

## Planning Commission Meeting Minutes

The Shelbyville Planning Commission met in a Special Called Meeting on Thursday, February 5, 2015 at 6:00 p.m. at City Hall Annex Courtroom. Chairman Warren Landers called the meeting to order and the following members were present: Councilmember Pruitt, Commissioner Davis, Commissioner Taylor, Commissioner Pitner, Commissioner Wilhoite, and Chairman Landers. Also present were City Planner Rhinehart, City Attorney Shofner, and City Recorder Boyette. Commissioner Warren, Commissioner Woodlee, and Mayor Cartwright were absent.

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The first item of business was approval of the Agenda. Commissioner Wilhoite made a motion to approve the Agenda, seconded by Commissioner Taylor, and approved unanimously upon oral vote.

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The next item of business was approval of minutes from the Planning Commission Meeting of January 22, 2015. Commissioner Wilhoite made a motion to approve, seconded by Councilmember Pruitt, and carried unanimously upon oral vote.

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Items of Old Business were then in order.

The only item of Old Business was final review of all articles of Prospective Zoning Ordinance, including parking calculations, performance standards, and telecommunication tower regulations.

Planner Rhinehart began discussion as it related to Prospective Zoning Ordinance. Planner Rhinehart confirmed that all members had received the Guide to the Prospective Zoning Ordinance as well as the Prospective Ordinance. Both documents are attached and submitted with minutes as a matter of record. The following are items discussed and revised by the Planning Commission at Special Called Meeting.

### **Article I.**

**1.1** Planner Rhinehart added sentence: "The Zoning Map shall be referred to as the Official Zoning Map of Shelbyville, Tennessee, and all explanatory matter thereon is hereby adopted and made part of this Ordinance." Planning Commission agreed upon revision to Article I, 1.1 Title.

**1.5 Item F Vesting Rights** was added as a recommendation by City Planner Rhinehart to acknowledge TCA Code. Planning Commission agreed with recommendation.

**1.7 Item D** Planner Rhinehart added Jurisdiction, Zoning: The rules and regulations governing the subdivision of land heretofore on April 2014 by the Municipal Planning Commission and as may be amended from time to time by the Municipal Planning Commission, shall apply to all subdivisions of land within the area of the City. Planning Commission agreed with recommendation.

## **Article II:**

Planner Rhinehart renamed “Manufacturing Limited”, “Manufacturing Intermediate”, and “Manufacturing Extensive” to Light Industrial, General Industrial, and Heavy Industrial. Planning Commission agreed with revision. It was noted that terms should be updated in 2.3.1.4 Industrial Activities: Classes and Types to reflect revisions.

## **Article III**

**3.6 Principal Structures:** After brief discussion Planning Commission recommended to leave as is.

**3.7 Corner Lots:** Planner Rhinehart inquired on if all zones should be indicated and it was the decision of the Planning Commission to list Residential, Commercial, and Industrial.

**3.10 Administrative Approvals: “Temporary Dwelling Unit in Cases of Hardship”** It was recommendation of staff to remove and the Planning Commission agreed with recommendation.

**3.10 Staff recommendation to add Administrative Approval of Site Plans** of which the Planning Commission agreed.

**3.11.1 Procedure for Rezoning Applications:** Planner Rhinehart added language for procedure for rezoning. Planning Commission agreed with recommendation.

**3.12 Site Plan Item D:** It was noted that the language mirrors the By Laws as approved by the Planning Commission and the Planning Commission was in agreement.

## **Article IV:**

**4.8 Specific Parking Calculations:** (District Specific Parking Requirements) Planner Rhinehart gave an overview of the history of past discussion on specific parking calculations. Planner Rhinehart inquired if the Planning Commission would like to tie parking requirements by square footage and not by use. In addition Planner Rhinehart reviewed the proposed parking requirements proposed in the Guide to Prospective Zoning Ordinance for Commercial and Industrial. Planner Rhinehart clarified that if it was the intent of the Planning Commission to revise the parking calculations then staff’s recommendation was to remove all of 4.8 in the Prospective Zoning Ordinance and thus replace with Commercial and Industrial Language provided in the Guide to Prospective Ordinance. Residential would require minimum of two (2) spaces per dwelling unit which is denoted in Section 4.5. The Planning Commission agreed with the staff recommendation to remove the existing requirements in the Prospective Zoning Ordinance and replace with the Prospective Guide requirements.

## **Article V**

**5.4.4 Item C General Requirements:** Planner Rhinehart inquired on the Planning Commission's intent for Inspections and Inspections Fees as they relate to mobile homes. Planner Rhinehart explained that this is not currently enforced and therefore it was staff recommendation to remove from the Prospective Ordinance of which the City Attorney agreed. After brief discussion it was the decision of the Planning Commission to remove Inspections (C-19) and Inspection Fees (C-24) from the Prospective Zoning Ordinance.

## **Article VI**

**6.4 Performance Standards:** It was staff recommendation to remove performance standards in their entirety. It was noted that most standards are general and are regulated by other Ordinances. After discussion of the Planning Commission the Board Members agreed with the staff recommendation to remove Performance Standards from the Prospective Zoning Ordinance.

**6.5 Supplementary Regulations for Certain Uses:** Planner Rhinehart expressed concerns over current language regulations in item A.-Religious Institutions and there was discussion on TN Religious Freedom Act. It was the Planning Commission's decision to remove Supplementary Regulations as they pertain to Religious Institutions.

**6.5 Supplementary Regulations for Essential Government Services: (Item I)** It was staff recommendation to remove this section in its entirety of which the Planning Commission agreed upon.

**6.5 Supplementary Regulations for Residential Accessory Dwelling/Apartment: (K)** Planner Rhinehart requested discussion and clarification on duplexes located on one parcel. After discussion among the Commissioner's it was final decision that no more than two (2) duplexes be permitted on a single lot. Staff will also add parenthetically the distinction Mobile home not on a permanent foundation. In addition staff will strike the word apartment from section K.

**6.5 Supplementary Regulations for Cemeteries Item Q:** Planner Rhinehart requested that this section be added to the Prospective Zoning Ordinance of which the Planning Commission was in agreement.

**6.5 Supplementary Regulations for Incinerators and Atomic Reactors Item T:** Staff noted that item 2 was added to the document. It reads: "The applicant must demonstrate location of use is at least 1,000 feet away from any schools or residentially zoned property, as measured from property line to property line." The Planning Commission agreed with the addition to the document.

**6.5 Supplementary Regulations for Hazardous and Radioactive Wastes Item W:** Staff noted that item 2 was added to the document. It reads: "The applicant must demonstrate location of use is at least 1,000 feet away from any schools or residentially zoned property, as measured from property line to property line." The Planning Commission agreed with the addition to the document.

**6.5 Supplementary Regulations for the Siting of Telecommunications Towers Item Z:** Planner Rhinehart explained that this is the same Ordinance that was previously before the Planning

Commission with the exception of new language added to Pre-existing Towers and Antennas. City Attorney Shofner was recognized to present to the Planning Commission with information as it pertains to new laws and regulations set forth by the FCC. FCC adopted new regulations that came out January 8, 2015 and become effective April 8, 2015. The regulations are specific to Pre-existing Towers and Antennas and the Ordinance should reflect language and compliance measures set forth in the FCC Regulations 6409. The Planning Commission was in agreement with the revision.

## **Article VII**

**7.5 Specific Conditional Use Requirements:** The Planning Commission had discussion on the following items.

- A. Educational Facilities
- B. Feed Lots & Stockyards
- C. Home Day Care
- D. Day Care Center
- E. Group Home
- F. Automobile Wrecking Junk and Salvage Yards

Planner Rhinehart inquired on if the Planning Commission would like to take these specific requirements out of the Prospective Zoning Ordinance or relocate to Article 6 Supplementary Provisions. It was final decision of the Planning Commission to remove Educational Facilities, Home Day Care, Day Care Center, Group Home, and Automobile Wrecking Junk and Salvage Yards. Feed Lots & Stockyards will be relocated to Article 6 Supplementary Provisions. In regards to Technical Trade Schools it was final decision of the Planning Commission to keep as Use by Right in I-1.

**Manufacture or Storage of Explosives, Munitions, or Fireworks:** After discussion it was the final decision of the Planning Commission to strike all language with the exception of item 2: "Any such facility shall not be located on a site having an area of less than fifty (50) acres." This item is to be moved to Article 6 of the Prospective Zoning Ordinance.

**Recycling Processing Centers:** It was final decision of the Planning Commission to remove item 1 and relocate the remaining 2 items to Article 6 of the Prospective Zoning Ordinance.

### **Table of Uses:**

Staff will add column to the Table of Uses to include Supplementary Regulations.

### **Other:**

There was discussion of the Planning Commission on Accessory Dwellings/Apartments. It was final decision of the Planning Commission to allow as Use Permitted by Right in all zones.

**Storage & Warehousing Facilities:** There was discussion of the Planning Commission of uses and zones for such type facility, specifically Food Grade Quality Warehousing. It was final decision of the Planning Commission to allow as a Special Exception on a C-2 Zone and Use Permitted By Right in I-1, I-2, and I-3.

In addition language should be added in Article 7 that Food Grade Quality Certificate shall be presented at time of application submittal.

There being no further items of Old Business, New Business Items were then in order.

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There was one item of New Business before the Planning Commission. A Resolution to recommend repeal of the current Municipal Zoning Ordinance and replacing it with text of the Prospective Zoning Ordinance and recommending the repeal of any Ordinance or part of an Ordinance in conflict herewith. Commissioner Wilhoite made a motion to approve the Resolution to be sent to Council for consideration and to include all final revisions and changes as discussed and recommended by the Planning Commission at this meeting. The motion was seconded by Commissioner Taylor and approved unanimously upon oral vote.

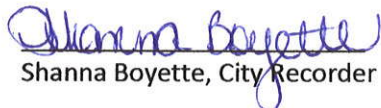
There being no other business before the Planning Commission, Commissioner Pitner made a motion to adjourn, seconded by Councilmember Pruitt. The meeting adjourned at 8:23 p.m.

APPROVED:



Warren Landers, Chairman

ATTEST:



Shanna Boyette, City Recorder