

AGENDA FOR THE REGULARLY SCHEDULED CITY OF COLLEGEDALE COMMISSION MEETING TO BE HELD IN THE MUNICIPAL BUILDING IN COLLEGEDALE, TENNESSEE, ON MONDAY, APRIL 3, 2017 AT 6:00 P.M.

- I. Call to Order by the Mayor
- II. Invocation
- III. Roll Call by City Recorder
- IV. Approval of previous meeting minutes
 1. March 6, 2017-Commission Meeting
- V. Comments from Citizens
- VI. Unfinished Business
 1. Second Reading and Public Hearing, Ordinance #1028, authorizing the use and occupation of the ROW of the city
 2. Second Reading and Public Hearing, Ordinance #1029, amending the municipal code relating to beer
- VII. New Business
 1. First Reading, Ordinance #1030, amending the Collegedale zoning ordinance-parking
 2. First Reading, Ordinance #1031, amending the Collegedale zoning ordinance-definitions
 3. Bid approval-Tool Cat UTV
- VIII. Request for reports from City Administration/Commissioners by the Mayor
- IX. Adjournment

**MINUTES OF THE REGULARLY SCHEDULED CITY OF COLLEGEDALE BOARD OF COMMISSIONERS
MEETING HELD IN THE MUNICIPAL BUILDING IN COLLEGEDALE, TENNESSEE,
ON MONDAY, MARCH 6, 2017 AT 6:00 P.M.**

INVOCATION: Commissioner Ethan White

PRESENT: Mayor Katie Lamb, Vice Mayor Tim Johnson, Commissioner Debbie Baker, Commissioner Ethan White, City Manager Ted Rogers, City Attorney Sam Elliott

KEY MANAGERS: Assistant City Manager & CFO Michelle Toro, Director of Public Works Eric Sines, Police Chief Brian Hickman, City Engineer Wayon Hines, Planning & Economic Development Director Kelly Martin, Building and Codes Director Andrew Morkert

ABSENT: Commissioner Phil Garver, Director of Airport Operations Chris Swain

GUESTS: Gail MacLafferty, Merritt MacLafferty

3-6-2017 (604) REGULAR MEETING MINUTES – MARCH 20, 2017

It was moved by Commissioner Baker and seconded by Vice Mayor Johnson to accept the minutes of the regular commission meeting on March 20, 2017.

ROLL CALL:

COMMISSIONER BAKER	YEA
COMMISSIONER GARVER	ABSENT
COMMISSIONER WHITE	YEA
VICE MAYOR JOHNSON	YEA
MAYOR LAMB	YEA

3-6-2017 (605) COMMISSION WORKSHOP MINUTES – MARCH 27, 2017

It was moved by Vice Mayor Johnson and seconded by Commissioner White to accept the minutes of the commission workshop on March 27, 2017.

ROLL CALL:

COMMISSIONER BAKER	YEA
COMMISSIONER GARVER	ABSENT
COMMISSIONER WHITE	YEA
VICE MAYOR JOHNSON	YEA
MAYOR LAMB	YEA

3-6-2017 (606) FIRST READING, ORDINANCE #1028, AUTHORIZING THE USE AND OCCUPATION OF THE ROW OF THE CITY

It was moved by Vice Mayor Johnson and seconded by Commissioner Baker to approve Ordinance #1028, an ordinance of the City of Collegedale, Tennessee, authorizing the issuance of the licenses, permits and/or authorizations for the use and occupation of the streets, alleys, thoroughfares and rights-of-way of the city.

ROLL CALL:

COMMISSIONER BAKER	YEA
COMMISSIONER GARVER	ABSENT
COMMISSIONER WHITE	YEA
VICE MAYOR JOHNSON	YEA
MAYOR LAMB	YEA

3-6-2017 (607) FIRST READING, ORDINANCE #1029, AMENDING TITLE 8, CHAPTER 2 OF THE MUNICIPAL CODE RELATING TO THE DEFINITION, SALE AND CONSUMPTION OF BEER

It was moved by Commissioner White and seconded by Vice Mayor Johnson to approve Ordinance #1029, an ordinance of the City of Collegedale, Tennessee, amending Title 8, Chapter 2 of the municipal code relating to the definition, sale and consumption of beer.

ROLL CALL:

COMMISSIONER BAKER	YEA
COMMISSIONER GARVER	ABSENT
COMMISSIONER WHITE	YEA
VICE MAYOR JOHNSON	YEA
MAYOR LAMB	YEA

3-6-2017 (608) BID-FIREWORKS

It was moved by Vice Mayor Johnson and seconded by Commissioner Baker to accept the bid from Pyrotechnico of \$25,000 for the city's firework display on July 3, 2017.

ROLL CALL:

COMMISSIONER BAKER	YEA
COMMISSIONER GARVER	ABSENT
COMMISSIONER WHITE	YEA
VICE MAYOR JOHNSON	YEA
MAYOR LAMB	YEA

3-6-2017 (609) BID-SEWER SCADA

It was moved by Commissioner White and seconded by Vice Mayor Johnson to accept the bid from Diversified Integration of \$40,375 for electronic monitoring of the sewer system.

ROLL CALL:

COMMISSIONER BAKER	YEA
COMMISSIONER GARVER	ABSENT
COMMISSIONER WHITE	YEA
VICE MAYOR JOHNSON	YEA
MAYOR LAMB	YEA

3-6-2017 (610) MOTION TO ADJOURN

It was moved by Commissioner Baker and seconded by Commissioner White to adjourn the meeting. No roll call was taken.

The meeting was adjourned at 6:09 PM.

Mayor, Katie Lamb

City Recorder, Michelle Toro

ORDINANCE #1028

AN ORDINANCE OF THE CITY OF COLLEGEDALE, TENNESSEE AUTHORIZING THE ISSUANCE OF LICENSES, PERMITS AND/OR AUTHORIZATIONS FOR USE AND OCCUPATION OF THE STREETS, ALLEYS, THOROUGHFARES AND RIGHTS-OF-WAY OF THE CITY

WHEREAS, it is proper under Tennessee law that permission to use the public rights-of-way be sought and obtained from the City; and

WHEREAS, the Commission desires to adopt a new ordinance that governs access, use and occupation of its streets and public rights of way;

NOW THEREFORE BE IT ORDAINED by the City of Collegedale, Tennessee as follows:

SECTION 1: That a new Chapter 3 be added to Title 16 of the Municipal Code as follows:

16-301. Rights-of-way excavation permit.

- (a) It shall be unlawful for any person to dig, break, excavate, tunnel, undermine, or in any manner damage any area located within the limits of the City of Collegedale's right-of-way, including but not limited to pavement, storm drainage way, shoulder, curb, sidewalk, traffic control device, public utility easement bridge, access ramp, that portion of any private driveway in the street right(s)-of-way, or other parts of a City right(s)-of-way (all hereinafter referred to as "City rights-of-way" in this chapter), or to make or cause to be made any excavation in or under the surface of any City right(s)-of-way for any purpose or to place, deposit, or leave upon any City right(s)-of-way any earth or excavation material obstructing or tending to interfere with the use of same, unless such person shall first have obtained a right(s)-of-way excavation permit therefor from the City Engineer, or designee, as herein provided.
- (b) Notwithstanding subsection (a) above, construction of utility service lines from the main utility line to serve a utility customer shall not require an excavation permit unless a sidewalk, curb or the paved portion of a street is disturbed.
- (c) Notwithstanding subsection (b) above, all excavation work done within the City right(s)-of-way must meet the requirements set forth by this in this ordinance, and the requirements set forth in the right-of-way permit. If a utility or contractor fails to meet the requirements set forth and do not correct the deficiencies expeditiously, the utility or contractor will be in violation of this ordinance and subject to the penalty set forth herein.

16-302. Application.

No right(s)-of-way excavation permit shall be issued unless a written application is submitted to the City. The application shall be accompanied by plans or drawings as deemed necessary by the City.—The City Engineer shall have the authority to waive the filing of detailed plans and drawings if the excavation project is of such a small scale that the City Engineer determines that such drawings or plans are not necessary.

16-303. Right(s)-of-way excavation permit fees.

A permit fee shall be paid by the applicant to the City for the issuance of a right(s)-of-way excavation permit which shall be in addition to all other fees for permits or charges relative to any proposed construction work. The right(s)-of-way excavation permits shall be \$50.00 each. If work begins without first obtaining a permit, the permit fee shall be doubled.

16-304. Requirement of surety bond or cash deposit.

- (a) Before a right(s)-of-way excavation permit is issued, the applicant shall deposit with the City a surety bond, letter of credit, or surety agreement in a form payable to the City. Surety bonds and letters of credit shall be submitted to the City pursuant to subsection (g) herein. The limit of the surety agreement shall be determined by the Engineering & Public Works Departments. The required surety bond or letter of credit must be issued by an insurance company or bank licensed and authorized to transact business in the State of Tennessee and shall be conditioned upon the permittee's compliance with this ordinance and the right(s)-of-way excavation agreement, and shall secure and hold the City and its officers harmless against any and all claims, judgments, or other costs arising from the excavation and other work covered by the right(s)-of-way excavation permit by reason of any accident or injury to persons or property, trespass, or inverse condemnation through the fault of the permittee, or subcontractor(s), and further conditioned to require permittee to refill, restore and replace in good and safe condition as near as may be to its original condition and conformity with approved plans, to the satisfaction of the City Engineer & Director of Public Works; to restore all openings and excavations made in City right(s)-of-way, and to maintain the City right(s)-of-way where excavation is made in good condition for the period of 12 months after said work shall have been approved in writing by the City, ordinary wear and tear excepted. The 12-month period for maintenance will renew and start over with any repair of any portion of the excavation site. Any settlement of the surface within the one-year period shall be deemed conclusive evidence of defective back-filling by the permittee. The City may rely upon the information furnished by the permittee and it shall be no defense to a claim by the City against permittee or surety that the City made an error in issuing the right(s)-of-way excavation permit.
- (b) Recovery on a right(s)-of-way bond, letter of credit, or surety agreement for any claim shall not extinguish same, but it shall in its entirety be available for all subsequent claims during the excavation for which it was given, plus maintenance of the excavation for which it was given, plus maintenance of the excavation site as required by this chapter and the right(s)-of-way excavation agreement. In the event of any suit or claim against the City by reason of the negligence or default of the permittee, upon the City giving written notice to permittee and surety of such suit or claim, the permittee and surety shall hold the City harmless and indemnify the City for all expenses, including reasonable attorney's fees and costs.
- (c) Any annual bond, letter of credit, or surety agreement given under this provision shall remain in force for one year plus the one year maintenance period, conditioned as above, in the amount specified in subsection (g) herein, which is based on the permittee's anticipated work for one year and shall be applicable to all excavation in any City right(s)-of-way

- (d) In lieu of a corporate surety bond, letter of credit, or surety agreement required above, the application may be accompanied with a cash deposit or cashier's check, made payable to the City of Collegedale for deposit. The amount shall be determined by the City Engineer & Director of Public Works.
- (e) Any special or general deposit made hereunder shall serve as security for the repair and performance of work necessary to put the City right(s)-of-way in as good a condition as it was prior to the excavation and in conformity with approved plans. If the permittee fails to make the necessary repairs or complete excavation within the time specified in the permit, the City may proceed to complete same and charge the expense to the permittee and surety as provided in subsection (f) below.
- (f) The City may use any or all of any deposit, letter of credit, or bond to pay the cost of any work the City performs to restore or maintain the City right(s)-of-way in the event the permittee fails to perform such work as provided in the right(s)-of-way excavation agreement or this chapter. If the permittee exposes the public to danger and fails to promptly correct same after notice (should the permittee not be readily available, the notice requirement is waived), the City may take steps deemed necessary in the sole discretion of the City to correct a dangerous situation which is a threat to public safety and charge same to permittee and surety. Once an excavation is started, it must be completed expeditiously. In the event an excavation is not pursued expeditiously after started, or is not completed within the time specified in the permit or any extension, or is abandoned, or the area is not properly restored or maintained, the City may give the permittee seven days' notice of the deficiency. If corrective action is not initiated within said seven days or any extension thereof granted by the City Engineer & Director of Public Works, the City may perform the necessary work and charge same to permittee and surety. Prior notice to the surety is waived. Any permittee or surety aggrieved by any action of the City under this article is entitled to a due process hearing before the City Manager upon written notice filed with the City Recorder within ten days of the event giving rise to the complaint. When the City uses its own employees to repair a street, shoulder, sidewalk, storm drainage ditch, or public utility that should have been repaired by a permit holder, the permit holder must reimburse the City at the rate of 150% of actual costs of the City. "Actual costs" are defined as employees' actual wages and benefits, with benefits calculated at 30% of wages; rental value of equipment, signs and barricades in accordance with a uniform schedule; cost of all materials; and, any outside costs.
- (g) The bond will be based on a reasonable estimate as determined by the City Engineer & Director of Public Works.

16-305. Manner of excavating—Protection of traffic and pedestrians.

Any person making any excavation or tunnel in a City right(s)-of-way shall do so according to the terms and conditions of this article, the application, right(s)-of-way excavation agreement, applicable government regulations and codes, and the right(s)-of-way excavation permit. Barricades, signage, and lights shall be maintained in accordance with the Manual of Uniform Traffic Control Devices to protect persons and property from injury because of the excavation. If any sidewalk is blocked by any such work, a temporary sidewalk shall be constructed to provide for safe travel for pedestrians. The permittee shall construct and maintain adequate and safe

crossings over excavations and highways to accommodate vehicular and pedestrian traffic. Vehicular and pedestrian crossings shall be constructed and maintained in accordance with applicable policies, rules, regulations, and ordinances of the City and other applicable government agencies.

16-306. Removal and protection of utilities.

The permittee shall not interfere with any existing utility without the written consent of the City Engineer and the owner of the utility. If it becomes necessary to remove an existing utility, such removal or relocation shall be performed by the owner of such utility at the expense of the permittee. The permittee shall support and protect all pipes, conduits, poles, wires or other apparatus which may be in any way affected by the excavation work and do everything necessary to support, sustain and protect them. In case any of said pipes, conduits, poles, wires or apparatus should be damaged, the permittee must give prompt notice to the utility owning same. The repairs, shall be by the utility owner at the expense of the permittee or surety. The permittee shall be responsible for any damage to any public or private property. The permittee shall inform itself as to the existence and location of all-utilities before excavation and protect same against damage. The bond, letter of credit, or surety deposit shall be available to pay any expense associated with utility damage or damage to the property of another.

16-307. Protection of adjoining property.

The permittee shall at all times at the permittee's expense preserve and protect from injury adjoining property by providing proper lateral support, and other measures suitable for the purpose. Where it is necessary to enter upon private property for the purpose of taking appropriate protective measures, the permittee shall obtain permission for such entry from the owner of such private property. All construction and maintenance work shall be performed in a manner calculated to leave the lawn, storm drainage ditch, and other areas clean of earth and debris, and in a condition as nearly as possible to that which existed before such work began and approved by the City Engineer & Director of Public Works.

16-308. Excavated material.

All material excavated from trenches and stored adjacent to the trench or in any City right(s)-of-way shall be stored and maintained in such a manner as not to endanger those working in the trench, pedestrians or motorist, and so that as little inconvenience as reasonably possible is caused to those using streets, sidewalks, and adjoining property. The material shall not be stored in a drainage way. Where the confines of the area being excavated are too narrow to permit storing excavated material beside the trench, the City Engineer shall have the authority to require the permittee to haul the excavated material to a storage site. It shall be the permittee's responsibility to secure the necessary permission and make all necessary arrangements for all storage and disposal sites.

16-309. Clean-up.

As the excavation work progresses, all City right(s)-of-way and private properties shall be thoroughly cleaned of all rubbish, excess earth, rock and other debris resulting from excavation. All clean-up operations at the location of such excavation shall be accomplished at the expense

of the permittee and shall be completed to the satisfaction of the City Engineer and Director of Public Works. From time to time as may be ordered by the City Engineer or Director of Public Works, and in any event immediately after completion of said work, the permittee shall, at the permittee's expense, clean-up and remove all refuse and unused material of any kind resulting from said work. Notice to the surety is waived. Upon failure to do so within five days after notification to permittee, said work may be performed by the City and the cost thereof charged to the permittee, and surety. The five days' notice may be reduced when circumstances reasonably dictate less time, in the sole discretion of the City Engineer, or designee.

16-310. Restoration of surface.

The permittee shall restore the surface of any City right(s)-of-way damaged as a result of the excavation work to its original or better condition and in accordance with the specifications from plans approved by the City Engineer or Director of Public Works. Noncompliance may jeopardize the permittee's future application for a permit and/or alter the requirements of future permits.

16-311. Prompt completion of work.

The permittee shall prosecute with diligence and expedition all excavation work covered by the right(s)-of-way excavation permit and shall promptly complete such work after initiation. Permittee shall promptly restore the City right(s)-of-way and, in any event, not later than the date specified in the right(s)-of-way excavation permit.

16-312. Emergency action.

In the event of any emergency in which a sewer, water main, electric conduit, gas line or other utility is damaged or breaks and causes imminent danger to the property, life, health, or safety of any individual, the person owning or controlling the damaged utility shall immediately take proper emergency measures to cure or remedy the dangerous condition without applying for and obtaining a right(s)-of-way excavation permit hereunder. However, such utility shall apply for a right(s)-of-way excavation permit not later than the end of the next succeeding business day during which the City is open for business and shall not proceed with permanent repairs without first obtaining a right(s)-of-way excavation permit hereunder.

16-312. Inspections.

The City Engineer or Director of Public Works shall make such inspections as are reasonably necessary for enforcement of this article. The City shall have the authority to promulgate and cause to be in force such rules and regulations as may be reasonably necessary to enforce and carryout the intent of this chapter. The City Engineer, Public Works Director or designee shall have the authority to enforce the rules a regulations set forth in this ordinance, and the requirements set forth in the in the right-of-way permit. After a second failed inspection, a \$50 re-inspect fee will be assessed. This fee must be paid prior to any re-inspections performed.

16-313. Liability of City.

This article shall not be construed as imposing upon the City, City officials, or employees any liability for damages to any person injured by the performance of any excavation work for which a right(s)-of-way excavation permit is issued hereunder; nor shall the City, City officials, or employees be deemed to have assumed any such liability, or responsibility by reason of inspections authorized hereunder, the issuance of any permit, or the approval of any excavation work.

16-314. Insurance.

In addition to all other requirements, each person applying for a right(s)-of-way excavation permit shall file a certificate of insurance indicating that the applicant is insured against claims for damages for personal injury and property damage which may arise from or out of the performance of the work, whether such performance by the applicant, subcontractor, or anyone directly or indirectly employed by the applicant. Such insurance shall cover collapse, explosive hazards, and work in a public street right(s)-of-way, and shall include protection against liability arising from completed operations. The insurance limits shall be prescribed by the City in accordance with the nature of the risk; provided, however, the liability insurance limits for bodily injury shall not be in an amount less than \$500,000.00 for each person and \$500,000.00 for each accident and for property damages an amount not less than \$100,000.00. Notwithstanding the foregoing, a governmental agency or municipal corporation that is self-insured is exempt from this provision.

16-315. Penalty.

Any person, firm, corporation, public or private utility violating any provision of this chapter shall, upon a finding of a violation, be subjected to an Administrative Hearing penalty of up to \$500.00 for each offense; and a separate offense shall be deemed committed each day during which a violation occurs or continues.

16-316. Applicability to public utilities.

Eastside Utility District, Hamilton County Water and Wastewater Treatment Authority, the Electric Power Board are required to make application for permits under this chapter, but payment of permit fees and posting of bonds or cash deposits are hereby waived.

This Ordinance shall take effect as provided herein fifteen (15) days after the final passage thereof, the public welfare of the citizens of Collegedale requiring it.

PASSED ON 1st READING: 3-6-17 YEA 4 NAY 0

PASSED ON 2nd READING: _____ YEA _____ NAY _____

MAYOR

ATTEST: _____

CITY RECORDER

APPROVED: _____

CITY ATTORNEY

ORDINANCE #1029

**AN ORDINANCE OF THE CITY OF COLLEGEDALE, TENNESSEE AMENDING
TITLE 8, CHAPTER 2 OF THE MUNICIPAL CODE RELATING TO THE
DEFINITION, SALE AND CONSUMPTION OF BEER**

WHEREAS, §8-206 of the Collegedale Municipal Code defines the term “beer” in the same manner as T. C. A. §57-5-101(b), which through December 31, 2016, means beer, ale or other malt beverages, or any other beverages having an alcoholic content of not more than five percent (5%) by weight; and

WHEREAS, 2015 Pub. Ch. 176, effective April 16, 2015, provides that effective January 1, 2017, T. C. A. §57-5-101(b) will be amended to state the term “beer” “means beer, ale or other malt beverages, or any other beverages having an alcoholic content of not more than eight percent (8%) by weight”;

WHEREAS, it is necessary and appropriate for the City to define the term “beer” consistent with state law; and

WHEREAS, revisions to the Municipal Code relating to the locations where beer may be sold or consumed are necessary.

NOW THEREFORE BE IT ORDAINED by the City of Collegedale, Tennessee as follows:

SECTION 1: That Municipal Code § 8-206 be amended to state as follows:

8-206. “Beer” defined. The term “beer” as used in this chapter shall mean beer, ale or other malt beverages, or any other beverages having an alcoholic content of not more than eight percent (8%) by weight, except wine as defined in T. C. A. § 57-3-101; provided, however, that no more than forty-nine percent (49%) of the overall alcoholic content of such beverage may be derived from the addition of flavors and other nonbeverage ingredients containing alcohol.

SECTION 2: That Municipal Code § 8-212 be amended to delete said section in its entirety, hereafter to appear in the Municipal Code as follows:

8-212. (Reserved).

SECTION 3: This Ordinance shall take effect as provided herein fifteen (15) days after the final passage thereof, the public welfare of the citizens of Collegedale requiring it.

PASSED ON 1st READING: 3-6-17 YEA 4 NAY 0

PASSED ON 2nd READING: _____ YEA _____ NAY _____

MAYOR

ATTEST: _____
CITY RECORDER

APPROVED: _____
CITY ATTORNEY

ORDINANCE #1030

**AN ORDINANCE OF THE CITY OF COLLEGEDALE, TENNESSEE
AMENDING THE COLLEGEDALE ZONING ORDINANCE OF
COLLEGEDALE, CHAPTER 17, SUPPLEMENTARY DISTRICT
PROVISIONS**

WHEREAS, the City of Collegedale, Tennessee has adopted a zoning ordinance under authority granted in Tennessee Code Annotated (TCA) Section 13-7-201; and

WHEREAS, TCA Section 13-7-204 authorizes the City to amend zoning ordinances and maps; and

WHEREAS, to update standards and to provide clarity to certain sections of Chapter 17 and related and applicable definitions in Chapter 2 and;

WHEREAS, pursuant to the requirements of TCA, Section 13-7-204, the Planning Commission has recommended this amendment to the Collegedale Board of Mayor and Commissioners, as herein described; and

WHEREAS, pursuant to the requirements of TCA, Section 13-7-203, the City of Collegedale conducted a public hearing subject to 15 days notice prior to the final reading and adoption of this ordinance herein described;

NOW THEREFORE BE IT ORDAINED, by the Board of Mayor and City Commissioners of the City of Collegedale, Tennessee, that

Section 1: Chapter 2, Section 02.02 is amended by deleting the existing definition of “Staff, Collegedale Municipal Planning Commission” and replacing it with the following:

Staff, Collegedale Municipal Planning Commission.

The Development Staff is composed of the City Manager, Planning Director, City Planner, Building Official, City Engineer, Public Works Director, and others as deemed appropriate by the City Manager.

Section 2: Paragraphs 1 and 2, in Section 17.01 “Site Plan Requirements” of Chapter 17 is hereby amended to read as follows:

Building Permit/Site Plan

1. Where required by this Ordinance, no building permit shall be issued to erect or alter any commercial, industrial, place of public assembly, or multi-family building proposed in the corporate limits of the City of Collegedale until a site plan has been submitted to, and received approval from the Collegedale Municipal Planning Commission Staff in accordance with the provisions of this section.

Site Plan Submission

2. The owner or developer shall submit five (5) copies of the proposed site and engineering construction plan(s) to the City of Collegedale Building Official.

Section 3: Section 17.02 “OFF-STREET PARKING REQUIREMENTS” of Chapter 17 is hereby deleted and replaced with the following:

17.02. OFF-STREET PARKING REQUIREMENTS

1. Spaces Required.

Off-street automobile storage or standing space shall be provided on each lot or for each residential unit upon which any of the following uses are hereafter established. One (1) passenger vehicle space shall be determined as not less than one hundred sixty two (162) square feet (9 feet wide by 18 feet long for standard spaces and 9 feet wide by 22 feet long for parallel spaces) of parking space with an aisle width of not less than twenty six 26 feet and such space shall be provided with vehicular access to a street or alley. No portion of the parking space shall have a grade in excess of five (5) percent in any direction. All public parking spaces shall be paved. The use of gravel as a surface material is prohibited. The number of public parking spaces provided shall meet the minimum requirements for the specific uses as set forth in Table 17-1.

Table 17-1

USE	DESCRIPTION	REQUIRED PARKING
1702.1	AUTOMOBILE REPAIR GARAGE	1 SPACE PER 150 SQ. FT. OF GROSS FLOOR AREA
1702.2	AUTOMOBILE SERVICE STATION	3 SPACES FOR EACH SERVICE BAY, PLUS 1 SPACE FOR EACH EMPLOYEE
1702.3	CONVENIENCE STORE	Minimum: 1 SPACE PER 300 SQ. FT. Maximum: 1 SPACE PER 200 SQ. FT.
1702.4	GENERAL BUSINESS AND PROFESSIONAL OFFICES (NON-RETAIL)	Minimum: 1 SPACE PER 350 SQ. FT. OF GROSS FLOOR AREA; Maximum: 1 SPACE PER 200 SQ. FT.
1702.5	PROFESSIONAL MEDICAL OFFICES, CLINICS	1 SPACE PER 200 SQ. FT. plus one space per treatment area.
1702.6	GENERAL COMMERCIAL, RETAIL, PERSONAL SERVICES, NOT INCLUDING GROCERY STORES	Minimum: 1 SPACE PER 300 SQ. FT. OF GROSS FLOOR AREA; Maximum: 1 SPACE PER 200 SQ. FT. OF GROSS FLOOR AREA
1702.7	GROCERY STORE OR SUPERMARKET	1 SPACE PER 200 SQ. FT. FOR STORES 20,000 SQ. FT. AND UNDER. 1 SPACE PER 250 SQ. FT. FOR STORES OVER 20,000 SQ. FT.
1702.8	RETAIL/MIXED USE/MULTI-TENANT CENTER UNDER 15,000 SQ. FT.	Minimum of 1 space per 175 square feet of gross floor area, but in no case less than the combined parking requirements of all uses.
1702.9	RETAIL MIXED USE SHOPPING CENTER OVER 15,000 SQ. FT.	Minimum of 1 space per 200 square feet of gross floor area, but in no case less than the combined parking requirements of all uses.
1702.10	RESTAURANT: SIT DOWN ¹	1 space per 175 square feet of gross floor area, plus one space per two employees. .
1702.11	RESTAURANT: FREESTANDING DRIVE THROUGH (FAST FOOD)	10 SPACES PER 1,000 SQ. FT. OF GROSS FLOOR AREA
1702.12	RESTAURANT: QUICK SERVICE NOT FREESTANDING	8.5 SPACES PER 1,000 SQ. FT. OF GROSS FLOOR AREA
1702.13	RESTAURANT: WHEN LOCATED WITHIN A HOTEL	Full-Service Restaurants located within a hotel or motel shall provide an additional seventy-five (75) percent of the requirement for restaurants in addition to hotel and motel parking requirements
1702.14	TOURIST ACCOMMODATIONS, HOTEL OR MOTEL	NOT LESS THAN 1.1 SPACE PER ROOM OFFERED AS TOURIST ACCOMMODATION
1702.15	PLACES OF WORSHIP, AUDITORIUMS, OTHER PLACE OF PUBLIC GATHERING	Not less than one (1) space for every three (3) seats provided in such places of assembly. For places of public assembly where seating is not a measure of capacity, such as clubhouses, funeral parlors, etc., at least one (1) space for each one hundred (100) square feet of floor space devoted to that particular use shall be provided.
1702.16	HOSPITALS AND NURSING HOMES	One (1) space per 200 square feet of gross floor area, plus one space per treatment area. Nursing Homes shall require One (1) space per six (6) patient beds, plus one (1) space per employee per largest shift and one (1) space per staff member and visiting doctor.
1702.17	RETIREMENT HOMES NOT REQUIRING NURSING CARE	.75 SPACES PER UNIT
1702.18	LODGES, FRATERNAL, OR SOCIAL CLUBS	1 SPACE PER 250 SQ. FT. OF GROSS FLOOR AREA
1702.19	MANUFACTURING OR OTHER INDUSTRIAL USE	Not less than 1 space for every 5 persons employed on a single shift, with a minimum of 5 spaces provided for any establishment.
1702.20	DWELLING, ONE AND TWO FAMILY	2 SPACES PER DWELLING UNIT
1702.21	DWELLING, MULTI-FAMILY	1.8 SPACES PER DWELLING UNIT
1702.22		

¹Floor refers to "Gross Floor Area" unless otherwise specified.

²Outdoor seating shall provide 1 space per 400 square feet of gross area

THEREFORE BE IT FURTHER ORDAINED, that this ordinance shall become effective fifteen (15) days after final reading and passage by the Collegedale Board of Mayor and City Commissioners, **THE PUBLIC WELFARE REQUIRING IT.**

PASSED ON FIRST READING: _____

PASSED ON FINAL READING: _____

MAYOR OF COLLEGEDALE, TENNESSEE

ATTEST: _____
CITY RECORDER

APPROVED AS TO FORM: _____
CITY ATTORNEY

PUBLIC HEARING DATE: _____

ORDINANCE #1031

**AN ORDINANCE OF THE CITY OF COLLEGEDALE, TENNESSEE
AMENDING THE COLLEGEDALE ZONING ORDINANCE OF
COLLEGEDALE, CHAPTER 2, DEFINITIONS.**

WHEREAS, the City of Collegedale, Tennessee has adopted a zoning ordinance under authority granted in Tennessee Code Annotated (TCA) Section 13-7-201; and

WHEREAS, TCA Section 13-7-204 authorizes the City to amend zoning ordinances and maps; and

WHEREAS, In an effort to clarify types of structures that may be used for residential dwellings as well as defining accessory structures; and

WHEREAS, pursuant to the requirements of TCA, Section 13-7-204, the Planning Commission has recommended this amendment to the Collegedale Board of Mayor and Commissioners, as herein described; and

WHEREAS, pursuant to the requirements of TCA, Section 13-7-203, the City of Collegedale conducted a public hearing subject to 15 days notice prior to the final reading and adoption of this ordinance herein described;

NOW THEREFORE BE IT ORDAINED, by the Board of Mayor and City Commissioners of the City of Collegedale, Tennessee, that

Section 1: Chapter 2, Section 02.02 is amended by deleting the following definitions:

Accessory Building
Dwelling
Dwelling, Attached
Dwelling, Multi-Family
Dwelling, Semi-Detached
Dwelling, Single-Family Detached
Dwelling, Two-Family

Section 2: Chapter 2, Section 02.02 is further amended by the addition of the following definitions as follows:

Accessory Building

A subordinate building not more than two (2) stories in height, the use of which is incidental to that of the main building on the same lot. Accessory buildings include storage buildings, detached garages, gazebos, detached patio structures, pool houses, etc., or any other structure that is an accessory use to the main structure. Cargo containers, camper trailers, single or double wide mobile homes, canvas or vinyl structures or structures of similar materials or type are not considered accessory buildings and may not be used for this purpose.

Dwelling

A permanent building or portion thereof built on a permanent foundation used for residential purposes must contain at least a kitchen, bathroom facilities, and a sleeping area. In no case shall the term dwelling include any of the following: motor homes, travel trailers, portable buildings, trailer coaches, storage buildings, tents, cargo container, single-wide modular homes regulated elsewhere in this ordinance, or any other structure not designed specifically for permanent residential dwelling.

Dwelling, Multi-Family

A building containing three (3) or more housekeeping units, and designed or used to house three (3) or more families, living independent of each other in separate dwelling units with each unit having its own bedroom, kitchen and bathroom facilities. Multi-Family dwellings shall have a gross floor area of not less than six hundred (600) square feet of living space per dwelling unit and shall be required to have a permanent foundation.

Dwelling, One-Family

A building containing one (1) housekeeping unit, and designed or used to house not more than one (1) family. Single-family dwellings shall have a gross floor area of not less than nine hundred (900) square feet of living space. Site built homes and permitted modular homes shall be required to have a permanent foundation.

Dwelling, Townhouse

A one-family dwelling in a row of at least three, and no more than six dwelling units, each with no other dwelling or portion of other dwelling directly above or below, each dwelling unit of which having direct ground level access to the outside, and is separated from any other unit by one or more common fire resistant walls.

Dwelling, Two-Family

A building containing not more than two (2) housekeeping units, and designed or used to house no more than two (2) families, living independently of each other in separate dwelling units with each unit having its own bedroom, kitchen and bathroom facilities. Two-Family dwellings shall have a gross floor area of not less than six hundred (600) square feet of living space per dwelling unit and shall be required to have a permanent foundation.

THEREFORE BE IT FURTHER ORDAINED, that this ordinance shall become effective fifteen (15) days after final reading and passage by the Collegedale Board of Mayor and City Commissioners, **THE PUBLIC WELFARE REQUIRING IT.**

PASSED ON FIRST READING: _____

PASSED ON FINAL READING: _____

MAYOR OF COLLEGEDALE, TENNESSEE

ATTEST: _____
CITY RECORDER

APPROVED AS TO FORM: _____
CITY ATTORNEY

PUBLIC HEARING DATE: _____