

**ORDINANCE 2019-8**

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE TO AUTHORIZE THE CREATION OF HISTORIC OVERLAY DISTRICTS IN THE CITY OF BELLE MEADE.**

**WHEREAS**, the Commissioners of the City of Belle Meade find that the protection and preservation of the historical and architectural value of buildings, structures, and neighborhoods promotes the educational, cultural, and economic welfare of the citizens of the City of Belle Meade; and

**WHEREAS**, the Commissioners, pursuant to Tenn. Code Ann. §§13-7-401 to 13-7-409, wish to amend the Zoning Ordinance to create one or more historic districts or zones to regulate the construction, repair, alteration, rehabilitation, relocation, and demolition of any building or structure located in, or intended to be located in, any such historic district or zone, in accordance with the procedures set out herein; and

**WHEREAS**, the purposes of this Ordinance are to preserve and protect the historical and/or architectural value of buildings, structures, or areas of significant importance; to regulate exterior design, arrangement, texture and materials proposed to be used within the historic districts to insure compatibility; to create an aesthetic appearance which complements the historic or other structures; to stabilize and improve property values; and to foster civic beauty; and

**WHEREAS**, the Commissioners hereby finds that it will take additional time for the City create and appoint an historic zoning commission, study and adopt review guidelines for construction in historic districts and create such historic zoning districts and further that it would contrary to and destructive of the purposes of this ordinance, if persons were allowed to evade its operation by taking action that would violate this ordinance, while this process was pending; and

**WHEREAS**, the Commissioners find that a ninety (90) day moratorium upon the issuance of any demolition permits within the City from and after the date of passage of this ordinance will further the purposes hereof and otherwise be in the public interest;

**NOW, THEREFORE:**

**SECTION ONE: BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF BELLE MEADE** that Section 14-203 of the Zoning Ordinance is hereby amended to add the following sub-section (3), which shall read as follows:

**14-203. Boundaries of districts-zoning map.**

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(3) The zoning map shall also reflect any historic overlay districts created by the board of commissioners.

**SECTION TWO: BE IT FURTHER ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF BELLE MEADE** that Section 14-204 (2) (“District



amended to add a new Section 14-209 to be captioned “Procedure before the Historic Zoning Commission” with all subsequent sections to be renumbered accordingly:

**Section 14-209. Procedure before the Historic Zoning Commission.**

- (1) From and after the creation of any historic overlay district by the board of commissioners, any application for construction, repair, alteration, rehabilitation, relocation, or demolition of any building or structure located in, or intended to be located in, any such historic district must first be referred to the HZC for review, and no permit of any kind shall be issued until such a certificate of authority has been issued by the HZC.
- (2) The HZC may required detailed construction plans and data pertinent to its review.
- (3) The HZC shall act on any application within thirty (30) days of submission of sufficient data or information, and shall grant the certificate of appropriateness with or without conditions or deny the same, and shall state the grounds for any denial in writing.
- (4) In making its review the HZC shall rely upon the adopted guidelines for the district and give primary consideration to:
  - (a) Historic or architectural value of the present structure;
  - (b) The relationship of the exterior architectural features of such structure to the rest of the structure, surrounding areas, and to the character of the district;
  - (c) The general compatibility of exterior design, arrangement, texture, and materials proposed to be used;
  - (d) Any other factor, including aesthetic, which is reasonably related to the purpose of this part.
- (5) Review of any decision of the HZC shall be by writ of certiorari under Tenn. Code Ann. §§27-8-101 et seq

**SECTION FOUR: BE IT FURTHER ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF BELLE MEADE** that there shall be effective on the date of passage of this ordinance a ninety (90) day moratorium on the issuance of any permit for demolition of any building or structure.

**SECTION FIVE: BE IT FINALLY ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF BELLE MEADE THAT THIS ORDINANCE SHALL TAKE EFFECT UPON PASSAGE THE HEALTH, SAFETY AND WELFARE OF THE CITIZENS REQUIRING IT.**

Passed on first reading:  
July 17, 2019  
Planning Commission Review:  
August \_\_ 2019  
Passed on Second Reading after Public Hearing:  
August \_\_, 2019

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**James V. Hunt, Mayor**

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**Charlotte Hunter, City Recorder**