

Town of Thompson's Station
Municipal Planning Commission
Meeting Agenda
November 1, 2018

Meeting Called To Order

New Business:

**Consideration Of A Preliminary Plat For Whistle Stop Farms Located At 1565
Thompson's Station Road West, County Tax Map 40, Parcel 146.**

Documents:

EXHIBIT A.PDF
EXHIBIT B.PDF
EXHIBIT C.PDF
EXHIBIT D.PDF
EXHIBIT E.PDF
EXHIBIT F.PDF
EXHIBIT G.PDF

Adjourn

*This meeting will be held at 6:45 p.m. at the Thompson's Station Community Center
1555 Thompson's Station Rd West*

Thompson Station Ordinance
Whistle Stop.
10.22.2013, Public Plat
Approval of PC.

ARTICLE I

TITLE, PURPOSE, JURISDICTION & DEFINITIONS

SECTION

- 1000 TITLE
- 1100 LEGISLATIVE INTENT
- 1200 PURPOSE
- 1300 INTERPRETATION
- 1400 DEFINITIONS

1000 TITLE

This Ordinance shall be known as the "Thompson's Station Zoning Ordinance."

1100 LEGISLATIVE INTENT

In enacting this Ordinance, special attention has been given to ensure that it conforms to the Comprehensive Plan for Thompson's Station. The intent of this Ordinance is to implement the goals and policies of the Comprehensive Plan.

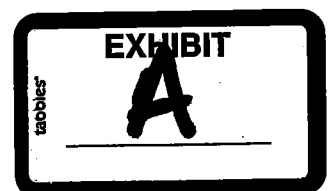
1200 PURPOSE

The purpose of this Ordinance is to implement a comprehensive planning program within the Town of Thompson's Station, including the *Thompson's Station Comprehensive Plan* and all future county and town plans. The explicit purpose of the comprehensive planning program for the Town of Thompson's Station is to promote the health, safety, and general welfare of the present and future inhabitants of the Town by:

A. Land Use Patterns and Community Character

1. Establishing a rational pattern of land use and encouraging the most appropriate use of individual parcels of land in the Town.
2. Dividing the Town into districts of distinct community character according to the use of land and buildings, the intensity of such use (including bulk and height), and the amount of surrounding open space.
3. Regulating and restricting the location and use of buildings, structures, and land for trade, industry, residences, and other uses.
4. Securing adequate natural light, clean air, privacy, convenient access to property, and a safe environment.
5. Limiting the bulk, scale, and density of both new and existing structures to preserve the desired character of the community.
6. Providing suitable transitions between areas of different community character.
7. Preserving and enhancing the Town's overall character.

B. Natural Resources



1. Preserving and protecting the Town's natural resources.
 2. Lessening and/or avoiding the hazards of flooding, stormwater accumulation, and run-off.
 3. Lessening and/or avoiding the hazards of soil creep and landslides.
 4. Promoting land uses that protect water and air quality.
 5. Preserving and protecting natural habitats for wildlife.
- C. Public Infrastructure
1. Creating an environment that is safe from fire, flood, and other dangers.
 2. Protecting the tax base by facilitating cost-effective development within the Town.
 3. Encouraging the most efficient use of both existing and planned public facilities and utilities.
 4. Protecting public facilities and utilities from being overloaded.
 5. Reducing the danger and congestion of traffic on roads and highways by limiting the number of intersections, driveways, and other friction points and minimizing other hazards.
 6. Protecting and enhancing a pattern of streets and highways that produce a unified, safe, and efficient system for movement within the Town.
 7. Protecting residential streets from degradation by nonresidential traffic.
 8. Ensuring adequate and promoting safe roads and facilities by limiting land use intensity according to the capacity of the roads or facilities.
 9. Establishing and regulating setback lines along streets and highways, property lines, and drainage facilities.
 10. Promoting economy in local government expenditures.
- D. Justifiable Expectations and Taxable Value
1. Protecting and enhancing the taxable values of land and buildings.
 2. Protecting landowners from adverse impacts of adjoining developments.
 3. Protecting and respecting the justifiable reliance of existing residents, business people, and taxpayers on the continuation of existing, established, and planned land use patterns.
- E. Administration
1. Defining the powers and duties of administrative officers and bodies necessary to administer this Ordinance.
 2. Prescribing penalties for violating the provisions of this Ordinance.

Each purpose listed above serves to balance the interests of general public in the Town with those of the individual property owners.

1300 INTERPRETATION

The judiciary, administrators or other persons shall interpret this Ordinance based on an understanding of the purposes intended by the Thompson's Station Board of Mayor and Aldermen, as noted in this Ordinance and the Comprehensive Plan. The intent of the standards and supporting definitions is to protect both individual property owners and the general public from adverse impacts that may result from a proposed land use. To this end, those called upon to interpret this Ordinance shall proceed as follows:

- A. Determine the public purpose(s) of the standard(s) for which an interpretation is required.
- B. Determine the actual impact of various proposed interpretations, permitting flexibility in design but prohibiting any interpretation that lowers the protection afforded to the public.
- C. Determine that the proposed interpretation will ensure a just balance between the rights of the landowner and all others who will be affected by that person's land use proposal.
- D. This Ordinance has been carefully designed by the Mayor and Aldermen to combine maximum achievement of public goals, and the protection of adjoining property owners while providing flexibility for property owners to use their land for a variety of uses consistent with the goals of the Comprehensive Plan for the Town. Great care has been taken to balance the rights of competing groups while achieving maximum protection with flexibility and a range of use options. Persons interpreting this Ordinance should not substitute their own judgments for the legislative acts of the Mayor and Aldermen.

1400 DEFINITIONS

Purpose

The purpose of this section is to establish a set of definitions to define terminology contained within the Zoning Ordinance. Interpretations of the definitions and terminology that are either within this section or not included will be made by the Town Administrator or a designee.

Definitions

Access: the place, means or way by which pedestrians and vehicles shall have adequate ingress and egress to a property.

Accessory structure: a subordinate detached structure that is located on the same property and is incidental to the primary use.

Accessory use: a use of a building or land that is incidental to the primary use of the building or land on the same project site.

Administrative decision: any decision at the discretion of the Town Administrator or his/her designee.

Agricultural Use: the use of land for the primary purpose of profiting from the raising, harvesting, and selling crops or livestock, including but not limited to, livestock and poultry.

Alley: a private right-of-way that is designed to serve as access to residential units.

Amphitheater: an unroofed or partially enclosed area for public or private use.

Amenity: a physical characteristic of a development that provides a direct benefit to the community.

Animal Hospital: an establishment which provides care and treatment of animals. Treatment may include medical and surgical procedures and short term boarding for convalescence.

Antique store: a store which sells or consigns to sell goods that are generally considered to be the quality of another age and deemed to be a collectible item.

Apartment building: a building containing three or more residential units for occupancy of three separate families living independent of one another.

Applicant: duly authorized representative of the subject property or project.

Architectural treatment: includes any feature that is used to enhance the architecture of a structure. Treatments may include, but are not limited to, cornices, parapets, columns, trellises, or other building projections.

Assisted Living Facility: Housing for senior citizens that include non-medical services that assist with daily activities such as dressing, grooming, bathing, etc.

Attic: the part of a building that is below the roof framing and does not contain heating/cooling or other interior features that create a livable space.

Auction: any sale of tangible goods/products by an auctioneer.

Basement: the part of the building that is partially or wholly beneath the grade of the primary structure. The basement may be completed as a livable space.

Bed and breakfast: residence in which overnight accommodations and meals are provided to guests for compensation.

Board: the Board of Mayor and Aldermen of the Town of Thompson's Station.

Boarding house: an establishment other than a motel or hotel that provides lodging and meals for a definite time frame for compensation.

Buffer: any natural or undeveloped area of land which provides a separation between uses.

Buffer yard: a combination of setback and a visual buffer or barrier. It includes a yard or area together with; berm construction, planting, fencing or acceptable combination thereof.

Building height: the vertical distance between the grade and the highest point on the structure.

Canopy: a small roof or awning structure that is attached to the wall and extends over an area designed to provide a shaded area.

Carotaker: a person residing on a property whose responsibility is to supervise and maintain the property in which he/she resides.

Clinic: a place where medical services are rendered as an outpatient service.

Consignment sale: a sale of items in which a third party plans and holds a sale for goods owned by other people in order to split the profits of the sales.

Cluster development: the concentration of residential units on a smaller portion of the site which results in the remaining portion of the land to be protected as open space.

Commission: the Planning Commission of the Town of Thompson's Station.

Common area: an outdoor area designated and intended for the enjoyment of use by residents or other members of a controlling association.

Comprehensive Plan: the Comprehensive Plan of the Town of Thompson's Station that refers to the goals and policies for the development and maintenance of the Town outlined by the Board of Mayor and Aldermen.

Concept plan: a generalized sketch plan indicating areas for future development with possible land uses.

Critical Lot: any lot that has constraints to typical development including, but not limited to, soil conditions, slope, presence of sinkholes or any other features that would affect site design.

Cul-de-sac: a street or road designed to remain permanently closed at one end by use of a bulb design for turn around.

Daycare, adult: a facility that provides care for persons over the age of 18 with functional impairment or the elderly.

Daycare, child: a facility that provides care for children on a daily basis, not to exceed 12 hours a day.

Daycare, home: a daycare facility that is operated by the provider from their residential dwelling.

Density: the total number of residential units permitted on a gross acre of land.

Driveway: a paved or unpaved path of travel for a vehicle connecting the public right-of-way or private street to a private residence.

Dwelling: a structure designed and intended for human habitation.

Easement: the right to use private property for specific and limited purposes, including but not limited to, utilities, drainage, landscaping and roadways.

Ecosystem: The interacting system between biological resources and the physical environment.

Erodible slope: Any area of incline, whether natural or manmade, which lacks sufficient vegetation to prevent instability and erosion and are therefore subject to erosion.

Erosion: the process by which the surface of the ground is worn away by the movement of wind, water or ice.

Excavation: the removal or relocation of soil, sand, gravel or rock.

Fill: materials, such as soil, gravel, rock or clay deposited with the intent of increasing the surface elevation.

Floor area: the total of the horizontal areas of each floor of a building.

Frontage, building: the linear distance of an exterior building wall of a ground floor business on the side of the building where the primary entrance is located.

Frontage, street: the portion of a lot or parcel which borders a public street.

Garage: a building either detached or attached to a primary residential building designated for the use of parking vehicles.

Grading: the process of excavation or fill or a combination thereof.

Group home: a residential building that provides housing for up to eight (8) service dependent individuals with up to three (3) professional staff to provide living support. A group home can consist of a treatment facility for drugs and alcohol, or developmentally disabled individuals.

Guesthouse: a detached accessory building that may have bathroom facilities but may not have any kitchen facilities located on the same site as a primary residence which will provide a temporary residence for the occupants of the house or their guests.

Height: the vertical dimension from the finished grade or lowest point of the building, structure or wall exposed above the ground.

Home occupation: the use of a residential dwelling and/or accessory structure not exceeding 1,000 square feet by permanent residents for business activities that does not affect the primary use or residential character of the property.

Hotel: a facility in which lodging accommodations are provided for compensation with access primarily from interior hallways.

Junk yard: business involving the collection and storage of scrap materials.

Kennel: an establishment where animals are temporarily boarded for compensation.

Legal, non-conforming lot: a parcel which was lawfully established, formed or subdivided and is not inconsistent with the zoning standards in which it is now located.

Legal, non-conforming use: a use or activity which was lawfully permitted prior to the adoption of an ordinance modification which prohibited the use.

Major thoroughfare: roads designated in the Comprehensive Plan which have the primary purpose of carrying traffic through the transportation system.

May: permissive

Mounted: attached, affixed to a structure or supported by a structure

Motel: a facility in which lodging accommodations are provided for compensation with direct access from parking area.

Natural vegetation: native plants, grasses, shrubs or trees found within the region.

Nursing Home: a facility which provides nursing care and related medical services on a 24 hour basis.

Open space, public: any publicly owned property designated or intended for use by the general population, including but not limited to parks and trails.

Outdoor entertainment: temporary events located within an outdoor amphitheater area or park for the purpose of entertaining the general public, such as concerts, festivals and other similar uses.

Outdoor storage: the keeping of materials, goods or vehicles on site for a time frame exceeding 24 hours.

Queue: a temporary waiting area for vehicles obtaining a service, food, or similar activity.

Recreation, active: leisure activities that require the development of a site, such as sports fields, swimming pools, etc.

Recreational facility: a land use which includes, but is not limited to parks, swimming pools, etc.

Recreation, passive: leisure activities that require little to no alteration or formal development of a site for public or private enjoyment.

Renovation: means physical improvements that increase the value of the real property.

Residential business: the use of a residential dwelling and/or accessory buildings on lots larger than one (1) acre by permanent residents for business activities that is compatible with surrounding land uses.

Rooming house: a residential structure with rooms available for renting for a definite time frame however no dining facilities are available to tenant.

Secondary unit: a residential dwelling unit containing kitchen facilities, which is located on the same lot as a primary dwelling unit, which may be utilized as a permanent dwelling in conjunction with the primary dwelling unit.

Sedimentation: the settling out of transported soil particles. Sedimentation occurs when the velocity of water or wind in which soil particles are suspended is slowed to a degree and for a period of time sufficient to allow the particles to settle out of suspension, or when the degree of slope is lessened to achieve the same result.

Setback, front yard: the distance between the front property line and the nearest projection of any structure on the site, extending to the side property lines.

Setback, side yard: the distance between the side property lines and along the side of any structure on the site.

Setback, rear yard: the distance between the rear property line and the nearest projection of any structure on the site, to the side property lines.

Shall: mandatory.

Soil erosion: removal, transport and/or loss of soil by action of water, ice, gravity or wind.

Solar collection system: a panel or solar energy device which is utilized for the collection, storage and distribution of solar energy resources.

Solar farm – energy generation facilities utilizing a solar collection system for the primary purpose of converting solar energy to electricity.

Street: any public or private way designated for vehicular circulation.

Tow yard: an outdoor storage yard for vehicles on a temporary basis.

ARTICLE II

ZONING DISTRICTS, USE REGULATIONS, BULK & PERFORMANCE STANDARDS

SECTION

2000 PURPOSE

2100 ZONING DISTRICTS

2200 MAP OF ZONING DISTRICTS

2201 Interpretation of District Boundaries

2300 STATEMENT OF PURPOSE AND INTENT OF

ZONING DISTRICTS & BULK/PERFORMANCE STANDARDS

2301 Specific District Regulations (Conventional Residential Development)

2302 Specific District Regulations (Cluster Development Options)

2303 Specific District Regulations (Planned Zoning/Development Options)

2304 Discretionary Density Bonuses

2305 Discretionary Intensity Bonuses

2306 Residential Development Standards

- 2307 Non-Residential Development Standards
- 2308 Planned (P) District Procedures
- 2309 Automotive Uses
- 2310 Self-Storage Standards
- 2311 Wireless Communications Facilities
- 2400 PERMITTED USE TABLE
- 2600 HOME OCCUPATIONS
- 2700 RESIDENTIAL BUSINESSES
- 2800 WINDMILLS

2000 PURPOSE

The incorporated areas of Thompson's Station, Tennessee are hereby divided into zoning districts of such number and character as are necessary to achieve compatibility of uses within each district, to implement the purposes of this Ordinance. The second purpose of this Article is to indicate which land uses may locate in each zoning district and which uses may not locate therein.

2100 ZONING DISTRICTS

For the purpose of this Ordinance, all land and water areas in the Town are hereby divided into zoning districts, which shall be designated as follows:

- 1. (A) Agricultural District
- 2. (L) Low Intensity District
- 3. (M) Medium Intensity District
- 4. (H) High Intensity District
- 5. (TC) Town Center District
- 6. (C) Commercial District
- 7. (PN) Planned Neighborhood District
- 8. (PI) Planned Industrial District
- 9. (SP) Specific Plan District

2200 MAP OF ZONING DISTRICTS

Zoning districts established by this Ordinance are as shown on the Official Zoning Map of Thompson's Station, which, together with all explanatory materials thereon, is, hereby, made a part of this Ordinance.

2201 Interpretation of District Boundaries

The following rules shall be used to determine the precise location of any zone boundary shown on the Official Zoning Map of Thompson's Station:

- A. Boundaries shown as following or approximately following the limits of any municipal corporation or its urban growth boundary shall be construed as following such limits.
- B. Boundaries shown as following or approximately following streets or railroad lines shall be construed as following the centerlines of such streets or railroad lines.
- C. Boundaries shown as following or approximately following platted lot lines or other property lines as shown on the Thompson's Station Tax Maps shall be construed as following such lines.
- D. Boundaries shown as following or approximately following the centerlines of streams, rivers, or other water courses shall be construed as following the channel centerline of such water courses, and, in the event of a natural change in the location of such streams, rivers, or other water courses, the zone boundary shall be construed as moving with the channel centerline.

E. Boundaries shown as following or approximately following ridgelines or watersheds shall be construed as following such lines.

2300 PURPOSE AND INTENT OF BASE ZONING DISTRICTS AND BULK/PERFORMANCE STANDARDS

This Article contains the basic performance standards of the district and the site capacity calculations that must be met by proposed land uses. The second purpose of this Article is to provide bulk standards that apply to all uses. The following apply to all uses:

- A. All front setbacks shall be measured from the property line. When the deed reads to the middle of the roadway the right of way is assumed to be 50 feet and the setback shall be measured from the assumed edge of right of way.
- B. All lots on individual septic systems must comply with the Williamson County Department of Sewage Disposal Management's regulations.
- C. Lots with frontage on more than one roadway shall apply front setbacks from each frontage unless setbacks are modified as part of a master plan reviewed by the Planning Commission for preservation of natural resources through cluster development.
- D. Lots with frontage on roadways with differing classifications shall take access from the lesser, classified roadway unless otherwise approved by the Planning Commission.
- E. Lots accessed by easement must be approved by the Planning Commission.
- F. With the exception of minor (two lot) subdivisions, all developments must prepare and submit a resource inventory map.
- G. Allowed density is calculated utilizing the base site area (see definitions).
- H. For Conventional residential developments, the maximum impervious area for any lot shall not exceed 25%.

2301 SPECIFIC DISTRICT REGULATIONS (Conventional Residential Development)

(A) Agricultural District

This district is intended to permit development in keeping with the rural character of areas located west of the CSX Railway, including existing agricultural, farming and ranching uses. This district will permit for the establishment and maintenance of single family residential uses and associated agricultural uses. The standards of this district ensure the development of these areas in a fashion that either permanently protects these areas or permits an interim use that will easily permit further development at the appropriate time. This district is particularly appropriate for areas with rough terrain and few public services.

Density	Maximum Height	Required Open Space	Minimum Lot Size	Minimum Road Frontage	Setbacks		
					Front	Side	Rear
.2	3 Stories(35')	70%	1 acre	130 Feet	75 Feet	20 Feet	50 Feet

(L) Low Intensity District

This district is intended for low density residential development designed to maintain a rural character. This district will consist of single-family detached dwellings and their accessory structures.

Setbacks

Density	Maximum Height	Required Open Space	Minimum Lot Size	Minimum Road Frontage	Front	Side	Rear
.8	3 Stories (35')	10%	1 acre	130 Feet	75 Feet	20 Feet	50 Feet

(M) Medium Intensity District

This district is intended for medium density residential development up to one unit per acre where urban services and facilities, including public sewer, are provided or where the extension of such services and facilities will be physically and economically facilitated.

Setbacks

Density	Maximum Height	Required Open Space	Minimum Lot Size	Minimum Road Frontage	Front	Side	Rear
1.0	3 Stories (35')	20%	30,000 Sq. Ft.	120 Feet	50 Feet	15 Feet	30 Feet

(H) High Intensity District

This district is intended for higher, density residential development where urban services and facilities, including public sewer, are provided or where the extension of such services and facilities will be available prior to development. This district may permit for the development of multi-family units with a plan that incorporates cluster development.

Setbacks

Density	Maximum Height	Required Open Space	Minimum Lot Size	Minimum Road Frontage	Front	Side	Rear
4-5 2.0	3 Stories (35')	30%	20,000 Sq. Ft.	110 Feet	25 Feet	10 Feet	30 Feet

2302 SPECIFIC DISTRICT REGULATIONS (Cluster Development Options)

Through the comprehensive planning process, the Town of Thompson's Station has determined that the encouragement of cluster development options is more likely to provide for the preservation of natural and cultural resources as desired by the Town's citizens. The Town encourages cluster development to provide for the following:

1. The preservation of, development limiting, natural resources that include: floodplains, streams, drainage-ways, wetlands, sinkholes, hilltops, ridgelines, steep slopes and slippage soils.
2. The preservation of agricultural resources including pastures, woodlands and hay-lands particularly as they contribute to view sheds and storm water management.
3. The preservation of cultural resources that include historic and architecturally significant structures, geographically and geologically significant features, and historic and prehistoric archeological resources.
4. The preservation of significant areas of interconnected open space to provide for enhancement of a sense of place and to provide enough natural habitat to sustain viable populations of native flora and fauna and to allow for their necessary symbiotic inter-relationships.
5. To provide for the creation of greenways, walkways and bikeways such that they provide for alternative means of transportation as well as recreation while intruding as little as possible into the natural realm.

Because of the need for design flexibility in cluster development options, the minimum lot sizes, maximum impervious areas, front and rear setbacks, and required road frontage will be determined through the platting process. Additionally, cluster options may be allowed discretionary density bonuses based on the following table:

(A) Agricultural District

Density	Maximum Height	Required Open Space	Required Common Area	Side Setbacks	

.2	3 Stories (35')	80%	0%	20 feet	
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(L) Low Intensity District

Density	Maximum Height	Required Open Space	Required Common Area	Side Setbacks	
1.0	3 Stories (35')	50%	40 %	10 feet	

(M) Medium Intensity District

Density	Maximum Height	Required Open Space	Required Common Area	Side Setbacks	
1.5	3 Stories (35')	50%	45 %	7.5- feet	

(H) High Intensity District

Density	Maximum Height	Required Open Space	Required Common Area	Side Setbacks	
2-θ 3.0	3 Stories (35')	50%	50%	5 feet	

2303 SPECIFIC DISTRICT REGULATIONS (Planned Zoning/Development Options)

The planned zoning and development options are rezoning requests based on a development design. Similar to cluster developments, these districts are designed to build flexibility into development options, the minimum lot sizes, maximum impervious areas, setbacks, building height, parking requirements and required road frontage are to be determined through the development and platting process. These options are also provided the same discretionary density bonuses and open space options as cluster developments.

(TC) Town Center District

The Town Center District will permit for a varied range of residential, light commercial and other related activities within an area of pre-existing residential and commercial development. The intent of the district will be to enhance the existing mixed use character and provide economic viability within the zone.

Min. Site Area	Residential	Commercial	Required Open Space	Density
N/A	100%	100%	30%	3.0

(C) Commercial District

This district is designed to provide for the creation of commercial development in areas that are in proximity to major thoroughfares and determined to have commercial potential and to not have existing defined neighborhood characteristics. This district is also intended to provide developmental flexibility in that bulk and performance standards will be established during the site planning process.

(PN) Planned Neighborhood District

This district is designed to provide for the creation of neighborhood development in areas that are relatively undeveloped and that are determined not to have existing defined neighborhood characteristics. This district is also intended to provide developmental flexibility in that bulk and performance standards will be procedurally established. It will also provide for the Town's input on design and architectural aspects of the plan through the planning and legislative process.

Minimum Site Area	Residential	Commercial	Required Open Space	Density
50 Acres	100%	20%	50%	2.0

(PI) Planned Industrial District

This district is designed to provide for the creation of industrial development in areas that are relatively undeveloped and that are determined not to have existing defined neighborhood characteristics. This district is also intended to provide developmental flexibility in that bulk and performance standards will be procedurally established. It will also provide for the Town's input on design and architectural aspects of the plan through the planning and legislative process.

Minimum Site Area	Residential	Industrial	Required Open Space	Density
20 acres	20%	100%	40% & 50%	2.5

(SP) Specific Plan District

The specific plan (SP) district is an alternative zoning process that may permit any land uses, mixture of land uses, and alternative design standards, as may be required to address the unique characteristics of an individual property through a site specific plan. In return, a SP district requires the site specific plan to be designed such that, at a minimum, the location, integration and arrangement of land uses, buildings, structures, utilities, access, transit, parking, and streets collectively avoid monotony, promote variety, and yield a context sensitive development. The site specific plan must comply with the building, fire and life safety codes adopted by the Town of Thompson's Station.

Minimum Site Area	Residential	Commercial/ Industrial	Required Open Space	Density
1 acre	100%	100%	40% & 50%	3.0

2304 Discretionary Density Bonus

In Cluster Developments, Town Center and in "Planned" Districts, discretionary bonuses may be utilized to increase allowed density by 150% in the Low (L) Intensity District, 200% in the Medium (M) Intensity District, and 300% in the High (H) Intensity District.

Each Deeded Acre of Acceptable Public Use Property	3 Units
Each 3,000 Feet of Constructed Walkways/Trails/Bikeways	1 Unit
Each 5% Increase (Above Min.) in Protected Open Space	1% Increase in Max. Gross Density
Development Rights Transfer (TDR)	1 Unit per Unit

2305 Discretionary Intensity Bonuses

In "Planned" Districts, discretionary bonuses may be utilized to increase allowed intensity. In the Low (L) Intensity District the required open space may be reduced by a maximum of 10%, Medium (M) 15%, and 20% in the High (H) Intensity District.

Each Deeded Acre of Acceptable Public Use Property	1% Decrease in Req. Open Space
Each 3,000 Feet of Constructed Walkways/Trails/Bikeways	1% Decrease in Req. Open Space
Per Unit Development Rights Transfer (TDR)	1% Decrease in Req. Open Space

At the discretion of the Planning Commission, required open space may be located off site. Said open space must be deeded to the Town or use restricted in a manner acceptable to the Planning Commission. Off-site open space dedication acres are not eligible for discretionary density bonuses.

2306 RESIDENTIAL PROPERTY STANDARDS

These standards are a minimum set forth to govern residential developments. Modifications may be

requested and will be subject to Planning Commission review through the site plan process. Multi-family developments are also subject to review and approval by the Design Review Commission.

SINGLE-FAMILY RESIDENTIAL STANDARDS

- A. Setbacks. Setbacks may be determined by the Planning Commission at the time of final plat. A minimum of 20 feet for the front yard and 15 feet for the rear yard are required. For alley loaded developments, the front yard and rear yard may be reduced to 10 feet.
- B. Distance between Structures. A minimum of 15 feet shall be required between primary residential structures. A minimum of eight (8) feet shall be required between primary and accessory structures.
- C. Height. Single-family residential dwelling units shall not exceed 35 feet or three (3) stories.
- D. Lot Coverage. Lot coverage shall not exceed 40% and shall include the footprint of all structures on the site.
- E. Accessory Structures. All accessory structures shall be located within the rear yard, shall be located a minimum of 10 feet from the primary residence and shall not be located within 15 feet of the side or rear property line.
- F. Landscaping. Required setback areas shall be landscaped and permanently maintained in a healthy manner and should include a minimum of one (1) tree.
- G. Garage. New single family subdivisions shall have a two (2) car garage that meets interior dimensions of 22 feet by 22 feet. This interior dimension shall be free and clear of obstructions, such as washer/dryer hook up areas, stairs, etc.
- I. Walls and Fences. No wall or fence shall exceed six (6) feet in height. Prohibited materials include chain link, barb wire, or temporary materials. Construction sites with temporary fencing are exempt. Pre-existing housing and agricultural uses may be exempt from the fencing requirements.
- J. Residential Lots Shall Be Kept Free And Clear Of Vehicles. With the exception of the driveway, a person shall not keep, store, park, maintain or otherwise allow any vehicle or vehicle parts in the required front yard or any additional area of a residential lot that is not predominantly screened from a public or private street by solid fencing, walls or vegetation.

MULTI-FAMILY RESIDENTIAL STANDARDS

- A. Minimum Site Area. Multi-family developments shall be located on a minimum of five (5) acres.
- B. Setbacks. Required front and side yard setbacks shall be landscaped and permanently maintained in a healthy manner. Irrigation systems shall be utilized for all required landscaped areas. Landscape areas in excess of the code requirements do not require irrigation systems.
- C. Building Height. Building height shall not exceed 45 feet or three (3) stories. Accessory

buildings shall not exceed 25 feet in height or two (2) stories. Architectural features may be granted additional height up to 10% of the total building height.

- D. **Building Materials and Features.** Construction shall incorporate masonry and brick. No vinyl or metal siding is permitted. Building facades shall include varied wall planes, projections and recesses, window articulation and natural color schemes.
- E. **Massing.** Groupings of buildings shall be used instead of long linear rows of buildings. Building massing shall incorporate varied rooflines, building heights and other architectural features.
- F. **Entries.** Entry drives shall be designed to incorporate enhanced paving, landscaping and other features which complement the building architecture.
- G. **Screening.** Masonry walls shall be required for noise attenuation between multi-family and single-family land uses. Masonry walls shall be designed to match the architecture of the residential structures.
- H. **Private and Public Space.** Each unit shall have 450 square feet of private space. Public areas, such as parks and other passive areas shall be deeded as permanent open space area maintained by a homeowners association.
- I. **Recreational Facilities.** Each multi-family development shall incorporate a minimum of two of the following: children's playground, swimming pool with amenities center, and trails throughout the open space where feasible (significant slopes exceeding 20% may be excluded).
- J. **Parking.** Each unit shall have two (2) designated parking spaces located in proximity to the unit it serves. Long rows of garages shall be broken up into groupings to serve the units.
- K. **Trash Enclosures.** Each multi-family development shall include trash areas that will be designed to accommodate two (2) trash bins, one which will be designed for future recycling. The trash enclosure shall be enclosed by a masonry wall that matches the architecture of the residential buildings. In addition, a landscape planter shall be utilized to provide screening around the trash enclosure.

SECONDARY UNITS/GUEST HOUSES

- A. **Number of Units.** One secondary unit or guest house is permitted on all lots developed with a primary residence. The unit may be attached or detached (Attached units shall be limited to half the square footage of the primary dwelling or 900 square feet, whichever is less).
- B. **Density.** Density allowances shall not be exceeded for the development of secondary units.
- C. **Height of Secondary Unit.** The secondary unit shall not exceed the height of the primary residence on the lot.
- D. **Height of Guest House.** The height of a guest house shall not exceed the maximum height for accessory structures.

- D. Maximum size. A guest house shall not exceed 900 square feet.
- E. Parking. One additional paved, off street parking space shall be provided for a secondary unit.
- F. Design. The secondary unit or guest house shall be compatible with the primary residence and shall keep with the character of the surrounding vicinity.
- G. Address. An address shall be provided for all secondary units through Williamson County.
- H. General. All standards applicable to setbacks, lot coverage, etc. that pertain to residential development shall be adhered to with the development of secondary units and guest houses unless otherwise addressed within this section.

2307 NON-RESIDENTIAL PROPERTY DEVELOPMENT STANDARDS

These standards are a minimum set forth to govern all non-residential developments. Modifications may be requested and will be subject to Planning Commission review through the site plan process and are subject to review and approval by the Design Review Commission.

NON-RESIDENTIAL STANDARDS

- A. Setbacks. Setbacks will be determined by the Planning Commission at the time of final plat. Maximum setback shall be 20 feet, exclusive of easements and right-of-way dedications. Buildings should be located along road frontage where feasible with parking located in the rear.
- B. Height. Non-residential buildings shall not exceed 45 feet or three (3) stories. Architectural features may be granted additional height up to 10% of the total building height.
- C. Lot Coverage. Lot coverage shall not exceed 25% and shall include the footprint of all structures on the site.
- D. Building Materials and Features. Construction shall incorporate masonry and brick. No vinyl or metal siding is permitted. Building facades shall include varied wall planes, projections and recesses, window articulation and natural color schemes.
- E. Massing. Groupings of buildings shall be used instead of long linear rows of buildings. Building massing shall incorporate varied rooflines, building heights and other architectural features.
- F. Entries. Entry drives shall be designed to incorporate enhanced paving, landscaping and other features which complement the building architecture.
- G. Screening. Masonry walls shall be required for noise attenuation between non residential and residential land uses. Masonry walls shall be designed to match the architecture.
- H. Trash Enclosures. Each development shall include trash areas that will be designed to accommodate two trash bins, one which will be designed for future recycling. The trash enclosure shall be enclosed by a masonry wall that matches the architecture of the residential buildings. In addition, a landscape planter shall be utilized to provide screening around the trash

enclosure.

2308 PLANNED ZONE DISTRICT PROCEDURES

- A. *Pre-application Conference.* Prior to the submittal of a rezoning application for a planned zone district, a pre-application conference must be held with Town Administrator or a designee to determine a proposed development plan's consistency with the principals and objectives of the Comprehensive Plan.
- B. *Application Submittal.* Following the pre-application conference, an applicant may submit a rezoning application for a planned zone district accompanied by a development plan in a form and content established by the Planning Commission. At a minimum, the development plan shall consist of written text, exhibits, and plans in a report format that describes existing conditions, the purpose and intent, the plan's consistency with the principles and objectives of the Comprehensive Plan, a design plan for the development, a list of allowable land uses, illustrations of proposed building types, site specific development standards, and a development phasing and construction schedule. All items must be submitted at the time of application for the rezoning application to be deemed complete for review. Any omission of a required submittal item shall be identified, and its reason for omission explained in the development plan, including any application submittal waivers granted by the Town's Staff.
- C. *Planning Commission Action.* The Planning Commission shall review a proposed planned zone district application for performance and consistency with the development plan's stated purpose and intent and the principals and objectives of the Comprehensive Plan. The Planning Commission shall act to recommend approval, approval with conditions, or disapproval of the application. Within ten working days of an action, the commission's resolution shall be transmitted in writing to the applicant and the City Recorder.
1. Approval. Approval of a proposed planned zone district shall be based on findings that the stated purpose and intent have been satisfied.
 2. Conditional approval. The Planning Commission may recommend approval of a planned zone district application subject to any conditions deemed necessary as to purpose and intent. All conditions shall be transmitted to the applicant in writing. The application will not be considered approved until all prescribed amendments to the application have been made.
 3. Disapproval. If the Planning Commission acts to disapprove an application, the reason for that disapproval shall be stated in writing and transmitted to the applicant.
- D. *Consideration by the Board of Mayor and Aldermen.* The Thompson's Station Board of Mayor and Aldermen shall consider an ordinance establishing an planned zone district and its associated development plan according to the procedures set forth in Article VI.
- E. *Changes to a Planned Zone District.* An application to modify a planned zone district, in whole or in part, shall be filed with and considered by, the Planning Commission according to the provisions of this section. The Town Administrator shall have the authority to grant minor modifications to the approved plan. A major modification shall include, but not be limited to, any proposed change in the geographic boundary of a planned zone district, the modification of specific performance criteria, design standards, land uses, development types or other requirements as shown, described, illustrated, identified, or noted on the last approved Board of Mayor and Aldermen development plan, and shall be considered by the Board of Mayor and Aldermen according to the procedures set forth in article VI.
- F. *Final Site Plan.* All final site plans shall conform to the planned zone development plan, and shall be submitted in conformance with this section. Approval shall be based on a finding that the

final site plan conforms to the approved development plan.

- G. *Development Approvals and Permits.* Approval of a planned zone district does not relieve an applicant of any subdivision plat, final site plan, building permit, or other Town department reviews and approvals. Except as specifically provided for in the individual planned zone standards, all development shall be undertaken in conformance with adopted departmental rules and procedures. Where specific amendments to departmental rules and procedures have been included in the adopted planned zone standards, all reviews and permits shall only be issued in conformance with the provisions of the approved planned zone development plan. However, no rule or procedure amendment shall be implemented if it would vacate or violate any federal or state requirement.
- H. *Review of a Development Plan.* The planned zones are not intended for speculative development projects, but represents the applicant's firm intention to develop according to a master development plan in a single development operation, or in a phased series of development operations according to a development schedule submitted in accordance with the requirements set forth in this ordinance and the Town's subdivision regulations. The Planning Commission shall review each development plan within a planned zone district two (2) years from the date on which it was approved, by the Board of Mayor and Aldermen, and every two (2) years hence until the development plan has been deemed by the Planning Commission to be complete according to the approved development concept.
- I. *Inactive Projects.* Any project that is determined inactive by the Town Staff shall be brought to the Planning Commission for a determination on whether the planned zone shall remain in effect. Inactive shall include the abandonment of approval or construction activity for greater than six (6) months unless a written request for and extension is submitted and approved. Any extensions shall be submitted for Planning Commission review and approval.

2309 AUTOMOTIVE USES

Due to the high impact of automotive uses the following standards are established for the development of automotive repair/body repair shops, automotive service facilities, automotive washes, automotive fuel sales and accessory uses or any similar use or combination of the above uses.

- A. *Setbacks.* Main buildings and structures shall be located as close as allowable to the public right-of-way, adjacent to landscaping, and the front façade of the main structures shall orient toward the public right-of-way. Automotive bays and other garage space access shall be oriented away from public rights-of-way.
- B. *Lot Coverage.* Lot coverage for automotive facilities shall include all buildings and canopies on site and shall not exceed 25%. Total amount of impervious surface shall be limited to 40%.
- C. *Parking.* Parking shall be predominantly located in the rear of the site behind the main structure, where feasible. In cases where a portion of the parking fronts a public right of way, a landscaped hedge shall be provided to screen all parking spaces. The overnight parking or storage of any vehicles shall be fully screened from all public rights-of-way.
- D. *Building Height.* A maximum height of 25 feet is permitted for all structures.
- E. *Queue.* Car washes and other automotive uses that require vehicle stacking for quick service functions shall have a minimum queuing or stacking of three (3) cars or 60 feet. The queue cannot block any ingress/egress, drive aisles or parking.

- F. Outdoor Display of Merchandise/Materials. Temporary display is permitted Displays may not be located within any vehicular or pedestrian path of travel or any parking areas.
- G. Pedestrian Access. Internal pedestrian access shall be provided and shall consist of paved walkways, decorative treatments, etc. to clearly identify the pedestrian path.
- H. Uses Not Associated with the Business. No sale of merchandise such as, cars, motor vehicles, etc. by private parties shall be permitted on the premises.
- I. Design. All nonresidential buildings shall be reviewed by the Design Review Committee.
- J. Other Design Considerations. Canopy fascia shall match the color and materials of the other buildings on site. No more than two points of ingress/egress shall be permitted and no more than 35% of the street frontage shall be dedicated to curb cuts. Driveways shall be located a minimum of 200 feet from any intersection.
- K. Signage. All signs shall comply with Section 5500 of the Zoning Ordinance.
- L. Compliance with other codes. Automotive uses shall be operated and maintained in accordance with all applicable state and building codes.

2310 SELF-STORAGE

These standards are a minimum set forth to govern the development of self-storage facilities. The Board of Zoning Appeals may, through the special exception permit process, determine that additional standards are necessary for the health, safety and welfare of the community as a whole.

- A. Self-storage facilities shall not be located on any parcel which is less than two (2) acres.
- B. All self-storage facilities shall maintain a minimum of a 25 foot landscaped front yard setback, a 15 foot landscaped setback and a 20 foot landscaped setback.
- C. No building shall exceed 20 feet in height unless the additional height is for architectural features for the visual enhancement of the structure. No additional storage will be permitted within areas exceeding 20 feet in height.
- D. All self-storage facilities shall be enclosed by a solid masonry wall with a minimum height of six (6) feet. All self-storage facilities shall have additional landscaping to screen the sides and rear of the facility to provide a visual buffer between land uses.
- E. All noise shall be sound attenuated so that the noise level measured at the property line that does not exceed 85 decibels during the day and 65 decibels at night when adjacent to residential districts.
- F. All self-storage facilities shall be designed and developed in a complementary architectural style to surrounding developments. All self-storage facilities shall be reviewed by the Design Review Committee.

- G. No uses other than storage and a related office are permitted within the self-storage facility.
- H. All storage shall be contained within each individual storage unit. Outdoor storage shall be subject to outdoor storage requirements.
- I. All signs shall comply with Section 5500 of the Zoning Ordinance.
- J. Self-storage facilities shall be operated and maintained in accordance with all applicable state, county and local building codes and regulations.

2311 WIRELESS COMMUNICATIONS FACILITIES

These standards are a minimum set forth to govern the development of wireless communications facilities.

- A. **Review Process for Wireless Communication Towers (“WCT”).** All applications to construct a WCT within the Town shall include a detailed site plan of the proposed WCT, in addition to information required for a building permit, and shall obtain the approval of the planning commission, unless specifically exempted as provided herein.
- B. **Permitted Locations.** WCTs are permitted within any zoning district within the Town subject to the standards of this ordinance; however, the placement of such towers in areas and specific locations to minimize the visual impact of WCTs is strongly encouraged.
- C. **Low-impact WCTs.** Proposed WCTs meeting the following requirements shall not require planning commission review and approval, but may be approved by Town staff:
 - 1. Antennae located on existing non-residential structures that do not extend more than ten (10) feet above the existing structure and that are camouflaged or placed in a manner so as to minimize visibility.
 - 2. Monopoles of less than forty (40) feet in height located within areas of public right-of-way as permitted by the Town or located on existing utility poles within the Town.
 - 3. The collocation of antennae on existing WCTs, whether they were constructed before the effective date of this ordinance or approved in accordance with this ordinance, provided no additional height is added to the WCT.
- D. **Medium-impact WCTs.** Proposed WCTs meeting the following requirements are permitted upon planning commission review and approval. In addition to the following requirements, the planning commission may also impose such other conditions as reasonably necessary to protect the surrounding property uses:
 - 1. Applications proposing medium-impact WCTs shall demonstrate that (a) they have exhausted all reasonable efforts to co-locate with existing facilities and (b) that a low-impact WCT is not feasible for their needs and purposes.

2. Medium-impact WCTs shall be located where the existing topography and land features provide screening to the maximum extent feasible from the public viewshed. The planning commission shall recognize a preference for proposed WCT locations with such characteristics and in the event a proposed site is not within an area that is completely surrounded by existing heavily wooded terrain, then the application shall be considered a high-impact WCT, provided that a proposed monopole WCT that will be an accessory use on a non-residential property and that does not exceed the maximum height limit for structures within that zoning district, shall be considered a medium-impact WCT.

3. Unless the proposed WCT is an accessory use on a non-residential property as described in (2) above, the height of a medium-impact WCT shall not exceed twenty (20) feet over the average tree height within a 100 foot radius of the proposed ground mount location and in no event may a medium-impact WCT exceed a height of eighty (80) feet.

4. All new medium-impact WCTs shall be designed to accommodate the co-location of at least three (3) other users, including all necessary above-ground and underground infrastructure.

5. Medium-impact WCTs shall be separated by not less than 750 feet, measured by a straight line from the base of an existing tower, to the base of a proposed tower.

E. High-impact WCTs. Any proposed WCT not meeting the conditions for low- or medium-impact WCTs require site plan review and approval by the Planning Commission and must meet the following additional conditions:

1. An applicant for a high-impact WCT shall provide an inventory of existing WCTs or sites approved for WCTs that are within the Town, and WCTs outside of the Town which serve areas within the Town, as well as within the coverage area of the proposed WCT. The inventory shall include specific information about the design, height, and location of each WCT and demonstrate that their needs and the needs of the public cannot be adequately served by co-location or installation of a low- or medium-impact WCT. High-impact WCTs will only be approved if the Planning Commission determines based on the evidence presented by the applicant that no existing WCT or structure can accommodate the proposed antenna.

2. High-impact WCTs shall be no separated by not less than 1,500 feet, measured by a straight line from the base of an existing tower, to the base of a proposed tower.

3. Site plans applications for high-impact WCTs shall include a detailed landscaping plan sufficient to screen the entire perimeter of the fence of the WCT and to provide for the installation and future growth of large trees and other vegetation. The planning commission may require the applicant to post a landscaping bond as a condition of approval.

4. Applications for high-impact WCTs shall also include detailed construction drawings and plans approved by a licensed engineer and a schematic drawing of the proposed WCT and accessory structures, fencing and landscaping.

4. A high-impact WCT shall require an additional two-foot setback from the base of the tower to the property line for each vertical foot over the maximum height of structures permitted within that zone district. No WCT shall be permitted by the Planning Commission

of a height of more than 125 feet.

F. Requirements for all WCTs. All WCTs shall meet the following requirements:

1. Minimum siting distances to habitable structures required for compliance with the Federal Communications Commission (FCC) regulations.
2. Shall be designed using non-reflective materials and shall be compatible with and match the building architecture and colors to the maximum extent feasible and be located to minimize visual impacts.
3. No signs are permitted on a WCT other than necessary warning or certification signs.
4. No lighting is permitted on a WCT except as required to comply with federal regulations.
5. All ground mounted mechanical equipment shall be housed underground or within a structure that shall be fenced and screened from public view with an 8 foot fence. The fenced shall be locked at all times and the perimeter of such fence shall be completely screened from adjacent properties either by existing trees and vegetation or newly installed landscaping.
6. Wireless communications facilities shall be operated and maintained in accordance with all applicable federal, state, county and local building codes and regulations. Any abandoned facilities or structures shall be removed within 30 days.

G. Abandonment and removal. Any WCT that is not operated for a continuous period of 12 months or more shall be considered to have been abandoned, and the owner shall remove the same within 90 days of receipt of notice from the Town. Failure to remove an abandoned tower or antenna within said 90 days shall be grounds to remove the WCT at the owner's expense. If there are multiple users of a WCT, then this provision shall not become effective until all users abandon the tower. The Planning Commission shall require that a Performance Agreement be established for all High-Impact WCTs, with appropriate financial security to defray the costs of removal.

2400 PERMITTED USE TABLE

The Permitted Use Table illustrates the permissible land-uses within each of the zoning districts. The zoning districts provide for different land-uses and different land use intensities. The Permitted Use Table contains groupings of land-uses along with the different zoning districts allowed by the Town of Thompson's Station.

P' = Permitted by Right - 'S' = Special Exception (BZA Approval Required) - Blank = Prohibited

Residential Use Types	A	L	M	H	TC	C	PN	PI	SP
Single Family Dwelling	P	P	P	P	P		P		P
Two-Family Dwelling			P	P	P		P		
Multi-Family Dwelling				P					

Mobile Home Dwelling	P								
Caretakers Residence	P	P	P						P
Assisted Living			S	S	S		P		P
Convalescent Care			S	S	S		S		P
Second Units	P	P	P	P					
Adult Day Care (In Home)	S	S	S	S	S		P		P
Child Day Care (In Home)	S	S	S	S	S		S		
Group Day Care (In Home)	S	S	S	S	S				
Group Home	S	S	S	S	S		P		P
Joint Living/Working Quarters					P	P	P		P
Residential Use Types	A	L	M	H	TC	C	PN	PI	SP
Model Homes	P	P	P	P	P				
Retirement Home			S	S			S		P
Rooming House				S	S		P		P
Home Occupation/Residential Business	P	P	P	P	P				P
Commercial Use Types									
Adult Business									S
Animal Sales and Services									
Breeding	S	S	S						
Day Care	P	P	P						P
Grooming and Pet Stores						P			
Kennels	S				P		P	P	P
Sales						P			P
Riding and Livery Stables	S	S	S	S	S		P		P
Veterinarian Hospital/Clinic					P		P		P
Banks and Financial Services					P	P	P	P	P
Day Care Center					P	P	P		P
Eating and Drinking Establishments									
Restaurants with/without alcohol					P	P	P	P	P
Restaurants with entertainment					S	S		S	S
Catering Establishments					P	P	P	P	P
Drive Thru					S	P	P	P	P
Funeral Homes and Crematory Services									P
Lodging									
Bed and Breakfast	S	S	S	S	S	P	P		P
Hotel/Motel						P	P	P	P
Medical Services					S	P	P	P	P
Professional Office					P	P	P	P	P
Recreation, Commercial									
Amusement Center									S
Indoor Entertainment					S	P	P	P	P
Indoor Sports Recreation						P			P
Outdoor Entertainment					S	P	P	P	P

Outdoor Sports Recreation						P		P	P
Residential Recreation Facilities	P	P	P	P	P		P		P
Retail Sales, General					P	P	P		P
Retail Sales, Specific									
Building Materials, including Farm Equipment						S		P	P
Discount Stores						P	P	P	P
Drugstores						P			P
Equipment Rental								P	
Food and Grocery Stores					S	P	P		P
Garden Supply Stores						P		P	P
Vendors					S	S	S	S	S
Commercial Use Types	A	L	M	H	TC	C	PN	PI	SP
Retail Repair and Cleaning Services					S	P	P	P	P
Recording Studios					S	P		P	P
Self-Storage								S	
Vehicles Sales and Services									
Automotive Sales								P	
Auto Cleaning and Repair						P		P	P
Auto Painting								P	
Auto Towing								P	
Auto Wash						S		P	S
Commercial Storage								P	
Service Station with/without Convenience Market						P	S	P	S
Boat Sales and Repair								P	
Industrial Use Types									
Manufacturing									
Light								P	P
Heavy								P	
Outdoor Storage								P	
Recycling Facilities								P	
Truck Maintenance and Repair								P	
Truck Stop								P	
Warehousing								P	
Agricultural Use Types									
Agricultural Sales and Services									
Beekeeping	P	P	P						
Crop Production	P	P	P	P					
Dairies	S	S	S						
Equestrian Facilities	P	S	S	S					
Horticulture	S					P			P
Plant and Forest Nurseries	S	S	S	S				P	P
Public and Semi Public Use Types	A	L	M	H	TC	C	PN	PI	SP

Community Assembly									
Churches, Temples or Worship Facilities	S	S	S	S	P	P	P	P	P
Public or Private Clubs, lodges, Meeting Halls					P	P			P
Farmers Market	S	S			P	P	P		P
Heliport/Helipad								P	P
Hospital Services						P		P	P
Museums					P	P	P		P
Libraries				S	P	P			P
Parks									
Public	P	P	P	P	P	P	P	P	P
Private	P	P	P	P	P		P		P
Parking Facilities					S	P	P	P	P
Public Services									
Cemeteries								P	
Correction and Detention Institutions								P	
Utility Substations	P	P	P	P	P	P	P	P	P
Schools									
Elementary, Middle and High Schools	P	P	P	P	P		P		P
College									P
Private Nursery Schools			S	P	P	P	P		P
Wireless Communications Facilities								P	
Temporary Use Types									
Holiday Sales	P	P	P	P	P	P	P	P	P
Temporary Real Estate Offices	P	P	P	P	P	P	P	P	P
Temporary Festivals	P	P	P	P	P	P	P	P	P

All land uses are subject to the specific development requirements set forth with the Zoning Ordinance.

2600 HOME OCCUPATIONS

2610 Purpose

The purpose of this Section is to establish standards for non-residential uses within residential dwellings by the permanent residents in a manner that protects the residential character of the area, while providing the flexibility of granting home based businesses.

2620 Administration

A. No home occupation shall be permitted in any residential zoning district without a home occupation permit. The consent of the property owner is required before any home occupation permit will be issued. A home occupation permit application must be submitted to the Town and be accompanied by the required fee. The application must include the following information:

1. A complete home occupation application.
2. A site plan showing the location of all proposed business activities on the project site.

3. Consent of the property owner.
4. Any information that the Town may reasonably request in order to process the application.

2630 General Regulations

- A. The principal structure on the site shall be maintained as a residential use occupied by the person(s) conducting/engaged in the business.
- B. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants and not more than 25% of the floor area of the dwelling unit shall be used in the conduct of the home occupation.
- C. For sites that are less than one acre in size, the home occupation shall be completely enclosed within a structure on site. Sites exceeding one acre in size that utilize outdoor areas or other structures exceeding 1,000 square feet shall be subject to the requirements for residential businesses.
- D. No exterior alterations of the dwelling shall be made which would change the residential character of the house.
- E. No business activities which would generate significant non-residential traffic or parking problems for the neighborhood shall be permitted.
- F. Deliveries to the residence for business purposes shall not be in substantial excess to that of normally occurring to the residential use.
- G. The residents of the dwelling unit and three additional non-residents may be permitted to be engaged in the home occupation providing all parking can be provided on site and the use does not become a nuisance to the community.
- H. Any proposed signage shall be required to obtain a sign permit prior to the installation of any signs.

2700 RESIDENTIAL BUSINESSES

2710 Purpose

The purpose of this Section is to establish standards on larger residential properties which are conducive to both residential and business land uses. These regulations are intended to permit non-intrusive economic activity on residential properties while protecting the integrity of the community and to promote and protect the public health, safety and general welfare of the people of the Town of Thompson's Station.

2720 Administration

Residential Business Permit Process

- A. No residential business shall be permitted in any residential zoning district without a residential business permit. The consent of the property owner is required before any residential business

permit will be issued. A residential business permit application must be submitted to the Town and be accompanied by the required fee.

- B. Residential businesses shall be subject to review and approval by the Planning Commission. The application must include the following information:
1. A complete application, including a justification statement explaining the proposed business in detail.
 2. Ten (10) copies of a detailed site plan showing the location of all proposed business activities on the project site.
 3. Ten (10) copies of detailed building elevations (for all new construction).
 4. Written consent of the property owner.
 5. Any information that the Town may reasonably request in order to process the application.

2730 General Regulations

- A. A residential business may not be permitted on lots less than one (1) acre in size.
- B. The residents of the property must be engaged in the business. Additional non-residents may be employed in the residential business providing all parking can be provided on site and the use does not become a nuisance to the community. Adequate parking for all employees shall be indicated on the site plan.
- C. With the exception of land uses that require cultivation of the land, all residential business uses shall be maintained within an enclosed building, not to exceed 5,000 square feet.
- D. All storage of materials used for the residential business shall be kept within an enclosed structure or shall be completely screened from the roadways and adjacent properties.
- E. All buildings utilized for the business shall maintain a minimum setback of 50 feet from any property line.
- F. Any land alterations necessary for the installation of any accessory structures shall be subject to review and approval of a grading plan.
- G. All businesses shall comply with the code requirements for buffer yard performance standards.
- H. Any business that exceeds the thresholds within the Noise Ordinance shall be required to soundproof the building.
- I. No activities, materials or equipment related to the residential business may negatively impact visibility from the public right-of-way or neighboring residences.
- J. Any proposed signage shall be required to obtain a sign permit prior to the installation of any signs.

2740 Planning Commission Authority

Any requirement may be modified by the Planning Commission subject to a review of the residential businesses impacts to the immediate vicinity, on adjacent properties or within the surrounding area.

2800 WINDMILL STANDARDS

These standards are a minimum set forth to govern the installation of windmills or other similar electricity generating facilities intended for residential use. The Board of Zoning Appeals may, through the special exception permit process, determine that additional standards are necessary for the health, safety and welfare of the community as a whole.

- A. Acreage. Windmills shall not be located on any parcel which is less than five (5) acres. Prior to the subdivision of any land containing a windmill into less than 5 acre parcels, the windmill shall be removed. No more than one (1) windmill shall be permitted per five acre parcel.
- B. Height. Windmills shall not exceed 80 feet in height measured at grade to the highest point of the structure.
- C. Location. Windmills shall be located within the rear yard of the property.
- D. Materials. Windmills shall be constructed of non-combustible materials.
- E. Setbacks. The setback shall be determined by the total extended height, which shall include the height of the windmill plus the length of one turbine plus an additional 10 feet. This setback shall be maintained from all property lines, public rights-of-way, and any overheard utility line or structure.
- F. Signage. No signs are permitted on any portion of the windmill.
- G. Compliance with other codes. Windmills shall be constructed, and maintained in accordance with all applicable building and electrical codes. A letter from the utility company shall be obtained and submitted with the application for any windmills that are proposed to be connected to utility company infrastructure.
- H. Abandonment. Any windmill that is inoperable for greater than six months shall be removed from the property. Failure to remove inoperable windmill may result in removal by the Town at the expense of the property owner.

2900 TEMPORARY USE/EVENTS STANDARDS

Applicability

All temporary events that are conducted on private property, public property or within the public right-of-way shall be subject to approval of the Town Planner. The following temporary uses shall be subject to review and approval by the Board of Zoning Appeals:

- A. Temporary uses that will be located on more than one lot under separate ownership;
- B. Temporary uses that utilize any portion of public rights-of way or property, except for ingress/egress;
- C. Temporary uses that requires additional traffic control or security, which is generally not required for the permitted uses;

- D. Any use that exceeds a period of three (3) days (except seasonal sales, such as Christmas tree lots);
- E. Temporary uses involving the sale of alcohol or live musical entertainment

The Board of Zoning Appeals may incorporate additional conditions of approval to preserve the public health, safety and welfare of the community subject to the following findings:

- a. That adequate public and private facilities such as utilities, parking spaces, and traffic circulation measures are, or will be, provided for the proposed use;
- b. That the proposed location, size, design, and operating characteristics of the proposed use are in accordance with the Town's Comprehensive Plan, and is in compliance with the requirements set forth of the zone in which the site is located;
- c. That the use and its associated structures and facilities will not be detrimental to the public health or safety, the general welfare, or the environment; and
- d. That the use and facilities will not adversely affect or conflict with adjacent uses or impede the normal development of surrounding properties.

Findings of Fact

The Town may grant, deny or conditionally grant a temporary event permit without notice and public hearing if findings of fact are made in support of each of the following standards:

- A. The proposed temporary event will be located, operated and maintained in a manner consistent with the policies of the comprehensive plan, the zoning ordinance, and any applicable planned zone;
- B. The temporary event will not be detrimental to property or improvements in the area adjacent to the temporary use;
- C. The temporary event will not create a significant adverse impact on the uses or activity patterns of development in the immediate area; and
- D. The temporary event will not otherwise adversely affect the public health, safety and welfare.

**ARTICLE III
RESOURCE PROTECTION & RESOURCE MANAGEMENT**

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- 3201 Storm Water Runoff
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3000 Purpose

The intent of this Article is to provide standards for the protection of natural resources (before, during, and after the development process) the efficient integration of new development into the community.

3100 Resource Protection and Site Performance Standards

Resource protection and site performance standards shall apply to all subdivisions and development in all districts, thereby ensuring that the desired character of Thompson's Station is preserved. The standards in this Article both protect all natural resources and require the provision of buffer-yards and landscaping in order to further protect and enhance the natural environment in Thompson's Station.

Excepting single-family residential building requests, a resource inventory map must be prepared and submitted with any development proposal located in Thompson's Station. This map shall identify the following natural resources: floodplains, wetlands, woodlands, drainage-ways, slopes, slippage soils, sinkholes, hilltops, ridgelines, mined or otherwise disturbed areas, and historical and cultural features.

Development that is impacted by the above natural resources shall utilize design strategies that respect and protect the sites natural resources. Individual lots impacted by these natural resources are subject to critical lot designations. Lots so designated, may be required to prepare specialized site plans that address specific natural resource issues.

3101 Floodplains

The determination of all floodplain boundaries shall be based on the 100-year floodplain. The area constituting a floodplain shall be determined by reference to the following sources in the order indicated below. If the first source is not applicable, the second shall be used.

- A. Certified Flood Insurance Rate Map (FIRM Map) or Flood Boundary Floodway Map.
- B. The 100 year flood profile shall be determined by a licensed engineer who has proven experience in such hydrologic calculations in areas not detailed by the FEMA map or if drainage area is over 500 acres. On-site topographic surveys shall be performed to locate the precise floodplain line on a parcel. The survey shall use the flood profile contained in the sources listed above.

Permitted Uses

All areas identified as 100-year floodplains should be identified as common open space. No uses or fill shall be allowed within a 100-year floodplain without a special use exception being granted by the Thompson's Station, Board of Zoning Appeals. Prior to submittal of any request for uses or fill within a 100-year floodplain, the Town's Engineer or Engineering Consultant must have reviewed a plan prepared by a licensed engineer and make a recommendation to the Board of Zoning Appeals based on that plan. Generally uses and/or fill should be discouraged within the 100-year floodplain.

3102 Wetlands

The resource inventory map must identify all potential wetland areas. The Tennessee Department of Environment and Conservation and/or the U. S. Army Corp of Engineers must make a determination on any possible wetland areas prior to the approval of any proposed development plan. All wetland areas, are encouraged to be identified as common open area and must be incorporated into the overall

storm water drainage plan. Any modification or mitigation of identified wetlands shall meet all applicable state and federal regulations in addition to the procedure identified in section 5111 "Permitted Uses" as identified above. Generally the modification or mitigation of wetlands and subsequent use of said areas should be discouraged.

3103 Woodlands

The resource inventory map must identify all trees of 18 inches in caliper and greater. All clusters of trees and tree rows must also be identified on the inventory map. The applicant shall work with Staff through on site investigation and through the review of aerial photography to identify said clusters and tree rows.

3104 Drainage-ways

The resource inventory map must identify and classify all on site drainage-ways. The Tennessee Department of Environment and Conservation (TDEC) and/or the U. S. Army Corp of Engineers must make determinations as to whether any identified drainage-ways are classified as intermittent or perennial streams. All intermittent and perennial streams may not be altered except as permitted by TDEC through the Aquatic Resources Alteration (ARAP) permit process. Modification of drainage-ways shall be discouraged except for necessary utility and roadway crossings. Those drainage-ways not regulated by TDEC may be altered via the special use exception process as identified for modifications to floodplains and wetlands. All drainage-ways shall be incorporated into the overall storm-water management plan. This plan shall encourage open natural drainage-ways with required buffers measured from top of bank as follows:

Perennial Streams	Intermittent Streams	Other Drainage-ways
100 Feet	50 Feet	25 Feet

3105 Slopes

The resource inventory map must include a slope analysis that identifies all slopes in excess of 15%. Construction shall be discouraged on all slopes in excess of 25%. All proposed construction on slopes in excess of 15% shall submit engineered foundation and grading plans for review and approval by the Town's Engineer or Engineering consultant prior to issuance of a building permit. Construction on slopes exceeding 15% shall only be allowed via the special use exception process. Generally slopes in excess of 20% should remain undeveloped either as required or common open space.

3106 Slippage Soils

The resource inventory map must include the soils classification as identified by a licensed soil scientist or as identified by the U. S. Geological Survey maps. Any soils with identified slippage characteristics must be identified and overlaid on the slope analysis map. Construction on areas impacted by a combination of slippage soils and sloes in excess of 7% must have foundation and grading plans approved by the Town's Engineer or Engineering Consultant prior to issuance of building permits.

3107 Sinkholes

The resource inventory map must include all site areas characterized by closed depressions (with or without a drainage throat). The disturbance, alteration or mitigation of such features shall be discouraged. All closed depressions are encouraged to be included in required or common open space along with a 50 foot buffer circling the highest contour of the closed depression. Any modifications to or mitigation of an area identified as a sinkhole per this definition shall only be allowed by the granting of a special use exception by the BZA. All such proposals to the BZA must include a geo-technical

evaluation prepared by a licensed geo-technical engineer. The Town's Engineer or Engineering Consultant shall review any modification or mitigation proposal and make recommendation to the BZA relative to said proposal. All sinkholes shall be incorporated into the overall storm-water management plan.

3108 Hilltops

The resource inventory map must include all hilltops. Disturbance, grading and development of hilltop areas shall be discouraged. Any proposal for hilltop development must be granted a special use exception by the BZA. Any structures allowed via the special exception process shall be limited to one story and may not exceed 25 feet at the highest point.

3109 Ridgelines

The resource inventory map must include all ridgelines. Disturbance, grading and development of ridgeline areas shall be discouraged. Any proposal for ridgeline development must be granted a special use exception by the BZA. Any structures allowed via the special exception process shall be limited to one story and may not exceed 25 feet at the highest point.

3110 Mined or Disturbed Areas

Because of the history of phosphate and other mining activities, it is incumbent on the developer to assess any previously mined or disturbed areas and to include those areas on the natural resource assessment map. Any mined or disturbed areas may be modified and developed given review and approval of the grading and drainage plan by the Town's Engineer or Engineering Consultant. All lots with building envelopes encroaching into previously disturbed areas may also require engineered site plans and engineered foundations.

3111 Historical/Cultural Components

The resource inventory map must include all areas impacted by historical and cultural resources. These include but may not be limited to; historical and/or architecturally significant structures, existing roadway features (tree canopies, view sheds, cross section & alignment), cemeteries, historic and prehistoric archeological sites and other site characteristics that may contribute to the unique character of Thompson's Station.

3112 Threatened or Endangered Flora/Fauna

For every development proposal, there must be an effort made to determine whether a given site contains threatened or endangered flora and fauna or features, area and habitat that provides for the maintenance and propagation said species.

3200 Resource Management

The management of storm water run-off and erosion control are governed by the provisions of the following Sections.

3201 Storm Water Runoff

A. Each development shall provide for the on-site or off-site detention of excess storm water runoff resulting from that development. For the purpose of this Ordinance, "excess storm water runoff" shall include all increases in storm water resulting from:

1. an increase in the impervious surface of the site, including all additions of buildings, roads, and parking lots;

2. changes in soil absorption caused by compaction during development;
3. modifications in contours, including the filling or draining of small depressions, alterations of drainage-ways, or re-grading of slopes;
4. destruction of forest;
5. alteration of drainage-ways or installation of collection systems to intercept street flows or to replace swales or other drainage-ways;
6. alteration of subsurface flows, including groundwater, dewatering or diversion practices such as curtain drains.

B. Limitation on Storm Water Runoff. No development shall cause downstream property owners, water courses, channels, or conduits to receive storm water runoff from proposed developments at a higher peak flow rate, at higher volumes, or at higher velocities than would have resulted from the same storm event occurring over the site of the proposed development with the land in its natural, undeveloped condition. Flood events to be used in this determination will include the one through 100-year flood.

1. Undeveloped Condition: shall mean that all the natural retention areas and drainage-ways plus existing farm drainage tiles and highway drainage structures shall be included in the flow calculations.
2. Ground Cover: shall be considered to be meadow or grassland, with the exception that forested areas shall be treated as woodlands.
3. Channel or Drainage-way Channel: shall mean the channels used to convey the one hundred (100) year drainage flows between successive retention facilities, to retention facilities, and from the property.

C. Storage Capacity. All storm water storage facilities shall be designed to accommodate all runoff caused by the development in excess of the runoff that would have resulted from the site if left in its natural, undeveloped condition for the range of floods from the one through 100-year events. In the event that proposed and/or projected development are likely to increase the frequency and/or duration of existing flooding or create new flooding, the developer will define solutions to such problems. Solutions may include but are not limited to regionalized detention/retention via either on or off-site facilities that reduce total basin runoff at the damage centers or acceptable channel improvements.

D. Design Regulations. All detention facilities and improvements required by this Section shall comply with the following regulations.

1. Storage: Wet or dry basins, reservoirs, parking areas, or rooftop storage facilities may be utilized for storm water runoff.
2. Outlet Control Structures. Outlet control structures shall be designed as simply as possible and shall operate automatically. They will be designed to limit discharges into existing or planned downstream channels or conduits so as not to extend existing flow off the site in its natural condition.
3. Spillway. Emergency overflow facilities shall be provided unless inflow is controlled to divert flows when the basin is at capacity.
4. Dry Bottom Basin. For basins designed without permanent pools:
 - a. Interior Drainage. Provisions must be made to facilitate interior drainage. These must include the provision of natural grades to outlet structures, longitudinal and transverse grades to perimeter drainage facilities, or the installation of subsurface drains.

b. Multipurpose Features. These may be designed to serve secondary purposes for recreation, open space, or other types of use that will not be adversely affected by occasional or intermittent flooding.

c. Cleaning. The basins shall be designed for periodic cleaning and removal of sediments in an appropriate manner.

5. Wet Basins. For basins designed with permanent pools:

a. Depth for Fish. If fish are used to help keep the basin clean, at least one-quarter (.25) of the area of the permanent pool must have a minimum depth of ten (10) feet.

b. Emptying Provisions. For emergency purposes, cleaning, or shoreline maintenance, facilities shall be provided or plans prepared for the use of auxiliary equipment to permit emptying and drainage.

c. Pollution Abatement. Aeration facilities may be required if the quality of the influent and detention time result in a lowering of dissolved oxygen content in the basin.

d. Slopes. Approach slopes shall be at least six to one (6:1) but not more than three to one (3:1) and shall be at least four (4) feet to six (6) feet wide and slope gently toward the basin. The side slopes shall be of non-erosive material with a slope of 1:1 or flatter. The ledge shall be four (4) feet to six (6) feet wide and slope gently toward the shore to prevent people or objects from sliding into deep water. There shall be a freeboard of twelve (12) to eighteen (18) inches above the high-water elevation on all retention basins. Alternate designs for side slopes may be considered under special circumstances where good engineering practice is demonstrated.

e. Cleaning. Basins shall be designed to include sediment traps in all inlets. Sediment traps shall be designed to permit cleaning and maintenance. A basin maintenance plan shall be developed to ensure that basin design depths will be maintained.

6. Building Regulations

a. Rooftop Storage. Detention storage requirements may be met by detention on flat roofs. Design specifications of such detention shall be a part of the application. These specifications shall include the depth and volume of storage, design of outlet devices and down drains, elevations of overflow scuppers, design loadings for the roof structure, and emergency overflow provisions. Rooftop storage shall not be permitted to drain directly into sanitary sewers or streets.

b. Parking Lot Storage. Paved parking lots may be designed to provide detention. Outlets shall be designed to empty the stored waters slowly, and depths of storage must be limited so as to prevent damage to parked vehicles. Storage areas shall be posted with warning signs and shall be designed to fill to maximum depth in not less than two (2) hours.

E. Maintenance of Facilities. Responsibilities of the developer shall be the developer, owner or the homeowner's association shall be responsible for maintenance all on-site detention/retention facilities unless otherwise provided for and approved by the Planning Commission.

F. Inspection of Facilities. The developer's engineer shall be required to inspect all drainage facilities under construction and certify their compliance with approved plans. The Town's Engineer or

Engineering consultant may inspect all drainage facilities while under construction. When facilities are not constructed according to approved plans, the Town has the explicit authority to compel compliance and require correction of construction or require or as-built construction drawings if modifications are acceptable.

G. Ultimate Rainfall-Runoff Modeling Goal

It is the goal of the Town to develop a comprehensive rainfall-runoff model for the entire West Harpeth River Basin. Such a model would be used to define locations of required detention/retention basins or channel improvements and locations where those basins may adversely affect runoff by unduly delaying peak discharge to coincide with main-stem peaks. Once a comprehensive basin model has been developed, design procedures may be revised.

H. If the Town's Engineer or Engineering Consultant determines that off-site storm-water detention is preferable to on-site detention, funds in lieu of detention may be required in an amount equivalent to the estimated cost of on-site detention plus land costs.

3202 Soil Erosion and Sedimentation Control

A. In order to prevent both soil erosion and sedimentation, a soil erosion and sedimentation control plan shall be required whenever an area greater than 10,000 square feet is disturbed for purposes other than agricultural, and when land located in a stream, stream channel, or body of water is disturbed.

B. Definitions. For the purposes of this Section:

Soil erosion shall mean removal and/or loss of soil by action of water, ice, gravity, or wind. Erosion includes the removal and transport of soil particles.

Sedimentation shall mean the settling out of transported soil particles. Sedimentation occurs when the velocity of water or wind in which soil particles are suspended is slowed to a degree and for a time period sufficient to allow the particles to settle out of suspension, or when the degree of slope is lessened to achieve the same result.

Erodible slope shall mean slopes with inclines in excess of four (4) percent.

Large flat surface area (unpaved) shall mean any area containing at least one thousand (1,000) square feet with slopes of less than four (4) percent.

C. Soil erosion and sedimentation control measures shall be provided to achieve maximum protection of all disturbed land. Measures include minimizing water runoff, amounts and velocities, and retaining sedimentation within the development site as early as possible following disturbances.

ARTICLE IV

4000 PARKING, LIGHTING, LANDSCAPING & LOADING STANDARDS

4100 Parking Requirements

4200 Off-Street Parking Design Standards

4210 Maximum Parking

4220 Screening

4230 Queuing Requirements

4240 Shared Parking

- 4250 Bicycle Parking
- 4260 Number of Spaces – Fractions
- 4270 Parking Exclusions
- 4300 Parking Table
- 4400 Off Street Loading Standards
- 4500 Exterior Lighting Standards
- 4600 Landscaping Standards
 - 4610 Standard Plant Units
 - 4620 Landscaping Standards for Lots
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 - 4640 Landscaping Standards for Required Open Spaces
- 4700 Buffer-yard Performance Standards
 - 4710 Buffer-yard
 - 4720 Required Peripheral Buffer-yard Standards
 - 4730 Responsibility for Installation of Peripheral Buffer-yards
 - 4740 Classification of Plant Material
 - 4750 Buffer-yard Use
 - 4760 Opacity Table

4100 Parking Requirements

An overall parking plan must be submitted for all multi-family and non-residential developments.

Bicycle parking and landscaping must be included in the parking plan.

4200 Off-Street Parking Design Standards

Low impact design (LID) as a stormwater management approach is encouraged for development of parking areas. LID can include permeable pavement, bioswales, or other design techniques to infiltrate, filter or store stormwater runoff within the parking areas. The strategies for LID parking areas will be reviewed and approved by the Planning Commission on a case by case basis through the site plan process. All parking alternatives shall require review and approval by the Planning Commission.

Required off-street parking spaces shall be at least nine (9) feet in width and at least eighteen (18) feet in length, exclusive of access drives or aisles, ramps, columns, or office or work areas. The length of parking spaces can be reduced to sixteen and one-half (16.5) feet including wheel stop if one and one-half (1.5) feet in length is provided for the front overhang of the car. The parking space shall have a vertical clearance of at least seven (7) feet. Horizontal widths for parking rows, aisles, and modules shall be provided per the following table:

Horizontal Widths for Parking Rows, Aisles and Modules	One Way	Degree Angle from Perpendicular			
		30	45	60	90
Single Row	9 Ft.	17 Ft.	18 Ft.	18 Ft.	18 Ft.
Dividing Aisle	12 Ft.	12 Ft.	13 Ft.	18 Ft.	24 Ft.

Minimum Module Width	21 Ft.	29 Ft.	31 Ft.	36 Ft.	42 Ft.
Double Row	18 Ft.	34 Ft.	36 Ft.	36 Ft.	36 Ft.
Dividing Aisle	12 Ft.	12 Ft.	13 Ft.	18 Ft.	24 Ft.
Minimum Module Width	30 Ft.	46 Ft.	49 Ft.	54 Ft.	60 Ft.

If asphalt or concrete is used, then the following standards apply:

- Concrete surfaces shall be a minimum thickness of four (4) inches with all necessary infrastructure to support that parking area.
- Asphalt surfaces shall be two (2) inches after compaction and shall be laid over crushed rock or gravel to a minimum of four (4) inches. Asphalt surfaces shall be rolled smooth.
- All spaces shall include striping to meet the minimum dimensions for parking stalls. Handicap parking shall be provided for in compliance with State and Federal requirements.

Gravel parking areas require approval of a special exception permit by the Board of Zoning Appeals. Parking dimensions shall be determined linear measurements and total area. Gravel parking stalls shall be 15 feet in width and 18 feet in length, exclusive of any access drives or aisles, ramps, columns, or office or work areas.

4210 Maximum Parking

Parking areas shall not be permitted to exceed the allowable parking spaces in excess of 10%. Any parking area exceeding the allowable parking shall be subject to site plan review and approval by the Planning Commission. For up to a 5% increase in parking, 25% of the parking area shall be LID. An increase between 5 – 10% shall require 35% of the parking area be LID. Any increase in parking over 10% shall require 50% of the parking area be LID.

Parking structures may exceed the allowable parking requirements upon site plan approval by the Planning Commission.

4220 Screening

Parking areas located adjacent to any public right-of-way shall be screened by a masonry wall or landscaping not to exceed 42 inches in height. Masonry walls shall be designed to reflect the architectural character of the buildings on site.

4230 Queuing Requirements

Queuing length of each space shall be 20 feet and shall not conflict with any parking or travel areas on the site. The number of spaces shall be based on land use and are as follows:

Land Use	Minimum Number of queue spaces
ATM/Bank Teller windows	4
Car Wash/Oil Change Facility	3
Drive through Restaurant	6

4240 Shared Parking

Shared parking may be permitted subject to approval by the Planning Commission.

1. Parking facilities may be jointly used with other parking facilities for other uses where hours of operation do not conflict. In order to obtain approval for shared parking, the following information shall be required:

- a. A parking analysis shall demonstrate that substantial conflict will not occur when joint uses are proposed.
- b. Parking facilities designated for joint use would not be located further than five hundred (500) feet from any structure or use served.
- c. A written agreement shall be drawn to the satisfaction of the Town Attorney and executed by all parties concerned assuring the continued availability of the number of spaces designated for the joint use.

4250 Bicycle Parking

Bicycle parking is required for all non-residential uses for sites with greater than 10 spaces. Bicycle parking shall be located within highly visible locations and shall be provided as follows:

Total Parking Spaces	Minimum Number of Bicycle Spaces
10 – 20	2
21 – 40	3
41 – 60	4
61 – 80	6
81 and greater	10% of the total required parking

4260 Number of Spaces Required—Fractions

When the application of this chapter requires a fractional part of a parking space, any such fraction equal to or greater than one-half shall be construed as a whole and fractions less than one-half shall be eliminated.

4270 Parking Exclusions

Areas not regularly utilized may be exempted/excluded.

4300 Parking Table

Parking Table:

Use Categories	Specific Uses	Number of Required Parking Spaces
Residential		
	Assisted Living, Treatment Facility & Other Group Living	.3 spaces per room
	Bed & Breakfast	1 space per guest room & 2 for owner
	Rooming/Boarding House	1 space per room
	Dormitories/Fraternities/Sororities	1 space per 2 beds
	Single Family	2 accessible (non-tandem) spaces per dwelling unit
	Multi-Family	1 space per unit

	Model Homes	3 spaces per model
	All Other Dwelling Units	1 space per unit
Institutional		
	Colleges	1 space per 4 students
	Community Services	1 space per 250 square feet
	Museums, Art Galleries, Opera Houses & Libraries	1 space per 200 square feet or 1 per 4 seats
	Day Care	1 space per 375 square feet
	Hospital or Medical Clinic	1 per 200 square feet + 1 per physician or 3 per bed
	Campground	1 (10' X 30') per campsite + 1 (10' X 30') per 6 campsites + 4 per laundry & shower facility
	Neighborhood/Community Park	5 per acre
	Parks With Athletic/Ball Fields	20 per field/diamond or 1 per 4 seats
	Religious Assembly	1 per 3 seats 1 per 9 linear feet of fixed benches 1 per 400 square feet of other areas
	Safety Services	1 per 200 square feet of useable office space
Education		
	Elementary & Junior Highs	1 per classroom + 1 per 200 square feet of public gathering areas
	High Schools	5 per classroom, plus 1 per 200 square feet of public gathering areas
	Schools of Private Instruction	1 per classroom, plus 1 per 200 square feet of public gathering
	Utilities, Basic	1 per employee
Commercial		
Animal Sales and Service		
	Day Care	1 space per each employee plus 1 space per 300 square feet of office space
	Kennels	1 space per each 15 animals, plus 1 space per 300 square feet of office space
	Animal Shelter	1 space per 250 square feet of area, excluding housing area for animals

	Riding Academies	1 space per 3 animals
	Veterinary Clinic/Hospital	1 space per 300 square feet, excluding housing area for animals
	Office	1 per 300 square feet
Outdoor Recreation & Entertainment		
	Golf Course	2 per hole + 1 per 200 square feet for clubhouse
	Driving Range	1 per tee
	Miniature Golf	± 2 per hole
	All other outdoor recreation including amusement parks, batting ranges & water slides	1 per 600 square feet of outdoor recreation area
Indoor Recreation & Entertainment		
	Assembly/Auditorium	1 per 6 seats or 1 per 50 square feet of floor area if no permanent seats
	Amusement Center	1 per game table, video game, amusement device + 1 per 200 square feet of floor area
	Bowling Alley	4 per lane
	Clubs/Lodges	1 per 3 persons or 1 per 200 square feet
	Health Club/Fitness Center	10 spaces + 1 per 200 square feet in excess of 1,000 square feet
	Skating Rinks & Dance Halls	5 per 1,000 square feet of floor area
	Children's Indoor Play Facility	1 space per 200 square feet, plus 1 space per 300 square feet of office area
Retail Sales & Service		
	Bank Drive-Thru Facility	1 per 250 square feet
	Drive In Cleaners; Drive In Liquor	1 per 250 square feet
	Fuel: Full/Self Service With/Without Repair/Service	1.5 per 1,000 square feet
	Restaurant With Drive In Facilities	1 per 50 square feet of patron seating area + 1 per 200 square feet of office/food prep area
	Bars/Nightclubs	1 per 2 seats

	Banks (Excluding Drive-Thru)	1 per 1,500 square feet plus required stacking area for drive-thru
	Convenience Store	6 per 1,000 square feet
	Funeral Home, Mortuary, or Crematorium	1 per 4 seats
	Restaurants	1 per 4 seats
	Shopping Centers < 1,500 sf	3 per 1,000 square feet
	Theaters	1 per 6 seats
	Outdoor Sales (e. g. plant nurseries, building supplies) & Vehicle Sales, (Recreational Vehicles/Boats)	1 per 375 square feet of sales and service building
	Supermarkets, Clothing & Department Stores, Hardware Building supplies, Book Stores, Big Box Stores and Similar > 1,500 sf	1 per 300 square feet
	Appliance & Sales, Repair Shops, Nurseries, Green Houses & Similar	1 per 300 square feet
	Other Service Business, Stand Alone (e. g. beauty/barber shops, frozen food lockers, laundries & similar)	1 per 300 square feet
	Swap Meets/Farmers Markets	1 per 100 square feet of gross public sales area
	Hotels/Motels	0.8 per room + 1 per 800 square feet of public meeting area and restaurant space
	Self Service Storage	4 spaces + 2 for manager's quarters
	Auto Mechanical Repair, Body Shop, Car Wash, Gasoline Service Station, Quick Lubrication, Truck Repair, Truck Shop/Travel Plaza, Tire Recapping & Storage	1 per 375 square feet including service bays, wash tunnels and retail areas + 1 per 100 square feet of patron seating for restaurants
Industrial		
	Manufacturing & Production, Warehouse & Freight Movement, Wholesales & Sales	1 space per 1,000 square feet of GFA to 10,000 square feet then 1 space per 10,000 square feet
	Waste-Related Uses	1 per employee

4400 Off-Street Loading Standards

Any use with a gross floor area of ten thousand 10,000 square feet or more that requires

deliveries or shipments must provide off-street loading facilities in accordance with the following table unless otherwise approved by the Planning Commission:

Gross Floor Area (In Sq. Ft.)	Number of Berths
1,000 – 24,999	1
25,000 – 79,999	2
80,000 – 127,999	3
128,000 – 198,999	4
199,000 – 255,999	5
256,000 – 319,999	6
320,000 – 391,999	7

For each additional 100,000 square feet (or fraction thereof) of gross floor area, one (1) additional off-street berth shall be provided. The minimum area for each off-street loading space, excluding area for maneuvering, shall be two-hundred-fifty (250) square feet. At no time shall any part of a truck or van be allowed to extend into a public right-of-way while the truck or van is being loaded or unloaded. When a loading area abuts a residential use a 25 foot buffer-yard must be established. A 10 foot buffer-yard is required in all other situations.

EXTERIOR LIGHTING STANDARDS

A. Purpose

The purpose of this Section is to regulate the spill-over of light and glare on operators of motor vehicles, pedestrians, and land uses in the proximity of a light source. This Section does not apply to public street lighting.

B. Exterior Lighting Plan

An exterior lighting plan shall be submitted prior to the installation of any outdoor lighting fixtures in order to determine whether the requirements of this Section have been met.

C. Exterior Lighting for Parking Areas Shall Meet One (1) of the Following Standards:

1. If a light source or luminaire has no cutoff, the maximum permitted illumination and height of the luminaire shall be as follows:

Use	Max. Illumination	Max. Height
Res. Parking Areas	.2 Foot-candles	12 Feet
Non-res. Parking Areas	.3 Foot-candles	16 Feet

2. If a luminaire has total cutoff of an angle greater than ninety (90) degrees, the maximum permitted illumination and height of the luminaire shall be:

Use	Max. Illumination	Max. Height
Res. Parking Areas	.5 Foot-candles	15 Feet
Non-res. Parking Areas	.75 Foot-candles	20 Feet

3. If a luminaire has total cutoff of light at an angle less than ninety (90) degrees and is located so that the bare light bulb, lamp, or light source is completely shielded from the direct view of an observer five (5) feet above the ground at the point where the cutoff angle intersects the ground, the maximum permitted illumination and height of the luminaire shall be:

Use	Maximum Illumination	Maximum Height
Res. Parking Areas	.5 Foot-candles	20 Feet
Non-res. Parking Areas	.75 Foot-candles	25 Feet

D. Exterior Lighting for Specified Outdoor Recreational Uses

Ball diamonds, playing fields, and tennis courts have unique requirements for night-time visibility and generally have limited hours of operation. These uses may be exempted from the exterior lighting standards if the applicant can satisfy the Planning Commission upon site plan review that the following requirements are met:

1. Any exterior light sources shall not exceed the maximum permitted luminaire height of seventy (70) feet; and
2. If provided that the luminaire is shielded in either its orientation or by a landscaped buffer-yard to prevent light and glare spill-over to adjacent residential property, then the luminaire may exceed a total cutoff angle of ninety (90) degrees. The maximum permitted illumination at the interior buffer-yard line shall not exceed two (2) footcandles.

F. Temporary Lighting

1. Lighting for temporary uses may be permitted as part of a temporary use as issued with a permit.
2. Lighting may not be located in proximity to residences and shall be oriented away from residences.

4600 LANDSCAPING STANDARDS

Landscaping is required on lots, in parking areas, in open spaces and as buffers around certain specified uses or between zoning districts. Landscaping requirements for individual non-residential uses or expansions to existing non-residential uses and conversions of residential structures to commercial uses shall be applicable only to the portion of the site affected by the use.

- A. An existing vegetation site preservation plan must be submitted with the landscaping plan. This plan must show measures being proposed to insure protection and survival of all vegetation proposed as contributing to landscaping requirements or as required by the Planning Commission.
- B. Any applicant in disagreement with a Staff decision on landscaping requirements or bonding may appeal that decision to the Board of Zoning Appeals.

4610 Standard Plant Units

All landscaping requirements are stated in terms of the number of standard plant units required. This Section defines alternative standard plant units. All landscaping shall conform to one or more of

the plant unit alternatives of this section or to an approved equivalent.

The following table specifies alternative plant units that may be used for buffer-yards, general landscaping, and for parking areas. In general, the five (5) alternative plant mixes are interchangeable, but Alternative E is best suited for the interior of parking lots. In other cases, where a year-round screen is required, Alternatives #C or #D, Plant Unit Alternative, are preferred and may even be specified.

	Canopy Trees	Under-story Trees	Evergreen Trees	Shrubs
Alternative A	1 (4" Caliper)	2 (2" Caliper)	0	11 (3 Ft.)
Alternative B	1 (4" Caliper)	1 (2" Caliper)	2 (6 Ft.)	3 (3 Ft.)
Alternative C	1 (4" Caliper)	0	2 (8 Ft.)	9 (3 Ft.)
Alternative D	0	0	3 (8 Ft.)	14 (3 Ft.)
Alternative E	2 (4" Caliper)	0	0	10 (3 Ft.)

4620 Landscape Standards for Lots

This Section requires that each residential and nonresidential lot contain a minimum amount of landscaping in those areas not designated as parking areas, buffer-yards or buildings. Residential lots of record existing as of the effective date of this Ordinance shall be exempt from the requirements of this Section. For each acre of land not occupied by buildings, parking areas, or buffer-yards the number of plant units as described in Subsection 5310 shall be planted.

4630 Landscaping Standards for Parking Lots

This Section requires that each residential and nonresidential parking lot contain a minimum amount of landscaping within the parking lots and adjoining entrance drives and circulation drives. The requirement provides that a certain number of landscape plant units shall be planted per twenty-four (24) parking spaces. The following table identifies the requirements for landscaping parking areas.

Residential Parking Areas	Nonresidential Parking Areas
3.0 Plant Units in 1,000 Sq. Ft. of Area	2.0 Plant Units in 700 Sq. Ft. of Area

4640 Landscaping Standards for Required Open Spaces

All areas required to be left as open space not presently in agricultural use, forested, or grasslands, or required to be planted as forest or grasslands, shall contain a minimum amount of landscaping within the remaining designated open space areas. Each acre of remaining designated open space shall be planted with a minimum of two (2) plant units. In addition, adequate ground cover shall be provided.

BUFFER-YARD PERFORMANCE STANDARDS

A buffer-yard is a combination of setback and a visual buffer or barrier. It includes a yard or area together with; berm construction, planting, fencing or acceptable combination thereof.

4710 Buffer-Yard Requirements

Buffer-yards shall be located along the perimeter of a lot or parcel, and shall extend to the parcel boundary line. Buffer-yards shall not be located on any portion of an existing or dedicated public or private street or right-of-way. Use the following procedure to determine the type of buffer-yard required on a parcel, between two parcels or between a parcel and a street.

A. For Peripheral Buffer-Yards

Use the following table to determine the required opacity for the peripheral buffer-yard. Choose a buffer-yard option from the opacity table that meets or exceeds your opacity

requirement or devise an equivalent acceptable to the Planning Commission. The opacity values table identifies the required number of plant units per 100 lineal feet.

Proposed Use	Adjacent Use	Required Opacity
Residential	Same	0
Residential	Nonresidential	.6
Nonresidential	Same	.3

B. For Street Buffer-Yards

Use the following table to determine the number of plant units required per 100 lineal feet of street frontage. Divide the total street frontage in feet by 100, multiply the resulting number by the number of plant units required for the corresponding; A, B, or C street buffer-yard.

Street Classification	Residential Use	Nonresidential Use	Plant Unit Alt.
Arterial	.8 Opacity	.6 Opacity	Res. 4 – Nonres. 3
Collector	.6 Opacity	.6 Opacity	Res. 3 – Nonres. 3
Local	.4 Opacity	.6 Opacity	Res. 1 – Nonres. 3

4720 Required Peripheral and Street Buffer Yard Standards

Peripheral Buffer-yards are based on required opacity values based on use classification. Street buffer-yards are based on street classification and the orientation of uses.

A. Plant Materials

All buffer-yard areas shall be seeded with lawn or native ground cover unless such vegetation is already fully established. The exact placement of required plants and structures shall be determined by the approved landscaping plan. A developer may establish through a written and recorded agreement that the property owner(s) immediately adjacent to his property agree to provide a portion or all of the required buffer-yard on immediately adjacent portions of their land, thereby exempting the developer from providing all or a portion of the required buffer-yard on his property.

B. Street Buffer Yards

The installation of a buffer-yard, meeting an opacity of .8, is required when a street buffer-yard is used to buffer the rear yards of a development. This setback shall be measured from the road right-of-way to the rear lot line of the applicable lots.

Within a residential development, a street tree treatment may be substituted for a street buffer-yard based on the installation of two four (4) inch caliper canopy trees and one two (2) inch caliper under-story tree per lot.

4730 Responsibilities for Installation of Peripheral Buffer Yards

Peripheral Buffer-yards shall be installed on the subject property at the time of its development. Existing plant material that will be preserved on the subject property following the completion of development may be counted as contributing to the required buffer-yard. Two potential situations exist.

A. Abutting a Vacant or Developing Parcel

When a proposed use adjoins a vacant or developing parcel for which a buffer-yard is required, that use shall provide one-sixth (.6) of the buffer-yard width and materials that are required as selected from one of the options for the required opacity. At the time it develops, the abutting property shall install a buffer-yard equivalent to the previously installed buffer-yard.

B. Abutting a Previously Developed Parcel

If the adjoining use had developed without a buffer-yard, the proposed use shall be responsible for installing the total required buffer-yard.

4740 Classification of Plant Material

For the purpose of this Ordinance, plant materials are classified into four (4) groupings: canopy trees, under-story trees, evergreen trees and shrubs. Care should be taken in choosing primarily native plant species or species that are compatible with native plant species and with Thompson's Station's specific landscapes, soils and climates.

4750 Buffer Yard Use

A buffer-yard may be used for passive recreation. It may contain pedestrian, bike, or equestrian trails provided that: (a) no plant material is eliminated, (b) the total width of the buffer-yard is maintained, and (c) all other regulations of the Ordinance are met. In no event, however, shall swimming pools, tennis courts, sports fields, golf courses, or other such uses be permitted in buffer-yards.

4760 Opacity Table

Opacity	Number of Plant Units	Width	Required Structure
0.05	.00	10'	Minimum 44" Picket Fence
	.00	10'	Minimum 4' Wood Rail Fence
	.40	10'	-
	.36	15'	-
	.33	20'	-
	.31	25'	-
	.29	30'	-
0.10	.00	10'	Minimum 44" Picket Fence
	.38	10'	Minimum 4' Wood Rail Fence
	.91	10'	-
	.80	15'	-
	.73	20'	-
	.68	25'	-
	.65	30'	-
	.62	35'	-
	.00	35'	Minimum 4' Berm
0.20	.00	10'	Minimum 6' Stockade Fence
	.84	10'	Minimum 44" Picket Fence
	1.33	15'	Minimum 4' Wood Rail Fence
	1.98	15'	-
	1.73	20'	-
	1.58	25'	-
	1.49	30'	-
	1.40	35'	-
	.10	35'	Minimum 4' Berm
	1.35	40'	-

	.00	40'	Minimum 5' Berm
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PERIPHERAL BUFFER-YARD STANDARDS

Opacity	Number of Plant Units	Width	Required Structure
0.30	.00	10'	Minimum 6' Stockade Fence
	1.98	15'	Minimum 44" Picket Fence
	3.20	20'	-
	2.40	20'	Minimum 4' Wood Rail Fence
	2.76	25'	-
	2.52	30'	-
	2.35	35'	-
	1.04	35'	Minimum 4' Berm
	2.23	40'	-
	.44	40'	Minimum 5' Berm
	2.15	45'	-
	2.09	50'	-
.00	50'	Minimum 6' Berm	
0.40	.00	10'	Minimum 8' Stockade Fence
	.53	10'	Minimum 6' Stockade Fence
	3.30	20'	Minimum 44" Picket Fence
	4.40	25'	-
	3.62	20'	Minimum 4' Wood Rail Fence
	3.86	30'	-
	3.49	35'	-
	2.08	35'	Minimum 4' Berm
	3.27	40'	-
	1.48	40'	Minimum 5' Berm
	3.10	45'	-
	2.99	50'	-
.56	50'	Minimum 6' Berm	
0.50	.19	10'	Minimum 8' Stockade Fence
	1.35	15'	Minimum 6' Stockade Fence
	5.64	30'	-
	4.05	30'	Minimum 44" Picket Fence
	4.92	30'	Minimum 4' Wood Rail Fence
	4.99	35'	-
	3.19	35'	Minimum 4' Berm
	4.54	40'	-
	2.61	40'	Minimum 5' Berm
	4.22	45'	-
	4.05	50'	-
	1.60	50'	Minimum 6' Berm
3.88	55'	-	
3.74	60'	-	

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PERIPHERAL BUFFER-YARD STANDARDS

Opacity	Number of Plant Units	Width	Required Structure
0.60	.440	15'	Minimum 8' Stockade Fence
	2.21	20'	Minimum 6' Stockade Fence
	4.33	35'	Minimum 4' Berm
	5.41	35'	Minimum 44" Picket Fence
	6.30	35'	Minimum 4' Wood Rail Fence
	6.26	40'	-
	3.79	40'	Minimum 5' Berm
	5.70	45'	-
	5.25	50'	-
	2.70	50'	Minimum 6' Berm
	5.00	55'	-
4.80	60'	-	
0.80	.00	10'	Minimum 8' Stockade Fence
	.53	10'	Minimum 6' Stockade Fence
	3.30	20'	Minimum 4' Berm
	4.40	25'	Minimum 5' Berm
	3.62	20'	Minimum 44" Picket Fence
	3.86	30'	-
	3.49	35'	Minimum 6' Berm
	2.08	35'	Minimum 4' Wood Rail Fence
	3.27	40'	-
	1.48	40'	-
	3.10	45'	-
	2.99	50'	-
	.56	50'	-
1.00	3.76	30'	Minimum 8' Stockade Fence
	6.36	40'	Minimum 6' Stockade Fence
	7.32	50'	Minimum 6' Berm
	7.51	50'	Minimum 5' Berm
	8.67	55'	Minimum 4' Berm
	10.91	60'	Minimum 44" Picket Fence
	11.36	60'	Minimum 4' Wood Rail Fence
	10.83	65'	-
	9.94	70'	-
	9.34	75'	-
	8.92	80'	-

ARTICLE V

5500 SIGN STANDARDS

5510 Purpose

The purpose of this Section is to establish regulations for the display of signs on private property within all zoning districts. These sign regulations will provide an opportunity for effective identification, while protecting the appearance of private property by controlling the design, location, number, type, size and maintenance of signage.

5520 Administration

Sign Permit Process

A. No sign shall be displayed, installed, altered or relocated within any zoning district without a sign permit or a temporary sign permit. The consent of the property owner is required before any sign permit will be issued and a permit must be issued prior to the installation of the sign. A sign permit application must be submitted to the Town and be accompanied by the required fee. The application must include the following information:

1. A drawing to scale showing the design of any proposed sign, the dimensions, square footage, colors, materials, any internal or external lighting components, and the location in which any sign will be placed.
2. A site plan showing the location of all proposed signs on the project site.
3. Consent of the property owner for the installation of the sign.
4. Any information that the Town may reasonably request in order to process the application.

B. A master sign plan should be prepared and submitted for approval for project sites which exceed five acres, have multiple road frontages, or have a minimum of five tenants or commercial spaces requesting greater flexibility. The master sign plan can include a request for additional signage, including sign area and height. The application must include all the information for a sign permit, in addition to the following:

1. A sign packet showing proposed signage for each tenant space or suite.
2. A justification statement for each request to increase sign area or height of all signs.

5530 General Regulations

Height and Clearance

- A. The height of a monument or other freestanding sign shall be measured from the mean ground level to the highest point of the sign area or its supporting structure, whichever is greater.
- B. The height of a wall sign shall be measured from the base of the sign to the top of the sign face. The top of the sign shall be neither higher than the maximum permitted building height and shall not extend above the roofline.
- C. The clearance of a projecting sign shall be measured from the base of the sign face to the ground below.

Location

- A. All monument or other freestanding signs shall not be located within the site distance triangle. The site distance triangle is measured at a distance of 25 feet running parallel along each side of the road or driveway and connected to form a triangle. This area shall be free and clear of any signs to prevent visual obstruction to motorists.
- B. No more than one monument sign shall be permitted per site unless the site is greater than 3 acres.
- C. Monument signs shall be located a minimum of fifteen (15) feet from road edge pavement and off right-of-way.
- D. No sign shall obstruct a clear view to and from traffic along any street right-of-way, entrance, or exit.
- E. No signs, including traffic signs and similar regulatory notices except those of a duly constituted governing body shall be allowed to project or be located within road right-of-way lines.

Sign Area Measurement

Sign area shall be calculated as follows:

- A. In the case of monument sign and off-site signs having a permanent base, the entire surface area of the sign on which copy could be placed, including the supporting structure or bracing of a sign shall be counted as a part of the sign area. Signs containing two (2) display faces that are back to back, the area of only one (1) face shall be considered the sign area. Signs containing more than one (1) display face, all areas which can be viewed simultaneously shall be considered the sign area.
- B. For a wall sign whose message is fabricated together with the background which borders or frames that message, the sign area shall be the total area of the entire background.
- C. For a wall sign whose message is applied to a background which provides no border or frame, the sign area shall be the area of the smallest rectangle which can encompass all words, letters, figures, emblems, and any other elements of the sign's message.

Sign Lighting

Permitted methods of illumination may be divided into several types as described below.

- A. General. The sign has neither an internal light nor an external source which is intended to specifically light that sign. Rather, the sign depends on the general lighting of the area (e.g., parking lot, traffic, or pedestrian areas) for illumination.
- B. Internal Message: The sign is made of metal, wood, or other material that is not translucent, and the message is cut out of the material and replaced with a translucent material. The sign's light source is located inside the sign.
- C. Internal Sign: The sign is made of translucent material with internal lights.
- D. Back-Lighting: The message is raised beyond both the sign's background and the cover-lighting sources which illuminate the background.
- E. Shielded Spot Light: The sign is lighted by spot lights specifically directed at it. The spot-lights are fully shielded so that they are not visible from streets or adjoining property.

Maintenance

Each sign shall be maintained in a safe and secure condition and in good repair. If the Town determines that the sign does not meet these criteria, written notice shall be provided to the property owner and the defect shall be corrected within 30 days. If the defect is not corrected, the Town may pursue abatement of the sign.

5540 Sign Types and Definitions

Accessory business: An incidental business located within a primary business.

Ancillary use: A use that is located within, associated with and incidental to the primary use.

Auxiliary Signs: A sign that provides special information such as direction, sales information, hours of operation, or warning. No names, name brands, or information regarding product lines or services are included.

Banners or Pennants: A sign that is made of fabric or flexible material that is mounted to a pole and moves with the wind.

Billboard: A permanent sign that provides off-site advertisement or display.

Canopy Sign: A sign that is attached to a awning, canopy or other covered walkway to commercial uses.

Campaign Signs: A sign that is designed to influence the passage or defeat of any measure on a ballot or to influence voters with respect to the nomination, election, defeat, or removal of a candidate from public office at any national, state or local election.

Changeable Copy Sign: A sign that is characterized by changeable copy, letters, symbols or numbers.

Development Sign (permanent): A sign that identifies the entrance to a named subdivision or large, multi-tenant building (residential or commercial).

Directional Sign: An off-site sign located near or at major intersections to provide general directional guidance to major destinations of broad public interest.

Electronic Sign: A sign which uses an electronic or computer or functionally similar means to display messages, symbols or graphics.

Fuel Pricing Sign: A sign indicating and limited to the brand or trade name, method of sale, grade identification, and price per gallon of gasoline or any other type of vehicle fuel offered for sale.

Future Development Sign: A sign which announces a proposed development.

Hand Held Sign: A sign that is held by or otherwise mounted on a person.

Illegal Sign: A sign which is not approved, prohibited, is not exempt, does not comply with the requirements set forth by the Sign Ordinance.

Landscape planter: An area separated by a concrete curb or other decorative feature and designated for the planting of grass, trees, plants or other natural and decorative features.

Master Sign Plan: A comprehensive sign plan intended to guide the development, installation and maintenance of signs for a commercial center of one or more lots with a minimum of five tenants or for sites greater than five acres with multiple road frontages.

Monument Sign: A self-supporting sign located on a base installed at grade and has no air space, columns, or supports visible between the ground and bottom of the sign.

Painted Sign: A sign or information that is painted directly on the wall face of a building.

Plateline: The point at which any part of the roof structure touches or bears upon any external wall.

Portable Sign: A sign mounted on a frame and/or chassis which is designed for easy and repeated relocation.

Projecting Sign: A sign which is attached to and projects perpendicular from a structure or building face.

Pylon Sign: An on-site sign that is separated from the ground and supported by one or more poles, pole covers or columns.

Real Estate Sign: A temporary sign used for the sole purpose of displaying information regarding the sale, rental or lease of a property or buildings on a site.

Roof Sign: A sign mounted and supported by the roof of any building or structure.

Special Event Banner/Sign: A temporary sign or banner publicizing a special purpose, event or occasion.

Temporary Sign: A sign intended to be displayed for a limited period of time.

Wall Sign: A sign mounted parallel to a building façade or other vertical building surface. A marquee sign is considered a wall sign.

Window Sign: A sign, graphic, or design which is painted or mounted or otherwise displayed within a window area.

5550

Exempt Signs

The following signs are exempt from obtaining a sign permit:

- A. Memorial signs and tablets displayed on public property or in cemeteries.
- B. Address numerals and signs bearing the same name of occupants of the premises not exceeding one (1) square foot in area.
- C. Legal notices.
- D. Traffic and parking signs which bear no advertising.
- E. Campaign signs.
 1. The sign may not exceed 32 square feet.
 2. The signs shall not be erected or displayed earlier than 45 days prior to the election to

which they pertain.

F. Real estate signs.

1. Only one (1) real estate sign located on-site may be located adjacent to each separate street frontage of a lot and one "open house" sign when appropriate.
2. The sign shall be removed within seven (7) days after a deed has been recorded for the sale, or a lease signed for the rental, or lease of the property.

G. Temporary construction signs.

H. Hand held signs.

I. Seasonal decorations.

5560 Performance Standards

This Section states the specifications for each of the sign performance standards according to sign type. These standards shall be subject to additional requirements as specified in other sections of this Section.

For each sign type, the following standards are specified: the maximum total sign area permitted, the maximum permitted height, the permitted lighting source, and any additional requirements or limitations.

Monument Sign

Monument signs shall be permitted with the approval of a sign permit for commercial businesses with a minimum of 100 feet of linear road frontage. In the event that more than one parcel make up a commercial center, a monument sign may be placed on a property that does not meet the minimum standards providing approval of a master sign plan is granted. In this scenario, the monument sign will be required to provide identification for off-site businesses adjacent to the site in which the sign is located.

Height and Area

- A. A monument sign shall be limited to eight (8) feet in height.
- B. A maximum area of 80 square feet per sign face, including the base, shall be permitted.
- C. Increased height up to 10 feet may be granted for monument signs identifying five (5) or more businesses with approval of a master sign plan.
- D. With the approval of a 10 foot high monument sign, the maximum area of the sign may be increased to 100 square feet.
- E. All lighting shall be internal or shielded spot lighting.

Quantity

- A. Two monument signs per frontage may be granted with the approval of a master sign plan for project sites consisting of:
 1. More than one road frontage exceeding 750 feet.
 2. Sites in excess of five (5) acres.

- B. Monument signs located on the same project site shall be separated by a distance of 150 feet between signs.

Wall or Façade Sign

- A. One wall sign is permitted on each elevation that has street or on-site parking lot frontage with a maximum of three wall signs. The wall sign will be a maximum of one and a half (1.5) square feet per linear building or store frontage on the elevation consisting of the primary entrance. Wall signs are permitted to be a maximum of two (2) feet in height for one line of text and three and a half (3.5) feet for two lines of text. Additional sign height may be permitted for buildings that are set back from the roadway by a minimum of 200 feet or for buildings with a greater linear building frontage. As part of the approval process for this enhanced signage, the applicant shall submit a master sign plan and shall be required to demonstrate that the added sign height is necessary to create a sign proportionate to the building and necessary for visibility to the general public.
- B. A business with two entrances and a minimum of 150 linear feet of building frontage may be permitted a second wall sign subject to review and approval of a sign permit. The second sign shall be a maximum of half the square footage of the primary sign, not to exceed the maximum allowable sign area.
- C. Two secondary signs may be permitted for accessory businesses located within the primary business. Secondary signs shall not exceed 10 square feet, not to exceed the maximum allowable sign area. The secondary signs shall be located only on the building elevation consisting of the primary entrance.
- D. Lighting for wall signs may consist of internal lighting, back lighting or shielded spot lighting.

Projecting Signs

- A. A projecting sign may be used instead of a wall sign; however maximum permitted sign area shall not exceed that which is permitted for wall signs.
- B. A projecting sign shall not extend greater than 36 inches from the building face and may not extend over a right-of-way or above the plateline or roofline. The sign shall have a minimum clearance of ten feet from the bottom of the sign to the ground.
- C. Lighting for wall signs may consist of internal lighting, back lighting or shielded spot lighting.

Window Signs

Window signs with a maximum square footage of 15% of total window area may be permitted with the approval of a sign permit.

Fuel Pricing Signs

- A. One (1) fuel pricing sign may be approved per gas service station and shall be located within a landscape planter a minimum of 15 feet from the right-of-way.
- B. The fuel pricing sign may not exceed 32 square feet in sign area and shall not exceed five (5) feet in height.
- C. Fuel pricing signs are prohibited on the pump canopy.

Directional Signs

On-site directional signs shall be no more than two (2) square feet in sign area and shall not exceed four (4) feet in height. A maximum of four (4) directional signs will be allowed to provide physical direction to drive-thrus, entrances, etc.

Sites with complex internal circulation, multiple entrances/exits, or five acres or more may be permitted additional signage under a sign plan.

Auxiliary Signs

Auxiliary signs may be permitted for ancillary uses and shall not exceed 10 square feet in sign area. A maximum of two signs may be allowed and shall be placed on the elevation with the primary entrance.

5560 Detailed Sign Regulations by Sign Type

Development Signs – Residential and Non-residential

General

- A. Lighting of a development sign may be provided by internal lighting, back-lighting, the general lighting of the area, or by shielded spot-lights.
- B. All development signs must be located on-site or within the common area of the development. The use of off-site development signs is not permitted.

Residential

- A. All residential development signs shall be monument signs. One (1) monument sign per entry shall be allowed for new developments consisting of ten (10) or more than units. The sign shall have a maximum of 60 square feet and a maximum height of six (6) feet. Signs shall be located a minimum of 15 feet from the street right-of-way and shall not be located within the site distance triangle.
- B. Residential development signs shall only provide the name of the subdivision.
- C. The residential development sign shall be located within a landscape planter.

Non-residential

- A. All non-residential development signs shall be monument signs. One (1) monument signs per major entrance shall be allowed for developments consisting of more than 15 units or three (3) buildings. The sign shall have a maximum of 80 square feet and a maximum of six (6) feet in height. Signs shall be located a minimum of 15 feet from the street right-of-way and shall not be located within the site distance triangle.
- B. Non-residential development signs shall contain only the name of the development, center or business park.
- C. The commercial development sign shall be located within a landscape planter.

Off-Site Signs

Purpose

Off-site signs shall only be permitted as directional or temporary signs except as allowed within federal, state and local road rights of way.

Off-site Directional Signs

Off-site directional signs are permitted to give sufficient notice of the location of governmental facilities, hospitals, colleges, schools, unincorporated communities, and general commercial areas. Legal business, institutional, or industrial uses located on a Town road may request approval of an off-site sign which shall not exceed 20 square feet and shall be designed to include multiple tenants.

Temporary Signs

Temporary signs must obtain a temporary sign permit prior to installation and shall conform to the following:

On-site Temporary Event Sign

One sign or banner may be temporarily installed in order to advertise a specific event, such as a grand opening, Christmas tree sales, garage sale, etc.

- A. A temporary sign permit may be granted for a maximum of 30 days and may be permitted up to four times per calendar year.
- B. If a banner is used for the temporary sign, it shall be affixed to a wall. Signs hanging between columns, trees or other structures such as poles will not be permitted.
- C. If a freestanding sign is used for the temporary sign, it shall be placed on-site, and shall not exceed four (4) square feet in area and four (4) feet in height.

Off-site Temporary Event Sign

In order to grant flexibility in advertising special events within the Town limits and the Urban Growth Boundary, up to four off-site signs may be granted to provide date, time, location and direction to special events.

- A. An off-site temporary sign may be granted for a maximum of 14 days prior to an event and shall be removed the day after the event has occurred.
- B. The sign shall not exceed four (4) square feet in area and four (4) feet in height.

Future Development Temporary Sign

Each new development under construction within the Town limits and the Urban Growth Boundary may be granted signage in which to advertise the development of a subdivision, commercial center or business park.

- A. Two signs, one (1) on-site and one (1) off-site may be permitted up to one (1) year. Two additional one (1) year extensions may be granted by the Town. Any other time extensions shall be reviewed by the Planning Commission. Signs may not be installed until an approved development plan is recorded and shall be removed at 85% buildout.

- B. The sign shall not exceed 32 square feet in sign area and eight (8) feet in height.
- C. The sign shall include the name of the development, the location and a contact number for additional information.
- D. No external lighting shall be permitted.

Prohibited Signs

The following signs are prohibited in all zoning districts:

- A. Pylon signs.
- B. Billboards.
- C. Any continuous or flashing signs.
- D. Electronic Signs.
- E. Exposed neon signs.
- F. Revolving signs.
- G. Signs advertising illegal or unlawful acts or businesses.
- H. Roof signs.
- I. Signs which contribute to a traffic hazard.
- J. Painted signs.

5590 Removal of Signs

Any unsafe or illegal sign may be removed by the Town without notice to the permit holder, property owner or any person in control of the said sign. The permit holder, property owner or other may incur a fee for the removal and disposal of the sign based on the adopted fee schedule.

5800 ROAD STANDARDS

5810 Access

5820 Road Right of Way Construction

5830 Private Roads

5810 Access

- A. Direct access, by residential lots, to arterials and collectors shall be discouraged. In instances where more than one lot proposes access to arterials or collectors, shared access shall be encouraged.

- B. All nonresidential uses shall be discouraged from taking more than one point of access. In

instances where the Planning Commission deems more than one access point acceptable, separation of access points shall be maximized and shared access points shall be encouraged.

- C. Access points on collectors shall be separated by a minimum of two hundred (200) feet. Access points on arterials shall be separated by a minimum of four hundred (400) feet. Access point separation shall be measured inside curb to inside curb. Parallel access or reverse frontage roads shall be used to increase the distance between intersections wherever possible.

5820 Road Right-of-Way Construction

Roads and their rights-of-way shall be constructed and provided in accordance with Thompson's Station Subdivision Regulations. In addition, the requirements in the following section must be met.

5830 Private Roads

Private roads serving developments of less than one (1) unit per five acres are permitted for residential developments provided they conform fully to the Town's standards for public roads. Private roads must be inspected according to Subdivision Regulation. In all districts, an easement may be utilized to access up to five parcels that have no public road frontage. Only one lot of less than five acres may take said access.

ARTICLE VI

ADMINISTRATION AND ENFORCEMENT

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6000 ADMINISTRATION OF THE ORDINANCE

Except as otherwise provided, no structure or land shall, after the effective date of this ordinance, be used and no structure or part thereof shall be erected, altered, or moved unless in conformity with the regulations herein specified for the district in which it is located. In their interpretation and application, the provisions of this ordinance shall be considered minimum requirements adopted for the promotion of public health, safety, morals, convenience, order, prosperity, and general welfare of Thompson's Station. Where other ordinances, resolutions, or regulations heretofore adopted or which may be adopted hereafter impose greater restrictions than those specified herein, compliance with such other ordinances, resolutions, or regulations is mandatory.

6001 THE ENFORCEMENT OFFICER

The Town Administrator and Town Planner shall be responsible for administering and enforcing this ordinance. The Town Codes Enforcement Officer shall be authorized to make inspections of structures and premises necessary to assist the above officials in addition to his or her duties under the building codes. The person or persons to whom these functions are assigned shall be referred to in this ordinance as the "Enforcement Officer". The term "staff" or "Planning staff" is sometimes used interchangeably with the term "Enforcement Officer." The Enforcement Officer may delegate any function or responsibility assigned by this ordinance to another employee or agent acting under the Board of Mayor and Aldermen's control or direction, unless such delegation is prohibited. In addition to administering and enforcing this ordinance, he shall:

- A. Issue all Building Permits and make and maintain records thereof. It shall be unlawful to commence construction or alteration of any building until a building permit has been issued.
- B. Issue all Certificates of Occupancy and make and maintain records thereof.
- C. Issue and renew, where applicable, all Sign, Temporary Use and other Permits and make and maintain records thereof.
- D. Maintain and keep current zoning maps and records of amendments thereto.
- E. Receive, file and forward to the Board of Zoning Appeals all applications for variances or other matters on which the Board is required to act under the provisions of this ordinance.
- F. Receive, file and forward to the Planning Commission all matters on which the Planning Commission is required to act under this ordinance.
- G. Conduct inspections as required in this ordinance and such other inspections as are necessary to insure compliance with the various other general provisions of this ordinance. The Enforcement Officer shall possess the right to enter upon any premises for the purpose of

making inspections of buildings or premises necessary to carry out his authorized duties.

H. Initiate any action, with the assistance of the Town Attorney if necessary, to enforce the provisions and/or to remedy any violation of this ordinance as set forth in Section 6801 et seq.

6100 PLANNING COMMISSION SITE PLAN REVIEW

This Section sets forth the procedure for site plan review and approval for resource conservation developments, planned resource conservation developments, and nonresidential developments. An authorized representative for a lot or tract of land shall submit a site plan in accordance with criteria set forth by the Planning Commission. At this time, the person filing the application must also pay site plan review fees as determined by the Board of Mayor and Aldermen. The purpose of Site Plan review is to ensure compliance with the development and design standards of this ordinance. No building permits or grading permits shall be issued nor shall any development of land be initiated until such development has received Planning Commission approval.

6101 Required Plans

- A. Site Plans
- B. Elevations
- C. Landscape Plans
- D. Engineering/Grading Plans
- E. Any other information the Planning Commission determines applicable to the project.

6102 Planning Commission Action

6103 Time Limits

Any Planning Commission approval for site plans shall be valid for two (2) years from the date of approval. If, in the opinion of the Town Planner substantial construction on the principal structure, including but not limited to foundations, walls, and roofs has not commenced within two (2) years, the site plan approval by the Planning Commission shall expire and a new application will be required. The new application will be required to conform to then current code requirements at the time of the new application.

6104 Construction in Accordance with Approved Plans

All site construction and development activities shall be completed in adherence to the approved site plan. Minor modifications of the site plan may be requested and will be reviewed by the Town Planner and/or designee. Minor modifications will be determined on a case by case basis and will follow these general rules:

1. No modification will violate any provision of any Town ordinance.
2. No modifications will be permitted that increase density.
3. No modifications will be permitted that increase the size of the structure, the footprint or height that causes the project to exceed code requirements thereby requiring a variance.

6200 Performance Guarantees

Prior to the issuance of a grading or building permits, the developer shall be required to

execute a performance agreement to secure the completion of required on-site and off-site improvements:

1. Performance Agreements. The Planning Commission may permit the delay of certain improvements through the execution of a Performance Agreement with a surety guaranteeing the construction of the remaining required improvements.
2. The Performance Agreements shall be executed within 60 days of the approval of the site plan. Failure to execute the Performance Agreement and submit the surety will result in expiration of the Site Plan approval.
3. The Performance Agreement shall be in the amount of 110% of the estimate of the cost to assure the completion of the work.
4. A letter from a licensed Engineer or Landscape Architect, depending on the nature of the required improvements, is required to ensure the improvements will be monitored and completed in accordance with approved plans and code standards.
5. One year is granted for the completion of the improvements. The Planning Commission may grant an extension or may reduce the surety based on the completion of the improvements.
6. The Performance Agreement shall name the Town of Thompson's Station and shall be executed in a manner satisfactory to the Town Attorney.

6201 Surety.

1. The Performance Agreement shall be secured by either an irrevocable standby letter of credit with an automatically renewable option, a cashier's check or other method of surety specifically approved by the Planning Commission. Each bond shall remain effective for one year at which time improvements shall be completed in accordance with site plan approval.
2. The financial institution issuing the surety bond shall demonstrate good standing with the State of Tennessee and shall not issue a bond or other surety exceeding 10% of its total capital. The financial institution shall permit the letter of creditor other surety to be presented for collection at the place physically located within a 60 mile radius of Thompson's Station, TN.

6202 Reduction or Release of Surety.

1. Upon completion of the improvements in accordance with the approved site plan and code standards to the satisfaction of the Town, the Planning Commission will release the surety.
2. A request to reduce the amount of the surety may be reviewed by the Planning Commission. The applicant shall submit a justification for the requested reduction detailing the reduction and the reasons and the amount of reduction. An early review fee will be required.
3. A request to extend the Performance Agreement may be reviewed by the Planning Commission. The applicant shall submit written justification for the request to extend citing the reasons the improvements have not been completed in accordance with the approved Site Plan and code requirements.
4. Upon release of the surety, a portion of the surety may be required and a Maintenance Agreement established for one (1) additional year.

6203 Maintenance Guarantee

1. Maintenance Agreement. The Planning Commission may require the maintenance of the improvements through the execution of a Maintenance Agreement with a portion of the Performance surety guaranteeing the construction of the remaining required improvements.
 - a. The applicant shall be required to maintain the improvements for one (1) year after the Town's acceptance of the improvements.
 - b. A portion of the surety may remain in effect for one (1) year.
 - c. The Planning Commission shall review the improvements and based on the acceptance of the improvements.

6204 Failure to Complete Improvements

1. Where a Performance Agreement has been executed and the improvements have not been completed within the terms of the Agreement, the Town may declare a default and require the improvements be installed regardless of the extent of the building development. The Town may call the Performance Agreement and surety to complete the installation of such improvements.
2. If the project has been declared in default, additional approvals may not be granted until the default has been corrected to the satisfaction of the Planning Commission.
3. Failure to complete improvements resulting in default may result in the expiration of the Site Plan approval.

6300 BUILDING AND SIGN PERMITS

All departments, officials, and public employees of Thompson's Station who are vested with the duty or authority to issue permits or licenses shall conform to the provisions of this ordinance and shall issue no permit or license for any use, building, or purpose if the same would be in conflict with provisions of this ordinance. All permits and licenses shall be revocable, subject to continued compliance with all requirements and conditions of this and other applicable laws and regulations. Any permit or license issued in conflict with the provisions of this ordinance shall be null and void.

6301 Building Permits

- A. Need for a Building Permit. A building permit must be issued by the Enforcing Officer or a designee before a property owner can locate, erect, or begin construction, reconstruction, extension, conversion, or structural alteration of any building, structure, or swimming pool; construct a well or sewage disposal system, other than the reconstruction, placement, or extension of any existing well or sewage disposal system.
- B. Application. An individual lot site plan must accompany all authorized building permit applications. At a minimum the site plan must include the footprint of all existing and proposed structures, all driveways and parking areas, all utility line locations (inclusive of recorded easements), all public rights of way and all streams and drainage-ways.
- C. Commencement of Construction. Subsequent to a pre-construction conference with Staff, the installation of all required erosion control devices and the issuance of a grading permit, site grading may commence. A building permit may be issued subsequent to adequate site preparation such that construction activities will not create erosion or result in negative on or off site impacts. A foundation survey and staking may be required at the discretion of the Enforcing Officer.

- D. Expiration. Individual lot site plan approvals and building permits issued in accordance with the provisions of this ordinance shall become void six (6) months after the date of approval/issuance, provided that the construction for which it was issued has not been started or if activity toward construction ceases for a period of six (6) months.
- E. Fees. A filing fee shall accompany each application for a building permit, in such amount as may be determined by the Board of Mayor and Aldermen.

6302 Sign Permit Required

A sign permit must be issued by the Enforcing Officer or a designee before a property owner can; locate, erect, alter or relocate a sign. All permanent, permitted signs must be renewed three (3) years from the date of issuance. Renewals of such permits shall be for three (3) years. All applications for sign permits shall be made in writing to the Enforcement Officer and shall contain or have attached thereto; the applicant name, address, and contact information, a scale drawing of the approved site plan and two drawings of the plans, specifications, and method of construction and attachment (i.e., either to a building or in the ground) of all proposed signs.

6400 NONCONFORMING USES

Any lawful use of land or structures or any structure, existing at the date of passage of this Zoning ordinance, or subsequent amendment thereto, and located in a zone in which it would not be permitted as a new use or structure under the terms of this Zoning Ordinance, is declared to be a legal nonconforming use.

Any legal nonconforming lot, use, sign, or structure may be continued so long as it remains otherwise lawful, except as otherwise provided in this article. All nonconforming uses shall be encouraged to convert to conformity wherever possible and shall be required to convert to conforming status as required by this Section.

The burden of establishing that any nonconforming use is a legal nonconforming use, as defined by this Section, shall, in all cases, be upon the owner of the nonconforming use and not upon the Town.

A. Definitions

1. Nonconforming Lots. A lot which is nonconforming, but legally recorded prior to the effective date of this ordinance, shall be deemed a legal nonconforming lot, and may be used for any principal use permitted in the zone in which the lot is located.
2. Nonconforming Uses/Structures. Any structure that received site plan approval consistent with the regulations in place at the time of approval shall be deemed a legal nonconforming structure. Any approved use that was allowed under the regulations in place at the time of approval shall be deemed a legal nonconforming use.

B. Amortization Schedule

1. Nonconforming Uses. Within eighteen (18) months following the adoption of this ordinance, the Town Planner or designee shall develop a register of all nonconforming uses. The date of this register shall be used for all amortization schedules, and the uses listed therein will be used to determine which uses were made nonconforming due to the adoption of this ordinance.
2. Nonconforming Signs. Within twelve (12) months following the adoption of this ordinance, the Town Planner or a designee shall develop a register of all nonconforming signs. The date of this register shall be used for all amortization schedules, and the signs listed therein shall be used to determine which signs were made nonconforming due to the adoption of this ordinance.

- C. Enlargement or Extension
Nonconforming uses shall not be enlarged more than ten (10) percent or extended unless such alteration will bring the structure and use into full compliance with all requirements of this ordinance. Nonconforming signs and nonconforming extraction or disposal uses, however, may not be expanded. Normal maintenance and incidental repair of a legal nonconformity shall be permitted, provided that this does not violate any other section of this ordinance.
- D. Change in Location. A nonconforming use or sign shall not be moved, in whole or in part, for any distance whatsoever, to any other location on the same or any other lot unless the entire structure shall thereafter conform to the regulations of the zoning district into which it is being relocated.

6401 Termination of Nonconforming Uses

If a nonconforming use or structure is destroyed, or partially destroyed, to the extent of more than seventy-five (75) percent of the replacement cost, then the structure or use shall not be rebuilt, restored, or reoccupied unless it shall thereafter conform to all regulations of this ordinance or unless a special use exception is granted by the BZA. A nonconforming use shall not be changed to any other nonconforming use unless granted a special use exception by the BZA.

Any nonconforming use or structure that is terminated by unapproved modification or by abandonment (use discontinuance for twelve (12) months) may not be further utilized for a nonconforming use without being granted a special use exception by the BZA.

6402 Termination of Nonconforming Signs

Nonconforming signs shall not be changed, expanded, or altered in any manner that would increase the degree of nonconformity, prolong the useful life, or be moved in whole or in part to any other location where it would remain nonconforming.

6403 Nonconforming Uses in the Floodplain

Nonconforming uses within the one hundred (100) year floodplain may not be expanded or reconstructed unless granted a special use exception based on recommendation from the Town's Engineer or consulting Engineer.

6500 INTERPRETATIONS BY THE ENFORCING OFFICER

6501 Purpose

The provisions of this Section are intended to provide a simple and expeditious method for clarifying ambiguities in the text of this ordinance, the zoning map that it incorporates, and the rules and regulations adopted pursuant to it. It is also intended to provide a simple, yet circumscribed procedure for overcoming the inadvertent rigidities and limitations inherent in the promulgation.

6502 Authority

The Enforcing Officer or a designee may, subject to the procedures, standards, and limitations set forth in this Subsection, render interpretations of any provision of this ordinance or any rule or regulation issued pursuant to it, including interpretations of the various uses in any district not expressly mentioned in this ordinance.

6503 Procedure for Interpretations

- A. Application. All applications for an interpretation of any provision of this Ordinance, the Zoning Map, or any rule or regulation adopted pursuant to this ordinance shall be

submitted in writing to the Enforcing Officer or a designee. Each application shall set forth the specific provision or provisions to be interpreted, the facts of the situation, giving rise to the request of an interpretation, and the precise interpretation claimed by the applicant to be correct. Before rendering any interpretation, the Enforcing Officer shall receive any further facts and information judged by the Enforcing Officer to be necessary for a meaningful interpretation of the provision in question.

- B. Notice of Interpretation by the Enforcing Officer. Within ninety (90) days following the receipt of a completed request or application for interpretation, the Enforcing Officer shall mail a written copy of interpretation to the applicant. The Enforcing Officer shall state the specific precedent, reasons, and analysis on which the interpretation is based. The Enforcing Officer shall keep a copy of each interpretation on file and shall make a copy of each interpretation available for public inspection during reasonable hours.
- C. Appeal. Appeals on interpretations rendered by the Enforcing Officer pursuant to this Subsection may be taken to the Board of Zoning Appeals as provided in this Article.

6504 Standards for Interpretations

A. The following standards shall govern both the Enforcing Officer and the Board of Zoning Appeals' decision on appeals from the Enforcing Officer's interpretation:

1. No interpretation shall allow the establishment of any land use, which was previously considered and rejected on application for amendment to the Zoning Ordinance or the Zoning Map.
2. No interpretation shall permit a land use allowed in another district if the use is not listed as permitted in the subject property's district.
3. No interpretation shall permit a land use in a particular district unless such use is substantially similar to other uses permitted in that same district.
4. Any land use permitted or other interpretation rendered pursuant to this Subsection shall fully comply with all requirements and standards imposed by this ordinance.

B. Effect of Favorable Use Interpretation. A favorable interpretation does not relieve the applicant from complying with any of the other procedural requirements set forth in this ordinance or their associated fees.

C. Limitations on Favorable Use Interpretations. Interpretations shall be valid for twelve (12) months if from the date of the interpretation if a building permit is issued and construction is begun within that period and is thereafter diligently pursued to completion, or a certificate of occupancy is obtained and a use commenced within that period. Interpretations shall be for single uses/situations only.

6600 TOWN BOARD OF ZONING APPEALS

A Thompson's Station Board of Zoning Appeals (BZA) is hereby established in accordance with 13-7-106 through 13-7-109, of the Tennessee Code, the Thompson's Station Board of Zoning Appeals shall consist of five (5) members. The Town Board of Mayor and Aldermen shall appoint members and may fix their compensation and their terms, which shall be so arranged that the term of one (1) member will expire each year. The Board of Mayor and Aldermen may remove any member upon cause. Vacancies shall be filled for an unexpired term in the same manner as the case of original appointment.

A. Procedure

Meetings of the BZA shall be held at the call of the chair, and at such other times as the Board may determine. Such chair, or in his absence, the Vice Chair, may administer oaths and compel the attendance of witnesses. All meetings of the BZA shall be open to the public. The BZA shall adopt rules of procedure and shall keep records of applications and action taken thereon. The records and minutes shall be filed in the Thompson's Station Town Hall and shall be a public record.

B. Appeals to the BZA

An appeal to the Thompson's Station BZA may be taken by any person, firm, or corporation aggrieved by, or by any governmental office, department, BZA, or bureau affected by any decision of the Enforcement Officer based in whole or in part upon the provisions of this ordinance. Such appeal shall be taken by filing with the BZA a notice of appeal specifying the grounds thereof. The Enforcement Officer shall transmit to the BZA all papers constituting the record upon which the appeal was taken. The BZA shall fix a reasonable time for the hearing of the appeal, give public notice thereof, as well as due notice to the parties in interest, and decide the same within a reasonable time. Upon the hearing, any person or party may appear in person, by agent, or by attorney.

C. Powers of the Board

The BZA shall have the following powers:

1. Administrative Review

To hear and decide appeals where it is alleged by the appellant that there is error in any order, requirement, permit, decision, determination or refusal made by the Enforcement Officer or other administrative official in the carrying out of enforcement of any provision of this ordinance.

2. Special Exceptions

To hear and decide applications for special exceptions as specified in this ordinance, hear requests for interpretation of the zoning map, and for decision on any special questions upon which the BZA is authorized to pass.

3. Variances

To hear and decide applications for variances from the requirements of the Zoning Ordinance.

4. Temporary Uses/Events

To hear and decide applications for temporary uses and events in accordance with the requirements set forth in the Zoning Ordinance.

D. Rules and Regulations of the BZA

The BZA shall adopt rules for the conduct of its meetings. Such rules shall at the minimum require that:

1. The presence of three (3) members of the BZA shall constitute a quorum and the concurring vote of at least three (3) members of the BZA shall be necessary to deny or grant any application before the BZA.

2. No action shall be taken by the BZA on any case until after a public hearing and notice thereof. Said notice of public hearing shall be a legal notice published in a newspaper of general circulation in Thompson's Station at least ten (10) days before the hearing by the BZA. No hearing shall be considered and heard by the BZA less than fifteen (15) days

after filing such appeal. If new information is uncovered regarding an action of the BZA that could not have been reasonably presented in a public hearing before the BZA, the BZA shall establish a date for the purpose of rehearing in accordance with the appropriate procedures herein.

3. The BZA may call upon any other office or agency of the Town government for information in the performance of its duties and it shall be the duty of such other agencies to render such information to the BZA as may be reasonably required.
4. The Planning Commission shall be permitted to submit an advisory opinion on any matter before the BZA and such opinion shall be made part of the record of such public hearing.
5. Any officer, agency, or department of the Town or other aggrieved party may appeal any decision of the BZA to a court of competent jurisdiction as provided for by State law.
6. Any decision made by the BZA on a special exception shall indicate the specific section of this ordinance under which the permit is being considered and shall state clearly the specific conditions imposed in granting such permit.
7. Appeals will be assigned for hearing in the order in which they appear on the calendar thereof, except that appeals may be advanced for hearing by order of the BZA, good, and sufficient cause being shown.
8. At the public hearing of the case before the BZA, the appellant shall appear in his own behalf or be represented by counsel or agent. The appellant's side of the case shall be heard first and those in objection shall follow. To maintain orderly procedure, each side shall proceed without interruption from the other.

E. Stay of Proceedings

An appeal stays all legal proceedings in furtherance of the action appealed from, unless the Enforcement Officer certifies to the BZA, after such notice of appeal shall have been filed, that by reason of facts stated in the certificate such stay would cause imminent peril to life or property. In such instance, the proceedings shall not be stayed otherwise than by a restraining order, which may be granted by the BZA or by a court of competent jurisdiction on application, on notice to the Enforcement Officer, and on due cause shown.

F. Liability of BZA Members, Enforcement Officer and Employees

Any board member, building commissioner, or other employee charged with the enforcement of this ordinance, acting for Thompson's Station within the scope of the responsibilities assigned under this ordinance shall not thereby render himself liable personally, and is hereby relieved from all personal liability and shall be held harmless by the Town of any damage that may occur to persons or property as the result of any act required or permitted in the proper discharge of their duties. Any suit brought against any BZA member, enforcement officer, or employee, charged with the enforcement of any provision of this ordinance, shall be defended by legal representatives furnished by the Town until the final termination of such proceedings.

G. Right of Entry upon Land

Upon notice to property owners, the BZA, its members and employees in the performance of its work, may enter upon any land within its jurisdiction and make examinations and surveys and place or remove public notices as required by this ordinance.

11. Re-hearings

The BZA shall hold no rehearing except on motion to reconsider the vote or on a written request for a hearing. If the motion to reconsider receives a majority affirmative vote, the BZA may vote on the motion to grant the request for a rehearing, subject to such conditions as the BZA may stipulate. No request to grant a rehearing will be entertained unless new evidence is submitted which could not reasonably be presented at the previous hearing. If the request for a rehearing is granted, the case shall be put on the calendar for a rehearing. In all cases, the request for a rehearing shall be in writing, reciting the reasons for the request and shall be duly verified and accompanied by the necessary data and diagrams. The persons requesting the rehearing shall be notified to appear before the BZA on a date to be set by the BZA. No rehearing for a variance shall be granted an applicant found by a court of competent jurisdiction to be in willful violation of the express provisions of a prior variance granted under the authority of this article.

6601 Variances

The purpose of this procedure is to modify the strict application of the specific requirements of this ordinance in the case of exceptionally irregular, narrow, shallow, or steep lots, or other exceptional physical conditions, whereby such strict application would result in practical difficulty or unnecessary hardship. The variance shall be used only where necessary to overcome some obstacle, which is preventing an owner from using his property under this ordinance.

A. Application

After written denial of a permit, a property owner may make application for a variance, using any form, which might be made available by the BZA.

B. Hearing

Upon receipt of an application, the BZA shall hold a hearing to decide whether a variance to the ordinance provisions is, in fact, necessary to relieve unnecessary hardship. The Board shall consider and decide all applications for variances within thirty (30) days of such hearing and in accordance with the standards provided below. A fee, as determined by the Thompson's Station Board of Mayor and Aldermen, and included within the fee schedule posted in the Town Hall, shall be charged to cover review and processing of each application for a variance.

C. Standards for Variances

The BZA shall not grant a variance, except where special circumstances or conditions fully described in the findings of the BZA, do not apply generally in the district. The burden of showing that the variance should be granted shall be upon the person applying for the variance. In granting a variance, the BZA shall ascertain that the following criteria are met:

1. The particular physical surroundings, shape, are/or topographic conditions of the specific property involved would result in a particular hardship upon the owner as distinguished from a mere inconvenience, if the strict application of this ordinance were carried out, must be stated.
2. The conditions upon which the petition for a variance is based would not be applicable, generally, to other property within the same district.
3. The granting of the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other land structures, or buildings in the same district.
4. The variance is the minimum variance that will relieve such difficulties or hardship and

thereby make possible the reasonable use of the land, building, or structure.

5. That the granting of the variance will not be detrimental to the public welfare, injurious to other property or improvements in the area in which the subject property is located, or a substantial impairment to the intent and purpose of the zoning district wherein such property is located or of the general provisions of this ordinance.
6. That the proposed variance will not impair an adequate supply of light and air to the adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety.
7. That the alleged difficulty or hardship has not been knowingly and intentionally created by any person having an interest in the property after the effective date of this ordinance.

D. Restrictions and Variances

No nonconforming use of neighboring lands, structures, or buildings in the same district, and no permitted or nonconforming use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

Under no circumstances shall the BZA grant a variance to allow a "USE" not permissible under the terms of this ordinance in the district involved, or any use expressly or by implication prohibited by the terms of this ordinance in said district.

The BZA may impose conditions and restrictions upon the premises benefited by a variance as may be necessary to comply with the provisions set out in 6601, C, above, to reduce or minimize the injurious effect upon surrounding property and better carry out the general intent of this ordinance. The BZA may establish expiration dates as a condition or as a part of any variances.

6602 Special Exceptions

The BZA establishes the following procedure to provide procedures for review of a proposed use as a conditional use or special exception. The procedure shall be the same whether review is required by this ordinance or whether a review is requested by the Enforcement Officer to determine whether a proposed use is potentially noxious, dangerous or offensive.

A. Application

An application shall be filed with the BZA for review. Said application shall show the location and intended uses of the site, the names of the property owners, existing land uses within two hundred (200) feet, and any other material pertinent to the request which the BZA may require.

B. Hearing

Upon receipt of an application, the BZA shall hold a hearing to decide whether the proposed special exception can be operated without detriment to the property or surrounding land uses. The Board shall consider and decide all applications for variances within thirty (30) days of such hearing and in accordance with the standards provided below. A fee, as determined by the Thompson's Station Board of Mayor and Aldermen, and included within the fee schedule posted in the Town Hall, shall be charged to cover review and processing of each application.

C. Restrictions

In the exercise of its approval, the BZA may impose such conditions upon the proposed uses of

buildings or land as it may deem advisable in the furtherance of the general purposes of this ordinance.

D. Validity of Plans

All approved plans, conditions, restrictions, and rules made a part of the approval of the Board shall constitute certification on the part of applicant that the proposed use shall conform to such regulations at all times.

E. General Requirements

A special exception shall be granted provided the Board finds that the activity will not adversely affect area property and is so designed, located, and proposed to be operated so that the public health, safety, and welfare will be protected. Special exceptions must also conform to all applicable provisions of this ordinance for the district in which it is to be located and is within the provision of "Special Exceptions" as set forth in this ordinance.

F. Special Exceptions Appeals

Any person or agency of the Town government may appeal to a court of competent jurisdiction from the BZA decision as provided under statutes of the State of Tennessee. The judgment and findings of the BZA on all questions of fact that may be involved in any appeal, cause, hearing or proceeding under this article shall be final, and subject to review only for illegality or want of jurisdiction. A fee, as per the Fee Schedule posted in the Town Hall of Thompson's Station, shall be charged to cover review and processing of each application for a special exception.

6603 Temporary Uses/Events

The purpose of this application is to permit for land uses that will occur for short durations that do not have a substantial impact on the property or the surrounding land uses.

A. Application

An application shall be filed with the BZA for review. Said application shall show the location and intended uses of the site, and any other material pertinent to the request which the BZA may require.

B. Hearing

Upon receipt of an application, the BZA shall hold a hearing to decide whether the proposed temporary use can be operated without detriment to the property or surrounding land uses. The Board shall consider and decide all applications for variances within thirty (30) days of such hearing and in accordance with the standards provided below. A fee, as determined by the Thompson's Station Board of Mayor and Aldermen, and included within the fee schedule posted in the Town Hall, shall be charged to cover review and processing of each application.

C. Restrictions

In the exercise of its approval, the BZA may impose such conditions upon the proposed uses of buildings or land as it may deem advisable in the furtherance of the general purposes of this ordinance.

6700 AMENDMENTS TO THE ORDINANCE

The regulations, restrictions, and boundaries set forth in this ordinance may from time to time be amended, supplemented, changed, or repealed by the Thompson's Station Board of Mayor and Aldermen. Any member of the Board of Mayor and Aldermen may introduce such amendments or any official, board, or any other person may present a petition to the Planning Commission requesting an amendment or amendments to this ordinance.

No amendment to this ordinance shall become effective unless it is first submitted to the Thompson's Station Planning Commission for review and recommendation. The Planning Commission shall have sixty (60) days within which to submit its recommendation to the Town Board of Mayor and Aldermen.

If the Planning Commission disapproves the amendment, it shall require the favorable vote of a majority of the Town Board of Mayor and Aldermen to become effective. If the Planning Commission fails to submit a report within the sixty (60) day period, it shall be deemed to have approved the proposed amendment.

No change or departure from the text or maps as certified by the Planning Commission shall be made, unless such change or departure be first submitted to the Planning Commission and approved by it, or, if disapproved, received the favorable vote of a majority of the entire membership of the Town Board of Mayor and Aldermen.

Before finally adopting any such amendment, the Town Board of Mayor and Aldermen shall hold a public hearing thereon, at least fifteen (15) days notice of the time and place of which shall be given by at least one (1) publication in a newspaper of general circulation in the Town; and any such amendment shall be published at least once in the official newspaper of the Town or in a newspaper of general circulation in the Town.

A fee, as determined by the Thompson's Station Board of Mayor and Aldermen, payable at the time of filing of petition shall be posted with requests to amend a provision or provisions of this zoning ordinance. The fee is to be used by Thompson's Station to defray costs resulting from such petition and any subsequent amendment of the zoning ordinance.

6701 Text Amendments

Proposed amendments to the text of this ordinance must be predicated by a finding that the proposed amendment is consistent with the intent of the Town's comprehensive plan and that the proposed amendment does not have a deleterious effect on surrounding properties or the Town as a whole. A finding must also be made as to whether the proposed amendment is correcting ordinance mistakes or adjusting the ordinance to changing area characteristics that might warrant review of the comprehensive plan.

6702 Map Amendments

Proposed zoning map amendments must be predicated by a finding that the proposed amendment is consistent with the intent of the Town's comprehensive plan and that the proposed amendment does not have a deleterious effect on surrounding properties or the Town as a whole. A finding must also be made as to whether the proposed amendment is correcting map mistakes or adjusting the ordinance to changing area characteristics that might warrant review of the comprehensive plan.

6703 Procedure for Map and/or Text Amendments

Applications for any change, either of district boundaries or classification of property as shown on the Zoning Map, shall be submitted to the Planning Commission at its public office. Applications shall be on such forms, and shall be accompanied by such data and information, as may be prescribed for that purpose by the Planning Commission, so as to assure the fullest practicable presentation of facts for the permanent record. Whenever any petition for an amendment, supplement, or change of the zoning or regulations herein contained (or subsequently established) has been denied by the Board of Mayor and Aldermen, no new petition covering the same property (or the same property plus any additional property) can be filed with, or considered by, the Board of Mayor and Aldermen until one (1) year has elapsed from the date of the filing of a previous petition.

6800 GENERAL

6801 Penalties

Any persons violating any provisions of this ordinance shall be guilty of a misdemeanor, and upon conviction shall be fined not less than ten (\$10.00) dollars or more than fifty dollars (\$50.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense; payment of fine shall not constitute compliance.

6802 Remedies

In case any building or other structure is erected, constructed, altered, repaired, converted, or maintained, or any building, structure, or land is used, in violation of this ordinance, the Enforcement Officer or any other appropriate authority or any adjacent or neighboring property owner who would be specifically damaged by such violation, in addition to other remedies, may institute an injunction, mandamus, or other appropriate action or proceeding to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance, or use; or to correct or abate such violation; or to prevent occupancy of such building, structure, or land.

6803 Validity

Should any section, clause, or provision of this ordinance be declared by a court of competent jurisdiction to be unconstitutional or invalid, this judgment shall not affect the validity of this ordinance as a whole or any other part of this ordinance be judged invalid or unconstitutional.

6804 Interpretation

Whenever the conditions of this ordinance are less restrictive than comparable conditions imposed by any other provision of this ordinance or any other resolution, the provisions, which are more restrictive, shall govern.

6805 Effective Date

This ordinance shall take effect from and after the effective date of its passage and publication as required by law, the public welfare requiring it.

SITE DATA

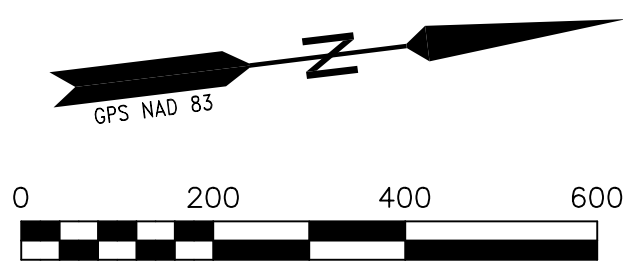
PROJECT NAME: WHISTLE STOP FARMS	AREA CHART
LOCATION: PARCEL 40, TAX MAP 146	SINGLE FAMILY LOT AREA 50.92
ZONING: PN (PLANNED NEIGHBORHOOD)	COMMERCIAL LOT AREA 0.25
TOTAL SITE AREA: +/-144.58 AC	MULTI FAMILY LOT AREA
TOTAL ALLOWED DENSITY: 3 DUA	IMPERVIOUS AREA (BUILDING WALKS DRIVE) 3.36
APPROVED WITH 2009 DEVELOPMENT PLAN	OPEN SPACE IN LOT 165 8.12
TOTAL PROPOSED HOMES: 164 (0.80 DUA)	OPEN SPACE AREA (SINGLE FAMILY LOTS) 64.10
SINGLE FAMILY LOT TYPE A: 80' X 130' (TYPICAL)	TOTAL OPEN SPACE 72.22
TOTAL MULTI FAMILY UNITS: 179	RAILWAY EASEMENT (30' OFF CENTERLINE OF TACKS) 3.96
TOTAL COMMERCIAL LOTS: 1	RIGHTS OF WAY 13.87
TOTAL REQUIRED OPEN SPACE: 45%	TOTAL AREA 144.58
PER ORDINANCE NO 10-201	
144.58 x 45% = 65.06 Acres	

OPEN SPACE

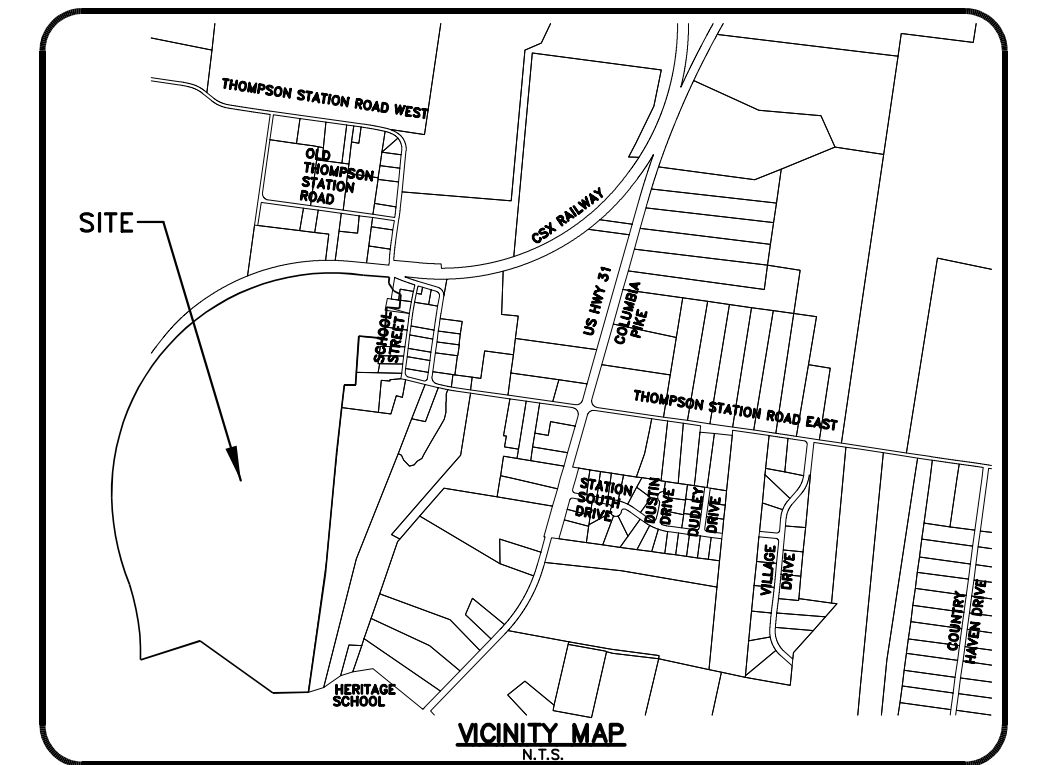
SQUARE FEET	ACRES
A 87,027	2.00
B 226,091	5.19
C 40,132	0.92
D 3,074	0.07
E 7,009	0.16
F 59,214	1.36
G 94,218	2.16
H 1,857,873	42.65
I 248,343	5.70
J 169,252	3.89
K 353,707	8.12
TOTAL	72.22 AC

PHASES

PHASE	NO. OF LOTS
1	46
2	34
3	19
4	36
5	14
6	15
7	179
TOTAL	343



The units depicted in this preliminary plat shall be connected to and serviced by the Town of Thompson's Station regional wastewater treatment facility, as set forth in and pursuant to the terms and schedule detailed in Section 2 of the Settlement Agreement between Whistle Stop Farms, LLC and the Town of Thompson's Station, as approved by the Town's Board of Mayor and Aldermen.



LEGEND

- Iron Rod Existing - iron rod (ex)
- Iron Rod Set - iron rod (s)
- Deed Call - (100.00')
- Fence -
- Property Line -
- Railroad Track -
- Utility Pole w/ guy wire -
- Minimum Building Setback Line MBSL -
- Public Utility & Drainage Easement PUDE -
- Storm Sewer - ST -
- Sanitary Sewer - SA -
- Water - W -
- Fire Hydrant - FH -

* ASTRIC REPRESENTS CRITICAL LOT AND WILL BE SUBJECT TO ENGINEERING SITE PLAN AND FOOTING DETAIL.

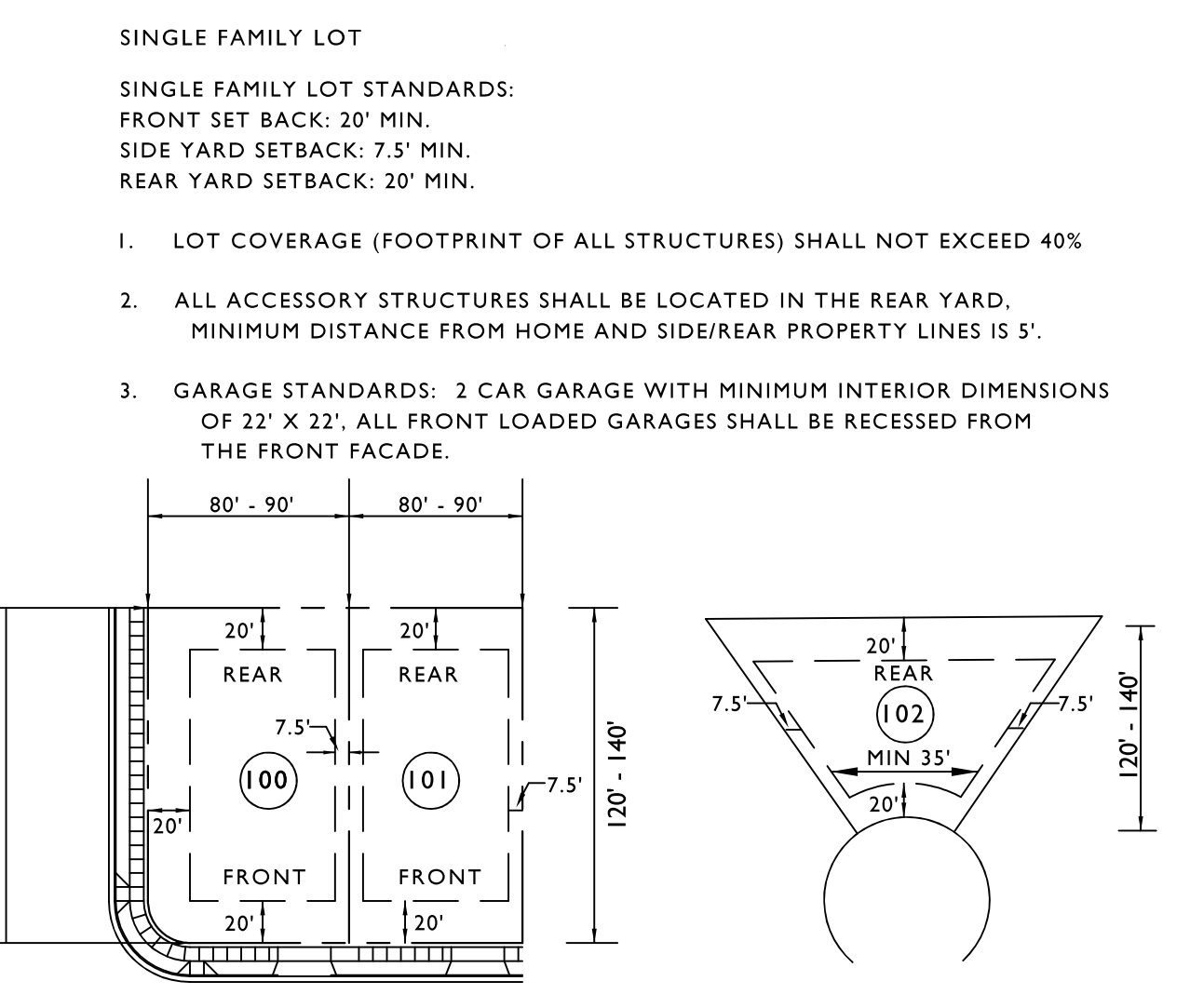
- SURVEY NOTES:**
1. SURVEYOR'S LIABILITY FOR THIS DOCUMENT SHALL BE LIMITED TO THE ORIGINAL PURCHASER AND DOES NOT EXTEND TO ANY UNNAMED PERSON OR ENTITIES WITHOUT AN EXPRESSED RE-CERTIFICATION BY WHOSE SIGNATURE APPEARS UPON THE SURVEY.
 2. PARCEL NUMBERS SHOWN THIS (OO) REFER TO WILLIAMSON COUNTY TAX MAP 146 PARCEL 40 AND MAP 146 N GROUP A PARCEL 4.
 3. ALL DISTANCES WERE MEASURED WITH E.D.M. AND GPS EQUIPMENT AND HAVE BEEN ADJUSTED FOR TEMPERATURE.
 4. THE PROPERTY DOES NOT LIE WITHIN THE 100 YEAR FLOOD PLANE AND ARE DETERMINED TO BE IN ZONE X AS PER FIRM PANEL NUMBER 4718700345F, DATED 09-29-06.
 5. THIS SURVEYOR WAS NOT PROVIDED WITH A TITLE COMMITMENT, THEREFORE SUBJECT TO THE FINDINGS OF A DETAILED TITLE SEARCH.
 6. PRIOR TO ANY CONSTRUCTION, EXCAVATION OR ANY DISTURBANCE OF THE EXISTING GROUND ELEVATION, THE OWNER AND/OR CONTRACTOR SHOULD ASSUME RESPONSIBILITY OF CONTACTING THE LOCAL UTILITY AUTHORITIES FOR EXACT LOCATION OF UNDERGROUND GAS LINES, TELEPHONE AND ELECTRIC CABLES AND WATER LINES ETC. TO AVOID ANY HAZARD OR CONFLICT. IN TENNESSEE, IT IS A REQUIREMENT, PER "THE UNDERGROUND UTILITY DAMAGE PREVENT ACT", THAT ANYONE WHO ENGAGES IN EXCAVATION MUST NOTIFY ALL KNOWN UNDERGROUND UTILITY OWNERS, NO LESS THAN THREE (3) NOR MORE THAN TEN (10) WORKING DAYS PRIOR TO THE DATE OF EXCAVATION AND ALSO TO AVOID ANY POSSIBLE HAZARD OR CONFLICT, TENNESSEE ONE CALL 1-800-368-1887.
 7. PROPERTY DATA TAKEN FROM DEED OF RECORD AND DEEDS FROM ADJOINING PROPERTIES AS NOTED CURRENT DEED OF RECORD FOR PARCEL 40 BEING RECORDED IN DEED BOOK 5775 PAGE 532 REGISTER OFFICE WILLIAMSON COUNTY TENNESSEE.
 8. EASEMENT GRANTED TO MIDDLE TENNESSEE ELECTRIC MEMBERSHIP CORPORATION OF RECORD IN BOOK 1971, PAGE 174 R.O.W.G.T.
 9. CSX INFORMATION TAKEN FOR MAPS PROVIDED BY CSX RAILROAD COMPANY, "RIGHT OF WAY AND TRACK MAP NASHVILLE AND DECATUR R.R. CO. OPERATED BY LOUISVILLE AND NASHVILLE R.R. CO SHEETS V11798 AND V11799 DATED JUNE 30, 1917, FENCE OWNED BY R.R. COMPANY".
 10. UTILITIES SHOWN WERE TAKEN FROM FIELD LOCATIONS THAT WERE APPARENT AND COPIED FROM APPROPRIATE GOVERNING AGENCIES MAPS AS APPROXIMATE AT BEST, THERE MAY BE UTILITIES, THE EXISTENCE OF WHICH ARE UNKNOWN TO THE SURVEYOR.
 11. ALL SIDEWALKS, OPEN SPACE, STREET TREES AND DRAINAGE IMPROVEMENT TO BE MAINTAINED BY THE HOME OWNERS ASSOCIATION.
 12. ALL OPEN SPACE MAY BE USED AS PUBLIC UTILITY AND DRAINAGE EASEMENT.

* ASTRIC REPRESENTS CRITICAL LOT AND WILL BE SUBJECT TO ENGINEERING SITE PLAN AND FOOTING DETAIL.

PARCEL ID: 146 04000
 OWNED BY: WHISTLE STOP FARMS, LLC
 WILLIAMSON CO. TAX MAP 146
 PARCEL 40
 DEED REFERENCE: BOOK 5775,
 PAGE 532
 ZONING: PLANNED NEIGHORHOOD

PARCEL ID: 146N A00400
 OWNED BY: JOHN RODERICK HELLER, III
 WILLIAMSON CO. TAX MAP 146N
 PARCEL 40N
 DEED REFERENCE: BOOK 6323,
 PAGE 529
 ZONING: T4

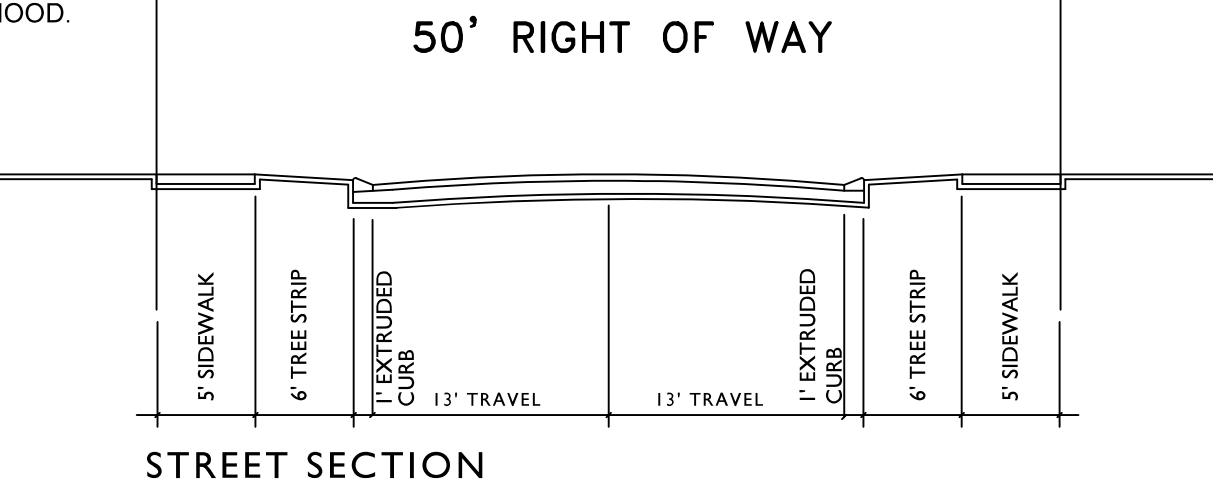
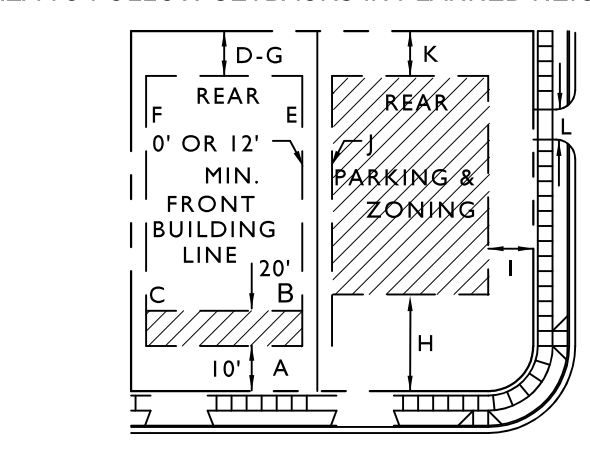
PLANNED NEIGHBORHOOD TYPICAL LOT DIAGRAMS



T4 LOT STANDARDS

- MAIN BUILDING SETBACKS**
- A PRIMARY FRONTAGE 10-20 FT. MAX.
 - B SECONDARY FRONTAGE 8 FT. MIN.
 - C SIDE LOT LINE AGGREGATE 0 FT. OR 12' TOTAL MIN.
 - D REAR LOT LINE 5' MIN.
- ACCESSORY BUILDING SETBACKS**
- E SECONDARY FRONTAGE 8 FT. MIN.
 - F SIDE LOT LINE 0 FT. MIN.
 - G REAR LOT LINE 5 FT. MIN.
 - L ACCESS DRIVE WIDTH TO SETBACK 12 FT. MAX.
- PARKING AND STORAGE SETBACKS**
- H PRIMARY FRONTAGE
 - I SECONDARY FRONTAGE
 - J SIDE LOT LINE
 - K REAR LOT LINE
- LOT REQUIREMENTS**
- H PRIMARY FRONTAGE
 - I SECONDARY FRONTAGE
 - J SIDE LOT LINE
 - K REAR LOT LINE
- REFER TO LAND DEVELOPMENT ORDINANCE TABLE 4.5 TR LOT STANDARDS

* APPLIES TO SINGLE FAMILY DETACHED LOTS IN PHASE 7 ONLY, THIS IS THE AREA CURRENTLY ZONED TO TOWN CENTER, AMENITY AREA TO FOLLOW SETBACKS IN PLANNED NEIGHBORHOOD.



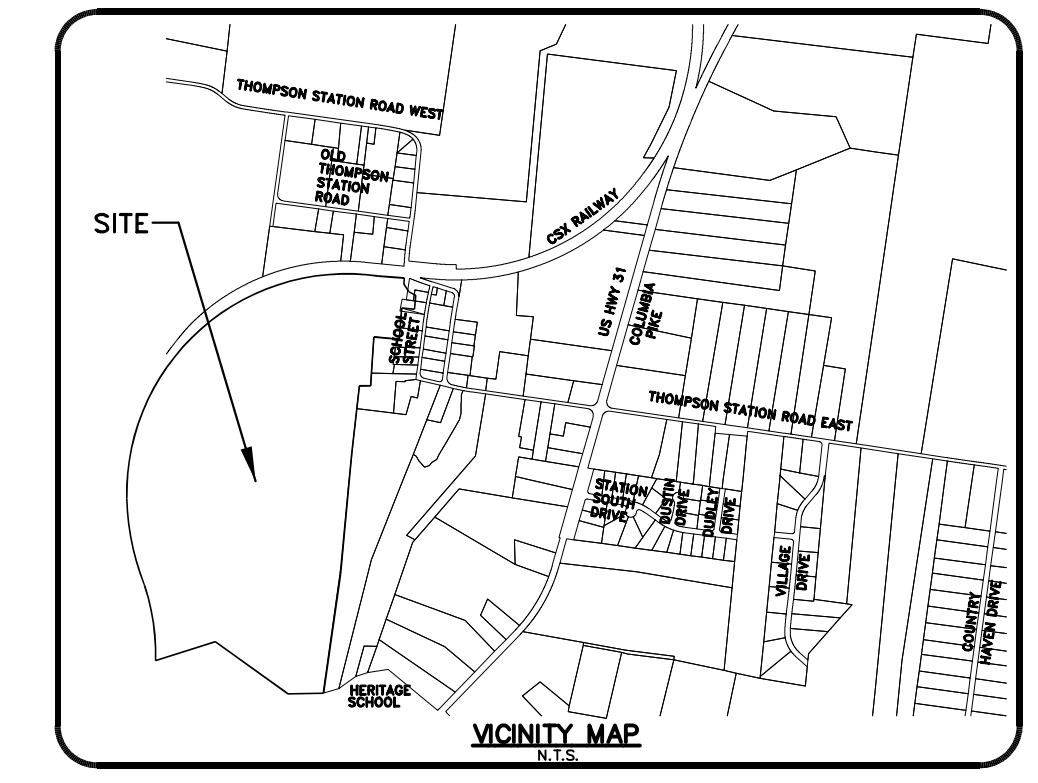
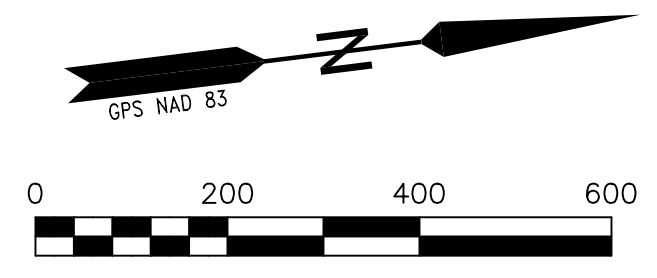
PLANNED NEIGHBORHOOD DISTRICT

MINIMUM SITE AREA	RESIDENTIAL	COMMERCIAL	REQUIRED OPEN SPACE	DENSITY
50 ACRES	100%	20%	45%	3.0

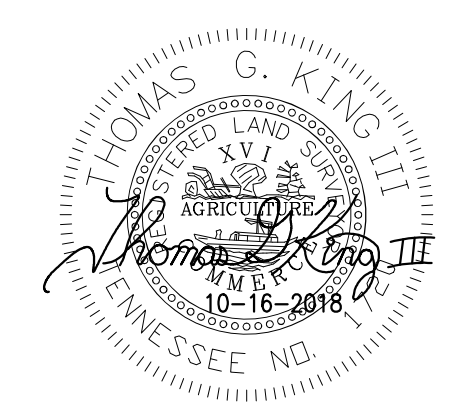
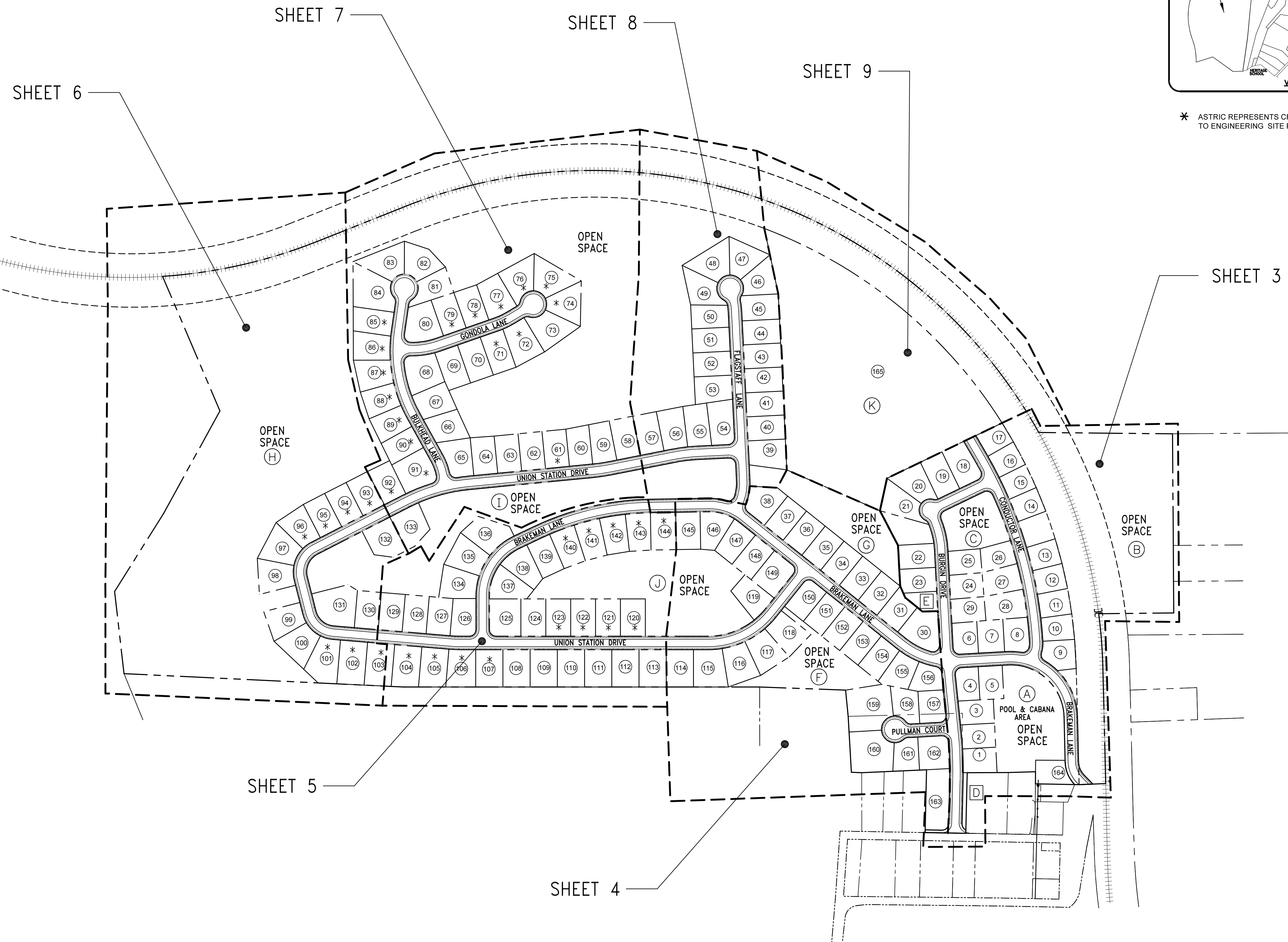
EXHIBIT B



PRELIMINARY PLAT
WHISTLE STOP FARMS
 TOWN OF THOMPSON'S STATION,
 4th CIVIL DISTRICT WILLIAMSON COUNTY, TENNESSEE
 WHISTLE STOP FARMS, LLC
 144 SOUTHEAST PARKWAY
 SUITE 230
 FRANKLIN, TN 37064
 PHONE (615) 238-4958



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PRELIMINARY PLAT WHISTLE STOP FARMS

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MALCOLM MOSS GIBBS; JOHN M. GIBBS
MAP 146 PARCEL 21
Deed Book 1305 Page 472

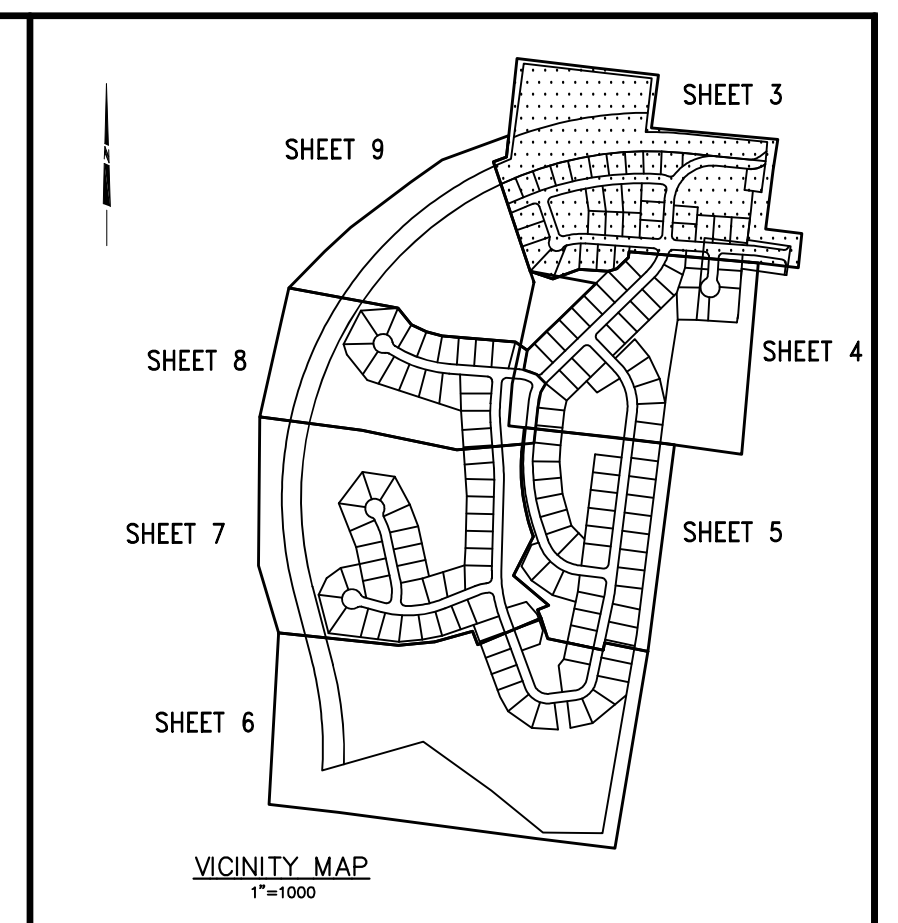
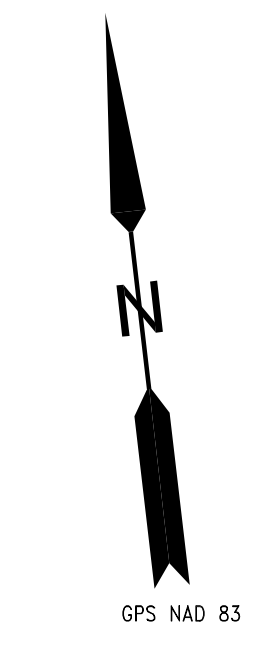
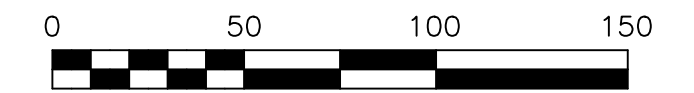
EUGENE & MARSHA WILLIAMS
MAP 146K GROUP A PARCEL 16
Deed Book 5460 Page 367

PATRICK & PATRICIA SPRINGER
MAP 146K GROUP A PARCEL 17
Deed Book 2054 Page 76

SAMUEL & REBECCA MIZELL
MAP 146K GROUP A PARCEL 18
Deed Book 5294 Page 120

JAMES D. & KATREAN PORTER
MAP 146K GROUP A PARCEL
20 Deed Book 2408 Page 763

GEORGE C. & LINDA A. BROWN
MAP 146K GROUP A PARCEL
NO DEED



- LEGEND
- Iron Rod Existing - iron rod (ex)
 - Iron Rod Set - iron rod (s)
 - Deed Call - (100.00')
 - Fence -
 - Property Line -
 - Railroad Track -
 - Utility Pole w/ guy wire -
 - Minimum Building Setback Line MBSL -
 - Public Utility & Drainage Easement PUDE -
 - Storm Sewer -
 - Sanitary Sewer -
 - Water -
 - Fire Hydrant -

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TOWN OF THOMPSON'S STATION
MAP 146 PARCEL 40.01
Deed Book 1521 Page 486

Existing Sanitary Sewer Manhole & 20' Utility Esmt

JANIE LOU BROWN
MAP 146N GROUP A PARCEL 2
Deed Book 886 Page 781

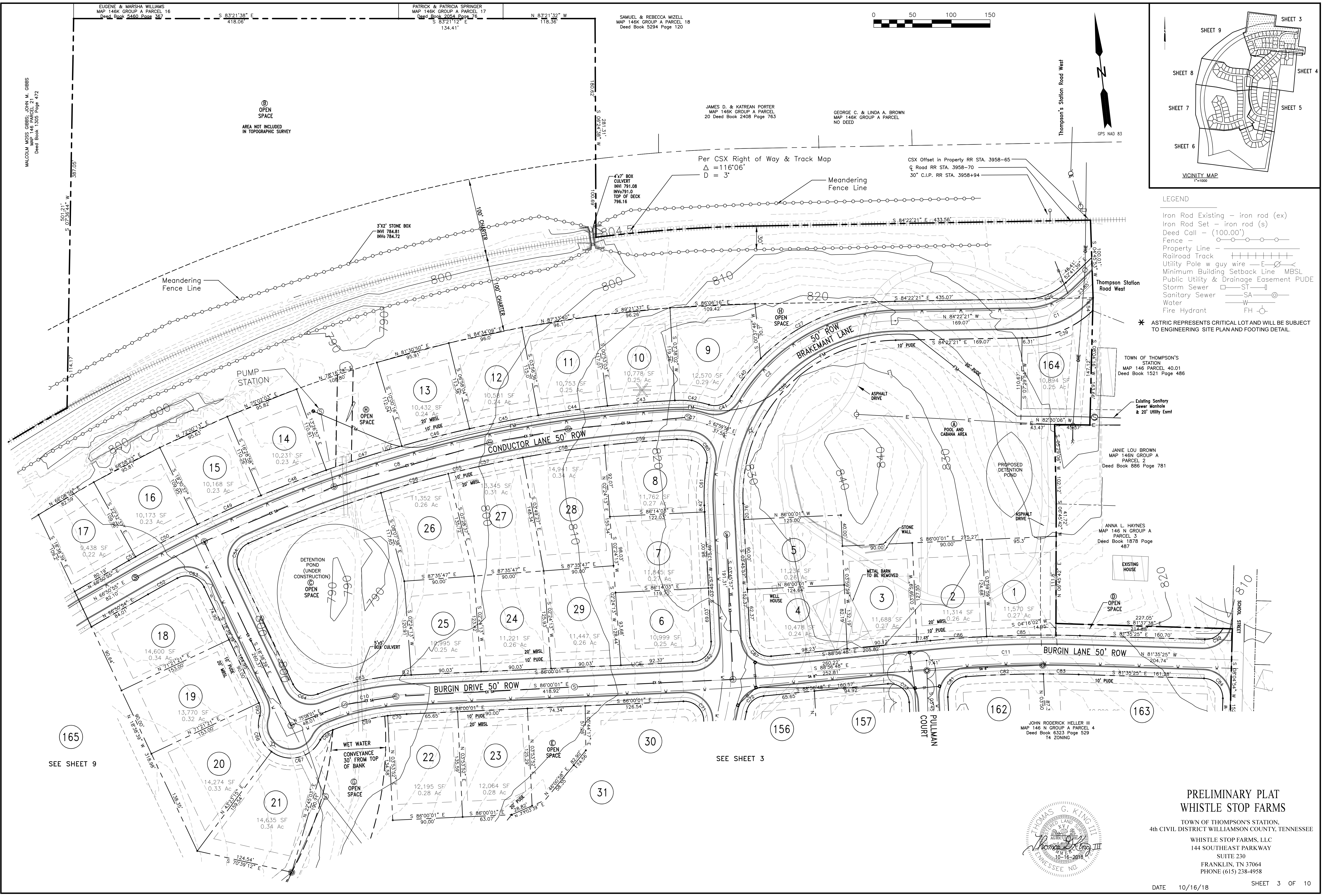
ANNA L. HAYNES A
MAP 146 N GROUP A PARCEL 3
Deed Book 1878 Page 487

JOHN RODERICK HELLER III
MAP 146 N GROUP A PARCEL 4
Deed Book 6323 Page 529
14 ZONING



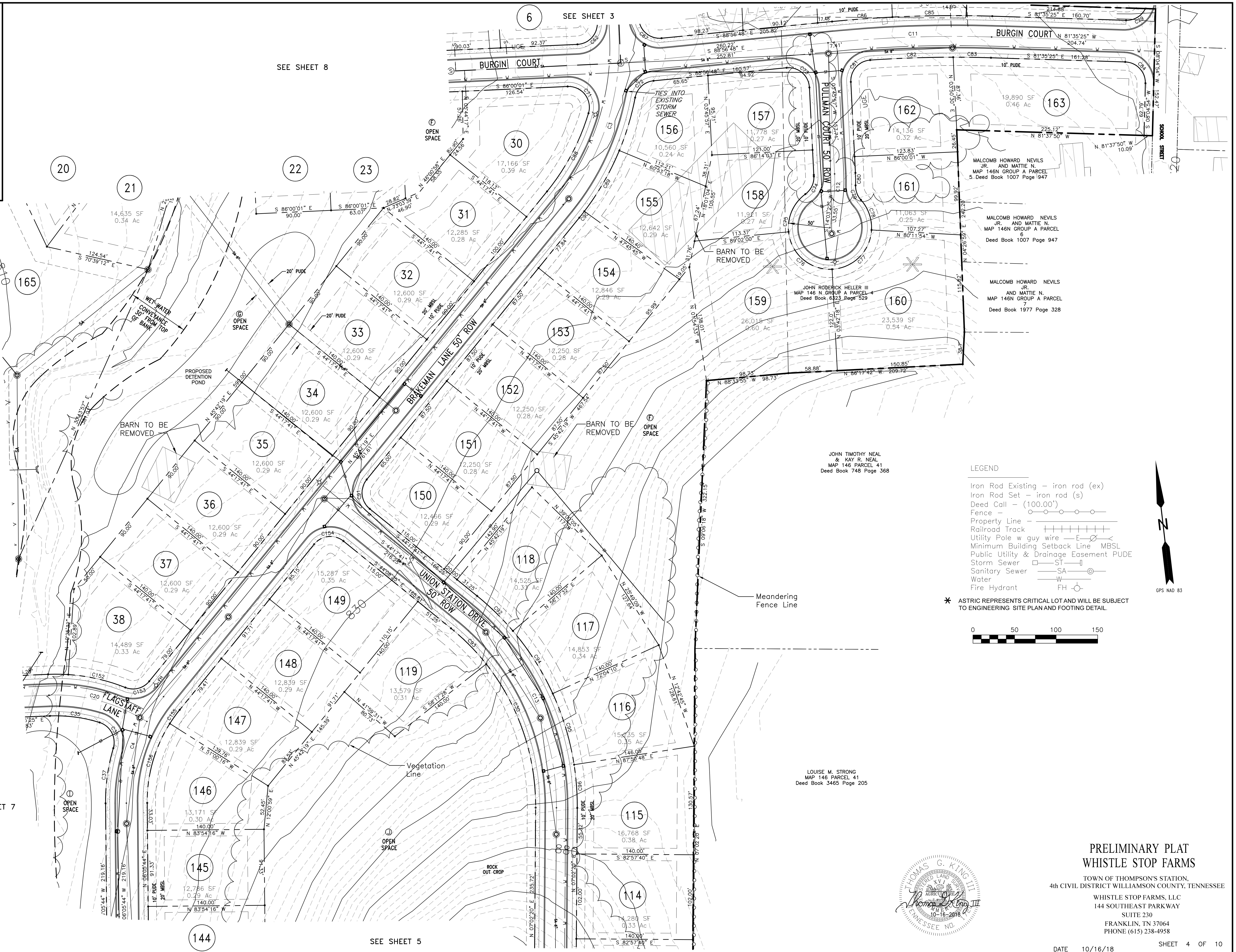
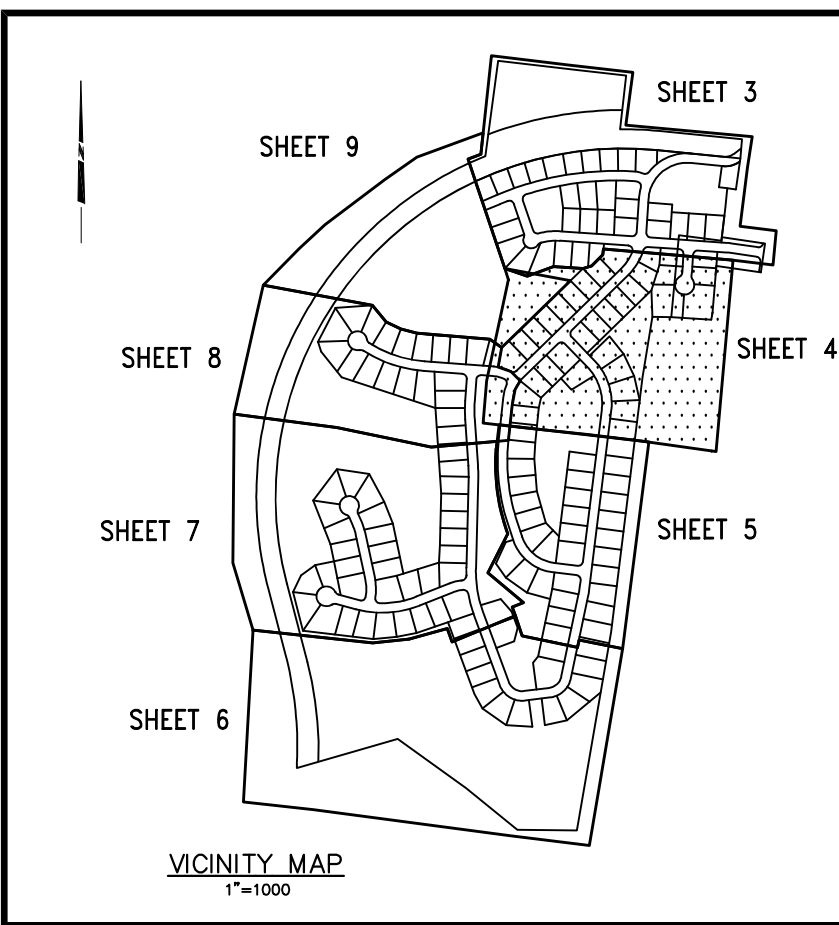
PRELIMINARY PLAT WHISTLE STOP FARMS

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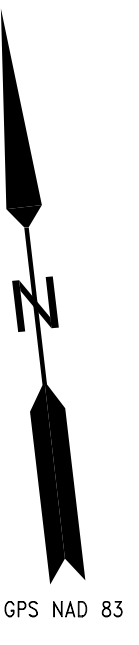
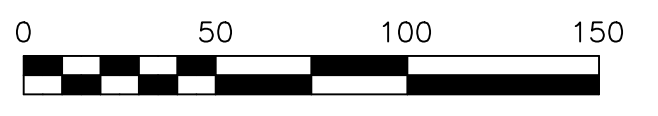


SEE SHEET 9

SEE SHEET 3



- LEGEND**
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SEE SHEET 7

SEE SHEET 8

SEE SHEET 3

SEE SHEET 5

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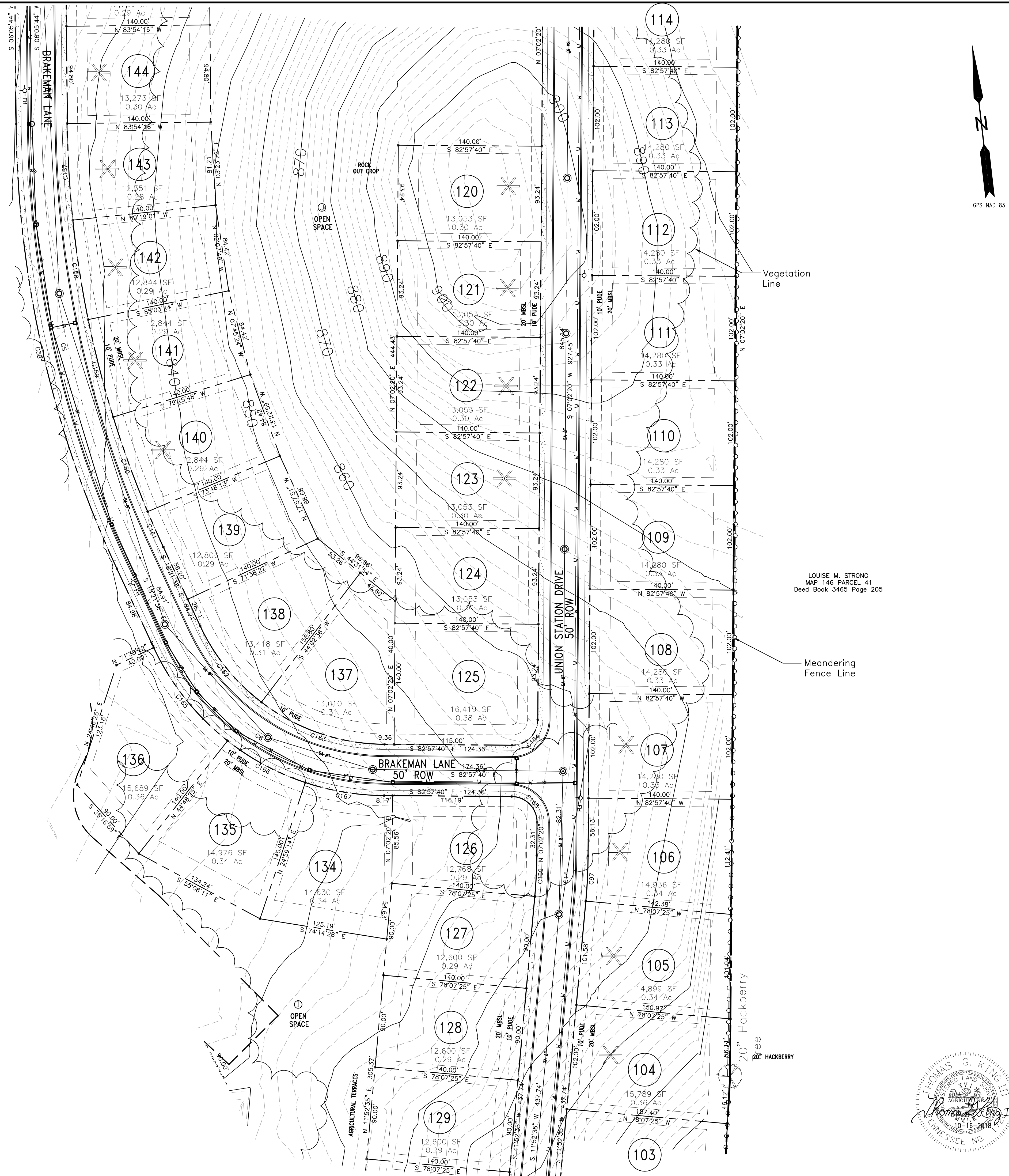
LOUISE M. STRONG
 MAP 146 PARCEL 41
 Deed Book 3465 Page 205

JOHN TIMOTHY NEAL
 & KAY R. NEAL
 MAP 146 GROUP A PARCEL 529
 Deed Book 748 Page 368

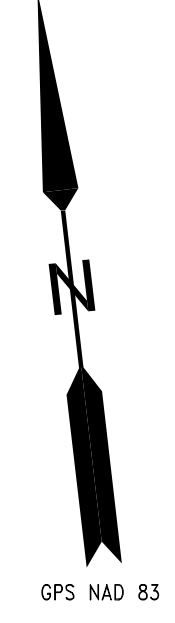
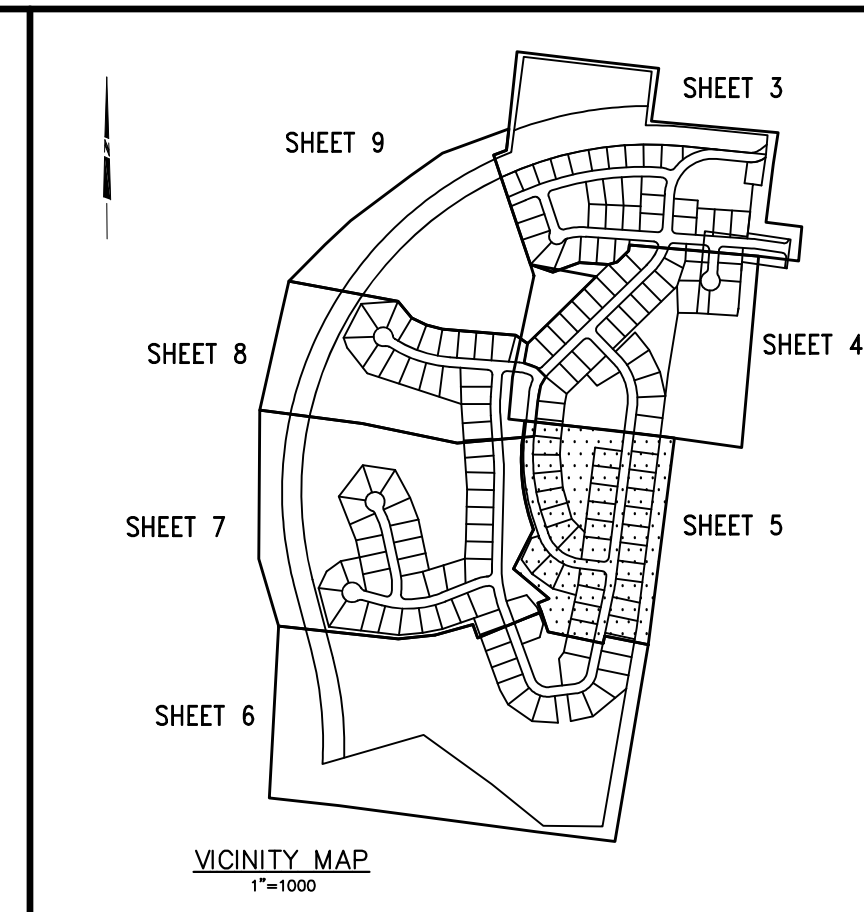
MALCOMB HOWARD NEVILLS
 JR. AND MATTIE N.
 MAP 146N GROUP A PARCEL
 5 Deed Book 1007 Page 947

MALCOMB HOWARD NEVILLS
 JR. AND MATTIE N.
 MAP 146N GROUP A PARCEL
 6 Deed Book 1007 Page 947

MALCOMB HOWARD NEVILLS
 JR. AND MATTIE N.
 MAP 146N GROUP A PARCEL
 7 Deed Book 1977 Page 328



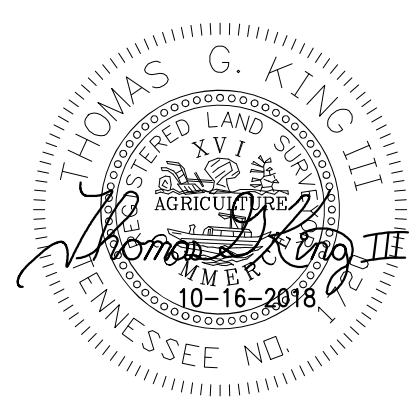
SEE SHEET 7



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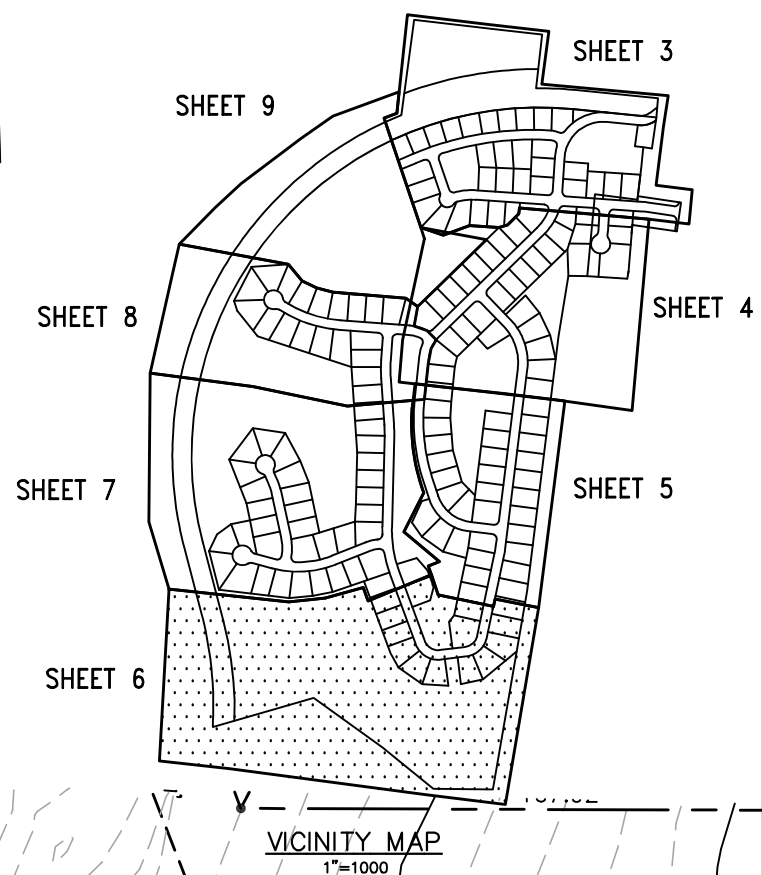
LOUISE M. STRONG
MAP 146 PARCEL 41
Deed Book 3465 Page 205



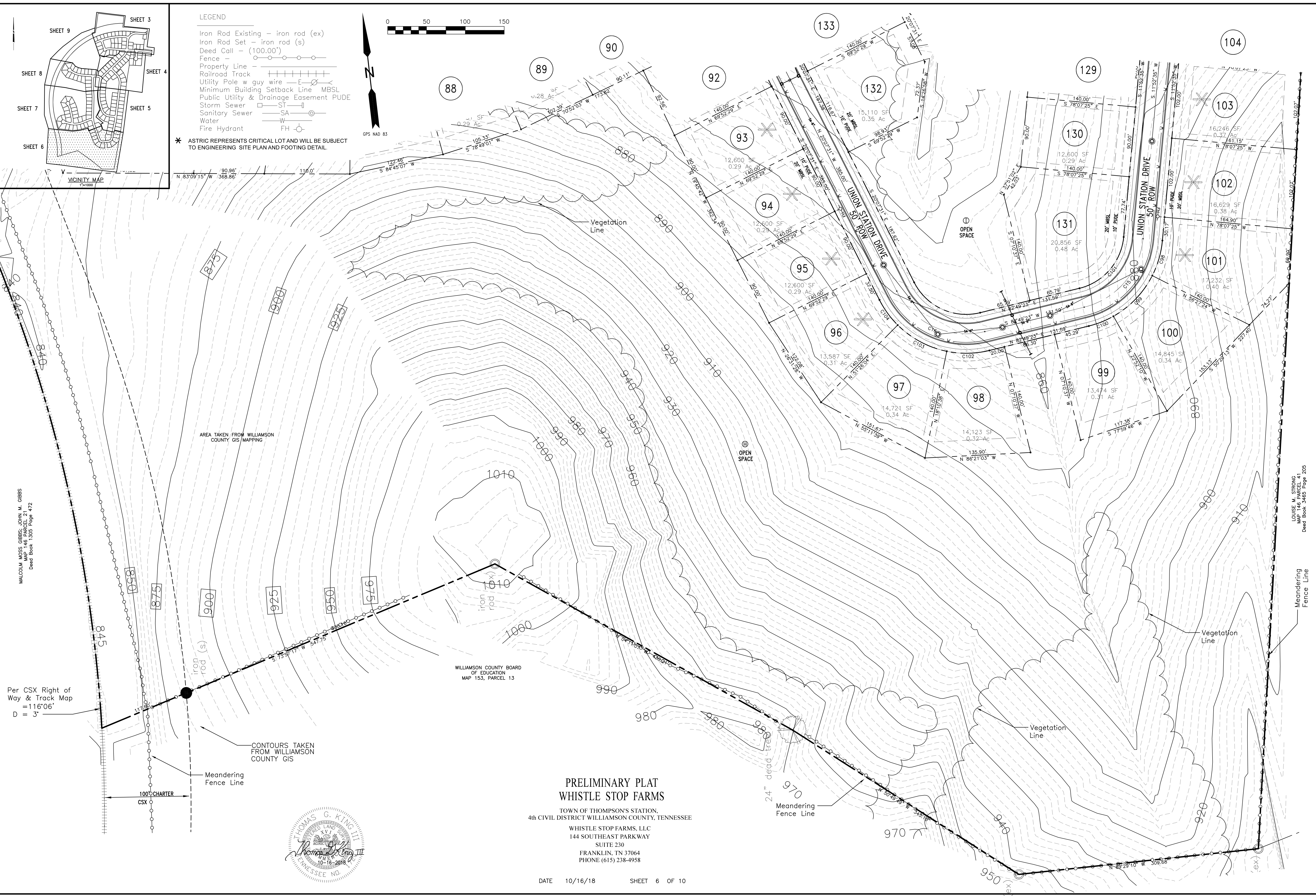
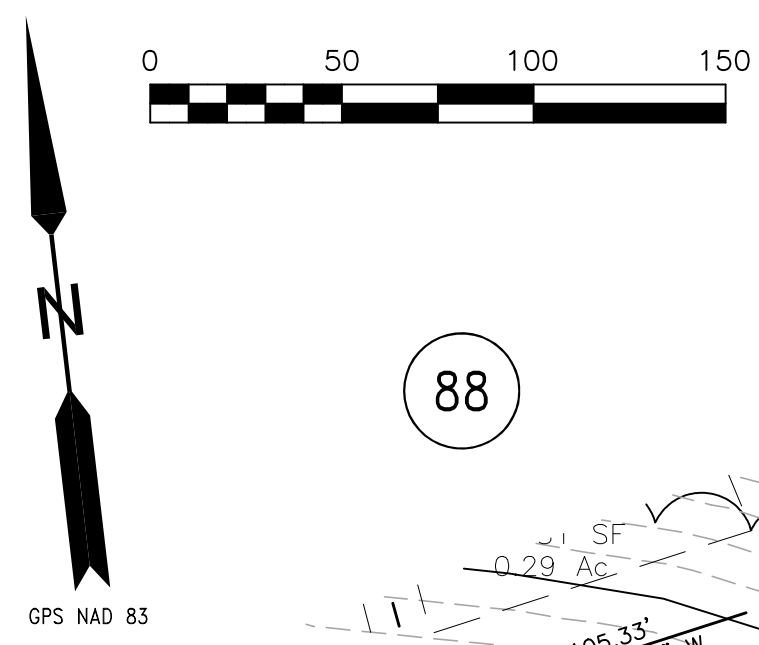
PRELIMINARY PLAT
WHISTLE STOP FARMS

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MALCOLM MOSS GIBBS, JOHN M. GIBBS
Deed Book 1305 Page 472

LOUISE M. STANUS
MAP 146, PARCEL 4
Deed Book 3465 Page 205

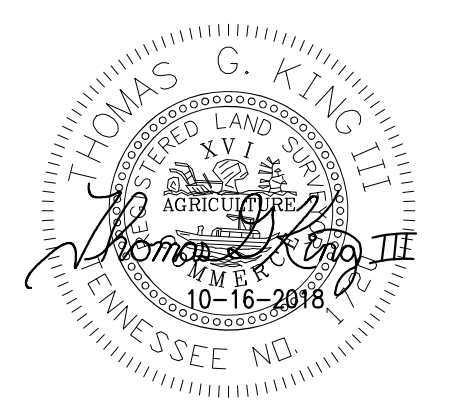
Per CSX Right of Way & Track Map
= 116'06"
D = 3'

CONTOURS TAKEN FROM WILLIAMSON COUNTY GIS

Meandering Fence Line

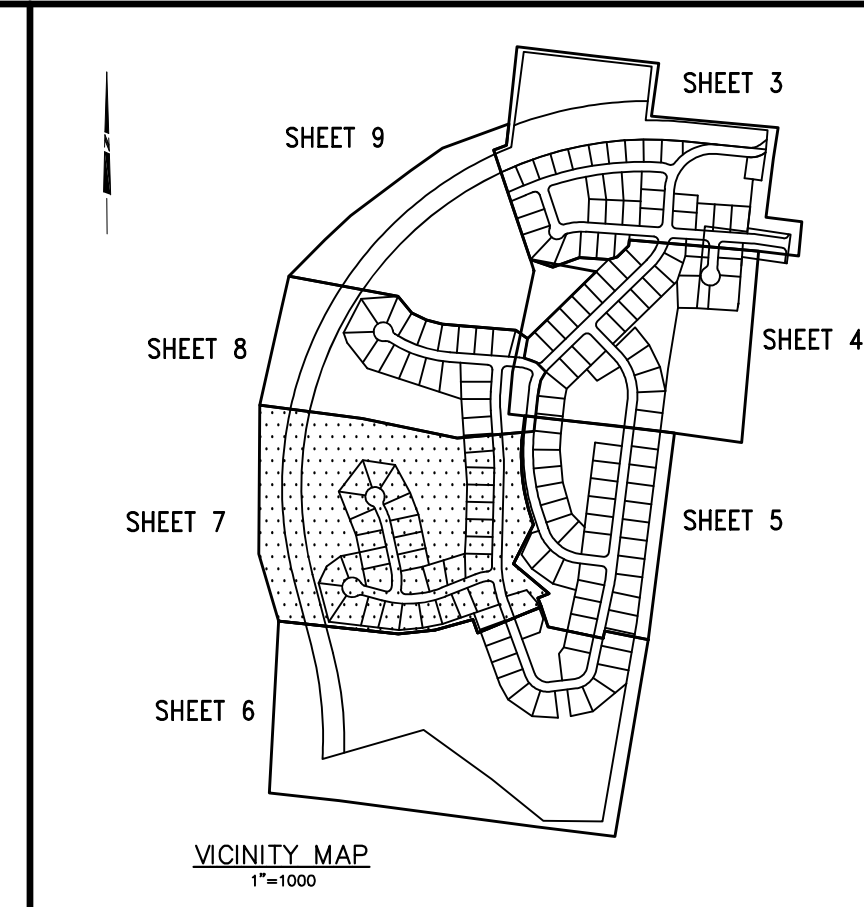
100' CHARTER
CSX

WILLIAMSON COUNTY BOARD OF EDUCATION
MAP 153, PARCEL 13

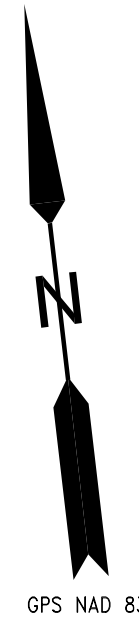


PRELIMINARY PLAT WHISTLE STOP FARMS

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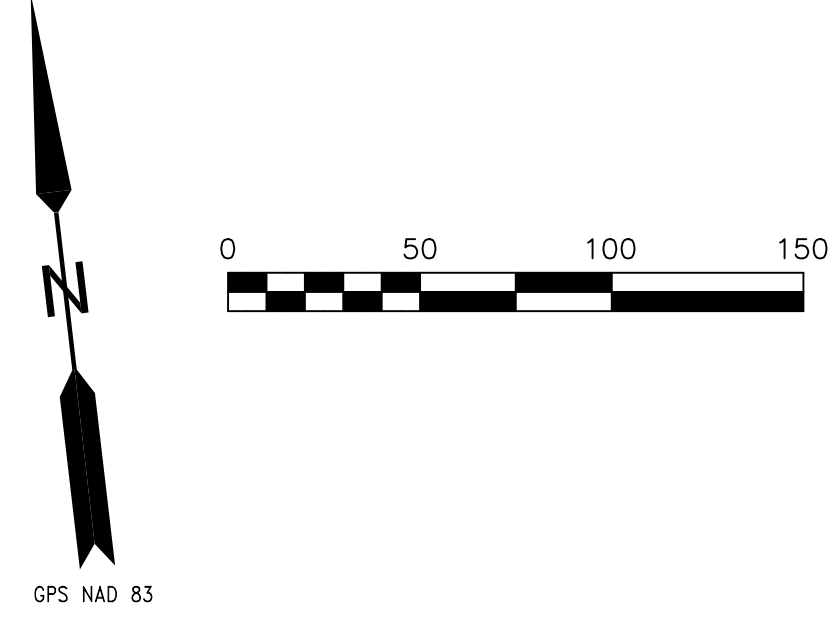
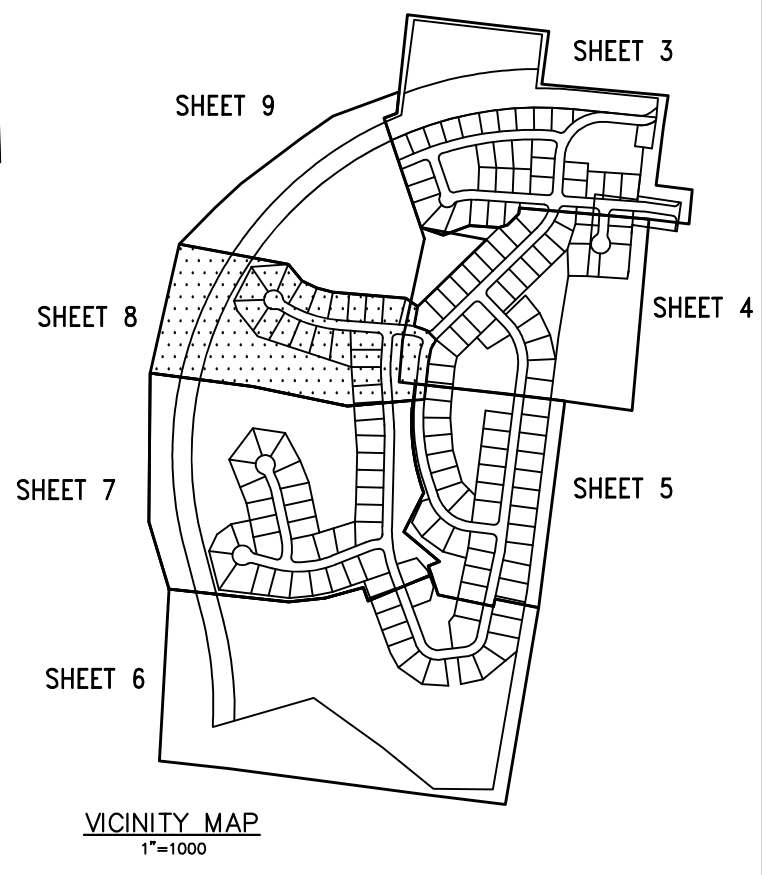
Per CSX Right of Way & Track Map
= 116'06"
D = 3"

MALCOLM MOSS GIBBS: JOHN M. GIBBS
MAP 146 PARCEL 21
Deed Book 1305 Page 472

* ASTRIC REPRESENTS CRITICAL LOT AND WILL BE SUBJECT TO ENGINEERING SITE PLAN AND FOOTING DETAIL.



**PRELIMINARY PLAT
WHISTLE STOP FARMS**
TOWN OF THOMPSON'S STATION,
4th CIVIL DISTRICT WILLIAMSON COUNTY, TENNESSEE
WHISTLE STOP FARMS, LLC
144 SOUTHEAST PARKWAY
SUITE 230
FRANKLIN, TN 37064
PHONE (615) 238-4958



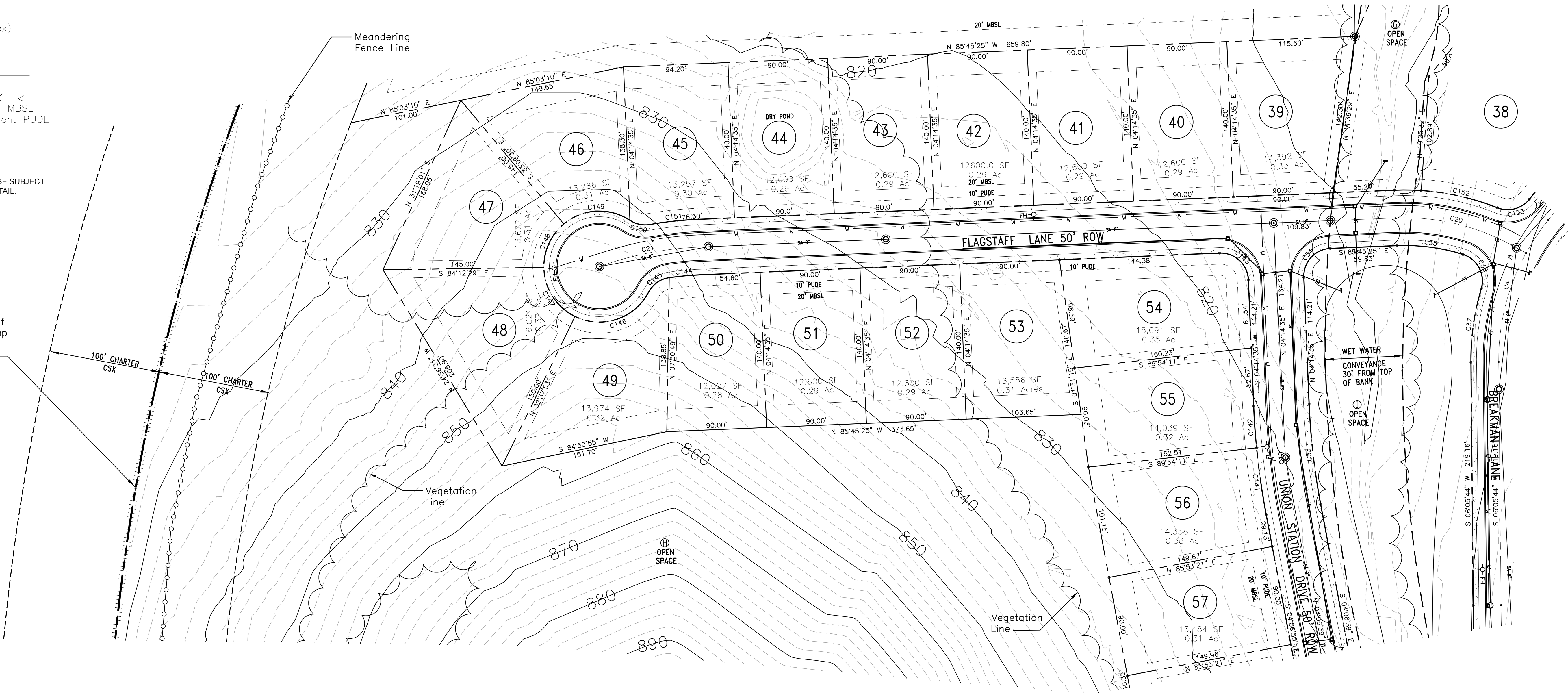
165

LEGEND

- Iron Rod Existing - iron rod (ex)
- Iron Rod Set - iron rod (s)
- Deed Call - (100.00')
- Fence -
- Property Line -
- Railroad Track -
- Utility Pole w guy wire - E
- Minimum Building Setback Line MBSL
- Public Utility & Drainage Easement PUDE
- Storm Sewer - ST
- Sanitary Sewer - SA
- Water - W
- Fire Hydrant - FH

* ASTRIC REPRESENTS CRITICAL LOT AND WILL BE SUBJECT TO ENGINEERING SITE PLAN AND FOOTING DETAIL.

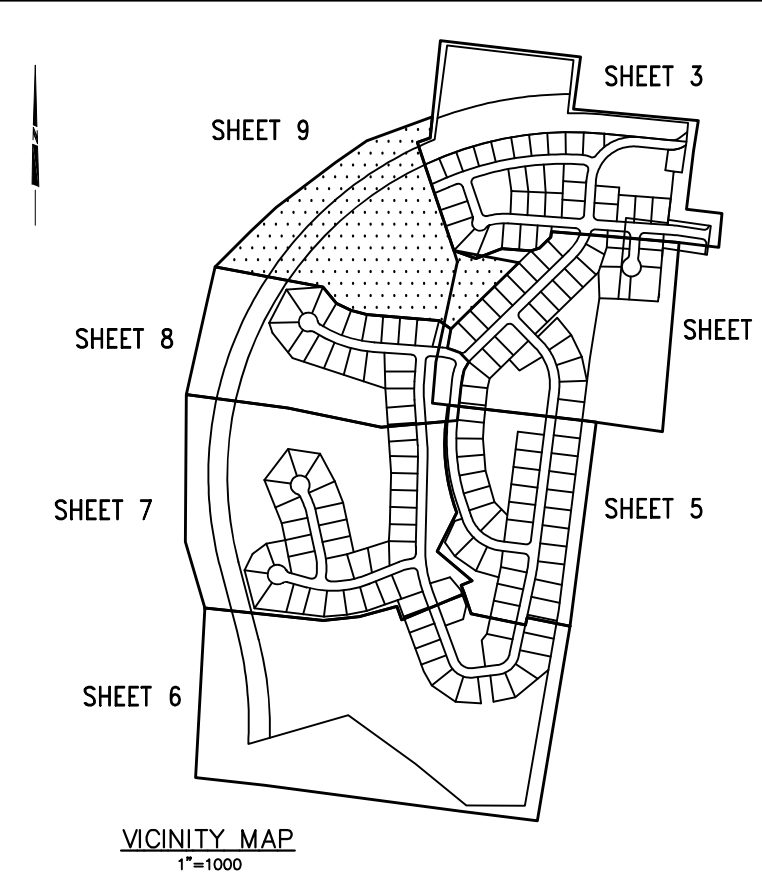
Per CSX Right of Way & Track Map = 116'06"
D = 3"



PRELIMINARY PLAT
WHISTLE STOP FARMS

TOWN OF THOMPSON'S STATION,
4th CIVIL DISTRICT WILLIAMSON COUNTY, TENNESSEE

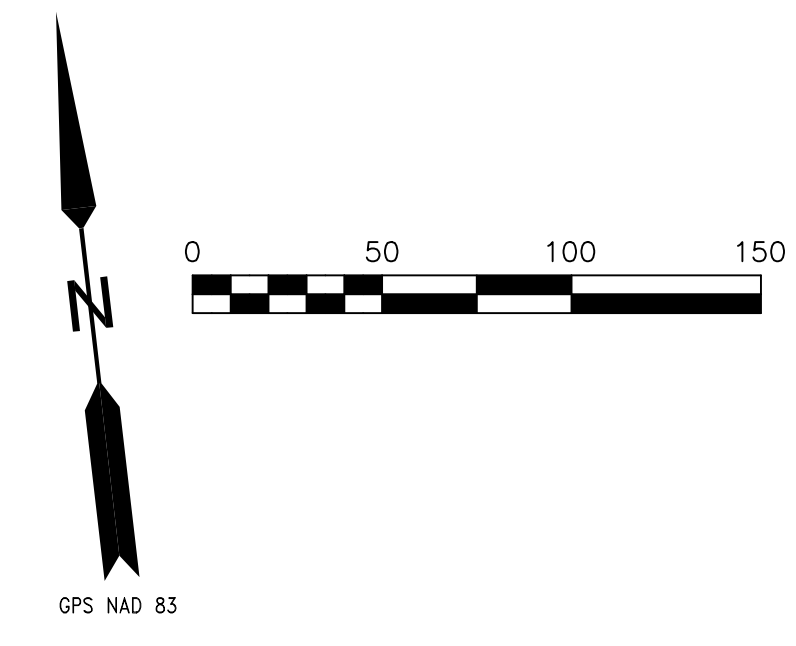
WHISTLE STOP FARMS, LLC
144 SOUTHEAST PARKWAY
SUITE 230
FRANKLIN, TN 37064
PHONE (615) 238-4958



LEGEND

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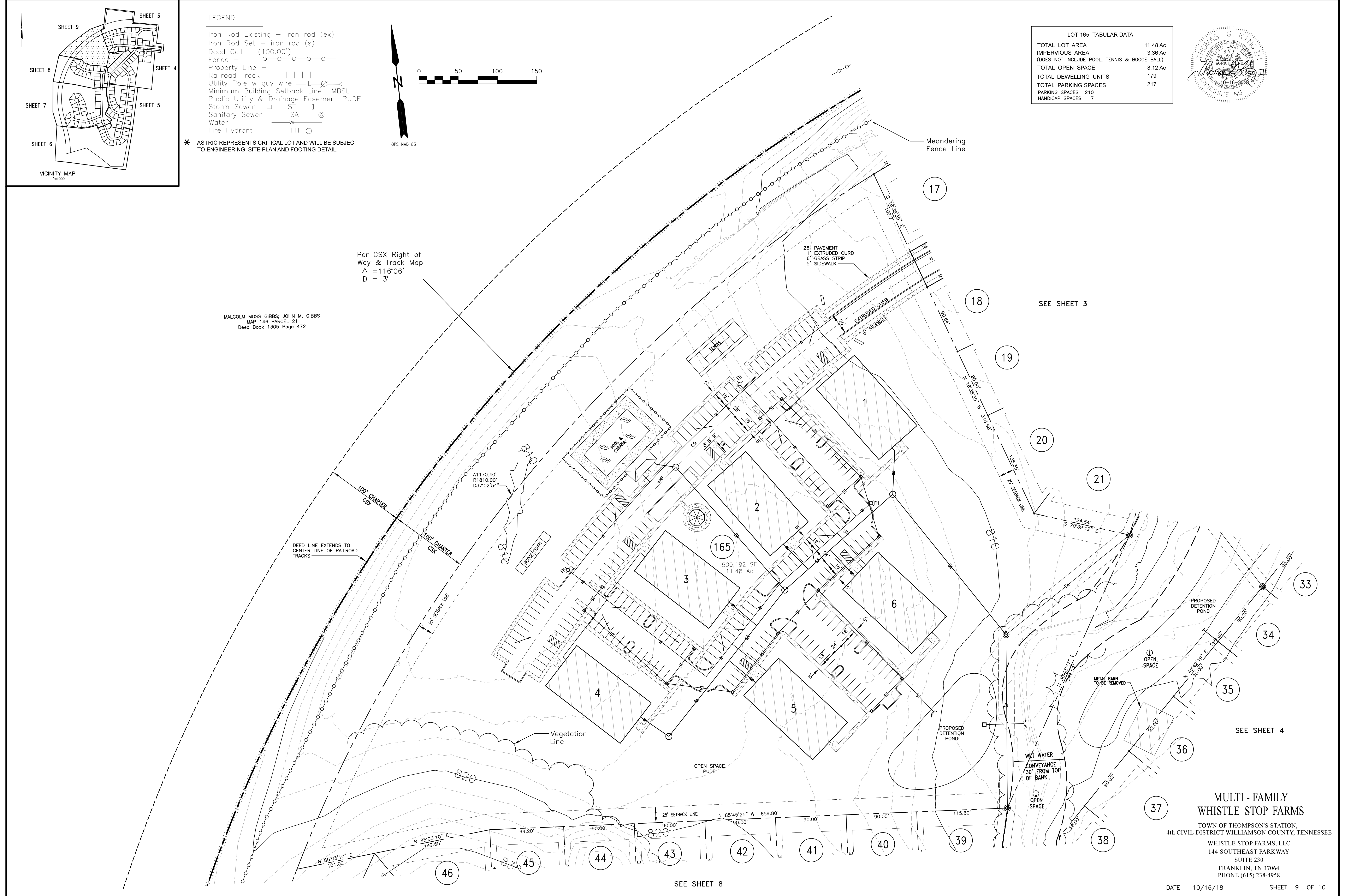


LOT 165 TABULAR DATA	
TOTAL LOT AREA	11.48 Ac
IMPERVIOUS AREA (DOES NOT INCLUDE POOL, TENNIS & BOCCIE BALL)	3.36 Ac
TOTAL OPEN SPACE	8.12 Ac
TOTAL DEWELLING UNITS	179
TOTAL PARKING SPACES	217
HANDICAP SPACES	7

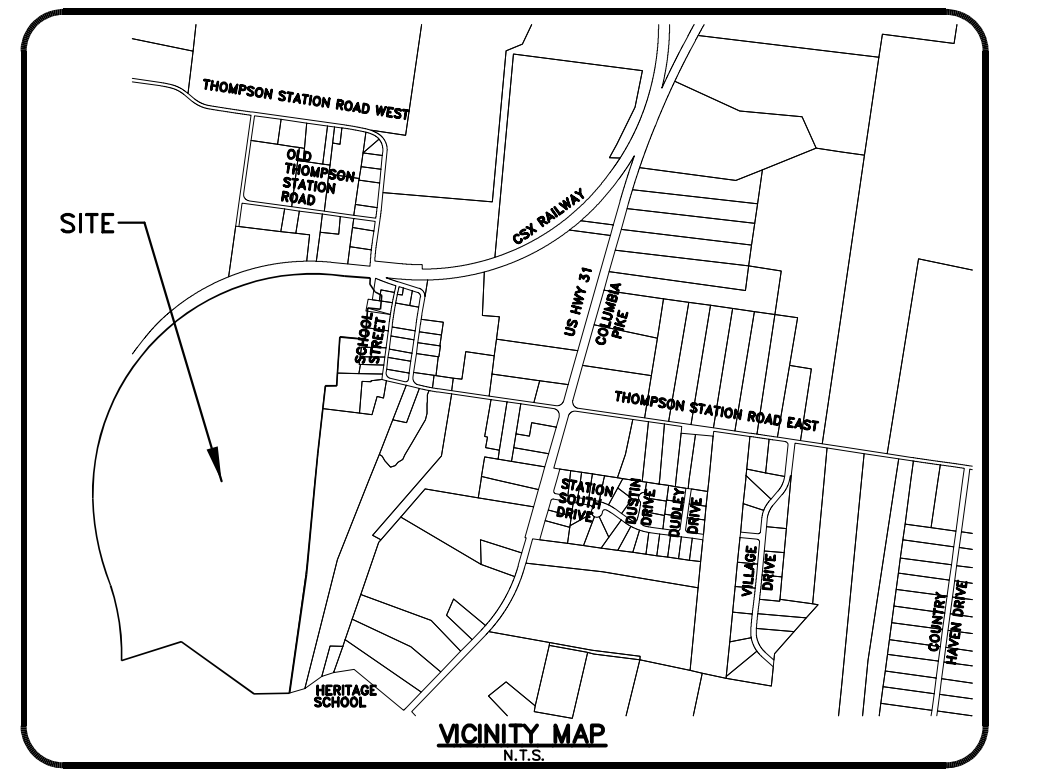
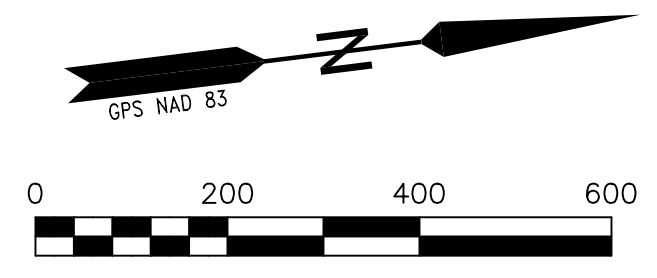


MALCOLM MOSS GIBBS; JOHN M. GIBBS
MAP 146 PARCEL 21
Deed Book 1305 Page 472

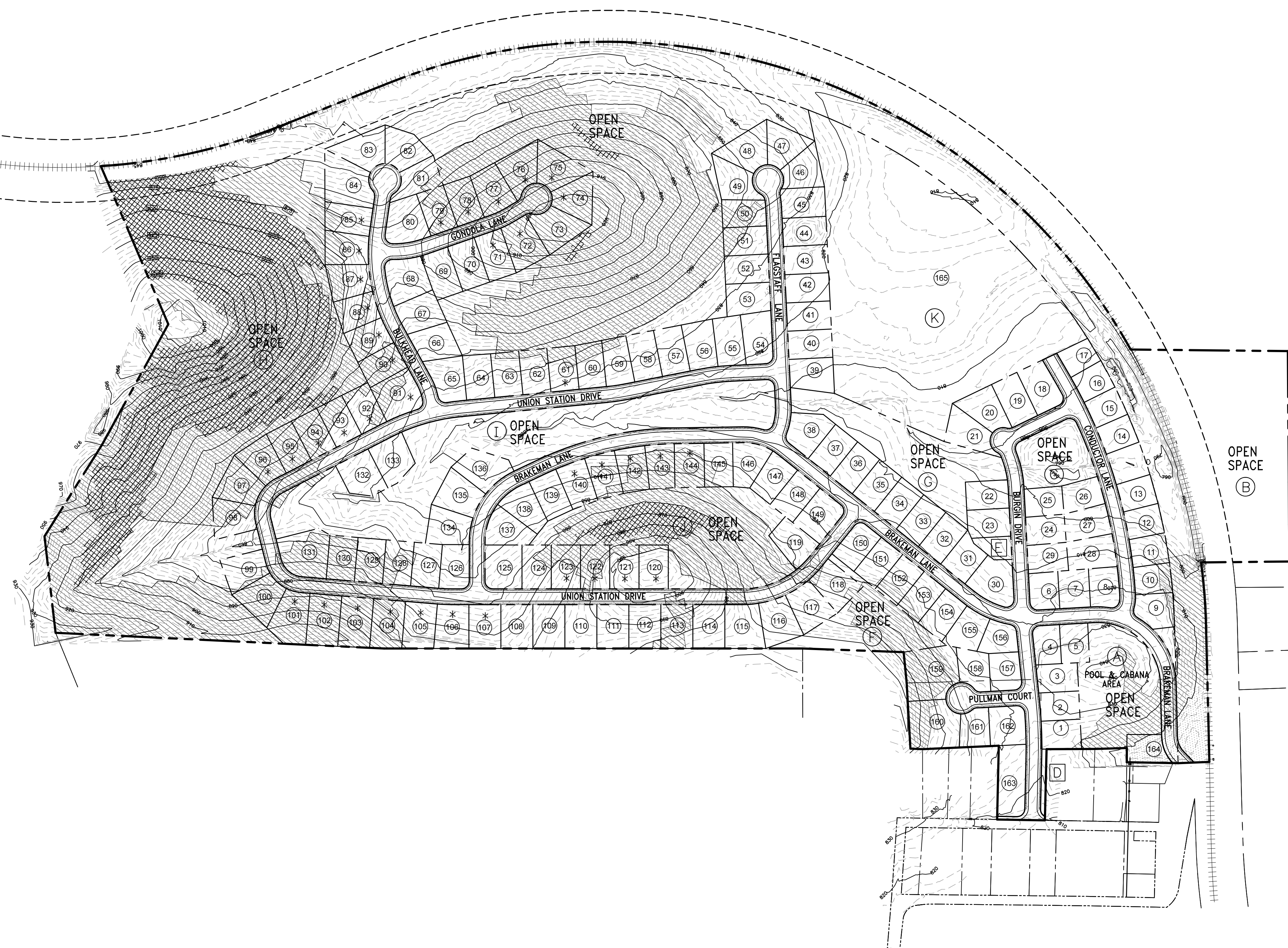
Per CSX Right of Way & Track Map
Δ = 116'06"
D = 3'



MULTI - FAMILY WHISTLE STOP FARMS
TOWN OF THOMPSON'S STATION,
4th CIVIL DISTRICT WILLIAMSON COUNTY, TENNESSEE
WHISTLE STOP FARMS, LLC
144 SOUTHEAST PARKWAY
SUITE 230
FRANKLIN, TN 37064
PHONE (615) 238-4958



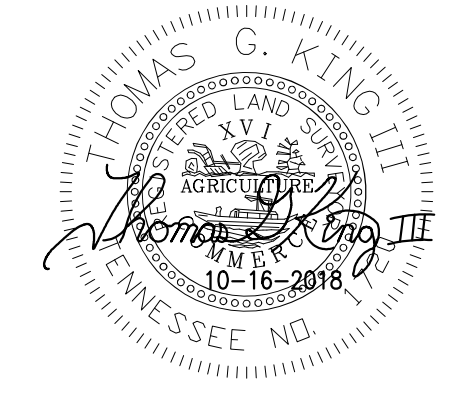
	SQ. FT.	AC.
0 - 15% SLOPE	4,269,341	98
15 - 25% SLOPE	1,535,531	35.2
>25% SLOPE	492,906	11.3
TOTAL	6,297,778	144.5



- BOUNDARY & TOPOGRAPHIC INFORMATION TAKEN FROM A SURVEY PROVIDED BY THOMAS G. KING III DATED 3/4/2015 TITLED WHISTLE STOP, LLC.
- WATER SERVICE TO ALL LOTS PROVIDED BY H.B.&T.S.
- FLOOD INFORMATION TAKEN FROM FLOOD INSURANCE RATE MAP (FIRM) MAP NUMBER 47187C0345C ZONE X DATED 09/29/2006.

- LEGEND
- Iron Rod Existing - iron rod (ex)
 - Iron Rod Set - iron rod (s)
 - Deed Call - (100.00')
 - Fence - [Symbol]
 - Property Line - [Symbol]
 - Railroad Track - [Symbol]
 - Utility Pole w/ guy wire - [Symbol]
 - Minimum Building Setback Line MBSL - [Symbol]
 - Public Utility & Drainage Easement PUDE - [Symbol]
 - Storm Sewer - [Symbol]
 - Sanitary Sewer - [Symbol]
 - Water - [Symbol]
 - Fire Hydrant - [Symbol]

* ASTRIC REPRESENTS CRITICAL LOT AND WILL BE SUBJECT TO ENGINEERING SITE PLAN AND FOOTING DETAIL.



**PRELIMINARY PLAT
WHISTLE STOP FARMS**







TOWN OF THOMPSON'S STATION,
4th CIVIL DISTRICT WILLIAMSON COUNTY, TENNESSEE
WHISTLE STOP FARMS, LLC
144 SOUTHEAST PARKWAY
SUITE 230
FRANKLIN, TN 37064
PHONE (615) 238-4958

TREE REPLACEMENT	
TOTAL CALIPER INCHES OF TREES REMOVED:	2,491
TOTAL INCHES OF TREE REPLACEMENT REQUIRED:	1,246
REPLACEMENT PROVIDED IN INCHES:	1,246

STREET TREE NOTES

TOTAL TREES PROVIDED: 450 TOTAL INCHES PROVIDED: 900









1. STREET TREES INSTALLED AT 2" CALIPER.
2. STREET TREES TO HAVE A STRONG CENTRAL LEADER.
3. STREET TREES SHALL BE CENTERED IN THE 6' TREE STRIP PROVIDED BETWEEN SIDEWALK AND CURB AND GUTTER.
4. TREES SHALL BE PLANTED A MINIMUM OF 2' FROM EDGE OF SIDEWALK AND BACK OF CURB.
5. STREET TREES SHALL BE PLANTED 5' FROM STREET LIGHTS AND UTILITIES.
6. SPECIES SHALL BE ROTATED SO THAT NO TWO ALIKE TREES ARE PLANTED SIDE BY SIDE.

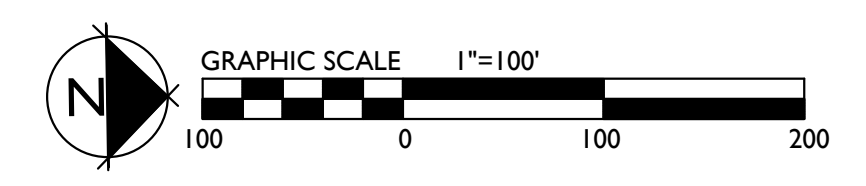
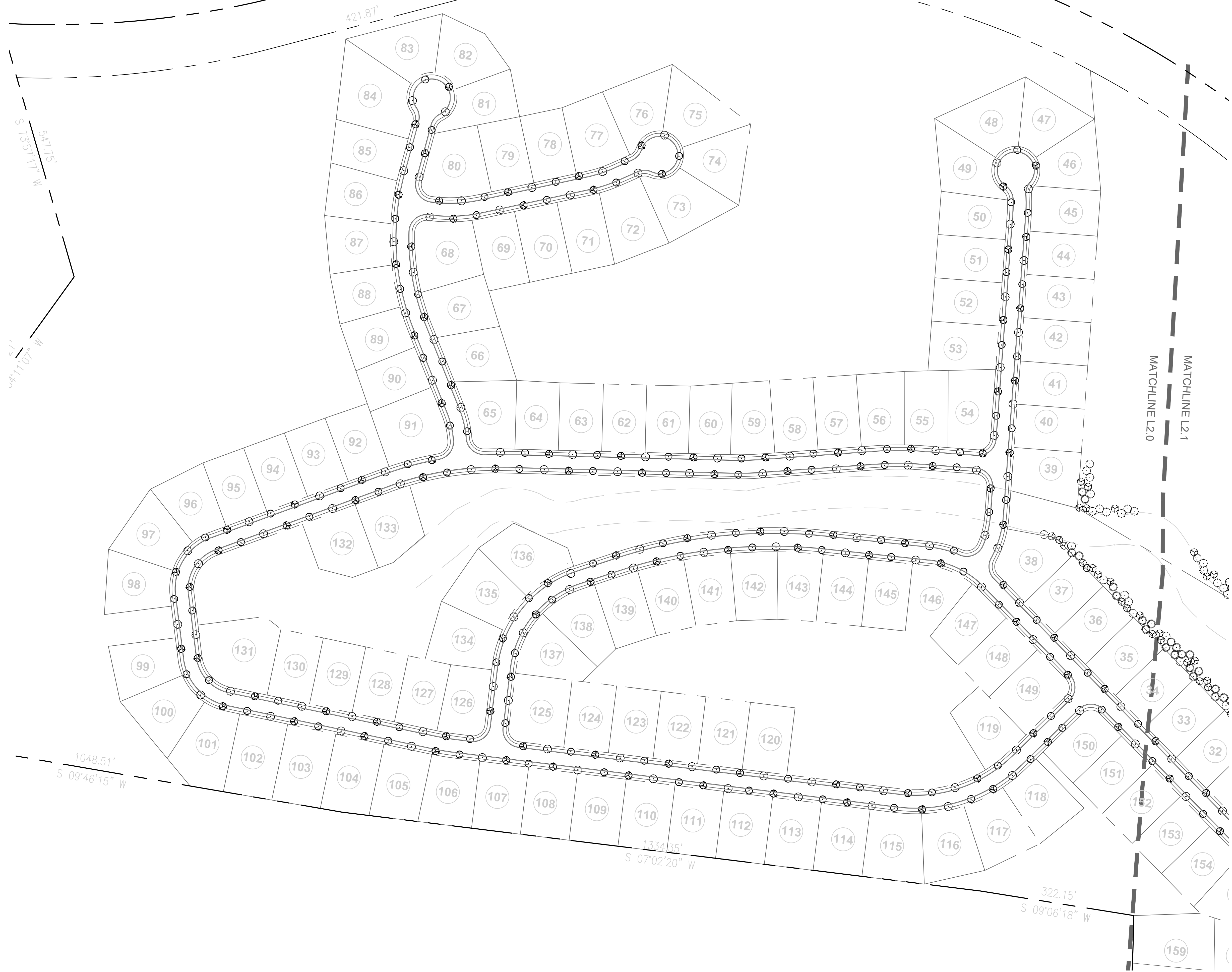
-  PIN OAK
-  RED MAPLE
-  LONDON PLANETREE
-  TULIP POPLAR
-  LACEBARK ELM
-  JAPANESE ZELKOVA

SITE TREES

TOTAL TREES PROVIDED: 173 TOTAL INCHES PROVIDED: 346

1. LOT TREES INSTALLED AT 2" CALIPER.
2. LOT TREES TO BE INSTALLED A MINIMUM OF 5' FROM STREET LIGHTS, UNDERGROUND UTILITIES, UTILITY METERS AND SERVICE LINES, FENCES, WALLS AND OTHER GROUND LEVEL OBSTRUCTIONS.

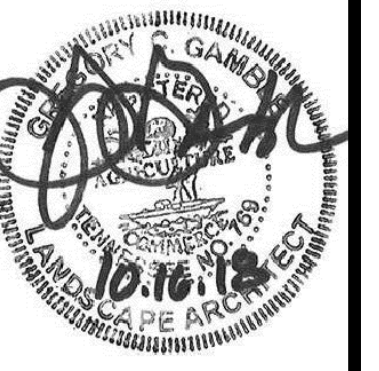
-  PIN OAK
-  RED MAPLE
-  LONDON PLANETREE
-  TULIP POPLAR
-  EASTERN RED CEDAR
-  LOBLOLLY PINE
-  BALD CYPRESS
-  RIVER BIRCH



TREE REPLACEMENT PLAN

**Whistle Stop Farms
 Preliminary Plat**

Town of Thompson's Station, Williamson County, Tennessee



Revision Date

Submission Date
 October 16, 2018







SHEET
L2.0

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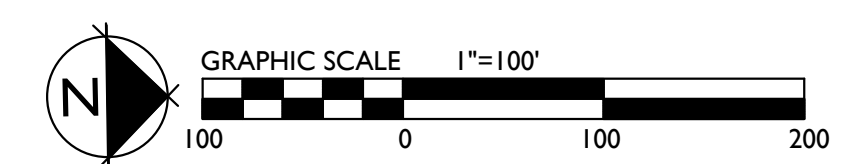
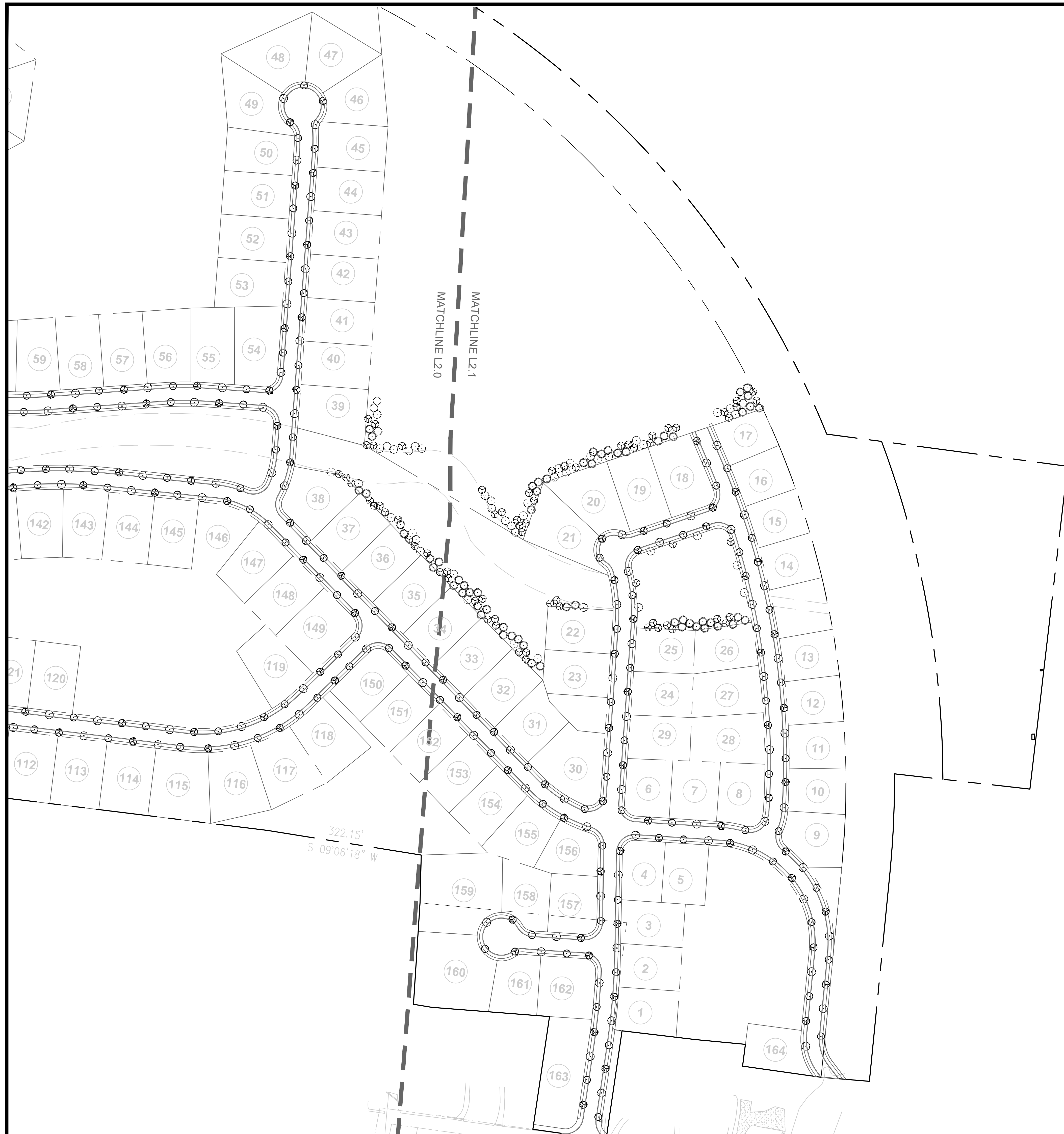
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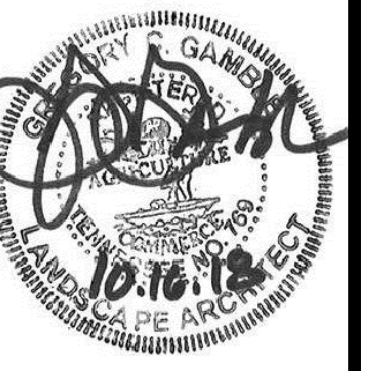
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-  BALD CYPRESS
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TREE REPLACEMENT PLAN

**Whistle Stop Farms
Preliminary Plat**

Town of Thompson's Station, Williamson County, Tennessee

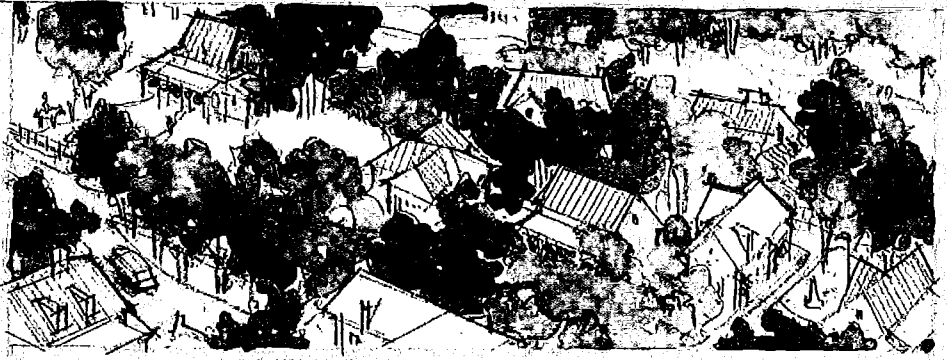
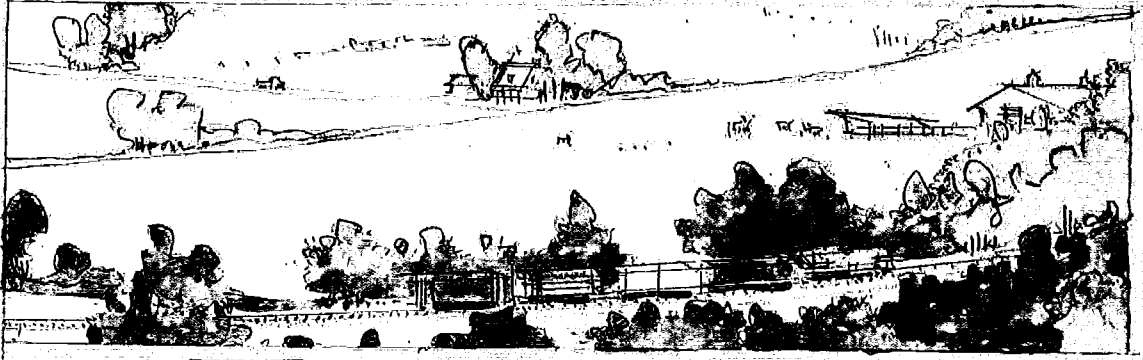
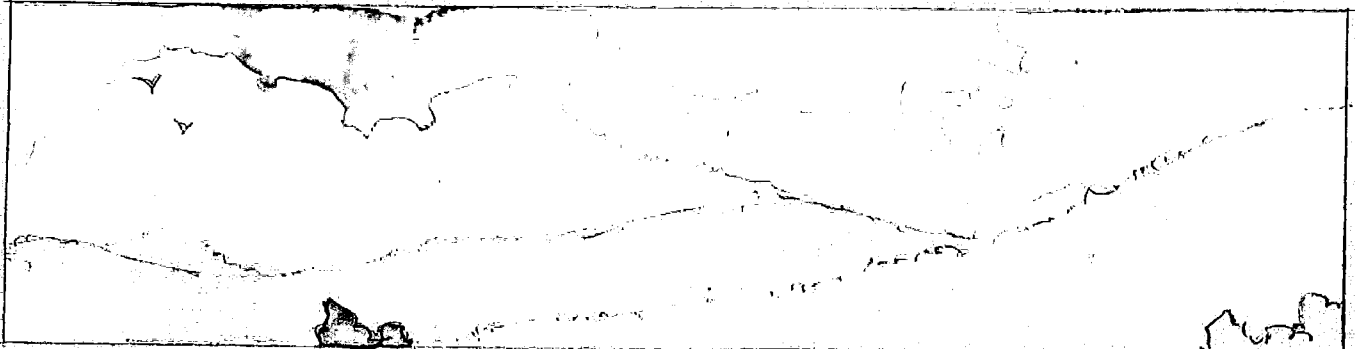


Revision Date

Submittal Date
October 16, 2018

SHEET

L2.1



Thompson's Station, Tennessee
Land Development Ordinance
10 SEP 2015
Amendments 11 SEP 2018



Town of Thompson's Station

- c. New single family subdivisions shall have a two (2) car garage that meets interior dimensions of 22 feet by 22 feet. This interior dimension shall be free and clear of permanent obstructions, such as water heaters, washer/dryer hook up areas, stairs, etc. Single lot site plans for the development of a single family residence shall have a minimum of a two car garage. All front loaded garages shall be recessed from the front façade a minimum of 2 feet. Existing residential dwellings are exempt from this standard. Detached garages and carports shall be located toward the side or rear of the residence beyond the front wall plane of the residence. All driveways shall be a minimum of 20 feet in length, exclusive of sidewalks.
- d. Single family lots shall be developed with one dwelling unit consisting of a single kitchen facility, one front access point and shall have non-restricted interior access to all portions of the structure.
- e. Each residential subdivision over 50 lots shall incorporate a minimum of one (1) and any development over 100 lots shall incorporate a minimum of two of the following: children's playground, swimming pool with amenities center, passive recreation areas, and trails throughout the open space where feasible (significant slopes exceeding 20% may be excluded). All amenities provided for use of the residents of the subdivision shall be maintained by the HOA.
- f. With the exception of the driveway, a person shall not keep, store, park, maintain or otherwise allow any vehicle or vehicle parts in the required front yard or any additional area of a residential lot that is not predominantly screened from a public or private street by solid fencing, walls or vegetation.

4.10.2 Townhouse Residential Standards

- a. Townhouses shall not exceed the maximum allowable density for the zone and shall be platted as individual lots.
- b. Townhouses shall not contain more than six units within one structure and shall each have a minimum of a one-car garage with a driveway apron no less than 20 feet, exclusive of the sidewalk.
- c. Front-loaded townhouses shall have adjacent overflow parking lots provided at a rate of .5 per unit.
- d. Townhouses shall not exceed three stories or 35 feet, whichever is more restrictive.

4.10.3 Multi-family Residential Standards

- a. Multi-family developments shall be located on a minimum of five (5) acres.
- b. Required front and side yard setbacks shall be landscaped and permanently maintained in a healthy manner. Irrigation systems shall be utilized for all required landscaped areas. Landscape areas in excess of the requirements of this ordinance do not require irrigation systems.
- c. Construction shall incorporate masonry and brick. No vinyl or metal siding is permitted. Building facades shall include varied wall planes, projections and recesses, window articulation and natural color schemes. All elevations facing roadways shall include additional design and landscaping to soften and improve the appearance of the building mass.
- d. Groupings of buildings shall be used instead of long linear rows of buildings. Building massing shall incorporate varied rooflines, building heights and other architectural features. No residential building shall exceed 200 feet in length regardless of the number of dwelling units within the building.
- e. Entry drives shall be designed to incorporate enhanced paving, landscaping and other features which complement the building architecture.
- f. Masonry walls shall be required for noise attenuation between multi-family and single-family land uses. Masonry walls shall be designed to match the architecture of the residential structures.
- g. Each multi-family development shall incorporate a minimum of two of the following: children's playground, swimming pool with amenities center, and trails throughout the open space where feasible (significant slopes exceeding 25% may be excluded), or other options approved by the Planning Commission.

- h. Each unit shall have one (1) designated parking spaces located in proximity to the unit it serves. Long rows of garages shall be broken up into groupings to serve the units.
- i. Each multi-family development shall include trash areas that will be designed to accommodate two (2) trash bins, one which will be designed for recycling. The trash enclosure shall be enclosed by a masonry wall that matches the architecture of the residential buildings. In addition, a landscape planter shall be utilized to provide screening around the trash enclosure.

4.10.4 Accessory Dwelling Unit Standards

- a. One accessory dwelling unit (ADU) or guest house is permitted on all lots developed with a primary residence. The unit may be attached or detached. Attached units shall be limited to half the square footage of the primary dwelling or 900 square feet, whichever is less.
- b. The secondary unit shall not exceed the height of the primary residence on the lot.
- c. The height of an ADU shall not exceed the maximum height for accessory structures.
- d. One additional paved, off street parking space shall be provided for an ADU.
- e. The ADU shall be compatible with the primary residence and shall keep with the character of the surrounding vicinity.
- f. An address shall be provided for all ADUs through Williamson County.
- g. All standards applicable to setbacks, lot coverage, etc. that pertain to residential development shall be adhered to with the development of ADUs unless otherwise addressed within this section.

4.11 Non-Residential Use Property Development Standards

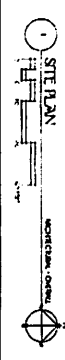
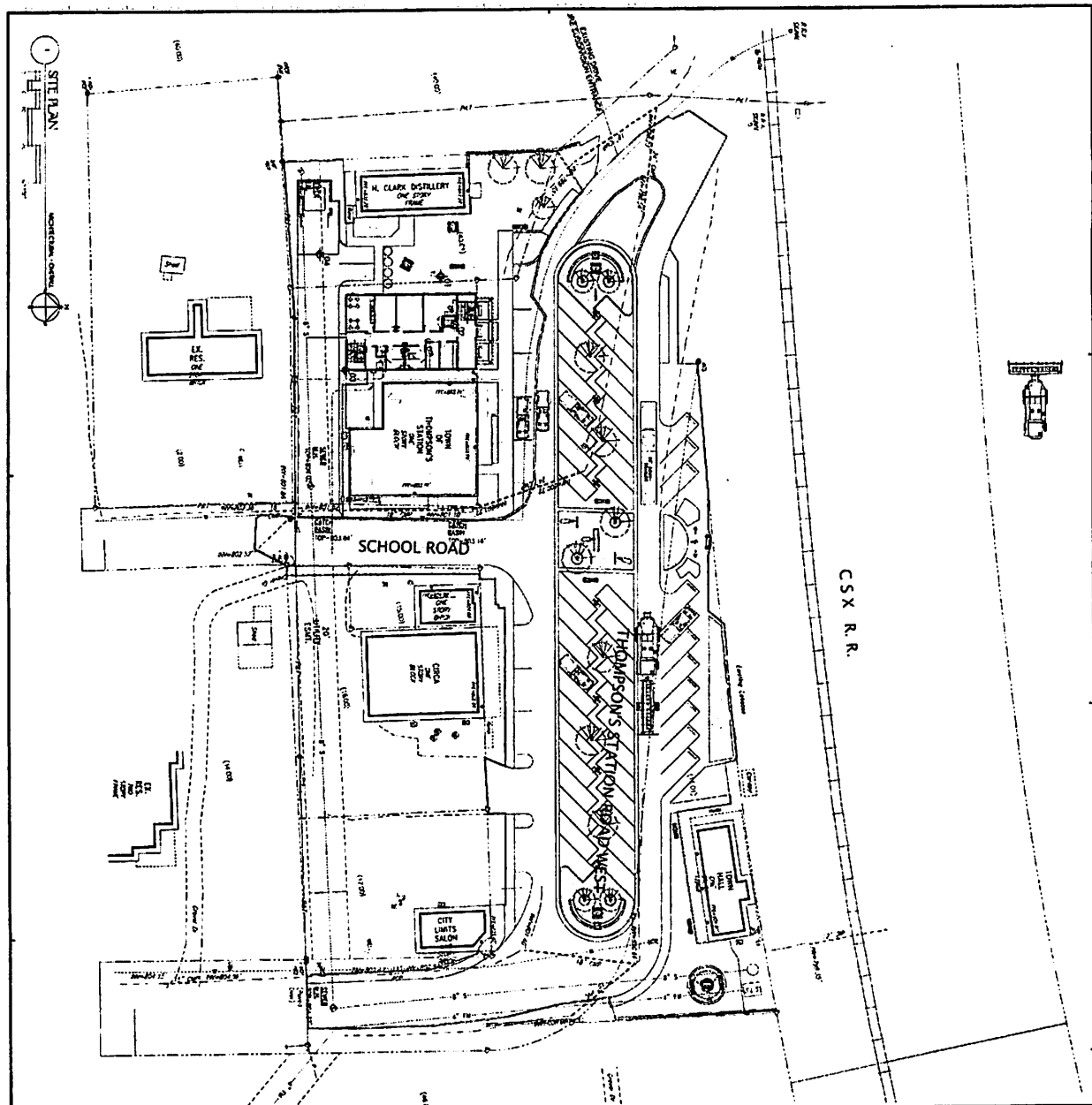
These standards govern all non-residential developments. All non-residential developments are subject to review and approval by the Design Review Commission.

4.11.1 Non-Residential Standards

- a. Buildings should be located along road frontage with parking located in the rear.
- b. Lot coverage shall not exceed the standards of Table 4.10 through Table 4.13, and shall include the footprint of all structures on the site.
- c. Construction shall incorporate masonry and brick or shall match the character of the surrounding area. No vinyl is permitted. Metal siding is discouraged and shall be used only as an accent treatment. Building facades shall include varied wall planes and roof lines, projections and recesses, window articulation and natural color schemes.
- d. Groupings of buildings shall be used instead of long linear rows of buildings. Building massing shall incorporate varied rooflines, building heights and other architectural features.
- e. Entry drives shall be designed to incorporate enhanced paving, landscaping and other features which complement the building architecture.
- f. Each development shall include trash areas that will be designed to accommodate two trash bins, one which will be designed for recycling. The trash enclosure shall be enclosed by a masonry wall that matches the architecture of the buildings on site. In addition, a landscape planter shall be utilized to provide screening around the trash enclosure.
- g. All ground or building mounted mechanical equipment shall be landscaped to reduce visibility from adjacent properties, rights-of-way and parking areas.
- h. No temporary structures shall be permitted.

4.11.2 Home Occupations

The purpose of this Section is to establish standards for non-residential uses within residential dwellings by the permanent residents in a manner that protects the residential character of the area, while



PHASING LEGEND

1. PHASE 1: EXISTING BUILDINGS TO BE DEMOLISHED AND RECONSTRUCTED.

2. PHASE 2: NEW BUILDINGS TO BE CONSTRUCTED.

3. PHASE 3: LANDSCAPING AND UTILITY WORK.

4. PHASE 4: PARKING AND TRUCK GARAGES.

5. PHASE 5: BUS GARAGES.

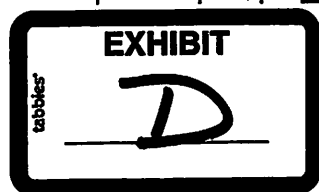
ARCHITECTURAL OVERALL SITE PLAN - PHASING

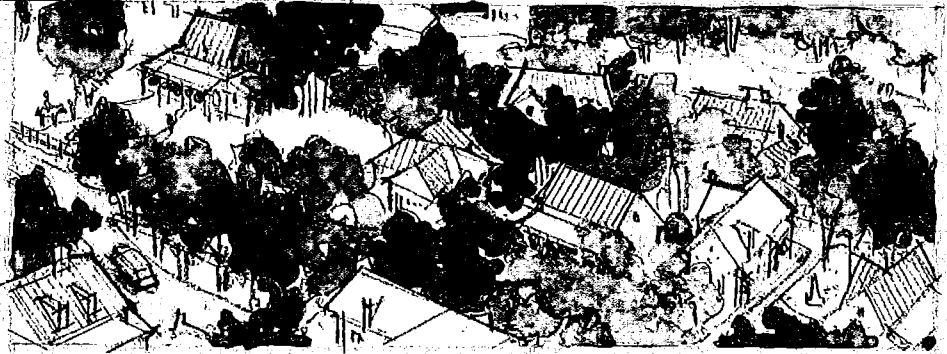
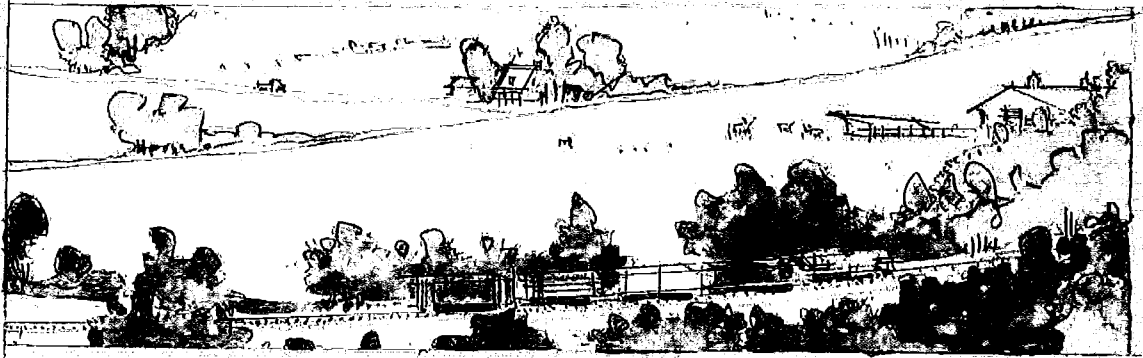
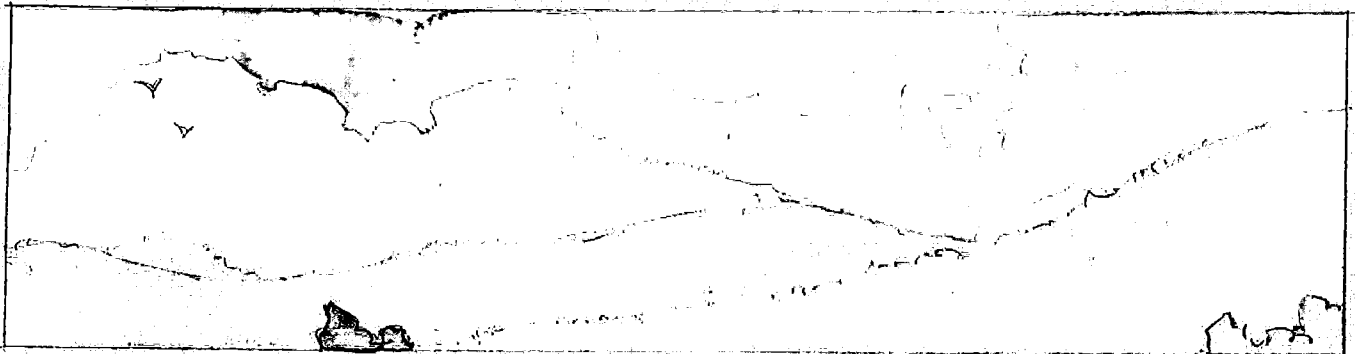
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12.29.16	REVISED		
07.27.16	REVISED		
01.28.16	REVISED		
11.02.15	REVISED		
08.11.15	REVISED		
05.14.15	REVISED		
02.11.15	REVISED		
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02.11.02	REVISED		
11.19.01	REVISED		
08.14.01	REVISED		
05.14.01	REVISED		
02.11.01	REVISED		

A NEW FACILITY
THOMPSON'S STATION TOWN HALL
 SITE ADDRESS: 15653 CHESTNUT HOLLOW ROAD
 WOLFSPRING, PA 17093



CAI DESIGN, INC.
 ARCHITECTS
 15653 CHESTNUT HOLLOW ROAD
 WOLFSPRING, PA 17093
 TEL: 717.833.1111
 FAX: 717.833.1112
 WWW.CAIDESIGN.COM





Thompson's Station, Tennessee
Land Development Ordinance
10 SEP 2015
Amendments 11 SEP 2018



Appendix A

THIS SUBDIVISION DEVELOPMENT AGREEMENT hereinafter called Agreement, is made effective this the _____ day of _____, 20____ hereinafter called the Effective Date, by and between _____, _____, located at _____, hereinafter called Developer(s); _____, _____ located at _____, hereinafter called Owner(s); and the Town of Thompson's Station, a municipality organized and existing under the laws of the State of Tennessee, hereinafter called Town.

I. PURPOSE OF THE AGREEMENT

1. The Developer has the legal authority to develop real property located at _____ within the Town and identified as Williamson County tax parcel(s) _____. The property contains approximately _____ acres, hereinafter called the Project Site. The Project Site is currently zoned _____.
2. The Developer desires to improve and develop the Project Site or a portion of the Project Site into a development to be known as _____, hereinafter called the Project, under the regulations of the Town current on the Effective Date.
3. Final Project Documents for the Project, including detailed construction plans and specifications, have been _____ approved subject to Certain Conditions in accordance with Town regulations, and are attached to this Agreement as Exhibit A.
4. The Developer agrees to install public improvements, as applicable and as shown on the Final Project Documents, including, but not limited to, water lines, fire hydrants, sanitary sewer, grading, stormwater management system, streets, curbs, gutters, sidewalks, street name signs, traffic control devices, street lights and underground electrical power and gas utilities, in said Project at no cost to the Town.
5. The Developer agrees to install and maintain private improvements and amenities, as applicable and as shown on the Final Project Documents, including, but not limited to, private streets and alleys, fences, walls, lakes, common open space, site lighting, stormwater management systems, retention and/or detention basins, storm sewers, inlets etc., landscaping and related irrigation systems, relative to said Project, none of which shall be accepted for maintenance by the Town.
6. The Town agrees to approve the Project subject to the Developer's compliance with applicable Town Regulations and the conditions set forth herein in Exhibit B, and the Town agrees to provide customary services to the Project in accordance with the Town's Regulations after Final Acceptance.

II. GENERAL CONDITIONS

1. Affidavit of Payment - Prior to Final Acceptance, the Developer shall deliver to the Town an affidavit certifying that all subcontractors and material suppliers furnishing labor and/or material for the Public Improvements required under this Agreement have been paid in full. The Developer shall also provide a release of all liens, and of the right to claim liens, from all subcontractors and material sup-

Town of Thompson's Station

pliers furnishing labor or materials for the Public Improvements.

2. Approval of the Final Project Documents - The Final Project Documents, which are attached hereto as Exhibit A and incorporated herein by reference, shall be stamped as approved by the Town. All construction relating to the Project shall be subject to inspection and approval by the Town until Final Acceptance and shall be subject to any conditions set forth on Exhibit B.

3. Construction Activity Periods - The Developer will not carry on or permit construction activity under this Agreement earlier than 7:00 a.m. and not later than 6:00 p.m., Monday through Saturday, and no construction activity shall occur on Sundays. Hours may be modified by written approval of the Town Engineer under certain conditions. Construction hours shall be enforced by the Town Building Codes Division.

4. Construction Standards - The Developer shall construct the Project as shown on the approved Final Project Documents in accordance with requirements of the Town Regulations.

5. Demolition - The Developer agrees to secure all required permits for the demolition of structures on the Project Site. The Developer further agrees that it will haul all scrap, buildings, materials, debris, rubbish and other degradable materials to an authorized landfill and not bury such materials within the Project Site.

6. Deposition of materials in street prohibited - All construction material, including, without limitation, mud, silt, dirt and gravel, shall be kept off existing streets at all times. In the event such mud, silt, dirt, gravel or other construction material is washed, blown or carried into an existing street, the Developer shall take immediate steps to remove such materials. If the Developer does not remove such materials after notification by the Town, and the Town deems it necessary to clean the affected streets, the Developer agrees to reimburse the Town for all such cleaning expenses, plus 25% for administrative expenses.

7. Development Agreement Modification Fees - The Developer agrees to pay the fee for any modifications to this Agreement in accordance with the Town Schedule of Fees current at the time of submittal of a written request for a modification by the Developer, including, but not limited to, time extensions, addendums, or amendments.

8. Developer's Default - The Developer agrees that should it default in performing any of its obligations under this Agreement and it becomes necessary to engage an attorney to file necessary legal action to enforce provisions of this Agreement or sue for any sums of money due and owing or liability arising incidental to the Agreement, Developer will pay to the Town reasonable attorney's fees and expenses of litigation.

9. Developer's Liability - It is expressly understood and agreed that the Town is not and could not be expected to oversee, supervise and/or direct the implementation of all construction and improvements contemplated in this Agreement. The Town is not vested with the original design responsibility or the means to formally survey elevations, capacity, structural integrity, type, adequacy or the locations of improvements at every stage of the construction process.

a. The Town Planner or his or her designee may make periodic inspections and has the right to

enforce the provisions of this Agreement and Town Regulations.

b. The Developer now has and shall retain the responsibility to properly anticipate, survey, design and construct the Project improvements and give full assurance that same shall not adversely affect the flow of surface water from or upon any property.

c. In providing technical assistance, plan and design review, the Town does not and shall not relieve the Developer from liability, and the Town does not accept any liability from the Developer.

d. The Developer will provide his own Project Engineer whose duties and responsibilities are stated in the General Conditions of the Town Standard Construction Specifications.

e. Neither observations by the Town, nor inspections, tests or approvals by others shall relieve the Developer from its obligation to perform work in accordance with Town Regulations and the terms of this Agreement.

10. Duration of Obligations - The obligations of the Developer hereunder shall run with the Project Site until the Developer's obligations have been fully met. Any party taking title to the Project Site, or any part thereof, prior to Final Acceptance shall take said real property subject to such obligations.

11. Easements - The Developer agrees that it will grant the necessary easements and rights-of-way across its property necessary to satisfy the requirements of this Agreement without expense to the Town and will waive any claim for damages. Any off-site easements and/or right-of-way owned by others but required for the project must be obtained by Developer, recorded prior to approval of the Agreement, and noted on the Final Project Documents.

12. Emergency Response - In emergencies affecting the safety or protection of persons or the work or property at the Project Site or adjacent thereto, the Developer, without special instruction or authorization from the Town, is obligated to act to prevent threatened damage, injury or loss.

13. Indemnity - the Developer will indemnify and hold the Town harmless and agrees to defend the Town and the Town employees against any and all claims that may arise out of or result from the Developer's performance or lack of performance under this Agreement, whether such claims arise out of the actions or inactions of the Developer, any subcontractor of the Developer, or anyone directly or indirectly employed by, or otherwise directly or indirectly involved with the Project at the direction of either of them. This indemnity agreement includes, without limitation, all tort claims, both intentional and otherwise, and all claims based upon any right of recovery for property damage, personal injuries, death, damages caused by downstream deposits, sediment or debris from drainage, damages resulting from the Developer changing the volume or velocity of water leaving the Developer's property and entering upon the property of others, stormwater that is allegedly impounded on another property and claims under any statutes, Federal or state, relative to water, drainage and/or wetlands, and reasonable attorney's fees and costs incurred by the Town in defending itself or its employees as a result of the aforesaid and/or enforcing this Agreement.

14. Notice of Violation - The Town Planner and/or Town Engineer may issue a Notice of Violation (NOV) when violations of Town, State or Federal regulations are observed.

a. If the Developer has not corrected the violation identified in the NOV, then the Town Planner or his or her designee may make arrangements for the necessary work to eliminate the violation, documenting all expenses incurred in performing the work and adding a reasonable fee for ad-

Town of Thompson's Station

ministrative costs.

b. Prior to releasing any Security hereunder, all expenses incurred by the Town relative to the foregoing shall be paid in full by the Developer.

c. The Town reserves the right to issue a Stop Work Order if the Developer does not promptly correct any deficiency or violation identified in the NOV.

15. Ownership of Public Improvements - The Developer agrees it shall have no claim, direct or implied, in the title or ownership of the Public Improvements. The Town shall have no obligation to maintain any sidewalk constructed by Developer, nor any streetlights or electric or gas utilities, regardless of the location of any of same. The Town, upon Final Acceptance, will take full title to the Public Improvements as may be applicable.

16. Permit Availability - A copy of all required permits and Final Project Documents must be kept on the Project Site at all times. If a NPDES Stormwater Construction Permit is required by TDEC, a copy of the Notice of Intent and the Notice of Coverage shall be provided to the Town Engineering Division prior to commencement of construction for the Project.

17. Relocation of Existing Improvements - The Developer shall be responsible for the cost of any and all relocation, adjustment, modification, installation and/or removal of utilities, streets, curbs, gutters, sidewalks, drainage and all other improvements made necessary by the development of the Project, both on and off site.

18. Right of Entry - The Developer agrees that the Town shall have the right to enter the Project Site and make emergency repairs to any improvements when the health and safety of the general public requires it. The Developer will reimburse the Town for the direct costs incurred by it in making such repairs, plus a reasonable fee for administrative and management fees.

19. Safety - The Developer shall maintain barricades, fences, guards and flagmen as reasonably necessary to ensure the safety of all persons at or near the Project Site at all times.

20. Stop Work Orders - The Town Planner or his or her designee may issue Stop Work Orders as a measure of secondary or subsequent enforcement of this Development Agreement.

21. Termination of Agreement - This Agreement may be terminated by the BMA if the Developer fails to comply fully with the terms and conditions of this Development Agreement.

a. The Town will give the Developer sixty (60) days written notice of the intent of the Town to terminate the Development Agreement, stating the reasons for termination, and giving the Developer a reasonable time to correct any failures in compliance.

b. If after receiving a Notice of Termination of the Development Agreement by the Town, the Developer corrects the non-compliance within the time specified in the Notice of Termination, the Development Agreement will remain in effect.

c. Failure by the Developer to correct the non-compliance will result in termination of the Development Agreement and collection of the Security by the Town.

22. Transfers of Project Ownership - Until all obligations of the Developer under this Agreement have been fully met, the Developer agrees that neither the Project Site nor any portion thereof will be transferred to another party without first providing the Town with a fifteen (15) calendar day written notice of when the proposed transfer is to occur and the identity of the proposed transferee, along with the appropriate address and telephone number of the proposed transferee.

- a. If it is the proposed transferee's intention to develop the Project Site or any portion thereof in accordance with this Agreement, the Developer agrees to furnish the Town with an assumption agreement by which the transferee agrees to perform the obligations required under this Agreement that are applicable to the property to be acquired by the transferee.
- b. Unless otherwise agreed by the Town, the Developer will not be released from any of its obligations hereunder by virtue of such transfer and the Developer and the transferee both shall be jointly and severally liable to the Town following such transfer for all obligations hereunder that are applicable to the property transferred. The transferee will be required to furnish new Performance Security and Maintenance Security acceptable to the Town.
- c. If it is not the proposed transferee's intention to develop the Project Site or any portion thereof in accordance with this Agreement, the transferee must satisfy all applicable requirements of the Town, including payment of any and all outstanding fees, and must receive BMA approval to void this Agreement.
- d. The Developer agrees that if it transfers said property without providing the notice of transfer and assumption agreement as required herein, it will be in breach of this Agreement and the Town may require that all work be stopped relative to the Project and may require payment of the Performance and Maintenance Security to assure the completion of the Project.

23. Underground Utilities - All electrical utilities shall be installed underground unless the requirement expressly waived by the Planning Commission.

III. REQUIRED IMPROVEMENTS

The Developer agrees to pay the full cost of all the improvements listed below if applicable to the Project.

1. Water System - The Developer agrees to pay the cost of a State of Tennessee approved potable water system, including without limitation, water mains, fire hydrants, valves, service lines, and accessories, located within the Project, and water mains, fire hydrants, valves, service lines, and accessories, located outside the Project but required to serve the Project. The Developer acknowledges that the Town does not provide water service and will not accept any water system infrastructure. The Developer agrees to bear the cost of all engineering, inspection and laboratory costs incurred by Developer incidental to the water service system in or to the Project.

2. Sanitary Sewer System - The Developer agrees to pay the cost of a State of Tennessee approved sanitary sewer system as required by the Town's ordinances with necessary sewer mains, manholes, pump stations, force mains and service laterals in the Project, along with all necessary sewer mains, manholes, pump stations, force mains and service laterals outside the Project but required to provide sanitary sewer service to the Project. All sewer systems and/or connections to the Town's existing sewer system must be reviewed and approved by the Town's Board of Mayor and Aldermen. The Developer agrees to bear the cost of all engineering, inspection and laboratory testing costs incurred by the Developer incidental to the sewer system in or to the Project, and if the Town Engineer or his or her designee deems it necessary, to have additional work of such nature performed as directed without cost to the Town.

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3. Streets - The Developer agrees to dedicate and improve and/or construct, at no cost to the Town, all public and/or private streets, including curbs, gutters and sidewalks, located within or required by this Project to comply with the standards of the Town in accordance with the Final Project Documents.

a. In some circumstances, the Town may require the payment of an in-lieu of construction fee as an alternate to the construction of the required improvements by the Developer. The amount of any in-lieu construction fee will be 125% of the estimated construction cost of the improvements.

b. The Developer shall furnish and install base asphalt and a final wearing surface asphalt course on all streets, public and private, in accordance with the Town Regulations and the Final Project Documents. The Developer shall make all necessary adjustments to manholes, valve boxes, and other appurtenances as required to meet finished surface grade and to repair any areas designated by the Town, as required prior to the installation of the final surface asphalt.

c. The Developer agrees to install permanent street signposts and markers at all street intersections in the Project and to install traffic control devices, signage and striping relative to the Project. All traffic control devices, signage and striping shall be installed as per the latest edition of the Manual on Uniform Traffic Control Devices (MUTCD) and approved by the Town Engineer.

d. The Developer agrees to pay the cost of all engineering, inspection and laboratory costs incurred by the Developer incidental to the construction of street(s) to be constructed or improved pursuant to this Agreement, including, but not limited to, material and density testing, and if the Town Planner or his or her designee deems it necessary, to have additional work of such nature performed as directed without cost to the Town.

4. Streetlights - The Developer agrees to pay the cost of installation of Street Lighting along all public roadways improved as part of the Project. The Developer will make an initial payment based on the construction cost estimate prepared by the electric utility provider. When the actual cost as billed is determined, the Developer will pay any difference between the estimated cost and the actual cost within thirty (30) days after receiving the invoice from the Town. In the event that the initial estimate exceeds the actual cost, the Town will refund the difference to the Developer within thirty (30) days. When using specialty lighting, the Developer agrees to pay the full cost for the specialty lights if the Project is along both sides of the road. If the Project is only along one side of the road, the Developer agrees to pay one-half the cost of the specialty lights.

5. Power Distribution Poles - The Developer agrees to pay the full cost difference between steel electric power distribution poles and the cost of wood electric power distribution poles for the Project frontage. If the Project frontage is along both sides of the public road, the Developer agrees to pay the full cost difference between steel electric power distribution poles and the cost of wood electric power distribution poles for the Project. If the Project is only along one side of the public road, the Developer agrees to pay one-half the cost of the difference between steel electric power distribution poles and the cost of wood electric power distribution poles for the Project frontage.

6. Gas and Electric Service - The Developer shall install underground electric and natural gas service to the Project in accordance with Town ordinances and/or policies in effect at the time of such installation.

7. Stormwater Management System - The Developer agrees that all stormwater management systems

and related facilities, including, without limitation, permanent post-construction stormwater runoff management best management practices, ditch paving, bank protection and fencing adjacent to open ditches, made necessary by the development of the Project are to be constructed and maintained by the Developer, who must execute the Stormwater Maintenance Agreement attached as Exhibit E.

8. Stormwater Pollution Prevention Plan - The Developer agrees that it will prepare, implement, and maintain a Stormwater Pollution Prevention Plan for the Project in accordance with all Town, State, or Federal regulations, and as approved in the Final Project Documents.

9. Best Management Practices - The Developer agrees that it will provide all necessary best management practices (BMPs) for erosion and sediment control. BMPs to control erosion and sediment during construction, include, but are not limited to, temporary vegetation, construction exit, inlet protection, and silt fence.

a. All freshly excavated and embankment areas not covered with satisfactory vegetation shall be fertilized, mulched, seeded and/or sodded, or otherwise protected as required by the Town Engineer to prevent erosion.

b. In the event the Town Engineer determines that necessary erosion and sediment control is not being provided by the Developer, the Town Engineer may issue a Notice of Violation (NOV) to the Developer.

10. Engineer's Certification - The Developer shall provide the written opinion of a professional engineer currently licensed to practice in Tennessee attesting that the entire watershed where the Project Site is located has been reviewed, and that upon full development at the greatest allowable use density under existing zoning of all land within that watershed, the proposed development of the Project will not increase, alter or affect the flow of surface runoff water, nor contribute to same, so as to damage, flood or adversely affect any downstream property.

11. Stream Buffers - The Developer agrees to provide stream buffers along all regulated watercourses in accordance with Town Regulations and the TDEC General Construction Permit.

12. Changes and Substitutions - Should the Developer determine that changes or substitutions to the Approved Final Project Documents may be necessary or desirable, the Developer shall notify the Town Engineer in writing requesting approval of the desired changes or substitutions, explaining the necessity or desirability of the proposed changes or substitutions. The request by the Developer must be accompanied by sufficient documentation, including drawings, calculations, specifications, or other materials necessary for the Town to evaluate the request. No changes are to be made in the field until written permission is granted by the Town Engineer.

IV. PROJECT SCHEDULE

1. Approved Final Project Documents - The Developer shall provide to the Town electronic copies (PDF scans) of the Approved Final Project Documents (Attachment A) fourteen (14) calendar days prior to the Preconstruction Meeting.

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2. Demolition Permits - If demolition of any improvement on the Project Site is anticipated, a demolition permit from the Town must be obtained fourteen (14) days prior to the preconstruction meeting.

3. Certificate of Insurance - 14 days prior to the Preconstruction Meeting, the Developer will furnish to the Town a certificate of insurance evidencing the required coverage and listing the Town as additional insured. The furnishing of the aforesaid insurance shall not relieve the Developer of its obligation to indemnify the Town in accordance with the provisions of this Agreement.

4. Preconstruction Meeting - The Developer must pay all fees, furnish the Performance Security, and provide the required certificate of insurance fourteen (14) calendar days prior to the Preconstruction Meeting for the Project, all in accordance with the applicable provisions of this Agreement. The Preconstruction Meeting will be scheduled by the Town Planner or his or her designee.

5. Commencement of Construction - The Developer agrees to commence Construction within twenty four (24) calendar months from the Effective Date. The failure of the Developer to commence Construction within twenty four (24) months of the Effective Date will be considered an expiration of the Agreement, and a new agreement shall be entered into before Construction may begin.

6. Project Duration - The Developer shall substantially complete the Project on a timely schedule and in an expeditious manner, with the date of Substantial Completion to be not later than _____ months from when the Developer commences construction of the Project.

7. Request for Extension - The Developer agrees that if due to unforeseen circumstances it is unable to Substantially Complete all work included in this Agreement on or before the Substantial Completion Date specified above, it will submit a written request for extension of the Substantial Completion Date to the Town at least sixty (60) days prior to the specified date, stating the reason for its failure to complete the work as agreed, and a revised Substantial Completion Date. The time period of any extensions will be determined by the Board of Mayor and Aldermen in its sole and absolute discretion. It is the policy of the Board of Mayor and Aldermen that extensions do not exceed one year in length. The Town will not unreasonably withhold approval of extensions of time where the Developer has complied with the requirements of notice to the Town and provided any required additional Security.

8. Breach of Agreement for Time Extension - The Developer agrees that its failure to follow the extension of time procedure provided herein shall constitute a breach of this Agreement.

9. Withholding or Withdrawal of Service - The Developer agrees that should it fail to complete any part of the work outlined in this Agreement in a good and workmanlike manner, the Town shall reserve the right to withhold and/or withdraw all building permits and/or water and sewer service within the Project until all items of this Agreement have been fulfilled by the Developer, or as an alternative draw upon the Security to complete the work.

V. PROJECT CLOSEOUT

1. As-Built Drawings - Prior to Final Acceptance, the Developer shall submit as-built plans of the improvements installed as part of the Project, including but not limited to, the potable water system,

the sanitary sewer system, the stormwater management system, landscaping, irrigations system, photometric plan, and streets including curbs and gutters and sidewalks, signed and sealed by a Design Professional, confirming that the installed improvements are in compliance with Town regulations and the approved Final Project Documents.

2. Notice of Substantial Completion - The issuance of a Notice of Substantial Completion shall signify that the Project is ready to be considered for acceptance by the Board of Mayor and Aldermen. Issuance of the Notice of Substantial Completion does not constitute acceptance of the Project by the Town. Until formal acceptance, any part of the Project is subject to correction.

3. Curbs and Gutters - All required curbs and gutters must be completed and without defect prior to Final Acceptance of the Project. The Developer shall be responsible for repairing any latent defects and/or failures in the curbs and gutters which may occur prior to formal acceptance of the Project.

4. Final Construction Cost - The Developer shall furnish in writing the itemized as-built construction cost of all public improvements prior to issuance of a Notice of Substantial Completion for the Project in order to permit the Town to comply with financial reporting requirements.

5. Tree Mitigation/Replacement - Prior to the issuance of a Notice of Substantial Completion, the Developer shall submit an as-built landscaping plan that reflects the required tree mitigation and replacement and all revisions to the mitigation plan as approved by the Planning Commission. Tree mitigation/replacement shall be reviewed by the Town Planner.

6. Sidewalks - All required sidewalks shall be completed and without defect prior to acceptance of the Project. The Developer shall be responsible for repairing any latent defects in the sidewalks prior to acceptance of the Project. All references to sidewalks include required handicap ramps. Nothing herein shall be construed to require acceptance of sidewalks by the Town for a Project.

VI. SECURITY

1. Cost Estimates - The Developer has furnished to the Town estimates as to quantity and cost of all public improvements relative to the Project, such estimate being set forth on Exhibit C attached hereto and incorporated herein by reference. These estimates will be used to assist the Town Engineer in establishing the amount of Security required for the Project.

2. Security for Public Improvements - The Developer shall provide at the time of final plat to the Town a Performance Security instrument in the amount which sum represents 110% of the estimated cost of all approved public improvements.

3. The Performance and Maintenance Security shall have an expiration date of one (1) year after the Effective Date, but shall automatically renew for successive one (1) year periods without effort by the Town until the Security is released by the Town at the time of acceptance.

4. Form of Security - The form and substance of any Security shall be subject to the approval of the

Town of Thompson's Station

Town Attorney. A copy of the Performance Security is attached to this Agreement as Exhibit D and made a part hereof guaranteeing, to the extent of the Security, the faithful performance of this Agreement by the Developer. The Security, if a Letter of Credit, shall provide that the physical presence of a representative of the Town shall not be required for presentation and that litigation regarding same shall be held in a court in Williamson County, Tennessee.

5. Notification of Non-Renewal - Should the Issuer or Developer elect to not renew the Performance Security, written notice must be received by the Town no later than ninety (90) days prior to its expiration date, at which time the Town can draw up to the full face value of the Performance Security.

6. Maintenance Security - The amount of the Performance Security may be reduced to a reasonable sum as determined by the Town Engineer to cover Developer's warranty obligations hereunder, thus establishing a Maintenance Security. The Maintenance Security shall remain in place until the Security is released by the Town at the time of acceptance.

7. Full Financial Responsibility - It is understood and agreed by the Developer that the Performance Security and the Maintenance Security, subject to their limits, are to furnish Security for the Developer's obligations hereunder, but that such obligations are not limited by the amount of such Security. The Security shall remain in force until the Security is released by the Town, although the same may be reduced from time to time as provided herein. All collection expenses, court costs, attorney's fees, and administration costs incurred by the Town in connection with collection under the Security shall be paid by the Developer and such obligations are included in the amount of the Security.

8. Right of Town to Performance Security - The Town reserves the right to draw upon the Performance Security, in an amount deemed necessary by the Town in its sole discretion, upon failure of the Developer to comply with any obligations of Developer contained in this Agreement which arise prior, or as a condition to acceptance.

9. Right of Town to Maintenance Security - The Town reserves the right to draw upon the Maintenance Security, in an amount deemed necessary by the Town in its sole discretion, upon failure of the Developer to comply with any obligations of Developer contained in this Agreement which arise prior to acceptance.

10. Current Project Cost - The Developer agrees that if the Security furnished to secure the obligations of the Developer under this Agreement, due to inflation and/or rising costs, previous errors in estimation, or any other reason, is inadequate to secure such obligations at the time an extension of time is sought, the Developer will provide additional Security to bring the Security amount in line with current cost projections made by the Town Engineer.

VII. WARRANTY

1. Warranty Period - The Developer is required to complete the Public Improvements and all other improvements relative to the Project, in accordance with the terms of this Agreement. Further, the Developer is to correct any defects or failures as directed by the Town Planner or his or her designee that occur to any such improvements within one (1) year following acceptance.

2. Scheduled Inspections - Prior to the expiration of the Warranty Period, Town staff shall inspect the streets, curbs and gutters, sidewalks, stormwater management system, detention basin, landscaping, lighting, irrigation, fencing and all other required improvements to determine any defects or failures of the same.

a. Prior to the end of the Warranty Period, the Town will perform an inspection and prepare a list of defects and/or other work that maybe required for the Town to accept the improvements for permanent maintenance. The list of defects and/or other required work will be furnished to the Developer no later than forty-five (45) days from the end of the Warranty Period.

b. If no defects or failures are found by the Town at such inspection, or if a defect is found by the Town but same is cured prior to the end of the Warranty Period, the Town Planner or her designee shall recommend that the BOMA accept the improvements for permanent maintenance and any remaining Maintenance Security may be released.

3. Re-Inspection - If all deficiencies noted in the inspection have not been corrected by the Developer prior to the expiration of the Warranty Period, Town staff shall re-inspect the Project and provide an updated list of deficiencies. The Developer shall have a specified number of days to make the remaining corrections, and the Warranty Period will be extended to allow the deficiencies to be corrected. If all corrections are not made by the Developer by the end of the time extension, the Town may demand payment on the Security, and, upon collection, shall proceed to make the corrections. If and when the Developer or the Town, as the case may be, has corrected all failures and defects, the Town Planner or his or her designee shall recommend Final Acceptance by the BMA and any remaining Maintenance Security may be released.

4. Formal Acceptance - Upon recommendation of the Town Planner or her designee, the BOMA may approve acceptance of the Project, including the release of the Maintenance Security, and assume full ownership and maintenance responsibility for all public improvements associated with the Project.

VIII. INSURANCE

1. Comprehensive General Liability Insurance - The Developer shall purchase and maintain comprehensive general liability and other insurance that shall insure against claims arising out of the Developer's performance under this Agreement, whether such claims arise out of the actions or lack of action of the Developer, any subcontractor of the Developer, their employees, agents or independent contractors or anyone for whose actions or lack of action any of them may be liable, including, without limitation:

a. Claims for the personal injury, occupational illness or death of the Developer's employees, if any;

b. Claims for the personal injury, illness or death of any person other than the Developer's employees or agents;

c. Claims for injury to or destruction of tangible property, including loss of use resulting therefrom;

d. Claims for property damage or personal injury or death of any person arising out of the ownership, maintenance or use of any motor vehicle; and,

Town of Thompson's Station

e. Claims by third parties for personal injury and property damage arising out of the Developer's failure to comply with the Developer's obligations under this Agreement.

f. Claims brought under worker's compensation; provided, however, if Developer has no employees who are eligible to be covered under worker's compensation insurance, the Developer shall not be required to furnish insurance against worker's compensation but shall require the party(s) contracting with Developer to perform work on the Project Site to furnish evidence of such insurance for the employees of same.

2. Coverage Required - The insurance coverage required by this Agreement shall include the coverage specified above with policy limits of not less than \$1,000,000 Combined Single Limit general liability and \$500,000 Combined Single Limit automobile liability per occurrence.

a. The comprehensive general liability insurance coverage shall include completed operations insurance coverage and liability insurance applicable to the Developer's obligations under this Agreement.

b. Each insurance policy shall contain a provision stating that the insurer will give the Town thirty (30) days prior written notice of its intent to cancel or materially change the policy. All such insurance shall remain in effect until the BOMA approves acceptance and releases of Security of the completed Project.

c. In addition, the Developer shall maintain completed operations insurance for at least one (1) year after the BOMA approves acceptance and release of Security.

d. The Developer shall furnish the Town with evidence of the continuation of all such insurance at the time of issuance of the notice of acceptance and release of Security.

XII. MISCELLANEOUS PROVISIONS

1. Notices - All notices, demands and requests required or permitted by this Agreement shall be in writing (including telecopy communications) and shall be sent by email, certified mail, or hand delivery. Any notice, demand or request which is mailed, hand delivered or sent by courier shall be deemed given for all purposes under this Agreement when delivered to the intended address.

TOWN	DEVELOPER	OWNER
Town of Thompson's Station	_____	_____
1550 Thompsons Station Rd W	_____	_____
Thompson's Station, TN	_____	_____
37179	_____	_____
Phone: 615.794.4333	Phone: _____	Phone: _____

2. Change of Address - Any party to this Agreement may change such party's address for the purpose of notices, demands and requests required or permitted under this Agreement by providing written notice of such change of address to the other party, which change of address shall only be effective when notice of the change is actually received by the party who thereafter sends any notice, demand

or request.

3. Choice of Law - This Agreement is being executed and delivered and is intended to be performed in the State of Tennessee, and the laws (without regard to principles of conflicts of law) of the State of Tennessee shall govern the rights and duties of the parties hereto in the validity, construction, enforcement and interpretation hereof.

4. Joinder of Owner - In the event that the Developer is not the Owner of the Project Site, the Owner joins in this Agreement and by the Owner's execution of this Agreement the Owner is jointly and severally liable for the representations, warranties, covenants, agreements and indemnities as expressly set forth in this Agreement.

5. Interpretation and Severability - If any provision of this Agreement is held to be unlawful, invalid, or unenforceable under present or future laws effective during the terms hereof, such provisions shall be fully severable and this Agreement shall be construed and enforced as if such unlawful, invalid, or unenforceable provision was not a part of this Agreement. Furthermore, if any provision of this Agreement is capable of two constructions, one of which would render the provision void and the other of which would render the provision valid, then the provision shall have the meaning which renders it valid.

6. No Waiver - The failure of the Town to insist upon prompt and strict performance of any of the terms, conditions or undertakings of this Agreement, or to exercise any right herein conferred, in any one or more instances, shall not be construed as a waiver of the same or any other term, condition, undertaking or right.

7. Amendments and Modification - This Agreement shall not be modified in any manner, except by an instrument in writing executed by or on behalf of all parties. All legal fees, costs and expenses incurred with agreement modifications shall be at the sole expense of the Developer.

8. Authority to Execute - Town and Developer each warrant and represent that the party signing this Agreement on behalf of each has authority to enter into this Agreement and to bind the Town and Developer, respectively, to the terms, covenants and conditions contained herein. Each party shall deliver to the other, upon request, all documents reasonably requested by the other evidencing such authority, including a copy of all resolutions, consents or minutes reflecting the authority of persons or parties to enter into agreements on behalf of such party.

9. Binding Agreement - This Agreement is the full and complete agreement between the Town and the Developer and/or Owner(s), and supersedes any and all other previous agreements or representations between the parties, either written or oral, and the parties agree that the terms and provisions of this agreement shall be binding upon all parties to the Agreement and their respective heirs, successors, or assigns until the terms of the Agreement are fully met.

WITNESS the due execution hereof:

DEVELOPER:

Town of Thompson's Station

By:

Title:

Signature:

Date:

OWNER (if applicable)

By:

Title:

Signature:

Date:

TOWN OF THOMPSON'S STATION:

By:

Title: Mayor

Signature:

Date

EXHIBIT LIST

A - Final Project Documents

B - Conditions of approval established by the BOMA, the Planning Commission (PC) or the Design Review Commission (DRC)

C - Estimated cost of public improvements

D - Performance and Maintenance Security Documents

E - Stormwater Facilities Maintenance Agreement

MODIFICATIONS TO FORM DEVELOPMENT AGREEMENT

The Parties further agree to certain modifications to the terms of the form Development Agreement, as set forth below.

(a) The Town may only issue a Stop Work Order pursuant to any Development Agreement for material non-compliance therewith;

(b) Prior to issuance of any Stop Work Order by the Town, the Town shall provide the developers of Whistle Stop with written notice of any alleged non-compliance of the respective Development Agreement, and the respective developer shall have five (5) days by which to remedy such alleged non-compliance.

(c) If the Project Site, as set forth and defined in the Development Agreement, or any portion thereof, is transferred by the developer of Whistle Stop, the respective developer shall be released from its obligations under the Development Agreement as they related to the transferred portion, upon approval of a Development Agreement with the new developer. This provision and Section 2, paragraph 2.4(h), of the Settlement Agreement are the controlling terms related to transfers of ownership of the Project Site;

(d) Developer is installing streetlights within the Project and, accordingly, the provisions of Article III, Paragraph 4 of the form Development Agreement shall not apply.

(e) The preconstruction meeting detailed in Article IV, Paragraph 4 of the Development Agreement must occur no later than thirty (30) days after requested by the developers of Whistle Stop.

(f) Natural cracks, gaps, crevices, etc. in the extruded curbs and/or sidewalks within the Project shall not constitute "latent defects" and/or failures under the Development Agreement.

(g) Final/Formal Acceptance of the Project shall not be unreasonably withheld by the Town.

(h) In no event shall Developer be responsible or liable for any failure or delay in the performance of its obligations under a Development Agreement arising out of or caused by, directly or indirectly, in whole or in part, forces beyond their control, including, without limitation, strikes, work stoppages, accidents, acts of war or terrorism, civil or military disturbances, nuclear or natural catastrophes or acts of God, and interruptions, loss or malfunctions of utilities, communications or computer (software and/or hardware) services; it being understood that Developer shall use reasonable efforts to resume performance as practicable under the circumstances.

(i) Performance security shall be furnished prior to recording the final plat.



(j) The entire project, including all phases, shall be substantially completed within fifteen (15) years, pursuant to Tenn. Code Ann. § 13-4-310, from when the Developer commences the Project.

(k) The terms related the Project's connection to the Town's regional wastewater system (including Whistle Stop's obligations related to Connection Improvements and fees) set forth in the Settlement Agreement are the controlling terms related to sewer for the Project Site.

(l) The parties shall bear their own legal fees, costs and expenses incurred with respect to amendments and/or modifications to the Development Agreement.

(m) In the event any provisions of the Settlement Agreement conflict or are inconsistent with any provisions of the Development Agreement, the Parties expressly agree that the provisions of the Settlement Agreement shall control and govern and cannot be and are not modified by the Development Agreement.

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
AT NASHVILLE**

WHISTLE STOP FARMS, LLC,

)
)
)
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)
)
)
)
)
)

Plaintiff,

Case No. 3:16-cv-2934

v.

**JUDGE CRENSHAW
MAGISTRATE JUDGE BROWN**

**THE TOWN OF THOMPSON’S
STATION, TENNESSEE,**

Defendant.

AGREED ORDER OF DISMISSAL

The Parties are in agreement that all claims pending between them in this action have been resolved by agreement and that this action should be dismissed, with prejudice. The Court is otherwise sufficiently advised. Accordingly,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that all claims asserted by the Parties in this action are hereby dismissed, with prejudice, with each party to bear its own costs, expenses, attorneys’ fees or other fees.

Entered this ____ day of _____, 2018.

JUDGE WAVERLY D. CRENSHAW, JR.



HAVE SEEN AND AGREED:

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Counsel for Defendant

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
AT NASHVILLE**

WHISTLE STOP FARMS, LLC,)
)
 Plaintiff,)
)
 v.)
)
 BOARD OF MAYOR AND ALDERMEN)
 FOR THOMPSON’S STATION,)
 TENNESSEE; THE TOWN OF)
 THOMPSON’S STATION, TENNESSEE,)
)
 Defendant.)

Case No. 3:16-cv-3309

JUDGE CRENSHAW
MAGISTRATE JUDGE BROWN

AGREED ORDER OF DISMISSAL

The Parties are in agreement that all claims pending between them in this action have been resolved by agreement and that this action should be dismissed, with prejudice. The Court is otherwise sufficiently advised. Accordingly,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that all claims asserted by the Parties in this action are hereby dismissed, with prejudice, with each party to bear its own costs, expenses, attorneys’ fees or other fees.

Entered this ____ day of _____, 2018.

JUDGE WAVERLY D. CRENSHAW, JR.

HAVE SEEN AND AGREED:

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