

AN ORDINANCE TO AMEND ORDINANCE NO. 85-5

BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMAN OF THE TOWN OF SPRING HILL:

1. That Article IV, Section 1, is hereby amended by denominating the existing paragraph thereof as "1.1," and adding additional paragraphs thereto, as follows:

1.2 Interim Zoning Declared

1.2(1) A program of interim zoning is hereby instituted within the Region to insure that changes in land use patterns occasioned by the establishment of the Saturn Corporation manufacturing facility within the Region will prove beneficial, rather than injurious, for the Region, for its environs, and for the State of Tennessee as a whole. The program will preserve temporarily the status quo until permanent zoning regulations are adopted. The program's necessity inheres in the fact that, because a reasonable time is required to work out the details of a comprehensive zoning plan, that plan would be destroyed if, during the period of its incubation and consideration, development contrary to its eventual objectives were permitted to progress so far as to defeat, in whole or in part, the achievement of these objectives. The program's purpose is to provide for a period of study and development of a comprehensive zoning plan to be followed by prompt and expeditious adoption of zoning regulations when the study is completed. The specific legislative findings upon which the interim zoning program is premised are set forth in Subsection 1.4 below.

1.2(2) The program of interim zoning declared herein is intended to accommodate the reasonable development expectations of property owners with the imperative necessity that future growth patterns comport with the Region's health, safety, morals and general welfare. Central to this accommodation is the adoption of a well-conceived comprehensive zoning plan. Without this plan, the Region faces a future of haphazard, disorderly and inefficient development; rampant real estate speculation; and a state of uncertainty harmful both to orderly real estate markets and to the Region's orderly development in the public interest and welfare.

9 months

1.3 Interim Zoning Districts

1.3(1) During the period of the interim zoning program declared herein, which shall terminate within nine (9) months of the date of this amendment or as soon thereafter as the preparation of proper zoning regulations may require, all land within the Spring Hill Planning Region is hereby placed in AG Agricultural district status unless otherwise indicated on the Spring Hill Planning Region Zoning Map adopted concurrently with this Section. No building or other development permit shall be issued authorizing the development of any lot or parcel for any use or in any manner inconsistent with the requirements set forth in the Spring Hill Planning Region Zoning Ordinance and Zoning Map, as hereby amended; provided, however, that any lot of record not meeting the minimum area and open space requirements as of the effective date of this amendment, may be used for a detached dwelling occupied by a single family subject to the review and approval of the Board of Zoning Appeals.

1.4 Legislative Findings

1.4(1) Character of the Spring Hill Planning Region. It is hereby found and declared that the Spring Hill Planning Region enjoys a distinctive scenic, historic and ecological character because:

(a) It was the site of important campaigns and battles in the War Between the States;

(b) It contains various structures of historic interest;

(c) It is primarily an area of agricultural and related open space uses, which account for its distinctive scenic vistas, low ratios of building coverage to lot size, extensive setbacks, particularly of structures on parcels adjoining arterial routes, and relative freedom from such unscenic uses and facilities as fast-food outlets and advertising signs;

(d) It has been the home of nationally famous thoroughbreds and Tennessee Walking Horses;

(e) It contains wetlands and other areas subject to flooding; and

(f) The public welfare demands that, to the extent practicable, the distinctive character the Region enjoys by virtue of these attributes will afford a framework for assessing proposals for future development in order to accommodate the objectives of "Old Values and New Jobs" declared by Governor Lamar Alexander in welcoming the Saturn Corporation's decision to locate in the Spring Hill Planning Region.

1.4(2) Potential Effects Within the Region in Consequence of Development Resulting from Establishment of the Saturn Facility. It is hereby found and declared that, absent the study and adoption of well-conceived zoning plans and regulations, as envisaged herein, development pressures within the Region resulting from establishment of the Saturn facility could prove severely injurious both to the Region's distinctive character and to the health, safety, morals and general welfare of its residents because:

(a) The facility, the total cost of which will exceed \$5 billion, will be the largest single-phase integrated manufacturing facility constructed in the history of the United States;

(b) The facility will create approximately 6,000 on-site jobs;

(c) The facility's economic multiplier effects are expected to encompass employment and income benefits to persons other than just employees at on-site jobs;

(d) Cumulative growth encompassed by these multiplier effects will necessitate substantial additions to the Region's transportation network and utility services;

(e) Real estate speculation already underway or to be anticipated in the future will create pressure for types and intensities of land uses incompatible with the Region's orderly development and the health, safety, morals and general welfare of its residents; and

(f) In consequence of these factors, the Spring Hill Regional Planning Commission will fail to discharge the following duties, among others, assigned to it by the Tennessee Legislature:

(i) Guide and accomplish a coordinated, adjusted, efficient and economic development of the region;

(ii) Promote the health, safety, morals, order, convenience, prosperity and welfare of the inhabitants, as well as efficiency and economy in the process of development;

(iii) Provide for such distribution of population and of uses of land for urbanization, trade, industry, habitation, recreation, agriculture, forestry and other

uses as well tend to create conditions favorable to transportation, health, safety, and civic activities and educational and cultural opportunities; and

(iv) Reduce the wastes of financial and human resources which result from either excessive congestion or excessive scattering of population.

1.4(3) Factors Precluding the Immediate Adoption of Definitive Zoning Regulations. It is hereby found and declared that immediate adoption of definitive zoning regulations not only is impractical, but would subvert the duties imposed on the Spring Hill Regional Planning Commission and the Spring Hill Board of Mayor and Aldermen by the Tennessee Legislature due to the following factors:

(a) In July 1985, the date of the Saturn Corporation's announcement of its facility location, the Region was neither planned nor zoned because:

(i) The Region was not constituted at that time as a "Regional Planning Area" for purposes of Tenn. Code Ann. Secs. 13-3-101, et seq., and thus was not within the planning or zoning jurisdiction of the Town of Spring Hill acting pursuant to Tenn. Code Ann. Secs. 13-7-301, et seq.;

(ii) The Region was not zoned by Maury County, which, at that time, had not established the instrumentalities necessary to conduct county zoning;

(b) The Spring Hill Regional Planning Area and the Spring Hill Regional Planning Commission have only been established since August 1985, a period insufficient for it to prepare an adequate regional plan and adequate zoning recommendations for consideration by the Spring Hill Board of Mayor and Aldermen; and

(c) Although Maury County subsequently established a County Planning Commission, Maury County has not promulgated zoning regulations superceding those adopted by the Spring Hill Board of Mayor and Aldermen. Assuming Maury County chooses to adopt superceding zoning regulations, moreover, it will confront the same impediments that preclude the Spring Hill Regional Planning Commission and the Spring Hill Board of Mayor and Aldermen from adopting definitive zoning on an immediate basis. Among these impediments are the following:

(i) Preparatory Studies. Proper zoning presupposes assembly of a planning database encompassing such concerns as land market and land use projections; an inventory of historic, ecological and soil type resources; and an assessment of probable transportation, sanitary and utility requirements. An interim period is required in which financial resources and appropriate forms of cooperation with other municipalities, planning regions, Maury and adjoining counties, state agencies, and the federal government can be secured and such data assembled, preparatory to the production of appropriate zoning regulations. The Spring Hill Regional Planning Commission and Spring Hill Town Board of Mayor and Aldermen intend to proceed with these tasks in good faith and as expeditiously as is consistent with the Region's health, safety, morals and public welfare; and

(ii) Siting of Anticipated Transportation Improvements. Proper zoning assumes a precise knowledge of the Region's present and anticipated transportation network, including the siting of new roads, by-passes and interstate highway access rights of way. It is understood that, at a minimum, future transportation improvements in the Region will include an access right of way connecting Interstate Highway I-65 to the Saturn site and a by-pass around the densely settled portion of the Town of Spring Hill. Because planning for these improvements by other agencies of government has only begun, the actual siting of these improvements remains uncertain at this time. The availability of such information to Town and Regional agencies is expected to comport with the time frame for the adoption of definitive zoning regulations contemplated by this Section.

2. That Article IV, Section 3.1, is hereby amended by deleting the word "heavy" in the first line.

3. That Article IV, Section 5.9, is hereby amended by striking all the provisions thereof, and inserting in lieu thereof the following:

5.9 Industrial or Manufacturing Establishments. One (1) parking space for every two (2) employees per shift plus one (1)

parking space for every business vehicle; provided, however, vehicles manufactured and held on the lot for distribution shall not be deemed business vehicles.

4. That Article IV, Section 8, is amended by deleting "or" in the second line, and inserting "M-3 or SPCO" in the third line following "M-2."

5. That Article V, Section 1.1, is hereby amended by inserting following "M-2 Industrial (Heavy)":

M-3 Industrial (Special)

6. That Article V, Section 1.1, is hereby further amended by inserting following "F-1 Open Floodway":

Scenic Preservation Corridor Overlay (SPCO)

7. That Article V, Section 1.2, is hereby amended by striking all the provisions thereof, and inserting in lieu thereof, the following:

1.2 The boundaries of these districts are hereby established as shown on "The Zoning Map of the Spring Hill Planning Region" dated \_\_\_\_\_, 1985 (hereinafter referred to as the regional zoning map, which is on file in the office of the city building inspector.

8. That Article VIII, Section 1 and Section 2, are hereby amended by striking all the provisions thereof, and inserting in lieu thereof the following:

ARTICLE VIII  
PROVISIONS GOVERNING INDUSTRIAL DISTRICTS

Section 1. M-1 Industrial (Light).

INTENT: To provide for industrial and other uses intermediate between commercial, heavy industrial, or special industrial uses and lower intensity uses by permitting uses performing administrative, professional and technical services and non-intrusive manufacturing uses by creating a Light

Industrial District. Developments located in landscaped business office or industrial park or campus or similarly well-designed settings are envisaged which will minimize detrimental effects on the proximate lower intensity uses. To the extent possible, natural features, such as large trees, natural groves, water courses, and similar assets will be preserved to secure the attractiveness and value of property within and adjacent to these districts to promote community health and welfare.

Further, to restrict Light Industrial District use to those industrial uses which are in the main compatible with the nearby properties in agricultural, residential or commercial use. And finally, to protect industrial land from encroachment by other land uses.

Within M-1 Industrial Districts, as shown on the regional zoning map, the following regulations shall apply:

#### 1.1 Uses Permitted

1.1(1) Uses associated with the functions of education, research, design, technical training and experimental product development when conducted wholly within a completely enclosed building.

1.1(2) Professional offices, including medical offices and clinics and public office buildings.

1.1(3) Data processing and computer centers, including service and maintenance of electronic data processing equipment.

1.1(4) Open space recreational uses such as golf courses and ball diamonds.

1.1(5) Day care centers.

1.1(6) Visitor orientation centers.

1.1(7) Conference centers with attendant lodging facilities for students enrolled in and instructors employed by educational and research institutions and for visitors to such facilities and to the Spring Hill Planning Region.

1.1(8) Accessory uses or structures customarily incidental to any of the above permitted uses 1.1(1) to 1.1(7), such as services for employees or students and other persons, customarily associated with the permitted uses. Examples of such accessory uses are: coffee shops, restaurants, barber shops, tobacco shops and landscaped parking areas.

1.1(9) Enclosed industrial uses such as the manufacture and/or cleaning of textiles and apparel, fabrication and assembly of small machinery, and parts, accessories and equipment for transportation equipment including automobiles, and other products of metal, wood or other materials, baker, carpenter's shop, machine shop, printing, bottling works, and similar uses.

1.1(10) Enclosed wholesaling, warehousing and storage uses, truck terminals and public uses necessary to service the area.

1.1(11) Animal hospitals.

1.1(12) Electrical switching or transforming station.

1.1(13) Ice manufacture or cold storage.

1.1(14) Enclosed wholesale food market.

1.1(15) Accessory uses or structures customarily incidental to permitted uses 1.1(9) to 1.1(14).

### 1.3 Uses Prohibited

1.3(1) Uses not specifically permitted.

### 1.4 Lot Area, Lot Width, Yards and Building Area

1.4(1) Lot Area. The minimum lot area shall be ten thousand (10,000) square feet.

1.4(2) Lot Width. Minimum lot width shall be fifty (50) feet.

1.4(3) Yards. The minimum front yard shall be thirty (30) feet.

On lots adjacent to a residential zone all buildings shall be located to conform to the side yard requirements of the adjacent residential zone, and there shall be a front yard setback of not less than fifteen (15) feet.

1.4(4) Building Area. The front yard shall be of landscaped surfaces, including grass, trees and shrubs, and at least fifteen percent (15%) of the site, inclusive of front, side and rear yards, shall also be landscaped surfaces. All off-street parking, loading and unloading requirements shall apply.

1.4(5) Landscaped Parking Barriers. The landscaped area shall be contiguous along the entire frontages except at such points of approved vehicular access, and shall consist of landscaped materials to include berms, trees, shrubs, and grasses; provided, however, that no landscaping materials shall obscure the vehicle or pedestrian line of sight for safety purposes.

#### 1.5 Height

1.5(1) Buildings hereafter constructed shall not exceed three (3) habitable stories; provided, however, that industrial buildings shall not be limited to three (3) habitable stories for those portions of the building not designated to be habitable.

#### 1.6 Location of Accessory Structures

1.6(1) Accessory structures shall be located at least ten (10) feet from all lot lines and from any building on the same lot.

#### 1.7 Limitation on Signs

1.7(1) In the required front yard, the applicable provisions shall apply.

### Section 2. M-2 Industrial District (Heavy).

INTENT: To accommodate industrial uses which are less compatible with non-industrial uses than are the uses permitted in M-1 Districts. However, extensive landscaping or land left in its natural state should be respected in the siting of M-2 uses to minimize detrimental effects on the proximate lower intensity uses and to secure the attractiveness and value of property within and adjacent to these districts and to procure community health and welfare.

#### 2.1 Uses Permitted

2.1(1) Manufacturing and assembly uses relating to the manufacture and assembly of transportation equipment (including aircraft, motor vehicles, boats and rail transport equipment). Manufacturing and assembly plants are permitted which include the following uses operated in connection with such manufacturing and assembly operations: mining and quarrying and the operation of a cement batch or asphalt plant when these activities are conducted on a temporary basis in conjunction with the construction of a manufacturing or assembly facility; ore smeltery establishments; foundries; and plastic forming facilities.

2.1(2) Manufacturing and processing industries generally with the exception of those specifically or by implication otherwise classified in this Article VIII.

2.1(3) Commercial, educational, research, and recreational facilities operated as an accessory use and auxiliary to the principal activity.

## 2.2 Uses Prohibited

2.2(1) Residential uses, commercial uses (except as specifically allowed in 2.1(3)) and uses permitted on appeal in M-3 (Special) Districts.

## 2.3 Lot Area, Lot Width, Yards and Building Area

2.3(1) No restrictions.

## 2.4 Height

2.4(1) Buildings hereafter constructed shall not exceed three (3) habitable stories; provided, however, that industrial buildings shall not be limited to three (3) habitable stories for those portions of the building not designated to be habitable.

## 2.5 Location of Accessory Structures

2.5(1) No restrictions.

## 2.6 Limitation on Signs

2.6(1) No restrictions, except as otherwise provided in this ordinance or by other applicable law.

## Section 3. M-3 Industrial District (Special).

INTENT: To provide suitable areas for intense or potentially noxious industrial operations, including open land operations. Secondly, to protect these industrial lands from encroachment by other uses.

## 3.1 Uses Permitted

3.1(1) None.

### 3.2 Uses Permitted on Appeal

3.2(1) Uses such as smelting plants (except as allowed by paragraph 2.1(1) of this Article VIII), fat rendering, inflammable liquids storage, and manufacturing of acids, public uses, tanneries, slaughter houses, glue factories, oil refineries, soap factories, artificial gas manufacture, rubber manufacture, fertilizer manufacture, mining and quarrying, the operation of a cement batch or asphalt plant except when such operation is conducted on a temporary basis in conjunction with the construction of a manufacturing or assembly facility, heavy repair, dismantling industry, scrap yards, and similar uses.

3.2(2) Motor vehicle salvage yard and unlicensed vehicle storage yard if operated in compliance with the following provisions:

(a) There shall be no measurable vibration beyond the property line of the tract of real estate on which the operation of a motor vehicle salvage yard is conducted;

(b) Motor vehicle salvage yards and unlicensed vehicle storage yards must be confined to a clearly defined area which shall have a site screening fence or fence and plantings, with the fence not less than ten (10) feet in height around all area in which any activity or storage is conducted, and being set back twenty-five (25) feet from the street line. No activity or storage shall be visible from public highways and roads.

(c) It shall be unlawful for an owner, manager or employee of a motor vehicle salvage yard to set fire to, or cause to be burned, any pile or accumulation of materials whatsoever which, because of the highly combustible nature of the materials, or because of the size and/or quantity of the pile or accumulation, or because of the location of the pile or accumulation in the yard, endangers the life or property of any other person;

(d) Each motor vehicle salvage yard shall maintain in good working order such fire extinguishers as required by public authority together with at least one fire extinguisher of a type designed for extinguishing fires fed by petroleum products within two hundred (200) feet of any point where motor vehicles or parts thereof are being burned;

(e) All roadways in and about motor vehicle salvage yards or unlicensed motor vehicle storage yards upon which move or are moved motor vehicles or parts

thereof or equipment used in salvage operations shall be so treated or surfaced that excessive quantities of dust injurious to the health or physical comfort of neighboring property owners are not created;

(f) An owner, manager or employee of a motor vehicle salvage yard or an unlicensed motor vehicle storage yard shall not place motor vehicles or parts thereof within ten (10) feet of an adjoining property nor closer to the front yard requirement than ten (10) feet from the interior side of said site screen fence or fence and plantings;

(g) It shall be unlawful for any owner, manager or employee of a motor vehicle salvage yard to cause to be carried on any wrecking, dismantling, cutting, burning or breaking of motor vehicles or parts thereof closer to the front yard requirements than ten (10) feet from the interior side of said site screening fence or fence and plantings;

(h) It shall be unlawful for any owner, manager or employee of a motor vehicle salvage yard to cause to be carried on any wrecking, dismantling, cutting, burning or breaking of motor vehicles or parts thereof within five hundred (500) feet of residential buildings on adjoining lands, including but not limited to homes, farmhouses, apartment houses, hotels and motels being used.

### 3.3 Appeal

3.3(1) No permit for a use permitted by this Section 3 shall be issued except with the written approval of the Spring Hill Regional Board of Zoning Appeals and subject to such conditions as the Regional Board of Zoning Appeals may require in order to preserve and protect the character of the district and of the region.

### 3.4 Uses Prohibited

3.4(1) Residential uses, Commercial uses, and Light and Heavy Industrial Uses.

### 3.5 Lot Area, Lot Width, Yards and Building Area

3.5(1) Buildings hereafter constructed shall not exceed three (3) habitable stories; provided, however, that industrial buildings shall not be limited to three (3) habitable stories for those portions of the building not designated to be habitable. The minimum lot area shall be five (5) acres.

3.6 Location of Accessory Structures

3.6(1) No restrictions.

3.7 Limitation on Signs

3.7(1) No restrictions, except as otherwise provided in this ordinance or by other applicable law.

9. That Article XI, Section 5.3, is hereby amended by striking all the provisions thereof, and inserting in lieu thereof the following:

5.3 Uses Permitted Within Industrial Planned Unit Development

5.3(1) Those uses permitted within M-1 Light Industrial Districts, in which instance the IPUD shall be further classified as a Light IPUD (LIPUD).

5.3(2) Those uses permitted within M-2 Heavy Industrial Districts, in which instance IPUD shall be further classified as a Heavy IPUD (HIPUD).

5.3(3) Those uses permitted on appeal within M-3 Special Industrial Districts, in which instance the IPUD shall be further classified as a Special IPUD (SIPUD).

10. That a new Article XIA is added, as follows:

Article XI(A)  
Provisions Governing Scenic Preservation Corridors

Section 1. Scenic Preservation Corridor Overlay (SPCO) District.

1.1. Intent and Purposes. (a) To insure that private development proximate to the Region's major transportation routes and stimulated by the establishment of the Saturn Corporation automobile manufacturing facility in the Spring Hill Planning Region will be compatible with the Region's distinctive scenic, ecological and historic character and that land uses will be properly controlled as a consequence of the establishment of the Saturn facility;

(b) To require the preparation of a master plan for each area designated as an SPCO Scenic Preservation Corridor Overlay District;

(c) To define land use standards to be employed by the Spring Hill Regional Planning Commission as the basis for its preparation of master plans and zoning recommendations that will secure the compatibility with the Region's character of private development anticipated in consequence of the establishment of the Saturn facility; and

(d) To establish procedures, including the phased preparation and adoption of master plans and of zoning regulations consistent with these master plans, for the implementation of these standards;

1.2. Findings. (a) That during the War Between the States the Spring Hill Region was the site of major troop movements and encampments including those connected with campaigns by Generals Van Dorn, Hood, Schofield and others;

(b) That the Spring Hill Region contains many historic structures, including those known as the Nathaniel Cheairs home, the Martin Cheairs Home and the McKissack Home;

(c) That the Spring Hill Region and adjacent areas are characterized by a distinctive topography allowing agricultural and animal husbandry uses and also allowing a natural corridor suitable for north-south transportation routes and so used by Indians, nineteenth century travelers and for a historical, existing railroad right of way;

(d) That the Spring Hill Region is occupied principally by agricultural and animal husbandry uses, which account for its distinctive scenic vistas, ample open space, minimal average building coverage to lot size ratios, extensive setbacks, particularly of structures on parcels adjoining arterial routes, and overall pristine appearance relatively uncluttered by such unscenic uses or facilities as advertising signs and fast-food outlets;

(e) That the Spring Hill Region has been the home of nationally famous thoroughbreds and Tennessee Walking Horses;

(f) That the Spring Hill Region contains wetlands and other areas subject to extensive flooding;

(g) That the distinctiveness of the Spring Hill Region has been praised extensively in national literature, newspapers, and on radio and television;

(h) That the preservation of the Region's distinctive character comports with the wishes of the residents of the region and surrounding areas, as well as with the statement of Governor Lamar Alexander that the goal of the State of Tennessee in welcoming the establishment of the Saturn facility encompasses the creation of "new jobs" consistent with the preservation of "old values";

(i) That the Spring Hill Region derives direct economic benefit from tourists visiting the Region and that the adoption of the SPCO will enhance and improve future economic benefits from increasing tourist and other visitor expenditures in the Spring Hill Region and surrounding areas;

(j) That property values and the Region's economic welfare will be protected and enhanced by the implementation of proper land use controls.

### 1.3 Scenic Preservation Corridor District Master Plans

1.3(1) Zoning Classifications Continued. Pending preparation of master plans and implementation of zoning regulations, no land may be used nor any building or other development permit issued for development within an SPCO District for any use other than those indicated on the Spring Hill Region Zoning Map adopted concurrently with this section; provided, however, that any lot of record not meeting the minimum area and open space requirements as of the effective date of this amendment, may be used for a detached dwelling occupied by a single family subject to the review and approval of the Board of Zoning Appeals.

1.3(2) Regulations. Pending the adoption of the master plans and zoning contemplated by this Article, the following additional prohibitions shall govern development in SPCO Districts. Moreover, the Spring Hill Regional Planning Commission shall incorporate these prohibitions, among others, in the master plans and zoning recommendations adopted pursuant to the master plans and zoning contemplated by this Article.

(a) Uses Prohibited in SPCO:

- (1) Unenclosed sales areas or unenclosed uses in general;
- (2) Drive-in and fast food restaurants;
- (3) Drive-in uses such as banks and laundries;
- (4) Sanitary dumps, landfills, or waste transfer points;

(5) Above ground quarry or mining activities, except temporary activities on the site of construction projects;

(6) Cement or asphalt plants or batch concrete plants, except temporary plants on the site of construction projects;

(7) Funeral homes and mortuaries;

(8) Chemical plants or refineries;

(9) Junkyards or scrapyards;

(10) Tire storage;

(11) Taverns or bars;

(12) Bookstores, moviehouses, and places of live entertainment;

(13) Tanneries, slaughterhouses, or rendering factories;

(14) Commercial livestock storage yards or auction barns or yards;

(15) Acid manufacturing plants;

(16) Building materials sales yards;

(17) Road or building contractor's equipment storage building or yard or repair facilities, except temporary facilities on the site of construction projects;

(18) Sales of food, beverages or other items from trucks, open air areas, or from temporary structures including tents;

(19) Open air display and sale of motor homes, camping trailers, trucks and automobiles, boats, trailers, mobile homes, trailers or moving vans for rent, farm and homeowners gardening equipment, and contractor's equipment, except where such displays are not visible from public roads or highways;

(20) Arcades and video or mechanical game parlors;

(21) Gasoline stations, trailer rental and leasing activities; motor vehicle body repair facilities; facilities for motor vehicle undercoating, painting, tire recapping, engine rebuilding, motor vehicle dismantling;

(22) Liquor, wine and beer stores;

(23) Massage parlors;

(24) Auction barns or auction yards;

(25) Fireworks or souvenir stands;

(26) Mechanical or passive amusement rides for profit;

(27) Commercial animal parks or amusement parks;

(28) Mobile home parks or mobile homes used for residences or rental purposes;

(29) Horse and dog race tracks, automobile race-tracks, motorcycle or moped racetracks, midget bike parks and similar facilities;

(30) Commercial parking lots or parking decks;

(31) Uses permitted on appeal in M-3 Industrial (Special) Districts.

(b) Signs in SPCO:

The following sign regulations are intended to promote the public welfare and safety by regulating existing and proposed signs; to reduce sign distractions and obstructions that may contribute to traffic accidents; to reduce hazards that may be caused by signs in disrepair or of faulty construction; to curb deterioration of the Region's distinctive character, open space and community environment.

In areas that may be proposed for commercial or industrial areas that all signs within any development shall be coordinated with the architecture and surroundings in such a manner that the overall appearance is harmonious in color, form and proportion. The display of signs will be appropriate to the land, building or use to which they are appurtenant and be adequate, but not excessive, for the intended purpose of identification.

The most restrictive of any of the following regulations, the regulations of applicable building codes, the State of Tennessee Scenic Parkway sign restrictions, or any regulations including those set forth elsewhere in this Ordinance restricting signs within the Spring Hill Planning Region shall apply within the SPCO.

(1) Signs or Signals Prohibiting Advertising Connected with Commercial, Industrial or any Other Non-Public Purpose Uses: Pennants; banners; fluttering devices; paper or combustible signs; signs on roofs; signs with moveable or transferable lettering; moveable sidewalk or sandwich signs; painted tree trunks; signs mounted to or on stationary trailers or trucks parked principally for advertising purposes of any type; swinging or projecting signs; temporary signs on poles, rocks, fenceposts or trees; neon signs; animated, oscillating, rotating, revolving, moving, sequential or flashing devices, objects or signs; string lighting; reflectory signs; balloons; searchlights; signs on liquid tanks; bare bulbs of any type; signs painted directly on building walls; signs which advertise activities not conducted on the premises; signs, symbols or photos which predominantly appeal to prurient interests; excessively illuminated signs, devices, or objects or those which cause excessive glare.

(2) Sign Heights: The maximum sign height of any sign erected by or on behalf of any commercial or industrial facility or business shall be twelve (12) feet as measured to the highest point of the sign from the ground.

(3) Number of Signs on Premises: There shall not be more than one free-standing sign for each separate lot, regardless of how many businesses or commercial entities are located on such lot; provided, however, that lots on public roads or highways with frontages of more than five hundred (500) feet may erect one sign on each such route for each five hundred (500) feet of frontage. For corner lots, one sign may be erected on the frontage of each public road or highway unless the five hundred (500) foot provision applies. Signs affixed to building walls shall not total more than thirty-two (32) square feet on any one building wall.

(4) Sign Area Surface: No individual sign shall have an area of more than thirty-two (32) square feet; provided, however, that in the case of freestanding signs with two faces, each face may be not more than thirty-two (32) square feet.

(5) Cutting of Trees: The cutting of trees or vegetation to provide a view of any sign or other advertising device or signal is prohibited.

(6) Directional Signs: Traffic or directional signs are excepted from Section (b) if restricted to traffic flow or parking information, and if less than four (4) square feet in surface area per face.

1.3(4) Guidelines to the Spring Hill Regional Planning Commission for Preparation of SPCO District Master Plans and Zoning Recommendations

(a) Uses proposed in SPCO District master plans and zoning recommendations shall be of such character as to facilitate orderly development.

(b) The location, size, intensity, and periods of operation of any proposed uses must be designed to minimize adverse effects upon occupants of proximate permitted uses.

(c) The proposed use must be in accord with the spirit and purpose of this Article and not be inconsistent with, or contrary to, the objectives sought to be accomplished by this Article and principles of sound planning.

(d) The proposed use must be of such character that the vehicular traffic generated will not have an adverse effect, or be detrimental, to the surrounding land uses or the adjacent thoroughfares, or the objectives of this Article.

(e) The proposed use must be of such intensity and arranged on the site so as to reasonably forestall the development of adverse effects to neighboring uses resulting from noise, dust, dirt, glare, odor, or fumes.

(f) Maximum use of setbacks, buffer zones, landscaping is intended. In particular, setbacks of two hundred (200) feet from existing arterial rights of way are consistent with many existing structures and with the historic and scenic character of the SPCO District presently designated on the Spring Hill Regional Planning Zoning Map. Detailed landscaping plans and landscaping maintenance plans should be obtained pursuant to all new building permits issued in any SPCO District. For commercial and industrial uses, landscaped buffer zones should be utilized for all front yards, side yards, and rear yards, except for development on existing parcels of less than one acre in size where the requirement of such landscaped buffer zones would

impose significant economic hardship on the owner of such smaller parcels. Setbacks, buffer protection, and landscaping should be used along with unpierced masonry walls with brick facing to secure the compatibility of future development with the Region's distinctive character.

(g) Accessory buildings, uses and structures, loading and unloading areas, and parking areas should be placed to the rear of the principal use and buffered to minimize their visibility from the principal corridor route.

(h) A study shall address the feasibility of establishing procedures and standards intended to secure the architectural coherence not only of future development within SPCO Districts, but of that development with existing and future development within the Town of Spring Hill as well.

(i) In view of the sensitivity of development on any parcel within an SPCO District, approval procedures for such development shall be the same as those for the various PUD Districts set forth in this Ordinance, as modified to the extent necessary to secure the purposes of this Article.

1.3(5) Preparation and Adoption of SPCO District Land use Plans and Zoning Regulations. Within nine months from the effective date of this amendment, the Planning Commission shall prepare and transmit to the Board of Mayor and Aldermen a master plan for the SPCO District delineated on the Spring Hill Regional Zoning Map pursuant to this Amendment. The plan shall contain a zoning element, with recommendations proposing zoning districts for all parcels within this SPCO District, and a scenic-preservation element, with recommendations proposing regulations, standards and procedures in conformity with those in this Article, including the guidelines, designed to secure the compatibility of future development with the Region's scenic, historic and ecological character. Upon receipt of the master plan and zoning recommendation and after a public hearing duly noticed in a newspaper of general circulation in the Planning Region, the Board of Mayor and Aldermen shall adopt such definitive zoning requirements as it deems advisable.

11. In Article XIV, Section 3, insert the following after the sentence which reads, "The Board shall fix a reasonable time for its hearing of the appeal, give public notice thereof in a newspaper of general circulation in the Planning Region, and decide

the same within a reasonable time.":

In addition, after February 1, 1986, the Board shall give further public notice by sending a letter containing a notice, with postage prepaid, to the owner as reflected on the tax records of all property any portion of which lies within any area within one thousand (1,000) feet of the outside property line of the property which is the subject of the appeal. The Board may require prepayment of postage and reasonable fees for such notice, which shall be submitted by the appellant at the time the appeal is filed. The notice shall reasonably describe the contents of the appeal and the action requested, and be mailed not less than fifteen (15) days prior to the date of each public hearing.

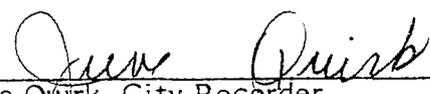
12. In Article XV, Section 1, add the following second paragraph:

After February 1, 1986, further public notice shall be given by sending a letter, containing a notice, with postage prepaid, to the owner as reflected on the tax records of all property any portion of which lies within any area within one thousand (1,000) feet of outside property line of the property which is the subject of the appeal. Prepayment of postage and reasonable fees for such notice may be required, and such postage and fees shall be submitted by the person requesting the amendment, supplement, change, modification or appeal at the time of the request. The notice shall reasonably describe the contents of the request and be mailed not less than fifteen (15) days prior to the date of each public hearing.

PASSED AND ADOPTED by the Board of Mayor and Aldermen of the Town of Spring Hill, Tennessee, this 07 day of November, 1985.

  
\_\_\_\_\_  
George Jones, Mayor

ATTEST:

  
\_\_\_\_\_  
June Quirk, City Recorder

LEGAL FORM APPROVED:

Robin Courtney, City Attorney

Passed on 1st Reading: 10-21-85  
Passed on 2nd Reading: 10-22-85  
Passed on 3rd Reading: 11-07-85

(PROCEDURE OF PASSAGE  
TO BE COMPLETED UPON ADOPTION)