

# HICKMAN COUNTY, TENNESSEE

## RESOLUTION NO. 10 – 07

### ADDING SECTION 4.43.5 OF THE HICKMAN COUNTY ZONING RESOLUTION, “SPECIAL IMPACT COMMERCIAL DISTRICT”

**WHEREAS**, on July 18, 2005, the Board of County Commissioners of Hickman County adopted Resolution No. 05-32 enacting a “Land Use Plan” for the unincorporated areas of the county; and

**WHEREAS**, said resolution consists of a document titled “Final Draft No. 2-05, Zoning Resolution for Hickman County, Tennessee” (Zoning Resolution); and

**WHEREAS**, the original document contained no provisions for the development and construction of certain commercial uses that generate noise, traffic, dust and other special impacts upon the surrounding area of such use.

**WHEREAS**, the Hickman County Regional Planning Commission, at their meeting of February 11, 2010, voted to recommend the addition of Article IV, Section 4.43.5, items A thru G; and

**WHEREAS**, the Board of County Commissioners is desirous of adding Article IV, Section 4.43.5, C-2, Special Impact Commercial District, items A thru G;

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of County Commissioners of Hickman County, Tennessee, assembled in regular session this 22nd day of March 2010, that:

**SECTION 1:** Article IV, Section 4.43.5, “Special Impact Commercial District“ is hereby added to the Hickman County, Tennessee, Zoning Resolution to allow certain commercial uses that generate noise, traffic, dust and other special impacts upon the surrounding area of such use;

**SECTION 2:** This section requires a minimum lot size of 15 acres and a setback of 150 feet from all property lines;

**SECTION 3:** This section will become effective on April 1, 2010 but shall not affect any projects that are currently seeking a “special exception” or are under permit;

**SECTION 4:** The full text of Section 4.43.5 is included as Attachment A.

**SPONSORS:**

\_\_\_\_\_  
**Danny Clark**

\_\_\_\_\_  
**James Hassell**

**BOARD ACTION:**    \_\_\_\_\_ **Aye**    \_\_\_\_\_ **Nay**    \_\_\_\_\_ **Pass**    \_\_\_\_\_ **Absent**

**ADOPTED:**

**ATTEST:**

\_\_\_\_\_  
**Ronnie Sullivan, Chairman**

\_\_\_\_\_  
**Andrea Totty, County Clerk**

**APPROVED/DISAPPROVED:**

\_\_\_\_\_  
**Steve Gregory, County Mayor**

**DATE:** \_\_\_\_\_

## ATTACHMENT A

### 4.43.5 C-2 Special Impact Commercial District

#### A. District Description

This district is designed to allow certain commercial uses that generate noise, traffic, dust and other special impacts upon the surrounding area of such use. These uses shall be required to meet specific regulations as stated within this district. A site plan shall be required to show how all the regulations designed within this district will be met. No rezoning shall be recommended until a preliminary site plan is reviewed for compliance with the district regulations. After rezoning is completed, the site plan must be submitted to the Planning Commission, the Board of Zoning Appeals, the general public, and the County Commission. All uses are restricted to Arterial roadways as shown on the recorded Hickman County Major Thoroughfare Plan and located within Rural Area from the Hickman County Growth Plan.

#### B. Uses Permitted:

Within this C-2, Special Impact Commercial District, the following uses are allowed:

1. Motocross race tracks
2. Drag Strips for race cars or personal cars
3. Automobile or motorcycle race tracks
4. Any other type of motorized racing facility that is either private or public
5. Outdoor shooting ranges
6. Horse racing tracks
7. Refreshment stands, bathrooms as accessory structures to the above six permitted uses
8. Retail merchandising is permitted as a separate accessory use

#### C. Uses permitted as Special Exceptions:

Any of the above permitted uses that intend to operate before 9:00 A. M. or after 9:00 P. M. must be specifically approved by The Board of Zoning Appeals . The Board of Zoning Appeals should use criteria such as public input, access, dust noise, lights, and traffic impacts as the criteria for this review. Any adverse impacts upon the residents of the area must show how these issues will be mitigated. Adverse impacts should be reduced as much possible.

#### D. Uses prohibited :

Any use that is not specifically allowed as stated in B. above is prohibited.

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E. Dimensional Regulations:

Lot Area: The absolute minimum lot size shall be 15 acres.

Setbacks: All structures, paved areas or any parking areas must be setback from all property lines a minimum of 150 feet. Only signs and access drive may be allowed within the 150 feet.

F. Minimum restrictions to all permitted uses:

The following restrictions must be met before any rezoning of land or final site plan is approved:

1. All sites must be accessible to emergency vehicles such as fire trucks, ambulances, police, etc.
2. The site must be able to safely handle all proposed event traffic, including parking.
3. One parking space for each patron is required.
4. Days and hours of operation must be stated on the site plan.
5. All noise shall be kept at less than 75 decibels at the property line.
6. All federal, state and /or local permits must be acquired before operation of any event. A violation may result in loss of approval to operate. The Planning Commission may revoke approval at any time with just cause.
7. All bathrooms must be located on site and approved by the Hickman County Health Department.
8. All lighting for the site must not spill onto adjoining property or otherwise direct light onto any adjoining residences. No lighting shall exceed .5 foot candles at the property line
9. No use shall be allowed within 1,000 feet of a residence.
10. All shooting ranges must be constructed according to the "NRA Range Manual".

G. Procedures for site plan approval:

The site plan with preliminary approval from the Hickman County Planning Commission must be forwarded to the County Commission as part of the rezoning process. After rezoning is complete, final site plan approval from the Hickman County Planning Commission shall be required. No grading of land or construction may begin until approval of final site plan and a permit is issued by the Hickman County Building Commissioner.

Only the uses as reflected on the site plan shall be allowed to operate. Any proposed revisions or additions to the uses depicted on the original site plan shall be required to submit a new site plan in accordance with the site plan regulations in this zoning resolution.

If an approved site has been of violations, they shall have thirty (30) days from time of notice to make all corrections. If an owner or operation does not make all corrections within the time allowed, such site shall be in default and thus may lose all privileges to operate. Any change of the use will require a new site plan approval from the Hickman County Planning Commission before operation of the facility.

**ADD THE FOLLOWING DEFINATIONS TO SECTION 6.020:**

**RACING FACILITIES, RACE TRACKS, AND DRAG STRIPS:** A measured course where animals or machines are entered in completion against one another or against time. A race track may include seating, concession areas, suites and parking facilities but does not include residences.