

ORDINANCE – 25-25

**AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT CODE,
SPECIFICALLY ARTICLE 8 – USES; ARTICLE 9- ON-SITE DEVELOPMENT
STANDARDS; ARTICLE 15 – SUBDIVISION REGULATIONS: REQUIRED
PUBLIC IMPROVEMENTS AND BONDS; AND ARTICLE 17 – SUBDIVISION
REGULATIONS: APPROVAL PROCESS**

WHEREAS, on August 20, 2018 the Board of Mayor and Aldermen adopted Ordinance 18-21 to adopt the Unified Development Code, along with subsequent amendments thereto, that sets forth standards and requirements necessary for the preservation and protection of the public health, safety and general welfare; and

WHEREAS, on September 30, 2024, the Planning Commission and Board of Mayor and Aldermen held a joint work session to receive an overview of potential UDC amendments and collect feedback on the details of these amendments; and

WHEREAS, the City of Spring Hill Board of Mayor and Alderman affirmed the intention to revise the development standards and requirements related to Final Plats, Administrative Approvals, and Setback Encroachments; and

WHEREAS, that all resolutions or parts of resolutions in conflict herewith, be and the same hereby, repealed or modified as the case may be; and

WHEREAS, the Spring Hill Planning Commission, after conducting a public meeting on September 8, 2025, has reviewed these proposed amendments and an additional item related to the allowed principal use, “Dwelling-Above the Ground Floor” and provided a favorable recommendation for their adoption by the Board of Mayor and Alderman; and

WHEREAS, that this ordinance shall become effective immediately upon its adoption.

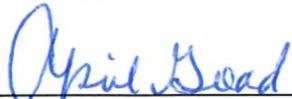
- **NOW, THEREFORE BE IT ORDAINED**, by the City of Spring Hill Board of Mayor and Aldermen, that Articles 8, 9, 15, and 17, be revised as shown in Exhibit A.

Passed and adopted by the City of Spring Hill Board of Mayor and Aldermen, this 3rd day of November 2025.



Matt Fitterer, Mayor

ATTEST:



April Goad, City Recorder

LEGAL FORM APPROVED:



Patrick Carter, City Attorney

Approved on 1st Reading: October 20, 2025

Approved on 2nd Reading: November 3, 2025



REQUEST: Ordinance 25-25
SUBMITTED BY: Dara Sanders, Development Services Director
DATE: September 15, 2025
RE: ZTA 1889-2025: Unified Development Code Amendments

REQUEST:

Staff requests to amend the Unified Development Code for the following:

Neighborhood Concept Plan. The Neighborhood Concept Plan application is required for subdivision proposals of 25 lots or more, and it is the only concept plan that established vested development rights without demonstrating constructability of the proposal. Staff proposes to remove this procedural step to establish uniform standards for all concept plans and reduce onerous procedural requirements for our development community.

Final Plats. A final plat is an application type that is submitted after a proposed subdivision has received Planning Commission approval of a Neighborhood Concept Plan and Preliminary Plat. This application type is required to demonstrate compliance with the approved Preliminary Plat, and it is recorded with the County to create legal lots of record approved for future development. The Planning Commission's approval of a final plat that is compliant with the approved Preliminary Plat and Unified Development Code is a perfunctory action. State law obligates the City to approve these applications within specified timeframe, and failure to approve compliant applications poses legal risk to the City. Staff recommends delegating this approval to staff. Administrative approval of final plat applications would be limited to those deemed compliant with an approved Preliminary Plat and with the Unified Development Code.

Administrative Subdivisions. These are applications for simple lot splits and are currently restricted to two lots or less which front on an existing right-of-way, are served by existing utilities, and do not involve the extension of any public utilities, or the dedication of land for public rights of-way, parks, or other public purposes. Increasing the number of lots created administratively from two to four would be more consistent with industry standard.

Architectural Projection Encroachments. Porches and decks are allowed to encroach with limitations into building setbacks. Additional encroachments require approval of a variance request to do so; however, the Board of Zoning Appeals has consistently voted to approve additional requests without evidence of hardship. City staff have evaluated the possibility of allowing additional encroachments by right, subject to height limitations associated with the encroachment distance.

"Dwelling-Above the Ground Floor" Use Category. This use is currently allowed by right in commercial districts C-1, C-2, C-3, C-4, C-5, C-D, and C-G. The proposed revision would adjust the procedural process



for this use to a Special Use Permit in the C-4 and C-5 zoning districts and would continue to allow the use by right in C-D and C-G. The C-D district standards focus on preserving and enhancing historic character while also facilitating the creation of a vibrant, pedestrian-friendly, mixed-use district identifiable as the center of the City. The C-G district is a very high intensity mixed-use district allowing for a variety of uses.

DISCUSSION:

The Board of Mayor and Aldermen will review the amendments upon receipt of the Planning Commission recommendation, and may approve, approve with conditions, deny, table, or defer the amendment. If the Planning Commission has recommended denial, the Board of Mayor and Aldermen must approve with a favorable two-thirds vote.

Detailed amendments will be included in the subsequent attachments to this report. Language to be removed is shown in ~~strikeout~~ text, and new language is proposed in red text.

RECOMMENDATION:

The Planning Commission voted unanimously to recommend BOMA approval of these amendments at their September 8, 2025 meeting.

UDC AMENDMENT EXHIBITS

NEIGHBORHOOD CONCEPT PLAN:

EXHIBIT A

Table 17-1: Subdivision Process Summary

SUBMITTALS	Type of Subdivision		
	Administrative Subdivision: 2 or less Lots	Minor Subdivision: 2 to 4 Lots	Major Subdivision: 5 or more Lots
Pre-Application Conference	•	•	•
Neighborhood Concept Plan	optional	optional	←optional
Preliminary Plat			•
Final Plat	•	•	•

EXHIBIT B

B. Neighborhood Concept Plan

Before submitting a formal application for a **major** subdivision **of 25 or more lots**, the applicant **must may** present a neighborhood concept plan to the Planning Commission for the purpose of obtaining information and guidance prior to formal application. ~~The neighborhood concept plan is optional for all other subdivision types.~~ (The neighborhood concept plan is also known as a sketch plat.)

1. The review of the neighborhood concept plan will focus on the appropriateness of the subdivision from the viewpoint of timing, location, zoning, and overall development of the site. Thorough consideration will be given to the requirements that will have to be met for access, utilities, drainage, and other improvements, reservations, and dedications. The neighborhood concept plan review is intended to establish the direction and basis for the subdivision proposal before substantial amounts of time and money have been invested in a very detailed proposal that may contain elements that do not conform to these regulations.
2. The neighborhood concept plan must be submitted to the Planning Department prior to consideration of the neighborhood concept plan by the Planning Commission. Once the neighborhood concept plan is deemed complete, the Planning Director, or his/her designee, will call a staff review committee to review the neighborhood concept plan. Designated Planning Department staff will prepare comments as to the appropriateness of the subdivision as it relates to access, utilities, drainage, and other improvements, reservations, and dedications. The comments of the review committee will be forwarded to the Planning Commission.
3. The Planning Commission will review the neighborhood concept plan. The Planning

Commission will approve, approve with modifications and/or conditions, or deny the neighborhood concept plan.

4. The developer must provide the City staff with two additional copies of the approved

neighborhood concept plan with all modifications and conditions of approval from the Planning Commission noted thereon.

EXHIBIT C

Table 17-3: Vesting of Developments for Subdivision Applications

Application	Approval	Effective Date	Vesting Period	Total Vesting Period	Required Actions	Phasing
Neighborhood Concept Plan	Planning Commission	3 years from date of approval	3 years	3 years	Receive Preliminary Plat Approval	Not Applicable
Preliminary Plat	Planning Commission	3 years from date of approval	3 years	3 years	Receive Final Plat Approval	Not Applicable
Final Plat (requiring a Preliminary Plat)	Planning Commission	5 years from date of preliminary approval	5 years	10 years (with construction)	Site Preparations; Complete construction; and maintain permits	15 years
Minor Subdivision	Planning Commission	Date of approval of Final Plat	5 years	10 years (with construction)	Site Preparations; Complete construction; and maintain permits	Not Applicable
Major Subdivision (2-4 Lots)						Not Applicable
Administrative Subdivision	Planning Department	Date of approval of Final Plat	5 years	10 years (with construction)	Site Preparations; Complete construction; and maintain permits	

FINAL PLAT APPROVALS:

EXHIBIT A

D. Final Plat

1. After the proposed subdivision has been approved and improvements made in accordance with the approved preliminary plat, or bond adequate in form and amount to assure the completion of the required improvements has been established, the final plat may be prepared and presented to the

~~Planning Commission~~ Planning Director for final approval.

2. An application for final plat approval must be submitted to Planning Department staff for ~~Planning Commission~~ consideration. The Planning Department will determine whether the application is complete and will take no steps to begin review of the application until such time as it is deemed complete. All filing fees are due with the submittal. No ~~preliminary final~~ plat will be considered complete without the required fees.

The final plat follows the approval of a preliminary plat. The final plat must conform substantially to the preliminary plat as approved.

4. Submission of a final plat may be done in phases. If desired by the subdivider, when the final plat follows the approval of a preliminary plat, the final plat may constitute only that portion of the approved preliminary plat that he/she proposes to record and develop at the time, provided, however, that such portion conforms to all requirements of these regulations and any approved phasing plan.

5. ~~The Planning Commission must hold a hearing as required by TCA Section 13-4-304 on each final plat brought before it.~~ The ~~Planning Commission~~ Planning Director must approve, approve with modifications and/or conditions, or deny the final plat, which must set forth in detail any conditions to which the approval is subject, or reasons for denial.

6. The failure of the ~~Planning Commission~~ Planning Director to act upon a plat within the prescribed time is deemed approval of the final plat and, in such event, a certificate of approval, entitling the subdivider to proceed as specified by these regulations. The applicant, however, may agree to a deferral or to an extension of the time for ~~Planning Commission~~ Planning Director review.

7. After approval has been given, a mylar and/or prints of a suitable size for recording, must be furnished by the developer depending on the requirements of each county of recording. A ".dwg" file based on the Tennessee State Plane Coordinate System must also be submitted in a recordable media format to staff prior to the plats recording.

8. A final plat must be accompanied by formal irrevocable offers of dedication to the public of all public ways and uses, utilities, open spaces, parks, and easements, in a form approved by legal counsel, as applicable. The subdivision plat must be marked with required notation indicating the formal offers of dedication.

9. A performance bond, if required, must be posted within 60 days of approval of final plat. The plat must be registered within 60 days after the performance bond has been posted if required or, if no performance bond is required, 60 days after approval.

10. Approval of the final plat by the ~~Planning Commission~~ Planning Director does not constitute the acceptance by the City as well as the dedication of any streets or other public way or ground.

11. If a required performance bond and necessary surety have not been posted within the required time period or final plat has not been recorded with the Register of Deeds within prescribed time period, a re-approval is necessary. A re-approval final plat fee is equal to the original final plat fee and must be paid by applicant prior to consideration.

12. The approval of a non-recorded final plat expires within one year if no further progress is made toward the development. An extension may be granted by the Planning Commission.

EXHIBIT B

17.11 MINOR REVISION TO APPROVED FINAL PLAT

A. A minor revision to final plat is defined as an adjustment that will not impact proposed or existing public improvements involving two or fewer building lots.

B. To facilitate minor revisions to final plats that have been previously approved, ~~the Planning Director may authorize the minor revisions and sign the revised plat. by the Planning Commission, the Planning Department staff has the authority to recommend approval of the revision and to instruct the Secretary of the Planning Commission to sign the plat.~~ A final plat must be recorded with the Register of Deeds within five years of approval or it will be deemed void.

C. The following procedure is required:

1. Before submission of the application and the revised final plat, the applicant must present a sketch of the proposed revisions to the Planning Department staff. The staff will review the revisions and within ten days determine if they are in fact minor revisions.

2. After determination that the revision is a minor revision, the applicant must submit the revised final plat or other appropriate document meeting all specifications contained within these regulations. The plat must use the same format as an original final plat except that it must state that it is a revision and the required certificates may be removed from the final plat, as applicable.

3. The Planning Department staff must have at least ten working days to review and dispose of the application for revised final plat approval. If the staff determines that certain information pertinent to the review is lacking, the staff will notify the applicant in writing within the initial ten day review period of such deficiency and hold the application in abeyance until the additional information is provided upon receipt of all required information, certificates, and fees, and upon the determination by the staff that the revised final plat meets the regulations in every respect, the ~~Secretary of the Planning Commission~~ Planning Director may sign said ~~plat on behalf of the Planning Commission~~ and release it for recording.

4. The plat may then be recorded at the Register of Deeds Office. ~~All revised plats approved and released in this manner must then be reported to the Planning Commission at its next regular meeting.~~

EXHIBIT C

17.14 DEFINITIONS

Final Plat. The final map or drawing and accompanying materials, as required and described in these regulations, on which the subdivider's plan of the subdivision is presented to the ~~Planning Commission~~ **Planning Director** for approval, and which, if approved by the ~~commission~~ **Planning Director**, is recorded with the appropriate County Register of Deeds.

EXHIBIT D

5. Assurances Involving the Provision of Common Open Space

The Planning Commission may require adequate assurance, in a form and manner which it approves, that the common open space shown in the final development plan will be provided and developed. The following methods of assurance are illustrative of the types of assurances which may be provided and used singly, in combination or in conjunction with other similar methods:

- a. The City may accept a bond, corporate surety, or other acceptable financial guarantee in an amount sufficient to purchase the common open space shown in the final development plan or alternative acreage which is equivalent in size and character.
- b. The title to the land shown as common open space may be put in escrow, the escrow agreement to provide that the land is to be held in escrow until the ~~Planning Commission~~ **Planning Director** has certified to the escrow agent that the planned development has been completed, at which time the common open space is to be conveyed to a public agency or trustees provided in an indenture establishing an association, funded trust, or similar organization. The escrow agreement may provide for the release of common open space by the escrow agent in stages. In such instances, the ~~Planning-Commission~~ **Planning Director** is to certify the completion of each stage of the planned development to the escrow agent and the escrow agreement must provide that the open space may be conveyed in stages. In this event, the open space which is conveyed is to be of the same proportions to the open space provided on the final development plan as the dwelling units that have been built are to the total number of dwelling units which are allowable by the final development plan.
- c. If any planned development which includes common open space is held by the developer on option, the developer shall assign to the city the right to exercise the option to acquire the common open space.
- d. In general, the construction and provision of all common open spaces and public and recreational facilities which are shown on the final development plan must proceed at no slower rate than the construction of dwelling units. From time to time, the ~~Planning-Commission~~ **Planning Director** must compare the actual development with the development schedule. If the ~~Commission~~ **Director** finds that the rate of construction of dwelling units or other commercial or industrial structures is substantially greater than the rate at which common open spaces and public and recreational facilities have been constructed and provided, then the ~~Planning Commission~~ **Planning Director** may either cease to approve any additional final plats or instruct the Building Inspector to discontinue issuance of building permits.

EXHIBIT E

15.16 MONUMENTS

The developer must place permanent reference monuments on the subdivision when new streets are to be constructed and as required herein by a licensed surveyor in the State of Tennessee. Monuments must be located and set as described in this section.

A. All monuments must be placed on property corners or referenced to property lines or road alignments.

B. The external boundaries of a subdivision must be monumented in accordance with Chapter 0820-03 Standards of Practice, Rules of Tennessee State Board of Examiners for Land Surveyors, except that metal monuments must be no less than five-eighths of an inch in diameter. One permanent control monument, both vertical and horizontal, must be placed within each subdivision where roads are to be constructed. Control monuments must be located within dedicated right-of-way near the entrance of the subdivision and, if possible, in non-fill areas or affixed to a natural rock outcrop and shall comply with the following:

1. Horizontal coordinates must be shown on the final subdivision plat and correlated to the Tennessee State Plane Coordinate System using North American Datum 1983 and North American Vertical Datum 1983.
2. Field ties and reference notes defining magnetic north bearings and distances to the nearest established street line or official benchmark must be accurately described on the final plat.
3. A description must be included on the final plat using words and/or symbols to allow it to be easily located at the site.
4. Azimuth information provided to either a second monument or a substitute such as an antenna, church steeple, or other natural object of which disturbance is unlikely, must be included on the final plat.

C. Internal monuments and lot pins are required as follows:

1. One monument for each four lots, or fraction thereof, and placed within sight distance of one another.
2. Lot corners and lot line breaks must be staked with iron surveyor's pins.
3. All internal boundaries and those corners and points, not referred to in the preceding paragraphs, must be monumented in the field by like monuments as described above. Such monuments must be placed at each end of all curves, at a point where a river changed its radius, and at all angle points in any line. All lot corners not falling on any of the above-described points must be marked by iron surveyor pins at least 18 inches long and 5/8 inch in diameter.
4. The lines of lots that extend to rivers or streams must be monumented in the field by iron surveyor pins at least 18 inches long and 5/8 inch in diameter. Such pins must be placed at the point of intersection of the river or stream and lot line, with a meander line established not less than 20 feet back from the bank of the river or stream.

5. All monuments and pins must be properly set in the ground and approved by a surveyor prior to the ~~time the Planning Commission recommends~~ approval of the final plat or release of the bond where bond is made in lieu of improvement

ADMINISTRATIVE SUBDIVISION APPROVAL:

EXHIBIT A

A. Administrative Subdivision

Administrative subdivisions may be approved by the Planning Director as follows:

1. The division of a single lot into no more than ~~two~~ **four** lots, which front on an existing right-of-way, are served by existing utilities, and do not involve the extension of any public utilities, or the dedication of land for public rights-of-way, parks, or other public purposes. Lot divisions may include new easements and this provision authorizes the administrative review of dedication plats.
2. The consolidation of lots or a change in boundary between adjoining lots.