

ARTICLE IV

SUPPLEMENTARY PROVISIONS APPLYING TO SPECIFIC DISTRICTS

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4.010. Off-street parking requirements. In all districts, accessory off-street parking shall be provided in conformity with the requirements set forth in this section for all uses permitted by right or as a conditional use (special exception).

For an enlargement or modification resulting in a net increase in the floor area or other applicable unit of measure specified herein, the same requirements shall apply to such net increase in the floor area or other specified unit of measurement as are required for floor area attributable to the initial establishment of any type of land use.

In the case of uses where the Board of Zoning Appeals or the planning commission may be required to prescribe the number of parking spaces, it shall base its determination on such factors as the traffic generation of the facilities, the time of operation of such facilities, their location, and other such factors as affect the need for off-street parking as required under the conditional use provisions of this ordinance.

Off-street automobile storage or standing space shall be provided on each lot upon which any of the following uses are hereafter established. One (1) vehicle space shall be one hundred-sixty-two (162) square feet in size (9 feet x 18 feet). All parking spaces shall be provided with vehicular access to a public street or alley. The required number of parking spaces shall be provided on property owned by the relevant property owner. Such spaces shall be located where they are within easy walking distance and easily accessible to the land use(s) they service. This shall generally mean that each parking space serving a particular dwelling unit shall be no more than sixty (60) feet away from the front door of said dwelling unit. Street or highway right-of-way shall not be utilized to meet the minimum number of required parking spaces. Unless authorized elsewhere in this ordinance, parking requirements satisfying any particular land use shall not be used to satisfy the parking requirements of any other land use. The number of parking spaces provided shall meet the minimum requirements for the specific uses as set forth below:

(Amended by Ordinance #290, September 14, 2004)

4.010.1 Number of Parking Spaces Required

The number of off-street parking spaces shall be provided for the specified unit of measure (or fraction on one-half (1/2) or more thereof) for the following specified uses within the activity types indicated.

4.010.1.A. Residential Activities

(1) Permanent

(a) Single-Family Dwelling and Two-Family Dwelling:

Two (2) spaces per dwelling unit.

(b) Triplex, Quadruplex and Multi-Family Dwelling (Three (3) or more):

Two (2) spaces per dwelling unit.

(c) Mobile Homes:

Two (2) spaces per mobile home.

(d) Where Occupancy in Multi-Family Units or Assisted Living Centers is to be Primarily Elderly Persons over the age of Sixty (60):

The number of spaces may be reduced to one and one half (1 1/2) space per unit. Also, there must be room on the lot to provide one (1) additional space per dwelling unit within the complex in the future. All such spaces must be shown on required site plans.

(e) Upper Story Residential Dwelling in C-1 District Area:

Not less than one and one-half (1 1/2) spaces per dwelling unit.

*See Illustration in Appendix for Typical Parking Lot Design configurations.

(2) Semi-Permanent

(a) Boarding or Rooming House:

One and one half (1 1/2) spaces per dwelling unit.

4.010.1.B. Community Facilities Activities

Activity Type

Unit of Measurement

Administrative
and Government

One (1) space for each three hundred (300) square feet of gross floor area, plus one (1) for each three (3) employees.

Community Assembly

One (1) space for each two (2) seats or one-half (1/2) of capacity in persons whichever is greater.

Educational Facilities

Kindergarten and Nursery: One (1) space for each employee plus one (1) space for each four (4) students.

Elementary and Middle Schools, Grades 1-7:

One (1) space per teacher and per staff member, plus one (1) space per two (2) classrooms.

High School, Grades 8-12: One (1) space per teacher and per staff member on largest work shift, plus one (1) space per three (3) students.

Vocational or Trade Schools: One (1) space for each one thousand (1,000) square feet of gross floor area, plus one (1) space for each four and one-half (4 1/2) seats in any associated auditorium.

Cultural and Recreation
Services and Facilities

Art Galleries, Libraries, Museums, Zoological and Botanical Gardens, Planetariums and Aquariums: One (1) space for each eight hundred (800) square feet of gross floor area.

Swimming Pools: Thirty (30) percent of capacity.

Parks, Playgrounds and Playfields:

Ten (10) spaces for each acre of land devoted to recreation, plus one (1) space for each four (4) spectator seats.

Special Institutional Care

Recreation Centers and Gymsnasiums:
Fifty (50) percent of the capacity, plus one (1) space for each two (2) employees.

Correctional or Detention Institutions:
One (1) Facilities space per each employee, plus one (1) space for each patrol car, plus one (1) space per each five (5) persons incarcerated.

Drug and Alcohol Rehabilitation Center:
One (1) space per two (2) beds and one (1) space per staff member.

Asylum or Sanitarium: One (1) space per each three (3) beds and one (1) space per staff member.

Halfway House: Two and a quarter (2.25) spaces per patient or inmate.

Extensive Impact Type
Facilities and Land Uses

Airports, Air Cargo Terminals, Heliports or Aeronautical Devices: One (1) space for each employee, plus one (1) space for every one hundred (100) square feet of gross floor area.

Railroad, Bus, and Transit Terminals:
One (1) space for each one hundred (100) square feet of waiting room.

Railroad Yards and Other Transportation Equipment Marshaling and Storage Yards:
One (1) space for each employee.

Stadiums, Sports Arenas, Auditoriums, and Bandstands: One (1) space for each four (4) seats.

Water and Sewage Treatment Plants:
One (1) space for each employee.

Health Care Facilities

Centers for Observation or Rehabilitation, Convalescent Homes: One (1) space for each four (4) beds, plus one (1) space for each one thousand (1,000) square feet of gross floor area.

Hospitals: One and one-half (1 1/2) spaces for each bed.

Medical or Dental Clinics: Five (5) spaces for each staff member or doctor or dentist, or two (2) spaces for each treatment or examination room, whichever is greater.

Intermediate Impact Type
Facilities and Land Uses

Colleges, Junior Colleges and Universities:
One (1) space for each one thousand (1,000) square feet of gross floor area utilized for academic purposes, plus one (1) space for each six (6) seats in an auditorium, arena, or stadium on the same lot.

Communications and Utility Services:
Two (2) spaces per facility unless more spaces are required by the planning commission.

Special Personal and Group
Care Type Facilities
Land Uses

Associations for Physically or Mentally Handicapped: One (1) space for each and employee.

Family Day Care Homes: One (1) space per each four (4) pupils, plus one (1) space per each employee not living within the home.

Day Care Centers: One (1) space for each employee plus one (1) space for each five (5) children.

Nursing Homes: One (1) space for each employee, plus one (1) space for each two (2) patients.

Religious Facilities

All Activity Types: One (1) space for each three (3) seats in the assembly area or sanctuary.

Assisted Living Centers: See Section 4.010.1A, (1), (d), herein for parking requirements.

4.010.1.C. Commercial Activities

4.010.1.C.(1) Uses Located on Freestanding Sites

The provisions of this subsection shall apply to uses which are located on individual lots of record where no parking is shared with any other use or activity.

<u>ACTIVITY TYPE</u>	<u>GROSS FLOOR AREA (Square Feet) PER PARKING SPACE</u>
(a) Animal Care & Veterinarian Services	300
(b) Retail Trade - Apparel and Accessories	250
(c) Retail Trade - Automotive, Marine Craft and Aircraft Sales, Rental, and Delivery	25% of the gross lot area shall be allocated to parking.
(d) Automotive Service and Repair	300
(e) Building Materials & Farm Equipment Sales	1,000
(f) Contract Construction Sales	500
(g) Contract Construction Services	300
(h) Convenience Retail Sales and Services	150
(i) Equipment Repair Services	500
(j) Entertainment and Amusement Services:	
Art Galleries (Commercial)	400
Motion Picture Theaters	One (1) space per four (4) seats.
Theaters (Legitimate)	One (1) space per each four (4) permanent seats plus one (1) for every twenty-five (25) square feet of area where temporary seats are used.
Bowling Alleys and Billiard Parlors	Five (5) spaces per each alley, or every two (2) tables whichever is applicable.

pool

	Coin Operated Amusement or Arcade	One (1) space per 250
	Commercial Sporting Facilities	One (1) space per employee plus other spaces as determined by the planning commission.
	Dance Halls, Studios and Schools, and Skating Rinks	100
	Exhibition Halls and Commercial Auditoriums	40% of maximum capacity in persons.
	Gardens (Botanical and Zoological)	One (1) space per employee plus other spaces as determined by the planning commission.
	Marinas, Boat Docks and Boat Rental	One (1) space per employee plus other spaces as determined by the planning commission.
	Recording and Motion Picture Productions Studios	One (1) space per each three (3) seats.
	Theatrical Producers, Band, Orchestras and Entertainers	One (1) space per each three (3) seats.
	Riding Stables	Minimum of five (5) spaces plus one (1) per each employee.
	Resorts and Group Camps	One (1) space per each employee at peak season plus other spaces as required by the planning commission.
(k)	Financial and Real Estates Services	200 plus one (1) space per every employee.
(l)	Consulting and Administrative Services	400
(m)	Food and Beverage Service - General (Inside Service Only)	150

	(n)	Food and Beverage Service General (Containing Drive- Through Facilities)	100
	(o)	Food and Alcoholic Beverage Services	100
	(p)	General Business Communications Services	400 plus one (1) per each employee.
	(q)	Communications Services	300
	(r)	General Personal Services Funeral and Crematory Services	One (1) space per (100) square feet of gross floor area or where a chapel is provided, one (1) space each four (4) seats, plus one (1) space for every twenty-five (25) square feet of floor area where temporary seats are used which ever require the greater number of spaces.
for		All Others Personal Services	300
	(s)	General Retail Trade Department Store Variety Store Miscellaneous General Merchandise Store	250
	(t)	Group Assembly	One (1) space per four (4) permanent seats plus one (1) spaces for every twenty-five square feet of area where temporary are used.
seats	(u)	Professional Services - Medical	300
	(v)	Professional Services - Non-Medical	400
	(w)	Transient Habitation (Motels and Hotels)	One (1) space per lodging unit in each building serving transient guests.

4.010.1.C.(2) Uses Located Within Commercial Complexes

Where two (2) or more commercial activities are grouped together on a single site or in any other configuration which involves the use of shared or common parking facilities, the parking requirements for such uses shall be calculated as provided below.

SHOPPING CENTERS

<u>Size of Complex (gross square footage)</u>	<u>Number of Spaces Required</u>
0-400,000 Square Feet spaces per	Four and one-half (4 1/2) one thousand (1,000) square feet, gross leasable area.
400,000 - 600,000 Square Feet area.	Five (5) spaces per one thousand (1,000) square feet, gross leasable
600,000 - 1,000,000 Square Feet and above	Five and one-half (5 1/2) spaces per one thousand (1,000) square feet, gross leasable area.

ALL OFFICE COMPLEXES

Four and one-half (4 1/2) spaces per one thousand (1,000) square feet of gross leasable area.

4.010.1.D. Manufacturing and Industrial Activities

One (1) space for each one thousand (1,000) square feet of gross floor area or one (1) space for each employee during the largest shift, whichever is greater.

4.010.1.D.(1) Warehousing, Foods or Freight Transport, and Storage

One (1) space for each three thousand (3,000) square feet of gross floor area plus one(1) space for each 7,000 square feet of open storage. A minimum of five (5) spaces shall be provided by any establishment.

4.010.1.D.(2) Manufacturing: Automobile Wrecking Yards, Scrap Metal Processing, Junk Yards

One (1) space per each one thousand (1,000) square feet of gross floor area or one (1) space for each eight thousand (8,000) square feet of gross lot area, whichever is greater.

4.010.1.E. Agricultural, Resource Production, or Extractive Activities

Agricultural Services	One (1) space for each employee, and for veterinary services, one (1) space for each three hundred (300) square feet of gross floor area.
Commercial Feed Lots and Stockyards	As determined by the planning commission.
Mining, Drilling, and Quarrying	One and one-half (1 1/2) spaces for each employee.
Plant and Forest Nurseries	Five (5) spaces, plus one (1) space for each employee and one (1) space for each five (5) acres.

4.010.1.F. Other land uses

For buildings and land uses not referred to in the pre-cited activity classifications nor specifically listed in the corresponding use classification listings cited within Section 2.030, the off-street parking requirements shall be determined by the Board of Zoning Appeals.

4.010.1.G. Extension of parking area into a residential district

Required parking space may be extended one hundred (100) feet into a residential district, provided that:

- A. The parking area adjoins a commercial or industrial district.
- B. The parking spaces have their only access, or front upon the same street as the property in the commercial or industrial district(s) for which it provides the required parking.
- C. The parking space(s) is separated from abutting properties in the residential districts by a buffer strip.

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4.010.1.H. Requirement 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 onto a public street to obtain egress.
- B. Each parking space shall be no less than one hundred-sixty-two (162) square feet in area. All parking and loading spaces must be clearly marked.
(Amended by Ordinance #290, September 14, 2004)

*See Illustration in Appendix for Typical Parking Lot Design configurations.

- C. Entrances and exits for all off-street parking lots shall comply with the requirements of Section 3.090, of this ordinance.
- D. The parking lot shall be designed in such a manner as to provide adequate drainage and to eliminate the possibility of stagnant pools of water on and off the site, as well as to prevent the release of siltation off the site.
- E. There shall be a parking aisle at least twenty-four (24) feet wide serving all ninety (90) degree and sixty (60) degree angled parking spaces. For all thirty (30) and forty-five (45) degree angled parking spaces, there shall be a minimum parking aisle of eighteen (18) feet in width. For parallel parking spaces, there shall be a minimum parking aisle of twelve (12) feet.
- F. All off-street parking areas (parking spaces, ingress-egress areas, parking aisles, etc.) shall be surfaced with asphalt, concrete, or other type of impervious surface capable of withholding the traffic load as deemed acceptable by the planning commission. (See definition of dust free surface).
- G. No parking space(s) serving any residential development shall be located further than sixty (60) feet from the respective dwelling unit such space(s) serve.
- H. Handicapped parking spaces must be made conveniently available according to accepted standards (ADA requirements).

4.020. Off-street loading and unloading requirements. Every building or structure hereafter constructed and used for business or trade involving the receiving or distribution of vehicles, materials, or merchandise shall provide space for the loading and unloading of vehicles off the street or public alley (see definition of loading space in ARTICLE II). Such space shall have access to a public or private alley, or if there is no alley to a public street. The minimum required spaces for this provision shall be based on the total usable floor area of each principal building according to the following table:

<u>Total Usable Floor Area for Principal Building</u>	<u>Spaces Required (See ARTICLE II, for Definition)</u>
0 to 9,999 sq. ft.	One (1) space
10,000 to 14,999 sq. ft.	Two (2) spaces
15,000 to 19,999 sq. ft.	Three (3) spaces
Over 20,000 sq. ft.	Four (4) spaces, plus one (1) space for each additional 20,000 sq. ft.

Off-Street Loading and Unloading Requirements for Industrial Uses:

5,000 to 40,000 sq. ft.	One (1) space
Over 40,000 sq. ft. to 100,000 sq. ft.	Two (2) spaces
Each additional 100,000 sq. ft. or major fraction, thereof	One (1) additional space

4.030. Temporary use regulations. The following regulations are necessary to govern the operation of certain necessary or seasonal uses which are non-permanent in nature. Application for a Temporary Use Permit shall be made to the Building Inspector. Said application shall contain a graphic description of the property to be utilized and a site plan, to determine yard requirements, setbacks, sanitary facilities, and parking spaces 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:

- A. Carnival or Circus: May obtain a Temporary Use Permit in the C-2, I-1 or I-2 Districts; however, such permit shall be issued for a period of not longer than fifteen (15) days. Such use shall only be permitted on lots where adequate off-street parking can be provided, only after a licensed mechanical engineer officially certifies in writing that all pertinent rides are safe.
- B. Christmas Tree Sale: May obtain a thirty (30) day Temporary Use Permit for the display and sale of Christmas trees on open lots in any district.
- C. Temporary Buildings: In any district, a Temporary Use Permit may be issued for contractor's temporary office and equipment sheds incidental to construction project. Such permit shall not be valid for more than one (1) year but may be renewed for six-month extensions; however, not more than three (3) extensions for a particular use shall be granted. Such use shall be removed immediately upon expiration of the Temporary Use Permit, whichever occurs sooner.
- D. Religious Tent Meetings: In any district, except the C-1, Central Business District, a temporary structure may be permitted to house a religious meeting. Such permit shall be issued for not more than a thirty (30) day period. Such activity shall be permitted only on lots where adequate off-street parking can be provided.
- E. Temporary Dwelling Unit In Cases of Special Hardship: In any residential district, a Temporary Use Permit may be issued to place a mobile home (double-wide excluded) temporarily on a lot in which the principal structure was destroyed by fire, explosion or natural phenomenon. The purpose of such placement temporarily shall be to provide shelter for only the residents of the principal structure during the period of reconstruction and to prevent an exceptional hardship on the same. Placement of such temporary structure must not represent a hazard to the safety, health, or welfare of the community. An applicant for a Temporary Use Permit as provided under this subsection must produce a written statement from the Ashland City Utilities System and the Cheatham County Health Department when applicable, approving the water supply and sewerage disposal systems of the temporary structure. Such a permit may be initially issued for six (6) months. A permit may be renewed for up to six (6) months at a time, the total time for all permits not exceeding a total of eighteen (18) months.

4.040. Customary incidental home occupations. A customary incidental home occupation is a gainful occupation or profession (including the professional office of an architect, artist, dentist, engineer, lawyer, physician and the like, as well as barber, as well as beauty, and tailor shops), conducted by members of a family residing on the premises or only one person in addition to those persons residing therein and conducted entirely 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 shall indicate from the exterior that the building is being utilized in whole or in part for any purpose other than a residential unit, including permitted accessory buildings. An announcement sign of not more than four (4) square feet in area is permitted.

When questions arise regarding the legality of specific home occupations, it shall be the responsibility of the Board of Zoning Appeals to make a determination thereof. However, activities such as dancing instruction, band instrument instruction, tea rooms, tourist homes, real estate offices, convalescent homes, mortuaries, animal clinics, retail sales businesses, or any other activity deemed by the Board to be incompatible with the district or a potential nuisance to the surrounding area shall not constitute an acceptable home occupation.

4.050. Fall-out shelter restrictions. Fall-out shelters are permitted as principal or accessory uses and structures in any district, subject to the yard and lot coverage regulations of the district. Areas of underground fall-out shelters extending not more than thirty (30) inches above the general ground level of the graded lot shall not be included in computations of lot coverage by all buildings. The Board of Zoning Appeals may waive side and rear yard setback requirements to permit construction of joint shelters by two or more property owners, provided, however, that side and rear yard setback requirements shall be met where property involved in the joint proposal abuts or adjoins property not included in the proposal.

4.060. Gasoline station and convenience market-food service facility restrictions. The following regulations shall apply to all gasoline service stations:

- A. There shall be a building setback from all street right-of-way lines of not less than forty (40) feet, except for canopies designed to cover the gasoline pump islands. Gasoline pump canopies shall be included in the computation of maximum lot coverage requirements.
- B. Gasoline pumps shall not be located closer than twenty-five (25) feet to any street right-of-way line.
- C. Sign requirements as established in the City Sign Ordinance, shall be met.
- D. No canopy shall exceed the height requirement as cited within the applicable zoning district, nor shall such any canopy extend in height more than four (4) feet above the height of principal structure to which such canopy is attached.

4.070. Special provisions for party walls. Within those districts where two family dwellings (duplexes) may be located upon single zone lots, such zone lots may be subdivided by party wall into two separate zone lots, provided that all the necessary information pertaining to such developments, as required in Section 3.120, is approved by the planning commission along with the necessary subdivision plat(s). Moreover, two separate personal, professional, and/or business service oriented land uses may be located on two separate zone lots, being adjoined together by party wall within commercial zoning districts, provided that a plot plan of such development or conversion, as required in Section 3.120, is approved by the planning commission along with the necessary subdivision plat(s). Please note that the provisions of this section are only specific to isolated, generally non-coterminous lots, applying mainly to "Infill type developments". In no case with the exception of planned developments shall these provisions apply to the development of more than six (6) coterminous zone lots. In granting approval of the plot plan, the planning commission shall be guided by the following criteria: **(Deleted Section 4.070 through Subsection 4.079.2 and Renumbered 4.080 to 4.070, etc., by Ordinance 303, May 10, 2005)**

- (1) Other than the zero-lot line separating the two dwelling units or zone lot, all other lot, yard, and density requirements of the zoning district shall be met.
- (2) No zero side yard shall be adjacent to any public or private right-of-way.

- (3) No portion of a dwelling or architectural features of any structure shall project over any property line.
- (4) Where the same interior property line is utilized for the zero side yard construction of any dividing structure, such dividing structure shall consist of double walls separated by a minimum air space of two (2) inches.
- (5) Where the same interior property line is utilized for the construction of any zero side yard structure, all the provisions of the Standard Building Code, shall be met, and all such fire walls shall have a rating of not less than two (2) hours duration.
- (6) At all points of attachment, such buildings shall be separated from each other by firewalls extending from footings to the underside of the roof deck without openings which would permit the spread of fire.
- (7) Individual water services and sewer services as well as maintenance easements and water meters for each zone lot shall be required.
- (8) All the requirements of the Ashland City Subdivision Regulations shall be met.
- (9) All current requirements of the Standard Fire Protection Code must be satisfied. Other information that shall be provided relating to deed covenants is as follows:

- (1) An agreement covering the status, including the ownership, maintenance, etc., of the common wall separating the units or zone lots.
- (2) Adequate language to assure proper maintenance etc., of any portion of the structure where maintenance must be shared (ex. common roof).

If the correction of a maintenance problem incurred in the dwelling unit or structure which on one parcel (zone lot) necessitates construction work or access on the dwelling unit or structure of the other parcel, either parcel owner shall have an easement on the property of the other for the purpose of this construction. Each party shall contribute to the cost of restoration thereof in proportion to such use without prejudice, however, to the right of any such owner to call for a larger contribution from the other(s) under any rule or law requiring liability for negligent or willful acts or omissions.

- (3) Adequate language to assure that any property divided under this provision shall be continuously subject to the unified plan under which said property was originally approved. Such language shall so specifically include clear and precise statements whereby the purchaser is informed that the property may not be used in any manner which would have the effect of negating the unified plan under which original approval was granted, and language indicating that the purchaser of any such parcel understands that in no instance will any such parcel or zone lot be viewed as a separate independent parcel for zoning purposes, other than for the purpose or specific use under which said parcel was originally approved.
- (4) Adequate language covering any and all cross-access and utility easements as are necessary to assure the proper use and maintenance of all ingress and egress areas, as well as all utility services.

- (5) If a fire wall is destroyed or damaged by fire or other casualty, any owner may restore it and if the other owners thereafter make use of the wall, they shall contribute to the cost of restoration thereof in proportion to such use without prejudice, however, to the right of any such owner to call for a larger contribution from the others under any rule or law requiring liability for negligent or willful acts or omissions. Either parcel owner shall have an easement on the property of the other for the purpose of reconstruction and protection of the remaining unity from the elements.

4.080. Development standards for mobile home parks. The following land development standards shall apply to all mobile home parks:

- A. No parcel of land containing less than two (2) acres and less than ten (10) mobile home spaces, available at the time of first occupancy, shall be utilized for a mobile home park.
- B. The mobile home park shall be located on a well drained site, which is properly graded to insure rapid drainage and to avoid the possibility of stagnant pools of water.
- C. Dimensional Requirements for Parks:
1. Each mobile home park shall have a front yard setback of thirty (30) feet exclusive of any required yards for each mobile home space, extending for the full width of the parcel devoted to said use.
 2. Each mobile home park shall provide rear and side yards of not less than twenty (20) feet, exclusive of any required yards for each mobile home space, from the parcel boundary.
 3. In instances where a side or rear yard abuts a public street, said yard shall not be less than thirty (30) feet.
 4. No building or structure erected or stationed in a mobile home park shall have a height greater than two (2) stories or thirty (30) feet.
- D. Landscaping and Sign Regulations:
1. Entrance and exit areas within mobile home parks shall be landscaped as required in Section 3.140, of this ordinance.
 2. Each mobile home park shall be permitted to display, on each street frontage, one (1) identifying sign of a maximum size of twenty (20) square feet. Said sign(s) shall contain thereon only the name and address of the park and may be lighted by indirect lighting only. Such lighting shall not be directed beyond the boundaries of the mobile home park.
- E. Dimensional Requirements for Mobile Home Spaces: Each mobile home space shall be of sufficient size that, in addition to the mobile home, the following space shall be provided:
1. Each mobile home space shall be at least thirty-six (36) feet wide and such space shall be clearly defined by permanent markers.
 2. There shall be a front yard setback of ten (10) feet from all access roads within the mobile home park.

3. Mobile homes shall be harbored on each space so there shall be at least a twenty (20) foot clearance between mobile homes; provided, however, with respect to mobile homes parked end-to-end, the end-to-end clearance shall not be less than twenty (20). No mobile home shall be located closer than twenty (20) feet from any building within the mobile home park.
4. There shall be at least two (2) paved, off-street parking spaces for each mobile home space, which shall be on the same site as the trailer served, and may be located in the rear or side yard of said trailer space.
5. Each mobile home space shall be provided with a pad which shall be a minimum of twelve (12) feet by fifty (50) feet, which shall be constructed of four (4) inches of compacted gravel.
6. The mobile home park shall be developed to a density compatible with the district in which it is located; however, the minimum lot area per mobile home space with public water and sewer shall be four thousand (4,000) square feet. For double-wide mobile homes, the minimum lot size shall be six thousand four hundred (6,400) square feet.

No mobile home park shall be permitted unless such park is served by public water supply and sanitary sewerage services.

F. General Requirements:

1. Roads within the mobile home park shall be paved to a width of not less than twenty-two (22) feet in accordance with the procedures and standards for minor residential streets as specified in the Ashland City Subdivision Regulations; such streets shall be curbed and guttered. The right-of-way of such streets shall only be of sufficient width to include the road surface itself and necessary drainage facilities. All roads within the mobile home park shall be private roads and shall not be accepted as public roads.
2. All mobile home spaces within the park shall abut an access road as described in Subsection F, 1, of this section.
3. Each mobile home space shall be provided with a connection to the sanitary sewer line.
4. Mobile homes, with or without toilet facilities, that cannot be connected to an approved sewer system shall not be permitted in a mobile home park.
5. Cabanas, travel trailers (motor homes), and other similar enclosed structures are prohibited.
6. Mobile homes shall not be used for commercial, industrial, or other nonresidential uses within the mobile home park, except that one (1) mobile home in the park may be used to house a rental office.
7. Ground anchors shall be installed at each mobile home space to permit the required tiedowns of mobile homes.

G. Plans and Schedules Required: the following information shall be shown on the required site plan:

1. The location and legal description of the proposed mobile home park.
2. The location and size of all buildings, improvements, and facilities constructed or to be constructed within the mobile home park.
3. The proposed use of all buildings or structures shown on the site plan.
4. The location, and size of all mobile home spaces.
5. The location of all points of entry and exit for motor vehicles, and the internal circulation pattern.
6. The location of all off-street parking facilities.
7. The location of park and recreation areas.
8. The name and address of the applicant.
9. A comprehensive drainage and erosion control plan.
11. Such other architectural, engineering, and topographical data as may be required to permit the local County Environmentalist, the Ashland City Building Inspector, and the Board of Zoning Appeals to determine if the provisions of these regulations are being complied with shall be submitted with the site plan.
12. A time schedule for development shall be prepared, which shall demonstrate the applicant's readiness and ability to provide the proposed services. Said time shall be for a period of not more than one (1) year.
13. All mobile home parks which do not conform to the provisions of the zoning ordinance and are nonconforming and/or nonconforming shall be governed in accordance with the provisions of Section 6.020, of this ordinance.
14. A landscape plan graphically depicting the location of all proposed landscaping, as well as a table indicating the type and number of landscape treatment proposed in relation to the required percentage thereof (See Section 3.140).
15. A typical section illustrating the type of buffering proposed, as well as the graphic location of such planted buffering.

H. Application for Mobile Home Park Building Permit: An application for a permit to develop and construct a mobile home park shall be filed in accordance with Article VII, Section 7.060, of this ordinance and shall be accompanied by all site plans, schedules, and other information herein required. Said application shall be processed in the following manner:

1. The written application, plans, and schedules, herein required will be submitted to the Ashland City Building Inspector, the City Engineer and staff planner. The Building Inspector, City Engineer and Staff Planner shall duly review these materials and shall coordinate the review with other affected agencies and departments.

2. The Ashland City Building Inspector, City Engineer and Staff Planner shall, after review, recommend approval or disapproval of the proposed mobile home park to the Board of Zoning Appeals, which after a formal review of all required information thereof, may authorize the issuance of a permit for construction of the park as approved, or state the conditions under which approval for construction may be granted, or why the site plan was denied.

4.090. Development standards for automobile wrecking, junk and salvage yards. Because of the nature and character of their operations, automobile wrecking and salvage yards, junk yards, and similar uses of land can have a decidedly detrimental effect upon surrounding properties. Salvage and wrecking yards tend to create problems of noise, dust, traffic and health hazards, and may adversely affect property values by their general appearance. The following standards shall be used as a guide in evaluating whether proposed land uses, such as those outlined herein above, will have properly minimized their objectionable characteristics:

- A. All motor vehicles stored or kept in such yards shall be so kept that they will not catch and hold water in which mosquitoes may breed and so that they will not constitute a place or places in which rats, mice, or other vermin may be harbored, reared, or propagated.
- B. Because of the tendency for salvage yards to promote the breeding of vermin, no such operation shall be permitted closer than five hundred (400) feet from any established residential zoning district.
- C. All outdoor storage of salvage and wrecking operations shall be conducted entirely within an enclosed opaque fence, screen, or wall, excepting driveway areas, from eight (8) to twelve (12) feet in height. Storage between the road or street and such fence, screen or wall is expressly prohibited. Any fence, screen, or wall for concealment shall be maintained in good condition.
- D. All such yards shall be so maintained as to be in a sanitary condition and so as not to be a menace to public health or safety.
- E. Off-Road Parking: As regulated in Article IV, Section 4.010.
- F. Ingress and Egress: The number of vehicular access driveways permitted on any single_street frontage shall be limited to:
 1. One (1) driveway where the parcel to be used has a maximum road or street frontage of one hundred (100) feet or less.
 2. Two (2) driveways where the road or street frontage of the subject parcel exceeds one hundred (100) feet. Driveways used for ingress and egress shall be limited to twenty-five (25) feet in width maximum, exclusive of curb returns.
 3. Other applicable requirements of Section 3.090 pertaining to access control shall be met.
- G. Signage: Signage is regulated by the provisions of the Sign Ordinance for the Town of Ashland City.

H. Application for Automobile Wrecking Junk or Salvage Yard Permit: No person shall own or maintain an automobile wrecking, junk, or salvage yard within Ashland City until he has secured a permit from the Ashland City Board of Zoning Appeals. An application for said permit shall be filed in accordance with Article VII, Section 7.060, of this ordinance and shall be accompanied by a detailed site plan, a schedule for construction, and any other information herein required. Said application shall be submitted along with any plans and schedules. The Board shall vote to approve or disapprove the application in accordance with the time schedule in Section 7.060.

4.100. Yard requirements on corner lots in residential districts. On all corner lots in residential districts there shall be two (2) required front yards, and two (2) required side yards (See definition of side yard in Section 2.020, of Article II, herein). According to the siting of the principal structure on said lot, one of these required side yards will in effect become the rear yard for this lot. **(Renumbered 4.120 through 4.270 to 4.100 through 4.250, by Ordinance 329, January 9, 2007).**

4.110. Minimum residential front yard requirements on turn-arounds of cul-de-sac streets. On all lots directly fronting turn-arounds in residential zoning districts, the minimum required lot widths at the front building setback lines as stipulated in Article V, may be reduced by seventy (70) percent of said residential district requirement. This supplemental exemption is designed to foster improved siting of principal structures on such turn-arounds.

4.120. Special provisions for residential occupancy in connection with mini-warehouse facilities (self-service storage facilities). In all C-2, Zoning Districts, as well as in all industrial zoning districts wherein mini-warehouse facilities are allowed, the following standards shall APPLY:

- A. Residential occupancy may be permitted in conjunction with the office facility situated within the mini-warehouse complex or facility on the same zone lot, as an accessory use thereof, in order to facilitate adequate security of the premises according to the following provisions:
1. No more than one (1) dwelling or rooming unit may be permitted in conjunction with the office facility situated within the complex, located on the same zone lot, limited to two (2) bedrooms of no more than nine hundred (900) square feet.
 2. Any office-dwelling unit or office-rooming unit permitted under the provisions of this section shall be strictly limited to occupancy by two (2) persons employed to manage the office facility on the same zone lot while providing security services to the entire mini-warehouse facility thereon.
 3. Prior to issuing a permit for a special exception for this section, detailed plans must be submitted to the Board clearly demonstrating the location of the office-dwelling unit internal to the site, the specific parking spaces and parking aisles servicing this office-dwelling unit complex, as well as all other required information as cited in Sections 7.060 and 7.061, Subsections A, B, and C, of Article VII, of this ordinance.
 4. It must be demonstrated that all other fire code and applicable building codes are being met prior to the approval of a special exception by the Board of Appeals, in this regard.

- B. The additional supplementary regulations shall also apply to mini-warehouse (self-service storage) FACILITIES:
1. No self-storage facility shall be approved upon a lot less than two (2) acres in size.
 2. All storage shall be kept within an enclosed building, except propane or a gasoline engine or storage tanks or any boat or vehicle incorporating such components, which shall be stored in designated screened exterior areas. This provision shall not be interpreted to permit the storage of partially dismantled, wrecked, or inoperable vehicles.
 3. A barrier shall be provided around the perimeter of the facility. Said barrier shall be located at the front setback line as well as along the sides and the rear of the project, and shall consist of either the solid facades of the storage buildings or a fence. If the barrier is to be provided by a fence, said fence shall be a minimum of six (6) feet in height and shall be constructed of opaque or semi-opaque materials that will prevent the passage of light and debris, such as brick, stone, architectural tile, masonry units, wood, or similar materials, but expressly prohibiting woven wire.
 4. No business activity other than the rental of storage units and pick-up or deposit of dead storage shall be conducted on the premises. All contracts for rental of self-storage facilities shall include clauses prohibiting the storage of flammable liquids, highly combustible or explosive materials or hazardous chemicals and the use of the property for any purpose other than dead storage. Examples of prohibited activities include, but are not limited to the following:
 - a. Auctions, commercial wholesale or retail sales or miscellaneous or garage sales.
 - b. The servicing, repair or fabrication of motor vehicles, boats, trailers, lawn mowers, appliances or other similar equipment
 - c. The operation of power tools, spray painting equipment, table saws, lathes, compressors, welding equipment, kilns or other similar equipment.
 - d The establishment of a transfer or commercial warehouse business.
 5. Parking spaces shall be provided based on three percent of the total storage units or five parking spaces, whichever is greater. ***(amended by ordinance 364)***
 6. Driveway aisles shall be a minimum of twenty-four (24) feet in width. A driveway aisle where access to storage units is only on one side of the aisle may be twenty (20) feet in width.
 7. The maximum size of a storage unit shall be six hundred (600) square feet, and no more than four thousand (4,000) square feet shall be leased to a single tenant.

8. All outdoor lighting shall be shielded so as to direct light and glare only onto the premises of the self-service storage facility and away from all adjoining property. Such lighting shall be sufficient to discourage vandalism and theft.

4.130. Cluster residential development standards (single-family subdivided dwellings)

Intent: To permit greater flexibility for creative design and to achieve superior scenic quality and recreational opportunity close to home by providing for residential subdivisions which incorporate permanent local open space accessible to all residential lots.

How it works: Instead of the conventional subdivision procedure which results in single-family homes more or less evenly spaced throughout the site, these provisions allow individual lot and yard requirements to be reduced to permit closer grouping or "clustering" of homes on a portion of the site. Developers, however, cannot construct more dwelling units on the site than the zoning minimum lot size requirements call for, but can reduce individual lot sizes if the land thus saved is put into permanent open space.

4.130.1 Procedure for approval

4.130.1.A Preliminary plan and consultation. Before preparing a formal proposal for cluster residential development the applicant shall submit ten (10) copies of a preliminary plan of the proposed development to the planning commission as a basis for reaching general agreement on major aspects of the project. Such plan must be presented no later than twenty (20) days prior to the planning commission meeting. The preliminary plan shall indicate, at a scale no smaller than 1"=50':

- total (gross) acreage of the site.
- location of the site at a scale no smaller than 1"-50'.
- boundaries and acreage of the site.
- number, location (building envelopes) of single-family dwelling units.
- arrangement of streets, structures, and lots.
- access to existing streets.
- allowable local open space tracts and prospective uses. Some active forms of recreational land uses are required, and must be clearly distinguished from more passive forms of recreational uses.
- location and size of water and sewer lines. -
- existing and proposed topographic contours.
- location of fire hydrants, walls, and screening and buffering.
- location of wetlands and flood prone areas, as well as areas containing slopes of twenty-five (25) percent or more.
- location of easements.
- height of buildings.
- location of areas containing slippage soils as defined herein.
- location of areas containing steep slopes as defined herein. -
- location of sinkhole areas as defined herein.
- other geotechnical characteristics of the site, if needed.
- a table clearly depicting the breakdown of on-site acreage by flood prone acreage, required acreage for street rights-of-way, and acreage containing overly steep slopes as defined herein.

4.130.1.B Plat approval procedure. Proposals for cluster residential developments shall be subject to the Ashland City Subdivision Regulations, shall be prepared and reviewed under the plat approval procedures therein, and shall be in accordance with the provisions of this section.

4.130.1.C Development standards. The following standards and requirements shall apply to all cluster developments.

(1) General standards for development

In the interest of promoting the most appropriate and economical use of the land while assuring that the character of the residential district is maintained, the Planning Commission in its review of a proposed development shall consider the following:

- (a) The protection of the character, property values, privacy and other characteristics of the surrounding neighborhood;
- (b) The provision for surface drainage control, sewage disposal, and water supply, recreation and traffic control; and
- (c) The preservation and protection of existing trees, ground cover, top soil, streams, rock outcroppings and scenic or historic sites from dangers and damage caused by excessive and poorly planned grading for streets and building sites.

4.130.1.D Development requirements.

- (1) This section shall apply only to single family residential structures excluding mobile homes.
- (2) Minimum number of dwelling units per subdivision 50.
- (3) Maximum Density.

The average number of dwelling units per acre or density of buildable land (not including land for street right-of-way, land containing slopes of twenty-five (25) percent or more, and flood prone acreage) shall in no case exceed the maximum allowable density as established within the applicable zoning district. In the computation of the maximum buildable acreage, twenty-five (25) percent of said total be allocated for street right-of-way regardless of the acreage actually required thereof. Areas containing flood prone areas as defined in Section 8.020 shall be considered additive to this twenty-five (25) percent open space figure in arriving at the total open space within the project (non-fee simple ownership area). Furthermore, other supplemental design standards enumerated in Article III, herein, as apply to steep slopes, slippage soils, and sinkholes shall be incorporated in a tabular and graphic format indicating the acreage and location of these environmental site limitations. This information shall also be utilized to determine the maximum

allowable density of development. Flood prone acreage shall be defined as any land lying below the 100-year flood elevation within the applicable drainage basin, as well as any land falling within any officially designated 100 year floodplain.

(4) Minimum lot size, width or yard requirements ...

Lot size -	6,000 sq. ft.
Lot width -	50 ft.
Rear setback -	15 ft.
Side setback -	5 ft.
Front setback -	20 ft.

(5) Structure location requirements.

-Minimum distance between any structure and any exterior property line	50 feet.
-Minimum distance between structures and street right-of-way line	40 feet.
-Minimum spacing between structures	24 feet, or more as required by the N.F.P.A Standard Fire Protection Code.

(6) Buffering requirements.

Either a ten (10) foot planted buffer strip as defined in the definitions section herein, or the construction of a six (6) foot brick wall, or solid wall as approved by the planning commission must be established around the periphery of any cluster residential subdivision.

(7) Utilities.

The development shall be serviced by public sewer and water facilities, on trunk lines not less than eight (8) inches and eight (8) inches respectively.

(8) Streets.

All streets within cluster development subdivisions must be constructed according to all design standards established within the subdivision regulations. No private streets shall be approved within cluster development projects.

(9) Common open space.

(a) Minimum common open space requirement.

Plats proposed for approval under the provisions of this section shall include local open space tracts of size, developed use, location, shape and topography which will meet the

intent of this section, as well as the Ashland City Subdivision Regulations. The minimum amount of local open space to be allocated shall in no case be less than the aggregate amount by which building lots are reduced from regular minimum lot size requirements, and must meet the design standards enumerated above in Section 4.130.1, D, (3), contribute a lesser density than would be normally the case under the nonclustered process of land subdivision. The minimum developed recreation area (the developed recreation area per the total floor area within the project) shall be no less than a ratio of .14, with developed or acceptable recreational uses being defined hereafter in Section 4.130, D, (9), (b).

(b) Permitted common open space uses.

Only the following land uses may be set aside as common land for local open space or recreational uses:

-Private recreational facilities, such as golf courses, and miniature gold courses, play-grounds, basketball facilities, ballfields, tennis courts, soccer fields, or swimming pools, which are limited to the use of the owners or occupants of the lots located within the subdivision.

-Historic building sites or historical sites, scenic parks and parkway areas, developed walking and/or bicycle trail areas, picnic areas and shelters extensive areas with tree cover, low land along streams which are not designated as mapped floodplains, or areas of rough terrain having natural features worthy of scenic preservation as determined by the planning commission.

(c) Legal requirements for operation and maintenance

Local or common open space, at the option of the developer, may be retained by him or deeded by him to a Homeowners' Association or other organization approved by the planning commission.

When such tracts are retained by the developer, plans for improvement and maintenance of these tracts must be approved by the planning commission, and deed covenants, made to assure continuing use of the tracts for local open space purposes. All such documents filed with the planning commission, must be approved by the city attorney as to their form and content, prior to the approval of construction plans of the subdivision by the city engineer.

When such tracts are to be deeded to a Homeowners' Association, all details pertaining thereto must be reviewed and approved by the city attorney. The developer shall provide:

(i) The legal framework for a Homeowners' Association, consisting of articles of incorporation and by-laws which guarantee as a minimum:

-that the Homeowners' Association will be responsible for liability insurance, local taxes, maintenance of recreational or other facilities pertaining to the local open space.

-that when more than fifty (50) percent of the lots within the subdivision are sold, there shall be a special meeting of the Homeowners' Association within sixty (60) days thereof, in order that the items cited herein under (ii) are properly established and incorporated within this association.

(ii) Deeds to individual lots within the subdivision, which shall convey mandatory membership in the Homeowners' Association, and include as a minimum the following provisions:

-responsibility for paying a pro rata share of the cost of Homeowners' Association operation.

-agreement that the assessment levied by the association can become a lien on the property if not paid.

-agreement that the association shall be able to adjust the assessment to meet changing needs.

-guarantee of permanent unrestricted right to utilize lands and facilities owned by the association.

4.140. Development standards applying to duplex residential dwellings, as well as zero-lot line two-family dwellings

A. Purpose:

The provisions set forth herein are intended to apply to all two-family detached dwellings (duplex and zero-lot line two-family dwellings) as defined by this ordinance regardless of the district in which such uses may be located. It is the express purpose of these regulations to establish design criteria and to provide for the implementation of these provisions by the planning commission in the case of zero-lot line dwellings as discussed in Section 4.070, or by the Board of Zoning Appeals in the review of applications for special exceptions as required in Article V, Section 5.060, of this ordinance. Moreover, these provisions provide for the implementation of these standards by the planning staff through the review of applications for building permits, or by the planning commission through the review of subdivision plats, when required.

B. Design criteria:

1. All two-family detached units constructed on individual zone lots shall be designed to closely resemble in appearance the other housing units in the neighborhood. Particular attention should be paid to locating only one entrance door servicing the front of the structure.
2. Exterior building materials shall be of the same type and quality of other dwelling units in the neighborhood or on adjoining lots.
3. Each dwelling unit shall be provided with reasonable visual and acoustical privacy. Fences, walks, and landscaping shall be provided for the protection and aesthetic enhancement of the development and privacy of the occupants, as well as the screening of objectionable views or uses, and the reduction of noise, when required by the board of appeals, planning staff, or planning commission, as applicable.
4. The appearance and character of the site shall be preserved, as appropriate, and enhanced by retaining and protecting existing trees and other site features. Additional new plant materials shall be added for privacy, beauty of buildings and grounds, and to screen objectionable features.
5. Appropriate notations verifying these standards shall be placed on application forms for building permits as well as on the applicable subdivision plats. Such notations shall also be placed on the plans to be reviewed by the Board of Zoning Appeals as special exceptions whenever zero lot-line dwellings are involved. Architectural drawings and perspective illustrations may be required to substantiate compliance with the design criteria within this section if required by the appropriate approving person, board, or commission in question.

C. Lots:

The minimum lot size required for any such dwelling shall be as stipulated by the development area per dwelling unit as provided in each respective zoning district.

D. Parking:

1. These requirements shall supplement the parking provisions contained in Section 4.010, of Article IV.
2. No off-street parking areas shall be located in the front of the structure. Every effort shall be made to locate some of the required off-street parking in the rear yard, as well as in the side yard.

4.150. Development standards as apply to multi-family dwellings

A. Purpose:

The provisions set forth herein are intended to provide a limited number of basic design standards for multi-family dwellings located on a single zone lot or tract that abuts a public street. Specifically, these provisions are intended to supplement the plot (site) plan provisions as cited in Article III, Section 3.120, or the planned unit development provisions as cited in Article V, Section 5.060, in an effort to establish safe, attractive, and efficient design patterns thereof.

B. Development standards:

1. No multi-family structure shall contain more than twelve (12) dwelling units per floor in a single building or structure.
2. No two adjoining multi-family structures shall be located at a uniform setback from any front, side or rear property line of the zone lot being developed, unless such zone lot contains severe natural constraints such as very steep topographic slopes, large water bodies, a very narrow, or odd-shaped configuration, etc., as determined by the planning commission. Every effort shall be made to stagger the setback of adjoining structures by no less than ten (10) feet.
3. At a minimum, there shall be a dimension of no less than thirty (30) feet between any two structures containing two (2) stories, as well as between any structure or building and any exterior property line. Under no circumstance shall any structure be placed less than twenty-four (24) feet from any other structure.

4.160. Height requirement as applies to fences. No fence for the purposes of complying with the provisions of this ordinance shall be more than six (6) feet in height, except as pertains to the developmental standards cited in Section 4.090, herein.

4.170. Antennas and satellite (T.V.) dishes. For the purposes of this ordinance all detached radio and television antennas and satellite dishes shall adhere to all required front yard setbacks. When these uses are situated in side yards, they shall be located no closer than ten (10) feet from side property lines. They shall be no closer than eight (8) feet from applicable side and rear property lines when such uses are located in rear yards. All radio and television antennas taller than the applicable height restriction of the applicable zoning shall be located within the designated rear yard.

4.180. Minimum design standards for transmission and communication towers and stations. It is the intent of this Section to avoid potential damage to property caused by Towers_and Telecommunications Facilities by ensuring such structures are soundly and carefully designed, constructed, modified, and maintained, while ensuring such Towers are compatible with the surrounding land uses. The purpose of this Section is also to promote and encourage shared use/collocation of such towers and Antenna Support Structures as a primary option, rather than the construction of single-use Towers.

4.180.1 Standards for telephone, telegraph, and communications transmitter Stations and towers. All transmitter stations, including towers and operating equipment_located within Ashland City shall adhere to the following standards:

- (a) All towers with a height of one hundred-fifty (150) feet (from base to top) or more shall be constructed in accordance with Electronic Industries Association ("EIA") standard 222E-1996 utilizing a wind rating of eighty miles per hour (80 MPH) plus ice loading for Ashland City, Tennessee. Each application for a building permit shall be accompanied by a certification by a professional engineer licensed in the State of Tennessee and competent in such design.

- (b) All towers shall be set back from all property lines and leasehold lines a distance that is equal to:
 - 1) for a guyed tower, fifty (50) percent of its maximum height, and
 - 2) for a self supporting tower, one hundred (100) percent of its maximum height.
- (c) Fencing. The area in either fee-simple ownership or leasehold procurement containing such tower and equipment shall be enclosed with a fence no shorter than six (6) feet in height. Access gates will be locked at all times when the site is not occupied.
- (d) Screening. Where the tower site abuts or is contiguous to any Residential District, there shall be provided a continuous, solid screening, and it shall be of such plant materials as will provide a reasonable year-round evergreen screening. Screening, as required herein, shall be not less than four (4) feet in height at the time of planting, and shall be permanently maintained by the leaseholder or owner of the subject property. (See definition of planted buffer strip).

4.180.2 Application requirements. An application to develop a Transmission and Communications Tower shall include as minimum the following:

- 1. All site plan information cited in Section 3.120, of this Ordinance, which is deemed applicable by the Planning Commission.
- 2. A "Determination of No Hazard" from the Federal Aviation Administration, as well as all required Federal Communications Commission permit information.
- 3. Documentation that any applicable leasehold is no less than twenty-five (25) years in duration.
- 4. The names, addresses, and telephone numbers of all owners of other Communications/Transmission Towers or Support Structures within a one-half (1/2) mile radius of the proposed new Tower site, including city-owned property.
- 5. An affidavit attesting to the fact that the project applicant made diligent, but unsuccessful, efforts to install or collocate the project applicant's Telecommunications Facilities on city-owned Towers or useable Antenna Support Structures located within a one-half (1/2) mile radius of the proposed Tower site.
- 6. An affidavit attesting to the fact that the project applicant made diligent, but unsuccessful, efforts to install or collocate the project applicant's Telecommunications Facilities on Towers or useable Antenna Support Structures owned by other persons located within a one-half (1/2) mile radius of the proposed Tower site.
- 7. Written technical evidence from an engineer(s) that the proposed Tower or Telecommunications Facilities cannot be installed or collocated on any available Tower or useable Antenna Support Structure located within one-half (1/2) mile radius of the proposed Tower site.

4.190. Standards as apply to adult-oriented business establishments. Please refer to Section 7.061.13, for specific standards, as such uses are regulated as conditional uses (special exceptions). See Article II, herein for appropriate definitions.

4.200. Standards as apply to fire department connections in buildings with sprinkler systems. Every fire department connection shall be so located with respect to hydrants, driveways, buildings and landscaping, such that fire apparatus and hose connections to supply the system will not obstruct access to the buildings for other fire apparatus. Where more than one fire department connection serves the same property, all such connections shall be grouped at the same location and clearly marked, unless otherwise approved by the local fire official.

4.210. Standards as apply to motor home (travel trailer) parks. The same development standards and developmental procedures as required for mobile home parks as cited in Section 4.080 shall apply to motor home (travel trailer) parks, as well as any other information as may be required by the Board of Zoning Appeals. Mobile homes shall not be placed in motor home parks.

4.220. Standard applying to cemeteries. No building or structure shall be erected within fifteen (15) feet of the perimeter or outer boundary of any cemetery or graveyard.

4.230. Standards applying to swimming pools. The following regulations shall apply to all swimming pools:

- A. No swimming pool or part thereof, excluding aprons and walks, shall protrude into any required front yard, in the R-1, R-2, R-3, R-4 and R-5 Districts.
- B. The swimming pool area shall be walled or fenced so as to prevent uncontrolled access by children and pets from the street or adjacent properties. Said fence or wall shall not be less than four (4) feet in height and maintained in good condition.
- C. Fencing and Guardrail Opening Limitations: Intermediate dividers such as horizontal slats, vertical slats, spindles, wrought iron, wire fencing, etc. shall have spacing which does not allow the passage of an object of four (4) inches or more in diameter.

4.240. Screening of propane tanks and dumpsters. As a requirement of plot (site) plan approval, all propane tanks and solid waste dumpsters shall be opaquely screened from view. Such screening or fencing shall be no less than six (6) feet in height, unless specifically authorized otherwise by the planning commission.

4.241. Propane tanks – placement. All propane tanks shall not be placed in front of the primary use structure. **(Added by Ordinance 320, August 8, 2006)**

4.250. Standards applying to bed and breakfast home residences. Please refer to Section 7.061.16, for specific standards, as such uses are regulated as conditional uses (special exceptions).

ARTICLE IV (*Added By Ordinance 352, November 10, 2008*)

SUPPLEMENTARY PROVISIONS APPLYING TO SPECIFIC DISTRICTS

4.260 Minimum Standards for Land Disturbing Activities

4.260.1 Purpose

The purpose of this article is to establish procedures and standards to evaluate and regulate the effect a proposed development will have on fill, stormwater runoff, soil erosion, and channel erosion from such developments and surrounding areas, and to require, if necessary, that certain proposed developments be provided with adequate preparation, stormwater retention and detention.

The land disturbing, stormwater retention and detention rules of this article shall apply to any proposed development of land where a building permit is required.

The regulations of this article are supplemental to any other law that pertains to the development of land including buildings, structures, parking lots and other similar improvements. If there is a conflict between this article and any other law, the more stringent requirement shall apply.

Definitions

- A. BEST MANAGEMENT PRACTICES:** Practices and control measures intended to minimize pollutants from property or facility stormwater runoff and the provision for long term responsibility for management control and of the same.
- B. DETENTION:** _____ The holding of stormwater onsite until the existing drainage system can accommodate the runoff.
- C. DREDGING:** The removal or displacement by any means of soil, sand, gravel, shell or other like material from coastal wetlands, submerged lands, marshlands, or water bottoms.
- D. EXCAVATE:** Dig out, scoop out, hollow out or otherwise make a hole or cavity by removing soil, sand, gravel or other material from any property so as to change the grade of such property.
- E. FILL:** 1. (v) The placing upon or the building up of property with earth, sand, gravel, rock, or other material; 2. (n) The earth, sand, gravel, rock, or other material used for such purpose (as the context may indicate).
- F. RETENTION:** The slowing of stormwater runoff from leaving a site so that flow into the existing drainage system can be maintained at a reasonable level

4.260.2 Sediment and Erosion Control

Installation of improvements must be done in such a manner as to provide for the most effective control of erosion and sediment. Developers shall follow the standards and best management practices as outlined in the Tennessee Department of Environment and Conservation (TEDAC) Soil and Erosion Handbok. Practical combinations of the following technical principles must be used.

- A. The smallest practical area of land must be exposed at any one time during development.
- B. All fill material must be compacted to prevent the occurrence of sink holes, erosion and sediment loss from the developed property, and cannot be comprised of construction or demolition materials regulated by TEDAC for disposal in a landfill.
- C. When land is exposed during development, the exposure is to be kept to the shortest practical period of time.
- D. Temporary vegetation and/or mulching must be used to protect critical area exposed during development.
- E. Sediment basins (debris basins, desilting basins, or silt-traps) must be installed and maintained to remove sediment from waters from land undergoing development.
- F. Provisions must be made to effectively accommodate runoff caused by changed soil conditions during and after development.
- G. Permanent final vegetation and structures must be installed as soon as practical in the development.
- H. The development plan must be fitted to the topography and soils so as to create the least possible erosions.
- I. Wherever feasible, natural vegetation must be retained and protected.

4.260.3 Application Review

The Building Official and/or other designated official shall review every application for a land disturbing permit to which this article applies and evaluate the proposed development to determine whether it will increase stormwater runoff. This determination will be based on the following factors:

- A. Location and size of the development
- B. Slope and soil conditions
- C. Use of fill materials
- D. Existing drainage systems and facilities
- E. Any other considerations which may pertain to the discharge of stormwater from the development site.

4.260.4 Stormwater Runoff

- A. No owner of any parcel of land, whether with or without a structure thereupon, shall permit the erosion or escape of soil, sand, gravel or similar material from said parcel onto any public street or into any drainage channel that receives stormwater runoff from said parcel as to harm said public street or drainage channel.
- B. In the development of any site, including single-family houses and duplexes, the developer shall not construct the development so as to cause the discharge of stormwater runoff into either a newly constructed or existing drainage channel receiving runoff from the site in such a manner as to cause erosion of such channel.

4.260.5 Inspection of Development

The Building Official and/or other designated official shall inspect each development once the site plan is approved and a building permit issued. A failure to construct the development in accordance with the approved site plan, or in violation of any of this article, shall result in a revocation of the building permit and the refusal to issue a certificate of occupancy.

4.260.6 Permit

- A. It shall be unlawful for any person to fill or excavate a parcel of land if the grade or elevation of such parcel will be changed enough to result in an increase or decrease in the volume or rate of surface water flow from or onto the land of another unless such person shall have first obtained a permit issued in accordance with this article.
- B. It shall be unlawful for any person to alter or relocate any ditch, canal, drain or watercourse which drains or affects the drainage of land other than that of said person without having first obtained a permit issued under this article.
- C. Filling or excavating in the minimum amount required for the preparation of the foundation for a building or structure shall not require a permit under this article; nevertheless, any other permit or permits required by this ordinance or other laws of the City shall be obtained before beginning foundation preparation.
- D. Fill material shall not consist of construction/demolition debris as defined in 7 (d) 1 or customarily disposed in landfills regulated by the Tennessee Department of Environment and Conservation as defined in 7 (d) 2, including:

- E. "Construction/demolition wastes" means wastes, other than special wastes, resulting from construction, remodeling, repair and demolition of structures and

from road building. Such wastes include but are not limited to bricks, concrete and other masonry materials, soil, rock and lumber, road spoils, rebar, paving material.

F. TEDAC Classification of Disposal Facilities SOLID WASTE PROCESSING AND DISPOSAL CHAPTER 1200-1-7 (Rule 1200-1-7-.01, August, 2006 (Revised)

1. Class I Disposal Facility refers to a sanitary landfill which serves a municipal, institutional, and/or rural population and is used or to be used for disposal of domestic wastes, commercial wastes, institutional wastes, municipal solid wastes, bulky wastes, landscaping and land clearing wastes, industrial wastes, construction/demolition wastes, farming wastes, shredded automotive tires, dead animals, and special wastes.
2. Class II Disposal Facility refers to a landfill which receives waste which is generated by one or more industrial or manufacturing plants and is used or to be used for the disposal of solid waste generated by such plants, which may include industrial wastes, commercial wastes, institutional wastes, farming wastes, bulky wastes, landscaping and land clearing wastes, construction/demolition wastes, and shredded automotive tires. Additionally a Class II disposal facility may also serve as a mono fill for ash disposal from the incineration of municipal solid waste.
3. Class III Disposal Facility refers to a landfill which is used or to be used for the disposal of farming wastes, landscaping and land clearing wastes, demolition/construction waste, shredded automotive tires, and/or certain wastes having similar characteristics and approved in writing by the Department.
4. Class IV Disposal Facility refers to a landfill which is used or to be used for the disposal of demolition/construction wastes, shredded automotive tires, and certain wastes having similar characteristics and approved in writing by the Department.

4.260.7 Application Required

- A. A person seeking a permit required by this article shall file a written application and site plan thereof with the Building Official and/or other designated official.
- B. Required Information: The application shall contain:
 1. Name and address of the applicant.
 2. A legal description of the parcel of land to be filled or excavated or upon which the ditch, canal, drain or watercourse to be altered or relocated is situated.

3. If required by the Building Official and/or other designated official, a topographical map of the land to be filled or excavated or of the ditch, canal,

drain or watercourse to be altered or relocated and the surrounding area for such distance as the Building Official and/or other designated official may direct.

4. A description of the work to be done.
5. A description of the fill material, if any, to be used.
6. The estimated time needed for completion of the work.
7. Any other relevant information as may be reasonably required by the Building Official and/or other designated official.
8. Construction Site Runoff Controls Checklist (if applicable to permit request).

4.260.8 Maintenance of Facilities and Grant of Easements

A. Maintenance of Facilities

1. All improvements, including post construction best management practices and landscaping, shall be maintained in perpetuity and cannot be developed for any other use which would limit or cause to limit the use of the improvements. Responsibility and maintenance of these improvements shall follow the Ownership of the property.
2. Each property owner shall be liable, within the contents of his deed, for the maintenance of the improvements. A special note to this effect shall appear on any final plat of subdivision.
3. When problems arise due to inadequate maintenance, the City Inspector may inspect the improvements and compel the correction of the problem by written notice. If it is impracticable for the property owner to make the correction, the property owner may contract with the City for the correction of the problem if such service is available, provided the City is adequately reimbursed.

B. Grant of Easement

As a condition of issuing the permit, if required for the protection of the public or other landowners, the Board may require the applicant to:

1. Grant the City a drainage easement or easements across the land involved in the permit application and any adjacent land owned by the applicant; and,
2. Construct and maintain such drainage ditch or ditches as may be necessary. A Certificate of Post Construction Best Management Practice Perpetual Responsibility and Maintenance must be provided in order to obtain a Certificate of Occupancy.

EXHIBIT A

TOWN OF ASHLAND CITY PLANNING DEPARTMENT
CONSTRUCTION SITE RUNOFF CONTROLS CHECKLIST

This checklist is to be filled out before construction begins for all developments which anticipate land disturbance during construction. The checklist shall accompany the Building Permit Application. The purpose of the checklist is to monitor compliance with the Town of Ashland City Zoning Ordinance, Stormwater Regulations of the Environmental Protection Agency and the Stormwater Regulations of the TENNESSEE Department of Environment and Conservation.

1. What is the land area disturbed by the construction of this project? _____ acres
2. Is the land area greater than one (1) acre? _____ yes _____ no
3. If the land area is greater than one (1) acre, has compliance with the requirements of the Tennessee Department of Environment and Conservation (TEDAC) and/or the United States Environmental Protection Agency been attained?
_____ yes _____ no
4. Provide a complete site plan meeting the regulations for Ashland City.

SECTION II. 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 ASHLAND CITY, Tennessee, the most restrictive shall in all cases apply.

Section B. Validity

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.