

ORDINANCE 22-20

AN ORDINANCE TO AMEND UNIFIED DEVELOPMENT CODE ARTICLE 13, SECTION 13.1 B TO ENHANCE NOTICE REQUIREMENTS FOR PROPOSED PLANNING AND ZONING APPLICATIONS.

WHEREAS, on August 20, 2018, the Board of Mayor and Alderman adopted Ordinance 18-21 to adopt the Unified Development Code, along with subsequent amendments thereto, that sets forth standards and requirements for notice that must be given when zoning text amendments or zoning map amendments are initiated; and,

WHEREAS, Tennessee Code, such as TCA 1-3-120, requires notice of various kinds to be published in newspapers of general circulation within a Municipality; and,

WHEREAS, Article 13, Section 13.1 B requires notice of zoning map amendments and zoning text amendments to be published in a newspaper of general circulation within Spring Hill; and

WHEREAS, newspapers are no longer the primary source of news and information for most in Spring Hill and do not provide the most effective means of providing notice; and

WHEREAS, The City of Spring Hill communicates through several other modern media including its website and social media accounts that provide more effective notice on important matters in the City; and

WHEREAS, the Planning Commission after conducting a public meeting on May 23, 2022 has reviewed the proposed amendments to the Unified Development Code in their entirety and provides favorable recommendation for their adoption by the Board of Mayor and Alderman as provided in Resolution 22-57 approved on June 13, 2022 by the Planning Commission.

NOW, THEREFORE, BE IT BE ORDAINED BY THE BOARD OF MAYOR AND ALDERMAN OF THE CITY OF SPRING HILL, TENNESSEE, that the following amendments to Article 13, Section 13.1 B of the Unified Development Code are hereby adopted as referenced in the attached Exhibit A.

Passed and adopted by this Board of Mayor and Alderman of the City of Spring Hill, Tennessee on the 6th day of September, 2022



Jim Hagaman, Mayor

ATTEST:



April Goad, City Recorder

LEGAL FORM APPROVED:



Patrick M. Carter, City Attorney

Passed on First Reading: August 1, 2022

Passed on Second Reading: September 6, 2022

RESOLUTION 22-57

**A RESOLUTION TO RECOMMEND AMENDMENTS TO UNIFIED DEVELOPMENT CODE
ARTICLE 13, SECTION 13.1 B TO ENHANCE NOTICE REQUIREMENTS FOR PROPOSED
PLANNING AND ZONING APPLICATIONS.**

WHEREAS, pursuant to TCA 13-4-210, et seq, authority is granted to the Spring Hill Municipal Planning Commission to recommend amendments to the governing body, to the zoning ordinance, including, but not limited to, changes to zoning text amendments and zoning map amendments; and

WHEREAS, on August 20, 2018, the Board of Mayor and Alderman adopted Ordinance 18-21 to adopt the Unified Development Code, along with subsequent amendments thereto, that sets forth standards and requirements for notice that must be given when zoning text amendments or zoning map amendments are initiated; and,

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WHEREAS, The City of Spring Hill communicates through several other modern media including its website and social media accounts that provide more effective notice on important matters in the City; and

WHEREAS, the Planning Commission recommends enhancing the means of providing notice to our citizens and community beyond required newspaper notice when zoning text amendments and map amendments are initiated by recommending approval to the Board of Mayor and Alderman regarding adoption of amendments to Article 13 of the Unified Development Code as attached.

NOW, THEREFORE, BE IT BE RESOLVED BY THE CITY OF SPRING HILL, TENNESSEE, MUNICIPAL PLANNING COMMISSION, hereby adopts Resolution 22-57 recommending approval of the following amendments to Article 13, Section 13.1 B of the Unified Development Code as referenced in the attached Exhibit A.

Passed and adopted this 13_ day of ____ June ___, 2022

Secretary, Planning Commission

Chair, Planning Commission

EXHIBIT A

B. Notice

1. Required Notice

Table 13-1: Zoning Approvals Required Notice indicates the types of notice required for zoning applications. If the specific requirements of a zoning approval process contain contradictory information to Table 13-1, the specific requirements of the zoning approval control.

Table 13-1: Zoning Approvals Required Notice			
Zoning Application	Notice Type		
	Published	Mailed	Posted On Property
Zoning Text Amendment Notice for Public Hearing	•		
Zoning Map Amendment Notice for Public Hearing	•	•	•
Special Use Notice for Public Hearing	•	•	•
Variance Notice for Public Hearing	•	•	•
Zoning Appeals Notice for Public Hearing	•		

2. Published Notice

When published notice is required, the Planning Department shall publish notice in a newspaper of general circulation within the City, on the City website, and on any City social media accounts (including but not limited to Facebook, Twitter, and Instagram). The notice must include the date, time, place, and purpose of such hearing/meeting, the name of the applicant, and the address of the subject property. Notice must be published no less than 15 days and no more than 30 days in advance of the scheduled action.

3. Mailed Notice

The following mailed notice requirements apply to all applications that require mailed notice.

- a. Written notice must be mailed by U.S.P.S. First Class mail at least ten days in advance of the first scheduled action to all property owners within 500 feet of the property line of the subject property for all notices except variances, which require notice to adjoining property owners. If the party proposing the zoning application chooses to defer, withdraw, or otherwise delay the first scheduled action after mailing the required Written Notice, an additional mailing meeting all requirements in this Paragraph must be mailed before the new first scheduled action date. The notice must include the date, time, place, and purpose of such hearing/meeting, the existing and proposed zoning districts for rezoning requests, the nature of the use for special use requests, the name of the applicant, and the address of the subject property. When a zoning map amendment is proposed by the City, notification must also be mailed to the owner of the subject property. (Ord. 19-09, 4/15/19)

b. Nothing in this section is intended to prevent the applicant or the City from giving additional notice as he/she may deem appropriate.

c. The applicant is responsible for mailing notices and must provide the City with an affidavit stating that notice was mailed to every property owner as required and provide the City with a list of names, addresses, and property identification numbers (PIN) of all notice recipients, and a map indicating the boundaries of the notice area. The applicant must also provide the City an example of the notice sent.

4. Posted Notice

When posted notice is required, it must be located on the subject property in accordance with the following provisions:

a. The required posting period must be at least seven days in advance of the first scheduled action. The sign must be posted at a prominent location on the property, near the sidewalk or public right-of-way so that it is visible to pedestrians and motorists. Properties with more than one street frontage are required to post one sign on each street frontage. Posted signs will be removed the day following final action.

b. When a sign is posted for a public hearing/meeting, the sign must include the date, time, place, and purpose of such hearing/meeting.

c. The City will install and maintain the sign during the required posting period

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