for commercial will be deducted from the overall density calculations. Such commercial facilities with a residential component shall be designated to complement the residential portion of the plan and shall be limited in size and scope of uses by the Planning Commission and the Board of Mayor and Aldermen. The Town may allow a commercial PUD development without a residential element for developments of a unique or special nature that will be beneficial to the community such as a private resort type project that may include lodging, restaurants, and similar uses as determined by the Planning Commission and the Board of Aldermen when the a proposed project is based upon a master plan designed for the entire property being considered. Such developments must

comply with the Nolensville Design Review Standards, Appendix E, Part B, Architectural Design Standards, and other site design standards set forth in Appendix E, Parts A and C, when practical. Landscaping and screening buffers shall be a consideration in the approval of the development. Adequate frontage on a public street shall be required. In the event that individual lots are created for sale or lease that are internal to the planned unit development, each such lot shall be guaranteed access from either a public street or a private street and use and access agreements.

The following standards shall apply:

The permitted commercial uses shall be approved by the Planning Commission and Board of Aldermen as to the appropriateness to the development and to how it serves the proposed neighborhood and the community as a whole.

The Planning Commission and Board of Aldermen shall determine the area and lot requirements for the Planned Commercial Development section of the overall PUD. No minimum lot size is required for commercial. All lots, structural locations, and setbacks shall be established by approval of the final plan and will include floor area ratio, building size and footprint, maximum height, and maximum Impervious Surface Ratio (ISR). The Planning Commission and Board of Aldermen shall base approvals or disapprovals of these items on how the commercial plan will function and benefit the overall Planned Unit Development as well as the community.

Section 2. The provisions contained herein shall be incorporated in the zoning ordinance #04-09, as amended, which ordinance shall now be designated as ordinance #04-09. The adoption of this ordinance is the adoption of the entire zoning ordinance as modified and amended by this ordinance and the Zoning Ordinance shall hereinafter be referred to as ordinance #04-09.

Section 3. The Mayor and Board of Aldermen of the Town of Nolensville, Tennessee, hereby certify that these amendments have been submitted by the Planning Commission of the Town of Nolensville, and a notice of hearing thereof has been ordered of the time and place of said meeting and has been published in a newspaper circulated in the Town of Nolensville, Tennessee. This Ordinance shall take effect immediately from the date of its final passage, the public welfare demanding it.

\_\_\_\_\_  
Jimmy Alexander, Mayor

Attest: \_\_\_\_\_  
Town Recorder

Approved by: \_\_\_\_\_  
Town Attorney

Passed 1<sup>st</sup> Reading: \_\_\_\_\_

Public Hearing: \_\_\_\_\_

Passed 2<sup>nd</sup> Reading: \_\_\_\_\_

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