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TITLE, PURPOSE, AND JURISDICTION

DIVISION 1000. TITLE

This Ordinance shall be known as the “Williamson County Zoning Ordinance.”

DIVISION 1100. LEGISLATIVE INTENT

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

DIVISION 1200. COMMENTARY

Throughout this Ordinance, paragraphs labeled Commentary are included to ensure a complete understanding of the purpose and reasoning of the County in adopting that particular section of the Ordinance. Each commentary is intended as an official statement of legislative finding or purposes, and shall serve as a guide to the administrative and judicial interpretation of the Ordinance. The commentaries have been legislatively adopted together with the more formal text of the Ordinance and shall be treated in the same manner as other aspects of legislative history.

DIVISION 1300. PURPOSE

The purpose of this Ordinance is to implement the Williamson County Comprehensive Plan and promote the health, safety, and general welfare of the present and future inhabitants of the County 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 County.
 - 2. Dividing the unincorporated area of the County 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.

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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 County's overall character.

B. Natural Resources

1. Preserving and protecting the County'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 County.
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 County.
7. Protecting residential streets from degradation by nonresidential traffic.

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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 of the provisions of this Ordinance.

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

DIVISION 1400. INTERPRETATION

The judiciary, administrators or other persons shall interpret this Ordinance based on an understanding of the purposes intended by the Williamson County Board of County Commissioners, 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.

Commentary: Before any zoning interpretation is made, there must be an explicit identification of the purpose (s) for which the regulation was initially imposed. Each zoning regulation is intended to protect the interests of both present and future neighbors and the general public. Each standard is developed as a regulatory response to an identifiable potential negative

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impact. A sound interpretation of any standard cannot be ensured without careful analysis of the regulation and the end toward which it is directed.

- 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.

Commentary: There is a critical distinction between an interpretation which provides a greater degree of design freedom to achieve a permitted land use, and an interpretation which permits a new or not previously permitted use, or which allows a use to be enlarged, or have its intensity increased beyond the degree specified in the Ordinance. Design freedom is to be encouraged while a lowering of standards is to be prohibited.

- 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.

Commentary: If an interpretation would merely allow a design solution that is slightly different from the one expressly stated, and if it would result in a same or greater degree of protection to any affected party (either the adjoining landowners, the public at large, or a future property owner or renter), such an interpretation may be appropriately made. Any interpretation which would result in any identifiable loss of protection for one group to the benefit of others is contrary to the spirit of this Ordinance. Similarly, any interpretation which would either increase the nuisance potential of any use or alter the purpose for which the regulation was adopted shall be considered contrary to the legislative intent of this Ordinance. Any interpretation which will result in any loss of protection or increase in intensity beyond that already permitted shall only be made if the party interpreting the Ordinance has the power to impose additional restrictions or conditions and exercises this power in order to protect this public.

- D. This Ordinance has been carefully designed by the County Commissioners 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 County. 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 County Commissioners.