ZONING ORDINANCE

COLLEGEDALE, TENNESSEE

ZONING DISTRICTS

(AG) AGRICULTURAL
(R-1-L) LOW DENSITY SINGLE-FAMILY RESIDENTIAL
(R-1-H) HIGH DENSITY SINGLE-FAMILY RESIDENTIAL
(R-2) LOW DENSITY SINGLE AND TWO-FAMILY RESIDENTIAL
(R-3) MULTI-FAMILY RESIDENTIAL
(U-1) UNIVERSITY
(C-1) NEIGHBORHOOD COMMERCIAL
(C-2) SHOPPING CENTER COMMERCIAL
(C-3) INTERCHANGE COMMERCIAL DISTRICT
(MU-TC) MIXED USE-TOWN CENTER
(I-1) INDUSTRIAL
(A-1) AIRPORT
(F-1) FLOOD

adopted

FEBRUARY 15, 1999

Amended through October 2, 2000
Amended through October 7, 2002
Amended through November 3, 2003
Amended through May 5, 2003
Amended through May 2, 2004
Amended through June 21, 2004
Amended through November 1, 2004
Amended through December 4, 2006
Amended through March 3, 2008
Amended through November 3, 2008
Amended through December 7, 2009
Amended through January 4, 2010
Amended through November 1, 2010
Amended through May 5, 2011
Amended through June 6, 2011
Amended through February 21, 2012
Amended through December 30, 2013
Amended through October 5, 2015
Amended through December 31, 2015

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CHAPTER 1
INTRODUCTION

SECTION
01.01. AUTHORITY
01.02. TITLE
01.03. PURPOSE
01.04. ENACTMENT

01.01. AUTHORITY.

An ordinance, in pursuance of the authority granted in Section 13-7-201 through 13-7-211, **Tennessee Code Annotated,** to regulate in the City of Collegedale, Tennessee, the location, height and size of buildings and other structures; the percentage of lot which may be occupied; the size of yards, courts, and other open spaces; the density and distribution of population; the uses of buildings and structures for trade, industry, residence, recreation, agriculture, forestry, soil conservation, water supply conservation, or other purposes. Special districts or zones may be established in those areas deemed subject to seasonal or periodic flooding, and such regulations may be applied therein as will minimize danger to life and property, and as will secure to the citizens of Tennessee the eligibility for flood insurance under Public Law 1016, 84th Congress, or subsequent related laws or regulations promulgated thereunder.

01.02. TITLE.

This ordinance shall be known as the Zoning Ordinance of the City of Collegedale, Tennessee. The zoning map shall be referred to as the Official Zoning Map of the City of Collegedale, Tennessee.

01.03. PURPOSE.

The zoning regulations and districts as herein set forth have been made in accordance with a comprehensive plan for the purpose of promoting the public health, safety, morals, convenience, order, prosperity, and general welfare of the City of Collegedale. They have been designed to lessen congestion in the streets; to secure safety from fires, floods, panic, and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population, to facilitate the adequate provision of transportation, water, waste water, schools, parks, and other public requirements. They have been made with reasonable consideration among other things as to the character of each district and its peculiar uses, and with a view of conserving the value of buildings and encouraging the most appropriate use of land within the City of Collegedale.

01.04. ENACTMENT.

Except as hereinafter provided, no building shall be erected or structurally altered, nor shall be any building or premises be utilized for any purpose, other than permitted in the zoning district in which the building or premises is located. No land or lot area shall be so reduced or diminished so that the yards or open spaces shall be smaller than prescribed herein, nor shall the lot area per family be reduced in any manner except in conformity with the area regulations hereby established for the district in which such building is located. No yard or other open space provided about any building for the purpose of complying with these regulations shall be considered as providing a yard or other open space for any other building.

CHAPTER 2
DEFINITIONS

SECTION
02.01. SCOPE
02.02. DEFINITION

02.01. SCOPE.

For the purpose of this ordinance and in order to carry out the provisions and intentions as set forth herein, certain words, terms, and phrases are to be used and interpreted as defined hereinafter. Words used in the present tense shall include the future tense; words used in the singular number include the plural, and words in the plural number include the singular; the word "person" includes a firm, partnership, or corporation as well as an individual; the term "shall" is always mandatory and not directory; and the word "may" is permissive. The word "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged, or designed to be used or occupied."

02.02. DEFINITIONS.

The following words, terms, and phrases are hereby defined as follows and shall be interpreted as such throughout this ordinance. Terms not herein defined shall have the meaning customarily assigned to them:

Abutting. Having a common border with, or being separated from such common border by, an alley or easement.

Access. The right to cross between public and private property, thereby permitting pedestrians and vehicles to enter and leave property.

Accessory Building. A subordinate building, the use of which is incidental to that of a main building and located on the same lot therewith.

Accessory Facility. The permanent building(s) customarily necessary to support operations of the permanent, principal building, including garages, platforms and docks, maintenance and storage facilities, and other similar structures.

Accessory Use. A use customarily incidental, appropriate, and subordinate to the principal use of land or buildings and located upon the same lot therewith.

Acre. Forty-three thousand, five hundred and sixty (43,560) square feet.

Advertising. Includes any writing, printing, painting, display, emblem, drawing, sign, or other device designed, used, or intended for advertising, whether placed on the ground, rocks, trees, tree stumps, or other natural structures or on buildings, structures, milestones, signboards, billboards, wallboard, roofboard, frames, supports, fences, or other man-made structure, and any such advertising is a structure within the meaning of the word "structure" as utilized in this ordinance.

Advertising Sign or Structure: See sign.

Agriculture. The tilling of soil, the raising of crops, horticulture, and gardening, including the keeping or raising of domestic animals or fowl, but not including agricultural industry or business such as fruit-packing plants, fur farms, animal hospitals, or similar uses.

Alley. A public or legally established thoroughfare, other than a street, which affords a secondary means of access to abutting property.

Appeal. A means for obtaining review of a decision, determination, order, or failure to act pursuant to the terms of this ordinance.

Area, Building. The total areas taken on a horizontal plane at the main grade level of the principal building and all accessory buildings exclusive of uncovered porches, terraces, and steps.

Assisted Living. A multi-family group housing complex that provides independent living space for either elderly or handicap persons under the care and supervision of centralized management.

Assisted Living Facility (Elderly Housing). (Added 11/1/04) A facility with a special combination of housing, personalized assistance, and health care designed to respond to the individual needs of those who need help with activities of daily living containing a central or private kitchen, dining, recreational, and oth3er facilities, with separate bedrooms or living quarters, where the emphasis of the facility remains residential; and which is licensed as such by the State of Tennessee.

Automobile Wrecking. The dismantling, storage, sale, or dumping of used motor vehicles, trailers, or parts thereof.

Automobile Wrecking, Junk, and Salvage Yards. Any lot or place which is exposed to the weather and upon which more than vehicles of any kind, incapable of being operated, are placed, located, or found for a period of more than ninety (90) days.

Average Ground Elevation. The elevation of the mean finished grade at the front of a structure.

Basement. A story partly or wholly underground. For purposes of height measurement, a basement shall be counted as a story when more than one-half (1/2) of its height is above the average ground elevation. When used for commercial activities, a basement shall be counted as a story.

Board. Collegedale Board of Zoning Appeals (BZA).

Buffer Strip (Planted Evergreen). A greenbelt planted strip not less than ten (10) feet in width. Such a greenbelt shall be composed of one (1) row of evergreen trees, spaced not more than forty (40) feet apart and not less than two (2) rows of shrubs or hedges, spaced not more than five (5) feet or more after one (1) full growing season and which shrubs will eventually grow to not less than ten (10) feet.

Building. Any structure having a roof supported by columns or by walls, including tents, lunch wagons, dining cars, manufactured homes, and similar structures whether stationary or movable.

Building, Main or Principal. A building in which is conducted the principal use of the lot on which it is situated. In any residential district any dwelling shall be deemed to be a main building of the lot on which it is located.

Building Setback Line. A line delineating the minimum allowable distance between the property line and a building on a lot, within which no building or other structure shall be placed except as otherwise provided.

Business Support Services. A subcategory of commercial land uses that permits establishments primarily engaged in rendering services to other business establishments on a fee or contract basis, such as advertising and mailing, building maintenance, personnel and employment services, management and consulting services, protective services, equipment rental and leasing, window cleaning, blueprinting, small business machine repair shops, photo finishing, copying and printing, travel, office supply, and similar services. **(added 1/3/06)**

Camping Ground. A parcel of land used or intended to be used, let, or rented for occupancy by campers or for occupancy by camping trailers, tents, or movable or temporary dwellings, rooms, or sleeping quarters of any kind.

Channel. A natural or artificial watercourse with definite bed and banks to confine and conduct continuously or periodically flowing water. The top of the banks form the dividing line between channel and the floodplain.

Clinic. See medical facility.

Coverage. The lot area covered by all buildings located therein, including the area covered by all overhanging roofs.

Country Club. A chartered, non-profit membership club, with facilities catering primarily to its membership and providing one or more of the following recreational or social amenities: golf, riding, club house, pool, dining facilities, cocktail lounges.

Day-care Center. (amended 11/3/08) A facility operated by a person, society, agency, corporation, institution, or group that receives pay for the care of 13 or more persons for less than 24 hours per day for care outside their own homes, without transfer of custody.

Day Care Home, Family. A facility operated by any person who receives pay for providing less than 24 hour supervision and care, without transfer of custody, for 5, 6 or 7 children under 17 years of age who are not related to the operator and whose parents or guardians are not residents of the household. A home providing care for fewer than five children will not be regulated by this ordinance.

Day Care Home, Group. A facility operated by a person, social agency, corporation, or institution or any other group which receives from eight to twelve children under 17 years of age less than 24 hours per day for care outside their own homes, without transfer of custody.

Dedication. The transfer of property interests from private to public ownership for a public purpose. The transfer may be of fee-simple interest or of a less than fee interest, including an easement.

Developer. The legal or beneficial owner(s) of a lot or parcel of any land proposed for inclusion in a development, including the holder of an option or contract to purchase.

Development. The division of a parcel of land into two (2) or more parcels; the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any buildings; any use or change in use of any buildings or land; any extension of any use of land or any clearing; grading, or other movement of land, for which permission may be required pursuant to this ordinance.

District. Any section or sections of Collegedale, Tennessee, for which the regulations governing the use of land and the use density, bulk, height, and coverage of buildings and other structures are uniform.

Drainage. The removal of surface water or groundwater from land by drains, grading, or other means. Drainage includes the control of runoff to minimize erosion and sedimentation during and after development and includes the means necessary for water-supply preservation or prevention or alleviation of flooding.

Dwelling. A building or portion thereof, exclusive of manufactured homes as herein defined, used for residential purposes.

Dwelling, Attached. A one-family dwelling attached to two or more one-family dwellings by common vertical walls. (Each dwelling located on a separate lot - Condominiums-Zero lot line)

Dwelling, Multi-family. A dwelling containing more than two dwelling units, (All on one lot-apartments)

Dwelling, Patio House. A one-family dwelling on a separate lot with open space setbacks on three sides and with a court.

Dwelling, Semi-detached. A one-family dwelling attached to one other one-family dwelling by a common vertical wall, and each dwelling located on a separate lot. (Zero lot line)

Dwelling, Single-family detached. A dwelling which is designed for and occupied by not more than one family and surrounded by open space or yards and which is not attached to any other dwelling by any means.

Dwelling, Townhouse. A one-family dwelling in a row of at least three such units in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one or more common fire resistant walls. (All units located on the same lot - Townhouse Apartments)

Dwelling, Two-family. A structure on a single lot containing two dwelling units, each of which is totally separated from the other by any unpierced wall extended from ground to roof or an unpierced ceiling and floor extending from exterior wall to exterior wall, except for a common stairwell exterior to both dwelling units. (Duplex)

Dwelling Unit. A single unit providing complete, independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking and sanitation.

Easement. Authorization by a property owner of the use by another and for a specified purpose of any designated part of his property.

Erosion. The detachment and movement of soil or rock fragments by water, wind, ice, and/or gravity.

Exterior storage. Outdoor storage of fuel, raw materials, products, and equipment. In the case of lumberyards, exterior storage includes all impervious materials stored outdoors. In the case of truck terminals, exterior storage includes all trucks, truck beds, and truck trailers stored outdoors.

Family. One or more persons related by blood, marriage, or adoption, or a group of not to exceed one (1) person not all related by blood or marriage, occupying the premises and living as a single non-profit housekeeping unit as distinguished from a group occupying a board or lodging house, hotel, club, or similar dwelling for group use. A family shall not be deemed to include domestic servants employed by said family.

Filling. The depositing on land, whether submerged or not, of sand, gravel, earth, or other materials of any composition whatsoever.

Flag Lot. An interior lot located to the rear of another lot, but with a narrow portion of the lot extending to a street. No part of the narrow portion of the lot can be less than twenty-five (25) feet in width. The front yard requirements shall apply to all the yards of a flag lot.
Floor Area. The sum of the gross floor area for each of the several stories under roof, measured from the exterior limits or faces of a building or structure.

Frontage. All the property on one side of a street between two intersecting streets (crossing or terminating) measured along the line of the street, or if the street is dead-ended, then all the property abutting on one side between an intersecting street and the dead-end of the street.

Garden Center. A place of business where retail and wholesale products and produce are sold to the retail consumer. These centers, which may include a nursery and/or greenhouses, import most of the items sold. These items may include plants, nursery products, and stock, fertilizers, potting soil, hardware, power equipment and machinery, hoes, rakes, shovels, and other garden and farm tools and utensils.

Garage. A deck or building, or part thereof, used or intended to be used for the parking and storage of motor vehicles.

Gasoline Service Station. Any area of land, including structures thereon, that is utilized for the retail sale of gasoline, oil, (but not butane or propane fuel), or automobile accessories, and incidental services including facilities for lubricating, car washing and cleaning, or otherwise servicing automobiles, but not including painting, or major repair.

Grade, Finished. The completed surfaces of lawns, walks, and roads brought to grades as shown on official plans or designs relating thereto.

Greenhouse. A building, permanent or portable, which is used for the growth of small plants.

Greenway. A linear park that by design provides for pedestrian traffic flows and open space vegetative buffers.

Health Department. The Hamilton County Office of the Tennessee Department of Health and Environment.

Height of Building. The vertical distance from grade to the highest finished roof surface in the case of flat roofs or to a point at the average height of the highest roof having a pitch

Home Occupation. An occupation conducted in a dwelling unit where only those residing on the premises shall be employed. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes, and not more than twenty-five (25) percent of the floor area of the dwelling unit shall be used in the conduct of the home occupation; there is no change in the outside appearance of the building or premises, no traffic shall be generated in greater volumes than normal, and such home occupation shall not create noise, vibration, glare, fumes, odors, or electrical interference.

Homeowner's Association. A community association, other than a condominium association, which is organized in a development in which individual owners share common interests.

Hospital. (See Medical Facilities.)

Hotel/Motel. Every building or structure or enclosure or any part thereof kept, used as, maintained as, advertised as, intended for, or held out to the public as a place where sleeping accommodations are furnished - whether with or without meals - to transient guests (in contrast to a boarding, rooming, lodging, or apartment house) shall for the purpose of this ordinance be deemed a hotel and provide the customary hotel services such as maid and linen service, telephone and secretarial or desk service.

Junk Yard or Salvage Yard. A lot, land or structure, or part thereof, used primarily for the collection, storage and sale of waste paper, rags, scrap metal, or discarded material, or for the collecting, dismantling, storing and salvaging of machinery not in operable condition, or for the sale of parts thereof.

Kennel. Any place in or at which any number of dogs are kept for the purpose of sale or in connection with boarding care or breeding, for which any fee is charged.

Lakes and ponds. Natural or artificial bodies of water which retain water year round. A lake is a body of water of two (2) or more acres. A pond is a body of water of less than two (2) acres. Artificial ponds may be created by dams or may result from excavation. The shoreline of such bodies of water shall be measured from the maximum condition rather than from the permanent pool in the event of any difference.

Livestock. Domestic animals of types customarily raised or kept on farms for profit or other purposes.

Loading Space. A space within the main building or on the same lot therewith, providing for the standing, loading, or unloading of a vehicle.

Lodging/Boarding House. A building designed or used for the more or less permanent occupation, with or without serving of meals; or more than three lodgers or boarders. For the purpose of these regulations, a lodging or boarding house shall mean multi-family dwelling.

Lot. A piece, parcel, or plot of land in one ownership, which may include one or more lots of record, occupied or to be occupied by one principal building and its accessory buildings including the open spaces required under this ordinance.

Lot Area. The total surface area land included within lot lines.

Lot Corner. A lot of which at least two adjoining sides abut their full lengths on a street, provided that the interior angle at the intersection of two such sides is less than one hundred thirty-five (135) degrees.

Lot Depth. The average distance from the street line of the lot to its rear line, measured in the general direction of the side lines of the lot.

Lot Frontage. That dimension of a lot or portion of a lot abutting on a street, excluding the side dimension of a corner lot.

Lot, Interior. A lot other than a corner lot.

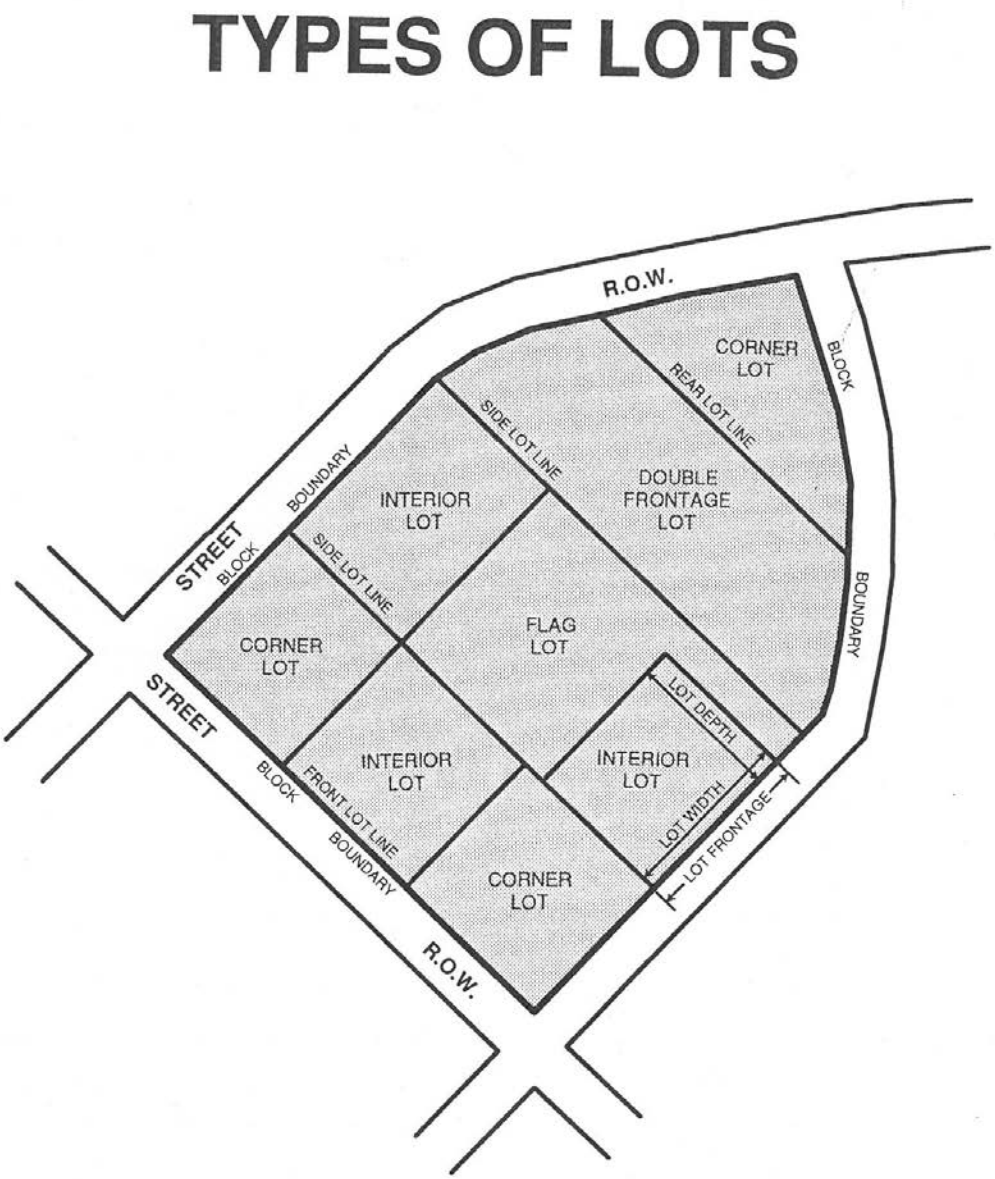
Lot Lines. The boundary dividing a given lot from the street, an alley, or adjacent lots.

Lot, Rear. The rear lot line is the boundary opposite and more or less parallel to the front lot line. The rear lot line of an irregular or triangular lot shall be for the purpose of this Resolution a line not less than 10 feet long, lying wholly within the lot, and parallel to a farthest distance from the front lot line.

Lot of Record. A lot which is part of a subdivision recorded in the office of the county register of deeds, or a lot described by metes and bounds, the description of which has been recorded in the office of the county register of deeds prior to the date of passage of the Collegedale Subdivision Regulations.

Lot Width. The width of a lot at the building setback line measured at right angles to the centerline of its depth.

Lot Illustration



Manufactured Home. A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes the term "manufactured home" also includes park trailers, Recreational Vehicles, and other similar vehicles placed on a site for greater than 180 consecutive day. For insurance purposes, the term "manufactured home" does not include park trailers, Recreational Vehicles, and other similar vehicles.

Manufactured Home Park or Subdivision. A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

Medical Facilities:

Convalescent, Rest, or Nursing Home. A health facility where persons are housed and furnished with meals and continuing nursing care for compensation.

Dental Clinic or Medical Clinic. A facility for the examination and treatment of ill and afflicted human out-patients provided, however, that patients are not kept overnight except under emergency conditions.

Dental Office or Doctor's Office. Same as dental or medical clinics.

Hospital. An institution providing health services primarily for human in-patient medical or surgical care for the sick or injured and including related facilities such as laboratories, out-patient facilities, and staff offices which are an integral part of the facility.

Public Health Center. A facility primarily utilized by a health unit for the provision of public health services.

Minimum Floor Elevation. The lowest elevation permissible for the construction, erection, or other placement of any floor including a basement floor.

Nonconforming Use. A building, structure, or use of land existing at the time of enactment of this ordinance which does not conform to the regulations of the district in which it is situated.

Noxious Matter. Material (in gaseous, liquid, solid, particulate, or any other form) which is capable of causing injury to living organisms, chemical reactions, or detrimental effects on the social, economic, or psychological well-being of individuals.

Nursery. An enterprise which conducts the retail and wholesale sale of plants grown on the site, as well as accessory items (but not power equipment such as gas or electric lawnmowers and farm implements) directly related to their care and maintenance. The accessory items normally sold are clay pots, potting soil, fertilizers, insecticides, hanging baskets, rakes, and shovels.

Off-Street Parking Space. A yard, space, or area off the road right-of-way, which space shall be accessible to a road and shall be arranged and maintained for the purpose of providing standing space for vehicles while at rest or while being utilized to load or unload merchandise or other materials incidental to the occupancy.

Open Space. An area on the same lot with a main building which is open, unoccupied, and unobstructed by structures from the ground to the sky except as otherwise provided in this ordinance. Open space lines shall coincide with or be parallel to the building setback lines on the same lot.

Outdoor storage, bulk. Goods for sale or display that have a large size, mass or volume and are not easily moved or carried, such as railroad ties, large bags of feed or fertilizers, wood, etc. **(Added 3/3/08)**

Outdoor storage, non-bulk. Goods for sale or display that are distinguished from bulk items by being small in size or volume and not requiring a mechanical lifting device to move them. Includes such items as bicycles, outdoor furniture, lawn mowers and accessories plus other items that can be easily moved indoors during close of business. **(Added 3/3/08)**

Owner. The person or persons having the right of legal title to, beneficial interest in, or a contractual right to purchase a lot or parcel of land.

Parcel. The area within the boundary lines of a development.

Parking Lot. An off-street facility including parking spaces along with adequate provisions for drives and aisles for maneuvering and getting access, and for entrance and exit, designed so as to be usable.

Parking Space. An off-street space available for parking one motor vehicle and having an area of not less than two-hundred (200) square feet (10' X 20') exclusive of passageways and driveways giving access thereto, and having direct access to a street or alley.

Planning Commission. The Collegedale Municipal Planning Commission (CMPC).

Plat. A map, plan, or layout indicating the location and boundaries of individual properties.

Principal Use. The specific primary purpose for which land or a building is used.

Public Improvement. Any improvement, facility, or service, together with customary improvements and appurtenances thereto, necessary to provide for public needs as: vehicular and pedestrian circulation systems, stormsewers, flood control improvements, water supply and distribution facilities, sanitary sewage disposal and treatment, public utility and energy services.

Public Uses. Public parks, schools, and administrative, cultural, and service buildings not including public land or buildings devoted solely to storage and maintenance of equipment and materials.

Recreational Vehicle. A vehicle or a unit that is mounted on or drawn by another vehicle primarily designed for temporary living. Recreational vehicles include Recreational Vehicles, camping trailers, truck campers, and motor homes.

Recreational Vehicle Park. A lot on which campsites are established for occupancy by recreational vehicles of the general public as temporary living quarters for purposes of recreation or vacation, not to exceed fourteen (14) days.

Refueling Station. A facility that sells petroleum products for automobiles, but does not provide any general maintenance or repair services. More often than not, such facilities are in combination with convenience markets or fast food franchises.

Restaurant, Fast Food. An establishment whose principal business is the sale of food and/or beverages in a ready-to-consume state for consumption (1) within the restaurant building, (2) within a motor vehicle parked on the premises, or (3) off the premises as carry-out orders, and

whose principal method of operation includes the following characteristics: food and/or beverages are usually served in edible containers or in paper, plastic, or other disposable containers.

Restaurant, Standard. An establishment whose principal business is the sale of food and/or beverages to customers in a ready-to-consume state, and whose principal method of operation includes one or both of the following characteristics: (1) customers, normally provided with an individual menu, are served their foods and beverages by a restaurant employee at the same table or counter at which food and beverages are consumed; (2) a cafeteria-type operation where food and beverages generally are consumed within the restaurant building.

Right-of-Way. The strip of land over which a public road is built.

Roadway. The actual road surface including necessary road shoulders and drainage facilities including ditches and curbing and guttering, which is utilized to transport motor vehicles.

Sanitary Sewer. A municipal or community sewerage collection, treatment, and disposal system of a type approved by the Health Department.

Sanitary Landfill. An area or site utilized by a public or private entity for disposal of solid waste or refuse in a manner which meets the regulations imposed upon the operation and maintenance of sanitary landfill sites by the State Department of Public Health.

Shelter, Fall-Out. A structure or portion of a structure intended to provide protection to human life during periods of danger from nuclear fall-out, air raids, storms, or other emergencies.

Shopping Center. A group of commercial establishments planned, developed, and managed as a unit with off-street parking provided on the property.

Sign, Billboard, **or Other Advertising Device.** Any structure or part thereof or device attached thereto or represented thereon, which shall display or include any letter, words, model, banner, flag, pennant, insignia, or representation used as, or which is in the nature of an announcement, direction, or advertisement. The word "sign" includes the word "billboard" or any other type of advertising device, but does not include the flag, pennant, or insignia of any nation, state, city, or other political unit.

Special Exception. Any use which is specifically permitted if the owner can demonstrate to the satisfaction of the board, that he will meet certain enumerated safeguards or qualifying conditions.

Stable, Commercial. A building/land where horses are kept for hire, sale, boarding, riding, or show.

Stable, Private. Any building, incidental to an existing residential, principal use, that shelters horses for the exclusive use of the occupants of the premises.

Staff, Collegedale Municipal Planning Commission. The Planning Staff is composed of the Building Official, Planning Commission Chairman, City Engineer, City Manager, Public Works Director, and others as deemed appropriate by the City Manager.

Start of Construction (for other than new construction or substantial improvements under the Coastal Barrier Resources Act (Pub. L. 97-348)). Includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement, or other improvement was within 180 days of the permit date. The

actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages, sheds or occupied as dwelling units, nor part of the main structure.

Steep Slopes. Land area where the inclination of the land's surface from the horizontal is fifteen (15) percent or greater. Slope is determined from on-site topographic surveys prepared with a two foot contour interval.

Storm Sewers. A municipal or community collection and disposal system for the control of storm drainage.

Story. The portion of a building included between the upper surface of any floor and the upper surface of the floor next above. Story cannot exceed 10 feet. **(amended 11/6/06)**

Street. Any public or private thoroughfare which affords the principal means of access to abutting property.

Structure. Any combination of materials, including buildings, constructed or erected, the use of which requires location on the ground or attachment to anything having location on the ground and including among other things, signs, billboards, and fences.

Substantial Improvement. For a structure built prior to the enactment of this ordinance, any repair, reconstruction, or improvement of a structure the cost of which equals or exceeds fifty (50) percent of the market value of the structure either (1) before the improvement or repair is started, or (2) if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions, or any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

Swimming Pools. A water-filled enclosure, permanently constructed or portable, having a depth of more than eighteen inches below the level of the surrounding land, or an above-surface pool, having a depth of more than thirty inches, designed, used and maintained for swimming and bathing. For the purpose of this ordinance, pools shall be regulated as accessory structures and uses.

Tank Farm. An industrial bulk storage facility for the distribution of petroleum products in the form of gasoline, propane, or other gaseous materials.

Toxic Material. Materials (gaseous, liquid, solid, particulate, or any other form) which are capable of causing injury to living organisms by chemical reaction even when present in relatively small amounts.

Usable Floor Space. Floor space used for retail sale or display; includes permanent outdoor sales, but excludes outdoor motor vehicle sales areas.

Use. The purpose for which land or a building or other structure is designed, arranged, or intended, or for which it is or may be occupied or maintained.

Use, Temporary. A temporary use is one established for a fixed period of time with the intent to discontinue such use upon the expiration of such time. Such uses do not involve the construction or alteration of any permanent structure.

Variance. Permission to depart from the literal requirements of this ordinance.

Warehouse and Storage Facilities, Household Goods (Mini-Warehouse/Mini-Storage). A facility composed of buildings or groups of buildings in a controlled-access and fenced compound designed and used for the purpose of renting or leasing individual storage space to occupants who are to have access to such space for the purpose of storing and removing personal property; provided, however, that the term "household goods warehouse and storage facility" shall not include any facility used for residential purposes.

Yard, Front. The required open space, unoccupied by buildings between the road or street right-of-way line and the principal building. For corner lots, the structure orientation nshall determine the rear and side yard setbacks. **(Amended 3/3/08)**

Yard, Rear. The required space, unoccupied except by a building of accessory use as herein provided, extending from the rear of the principal building to the rear lot line the full width of the lot.

Yard, Side. The required space unoccupied except as herein provided measured between the side lot line and the nearest point of the principal building and between the front year and the rear yard.

Zoning Official. The administrative officer designated to administer the zoning ordinance and issue zoning permits.

CHAPTER 3
ZONING DISTRICTS

SECTION
03.01. CLASSIFICATION OF DISTRICTS
03.02. ZONING MAP
03.03. ZONING DISTRICT BOUNDARIES

03.01. CLASSIFICATION OF DISTRICTS.

For the purpose of this ordinance, the following zoning districts are hereby established in the City of Collegedale, Tennessee:

DISTRICT ABBREVIATION	ZONING DISTRICT
AG	AGRICULTURAL DISTRICT
R-1-L	LOW DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT
R-1-H	HIGH DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT (on reserve)
R-2	LOW DENSITY SINGLE AND TWO-FAMILY RESIDENTIAL DISTRICT
R-3	MULTI-FAMILY RESIDENTIAL DISTRICT
U-1	UNIVERSITY DISTRICT
C-1	NEIGHBORHOOD COMMERCIAL DISTRICT
C-2	SHOPPING CENTER COMMERCIAL DISTRICT
C-3	INTERCHANGE COMMERCIAL DISTRICT
MU-TC	MIXED USE-TOWN CENTER DISTRICT
I-1	INDUSTRIAL DISTRICT
A-1	AIRPORT DISTRICT
F-1	FLOOD DISTRICT

03.02. ZONING DISTRICT MAP.

The location and boundaries of the zoning districts established by this ordinance are bounded and defined as shown on the map entitled Official Zoning Map of Collegedale, Tennessee. The zoning map or zoning map amendment shall be dated with the effective date of the ordinance that adopts the zoning map or zoning map amendment. Certified copies of the adopted zoning map or zoning map amendment shall be maintained in the Office of the Zoning Official, City of Collegedale and shall be available for inspection by the public at all reasonable times, as long as this ordinance remains in effect.

03.03. ZONING DISTRICT BOUNDARIES.

Unless otherwise indicated on the zoning map or zoning map amendment, the district boundaries are lot lines, centerlines of streets or alleys, or the City of Collegedale city limits as they exist at the time of the enactment of this zoning ordinance. Questions concerning the exact locations of district boundaries shall be determined by the Collegedale Board of Zoning Appeals.

Where the property on one side of a street between two intersecting streets is in a business or industrial district and the property on the intersecting street, except the corner or corners is in a residential district, the business or industrial use shall be limited to the property facing or fronting the street zoned for business throughout the block, and any property in the rear thereof facing or fronting the intersecting street, even though it appears to be in a business or industrial district, shall be governed by the use prevailing on the intersecting street. It is the purpose of this ordinance to limit business and industrial uses to the property facing or fronting the street zoned for business or industry and to forbid business or industrial uses facing or fronting the street zoned for residential uses. In all cases of ambiguity due to the actual layout of the property or other circumstances, the Board of Zoning Appeals shall have authority to determine on which

street the business or industrial use shall face or front so that the spirit of the ordinance shall be observed.

CHAPTER 4
AG AGRICULTURAL DISTRICT

SECTION

04.01. DISTRICT DESCRIPTION
04.02. USES PERMITTED
04.03. USES PERMITTED BY BOARD OF ZONING APPEALS
04.04. USES PROHIBITED
04.05. DIMENSIONAL REGULATIONS
04.06. PARKING SPACE REQUIREMENTS
04.07. ACCESS CONTROL
04.08. SIGNAGE REQUIREMENTS

04.01. DISTRICT DESCRIPTION.

This district is intended to preserve those areas within the City of Collegedale for which agriculture is a desirable and profitable use from encroachment by more intense uses. The AG Agriculture District provides for low density residential development. It is further intended that the AG Agriculture District prevent undesirable urban sprawl and to exclude land uses which demand a level of urban services which are impossible or uneconomical to provide.

04.02. USES PERMITTED.

In the AG Agriculture District, the following uses and their accessory uses are permitted:

1. **Farming and agricultural.**

2. **Single-family detached dwellings**.

3. **Gardening**, plant nurseries, and hothouses.

4. **One roadside stand for the sale of agricultural products produced on the premises**, provided that such stand does not exceed a total area of three hundred (300) square feet and provided it is located not nearer than thirty-five (35) feet from the roadway.

5. **Governmental uses**.

6. **Public Utilities and Facilities** necessary for the provision of public services.

7. **Telecommunications Structures,** subject to the provisions of the Collegedale Telecommunications Ordinance.

04.03. USES PERMITTED BY BOARD OF ZONING APPEALS.

In the AG Agriculture District, the following uses and their accessory uses may be permitted subject to review and approval by the Collegedale Board of Zoning Appeals in accordance with the provisions of Section 19.07.

1. **Churches**.

2. **Riding stables and kennels**.

3. **Recreational Vehicle parks** and campgrounds.

4. **Public or private school,** colleges, libraries and fire stations and utility substations.

5. **Parks,** playgrounds, golf courses, driving ranges, country clubs, community centers and other public recreational facilities.

6. **Private recreational facilities** other than those permitted.

04.04. USES PROHIBITED.

The following uses are prohibited: 1. Commercial chicken houses, and 2. Feed Lots. All other uses are not specifically permitted or permitted upon review by the Collegedale Board of Zoning Appeals.

04.05. DIMENSIONAL REGULATIONS.

All uses permitted in the AG Agricultural District shall comply with the following requirements.

1. **Front Yard:**
   The minimum depth of the front yard shall be determined by the classification of the street on which it fronts. The following depths shall apply:

   a. Major thoroughfares and collectors ..... fifty (50) feet
   b. Local streets and cul-de-sacs..... thirty-five (35) feet

2. **Rear Yard:**
   The minimum depth of the rear yard shall be twenty (20) feet.

3. **Side Yard: (Amended 1/4/10)**
   The side yard shall be a minimum of ten (10) feet for one and two story structures, plus five (5) additional feet of side yard for each additional story over two.

   If the side yard abuts a local street, alley, private right-of-way/easement, or cul-de-sac, the side yard setback shall be thirty-five (35) feet.

   If the side yard abuts a major thoroughfare or collector road, the side yard setback shall be fifty (50) feet.

4. **Land Area:**
   No parcel of land shall be reduced in size to provide separate lots or building sites of less than one (1) acre in area, except in instances where a public water supply is not available, in which case a two (2) acre minimum lot area shall be required. However, where there is an existing lot of record of less than one (1) acre, at the time of adoption of this ordinance, this lot may be utilized for the construction of one (1) single-family dwelling, providing the lot in question has a public water supply. Where a lot of record exists without a public water supply, it may be utilized for one (1) single-family dwelling, provided it is not less than one (1) acre in area..

5. **Maximum Lot Coverage:**
   Permitted nonagricultural uses, both principal and accessory, shall cover no more than thirty (30) percent of the total land area.

6. **Lot Width:**
   The minimum lot width shall not be less than one hundred (100) feet measured at the building setback line.

7. **Height Requirement:**
No building shall exceed two (2) stories and thirty (30) feet in height, except as provided in Section 18.03.

04.06. PARKING SPACE REQUIREMENTS.
As regulated in Section 17.02.

04.07. ACCESS CONTROL
As regulated in Section 17.04.

04.08. SIGNAGE REQUIREMENTS.
As regulated in Section 17.05.

CHAPTER 5
R-1-L LOW DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT

SECTION

05.01. DISTRICT DESCRIPTION
05.02. USES PERMITTED
05.03. USES PERMITTED BY BOARD OF ZONING APPEALS
05.04. USES PROHIBITED
05.05. DIMENSIONAL REGULATIONS
05.06. PARKING SPACE REQUIREMENTS
05.07. ACCESS CONTROL

05.01. DISTRICT DESCRIPTION.

This residential district is intended to be used for single family residential areas with relatively low population densities. Additional permitted uses include uses and facilities normally required to provide the basic elements of a balanced and attractive residential area. These areas are intended to be defined and protected from the encroachment of uses not performing a function necessary to the residential environment. Internal stability, attractiveness, order, and efficiency are encouraged by providing for adequate light, air, and open space for dwellings and related facilities and through consideration of the proper functional relationship of each element.

05.02. USES PERMITTED.

In the R-1-L Low Density Single-Family Residential District, the following uses and their accessory uses are permitted.

1. **Single-family detached dwellings**, but not including mobile homes or "single-wide" manufactured homes.

2. **Customary accessory buildings**, Except for storage buildings, inclusive of private garages, non-commercial workshops and swimming pools, provided they are located in the rear yard and meet the applicable set-back requirements.

3. **Home Occupations**.

4. **Governmental Uses**.

5. **Public Utilities and Facilities** necessary for the provision of public services.

05.03. USES PERMITTED BY BOARD OF ZONING APPEALS.

In the R-1-L Low Density Single-Family Residential District, the following uses and their accessory uses may be permitted subject to review and approval of the Board of Zoning Appeals in accordance with the provisions of Section 19.07.

1. **Public parks**, golf courses, walking trails/picnic areas, parks and playgrounds.

2. **Cemeteries.**

3. **Telecommunications Structures,** subject to the provisions of the Collegedale Telecommunications Ordinance.

05.04. USES PROHIBITED.

In the R-1-L Low Density Single-Family Residential District, all uses except those uses or their accessory uses specifically permitted or permitted upon appeal by the Collegedale Board of Zoning Appeal are prohibited.

05.05. DIMENSIONAL REGULATIONS.

All uses permitted in the R-1-L Low Density Single-Family Residential District shall comply with the following requirements except as provided in Chapter 16.

1. **Front Yard:**
   The minimum depth of the front yard shall be thirty-five (35) feet.

2. **Rear Yard:**
   The minimum depth of the rear yard shall be twenty-five (25) feet.

3. **Side Yard: (Amended 1/4/10)**
   The side yard shall be a minimum of ten (10) feet for the one and two story structures.

   If the side yard abuts a major thoroughfare, collector road, local street, alley, private right-of-way/easement, or cul-de-sac, the side yard setback shall be thirty-five (35) feet.

4. **Land Area: (Amended 10-02-00)**
   Lots with public water and sanitary sewers .....15,000 sq. ft.
   Lots with public water and septic tanks .....43,560 sq. ft.
   Lots with individual wells and septic tanks .....43,560 sq. ft.

5. **Maximum Lot Coverage:**
   In no case shall be area occupied by all structures, including accessory buildings, exceed forty (40) percent of the total land area.

6. **Lot Width:**
   The minimum lot footage on any public street, and the minimum lot width at the building line, shall be not less than seventy-five (75) feet. In the case of cul-de-sacs, all lots shall front on the turnaround right-of-way line for a distance of no less than twenty-five (25) feet.

7. **Height Requirement:**
   No building shall exceed two stories in height above grade at the front setback line.

05.06. PARKING SPACE REQUIREMENTS.

As regulated in Section 17.02.

05.07. ACCESS CONTROL.

As regulated in Section 17.04.

CHAPTER 6
R-1-H HIGH DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT

SECTION

06.01. DISTRICT DESCRIPTION
06.02. USES PERMITTED
06.03. USES PERMITTED BY BOARD OF ZONING APPEALS
06.04. USES PROHIBITED
06.05. DIMENSIONAL REGULATIONS
06.06. PARKING SPACE REQUIREMENTS
06.07. ACCESS CONTROL

06.01. DISTRICT DESCRIPTION.

This residential district is intended to be used for single-family residential areas at high population densities. Additional permitted uses include uses and facilities normally required to provide the basic elements of a balanced and attractive residential area. These areas are intended to be defined and protected from the encroachment of uses not performing a function necessary to the residential environment. Internal stability, attractiveness, order, and efficiency are encouraged by providing for adequate light, air, and open space for dwellings and related facilities and through consideration of the proper functional relationship of each element.

06.02. USES PERMITTED

In the R-1-H High Density Single-Family Residential District, the following uses and their accessory uses are permitted.

1. **Single-family detached dwellings**, but not including mobile homes or "single-wide" manufactured homes.

2. **Patio House dwellings**, as defined in this Ordinance.

3. **Attached dwellings**, as defined in this Ordinance, and subject to the provisions of Section 17.09 (Planned Residential Developments) of this Ordinance.

4. **Semi-detached dwellings**, as defined in this Ordinance.

5. **Customary accessory buildings**, except for storage buildings, inclusive of private garages, non-commercial workshops and swimming pools, provided they are located in the rear yard and meet the applicable set-back requirements.

6. **Home Occupations**.

06.03. USES PERMITTED BY BOARD OF ZONING APPEALS.

In the R-1-H High Density Single-Family Residential District, the following uses and their accessory uses may be permitted subject to review and approval of the Board of Zoning Appeals in accordance with the provisions of Section 19.06.

1. **Public parks**, golf courses, walking trails/picnic areas, parks and playgrounds.

2. **Churches**.

3. **Cemeteries**.

06.04. USES PROHIBITED

In the R-1-H High Density Single-Family Residential District, all uses except those uses or their accessory uses specifically permitted or permitted upon appeal by the Collegedale Board of Zoning Appeal are prohibited.

06.05. DIMENSIONAL REGULATIONS

All uses permitted in the R-1-H High Density Single-Family Residential District shall comply with the following requirements except as provided in Chapter 18.

1. **Front Yard:**
   The minimum depth of the front yard shall be twenty-five (25) feet.

2. **Rear Yard:**
   The minimum depth of the rear yard shall be twenty (20) feet.

3. **Side Yard: (Amended 1/4/10)**
   The side yard shall be a minimum of ten (10) feet for one and two story detached structures.

   The side yard shall be a minimum of twenty (20) feet on one side and zero (0) on the other side for Patio House Dwellings.

   The side yard shall be a minimum of ten (10) feet on the unattached sides of Attached Dwellings and zero (0) on the attached sides.

   If the side yard abuts a major thoroughfare, collector road, local street, alley, private right-of-way/easement, or cul-de-sac, the side yard setback shall be twenty-five (25) feet.

4. **Land Area:**
   All Lots (public water and sanitary sewers required) .....8,000 sq. ft.

5. **Maximum Lot Coverage:**
   In no case shall the area occupied by all structures, including accessory buildings, exceed forty (40) percent of the total land area.

6. **Lot Width:**
   The minimum lot footage on any public street shall be not less than sixty (60) feet for single-family detached structures, thirty-five (35) feet for attached structures. In the case of cul-de-sacs, all lots shall front on the turnaround right-of-way line for a distance of no less than twenty-five (25) feet. Lots located on horizontal curves shall have frontage on the right-of-way of not less than fifty (50) feet, but must have a minimum of sixty (60) feet at the building line, and building sites which equal the approximate setback locations of the remainder of the adjacent lot but in no case be closer to the street than the minimum requirements of this district.

7. **Height Requirement:**
   No building shall exceed two stories in height.

06.06. PARKING SPACE REQUIREMENTS

As regulated in Section 17.02.

06.07. ACCESS CONTROL

As regulated in Section 17.04.

CHAPTER 7
R-2 LOW DENSITY SINGLE AND TWO-FAMILY RESIDENTIAL DISTRICT

SECTION

07.01. DISTRICT DESCRIPTION
07.02. USES PERMITTED
07.03. USES PERMITTED BY BOARD OF ZONING APPEALS
07.04. USES PROHIBITED
07.05. DIMENSIONAL REGULATIONS
07.06. PARKING SPACE REQUIREMENTS
07.07. ACCESS CONTROL

07.01. DISTRICT DESCRIPTION.

This residential district is intended to promote and encourage the establishment and maintenance of a suitable environment for urban residence in areas which by location and character are appropriate for occupancy at relatively low population densities, single-family and two-family/duplex dwellings. The intensity of land use should not be so great as to cause congestion of buildings or traffic or overload existing sanitary facilities.

07.02. USES PERMITTED.

In the R-2 Low Density Single and Two-Family Residential District, the following uses and their accessory uses are permitted:

1. **Single-family detached dwellings.**

2. **Two-family dwellings.**

3. **Patio House dwellings**, as defined in this Ordinance.

4. **Attached dwellings**, as defined in this Ordinance, and subject to the provisions of Section 17.09 (Planned Residential Developments) of this Ordinance.

5. **Semi-detached dwellings**, as defined in this Ordinance.

6. **Customary accessory buildings.**

7. **Home Occupations.**

8. **Churches.**

9. **Public parks/Public Recreation Facilities.**

1. **Private golf courses**.

11. **Governmental Uses**.

12. **Public Utilities and Facilities** necessary for the provision of public services.

07.03. USES PERMITTED BY BOARD OF ZONING APPEALS.

In the R-2 Low Density Single and Two-Family Residential District, the following uses and their accessory uses may be permitted subject to review and approval by the Collegedale Board of Zoning Appeals.

1. **Group Homes.**

2. **Lodge Halls**, civic organizations, and private clubs, except a club whose chief activity is customarily carried on as a business.

3. **Family Day Care Facilities, Group Day Care Facilities,** subject to the provisions of Section 17.13 of this Ordinance**.**

4. **Public/private schools.**

5. **Cemeteries.**

6. **Telecommunications Structures,** subject to the provisions of the Collegedale Telecommunications Ordinance.

07.04. USES PROHIBITED.

In the R-2 Low Density Single and Two-Family Residential District all uses, except those uses or their accessory uses specifically permitted or permitted on appeal by the Collegedale Board of Zoning Appeals are prohibited.

07.05. DIMENSIONAL REGULATIONS.

All uses permitted in the R-2 Low Density Single and Two-Family Residential District shall comply with the following requirements except as provided in Chapter 16.

1. **Front Yard:**
   The minimum depth of the front yard shall be thirty-five (35) feet.

2. **Rear Yard:**
   The minimum depth of the rear yard shall be twenty (20) feet for the principal structure, and fifteen (15) feet for any permitted accessory structure.

3. **Side Yard: (Amended 1/4/10)**
   The side yard shall be a minimum of ten (10) feet for one and two story detached structures.

   The side yard shall be a minimum of twenty (20) feet on one side and zero (0) on the other side for Patio House Dwellings.

   The side yard shall be a minimum of ten (10) feet on the unattached sides of Attached Dwellings and zero (0) on the attached sides.

   If the side yard abuts a major thoroughfare, collector road, local street, alley, private right-of-way/easement, or cul-de-sac, the side yard setback shall be thirty-five (35) feet.

4. **Land Area: (Amended 10-02-00)**
   The following area requirements shall apply for single-family dwellings:

Lots with public water and sanitary sewers .....15,000 sq. ft.
Lots with public water and septic tanks .....43,560 sq. ft.
Lots with individual wells and septic tanks .....43,560 sq. ft.

The following area requirements shall apply for two-family dwellings:
Lots with public water and sanitary sewers .....17,000 sq. ft.
Lots with public water and septic tanks .....54,540 sq. ft.
Lots with individual wells and septic tanks .....54,540 sq. ft.

5. **Maximum Lot Coverage:**
In no case shall the area occupied by all buildings, including accessory buildings, exceed forty (40) percent of the total land area except as permitted in the case of a cluster development.

6. **Lot Width:**
The minimum lot footage on any public street, and the minimum lot width at the building line, shall be not less than one hundred (100) feet. In the case of cul-de-sacs, all lots shall front on the turnaround right-of-way line for a distance of no less than twenty-five (25) feet.

7. **Lot Depth:**
No lot's depth shall exceed its width by a ratio of four (4) to one (1).

8. **Height Requirement:**
No building shall exceed two (2) stories.

07.06. PARKING SPACE REQUIREMENTS.
As regulated in Section 17.02.

07.07. ACCESS CONTROL.
As regulated in Section 17.04.

CHAPTER 8
R-3 MULTI-FAMILY RESIDENTIAL DISTRICT

SECTION

08.01. DISTRICT DESCRIPTION
08.02. USES PERMITTED
08.03. USES PERMITTED BY BOARD OF ZONING APPEALS
08.04. USES PROHIBITED
08.05. DIMENSIONAL REGULATIONS
08.06. PARKING SPACE REQUIREMENTS
08.07. ACCESS CONTROL
08.08. SITE PLAN REQUIREMENTS

08.01. DISTRICT DESCRIPTION.

This section provides for a wider range of residential uses, including multi-family dwellings, mobile home parks, and general types of residential development. It is the intent of this ordinance that the R-3 district contain sound development and be a desirable place in which to live.

08.02. USES PERMITTED.

Within the R-3 Multi-Family Residential District of Collegedale, the following uses shall be permitted:

1. **Single-family detached dwellings.**

2. **Two-family dwellings.**

3. **Semi-detached dwellings** as defined in this Ordinance, and subject to the provisions of Section 17.09 (Planned Residential Developments) of this Ordinance.

4. **Attached dwellings** as defined in this Ordinance, and subject to the provisions of Section 17.09 (Planned Residential Developments) of this Ordinance.

5. **Patio House dwellings**, as defined in this Ordinance.

6. **Townhouse dwellings** provided that each individual building maintains a minimum 20 foot separation from other buildings on the same property.

7. **Multi-family dwellings**, provided that each individual building maintains a minimum 20 foot separation from other buildings on the same property.

8. **Customary accessory buildings.**

9. **Home Occupations.**

10. **Churches.**

11. **Public parks/ Recreational facilities.**

12. **Board and rooming houses.**

13. **Mobile Home Parks** provided they meet minimum requirements of the Collegedale Mobile Home Park Ordinance.

14. **Governmental uses**.

15. **Public Utilities and Facilities** necessary for the provision of public services.

08.03. USES PERMITTED BY BOARD OF ZONING APPEALS

In the R-3 Multi-Family Residential District, the following uses and their accessory uses may be permitted subject to review and approval by the Collegedale Board of Zoning Appeals in accordance with the provisions of Section 19.07.

1. **Day Care Centers, Group Day Care Facilities, Family Day Care Facilities** subject to the provisions of Section 17.13 of this Ordinance.

2. **Public/private schools.**

3. **Cemeteries**

4. **Telecommunications Structures,** subject to the provisions of the Collegedale Telecommunications Ordinance.

08.04. USES PROHIBITED.

In the R-3 Multi-Family Residential District all uses, except those uses or their accessory uses specifically permitted are prohibited.

08.05. DIMENSIONAL REGULATIONS.

All uses permitted in the R-3 Multi-Family Residential District shall comply with the following requirements except as provided in Chapter 16.

1. **Front Yard:**
   The minimum depth of the front yard shall be thirty-five (35) feet.

2. **Rear Yard:**
   The minimum depth of the rear yard shall be twenty-five (25) feet.

3. **Side Yard: (Amended 1/4/10)**
   The side yards shall be a minimum of twenty-five (25) feet for the one and two story structures, plus five (5) additional feet of side yard for each additional story over two.

   The side yard shall be a minimum of fifty (50) feet on one side and zero (0) on the other side for Patio House Dwellings.

   The side yard shall be a minimum of twenty-five (25) feet on the unattached sides of Attached Dwellings and zero (0) on the attached sides.

   If the side yard abuts a major thoroughfare, collector road, local street, alley, private right-of-way/easement, or cul-de-sac, the side yard setback shall be thirty-five (35) feet.

4. **Land Area: (Amended 10-02-00)**
   The following area requirements shall apply for single-family dwellings:
   Lots with public water and sanitary sewers .....15,000 sq. ft.
   Lots with public water and septic tanks .....43,560 sq. ft.
   Lots with individual wells and septic tanks .....43,560 sq. ft.

The following area requirements shall apply for two-family dwellings:
Lots with public water and sanitary sewers .....17,000 sq. ft.
Lots with public water and septic tanks .....54,450 sq. ft.
Lots with individual wells and septic tanks .....54,450 sq. ft.
On lots or parcels of land where there are three-family dwellings:
Lots with public water and sanitary sewers .....19,000 sq. ft.

On lots or parcels of land where there are four-family dwellings:
Lots with public water and sanitary sewers .....21,000 sq. ft.

On lots or parcels of land where there are over four-family dwellings each additional dwelling shall contain an additional 2,000 sq. ft. per dwelling.

5. **Maximum Lot Coverage:**
In no case shall the area occupied by all buildings, including accessory buildings, exceed fifty (50) percent of the total land.

6. **Lot Width:**
The minimum lot footage on any public street, and the minimum lot width at the building line, shall be not less than one hundred (100) feet. In the case of cul-de-sacs, all lots shall front on the turnaround right-of-way line for a distance of no less than twenty-five (25) feet.

7. **Lot Depth:**
No lot's depth shall exceed its width by a ratio of four (4) to one (1).

8. **Height Requirement:**
No building shall exceed three (3) stories.

08.06. PARKING SPACE REQUIREMENTS.
As regulated in Section 17.02.

08.07. ACCESS CONTROL.
As regulated in Section 17.04.

08.08. SITE PLAN REQUIREMENTS.
Prior to the issuance of a building permit for Multi-Family Developments or Townhouse Dwellings, as defined in this Ordinance, a site plan drawn in accordance with Section 17.01 of this ordinance shall be submitted to the Collegedale Municipal Planning Commission Staff for administrative review and approval.

CHAPTER 9
U-1 UNIVERSITY DISTRICT

SECTION

09.01. DISTRICT DESCRIPTION
09.02. USES PERMITTED
09.03. USES PERMITTED BY BOARD OF ZONING APPEALS
09.04. USES PROHIBITED
09.05. DIMENSIONAL REGULATIONS
09.06. PARKING SPACE REQUIREMENTS
09.07. OFF-STREET LOADING AND UNLOADING
09.08. ACCESS CONTROL
09.09. SIGNAGE REQUIREMENTS
09.10. SITE PLAN REQUIREMENTS

09.01. DISTRICT DESCRIPTION

This district is intended to provide for those uses associated with the operation of the Southern University for the purpose to assure for the grouping of university related uses to provide for a harmonious, efficient and convenient educational center.

09.02. USES PERMITTED

Within the University District of Collegedale, the following uses shall be permitted.

1. **Educational facilities** including universities, primary and secondary, and nursery facilities.

2. **Public assembly facilities** including churches, auditoriums, stadiums and arenas.

3. **Group quarters** including dormitories, apartments and rooming houses.

4. **Commercial businesses** that are for the primary purpose of serving the university.

5. **Single-family detached dwellings.**

6. **Two-family dwellings.**

7. **Semi-detached dwellings** as defined in this Ordinance, and subject to the provisions of Section 17.09 (Planned Residential Developments) of this Ordinance.

8. **Attached dwellings** as defined in this Ordinance, and subject to the provisions of Section 17.09 (Planned Residential Developments) of this Ordinance**..**

9. **Patio House dwellings**, as defined in this Ordinance.

10. **Townhouse dwellings** provided that each individual building maintains a minimum 20 foot separation from other buildings on the same property.

11. **Multi-family dwellings**, provided that each individual building maintains a minimum 20 foot separation from other buildings on the same property.

12. **Recreational facilities** associated with the university or its accessory uses.

13. **Professional offices** associated with the operation of the university.

14. **Governmental Uses**.

15. **Public Utilities and Facilities** necessary for the provision of public services.

09.03. USES PERMITTED BY BOARD OF ZONING APPEALS

In the U-1 University District, the following uses and their accessory uses may be permitted subject to review and approval by the Collegedale Board of Zoning Appeals in accordance with the provisions of Section 19.07.

1. **Mobile Home Parks/Travel Trailer Parks**, provided they meet minimum requirements of the Collegedale Mobile Home Park Ordinance.

2. **Cemeteries.**

3. **Telecommunications Structures,** subject to the provisions of the Collegedale Telecommunications Ordinance.

09.04. USES PROHIBITED

In the U-1 University High District all uses, except those uses or their accessory uses specifically permitted are prohibited.

09.05. DIMENSIONAL REGULATIONS

All uses permitted in the U-1 University District shall comply with the following requirements. In the case of one and two-family dwellings, the Dimensional Regulations in the R-2 District shall apply.

1. **Front Yard:**
   The minimum depth of the front yard shall be fifty (50) feet.

2. **Rear Yard:**
   The minimum depth of the rear yard shall be thirty (30) feet for the principle structure and twenty (20) feet for any permitted accessory structure.

3. **Side Yard: (Amended 1/4/10)**
   The side yards shall be a minimum of thirty (30) feet for the one and two story structures, plus ten (10) additional feet of side yard for each additional story over two.

   The side yard shall be a minimum of sixty (60) feet on one side and zero (0) on the other side for Patio House Dwellings.

   The side yard shall be a minimum of thirty (30) feet on the unattached sides of Attached Dwellings and zero (0) on the attached sides.

   If the side yard abuts a major thoroughfare, collector road, local street, alley, private right-of-way/easement, or cul-de-sac, the side yard setback shall be fifty (50) feet.

4. **Land Area: (Amended 10-02-00)**
   For all uses other than single family or two family dwelling the minimum lot area shall be one (1) acre or 43,560 square feet.

   The following area requirements shall apply for single family dwellings:
   Lots with public water and sanitary sewers .....15,000 sq. ft.
   Lots with public water and septic tanks .....43,560 sq. ft.
   Lots with individual wells and septic tanks .....43,560 sq. ft.

The following area requirements shall apply for two-family dwellings:
Lots with public water and sanitary sewers .....17,000 sq. ft.
Lots with public water and septic tanks .....54,540 sq. ft.
Lots with individual wells and septic tanks .....54,540 sq. ft.

On lots or parcels of land where there are three-family dwellings:
Lots with public water and sanitary sewers .....19,000 sq. ft.

On lots or parcels of land where there are four-family dwellings:
Lots with public water and sanitary sewers .....21,000 sq. ft.

On lots or parcels of land where there are over four-family dwellings each additional dwelling shall contain an additional 2,000 sq. ft. per dwelling.

5. **Maximum Lot Coverage:**
In no case shall the area occupied by all buildings, including accessory buildings, exceed seventy-five (75) percent of the total land area.

6. **Lot Width:**
The minimum lot footage on any public street, and the minimum lot width at the building line, shall be not less than seventy-five (75) feet. In the case of cul-de-sacs, all lots shall front on the turnaround right-of-way line for a distance of no less than twenty-five (25) feet.

7. **Lot Depth:**
No lot's depth shall exceed its width by a ratio of four (4) to one (1).

8. **Height Requirement:**
No building shall exceed five (5) stories or sixty-five (65) feet, except as provided in Section 18.03

09.06. PARKING SPACE REQUIREMENTS.
As regulated in Section 17.02.

09.07. OFF-STREET LOADING AND UNLOADING.
As regulated in Section 17.03.

09.08. ACCESS CONTROL.
As regulated in Section 17.04.

09.09. SIGNAGE REQUIREMENTS
As regulated in Section 17.05.

09.10. SITE PLAN REQUIREMENTS.
Prior to the issuance of any building permit for Multi-Family Developments or Townhouse Dwellings, as defined in this Ordinance, a site plan drawn in accordance with Section 17.01 of this ordinance shall be submitted to the Collegedale Municipal Planning Commission Staff for administrative review and approval.

CHAPTER 10
C-1 NEIGHBORHOOD COMMERCIAL DISTRICT

SECTION

10.01. DISTRICT DESCRIPTION
10.02. USES PERMITTED
10.03. USES PERMITTED BY BOARD OF ZONING APPEALS
10.04. USES PROHIBITED
10.05. DIMENSIONAL REGULATIONS
10.06. PARKING SPACE REQUIREMENTS
10.07. OFF-STREET LOADING AND UNLOADING
10.08. ACCESS CONTROL
10.09. SIGNAGE REQUIREMENTS
10.10. SITE PLAN REQUIREMENTS

10.01. DISTRICT DESCRIPTION.

This district is established to provide areas for neighborhood business activities to serve small businesses that provide retail sales and services to residential areas of the community. It is intended that these districts be located at the intersection of major arteries and residential collector streets and not internal to residential developments. It is intended that such areas have properties with lot sizes, yards, performance and development standards sufficient to ensure that activities performed will not unduly impede the flow of traffic and will not adversely affect adjacent zones and properties.

10.02. USES PERMITTED.

The following uses and their accessory uses shall be permitted in the C-1 Neighborhood Commercial District.

1. **Neighborhood convenience markets**, which may include as a subordinate use, carry-out food sales, video rentals, and similar uses.

2. **Gasoline service stations**, provided that no repair service is provided.

3. **Carry out food sales** provided that on-site dining facilities are provided for no more than 20 patrons.

4. **Governmental Uses**.

5. **Public Utilities and Facilities** necessary for the provision of public services.

6. **Cemeteries.**

7. **Telecommunications Structures,** subject to the provisions of the Collegedale Telecommunications Ordinance.

10.03. USES PERMITTED BY BOARD OF ZONING APPEALS.

In the C-1 Neighborhood Commercial District, the following uses and their accessory uses may be permitted subject to appeal and approval of the Collegedale Board of Zoning Appeals in accordance with the provisions of Section 19.07.

1. **Family Day Care Homes, Group Day Care Homes, and Day Care Centers,** subject to the provisions of Section 17.13 of this Ordinance.

2. **Commercial recreation facilities.**

10.04. USES PROHIBITED.
All uses, except those uses or their accessory uses specifically permitted or permitted upon appeal and approved by the Collegedale Board of Zoning Appeals are prohibited.

10.05. DIMENSIONAL REGULATIONS.
The following requirements shall apply to all uses permitted in this district:

1. **Front Yard:**
   The depth of the front yard shall be thirty-five (35) feet from any right-of-way.

2. **Rear Yard:**
   Each lot shall have a rear yard of not less than ten (10) feet; where a commercial building is serviced from the rear there shall be provided a rear yard of not less than thirty (30) feet; the depth of a rear yard which abuts a residential district shall not be less than twenty-five (25) feet; where a commercial building is serviced from the rear and abuts residential property the depth of the rear yard shall not be less than forty-five (45) feet.

3. **Side Yard: (Amended 1/4/10)**
   The width of any side yard which abuts a residence district shall be not less than twenty-five (25) feet. In all other cases each side shall be not less than fifteen (15) feet.

   If the side yard abuts a major thoroughfare, collector road, local street, alley, private right-of-way/easement, or cul-de-sac, the side yard setback shall be thirty-five (35) feet.

4. **Land Area:**
   For those areas served by a sanitary sewer system, there shall be a minimum lot area of not less than seventy-five hundred (7,500) square feet.

   For those areas not served by a sanitary sewer system, the lot area requirements shall be determined by the planning commission based on recommendations of the Health Department, but in no case shall be less than twenty thousand (20,000) square feet.

5. **Lot Width:**
   The minimum lot footage on any public street shall be not less than seventy-five (75) feet. In the case of cul-de-sacs, all lots shall front on the turnaround right-of-way line for a distance of no less than twenty-five (25) feet. Lots located on horizontal curves shall have frontage on the right-of-way of not less than sixty (60) feet, but must have a minimum of seventy-five (75) feet at the building line, and building sites which equal the approximate setback locations of the remainder of the adjacent lot but in no case be closer to the street than the minimum requirements of this district.

6. **Lot Depth:**
   No lot's depth shall exceed its width by a ratio of four (4) to one (1).

7. **Height Restrictions:**
   No building or structure shall exceed two (2) stories or twenty-five (25) feet, except as provided in Section 18.03.

8. **Buffer Strip:**
   Where a commercial building abuts a residential district at either the side or rear yard, a planted buffer strip of not less than fifteen (15) feet wide shall be provided.

10.06. PARKING SPACE REQUIREMENTS.
As regulated in Section 17.02.

10.07. OFF-STREET LOADING AND UNLOADING.
As regulated in Section 17.03.

10.08. ACCESS CONTROL.
As regulated in Section 17.04.

10.09. SIGNAGE REQUIREMENTS.
As regulated in Section 17.05.

10.10. SITE PLAN REQUIREMENTS
Prior to the issuance of any building permit in this district a site plan drawn in accordance with Section 17.01 of this ordinance shall be submitted to the Collegedale Municipal Planning Commission Staff for administrative review and approval.

CHAPTER 11
C-2 SHOPPING CENTER COMMERCIAL DISTRICT

SECTION

11.01. DISTRICT DESCRIPTION
11.02. USES PERMITTED
11.03. USES PERMITTED BY BOARD OF ZONING APPEALS
11.04. USES PROHIBITED
11.05. DIMENSIONAL REGULATIONS
11.06. PARKING SPACE REQUIREMENTS
11.07. OFF-STREET LOADING AND UNLOADING
11.08. ACCESS CONTROL
11.09. SIGNAGE REQUIREMENTS
11.10. SITE PLAN REQUIREMENTS

11.01. DISTRICT DESCRIPTION.

This district is established to provide an area for community-wide and regional retail and service business. This district allows for businesses that depend on visibility or proximity to automobiles and vehicle traffic.. It is intended that such areas have properties with lot sizes, yards, performance and development standards sufficient to ensure that activities performed on any one lot will not unduly impede the flow of traffic, will not adversely affect activities of adjoining zones, and will not infringe on the efficiency of activities or customer attractiveness to adjacent lots. It is further intended to exclude those uses which are not necessary for service to traffic, which are not dependent on traffic, and which could reasonably be located elsewhere without contributing to congestion on the major roads.

11.02. USES PERMITTED.

The following uses and their accessory uses shall be permitted in the C-2 Shopping Center Commercial District:

1. **Any retail or wholesale business or services** excluding those requiring outside storage, bulk, except as noted (4) below. **(Amended 3/8/08)**

2. **Professional offices** for doctors, lawyers, dentists, architects, artists, engineers, etc.

3. **Restaurants,** grills, and similar eating establishments.

4. **Automobile sales** rooms, repair, or service garages.

5. **Banks**.

6. **Insurance agencies**.

7. **Off-street parking lots**.

8. **Public utility** structures.

9. **Signs** as regulated in Chapter 20.

10. **Hotels and motels** provided off-street parking is provided**.**

11. **Public places of assembly** such as churches or indoor theaters**.**

12. **Governmental Uses**.

13. **Public Utilities and Facilities** necessary for the provision of public services.

14. **Cemeteries.**

15. **Telecommunications Structures,** subject to the provisions of the Collegedale Telecommunications Ordinance.

16. **Gasoline Service Stations**, provided that no repair service is provided. **(added 1/3/06)**

11.03. USES PERMITTED BY BOARD OF ZONING APPEALS.
In the C-2 Shopping Center Commercial District, the following uses and their accessory uses may be permitted subject to appeal and approval of the Collegedale Board of Zoning Appeals in accordance with the provisions of Section 19.07.

1. **Family Day Care Homes, Group Day Care Homes, and Day Care Centers** subject to the provisions of Section 17.13 of this Ordinance.
2. **Self-Storage, Mini-Warehouses (Commercial Storage Facilities)** (Amended 10/5/15)

11.04. USES PROHIBITED.
In the C-2 Shopping Center Commercial District, all uses, except those uses specifically permitted or permitted on appeal by the Collegedale Board of Zoning Appeals are prohibited.

11.05. DIMENSIONAL REGULATIONS.
All uses permitted in the C-2 Shopping Center Commercial District shall comply with the following requirements:

1. **Front Yard: (Amended 1/4/10)**
   The depth of the front yard shall be thirty-five (35) feet from any right-of-way.

2. **Rear Yard:**
   Where a commercial building is to be serviced from the rear, there shall be provided an alleyway, service court, rear yard, or combination thereof of not less than thirty (30) feet in depth. The depth of a rear yard which abuts a residential district shall be not less than twenty-five (25) feet. In all other cases, the rear yard shall be twenty (20) feet.

3. **Side Yard: (Amended 6/21/04) (Amended 12/7/09) (Amended 1/4/10)**
   The depth of the side yard shall be ten (10) feet, except that a thirty (30) foot side yard setback shall be required on any side which abuts a residential district, in addition the appropriate amount of landscape buffering shall be required pursuant to the requirements of the Landscape Ordinance. Commercial buildings may be built on a common lot line provided there is mutual consent in writing of the owners of the building and land directly involved, and the adjacent walls or common wall of the building has a fire resistant rating equal to the requirements contained within the current edition of the Building Code adopted by the City of Collegedale, Tennessee.

   If the side yard abuts a major thoroughfare, collector road, local street, alley, private right-of-way/easement, or cul-de-sac, the side yard setback shall be thirty-five (35) feet.

4. **Land Area:**
The minimum size of all lots shall be 25,000 square feet.

5. **Height Requirement:**
No building shall exceed four (4) stories or fifty (50) feet, except as provided in Section 18.03.

6. **Buffer Strip:**
Where a commercial building abuts a residential district at either the side or rear yard, a planted buffer strip of not less than fifteen (15) feet wide shall be provided.

11.06. PARKING SPACE REQUIREMENTS.
As regulated in Section 17.02.

11.07. OFF-STREET LOADING AND UNLOADING.
As regulated in Section 17.03.

11.08. ACCESS CONTROL.
As regulated in Section 17.04.

11.09. SIGNAGE REQUIREMENTS.
As regulated in Section 17.05.

11.10. SITE PLAN REQUIREMENTS.
Prior to the issuance of any building permit in this district a site plan drawn in accordance with Section 17.01 of this ordinance shall be submitted to the Collegedale Municipal Planning Commission Staff for administrative review and approval.

CHAPTER 12
C-3 INTERCHANGE COMMERCIAL DISTRICT
(Added 10-02-00)

SECTION

12.01. DISTRICT DESCRIPTION
12.02. USES PERMITTED
12.03. USES PROHIBITED
12.04. DIMENSIONAL REGULATIONS
12.05. PARKING SPACE REQUIREMENTS
12.06. OFF STREET LOADING AND UNLOADING
12.07. ACCESS CONTROL
12.08. SIGNAGE CONTROL
12.09. SITE PLAN REQUIREMENTS

12.01. DISTRICT DESCRIPTION

This district is to provide areas in which the principal use of land is devoted to commercial establishments, which cater specifically to the needs of motor vehicle oriented trade because of their unique location adjacent to an interstate highway system.

12.02. USES PERMITTED

The following uses and their accessory uses shall be permitted in the C-3 Interchange Commercial District:

1. Any retail or wholesale business or services excluding those requiring outside storage, bulk. **(Amended 3/8/08)**

2. Professional offices etc.

3. Drive-Up Restaurants.

4. Full-Service Restaurants or other similar eating establishments.

5. Banks and Financial Institutions.

6. Insurance agencies.

7. Public utility structures and facilities necessary for the provision of public services.

8. Signs as regulated in Chapter 20.

9. Hotels and motels provided off-street parking is provided.

10. Public places of assembly such as churches or indoor theaters.

11. Governmental uses.

12. Telecommunication structures, subject to the provisions of the Collegedale Telecommunications Ordinance.

13. Gasoline Service Stations, provided that no repair service is provided. **(added 1/3/06)**

12.03. USES PROHIBITTED

In the C-3 Interstate Exchange District, all uses, except those uses specifically permitted or permitted on appeal by the Collegedale Board of Zoning Appeals are prohibited.

12.04. DIMENSIONAL REGULATIONS

All uses permitted in the C-3 Interstate Exchange District shall comply with the following requirements:

1. Front Yard: (amended 11/6/06)

The depth of the front yard shall be thirty-five (35) feet from any right-of-way.

2. Rear Yard:

Where a commercial building is to be serviced from the rear there shall be provided an alleyway, service court, rear yard, or combination thereof of not less than thirty (30) feet in depth. The depth of a rear yard, which abuts a residential district, shall be not less than twenty-five (25) feet. In all other cases, the rear yard shall be twenty (20) feet.

3. Side Yard: (Amended 6/21/04) (Amended 12/7/09) (Amended 1/4/10)

The depth of the side yard shall be ten (10) feet, except that a thirty (30) foot side yard setback shall be required on any side which abuts a residential district, in addition the appropriate amount of landscape buffering shall be required pursuant to the requirements of the Landscape Ordinance. Commercial buildings may be built on a common lot line provided there is mutual consent in writing of the owners of the building and land directly involved, and adjacent walls or common wall of the building has a fire resistant rating equal to the requirements contained within the current edition of the Building Code adopted by the City of Collegedale, Tennessee.

If the side yard abuts a major thoroughfare, collector road, local street, alley, private right-of-way/easement, or cul-de-sac, the side yard setback shall be thirty-five (35) feet.

4. Land Area:

The minimum size of all lots shall be 25,000 square feet and those lots not served by a public sanitary sewer system shall not be permitted.

5. Height Requirement:

No building shall exceed four (4) stories of fifty (50) feet, except as provided in Section 18.03.

6. Buffer Strip:

Where a commercial building abuts a residential district at either side the side or rear yard, a planted buffer strip of not less than fifteen (15) feet shall be provided.

12.05. PARKING SPACE REQUIREMENTS

As regulated in Section 17.02. However, if full-service restaurants are to be located within a hotel or motel that cater to the general public in addition to hotel/motel patrons, additional parking shall be required in addition to any other measures determined necessary by the Municipal Planning Commission.

12.06. OFF STREET LOADING AND UNLOADING

As regulated in Section 17.03.

12.07 ACCESS CONTROL
As regulated in Section 17.04.

12.08. SIGNAGE REQUIREMENTS
As regulated in Section 17.05.

12.09. SITE PLAN REQUIREMENTS
Prior to issuance of any building permit in this district a site plan drawn in accordance with Section 17.01 of this ordinance shall be submitted to the Collegedale Municipal Planning Commission Staff for administrative review and approval.

CHAPTER 13
I-1 INDUSTRIAL DISTRICT

SECTION

13.01. DISTRICT DESCRIPTION
13.02. USES PERMITTED
13.03. USES PERMITTED BY BOARD OF ZONING APPEALS
13.04. USES PROHIBITED
13.05. DIMENSIONAL REGULATIONS
13.06. PARKING SPACE REQUIREMENTS
13.07. OFF-STREET LOADING AND UNLOADING
13.08. ACCESS CONTROL
13.09. SIGNAGE REQUIREMENTS
13.10. SITE PLAN REQUIREMENTS

13.01. DISTRICT DESCRIPTION.

The industrial district is established to provide areas in which the principal use of land is for manufacturing and assembly plants, processing, storage, warehousing, and distribution. It is the intent that permitted uses are conducted so that most of the noise, odor, dust, and glare of each operation is confined within an enclosed building. These industries may require direct access to rail, water, or street transportation routes. These regulations are intended to prevent friction between uses within the district and also between adjoining commercial or residential uses.

13.02. USES PERMITTED.

In the I-1 Industrial District, the following uses and their accessory uses are permitted.

1. **Any retail establishment which includes the manufacturing of goods for sale at retail on the premises**.

2. **Repair or service facilities** including, but not limited to, automobile repair, appliance repair, machine shops, cabinet shops, carpentry, plumbing and welding.

3. **Contractors** or construction equipment dealers' yards.

4. **Grain or feed storage** or processing.

5. **Heating fuel** or building material storage or wholesaling.

6. **Truck terminals**.

7. **Railroad** installations or receiving yards.

8. **Wholesale or warehouse** receiving yards.

9. **Bottling plants** and milk distribution stations or packaging works.

10. **Assembly of parts** for production of finished equipment.

11. **Manufacturing, fabricating, processing, or assembling processes** which do not create any danger to health or safety in surrounding areas and which do not create any objectionable noise, vibration, smoke, dust, odor, heat, or glare such as, but not limited, to the following:

a. **Bolts, nails, rivets, or similar fastenings.**
b. **Clothing.**
c. **Food products.**
d. **Pharmaceuticals.**
e. **Furniture and wood products.**
f. **Hand tools and hardware products.**
g. **Leather goods, but not tanning.**
h. **Musical instruments, games, or toys.**
i. **Office machines.**
j. **Optical goods.**
k. **Paper products, but not paper mills.**
l. **Sporting goods.**

12. **Signs and billboards** as regulated in Section 17.05.

13. **Governmental Uses**.

14. **Public Utilities and Facilities** necessary for the provision of public services.

15. **Adult-Oriented Establishments** (as defined in Title 9, Chapter 6, of the City Code.) (**added 4/05)**

16. **Telecommunications Structures,** subject to the provisions of the Collegedale Telecommunications Ordinance.

13.03. USES PERMITTED BY BOARD OF ZONING APPEALS.

In the I-1 Industrial District, the following uses and their accessory uses may be permitted subject to appeal and approval of the Collegedale Board of Zoning Appeals in accordance with the provisions of Section 19.07.

1. **Family Day Care Homes, Group Day Care Homes, and Day Care Centers**, subject to the provisions of Section 17.13 of this Ordinance.

2. **Other industrial uses** that would not be hazardous to the general area.

3. **Establishments Primarily engaged in the Retail Sale of Specialized Lines of Merchandise,** such as: Auctioning of Personal Property, Used and Repossessed Motorized Vehicles, etc. **(Added 11/3/03)**

13.04. USES PROHIBITED.

All uses except those uses specifically permitted in the I-1 Industrial District are prohibited.

13.05. DIMENSIONAL REGULATIONS.

All uses permitted in the I-1 Industrial District shall comply with the following requirements.

1. **Front Yard: (Amended 1/4/10)**
The depth of the front yard shall be thirty-five (35) feet from any right-of-way.

2. **Rear Yard:**
The minimum depth of the rear yard shall be thirty (30) feet provided if more than one (1) lot shall be owned by one (1) person or entity and in the improvement of such lot a building shall be erected on more than one (1) lot, then the rear setback requirement on

the interior lot line or lot lines shall be waived; provided further that if a part of a lot shall be sold before the approved principal building is erected, the line between the part sold and the part retained shall be the lot line to which the setback requirement shall apply.

3. **Side Yard: (Amended 1/4/10)**
The minimum depth of the side yard shall be twenty-five (25) feet provided if more than one (1) lot shall be owned by one (1) person or entity and in the improvement of such lot a building shall be erected on more than one (1) lot, then the side setback requirement on the interior lot line or lot lines shall be waived; provided further that if a part of a lot shall be sold before the approved principal building is erected, the line between the part sold and the part retained shall be the lot line to which the setback requirement shall apply.

If the side yard abuts a major thoroughfare, collector road, local street, alley, private right-of-way/easement, or cul-de-sac, the side yard setback shall be thirty-five (35) feet.

4. **Railroads:**
Lots abutting upon a railroad lead track easement or right-of-way shall reserve sufficient space to permit construction of a side track approximately parallel to the railroad easement or right-of-way.

5. **Land Area:**
Where public water and sewer service are available, there shall be required a minimum land area of one-half (1/2) acres. In areas where only public water is available there shall be a minimum of five (5) acres. No industrial land use shall be permitted in areas where a public water supply is not available except where the planning commission has determined that such use does not require a supply of potable water in its manufacturing operation. In those cases, the Board of Zoning Appeals shall grant written approval of the use and shall establish a minimum land area which shall not be less than five (5) acres.

6. **Maximum Lot Coverage:**
Buildings and accessory facilities shall not cover more than fifty (50) percent of the lot; buildings, accessory facilities, parking, and materials handling and transfer facilities shall not cover more than eighty (80) percent of the lot. No building or accessory facilities above ground shall extend beyond the building setback line(s) into the setback area(s).

7. **Lot Width:**
The minimum lot footage on any public street shall be not less than two hundred (200) feet. In the case of cul-de-sacs, all lots shall front on the turnaround right-of-way line for a distance of no less than twenty-five (25) feet. Lots located on horizontal curves shall have frontage on the right-of-way of not less than one hundred and fifty (150) feet, but must have a minimum of two hundred (200) feet at the building line, and building sites which equal the approximate setback locations of the remainder of the adjacent lot but in no case be closer to the street than the minimum requirements of this district.

No lot shall be less than two hundred (200) feet wide at the building setback line or exceed a three-to-one (3:l) ratio.

8. **Lot Depth:**
No lot's depth shall exceed its width by a ratio of four (4) to one (1).

9. **Buffer Strip:**
Where an industrial building abuts a residential district at either the side or rear yard, a planted buffer strip of not less than twenty-five (25) feet wide shall be provided.

13.06. PARKING SPACE REQUIREMENTS.
As regulated in Section 17.02.

13.07. OFF-STREET LOADING AND UNLOADING REQUIREMENTS.
As regulated in Section 17.03.

13.08. ACCESS CONTROL.
As regulated in Section 17.04.

13.09. SIGNAGE REQUIREMENTS.
As regulated in Section 17.05.

13.10. SITE PLAN REQUIREMENTS.
Prior to the issuance of any building permit in this district a site plan drawn in accordance with Section 17.01 of this ordinance shall be submitted to the Collegedale Municipal Planning Commission Staff for administrative review and approval.

CHAPTER 14
(Amended MU-BC SECTION 11-01-10)
MIXED USE DISTRICTS
MIXED USE TOWN CENTER & MIXED USE BUSINESS CENTER DISTRICTS

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SECTION (MU-BC)
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14.01. DISTRICT DESCRIPTION

This district is intended to assist in implementation of the Four Corners Master Plan by allowing a mixture of high-density residential, retail and service uses in a coordinated fashion around a Town Center public space. Emphasis is given to the pedestrian environment as well as buffering, screening, and landscaping to create a unique area of Collegedale.

14.02. USES PERMITTED

Within the MU-TC of Collegedale, the following uses shall be permitted.

1. **Semi-detached dwellings** as defined in this Ordinance, and subject to the provisions of Section 17.09 (Planned Residential Developments) of this Ordinance.

2. **Attached dwellings** as defined in this Ordinance, and subject to the provisions of Section 17.09 (Planned Residential Developments) of this Ordinance**..**

3. **Patio House dwellings**, as defined in this Ordinance.

4. **Townhouse dwellings** provided that each individual building maintains a minimum 20 foot separation from other buildings on the same property.

5. **Reserved.**

6. **Bed and Breakfast** facilities, subject to the provisions of Section 17.14 of this Ordinance.

7. **Religious Institutions**

8. **Financial Institutions**

9. **Assisted-Living Facilities**

10. **Medical Offices**

11. **Professional Offices**

12. **Nursing Home**

13. **Outpatient Clinic**

14. **Parking lots**

15. **Business Support Services (added 1/3/06)**

16. **Personal Care Services**

17. **Retail Facilities,** excluding automobile sales and service, or any use requiring outside storage, bulk. **(amended 3/8/08)**

18. **Public Utilities and Facilities** necessary for the provision of public services.

19. **Governmental uses**

20. **Theater**

21. **Apartments**, located within commercial structures, provided the following conditions are met:

    1. Apartments shall be located above the ground floor or in the rear of the building, if a one-story building.

    2. Provide a floor layout to ensure adequate space and separate outside entrance.

    3. One off-street parking space per apartment shall be provided, in addition to other spaces required.

    4. Any apartment to be developed shall not be less than eight hundred fifty (850) square feet in area.

    5. The character of the building as a commercial structure shall not be changed by the addition of a residential use.

    6. A site plan and floor layout shall be presented to Planning Commission to ensure the provisions of 1 through 5 above are met. Detailed construction information shall be required to ensure compliance with all pertinent codes of the city.

22. **Establishments** primarily engaged in the washing, waxing, and polishing of motor vehicles, or in furnishing facilities for the self-service washing of motor vehicles**.(Added 5/5/03)**

23. **Restaurants. (added 1/3/06)**

14.03. USES PERMITTED BY BOARD OF ZONING APPEALS

In the MU-TC (Mixed Use-Town Center) District, the following uses and their accessory uses may be permitted subject to review and approval by the Collegedale Board of Zoning Appeals in accordance with the provisions of Section 19.07.

1. **Home Occupations**

2. **Day Care Centers, Group Day Care Facilities, Family Day Care Facilities** subject to the provisions of Section 17.13 of this Ordinance
3. **Automotive Fueling Centers (gas stations)** (Amended 10/5/15)

14.04. USES PROHIBITED

In the MU-TC (Mixed Use-Town Center) District all uses, except those uses or their accessory uses specifically permitted in Section 14.02 above, are prohibited.

14.05. DIMENSIONAL REGULATIONS

All uses permitted in the MU-TC (Mixed Use-Town Center) District shall comply with the following requirements.

1. **Front Yard:**
   None (although the front yard of all structures must comply with the Street Landscaping requirements of the Collegedale Landscaping Ordinance.)

2. **Rear Yard:**
   The minimum depth of the rear yard shall be thirty (30) feet for the principle structure and twenty (20) feet for any permitted accessory structure.

3. **Side Yard:**
   There shall be no minimum required side yard along any street frontage, nor is there a minimum side yard requirement internal to the property, except, however, all single-family detached residential structures shall maintain a minimum separation of ten (10) feet between buildings. The Planning Commission shall reserve the right to require changes in building layouts during site plan review, depending upon a recommendation from City Staff that the site plan does not demonstrate safe design, or that the design as proposed does not meet the adopted goals for the area.

4. **Land Area:**
   For all uses other than residential, there shall be no minimum lot area, as long as all setback, landscaping, and parking requirements are met:

   On lots or parcels of land where there are three-family dwellings:
   Lots with public water and sanitary sewers……..15,000 sq. ft.

   On lots or parcels of land where there are four-family dwellings:
   Lots with public water and sanitary sewers……..18,000 sq. ft.

On lots or parcels of land where there are over four-family dwellings each additional dwelling shall contain an additional 3,000 sq. ft. per dwelling.

5. **Maximum Lot Coverage:**
In no case shall the area occupied by all buildings, including accessory buildings, exceed seventy-five (75) percent of the total land area.

6. **Lot Width:**
The minimum lot footage on any public street shall be not less than fifty (50) feet. In the case of cul-de-sacs, all lots shall front on the turnaround right-of-way line for a distance of no less than twenty-five (25) feet.

7. **Lot Depth:**
No lot's depth shall exceed its width by a ratio of four (4) to one (1).

8. **Height Requirement:**
No building shall exceed three (3) stories or forty-five (45) feet, except as provided in Section 18.03.

14.06. PARKING SPACE REQUIREMENTS. (Amended 5/2/11)
For residential uses, the parking requirement will be the same as required in Section 17.02 of this Ordinance. For non-residential uses, the parking requirement will be seventy-five (75) percent of the requirements listed in Section 17.02 of this Ordinance.

14.07. OFF-STREET LOADING AND UNLOADING.
As regulated in Section 17.03.

14.08. ACCESS CONTROL.
As regulated in Section 17.04.

14.09. SIGNAGE REQUIREMENTS.
As regulated in Section 17.05.

14.10. SITE PLAN REQUIREMENTS.
Prior to the issuance of a building permit, a site plan drawn in accordance with Section 17.01 of this ordinance shall be submitted to the Collegedale Municipal Planning Commission Staff for administrative review and approval.

14.11. LANDSCAPING REQUIREMENTS.
Uses in this zoning district must comply with the Landscaping requirements found in the Collegedale Landscaping Ordinance.

14.12. SPECIAL CONDITIONS.
In order to achieve the objectives listed in the "Four Corners Master Plan: Statement of Assumptions, Objectives, Goals and Policies", which is the official policy guide for this zoning district, the following conditions apply to all development in the MU-TC zone:

a) To achieve the mix of residential and non-residential uses the Plan requires, not less than 10%, of the total uses in the MU-TC zoning district will be of a residential nature. Allocation of the percentage will be on a "first-come-first-served" basis.

b) All buildings, when determined feasible by the Planning Commission, will be situated so that front yards, except for required street landscaping, are eliminated. Structures are encouraged to locate behind the sidewalk, with required parking to the rear.

14.13. DISTRICT DESCRIPTION.

This district is established to provide an area that allows a diverse mix of retail and service businesses with manufacturing and industrial uses. This district allows for businesses that depend on visibility or proximity to automobiles and vehicle traffic as well as non-obtrusive industrial businesses that do not create much outdoor noise, odor, dust or glare. It is intended that such areas have properties with lot sizes, yards, performance and development standards sufficient to ensure that activities performed on any one lot will not unduly impede the flow of traffic, will not adversely affect activities of adjoining zones, and will not infringe on the efficiency of activities or customer attractiveness to adjacent lots.

14.14. USES PERMITTED.

The following uses and their accessory uses shall be permitted in the MU-BC Mixed Use Business District:

1. **Any retail or wholesale business or services**

2. **Professional offices** for doctors, lawyers, dentists, architects, artists, engineers, etc.

3. **Restaurants,** grills, and similar eating establishments.

4. **Automobile sales** rooms, repair, or service garages.

5. **Banks**.

6. **Insurance agencies**.

7. **Off-street parking lots**.

8. **Public utility** structures.

9. **Storage buildings** inclusive of mini-warehouses, etc.

10. **Signs** as regulated in Chapter 20.

11. **Hotels and motels** provided off-street parking is provided**.**

12. **Governmental Uses**.

13. **Public Utilities and Facilities** necessary for the provision of public services.

14. **Telecommunications Structures,** subject to the provisions of the Collegedale Telecommunications Ordinance.

15. **Gasoline Service Stations**

16. **Repair or service facilities** including, but not limited to, automobile repair, appliance repair, machine shops, cabinet shops, carpentry, plumbing and welding.

17. **Contractors** or construction equipment dealers' yards.

18. **Wholesale or warehouse** receiving yards.

19. **Manufacture or the assembly of parts** for the production of finished equipment either for onsite or offsite assembly (including automotive suppliers).

20. **Manufacturing, fabricating, processing, or assembling processes** which do not create any danger to health or safety in surrounding areas and which do not create any objectionable noise, vibration, smoke, dust, odor, heat, or glare such as, but not limited, to the following:

    a. Bolts, nails, rivets, or similar fastenings.
    b. Clothing.
    c. Food products.
    d. Pharmaceuticals.
    e. Furniture and wood products.
    f. Hand tools and hardware products.
    g. Leather goods, but not tanning.
    h. Musical instruments, games, or toys.
    i. Office machines.
    j. Optical goods.
    k. Paper products, but not paper mills.
    l. Sporting goods.

14.15. USES PERMITTED BY BOARD OF ZONING APPEALS.
In the MU-BC Mixed Use Business District, the following uses and their accessory uses may be permitted subject to appeal and approval of the Collegedale Board of Zoning Appeals in accordance with the provisions of Section 19.07.

1. **Family Day Care Homes, Group Day Care Homes, and Day Care Centers** subject to the provisions of Section 17.13 of this Ordinance.

2. **Other Industrial** uses that would not be hazardous to the general area, and that are similar in nature to the uses permitted in the MU-BC district.

14.16. USES PROHIBITED.
In the MU-BC Mixed Use Business District, all uses, except those uses specifically permitted or permitted on appeal by the Collegedale Board of Zoning Appeals are prohibited.

14.17. DIMENSIONAL REGULATIONS.
All uses permitted in the MU-BC Mixed Use Business District shall comply with the following requirements:

1. **Front Yard:**
   The depth of the front yard shall not be less than thirty-five (35) feet from any right-of-way.

2. **Rear Yard:**
   Where a commercial building is to be serviced from the rear, there shall be provided an alleyway, service court, rear yard, or combination thereof of not less than thirty (30) feet in depth. The depth of a rear yard which abuts a residential district shall be not less than thirty (30) feet. In all other cases, the rear yard shall be twenty (20) feet.

3. **Side Yard:**
The depth of the side yard shall be ten (10) feet, except that a thirty (30) foot side yard setback shall be required on any side which abuts a residential district, in addition the appropriate amount of landscape buffering shall be required pursuant to the requirements of the Landscape Ordinance. Commercial buildings (similar uses which are allowed in C-1, C-2, C-3 & MU-TC districts) may be built on a common lot line provided there is mutual consent of the owners of the building and land directly involved in writing, and the adjacent walls or common wall of the building has a fire resistant rating equal to the requirements contained within the current edition of the Building Code and the International Fire Code adopted by the City of Collegedale, Tennessee.

If the side yard abuts a major thoroughfare, collector road, local street, alley, private right-of-way/easement, or cul-de-sac, the side yard setback shall be thirty-five (35) feet.

4. **Land Area:**
The minimum size of all lots shall be 25,000 square feet.

Where public water and sewer service are available, the minimum lot size shall be 25,000 square feet. In areas where only public water is available there shall be a minimum of two (2) acres. No industrial land use shall be permitted in areas where a public water supply is not available except where the planning commission has determined that such use does not require a supply of potable water in its manufacturing operation. In those cases, the Board of Zoning Appeals shall grant written approval of the use and shall establish a minimum land area which shall not be less than five (5) acres.

5. **Height Requirement:**
No building shall exceed four (4) stories or fifty (50) feet, except as provided in Section 18.03.

6. **Maximum Lot Coverage:**
Buildings and accessory facilities shall not cover more than fifty (50) percent of the lot; buildings, accessory facilities, parking, and materials handling and transfer facilities shall not cover more than eighty (80) percent of the lot. No building or accessory facilities above ground shall extend beyond the building setback line(s) into the setback area(s).

7. **Buffer Strip:**
Where a commercial building abuts a residential district at either the side or rear yard, a planted buffer strip shall be required in accordance with the Collegedale Landscape Ordinance.

8. **Lot Depth:**
No lot's depth shall exceed its width by a ratio of four (4) to one (1).

14.18. PARKING SPACE REQUIREMENTS.
As regulated in Section 17.02.

17.19. OFF-STREET LOADING AND UNLOADING.
As regulated in Section 17.03.

14.20. ACCESS CONTROL.
As regulated in Section 17.04.

14.21. SIGNAGE REQUIREMENTS.
As regulated in Section 17.05.

14.22. SITE PLAN REQUIREMENTS.
Prior to the issuance of any building permit in this district a site plan drawn in accordance with Section 17.01 of this ordinance shall be submitted to the Collegedale Municipal Planning Commission Staff for administrative review and approval.

CHAPTER 15
A-1 AIRPORT DISTRICT

SECTION

15.01. DESCRIPTION
15.02. DEFINITIONS
15.03. AIRPORT ZONES
15.04. AIRPORT ZONE HEIGHT LIMITATIONS
15.05. USE RESTRICTION
15.06. NONCONFORMING USES
15.07. PERMITS

15.01. DESCRIPTION

This district is established as an overlay zone to regulate and restrict the height of structures and objects of natural growth in the vicinity of the Collegedale Airport. It is intended to protect the size of areas available for the landing, takeoff, and maneuvering of aircraft to protect the public investment associated with the utility of the airport.

15.02. DEFINITIONS

Airport. Means Collegedale Airport.

Airport Elevation. 100 feet above mean sea level.

Approach Surface. A surface longitudinally centered on the extended runway centerline, extending outward and upward from the end of the primary surface and at the same slope as the approach zone height limitation slope set forth in Section IV of this Ordinance. In plan the perimeter of the approach surface coincides with the perimeter of the approach zone.

Approach, Transitional, Horizontal, and Conical Zones. These zones are set forth in Section III of this Ordinance.

Board of Appeals. A board consisting of five members appointed by the City Council as provided in Chapter 19, Section 19.06 of this Ordinance.

Conical Surface. A surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 to 1 for a horizontal distance of 4,000 feet.

Hazard to Air Navigation. An obstruction determined to have a substantial adverse effect on the safe and efficient utilization of the navigable airspace.

Height. For the purpose of determining the height limits in all zones set forth in this Ordinance and shown on the zoning map, the datum shall be mean sea level elevation unless otherwise specified.

Horizontal Surface. A horizontal plane 150 feet above the established airport elevation, the perimeter of which in plan coincides with the perimeter of the horizontal zone.

Larger than Utility Runway. A runway that is constructed for and intended to be used by propeller driven aircraft of greater than 12,500 pounds maximum gross weight and jet powered aircraft.

Nonconforming Use. An pre-existing structure, object of natural growth, or use of land which is inconsistent with the provisions of this Ordinance or an amendment thereto.

Nonprecision Instrument Runway. A runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight in nonprecision instrument approach procedure has been approved or planned.

Obstruction. Any structure, growth, or other object, including a mobile object, which exceeds a limiting height set forth in Section IV of this Ordinance.

Person. An individual, firm, partnership, corporation, company, association, joint stock association or government entity; includes a trustee, a receiver, an assignee, or a similar representative of any of them.

Precision Instrument Runway. A runway having an existing instrument approach procedure utilizing an Instrument Land System (ILS) or a Precision Approach Radar (PAR). It also means a runway for which a precision approach system is planned and is so indicated on an approved airport layout plan or any other planning document.

Primary Surface. A surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends 200 feet beyond each end of that runway; for military runways or when the runway has no specially prepared hard surface, or planned hard surface, the primary surface ends at each end of that runway. The width of the primary surface is set forth in Section III of this Ordinance. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.

Runway. A defined area on an airport prepared for landing and take-off of aircraft along its length.

Structure. An object, including a mobile object, constructed or installed by man, including but without limitation, buildings, towers, cranes, smokestacks, earth formation, and overhead transmission lines.

Transitional Surfaces. These surfaces extend outward at 90 degree angles to the runway centerline and the runway centerline extended at a slope of seven (7) feet horizontally for each foot vertically from the sides of the primary and approach surfaces to where they intersect the horizontal and conical surfaces. Transitional surfaces for those portions of the precision approach surfaces, which through and beyond the limits of the conical surface, extend a distance of 5,000 feet measured horizontally from the edge of the approach surface and at 90 degree angles to the extended runway centerline.

Tree. Any object of natural growth.

Utility Runway. A runway that is constructed for and intended to be used by propeller driven aircraft of 12,500 pounds maximum gross weight and less.

Visual Runway. A runway intended solely for the operation of aircraft using visual approach procedures.

15.03. AIRPORT ZONES

In order to carry out the provisions of this Ordinance, there are hereby created and established certain zones which includes all of the land lying beneath the approach surfaces, transitional surfaces, horizontal surfaces, and conical surfaces as they apply to Collegedale Airport. Such zones are shown on the Collegedale Zoning Map. An area located in more than one of the following zones is considered to be only the zone with the more restrictive height limitation. The various zones are hereby established and defined as follows:

1. **Utility Runway Visual Approach Zone**. The inner edge of this approach zone coincides with the width of the primary surface and is 250 feet wide. The approach zone expands outward uniformly to a width of 1,250 feet at a horizontal distance of 5,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.

2. **Utility Runway Nonprecision Instrument Approach Zone**. The inner edge of this approach zone coincides with the width of the primary surface and is 500 feet wide. The approach zone expands outward uniformly to a width of 2,000 feet at a horizontal distance of 5,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.

3. **Runway Larger Than Utility Visual Approach Zone**. The inner edge of this approach zone coincides with the width of the primary surface and is 500 feet wide. The approach zone expands outward uniformly to a width of 1,500 feet at a horizontal distance of 5,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.

4. **Runway Larger Than Utility With a Visibility Minimum Greater Than 3/4 Mile Nonprecision Instrument Approach Zone**. The inner edge of this approach zone coincides with the width of the primary surface and is 500 feet wide. The approach zone expands outward uniformly to a width of 3,500 feet at a horizontal distance of 10,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.

5. **Runway Larger Than Utility With a Visibility Minimum As Low as 3/4 Mile Nonprecision Instrument Approach Zone**. The inner edge of this approach zone coincides with the width of the primary surface and is 1,000 feet wide. The approach zone expands outward uniformly to a width of 4,000 feet at a horizontal distance of 10,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.

6. **Precision Instrument Runway Approach Zone**. The inner edge of this approach zone coincides with the width of the primary surface and is 1,000 feet wide. The approach zone expands outward uniformly to a width of 16,000 feet at a horizontal distance of 50,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.

7. **Transitional Zone**. The transitional zones are the areas beneath the transitional surfaces.

8. **Horizontal Zone**. The horizontal zone is established by swinging arcs of 5,000 feet radii for all runways designated utility or visual and 10,000 feet for all others from the center of each end of the primary surface of each runway and connecting the adjacent arcs by drawing lines tangent to those arcs. The horizontal zone does not include the approach and transitional zones.

9. **Conical Zone**. The conical zone is established as the area that commences at the periphery of the horizontal zone and extends outward therefrom a horizontal distance of 4,000 feet.

15.04. AIRPORT ZONE HEIGHT LIMITATIONS

Except as otherwise provided in this Ordinance, no structure shall be erected, altered, or maintained, and no tree shall be allowed to grow in any zone created by this Ordinance to a

height in excess of the applicable height herein established for such zone. Such applicable height limitations are hereby established for each of the zones in question as follows:

1. **Utility Runway Visual Approach Zone**. Slopes twenty (20) feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline.

2. **Instrument Utility Runway Nonprecision Approach Zone**. Slopes twenty (20) feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline.

3. **Runway Larger Than Utility Visual Approach Zone**. Slopes twenty (20) feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline.

4. **Runway Larger Than Utility With a Visibility Minimum Greater Than 3/4 Mile Nonprecision Instrument Approach Zone**. Slopes thirty-four (34) feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline.

5. **Runway Larger Than Utility With a Visibility Minimum As Low 3/4 Mile Nonprecision Instrument Approach Zone**. Slopes thirty-four (34) feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline.

6. **Precision Instrument Runway Approach Zone**. Slopes fifty (50) feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline; thence slopes upward forty (40) feet horizontally for each foot vertically to an additional horizontal distance of 40,0 00 feet along the extended runway centerline.

7. **Transitional Zone**. Slopes seven (7) feet outward for each foot upward beginning at the sides of and at the same elevation as the primary surface and the approach surface, and extending to a height of 150 feet above the airport elevation which is 100 feet above mean sea level. In addition to the foregoing, there are established height limits sloping seven (7) feet outward for each foot upward beginning at the sides of and the same elevation as the approach surface, and extending to where they intersect the conical surface. Where the precision instrument runway approach zoning projects beyond the conical zoning, there are established height limits sloping seven (7) feet outward for each foot upward beginning at the sides of and the same elevation as the approach surface, and extending a horizontal distance of 5,000 feet measured at 90 degree angles to the extended runway centerline.

8. **Horizontal Zone**. Established at 150 feet above the airport elevation or at a height of 250 feet above mean sea level.

9. **Conical Zone**. Slopes twenty (20) feet outward for each foot upward beginning at the periphery of the horizontal zone and at 150 feet above the airport elevation and extending to a height of 350 feet above the airport elevation.

10. **Excepted Height Limitations**. Nothing in this Ordinance shall be construed as prohibiting the construction or maintenance of any structure, or growth of any tree to a height up to 50 feet above the surface of the land.

15.05. USE RESTRICTION

Notwithstanding any other provisions of this Ordinance, no use may be made or land or water within any zoning established by this Ordinance in such a manner as to create electrical interference with navigational signals or radio communication between the airport and aircraft, make it difficult for pilots to distinguish between airport lights and others, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create bird strike hazards, or otherwise in any way endanger or interfere with the landing, takeoff, or maneuvering of aircraft intending to use the airport.

15.06. NONCONFORMING USES

1. **Regulations Not Retroactive**. The regulations prescribed in this Ordinance shall not be construed to require the removal, lowering, or other change or alteration of any structure or tree not conforming to the regulations as the effective date of this Ordinance, or otherwise interfere with the continuance of a nonconforming use. Nothing contained wherein shall require any change in the construction, alteration, or intended use of any structure, the construction or alteration of which was begun prior to the effective date of this Ordinance, and is diligently prosecuted.

2. **Marking and Lighting**. Notwithstanding the preceding provisions of this Section, the owner of any existing nonconforming structure or tree is hereby required to permit the installation, operation, and maintenance thereon of such markers and lights as shall be deemed necessary by the Zoning official to indicate to the operators of aircraft in the vicinity of the airport the presence of such airport obstruction. Such markers and lights shall be installed, operated, and maintained at the expense for the City of Collegedale.

15.07. PERMITS

1. **Future Uses**. Except as specifically provided in a, b, and c hereunder, no material change shall be made in the use of land, no structure shall be erected or otherwise established, and no tree shall be planted in any zone hereby created unless a permit therefore shall have been applied for and granted. Each application for a permit shall indicate the purpose for which the permit is desired, with sufficient particularity to permit it to be determined whether the resulting use, structure, or tree would conform to the regulations herein prescribed. If such determination is in the affirmative, the permit shall be granted. No permit for a use inconsistent with the provisions of this ordinance shall be granted unless a variance has been approved in accordance with Section 15.07.03.

    a. In the area lying within the limits of the horizontal zone and conical zone, no permit shall be required for any tree or structure less than seventy-five (75) feet of vertical height above the ground, except when, because of terrain, land contour, or topographic features, such tree or structure would extend above the height limits prescribed for such zones.

    b. In areas lying within the limits of the approach zones but at a horizontal distance of not less than 4,200 feet from each end of the runway, no permit shall be required for any tree or structure less than seventy-five (75) feet of vertical height above ground, except when such tree or structure would extend above the height limit prescribed for such approach zones.

c. In the areas lying within the limits of the transition zones beyond the perimeter of the horizontal zone, no permit shall be required for any tree or structure less than seventy-five (75) feet of vertical height above the ground, except when such tree or structure, because of terrain, land contour, or topographic features, would extend above the height limit prescribed for such transition zones.

Nothing contained in any of the foregoing exceptions shall be construed as permitting or intending to permit any construction, or alteration of any structure, or growth of any tree in excess of any of the height limits established by this Ordinance except as set forth in Section 18.03.

1. **Existing Uses**. No permit shall be granted that would allow the establishment or creation of any obstruction or permit a nonconforming use, structure, or tree to become a greater hazard to air navigation, than it was on the effective date of this Ordinance or any amendments thereto or than it is when the application for a permit is made. Except as indicated, all applications for such a permit shall be granted.

2. **Nonconforming Uses Abandoned or Destroyed**. Whenever the Zoning official determines that a nonconforming tree or structure has been abandoned or more than 80 percent torn down, physically deteriorated, or decayed, no permit shall be granted that would allow such structure or tree to exceed the applicable height limit or otherwise deviate from the zoning regulations.

3. **Variances**. Any person desiring to erect or increase the height of any structure, or permit the growth of any tree, or use properly, not in accordance with the regulations prescribed in this Ordinance, may apply to the Board of Appeals for a variance from such regulations. The application for variance shall be accompanied by a determination from the Federal Aviation Administration as to the effect of the proposal on the operation of air navigation facilities and the safe, efficient use of navigable airspace. Such variances shall be allowed where it is dully found that a literal application or enforcement of the regulations will result in unnecessary hardship and relief granted, will not be contrary to the public interest, will not create a hazard to air navigation, will do substantial justice, and will be in accordance with the spirit of this Ordinance. Additionally, no application for variance to the requirements of this Ordinance may be considered by the Board of Appeals unless a copy of this application has been furnished to the Airport Manager does not respond to the application within 15 days after receipt, the Board of Appeals may act on its own to grant or deny said application.

4. **Obstruction Marking and Lighting**. Any permit or variance granted may if such action is deemed advisable to effectuate the purpose of this Ordinance and be reasonable in the circumstances, be so conditioned as to require the owner of the structure or tree in question to install, operate, and maintain, at the owner's expense, such markings and lights as may be necessary. If deemed proper by the Board of Appeals, this condition may be modified to require the owner to permit the City of Collegedale, at its own expense, to install, operate and maintain the necessary markings and lights.

CHAPTER 16
FLOOD HAZARD DISTRICT

Flood hazard districts as established by the Hamilton County, Tennessee, Flood Insurance Rate Maps, are governed by the Collegedale Municipal Floodplain Zoning Ordinance. A copy of this ordinance is located in the Appendix of the Collegedale Municipal Zoning Ordinance.

ARTICLE I. STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND OBJECTIVES

Section A. Statutory Authorization

The Legislature of the State of Tennessee has in Sections 13-7-201 through 13-7-210, Tennessee Code Annotated delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the **City** of **Collegedale**, Tennessee, Mayor and **City Commission**, do ordain as follows:

Section B. Findings of Fact

1. The **City** of **Collegedale,** Tennessee, Mayor and its Legislative Body wishes to **maintain** eligibility in the National Flood Insurance Program (NFIP) and in order to do so must meet the NFIP regulations found in Title 44 of the Code of Federal Regulations (CFR), Ch. 1, Section 60.3.

2. Areas of the **City** of **Collegedale,** Tennessee are subject to periodic inundation which could result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.

3. Flood losses are caused by the cumulative effect of obstructions in floodplains, causing increases in flood heights and velocities; by uses in flood hazard areas which are vulnerable to floods; or construction which is inadequately elevated, floodproofed, or otherwise unprotected from flood damages.

Section C. Statement of Purpose

It is the purpose of this Ordinance to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas. This Ordinance is designed to:

1. Restrict or prohibit uses which are vulnerable to flooding or erosion hazards, or which result in damaging increases in erosion, flood heights, or velocities;

2. Require that uses vulnerable to floods, including community facilities, be protected against flood damage at the time of initial construction;

3. Control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of floodwaters;

4. Control filling, grading, dredging and other development which may increase flood damage or erosion;

5. Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

Section D. Objectives

The objectives of this Ordinance are:

1. To protect human life, health, safety and property;

2. To minimize expenditure of public funds for costly flood control projects;

3. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;

4. To minimize prolonged business interruptions;

5. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and telecommunications, sewer lines, streets and bridges located in floodprone areas;

6. To help maintain a stable tax base by providing for the sound use and development of floodprone areas to minimize blight in flood areas;

7. To ensure that potential homebuyers are notified that property is in a floodprone area;

8. To **maintain** eligibility for participation in the NFIP.

ARTICLE II. DEFINITIONS

Unless specifically defined below, words or phrases used in this Ordinance shall be interpreted as to give them the meaning they have in common usage and to give this Ordinance its most reasonable application given its stated purpose and objectives.

"Accessory Structure" means a subordinate structure to the principal structure on the same lot and, for the purpose of this Ordinance, shall conform to the following:

1. Accessory structures shall only be used for parking of vehicles and storage.

2. Accessory structures shall be designed to have low flood damage potential.

3. Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters.

4. Accessory structures shall be firmly anchored to prevent flotation, collapse, and lateral movement, which otherwise may result in damage to other structures.

5. Utilities and service facilities such as electrical and heating equipment shall be elevated or otherwise protected from intrusion of floodwaters.

"Addition (to an existing building)" means any walled and roofed expansion to the perimeter or height of a building.

"Appeal" means a request for a review of the local enforcement officer's interpretation of any provision of this Ordinance or a request for a variance.

"Area of Shallow Flooding" means a designated AO or AH Zone on a community's Flood Insurance Rate Map (FIRM) with one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate; and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

"Area of Special Flood-related Erosion Hazard" is the land within a community which is most likely to be subject to severe flood-related erosion losses. The area may be designated as Zone E on the Flood Hazard Boundary Map (FHBM). After the detailed evaluation of the special flood-related erosion hazard area in preparation for publication of the FIRM, Zone E may be further refined.

"Area of Special Flood Hazard" see **"Special Flood Hazard Area"**.

"Base Flood" means the flood having a one percent chance of being equaled or exceeded in any given year. This term is also referred to as the 100-year flood or the one (1)-percent annual chance flood.

"Basement" means any portion of a building having its floor subgrade (below ground level) on all sides.

"Building" see "**Structure"**.

"Development" means any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations, or storage of equipment or materials.

"Elevated Building" means a non-basement building built to have the lowest floor of the lowest enclosed area elevated above the ground level by means of: solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of floodwater, pilings, columns, piers, or shear walls adequately anchored so as not to impair the structural integrity of the building during a base flood event.

"Emergency Flood Insurance Program" or **"Emergency Program"** means the program as implemented on an emergency basis in accordance with Section 1336 of the Act. It is intended as a program to provide a first layer amount of insurance on all insurable structures before the effective date of the initial FIRM.

"Erosion" means the process of the gradual wearing away of land masses. This peril is not "per se" covered under the Program.

"Exception" means a waiver from the provisions of this Ordinance which relieves the applicant from the requirements of a rule, regulation, order or other determination made or issued pursuant to this Ordinance.

"Existing Construction" means any structure for which the "start of construction" commenced before the effective date of the initial floodplain management code or ordinance adopted by the community as a basis for that community's participation in the NFIP.

"Existing Manufactured Home Park or Subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, final site grading or the pouring of concrete pads) is completed before the effective date of the first floodplain management code or ordinance adopted by the community as a basis for that community's participation in the NFIP.

"Existing Structures" see **"Existing Construction"**.

"Expansion to an Existing Manufactured Home Park or Subdivision" means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

"Flood" or "Flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from:

1. The overflow of inland or tidal waters.

2. The unusual and rapid accumulation or runoff of surface waters from any source.

"Flood Elevation Determination" means a determination by the Federal Emergency Management Agency (FEMA) of the water surface elevations of the base flood, that is, the flood level that has a one percent or greater chance of occurrence in any given year.

"Flood Elevation Study" means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) or flood-related erosion hazards.

"Flood Hazard Boundary Map (FHBM)" means an official map of a community, issued by FEMA, where the boundaries of areas of special flood hazard have been designated as Zone A.

"Flood Insurance Rate Map (FIRM)" means an official map of a community, issued by FEMA, delineating the areas of special flood hazard or the risk premium zones applicable to the community.

"Flood Insurance Study" is the official report provided by FEMA, evaluating flood hazards and containing flood profiles and water surface elevation of the base flood.

"Floodplain" or **"Floodprone Area"** means any land area susceptible to being inundated by water from any source (see definition of "flooding").

"Floodplain Management" means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.

"Flood Protection System" means those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the area within a community subject to a "special flood

hazard" and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

"Floodproofing" means any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities and structures and their contents.

"Flood-related Erosion" means the collapse or subsidence of land along the shore of a lake or other body of water as a result of undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as a flash flood, or by some similarly unusual and unforeseeable event which results in flooding.

"Flood-related Erosion Area" or **"Flood-related Erosion Prone Area"** means a land area adjoining the shore of a lake or other body of water, which due to the composition of the shoreline or bank and high water levels or wind-driven currents, is likely to suffer flood-related erosion damage.

"Flood-related Erosion Area Management" means the operation of an overall program of corrective and preventive measures for reducing flood-related erosion damage, including but not limited to emergency preparedness plans, flood-related erosion control works and floodplain management regulations.

"Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

"Freeboard" means a factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, blockage of bridge or culvert openings, and the hydrological effect of urbanization of the watershed.

"Functionally Dependent Use" means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

"Highest Adjacent Grade" means the highest natural elevation of the ground surface, prior to construction, adjacent to the proposed walls of a structure.

"Historic Structure" means any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;

3. Individually listed on the Tennessee inventory of historic places and determined as eligible by states with historic preservation programs which have been approved by the Secretary of the Interior; or

4. Individually listed on the **City** of **Collegedale,** Tennessee inventory of historic places and determined as eligible by communities with historic preservation programs that have been certified either:

   a. By the approved Tennessee program as determined by the Secretary of the Interior or

   b. Directly by the Secretary of the Interior.

"Levee" means a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control or divert the flow of water so as to provide protection from temporary flooding.

"Levee System" means a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

"Lowest Floor" means the lowest floor of the lowest enclosed area, including a basement. An unfinished or flood resistant enclosure used solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this Ordinance.

"Manufactured Home" means a structure, transportable in one or more sections, which is built on a permanent chassis and designed for use with or without a permanent foundation when attached to the required utilities. The term "Manufactured Home" does not include a "Recreational Vehicle".

"Manufactured Home Park or Subdivision" means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

"Map" means the Flood Hazard Boundary Map (FHBM) or the Flood Insurance Rate Map (FIRM) for a community issued by FEMA.

"Mean Sea Level" means the average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. For the purposes of this Ordinance, the term is synonymous with the National Geodetic Vertical Datum (NGVD) of 1929, the North American Vertical Datum (NAVD) of 1988, or other datum, to which Base Flood Elevations shown on a community's Flood Insurance Rate Map are referenced.

"National Geodetic Vertical Datum (NGVD)" means, as corrected in 1929, a vertical control used as a reference for establishing varying elevations within the floodplain.

"New Construction" means any structure for which the "start of construction" commenced on or after the effective date of the initial floodplain management Ordinance and includes any subsequent improvements to such structure.

"New Manufactured Home Park or Subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the

manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of this ordinance or the effective date of the initial floodplain management ordinance and includes any subsequent improvements to such structure.

"North American Vertical Datum (NAVD)" means, as corrected in 1988, a vertical control used as a reference for establishing varying elevations within the floodplain.

"100-year Flood" see **"Base Flood"**.

"Person" includes any individual or group of individuals, corporation, partnership, association, or any other entity, including State and local governments and agencies.

"Reasonably Safe from Flooding" means base flood waters will not inundate the land or damage structures to be removed from the Special Flood Hazard Area and that any subsurface waters related to the base flood will not damage existing or proposed structures.

"Recreational Vehicle" means a vehicle which is:

1. Built on a single chassis;
2. 400 square feet or less when measured at the largest horizontal projection;
3. Designed to be self-propelled or permanently towable by a light duty truck;
4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

"Regulatory Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

"Riverine" means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

"Special Flood Hazard Area" is the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. The area may be designated as Zone A on the FHBM. After detailed ratemaking has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zones A, AO, AH, A1-30, AE or A99.

Zone A:
Areas subject to inundation by the 1-percent-annual-chance flood event generally determined using approximate methodologies. Because detailed hydraulic analyses have not been performed, no Base Flood Elevations (BFEs) or flood depths are shown. Mandatory flood insurance purchase requirements and floodplain management standards apply.

Zone AE & A1-30:
Areas subject to inundation by the 1-percent-annual-chance flood event determined by detailed methods. Base Flood Elevations (BFEs) are shown. Mandatory flood insurance purchase requirements and floodplain management standards apply.

Zone AH:
Areas subject to inundation by 1-percent-annual-chance shallow flooding (usually areas of ponding) where average depths are between one and three feet. Base Flood Elevations (BFEs) derived from detailed hydraulic analyses are shown in this zone. Mandatory flood insurance purchase requirements and floodplain management standards apply.

Zone AO:
Areas subject to inundation by 1-percent-annual-chance shallow flooding (usually sheet flow on sloping terrain) where average depths are between one and three feet. Average flood depths derived from detailed hydraulic analyses are shown in this zone. Mandatory flood insurance purchase requirements and floodplain management standards apply. Some AO Zones have been designated in areas with high flood velocities such as alluvial fans and washes.

Zone A99:
Areas subject to inundation by the 1-percent-annual-chance flood event, but which will ultimately be protected upon completion of an under-construction Federal flood protection system. These are areas of special flood hazard where enough progress has been made on the construction of a protection system, such as dikes, dams, and levees, to consider it complete for insurance rating purposes. Zone A99 may only be used when the flood protection system has reached specified statutory progress toward completion. No Base Flood Elevations (BFEs) or depths are shown. Mandatory flood insurance purchase requirements and floodplain management standards apply.

Shaded Zone X:
Areas subject to inundation by the 500-year flood and inundation by the 100-year flood with average depths of less than one foot or with drainage areas less than one square mile. Shaded Zone X areas include those protected by levees from the 100-year flood. Mandatory flood insurance purchase requirements and floodplain management standards apply.

Unshaded Zone X:
Areas determined to be outside of the 500-year floodplain; therefore, this area is not likely to be inundated by flooding.

"Special Hazard Area" means an area having special flood, mudslide (i.e., mudflow) and/or flood-related erosion hazards, and shown on an FHBM or FIRM as Zone A, AO, A1-30, AE, A99, or AH.

"Start of Construction" includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; and includes the placement of a manufactured home on a foundation. Permanent construction does not include

initial land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds, not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

"State Coordinating Agency" the Tennessee Department of Economic and Community Development's, Local Planning Assistance Office, as designated by the Governor of the State of Tennessee at the request of FEMA to assist in the implementation of the NFIP for the State.

"Structure" for purposes of this Ordinance, means a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

"Substantial Damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty percent (50%) of the market value of the structure before the damage occurred.

"Substantial Improvement" means any reconstruction, rehabilitation, addition, alteration or other improvement of a structure in which the cost equals or exceeds fifty percent (50%) of the market value of the structure before the "start of construction" of the initial improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The market value of the structure should be (1) the appraised value of the structure prior to the start of the initial improvement, or (2) in the case of substantial damage, the value of the structure prior to the damage occurring.

The term does not, however, include either: (1) Any project for improvement of a structure to correct existing violations of State or local health, sanitary, or safety code specifications which have been pre-identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions and not solely triggered by an improvement or repair project or; (2) Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".

"Substantially Improved Existing Manufactured Home Parks or Subdivisions" is where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds fifty percent (50%) of the value of the streets, utilities and pads before the repair, reconstruction or improvement commenced.

"Variance" is a grant of relief from the requirements of this Ordinance.

"Violation" means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certification, or other evidence of compliance required in this Ordinance is presumed to be in violation until such time as that documentation is provided.

"Water Surface Elevation" means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, the North American Vertical Datum (NAVD) of 1988, or other datum, where specified, of floods of various magnitudes and frequencies in the floodplains of riverine areas.

ARTICLE III. GENERAL PROVISIONS

Section A. **Application**

This Ordinance shall apply to all areas within the incorporated area of the **City** of **Collegedale**, Tennessee.

Section B. **Basis for Establishing the Areas of Special Flood Hazard**

The Areas of Special Flood Hazard identified on the City of Collegedale, Tennessee, as identified by FEMA, and in its Flood Insurance Study (FIS) dated February 3, 2016, and Flood Insurance Rate Map (FIRM), Community 475422, Panel Numbers 47065C0378G, 47065C0379G, 47065C0384G, 47065C0383G, 47065C0387G, 47065C0389G, 47065C0391G, 47065C0392G, 47065C0393G, and 47065C0394G, dated February 3, 2016, along with all supporting technical data, are adopted by reference and declared to be a part of this Ordinance.

Section C. **Requirement for Development Permit**

A development permit shall be required in conformity with this Ordinance prior to the commencement of any development activities.

Section D. **Compliance**

No land, structure or use shall hereafter be located, extended, converted or structurally altered without full compliance with the terms of this Ordinance and other applicable regulations.

Section E. **Abrogation and Greater Restrictions**

This Ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants or deed restrictions. However, where this Ordinance conflicts or overlaps with another regulatory instrument, whichever imposes the more stringent restrictions shall prevail.

Section F. **Interpretation**

In the interpretation and application of this Ordinance, all provisions shall be: (1) considered as minimum requirements; (2) liberally construed in favor of the governing body and; (3) deemed neither to limit nor repeal any other powers granted under Tennessee statutes.

Section G. **Warning and Disclaimer of Liability**

The degree of flood protection required by this Ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This Ordinance does not imply that land outside the Areas of Special Flood Hazard or uses permitted within such areas will be free from flooding or flood damages. This Ordinance shall not create liability on the part of the **City** of **Collegedale**, Tennessee or by any officer or employee thereof for any flood damages that result from reliance on this Ordinance or any administrative decision lawfully made hereunder.

Section H. Penalties for Violation

Violation of the provisions of this Ordinance or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance shall constitute a misdemeanor punishable as other misdemeanors as provided by law. Any person who violates this ordinance or fails to comply with any of its requirements shall, upon adjudication therefore, be fined as prescribed by Tennessee statutes, and in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the **City** of **Collegedale**, Tennessee from taking such other lawful actions to prevent or remedy any violation.

ARTICLE IV. ADMINISTRATION

Section A. Designation of Ordinance Administrator

The **Building Inspector** is hereby appointed as the Administrator to implement the provisions of this Ordinance.

Section B. Permit Procedures

Application for a development permit shall be made to the Administrator on forms furnished by the community prior to any development activities. The development permit may include, but is not limited to the following: plans in duplicate drawn to scale and showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, earthen fill placement, storage of materials or equipment, and drainage facilities. Specifically, the following information is required:

1. Application stage

    a. Elevation in relation to mean sea level of the proposed lowest floor, including basement, of all buildings where Base Flood Elevations are available, or to certain height above the highest adjacent grade when applicable under this Ordinance.

    b. Elevation in relation to mean sea level to which any non-residential building will be floodproofed where Base Flood Elevations are available, or to certain height above the highest adjacent grade when applicable under this Ordinance.

    c. A FEMA Floodproofing Certificate from a Tennessee registered professional engineer or architect that the proposed non-residential floodproofed building will meet the floodproofing criteria in Article V, Sections A and B.

    d. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

2. Construction Stage

    Within AE Zones, where Base Flood Elevation data is available, any lowest floor certification made relative to mean sea level shall be prepared by or under the

direct supervision of, a Tennessee registered land surveyor and certified by same. The Administrator shall record the elevation of the lowest floor on the development permit. When floodproofing is utilized for a non-residential building, said certification shall be prepared by, or under the direct supervision of, a Tennessee registered professional engineer or architect and certified by same.

Within approximate A Zones, where Base Flood Elevation data is not available, the elevation of the lowest floor shall be determined as the measurement of the lowest floor of the building relative to the highest adjacent grade. The Administrator shall record the elevation of the lowest floor on the development permit. When floodproofing is utilized for a non-residential building, said certification shall be prepared by, or under the direct supervision of, a Tennessee registered professional engineer or architect and certified by same.

For all new construction and substantial improvements, the permit holder shall provide to the Administrator an as-built certification of the lowest floor elevation or floodproofing level upon the completion of the lowest floor or floodproofing.

Any work undertaken prior to submission of the certification shall be at the permit holder's risk. The Administrator shall review the above-referenced certification data. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further work being allowed to proceed. Failure to submit the certification or failure to make said corrections required hereby, shall be cause to issue a stop-work order for the project.

Section C. <u>Duties and Responsibilities of the Administrator</u>

Duties of the Administrator shall include, but not be limited to, the following:

1. Review all development permits to assure that the permit requirements of this Ordinance have been satisfied, and that proposed building sites will be reasonably safe from flooding.

2. Review proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334.

3. Notify adjacent communities and the Tennessee Department of Economic and Community Development, Local Planning Assistance Office, prior to any alteration or relocation of a watercourse and submit evidence of such notification to FEMA.

4. For any altered or relocated watercourse, submit engineering data/analysis within six (6) months to FEMA to ensure accuracy of community FIRM's through the Letter of Map Revision process.

5. Assure that the flood carrying capacity within an altered or relocated portion of any watercourse is maintained.

6. Record the elevation, in relation to mean sea level or the highest adjacent grade, where applicable, of the lowest floor (including basement) of all new and substantially improved buildings, in accordance with Article IV, Section B.

7. Record the actual elevation, in relation to mean sea level or the highest adjacent grade, where applicable to which the new and substantially improved buildings have been floodproofed, in accordance with Article IV, Section B.

8. When floodproofing is utilized for a nonresidential structure, obtain certification of design criteria from a Tennessee registered professional engineer or architect, in accordance with Article IV, Section B.

9. Where interpretation is needed as to the exact location of boundaries of the Areas of Special Flood Hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions), make the necessary interpretation. Any person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this Ordinance.

10. When Base Flood Elevation data and floodway data have not been provided by FEMA, obtain, review, and reasonably utilize any Base Flood Elevation and floodway data available from a Federal, State, or other sources, including data developed as a result of these regulations, as criteria for requiring that new construction, substantial improvements, or other development in Zone A on the **City** of **Collegedale,** Tennessee FIRM meet the requirements of this Ordinance.

11. Maintain all records pertaining to the provisions of this Ordinance in the office of the Administrator and shall be open for public inspection. Permits issued under the provisions of this Ordinance shall be maintained in a separate file or marked for expedited retrieval within combined files.

ARTICLE V. PROVISIONS FOR FLOOD HAZARD REDUCTION

Section A. General Standards

In all areas of special flood hazard, the following provisions are required:

1. New construction and substantial improvements shall be anchored to prevent flotation, collapse and lateral movement of the structure;

2. Manufactured homes shall be installed using methods and practices that minimize flood damage. They must be elevated and anchored to prevent flotation, collapse and lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State of Tennessee and local anchoring requirements for resisting wind forces.

3. New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage;

4. New construction and substantial improvements shall be constructed by methods and practices that minimize flood damage;

5. All electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;

6. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;

7. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters;

8. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding;

9. Any alteration, repair, reconstruction or improvements to a building that is in compliance with the provisions of this Ordinance, shall meet the requirements of "new construction" as contained in this Ordinance;

10. Any alteration, repair, reconstruction or improvements to a building that is not in compliance with the provision of this Ordinance, shall be undertaken only if said non-conformity is not further extended or replaced;

11. All new construction and substantial improvement proposals shall provide copies of all necessary Federal and State permits, including Section 404 of the Federal Water Pollution Control Act amendments of 1972, 33 U.S.C. 1334;

12. All subdivision proposals and other proposed new development proposals shall meet the standards of Article V, Section B;

13. When proposed new construction and substantial improvements are partially located in an area of special flood hazard, the entire structure shall meet the standards for new construction;

14. When proposed new construction and substantial improvements are located in multiple flood hazard risk zones or in a flood hazard risk zone with multiple Base Flood Elevations, the entire structure shall meet the standards for the most hazardous flood hazard risk zone and the highest Base Flood Elevation.

Section B. <u>Specific Standards</u>

In all Areas of Special Flood Hazard, the following provisions, in addition to those set forth in Article V, Section A, are required:

1. <u>Residential Structures</u>

   In AE Zones where Base Flood Elevation data is available, new construction and substantial improvement of any residential building (or manufactured home) shall have the lowest floor, including basement, elevated to no lower than one (1) foot above the Base Flood Elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of this section: “Enclosures”.

Within approximate A Zones where Base Flood Elevations have not been established and where alternative data is not available, the administrator shall require the lowest floor of a building to be elevated to a level of at least three (3) feet above the highest adjacent grade (as defined in Article II). Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of this section: "Enclosures"

2. Non-Residential Structures

In AE Zones, where Base Flood Elevation data is available, new construction and substantial improvement of any commercial, industrial, or non-residential building, shall have the lowest floor, including basement, elevated or floodproofed to no lower than one (1) foot above the level of the Base Flood Elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of this section: "Enclosures"

In approximate A Zones, where Base Flood Elevations have not been established and where alternative data is not available, new construction and substantial improvement of any commercial, industrial, or non-residential building, shall have the lowest floor, including basement, elevated or floodproofed to no lower than three (3) feet above the highest adjacent grade (as defined in Article II). Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of this section: "Enclosures"

Non-Residential buildings located in all A Zones may be floodproofed, in lieu of being elevated, provided that all areas of the building below the required elevation are watertight, with walls substantially impermeable to the passage of water, and are built with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. A Tennessee registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above, and shall provide such certification to the Administrator as set forth in Article IV, Section B.

3. Enclosures

All new construction and substantial improvements that include fully enclosed areas formed by foundation and other exterior walls below the lowest floor that are subject to flooding, shall be designed to preclude finished living space and designed to allow for the entry and exit of flood waters to automatically equalize hydrostatic flood forces on exterior walls.

a. Designs for complying with this requirement must either be certified by a Tennessee professional engineer or architect or meet or exceed the following minimum criteria.

1) Provide a minimum of two openings having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding;

2) The bottom of all openings shall be no higher than one (1) foot above the finished grade;

3) Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwaters in both directions.

b. The enclosed area shall be the minimum necessary to allow for parking of vehicles, storage or building access.

c. The interior portion of such enclosed area shall not be finished or partitioned into separate rooms in such a way as to impede the movement of floodwaters and all such partitions shall comply with the provisions of Article V, Section B.

4. Standards for Manufactured Homes and Recreational Vehicles

a. All manufactured homes placed, or substantially improved, on: (1) individual lots or parcels, (2) in expansions to existing manufactured home parks or subdivisions, or (3) in new or substantially improved manufactured home parks or subdivisions, must meet all the requirements of new construction.

b. All manufactured homes placed or substantially improved in an existing manufactured home park or subdivision must be elevated so that either:

1) In AE Zones, with Base Flood Elevations, the lowest floor of the manufactured home is elevated on a permanent foundation to no lower than one (1) foot above the level of the Base Flood Elevation or

2) In approximate A Zones, without Base Flood Elevations, the manufactured home chassis is elevated and supported by reinforced piers (or other foundation elements of at least equivalent strength) that are at least three (3) feet in height above the highest adjacent grade (as defined in Article II).

c. Any manufactured home, which has incurred “substantial damage” as the result of a flood, must meet the standards of Article V, Sections A and B.

d. All manufactured homes must be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement.

e. All recreational vehicles placed in an identified Special Flood Hazard Area must either:

1) Be on the site for fewer than 180 consecutive days;

2) Be fully licensed and ready for highway use (a recreational vehicle is ready for highway use if it is licensed, on its wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached structures or additions), or;

3) The recreational vehicle must meet all the requirements for new construction.

5. Standards for Subdivisions and Other Proposed New Development Proposals

Subdivisions and other proposed new developments, including manufactured home parks, shall be reviewed to determine whether such proposals will be reasonably safe from flooding.

a. All subdivision and other proposed new development proposals shall be consistent with the need to minimize flood damage.

b. All subdivision and other proposed new development proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.

c. All subdivision and other proposed new development proposals shall have adequate drainage provided to reduce exposure to flood hazards.

d. In all approximate A Zones require that all new subdivision proposals and other proposed developments (including proposals for manufactured home parks and subdivisions) greater than 50 lots or 5 acres, whichever is the lesser, include within such proposals Base Flood Elevation data (See Article V, Section E).

Section C. Standards for Special Flood Hazard Areas with Established Base Flood Elevations and With Floodways Designated

Located within the Special Flood Hazard Areas established in Article III, Section B, are areas designated as floodways. A floodway may be an extremely hazardous area due to the velocity of floodwaters, debris or erosion potential. In addition, the area must remain free of encroachment in order to allow for the discharge of the base flood without increased flood heights and velocities. Therefore, the following provisions shall apply:

1. Encroachments are prohibited, including earthen fill material, new construction, substantial improvements or other development within the regulatory floodway. Development may be permitted however, provided it is demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practices that the cumulative effect of the proposed encroachments or new development shall not result in any increase in the water surface elevation of the Base Flood Elevation, velocities, or floodway widths during the occurrence of a base flood discharge at any point within the community. A Tennessee registered professional engineer must provide supporting technical data, using the same methodologies as in the effective Flood Insurance Study for the **City** of **Collegedale**, Tennessee and certification, thereof.

2. New construction and substantial improvements of buildings, where permitted, shall comply with all applicable flood hazard reduction provisions of Article V, Sections A and B.

Section D. **Standards for Areas of Special Flood Hazard Zones AE with Established Base Flood Elevations but Without Floodways Designated**

Located within the Special Flood Hazard Areas established in Article III, Section B, where streams exist with base flood data provided but where no floodways have been designated (Zones AE), the following provisions apply:

1. No encroachments, including fill material, new construction and substantial improvements shall be located within areas of special flood hazard, unless certification by a Tennessee registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the community. The engineering certification should be supported by technical data that conforms to standard hydraulic engineering principles.

2. New construction and substantial improvements of buildings, where permitted, shall comply with all applicable flood hazard reduction provisions of Article V, Sections A and B.

Section E. **Standards for Streams without Established Base Flood Elevations and Floodways (A Zones)**

Located within the Special Flood Hazard Areas established in Article III, Section B, where streams exist, but no base flood data has been provided and where a Floodway has not been delineated, the following provisions shall apply:

1. The Administrator shall obtain, review, and reasonably utilize any Base Flood Elevation and floodway data available from any Federal, State, or other sources, including data developed as a result of these regulations (see 2 below), as criteria for requiring that new construction, substantial improvements, or other development in approximate A Zones meet the requirements of Article V, Sections A and B.

2. Require that all new subdivision proposals and other proposed developments (including proposals for manufactured home parks and subdivisions) greater than 50 lots or 5 acres, whichever is the lesser, include within such proposals Base Flood Elevation data.

3. Within approximate A Zones, where Base Flood Elevations have not been established and where such data is not available from other sources, require the lowest floor of a building to be elevated or floodproofed to a level of at least three (3) feet above the highest adjacent grade (as defined in Article II). All applicable data including elevations or floodproofing certifications shall be recorded as set forth in Article IV, Section B. Openings sufficient to facilitate automatic equalization of hydrostatic flood forces on exterior walls shall be provided in accordance with the standards of Article V, Section B.

4. Within approximate A Zones, where Base Flood Elevations have not been established and where such data is not available from other sources, no encroachments, including structures or fill material, shall be located within an area equal to the width of the stream or twenty feet (20), whichever is greater,

measured from the top of the stream bank, unless certification by a Tennessee registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the **City** of **Collegedale,** Tennessee. The engineering certification should be supported by technical data that conforms to standard hydraulic engineering principles.

5. New construction and substantial improvements of buildings, where permitted, shall comply with all applicable flood hazard reduction provisions of Article V, Sections A and B. Within approximate A Zones, require that those subsections of Article V Section B dealing with the alteration or relocation of a watercourse, assuring watercourse carrying capacities are maintained and manufactured homes provisions are complied with as required.

Section F. Standards For Areas of Shallow Flooding (AO and AH Zones)

Located within the Special Flood Hazard Areas established in Article III, Section B, are areas designated as shallow flooding areas. These areas have special flood hazards associated with base flood depths of one (1) to three (3) feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate; therefore, the following provisions, in addition to those set forth in Article V, Sections A and B, apply:

1. All new construction and substantial improvements of residential and non-residential buildings shall have the lowest floor, including basement, elevated to at least one (1) foot above as many feet as the depth number specified on the FIRM's, in feet, above the highest adjacent grade. If no flood depth number is specified on the FIRM, the lowest floor, including basement, shall be elevated to at least three (3) feet above the highest adjacent grade. Openings sufficient to facilitate automatic equalization of hydrostatic flood forces on exterior walls shall be provided in accordance with standards of Article V, Section B.

2. All new construction and substantial improvements of non-residential buildings may be floodproofed in lieu of elevation. The structure together with attendant utility and sanitary facilities must be floodproofed and designed watertight to be completely floodproofed to at least one (1) foot above the flood depth number specified on the FIRM, with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. If no depth number is specified on the FIRM, the structure shall be floodproofed to at least three (3) feet above the highest adjacent grade. A Tennessee registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this Ordinance and shall provide such certification to the Administrator as set forth above and as required in accordance with Article IV, Section B.

3. Adequate drainage paths shall be provided around slopes to guide floodwaters around and away from proposed structures.

Section G. Standards For Areas Protected by Flood Protection System (A-99 Zones)

Located within the Areas of Special Flood Hazard established in Article III, Section B, are areas of the 100-year floodplain protected by a flood protection system but where Base Flood Elevations have not been determined. Within these areas (A-99 Zones) all provisions of Article IV and Article V shall apply.

Section H. Standards for Unmapped Streams

Located within the **City** of **Collegedale**, Tennessee, are unmapped streams where areas of special flood hazard are neither indicated nor identified. Adjacent to such streams, the following provisions shall apply:

1. No encroachments including fill material or other development including structures shall be located within an area of at least equal to twice the width of the stream, measured from the top of each stream bank, unless certification by a Tennessee registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the locality.

2. When a new flood hazard risk zone, and Base Flood Elevation and floodway data is available, new construction and substantial improvements shall meet the standards established in accordance with Articles IV and V.

ARTICLE VI. VARIANCE PROCEDURES

Section A. Municipal Board of Zoning Appeals

1. Authority

   The **City** of **Collegedale,** Tennessee Municipal Board of Zoning Appeals shall hear and decide appeals and requests for variances from the requirements of this Ordinance.

2. Procedure

   Meetings of the Municipal Board of Zoning Appeals shall be held at such times, as the Board shall determine. All meetings of the Municipal Board of Zoning Appeals shall be open to the public. The Municipal Board of Zoning Appeals shall adopt rules of procedure and shall keep records of applications and actions thereof, which shall be a public record. Compensation of the members of the Municipal Board of Zoning Appeals shall be set by the Legislative Body.

3. Appeals: How Taken

   An appeal to the Municipal Board of Zoning Appeals may be taken by any person, firm or corporation aggrieved or by any governmental officer, department, or

bureau affected by any decision of the Administrator based in whole or in part upon the provisions of this Ordinance. Such appeal shall be taken by filing with the Municipal Board of Zoning Appeals a notice of appeal, specifying the grounds thereof. In all cases where an appeal is made by a property owner or other interested party, a fee of **fifty ($50)** dollars for the cost of publishing a notice of such hearings shall be paid by the appellant. The Administrator shall transmit to the Municipal Board of Zoning Appeals all papers constituting the record upon which the appeal action was taken. The Municipal Board of Zoning Appeals shall fix a reasonable time for the hearing of the appeal, give public notice thereof, as well as due notice to parties in interest and decide the same within a reasonable time which shall not be more than **thirty (30)** days from the date of the hearing. At the hearing, any person or party may appear and be heard in person or by agent or by attorney.

4. Powers

The Municipal Board of Zoning Appeals shall have the following powers:

a. Administrative Review

To hear and decide appeals where it is alleged by the applicant that there is error in any order, requirement, permit, decision, determination, or refusal made by the Administrator or other administrative official in carrying out or enforcement of any provisions of this Ordinance.

b. Variance Procedures

In the case of a request for a variance the following shall apply:

1) The **City** of **Collegedale,** Tennessee Municipal Board of Zoning Appeals shall hear and decide appeals and requests for variances from the requirements of this Ordinance.

2) Variances may be issued for the repair or rehabilitation of historic structures as defined, herein, upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary deviation from the requirements of this Ordinance to preserve the historic character and design of the structure.

3) In passing upon such applications, the Municipal Board of Zoning Appeals shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this Ordinance, and:

a) The danger that materials may be swept onto other property to the injury of others;

b) The danger to life and property due to flooding or erosion;

c) The susceptibility of the proposed facility and its contents to flood damage;

d) The importance of the services provided by the proposed facility to the community;

e) The necessity of the facility to a waterfront location, in the case of a functionally dependent use;

f) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;

g) The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;

h) The safety of access to the property in times of flood for ordinary and emergency vehicles;

i) The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site;

j) The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, water systems, and streets and bridges.

4) Upon consideration of the factors listed above, and the purposes of this Ordinance, the Municipal Board of Zoning Appeals may attach such conditions to the granting of variances, as it deems necessary to effectuate the purposes of this Ordinance.

5) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

Section B. **<u>Conditions for Variances</u>**

1. Variances shall be issued upon a determination that the variance is the minimum relief necessary, considering the flood hazard and the factors listed in Article VI, Section A.

2. Variances shall only be issued upon: a showing of good and sufficient cause, a determination that failure to grant the variance would result in exceptional hardship; or a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or Ordinances.

3. Any applicant to whom a variance is granted shall be given written notice that the issuance of a variance to construct a structure below the Base Flood Elevation will result in increased premium rates for flood insurance (as high as $25 for $100) coverage, and that such construction below the Base Flood Elevation increases risks to life and property.

4. The Administrator shall maintain the records of all appeal actions and report any variances to FEMA upon request.

ARTICLE VII. LEGAL STATUS PROVISIONS

Section A. Conflict with Other Ordinances

In case of conflict between this Ordinance or any part thereof, and the whole or part of any existing or future Ordinance of the **City** of **Collegedale**, Tennessee, the most restrictive shall in all cases apply.

Section B. Severability

If any section, clause, provision, or portion of this Ordinance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision, or portion of this Ordinance which is not of itself invalid or unconstitutional.

Section C. **<u>Effective Date</u>**

This Ordinance shall become effective February 1, 2016, in accordance with the Charter of the City of Collegedale, Tennessee, and the public welfare demanding it.

Approved and adopted by the City of Collegedale, Tennessee, Mayor and City Commissioners.

CHAPTER 17
SUPPLEMENTARY DISTRICT PROVISIONS

SECTION

17.01. SITE PLAN REQUIREMENTS
17.02. OFF-STREET PARKING REQUIREMENTS
17.03. OFF-STREET LOADING AND UNLOADING REQUIREMENTS
17.04. ACCESS CONTROL
17.05. SIGNAGE REQUIREMENTS
17.06. ACCESSORY USE REGULATIONS
17.07. TEMPORARY USE REGULATIONS
17.08. HOME OCCUPATIONS
17.09. PLANNED RESIDENTIAL DEVELOPMENTS
17.10. GENERAL LOT RESTRICTIONS
17.11. VISION AT STREET INTERSECTIONS
17.12. SWIMMING POOL RESTRICTIONS
17.13 DAY CARE FACILITIES
17.14 STANDARDS FOR BED AND BREAKFAST INNS
17.15 TELECOMMUNICATIONS STRUCTURES
17.16 RESIDENTIAL DRIVEWAY REQUIREMENTS FOR STEEP SLOPES
17.17 PLANNED COMMERCIAL DEVELOPMENT OVERLAY

17.01. SITE PLAN REQUIREMENTS

1. **Building Permit/Site Plan**
   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 in accordance with the provisions of this section to the Collegedale Municipal Planning Commission Staff for administrative approval.

2. **Site Plan Submission**
   The owner or developer shall submit five (5) copies of the proposed site plan to the Office of the City Manager at least two (2) weeks prior to the planning commission meeting.

3. **Site Plan Standards**
   Every site plan submitted shall include the following information:

   A. Name of development or address.

   B. Name and address of owner or record and the applicant.

   C. Present zoning of the site and abutting property.

   D. Date, scale and north point with reference to source or meridian.

   E. Courses and distances of centerlines of all streets and all property liens.

   F. All building restricting lines, highway setback lines, easements, covenants, reservation and rights-of-way.

   G. The total land area.

H. Topography of existing ground, and paved areas and elevation of streets, alleys, utilities, sanitary and storm sewers and buildings and structures. Topography to be shown by dashed line illustrating two-foot or five-foot contours as required by the City Engineer based on mean sea level datum.

4. **The site plan shall show the location, dimensions, size and height of the following when existing or proposed**:

A. Sidewalks, streets, alleys, easements and utilities.

B. Buildings and structures.

C. Public sewer systems.

D. Slopes, terraces, and retaining walls.

E. Driveways, entrances, exits, parking areas/spaces, loading spaces and sidewalks.

F. Water mains and fire hydrants.

G. Trees and shrubs.

H. Recreational areas.

I. Distances between buildings.

J. Number and design of multi-family dwelling units.

K. Square footage of floor space.

L. Plans for collecting stormwater and methods of treatment of water courses including a delineation of limits of the floodplain, if any.

M. Proposed grading, surface drainage, terraces, retaining wall heights, grades at construction and ground floor elevations of buildings.

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) of parking space with an aisle width of not less than twenty-four (24) feet (26 feet if required for fire apparatus access) 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. The number of parking spaces provided shall meet the minimum requirements for the specific uses as set forth below:

A. **Dwellings**: For R-1 and R-2 zones, not less than two (2) spaces for each dwelling unit. For the R-3 zone, not less than 1.8 spaces for each dwelling unit.

B. **Tourist Accommodations, Motel, or Hotel:** Not less than one (1) space for each room offered for tourist accommodation.

C. **Any Auditorium, Church, Stadium, or Other Place of Public Assembly: (amended 2005)** 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.

D. **Manufacturing or Other Industrial Use:** Not less than one (1) space for every five (5) persons employed on a single shift, with a minimum of five (5) spaces provided for any establishment.

E. **Commercial Building or Use:** One (1) space for each one hundred and seventy-five (175) square feet of usable floor space in commercial districts. (Usable floor space is to be determined by the zoning official based on the nature of the business.)

F. **Medical or Dental Clinics or Hospitals and Nursing Homes: (amended 11/3/08)** Four (4) spaces per doctor, plus one additional space per employee. 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.

G. **Service Stations:** Five (5) spaces for each grease rack or similar facility, plus one (1) space for each gasoline pump.

H. **Offices:** One (1) space for each two hundred (200) square feet of office space.

I. **Restaurants:** One (1) space per one hundred fifty (150) square feet of usable floor area, plus one (1) space for every two (2) employees. (For drive-in restaurants, one (1) space per fifty (50) square feet of usable floor area.)

J. **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. **(Added 10-02-00)**

K. **Assisted Living Facilities:** 0.75 spaces per dwelling unit. (**Added 11/1/04)**

2. **Certification of Minimum Parking Requirements**.
Each application for a building permit shall include information as to the location and dimensions of off-street parking and loading space and the means of ingress and egress to such space. This information shall be in sufficient detail to enable the zoning official to determine whether or not the requirements of this section are met.

3. **Combination of Required Parking Space.**
The required parking space for any number of separate uses may be combined in one lot, but the required space assigned to one use may not be assigned to another use, except that the parking space required for churches, theaters, or assembly halls whose peak attendance will be at night.

4. **Remote Parking Space.**
If the off-street parking space required by this ordinance cannot be reasonably provided on the same lot on which the principal use is located, such space may be provided on any land within five hundred (500) feet of the main entrance to such principal use, provided such land is in the same ownership as the principal use. Such land shall be used for no other purpose so long as no other adequate provision of parking space, meeting the requirements of this ordinance, has been made for the principal use.

5. **Requirements for Design of Parking Lots.**

A. Except for parcels of land devoted to one and two-family residential uses, all areas devoted to off-street parking shall be so designed and be of such size that no vehicle is required to back into a public street to obtain egress.

B. Each parking space shall be no less than two hundred (200) square feet in area (20'x 10').

C. Entrances and exits for all off-street parking lots shall comply with the requirements of Section 17.04. **(amended 11/6/06)**

D. The parking lot shall be contoured providing drainage to eliminate surface water.

17.03. OFF-STREET LOADING AND UNLOADING REQUIREMENTS.

Every building or structure hereafter constructed and used for industry, or business or trade in all districts shall provide space for the loading and unloading of vehicles off the street or public alley. This space shall not be considered as part of the space requirements for off-street automobile storage.

Behind every building or structure used for business or trade, there shall be a rear yard not less than twenty (20) feet in depth to provide space for loading and unloading vehicles.

The Board of Zoning Appeals may hereafter reduce or increase this requirement in the interest of safety where unusual or special conditions merit special consideration.

17.04. ACCESS CONTROL.

In order to expedite the movement of traffic; to promote the safety of the motorist and pedestrian; and to minimize traffic congestion and conflict, it is necessary to reduce the points of vehicular contact. Therefore, to effectively control vehicular access on to the streets of Collegedale, it is necessary to classify such streets as follows:

1. **Major thoroughfares**

2. **Collectors**

3. **Local streets**

The classification of each street shall be as shown on the Major Route Plan of Collegedale, Tennessee, which is kept in city hall.

1. **Development Requiring Access Control Plan**.
All commercial and industrial establishments and apartment complexes of four (4) or more dwelling units must file an access control plan meeting all requirements of this section and must have such plan approved prior to obtaining a building permit.

2. **General Access Regulations Applying to All Classifications of Streets.**

A. **Maximum Width of All Access Points:** The maximum width of all access points shall be thirty-six (36) feet measured at the property line except when the development requiring access generates high overall or high peak traffic volumes, the CMPC may approve a wider channelized access point to allow various turning movements for greater traffic control and safety.

B. **Temporary Access Ways:** Temporary access ways may be generated by the planning commission at locations other than those specified for permanent access where it is expedient for the purpose of staged development. Temporary access ways shall be closed when permanent access to the property is completed.

C. **Off-street Parking Lanes Entirely Independent of Public Streets:** No off-street vehicular storage or parking area shall be allowed where the arrangement requires that vehicles back directly into a public street right-of-way.

D. **Access for Lots Fronting on More Than One Street:** In all commercial developments where a lot abuts more than one street, the planning commission may require that the access be provided from the street of lowest classification when necessary to lessen serious congestion on the major street. If access is allowed on to two or more streets, the number of access points shall conform to those allowed for each street classification. (See Subsection C.)

3. **Construction of Frontage Roads and Interior Circulation Drives.**
In order to limit the number of individual access points to an arterial or collector street, the CMPC shall encourage and may require the development of frontage roads and inter-connecting interior circulation drives.

A. **Frontage Roads:** Frontage roads are those which parallel the existing street and extend across the entire frontage of a particular large property or group of properties. Frontage roads may be required to provide safe and efficient public access to individual properties eliminating the traffic congestion which would be caused if each parcel had its own access on to the arterial or collector street. Access points between the frontage road and the major thoroughfare shall be no closer together than 500 feet. Access points between the frontage road a collector street shall be no closer than 300 feet (measured along the street right-of-way). All frontage roads shall be built to the standards specified in the Collegedale Subdivision Regulations and shall be dedicated as public streets subject to the city's street adoption policy and then maintained by the City of Collegedale.

Access requirements for property served by a frontage road shall be the same as for property fronting a minor street (i.e. at least 100 feet apart) except that the planning commission may also allow a regrouping of access points on to the frontage road in accordance with an approved site plan which does not destroy the intent of these access control provisions.

B. **Interior Circulation Drives:** Interior circulation drives are needed in large developments which require large parking areas. These drives interconnect all parking lot access points with all buildings and areas of vehicular traffic, parking, loading and servicing. They are constructed to provide safe and efficient vehicular movement between specified access points of a development or a series of developments. The planning commission shall encourage and may require that the interior circulation drives of adjacent developments be connected to eliminate the need to use the public streets to drive from one to another. All circulation drives shall be clearly defined and marked appropriately with arrows, etc. to assist public circulation into and out of the property and its parking areas.

An area of land not less than 20 feet deep shall be provided between the public street right-of-way line and the edge of all proposed frontage roads or interior circulation drives. This area will separate the roadways with a minimum turning, radius. Such area shall be landscaped and grassed.

The width, placement, and design of frontage roads and interior circulation drives shall be reviewed by the planning staff and shall be approved by the CMPC.

4. **Specific Number of Access Points Allowed for Each Street Classification.**
Wherever topographical features, existing developmental patterns, or other factors make the construction of frontage roads unfeasible, the planning commission shall allow direct access to the existing streets according to the following minimum requirements for each street classification.

A. **Access Points for Major Thoroughfares**: In the absence of a frontage road, all lots having between 100 and 500 feet of frontage shall have no more than one (1) point of access to the major thoroughfare. For lots with over 500 feet of frontage, additional access points shall be allowed provided they are spaced at least 500 feet apart from each other and from the first access point. For development generating high overall or high peak traffic volumes, the CMPC may lessen the distance between access points to allow improved access provided a carefully planned pattern of internal and external channelization is prepared and approved.

When a lot of record fronting a major thoroughfare has less than 100 feet of frontage, the CMPC shall first attempt to obtain joint access with either adjacent property or access on to a frontage road. If this is not feasible, one single access point may be allowed, and should be located with consideration to the distance to the access points on the adjacent lots.

B. **Access Points for Collector Streets**: In the absence of a frontage road, all lots less than 300 feet in width shall have no more than one (1) point of access to any one public street. For lots with over 300 feet of frontage, additional access points shall be allowed provided they are spaced at least 300 feet apart from each other and from the first access point.

C. **Access Points for Local Streets**: All lots of less than 100 feet shall have no more than one (1) point of access to the local street. For lots with over 100 feet of frontage, additional access points may be allowed provided they are spaced at least 100 feet apart from each other and from the first access point. (Frontage Roads shall also be considered Local Streets in order to provide the most lenient access provisions to developers who construct these beneficial facilities.)

17.05. RESERVED. (Amended 2/21/12)

17.06. ACCESSORY USE REGULATIONS.

The uses of land, buildings, and other structures permitted in each of the districts established by this ordinance are designated by listing the principal uses. In addition to such principal uses, accessory uses which are customarily incidental to the permitted principal uses are also permitted in each district. Each accessory use shall:

1. Be customarily incidental to the principal use established on the same lot.

2. Be subordinate to and serve such principal use.

3. Be subordinate in area, intent, and purpose to such principal use.

4. Contribute to the comfort, convenience, or necessity of users of such principal use.

As an addendum to these requirements, the following shall apply:

5. Small storage buildings, not larger than twelve (12) feet by twelve (12) feet and with a maximum height to the low point of the eaves of six (6) feet, may be located in the side and rear yards provided that:

   A. The buildings shall be set back at least five (5) feet from the side and rear lot lines.

   B. In the case of a corner lot, the accessory building must conform to existing setback regulations.

17.07. TEMPORARY USE REGULATIONS.

The following regulations are necessary to govern the operation of certain necessary or seasonal uses non-permanent in nature. Application for a Temporary Use Permit shall be made to the zoning official. Said application shall contain a graphic description of the property to be utilized and a description of the proposed use, and sufficient information to determine yard requirements, setbacks, sanitary facilities, and parking space for the proposed temporary use. The following uses are deemed to be temporary uses and shall be subject to the specific regulations and time limits which follow and to the regulations of any district in which such use is located:

1. **Temporary Buildings:** In any district, a Temporary Use Permit may be issued for a contractor's temporary office and equipment sheds incidental to a construction project. Such permit shall not be valid for more than one (1) year but may be renewed for six (6) month extensions; however, not more than three (3) extensions shall be granted to a particular use. Such use shall be removed upon completion of the construction project, or upon expiration of the Temporary Use Permit, whichever occurs sooner.

2. **Real Estate Sales Office:** In any district, a Temporary Use Permit may be issued for a temporary real estate sales office in any new subdivision which has been approved by the planning commission under the Collegedale Subdivision Regulations. Such office shall contain no living accommodations. The permit will be valid for one (1) year, but may be granted two (2) six (6) month extensions. Such office shall be removed upon completion of the development of the subdivision or upon expiration of the Temporary Use Permit, whichever occurs sooner.

3. **Miscellaneous Assemblies:** In any district, a Temporary Use Permit may be issued for any assembly such as an outdoor music concert, political rally, etc. Such permit shall be issued for not more than a seven (7) day period.

17.08. HOME OCCUPATIONS.

A Home Occupation is a gainful occupation or profession conducted by members of a family residing on the premises and conducted within the principal dwelling unit. In connection with a home occupation, no stock in trade shall be displayed outside the dwelling, and no alteration to any building is being utilized in whole or in part for any purpose other than a residential unit, including permitted accessory buildings. Consult the definition of "Home Occupation" located in Chapter 2, Section 02.02 of this Ordinance for specifics. ***When questions arise regarding the legality of specific home occupations, the Board of Zoning Appeals shall determine whether said home occupation is in compliance with the above restrictions and is compatible with the district in which said home occupation is located.***

17.09. PLANNED RESIDENTIAL DEVELOPMENTS

1. Standards

For the purposes of this Ordinance the Planned Residential District shall represent an overlay zoning district carrying the use restrictions of the underlying residential district. This zoning classification shall be utilized to promote flexibility in the design of a planned residential development while maintaining the current residential density and integrity of the surrounding development.

Residential development reviewed under these provisions should be characterized by unified development and a site plan incorporating features to assure the optimum use of land and attention to design, with emphasis on topographic, environmental and aesthetic factors. The regulations below are intended to secure the health, safety, and general welfare of the community and of the residents of the proposed development.

Within the areas designated R-2, R-3 and U-1 and on the Zoning Map of Collegedale, Tennessee, the following regulations shall apply for site plan review:

a. <u>Permitted Principal and Accessory Uses and Structures</u>

The PRD Planned Residential District may be utilized within areas zoned R-2, R-3 and U-1. The permitted uses shall include all permitted uses as set forth in the underlying district.

b. <u>Minimum Site Area and Yard Requirements</u>

The minimum site area applying to PRD Developments shall be five (5) acres under single ownership at the time of rezoning. The width, frontage, and yard requirements otherwise applying to individual buildings lots within the R-2, R-3 and U-1 Zoning districts do not apply within a planned residential development. Yard requirements are limited to the following standards; however, building layout must be approved by the Planning Commission. **(amended 11/6/06)**

Within the Planned Residential Development district, the following standards shall apply:

(1) Minimum setback from an arterial street - forty (40) feet.

(2) Minimum setback from collector street - thirty (30) feet

(3) Minimum setback requirement from periphery boundary of the development: twenty-five (25) feet.

(4) Where a side yard is proposed between two structures, the minimum width shall be ten (10) feet.

c. <u>Height Regulations</u>

The height restrictions of the underlying zoning district shall apply within Planned Residential Developments.

d. <u>Permitted Density</u>

The planned residential development may not result in a density greater than that otherwise permitted in the zone in which the development is to be constructed.

These densities are calculated based upon the average densities allowed for all uses within each zone and are as follows:

PRD/R-2	5.1 units/acre **(Amended 6/21/04)**
PRD/R-3	7.1 units/acre
PRD/U-1	7.1 units/acre

Common areas that are owned and maintained by the development may be used to achieve the appropriate density, however, no more than 25% of any such common area may be under water.

e. <u>Access Drives</u>

All lots shall be served from properly dedicated public streets, per the requirements of the Collegedale Municipal Subdivision Regulations.

Each building lot within the development shall front a public street for a minimum of twenty-five (25) feet.

2. <u>Application and General Procedures</u>

Approval of a Planned Residential Development involves several steps: request by the developer to rezone the subject property to PRD and to the zone providing the desired density level and permitted uses, if necessary; preparation of a design plat showing general lot and building layouts and demonstrating compliance with the proposed zoning level as part of the rezoning review by the Planning Commission; a recommendation by the Planning Commission to the Collegedale Mayor and Board of City Commissioners as to the application of a zoning overlay of PRD, and accompanying underlying zoning amendment, if necessary; if adopted by the Mayor and Board of City Commissioners, the preparation and submission of preliminary and final plats for the development of the property, in accordance with the Collegedale Subdivision Regulations.

a. <u>Design Plan</u>

As part of the request for application of a Planned Residential Development overlay, and any accompanying request for an underlying zoning change, the developer shall prepare and submit to the Planning Commission a design or sketch plan demonstrating the general layout of the proposed development and showing compliance with all applicable rules and regulations.

The Design Plan shall:

(1) be drawn to a scale of not less than 1" = 100"

(2) include the following:

(a) The proposed development name, the name and address of the owner or owners, and the name of the designer of the plan;

(b) The acreage of the site;

(c) The current zoning of the site and of adjacent properties;

(d) Date, approximate north point, and graphic scale;

(e) The names of the owners of adjacent lots or tracts;

(f) A vicinity map showing the relation of the proposed development to Collegedale;

(g) The location and length of existing and proposed property lines;

(h) Existing and proposed roads, curb cuts, drives and parking areas;

(i) General location and use of all structures planned on individual lots;

(j) Number of dwelling units;

(k) Areas proposed for open space, recreation facilities, or landscaping;

(l) General location and sizes of utility lines, i.e. water and sewer.

Within forty-five (45) days after submission of the design plan, the Planning Commission will review it and indicate its approval, disapproval, or approval subject to modifications as a basis for a recommendation to the Mayor and Board of City Commissioners on rezoning of the property. Approval of the design plan shall constitute a positive recommendation to the Mayor and Board of City Commissioners to rezone the site to PRD, along with the underlying zoning change, if requested. If the project receives positive action by the Mayor and Board of City Commissioners pursuant to procedures outlined elsewhere in this Ordinance regarding the rezoning of property, the developers shall proceed with the preparation of preliminary and final plans to be submitted to the Collegedale Planning Commission; these preliminary and final documents will serve as the basis for actual development of the project site, and will therefore also serve as the preliminary and final plats required for the division of property, according to the Collegedale Subdivision Regulations, with some modifications. The preliminary and final plats submitted must be in substantial conformance with the Design Plan used for rezoning purposes. Plats containing minor changes from the approved Design Plan may be found to be in substantial conformity and approved for further processing and final action. Any increase in density or intensity of use, any decrease in common areas, or shifting of structures within the development shall be deemed to be a substantial deviation and shall require an amendment of the Design Plan by the Mayor and Board of City Commissioners prior to further action by the Planning Commission.

b. <u>Preliminary Plan</u> (amended 11/6/06)

Before initiating construction, fill or grading of a tract of land for a Planned Residential Development, the owner or lessee of the site shall submit to the Planning Commission a preliminary plat (plan) for the use and development of the entire tract that conforms to the preliminary plat specifications.

Within forty-five (45) days after submission of the preliminary plan, the Planning Commission will review it and indicate its approval, disapproval, or approval subject to modifications as a basis for preparation of the final plan. If the plan is disapproved, reasons for such disapproval will be stated in writing. If approved subject to modifications, the nature of the required changes will be indicated. Approval of the preliminary plan shall lapse if no final plan based thereon is submitted within one (1) year of such approval unless an extension of time is applied for and granted by the Planning Commission.

c. **Final Plan** **(amended 11/6/06)**

Within one (1) year after approval of the preliminary plat (plan), the owner or lessee shall present a final plan to the Planning Commission. The final plat (plan) shall substantially conform to the approved design plan and preliminary plat (plan). If a final plat (plan) is disapproved by the Planning Commission, the applicant may resubmit a final plat (plan) which substantially conforms to the approved design plan, or the applicant may request an amendment to the approved design plan and preliminary plat (plan) from both the Planning Commission and the Mayor and Board of Commissioners.

17.10. GENERAL LOT RESTRICTIONS.

The following general lot restrictions shall be complied with in all districts:

1. Any number of structures, whether intended for dwelling purposes or other use, may be constructed on a single tract of land provided that each structure and its site must meet all adopted zoning and subdivision regulations of the community as to the appropriateness of land use, access, area requirements, setbacks, and other provisions, in the same manner as though the structure were constructed on a separate lot of record.

2. Before issuing a building permit in cases of doubt or questions, the permit issuing officer may require a site plan drawn to scale with sufficient detail to assure compliance with all regulations.

3. Such site plan, if required, is to be prepared at the expense of the applicant and is to be filed and kept on record as an attachment to the building permit.

4. No building permits shall be issued for a building or use on a lot which does not:

   A. **(amended 12/4/06)** Abut, for a minimum distance of twenty-five (25) feet, on an already constructed, dedicated, and publicly accepted municipal or county street or road, except in commercial developments where lots can be subdivided off of ingress/egress access easements that area a minimum of 50 feet in width and that have access to an already constructed, dedicated and publicly accepted municipal or county street or road; or

   B. Abut, for a minimum distance of twenty-five (25) feet, on a street in a subdivision which has received final approval but not yet recorded and for which proper bond has been posted; or

5. Projections in the yard areas:

   A. Porches, porticos, or similar permanently unenclosed ground story projections may extend into required yards no more than three (3) feet.

7. Small storage buildings, not larger than twelve (12) feet by twelve (12) feet and with a maximum height to the low point of the eaves of six (6) feet, may be located in the side and rear yards provided that:

   A. The buildings shall be set back at least five (5) feet from the side and rear lot lines.

B. In the case of a corner lot, the accessory building must conform to existing setback regulations.

17.11. VISION AT STREET INTERSECTIONS.

On a corner lot in any district, within the area formed by the centerlines of the intersecting or intercepting streets and a line joining points on such centerlines at a distance of seventy-five (75) feet from their intersection, there shall be no obstruction to visions between the height of two and one-half (2 1/2) feet and a height of ten (10) feet above the average grade of each street at the centerline thereof. The requirements of this section shall not be construed to prohibit any necessary retaining wall.

17.12. SWIMMING POOL RESTRICTIONS.

The following regulations shall apply to all swimming pools:

1. No swimming pool or part thereof, excluding aprons and walks, shall protrude into any required yard and in no case will a pool be permitted in a front yard.

2. The swimming pool area shall be walled or fenced so as to prevent uncontrolled access by children and pets from the street or from adjacent properties. Said fence or wall shall not be less than four (4) feet in height and maintained in good condition.

17.13. DAY CARE FACILITIES.

The following regulations and procedures apply to the approval and operation of Family Day Care Homes, Group Day Care Homes, and Day Care Centers, as defined in this Ordinance and where allowed as a permitted use or a use permissible on appeal:

1. All dimensional regulations of the district shall apply.

2. A fenced play area of not less than fifty (50) square feet of open space per child shall be provided. The fence shall be at least five (5) feet in height.

3. Along the site boundary of the facility, buffering, screening and landscaping must be provided to adequately protect any abutting residential property.

4. All outdoor play activities shall be conducted within the fenced play area. The fenced play area shall not be located within any required front yard.

5. The facilities' operation and maintenance shall meet the minimum requirements of the Tennessee Department of Human Services.

6. Off-street parking shall be provided at the rate of one space for Family Day Care Homes, two spaces for Group Day Care Homes, and three spaces for Day Care Centers caring for up to fifteen children with an extra space for every five children accommodated above fifteen, plus the specific required spaces for the district in which the facility is located.

7. In order that the Board of Zoning Appeals may make an accurate determination of the character of the proposed use, the applicant shall submit an accurately and legibly drawn site plan showing existing and proposed buildings, fences, landscaping, parking and access facilities.

In any district where a church is established as a permitted use or a use permissible on appeal, family day care homes, group day care homes, and day care centers, as defined in this Ordinance, may be approved by the Board of Zoning Appeals as an accessory use to said church, provided that the family day care home, group day care home, or day care center is operated and maintained by

said church, on the church premises, and further provided the above conditions are met, as determined by the Board of Zoning Appeals.

17.14 STANDARDS FOR BED AND BREAKFAST INNS

Where Bed and Breakfast operations are allowed according to this Ordinance, the following standards will be used to evaluate the proposal. Such other conditions as are necessary to preserve and protect the character of the neighborhood in which the proposed use is located may be required, however the following standards are a minimum:

1. Permits - No building permit or Certificate of Occupancy for such use shall be issued without written approval of either the Board of Zoning Appeals or the Municipal Planning Commission, whichever has jurisdiction.

2. Location - The Bed and Breakfast operation shall be located and conducted in the principal building only.

3. Operator Occupied - Proprietors of the Bed and Breakfast shall be permanent residents of the dwelling in which it is located. As permanent residents they shall keep separate and distinct sleeping quarters from Bed and Breakfast guests. No more than two (2) paid assistants may be employed.

4. Number of Rental Units - No more than three (3) bedrooms shall be for rent at any one time at any one Bed and Breakfast establishment.

5. Length of Stay - Lodging of guests at the Bed and Breakfast Inn shall be limited to no more than ten (10) days during any one (1) stay.

6. Site Plan - An accurately drawn plan shall be presented at least ten (10) days prior to the meeting at which the proposal is to be considered. The site plan shall show the location of the principal building, off-street automobile parking, relationship to adjoining properties and surrounding land use, existing zoning of the proposed site, any required screening, and any other information as may be required.

7. Appearance - The residential character and appearance of the home shall not be changed by the establishment of a Bed and Breakfast operation.

8. Advertising - The proposed use shall not be advertised by the use of signs which exceed four (4) square feet in area. The sign shall be non-illuminated and must be attached flat to the main structure or visible through a window.

9. Parking - Off-street parking facilities shall be provided at the rate of at least one space per room for rent in addition to at least two spaces for the household. Parking will comply with Section 15.02 of the Collegedale Municipal Zoning Ordinance.

10. All applicable Federal, State, and Municipal codes, including municipal fire, building, and electrical codes shall be complied with as a condition of approval.

11. The Board of Zoning Appeals or Planning Commission may also attach other conditions on the use of the structure or site which will be necessary to carry out the intent of the Zoning Ordinance. Consideration will be given to the impact on adjoining properties. Landscaping, fencing, screening and other methods might be required to mitigate anticipated impacts to the neighborhood.

17.15 TELECOMMUNICATION STRUCTURES (Added 01-31-00)

The purpose of this ordinance is to establish general guidelines for the siting of wireless communication towers and antennas, commercial radio and television towers. The goals of this ordinance are to (1) protect residential areas and land uses from potential adverse impacts of towers and antennas; (2) encourage the location of towers in non-residential areas; (3) mimimize the total number of towers throughout the community; (4) and, strongly encourage the joint use of new and existing tower sites as a primary option rather than construction of additional single-use towers.

Telecommunication Structures are not allowed in the corporate limits unless within a permitted zone. Telecommunication Structures, where allowed as a permitted use or use on appeal by the Collegedale Municipal Zoning Ordinance, are subject to the following requirements:

A. Inventory of Existing Site

Each applicant for an antenna and/or tower shall provide to the Collegedale Planning Commission an inventory of its existing towers, antennas, or sites approved for towers or antennas, that are either within the corporate limits of the City of Collegedale or within Collegedale's planning region thereof, including specific information about the location, height and design of each tower. This information may be shared with other applicants applying for administrative approval under this ordinance. By the sharing of this information, this is not warranting that such sites are available or suitable for tower construction.

B. Setback

1. All towers and accessory structures that are not constructed within a utility easement shall be setback from the property lines a distance equal to twenty (20) percent of the tower height or the district yard requirement, whichever is greater.

2. In instances when a tower and accessory structure are constructed within a utility easement on an existing utility structure, the tower and accessory structures shall adhere to a setback from the easement lines equal to twenty (20) percent of the tower height.

3. In instances when a tower and accessory structures are constructed adjacent to a residential district, either immediately adjacent to such property owner or across a public way, the minimum setback from a residential lot line or a residential district,

measured from the base of the tower, shall be equal to one-hundred (100) percent of the tower height.

C. Shared Use

1. The shared use of existing towers shall be required throughout the community. The applicant's proposal for a new wireless transmission facility shall not be approved unless the applicant can prove through documentation, that the proposed equipment cannot be accommodated on an existing or approved tower located within a minimum distance of one (1) mile of the proposed tower due to one (1) of the following reasons:
   (a) The planned equipment would exceed the structural capacity of the existing and approved towers and said towers do not have the capability to be upgraded.
   (b) The planned equipment would cause radio frequency (RF) interference with other existing or planned equipment.
   (c) The planned equipment would not function effectively and reasonably on an existing tower.
   (d) Geographic service requirements would prevent the co-use of an existing tower or structure.

2. The feasibility of the shared use of any proposed tower in the future shall be addressed at the time of application. As a minimum, a tower shall be designed for the co-use of a minimum of three (3) fully sectored antenna arrays unless such tower is proposed for co-use on an existing utility structure. The applicants shall provide a letter of intent committing the tower owner and any successive owners to providing for the shared use of the tower, if a future applicant agrees, in writing, to pay any reasonable rate for the shared use.

D. Type

Any tower that requires the use of guy wires is not allowed. Otherwise, all lattice type or monopole towers are allowed.

E. Structural Requirements

Prior to the approval of any application for a tower or the co-use of an existing tower or utility structure, the applicant shall provide written certification from a registered structural engineer that the tower is able to withstand winds of a minimum of seventy (70) miles per hour with one-half (.5) inch radial ice.

F. Buffering and Landscaping

1. For all ground structures and buildings special care shall be taken to minimize the effects on the adjacent residential areas.

2. All ground structures shall be buffered in a manner, which consist of a minimum of an eight (8) foot wide landscaped strip around the perimeter of the security fencing. The buffered strip shall consist of a combination of trees, shrubs, vines and or ground covers that blends and enhances the appearance of the ground structures within the surrounded area. The buffer shall be installed for the permanent year round protection of adjacent property by visually shielding internal activities from adjoining property to a height of eight (8) feet or the height of the proposed accessory structures, whichever is greater. The landscaping provisions of this section may be varied or reduced if the proposed plan provides for unique and innovative landscaping treatment or physical features that meet the intent and purpose of this section.

3. The removal of any trees or other natural vegetation must be in compliance with the Landscape Ordinance of the City of Collegedale, Tennessee.

G. <u>Aesthetics</u>

Towers and antennas shall meet the following requirements:

1. Towers shall either maintain a galvanized steel finish or, subject to any applicable standards of the FAA (Federal Aviation Association), be painted a neutral color so as to reduce obtrusiveness.

2. At a tower site, the design of the buildings and related structures shall, to the extent possible, use materials, colors, textures, screening and landscaping that will blend them into the natural setting and surrounding buildings.

3. If an antenna is installed on a structure other than a tower, the antenna and supporting electrical and mechanical equipment must be of neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible.

H. <u>Height</u>

1. No tower shall exceed a height of two hundred and fifty (250) feet.

2. In instances when a tower is to be co-located upon an existing utility structure, which is defined as an existing power line structure or an existing water tower, the maximum height shall not exceed the height of the structure plus (+) twenty (20) feet.

I. <u>Co-located Towers and Antennas</u>

The co-location of towers and antennas shall only be permitted on existing and proposed telecommunication towers and public utility structures consisting of power line structures or water towers in excess of thirty-five (35) feet in height.

J. Vehicle Access Control

The location and design of driveways and/or access easements to the facility from a public street shall be depicted on the site plan and shall be approved by the planning commission in accordance with these regulations.

K. Lighting

1. Towers: Towers may be lighted within the corporate limits of Collegedale if required by the FAA (Federal Aviation Administration).

2. Structures: Outside lighting of structures, if required for safety and security purposes, shall be of a sensory fashion in which illumination occurs only when the site is approached. The lighting shall be arranged to minimize glare and reflection on adjacent residential properties and public streets and does not exceed 0.4 feet candles measured at the property line, easement line or abutting properties zoned for residential use.

L. Security

The tower facility shall be fully secured through the installation of a security fencing/wall system of a minimum height of eight (8) feet or the height of the accessory structures whichever is greater. Additional fencing may be required by the Collegedale Planning Commission as an aesthetic buffer on the outside of the security fencing.

M. Removal of Obsolete Towers

1. Any tower that is no longer in use for its original communications purpose shall be removed at the owner's expense. The owner shall provide the City of Collegedale with a copy of the notice of intent to the FCC to cease operations and shall be given ninety (90) days from the date of ceasing operations to remove the obsolete tower and accessory structure(s), provided another operator has not submitted a request for a tower during that time period. In the case of multiple operators sharing a single tower, this provision shall not become effective until all users cease operations.

2. Prior to the issuance of a permit for any tower, co-use of any tower or co-use of any utility structure, a surety instrument (i.e. letter of credit or bond), which shall serve to ensure prompt removal of the tower once it ceases to operate, shall be provided by all users. The amount of the surety instrument shall be determined by the city's designated official and then approved by the planning commission during the site plan review process.

N. Site Plan Requirements

Prior to the issuance of a building permit, the construction of a tower or the utilization of an existing structure for telecommunications, radio, or television transmission purposes, the submission of a site plan in accordance with the following provisions and all other provisions of this Ordinance shall be required.

1. If the proposed tower is a new tower not on an existing plan, the site plan shall show the location of the initial users accessory structure and the location of two (2) future accessory structures.

2. A letter of intent from the owner and any successive owners allowing for the shared use of the tower.

3. A letter from a professional engineer certifying that the towers height and design complies with these regulations and all applicable structural standards and, also, describes the tower's capacity which includes the number and type of antennas that can be accommodated.

4. A letter indicating why existing towers within one (1) mile of the proposed towers location cannot be utilized.

5. A site plan where the regulations are applicable, per Section 17.01 of the Collegedale Zoning Ordinance, reviewed and approved by the Collegedale Municipal Planning Commission.

O. <u>Fees</u>

A non-refundable fee of one thousand ($1,000) dollars must accompany any site plan submitted for purposes of securing a building permit under the terms of this Ordinance. The fee will cover all engineering and other costs associated with the review of a site plan request for a communication tower.

P. <u>Variances</u>

The Collegedale Board of Zoning Appeals will serve as the appellate body for requests for variances from the terms of this Ordinance. In considering variance requests, the Board of Appeals will give due consideration to the reasons stated for the request, but will also adhere as closely as possible to the requirements of this Ordinance in terms of height, setback, or other standards. The feasibility of shared use for a new tower request will be handled at the time of the request through the site plan approval process set forth in Section N. of this Ordinance. The decision of the Planning Commission on shared use requirements is not appealable to the Board of Appeals.

<u>17.16 RESIDENTIAL DRIVEWAY REQUIREMENTS FOR STEEP SLOPES(Added 5/2/04)</u>

The following regulations are established in order to promote the safety of the motorist, the pedestrian, and to minimize traffic congestion and conflict by establishing the following regulations for residential driveways within the corporate limits of Collegedale, Tennessee. The term "residential driveway" as used in this chapter, means any portion of the normal sidewalk area, including grass plot, curb, gutter and sidewalks, of the street, roadway and alley of the City of Collegedale intended for the use by vehicles as a means of ingress and egress between public right-of-way and abutting residential property.

A. Applicability

The requirements of this section do not apply if the elevation of the ground at the setback location above the proposed road/street centerline is nine (9') feet or less, or if the elevation of the ground at the setback location below the proposed road/street centerline is seven (7') feet or less. Residential driveways with a slope of ten percent (10%) or less are exempt from these regulations. Pursuant to Collegedale Municipal Code, Title 16, STREETS AND SIDEWALKS, ETC, section 16-210 no one shall cut, build, or maintain a driveway across a curb or sidewalk, public street, alley, or other public place without first obtaining a permit from the building inspector.

B. Residential Driveway Permit Required

No point of access on city streets or rights-of-way shall be constructed until a valid residential driveway permit has been issued by the Collegedale Building Inspector. No point of access on any state highway shall be constructed until a valid permit has been obtained from the Tennessee Department of Transportation, a copy of said permit shall be provided to the Collegedale Building Inspector. Residential driveway permits shall be valid for a period of one (1) year from the date of approval/issuance of said permit. No final Certificate of Occupancy shall be issued until all applicable access control and residential driveway requirements of these regulations have been complied with.

C. Location Approval Prerequisite to Building Permit

The location of all curb cuts, points of ingress and egress from all streets, roadways, right-of-ways, and parking and loading areas for all uses shall be approved by the Director of Public Works, or his/her designee before a building permit shall be issued. Residential driveways shall be so located that vehicles entering or leaving the property will not interfere with the free movement of traffic, or create a hazard on the highway. Where feasible, residential driveways shall be located where there are no sharp curves and steep grades and where sight distance is adequate for safe operation. Residential driveways shall not be so located that they will not interfere with the placement of signs, signals, or other devices that affect traffic operation.

D. Permit Procedure

Application for a residential driveway permit shall be made to the building inspector on the form provided. Each application for a residential driveway permit shall be accompanied by a site plan for the site to be served by said driveway entrance. Said site plan shall, at the minimum, depict the following:

1. Be drawn to scale.
2. The location of all structures and parking areas on the site.
3. The location of the proposed driveway(s) or entrance(s).
4. The location of all existing driveway(s) or entrance(s).
5. The location of all driveways or entrances for all properties within three hundred (300) feet of the site. Residential driveways and entrances for both sides of the street shall be included.
6. The location of all existing utility poles on the site or within the public right-of-way adjacent to it.
7. The location of all catch basins, culverts or other drainage structures located on the site or within the public right-of-way adjacent to it.

E. Permit Fee

Prior to the issuance of any required residential driveway permit, the applicant shall pay a fee as established by the City Manager for all residential driveway permits.

F. Maximum Slope and Transition Requirements

Construction of all residential driveways shall be as required by current regulations, specifications and drawings as contained within these regulations. The maximum slope permitted on a residential driveway shall be thirty (30%) percent between the transition landings. Residential driveways shall have transition landings at the top and bottom of the residential driveway(s) to prevent vehicles from scraping the pavement. Transition landings shall comply with the following regulations:

Drive Slope	Transition Length	Transition Segments
0 – 9%	0’	0’
10%– 19%	12’	1 @ 12’
20% - 24%	18’	2 @ 9’
25% - 30%	24’	3 @ 8’

See appendix of these regulations for typical detail of residential driveway transition requirements.

G. Dimension and Location Requirements

1. Driveway(s) for residential use, as designated within this ordinance shall be not less than ten (10) feet or nor more than twenty-two (22) feet in width.

2. The width of driveway(s) shall be measured parallel to the street at the property line.

3. Residential driveway(s) on corner lots shall be constructed at least fifteen (15) feet from the intersection of the corner property lines. Residential driveways shall also be setback a minimum of five (5) feet from side property lines.

4. Residential driveway(s) shall be constructed to clear utility poles, light poles, drainage structures, signs, traffic-control devices, fire hydrants and other similar installations, or such facilities shall be relocated at the expense of the property owner or lessee in conjunction with the owners or operating authorities of the facilities affected.

H. Abandoned Residential Driveways

Any residential driveway(s) abandoned for vehicular use due to changes in property development or use shall be removed and the site reformed to conformity with adjacent existing conditions.

17.17. PLANNED COMMERCIAL DEVELOPMENT OVERLAY (PCD)

1. Intent

An integrated development provides an opportunity for cohesive design when flexible regulations are applied. The Planned Commercial Development (PCD) shall represent an overlay district designed to accomplish the following:

A. To encourage the clustering of commercial and higher-density residential uses within areas specifically designed to accommodate such activities.

B. To provide for the orderly development of activities so that any adverse impact on surrounding uses and on the general flow of traffic can be reduced.

C. To encourage an orderly and systematic development design providing the rational placement of activities, parking and auto circulation, pedestrian circulation, ingress and egress, loading, landscaping, signage and design.

D. To encourage a harmonious mix of commercial and higher-density residential uses consistent with adopted land use plans for Collegedale.

2. Location

A. The PCD shall be applied as an overlay to the C-2 Shopping Center Commercial District.
B. The PCD overlay shall only be applied to parcels with frontage on Apison Pike, Old Lee Highway, or Lee Highway.
C. The PCD overlay shall only be applied to parcels or lots which are entirely or partially located within 3,960 feet of the Interstate 75 right-of-way as measured outward in a straight line from the nearest external boundary of the property.
D. The PCD shall be located in areas capable of being served by public sewer.
E. Property utilizing the PCD overlay shall have a minimum of one hundred (100) feet of frontage on a public street.

3. Area Requirements

A. Minimum Land Area: The minimum site area for a PCD overlay shall be ten (10) acres at the time of application.
B. Maximum Land Area: There shall be no maximum development site size for a PCD.
C. Minimum Lot Size: No minimum lot size required.

4. Uses Permitted

Residential: If included in the PCD overlay, the residential portion may include single-unit detached dwellings, townhouses, row houses, patio homes, condominiums, and apartments. The number of dwelling units on each lot shall be limited by the minimum parking space requirements. Residential uses shall be subordinate to the commercial and office portion of the development.

Office: Office buildings. The building area available for office use on each lot shall be limited by the minimum parking space requirements.

Retail and Services: Restaurants, Retail Buildings. The building area available for retail use shall be limited by the minimum parking space requirements.

Lodging: Hotels and Inns. The number of guest rooms available on each lot shall be limited by the minimum parking space requirements. Lodging shall be further limited to no more than forty percent (40%) of the total site of the PCD overlay.

Open/Civic Spaces: Public Pavilions, Greens, Squares, Plazas, Parks. A minimum of seven (7%) of the total land area of the PCD overlay shall be used for one or more of the public spaces as described in Section (4.3) of this ordinance.

Mixed Use Buildings: Retail, Office, and Residential uses may be included within the same structure.

Prohibited Uses: The following uses are specifically prohibited:

Manufacturing Facilities
Warehouses, Mini Warehouses and other Self-Storage facilities
Adult-Oriented Establishments
Vehicle Sales or Vehicle Repair Facilities
Outdoor Commercial Storage, Outdoor Display or Sales, except as provided in Section 4.2(A)(3) of this ordinance.

Household waste recycling facilities, including intake, sorting and processing activities
Manufactured Homes
Any other use not allowed in the C-2 zone.

Signage: Signs not relating to identification of or direction to premises and occupants, or to products sold or rendered on the premises are prohibited. Refer to section 14.0 of this ordinance for additional signage requirements.

Other: In the Planned Commercial Development overlay, the following uses and their accessory uses may be permitted subject to appeal and approval of the Collegedale Board of Zoning Appeals in accordance with the provisions of Section 19.07 of the Zoning Ordinance.

i. **Family Day Care Homes, Group Day Care Homes, and Day Care Centers** further subject to the provisions of Section 17.13 of the Zoning Ordinance.

4.1 Residential Component.

A. A residential component is encouraged, but not required.
B. Density: The residential density shall be a minimum of 4.0 units per acre gross (as calculated by using the residential portion of the proposed site plan). The maximum allowed density for detached residences shall not exceed 6.0 units per acre; the maximum density for attached dwellings shall not exceed 18.0 units per acre.
C. Limitations: In no event shall the residential building area exceed twenty-five (25%) of the non-residential building area.

4.2 Open/Civic Spaces.

A. A minimum of seven percent (7%) of the total area of the PCD overlay shall be used for one or more of the following public space types:

1. Green: An open space, available for unstructured recreation. It shall be centrally located so as to function as an easily accessible space. A green is spatially defined by landscaping rather than building frontages. Its landscape shall consist of lawn and trees, naturalistically disposed. It may also include a public pavilion. Easements for greenways and multi-use paths shall be credited toward the seven percent (7%) open/civic space requirement. Parking landscape islands are not creditable.

2. Square: An open space available for unstructured recreation and civic purposes. A square is spatially defined by building frontages. Its landscape shall consist of paths, lawns, fountains, trees and the like, which are formally disposed. Squares shall be located at the intersection of important streets within the PCD overlay.

3. Plaza: An open space available for civic purposes and commercial activities such as small-scale sales displays, kiosks, outdoor dining areas, and similar uses, provided that such displays are not left in place overnight. A plaza shall be spatially defined by building frontages. Its landscape shall consist of hard surfaces such as concrete, brick

or stone. It may also include a public pavilion. Trees and container plantings are typical.

4. Walkways: Walkways with a minimum width of five (5) feet are required connect the civic spaces with a public right-of-way or other access point if the civic space cannot be accessed from the required sidewalks.

B. Larger PCD overlay sites may encompass a range of terrain, some of which is not developed due to steepness, the presence of wetlands or sinkholes, floodways or flood plains. Undisturbed woodlands found within the above areas may be credited to a maximum of one-half (1/2) the open/civic space requirement for the total PCD overlay area.

C. In any case, after all credits are applied, there shall still be a minimum of three percent (3%) of the site devoted to the open space types listed in Section 4.2 (A)(1) through Section 4.2 (A)(3) of this ordinance.

5. Environmental Requirements

A. The alteration of the natural environment shall be subject to local, state, and federal regulations.

B. Riparian: The riparian corridors of blue-line streams as indicated on United States Geological Survey (USGS) Quadrangle Maps, or identified by the Tennessee Department of Environment and Conservation (TDEC) shall be a minimum of thirty (30) feet in width on each side of the stream. The riparian corridors shall be maintained free of structures, except that thoroughfare crossings may be allowed. Streams may be moved only if approved by the Tennessee Department of Environment and Conservation.

C. Storm Water: Regional storm water detention or retention facilities may be utilized if approved by the City Engineer. There shall be no detention or retention required on individual lots. Storm water retention and detention ponds may be placed within a "green" civic space and shall be credited toward the seven percent (7%) civic space requirement of the PCD overlay if they are natural or constructed bio-retention cells, grass swales or "filter strips" and approved by the City Engineer. Such features may not contribute to more than forty percent (40%) of the required green space.

D. Trees: Tree coverage should be maximized by preserving existing groves of trees and the planting of additional trees as provided in the Collegedale Commercial Landscape Ordinance.

6. Parking Requirements

Off-street automobile storage or standing space shall be provided within the PCD overlay. One (1) passenger vehicle space shall be determined as one hundred sixty two (162) square feet (9 feet wide by 18 feet long) of parking space and such space shall be provided with vehicular access to a street or alley. Aisle widths shall not have a width of less than twenty-four (24) feet or twenty-six feet if required for fire apparatus access. No portion of any parking space shall have a grade in excess of five (5) percent in any direction.

A. Minimum Requirements. The following requirements apply to the PCD overlay:
   i. Dwellings: Not less than 1.8 spaces per dwelling unit.
   ii. Tourist Accommodations, Hotels: Not less than one (1) space for each room offered for tourist accommodation.

iii. Any auditorium, Religious Facility, Stadium, or Other Place of Public Assembly: 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, at least one (1) space for each one hundred (100) square feet of floor space devoted to that particular use shall be provided.

iv. Commercial Building or Use: One (1) space for each one hundred and seventy five (175) square feet of usable floor space.

v. Medical Offices: Four (4) spaces per doctor, plus one additional space per employee.

vi. Offices: One (1) space for each two hundred (200) square feet of office space.

vii. Restaurants: One (1) space per one hundred fifty (150) square feet of usable floor space, plus one (1) space for every two (2) employees.

viii. Full-Service Restaurants located within a hotel shall provide an additional seventy five (75%) of the requirement for restaurants in addition to hotel parking requirements.

B. Reduced Parking

Standard parking requirements may be reduced by site provisions for on-street parking within the development. The minimum parking space requirement may be reduced as much as ten percent (10%) for non-residential uses if approved by the City Engineer. Apison Pike, Old Lee Highway, and Lee Highway may not be utilized for on-street parking.

C. Compact Car Spaces

No more than 15% of the required parking spaces in a Planned Commercial Development overlay zone may be designated as 'Compact Spaces'

i. Dimensions: Compact Car Spaces shall have a minimum width of eight (8) feet and a minimum depth of sixteen (16) feet. Aisle widths shall not have a width of less than twenty-four (24) feet or twenty-six feet if required for fire apparatus access.

ii. Identification: Each compact parking space shall be identified by a 12" x 18" sign with the word 'COMPACT CAR PARKING ONLY' mounted at 48" above grade and located two feet (2') in front of the parking space.'

7. Public Frontages

A. The public frontage is the space between the edge of the right-of-way and the edge of the curb. It usually includes walkways, landscaping, and lighting. The minimum width of the public frontage shall be at least ten (10) feet from the edge of the curb to the edge of the right-of-way.

B. Sidewalks: Sidewalks with a minimum width of five (5) feet are required within the public rights-of-way, including easements used for public vehicular access. New sidewalks shall connect to any existing sidewalks.

C. Trees: Trees shall be planted and maintained within the public right-of-way or access easement (if applicable) between the sidewalk and the curb either in a grass strip or in individual tree wells combined with pervious concrete or pavers with a minimum width of two (2) feet. The minimum planting ratio is one (1) tree per forty (40) linear feet of right-of-way frontage. The minimum spacing between trees shall be fifteen

(15) feet measured trunk to trunk. This provision shall replace any street planting required by the Collegedale Landscape Ordinance unless otherwise specified. In addition, this provision only applies to new sidewalks constructed as a part of the development unless permission is obtained from the appropriate authority to include trees within the right-of-way of an existing sidewalk.

i. Types of Trees: Except in areas underneath existing overhead utilities or upper-story balconies projecting into the right-of-way, street trees shall be large-maturing canopy trees. In areas beneath existing overhead utilities or other building features, understory trees shall be used with the consent from the utility and/or easement holder.
ii. Tree Size: The trunk diameter of trees used to fulfill this requirement shall measure two (2) inches in diameter or greater.

D. Substitutions: Street frontage buffers prescribed in Section 14-506 of the Collegedale Landscape Ordinance may be substituted in place of requirements found in this section subject to Design Review Committee approval.

E. Bicycles: Class II on-street bike lanes or Class III on-street bike routes are encouraged within the PCD overlay. These facilities should provide a connection with existing or planned bicycle infrastructure.

8. Private Frontages (Street Yards)

A. The private frontage or street yard is the space between the edge of the right-of-way and the principal building. It is composed of grass and other natural plantings to promote ingress and egress safety and to add visual interest to expanses of parking lots.

B. Walkways: A pedestrian connection shall be provided to existing or planned sidewalks within a public right-of-way from buildings with a front setback twenty-five feet or more.

C. Trees: Trees shall be planted and maintained within the Street Yard. The minimum planting ratio shall be one (1) shade tree and one (1) ornamental tree per thirty (30) linear feet of street frontage. Driveway widths may be excluded from the minimum planting calculation for trees. Nothing in this standard should be construed as mandating a continuous line of trees spaced in an equidistant fashion within the Street Yard. Once the required ratio is determined, trees of appropriate species or type may be massed or spaced to best accommodate the site's requirements. This provision shall replace any street planting required by the Collegedale Landscape Ordinance unless otherwise specified.

D. Shrubs: Twelve (12) shrubs per thirty (30) linear feet of street frontage shall be planted and maintained in the Street Yard. A minimum of fifty percent (50%) of these shrubs must be evergreen. Driveway widths may not be excluded from the minimum planting calculation for shrubs. This provision shall replace any street planting required by the Collegedale Landscape Ordinance unless otherwise specified.

9. Vehicular Access

A. Public Streets: All public streets shall be constructed in accordance with plans and specifications approved by the Collegedale City Engineer.

B. All lots shall be served from properly dedicated public streets or recorded access easements.

C. Each building lot within the development shall front a public street or public access easement for a minimum of twenty-five (25) feet.

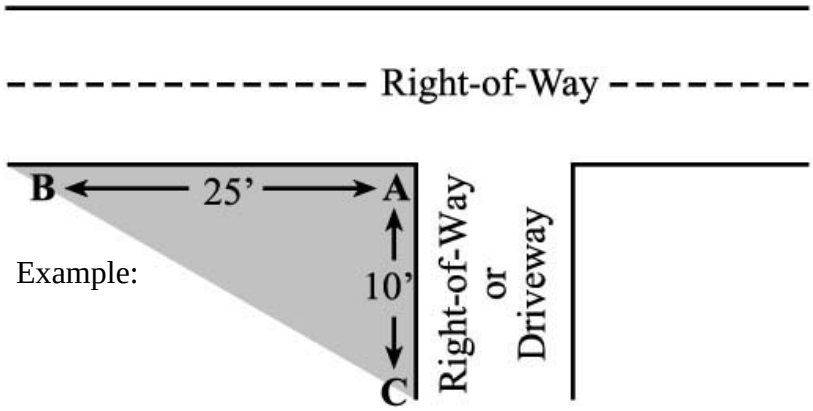
10. Maintenance of Visibility at Access Points

A. No structure, landscaping, fences, terraces, or other natural or artificial features adjacent to and street shall impair visibility from or of approaching vehicular traffic, nor shall such features in any way create potential hazards to pedestrians. In particular, at vehicular entrances and exits, no off-street parking, landscaping, or material impediment to visibility between the heights of three (3) feet and eight (8) feet shall be permitted within a triangular area bounded by imaginary lines connecting three (3) points as described and illustrated below:

POINT A At the intersection of any public right-of-way with another right-of-way, either public or private drive, the point of intersection nearest approaching traffic.

POINT B Beginning at Point A, proceeding along the boundary line of the public right-of-way toward the direction of oncoming traffic for a distance of twenty-five (25) feet to a second point: Point B.

POINT C Beginning at Point A, proceeding along a line perpendicular to the public right-of-way and generally along the edge of the private driveway (or public right-of-way) toward the interior of the lot for a distance of ten (10) feet to a third point: Point C



Example:

11. Setbacks

A. Building setback is measured from the property line.
B. Front: No minimum. A twenty-five (25) foot maximum from public streets, public access easements, or parking areas is preferred.
C. Side: No minimum, except as determined necessary by the Fire Marshall.
D. Rear: No minimum, except as determined necessary by the Fire Marshall.
E. Perimeter: The perimeter setback shall be no less than twenty-five (25) feet.
F. Attached Buildings: For attached fee-simple buildings, there shall be no interior side yard requirement. Such buildings must meet all building code requirements for zero lot line construction.

12. Building Height

A. Maximum: Subject to Fire Marshall approval, the maximum building height within the PCD overlay is Six (6) stories or seventy (70) feet, including parapets.

B. Minimum: Two (2) stories or eighteen (18) feet, including parapets.

C. Communications towers shall be subject to setback requirements set forth in the Chapter 17, Section 17.15 of the City of Collegedale Telecommunications Ordinance.

13. General Landscaping Requirements

A. Perimeter Boundary and Screening
Sections 14-507 and 14-508 of the Collegedale Landscape Ordinance apply to the perimeter of the PCD overlay.
B. Parking Areas
Section 14-509 of the Collegedale Landscape Ordinance applies.

14. Signage

A. Signs not relating to identification of premises and occupants, or to products sold, or services rendered on the premises are prohibited.
B. Section 17.05 of the Collegedale Zoning Ordinance regulates signage within the PCD overlay with the following sign area exceptions exclusive to the PCD overlay:
    1. Development Signs shall not exceed twenty-five (25) feet in height with a sign area not to exceed two-hundred (200) square feet on each side.
    2. Single Tennant Signs shall not exceed eight (8) feet in height with a sign area not to exceed forty (40) square feet on each side.
    3. Multi-Tenant Signs shall not exceed fourteen (14) feet in height with a sign area not to exceed sixty-four (64) feet on each side.

4. Monopole Site Signs shall not exceed one-hundred feet in height with a sign area not to exceed one-hundred (100) square feet; location(s) of such signs exceeding sixty (60) feet in height must be specifically noted on the submitted site plan prior to final approval.

C. All other requirements of Section 17.05 of the Collegedale Zoning Ordinance shall regulate signage within the PCD overlay.

15. Other Requirements

A. Underground Utilities: Utility distribution lines within the development shall be placed underground.
B. Lighting: Lighting shall be at an appropriate height, appropriate lumens, and directed away from any residential structure within or adjacent to the PCD overlay so as not to be intrusive or disruptive. Sidewalks shall be illuminated.
C. Refuse Containers: Dumpster type containers shall be located away from residential areas and shall limit hour of pickup service from 8 a.m. to 8 p.m.
D. Compliance: A bond may be required of the applicant to ensure the construction of all planned site improvements.

16. Design Review

A. The Collegedale Commercial & Multi-Family Residential Design Standards Ordinance shall regulate exterior building appearance.

17. Development Plan Review

A. A development plan shall be prepared by a licensed architect, landscape architect, or civil engineer.
B. A vicinity map showing the location, existing zoning, and location of the perimeter boundaries included in the application shall accompany the development plan.
C. The development plan shall be drawn at a minimum scale of one inch equals fifty (50') feet and shall graphically show the following:
1. Existing surrounding development and land uses.
2. Boundaries, dimensions, square footage, densities and locations of proposed buildings, parking areas, Development Signs, Multi-Tennant Signs, Monopole Site Signs, and other improvements and facilities to be constructed within the development along with such other pertinent information.
3. Proposed Uses: Each land use category (Residential, Lodging, Office, Retail, Civic).
4. Landscaping: The landscape plan may be submitted with the PCD application or as a separate submittal in adherence to this document and to the general commercial landscape ordinance as applicable.

5. Existing and proposed streets, access drives, alleys, parking, pedestrian walks, bicycle paths, etc.
6. Retention ponds, detention ponds, and other storm water drainage facilities.
7. Key environmental features such as topography, streams, wetlands, floodways, and any 100-year floodplains.

D. The requirements of the PCD overlay site plan shall apply to the development site and shall not be nullified by transfer of land ownership.

E. A traffic study may be required by the City Engineer. If necessary, it shall be submitted with the PCD overlay Development Plan.

18. Process

A. The applicant and/or developer shall schedule and attend a meeting with Collegedale municipal staff to review the site plan before submitting the plan for approval.

B. A PCD overlay application and Development Plan shall be submitted to Collegedale municipal staff for review prior to recommendation to the Collegedale Planning Commission.

C. The PCD overlay shall be approved subject to the approval of the Development Plan.

D. The Collegedale Planning Commission shall render its recommendation to the Collegedale City Commission for final approval.

E. Upon approval by the Collegedale City Commission, the PCD overlay Development Plan becomes a legal and enforceable document.

F. No PCD overlay shall be approved by the Collegedale City Commission unless it is first submitted to Collegedale municipal staff and the Planning Commission for review.

G. Upon the recommendation for approval, approval with conditions, or disapproval by the Planning Commission, the PCD overlay shall be submitted to the Collegedale City Commission for consideration, public hearing and action. The recommendation of the Planning Commission shall be accompanied by a report stating the reasons for the approval or disapproval of the PCD overlay, with specific reference to, but not limited to, the following conditions:

1. The property adjacent to the area to be included in the PCD overlay will not be adversely affected;
2. The plan is consistent with the intent and purpose of the Ordinance to promote public health, safety, morals, and general welfare.
3. There is a reasonable assurance that development will proceed according to the approved Development Plan.
4. Any resolution by the City Commission approving the PCD overlay shall have attached thereto, as an exhibit, the official PCD overlay Development Plan.
5. In addition to the Development Plan, the Planning Commission may require such other additional information as may be determined necessary to adequately review the proposed development.
6. Any desire to change the PCD overlay boundary as shown on an approved PCD Development Plan shall be considered a “major change” to the site plan and shall require submittal of a new PCD overlay application and Development Plan.
7. All other changes shall be considered “minor” and may be approved by the City Manager or his/her designees from Collegedale municipal staff consisting of the Building & Codes Inspector, the Strategic Planner, and the City Engineer.

8. All traffic and road improvements as required by the City Engineer shall be complete before a certificate of occupancy is issued for the non-residential use structures.

19. Definitions

Bioretention Cells, Grass Swales, and Filter Strips. A bioretention cell is a multifunctional landscaped depression that uses plants and layers of soil, sand, and mulch to control runoff volume and timing, reduce the temperature of and remove pollutants from storm water before it enters local waterways. Bioretention cells can be incorporated into open space, roadway swales, and parking areas.

(a) Components of a Typical Bioretention Cell (Source: Low-Impact Development Center):

(i) Grass buffer strips – reduce runoff velocity and filter particulate matter.

(ii) Gravel/sand bed – provides aeration and drainage of planting soil and assists in the flushing of pollutants from soil materials.

(iii) Ponding area – provides storage of excess runoff and facilitates the settling of particulates.

(iv) Organic layer – filters pollutants and prevents soil erosion.

(v) Planting soil – provides area for storm water storage and nutrient uptake by plants.

(vi) Vegetation – removes water through evapotranspiration and pollutants through nutrient cycling.

Class II On-Street Bike Lane: Class II facilities include bicycle lanes and shouldered bikeways. A bicycle lane is a portion of the roadway separated from conventional travel lanes with a stripe, and designated for exclusive or preferential use by bicyclists. They are one-way facilities placed on both sides of a street in order to carry bicyclists in the same direction as motor vehicle traffic.

Class III On-Street Bike Route: Class III facilities include bicycle routes. On a bike route, bicyclists and motorists share the same travel lanes. Motorists will typically have to move into the adjacent lane in order to safely pass a bicyclist.

Filter Strip: A narrow band of vegetation used to filter storm water runoff either before it enters a storm water management device or another body of water. Filter strips can be incorporated into parking lots or along the edge of other paved surfaces and are most effective when used in combination with other storm water management techniques.

Grass Swales: Can be used as an alternative to curb and gutter systems and can often be effectively combined with bioretention cells.

Greenway: A corridor of protected open space managed for conservation, recreation and non-motorized transportation. Greenways are corridors of land recognized for their ability to connect people and places together. These ribbons of open space are located within linear corridors that are either natural, such as rivers and streams, or manmade, such as abandoned railroad beds and utility

corridors. Greenways as vegetated buffers protect natural habitats, improve water quality and reduce the impacts of flooding in floodplain areas. Most greenways contain trails, which enhance existing recreational opportunities, provide routes for alternative transportation, and improve the overall quality of life in an area.

Land Area: Ground surface necessary for buildings, required parking, service drives and landscaped areas.

Multi-Use Path: The constructed path within a greenway. They do not allow motor vehicle traffic, but they do permit a range of non-motorized travel including bicycling, walking, running and in-line skating.

Pervious Surface: A surface that permits full or partial absorption of water into the ground.

Tree Canopy: The effective radial circumference area of a mature tree's vegetative cover, including all branches and leaves. The canopy can be conveyed in values of percentage.

CHAPTER 18
EXCEPTIONS AND MODIFICATIONS

SECTION

18.01. SCOPE
18.02. NONCONFORMING USES
18.03. EXCEPTIONS TO HEIGHT LIMITATIONS
18.04. LOTS OF RECORD

18.01. SCOPE.

Chapter 18 of this ordinance is devoted for the necessary exceptions and modifications to the specific zoning district provisions and the supplementary provisions provided for in Chapter 16.

18.02. NONCONFORMING USES.

It is the intent of this ordinance to recognize that the elimination, as expeditiously as is reasonable, of the existing buildings and structures or uses that are not in conformity with the provisions of this ordinance is as much a subject of health, safety, and welfare as is the prevention of the establishment of new uses that would violate the provisions of this ordinance. It is also the intent of this ordinance to so administer the elimination of nonconforming uses, buildings, and structures as to avoid an unreasonable invasion of established private property rights. Lawful nonconforming uses, buildings, and structures existing at the time of the passage of this ordinance or any amendment thereto, shall be allowed to remain subject to the following provisions:

1. An existing nonconforming use of a building may be changed to a conforming use or to another nonconforming use of the same or higher classification, providing, however, that the establishment of another nonconforming use of the same or higher classification shall be subject to the written approval of the Board of Zoning Appeals and subject to such conditions as the Board of Zoning Appeals may require in order to protect the area.

2. A nonconforming use of land shall be restricted to the area occupied by such use as of the effective date of this ordinance. A nonconforming use of a building or buildings shall not be enlarged to either additional land or buildings after the effective date of this ordinance.

3. The lawful use of land existing at the time of passage of this Ordinance, although such use may not conform to the provisions hereof, may be continued, but if such nonconforming use is discontinued for a period of six (6) months, the future use of said land shall be in conformity with the provisions of this Ordinance. Any nonconforming mobile home shall be removed and not subject to replacement to comply with the provisions of this Ordinance under any of the following conditions:

   A. A mobile home is not occupied for residential use for a period of six (6) months.

   B. The mobile home deteriorates to an unsafe or uninhabitable condition as determined by the Zoning Official.

   C. The mobile home is moved for any reason from its original location.

   If any mobile home loses its legal nonconforming status, it shall be moved within thirty (30) days of written notice from the Zoning Official or his agent.

4. Any nonconforming building or nonconforming use, which is damaged by fire, flood, wind, or other act of God or man, may be reconstructed and used as before, if it be done within six (6) months of such damage, unless damaged to extent of more than sixty (60)

percent of its fair market value immediately prior to damage in which case any repair or reconstruction shall be in conformity with the provisions of this ordinance.

5. A nonconforming building or building housing a nonconforming use shall not be structurally altered except in conformance with the provisions of this ordinance. This provision shall not be construed to prevent normal maintenance and repairs of alterations required for structural safety.

6. An existing nonconforming use or building which is located within the F-1 Floodway District and/or F-2 Floodway Fringe District shall meet the requirements of those districts.

18.03. EXCEPTIONS TO HEIGHT LIMITATIONS.

The height limitations of this ordinance can be exceeded provided the following conditions are met, as determined by the Board of Zoning Appeals:

1. The developer must present, at the time he applies for a building permit, a copy of the building plans which have been approved by the Collegedale Fire Chief. These plans must show all of the following:

   A. A standpipe riser with one and one-half (1 1/2) inch fire hose connections,

   B. An automatic sprinkler protection system for the entire building

   C. Enclosed exit stairways,

   D. Smoke and heat detection units, and

   E. Any other fire protection and prevention requirements which the fire chief feels are necessary for the building.

   The design and installation of these fire protection measures must be in conformance with the National Fire Protection Association Standards (NFPA).

2. Before the building can be occupied, the developer must secure a statement from the fire chief that the fire protection systems have been installed according to the plans and that the system is functioning properly.

3. The height limitations of this ordinance shall not apply to church spires, belfries, cupolas, and domes not intended for human occupancy; monuments, water towers, silos, grain elevators, observation towers, transmission towers, windmills, chimneys, smokestacks, derricks, conveyors, flag poles, radio towers, masts, and aerials.

18.04. LOTS OF RECORD.

The following provisions shall apply to all existing lots of record:

1. Where the owner of a lot consisting of one or more adjacent lots or official record at the time of the adoption of this ordinance does not own sufficient land to enable him to conform to the yard or other requirements of this ordinance, an application may be submitted to the Board of Zoning Appeals for a variance from the terms of this ordinance. Such lot may be used as a building site, provided, however, that the yard and other requirements of the district are complied with as closely as in the opinion of the Board of Zoning Appeals is possible.

2. No lot which is not or hereafter built upon shall be so reduced in area that the yards and open space will be smaller than prescribed by this ordinance, and no yard, court, or open space provided around any building for the purpose of complying with the provisions hereof, shall again be considered as a yard, court, or other open space for another building.

3. Where two or more lots of record with a continuous frontage are under the same ownership, or where a substandard lot of record has continuous frontage with a larger tract under the same ownership, such lots shall be combined to form one or more building sites meeting the minimum requirements of the district in which they are located.

4. In the case of in-fill development, new structures shall not be so constructed as to setback further than the adjacent existing structure, but in no case shall the minimum front yard requirements of this Ordinance be varied.

18.05 SPECIAL EXCEPTIONS PERMITS

The following requirements or regulations qualify, or supplement as the case may be, the regulations or requirements appearing elsewhere in this Ordinance. A Special Exceptions Permit is used to regulate a use or occupancy of a structure, or a use of land, permitted only upon issuance of a conditional use permit and subject to the limitations and conditions specified therein.

1. Revocable Special Exceptions Permit for a Household Recycling Collection Facility

A. Intent: The Revocable Special Exceptions Permit for a Recycling Collection Facility is intended to allow limited for-profit facilities for the purpose of collection and sorting of containers and materials typically used within domestic households while specifically excluding materials produced by industrial users. Such facilities are privately operated and are not open for public use, thought they do serve to augment and enhance municipal recycling activities already extant within the City of Collegedale and Hamilton County. It is not the intent of this Special Exceptions Permit to allow the collection or storage of hazardous materials including, but not limited to, medical waste, waste oils, electronic component waste, automotive waste, radioactive substances, PCBs, lead, arsenic, mercury or other similar heavy metal compounds, sewer sludge, animal waste or other biological waste. No onsite smelting or waste processing activities other than storage sorting and distribution shall be allowed

B. Definition: Household Recycling Collection Facility – A collection center to be used for the collection, sorting and other assimilation and shipment of household materials including mixed paper, glass, aluminum and steel cans, cardboard and newsprint.

C. Applicability: Application for a Revocable Special Exceptions Permit for the Household Recycling Collection Facility is allowed in C-2 and C-3 zones.

D. Permitted Uses: The Revocable Special Exceptions Permit allows uses that are necessary for and accessory to the operation of the Household Recycling Collection Facility, as shown on a site plan approved by the City Commission.

E. General Restrictions: The development and use of property as a Household Recycling Collection Facility may be permitted as a Special Exceptions by the City Commission with or without additional conditions, provided that the following requirements are met:

(a) Maximum site area used shall be one (1) acre.
(b) No portion of the lot or parcel used for household recycling collection shall be located within five hundred (500) feet of the boundary of any residential zoning district as measured in a straight line.
(c) The grounds shall be non-illuminated except for necessary security.
(d) All parking shall be on the site and shall be approved by the City Engineer
(e) The facility shall not be open to the general public.
(f) Materials shall be stored in covered bins
(g) The portion of the site used for storage shall be screened from public view by a sight obscuring fence no less than six (6) feet high.
(h) The Special Exceptions Permit may be revoked by the City Commission upon written report by the City Building Inspector that the a Household Recycling Collection Facility is not being constructed or used in conformance with the approved site plan.
(i) Additional conditions may include, but are not limited to: building footprint, building size, building location, ingress and egress, frequency of truck traffic, hours of operation, and mitigation of objectionable odors.

G. Revocation

a) The issuance of the Revocable Special Exceptions Permit allowed by this section does not create a vested right to the continuance of the same.

b) The City Commission may revoke the Revocable Special Exceptions Permit with our without cause upon thirty (30) days notice before the Commission considers any such action. The permit holder may appear at the meeting of the Commission and, upon request, be heard on the issue of the revocation. If the City Commission votes to revoke the permit, it may provide for immediate revocation or revocation after an interval to be determined within its discretion.

c) If acts or operations on the property that are subject to a Revocable Special Exceptions Permit under this section are an immediate threat to the health, safety or welfare of the City or its citizens, the Building Inspector may order immediate suspension of the Permit. In such case, the permit holder may appeal the decision of the Building Inspector to the City Commission at its next Monday regular meeting, provided that notice of the appeal is given before the close of business at City Hall the Friday preceding the regular meeting.

2. **Special Exceptions Permit for Fee-Simple Ownership of Commercial Space** (Amended 4/21/15)

A. Intent: The option of fee-simple commercial ownership is advantageous for users who wish to purchase a specific "contained" portion of a structure concurrently with rights to the land underlying such space, thereby necessitating a process for review and approval in the event such action creates lot configurations not allowed under standard zoning requirements. The Commercial Fee-Simple Special Exceptions Permit is intended to provide additional flexibility for owners and developers of commercially zoned property while creating a review and approval process to ensure that land is developed in an orderly and harmonious fashion. A Special Exceptions Permit for such use shall be granted only after administrative review and approval by the Board of Zoning Appeals.

B. Applicability: Property eligible for the Commercial Fee-Simple Special Exceptions Permit shall be zoned one of the following designations:
C-1
C-2

C. Effect: Use of the special exceptions permit will allow for the creation of fee-simple commercial lots contained within a building shell that are exempt from area standards prescribed in the underlying zone. The building shell itself is NOT exempt and remains subject to all applicable zoning standards.

D. Area Requirements:

(a) The minimum lot size where the building shell is located shall be dictated by the underlying zone.

(b) For any internal lot(s) created within the building shell, there shall be no minimum lot frontage, depth or area requirements except as those required for the preservation of health, safety and public welfare as stipulated by the Board of Zoning Appeals at the request of the City Engineer.

(c) The location of the building shell encompassing the contained space and underlying fee-simple lots shall conform to all applicable zoning and land use standards and is not affected by the approval and issuance of the Commercial Fee-Simple Special Exceptions Permit.

E. Other Stipulations:

(a) Provision must be made for an appropriate ownership association, created in accordance with T.C.A. Section 66-27-101 et pass.

(b) Any plat used to record a fee-simple commercial lot or lots using this Special Exceptions Permit must also include statements regarding ongoing maintenance of certain common elements and provision for reciprocal access for all owners of the lots as specified in the Collegedale Subdivision Regulations.

F. Application Process:

(a) Application shall be made to the Planning and Economic Development Office before the close of business on the 20th day of any month for consideration at the following month's Planning Commission hearing.

(b) A preliminary plat drawn by a licensed land surveyor shall be submitted at the time of application demonstrating the location and configuration of the proposed lots within the building shell.

(c) A site plan drawn by a licensed engineer shall be submitted at the time of application demonstrating the general layout of the proposed development. The following elements shall be included on the site plan for the purposes of this use:

(i) A scale of not less than 1 inch equals 40 feet.
(ii) The total acreage of the site.
(iii) The current zoning of the site and surrounding properties.
(iv) Date, approximate north point and graphic scale
(v) The names and ownership of adjacent lots, parcels, or tracts.
(vi) A vicinity map
(vii) Location and length of existing property lines
(viii) Location of proposed fee-simple commercial lots contained within a building's shell.
(ix) General location of all planned structures
(x) Site ingress and egress
(xi) Parking facilities

G. Staff Review:

Upon receipt of an administrative review fee, City administrative staff will review the submitted material for compliance with applicable municipal land use regulations pertaining to the health, safety and welfare of the community before making a recommendation before the Board of Zoning Appeals. Following an affirmative decision by the Board of Zoning Appeals, a final plat may be recorded with the Hamilton County Register of Deeds.

H. Definitions:

Building Shell---For the purposes of this permit, a building shell at minimum consists of all exterior walls and the roof structure which encompasses one or more core spaces which may be divided into separate fee-simple lots intended for individual ownership.

Common Elements---Land amenities, parts of buildings, central services, and any other facilities owned and used in common by all lot or unit owners, and designated in the master deed as such. Common elements may include, but are not limited to parking, landscaping, fire detection and suppression equipment, walkways. Maintenance of such areas is not the responsibility of the City of Collegedale and shall be set forth by the owner's association in the form of restrictive covenants and declarations, which shall guarantee the maintenance of these areas.

Fee-Simple---A private land right whereby a property owner unconditionally owns a specific piece of land.

CHAPTER 19
ADMINISTRATION AND ENFORCEMENT

SECTION

19.01. ADMINISTRATION OF THE ORDINANCE
19.02. THE ENFORCEMENT OFFICER
19.03. BUILDING PERMITS
19.04. TEMPORARY USE PERMITS
19.05. CERTIFICATE OF OCCUPANCY
19.06. BOARD OF ZONING APPEALS
19.07. PROCEDURE FOR AUTHORIZING USES PERMITTED ON APPEAL
19.08. VARIANCES
19.09. AMENDMENTS TO THE ORDINANCE
19.10. REMEDIES
19.11. PENALTIES FOR VIOLATIONS
19.12. CONFLICT WITH OTHER REGULATIONS
19.13. SEPARABILITY
19.14. EFFECTIVE DATE

19.01. 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 the community. 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.

19.02. THE ENFORCEMENT OFFICER.

The provisions of this ordinance shall be administered by the Collegedale Zoning Official. The zoning official shall administer and enforce this ordinance and, in addition, he/she shall:

1. Issue all Building Permits and make and maintain records thereof.

2. Issue all Certificates of Occupancy and make and maintain records thereof.

3. Issue and renew, where applicable, all Temporary Use Permits and make and maintain records thereof.

4. Maintain and keep current zoning maps, and records of amendments thereto.

5. Conduct inspections as required in this ordinance and such other inspections as are necessary to ensure compliance with the various other general provisions of this ordinance. The zoning official shall possess the right to enter upon any premises for the purpose of making inspections of buildings or premises necessary to carry out his/her authorized duties.

6. Administer and enforce the city's floodplain management program.

19.03. BUILDING PERMITS.

1. Any owner, authorized agent, or contractor who desires to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, fill or excavate land lying within any flood hazard areas, or to erect or construct a sign of any description, or to install or alter fire-extinguishing apparatus, elevators, engines, or to install a steam boiler, furnace, heater, incinerator, or other heat producing apparatus, or other appurtenances, the installation of which is regulated by this code, or to cause any such work to be done, in excess of one thousand five hundred ($1,500.00) dollars shall first make application to the zoning official and obtain the required permit therefore.

2. Minor repairs may be made with the approval of the zoning official without a permit; provided that such repairs shall not violate any of the provisions of this code.

19.04. TEMPORARY USE PERMITS.

It shall be unlawful to commence construction or development of any use of a temporary nature until a permit has been secured from the Collegedale Zoning Official. Application for a Temporary Use Permit shall be made in writing to the zoning official on forms provided for that purpose.

For the purposes of this Ordinance, the term temporary shall be for a period of time not to exceed one (1) year. Such temporary use permits can be renewed at the end of one (1) year at the discretion of the Board.

19.05. CERTIFICATE OF OCCUPANCY.

No land or building or their structure or part thereof hereafter erected, moved, or altered in its use shall be used until the zoning official shall have issued a Certificate of Occupancy stating that such land, structure, or part thereof is found to be in conformity with the provisions of this ordinance. Within three (3) working days after notification that a building or premises or part thereof is ready for occupancy or use, it shall be the duty of the zoning official to make a final inspection thereof, and to issue a Certificate of Occupancy, if the building or premises or part thereof is found to conform with the provisions of this ordinance; of, if such certificate is refused, to state the refusal in writing with the cause for such refusal.

19.06. BOARD OF ZONING APPEALS.

1. Membership.

The Board of Zoning Appeals shall consist of three (3) members. Board members shall be appointed by the mayor. Board members shall serve without compensation.

2. Terms of Office.

The mayor, with shall appoint one (1) of the members of the board of zoning appeals to serve as the chairman during their term. The chairman of the board of zoning appeals may select one of the members to serve as the vice chairman who shall preside over the meetings of the board of zoning appeals during the absence of the chairman. Of the three (3) members initially appointed, one (1) shall serve for a term of one (1) year, one (1) for a term of two (2) years, and one (1) for a term of three (3) years. At the expiration of the terms of initial appointment, all reappointments or new appointments shall be for a term of three (3) years. The mayor shall be responsible for accepting the resignation of any member of the board of zoning appeals and appointing a replacement. Vacancies shall be filled for unexpired terms in the manner herein provided for initial appointments.

3. Conflict of interest.
A board member with either a direct or indirect interest in property affected by the consideration of the board shall be disqualified from any deliberating and voting in the proceedings on that matter.

4. Powers. (1) Generally. The board of zoning appeals shall be vested with all of the powers granted to a board of appeals pursuant to Tennessee Code Annotated, § 13-7-207.

A. 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 zoning official or other administrative official in the carrying out of enforcement of any provision of this ordinance.

B. 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 Municipal Planning Commission is authorized to pass.

C. Variances: To hear and decide applications for variances from the terms of this ordinance (See Section 19.08).

5. Action by the board. Two (2) board members shall constitute a quorum and concurrence of at least two (2) members shall be necessary to deny or grant any application.

6. Conditions. In granting a variance, special exception permit, or change to a nonconforming use or structure, the board may impose conditions, restrictions or time limits considered necessary to protect surrounding properties and more effectively carry out the general intent of this section.

7. Rules. The board may adopt such rules, regulations and procedures as it may deem necessary to carry into effect the provisions of this section..

8. Procedure.
Meetings of the Board of Zoning Appeals shall be held on the second Monday of each month, and at such other times as the board may determine. All meetings shall be open to the public. The Board shall adopt rules of procedure and shall keep records of applications and action taken thereon which shall be public records.

9. Appeals to the Board of Zoning Appeals
An appeal to the Board of Zoning Appeals may be taken from any person, firm, or corporation aggrieved, or by any governmental office, department, board, or bureau affected by any decision of the zoning official based in whole or in part upon the provisions of this ordinance. Such appeal shall be taken by filing an application (see appendix) with the Board a notice of appeal specifying the grounds thereof.

The zoning official shall transmit to the Board all papers constituting the record upon which the action appealed was taken. Appeals shall be filed at Collegedale City Hall with the accompanying fee. The deadline for such action shall be the close of business on the 20th day of each month for hearing at the following month's scheduled meeting. If the 20th falls on a non-working day, then the deadline shall be the close of business on the next workday. This provision allows for a reasonable time to give public notice of the hearing, as well as due notice to the parties in interested. Upon the hearing, any person or party may appear in person, by agent, or by attorney.

19.07. PROCEDURE FOR AUTHORIZING USES PERMITTED ON APPEAL.

The following procedure is established to provide procedures for appeal of a proposed use by the Board of Zoning Appeals. the procedure shall be the same whether review is required by this ordinance or whether a review is requested by the zoning official to determine whether a proposed use is potentially noxious, dangerous, or offensive. This procedure shall also be used in submitting special exceptions to the Board of Zoning Appeals.

1. **Application.**

   An application shall be filed with the Board of Zoning Appeals for review. Said application shall show the location and intended use of the site, the names of adjacent property owners, and any other material pertinent to the request which the BZA may require. Application for a building permit shall be made in writing to the zoning official on forms provided for that purpose. The application for a building permit for excavation, filling, construction, moving, or alteration, shall be accompanied by a plan or plat drawn to a scale showing the following in sufficient detail to enable the zoning official to ascertain whether the proposed excavation, filling, construction, moving, or alteration is in conformance with this ordinance:

   A. The actual shape, location, and dimensions of the lot to be built upon;

   B. The shape, size, and location of all buildings or other structures to be erected, altered, or moved and of buildings or other structures already on the lot;

   C. The existing and intended use of all such buildings or other structures;

   D. Location and design of off-street parking areas and off-street loading areas. Such other information concerning the lot or adjoining lots as may be essential for determining whether the provisions of this ordinance are being observed.

   If the proposed construction or alteration as set forth in the application is in conformity with the provisions of this ordinance, the zoning official shall issue a building permit for such construction. If an application for a building permit is not approved, the zoning official shall state in writing on the application the cause for such disapproval. Issuance of a permit shall in no case be construed as waiving any provisions of this ordinance, and building permits shall be void after six (6) months from date of issue, unless substantial progress on the project has been made by that time.

19.08. VARIANCES.

The purpose of this provision is to hear and decide applications for variance from the terms of this ordinance, but only where, by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of adoption of this ordinance was a lot of record; or where by reason of exceptional topographical conditions or other extraordinary or exceptional situations or physical conditions of a piece of property, the strict application of the provisions of this ordinance would

result in exceptional practical difficulties to or exceptional and undue hardship upon the owner of such property, provided that such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of this ordinance. In granting a variance, the board may attach thereto such conditions regarding the location, character, and other features of the proposed building, structure or use as it may deem advisable in furtherance of the purpose of this ordinance. Before any variance is granted it shall be shown that special circumstances are attached to the property that do not generally apply to other property in the area.

(A) **Application.** After written denial of a permit, a property owner may make application for a variance, using the standard form made available by the Board of Zoning Appeals.

(B) **Hearings.**
Upon receipt of an application and a fee, as set by the Board of Commissioners, the Board of Zoning Appeals shall hold a hearing to decide whether a variance to the ordinance provisions is, in fact, necessary to relieve unnecessary hardships which act to deprive the property owner of the reasonable use of his/her land. Such hearing shall be preceded by a public notice of the hearing. The board shall consider and decide all applications for variances within forty-five (45) days of such hearing and in accordance with the standards provided below.

(C) **Standards for Variances.**
In granting a variance, the Board shall ascertain that any such request, and subsequent findings and decisions by the Board is in accordance with this Ordinance and Subsection 3 of **Tennessee Code Annotated,** Section 13-7-207.

(D) **Action of the Board of Zoning Appeals.** In exercising the aforementioned powers, the Board of Zoning Appeals may, in conformity with the provisions of this ordinance, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination initiating the appeal. The concurring vote of a majority of the board shall be necessary to reverse any order, requirement, decision or determination by the codes enforcement officer, or to decide in favor of the applicant on any matter upon which it is required to pass under this ordinance, or to authorize any variance from the terms of this ordinance.

(E) **Appeals.** Any person or persons, or any board, taxpayer, department, board or bureau of the city aggrieved by any decision of the board of zoning appeals may seek review by a court of record of such decision, in the manner provided by the laws of the State of Tennessee. (1978 Code, § 11-1307)

1. **Application.**
After written denial of a permit, a property owner may make application for a variance, using the standard form made available by the Board of Zoning Appeals.

2. **Hearings.**
Upon receipt of an application and a fee, as set by the Board of Commissioners, the Board of Zoning Appeals shall hold a hearing to decide whether a variance to the ordinance provisions is, in fact, necessary to relieve unnecessary hardships which act to deprive the

property owner of the reasonable use of his land. Such hearing shall be preceded by a public notice of the hearing. The board shall consider and decide all applications for variances within forty-five (45) days of such hearing and in accordance with the standards provided below.

3. **Standards for Variances.**
In granting a variance, the board shall ascertain that the following criteria are met as outlined in Subsection 3 of **Tennessee Code Annotated** Section 13-7-207.

A. Variances shall be granted only where special circumstances or conditions, fully described in the finding of the board, do not apply generally in the district;

B. Variances shall not be granted to allow a use otherwise excluded from the particular district in which requested;

C. For reasons fully set forth in the findings of the board, the aforesaid circumstances of conditions are such that the strict application of the provisions of this ordinance would deprive the applicant of any reasonable use of his land. Mere loss of value shall not justify a variance. There must be a deprivation of beneficial use of land.

D. The granting of any variance shall be in harmony with the general purposes and intent of this ordinance and shall not be injurious to the neighborhood, detrimental to the public welfare, or in conflict with the comprehensive plan for development;

E. In reviewing an application for a variance, the burden of showing that the variance should be granted shall be upon the person applying therefore.

19.09. AMENDMENTS TO THE ORDINANCE.

1. **General.**
The city council may, from time to time, amend this ordinance by changing the boundaries of districts or by changing any other provisions wherever it is alleged that there was an error in the original zoning ordinance or whenever the public necessity, convenience, and general welfare require such amendment. However, no amendment shall become effective unless it be first submitted to and approved by the planning commission, or if disapproved, shall receive the favorable vote of a majority of the entire membership of the chief legislative body.

2. **Initiation of Amendment.**
Amendments may be initiated by the city council, the planning commission, or by all of the owners of property affected by the proposed amendment.

3. **Application for Amendment - Fee.**
An application by an individual for an amendment shall be accompanied by a fee, as set by the Board of Commissioners, payable to the City of Collegedale.

4. **Review and Recommendation by the Planning Commission.**
The planning commission shall review and make recommendations to the city council on all proposed amendments to the ordinance.

5. **Grounds for an Amendment.**
The planning commission in its review and recommendation, and the city council in its deliberations, shall make specific findings with regard to the following grounds for an amendment and shall note the same in the official record as follows:

A. The amendment is in agreement with the general plan for the area.

B. It has been determined that the legal purposes for which zoning exists are not contravened.

C. It has been determined that the proposed amendment will cause no adverse effects upon adjoining property owners unless such adverse affect can be justified by the overwhelming public good or welfare.

D. It has been determined that no one property owner or small group of property owners will benefit materially from the change to the detriment of the general public.

E. It has been determined that conditions affecting the area have changed to a sufficient extent to warrant an amendment to the area's general plan, and consequently, the zoning map.

6. **Public Hearing and Notice of Hearing.**
A public hearing shall be held on all proposed amendments to this ordinance. Notice of such hearing shall be in a newspaper of general circulation within the City of Collegedale at least fifteen (15) days prior to the public hearing. This notice shall specify the location, current and proposed zoning classification, and it may contain a graphic illustration of the area.

7. **Effect of Denial of Application.**
Whenever an application for an amendment to the text of this ordinance or for a change in the zoning classification of any property is denied, the application for such amendment shall not be eligible for reconsideration for one (1) year following such denial, except in the following cases.

A. Upon initiation by the city council, or planning commission;

B. When the new application, although involving all or a portion of the same property, is for a different zoning district than that for which the original application was made;

C. When the previous application was denied for the reason that the proposed zoning would not conform with the general plan, and the general plan has subsequently been amended in a manner which will allow the proposed zoning.

19.10. 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 zoning official or any other appropriate authority or any adjacent or neighborhood property owner who would be specifically damaged by such violation, in addition to other remedies, may institute 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.

19.11. PENALTIES FOR VIOLATIONS.

Upon conviction, any person violating any provision of this ordinance shall be fined not less than two ($2.00) dollars nor more than fifty ($50.00) dollars for each offense. Each day such violations continue shall constitute a separate offense.

19.12. CONFLICT WITH OTHER REGULATIONS.
Whenever the regulations of this ordinance require more restrictive standards than are required in or under any other statute; the requirements of this ordinance shall govern. Whenever the provisions of any other city adopted code require more restrictive standards that are required by this ordinance, the provisions of such code shall govern.

19.13. SEPARABILITY.
Should any action or provisions of this ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the facility of the ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

19.14. EFFECTIVE DATE.
This ordinance shall take effect and be in force from and after the date of its adoption, the public welfare demanding it.

CHAPTER 20: SIGN REGULATIONS

Section 20.1 INTRODUCTION

20.1.1 INTENT AND PURPOSE

The regulations within this section are intended to ensure consistency in style, scale, visibility, readability and clarity as well as location and quantity, while allowing for a varied and pleasing visual landscape in the City of Collegedale.

The zoning regulation of the placement, construction, maintenance of buildings and structures is a valid use of the police power, including the regulation of the placement, installation, and maintenance of signs. Signs must ordinarily be considered structures, and are capable of producing many of the same nuisances as are produced by buildings. The intent of this Chapter is to regulate the size, height and number of signs in such a manner as to protect and preserve the aesthetic qualities of the county while promoting traffic safety without causing unsafe conditions.

It is not the intent of this article to apply regulation to signs based upon the message that they convey. It is not the intent of this article to foreclose important and distinct mediums of expression for political, religious or personal messages. Furthermore, it is not the intent of the county, nor any of its boards, commissions, or agents, to regulate, in any manner, the message content of signs, except to the extent of obscenity or other messages prohibited by state or federal law. Accordingly and except as described in the prior sentence, the provisions of this article shall not be construed, interpreted, or enforced so as to regulate signage based upon the content of a sign's message whether it is commercial or non-commercial content.

In addition, the regulation of signs within the city is necessary and in the public interest:

1. To protect property values within the city.

2. To protect the motoring public from damage or injury caused or partially attributable to distractions or obstructions from improperly designed or situated signs.

3. To promote the economic well-being of the City of Collegedale by creating a favorable physical image.

4. To improve the legibility and effectiveness of all permitted signs.

5. To allow individuals equal and fair opportunity to advertise and promote their products and services without discrimination.

6. To eliminate excessive signage.

7. To protect the right of citizens to enjoy Collegedale's natural scenic beauty.

8. To encourage economic development within the city.

9. To regulate the construction, erection, maintenance and size of signs that may constitute a direct danger to pedestrians and property.

10. To preserve and promote the public health, safety and welfare in the City of Collegedale.

20.1.2 SEVERABILITY

Permanent and temporary signs requiring a permit must have a sign permit approved by the City of Collegedale Building Official. All persons, corporations, or organizations (or their designated agents) interested in installing signs subject to the provisions below are responsible for acquiring such permits.

If any part, section, subsection, paragraph, sentence, phrase, clause, term, or word in this code is declared invalid by a court of competent jurisdiction, such a finding shall not affect the validity or enforceability of the remaining portions of the code.

CHAPTER 20: SIGN REGULATIONS

Section 20.2 SIGN CLASSIFICATION

Section 20.2.1 ALLOWED SIGNS

Except as otherwise provided in this Chapter, it shall be unlawful for any person to erect, construct, enlarge, modify, move or replace any sign or cause same to be done without first having obtained a sign permit for such sign from the City of Collegedale Building Official, or designee as required by this Chapter unless denoted as not requiring a permit. A fee, in accordance with a fee schedule as adopted by the Board of Commissioners, shall be charged for each sign permit issued. If an application for a sign permit is denied by the Building Official or designee, the applicant will be notified of the reasons for the denial. IF a sign does not require a permit, the sign shall adhere to all regulations prescribed in the Chapter of the Ordinance pertaining to that sign type.

All sign types shown in Chapter 20 that require a permit will have a symbol Ⓟ next to the description name at the top of the column of criteria for each sign.

Section 20.2.2 SIGNS ALLOWED WITH A VARIANCE

In accordance with state law, variances may be granted under very limited circumstances. A variance to sign criteria may be considered for specific reasons of proven hardship or unique circumstance. In such cases, the request will be heard by the Board of Zoning Appeals (BZA) subject to the requirements in CHAPTER 19 of the Collegedale Zoning Ordinance. At the variance hearing careful review and consideration will be given to the request as well as its potential to significantly impact the aesthetics and safety of the community. However, not all instances will be allowed in this approval process. Applicants should be aware that this process requires additional review and should therefore plan accordingly.

Section 20.2.3 PROHIBITED SIGNS

Sign types herein labeled as **Prohibited** shall not be installed at any time within the City of Collegedale.

Prohibited Signs in all Zoning Districts

The following shall be prohibited for use as signs:

A. Bench Signs;

B. Freestanding Canopy with Signs;

C. Government-imitation Signs;

D. Air-activated devices, streamers, tethered balloons or other inflatable signs or figures, except as authorized by this Ordinance

E. Mechanical Signs;

F. Parked-vehicle signs (including but not limited to: Trucks, cars, planes, boats, semi truck trailers, military equipment, etc.);

G. Roof Signs, including signs painted on roofs;

H. Searchlights;

I. Signs erected in a public right-of-way, except for those placed by or on behalf of a governmental entity;

J. Signs interfering or blocking the sight of directional, instructional, or warning signs;

K. Signs on natural features such as trees, other vegetation, and rocks;

L. Banners (except as otherwise specified within this Chapter;

M. Signs attached to utility poles, or bridges;

N. Snipe signs;

O. Any sign which is portable or not securely attached to a building or to the ground (sand bags, rocks, guide wires, tape, stakes, fence posts, chains, and staples are not considered a form of secure attachment);

P. Information boxes larger than 12 inches by 14 inches and 3 inches in depth when erected alone or placed on sign structure;

Q. Any sign which exhibits statements, words or pictures of an obscene or pornographic nature;

R. Any sign with moving parts, flashing or blinking lights, animation or sound emitting devices (excluding two-way communication devices used solely for such two-way communication);

S. Exposed neon and LED that is visible is prohibited for signs and shall not be incorporated into the design of a principal or accessory structure (this does not apply to electronically controlled operated message boards which operate primarily for the purpose of giving time, temperature, public service information);

T. Flags, except as permitted in this Chapter;

U. Trash receptacle signs;

V. Pendants;

W. Off Premise Signs except those erected by a municipality for the purpose of identifying government facilities, and/or the conveyance of directional or other information for the public benefit; and

Y. "Cabinet Signs" including those mounted on buildings, and freestanding cabinet signs that do not have a decorative surround as provided within this Chapter.

Z. Portable Signs

Section 20.3 GENERAL STANDARDS

These general standards apply to all of the types of allowed signs, where applicable.

WHAT IS A SIGN?

A sign is any object, display or structure, or part thereof, situated outdoors, which is used to advertise, identify, direct, or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination, or projected images. The term "sign" does not include the flag or emblem of any nation, organization of nations, state, political subdivision thereof, or any fraternal, religious or civic organization; works of art which in no way identify a product or business; scoreboards located on athletic fields; or religious symbols.

20.3.1 QUANTITY

A) Unless otherwise specified in the Ordinance, or as per special circumstances listed below in sections B, C, & D, establishments with only one entrance or wall front shall have no more than one primary identification wall sign.

B) Corner lots may be permitted to have one (1) Wall Sign per street frontage.

C) Primary or Secondary Wall Signs may be permitted on non-street fronting walls only if a primary entrance fronts a parking lot.

D) Structures that are deemed subordinate to the principal uses are permitted one wall sign unless otherwise permitted within this Ordinance.

20.3.2 SIGN AREA

The sign area is the area of smallest geometric figure, which encompasses the facing of the sign including the copy, insignia, logo, symbol, photograph, background, and borders.

In the case of signs mounted back-to-back, only one side of the sign is to be used for the computation of area. Back-to-back signs shall be defined as double-faced signs. Otherwise, the surface area of each sign is to be separately computed. In the case of cylindrical signs, signs in the shape of cubes, or other such signs that are substantially three-dimensional with respect to their display surfaces, the entire display surface or surfaces will be included in computations of area.

20.3.3 DESIGN

A) Materials, colors, and shapes of proposed signs shall be architecturally compatible with the building(s) it is associated with.

B) The sign shall not be the dominant feature of its location and shall be scaled in accordance with the size of the building(s) it is associated with.

C) A Uniform Sign Plan shall be required for proposed developments containing more than two (2) tenants such as retail centers, offices, multi-tenant, multi-family development, and subdivisions consisting of more than five lots. Uniform Sign Plans should include an illustrated site plan of all signage specifications of any and all wayfinding signs, traffic regulation signage, and all tenant signs for the project. The development plans shall denote maximum total sign areas permitted in this Chapter. All tenants shall comply with the approved uniform sign plan.

20.3.4 SIGN HEIGHT

The height of a freestanding sign shall be the vertical distance from the mean grade elevation taken at the fronting street side of a structure to the highest point of a sign or supporting structure.

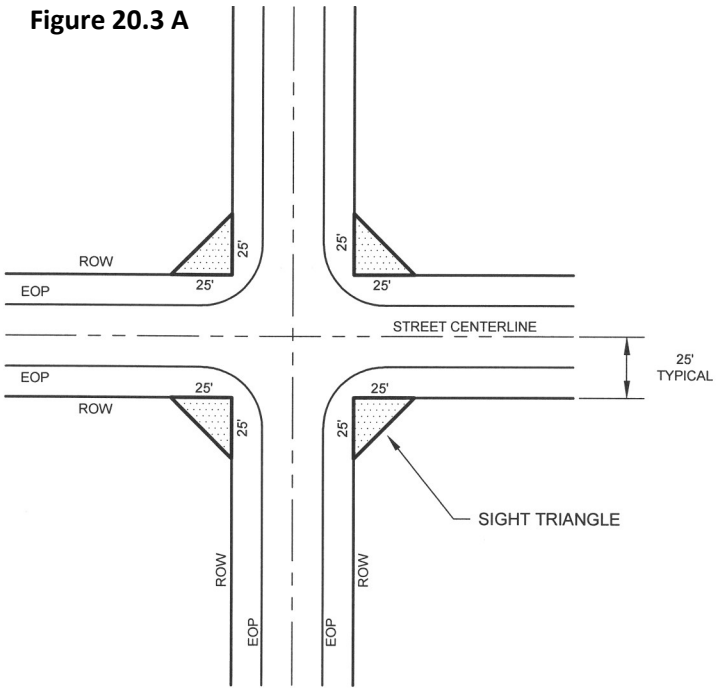
Ornamentation such as caps, spires, and finials shall not extend more than twelve (12) inches from the top of the sign. The use of berms or raised landscape areas is only permitted to raise the base of the sign to the mean elevation of the fronting street. The maximum height for certain freestanding monument or pylon signs is fourteen (14) feet as specified in **Section 20.7.** Monument signs shall incorporate a minimum twelve (12) inch masonry base which shall be excluded from the sign height calculation.

Section 20.3 GENERAL STANDARDS (continued)

20.3.5 SETBACK

Except as otherwise provided in this Ordinance, all ground mounted signs shall be set back a minimum of ten (10) feet from the right-of-way (ROW) of a public or private street. At intersections, no sign shall be located within the sight triangle as illustrated in **Figure 20.3 A.**

Figure 20.3 A



20.3.6 LETTERING

Channel Illuminated Lettering, logos, or push-through acrylic signs should be proportional to the building. Logos shall be calculated as part of the total area of the primary identification sign.

A Channel Illuminated Sign is a sign whose light source is located in the interior of a sign so that light shines through the front surface of the signs in specific "cut-away" areas. Any words, lettering, figures, numerals, emblems, devices, trademarks, trade names, or any combination thereof, by which anything is made known and which is designed to attract attention and/or convey a message, may be displayed by channel cutting the words, lettering, figures, etc. out of the surface of the sign. The sign itself is illuminated through cuts, or channels made through the surface of the sign. Please see examples in **Section 20.6**

20.3.7 MAINTENANCE

A) Premises
Signs and the premises surrounding them shall be maintained in a clean, sanitary, and non offensive condition, free and clear of obnoxious substances, rubbish, and weeds.

B) Structure Maintenance
Signs, together with their supports, braces, guys, and anchors, shall be kept in good, safe repair, and shall be maintained in good and safe condition, including the periodic application of paint and other weatherproofing materials to prevent rust or other decay. The City of Collegedale Codes Enforcement Department may order the removal of any sign that is not maintained in accordance with the provisions this ordinance. The removal or expense incurred to assure compliance shall be at the expense of the owner of the sign or occupant owner where the sign is situated, or any one or all of them, who shall be jointly and severally liable for the expense.

C) Sign Area or Other Maintenance
The sign shall not be allowed to deteriorate to a broken. torn, peeling, flaking, or otherwise decayed condition and shall be repaired or removed within 10 business days of receipt of notice mailed to the owner by certified mail, return receipt requested, from the City of Collegedale Codes Enforcement Department ordering the repair of removal. If the owner fails to remove or alter the sign so as to comply with the standards herein set forth within the time specified in the notice, then the sign may be removed by the City of Collegedale Codes Enforcement Department, at the owner's expense.

D) Maintenance of Patriotic Flags
Flags shall not be allowed to deteriorate to a tattered, torn, or faded condition and shall be attached properly at all times. The condition shall be repaired or removed within 10 business days of receipt of Notice.

Section 20.3 GENERAL STANDARDS (continued)

20.3.7 MAINTENANCE

E) Notice to Remove Unsafe Signs

If the City of Collegedale Codes Enforcement Department finds that a sign is unsafe, insecure, or is a menace to the public, then its officers shall give written notice to the owner, agent, or person having the beneficial interest in the building or the premises on which the sign is located. After proper notice has been given the owner shall have ten (10) business days to repair the sign. If the condition of the sign is not corrected after 10 business days, then the Codes Enforcement Department is hereby authorized to cause the sign to be removed immediately at the expense of the owner, agent, or person having the beneficial interest in the building or premises on which the sign is located, whenever it determines that the sign is an immediate peril to persons or property.

F) Signs Placed in Right-of-Way

Signs placed in the public right-of-way by non-governmental agencies may pose a distraction and a danger to the traveling public. As such, they are illegal and shall be forfeited to the public and shall be immediately confiscated by the Collegedale Public Works Department, the City of Collegedale Police Department, or the Collegedale Codes Enforcement Department.

G) Change of Use, Business, or Ownership

Nonconforming signs shall be brought into compliance once a change of business, change of use, or change of ownership has taken place.

F) For reference on non-conformities, see **Chapter 19** of the Collegedale Zoning Ordinance.

Section 20.3 GENERAL STANDARDS (continued)

20.3.8 ILLUMINATION

Illuminated signs shall conform to the following:

A) If illumination is external, it shall be located and directed solely at the sign.

B) The light source shall not be visible from or cast into the right-of-way, nor cause glare hazards to pedestrians, motorists, or adjacent properties.

C) Light source shall not be mounted to any part of the sign.

D) Only one exterior light shall be permitted per sign face for signs sixteen (16) square feet or less and two (2) exterior lights for sign faces that exceed sixteen (16) square feet in size.

E) Channel letters and Channel logos may only be internally illuminated. No open face channel letters are allowed, whereas the method of illumination, such as, but not limited to: Neon tubing, LED lighting**,** or where a light bulb arrangement or similar is exposed. See Figure **20.3 B** for examples.

The only allowable types of internally illuminated signs are channel letters with translucent faces, reverse lit channel letters, or push-through acrylic sign panels. See examples of back-lit reverse channel letters in Section 20.6. All exposed raceways must be painted to match the finish of the wall face sign it will be attached to. If wall surface is brick, a black raceway is permitted. See definitions of acceptable types of channel letters under "Lettering" in Section 20.3.6.

F) A maximum of 10 foot candles is permitted on any portion of sign. A foot candle is defined as a unit of illuminance or light falling onto a surface. It represents the light level on a surface one foot from a standard candle. One foot candle is equal to one lumen per square foot. A lumen is the basic measure of the quantity of light emitted by a source.

G) All lighting shall meet all applicable electrical codes.

Figure 20.3 B

Examples of **PROHIBITED** sign Illumination types

Section 20.4 ALLOWED SIGNS

The following pages illustrate allowed sign types. Except as otherwise provided in this Chapter, it shall be unlawful for any person to erect, construct, enlarge, move or replace any sigh or cause the same to be done, without first having obtained a sign permit for such from the Building Official or designee as required by this Chapter. If a sign does not require a permit, the sign shall adhere to all regulations prescribed within this Chapter of the Ordinance pertaining to that sign type. All allowed signs that require a permit from the City of Collegedale will have a Ⓟ symbol next to the description name at the top of the column of criteria for each sign. A fee in accordance with the adopted schedule shall be charged for each sign permit issued. A chart is included at the end of this Chapter to supplement the types of signage allowed within each zoning district, including additional conditions relating to some sign types.

Allowed Permanent Sign Types

Building-Mounted

A Building Mounted Sign is considered any sign that is attached to any building on the premises. Below are allowed Building Mounted Sign Types:

Primary Street Fronting

Wall Signs	Sections 20.5.1-20.5.3

Secondary Street Fronting Signs

Awnings & Canopies	Section 20.5.4
Projecting Signs	Section 20.6.5
Window Signs	Section 20.6.6
Permanent Banner Signs	Section 20.6.7
Incidental Signs	Section 20.6.8

Section 20.4 ALLOWED SIGNS (continued)

Allowed Permanent Sign Types

Site-Installed (on premise)

Any sign that is not affixed to a building, but one that is securely and/or permanently mounted in the ground. Below are allowed Site-Installed Sign Types:

Single Tenant Ground Sign	Sections 20.6.1-20.6.3
Multi-Tenant Ground Sign	Sections 20.6.1-20.6.3
Residential Neighborhood Monument	Section 20.7.1
Arm Sign	Section 20.6.4
Aerial Arm Sign	Section 20.6.7
Compact Freestanding Ground Signs	Section 20.6.6
On-Premise Pole Signs	Section 20.6.7

Section 20.4 ALLOWED SIGNS (continued)

Allowed Temporary Sign Types

Non-Residential District Temporary Building Mounted Sign Types

Banner Signs	Section 20.8.1
Rigid Signs	Section 20.8.2

Non-Residential District Temporary Freestanding Sign Types

Rigid Signs	Section 20.8.3
Sandwich Boards	Section 20.8.4
Banner Signs	Section 20.8.5

Residential District* Temporary Freestanding Sign Types

Rigid Signs	Section 20.9.1

*In this application, Residential Districts shall include zoning districts AG, R-1-L, R-1-H, and R-2.

Section 20.5 PERMANENT BUILDING MOUNTED NON-RESIDENTIAL DISTRICT SIGNS

Section 20.5.1 Primary and Secondary Types

A) Primary Sign Type-Street Fronting

Sign types should typically include acceptable wall mounted signs or wall-mounted lettering. See Figure **20.5 A** below. The total area of all signs on a Street Front must be no more than ten (10) percent of each wall area, not to exceed 100 sq. ft. in area unless specified otherwise within this ordinance. In cases of multiple-tenant buildings, any wall sign shall not exceed 10% of the establishment's occupied portion of wall area.

B) Secondary Sign Type

Principal building walls and service station canopies on corner lots may have signage on all facades which front on a public street, parking lot, or main access point. In the instances where an establishment occupies multiple sides of a building, or if additional sign types are desired on a street front, Secondary sign types can typically include acceptable similar wall mounted signs, wall-mounted lettering, awnings, projecting signs and window vinyl. Secondary sign types are not limited only to a non-street front side of an establishment. <u>If Secondary sign types are combined into an establishment's Primary sign type, the total area of Secondary sign type must factor into the total aggregate of the Primary total.</u>

Primary Identification signs may be allowed on street fronting walls of buildings that are obscured by another building fronting the street, provided that the taller building the identification sign being applied to is taller than the obscuring street fronting building, and that the sign is visible from the street. See Figures **20.5 A** and **20.5 B** below.

The total of all signs on a non-street fronting wall face must be less than 10% of wall area, not to exceed 64 sq. ft. in area.

Figure 20.5 A:

Primary Sign Type

Approximate 600 sq ft storefront including area of storefront glass. 60 sq. ft. maximum allowable area. "THE RETAIL SHOP" fabricated at this scale with maximum 24" high letters equals a 36 sq. ft Primary Identification wall sign.

Additional square footage allows this business to utilize Secondary Sign Type options, such as printed awnings.

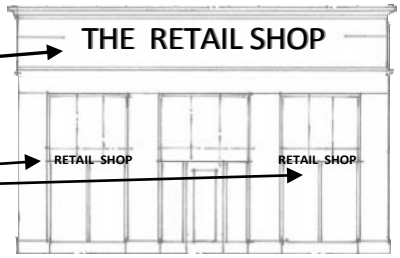
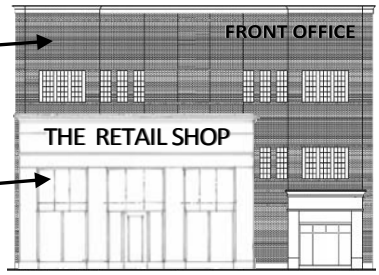


Figure 20.5 B

Identification signs on street fronting walls of buildings that are on corner lots, yet obscured from another building fronting the street, provided that the building the identification sign being applied to is taller than the obscuring street fronting building, and that the sign is visible from the street.



FOREGROUND BLDG.

Section 20.5 PERMANENT BUILDING MOUNTED NON-RESIDENTIAL DISTRICT SIGNS

Section 20.5.2 Lettering Requirements

Wall Sign Letter & Logo Heights

A) For businesses less than 35,000 sq. ft., Logos, channel letters, dimensional letters, push-thru letters as part of a sign plaque, should not exceed thirty-six (36) inches in height (see **Figure 20.5 D**). In the case of a multi-line letter sign, maximum letter height is eighteen (18) inches in height (See **Figure 20.5 E**) and shall not exceed three lines with total height no greater than thirty-six (36) inches.. Maximum signage area shall not exceed 10% of any wall face fronting a street (not to exceed 100 sq. ft.) Regardless of maximum allowed sign area, the sign should still reflect the proportional and dimensional relationships of the structure. All wall signs on a multi-tenant building should be consistently scaled to each other. (See **Figure 20.5 C**).

B) Retail anchor tenants or businesses of 35,000 sq. ft. or more may be allowed a maximum 48" high, internally illuminated, acrylic faced, channel letter sign for their primary sign facing the street front. Maximum signage area shall not exceed 10% of any wall face fronting a street (not to exceed 133 sq. ft.) Regardless of maximum allowed sign area, sign should still reflect the proportional and dimensional relationships of the structure. All wall signs on a multi-tenant building should be consistently scaled to each other. (See **Figure 20.5 C**)

C) Permission for any increases in size allowances is subject to a variance procedure before the Board of Zoning Appeals to approve any expanded design.

Figure 20.5 C

Multiple-tenant buildings with each establishment's wall sign less than 10% not to exceed 100 square feet of the establishment's occupied portion of wall area on a street-fronting wall.

Shown is an example of a multi-tenant building with two ground floor tenant spaces and two upper floor tenant spaces. Signs shown for each tenant reflect a proportionate scale based upon each tenant's occupied portion of building, not the entire fronting wall area.

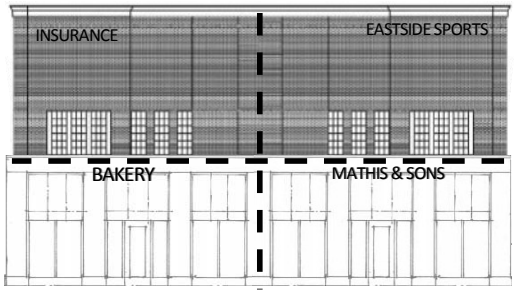


Figure 20.5 D

Example of a single line letter wall sign, with caps 36 inches in height.

Figure 20.5 E

Example of a multi-line letter wall sign, with caps 18 inches in height per line.

Section 20.5 PERMANENT BUILDING MOUNTED NON-RESIDENTIAL DISTRICT SIGNS

PERMISSIBLE DISTRICTS:

C-1, C-2, C-3, MU-TC, U-1, MU-BC, I-1

Section 20.5.3 WALL SIGNS

In calculating the maximum permitted aggregate area of wall signs for all buildings **except shopfronts**, the square footage of windows and doorways shall be excluded. A shopfront is defined as the front side of a business or retail use that serves as the primary customer entrance. The facade of a shopfront is aligned to the frontage line with the entrance at grade. This is typical for sidewalk retail. Shopfronts often have awnings or a colonnade.

A) A transition line should separate the signage from the facade below.

B) In calculating the maximum permitted aggregate area of wall signs for shopfront buildings, the square footage of windows and doorways shall be included. The residential portion of mixed use buildings shall not be used to calculate the aggregate wall area.

C) No wall sign shall project more than eighteen (18) inches from the building wall. Further, no wall sign or its supporting structure shall cover any window or part of a window, nor shall it extend over the roof line, parapet, or mansard roof.

D) No wall sign shall be attached to any cupola, tower, chimney, or other architectural structure that is above the roof line.

E) Principal building walls and service station canopies on corner lots may have signage on all facades which are visible from on a public street. Such signage shall not exceed 10% of the building wall or canopy face. In cases of multiple-tenant buildings, any wall sign shall not exceed 10% of the establishment's occupied portion of wall area, not to exceed 100 sq. ft. The 10% maximum signage permitted shall include all combined signage on a wall face.

F) Wall signs should reflect the proportional and dimensional relationships of the structure.

EXAMPLES of allowed Primary Identification Wall Signs

Face-Lit Channel Letters

Back-Lit Reverse Channel Letters

Push-Through Acrylic Panels

Spot-Lit Letters or Panels with Decorative Lighting

Section 20.5 PERMANENT BUILDING MOUNTED NON-RESIDENTIAL DISTRICT SIGNS

PERMISSIBLE DISTRICTS:

C-1, C-2, C-3, MU-TC, U-1, MU-BC, I-1

Section 20.5.4 AWNING AND CANOPY SIGNS Ⓟ

CRITERIA

A) **Attached Awning Signs**

The following provisions shall apply to all attached awning signs:

1) Maximum of one per awning;
2) Maximum sign area of 25 percent of the awning face in addition to the allowable building signage;
3) Awning shall not extend beyond 10 feet from the building

B) **Canopy Signs**

1) Face mounted canopy signs;

The following provisions shall apply to all face mounted canopy signs:

a. Maximum of one per canopy face;
b. Maximum sign area of 25 percent of the canopy face; and
c. Shall not project above or below the canopy or roofline with a maximum height of 16 feet when located within 200 feet of a residential area.

2) Roof-mounted Pedestrian Canopy and Portico Signs for canopies and porticos that are an integral part of the building structure.

The following provisions shall apply to all Pedestrian Canopy and Portico roof-mounted signs where the canopy or portico is attached to the primary structure:

a. Limited to building or tenant identification;
b. Maximum one sign per canopy or portico per tenant provided no face-mounted exists on the canopy, portico, or building;
c. Maximum sign area is limited to one square foot per linear foot of building side and is included in total attached signage;
d. Does not project above the building/structure roofline or top of parapet wall;
e. Sign may project up to 10 feet from the face of the building, but in no case extend past the face of the canopy or portico;
f. Shall be in proportion with the building architecture and elevation as determined by the Building Official or his/her designee; and
g. Only dimensional letters, numbers, and logos are permitted

EXAMPLES of allowed screened canopies and awnings

Section 20.5 PERMANENT BUILDING MOUNTED NON-RESIDENTIAL DISTRICT SIGNS

PERMISSIBLE DISTRICTS:

C-1, C-2, C-3, MU-TC, U-1, MU-BC, I-1

Section 20.5.5 SECONDARY SIGNS—-PROJECTING SIGNS

A) The projecting sign shall be located a maximum of eight (8) feet above he ground and the maximum height shall not extend beyond the roofline.

B) The sign shall be consistent with architecture for the building. One projecting sign per primary business entrance.

C) The projecting sign shall not project more than four (4) ft. from the wall and shall not exceed eight (8) sq. ft. in area. Projecting signs should reflect the proportional and dimensional relation- ships of the structure. The projecting sign shall not be mounted above the floor of the second story, parapet wall or eave line of the building. Signs may be installed onto corners of buildings where applicable.

D) Projecting signs may be externally illuminated with low-intensity spot lighting that may be only mounted to or incorporated into the sign's armature, or internally illuminated as push-through acrylic panels. Lighting must be positioned on sign face, and not be cast into right-of-way, nor cause glare hazards to pedestrians, motorists, or adjacent properties. No building mounted spot lighting of any kind is allowed for blade/arm sign illumination. Maximum allowed number of foot candles for Projecting blade/arm signs is six (6).

EXAMPLES of allowed Projecting Signs

Section 20.5 PERMANENT BUILDING MOUNTED NON-RESIDENTIAL DISTRICT SIGNS

PERMISSIBLE DISTRICTS:

C-1, C-2, C-3, MU-TC, U-1, MU-BC, I-1

Section 20.5.6 SECONDARY SIGNS—-WINDOW SIGNS

All window signage shall comply with the following requirements:

1. Signs shall be located fully within the interior of the building and attached directly to or mounted within 12 inches of the inside of the commercial business;
2. Except as provided in this section, window signage may be painted on the interior of the window with easily removable paint, constructed of paper, cloth, or other material, or internally illuminated provided the signage is UL-approved, non-animated, does not flash, blink or otherwise contain attention-getting features;
3. Signs shall not exceed 20% of the aggregate window and door area;
4. Neon signs, and lighting that emulates neon are prohibited;
5. Signs visible through the window or door and that identify the nature of the establishment's business, names of professionals, hours of operation, etc, shall not exceed 3 square feet, and shall not be included in the total window sign area;
6. LED electronic message center window signs are prohibited.

EXAMPLES of allowed Window Signs

Section 20.5 PERMANENT BUILDING MOUNTED NON-RESIDENTIAL DISTRICT SIGNS

PERMISSIBLE DISTRICTS:

C-1, C-2, MU-TC, U-1, I-1, MU-BC

Section 20.5.7 SECONDARY SIGNS—-BANNER SIGNS Ⓟ

A) Permanent Building Mounted Banners mounted only to a non-fronting wall in perpendicular, vertical orientation to wall surface are permitted, provided that the structure is at least twenty (20) feet in height and has received approval by the Codes Enforcement Officer. Such banners are not allowed on ground levels of building walls.

B) Vinyl sign substrate is allowed, provided that the sign is installed and secured tightly to building. No loose, non-secure attachments are allowed. Rigid, weatherproof panel construction is required. Building Mounted Banners should have sleeves to mount to a top AND bottom armature, consisting only of round or square steel tubing, spaced apart to ensure rigid installation. No loose, floor hanging banners are allowed for this use. Bottom banner mounting armature must be no lower than twelve (12) feet from the ground.

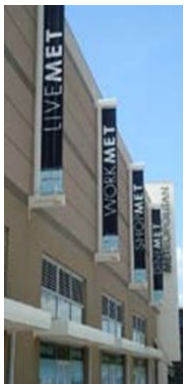
C) No individual building mounted banner shall exceed sixteen (16) square feet and/or exceed (2) feet in width.

D) Maximum number of banners is determined by the total applicable aggregate sign area per street front, less than 10% of the wall area, not to exceed 100 sq. feet unless specified otherwise within this ordinance. Area of one side of each banner counts towards total aggregate area of applicable wall.

E) No such banner or metal armature shall be attached to any other existing signs.

F) This sign type shall not be used as a primary identification sign for the business.

EXAMPLES of allowed Building Mounted Banner Signs



Section 20.6 PERMANENT NON-RESIDENTIAL DISTRICT FREESTANDING SIGNS

20.6.1 GROUND-MOUNTED MONUMENT SIGNS

PERMISSIBLE DISTRICTS* : **C-1, C-2, C-3, R-3, MU-TC, U-1, MU-BC, I-1**

*See chart at end of this chapter for additional conditions

GENERAL PROVISIONS

A) All building materials for signs shall be durable, have low maintenance, and be of the same or higher quality as the principal structure and adjacent uses.

B) The various parts of the signs shall be compatible in design quality. Signs shall not be in the shape of sponsor name or motif (e.g., soda bottles, hamburgers, boots, and so forth). **See Section 20.3 for Illumination and Lettering Standards.**

C) The following materials are **allowed** for sign backgrounds, frames, supports, and ornamentation:

1. Brick;
2. Natural Stone, including panels, or imitation stone;
3. Metal Panels, when used in combination with brick, or stone, and;
4. Plastic, or other synthetic materials, when used in combination with brick or stone, but cannot comprise more than 30% of the structure.
5. Architectural grade, decorative wooden elements may be used, or materials simulating the appearance of natural wood if the Building & Codes Inspector determines the proposed materials are durable and compatible with the overall site.

D) All materials except those listed above under appropriate materials shall be prohibited. The following materials are expressly **prohibited** for sign backgrounds, frames, supports, and ornamentation:

1. Exposed metal except for decorative uses when incorporated into the overall design, otherwise such material must be enclosed by a masonry veneer (See examples on Page 20);
2. Smooth-face, or split-faced concrete blocks, whether painted, stained, or unpainted;
3. Metal Panels, when used without brick or stone; and
4. Wood, including, but not limited to untreated wood, exposed framing lumber, etc. **(see C5. above)**

E) At intersections, no sign shall be located within the sight triangle as defined within this Chapter.

F) No ground mounted sign shall be located closer than ten (10) feet of any adjacent property boundary or public right-of-way. A fifteen (15) foot side-yard setback shall be required if the side lot line abuts a residential district.

G) Ground mounted/multi-tenant monuments shall be allowed for institutional, commercial and mixed-use developments only. (Shopping centers, educational campuses, industrial parks, office complexes, etc.). Individual tenant ground mounted signs in addition to any allowed multi-tenant monuments are not permitted except as specified in this Section.

H) Ground mounted monument signs shall incorporate a decorative masonry base of at least twelve (12) inches in height. The first twelve inches of the base is excluded from the sign height calculation.

Section 20.6 PERMANENT NON-RESIDENTIAL DISTRICT FREESTANDING SIGNS

20.6.2 FREESTANDING GROUND-MOUNTED PYLON SIGNS Ⓟ

PERMISSIBLE DISTRICTS* : C-1, C-2, C-3, MU-TC, U-1, MU-BC, I-1

*See chart at end of this chapter for additional conditions

GENERAL PROVISIONS

A) All building materials for pylon signs shall be durable, be of low maintenance, and be of the same or higher quality as the principal structure and adjacent uses.

B) The various parts of the sign shall be compatible in design quality. Structural support elements shall be architecturally similar to the design of the sign. Signs shall not be in the shape of sponsor name or motif (e.g., soda bottles, hamburgers, boots, and so forth). **See Section 20.3 for Illumination and Lettering Standards.**

C) The following materials are allowed for sign backgrounds, frames, supports, cladding, and ornamentation:

1. Brick;
2. Natural Stone, including panels, or imitation stone.
3. Durable, corrosion resistant metal panels, when used in combination with brick, or stone.
4. Decorative, architectural grade Metal Composite Materials.
5. Decorative, architectural grade
6. Architectural grade, decorative wooden elements may be used, or materials simulating the appearance of natural wood if the Building & Codes Inspector determines the proposed materials are durable and compatible with the overall site.

D) All materials except those listed above under appropriate materials shall be prohibited. The following materials are expressly prohibited for sign backgrounds, frames, supports, and ornamentation:

1. Exposed metal poles, when not enclosed by decorative, architectural grade cladding as specified in Paragraph C of this Section;
2. Smooth-face, or split-faced concrete blocks, whether painted, stained, or unpainted;
3. Metal Panels, when used without brick or stone; and
4. Wood, including, but not limited to untreated wood, exposed framing lumber, etc. **(see C6. above)**

E) At intersections, no sign shall be located within the sight triangle as defined within this Chapter.

F) No ground mounted sign shall be located closer than ten (10) feet of any adjacent property boundary or public right-of-way. A fifteen (15) foot side-yard setback shall be required if the side lot line abuts a residential district.

G) Freestanding pylon signs shall be allowed for institutional, commercial, industrial, and mixed-use developments only (Shopping centers, educational campuses, industrial parks, office complexes, etc.). Individual tenant ground freestanding pylon signs, and multi-tenant pylons are not permitted except as specified in this Section.

H) Freestanding pylon signs shall incorporate a decorative masonry base of at least twelve (12) inches in height. The base is excluded from the sign height calculation.

I) The width of any pylon sign base shall measure between fifty (50) and seventy-five (75) percent of the sign height.

Section 20.6 PERMANENT NON-RESIDENTIAL DISTRICT FREESTANDING SIGNS

20.6.3 FREESTANDING GROUND-MOUNTED SIGNS (Monument/Pylon) Ⓟ

LOCATIONAL REQUIREMENTS

A) MAXIMUM ALLOWED SIGNAGE REQUIREMENTS:

Maximum allowed sign and monument dimensions shall be in accordance with the following:

1. **Single-Tenant Uses**

   a. **CLASS A**: Monument Signs. For lots or parcels having up to (50) linear feet of road frontage, the maximum allowed sign copy area is is twenty-five (25) square feet. In such applications, maximum monument height shall be six (6) feet, maximum monument width shall be eight (8) feet; and the minimum ROW setback shall be ten (10) feet. *As an alternative, the Vertical form may have a maximum height of eight (8) feet and a maximum width of six (6) feet.*

   b. **CLASS B**: Monument Signs. For lots or parcels having greater than fifty (50) linear feet, but less than three hundred fifty (350) feet of road frontage, the maximum allowed sign copy area is fifty (50) square feet. In such applications, maximum sign height shall be eight (8) feet, and the maximum width is ten (10) feet. *As an alternative, the Vertical form may have a maximum height of ten (10) feet and a maximum width of eight (8) feet.*

B) 2. **Multi-Tenant Uses**

   a. For lots or parcels having less than fifty (50) linear feet of road frontage, the signage requirements shall be identical to those specified for **CLASS A** signs.

   b. For lots or parcels having greater than fifty linear feet, but less than two hundred (200) linear feet of road frontage, the signage requirements shall be identical to those specified for **CLASS B** signs.

   c. **CLASS C:** Monument Signs or Pylon Signs. For lots or parcels having two hundred (200) to four hundred (400) linear feet of road frontage, the maximum allowed sign area is sixty-four (64) square feet. In such applications, maximum sign height height shall be ten (10) feet and the maximum width shall be ten (10) feet. As an alternative, the Vertical form may have a maximum height of twelve (12) feet and a maximum width of eight (8) feet. The minimum ROW setback for either form shall be ten (10) feet.

   d. **CLASS D**: Monument Signs or Pylon Signs. For lots or parcels having greater than four hundred (400) linear feet of road frontage, the maximum allowed sign area shall be eighty four (84) square feet. In such applications, the maximum sign height shall be twelve (12) feet and maximum width shall be twelve (12) feet. As an alternative, the Vertical form may have a maximum height of fourteen (14) feet and a maximum width of eight (8) feet. The minimum ROW setback for either form shall be twelve (12) feet. The minimum ROW setback for either form shall be fifteen (15) feet. **CLASS D** signs are not permitted in the MU-TC district.

   e. A maximum of three (3) freestanding signs on a single property are permitted if there are multiple street frontages and/or multiple entrances into a development. One single-tenant sign per Primary street frontage. Signs are to be spaced a minimum of 750 feet apart. Additional monuments on secondary road entrances should be smaller in scale than the Primary multi-tenant sign, not to exceed 32 sq. ft. in total sign area. See **Figure 20.6** below.

Section 20.6 PERMANENT NON-RESIDENTIAL DISTRICT SIGNS

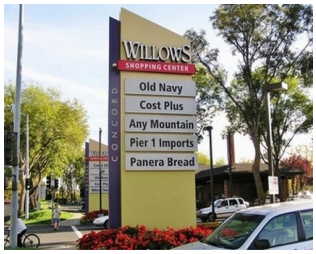
20.6.3 FREESTANDING GROUND MOUNTED SIGNS (Monument/Pylon) Ⓟ

Figure 20.6

Permanent Ground Sign CLASS[1]	Property Frontage (linear feet)	Allowed Ground Sign Form	Allowed Zoning Districts	Maximum Sign Area[2,3] (sq. feet)	Maximum Sign Height (feet)	Maximum Sign Width[5] (feet)	Vertical Form Sign Max. Height[4] (feet)	Vertical Form Sign Max. Width[5] (feet)	Min. ROW setback (feet)
CLASS A Single & Multi Tenant	Less than 50	Monument	C-1, C-2, C-3, MU-TC, MU-BC, I-1, U-1, R-3	25	6	8	8	6	10
CLASS B Single & Multi Tenant	50 to 350	Monument, Pylon	C-1, C-3, C-3, MU-TC, MU-BC, I-1, U-1, R-3	50	8	10	10	8	10
CLASS C Multi-Tenant	350 to 500	Monument, Pylon	C-1, C-2, C-3, MU-BC, I-1, U-1	64	10	10	12	8	10
CLASS D Multi-Tenant	Greater than 500	Monument, Pylon	C-1, C-2, C-3, MU-BC, I-1	84	10	12	14	8	15

Notes: 1. All signs permitted under this section shall be subject to the general provisions in Section 20.3 of this Chapter unless otherwise noted in this Section. The maximum area shown is for each sign face. 3. No sign shall display more than two (2) sign faces. 4. See Section 20.3.4 5. The maximum width includes the monument's brick, stone, or other decorative and/or structural elements .

EXAMPLES of allowed Freestanding Monument & Pylon Signs



Section 20.6 PERMANENT NON-RESIDENTIAL DISTRICT FREESTANDING SIGNS

20.6.4 ARM SIGN Ⓟ

PERMISSIBLE DISTRICTS*:
C-1, C-2, C-3, MU-TC, U-1, MU-BC, I-1

CRITERIA

A) Arm signs shall not exceed eight (8) sq. ft. Maximum height shall not exceed six (6) feet. Bottom of sign panels should maintain a minimum three (3) feet clearance from grade.

B) All arm signs shall be located a minimum of five (5) feet behind any right-of-way. Signs shall be located outside of the sight triangle as defined in this Chapter.

C) A ten (10) foot side-yard setback shall be required if the side lot line abuts a residential district or a public right-of-way.

D) Signs and support materials must be decorative and durable. Plastic signs are not permitted.

*Also allowed in the R-1-L, R-1-H, R-2, R-3 districts as a neighborhood entrance sign.

EXAMPLES of allowed Arm Signs

Section 20.6 PERMANENT NON-RESIDENTIAL DISTRICT FREESTANDING SIGNS

20.6.5 AERIAL ARM SIGN Ⓟ

PERMISSIBLE DISTRICTS:
MU-TC, U-1

SIGN CRITERIA

A) General
This class of sign is intended for use on institutional campuses, and sites with multiple tenants within the MU-TC and U-1 districts.

B) Sign Height
Aerial Arm Signs shall not exceed twelve (12) feet in height, inclusive of all support structures.

C) Sign Area
Total effective sign area for all sign copy, including the banner shall not exceed forty-five (45) square feet.

D) Sign Design
1. Supporting Structure
a) All portions of the the support structure shall be constructed of suitable metal with a durable (flat, not glossy) exterior finish either black, dark brown, or dark green.
b) No part of the support structure may contact the ground surface at no more than one (1) point; additional pole supports are prohibited.

2. Site Banner
a) The Aerial Arm Sign shall include a site-identifying rectangular banner constructed of rigid weather resistant material with a length to width ratio of at least 6:1 feet.
b) No Site Banner may exceed eighteen (18) inches in width.
c) The Site Banner must have sleeves so that it is attached to top and bottom support armatures. The Site Banner shall be attached to one side of the central support structure.
d) The Site Banner portion shall maintain a minimum six (feet) of clearance from the ground.
e) Loose, flapping, or hanging banners are not permitted.

E) 3. Message (sign copy) Board
a) The Message Board shall be mounted to the opposite side of the central support structure from the Site Banner.
b) The top and bottom of the Message Board shall be affixed to the central support structure.
c) The Message Board shall maintain a minimum of seven (7) feet of clearance from the ground.
d) Changeable or flashing electronic message signs are not permitted.

E) Setbacks
1. Right-of-Way (ROW)
a) All Aerial Arm Signs shall be located a minimum of eight (8) feet behind any public ROW.
b) Upon review, additional ROW setback may be required if the sign is determined by the City of Collegedale to Interfere with sight distances or would otherwise constitute a hazard to motorists, cyclists, or pedestrians.
2. Other setbacks
a) A ten (10) foot side yard setback shall be required if the side lot abuts a residential district.

F) Other Provisions
To avoid confusing motorists, cyclists, pedestrians, and other users, signs designed identical to, or substantially similar to governmental wayfinding signs will not be approved.

Section 20.6 PERMANENT NON-RESIDENTIAL DISTRICT FREESTANDING SIGNS

20.6.5 AERIAL ARM SIGN Ⓟ

PERMISSIBLE DISTRICTS:
MU-TC, U-1

SIGN CRITERIA

A) General
This class of sign is intended for use on institutional campuses, and sites with multiple tenants within the MU-TC and U-1 districts.

B) Sign Height
Aerial Arm Signs shall not exceed twelve (12) feet in height, inclusive of all support structures.

C) Sign Area
Total effective sign area for all sign copy, including the banner shall not exceed forty-five (45) square feet.

D) Sign Design
1. Supporting Structure
a) All portions of the the support structure shall be constructed of suitable metal with a durable (flat, not glossy) exterior finish either black, dark brown, or dark green.
b) No part of the support structure may contact the ground surface at no more than one (1) point; additional pole supports are prohibited.

2. Site Banner
a) The Aerial Arm Sign shall include a site-identifying rectangular banner constructed of rigid weather resistant material with a length to width ratio of at least 6:1 feet.
b) No Site Banner may exceed eighteen (18) inches in width.
c) The Site Banner must have sleeves so that it is attached to top and bottom support armatures. The Site Banner shall be attached to one side of the central support structure.
d) The Site Banner portion shall maintain a minimum six (feet) of clearance from the ground.
e) Loose, flapping, or hanging banners are not permitted.

EXAMPLE of an Aerial Arm Sign

Section 20.6 PERMANENT NON-RESIDENTIAL DISTRICT FREESTANDING SIGNS

20.6.5 AERIAL ARM SIGN Ⓟ

PERMISSIBLE DISTRICTS:
MU-TC, U-1

SIGN CRITERIA (continued)

D) 3. Message (sign copy) Board

a) The Message Board shall be mounted to the opposite side of the central support structure from the Site Banner.

b) The top and bottom of the Message Board shall be affixed to the central support structure.

c) The Message Board shall maintain a minimum of seven (7) feet of clearance from the ground.

d) Changeable or flashing electronic message signs are not permitted.

e) Sign area of the Message Board shall not exceed fifteen (15) square feet.

E) Illumination

Aerial Arm Signs may be externally illuminated with low-intensity spot lighting that may be only mounted to or incorporated into the sign's armature, or internally illuminated as push-through acrylic panels. External Lighting must be positioned on sign face, and not be cast into right-of-way, nor cause glare hazards to pedestrians, motorists, or adjacent properties. Maximum allowed number of foot candles for Aerial Arm signs external lighting is six (6).

F) Setbacks

1. Right-of-Way (ROW)

a) All Aerial Arm Signs shall be located a minimum of eight (8) feet behind any ROW.

b) Upon review, additional ROW setback may be required if the sign is determined by the City of Collegedale to Interfere with sight distances or would otherwise constitute a hazard to motorists, cyclists, or pedestrians.

2. Other setbacks

a) A ten (10) foot side yard setback shall be required if the side lot abuts a residential district.

G) Other Provisions

To avoid confusing motorists, cyclists, pedestrians, and other users, signs designed identical to, or substantially similar to governmental wayfinding signs will not be approved without additional modification.

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Section 20.6 PERMANENT NON-RESIDENTIAL DISTRICT FREESTANDING SIGNS

20.6.6 COMPACT FREESTANDING GROUND SIGN Ⓟ

PERMISSIBLE DISTRICTS:
C-1, C-2, C-3, MU-TC, U-1, MU-BC, I-1

SIGN CRITERIA

Permanent on-site ground-mounted signage used for directional, informational, or incidental purposes.

General Provisions

A) All building materials for such signs shall be durable, be of low maintenance, and be of the same or higher quality as the principal structure and adjacent uses.

B) The various components of the sign shall be compatible in design quality. Structural support elements shall be architecturally similar to the design of the sign. Signs shall not be in the shape of sponsor name or motif (e.g., soda bottles, hamburgers, boots, and so forth). **See Section 20.3 for Illumination and Lettering Standards.**

C) The following materials are allowed for sign backgrounds, frames, supports, cladding, and ornamentation:
1. Brick;
2. Natural Stone, including panels, or imitation stone.
3. Durable, corrosion resistant metal panels, when used in combination with brick, or stone.
4. Decorative, architectural grade Metal or plastic composite materials.
5. Exposed metal supports, provided such metal supports are colored using flat Earth tone colors compatible with the principal structure and adjacent uses.

D) All materials except those listed above under appropriate materials shall be prohibited. The following materials are expressly prohibited for sign backgrounds, frames, supports, and ornamentation:
1. Exposed metal poles, when not enclosed by decorative, architectural grade cladding, except as noted above.
2. Smooth-face, or split-faced concrete blocks, whether painted, stained, or unpainted;
3. Wood, including, but not limited to untreated wood, exposed framing lumber, etc.

E) Height & Area
1. Maximum height of three (3) feet
2. Maximum sign area of four square feet per side, with a total of eight (8) square feet allowed.

F) Location
1. No such sign shall encroach into the right-of-way.
2. No such sign shall encroach into the Site Triangle as defined in this Chapter.

G) Number
1. Maximum of one per entrance and one per exit;
2. Applicants desiring additional signs within this category to be placed on internal portions of a site shall submit a signage plan showing the locations of the proposed signs; and
3. Staff may administratively approve up to five (5) additional signs within this class; requests for additional signs beyond this number shall be reviewed by the Board of Zoning Appeals.

Section 20.6 PERMANENT NON-RESIDENTIAL DISTRICT FREESTANDING SIGNS

20.6.6 COMPACT FREESTANDING GROUND SIGN Ⓟ

PERMISSIBLE DISTRICTS:
C-1, C-2, C-3, MU-TC, U-1, MU-BC, I-1

EXAMPLES of allowed Compact Freestanding Ground Signs

20.6. 7 INCIDENTAL SIGNS

PERMISSIBLE DISTRICTS:
C-1, C-2, C-3, MU-TC, U-1, MU-BC, I-1

This portion intentionally left blank.

Section 20.6 PERMANENT NON-RESIDENTIAL DISTRICT FREESTANDING SIGNS

20.6.8 FREESTANDING POLE SIGN Ⓟ

PERMISSIBLE DISTRICTS*:
C-1, C-2, C-3

SIGN CRITERIA*

A) General

This sign class is intended for highway commercial uses where additional visibility is required. Each premises shall be permitted one (1) detached on-premises pole sign , providing the property meets the criteria, including locational requirements in this section.

B) Location

1. Distance
   The premises or any part thereof must be located within 1,760 feet of the edge of pavement comprising the edge of pavement comprising the northbound travel lanes of Interstate 75 as measured in a straight line above the prevailing topography.
2. Vehicular access to the premises shall be obtained from Lee Highway, Old Lee Highway, or the portion of Little Debbie Parkway lying north of Wolftever Creek.
3. No sign shall be located within five-hundred (500) feet of any residence, church, school, or City owned property used for public gatherings.
4. Sign shall be located to the rear of the property

B) Height and Area

1. No sign shall be erected to exceed a height of forty (40) feet.
2. No sign shall be erected unless the base of the sign area is greater in height than eighteen (18) feet from the height of finished grade to the bottom of the sign.
3. Signs shall be limited to one hundred twenty (120) square feet of sign area per face or two hundred forty (240) square feet of total sign area.

C) Appearance

1. Sign Poles, frames, and all other support structures shall be colored flat black, flat brown, or flat dark green.

D) Illumination

1. No sign lighting shall be greater than 25 foot candles (270 candelas).

E) Other Provisions

1. Any sign erected, constructed, or placed on any property in the City shall conform to the latest adopted revision of the adopted building code of the City of Collegedale, and if serviced by electrical power, the latest adopted revision of the National Electrical Code. Electrical materials and devices incorporated into such signs shall be certified by the Underwriter's Laboratories, Inc., and shall bear the UL label of another approved testing laboratory. A separate electrical permit will be required for signs using electrical power.
2. All applications for signs shall be accompanied by complete plans and specifications showing the construction, methods of support and the materials to be used. In addition to any other required information such plans and specifications shall include the following:
   a) The total number of square feet of existing and proposed signage on the parcel where the proposed sign is to be erected.
   b) A Site Plan, drawn to scale, showing where the sign is to be located in relation to property lines, buildings, and utilities.

EXAMPLES of allowed Pole Signs

Section 20.7 PERMANENT FREESTANDING RESIDENTIAL SIGNS

20.7.1 ENTRANCE MONUMENT SIGN Ⓟ

PERMISSIBLE DISTRICTS:
AG, MU-TC, R-1-L, R-1-H, R-2, R-3

CRITERIA
This classification consists of signs which identify the entrance to a development. Such signs shall be permitted as follows:

A) Each development may have one (1) sign at each major street entrance to the development, but not to exceed two (2) signs per development.

B) Such signs shall be freestanding and ground mounted.

C) Signage may also be a part of a decorative wood, brick, stone, or masonry wall of a design compatible with the character of the neighborhood.

D) Each sign shall have a message area not greater than twenty-five (25) square feet per side, shall be no more than eight (8) feet in height, and shall be set back at least ten (10) feet from any right-of-way line.

E) Such signs may be illuminated as long as the light source is shielded in such a way to prevent glare on public streets or neighboring properties.

F) Signs shall be effectively landscaped with hardy shrubs and/or evergreen groundcover and mulch, and maintained in good condition.

EXAMPLES of allowed Permanent Residential Signs

Section 20.8 TEMPORARY NON-RESIDENTIAL DISTRICT SIGNS

PERMISSIBLE DISTRICTS:

C-1, C-2, C-3, MU-TC, MU-BC, I-1, U-1

Section 20.8.1 BUILDING MOUNTED BANNER SIGNS Ⓟ

A) These signs are allowed for a period not to exceed thirty-six (36) aggregate calendar days that is based on the durations listed below. An application for a sign permit must be completed for every banner and is subject to the approved fee schedule.

B) The number of banners allowed per applicant, building, or tenant is to be divisible by the number of banners and the maximum of thirty six (36) aggregate calendar days. Minimum duration is three (3) days. The maximum number of banners permissible on a per building or per tenant basis is twelve (12) banners within a period of 365 days after obtaining the first banner permit.

C) No banner shall exceed 32 square feet in area.

D) All banners shall be attached to the street frontage wall of a principal structure. If primary entrance wall fronts a parking lot, then banner may be attached to such wall.

E) No such banner shall be attached to a roof structure. If possible, banners should not be hung in window spaces.

F) Vinyl banners are permitted, provided that the sign is installed and secured tightly to building. No loose, non-secure attachments are allowed.

G) Only one temporary building mounted banner per building shall be permitted at a time.

H) Prior to erecting any such temporary signs, the owner shall obtain a temporary sign permit from the Building Official. A permit fee of twenty five (25) dollars shall be charged for each temporary sign permit. Upon issuance, the owner of said sign shall attach the temporary sign permit to the sign in a readily viewable fashion, or cause the permit to be so attached.

I) Any temporary sign left on display after the expiration of the temporary sign permit, shall be declared a nuisance by the Building Official. Notice of said nuisance shall be sent to the permittee, or in the event no permittee is identifiable to the property owner. Such notice shall require removal of said sign within forty-eight (48) hours from time of issuance. In the event the owner of said sign fails to remove the sign within the prescribed time, the Building Official may remove, or cause to be removed the sign, with the cost of such action charged to the owner.

EXAMPLES of allowed Building Mounted Banner Signs

Section 20.8 TEMPORARY NON-RESIDENTIAL DISTRICT SIGNS

PERMISSIBLE DISTRICTS:

C-1, C-2, C-3, MU-TC, MU-BC, I-1, U-1

Section 20.8.2 BUILDING MOUNTED RIGID SIGNS Ⓟ

SIGN CRITERIA:

A) Description: This sign type is intended to convey a message for a temporary, but definite period of time;

B) Number: One sign per street frontage;

C) Area: Signs shall not exceed twenty-four (24) square feet in area;

D) Location: On each building face featuring frontage on a right-of-way. Signs may be located in street-fronting windows so long as said sign is located only on a first story window and fits within the specified dimensions above;

E) Constriction and Appearance: Rigid, weatherproof, Duroply or similar construction is required. All signs should be installed and secured tightly to the building. No lose, non-secure attachments are allowed;

F) Illumination: Signs may not be illuminated; and

G) Duration: All such temporary signs shall be displayed for a period not to exceed sixty (60) calendar days. After sixty (60) calendar days, application must be made to the Building Officer for a new sign permit. At the conclusion of a qualifying event, the sign shall be removed within five (5) days. Any temporary sign left on display after the expiration of the temporary sign permit, shall be declared a nuisance by the Building Official. Notice of said nuisance shall be sent to the permittee, or in the event no permittee is identifiable to the property owner. Such notice shall require removal of said sign within forty-eight (48) hours from time of issuance. In the event the owner of said sign fails to remove the sign within the prescribed time, the Building Official may remove, or cause to be removed the sign, with the cost of such action charged to the owner.

H) Prior to erecting any such temporary signs, the owner shall obtain a temporary sign permit from the Building Official. A permit fee of twenty five (25) dollars shall be charged for each temporary sign permit. Upon issuance, the owner of said sign shall attach the temporary sign permit to the sign in a readily viewable fashion, or cause the permit to be so attached.

EXAMPLES of allowed Building Mounted Rigid Signs

Section 20.8 TEMPORARY NON-RESIDENTIAL DISTRICT SIGNS

Section 20.8.3 FREESTANDING RIGID BOARD SIGNS

PERMISSIBLE DISTRICTS: Ⓟ

C-1, C-2, C-3, MU-TC, MU-BC, I-1, U-1

SIGN CRITERIA

A) General:
This class of sign is intended to convey specific information for a temporary, but definite amount of time. This section shall not waive the requirements for permanent signage, nor shall it be interpreted as a providing replacement for permanent signage.

B) Height and Area:
1. For lots with less than fifty (50) feet of frontage, the maximum sign area is twenty (20) square feet and the maximum sign height is six (6) feet.
2. For lots with more than fifty (50) feet of frontage, the maximum sign area is thirty (30) square feet with a maximum height of eight (8) feet.

C) Location
1. Signs shall be located outside of existing or expanded right-of-way, slope easements, and construction easements.
2. Signs over three (3) feet in height shall be located outside of the site triangle as defined in this Chapter.
3. Signs must be on-premises.

D) Number
1. A maximum of one (1) sign may be placed at each entrance; or one (1) sign per street frontage.

E) Appearance
1. Provided there is sufficient setback, sign may be constructed as either a: single-sided sign that faces parallel to the street front or double-sided sign that orients perpendicular to the street front. In the case of a corner lot, sign may be double sided and installed at a forty-five (45) degree angle perpendicular to the street corner.
2. No three sided signs, v-shaped signs or four-sided vertical box signs are allowed.
3. Signs shall be constructed of at least half-inch (1/2") Duroply or material of equal durability.
4. Signs shall be mounted on four by four (4x4) posts which shall be painted white or black and set in the ground using a concrete base, or using metal spike bases. This is a minimum standard and shall not be interpreted as a limitation on more decorative signs.
5. Site installed (free-standing) vinyl banners are prohibited.

F) Illumination
No sign may be illuminated.

G) Duration: All such temporary signs shall be displayed for a period not to exceed sixty (60) calendar days. After sixty (60) calendar days, application must be made to the Building Officer for a new sign permit. Upon issuance of a permanent sign permit, the temporary sign shall be removed within five (5) days and replaced with a permanent sign in compliance with this chapter. Any temporary sign left on display after the expiration of the temporary sign permit, shall be declared a nuisance by the Building Official. Notice of said nuisance shall be sent to the permittee, or in the event no permittee is identifiable to the property owner. Such notice shall require removal of said sign within forty-eight (48) hours from time of issuance. In the event the owner of said sign fails to remove the sign within the prescribed time, the Building Official may remove, or cause to be removed the sign, with the cost of such action charged to the owner.

H) Prior to erecting any such temporary signs, the owner shall obtain a temporary sign permit from the Building Official. A permit fee of twenty five (25) dollars shall be charged for each temporary sign permit. Upon issuance, the owner of said sign shall attach the temporary sign permit to the sign in a readily viewable fashion, or cause the permit to be so attached.

Section 20.8 TEMPORARY NON-RESIDENTIAL DISTRICT SIGNS

Section 20.8.3 FREESTANDING RIGID BOARD SIGNS

Ⓟ

PERMISSIBLE DISTRICTS:

C-1, C-2, C-3, MU-TC, MU-BC, I-1, U-1

EXAMPLES of allowed Temporary Rigid Board Signs

This portion intentionally left blank.

Section 20.8 TEMPORARY NON-RESIDENTIAL DISTRICT SIGNS

Section 20.8.4
FREESTANDING SANDWICH BOARDS / "A" FRAME SIGNS

PERMISSIBLE DISTRICTS*:

C-1, C-2, C-3, MU-TC, U-1

SIGN CRITERIA

A) General

This category includes Sandwich Boards, or "A-Frame" signs. Such signs shall be permitted on properties fronting roadways with a posted speed limit below thirty (30) miles per hour and greater levels of pedestrian activity. The signs are to be used for temporary or intermittent use. Nothing in this section shall be interpreted as allowing "snipe" signs, or other forms not otherwise permitted by the Sign Ordinance.

B) Height and Area

1. Sandwich Boards or A-Frame signs shall not exceed (4) feet in height.
2. Signs shall not exceed eight (8) square feet per sign face in area.

C) Location

1. In the C-1, C-2, C-3, and MU-TC zones, the signs shall be located within eight (8) feet of the entrance of the building or business, and must be removed upon the daily closing of the business.
2. One sandwich board or A-Frame sign per business is permitted, except as noted below.
3. In the U-1 zone, signs of this type may be also be used for a period not to exceed four (4) consecutive days; the signs must be removed within forty-eight (48) hours of the conclusion of the qualifying event, whichever is occurs first.

D) Illumination

1. Signs shall not be illuminated.

E) Setback

1. Signs shall be set back a minimum of five (5) feet from any right-of-way.
2. Such signs shall not impede normal pedestrian traffic, driver sight distances, or handicap accessibility.

EXAMPLES of allowed Sandwich Board and A-Frame Signs

Section 20.9 TEMPORARY FREESTANDING ON –PREMISES RESIDENTIAL DISTRICT YARD SIGNS

PERMISSIBLE DISTRICTS:

AG, R-1-L, R-1-H, R-2, R-3

Section 20.9.1 RIGID BOARD SIGNS

CRITERIA

This classification consists of on-premises signs used on a temporary basis within residential districts.

A) Height & Area

1. No sign may exceed six (6) feet in height, nor shall it be situated so the sign or any part thereof exceeds six (6) feet in height above grade at the sign's base.
2. The maximum sign area may not exceed nine (9) square feet per sign, with a total of eighteen (18) square feet for a double sided sign.

B) Location

1. Signs shall be located outside of existing or expanded right-of-way, slope easements, and construction easements.
2. Signs shall be located outside of the site triangle as defined in this Chapter.

C) Number

1. No more than two (2) signs may be placed on the property regardless of aggregate sign area.

D) Construction

1. Signs to be constructed of Duroply or material of similar durability.

E) Illumination

1. Signs shall not be illuminated

F) Duration

1. All such temporary signs shall be displayed for a period not to exceed sixty (60) calendar days.
2. Signs smaller than four (4) square feet in area do not require a temporary sign permit.
3. Signs greater than four (4) square feet in area and/or signs exceeding four (4) feet in height require a temporary sign permit.
4. Any temporary sign left on display after the expiration of the temporary sign permit, shall be declared a nuisance by the Building Official. Notice of said nuisance shall be sent to the permittee, or in the event no permittee is identifiable, or the sign did not require one, said notice shall be delivered to the property owner. Such notice shall require removal of said sign within forty-eight (48) hours from time of issuance.

EXAMPLES of allowed Temporary Residential Yard Signs

Section 20.10 EXEMPT SIGNS

Except as otherwise provided, the following may be erected without securing a permit. Such exempt signs shall not be considered in determining the allowable number or size of signs per zoning on a lot. However, the signs must comply with all other applicable sections of this Chapter and applicable codes and regulations.

1. One (1) plaque for each establishment not to exceed two (2) square feet in area.

2. One (1) separate identification sign for each establishment when affixed to a building wall or window and limited to a maximum size of four (4) square feet. The purpose of this sign is to identify the establishment's property number (address), suite or unit number for public safety and /or law enforcement response.

3. One (1) informational bulletin board affixed to a building wall. Bulletin boards may not exceed thirty-two (32) square feet in area.

4. Traffic, directional, warning or official notices that otherwise meet the location, size and height requirements of the ordinance when erected by a local, state, or federal governmental entity.

5. Flags.

   a. Each lot shall be allowed a maximum of three (3) flagpoles with a maximum height of 30 feet each unless a variance is obtained pursuant to the Zoning Ordinance.

   b. A maximum of two (2) flags shall be allowed per flagpole not to exceed forty (40) square feet in area per flag.

   c. A vertical flagpole must be set back from the property boundaries a distance which is at least equal to the height of the flagpole.

   d. Flags and flagpoles shall be maintained in good repair, and to the extent applicable shall be in compliance with the building code. Flagpoles with broken halyards shall not be used and flags which are torn or frayed shall not be displayed.

6. Integral decorative or architectural features of buildings, except letters, trademarks, moving parts or moving lights.

7. Works of art.

8. Signs on public transportation vehicles.

9. Signs painted on or otherwise attached to motor vehicles which are not conspicuously parked in proximity to a right-of-way, and obviously not parked in such a way as to advertise any business or service to motorists or pedestrians.

10. Holiday decorations, including lights, temporary flags for decorative purposes, and other decorations.

Section 20.11 DEFINITIONS

Attached Sign. An on-premise sign painted onto or attached to a building, canopy, awning, marquee or mechanical equipment located outside a building, which does not project more than eighteen (18) inches from such building, canopy, awning, marquee or mechanical equipment. Any such sign which projects more than eighteen (18) inches from a building, canopy, awning, marquee or mechanical equipment shall be considered a "Projecting Sign."

Awning. A roof-like cover providing protection from the weather placed over or extending from above any window, door or other entrance to a building but excluding any column, pole or other supporting structure to which the awning is attached.

Balloon Sign. Any sign painted onto or otherwise attached to or suspended from a balloon, whether such balloon is anchored or affixed to a building or any other portion of the premises of tethered or floating above any portion of the premises.

Banner. An on-premise sign which is made of fabric, paper or any other non-rigid material and which has no enclosing framework or internal supporting structure but not including balloon signs.

Building. Any structure that encloses a place for sheltering any occupancy that contains not less than three hundred (300) square feet of enclosed space at the ground level or, is routinely used for human occupancy in the ordinary course of business.

Cabinet Sign or Can Sign. A sign that contains all the text and/or logo symbols on the display face of an enclosed cabinet that may or may not be internally illuminated. These signs are generally prohibited.

Canopy or Awning. A marquee or permanent roof-like structure providing protection against the weather, attached to a building, but excluding any column, pole or other supporting structure to which the canopy may be attached.

Channel Letter Sign. A sign comprising individual letters that are independently mounted to a wall or other surface and internally illuminated with a covered face. The "air space" between the letters is not part of the sign structure but rather of the building façade. A logo may also be considered a channel letter provided it is clearly distinguishable from other sign elements.

Convenience Sign. A sign intended to be secondary to any other on-premise advertising sign and is used to convey information (e.g. restrooms, no parking, entrance/egress locations), or minor business identification for directional purposes, and is designed to be viewed by pedestrians and/or motorists.

Detached Sign. Any freestanding sign or projecting sign; any sign attached to a canopy which is detached from a building and which has less than two hundred (200) square feet or roof area; any sign attached to a structure which is not a building.

Facade. The total external surface area of a vertical side of a building, canopy, awning or mechanical equipment used to dispense a product outside a building.

Freestanding Sign. A permanently affixed single or multi-faced on-premise sign which is constructed independent of any building and supported by one or more columns, uprights, braces or constructed device.

Government Imitation Sign. Any sign designed to imitate or appear as a Government Sign, placed by any non-government entity.

Ground/Monument Sign. Any sign, other than a pole, placed upon or supported by the ground independent of any structure.

Hanging Sign. A projecting double-faced sign mounted to a wall or pole and hung from a bracket or support arm.

Height. Total measurement of the vertical side of the rectangle which is used to calculate "sign area" or the distance from the lowest grade at the sign support to the highest point on the sign for sign height.

Incidental Sign. An on-premise sign, emblem or decal mounted flush with the facade to which it is attached and not exceeding two (2) square feet in sign area informing the public of goods, facilities or service available on the premises (e.g. a credit card sign, ice machine sign, vending machine sign or a sign which is affixed to mechanical equipment used to dispense a product and which is less than two (2) square feet in sign area.

Landmark Sign. Any on-premise sign which identifies and is attached to any building which is included on the National Register of Historic Places, is listed as a certified historic structure, is listed as a national monument or is listed under any similar state or national historical or cultural.

Mansard. Lower portion of a roof with two pitches, including a flat-top roof with a mansard portion.

Section 20.11 DEFINITIONS

Mansard Sign. Any sign attached to the mansard portion of a roof.

Marquee. A permanent roof-like structure projecting from and beyond a building wall at an entrance to a building or extending along and projecting beyond the building's wall and generally designed and constructed to provide protection against the weather.

Message Center. A sign on which the message or copy changes automatically on a lamp bank or through mechanical means also known as a commercial electronic variable message sign.

Occupant. Each separate person which owns or leases and occupies a separate portion of a premises.

Off-Premise Sign. A sign not located on the property being advertised.

On-Premise Sign. Any sign whose content relates to the premises on which it is located, referring exclusively to the name, location, products, persons, accommodations, services or activities conducted on or offered from or on those premises, or the sale, lease, or construction of those premises.

Person. Individual, company corporation, association, partnership, joint venture, business, proprietorship, or any other legal entity.

Political Sign. A temporary sign announcing or supporting candidates, political parties, or issues in connection with any national, state, or local election.

Portable Sign. Any on-premise sign which is not affixed to real property in such a manner that its removal would cause injury or damage to the property; any sign supported by its own frame or trailer, with or without wheels or illumination, designed to move from one place to another. Including A-frames (except as regulated by this ordinance), mobile signs, and trailer signs.

Premises. All contiguous land in the same ownership which is not divided by any public highway, street or alley or right-of-way therefore. A premises shall also include a leased area of land or structure.

Projecting Sign. An on-premises sign attached to a building, canopy, awning or marquee and projecting outward there from in any direction a distance of more than eighteen (18) inches, provided, however, that no projecting sign shall extend horizontally from the building more than ten (10) feet at the greatest distance.

Pylon Sign. A freestanding sign in excess of eight feet in height, that is supported by one or more structural elements extending from and permanently attached to the ground by a foundation or footing where the width of the sign structure measures less than 75 percent of the width of the sign.

Reader Board. Any on-premise sign attached to or made a part of the support system of a freestanding sign which either displays interchangeable messages or advertises some product or service offered separately from the same of the premises where it is located, such as "Deli Inside," "Tune-Ups Available," "Year-end Special" and the like.

Reverse Channel Letter Sign. A sign comprising individual letters that are independently mounted to a wall or other surface, with lights mounted behind the letters that face the wall behind. Lights illuminate the space around the channel letters rather than the channel letters themselves, creating a "reverse" lighting effect (e.g., halo effect). The "air space" between the letters is not part of the sign structure but rather of the building façade.

Roof Sign. An attached or projecting sign which is placed on top of or over a roof, excluding the mansard portion of a roof, or its facilities, air conditioning towers or coolers, or other mechanical equipment on top of a roof; any portion of which extends above the top of the wall, canopy or awning more than 50 percent of the height of the sign; or, any portion of which extends above the top of the mansard in the case of a mansard sign more than 50 percent of the height of the sign.

Set Back. The distance from a property line to the nearest point on the sign.

Section 20.11 DEFINITIONS

Sign. Any structure or wall or other object used for the display of any message or messages; such term shall include without limitation any structure, display, device or inscription which is located upon, attached to, or painted or presented on any land, on any building or structure, on the outside of a window, or on an awning, canopy, marquee, or similar appendage, and which displays or includes any message or messages, numeral, letter work, model, emblem insignia, symbol, device, light, trademark, or other representation used as, or in the nature of an announcement, advertisement, attention arrester, warning or designation of any person, firm, group, organization, place, community, product, service, businesses, profession, enterprise or industry. Provided, however, that the following shall be excluded from this definition:

a. Signs or flags erected, provided, owned, authorized or required by a duly constituted governmental body, including, but not limited to, traffic or similar regulatory devices, legal notices, or warning at railroad crossings.

b. Signs located inside a building, not visible from exterior.

Sign Area. The portion of a sign, excluding any supporting structure, that is used for the display of sign copy. Sign Area shall be calculated by measuring the area enclosed by straight lines drawn to enclose the extremities of the Sign Copy.

Sign Copy. Any graphic, word, numeral, symbol, insignia, text, sample, model, device or combination thereof which is primarily intended to advertise, identify, or notify.

Snipe Sign. Any on-premise sign for which a permit has not been issued which is attached in any way to a utility pole, tree, rock, fence or fence post.

Special Event. A short-term event of unique significance not in excess of thirty (30) days; this shall include only grand openings, health-related promotions or health-related service programs (i.e. flu shot clinics, blood donation drives, chest X-ray clinics, etc.), going-out-of business sales, promotions sponsored by a governmental entity, fairs, school fairs, school bazaars, charity runs, festivals, religious celebrations and charity fund raisers, and shall not include other sales or promotions in the ordinary course of business.

Temporary Sign. Temporary sign shall mean any on-premise sign permitted specifically and exclusively for a temporary use for a period of not greater than 60 days.

Wall Graphics or Wall Murals. A painted scene, figure or decorative design so as to enhance the building architecture, and which does not include written trade names, advertising or commercial messages.

Width. Total measurement of the horizontal side of the rectangle which is used to calculate “sign area.”

SIGN TYPE	RESIDENTIAL R-1-L, R-1-H, R-2, R-3	MIXED USE MU-TC, MU-BC	COMMERCIAL C-1, C-2, C-3	INDUSTRIAL I-1	UNIVERSITY U-1	CONDI-TIONS
Building Mounted						
Wall Sign	**N**	**P**	**P**	**P**	**P**	
Awning	**N**	**P**	**P**	**P**	**P**	
Projecting Sign	**N**	**P**	**P**	**P**	**P**	
Window	**N**	**P**	**P**	**P**	**P**	
Permanent Banner Signs	**N**	**P**	**P**	**N**	**P**	
Delivery/Service	**N**	**Y**	**Y**	**Y**	**Y**	
Temporary Non-Residential Building Signs	**N**	**P**	**P**	**P**	**P**	
Freestanding-Site Installed						
Monument	**N**	**P**	**P**	**P**	**P**	
Pylon	**N**	**P**	**P**	**P**	**P**	**Yes**
Residential Ground Monu-ment	**P**	**N**	**N**	**N**	**N**	
Arm Sign	**P**	**P**	**P**	**P**	**P**	
Aerial Arm Sign	**N**	**P**[1]	**N**	**N**	**P**	
Flagpole	**Y**	**Y**	**Y**	**Y**	**Y**	
Temporary Non-Residential	**N**	**P**	**P**	**P**	**P**	
Pole Signs	**N**	**N**	**P**[2]	**N**	**N**	
Temporary Sandwich Boards	**N**	**Y**[3]	**Y**[3]	**N**	**Y**[3]	**Yes**
Temporary Residential Signs	**Y**	**N**	**N**	**N**	**N**	
Drive-Through Menu	**N**	**N**	**P**	**N**	**N**	

P=Allowed (permit required), **N**=Prohibited, **Y**=Allowed (no permit required) [1]Only Allowed in MU-TC, [2]Only allowed within one-third mile of northbound I-75 travel lanes. [3]See Section 20.8.4

A P P E N D I X