

PUBLIC COMMENTS RECEIVED

MODULES 1 AND 2

The following is a listing of comments that were provided by members of the public regarding modules 1 and 2 along with the response/recommendation from Staff and the Zoning Ordinance Update Steering Committee.

COMMENTS FROM THE PUBLIC MEETING HELD AT THE WILLIAMSON COUNTY LIBRARY ON AUGUST 26, 2010.

- 1. Proposed increase in the road frontage requirement (from 200 feet to 400 feet) for lots in Traditional Subdivisions within the RP-5 and RD-5 zoning districts**

Recommendation: Reduce the proposed minimum lot width requirement for Traditional Subdivisions in the RD-5 and RP-5 districts and for exempt lots in all districts from 400 feet to 300 feet. Increase the minimum front setback requirement from 100 feet to 150 feet for these lots.

- 2. Where to allow/prohibit single-wide mobile homes (the first draft allowed them in the RD-5 district but prohibited them in the RP-5 district)**

Recommendation: Allow single-wide mobile homes in both the RD-5 and RP-5 zoning districts.

- 3. The distinction between the eastern and western sides of the County in terms of nomenclature (e.g. Rural Development-5 vs. Rural Preservation-5) and the issue of where single-wide mobile homes are permitted**

Response: The distinction was made for a number of reasons, including the fact that, historically, the vast majority of the eastern side of the County has been zoned to allow a density of (essentially) one unit per acre, while the vast majority of the western side of the County has been zoned to allow a density of one unit per five acres. Additionally, the distinction will allow these individual districts to be modified over time to reflect future needs/conditions that may arise in these areas without having to modify the other, which may not experience those same needs/conditions.

4. Whether to consider requiring some sort of exaction for school sites for new developments

Recommendation: Based upon the research of the County Attorney for Planning and Environment, given the fact that the County currently utilizes its existing privilege tax private act for some educational funding purposes, the County Powers Relief Act would prohibit the imposition of another impact fee or privilege tax in the form of financial exactions or requiring the donation of land from the developer of a residential development for school purposes.

5. Where to allow farm produce stands (The first draft only allowed Produce Stands/Seasonal Sales uses in the Village, Hamlet and 840 Center districts)

Recommendation: The recommendation is to revise the Ordinance to allow Produce Stands/Seasonal Sales uses in all districts, but prohibit these uses within Major Subdivisions as defined by the Subdivision Regulations.

COMMENTS FROM WILLIAMSON COUNTY ASSOCIATION OF REALTORS FOCUS GROUP MEETING ON NOVEMBER 17, 2010

1. Traditional versus Conservation Subdivisions

- **Traditional subdivisions should be allowed as a Permitted use in the RD/RP-5 zoning districts**
- **Whether to develop a Traditional or Conservation subdivision should be determined by**
 - **Market forces/conditions – most residents choosing to live in an RD/RP-5 zoning district want larger, estate-sized lots, not 1-acre lots**
 - **Topography**
 - **Availability of public and/or private utilities**
 - **Incentives – Ex. increased density, lower infrastructure costs, decreased time for approvals**

Recommendation: Allow Traditional Subdivisions as a Permitted Use in all districts. The inherent advantages (e.g., generally higher lot yield, lower construction costs) of the Conservation Subdivision approach will likely serve as a sufficient incentive for their use. Additionally, it is the recommendation to no longer require that new non-traditional wastewater treatment and disposal be “Regional Systems” (although Regional Systems will still be allowed), thereby removing a potential impediment to the use of Conservation Subdivisions.

2. Increasing minimum lot widths from 200 feet to 400 feet in RD/RP-5 zoning districts

- **Oppose the proposed 100% increase in minimum lot width.**
 - **Diminishes development potential for investment properties**
 - **Negative/unintended impact on parcels with limited road frontage or unusual lot dimension**
 - **Promotes proliferation of private easements/drives**
 - **Issues surrounding obtaining approval for and ongoing maintenance of private easements/drives**
 - **Based on the example provided in your presentation (Nov 17th), extreme difficulty to provide utility services to rear lots**
 - **Should consider increasing the setback requirements versus wider lot widths**

Recommendation: Reduce the proposed minimum lot width requirement for Traditional Subdivisions in the RD-5 and RP-5 districts and for exempt lots in all districts from 400 feet to 300 feet. Increase the minimum front setback requirement from 100 feet to 150 feet for these lots.

3. Single-Wide Trailer Permits

- **Why not allow on both sides of Interstate 65?**
- **Possible reduction of property values in Triune, Arrington, and College Grove areas**
- **Creates a potential Fair Housing issue**
- **Need to house temporary agriculture workers**
- **What is the possibility of obtaining a temporary permit for a single-wide trailer?**

Recommendation: Allow single-wide mobile homes in both the RD-5 and RP-5 zoning districts.

**COMMENTS FROM THE PUBLIC MEETING AT PAGE MIDDLE
SCHOOL ON NOVEMBER 29, 2010**

1. How much frontage/depth on 400 feet of road frontage?

Recommendation: Reduce the proposed minimum lot width requirement for Traditional Subdivisions in the RD-5 and RP-5 districts and for exempt lots in all districts from 400 feet to 300 feet. Increase the minimum front setback requirement from 100 feet to 150 feet for these lots.

2. Family members given property; will they need 400 feet of road frontage?

Recommendation: Reduce the proposed minimum lot width requirement for Traditional Subdivisions in the RD-5 and RP-5 districts and for exempt lots in all districts from 400 feet to 300 feet. Increase the minimum front setback requirement from 100 feet to 150 feet for these lots.

3. What happens if property doesn't have 400 feet of road frontage?

Recommendation: Reduce the proposed minimum lot width requirement for Traditional Subdivisions in the RD-5 and RP-5 districts and for exempt lots in all districts from 400 feet to 300 feet. Increase the minimum front setback requirement from 100 feet to 150 feet for these lots.

Response: If an existing parcel, which was created in accordance with the requirements in place at the time of its creation, does not meet the lot width requirement, it is considered a legal, nonconforming lot and would not be restricted from development based on the lot not meeting the current lot width requirement.

4. Anything that is existing now will be legal non-conforming.

Response: This comment related to lots that don't currently meet the lot width requirement. If an existing parcel, which was created in accordance with the requirements in place at the time of its creation, does not meet the lot width requirement, it is considered a legal, nonconforming lot and would not be restricted from development based on the lot not meeting the current lot width requirement.

5. Section 11.03 – minimum lot size of 15 acre (agricultural uses).

Response: There is no minimum lot size for agricultural uses. There is, however, a minimum lot size of 15 acres for certain agriculturally-related businesses, such as Agricultural Product Sales, Agri-tourism and Education uses, commercial Equestrian Facilities, and Farm Wineries.

6. How was 15 acre standard determined?

Response: The 15 acre minimum lot size, which applies to a number of agriculturally-related businesses, was based on the longstanding Greenbelt threshold of 15 acres.

7. Pick your opportunity.

Response: This comment was not specific. No change proposed.

8. Seasonal produce stands not permitted/microstands on property where the produce is grown (to allow).

Recommendation: The recommendation is to revise the Ordinance to allow Produce Stands/Seasonal Sales uses in all districts, but prohibit these uses within Major Subdivisions as defined by the Subdivision Regulations.

9. Value of properties on easements when 400 feet of road frontage is required. Safety, utilities, value.

Recommendation: Reduce the proposed minimum lot width requirement for Traditional Subdivisions in the RD-5 and RP-5 districts and for exempt lots in all districts from 400 feet to 300 feet. Increase the minimum front setback requirement from 100 feet to 150 feet for these lots.

10. Make it easy if wanting to preserve farms. Leaving agricultural support uses to only 750 square feet is too limiting.

Recommendation: Revise the Ordinance to increase the maximum building size for Agricultural Product Sales uses from 1,000 square feet (note: the existing Ordinance limits the size to 750 square feet) to 1,500 square feet.

11. Concerned with the 400 foot road frontage requirement. Division of land is many people's retirement.

Recommendation: Reduce the proposed minimum lot width requirement for Traditional Subdivisions in the RD-5 and RP-5 districts and for exempt lots in all districts from 400 feet to 300 feet. Increase the minimum front setback requirement from 100 feet to 150 feet for these lots.

12. Cost of utilities on private easement.

This comment was related to the proposal to increase the minimum lot width requirement for Traditional Subdivisions and exempt lots in the RD-5 and RP-5 districts to 400 feet.

Recommendation: Reduce the proposed minimum lot width requirement for Traditional Subdivisions in the RD-5 and RP-5 districts and for exempt lots in all districts from 400 feet to 300 feet. Increase the minimum front setback requirement from 100 feet to 150 feet for these lots.

13. Don't want to look in someone's back door (private easement vs. property with road frontage).

This comment was related to the proposal to increase the minimum lot width requirement for Traditional Subdivisions and exempt lots in the RD-5 and RP-5 districts to 400 feet.

Recommendation: Reduce the proposed minimum lot width requirement for Traditional Subdivisions in the RD-5 and RP-5 districts and for exempt lots in all districts from 400 feet to 300 feet. Increase the minimum front setback requirement from 100 feet to 150 feet for these lots.

14. Location of single-wide only within RD-5 District.

Recommendation: Allow single-wide mobile homes in both the RD-5 and RP-5 zoning districts.

15. Protection of west side of County at east side's expense (single-wide).

This comment related to the issue of where to allow single-wide mobile homes.

Recommendation: Allow single-wide mobile homes in both the RD-5 and RP-5 zoning districts.

16. Return with revisions to Ordinance.

Response: The revised version of Modules 1 and 2 have been posted on the County's website, and the entire Ordinance will be subject to Public Hearings before both the Planning Commission and the County Commission during the adoption process.

17. Think more of farmer and landowner over developers.

Response: The interests of all stakeholders were considered in striking a balance between development and preservation.

18. Desires to protect rural character over property owners' right to develop.

Response: The interests of all stakeholders were considered in striking a balance between development and preservation.

19. What will be deciding factor about single-wides?

Recommendation: Allow single-wide mobile homes in both the RD-5 and RP-5 zoning districts.

20. Don't outlaw single-wides if it's all one can afford.

Recommendation: Allow single-wide mobile homes in both the RD-5 and RP-5 zoning districts.

21. Reread definitions very seriously.

Response: Like the rest of the Ordinance, the definitions have received a great deal of review and discussion.

22. Two outbuildings only?

Response: There is nothing in the new Ordinance limiting a property to two accessory structures.

23. Winery closes at dusk?

Response: This comment is not specific. No change recommended.

24. Expansion of Spring Hill's UGB.

Response: This comment does not relate to the Zoning Ordinance. No change recommended.

25. Ag Subdivision (present) vs. Conservation Subdivision.

Response: This comment was not specific. No change recommended.

26. Minimum acreage for roadside stands (produce) too much.

Response: There is no minimum lot size requirement for produce stands.

27. Clear cutting (note)?

Response: This comment referred to a footnote that was inadvertently left in the Public Review Draft. Footnote should be removed.

28. To add more regulations is to make more restrictive.

Response: This comment is not specific. No change recommended. As an editorial comment, the new Ordinance modernizes and improves the regulations, but isn't necessarily more restrictive than the current Ordinance, and is, in fact, less restrictive in certain respects.

29. Conservation Subdivision requirement to have centralized sewer system is too restrictive.

Response: This comment refers to a requirement that non-traditional wastewater treatment and disposal systems are only allowed in the RD-5 and RP-5 districts when in conjunction with a Conservation Subdivision or a non-residential use. The current Ordinance only allows these systems in conjunction with non-residential uses in the Rural and Estate districts, which will correspond geographically with the RD-5 and RP-5 Districts. Furthermore, the proposed treatment of these systems in the new Ordinance implements a policy that was established by the County several years ago.

30. Keep preservation of agricultural in mind during development of Zoning Ordinance.

Response: Agricultural uses are exempt from the Zoning Ordinance. The objective in the new Ordinance is to help implement the recommendations of the Comprehensive Plan, one of which is to encourage agri-business and agri-tourism uses, while balancing that objective with the need to protect surrounding properties from negative impacts, which may be associated with these uses.

31. Small, intensive agricultural uses are affected by new Zoning Ordinance.

Response: Agricultural uses are exempt from the Zoning Ordinance. The Ordinance allows a variety of agriculturally-related businesses, and a number of the standards related to these uses have been revised so as to encourage these businesses.

32. Water issues and what can it (current supply) support.

Response: This comment is not directly related to the Zoning Ordinance. No change recommended.

33. Conservation of water.

Response: While this comment is not directly related to the Zoning Ordinance, it is worth noting that the landscaping requirements, which are part of Module 3, contain a provision that requires a certain percentage of required landscaping to consist of native/drought tolerant species.

COMMENT SHEETS FROM PAGE MIDDLE SCHOOL MEETING

1. Keep the road frontage at 200 feet width

Recommendation: Reduce the proposed minimum lot width requirement for Traditional Subdivisions in the RD-5 and RP-5 districts and for exempt lots in all districts from 400 feet to 300 feet. Increase the minimum front setback requirement from 100 feet to 150 feet for these lots.

Continue to allow trailers

Recommendation: Allow single-wide mobile homes in both the RD-5 and RP-5 zoning districts.

2. Traditional Subdivision – Road frontage – 400 ft.?

Recommendation: Reduce the proposed minimum lot width requirement for Traditional Subdivisions in the RD-5 and RP-5 districts and for exempt lots in all districts from 400 feet to 300 feet. Increase the minimum front setback requirement from 100 feet to 150 feet for these lots.

Single wide – don’t outlaw completely

Recommendation: Allow single-wide mobile homes in both the RD-5 and RP-5 zoning districts.

Conservation Subdivisions?

Response: This comment is not specific. No change recommended

Agricultural – business

Response: The comment is not specific. No change recommended

3. Acreage minimums for agricultural direct market sales need to be revisited. Small pick your own and CSA operations need to be allowed on small acreage.

Recommendation: Eliminate the Agricultural Direct Market Businesses use category, which includes “pick your own” operations. By eliminating this use type, these uses would simply be considered a part of the agricultural use with which they are associated, and therefore would not be regulated by the Ordinance.

There needs to be a provision for small, seasonal on-farm produce stands that sell produce grown on farm. This should be allowed in any district.

Recommendation: Revise the Ordinance to allow Produce Stands/Seasonal Sales uses in all districts, but prohibit these uses within Major Subdivisions as defined by the Subdivision Regulations.

The new ordinance as it currently stands is not friendly to small farmers and this is at odds with the original goals of the ordinance.

Response: Agricultural uses are exempt from the requirements of the Zoning Ordinance. One of the goals of the new Ordinance is to allow and encourage agriculturally-related businesses. This document outlines a number of recommended changes, which will further encourage these uses.

The future of agriculture in Williamson County is small agricultural and profitable small agriculture almost always involves some form of direct sales. We need to make it easier not harder.

Recommendation: Eliminate the Agricultural Direct Market Businesses use category, which includes “pick your own” operations. By eliminating this use type, these uses would simply be considered a part of the agricultural use with which they are associated, and therefore would not be regulated by the Ordinance.

Revise the Ordinance to allow Produce Stands/Seasonal Sales uses in all districts, but prohibit these uses within Major Subdivisions as defined by the Subdivision Regulations.

COMMENTS FROM THE PUBLIC MEETING AT THE BURWOOD COMMUNITY CENTER ON NOVEMBER 30, 2010

- 1. 400 feet lot width – disagree – looking at back of other houses (when on easement).**

Recommendation: Reduce the proposed minimum lot width requirement for Traditional Subdivisions in the RD-5 and RP-5 districts and for exempt lots in all districts from 400 feet to 300 feet. Increase the minimum front setback requirement from 100 feet to 150 feet for these lots.

- 2. Conservation Subdivision approach – dislike (ownership of open space).**

Response: This comment related to open space owned by homeowners' associations generally. This is already a very common practice in Williamson County and across the country. No change recommended.

- 3. Do like 400 feet lot width.**

Recommendation: Reduce the proposed minimum lot width requirement for Traditional Subdivisions in the RD-5 and RP-5 districts and for exempt lots in all districts from 400 feet to 300 feet. Increase the minimum front setback requirement from 100 feet to 150 feet for these lots.

- 4. Preservation of rural character – tree line to hide subdivision from road in exchange for smaller lots.**

Response: This comment related to Conservation Subdivisions. The Conservation Subdivision standards, which are contained in Module 3, include guidance in terms of what features to preserve on a site. These features include existing wooded areas, which can, in fact, be used to shield the development from adjoining properties and roadways.

- 5. Disagreement with 200 feet vs. 400 feet of road frontage – illusion of open space.**

Recommendation: Reduce the proposed minimum lot width requirement for Traditional Subdivisions in the RD-5 and RP-5 districts and for exempt lots in all districts from 400 feet to 300 feet. Increase the minimum front setback requirement from 100 feet to 150 feet for these lots.

- 6. Allow fruit/produce stands on less than 15 acres.**

Response: There is no minimum lot size requirement for produce stands.

7. Advantage if own road frontage against those on easement (in terms of values).

This comment related to the 400 foot lot width requirement.

Recommendation: Reduce the proposed minimum lot width requirement for Traditional Subdivisions in the RD-5 and RP-5 districts and for exempt lots in all districts from 400 feet to 300 feet. Increase the minimum front setback requirement from 100 feet to 150 feet for these lots.

8. Reduction of values (see above)

This comment related to the 400 foot lot width requirement.

Recommendation: Reduce the proposed minimum lot width requirement for Traditional Subdivisions in the RD-5 and RP-5 districts and for exempt lots in all districts from 400 feet to 300 feet. Increase the minimum front setback requirement from 100 feet to 150 feet for these lots.

9. 400 feet might encourage purchasing two lots (one with road frontage, one on easement).

Recommendation: Reduce the proposed minimum lot width requirement for Traditional Subdivisions in the RD-5 and RP-5 districts and for exempt lots in all districts from 400 feet to 300 feet. Increase the minimum front setback requirement from 100 feet to 150 feet for these lots.

10. Maintenance of easements.

This comment related to the 400 foot lot width requirement.

Recommendation: Reduce the proposed minimum lot width requirement for Traditional Subdivisions in the RD-5 and RP-5 districts and for exempt lots in all districts from 400 feet to 300 feet. Increase the minimum front setback requirement from 100 feet to 150 feet for these lots.

11. Use of flag lot – ownership of land in fee simple.

This comment related to the 400 foot lot width requirement.

Recommendation: Reduce the proposed minimum lot width requirement for Traditional Subdivisions in the RD-5 and RP-5 districts and for exempt lots in all districts from 400 feet to 300 feet. Increase the minimum front setback requirement from 100 feet to 150 feet for these lots.

12. Use of alleyways to access lots in back on/in Conservation Subdivision.

Response: The use of alleys as access to lots is permitted.

13. 200 feet width has worked well over the years.

This comment related to the 400 foot lot width requirement.

Recommendation: Reduce the proposed minimum lot width requirement for Traditional Subdivisions in the RD-5 and RP-5 districts and for exempt lots in all districts from 400 feet to 300 feet. Increase the minimum front setback requirement from 100 feet to 150 feet for these lots.

Simple way to cut lots and place accessory structures.

Response: This comment was not specific. No change recommended.

14. Gates of 400 feet lots and other lots not being closed.

Response: This issue does not directly relate to the Zoning Ordinance. No change recommended.

COMMENT SHEETS FROM THE BURWOOD COMMUNITY
CENTER MEETING

1. **I don't like 400' lot frontage suggestion. Cost of drive & upkeep solely owners responsibility (too costly).**

Recommendation: Reduce the proposed minimum lot width requirement for Traditional Subdivisions in the RD-5 and RP-5 districts and for exempt lots in all districts from 400 feet to 300 feet. Increase the minimum front setback requirement from 100 feet to 150 feet for these lots.

**COMMENTS FROM THE PUBLIC MEETING AT GRASSLAND
MIDDLE SCHOOL ON DECEMBER 2, 2010**

1. 400 foot concerns with access and utilities.

This comment related to the 400 foot lot width requirement.

Recommendation: Reduce the proposed minimum lot width requirement for Traditional Subdivisions in the RD-5 and RP-5 districts and for exempt lots in all districts from 400 feet to 300 feet. Increase the minimum front setback requirement from 100 feet to 150 feet for these lots.

2. Length of 200 foot lots.

This comment related to the 400 foot lot width requirement.

Recommendation: Reduce the proposed minimum lot width requirement for Traditional Subdivisions in the RD-5 and RP-5 districts and for exempt lots in all districts from 400 feet to 300 feet. Increase the minimum front setback requirement from 100 feet to 150 feet for these lots.

3. Extended sewer service.

Response: This comment was not specific. No change recommended.

4. Homeowners' Association inability to care for open space in certain events.

Recommendation: Revise Ordinance to include provisions for the County to address issues with maintenance of open space in the event it becomes necessary.

5. Road frontage over easement (in terms of values).

This comment related to the 400 foot lot width requirement.

Recommendation: Reduce the proposed minimum lot width requirement for Traditional Subdivisions in the RD-5 and RP-5 districts and for exempt lots in all districts from 400 feet to 300 feet. Increase the minimum front setback requirement from 100 feet to 150 feet for these lots.

6. Value of property on easement (in 400 foot scenario).

Recommendation: Reduce the proposed minimum lot width requirement for Traditional Subdivisions in the RD-5 and RP-5 districts and for exempt lots in all districts from 400 feet to 300 feet. Increase the minimum front setback requirement from 100 feet to 150 feet for these lots.

7. Houses too close to road on 400 foot (failure to meet setback requirements).

This comment related to the 400 foot lot width requirement.

Recommendation: Reduce the proposed minimum lot width requirement for Traditional Subdivisions in the RD-5 and RP-5 districts and for exempt lots in all districts from 400 feet to 300 feet. Increase the minimum front setback requirement from 100 feet to 150 feet for these lots.

8. Taxation of open space.

Response: The question was whether the County taxed open space property. The answer is no, but generally the per/acre value of the lots within subdivisions with open space likely results in very similar property tax revenues as traditional subdivisions without open space.

9. Defaulting of Homeowners' Associations.

Recommendation: Revise Ordinance to ensure there is a mechanism for the County to address open space maintenance issues, with the ability to recoup the cost from the affected property owners.

10. Funding of Homeowners' Associations.

Recommendation: Revise Ordinance to include provision related to covenants and restrictions, which specifies funding of HOA's.

11. Look at legal requirements of Homeowners' Associations.

Response: The County Attorney has studied and addressed this issue within Module 3 of the revised Ordinance.

12. Homeowners' Associations dues continue to rise.

Response: This comment is not specific. No changes recommended.

13. Identification of colluvial soils (mapped like floodplains).

Response: Colluvial soils are among the natural resource features that must be accounted for, both in the current Ordinance and in the proposed new Ordinance.

14. Get out of Special Use for Traditional Subdivisions (don't punish those who want to do a Traditional Subdivision).

Recommendation: Allow Traditional Subdivisions as a Permitted Use in all districts. The inherent advantages (e.g., generally higher lot yield, lower construction costs) of the Conservation Subdivision approach will likely serve as a sufficient incentive for their use. Additionally, it is the recommendation to no longer require that new non-traditional wastewater treatment and disposal be "Regional Systems" (although Regional Systems will still be allowed), thereby removing a potential impediment to the use of Conservation Subdivisions.

15. Say certain landscapes are appropriate for either a Conservation or Traditional Subdivision.

Recommendation: Allow Traditional Subdivisions as a Permitted Use in all districts. The inherent advantages (e.g., generally higher lot yield, lower construction costs) of the Conservation Subdivision approach will likely serve as a sufficient incentive for their use. Additionally, it is the recommendation to no longer require that new non-traditional wastewater treatment and disposal be "Regional Systems" (although Regional Systems will still be allowed), thereby removing a potential impediment to the use of Conservation Subdivisions.

16. Weed out certain types of Subdivision with terrain.

This comment also referred to Traditional vs. Conservation Subdivisions issue.

Recommendation: Allow Traditional Subdivisions as a Permitted Use in all districts. The inherent advantages (e.g., generally higher lot yield, lower construction costs) of the Conservation Subdivision approach will likely serve as a sufficient incentive for their use. Additionally, it is the recommendation to no longer require that new non-traditional wastewater treatment and disposal be "Regional Systems" (although Regional Systems will still be allowed), thereby removing a potential impediment to the use of Conservation Subdivisions.

17. Encourage division of property to promote not having houses so often.

Response: This comment was not specific. No changes recommended.

18. Preservation of Moran Road, Del Rio Pike.

Response: Module 3 includes a Section with specific standards geared toward protecting historic resources. The standards primarily address how historic structures on a developing property should be incorporated into the development and how new structures should be designed on properties containing historic structures. The only way to establish an historic zoning district would involve the County also establishing and funding an historic review committee.

19. Identification of Moran Road, Del Rio Pike as historic designation corridor.

Response: Same as in comment # 18 above

20. Zone Moran Road, Del Rio Pike as historic district.

Response: Same as in comment # 18 above

21. Protection of historic structure.

Response: Same as in comment #18 above

22. Designation of historic corridor – Moran Road, Del Rio Pike – signify historic value.

Response: Same as in comment # 18 above

23. Grassland Village – addition of additional community development/property.

Response: This comment was not specific. No changes recommended.

COMMENT SHEETS FROM THE GRASSLAND MIDDLE SCHOOL MEETING

- 1. It is stupid to require a developer to go to BZA if he wants to do a conservation subdivision.**

The market drives land development & design. Don't punish someone for doing a traditional design if it has merit or logic.

Recommendation: Allow Traditional Subdivisions as a Permitted Use in all districts. The inherent advantages (e.g., generally higher lot yield, lower construction costs) of the Conservation Subdivision approach will likely serve as a sufficient incentive for their use. Additionally, it is the recommendation to no longer require that new non-traditional wastewater treatment and disposal be "Regional Systems" (although Regional Systems will still be allowed), thereby removing a potential impediment to the use of Conservation Subdivisions.

- 2. In relation to road capacity, how can the almost gridlock on Hillsboro Road be relieved? I know a lot has to do with the school traffic at Grassland, but in the mornings starting as early as 7AM, traffic is bumper-to-bumper coming from the south. It is that way traveling north but, surprisingly, loosens up considerably once Murray Lane is passed. As I've traveled that route into Nashville each work day, I noticed a few things. As cars approach Murray Lane from the south, cars that turn right onto Murray Lane must slow down considerably to make that turn safely. Needless to say, it would help a lot if Hillsboro Road**

Also, the northwestern part of Williamson County needs a branch of the Public Library. As it is, residents can use the Brentwood Library with a yearly fee. Otherwise the closest non-fee library for Grassland and areas west is the main branch in Franklin. If this is not something your office doesn't cover, could you pass this suggestion on to the property office.

Thank you very much

Response: This comment does not relate to the Zoning Ordinance. No change recommended.

- 3. Peppy Butler & Dave Butler**

Great meeting.

Thank you for keeping us informed

4. William Morgan

- (1) Conservation Subdivision will create many homeowners' Associations (HOA). I believe that the capital requirements of these new HOA's should be addressed as a requirement of the zoning ordinance so that the HOA has the financial wherewithal to take care of the open space & other responsibilities of the HOA. It must be set up right on the front end because after the County approves the development without these requirements, they lose control of these HOA's in the future. I have done business with HOA's & they are the least credit worthy entities to do business with.**

Recommendation: Revise Ordinance to address funding of the HOA and its existence in perpetuity.

- (2) The County should be sure that Module 3, Article 13 includes Meeting of the Waters, Two Rivers, River Grange & Rosehill (our home) as historical/cultural treasures that should be protected, as Del Rio from Old Hillsboro Rd to at least Cotton Ln. is a real historical corridor that must e protected/preserved in the midst of 1-acre lot zoning.**

Response: Module 3 includes a Section with specific standards geared toward protecting historic resources. The standards primarily address how historic structures on a developing property should be incorporated into the development and how new structures should be designed on properties containing historic structures. The Section applies to development on parcels containing any structure or site listed on the National Register of Historic Places. The only way to establish an historic zoning district would involve the County also establishing and funding an historic review committee.

**COMMENTS FROM DEVELOPMENT COMMUNITY FOCUS
GROUP MEETING ON JANUARY 12, 2011**

1. Dialing back entitlements-slopes, traffic-due diligence must be done to determine without calculations

Response: This comment was that the new Ordinance will be helpful from an initial due diligence standpoint in that the natural resource requirements will be expressed straightforwardly and it will be easier than our current formulaic approach to determine on the front end what will be allowed.

2. How Ordinance governs use/ownership of common space in Conservation Subdivision

Response: This was a question that was answered at the meeting.

3. Use of common space within common space

Response: This was a question that was answered at the meeting.

4. Percent of common space dedicated for use of an individual lot (shared septic area)

Response: This was a comment that we should consider allowing a portion of common open space to be dedicated for the use of an individual lot owner for that owner's septic area. This is not an anticipated use of open space. The restrictions regarding septic areas would not allow any shared/common use of the property and would therefore prevent the property involved from meeting the intent of open space.

5. Septic easement within common space

Response: This comment is similar to the one above

6. Off-site septic easement for wastewater within open space

Response: Same as above

7. Use of common septic areas

Response: Same as above

8. Relax some Subdivision Regulations requirements for Conservation Subdivisions, i.e. cul-de-sac length

Response: When the Subdivision Regulations are amended, we will look for opportunities to revise the roadway specifications so that they are conducive to Conservation Subdivision development while still adhering to acceptable (AASHTO) engineering standards.

9. Shorter water line, roads and utilities is good for Conservation Subdivisions, but septic is going to dictate development

Response: This was an observation and not a question or specific request. No changes recommended.

10. Lot width (200 v. 400) find a way to mitigate allowing development have shorter road frontage by having greater setbacks or having more landscaping or building line or allow a percentage of lots to be flag lots.

Recommendation: Reduce the proposed minimum lot width requirement for Traditional Subdivisions in the RD-5 and RP-5 districts and for exempt lots in all districts from 400 feet to 300 feet. Increase the minimum front setback requirement from 100 feet to 150 feet for these lots.

COMMENTS FROM AGRICULTURAL COMMUNITY FOCUS GROUP MEETING ON JANUARY 27, 2011

1. Table of Dimensional Standards

Response: This (written) comment was not specific. No changes recommended.

2. Allowed Uses

Response: This (written) comment was not specific. No changes recommended.

3. What is meant by “landspreading of waste” in Section 11.02(F)(3)b)?

Response: This term refers to disposing of waste from sewer treatment facilities and was used as an example of the Waste Related Services Use Category. After further evaluation, given the restrictions contained in Federal and State regulations, it is highly unlikely that this practice would be an allowable use in Williamson County. Because of this, and to prevent confusion regarding the term, the recommendation is to remove the reference altogether.

4. 15 acres is too large of a minimum lot size for Agricultural Direct Market Businesses.

Response: Eliminate the Agricultural Direct Market Businesses use category, which includes “pick your own” operations. By eliminating this use type, these uses would simply be considered a part of the agricultural use with which they are associated, and therefore would not be regulated by the Ordinance.

5. 10 acres is too large of a minimum lot size for Nurseries.

Recommendation: Maintain the minimum lot size for Nurseries at 10 acres.

6. Minimum acreages for agricultural uses generally.

Response: Agricultural uses are exempt from the Zoning Ordinance altogether. There are minimum lot sizes for a variety of agriculturally-related businesses, such as Agricultural Product Sales, Agri-tourism and Education uses, commercial Equestrian Facilities, and Farm Wineries.

7. Number of horses for equestrian facilities.

Recommendation: Reduce the maximum number of equine per acre from 1 ½ equine per acre to one equine per two acres.

8. Concern regarding footnote number 24 on page 11-3 related to selective cutting, clear cutting and requiring a Zoning Certificate prior to tree removal.

Response: This comment referred to a footnote that was inadvertently left in the Public Review Draft. Footnote will be removed.

9. Should farm machinery/repair be a use under Agricultural Support?

Recommendation: Article 11 contains a Use Category called Automotive and Machinery Repair. This use is listed as a commercial use rather than under the Agricultural Support Use Category. The recommendation is that this should not be changed. However, it is important to clarify that nothing in the Ordinance would prevent agricultural machinery used in an agricultural operation from being repaired on an agricultural property on which it is used.

10. What are building codes for fruit stands?

Response: This was a question about permit requirements that was unrelated to the Zoning Ordinance. No changes recommended.

11. Rural Retreat

Response: This (written) comment was not specific. No changes recommended.

12. Product stand not allowed in RD-5 or RP-5

Recommendation: The recommendation is to revise the Ordinance to allow Produce Stands/Seasonal Sales uses in all districts, but prohibit these uses within Major Subdivisions as defined by the Subdivision Regulations.

13. Accepting fill material (11-66).

Response: This (written) comment is not specific. No changes recommended.

14. Land Disturbance Permit, permit to clean out fencerow? (25-16).

Response: This question had to do with when a Land Disturbance Permit is required. It does not directly relate to the Zoning Ordinance. No changes recommended.

15. Minimum lot size in voluntary A district should be 15 acres.

Recommendation: Staff and the Steering Committee agree with this comment and recommends that the minimum lot size in the voluntary Agricultural District be changed from 30 acres to 15 acres.

16. Single-wide mobile homes – allow for tenant house/farm employees?

Recommendation: Allow single-wide mobile homes in both the RD-5 and RP-5 zoning districts.

17. Lot size for agricultural-related uses should be lower

Recommendation: Eliminate the Agricultural Direct Market Businesses use category, which includes “pick your own” operations. This use category had a minimum lot size of 15 acres. By eliminating this use type, these uses would simply be considered a part of the agricultural use with which they are associated, and therefore would not be regulated by the Ordinance.

Maintain the minimum lot size requirement of 15 acres for Agricultural Product Sales uses, Agri-tourism and Education uses, Equestrian Facilities and Farm Wineries.

18. Is timbering permitted?

Response: Yes, “silvicultural activities related to the planting, management, protection, and harvesting of trees for timber or other forest products” is included in the characteristics of the Agricultural Use Category (Article 11).

COMMENTS SUBMITTED BY INDIVIDUALS

Submittal # 1

1. What is meant by landspreading of waste?

Recommendation: This term refers to disposing of waste from sewer treatment facilities and was used as an example of the Waste Related Services Use Category. After further evaluation, given the restrictions contained in Federal and State regulations, it is highly unlikely that this practice would be an allowable use in Williamson County. Because of this, and to prevent confusion regarding the term, the recommendation is to remove the reference altogether.

2. Dumping of wood chips?

Response: This comment relates to the definition of Acceptance of Fill Material, which is a Temporary Use covered in Section 11.05. The Ordinance allows one to bring in material for fill (including wood chips) without a Temporary Use Permit if the area that will be filled is less than 10,000 square feet.

3. Above ground fuel tanks – chemical storage – automatically makes a use industrial?

Recommendation: This comment refers to the specific standards for Light Industrial Uses (Section 11.03(E)(2)), which specify that “Uses with above-ground chemical or fuel tanks shall be considered a heavy industrial use....”. This language does not mean that any use with above-ground chemical or fuel tanks, such as agricultural uses, are automatically considered to be Heavy Industrial Uses. However, to clarify this intent, we recommend revising the language to specifically say “Light Industrial Uses with above-ground chemical or fuel tanks.....”.

4. Are economic reasons (vitality) something a traditional subdivision should demonstrate?

This comment relates to the specific regulations for Traditional Subdivisions contained in the first draft of the Module.

Recommendation: Allow Traditional Subdivisions as a Permitted Use in all districts. The inherent advantages (e.g., generally higher lot yield, lower construction costs) of the Conservation Subdivision approach will likely serve as a sufficient incentive for their use. Additionally, it is the recommendation to no longer require that new non-traditional wastewater treatment and disposal be

“Regional Systems” (although Regional Systems will still be allowed), thereby removing a potential impediment to the use of Conservation Subdivisions.

Submittal # 2

1. Allow Automotive and Machinery Rental or Sales in the Village and Hamlet districts.

Recommendation: No change is recommended at this time. If a Special Area Plan process for one of the Villages suggests that the use should be permitted, the specific Village District regulations that follow can allow this use in that particular Village.

2. Allow Produce Stand/Seasonal Sales in the Agricultural district.

Recommendation: The recommendation is to revise the Ordinance to allow Produce Stands/Seasonal Sales uses in all districts, but prohibit these uses within Major Subdivisions as defined by the Subdivision Regulations

3. Reduce minimum lot area requirement for Agricultural Product Sales.

Recommendation: Maintain the minimum lot size at 15 acres.

4. Reduce the minimum lot size requirement for Rural Retreats – Limited

Recommendation: These uses are intended to be in a rural setting. No change recommended.

5. Permit overnight lodging (including camping) for Rural Retreats – Limited

Recommendation: Overnight lodging is allowed in a Rural Retreat – Extensive use. No change recommended.

6. Permit Rural Retreats – Limited to operate 24 hours/day

Recommendation: Rural Retreat Extensive uses are allowed to operate 24 hours/day. No change recommended for Rural Retreats - Limited.

7. Reduce minimum front setback for accessory uses on lots that are five acres or greater.

Recommendation: This is not a change from our current Ordinance. No change recommended.

8. Reduce minimum lot area for Agricultural Direct Market Businesses

Recommendation: Eliminate the Agricultural Direct Market Businesses use category, which includes “pick your own” operations. By eliminating this use type, these uses would simply be considered a part of the agricultural use with which they are associated, and therefore would not be regulated by the Ordinance.

9. Why does all packaging or processing of agricultural goods have to take place within an enclosed building (Ag Direct Market Businesses)?

Response: Given the recommendation outlined above, this comment would become moot.

10. Reduce the minimum lot area for a retirement community – currently 25 acres.

Response: Retirement Communities are intended to incorporate a variety of residential use types, and therefore should be located on large parcels. No changes recommended.

11. Reduce the minimum lot area for Farm Wineries.

Recommendation: The Farm Winery standards were developed after a great deal of research and in close consultation with winery operators. The only Farm Winery that exists in the County is on a property much larger than 15 acres. No changes recommended.

12. Only two acres of a Farm Winery site should have to be utilized and maintained for growing grapes or other crops used in wine production.

Recommendation: The Farm Winery standards were developed after a great deal of research and in close consultation with winery operators. The intent was for the growing of grapes, or other crops used in wine production, to be a significant component of the operation. The only Farm Winery that exists in the County maintains a growing area larger than 3 acres. No changes recommended.

13. Allow tours of Farm Wineries beginning at sunrise rather than 9:00 AM.

Recommendation: Sunrise varies depending on the time of year and would be difficult to enforce. No change recommended.

14. 250 people for special events (Farm Wineries) is too small of a number.

Recommendation: Special Events exceeding this threshold can be held, subject to the requirements and procedures for Temporary Uses.

15. Allow outdoor events (Farm Wineries) until 10:00 PM

Recommendation: Staff and the Steering Committee agree that the hours for events associated with Farm Wineries should be expanded to 10:00.

16. Reduce the minimum lot area requirement for Nurseries.

Recommendation: Maintain the minimum lot size for Nurseries at 10 acres.

17. 5,000 square feet allowance for building housing non-plant materials (Nurseries) is too big.

Recommendation: Staff and the Steering Committee agree with this comment and recommend that the provision be revised to read “Non-plant materials must be located in an enclosed building and shall have a maximum display area of 1,000 square feet.”

18. Reduce the minimum lot area requirement for Agri-Tourism and Education uses.

Recommendation: The intent of these uses is to ensure they are associated with a bona fide farming operation. No change recommended.

19. 1 ½ equine per acre for Equestrian Facilities is too many – turns into dust lot.

Recommendation: Reduce the maximum number of equine per acre from 1 ½ equine per acre to one equine per two acres.

20. Don't change minimum lot width from 400 feet to 200 feet.

Recommendation: Reduce the proposed minimum lot width requirement for Traditional Subdivisions in the RD-5 and RP-5 districts and for exempt lots in all districts from 400 feet to 300 feet. Increase the minimum front setback requirement from 100 feet to 150 feet for these lots.

21. Reduce minimum lot area in A district to 10 acres.

Recommendation: Reduce the minimum lot area from 30 acres to 15 acres.

22. Reduce minimum lot width in A district to 200 feet.

Recommendation: Reduce the proposed minimum lot width requirement from 400 feet to 300 feet. Increase the minimum front setback requirement from 100 feet to 150 feet for these lots.

23. Increase sign allowance for Home Occupations to 5 square feet.

Recommendation: This is not a change from our current regulations. No change recommended

24. Why do non-traditional wastewater treatment and disposal systems have to be regional systems in the PR-1, RD-1 and SIC districts?

Recommendation: For reasons discussed on page 2 of this document, it is the recommendation to no longer require that new non-traditional wastewater treatment and disposal be “Regional Systems” (although Regional Systems will still be allowed).

25. 3,000 dwelling units too large for regional systems.

Recommendation: For reasons discussed on page 2 of this document, it is the recommendation to no longer require that new non-traditional wastewater treatment and disposal be “Regional Systems” (although Regional Systems will still be allowed).

26. Allow a larger sign for Day Care Centers that are Accessory to Institutional uses.

Recommendation: Increase the maximum size for these signs from 10 square feet to 12 square feet.

27. Question about footnotes 24 and 25 on page 11-3.

Recommendation: These footnotes were inadvertently left in the Public Review Draft. Footnote should be removed.

28. Why don't we have a mobile home district proposed?

Response: The current district isn't used. We have the NCMH district that can be applied where there are a number of existing mobile homes.

29. Why delete the Mining Overlay District?

Response: This district hasn't been used in years.

30. Reduce the minimum lot area requirement for Automobile and Machinery Repair uses.

Recommendation: Staff and the Steering Committee agree with this comment and recommend reducing the minimum lot area requirement for these uses from two acres to one acre.

Submittal # 3

- 1. Minimum lot width of 400 feet in any district is totally unacceptable. It creates more sprawl, restricts the highest and best use of the land and its surroundings. It creates a situation of more easements, less privacy if one residence is built behind another, inefficient and unusable acreage and space for animals, gardens and outside activities. No one wants another looking in their back door or wants to look in the back door of someone else. Easements can create all kinds of problems between neighbors. It could also negatively affect how property is left to future generations.**

Recommendation: Reduce the proposed minimum lot width requirement for Traditional Subdivisions in the RD-5 and RP-5 districts and for exempt lots in all districts from 400 feet to 300 feet. Increase the minimum front setback requirement from 100 feet to 150 feet for these lots.

- 2. Agriculture comes in various types and sizes from gardening to crop and livestock production. The size and dimensional standards for the agriculture district should not be restricted to 30 acres. Acreage size can vary according to use, from a 1 acre garden, 10 acre strawberry patch, 100 acre cattle farm, to a 1,000 acre crop farm. Agriculture is a great way of life but a difficult way to make a living. No other industry buys at the retail price and sells at the wholesale price and has no control of either.**

Recommendation: Reduce the minimum lot area requirement in the A District from 30 acres to 15 acres. Agricultural uses are not regulated by the Zoning Ordinance.

- 3. Agri-tourism and activities can be done on smaller acreage than 15 acres. All agriculture and related activities are self limiting as far as size in acreage, use, type, and time of operation both daily and seasonally.**

Recommendation: The intent of these uses is to ensure they are associated with a bona fide farming operation. No change recommended.

- 4. A produce stand and seasonal sales, temporary or permanent, must be allowed in RD-5, RP-5 and A, and should not be required to be in a structure or requiring a permit.**

Recommendation: The recommendation is to revise the Ordinance to allow Produce Stands/Seasonal Sales uses in all districts, but prohibit these uses within Major Subdivisions as defined by the Subdivision Regulations.

5. All animal care categories should be allowed in A.

Recommendation: Staff and the Steering Committee agree with this comment and recommend allowing all Animal Care Use Categories in the A District.

6. Machine repair, above ground storage of gasoline, fuel, and oil must be allowed in A.

Response: Machine repair and above-ground storage of gasoline, fuel, and oil are allowed in the A district on an agricultural property, just not as a stand-alone business use.

7. A rural retreat must allow overnight lodging and be utilized by others, it is a retreat.

Response: The Rural Retreat Extensive use category does allow these things. No change recommended.

8. Williamson County has become an example of how development and agriculture can co-exist. When the current ordinance was implemented, people felt their rights were being too restricted. The new ordinance seems even more restrictive. Why are we changing something that has worked?

Response: Neither the existing Ordinance nor the new Ordinance regulate agricultural uses. The new Ordinance is not more restrictive on agriculturally-related businesses, and in many ways is less restrictive.