

TITLE 2

BOARDS AND COMMISSIONS, ETC.

CHAPTER

1. NOLENSVILLE HISTORIC COMMISSION ACT.

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SECTION

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2-101. Title. This chapter shall be known as the Nolensville Historic Commission Act. (2002 Code, § 2-101)

2-102. Purposes. The general intent of this chapter includes, among others, the following purposes:

(1) To promote preservation and protection of the physical character and quality of life in the Town of Nolensville;

(2) To promote the educational, cultural civic awareness, and general welfare of the Town of Nolensville while providing a sense of commitment and continuity between the past and present through the encouragement of preservation and protection of historically-significant sites and structures; and

(3) To foster civic pride and historic recognition through the preservation of Nolensville's heritage. (2002 Code, § 2-102)

2-103. Historic commission. (1) Creation of commission. In order to encourage the intent of this chapter, there is hereby established an advisory board to be known as the Nolensville Historic Commission. The Nolensville Historic Commission shall consist of not less than five (5) members and no more than nine (9) members; all of which shall be members of the historic planning commission when appointed, except that one (1) or more members may be selected by the mayor from the community in general in order to comply with the provisions of *Tennessee Code Annotated*, § 13-7-403. All members shall be appointed by the mayor and approved by the board of commissioners. The terms of members of the historic commission

shall be five (5) years, except that the members appointed initially shall be appointed for staggered terms so that the terms of at least one (1) member, but not more than two (2) members, shall expire each year. Vacancies shall be filled for any unexpected terms by the mayor and confirmed by the board of commissioners. All members of the historic commission shall serve without compensation, and shall be selected on the following basis:

(a) One (1) member of the Nolensville Historic Commission may be a member of the board of commissioners appointed by the mayor to serve a term consistent with his or her elected term of office or a designated consultant to the mayor to serve in this capacity;

(b) One (1) member of the Nolensville Historic Commission shall be a member of the Nolensville Planning Advisory Committee, appointed by the mayor, later to be known as the Nolensville Planning Commission to serve a term consistent with his/her term as a member of the planning commission. This member may be an appointee and special advisor from the mayor's office; and

(c) Seven (7) members of the Nolensville Historic Commission shall be appointed by the mayor and approved by the board of commissioners.

(i) Each of the appointees shall be a resident of Nolensville.

(ii) Each shall be appointed for a three (3) year term. Terms of initial appointees shall be: Two (2) members for one (1) year, two (2) members for two (2) years, and three (3) members for three (3) years. Thereafter, subsequent appointments shall be for full three (3) year terms. The staggering of terms to be accomplished with the initial appointments is to ensure continuity of service among historic commission members.

(iii) Appointees should have a background, experience, and desire to be involved in the recognition and preservation of Nolensville's history.

(2) Organization. The Nolensville Historic Commission shall select from its members its own chairperson and such other officers deemed appropriate. It shall establish procedures, rules of order, and regular meeting dates, keep a record of all proceedings, meet no less often than quarterly, and comply with all appropriate regulations of *Tennessee Code Annotated* that apply to municipalities. At least five (5) members shall constitute a decision of the commission on any matter before it.

(3) Conflict of interest. Any member of the Nolensville Historic Commission who shall have a direct or indirect interest in any property or issue which is the subject matter of, or affected by, a decision of said commission shall be disqualified from participating in the discussion, decision, or proceedings of the commission, as a voting member of the commission, in connection therewith. (2002 Code, § 2-103)

2-104. Powers and duties of the Nolensville Historic Commission. The Nolensville Historic Commission shall have the authority and powers granted herein provided, or as provided in the future, by the Nolensville Board of Commissioners to include:

(1) Recommendation to the Nolensville Board of Commissioners that specific geographic sites and/or structures be designated as historically significant and encourage the consideration of specific measures to ensure the preservation and maintenance of such

designated sites;

(2) Prior to submitting such recommendations to the board of commissioners, the Nolensville Historic Commission shall provide formal notification of its recommendation(s) to the owner(s) of record of the affected property(ies), and publicize such notice in an appropriate manner, and conduct such public hearings as would meet the requirements of local, state, or federal law;

(3) Regarding properties designated as historically significant by the Nolensville Board of Commissioners, the Nolensville Historic Commission shall assist the property owner by reviewing proposed preservation plans, changes in exterior design, or modifications to structures or geographical locations, and offering suggestions to retain or enhance the historic importance of the site; and

(4) The Nolensville Historic Commission shall not consider interior structure modifications. (2002 Code, § 2-104)

2-105. Designation and protection of historically significant sites.

Designation of a historically significant site will be done by resolution of the Nolensville Board of Commissioners upon recommendation by the Nolensville Historic Commission. A proclamation (a formal copy to be provided by the owner), along with a metal plaque to be prominently displayed at the site, will be provided by the town.

Once a site or structure is designated as historically significant, the Nolensville Planning Advisory Committee, later to be known as the Nolensville Planning Commission, shall thereafter be responsible for ensuring that appropriate measures are taken to protect the structure(s) and the immediate grounds in consideration of adjacent property development or re-development of the affected site to protect the intrinsic aesthetic and historical qualities of the site. (2002 Code, § 2-105)

2-106. Criteria for designation of historically significant sites. The following criteria are to be used in determining eligibility and appropriateness of selection as a historically significant site:

(1) The quality of significance in Nolensville history, architecture, archaeology, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling and association, and:

(a) That are associated with events that have made a significant contribution to the broad patterns of our history;

(b) That are associated with the lives of persons significant in our past;

(c) That embody the distinctive characteristics of a type, period or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components lack individual distinction; or

(d) That have yielded, or may be likely to yield, information important in prehistory or history.

(2) Ordinarily, cemeteries, birthplaces, or graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have

been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the past fifty (50) years shall not be considered eligible for the Nolensville register. However, such properties will qualify if they are integral parts of districts that do meet the criteria, or if they fall within the following categories:

- (a) A religious property deriving primary significance from architectural or artistic distinction or historical importance;
- (b) A building or structure removed from its original location, but which is significant primarily for architectural value, or which is the surviving structure most importantly associated with a historic person or event;
- (c) A birthplace or grave of a historical figure of outstanding importance if there is no appropriate site or building directly associated with his productive life;
- (d) A cemetery which derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events;
- (e) A reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived;
- (f) A property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own historical significance; or
- (g) A property achieving significance within the past fifty (50) years if it is of exceptional importance. (2002 Code, § 2-106)

2-107. Mapping of historically significant sites. All official town maps shall be modified to allow for the inclusion of designated historically significant sites in an appropriate and consistent manner. (2002 Code, § 2-107)

2-108. Property owners approval required. No property shall be designated as a "historically significant site" without the express written approval of the owner(s) of said property. (2002 Code, § 2-108)

2-109. Conflicts with zoning ordinance. In the event any provisions of this section of the Nolensville Municipal Code conflicts with any provisions of the Nolensville Zoning Ordinance, the provisions of the zoning ordinance shall control the conflict and any decisions made shall be made according to the zoning ordinance. (2002 Code, § 2-109)