

ORDINANCE 07-01

AN ORDINANCE TO AMEND THE MUNICIPAL CODE TO CREATE A HISTORIC COMMISSION FOR THE CITY OF SPRING HILL, TENNESSEE

WHEREAS, the Board of Mayor and Aldermen of the City of Spring Hill, Tennessee, see the need to create a Historic Commission;

**BE IT THEREFORE ORDAINED BY THE BOARD OF
MAYOR AND ALDERMEN OF THE CITY OF SPRING HILL,
TENNESSEE, THAT; TITLE 2, BOARDS AND COMMISSIONS IS
HEREBY AMENDED TO ADD THE FOLLOWING CHAPTER 4;**

CHAPTER 4

HISTORIC COMMISSION

SECTION

- 2-401. Purposes.
- 2-402. Creation – membership.
- 2-403. Organization.
- 2-404. Conflict of interest.
- 2-405. Powers and duties.
- 2-406. Designation and protection of historically significant sites.
- 2-407. Criteria for designation of historically significant.
- 2-408. Mapping of historically of significant sites.

2-401. Purposes. The general intent of this division includes, among others, the following purposes:

- (1) To promote the preservation and protection of the physical character and quality of life in the city.
- (2) To promote the educational, cultural civic awareness and general welfare of the city while providing a sense of commitment and continuity between the past and present through the encouragement of preservation and protection of historically significant sites and structures.

- (3) To foster civic pride and historic recognition through the preservation of the city's heritage.

2-402. Creation – membership. In order to encourage the intent of this division, there is hereby established an advisory board to be known as the Spring Hill Historic Commission. Such commission shall consist of 5 members. The members of such commission shall be selected on the following basis:

- (1) One member of such commission shall be a member of the Board of Mayor and Aldermen appointed by the mayor to serve a term consistent with his elected term of office.
- (2) One member of such commission shall be a member of the Planning Commission appointed by the Mayor to serve a term consistent with his term as a member of the Planning Commission.
- (3) Three at-large members of the Spring Hill Historic Commission shall be appointed by the Mayor pursuant to the following provisions:
 - a. Each of the appointees shall own property in the City or be a resident of the City. Terms of the members, after expiration of the initial members' terms, shall be three years. The initial term of the first appointment shall be one (1) year. The initial term of the second appointment shall be two (2) years. The third initial appointment shall serve a three (3) year term. After the service of the initial term each member will be appointed to serve a three (3) year term.
 - b. Appointees should have a background and experience indicative of a desire to be involved in the recognition and preservation of the city's history.

2-403. Organization. The Spring Hill Historic Commission shall select from its members its own chairperson and such other officers deemed appropriate. It shall establish procedures, rules of order and regular meeting dates; keep a record of all proceedings; meet no less often than quarterly, and comply with all appropriate regulations of Tennessee Code Annotated that apply to municipalities. At least three members shall constitute a

quorum and the concurring vote of at least three members shall constitute a decision of the commission on any matter before it.

2-404. Conflict of interest. Any member of the historic commission who shall have a direct or indirect interest in any property or issue which is the subject matter of, or affected by, a decision of the commission shall be disqualified from participating in the discussion, decision or proceedings of the commission, as a voting member of the commission, in connection therewith.

2-405. Powers and duties. The Spring Hill Historic Commission shall have the authority and powers granted herein or as provided in the future by the Board of Mayor and Aldermen, to include:

- (1) Recommendation to the Board of Mayor and Aldermen that specific geographic sites and/or structures be designated as historically significant and encourage the consideration of specific measures to ensure the preservation of historically significant sites.
- (2) Prior to submitting such recommendations to the Board of Mayor and Aldermen, the Spring Hill Historic Commission shall:
 - a. Provide formal notification of its recommendations to the owners of record of the affected properties.
 - b. Publicize such notice in an appropriate manner.
 - c. Conduct such public hearings as would meet the requirements of local, state or federal law.
 - d. Receive formal notification of acceptance that specific geographic sites and/or structures be designated as historically significant from the owners of record of the affected properties.
- (3) Regarding properties designated as historically significant by the Board of Mayor and Aldermen, the Spring Hill Historic Commission shall, upon the request of the property owner, assist such owner by reviewing proposed preservation plans, changes in

exterior designs or modifications to structures or geographical locations, and offering suggestions to retain or enhance the historic importance of the site.

- (4) The Spring Hill Historic Commission shall not consider interior structure modifications.

2-406. Designation and protection of historically significant sites.

- (a) Designation of a historically significant site will be done by resolution of the Board of Mayor and Aldermen upon recommendation by the Spring Hill Historic Commission. A proclamation (a formal copy to be provided the owner), along with a metal plaque to be prominently displayed at the site, will be provided by the city.
- (b) Once a site or structure is designated as historically significant, the Planning Commission shall thereafter, as part of its normal site review process, be responsible for ensuring that appropriate measures are taken to protect the structure and the immediate grounds when development or redevelopment occurs on adjacent property.

2-407. Criteria for designation of historically significant sites. The following criteria are to be used in determining eligibility and appropriateness of selection as a historically significant site:

- (1) The quality of significance in the city's history, architecture, archaeology and culture is present in districts, sites, buildings, structures and objects that possess integrity of location, design, setting, materials, workmanship, feeling and association, and that:
 - a. Are associated with events that have made a significant contribution to the broad patterns of our history:
 - b. Are associated with the lives of persons significant in our past;
 - c. Embody the distinctive characteristics of a type, period or method of construction or that represent the work of a

master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components lack individual distinction; or

- d. Have yielded, or may be likely to yield, information important in prehistory or history.

(2) Ordinarily cemeteries, birthplaces or graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the past 75 years shall not be considered eligible for the city historic register. However, such properties will qualify if they are integral parts of districts that do meet the criteria or if they fall within the following categories:

- a. A religious property deriving primary significance from architectural or artistic distinction or historical importance;
- b. A building or structure removed from its original location but which is significant primarily for architectural value, or which is the surviving structure most importantly associated with a historic person or event;
- c. A birthplace or grave of a historical figure of outstanding importance if there is no appropriate site or building directly associated with his productive life;
- d. A cemetery which derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features or from association with historic events;
- e. A reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived;

- f. A property achieving significance within the past 50 years if it is of exceptional importance.

2-408. Mapping of historically significant sites. All official city maps shall be modified to allow for the inclusion of designated historically significant sites in an appropriate and consistent manner.

An application for a subdivision of property, site development plan and/or zoning district amendment shall identify all significant historic and archeological features and structures (as designated by the Board of Mayor and Aldermen) that are located on the affected property or within 300 feet of the boundary of the affected property. Any proposed development plan for the affected tract shall be guided by city zoning and subdivision regulations and the principles and standards contained within the publication, "Saving the Farmstead" (a publication of the Heritage Foundation of Franklin and Williamson County dated December 1996). The development plan shall be configured in a manner that protects the historic and archeological features on the property to the greatest extent feasible and practical. The plan shall be subject to review and comments by a qualified historic preservation consultant retained by the city and the recommendations of the Spring Hill Historic Commission. Upon approval of a development plan by the planning commission, no grading or building permits shall be issued by the city manager or his designee until stabilization measures are in place to permanently protect the feature from the impact of nearby construction.

2-409. Removal of classification. Any property owner of a historically significant site may petition the Historic Commission to have the designation removed. The Historic Commission upon such petition or request from the owner of the property shall, by vote of the Commission, recommend or not recommend to the Board of Mayor and Aldermen the removal of such designation. The Board of Mayor and Aldermen shall vote on the petition or request, in the form of a resolution, to remove or allow the property to remain on the City's list of historically significant properties. The Board of Mayor and Aldermen shall not be bound by any decision of the Historic Commission as such is only advisory in nature.

BE IT FURTHER ENACTED, that all Ordinances or parts of Ordinances in conflict herewith, be and the same hereby are repealed or modified as the case may be.

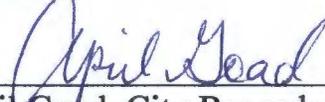
BE IT FURTHER ENACTED, that this Ordinance shall take effect from and after its adoption, the public welfare requiring it.

Passed and adopted by the Board of Mayor and Aldermen of the City of Spring Hill, Tennessee, on the 16th day of April, 2007.



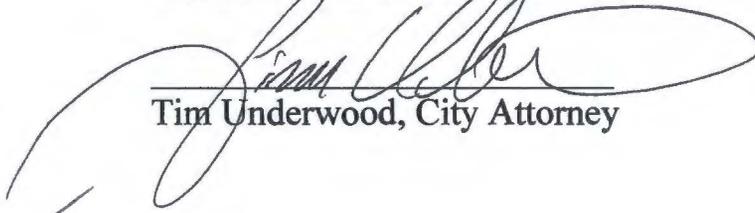
Danny M. Leverette, Mayor

ATTEST:



April Goad, City Recorder

LEGAL FORM APPROVED:



Tim Underwood, City Attorney