CITY OF COLUMBIA
TENNESSEE

AGENDA

The Columbia Municipal Planning Commission will meet in a *Special Session* on Wednesday, June 5, 2024 at 4:00 PM in Council Chambers in the basement of City Hall, 700 N. Garden Street. The Planning Commission will consider the following:

I. Planning Commission Training Session

1. 4:00 PM - 4:15 PM Software Training for Planning Commission

II. Organization

1. Call to Order
2. Roll Call
3. Welcome of Visitors/Rules of Conduct

III. Discussion Items

1. Request from Development Services for approval of amendments to the City of Columbia Subdivision Regulations.
2. Request from Development Services for review and recommendation of updates to the Access Management Ordinance.
3. Request from Development Services for approval of amendments to the City of Columbia Engineering Standards and Specifications.
4. Request from Development Services for review and recommendation of revisions to the Stormwater Ordinance.
5. Request from Development Services for review and recommendation of amendment to Article 8 of Zoning Ordinance 4400, Administration, Procedures and Enforcement, and to Definitions in Article 9, along with various related changes in the Code.

6. Request from Development Services for review and recommendation of amendments to Article 4 of Zoning Ordinance 4400, Building, Lot & Building Site Standards, and Definitions in Article 9, along with various related changes to the Ordinance.

7. Request from Development Services for review and recommendation of amendments to Article 5 of Zoning Ordinance 4400, Development Parcel Standards, and Definitions in Article 9, along with various related changes to the Ordinance.

8. Request from Development Services for review and recommendation of amendments to Article 6 of Zoning Ordinance 4400, Supplemental Standards, including Floodplain Protection, and Definitions in Article 9, along with various related changes to the Ordinance.

9. Request from Development Services for review and recommendation of Fee Schedule updates.

IV. Other Business

V. Adjournment

The Planning Commission of the City of Columbia welcomes your presence and participation at this meeting. If you wish to address the Commission regarding any item on the Agenda, please sign the sign-up sheet and indicate which agenda item you would like to comment on. You will have the opportunity to comment on an item when it comes up on the Agenda and before the Commission votes on the item. Once recognized, you may then come to the podium and state your name and address. Anyone requesting accommodation due to disabilities should contact the ADA Coordinator, Wanda McClain, at 931-560-1570 prior to the meeting. For other questions, please contact the Department of Development Services at 931-560-1560.

City of Columbia
Subdivision Regulations

Amended June XX, 2024

Amendments

For list of changes, see Appendix C.

Number	Date	Page(s) Revised
1	6/5/2024	13, 15, 18, 23, 24, 25

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Chapter 1: General Provisions

1.1 Policy and Purpose

The Subdivision Regulations are designed to provide for the harmonious development of the City of Columbia, hereinafter referred to as the “City”, to secure a coordinated layout and adequate provision for traffic, and to secure adequate provision for light, air, recreation, transportation, water drainage, sewerage, and other facilities.

Land subdivision is the first step in the process of community development. Once land has been divided into streets, lots, and blocks and publicly recorded, the correction of defects is costly and difficult. Subdivision of land sooner or later becomes a public responsibility, in that streets must be maintained and various public services must be provided. The public health, safety, and welfare is thereby affected in many important respects. Therefore, it is in the interest of the public, the developer, and the future owners that subdivisions be conceived, designed, and developed in accordance with the ordinances and regulations governing the subdivision of land within the City.

1.2 Authority

These Subdivision Regulations are adopted and shall be amended by the Columbia Municipal Planning Commission (CMPC) in pursuance of the authority and powers granted by Title 13 Chapter 4, Tennessee Code Annotated (TCA). Having adopted a major street or road plan for the jurisdictional area, and filed a certified copy with the Maury County Register of Deeds, hereinafter referred to as “County Register", as required by TCA 13-4-302, and having held a public hearing as required by TCA 13-4-303, the CMPC has fulfilled the requirements set forth in state law as prerequisites to the adoption of these regulations.

1.3 Applicability

These Subdivision Regulations shall govern all subdivision of land within the corporate limits of the City of Columbia.

1.4 Amendments

For the purpose of providing for the public health, safety, and general welfare, the CMPC may from time to time amend these regulations. Before adoption of any amendment to these regulations, a public hearing shall be held by the CMPC, as required by Title 13, Chapter 4 TCA.

Subsequent to adoption of any amendment to these regulations, such amendment shall be incorporated into the text of these regulations in the following manner. Replacement pages shall be prepared incorporating the new or changed language. Each such new or replacement page shall have the amendment number and shall be dated so as to indicate the date of last revision of the page. Each adopted amendment shall be numbered consecutively and printed on pages separate from any other amendment in a manner that fully states any language deleted from these regulations and any language added and the location in the text of each such change.

1.5 Conflicts

Whenever there is a discrepancy between minimum standards or dimensions noted herein and those contained in other adopted codes, ordinances, standards, specifications, and plans, the provisions that are more restrictive or impose higher standards shall govern.

1.6 Validity

If any section, clause, paragraph, provision, or portion of these Subdivision Regulations shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision, or portion of these regulations.

1.7 Saving Provision

These Subdivision Regulations shall not be construed as abating any action now pending under or by virtue of previous Subdivision Regulations, or as discontinuing, abating, modifying, or altering any penalty accruing or about to accrue, or as affecting the liability of any person, or as waiving any right of the governing body under any section or provision existing at the time of adoption of these regulations, or as vacating or annulling any rights obtained by any person by lawful action of the governing body, except as expressly shall be provided otherwise in these regulations.

1.8 Enforcement

1.8.1 General

The Subdivision Regulations and all subdivisions within the City shall comply with Title 13 TCA. The enforcement of these regulations and the penalties for violations shall be pursuant to Title 13 TCA.

A. No plat or plan of a subdivision within the City shall be received or recorded by the County Register until said plat or plan has received final approval by the CMPC in accordance with these regulations, as provided in TCA 13-4-302.

B. Any building or structure erected or to be erected in violation of the Subdivision Regulations or TCA 13-4-308 shall be deemed an unlawful building or structure, and the Building Official or other official designated by the City may bring action to enjoin such erection or cause it to be vacated or removed as provided in TCA 13-4-308.

1.8.2 Enforcing Officer

It shall be the duty of the City Engineer or his/her designee to enforce these regulations.

1.8.3 Civil Enforcement

Appropriate actions and proceedings may be taken in equity to prevent any violation of these regulations, to prevent unlawful construction, to recover damages; to restrain, correct, or abate a violation, or to prevent illegal occupancy of a building, structure, or premise.

1.9 Variations and Exceptions

Whenever a parcel of land to be subdivided is of such unusual size or shape or is surrounded by such development of unusual conditions that the strict application of the requirements contained in these regulations would result in substantial hardship or inequity, the CMPC may vary or modify, except as otherwise indicated, such requirements of design, but not of procedure or improvements, so that the applicant may develop the property in a reasonable manner, keeping in mind that the public welfare and interests of the City are protected and the general intent and spirit of these regulations are preserved. Such modifications may be granted by the CMPC upon written request by the applicant, stating the reason(s) for each modification. The CMPC shall not recommend variations unless it shall make findings based upon written evidence of each of the following:

A. Granting of the variation will not be detrimental to the public safety, health, and welfare or be injurious to the other property or improvements in the neighborhood where the subdivision is located;

B. Conditions upon which the request for variance is based are unique to the property for which the variance is sought and are not applicable generally to other properties and are not based on financial returns;

C. Because of the particular physical surroundings, natural features, or topographical conditions of the specific property involved, a particular hardship (not self-imposed) to the owner would result, if the strict letter of these regulations were carried out; and

D. The variance will not in any manner alter the provisions of Connect Columbia or the Zoning Ordinance.

In approving variances, the CMPC may impose such conditions that will secure substantially the objectives, standards, and requirements of these Subdivision Regulations.

1.10 Appeals

An appeal of any action or decision rendered by the CMPC pursuant to these regulations shall be to any court of competent jurisdiction.

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Chapter 2: Procedures

2.1 General

A. The applicant shall prepare a plat for submission to the CMPC in accordance with the latest Preliminary Plat or Final Plat application and checklist.

B. Regular meeting dates, times, and applicable deadlines shall be established by the CMPC

C. Subdivision plats shall be subject to review and approval by the CMPC prior to filing with the County Register.

D. No lots shall be sold from any plat until recorded.

2.1.1 Minor Subdivision

A. A subdivision may be considered a minor subdivision when all the following conditions are met:

1. Divides a tract into no more than two (2) lots;

2. Does not involve any new or improved public way, the extension of public facilities, or the creation of any public improvements;

3. Does not conflict with any provision of the adopted Comprehensive Plan; and,

4. Does not request a variance to these Subdivision Regulations.

B. The approval may be endorsed in writing on the plat by the Secretary of the CMPC or by another designee of the CMPC without the approval of the CMPC, upon certification by the City Engineer that the subdivision complies with these Subdivision Regulations

2.1.2 Official Submittal Date

A subdivision plat submitted for preliminary or final approval shall be placed on the CMPC agenda within thirty (30) days of the resubmittal date or the next regularly scheduled CMPC meeting after the thirty (30) day period. The applicant may waive the time frame requirement for the appearance of the plat on the agenda. Preliminary and final subdivision plats shall not be placed on the same agenda, unless authorized by the City Engineer.

2.1.3 Application Fee

Application and filing fees shall be required in accordance with the Planning Fee Schedule and Engineering Fee Schedule.

2.1.4 Site Alterations

During the subdivision review process, no unpermitted site alterations shall be performed that would alter, remove, or relocate any existing features including but not limited to stone walls, steep slopes, rock outcroppings, trees, general vegetation, streams, or watercourses.

2.1.5 Site Inspection

By submitting an application, the applicant agrees to entry by relevant city staff to familiarize themselves with the property's existing conditions and special features. Upon request by city staff, the applicant shall make the property available to the maximum extent practicable.

2.1.6 Concurrent Review by Other Agencies

When approvals by other agencies of government are required, such approvals may be achieved concurrently with the review processes outlined by these regulations.

2.1.7 Transferability

The developer shall not transfer the developer's responsibilities for the subdivision to another developer, without first providing the City with notice of when the transfer is to occur and who the proposed transferee is, along with appropriate contacts and additional information and materials as required by the City Engineer.

2.1.8 Summary of Approval for Subdivision

A subdivision may be accomplished, generally, in accordance with the following procedure.

A. Pre-application conference

B. Preliminary Plat approval

C. Construction Plans approval

D. Completion of improvements

E. Final Plat approval

F. Subdivision acceptance

2.1.9 Naming of Subdivisions

The naming of phases for a subdivision shall be consistent with the following:

A. Subdivision Name (Major Part).(Minor Part)(Sub-Minor Part). Examples:

    1. Subdivision 2

    2. Subdivision 3.2

    3. Subdivision 4.1A

B. Subdivision Name (Phase Number), (Section Number)(Sub-Section). Examples:

    1. Subdivision Phase 2

2. Subdivision Phase 3, Section 2

3. Subdivision Phase 4, Section 1A

2.2 Preliminary Plat

2.2.1 General

A Preliminary Plat is intended to:

A. Propose a layout for subdividing land.

B. Present detailed engineering information concerning the design and ultimate operation of the proposed development.

C. Ensure compliance with all applicable standards and regulations.

D. Establish a coordinated layout and adequate provisions for transportation, vehicular and pedestrian connectivity, light, air, recreation, water, drainage, sewerage, access, and other facilities.

2.2.2 Pre-Application Requirements

The pre-application conference is intended to introduce the developer to the city staff and outline the development process, identify timeframes for submittal and review, determine if the development requires annexation or zoning changes, coordinate the proposed development with existing city plans, and provide preliminary evaluation of the development.

At the pre-application conference there may be discussion of but not limited to:

- Transportation Master Plan
- Access Management
- Traffic Impact Studies
- Flood Insurance Program
- Stormwater
- Utility availability and capacity
- Fire protection and mitigation standards
- Building codes and processes
- Design standards and expectations for street, traffic, and drainage improvements.
- Landscaping, parking, and lighting

The applicant shall submit the required documents, schedule, and hold a pre-application conference with the Development Services Department at least fourteen (14) days prior to the initial submittal.

2.2.3 Application Submittal

A. The applicant shall submit a Preliminary Plat application in accordance with **Section 2.1**

B. All plats shall be sealed, signed, and dated by professionals licensed in the State of Tennessee

and in accordance with Tennessee state law and rules and the City of Columbia requirements.

C. A survey shall be included, sealed by a professional land surveyor, that contains all boundaries, angles, bearings, and calls.

D. Submittals shall include a signed and notarized Owner Affidavit.

E. The applicant shall provide any additional information, as determined by the Development Services Department or the CMPC, that will be necessary to conduct an adequate review of the proposal.

2.2.4 Staff Review

In accordance with the meetings and deadlines schedule:

A. The applicant shall submit the application, required documents, and schedule and attend a pre-application conference with city staff.

B. The Development Services Department, city staff, and applicable utilities and public entities shall review the application.

C. The Development Services Department shall send comments to the applicant.

D. The applicant shall address the comments and submit a revised application within two (2) resubmittal dates. Failure to resubmit the revised application within the required timeframe will void the application.

E. Upon submittal of a revised application, the Development Services Department shall determine if the application is complete. If complete, the application will be filed and added to the CMPC agenda in accordance with **Section 2.1.2 Official Submittal Date.**

F. The Development Services Department shall prepare a final review and present a recommendation to the CMPC.

2.2.5 Final Action

A. The CMPC shall review the Preliminary Plat at a public meeting and vote for:

   a. Approval;

   b. Approval with conditions;

   c. Disapproval; or

   d. Deferral for continued review of the application.

B. When a Preliminary Plat is disapproved, the reasons shall be stated in writing and shall include the specific parts of applicable plans and regulations with which the plat does not comply.

C. The CMPC shall approve or disapprove the Preliminary Plat within sixty (60) days after the initial consideration of the plat by the CMPC at a regularly scheduled meeting, unless at the end of the sixty (60) day period there is a holiday or an unexpected interceding event that would close municipal or county offices and thus affect the normal computation of the sixty (60) day period, in which case the plat shall be approved or disapproved after the interrupted sixty (60) day period at the next regularly scheduled meeting of the CMPC; otherwise, the plat shall be deemed approved and a certificate to that effect shall be issued by the commission on demand. The applicant may waive the time requirement and consent to an extension.

2.2.6 Approval Criteria

Recommendations and final action on a Preliminary Plat shall be based on consideration of the following criteria:

A. Whether the proposed Preliminary Plat complies with the applicable zoning district and overlay districts;

B. Whether the proposed Preliminary Plat is consistent with all standards of these Subdivision Regulations and other related codes and ordinances enforced by the City; and

C. Whether the CMPC determines that the particular site is suitable for the type of platting and development proposed.

2.2.7 Property Vestment

In accordance with TCA 13-4-310, approval by the CMPC of a Preliminary Plat on or after January 1, 2015, will cause a vested property right to be established. Vestment rights and periods shall be in accordance with TCA 13-4-310 and the Zoning Ordinance.

2.2.8 Contents of the Preliminary Plat Submittal

The following information is required. The City Engineer and CMPC may, upon request, require additional information to be provided.

1. Name of proposed subdivision.
2. Contact information for the owner, including name, address, email, and phone.
3. Contact information for the professional(s) preparing the plat and documents, including name, address, email, and phone.
4. North arrow, legend, and site vicinity map.
5. Graphic scale: between 1 inch = 10 feet and 1 inch = 100 feet, unless otherwise approved.
6. Survey stamped by a State of Tennessee Licensed Professional Land Surveyor, with all project boundaries including bearings and angles to the nearest hundredth.
7. Note referencing Tennessee State Plane Coordinate System, NAD 83 Datum.
8. The size of total property to be subdivided in square feet and acres.
9. All property boundaries, existing easements, and encumbrances.
10. Parcel identification, owner, and deed and plat references of adjoining properties.
11. Existing conditions and contours at vertical intervals of not more than two (2) feet.
12. Proposed contours at vertical intervals of not more than two (2) feet.
13. Natural features on site including, but not limited to, wetlands, streams, ponds, springs, sinkholes, wells, rock outcroppings, excessive slopes, and forested areas.
14. The location of all existing structures within the property.
15. The approximate location of all existing structures adjacent to the property.
16. FEMA Special Flood Hazard Area (SFHA), 100-year Floodplain (F-P), and Floodway (F-W) boundaries with elevations and the exact location of the nearest benchmark. Indicate the Flood Insurance Rate Map (FIRM) panel number, its effective date, and flood insurance zones.
17. The location, dimension, square footage of lot, and lot numbers of all proposed lots.
18. Typical lot layout depicting proposed setbacks and easements.
19. Identification of all critical lots.
20. The proposed approximate location and size of all commercial, mixed-use, or multi-family buildings within proposed development, if applicable.

21. Proposed street and alley rights-of-way typical section, widths, classification, names, and proposed ownership and maintenance responsibility.

22. Proposed improvements as identified in the Traffic Impact Study, as required.

23. Existing and proposed sidewalks, trails, and other pedestrian elements.

24. Location and dimension of any aquatic buffer zones.

25. Location and dimension of any buffers.

26. The location and size of all common open space and parkland dedications.

27. Existing and proposed watercourses, drainage channels, and subsurface drainage structures. The City Engineer may require a hydraulic determination on any existing watercourses or features in order to fully assess the existing conditions of the property.

28. Proposed connections to existing and proposed streets (including classification) located outside the development.

29. Location, size, and type of existing and proposed utility easements and utility features including, but not limited to, potable water, fire hydrant, sanitary sewer, storm sewer, and power and communication facilities.

30. Proposed storm drainage system including areas for detention or retention and water quality.

31. All other improvements required under applicable City ordinances and regulations.

32. Proposed phasing and timetable for all phases of development.

2.3 Final Plat

2.3.1 General

A Final Plat is intended to:

A. Finalize the layout for subdividing land for recording with the County Register;

B. Finalize minor changes to lots that shift lot lines, consolidate lots, create easements, dedicate rights-of-way, or record other minor changes that do not involve the creation of new lots;

C. Ensure compliance with all applicable standards and regulations; and

D. Establish a coordinated layout and adequate provisions for transportation, vehicular and pedestrian connectivity, light, air, recreation, water, drainage, sewerage, access, and other facilities.

2.3.2 Exemptions

If a subdivision of land results in divisions not less than five (5) acres each, a Final Plat is not required. The land may be subdivided by instrument and filed with the County Register.

2.3.3 Application Submittal

A. The applicant shall submit a Final Plat application in accordance with **Section 2.1**.

B. All plats shall be sealed, signed, and dated by professionals licensed in the State of Tennessee and in accordance with TN State law and rules and the City of Columbia requirements.

C. A survey shall be included, sealed by a professional land surveyor, that contains all boundaries, angles, bearings, and calls.

D. Submittals shall include a signed and notarized Owner Affidavit or the Ownership Certificate shall be signed on the plat submitted for review.

E. If required, submittals shall include a performance and/or maintenance surety.

F. If required, submittals shall include a Development Agreement (**Appendix B**).

G. If required, submittals shall include a Stormwater Maintenance Agreement.

H. The applicant shall provide any additional information, as determined by the Development Services Department or the CMPC, that will be necessary to conduct an adequate review of the proposal.

2.3.4 Staff Review

In accordance with the meetings and deadlines schedule:

A. The applicant shall submit an application and required documents.

B. The Development Services Department, city staff, and applicable utilities and public entities shall review the application.

C. The Development Services Department shall send comments to the applicant.

D. The applicant shall address the comments and submit a revised application within two (2) resubmittal dates.

E. Upon submittal of a revised application, the Development Services Department shall determine if the application is complete and all required infrastructure has been installed. If complete and all other requirements met, the application will be filed and added to the CMPC agenda in accordance with **Section 2.1.2 Official Submittal Date**.

F. The Development Services Department shall prepare a final review and make a recommendation to the CMPC.

2.3.5 Final Action

A. The CMPC shall review the Final Plat at a public meeting and vote for:

1. Approval;

2. Approval with conditions;

3. Disapproval; or

4. Deferral for continued review of the application.

B. When a Final Plat is disapproved, the reasons shall be stated in writing and shall include the specific parts of applicable plans and regulations with which the plat does not comply.

C. The CMPC shall approve or disapprove the Final Plat within sixty (60) days after the initial consideration of the plat by the CMPC at a regularly scheduled meeting, unless at the end of the sixty (60) day period there is a holiday or an unexpected interceding event that would close municipal or county offices and thus affect the normal computation of the sixty (60) day period, in which case the plat shall be approved or disapproved after the interrupted sixty (60) day period at the next regularly scheduled meeting of the CMPC; otherwise, the plat shall be deemed approved and a certificate to that effect shall be issued by the commission on demand. The applicant may waive the time requirement and consent to an extension.

D. Final Plat approval shall be subject to filing and recording the plat with the County Register within sixty (60) calendar days after final action. Failure to file and record the plat within sixty (60) calendar days, shall void any final action on the plat.

E. The Development Services Department may approve certain Final Plats of minor subdivisions and those which create easements, or record other minor changes that do not involve the creation of new lots on behalf of the CMPC.

2.3.6 Approval Criteria

A. Recommendations and final action on a Final Plat shall be based on consideration of the following criteria:

1. Whether the proposed Final Plat complies with the applicable zoning district and overlay districts;

2. Whether the proposed Final Plat is consistent with all standards of these Subdivision Regulations and other related codes and ordinances enforced by the City; and

3. Whether the proposed Final Plat meets all the requirements or conditions of any applicable development approvals, such as development plans or associated modification of standards.

B. Final Plat approval shall be subject to the completion of required improvements, or in lieu, the CMPC may approve a Performance Agreement.

2.3.7 Signing and Recording of a Final Plat

A. After final approval of the plat and the affixing of all required signatures, the applicant shall file and record the original copy with the County Register.

B. The applicant shall file and record any dedications, agreements, and such legal documents as the City Attorney shall require with the County Register.

C. No lots shall be sold from any plat until it has been recorded with the County Register.

2.3.8 Property Vestment

In accordance with TCA 13-4-310, approval by the CMPC of a Final Plat on or after January 1, 2015, will cause a vested property right to be established. Vestment rights and periods shall be in accordance with TCA 13-4-310 and the Zoning Ordinance.

2.3.9 Approval Does Not Constitute Acceptance

No street, right-of-way, utility easement, or drainage easement shall be accepted for maintenance as a public facility unless accepted by the City Council, by resolution.

2.3.10 Contents of the Final Plat Submittal

The following information is required to be submitted. The City Engineer and CMPC may, upon request, require additional information to be provided.

1. Name of proposed subdivision.
2. Contact information for the owner, including name, address, email, and phone.
3. Contact information for professional(s) preparing the plat and documents.
4. North arrow, legend, and site vicinity map.
5. Graphic scale: between 1 inch = 10 feet and 1 inch = 100 feet, unless otherwise approved.
6. Purpose note that describes the intent of the plat.
7. Survey stamped by a State of Tennessee Licensed Professional Land Surveyor as stated in **Section 2.2.3**, with all project boundaries including bearings and angles to the nearest hundredth.
8. Note referencing Tennessee State Plane Coordinate System, NAD 83 Datum.
9. The size of total property to be subdivided in square feet and acres.
10. All property boundaries, easements, and encumbrances.
11. Parcel identification, owner names, and deed and plat references of adjoining properties.
12. The location of all streams, waterbodies, conveyances, and wetlands.
13. The location of all cemeteries, geologic features such as sinkholes, or features that may restrict the land use.
14. The location of all existing structures within the property.
15. The approximate location of all existing structures adjacent to the property.
16. FEMA Special Flood Hazard Area (SFHA), 100-year Floodplain (F-P) and Floodway (F-W) boundaries with elevations and the exact location of the nearest benchmark. Indicate the Flood Insurance Rate Map (FIRM) panel number, its effective date, and flood insurance zones.
17. The location, dimension, square footage of lot, and lot numbers of all lots.
18. Typical lot layout depicting proposed setbacks and easements.
19. Identify all critical lots.
20. Streets and alleys including widths, classification, names, and proposed ownership and maintenance responsibility.

21. Sidewalks, trails, and other pedestrian elements.
22. Location and dimension of any aquatic buffer zones.
23. Location and dimension of any buffers.
24. The location and size of all common and open space lots and parkland dedications.
25. Connections to existing and proposed streets (including classification) located outside the development.
26. Location, size, and type of existing and proposed utility easements and utility features including, but not limited to, potable water, fire hydrant, sanitary sewer, storm sewer, and power and communication facilities.
27. Storm drainage system including areas for detention or retention and water quality.
28. All required plat certificates (**Appendix A**).

Chapter 3 - Infrastructure Requirements

3.1 General Requirements

Streets, sidewalks, drainage areas, landscaping, utilities, and other site improvements are to be constructed in a satisfactory manner in accordance with ordinances, specifications, and standards established by the City.

3.2 Water Supply System

The construction standards and specifications for the water supply system shall be as established by the City, the International Fire Code, and the water utility district providing service to the development.

3.3 Sanitary Sewerage System

The construction standards and specifications for the sanitary sewerage system shall be in accordance with standards set forth by the City of Columbia Wastewater Department, the Tennessee Department of Environment and Conservation (TDEC), and the Engineering Standards and Specifications (ESS).

3.3.1 Mandatory Connection to Public Sewer System

When public sanitary sewers are accessible to the subdivision, as determined by the Columbia Wastewater Director, the developer shall provide such facilities to each lot therein and shall connect the facilities to the public system.

3.3.2 Individual Disposal System Requirements

If public sewer facilities are not available and individual disposal systems are proposed:

A. Lot areas shall be a minimum of one (1) acre;

B. The septic systems and other waste disposal methods must be permitted by the Tennessee State Department of Environment and Conservation (TDEC), the City of Columbia Wastewater Department, and all other relevant agencies; and

C. Subsurface disposal areas and relevant information shall be indicated on the Final Plat.

The CMPC may prohibit the installation of sewage disposal facilities requiring soil absorption systems where such systems will not function due to high groundwater, flooding, excess use, or unsuitable soil characteristics. If prohibited, the applicant shall note on the Final Plat and any deed of conveyance that soil absorption fields are prohibited in designated areas.

3.4 Stormwater Management

The stormwater management requirements shall be in accordance with the Stormwater Ordinance, Engineering Standards and Specifications, and the Zoning Ordinance

3.5 Fire Hydrants

Fire hydrants shall be located and installed in accordance with the International Fire Code, the construction standards and specifications for the water utility district providing service to the subdivision, and the City of Columbia Fire and Rescue. Minimum pressure and flow shall meet City of Columbia Fire and Rescue and TDEC requirements.

3.6 Right-Of-Way Dedication

The applicant shall ensure the development complies with Connect Columbia and the Engineering Standards and Specifications, including required right-of-way dedication.

3.7 Easements Required

A. Public Utility and Drainage Easements (PUDE) shall be required and be ten (10) feet in width on all property lines parallel and abutting public roads or rights-of-way, and five (5) feet in width on all interior lot lines, except for interior lot lines with a zero-lot line or a common wall along a lot line, unless mentioned below.

B. The total width of easements for utilities, whether public or private, shall be at least ten (10) feet in width.

C. Easements for storm and sanitary sewers shall be a minimum of twenty (20) feet in width. Greater widths of easements may be required where depth, size, or specific conditions may necessitate wider easements to properly service the infrastructure.

D. Lots that are served by alleys shall provide a PUDE that parallels the alley five (5) feet in width and includes periodic extensions of the easement to accommodate transformers, pedestals, and utility banks. The frequency of periodic easements extensions shall be determined by the City Engineer and appropriate local utility district.

E. Where minimum building setbacks preclude providing easements of the required width, the maximum practicable easements shall be provided, as determined by the City Engineer.

3.8 Street Lighting

The applicant shall bear the financial responsibility for the installation costs, including materials and labor, for street lighting. Street lights shall conform to the Engineering Standards and Specifications and those of the power utility district, where applicable.

3.9 Street Signage

The applicant shall bear the financial responsibility for the installation costs, including materials and labor, for the placement of street identification signs and street sign poles required in the subdivision. These poles and signs shall be of such size and specifications as deemed appropriate by the Public Works Department to meet the specific requirements of the subdivision.

3.10 Underground Utilities

All proposed primary and secondary utility service lines shall be placed underground. The City Engineer may waive this requirement upon recommendation by the power utility district or in minor subdivisions with existing overhead utilities.

3.11 Monuments and Pins

A. Rights-of-way of arterial and collector streets shall be marked with concrete monuments four (4) inches in diameter or square and with a flat top.

B. All other lot corners and survey points shall be marked with iron pins not less than one-half (1/2) inch in diameter and eighteen (18) inches long and in accordance with Tennessee standards of practice and rules.

3.12 Maintenance and Supervision

Where the subdivision contains sewers, water supply systems, or other facilities necessary or desirable for the welfare of the area, or that are of common use or benefit, provisions shall be made for the proper and continuous operation, maintenance, and supervision of such facilities.

3.13 Minimum Required

Before a final subdivision plat is filed and placed on the agenda of the CMPC, at a minimum, the following infrastructure shall be completed in a manner satisfactory to the City Engineer and utility providers.

A. Asphalt base and curbing.

B. Street signage.

C. Sewer facilities

D. Potable water and fire protection facilities.

E. Stormwater management facilities.

F. Any other improvements deemed necessary by the City Engineer or CMPC.

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Chapter 4 – Performance Agreement

4.1 Performance Agreement

4.1.1 General

The final subdivision plat shall be accompanied by a Performance Agreement unless determined by the City Engineer no improvements are required as part of the project. The Performance Agreement shall mean two documents, the Development Agreement (**Appendix B**) and a performance surety.

4.1.2 Authorization and Enforcement

The CMPC authorizes the City Engineer to sign and execute, enforce, reduce, and release the Performance Agreement on its behalf. The City Engineer shall provide a report of all active Performance Agreements to the CMPC and notify the CMPC of any breaches or enforcement actions.

4.2 Development Agreement

The developer shall sign and execute the Development Agreement (**Appendix B**).

4.3 Performance Surety

4.3.1 General

A. The performance surety shall be an amount estimated by the City Engineer as sufficient to the satisfactory construction, installation, and dedication of the required improvements.

B. The value of the performance surety shall be, at a minimum, 125% of the total cost of improvements less the total cost of completed improvements.

C. The performance surety shall comply with all statutory requirements and shall be satisfactory to legal counsel and the City Engineer in form, sufficiency, and manner of execution, as set forth in these regulations.

D. The amount and conditions of the performance surety shall be approved by the CMPC.

E. Sixty (60) days prior to the expiration of the surety, if improvements are not complete, the City Engineer may extend the expiration date set forth in such performance surety for a maximum period of one additional year.

F. Upon extension, the City Engineer shall, upon determination that the amount is not satisfactory to the construction, installation, and dedication of the incomplete portion of required improvements, require the developer to provide a minimum of ten (10) percent increase or greater to the surety.

G. The performance surety shall provide an automatic renewal, with an extension of one additional year, referred to as an evergreen clause.

4.3.2 Types Accepted

The security may be in a form as follows and shall express the value in a total equaling the sum of all work categories. The beneficiary shall be the City of Columbia.

A. Irrevocable Letter of Credit issued by or confirmed by a financial institution located within a seventy-five (75) mile radius of Columbia, Tennessee.

B. Cashier's or certified check.

The City Engineer may disallow the use of an Irrevocable Letter of Credit by an applicant whose past performance has resulted in a breached Performance Agreement for one (1) year from the date of the breach.

4.4 Release, Reduction, or Extension of Performance Surety

A. The City Engineer shall not release or reduce a performance surety until all applicable departments or agencies provide written confirmation that all required improvements have been satisfactorily completed. There shall be no reduction or release of a performance surety if there are any outstanding administrative penalties or violations related to the subdivision.

B. A performance surety may be reduced, upon demonstration of satisfactory completion of public improvements, to an amount determined by the City Engineer and based upon the total cost of the improvements for the subdivision. In no event shall a performance surety be reduced below $5000 or twenty-five (25) percent of the total cost of improvements, whichever is greater, prior to any subdivision acceptance. No more than two reductions shall be considered by the City Engineer.

Chapter 5: Subdivision Acceptance

5.1 Preliminary Acceptance

5.1.1 Request

The developer may request preliminary acceptance of the subdivision once the following conditions are met:

A. Completion of all required improvements in a satisfactory manner to all relevant regulations and standards;

B. Substantial completion of all buildings, structures, and private development within the subdivision; and

C. Other conditions established by the CMPC or City Engineer.

The developer shall request preliminary acceptance in a signed letter or electronic document addressed to the City Engineer at City Hall, specifying the subdivision name and that all of the above conditions have been met.

5.1.2 Inspection

Upon receipt of the request for preliminary acceptance, all applicable departments and agencies shall perform an inspection of the subdivision and all improvements and provide either an approval or a list of deficiencies. Any noted deficiencies shall be provided to the developer within sixty (60) days. Upon correction of the deficiencies, the developer may again request preliminary acceptance.

5.1.3 Acceptance

Upon approval of the inspection, the City Engineer shall issue preliminary acceptance of the subdivision. The performance surety shall be reduced to $5000 or ten (10) percent of the total cost of improvements, whichever is greater. Preliminary acceptance does not convey the responsibility of maintenance to the City.

5.2 Final Acceptance

5.2.1 Request

After one year from the date of preliminary acceptance, the developer may request final acceptance of the subdivision. The developer shall request final acceptance in a signed letter or electronic document addressed to the City Engineer at City Hall, specifying the subdivision name.

5.2.2 Inspection

Upon receipt of request for final acceptance, all applicable departments and agencies shall perform an inspection of the subdivision and all improvements and provide either an approval or a list of deficiencies. Any noted deficiencies shall be provided to the developer within sixty (60) days. Upon

correction of the deficiencies, the developer may again request final acceptance.

5.2.3 City Council Resolution

Upon approval of the inspection, the City Engineer shall prepare a City Council Resolution for final acceptance of the subdivision and maintenance of the specified improvements. The developer shall dedicate such improvements to the City free and clear of all liens and encumbrances on the property.

Chapter 6: Definitions

Access Management
The Access Management Ordinance which manages and authorizes connections to the City road network.

Alley
A minor public or private way intended to be used primarily for vehicular service access to the rear side of properties. Alleys shall connect between two streets or alleys and shall avoid having dead-ends.

Applicant
The owner of the property or the authorized representative of the owner who is applying for development approval.

Buffer
A protective barrier between two areas. Examples include landscaped buffers, aquatic buffers, and grass strip sidewalk buffers.

Connect Columbia
The comprehensive land use, transportation, and parks and recreation plan adopted by the City of Columbia.

Construction Plans
The engineered drawings and documents showing the specific design and construction methods of all site development.

Critical Lot
Lots designated as critical during the concept plan review process, or Final Plat review process if no concept plan is required, based on soil conditions, degree of slope, flooding, or other lot features that could affect the feasibility of construction.

Developer
The person or entity responsible for the construction, maintenance, and completion of a development project.

Development
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, permanent storage of materials, and subdivision. Agricultural activities such as plowing or cultivating and gardening activities are not included in this definition of development. See also the Zoning Ordinance.

Development Plan
The plans and specification of a proposed development ion showing the character and proposed layout of the project. See also the Zoning Ordinance.

Development Services Department
The City of Columbia department consisting of Planning and Zoning, Building, and Engineering divisions primarily focused on providing services related to land development within the City.

Easement
A grant by a landowner to another person, entity, or to the public for the right to occupy or use designated land for specific purposes such as access, drainage, conservation, the location of public improvements, or other specified purposes. An easement does not constitute fee simple ownership of the land.

Engineering Standards and Specifications
Standards for the design and construction related to land development within the City of Columbia

Evergreen Clause
A term of an agreement automatically extending the agreement, unless one of the parties provides notice in writing that it is not to be renewed.

FEMA Special Flood Hazard Area (SFHA)
SFHA are defined as the area that will be inundated by the flood event having a 1-percent chance of being equaled or exceeded in any given year. The 1-percent annual chance flood is also referred to as the base flood or 100-year flood. SFHAs are labeled as Zone A, Zone AO, Zone AH, Zones A1-A30, Zone AE, Zone A99, Zone AR, Zone AR/AE, Zone AR/AO, Zone AR/A1-A30, Zone AR/A, Zone V, Zone VE, and Zones V1-V30. Moderate flood hazard areas, labeled Zone B or Zone X (shaded) are also shown on the FIRM, and are the areas between the limits of the base flood and the 0.2-percent-annual-chance (or 500-year) flood. The areas of minimal flood hazard, which are the areas outside the SFHA and higher than the elevation of the 0.2-percent-annual-chance flood, are labeled Zone C or Zone X (unshaded).

Final Plat
A type of application to finalize a layout for subdividing land into two or more lots suitable for recording at the Maury County Office of Register of Deeds.

Floodplain
A land area adjoining a river, stream, watercourse, bay, or lake that is likely to be flooded.

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

Improvements
Any building, structure, landscaping, lighting, public ways, or other objects or improvement constituting a physical betterment of real property, or any part of such betterment.

International Fire Code
Regulations for fire prevention and fire protection systems that prevent hazardous conditions to life and property produced by the International Code Council and adopted by the City of Columbia.

Irrevocable Letter of Credit
An irrevocable letter of credit (ILOC) is an official correspondence from a bank that guarantees funds or payment by an applicant for a specific good or service

Lot
A parcel of land occupied, by one main building or a group of main buildings, including open spaces as required by municipal regulations and ordinances.

Lot of Record
A lot or tract of land, described by deed and/or subdivision plat, filed in the Maury County Office of Register of Deeds.

Open Space, Common
Open space includes, but is not limited to, parks, plazas, courtyards, playing fields, trails, greenways, and golf courses.

Owner
Includes any person who is the holder of legal title as well as holders of any equitable interest, such as trust beneficiaries, contract purchasers, option holders, lessees under leases having an unexpired term of at least 10 years, and the like. Whenever a statement of ownership is required by this article, full disclosure of all legal and equitable interests in the property is required.

Preliminary Plat
A map of a proposed land subdivision showing the character and proposed layout of the tract in sufficient detail to indicate the suitability of the proposed subdivision of land.

Stormwater Facilities
Designed pipes, ditches, swales, filters, and ponds to convey storm runoff, remove pollutants, and control flow rates.

Stormwater Maintenance Agreement
A recorded agreement between the City of Columbia and the developer of a certain project to ensure the ongoing maintenance responsibility of stormwater facilities.

Stormwater Ordinance
Standards set forth about the management of stormwater runoff and protection of water resources.

Street
An existing or planned public or private right of way that is designed, dedicated, or used principally for vehicular and pedestrian circulation, which provides access for abutting properties.

Subdivision
The division of land into two or more lots, sites, or other divisions requiring new street or utility construction, or any division of fewer than five acres, for the purpose, whether immediate or future, of sale or building development and includes resubdivision and when appropriate to the context, relates to the process of resubdividing or the land or area subdivide.

Zoning Ordinance
Regulations that govern the land use, bulk standards, densities, and zoning districts within the City of Columbia.

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Appendix A: Certificates

A.1 Certificate of Ownership and Dedication

I (we) hereby certify that I am (we are) the owner(s) of the property shown and described hereon as evidenced in Book_____ , Page _____ , Maury County Registers Office, and adopt this final subdivision plat of the property as shown hereon and dedicate all public ways and easements as noted with my (our) free consent.

_____ _____

Owner(s) Date

_____

Title (if action for corporation or partnership)

A.2 Certificate of Survey Accuracy

I (we) hereby certify that to the best of my (our) knowledge and belief this is a true and accurate survey of the property shown hereon; that this is a class "_____" Land Survey as defined in Title 62, Chapter 18, Tennessee Code Annotated, and that the ratio of precision is greater than or equal to 1: _____.

_____ _____ _____

Registered Land Surveyor Number Date

A.3 Certificate of Approval of Water System

I hereby certify that the water system(s) outlined or indicated on this final subdivision plat has/have been installed in accordance with current local and state government requirements, or a sufficient bond or other surety has been filed to guarantee said installation.

_____ _____

Name Date

_____ _____

Title Authorizing Agency

A.4 Certificate of Approval of Streets, Drainage, and Utilities

I hereby certify that the streets, drainage, and utilities outlined or indicated on this final subdivision plat have been installed in accordance with City specifications, or a performance surety in the amount of $ _____ for streets and drainage has been posted with the City of Columbia, Tennessee, to assure completion of such improvements.

_____ _____

City Engineer Date

Columbia, Tennessee

A.5 Certificate of Approval for Recording

I hereby certify that the final subdivision plat shown hereon has been found to comply with the City of Columbia Subdivision Regulations, with the exception of such variances, if any, as noted in the minutes of the Columbia Municipal Planning Commission, and that it has been approved for recording in the Office of the Maury County Register of Deeds.

_____ _____

Planning Director Date
Columbia, Tennessee

A.6 Certificate of Subdivision Name and Street Names

Subdivision name and street names approved by the City Engineering Department and by E-911 Maury County.

_____ _____

Maury County E-911 Date

A.7 Certificate of Sanitary Sewer System

I hereby certify that the sanitary sewer system outlined or indicated on this final subdivision plat has been installed in accordance with the current local and state government requirements, or a sufficient bond or other surety has been filed to guarantee said installation.

_____ _____

Director of Wastewater Department Date
Columbia, Tennessee

A.8 Certificate of Compliance

I hereby certify that the final subdivision plat shown hereon has been found to comply with the City of Columbia Subdivision Regulations and other adopted ordinances and policies.

_____ _____

City Engineer Date
Columbia, Tennessee

Appendix B: Subdivision Development Agreement

This DEVELOPMENT AGREEMENT is made and entered into on this

_____ day of _____, 20_____ ,
between THE CITY OF COLUMBIA, TENNESSEE, (hereinafter the "CITY"), and

_____, the DEVELOPER (hereinafter the "DEVELOPER") named on the Addendum to this Agreement attached hereto and by this reference made a part hereof (hereinafter the "ADDENDUM").

WITNESSETH:

WHEREAS, the DEVELOPER desires to develop the property described on the ADDENDUM and referred to as _____ (hereinafter the "PROJECT"); and,

WHEREAS, the Development Plan of the PROJECT has been approved by the Columbia Municipal Planning Commission (hereinafter the “CMPC”) on the

_____ day of _____, 20_____ ,
pursuant to Tennessee Code Annotated Title 13, Chapter 4, and the Subdivision Regulations of Columbia, Tennessee (hereinafter the "SUBDIVISION REGULATIONS”); and,

WHEREAS, the DEVELOPER is the owner of the PROJECT and has authority to engage in such development; and,

WHEREAS, the DEVELOPER desires to develop and improve said PROJECT; and,

WHEREAS, in order to provide for the health, safety, and welfare of future residents of the PROJECT, it will be necessary for certain improvements to the CITY'S utility systems, public infrastructure, and common areas to be constructed within and to serve the PROJECT including but not be limited to roads, bridges, sidewalks, pedestrian facilities, stormwater facilities, street signs, markings, signals, street lighting, recreation and park facilities, landscaping, and the like (hereinafter the “IMPROVEMENTS”); and,

WHEREAS, in order for the IMPROVEMENTS to be fully integrated with the utility systems and public infrastructure of the CITY and to function in a satisfactory manner, the DEVELOPER has agreed to construct, in accordance with the Subdivision Regulations and other rules, regulations, and ordinances of the CITY, the IMPROVEMENTS in said PROJECT and extend utilities to the PROJECT at their own cost; and,

WHEREAS, the CITY is willing to accept the dedication of the streets, utilities, and other improvements as determined in the Development Plan of the PROJECT, subject to the City of Columbia City Council approval by resolution, and subject to the applicant's compliance with all requirements in this agreement and applicable existing laws of the CITY of Columbia and the State of Tennessee,

NOW, THEREFORE, it is agreed and understood as follows:

B1 General Conditions

B1.1 Construction Costs

The DEVELOPER shall pay for all material and labor necessary to install and complete the roads, sidewalks, sewers, utilities, and other facilities in accordance with this agreement.

B1.2 City Ordinances, Rules and Regulations

All currently existing CITY ordinances, rules and regulations, and the Subdivision Regulations adopted by the CMPC are made a part of this agreement. In the event of a conflict between the terms of this agreement and a CITY ordinance, the ordinance shall prevail. In the event of a conflict between the terms of this agreement and the Subdivision Regulations, the Subdivision Regulations shall prevail. All work done under this agreement is to be performed in accordance with plans and specifications approved by the City and made a part, hereof.

B1.3 Fees

Review fees, inspection fees, and other amounts established by the CITY shall be paid prior to any review of the plans. If the DEVELOPER fails to install the facilities in accordance with the terms of this Agreement, no portion of the review fees, inspection fees, or other amounts paid to the CITY shall be refundable to the DEVELOPER.

B1.4 Inspection

The CITY shall have a continuous right to inspect the work and facilities to assure that the work and facilities are in accordance with the Subdivision Regulations, approved Construction Plans, and other rules, regulations, and ordinances of the CITY.

B1.5 Right of Entry

The CITY shall have the right, in case of breach of the Performance Agreement, to enter upon any property of the DEVELOPER and take all necessary actions to complete the work and obligations not completed.

B1.6 Easements

The DEVELOPER shall obtain and dedicate to the CITY or cause to be dedicated to the CITY, either by dedication on the plat or by easement deed, in either case in a form acceptable to the CITY, permanent easements of such widths as required by the CITY and noted on the Plans. The DEVELOPER further agrees to grant the necessary easements and rights-of-way across the DEVELOPER's properties without expense to the CITY and waive any claim for damages.

B1.7 Stormwater Maintenance Agreement

If the PROJECT includes any detention or retention ponds, common drainage ditches, water quality facilities, or stormwater facilities outside of the CITY rights-of-way, the DEVELOPER will submit a Stormwater Maintenance Agreement, to be filed with and recorded with the Final Plat.

B1.8 Attorney Fees and Other Expenses

The DEVELOPER shall pay all reasonable costs and expenses incurred by the CITY in enforcing or completing this agreement. The DEVELOPER shall pay all costs and expenses, including the CITY'S attorney fees, of any legal proceedings brought by the CITY against the DEVELOPER seeking remedies for the DEVELOPER'S failure to perform any of its obligations hereunder, whether or not any proceedings are prosecuted to judgment.

B1.9 Agreement Not Assignable

No third party shall obtain any benefits or rights under this agreement nor shall the rights or duties be assigned by either party.

B1.10 Revocation and Interpretation

This agreement shall bind the DEVELOPER when executed by the DEVELOPER and may not be revoked by the DEVELOPER without permission of the CITY, even if the agreement has not been executed by the CITY, or does not bind CITY, for other reasons. This agreement shall be interpreted in accordance with Tennessee law and may only be enforced in the Chancery Court or Circuit Court or Court of competent jurisdiction of Maury County, Tennessee, and Tennessee Appellate Courts.

B1.11 No Oral Agreement

This agreement may not be orally amended and supersedes all prior negotiations, commitments, or understandings.

B1.12 Separability

If any portion of this agreement is held to be unenforceable, the CITY shall have the right to determine whether the remainder of the agreement shall remain in effect, or whether the agreement shall be void and all rights of the DEVELOPER pursuant to this agreement terminated.

B 1.13 Transferability

The DEVELOPER agrees to not transfer the property on which this PROJECT is to be located without first providing the CITY with written notice. The transferee shall provide the CITY an Assumption Agreement of this Agreement, whereby the transferee agrees to perform the IMPROVEMENTS required under this agreement and to provide a performance surety. The DEVELOPER understands that if the DEVELOPER transfers said property without providing the notice of transfer and Assumption Agreement as required herein, they will be in breach of this agreement and in violation of the Subdivision Regulations.

B1.14 Indemnity

The DEVELOPER shall indemnify and hold the CITY harmless from all loss, costs, expenses, liability, money damages, penalties, or claims arising out of any work covered by this agreement, including any attorney fees incurred by the CITY in connection therewith. Inspection of the IMPROVEMENTS by an authorized representative of the CITY shall not constitute a waiver by the CITY of any defect or of any of the DEVELOPER'S obligations hereunder.

B1.15 Binding Effect

This agreement shall be binding upon the DEVELOPER and the DEVELEPOR's heirs, administrators, executors, assigns, and any other successors in interest.

B1.16 Entire Agreement

This document contains the entire agreement between the parties, and there are no collateral understandings or agreements between them. No variations or alterations of the terms of this agreement shall be binding upon either of the parties, unless the same be reduced to writing and made an amendment to this agreement.

B1.17 Headings

Paragraph titles and headings contained herein are inserted for convenience only and shall not be deemed a part of the agreement and in no way shall define, limit, extend, or describe the scope or intent of any provision, hereof.

B2 Performance Surety

At the time of execution of this agreement, the DEVELOPER shall provide the CITY a performance surety, in an amount determined by the City Engineer for the IMPROVEMENTS and other items specified by the Construction Plans, plats, and plans approved by the CMPC. This performance surety shall secure performance of all obligations of the DEVELOPER under this agreement. The performance surety shall meet all requirements established in Chapter 4: Performance Agreement of the Subdivision Regulations and secure full compliance with all terms and conditions of this agreement. The performance surety may be called for failure to comply with the provisions of this agreement in whole or in part according to the terms of the performance surety. The performance surety will not be released, except and until there has been full compliance with this agreement.

B3 Construction

B3.1 Construction Plans

The DEVELOPER shall submit to the CITY, Construction Plans describing in reasonable detail all utility systems, all storm water management systems, all street systems, pedestrian facilities, and all IMPROVEMENTS. The Construction Plans shall be designed according to the Engineering Standards and Specifications, all other codes and ordinances enforced by the City, and sound engineering judgment. The design of all utility systems shall follow the State of Tennessee and utility provider design criteria and specifications. In the event of a disagreement as to compliance with or interpretation of the Construction Plans and the CITY'S specifications, the decision of the CITY shall be final and binding on the DEVELOPER. The Construction Plans shall be prepared by a design professional licensed by the State of Tennessee to design all systems and shall bear the seal, signature, date, and license number of the professional preparing the Construction Plans.

B3.2 Commencement of Construction

Construction of IMPROVEMENTS may not begin until the following events have occurred:

A. The Preliminary Plat has been approved by the CMPC;
B. The Construction Plans are approved by the CITY;
C. The Tennessee Department of Environment and Conservation has approved the applicable portions of the Plans and has confirmed its approval to the CITY and/or DEVELOPER in writing;
D. The CITY shall have received an appropriately executed Development Agreement; and
E. The DEVELOPER shall give the CITY notice of commencement of construction, in writing at least one (1) working day prior to commencement.

B3.3 Site Grading

The DEVELOPER, hereby, agrees to construct all site grading to comply with the approved Construction Plans, including the approved Erosion Control Plan for the PROJECT and to comply with the Engineering Standards and Specifications, Stormwater Ordinance, and all other codes and ordinances enforced by the CITY.

B3.4 Storm Water Management Systems

The DEVELOPER shall be responsible for all storm water management work made necessary by the development of this PROJECT. It is understood and agreed that the CITY in its proprietary function is not and could not be expected to oversee, supervise, or direct the construction of all drainage improvements, and the excavation incident thereto. Neither is the CITY vested with the original design responsibility nor the means to formally survey elevations or the locations of improvements at every stage of the construction process. The CITY is vested with the right of periodic inspections, stop work order, and final approval as a measure of secondary or subsequent enforcement. The DEVELOPER has and shall retain the responsibility to properly anticipate, survey, design and construct the subdivision storm water improvements and give full assurance that same shall not adversely affect the flow or quality of surface water from or upon any property. In providing technical assistance, plan and design review, the CITY does not and shall not relieve or accept any liability from the DEVELOPER.

B3.5 Street Construction

The DEVELOPER, hereby, agrees to construct and improve the streets shown on the Construction Plans to comply with the CITY's specifications and to the satisfaction and approval of the City Engineer by grading, draining, subgrade preparation, base preparation, curbing, signage, striping, signalization, sidewalk installation, and paving with the required preparation, amounts, and types of material. The DEVELOPER further agrees to pay the cost of all engineering, inspection and laboratory cost incidental to the construction of subdivision streets including but not limited to material and density testing. The DEVELOPER further agrees to make all necessary adjustments to manholes and valve boxes to meet finished surface grade and to repair subsurface or base material, as required, in areas directed by the CITY Engineer, prior to application of final surface.

B3.6 Time Period for Construction

The DEVELOPER agrees to be bound to complete, within three (3) years of commencement of construction, all IMPROVEMENTS shown on the plat and plans and all things required by this agreement.

The DEVELOPER further agrees that if due to unforeseen circumstances, he is unable to complete all work included in this agreement within the time specified above, but desires to complete said agreement to the satisfaction of the CITY, the DEVELOPER shall submit a written request for extension of the agreement period to the CITY at least sixty (60) days prior to the expiration of the existing agreement period, specifying the reason for the DEVELOPER's failure to complete the work as agreed and a prospective date for such completion. The DEVELOPER further agrees that if the performance surety executed to secure the value of the work to be performed under this agreement, due to inflation or rising costs, is determined to be inadequate by the City Engineer to secure the cost of said IMPROVEMENTS at the time an extension is sought, the DEVELOPER will provide the additional security to bring the performance surety amount in line with current cost projections as made by the CITY. The DEVELOPER understands that the DEVELOPER's failure to follow the extension procedure constitutes a breach of this agreement and places the DEVELOPER in violation of the Subdivision Regulations. The DEVELOPER further understands, that should the DEVELOPER fail to complete any part of the work outlined in this agreement in a good and workmanlike manner as approved, the CITY shall reserve the right to withhold and withdraw all building permits within the PROJECT until all items of this Agreement have been fulfilled by the DEVELOPER.

B3.7 Off-Site Improvements

The DEVELOPER shall construct any and all off-site facilities that may be required to serve the PROJECT. Unless specifically noted in the Construction Plans and made a part of separate agreement with the CITY, the CITY shall not be required to reimburse the DEVELOPER for construction of off-site improvements.

B3.9 Inspection and Compliance

After construction begins, the CITY shall provide on-site construction inspection as the CITY deems necessary to ensure that all work is performed and completed in accordance with the Construction Plans, CITY specifications, and the contents of this agreement. In the event of a disagreement as to compliance with or interpretation of the Construction Plans and the CITY'S specifications, the decision of the CITY shall be final and binding on the DEVELOPER. If the DEVELOPER fails to construct in accordance with the approved Construction Plans or to comply with the CITY'S specifications, the CITY may issue a stop-work order and DEVELOPER, hereby, agrees to be bound by such order.

B3.10 Testing

The DEVELOPER agrees to pay the cost of all engineering, inspection, and laboratory cost incidental to construction of the streets, sidewalks, utilities, sewers, compacted fill material, and other facilities included within this agreement. Such testing includes, but is not limited to, material and density testing.

B3.11 Scrap Removal

The DEVELOPER agrees to comply with all local, state, and federal rules and regulations regarding waste material and debris disposal.

B3.12 Traffic Control

The DEVELOPER, hereby, agrees to prepare a traffic control/detour plan where required and shall submit said plan to the CITY for review and approval. All traffic control and safety devices, including

signs, lane markings, and barriers necessitated by construction activity undertaken pursuant to this agreement shall be installed and maintained by the DEVELOPER. All traffic control devices shall meet the standards and be installed in accordance with the latest edition of the Manual on Uniform Traffic Control Devices for Streets and Highways, published by the United States Department of Transportation.

B3.13 Temporary Facilities

The DEVELOPER shall provide all temporary facilities including but not limited to utilities and roadways, that are determined by the CITY to be required in connection with or as a result of interruption of service or access that occurs as a consequence of construction activity associated with the work covered by this agreement. Such temporary services shall in all regards and at all points in time be adequate to assure emergency access and adequate fire flows.

B4 Acceptance of Improvements

B4.1 Completion of Improvements

At such time as the improvements have been constructed and installed, in accordance with the Constructions Plans and specifications, required testing and inspections completed and found satisfactory, and all clean-up and cover-up has been done to the satisfaction the City Engineer, a letter requesting preliminary acceptance of the PROJECT will be provided by the DEVELOPER. Formal acceptance shall follow the procedure established in the Subdivision Regulations.

The DEVELOPER agrees the DEVELOPER shall have no claim, direct or implied, in the title or ownership of the IMPROVEMENTS specified in this agreement when the IMPROVEMENTS are complete and thereafter accepted by the CITY. The DEVELOPER will be responsible for construction failures and defects in PROJECT prior to final acceptance. During this period, it shall remain the responsibility of the DEVELOPER to correct and cure these defects and failures.

B4.2 As-Built Drawings and Post-Completion Items

The DEVELOPER agrees to furnish to the CITY as-built plans, on a reproducible, stable media, of the sanitary sewer, storm water management, water mains and service system, and streets within the subdivision before the CITY shall accept the subdivision.

B4.3 Acceptance of Facilities

Upon final acceptance of all or part of the IMPROVEMENTS in the PROJECT, then those IMPROVEMENTS shall become the property of the CITY free from all claims from any person or entity without the necessity of any further writing, agreement, or deed. The DEVELOPER further agrees that any facilities placed within a public or platted right-of-way or dedicated public easement are irrevocably dedicated to the public use without any right of reimbursement or compensation of any kind.

B4.4 Failure to Install

In the event the DEVELOPER fails to install the facilities in accordance with the terms of this agreement, the CITY may, in its sole discretion, elect to accept all or a portion of the IMPROVEMENTS in the PROJECT. Should the CITY choose to accept all or a portion of these IMPROVEMENTS, the CITY shall become the sole owner of these facilities. The CITY may give notice of acceptance by writing delivered to the DEVELOPER or recorded in the Register's Office of Maury County, Tennessee. No further writing or deed shall be required.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed in multiple originals by persons properly authorized so, to do on or as of the day and year first given.

_____ PROJECT	
Completed by the Developer	*Completed by the City*
_____ DEVELOPER NAME	
_____ AUTHORIZED AGENT NAME	_____ CITY ENGINEER
_____ SIGNATURE	_____ SIGNATURE
_____ DATE	_____ DATE
_____ STREET	
_____ CITY, STATE, ZIP	
_____ PHONE	
_____ EMAIL	
Attest	*Attest*
_____ ATTEST NAME	_____ ATTEST NAME
_____ ATTEST SIGNATURE	_____ ATTEST SIGNATURE
_____ DATE	_____ DATE

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Appendix C: List of Changes

Amendment 1 – June 5, 2024

Page 13

2.2.4 Staff Review

D. The applicant shall address the comments and submit a revised application within ~~three~~two (2) resubmittal dates. Failure to resubmit the revised application within the required timeframe will void the application.

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12. Proposed contours at vertical intervals of not more than two (2) feet~~, upon request~~.

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3.7 Easements Required

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B. ~~Easements shall be provided along rear lot lines or across lots~~The total width of easements for utilities, whether public or private ~~or public)~~, shall be at least ten (10) feet in width.

C. Easements for storm and sanitary sewers shall be a minimum of twenty (20) feet in width. Greater widths of easements may be required where depth, size, or specific conditions may necessitate wider easements to properly service the infrastructure.

D. Lots that are served by alleys shall provide a PUDE that parallels the alley five (5) feet in width and includes periodic extensions of the easement to accommodate transformers, pedestals, and utility banks. The frequency of periodic easements extensions shall be determined by the City Engineer and appropriate local utility district.

E. Where minimum building setbacks preclude providing easements of the required width, the maximum practicable easements shall be provided, as determined by the City Engineer.

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3.11 Monuments and Pins

A. ~~For~~Rights-of-way of arterial and collector streets~~,~~ shall be marked with concrete monuments four (4) inches in diameter or square and ~~three (3) feet long~~ with a flat top ~~shall be set at all right-of-way corners, at all points, where the right-of-way lines intersect the exterior boundaries of the subdivision, and at angle points and points of curve in each right-of-way. The top of the monument shall have an indented cross to properly identify the location and shall be set flush with the finished grade.~~.

~~B.~~ All other lot corners and survey points shall be marked with iron pins not less than ~~three-fourths (3/4~~one-half (1/2) inch in diameter and ~~twenty-four (24) inches long and driven flush with the finished grade.~~

~~C.~~B. ~~The lines of lots that extend to rivers or streams shall be monumented in the field by iron pins at least~~ eighteen (18) inches long and ~~five-eighths (5/8) inch in diameter or by round or square iron bars at least eighteen (18) inches long. Such pins shall be placed at the point of intersection of the river or stream and lot line, with a meander line established not more than forty (40) feet back from the bank of the river or stream.~~ in accordance with Tennessee standards of practice and rules.

3.13 Minimum Required

Before a final subdivision plat is filed and placed on the agenda of the CMPC, at a minimum, the following infrastructure shall be completed in a manner satisfactory to the City Engineer and utility providers.

A. Asphalt ~~binder~~base and curbing.

B. Street signage.

~~C. Utilities including power, sewer, and water.~~

C. Sewer facilities

D. Potable water and fire protection facilities.

~~D.~~E. Stormwater management facilities.

~~E.~~F. Any other improvements deemed necessary by the City Engineer or CMPC.

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Amendment 1 – June 5, 2024

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3.1 Accesses

3.1.3 Access ~~spacing~~Spacing

A. Minimum required access spacing shall be based upon the functional classification of the roadway in accordance with **Table 2**.

B. Access spacing shall be measured from the centerline of the proposed access to the nearest edge of existing driveway, excluding radius returns, or from the right-of-way line of a street, as indicated in **Figure 5**. Note that the spacing requirements apply to both opposite and adjacent driveways on streets without medians, but it only applies to adjacent driveways on streets with medians.

~~A. Separation between accesses shall be based upon the functional classification of the roadway in accordance with **Table 2**.~~

4.4 Exceptions to the Policies, Standards, and Requirements of this Ordinance

4.4.3 Appeals Process

A. The Planning Commission shall hear and decide appeals of orders, decisions, or determinations made by the City Engineering or designee relating to the application and interpretation of the technical provisions of the adopted Access Management Ordinance, as adopted by the City of Columbia, Tennessee.

B. The application for appeal shall be filed with the Development Services Department within 90 calendar days after the ruling by the City Engineer was made, and shall be accompanied by a fee, as determined by the Development Services Department. The applicant shall provide a notarized affidavit that affirms the information provided in the Exception request is true and correct.

City of Columbia

Access Management Regulations

Amended June XX, 20XX

Amendments

Number	Date	Ordinance #

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Chapter 1: Introduction

1.1 Purpose

Access management is the control of driveways and intersections to manage access to land development, while simultaneously preserving the flow of traffic on the surrounding road system in terms of safety, capacity, and speed. Implementing an access management program based on the strategies and principles described in this ordinance will encourage smooth and safe traffic flow.

This document describes transportation design requirements that present a comprehensive approach to access management within the City of Columbia. This ordinance is intended to better connect land use and transportation within the City. These requirements are presented to provide improved transportation throughout the corporate limits.

1.2 Applicability and Jurisdiction

Except as otherwise specified or required by law, these rules and regulations govern access management, along with all associated improvements, within the street network of the City of Columbia, Maury County, Tennessee, and shall apply to all areas within the jurisdiction of the City of Columbia, herein referred to as the City. Variations or exceptions to any of the standards of this Ordinance shall be approved by the City Engineer. Any appeals to the City Engineer's determination or these regulations shall be made to the Columbia Municipal Planning Commission (CMPC) as specified in **Chapter 4: Permitting and Appeals** of the Ordinance.

1.3 Relationship to Other Laws and Agreements

1.3.1 Conflict with Other Public Laws, Ordinances, Regulations, or Permits

Where provisions of this ordinance impose greater restrictions than those of any other City, State, or Federal regulation, statue, or ordinance the provisions of this ordinance shall be controlling. Where the provisions of any City, State, or Federal regulation, statue, or ordinance imposes greater restrictions than this ordinance, the provisions of such City, State, or Federal regulation, statue, or ordinance shall be controlling.

1.3.2 Conflict with Private Agreements

This Ordinance is not intended to revoke or repeal any easement, covenant, or other private agreement. However, where the regulations of this ordinance are more restrictive or impose higher standards or requirements than such easement, covenant, or other private agreement, then the requirements of this ordinance shall govern. Nothing in this Ordinance shall modify or repeal any private covenant or deed restriction, but such covenant or restriction shall not excuse any failure to comply with this Ordinance. The City shall not be obligated to enforce the provisions of any easements, covenants, or agreements between private third parties.

1.3.3 Vested Property Rights

In accordance with TCA 13-4-310, the following subsection specify the list of the specific types of plans approved, on or after January 1, 2015, that will cause a vested property right to be established. Vestment rights and periods shall be in accordance with TCA 13-4-310 and the Zoning Ordinance.

A. Approval by the CMPC, or Administratively by Staff, of a Development Plan as required by Zoning Ordinance;

B. Approval by the CMPC, or Administratively by Staff, of a Final Plat as required by the Subdivision Regulations;

C. Approval by the City Council of a PUD Development Plan as required by the Zoning Ordinance; or,

D. Approval by the CMPC of a Preliminary Plat, when not part of a PUD Development Plan, as required by the Subdivision Regulations.

1.3.4 Permits from other Government Agencies, Entities, and Departments

Prior to beginning any construction, the developer/contractor/property owner shall obtain all necessary permits as required by law. Such permits may include, but are not limited to: those required by the State of Tennessee, Maury County, and/or other City Departments, City Commissions, or City Boards. This includes any and all City Permits.

1.4 Background

This Ordinance is a product of the Connect Columbia comprehensive planning process that produced the Columbia Land Use Plan, Transportation Plan, and Parks and Greenways Plan. Access Management was identified early in the planning process as a critical element to implement the strategies for community and economic development in the City of Columbia. These regulations are presented to achieve the vision and goals of the Connect Columbia Comprehensive Plan.

1.5 Severability

It is hereby declared to be the intention of the City Council of Columbia, Tennessee, that the provisions of this Ordinance are separable in accordance with the following:

A. If any court of competent jurisdiction shall adjudge any provision of this Ordinance invalid, such judgment shall not affect any other provision of this ordinance not specifically included in said judgment; and

B. If any court of competent jurisdiction shall adjudge invalid the application of any provision of this Ordinance to a particular property, driveway, or other access, such judgment shall not affect the application of said provisions to any other property, driveway, or other access not specifically included in said judgment

Chapter 2: Access Management

Access management is a set of techniques to allow for the control of access to highways, arterials, collectors, and other, select streets within Columbia. The result is a more safe and efficient street network for users. Without access management, the transportation network experiences an increase in traffic congestion, and accidents throughout the overall transportation network.

2.1 Importance of Access Management

With less state and federal monies available for new transportation projects, the need for effective transportation systems management strategies is greater than ever before. By managing access, the City aims to directly increase public safety, extend the life of major roadways, reduce traffic congestion, and improve both the appearance and quality of the built environment.

Without access management, the function and character of major transportation corridors can deteriorate rapidly. Failure to manage access is associated with the following adverse social, economic, and environmental impacts:

- An increase in vehicular crashes
- More collisions involving pedestrians and cyclists
- Accelerated reduction in roadway efficiency
- Unsightly commercial strip development
- Degradation of scenic landscapes
- More cut-through traffic in residential areas due to overburdened arterials
- Homes and businesses adversely impacted by a continuous cycle of widening roads
- Increased commute times, fuel consumption, and vehicular emissions as numerous driveways and traffic signals intensify congestion and delays along major roads

Poor access management comes with both direct and indirect costs. Direct costs include adverse impacts to businesses through the difficulty of customers entering and exiting businesses safely. Access to corner businesses may be blocked by queuing traffic. Customers begin to patronize businesses with safer, more convenient access and avoid businesses in areas of poor access design. Gradually the older developed areas begin to deteriorate due to access and aesthetic problems, and investment moves to newer better-managed corridors. Indirect costs include lost time due to increased traffic congestion.

After access problems have been created, they are difficult to solve. Reconstructing an arterial street is costly and disruptive to the public and abutting homes and businesses. The shallow property depth, multiple owners, and right-of-way limitations common to older corridors generally preclude effective redesign of access and site circulation. In some cases, a new arterial or bypass must be built to replace the functionally obsolescent roadway, and the process begins again in a new location. Access management can help stop this cycle of functional obsolescence, protecting both public and private investment in major transportation corridors.

2.2 Safety

Research in the last 50 years has consistently shown that Access Management increases roadway safety. As outlined in the Access Management Manual of the Transportation Research Board (TRB), the reduction of traffic conflict points, higher design standards for access points, and increased awareness/response time for drivers has improved safety on the nation's highways and arterials. Four key observations have come to the forefront:

1. Increasing the number of access points on a roadway will increase its crash rate.
2. Roads with medians are safer than undivided roads, or roads with two-way left- turn lanes (TWLTL).
3. It is safer for vehicles to make a U-turn and a right turn, than to make a direct left turn into or from a driveway.
4. Medians improve pedestrian safety.

2.3 Ten Principles of Access Management

Most, if not all, current access management policies are derived from the Transportation Research Board's (TRB) Access Management Manual, which was published in 2003 and updated in 2014. TRB describes ten (10) principles of access management, which were derived from the organization's expertise in transportation. They include the following:

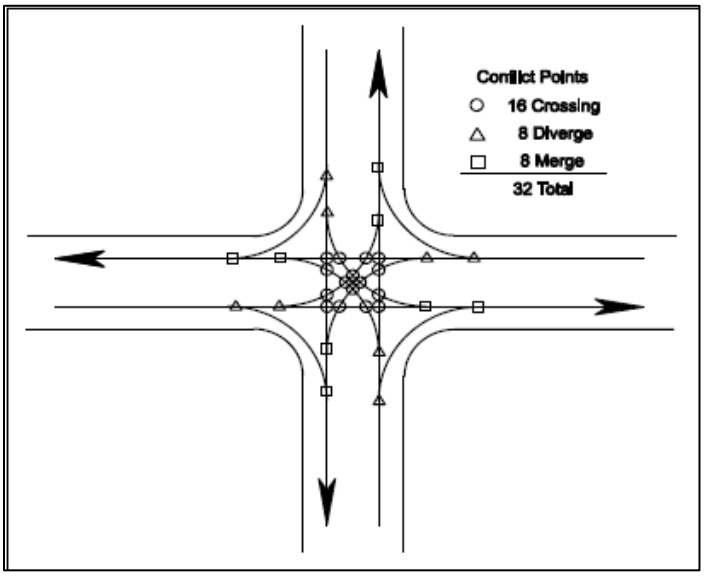
1. Provide a Specialized Roadway System: Design and manage roadways according to their primary functions.
2. Limit Direct Access to Major Roadways: Roadways that serve higher volumes of through traffic need more access control to preserve their function.
3. Promote Intersection Hierarchy: An efficient transportation network provides appropriate transitions from one functional classification to another. This results in a series of intersection types that range from the junction of two freeways or a freeway and a major arterial to a driveway connecting to a local street.
4. Locate Signals to Favor "Through" Movements: Long, uniform spacing of intersections on major roadways enhances the ability to coordinate signals and to ensure continuous movement of traffic at the desired speed.
5. Preserve the Functional Area of Intersections and Interchanges: The functional area of an intersection or interchange is the area that is critical to its safe and efficient operation. Access connections too close to these intersections or interchange ramps can cause serious traffic conflicts.
6. Limit the Number of Conflict Points: A less complex driving environment is accomplished by limiting the number and type of conflicts between vehicles, vehicles and pedestrians, and vehicles and bicyclists **(Figure 1)**.
7. Separate Conflict Areas: Separating conflict areas helps to simplify the driving task and contributes to improved traffic operations and safety.

8. Remove Turning Vehicles from Through Traffic Lanes: Turning lanes reduce the severity and duration of conflicts between turning vehicles and improves the safety and efficiency of intersections.

9. Use Non-traversable Medians to Manage Left Turn Movements: Non-traversable medians and other techniques that minimize left turns are effective in improving roadway safety and efficiency **(Figure 2).**

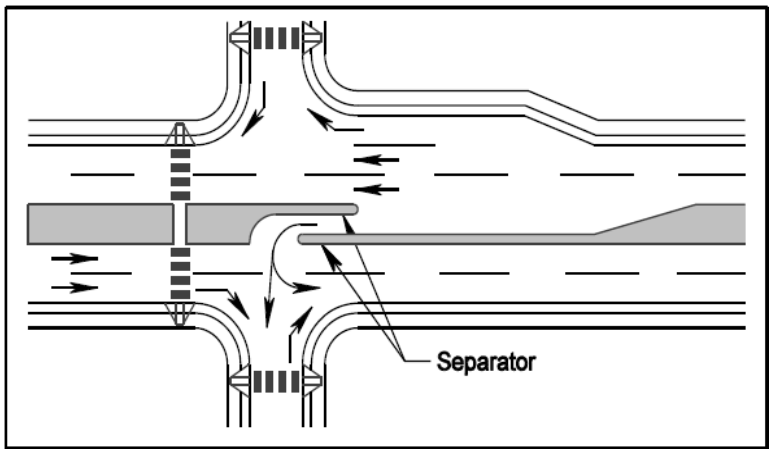
10. Provide a Supporting Street and Circulation System: Well-planned communities provide a supporting network of local and collector streets to accommodate development, as well as unified property access and circulation systems. Interconnected street and circulation systems support alternative modes of transportation and provide alternative routes for bicyclists, pedestrians, and drivers.

Figure 1: Typical Points of Conflict, Intersection



Source: TRB Access Management Manual

Figure 2: Illustration of Directional Median Opening for Left turn and U-turn



Source: TRB Access Management Manual

These principles have been adopted and implemented by various states, including the Tennessee Department of Transportation (TDOT). They have also been employed by numerous local jurisdictions within Middle Tennessee that face growth pressures, including Metro Nashville, Franklin, Murfreesboro, and Mt. Juliet.

These principles provide the foundation for the strategies recommended in this ordinance

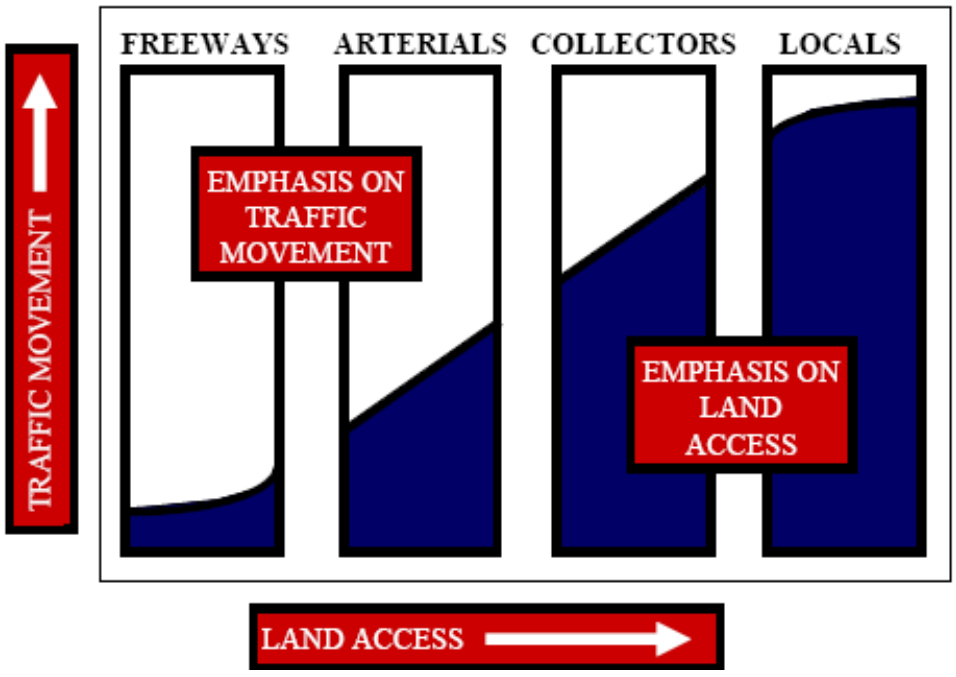
2.4 Roadway Function Classification

Roadway facilities are each classified according to the amount of access and mobility they provide or how the roadway functions. According to the Federal Highway Administration (FHWA), functional classification is the process by which streets and highways are grouped into classes, or systems, according to the character of service they are intended to provide. As land access increases, traffic movement decreases on the lower classified roadways and vice versa – as land access decreases, traffic movement increases along the higher classified roads.

The functional classification of existing facilities is significant because it specifies the desired amount of access control or locations where vehicles can enter or leave a roadway. When there is no access control, intersecting roads or driveways may connect to the mainline at any point. With partial control of access there is minimum spacing of access locations. With full control of access, connections are only allowed at major crossroads – such as interchanges along an interstate. Full or partial control of access helps reduce traffic conflicts.

The diagram below shows schematically how various street classifications relate to each other in terms of movement and access. As land access increases, traffic movement decreases on the lower classified roadways and vice versa – as land access decreases, traffic movement increases along the higher classified roads.

Figure 3: Roadway Functional Class Concept



2.4.1 Classifications

New connections, streets, and developments mean functional classification of streets is constantly evolving. The functional classification of any street in the jurisdiction and those adjacent to the jurisdiction shall defined by the Connect Columbia Master Transportation Plan, or as amended by the City Engineer. Any amendments to the functional classification of streets by the City Engineer shall be updated regularly on a map and shall be readily available to the public.

The Access Management Ordinance, in addition to the Connect Columbia Master Transportation Plan, defines the major roadway functional classifications as follows:

Interstate and Freeway Classification
Interstates and Freeways are limited access highways, typically with grade separated junctions, and no traffic signals or stop controlled intersections. Providing drivers with mobility is the highest priority on this type of facility, with access typically provided at intervals greater than 1-2 miles apart.

Principal Arterial Classification
The principal arterial system serves major centers of activity, the highest traffic volume corridors, and the longest trip destinations. Principal arterials carry a substantial percentage of trips entering and leaving the urban area. These roads typically link to the interstates and freeways.

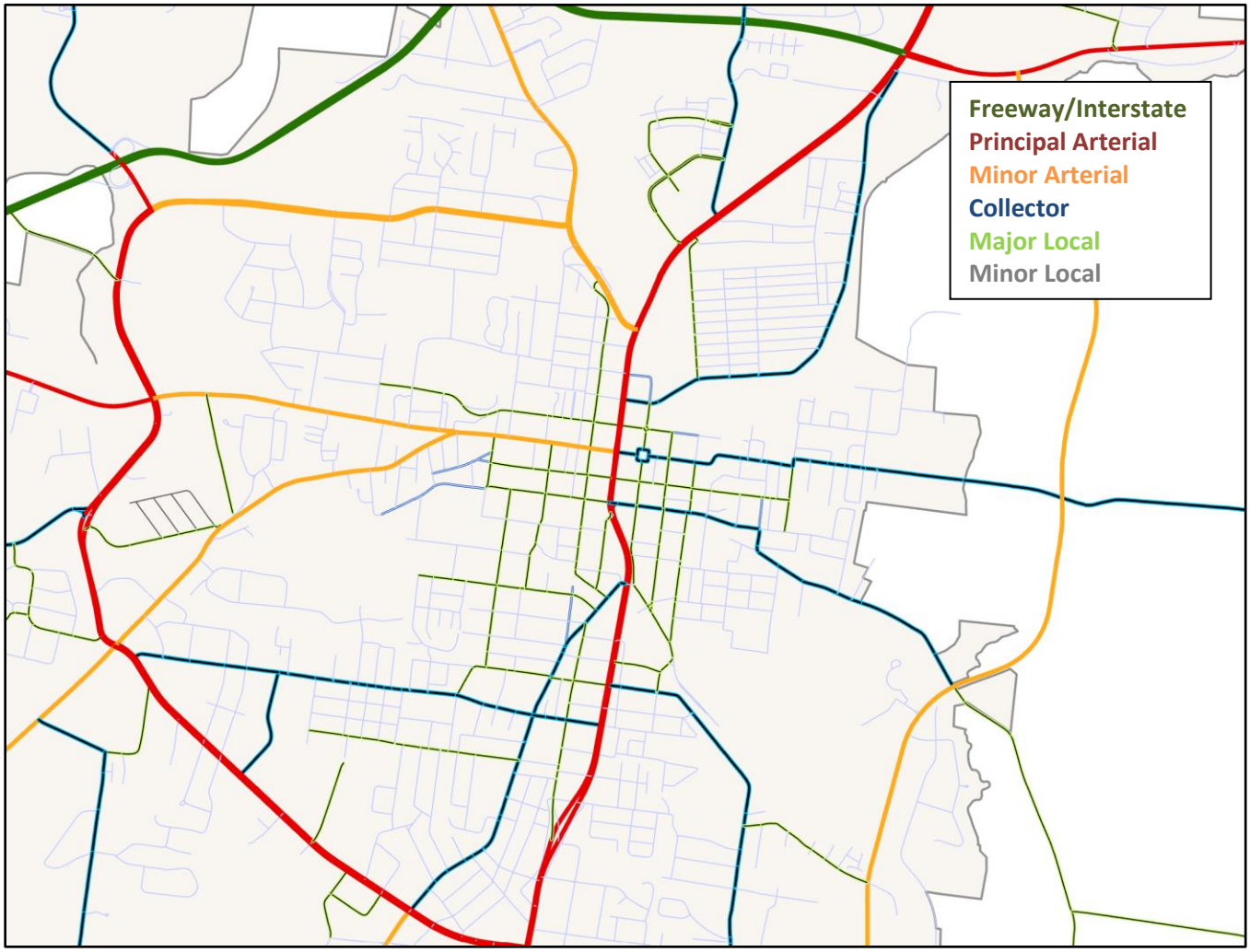
Minor Arterial Classification
Compared to principal arterials, minor arterials are intended for trips of more moderate length and serve smaller geographic areas. They supplement and link to the principal arterial system and provide connections within a community.

Collector Classification
The collector street system connects local streets to the arterial street system, providing both access to land and traffic circulation within neighborhoods, commercial, and industrial areas.

Major Local Street Classification
Major local streets, like collectors, provide a connection between local streets and collectors or arterials, however, major local streets accommodate lower levels of traffic and shorter trips.

Minor Local Street Classification
The minor local street system is made up of all other facilities not classified as one of the categories described above. Minor Local streets' primary function is to provide direct access to properties.

Figure 4: Roadway Functional Class System



Functional Classifications shown in Figure 4 are not official designations. Refer to the map on the Development Services Department webpage at www.columbiatn.com for the most up to date information.

As indicated in **Figure 4**, a functional roadway system facilitates a progressive transition in the flow of traffic from the provision of access to the provision of movement. Interstate (or Freeways) and arterial facilities primarily provide the function of moving vehicles, while collector and local streets concentrate more on providing access to individual properties, homes, and businesses.

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Chapter 3: Access Management Regulations

The following access management strategies will be utilized for roadways within the City of Columbia, Tennessee. At a minimum all standards for Interstate/Freeway roadway classifications shall meet or exceed the standards for Principal Arterial roadways.

3.1 Accesses

3.1.1 General Provisions

A. It shall be unlawful for any person to cut, break, or remove any curb along a street except as herein authorized.

B. This section shall be deemed to be supplemental to other sections regulating the use of public property, and in case of conflict, the more restrictive regulation shall govern.

C. Decisions related to the provision of this ordinance shall be made by the City Engineer or designee (unless otherwise noted). If the City Engineer provides for a designee, this shall be noted, in writing, to the Director of Development Services.

D. Adequate sight distance shall be provided for a passenger motor vehicle making all possible legal turning movements at the access point(s). This determination shall be made by the City Engineer of the Columbia.

E. The specifications and guidelines set forth in this ordinance are to be applied to all roadways and properties that abut these roadways within Columbia, unless otherwise indicated.

F. Any existing access locations that, at the time of enactment of this Ordinance, do not meet the minimum standards documented herein shall be deemed “non- conforming accesses”. These non-conforming accesses shall be allowed to remain in use until such time as a condition per **Section 4.3.1** is met. No changes shall be granted until the offending accesses are brought into conformity with **Chapter 3: Access Management Regulations**.

G. Non-compliance with **Chapter 3: Access Management Regulations** shall be reason for denial of a permitting or development application request. The Planning Commission, the City Council, and/or City Staff may cite non-compliance with the regulations herein as grounds for deferral or denial of any relative application.

3.1.2 Location of Accesses

A. In making a determination as to the location of driveway access, the following characteristics shall be considered:

1. The characteristics of the proposed land use;

2. The existing traffic flow conditions and the future traffic demand anticipated on the development and the adjacent street system;

3. The location of the property;

4. The size of the property;
5. The orientation of structures on the site;
6. The number of driveways needed to accommodate anticipated traffic;
7. The number and location of driveways on existing adjacent and opposite properties;
8. The location and carrying capacity of intersections;
9. The proper geometric design of driveways;
10. The spacing between opposite and adjacent driveways;
11. The internal circulation between driveways; and,
12. The speed of the adjacent roadway.

B. Application of the driveway access location and design policy requires identification of the functional classification of the street on which access is requested and then applying the appropriate spacing requirements.

C. Radius Return

1. The radius return for an access on a state route shall be located according to the TDOT's 2015 Manual for Construction Driveway Entrances on State Highways.
2. The radius return for all other access points shall be in accordance with the City of Columbia Engineering Standards and Specifications (ESS).
3. In no instance, shall any radius return extend beyond the projection of a property line's intersection with the right-of-way line.

D. When driveways are to be jointly used through an access easement by two or more property owners, the property line separation requirements may be waived. However, an access easement, signed by all property owners within the common development, must be provided to Development Services for review and approval. The access easement, once approved by Development Services, shall be recorded with the Maury County Register of Deeds.

E. Access to arterial, collector, and major local streets shall be designed to ensure that off-street parking and loading areas shall not require backing maneuvers in a public street right-of-way.

F. All developments shall have access to a public right-of way. Access shall be through a public right-of-way or through an access easement.

G. The fewest possible access points shall be used to safely accommodate expected traffic volumes. The maximum number of access points that shall be granted is listed in **Table 1.**

Table 1: Maximum Number of Access Points

Type of Development	Maximum Number of Access Points
Individual Single-Family Residential Lot < 100' of primary frontage	1
Individual Single-Family Residential Lot ≥ 100' of primary frontage	2
Residential < 75 units	1
Residential ≥ 75 units	2
Non-residential < 30 required parking stalls	1
Non-residential ≥ 30 required parking stalls	2

1. **Table 1** shall not apply to streets, or street style accesses that function to provide increased interconnectivity for the public to adjoining properties or rights-of-way.

2. Regardless of the number of granted access points, minimum spacing requirements as described in **Section 3.1.3** shall be maintained.

3. For all types of development, excluding individual residential lots, a Traffic Impact Study or Traffic Access Study will be required to justify a greater number of access points than those granted in **Table 1**.

H. For corner tracts, primary access shall be provided from the lesser (lowest classification) street. The determination as to the lesser (or greater) street shall be based on the functional street classification of the jurisdiction.

I. No cuts through a left turn reservoir of a median shall be permitted in order to provide for left turn movements to driveway approaches.

J. Driveways in right turn lane transition areas shall not be permitted.

K. Driveways shall not be permitted in the corner clearance area of an intersection.

L. When a development abuts more than one public street, access shall be provided from the lesser (lowest classification) street. Access to each abutting street may be allowed only if the following criteria are met:

    1. It is demonstrated that such access is required to adequately serve driveway volumes and will not be detrimental or unsafe to traffic operations on public streets. The City Engineer may require the submittal of a traffic study which demonstrates that such access is required; and

    2. The minimum requirements for the corner clearance are met.

3.1.3 Access Spacing

Where possible, accesses shall be designed and constructed so as to align with driveways or streets on the opposite side of the street. Where accesses are not aligned or where other access points are within the vicinity, the proposed accesses shall meet the following minimum spacing requirements.

A. Minimum required access spacing shall be based upon the functional classification of the roadway in accordance with **Table 2**.

B. Access spacing shall be measured from the centerline of the proposed access to the nearest edge of existing driveway, excluding radius returns, or from the right-of-way line of a street, as indicated in **Figure 5**. Note that the spacing requirements apply to both opposite and adjacent driveways on streets without medians, but it only applies to adjacent driveways on streets with medians.

Figure 5: Measuring Driveway Access

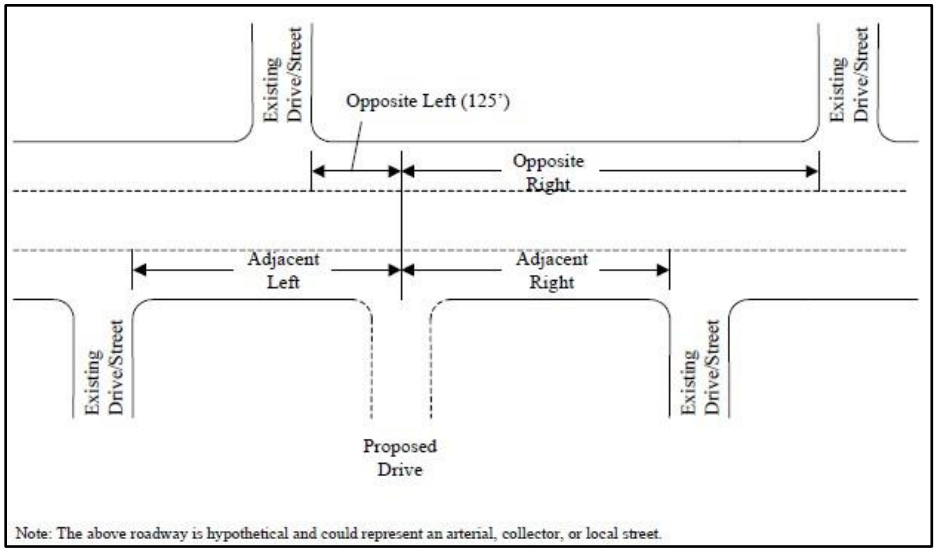


Table 2: Access and Driveway Spacing Requirements

Functional Classification of Intersected Roadway	Distance (ft.)
Principal Arterial	440
Minor Arterial	330
Collector	220
Major Local	100
Minor Local, Non-Residential	50

**On roadways with medians, spacing requirements shall only apply to adjacent driveways*

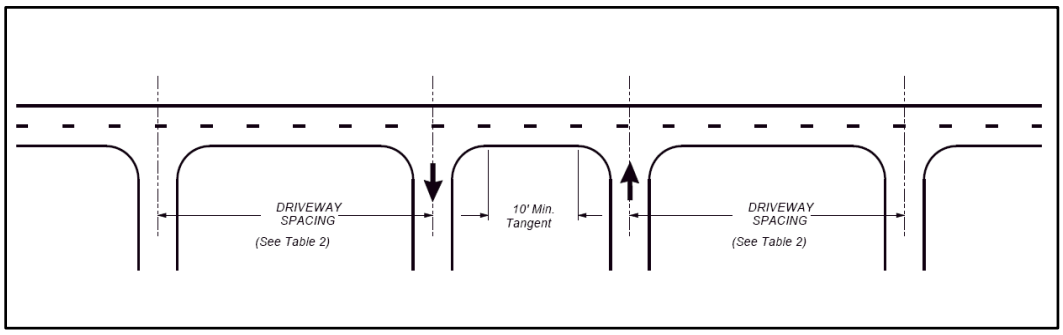
C. Spacing of One-Way Driveways

1. The spacing criteria presented in **Table 2** does not apply to the distance between two one-way driveways (driveway pair) within the same development. Each leg of a driveway pair must be:

    a. Separated by the distance shown in **Figure 6**; and

    b. Separated from all other accesses in accordance with the spacing criteria in **Table 2**.

Figure 6: Spacing for One-Way Driveways



D. The connection spacing requirements may be reduced in situations where they prove impractical, but in no case shall the permitted spacing be less than 80% of the applicable standard. Such a reduction in spacing requirements must still result, to the greatest extent possible, in uniform spacing between adjacent driveways.

E. If the connection spacing of this code cannot be achieved, then a system of joint use driveways and cross access easements may be required.

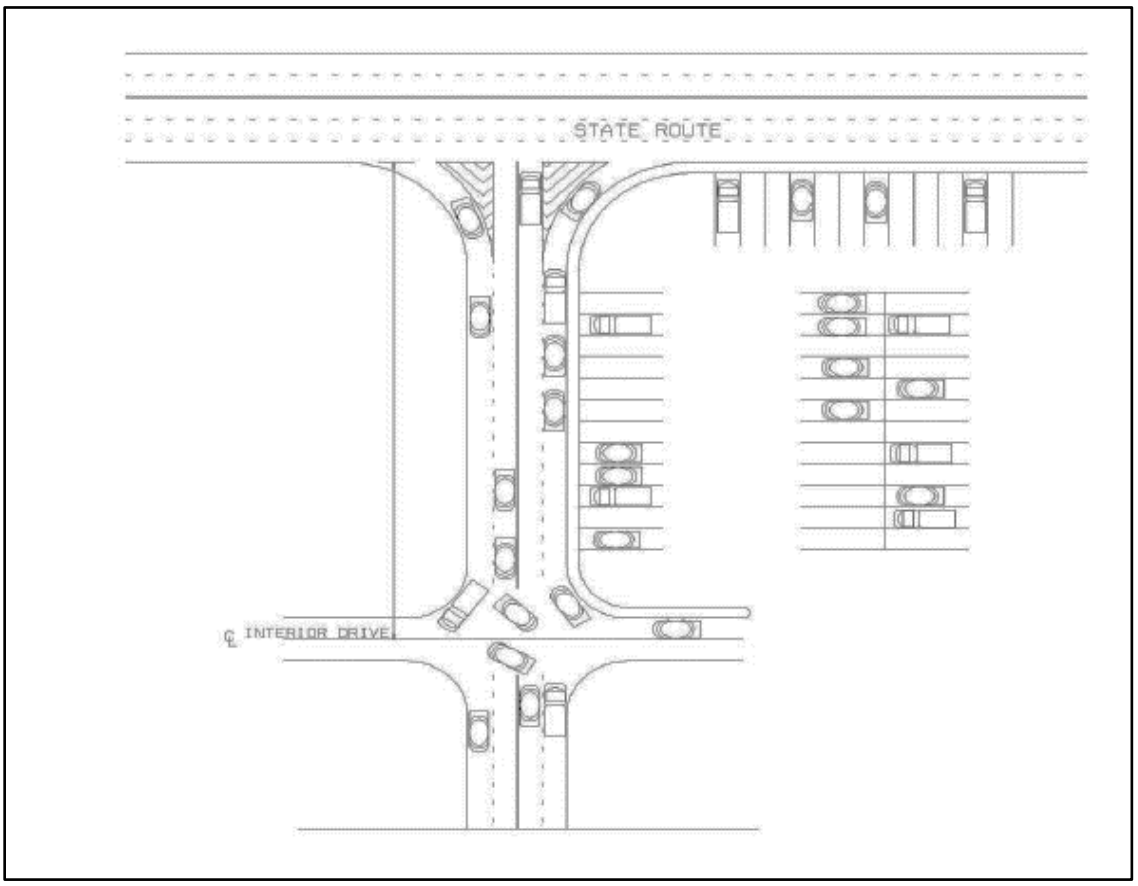
3.1.4 Interior Circulation and Throat Depth

A. Interior driveways, parking aisles, and on-site vehicular circulation patterns shall be designed in order to minimize impacts to public streets and rights-of-way and reduce conflict points. **Figure 7** provides an illustrative example.

B. All uses, excluding single-family residential uses, shall provide a throat depth of at least thirty (30) feet, measured from the right-of-way line to provide for efficient and safe stacking of vehicles. Where the existing right-of-way width is insufficient for the functional classification of the street, the throat depth shall be measured from the minimum right-of-way width as determined by the Engineering Standards and Specifications (ESS). Where thirty (30) feet may be inadequate, the City Engineer shall require a Traffic Impact Study to determine the appropriate throat depth.

C. If no other design alternatives exist and interior drives are proposed which do not meet minimum spacing, exceptions may be made in accordance with **Chapter 4: Permitting and Appeals.**

Figure 7: Placement of Interior Drives

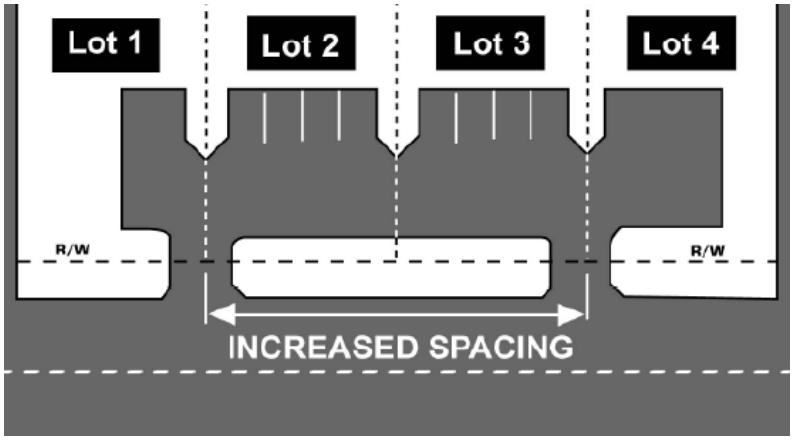


3.1.5 Driveway Consolidation/Shared Access

A. Cross access easements may be required across any lot fronting an arterial or collector street in order to minimize the number of access points and facilitate access between and across individual lots. The location and dimension of said easement shall be reviewed and approved by the City Engineer.

B. Subdivisions and developments fronting arterial or collector streets shall be designed with consolidated/shared access points. Normally a maximum of two accesses shall be allowed regardless of the number of lots or businesses served.

Figure 8: Joint and Cross Access



3.1.6 Cross Access

Accesses shall be designed and constructed so as to align with driveways or streets on the opposite side of the street. The alignment of through movements crossing the highway shall be such that abrupt shifts in the travel pattern are not required.

A. Adjacent commercial or office properties classified as major traffic generators (retail strip centers, office parks, or multi-family residential complexes adjacent to other multi-family residential, commercial and office properties) shall provide a cross access drive and pedestrian access to allow circulation between sites.

B. A system of joint use driveways and cross access easements shall be established wherever feasible along the frontage and/or between parking areas and the building site shall incorporate the following:

    1. A continuous service drive or cross access corridor extending the entire length of each block served to provide for driveway separation consistent with this access management ordinance.

    2. A design speed of 10 mph and sufficient width to accommodate two-way travel aisles designed to accommodate automobiles, service vehicles, and loading vehicles;

    3. Stub-outs and other design features to make it visually obvious that the abutting properties may be tied in to provide cross-access via a service drive;

    4. A unified access and circulation system plan that includes coordinated or shared parking areas is encouraged wherever feasible.

C. The Development Services Department may reduce required separation distance of access points where they prove impractical, provided all of the following requirements are met:

    1. Joint access driveways and cross access easements are provided wherever feasible in accordance with this section.

    2. The site plan incorporates a unified access and circulation system in accordance with this section.

3. The property owner enters into a written agreement with the City and records the agreement with the deed. This agreement should, at a minimum, indicate that any pre-existing non-conforming driveway connections on the site will be closed and eliminated after construction of each side of the joint use driveway. The Development Services Department shall have leeway in directing the language of any agreement to fit the specific conditions of the site.

D. The Development Services Department may modify or waive the requirements of this section where the characteristics or layout of abutting properties would make development of a unified or shared access and circulation system impractical.

E. Pursuant to this section, property owners shall:

1. Record an easement with the deed allowing cross access to and from other properties served by the joint use driveways and cross access or service drive.

2. Record an agreement with the deed that remaining access rights along the thoroughfare will be dedicated to the City and pre-existing non-conforming driveways will be closed and eliminated after construction of the joint-use driveway.

3. Record a joint maintenance agreement with the deed defining maintenance responsibilities of property owners.

3.2 Medians

3.2.1 Non-traversable Medians with Left Turn Lanes

One of the most effective measures to improve safety on a roadway is to install a non-traversable median. Raised or grassy medians in the center of a road separate opposing lanes of traffic and restrict turning and crossing movements.

3.2.2 Continuous Two-Way Left-Turn Lane (TWLTL)

A. A continuous TWLTL provides the most alternatives for vehicles to cross a median. This roadway treatment provides accessibility when there are numerous curb cuts on an existing corridor.

B. A TWLTL in the center of a roadway is safer than having no turning lane, but is not as safe as a non-traversable median with directional openings. Engineering judgement should be taken to select the most appropriate option for any road segment.

C. In general a TWLTL functions well for roadways with moderate traffic volumes (up to about 25,000 vehicles per day) and have many commercial driveways and a high percentage of turning movements. They can also work well where there are multiple driveways but a low percentage of turning volumes, like a major collector or minor arterial traversing a residential area.

D. TWLTLs are less effective in high-volume situations (more than 25,000 vehicles per day), and much more so in an area with commercial driveways too close together. Driveway spacing and density still need to be well-managed. The center turn lane is also not recommended where there are more than two travel lanes in either direction.

E. Along transit corridors with TWLTL medians, pedestrian median refuge islands would need to be added at transit stop locations, to allow safer pedestrian crossings. Locations where a transit stop is located within 300 feet of a signalized intersection, and safe pedestrian crossing accommodations are already provided at the intersection, could be exempt from this requirement. When opposing transit stops are located more than 300 feet from each other, two separate pedestrian median refuge islands would be required.

3.2.3 Spacing of Median Crossovers

A. When the applicant is requesting a median crossover on a divided arterial highway with a non-traversable median, the spacing standards shown in Table 3 apply.

Table 3: Spacing of Median Crossovers

Crossover Spacing (ft.)	
Minimum	1000
Desirable	1320

B. Other factors will also be considered, such as distance to other median openings, adjacent land use, expected traffic volumes, and the resulting volume of U-turns that are likely to occur without the median opening. Meeting the spacing criteria is not, in itself, an indication that median openings will be allowed.

3.2.4 Median Opening Criteria

A. New median openings or turn bays shall be allowed to provide access to a city street or to provide access to a private development only where the opening or turn bay can be constructed to satisfy the design standards set forth in this section. In no case shall median openings be located within the taper or storage area for another median opening or intersection.

B. Where a new median opening is proposed for construction, a turn bay shall also be constructed unless the opening is designed to physically prohibit left turns from the divided roadway.

C. If a roadway project is pending or under construction at the time of approval of a request for a median opening or turn bay, the approved median opening or turn bay shall be constructed to the standards for the approved or completed roadway; however, in no case shall construction standards be less than standards set forth above, and the person requesting the change shall pay any and all costs required to make the improvement. The person or party requesting the median opening or turn bay, if approved, shall pay to the City the estimated costs associated with design and installation of the median opening prior to the construction of same. If the estimate is insufficient to cover said costs the requesting party shall pay to the City any additional sums. If the estimated costs exceed the actual cost the overage shall be paid on completion of the project to the requesting person or party.

D. If the requesting person or entity is to construct the median opening or turn bay, the procedures and requirements for construction and public dedication of median openings and turn bays shall be as provided for in this ordinance.

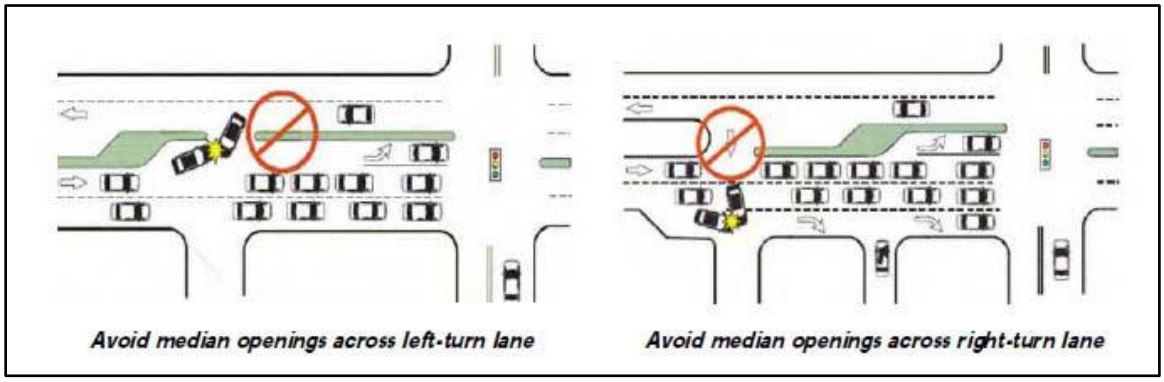
E. Construction and materials shall be in accordance with the latest revisions of the TDOT Standard Specifications for Road and Bridge Construction.

3.2.5 Median Openings Across Turn Lanes

A. Due to the danger of queues building up across a median opening, turning lanes must also be avoided in median openings

B. Driveways shall not be located where it is necessary for left turning vehicles to cross an intersection's left-turn lane or right-turn lane. This problem is often exacerbated as queues build, prompting well-meaning "good Samaritans" to allow the left turner through, only to crash with a vehicle moving freely in the separate right-turn lane.

Figure 9: Avoid median openings across left and right turn lanes



3.2.6 Median Closures

Existing median openings within the vicinity of the access may be required to be closed or removed due to any of the following:

A. Encourages unsafe, or illegal traffic movements;

B. Exceeds spacing requirements;

C. Does not have adequate sight or stopping-sight distance.

D. Is located too close to an existing access or intersections

E. Does not have appropriate auxiliary lanes; or.

3.3 Auxiliary/Turn Lanes

3.3.1 Deceleration Lanes

A. Left turn/Right turn deceleration lanes may be required as determined by the Engineer at driveway accesses and designed in accordance with TDOT and City of Columbia regulations for arterial roadways.

3.3.2 Right-turn/Acceleration Lanes

B. Right-turn / Acceleration Lanes shall be a minimum of 50 feet in length with an additional 50 foot long taper. The length may be required to be increased by the City Engineer, if supported by a Traffic Impact Study (TIS).

1. Right-turn / Acceleration lanes are generally not provided on low speed highways. Acceleration lanes may be required at locations where grade, sight distance or traffic is such that the Development Services Department determines they are needed.

2. A right-turn / acceleration lane and taper may be required at an access point under any one of the following conditions:

    a. A high traffic volume on the highway and lack of gaps in traffic make use of an acceleration lane necessary for vehicles to enter and merge with the highway traffic flow.

    b. The access location has/will have a high percentage of trucks using it.

    c. Site specific conditions create the necessity for an acceleration lane for public safety or traffic operations, as determined by a TIS or by the City Engineer.

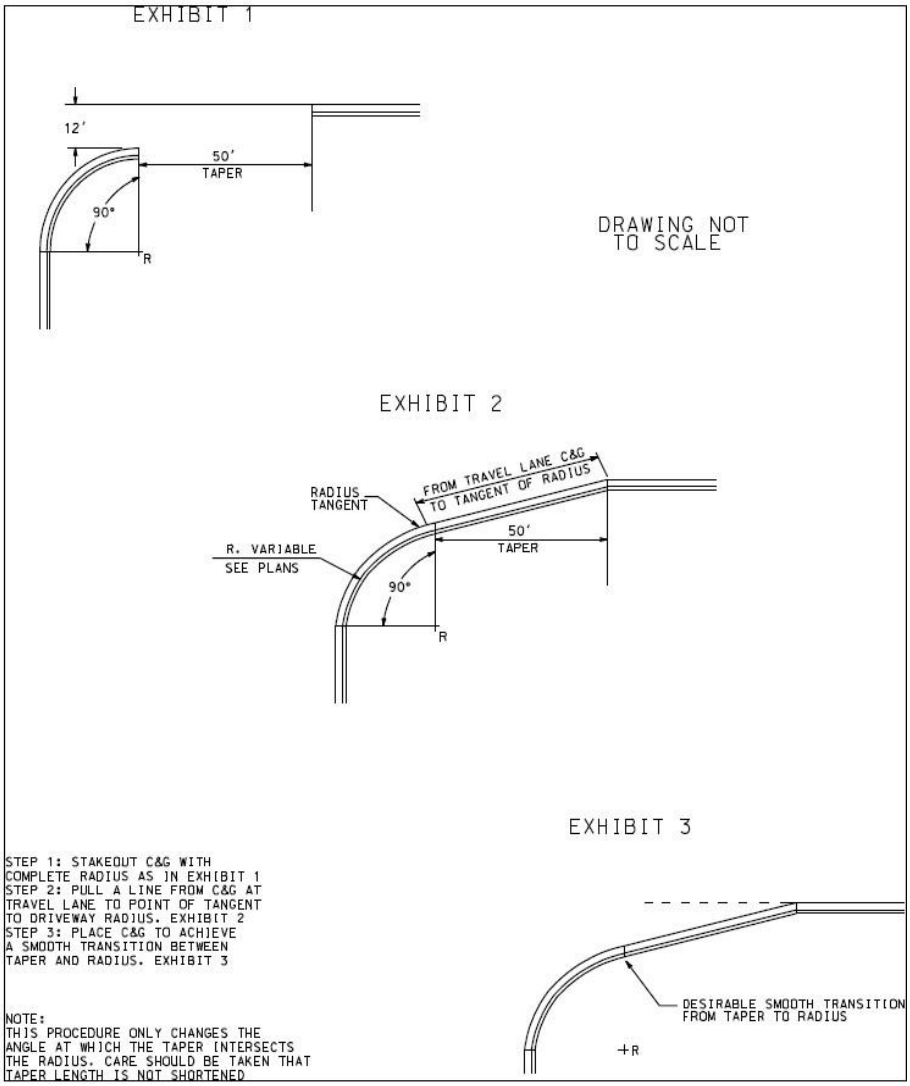
        i. When operating speeds on the highway are 55 MPH and above, full-width acceleration lanes of sufficient length should be considered.

        ii. On all driveways where a deceleration lane is provided, a tapered acceleration lane should be considered. The layout details of the acceleration lane taper are shown in **Figure 10**.

C. A right-turn acceleration lane and taper may also be required at signalized intersections if a free right-turn lane is needed to maintain an appropriate level of service.

D. The taper length will be included within the required acceleration length.

Figure 10: Acceleration Lane Taper Details



3.3.2 Dual Left Turn Lanes

A. Dual left turn lanes are often needed to satisfy high volume demands. Capacity analysis shall be used to identify the need for dual left turn lanes.

B. Dual left turn lanes are typically considered when the peak hour left turn volume is 300 vehicles or greater.

C. The decision to use dual left turn lanes should consider the off-peak periods as well as the peak periods. The off-peak periods may be adversely affected, since the use of dual left turn lanes typically precludes permissive left turns. If dual left turn lanes are included in the design,

D. The decision to use dual left turn lanes should also consider pedestrian activity in the area. Pedestrians will have greater difficulty crossing an intersection with dual left turn lanes due to the increased width.

3.4 Corner Clearance

3.4.1 General Provisions

A. No driveway approach may be located closer to the corner than as shown in **Table 3**.

   1. This measurement shall be taken from the intersection of property lines, or the intersection of the projected extension of property lines, at the corner to the centerline of proposed driveway.

B. All corner lots shall be of adequate size to provide required corner clearance on street frontage and front yard setbacks.

C. When corner clearance or minimum spacing requirements cannot be met due to lack of frontage and all means to acquire shared access drives or cross access easements have been exhausted, the driveway location shall be approved by the City Engineer.

D. If the applicant for a driveway permit determines, through analysis, that a driveway could be appropriately located closer to an intersection than the corner clearance dictates, the applicant shall submit a traffic study that, using acceptable engineering standards, concludes that it is acceptable to place the driveway closer to the intersection.

Table 3: Corner Clearance Requirements

	Intersecting Street		
Accessed By Driveway	Principal & Minor Arterial	Collector	Local
Principal Arterial	440 ft.	440 ft.	440 ft.
Minor Arterial	330 ft.	330 ft.	330 ft.
Collector	220 ft.	220 ft.	220 ft.
Major Local	150 ft.	100 ft.	100 ft.
Local	100 ft.	50 ft.	50 ft.

3.5 Traffic Signals

3.5.1 Spacing

A. Closely or irregularly spaced traffic signals on roadways result in frequent stops, unnecessary delay, increased fuel consumption, excessive vehicular emissions, and high crash rates.

B. Planning ahead for long and uniform signal spacing enhances the ability to coordinate signals and to ensure continuous movement of traffic at the desired speed. Failure to carefully locate access connections or median openings that later become signalized, can cause substantial increases in travel times. In addition, poor signal placement may lead to delays that cannot be overcome by computerized signal timing systems.

C. Optimal spacing depends on travel speed and cycle length. Research data indicate that as speed and cycle length increase, so does desired spacing.

D. Spacing between signalized intersections shall have a minimum separation as illustrated in **Table 4.**

Table 4: Spacing of Signalized Intersections

Signal Spacing (ft.)	
Desirable	2640
Minimum	1320

E. Under certain conditions, better operation may result from the introduction of signals with less spacing if the alternative forces high volumes of traffic to an adjacent intersection. When the applicant can show, through an alternative analysis, that better operations can be achieved with less spacing, an exception will be considered. Signal spacing shall be determined based upon corridor performance rather than individual access requests.

F. Effects of Signal Spacing

1. Spacing of signals has a direct effect on roadway efficiency.

    a. 1⁄2-mile signal spacing could reduce vehicle-hours of delay by over 60% and vehicle-hours of travel by over 50%, compared with signals at 1⁄4-mi intervals with full median openings between signals.

    b. A four-lane divided arterial having signals at uniform 1⁄2-mi signal spacing could carry the same volume of traffic as a six-lane divided roadway with a 1⁄4-mi signal spacing.

    c. Each traffic signal per mile added to a roadway reduces speed 2 to 3 mph. **Table 5** indicates percentage increases in travel times that can be expected as signal density increases, using two traffic signals per mile as a base.

TABLE 5: Percentage Increase in Travel Times as Signalized Density Increases

Signals per Mile	Percent Increase in Travel Time*
2.0	0
3.0	9
4.0	16
5.0	23
6.0	29
7.0	34
8.0	39

**Compared with 2 Signals per Mile*

2. The number of crashes and crash rates increases as the frequency of traffic signals increases.

G. Signal Spacing, Cycle Length, and Progression

1. A uniform signal spacing of 1⁄2 mi provides for efficient signal progression at speeds of 35 mph to 45 mph along major suburban arterials. At these speeds, maximum flow rates are achieved and fuel consumption and emissions are kept to a minimum.

H. Deviation from the Adopted Signal Spacing Interval

1. In many developed areas, signal spacing has already been established by the locations of intersecting streets. In addition, obtaining long, uniform signalized intersection spacing is often difficult in practice when:

   a. There are severe natural or topographical constraints;

   b. Land ownership patterns were laid out by metes and bounds; and

   c. The street pattern is irregular or the area is highly urban with short blocks.

2. When a signalized intersection deviates from the selected uniform interval, progression can be maintained by increasing the percentage of cycle length devoted to the major arterial—with a comparable decrease in green time for the intersecting street. With short cycle lengths (i.e., 60 s), each 1% deviation in intersection spacing requires an increase in green time for the major street of 1% of the cycle length to maintain progression and a 1% decrease in green time for the minor street

3. For long cycles (120 s), the green time to the major street and red time to the minor street would need to be increased by 2% of the cycle length for each 1% deviation. This is a critical issue when considering arterial-to-arterial spacing.

I. Desired progression efficiency for different roadway

1. As progression efficiency decreases, fuel consumption, delay at signalized intersections, and vehicular emissions increase. Because of the volumes they carry and the intense traffic demand during peak periods, a high level of progression efficiency is desirable on major urban arterials.

2. Lower levels of efficiency are acceptable on roadways of lesser importance and lower classification because of the lower volumes, shorter trips served, and driver expectancy. Therefore, the magnitude of the deviation from an adopted or ideal uniform signal spacing interval may increase as the roadway functional classification decreases.

3. Conditions and criteria to be addressed in the evaluation of a potential signal location include the following:

    a. Combinations of speed, cycle length, and minimum progression efficiency for both the peak and off-peak periods;

    b. Computer software to be used;

    c. Traffic volumes;

    d. Development conditions;

    e. Length of roadway segment to be evaluated; and

    f. Other relevant factors.

4. Alternatively, the state code or local ordinance may specify minimum progression efficiency criteria for different functional classes of roadways and provide that the conditions (combinations of speed and cycle length, volumes, length of roadway segment, acceptable computer software, and so forth) will be specified for each individual case.

3.5.2 Traffic Signal Timing

A. In all cases, signal timing shall be coordinated to facilitate traffic flow. For undeveloped sections of a corridor, two-mile spacing should be considered.

B. For frontage or service roads, preference in traffic signal timing and operation shall be given to highways and cross-streets of a higher access category or function.

3.6 Frontage Roads

3.6.1 Frontage Road Concepts

A. An effective treatment to consolidate the number of access points, and therefore conflict points, on an arterial highway can be achieved through the construction of a frontage road or a reverse frontage road. These concepts are depicted in **Figure 13.**

B. A frontage road is a local street (one-way or two-way) that serves multiple land uses (properties) and provides one to two points of access onto the main roadway. A frontage road can be constructed without taking existing buildings fronting the roadway when the buildings are setback far enough to accommodate the roadway and maintain the minimum setback from the road required by zoning.

C. Frontage roads have a place in serving commercial development as well as residential access needs. When carefully designed to facilitate access and maintain signal operations, frontage roads can be a viable access management technique for large commercial developments.

3.6.2 Guidelines for Frontage and Service Roads

A. Frontage roads have been observed to function successfully when they serve low density trip generation activities such as residential and small office areas.

B. Frontage roads for retrofit situations should operate one way and should enter and leave the main lanes as merging and diverging maneuvers.

C. Experience has shown that when a large separation is provided between the intersection of the major road and the crossroad, and the intersection of the crossroad and the frontage road, the minimum separation is suitable only where frontage road volumes will be very low.

D. On a two-way frontage road, a separation of at least 300 ft. (preferably more) is necessary for efficient and safe operation and that the absolute minimum is 150 ft.

E. A landscaped buffer between the major roadway and the frontage road will help avoid driver confusion while improving roadway aesthetics. A minimum buffer width of 25 feet is suggested.

F. The reverse frontage design (**Figures 12 and 13**) results in a separation that allows the intersection of the frontage road and the crossroad to operate with little or no adverse effect on the intersection of the major road with the crossroad.

G. Pedestrian and bicycle traffic can be accommodated along the frontage road.

H. Parking on the frontage road may be permitted in residential areas.

Figure 11: Frontage Roads Concept

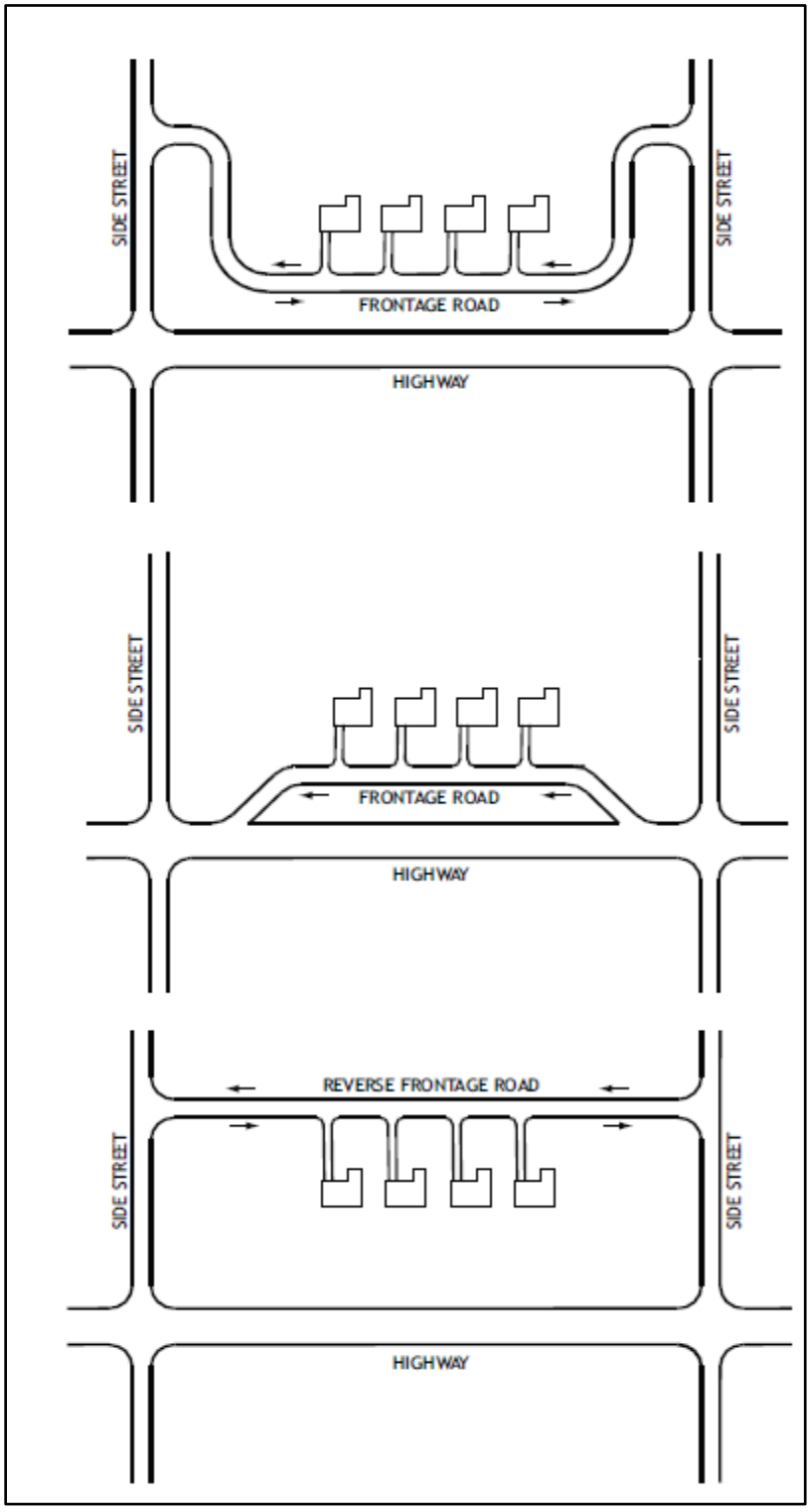
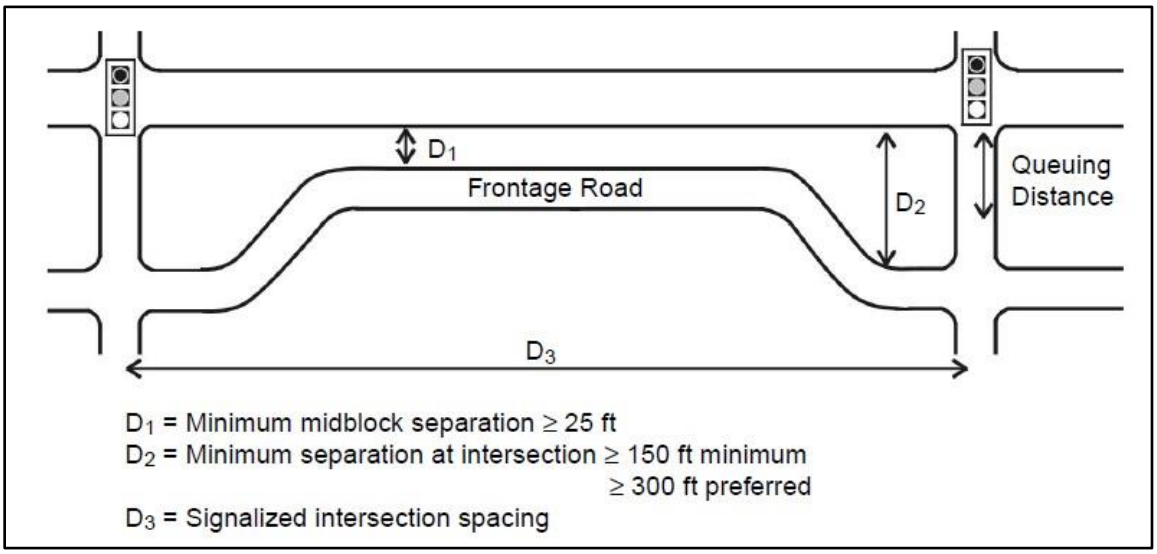


Figure 12: Frontage roads in residential or light office areas can work well where they are one way and begin and end between major crossroads.

Figure 13: Minimum separation between a frontage road and the major roadway



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Chapter 4: Permitting and Appeals

Projects, applications, or requests that require CMPC Approval (Planned Unit Development, Subdivision Preliminary or Final Plat, or Development Plan) shall follow **Section 4.1**. Projects, applications, or requests that do not require CMPC Approval shall follow **Section 4.2**.

4.1 Implementing Access Management

4.1.2 Review Procedures

A. Access requests that are submitted as part of an overall development (Planned Unit Development, Subdivision (Preliminary or Final Plat), Site Plan, or Building Permit) shall be reviewed according to the regulations and schedule for the respective submittal (for example, a Preliminary Plat shall show compliance with these Access Management requirements and following the Plat submittal, review process, and schedule per the Subdivision Regulations, while a Site Plan shall show compliance with these Access Management requirements and follow the Site Plan submittal, review process, and schedule per the Zoning Ordinance.)

B. If access requests are included as part of an overall development, they shall, at a minimum, show the following to demonstrate compliance with this Ordinance:

1. Location of access point(s) on both sides of the road, where applicable;

2. Distances to neighboring constructed or approved access points, median openings, traffic signals, intersections, and other transportation features on both sides of the property;

3. Number and direction of lanes to be constructed on the driveway plus pavement marking plans;

4. All planned transportation features (such as auxiliary lanes, signals, etc.);

5. Trip generation data or appropriate traffic studies;

6. Parking and internal circulation plans;

7. Surveyed lot lines showing property lines, rights-of-way, and ownership of abutting properties; and

8. Any deviation from these standards shall include a detailed description of such requested exception from these standards and the reason(s) the exception is requested. The request for an exception shall provide detailed answers to the items listed in **Section 4.4.2**.

C. Subdivisions, Planned Unit Developments, Site Plans, Preliminary Plats, and Final Plats shall address the following access considerations:

1. Is the road system designed to meet the projected traffic demand, and does the road network consist of hierarchy of roads designed according to function?

2. Does the road network follow the natural topography and preserve natural features of the site as much as possible? Have alignments been planned so that grading is minimized?

3. Is access properly placed in relation to sight distance, driveway spacing, and other related considerations, including opportunities for joint and cross access? Are entry roads clearly visible from the major arterials?

4. Do residential units obtain access on a local streets rather than major roadways?

5. Is automobile movement within the site provided without having to use the peripheral or arterial road network?

6. Does the road system provide adequate access to buildings for residents, visitors, deliveries, transit vehicles, emergency vehicles, and garbage collection?

7. Have the edges of the roadways been landscaped? If sidewalks are provided alongside the road, have they been set back sufficiently from the road, and has a landscaped planting strip between the road and the sidewalk been provided?

8. Does the pedestrian path system link buildings with parking areas, entrances to the development, transit access, open space, and recreational and other community facilities?

D. The City reserves the right to require traffic and safety analysis where safety is an issue or where significant problems already exist.

E. Any application that involves access to the state highway system shall be reviewed by the Tennessee Department of Transportation (TDOT).

F. If the driveway permit or other element of the request is denied, the Development Services Department shall provide a response indicating why the request has been denied.

4.2 Driveway Permit Process

4.2.1 Permits

A. Any plans submitted for building approval which include or involve driveways shall be reviewed for conformance to this ordinance before a building permit is issued.

B. A driveway permit for a new development may be reviewed concurrently with a Planning Commission submittal. Approval of driveway location and design for new properties and other developments on a building plan or site plan may be considered the permit for driveway installation.

C. Any property owner desiring a new driveway or an improvement to an existing driveway at an existing property that does not require Planning Commission shall make application to the Development Services Department for a driveway permit, in writing, and designating the contractor who will do the work, to the City Engineer. This permit request shall be accompanied by a plan and/or drawings that demonstrate compliance with this Ordinance. The City Engineer will prescribe the construction procedure to be followed. A permit shall be required for the location of all driveways that provide for access to property. Driveway permits may also be required for any significant structure changes, land use changes, or property boundary change, wherein **Section 4.1** shall apply. The driveway permit shall also be in conformance with the **Columbia Municipal Code, Section 16-210**.

4.3 Retrofitting

4.3.1 Acquire Access Rights

A. Permitted access connections in place as of (date of adoption) that do not conform with the standards herein shall be designated as nonconforming features and shall be brought into compliance with applicable standards under the following conditions:

   a. When new access connection permits are requested;

   b. Substantial enlargements of the existing floor area (defined as an increase of floor area of 15% or more) or improvements to the existing building (defined as 55% or more of the building is altered);

   c. Significant change in trip generation; and/or

   d. As roadway, utility, or other governmental capital and infrastructure improvements allow.

B. If the principal activity on a property with nonconforming access features is discontinued for a consecutive period of 366 days, or discontinued for any period of time without a present intention of resuming that activity, then that property must thereafter be brought into conformity with all applicable connection spacing and design requirements, unless otherwise exempted by the permitting authority. For uses that are vacant or discontinued upon the effective date of this code, the 366-day period begins on the effective date of this ordinance.

4.4 Exceptions to the Policies, Standards, and Requirements of this Ordinance

4.4.1 General

Exceptions of the standards, regulations, and determinations of this Ordinance shall be made to the City Engineer. If an exception is not granted by the City Engineer, the applicant may appeal that ruling to the CMPC, as an agenda item at a regularly scheduled meeting.

4.4.2 Application for Exception to the City Engineer

A. The application for exception shall be filed by written notification to the City Engineer.

B. The applicant, property owner, or their agent shall have the right to appeal a decision of the City Engineer to the CMPC.

C. An application for exception shall be based on a claim that the true intent of the Access Management Ordinance, as legally adopted, have been incorrectly interpreted, the provisions do not fully apply, or an equally good or better design is proposed.

D. The City Engineer may grant Exceptions to the provisions of this Ordinance only after finding that the life, safety, health, and general welfare of Columbia will not be impacted by such an Exception.

E. Each item listed below shall be considered and deemed satisfied by the City Engineer prior to the approval of an Exception to this Ordinance:

    1. The strict application of this Ordinance would result in practical difficulties to or undue hardship on the owner of the property.

    2. The situation is not self-created.

    3. The Exception may be granted without substantial detriment to the public good and without sustainably impairing the intent and purpose of this Ordinance.

F. The City Engineer may consider the following items

    1. The conditions upon which the request is based are unique to this property and are not applicable to other properties throughout Columbia.

    2. The specific property has exceptional narrowness, shallowness, or shape.

    3. The specific property has exceptional topographic conditions or other extraordinary or exceptional conditions that pertain to the physical nature of the property.

G. The City Engineer shall provide a ruling and justification for the ruling to the applicant.

4.4.3 Appeals Process

A. The Planning Commission shall hear and decide appeals of orders, decisions, or determinations made by the City Engineering or designee relating to the application and interpretation of the technical provisions of the adopted Access Management Ordinance, as adopted by the City of Columbia, Tennessee.

B. The application for appeal shall be filed with the Development Services Department within 90 calendar days after the ruling by the City Engineer was made, and shall be accompanied by a fee, as determined by the Development Services Department. The applicant shall provide a notarized affidavit that affirms the information provided in the Exception request is true and correct.

C. The Planning Commission may grant Exceptions to the provisions of this Ordinance only after finding that the life, safety, health, and general welfare of Columbia will not be impacted by such an Exception.

D. Each item listed below shall be considered and deemed satisfied by the Planning Commission prior to the approval of an Exception:

    1. The strict application of this Ordinance would result in practical difficulties to or undue hardship on the owner of the property.

    2. The situation is not self-created.

    3. The Exception may be granted without substantial detriment to the public good and without sustainably impairing the intent and purpose of this Ordinance.

E. The CMPC shall keep a record of all appeals.

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Chapter 5: Definitions

The following terms, as used in this document, shall have the following meanings unless the context thereof indicates to the contrary. The City Engineer shall be vested with interpretation powers over all provisions of this Ordinance.

AASHTO
(American Association of State Highway and Transportation Officials) which publishes documents in this manual, including A Policy on Geometric Design (Green Book) and Roadway Design Guide.

Acceleration Lane
A speed-change lane, including tapered areas, for the purpose of enabling a vehicle entering the roadway to increase its speed to a rate at which it can more safely merge with through traffic. This also may be titled as an “accel lane."

Access
Entrance to or exit from land adjacent to a public road. May be a driveway, public street, private street, or alley.

Angle of Two-way Driveway
The angle of deflection measured from the centerline of the nearest travel lane to the centerline of the driveway. An angle of 90 degrees is desirable.

Auxiliary Lane
The portion of the roadway adjoining the traveled-way for parking, speed change, turning, weaving, truck climbing, and other purposes supplementary to the through-traffic movement.

Corner Clearance
The distance from an intersection of a public or private road to the nearest access along the highway system. This distance is measured from the closest edge of pavement of the intersecting road to the closest edge of pavement of the access measured along the traveled way (through lanes).

Curb Cut
An access or driveway providing ingress and/or egress to or from the highway system along a "curbed" section of highway.

Commercial Driveway
Any private entrance, exit, ramp, tunnel, bridge, side road or other vehicular passageway to any property used for commercial purposes, except a farm or dwelling house not exceeding a four-family capacity, and leading to or from any public road on the highway system.

Deceleration Lane
A speed-change lane, including tapered areas, for the purpose of enabling a vehicle that is making an exit turn from a roadway to slow to a safe turning speed after it has left the mainstream of faster-moving traffic. Also called a “decel lane"; it denotes a right turn lane or a left turn lane into a development.

Driveway
Private entrance to or exit from land adjacent to a public road. Typically serves a limited number of lots, or uses.

Driveway Width
The narrowest width of a driveway measured perpendicular to centerline of the driveway, from edge of pavement to edge of pavement or face-of-curb to face-of-curb where curb and gutter are installed.

Directional Median Opening
An opening in a restrictive median which provides for U-turn only and/or left-turn in movements. Directional median openings for two opposing left or "U-turn" movements along one segment of road are considered one directional median opening.

FHWA
The Federal Highway Administration

Intersection
An at-grade connection or crossing of a one road with another road

Island
A device used to separate or direct traffic in order to facilitate the safe and orderly movement of vehicles. An island may be a raised area that provides a physical barrier to channel traffic movements or a painted area.

Median Crossover
An opening constructed in the median strip of a divided highway designed to allow traffic movements to cross from one side of the highway to the other. In some cases, the Access Management Engineer may require the design to be such that some movements are physically prohibited.

Residential Driveway
Any private passageway to any property used for dwelling purposes. However, if a driveway provides access for more than four dwelling units, it shall be considered a commercial driveway.

Restrictive Median
The portion of a divided highway or divided driveway physically separating vehicular traffic traveling in opposite directions. Restrictive medians include physical barriers that prohibit movement of traffic across the median such as a concrete barrier, a raised concrete curb and/or island, and a grassed or a depressed median.

Right-of-way (ROW)
All land under the jurisdiction of, and whose use is controlled by the City of Columbia, the Tennessee Department of Transportation or another local government.

Right-of-way Line
A line that defines the limits of the ROW of a public road as it relates to adjacent property.

Roadway
The portion of a highway, including shoulders, for vehicle use.

Sight Distance
Refers to intersection sight distance, which is the distance that can be seen along the main roadway by the driver of a vehicle on the driveway. The distance is measured based on an eye height of 3.5’ and an object height of 3.5’. Sight Distance should be determined to provide adequate time for an entering vehicle to accelerate to within 10 mph of posted speed limit, prior to being overtaken by approaching vehicles. (Refer to AASHTO, Green book)

Stopping Sight Distance
The sum of two distances: the distance traversed by the vehicle from the instant the driver sights an object necessitating a stop to the instant the brakes are applied and the distance required to stop the vehicle from the instant brake application begins. Stopping sight distance is measured based on an eye height of 3.5’ and an object height of 2.0’.

Traveled Way
The portion of the roadway for the movement of vehicles, exclusive of shoulders and auxiliary lanes.

State Highway System (SHS)
The network of highways that have been functionally classified and which are under the jurisdiction of the State of Tennessee, as defined in State Statutes.

Appendix A: References

Access Management Handbook. (October 2000).
Center for Transportation Research and Education (CTRE) at Iowa State University.
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Access Management Manual, 2nd Ed. (2014).
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TDOT Roadway Design Guidelines. (February 17, 2016).
Tennessee Department of Transportation.
https://www.tn.gov/tdot/topic/chief-engineer-design-design-guidelines

Massachusetts Highway Department Project Development and Design Guide. (January 2006).
Massachusetts Department of Transportation.
http://www.mhd.state.ma.us/default.asp?pgid=content/designGuide&sid=about

Regulations for Driveway and Encroachment Control. (March 2, 2004).
Georgia Department of Transportation.
http://www.dot.ga.gov/doingbusiness/PoliciesManuals/roads/Encroachment/Driv ewayFull.pdf

Unified Development Ordinance. (January 30, 2017).
City of College Station planning and development services.
http://www.cstx.gov/Modules/ShowDocument.aspx?documentid=3598

Vermont Best Practices for Access Management. (March 2004).
Vermont Agency of Transportation.
http://www.vtaccessmanagement.info/Documents/BestPractices.pdf

Chapter 2: Construction Plans

2.1 General

In order to provide consistency and accuracy, the following standards shall apply to all construction plans, supplemental information, supporting calculations, and surveys submitted to the City for review. After receiving approval of a Preliminary Plat, Final Plat, Development Plan, Site Plan, or for any project requiring a Land Disturbance Permit, the Developer or Developer's engineer shall submit construction plans and all required documentation required for a full and complete review for approval by the City Engineer or his/her designee(s). Exemptions may be granted or additions required by the City Engineer based upon the project scope and special conditions. Construction plan review and any associated permits shall be accompanied by a fee as specified in Engineering Fee Schedule.

Chapter 3 - Infrastructure Requirements

3.2 Location and Layout of New Streets

A. The location and layout of new streets shall be as identified in the Major Thoroughfare Plan of Connect Columbia, Access Management, Subdivision Regulations, and Zoning Ordinance. Streets not identified in the Major Thoroughfare Plan and the Access Management Ordinance shall meet the needs of the specific Development and satisfy all other specific requirements of this document. The City Engineer retains the authority to assign functional classification of streets as needed for circulation and emergency access and retains authority for approval of the overall street layout.

B. All streets shall have a logical relationship to the existing topography and the location of existing, platted, or planned streets within adjacent properties.

C. The street layout for all subdivisions shall be designed to ensure connectivity, enhance general circulation and provide secondary points for emergency access. They shall also provide safe, efficient, and convenient vehicular, bicycle, and pedestrian access within and between developments. Certain streets may need to be extended to property boundaries to provide for the future logical extension of the street through adjacent properties. If a street is located within or adjacent to a development, the development shall continue the street to a logical termination point as determined by the City Engineer.

D. All streets shall be properly integrated with the existing and proposed system of streets and dedicated rights-of-way as established in the Connect Columbia Comprehensive Plan, Transportation Master Plan, and Access Management Ordinance.

E. All streets shall be properly related to special traffic generators, such as industries, business districts, schools, churches, and shopping centers; to population densities; and to the pattern of existing and proposed land uses.

F. Minor local streets shall be laid out to conform as much as possible to the topography, to provide for the efficient dispersal of internal traffic, permit efficient drainage, and accommodate utility systems.

G. The use of an interconnected street system shall be used to broadly disperse internal traffic and

provide maximum alternatives for access to the property for both public and private movement.

~~H. The use of curvilinear streets shall be encouraged where conformance with existing topography shall minimize the volume of cut and fill.~~

H. Street designs with connective ~~and looping~~ streets are preferred instead of the use of cul-de-sacs. Cul-de-sacs ~~shall~~ are prohibited unless ~~be permitted~~ wh~~h~~ere topographic features or configuration of property boundaries prevent street connections, as approved by the CMPC. ~~These alternatives shall support the turning movements of emergency and service vehicles.~~

3.2.1 Avenues and Boulevards

Where required by the Zoning Ordinance, a portion of the streets within a development shall be Avenues or Boulevards. Avenues and Boulevards shall be continuous in nature, where possible, and generally provide a continuous path from the entrance through the site.

3.6 Rights-of-Way and Easements

3.6.1 Right-of-Way

Minimum right-of-way widths for each functional classification shall be as shown in **Table 1**. Topography, special design features, and other factors may require greater widths than these minimums. The City Engineer shall have the final review with the determination of any additional right-of-way (ROW) that is required for the design of a specific street segment.

Table 1: Minimum Standards for Functional Classifications

Street Classification	Minimum ROW (ft.)
Alley	20
Minor Local	50
Major Local	65
Collector	75
Arterial	90*
Principal Arterial	125*

**Arterial roadways shall at minimum provide the right-of-way in Table 1. Additional right-of-way May be required depending on the existing and/or proposed street section.*

Where a proposed public street intersects a collector roadway, a minimum of sixty-five (65) feet of right-of-way, two hundred (200) feet in length, shall be provided from the edge of the intersected street's right-of-way.

Where a proposed public street intersects an arterial roadway, a minimum of seventy-five (75) feet of right-of-way, two hundred fifty (250) feet in length, shall be provided from the edge of the intersected street's right-of-way.

The minimum radius of curvature for any new right-of-way line shall be twenty-five (25) feet. All radii of

curvature at intersections shall be twenty-five (25) feet, ~~,~~ except in developments of urban character, where approved by the City Engineer, right-of-way lines may intersect. ~~unless otherwise approved by the City Engineer.~~

3.6.2 Easements

There are several types of easements the City of Columbia may require or permit relating to the construction of streets and the development of property.

A. Public Utility, Drainage, and Access Easement (PUDAE) approved for use by the City Engineer on a case-by-case basis.

B. Public Utility and Drainage Easement (PUDE).

C. Public Access Easement (PAE) for public access to a street, pedestrian facility, or internal drive.

D. Public Drainage Easement (PDE) for drainage purposes only.

E. Slope Easement (SE) for the construction of a slope between one property or the street right-of-way and adjacent property.

F. Temporary Construction Easement (TCE) to provide adequate construction area in the construction of a project.

G. Easements for storm and sanitary sewers shall be a minimum total width of twenty (20) feet. Where the depth of storm sewer exceeds 10 feet, two (2) additional feet of width for each foot of depth exceeding ten (10) feet shall be provided, rounded up in five (5) foot intervals.

H. Where the equivalent diameter of the storm sewer exceeds six (6) feet, two additional feet of width for each foot of diameter exceeding six (6) feet shall be provided, rounded up in five (5) foot intervals.

~~F.~~I. No permanent structures or appurtenances to structures shall encroach into utility easements including but not limited: accessory structures, sheds, pools, HVAC and mechanical units, refrigeration equipment, air handling equipment, or retaining walls over six (6) feet in height.

3.6.3 Improvements in Right-of-Way

All permanent public improvements including streets, lighting, sidewalks, traffic signage, traffic signals and equipment, and street-related features shall be located within a public right-of-way ~~with fee simple ownership by the City~~.

Permanent improvements not owned or maintained by the City may be permitted within the right-of-way if a license/maintenance agreement is approved by the City Council and all other appropriate City entities.

3.6.4 Additional Right-of-Way Required

Developments ~~Developments~~ that adjoin existing streets shall ~~dedicate~~ dedicate or reserve additional

right-of-way where necessary to meet the minimum requirements for the functional street classification of the existing street, see **Table 1**, or other dimensions as required by the City Engineer.

A. Major subdivisions, developments of ten (10) or more acres in size, and development requiring CMPC approval shall dedicate right-of-way, where required.

B. Minor subdivisions, developments under ten (10) acres in size, and developments not requiring CMPC approval shall reserve right-of-way, where required.

~~A.~~C. When the development is located on both side of the existing street, ~~T~~the entire right-of-way dedication or reservation shall be provided. ~~where any part of the development is on both sides of the existing street.~~

~~B.~~D. When the development is located on only one side of the existing street, half of the required width of the right-of-way, measured from the centerline of the existing roadway shall be ~~provided.~~dedicated or reserved.

~~C.~~E. ~~When required by the City Engineer, a~~Additional right-of-way ~~shall~~ may be required to accommodate future roadway improvements, at the discretion of the City Engineer. ~~.~~

3.6.5 Dedication of Right-of-Way

The dedication of rights-of-way, reservations, and ~~and e~~easements shall normally occur through the platting process. When dedications are required outside the platting process, they shall be dedicated in a manner and format approved by the City Engineer and City Attorney.

3.6.6 Encroachments

A. Permanent dumpsters, including the pad and enclosure, shall not be located in a public right-of-way.

B. Permanent encroachments that may impede the use of the public right-of-way shall be prohibited, unless otherwise permitted by City Council.

C. Temporary encroachments of the right-of-way shall require a permit, including but not limited to:

   a. Dumpsters, roll-offs, or containers; and

   b. Scaffolding, construction fencing, or lifts;

D. Permanent encroachments of the right-of-way shall require City Council approval.

E. Encroachments shall not impede pedestrian facilities in a manner that prevents accessibility. If encroachment is within a pedestrian facility, an alternative route shall be provided that is complaint with OSHA, ADA, and other relevant codes/regulations.

F. Encroachments shall not create sight distance barriers for pedestrians, bicycles, and vehicles, and shall comply with city, state, and federal roadway standards.

G. Encroachments shall not impede or obstruct drainage facilities.

H. Encroachments shall not block Fire Department connections, fire hydrants, access, or pathways.

3.7 Geometry

The design criteria presented in this section apply to all roadways that are required to be designed and constructed to City standards and specifications. The design criteria presented below shall be used as minimum requirements for new developments and may be increased at the direction of the City Engineer if warranted by safety hazards or traffic operations.

All streets are to be designed in accordance with the design speeds specified for each street classification in this chapter, or as amended by the City Engineer, and as summarized in **Table 2.**

Table 2: Roadway Geometry Standards

Design Feature	Principal Arterial	Minor Arterial	Collector	Major Local	Minor Local	Alley
Design Speed	50	45	35	25	20	15
Min. Horizontal Centerline Radius	*	*	333	205	125	~~70~~50
Superelevation	Yes	Yes	Yes	No	No	No
Maximum Grade %	6	7	8	10	14**	8
Min. K Values Crest	84	61	29	12	7	7
Min. K Values Sag	96	79	49	26	17	17
Curb and Gutter	Y	Y	Y	Y	Varies	N

* Min. Horizontal Centerline Radius for arterial streets shall be designed on a case-by-case basis.
**Preferred maximum grade is 10%. Shall not exceed 10% on streets with designated on-street parking lanes or stalls.

3.7.1 Horizontal Alignment

A. The minimum allowable horizontal centerline radii for horizontal curves shall be as designated in **Table 2**. Reverse and compound curves shall only be used where single radii curves cannot work. Where reverse and compound curves are used TDOT standards and specifications and AASHTO standards and procedures shall be used.

B. Whenever a proposed street intersects a street with an equal or greater classification, a tangent (measured from the edge of travelled way, or the right-of-way line when determined by the City Engineer, along the centerline of the intersecting street) shall be provided. The minimum tangent lengths shown in **Table 3** apply only to the intersecting street. The angle of departure of a tangent shall not exceed twenty (20) degrees measured from the intersection of the intersecting street and the intersected street's right-of-way line or ten (10) degrees where intersecting an arterial street.

C. Reverse curves shall be separated by minimum tangent length of fifty (50) feet for local streets, one-hundred (100) feet for collector streets, and one-hundred fifty (150) feet for arterial streets.

D. Curves under deflection angles of ten (10) degrees shall be avoided where possible.

E. Horizontal curves should avoid starting near the crest or sag of a vertical curve.

F. Connections with existing improvements or stub roads shall be made to match the existing grade alignment and continue the roadway in accordance with these standards.

G. Curves under deflection angles of ten (10) degrees shall be avoided where possible.

H. Horizontal curves should avoid starting near the crest or sag of a vertical curve.

~~I. Connections with existing improvements or stub roads shall be made to match the existing grade alignment and continue the roadway in accordance with these standards.~~

3.10 Intersections

3.10.3 Alignments

A. All lanes shall be in alignment at an intersection. Special considerations may be granted to allow for up to a one-half lane width shift, subject to approval by the City Engineer.

Vertical profiles on the legs of intersections shall be adjusted to provide a smooth junction, proper drainage, and adequate sight distance where streets intersect. Typically, the grade of the higher classified, or more majorly travelled leg of the intersection shall continue with the intersecting street's grade adjusted to meet it. It is desirable to provide near level intersection approach grades. Intersection approach grades shall be measured from the edge of travelled way of the intersected street along the centerline of the intersecting street. The maximum intersection approach grades are shown in **Table 4**.

Table 4: Intersection Approach Grades

Classification of Intersecting Street	Maximum Approach Grade	Minimum Length (ft.)
Alley	10%	N/A
Minor Local Street	5%	25
Major Local Street	5%	50
Collector	4%	75
Minor Arterial	4%	100
Major Arterial	3%	100

3.10.4 ~~Right Turn~~ Curb Radius of Return

A. The curb radius shall be fifteen (15) feet for all streets unless otherwise mentioned below.

B. The minimum curb radius in industrial areas and areas where a significant portion of right turning traffic volumes are trucks or busses shall be thirty (30) feet minimum.

C. The minimum curb radius for minor and major local ~~minor cross~~ streets intersecting collector and arterial roads shall be thirty (30) feet. Where ~~-~~private accesses and driveways connect to TDOT owned roadways, they shall adhere to TDOT Driveway Manual specifications.

D. The curb radius of intersections consisting of collector and arterial streets shall be designed to accommodate the appropriate design vehicles and traffic patterns on a case-by-case basis.

E. Where significant portions of right turning traffic volumes are trucks, the designer shall use a larger radius to properly accommodate the appropriate design vehicle. Where the angle of street intersection is less than ninety (90) degrees, the City Engineer may require a larger radius of return. For streets and driveways intersecting TDOT rights-of-way, TDOT's radius of return requirements shall govern.

3.12 Pedestrian Facilities

3.12.5 Pedestrian Guards

Safety rail shall be provided along pedestrian and multi-modal facilities in accordance with TDOT Standard Drawing: Bike and Pedestrian Safety Rail MM-BPR-1 or most current TDOT standards.

3.16 Driveways

A. Access easements, a minimum of twenty-four (24) feet in width, shall be provided for accesses or driveways serving more than one lot/building site~~t~~, use, or ~~or~~ residence.~~.~~

B. Driveways with two-way traffic serving more than one lot/building site, use, or residence shall be a minimum of sixteen (16) feet in width.

C. Driveways with one-way traffic serving more than one lot/building site, use, or residence shall be a minimum of ten (10) feet in width.

~~A.~~D. Driveways shall be constructed to allow for a typical passenger vehicle to safely pass.

~~B.~~E. Driveways shall be constructed to contain stormwater gutter flow within the curbed portion of the street section.

~~C.~~F. Maintenance for the portion of a driveway within the right-of-way shall be the responsibility of the property it serves.

~~D.~~G. In no circumstance shall parking or other uses on a driveway be permitted to block or restrict access to a sidewalk or pedestrian facility.

E.H. No commercial driveway shall be greater than ten (10) percent grade along any portion.

F.I. No residential driveway shall be greater than ten (10 percent) grade along any portion within the right-of-way, and no greater than twenty (20) percent grade along any other portion.

J. Driveways exceeding one hundred fifty (150) feet shall require Fire Marshal approval.

G.K. Driveways or internal drives serving more than one lot/building site and exceeding one hundred fifty (150) feet, shall be streets, alleys, or an approved parking lot layout. Driveway aprons, where streets have curb and sidewalk, shall be concrete pavement to the edge of right-of-way. Driveway aprons, where streets do not have sidewalk, shall be paved with asphalt or concrete pavement to the edge of right-of-way. Where the remainder of driveways are un-paved surfaces, the apron shall be a minimum of thirty (30) feet in length measured from the edge of pavement of the roadway and be constructed in a manner to minimize the traction of gravel into the roadway.

3.22 Existing Streets and Rights-of-Way Prior to Development

3.22.1 Unimproved Rights-of-Way

Where a lot/building site's parcelprimary access is accessed b is through y an existing unimproved right-of-wayright-of-way, and the lot/building site parcel is desired to be developed or subdivided, the existing unimproved right-of-way shall be improved to awith a roadway cross section and pavement schedule as determined by the CMPC and the City Engineer to the furthest extent of the lot/building site their property or a point determined by the City Engineer. The roadway dedication shall follow the requirements of the Subdivision Regulations.

3.22.2 Existing Streets

Where a lot/building site'parcels primary access is accessed by anis through an existing street, and the lot/building site is desired to be developed in a manner that would require CMPC approval or subdivided, the street shall meet all of the following requirements:

A. A minimum pavement width of sixteen (16) feet;

B. A pavement section equivalent to the minimum parking lot pavement section or a concrete pavement section with suitability to be determined by the City Engineer; and

C. Capable of passing the City of Columbia Fire and Rescue design fire apparatus.

If the street does not meet the above requirements, the street shall be improved to a roadway cross section and pavement schedule as determined by the CMPC and the City Engineer to the furthest extent of the lot/building site their property or a point determined by the City EngineerCMPC. The roadway dedication shall follow the requirements of the Subdivision Regulations.

Chapter 4 – Stormwater and Drainage Systems

4.1 General

The capacity of drainage systems shall be designed such it shall not:

A. Shall not increase flood hazard for an adjacent property;

B. Shall not impede City services, maintenance, and traffic along City streets; and

C. Shall not result in the degradation of water quality of downstream properties and water resources.

4.1.1 General Performance Standards

A. Public streets are not to be used to collect and convey stormwater runoff other than that which falls on a lot fronting that street.

B. Construction shall not aggravate upstream or downstream flooding. Existing downstream or upstream problems may be required to be corrected in conjunction with development.

C. The construction and financing of any required off-site drainage improvement necessitated by private development within the same watershed shall be the responsibility of the developer.

D. Under no circumstances shall a site be graded or drained in such a way as to increase the peak rate of stormwater runoff to sinkholes, dry wells, or drainage wells.

E. Flexible linings, “green” and other “soft” slope and stream bank stabilization methods shall receive preference over riprap, concrete and other hard armoring techniques. “Hard” alternatives shall only be permitted when their necessity can be demonstrated given site-specific conditions.

F. The City may require maintenance or modification of stormwater management practices that are not operating within the guidelines established by this Chapter, as determined by the City Engineer.

G. Drainage channels shall be trapezoidal and have a base a minimum of two (2.0) feet in width, a depth a minimum of one (1.0) foot, side slopes a maximum of three to one (3H:1V), a minimum slope of one (1.0) percent, and a maximum slope of seven and one half (7.5) percent.

H. Swales along property lines shall have a minimum depth of six (6) inches, side slopes a maximum of three to one (3H:1V), and a minimum slope of two (2.0) percent.

I. The minimum size for driveway culverts shall be fifteen (15) inches in diameter with headwalls and endwalls constructed of concrete or masonry.

J. All pipes and culverts under streets or within City rights-of-way or shall be eighteen (18) inches in diameter at a minimum, excluding driveway culverts.

K. Pipes and culverts outside of city rights-of-way shall be a minimum of twelve (12) inches in diameter, excluding small drains such as roof drains, underdrain systems, and yard drains serving a single residential lot.

L. The minimum slope for pipes shall be one-half (0.5) percent for sizes greater than or equal to twenty-four (24) inches in diameter. All pipes smaller than twenty-four (24) inches in diameter shall have a minimum slope of one (1.0) percent.

M. Concentrated discharges shall be located to minimize the impact of downstream impacts.

N. Something about lot to lot drainage after development adjacent to undeveloped parcels

4.2 Hydrologic and Hydraulic Calculations ~~Design Storms and Frequency~~

All hydrologic and hydraulic computations utilized in the design of stormwater facilities must be prepared by a registered engineer proficient in the field of hydrology and hydraulics and licensed to practice engineering in the state.

4.2.1 Hydrology

A. Design storms shall be based on NOAA Atlas 14 Precipitation Frequency Estimates for Columbia, Tennessee.

B. The rational method shall be acceptable for estimating the peak flow rates for drainage basins under five (5) acres. However, the rational method shall not be used for the volumetric routing of storm events for the purposes of peak ~~flow attenuation~~runoff control. Alternative methods and hydrographs utilizing the rational method such as the "Modified Rational Method" or the "Dekalb" hydrographs are acceptable for volumetric routing of storm events for the purposes of peak ~~flow attenuation~~runoff control for catchments under five (5) acres. The City Engineer may require analysis by other methods

C. Drainage basins over five (5) acres shall use NRCS (formerly known as the SCS) unit hydrograph procedures using AMC II curve numbers and type II rainfall distribution, or other criteria that the City Engineer or Designee shall establish based on scientific and engineering information. Precipitation and runoff must be routed at appropriately small time intervals using either hand calculations or computer models that are widely accepted among engineering professionals.

D. In certain circumstances, the City Engineer may require analysis by other methods consistent with widely accepted industry standards and practice.

4.2.2 Hydraulics

All stormwater facilities shall be designed to adequately and safely carry the design flow.

A. All drainage systems at a minimum shall accommodate the ten (10) year storm

B. Drainage systems under a street or alley -(public or private) shall accommodate the twenty-five (25) year storm

~~C. Drainage systems within the 100 year floodplain (provided that compensatory storage measures are accomplished) must accommodate the 100 year storm~~

~~D.~~C. Drainage systems which would pass more than one hundred (100) ~~100~~ cubic feet per second (cfs) for the ten (10) year storm shall be capable of accommodating a fifty (50) year storm

~~E.~~D. Drainage systems which would pass more than two hundred (200) cubic feet per second (cfs) for the ten (10) year storm shall be capable of accommodating a one hundred (100) year storm

E. Permanent stormwater controls and drainage systems shall be sized to prevent flooding of any new structures for the one hundred (100) year storm and have no additional adverse impact on existing structures.

All stormwater system design calculations shall include the design flow and the full capacity of the stormwater facility.

4.2.3 Manning's Coefficients

Values for Manning's roughness coefficient for Reinforced Concrete Pipe (RCP), Polypropylene Pipe (PP), High Density Polyethylene Pipe (HDPE), and Corrugated Metal Pipe (CMP) are given below:

A. RCP n = 0.013 (precast or cast-in-place)

B. PP n = 0.012

C. HDPE n = 0.012

D. CMP n = 0.024 (non-spiral flow, annular)

Manning's roughness coefficient for grass lined ditches shall follow the methodology in The Federal Highway Administration (FHWA) HEC-15. Generally, a Manning's coefficient of 0.03 may be used for ditches with flow capacities less than one hundred (100) cubic feet per second. Generally, a Manning's coefficient of 0.06 may be used for grass-lined swales with flow depths less than 0.7 feet and velocities less than five (5) feet per second.

4.2.4 Hydraulic Gradient

The hydraulic gradient and slopes for storm sewers should conform to the following criteria:

A. The maximum hydraulic gradient shall not produce a velocity that exceeds twenty (20) feet per second, ten (10) feet per second or less is desirable. Velocities in excess of ten (10) feet per second may require specialized anchoring systems and designs.

B. The minimum desirable slope of storm sewers should be that which will produce a velocity of two and one half (2.5) feet per second when the storm sewer is flowing full.

C. Storm sewer systems should be designed for non-pressure, gravity flow conditions.

~~F.~~ The elevation of the hydraulic gradient for design conditions should be at least one half (0.5)

foot below ground elevation.

D.

4.2.5 Stormwater Management Plan

The design engineer shall submit a Stormwater Management Plan (SWMP) with the site construction plans. The SWMP shall include sufficient information to allow the City to evaluate the environmental characteristics of the project site, the potential impacts of all proposed development of the site, both present and future, on the water resources, and the effectiveness and acceptability of the stormwater control measures (SCMs). To accomplish this goal the SWMP shall include, at a minimum, the following:

A. Topographic base map: Topographic base map of the site which extends a minimum of 100 feet beyond the limits of the proposed development and indicates:

   a. Existing surface water drainage including streams, ponds, culverts, ditches, sink holes, wetlands; and the type, size, elevation, etc., of nearest upstream and downstream drainage structures;

   b. Current land use including all existing structures, locations of utilities, roads, and easements;

   c. All other existing significant natural and artificial features.

B. Proposed land use with tabulation of the percentage of surface area to be adapted to various uses; drainage patterns; locations of utilities, roads and easements; the limits of clearing and grading.

C. Proposed SCMs;

D. A written description of the site plan and justification of proposed changes in natural conditions may also be required;

E. Calculations: Hydrologic and hydraulic design calculations for the pre-development and post-development conditions for the design storm(s). These calculations must show that the proposed SCMs are capable of controlling runoff from the site in compliance with this chapter and the Stormwater Ordinance. Such calculations shall include:

   a. A description of the design storms including: frequency, duration, and intensity where applicable;

   b. Time of concentration;

   c. Soil curve numbers or runoff coefficients;

   d. Peak runoff rates and total runoff volumes for each watershed area;

   e. Infiltration rates, where applicable;

   f. Culvert, stormwater sewer, ditch and/or other stormwater conveyance capacities;

g. Flow velocities and/or rigid and flexible lining calculations for open channel design;

h. Comparison table for all watersheds and/or outfalls of pre and post-development rates of runoff.

i. Water Quality Treatment Volume (WQTV) calculations and figures.

j. Post-construction water quality SCM capacity sizing

k. Documentation of sources for all computation methods and field test results.

l. Soils information: If SCMs depend on the hydrologic properties of soils (e.g., infiltration basins), then a soils report shall be submitted. The soils report shall be based on on-site boring logs or soil pit profiles and soil survey reports. The number and location of required soil borings or soil pits shall be determined based on what is needed to determine the suitability and distribution of soil types present at the location of the control measure.

4.3 Peak Runoff Control

Peak runoff control shall be required for all development required to obtain a Land Disturbance Permit.

4.3.1 Hydraulics and Hydrology

A. Peak runoff control shall be designed to address the rate at which flow is released over the entire runoff discharge period and the volume of discharge over the Critical Design-Storm Period. This shall be applied for 2, 5, 10, 25, 50, and 100 year 24-hour storms.

B. The post-development peak discharge rate shall not to exceed the pre-development peak discharge rate.

C. Other methods for evaluating and controlling peak runoff may be considered on a case-by-case basis.

4.3.2 Partial Development of a Parcel

On parcels greater than ten (10) acres, the entire parcel and the area within the limits of construction shall be analyzed for peak runoff control. The peak runoff control shall be sized to attenuate the more strenuous condition.

4.3.3 Redevelopment

If redevelopment alters greater than fifty (50) percent of the pre-development impervious surface area and the post-development impervious surface area is greater than 2 acres. Peak runoff control shall evaluate pre-development site conditions as having a maximum curve number of seventy (70).

4.3.4 Outfalls

Each individual outfall discharge directed off-site of the development shall be designed to control the

peak rate of runoff in accordance with this section.

4.3.5 Existing Flooding Problems

When existing flooding problems are present, the City Engineer has authority to condition the approval of a permit upon the compliance with additional requirements, including but not limited to detention, conveyance facilities, or other stormwater management solutions required to reduce the adverse impact of the proposed development on other properties or on the subject development.

4.3.6 Waivers

Peak Runoff Control may be waived, with the approval of the City Engineer, if the development's stormwater discharges directly into a main stream.

4.3.7 Location of Facilities

Peak Runoff Control devices shall be located in common or open space lots in residential developments requiring plats. All other development shall be required to locate devices in an exclusive Public Utility and Drainage Easement (PUDE).

4.4 Water Quality

Post Construction Stormwater Quality shall be required for all development requiring a Land Disturbance Permit or development resulting in ten-thousand (10,000) square feet or more of additional impervious surface area. See Stormwater Ordinance for more detail.

~~4.3 General~~

~~A. Public streets are not to be used to collect and convey stormwater runoff other than that which falls on a lot fronting that street.~~

~~B. Construction shall not aggravate upstream or downstream flooding. Existing downstream or upstream problems may be required to be corrected in conjunction with development.~~

~~C. The construction and financing of any required off-site drainage improvement necessitated by private development within the same watershed shall be the responsibility of the developer.~~

~~D. Under no circumstances shall a site be graded or drained in such a way as to increase the peak rate of stormwater runoff to sinkholes, dry wells, or drainage wells.~~

~~E. Soil bioengineering, "green" and other "soft" slope and stream bank stabilization methods shall receive preference over riprap, concrete and other hard armoring techniques. "Hard" alternatives shall only be permitted when their necessity can be demonstrated given site-specific conditions.~~

~~F. The City may require maintenance or modification of stormwater management practices that are not operating within the guidelines established by this Chapter, as determined by the City Engineer.~~

~~G. Drainage channels shall be trapezoidal and have a base a minimum of two (2.0) feet in width, a depth a minimum of one (1.0) foot, side slopes a maximum of three to one (3:1), a minimum slope of one (1.0) percent, and a maximum slope of five (5.0) percent.~~

~~H. Swales along property lines shall have a minimum depth of six (6) inches, side slopes a maximum of three to one (3:1), and a minimum slope of two (2.0) percent.~~

~~I. The minimum size for driveway culverts shall be at minimum fifteen (15) inches with headwalls and endwalls constructed of concrete or masonry.~~

~~J. All pipes and culverts dedicated to the City shall be eighteen (18) inches in diameter at a minimum.~~

~~K. Pipes and culverts in private stormwater systems or driveways shall be a minimum of fifteen (15) inches in diameter, excluding small drains such as roof drains, underdrain systems, and yard drains serving a single lot.~~

~~L. The minimum slope for pipes shall be one-half (0.5) percent for sizes greater than or equal to twenty-four (24) inches in diameter. All pipes smaller than twenty-four (24) inches in diameter shall have a minimum slope of one (1.0) percent.~~

4.45 Drainage Inlets

A. Drainage inlets shall be designed to minimize the spread of stormwater into the travel lanes by no more than half of a lane width. Bike lanes, shoulders, etc. May be fully utilized for spread.

B. Inlets or manholes shall be located a minimum of every three hundred (300) feet of storm pipe.

C. Inlets shall be located a minimum of every three hundred (300) feet of roadway for each side of the roadway, unless specific hydraulic analysis of spread is provided.

~~C.~~D. Inlets shall be located a minimum of every one hundred fifty (150) feet of alley.

~~D.~~E. Inlets shall be located at intersections to prevent drainage and spread from ~~to flow~~ across travel lanes ~~street intersections~~.

4.64 Subdivision and Lot Drainage

Subdivision and residential lot drainage shall be designed to minimize lot to lot drainage. Lot line swales shall be provided to direct and accommodate each lots drainage towards drainage infrastructure.

Surface ~~D~~drainage channels within a subdivision providing drainage for the following shall be located on a common or open space lot a minimum of ten (10) feet in width within a ~~dedicated p~~public drainage easement or public right-of-way.

1. Eight (8) or more lots, either in whole or a portion of;

2. Public infrastructure; or ~~or~~

3. ~~An area equivalent~~ A contributing drainage area of ~~to~~ two (2.0) or more acres. ~~.~~

4.9~~7~~ Aquatic Buffers

4.7.1 Applicability and Authority

All Development and redevelopment projects ~~and sites requiring a Land Disturbance Permit~~ are required to preserve aquatic buffers along the regulatory waterways and aquatic resources within the City of Columbia. Aquatic buffers are considered a Stormwater Control Measure (SCM) and are subject to the provisions of the Stormwater Ordinance.

4.7.3 Width Required

A. Aquatic buffers shall have ~~a~~ widths as shown in **Table 6**, unless site-specific conditions necessitate alternative widths. The criteria for the width of the buffer zone can be established on an average width basis, as long as the minimum width of the buffer zone is more than the required minimum width at any measured location. Buffer average may be applied to both sides of a stream, but must be applied independently. Buffer averaging may not account for any portion of buffer greater than four (4) times the minimum buffer width.

4.7.4 Design ~~and Activities Permitted~~and General Performance Standards

A. Stormwater discharges should enter the aquatic buffer as sheet flow, not as concentrated flow, where site conditions allow.

B. The predominant vegetation within the average buffer width area should be forested with native species. Where aquatic buffers are required to be sixty (60) feet, the minimum buffer width shall be predominantly forested with native species and the remaining buffer~~s~~ may be herbaceous ground cover.

~~C.~~A. ~~Where existing vegetation is insufficient or the aquatic buffer areas are impacted by previous development and cannot reasonably be restored to a natural state without intervention, the buffers shall be actively restored in a manner consistent with best management practices and the Tennessee Urban Buffer Handbook provided by the Tennessee Department of Agriculture and the U.S. Forest Service.~~

~~D.~~C. Pedestrian, bicycle, and multi-modal paths may be permitted within the aquatic buffer when located outside the minimum buffer width. If constructed of impervious materials, the buffer width shall be increased by the width of the trail or runoff shall be directed to infiltration-based SCM's.

~~E.~~D. Aquatic ~~B~~buffers located within a subdivision shall be located on a common or open space lot within a PDE, PUDE, or PUDAE, or within a ~~C~~city right-of-way.

~~F.~~E. Aquatic b~~B~~uffers shall have reasonable access by City personnel through a PDE, PUDE, PUDAE, or City right-of-way. The number, location, and size of such accesses shall be determined by the City Engineer.

~~G.~~F. Road crossings and private accesses shall minimize impact upon the aquatic buffer. Crossings should be limited to one every one thousand (1,000) feet of stream length where possible. The angle of the crossing shall be perpendicular to the angle of the stream to minimize clearing and impacts upon the aquatic buffer.

~~H.~~G. Utilities, flood control structures, stormwater conveyances, and infrastructure shall minimize impact upon the aquatic buffer. Where possible, these facilities shall be located outside of the buffer.

~~I. Stream restoration projects, facilities, and activities approved by the City of Columbia Department of Development Services are permitted within the aquatic buffer.~~

~~J. Water quality monitoring and stream gauging are permitted within the aquatic buffer, as approved by the Development Services Department.~~

~~K.~~H. ~~Individual trees within the aquatic buffer that are in danger of falling, causing damage to dwellings or other structures, or causing blockage of the stream may be removed. Non-native species may be selectively removed.~~

~~L. Other timber cutting techniques approved by the City of Columbia Department of Development Services may be undertaken within the aquatic buffer under the advice and guidance of Tennessee Department of Agriculture, Division of Forestry. The City of Columbia Development Services Department shall also be notified if timber cutting is to occur within the forest buffer~~

4.7.5 Restoration Required

For developments receiving a Land Disturbance Permit and ~~W~~where existing vegetation is insufficient or the aquatic buffer areas are impacted by previous development and cannot reasonably be restored to a natural state without intervention, the buffers shall be actively restored in a manner consistent with best management practices and the Tennessee Urban Buffer Handbook provided by the Tennessee Department of Agriculture and the U.S. Forest Service.

4.7.6 Activities Permitted

A. Stream restoration projects, facilities, and activities approved by the City of Columbia Department of Development Services are permitted within the aquatic buffer.

B. Water quality monitoring and stream gauging are permitted within the aquatic buffer, as approved by the Development Services Department.

C. Individual trees within the aquatic buffer that are in danger of falling, causing damage to dwellings or other structures, or causing blockage of the stream may be removed. Non-native species may be selectively removed.

D. Other timber cutting techniques approved by the City of Columbia Department of Development Services may be undertaken within the aquatic buffer under the advice and guidance of Tennessee Department of Agriculture, Division of Forestry. The City of Columbia Development Services Department shall also be notified if timber cutting is to occur within the aquatic buffer

4.7.5 Maintenance

A. All ~~forest~~ aquatic buffer areas shall be maintained through a declaration of protective covenant, which is required to be submitted for approval by the City of Columbia Department of Development Services. The covenant shall be recorded in the land records and shall run with the land and continue in perpetuity.

B. All lease agreements must contain a notation regarding the presence and location of protective covenants for ~~forest~~ aquatic buffer areas and shall contain information on the management and maintenance requirements for the new property owner.

C. An offer of dedication of an ~~forest~~ aquatic buffer area to the City of Columbia shall not be interpreted to mean that this automatically conveys to the general public the right of access to this area.

D. ~~Forest~~ Aquatic buffer areas may be allowed to grow into their vegetative target state naturally, but methods to enhance the successional process such as active reforestation may be used when deemed necessary by the Tennessee Department of Agriculture, Division of Forestry or the City of Columbia Department of Development Services to ensure the preservation and propagation of the buffer area. ~~Forest~~ Aquatic buffer areas may also be enhanced through reforestation or other growth techniques as a form of mitigation for achieving buffer preservation requirements.

Chapter 5: Grading and Site Development Standards

5.1 General Grading Standards

A. The City Engineer has the authority to adopt site grading standards.

B. Construction shall not aggravate upstream or downstream flooding. Existing downstream or upstream problems may be required to be corrected in conjunction with development or redevelopment.

C. All property lines and corners shall be clearly delineated in the field prior to commencement of any grading and construction.

D. During rough grading operations and prior to construction of permanent drainage structures, temporary drainage control should be provided to prevent ponding water and damage to adjacent properties.

E. No fill shall be placed on existing ground until the ground has been cleared of weeds, debris, topsoil, and other deleterious material.

F. Trash, debris, and waste shall be handled, disposed, and stored in a manner consistent with best practices and the TN ESPC Handbook.

G. The maximum slope of all cut and fill slopes shall not exceed three-to-one (3H:1V). The City Engineer may require geotechnical evaluation of the stability and suitability of any natural slopes exceeding three-to-one (3H:1V).

H. No obstruction of existing drainage courses shall be permitted.

I. Unless approved by the City Engineer, all fill areas shall be raised in lifts no more than eight (8) inches in thickness. The relative compaction of each layer shall be not less than ninety-five (95) percent of the standard proctor maximum dry density (ASTM D-698) in all areas of fill within open areas, and ninety-eight (98) percent for areas under roads, sidewalks, buildings, and structures.

J. Final grades shall provide proper drainage away from structures and prevent standing water, where possible.

K. Constructed slopes with an average grade of four-to-one (4H:1V) or steeper and an overall height of 20 feet or greater shall have a geotechnical design and certification.

L. Constructed fill slopes with an average grade of four-to-one (4H:1V) or steeper and an overall height of five (5) feet and up to ten (10) feet shall be set back from adjoining property line(s) a minimum of five (5) feet.

~~J.~~M. Constructed fill slopes with an average grade of four-to-one (4H:1V) or steeper and an overall height of ten (10) feet or greater shall be set back from adjoining property line(s) half of the height of the of the fill slope.

5.2 Mitigation of Flood Risk

A. Primary and accessory structures ~~Lots~~ adjacent to or in the immediate vicinity of a river, stream, waterbody, aquatic buffer, or large drainage channel that do not have a base flood elevation established shall ~~shall at minimum~~ have the lowest adjacent grade to the structure elevated a minimum of ~~be elevated~~ two (2.0) feet above the nearest top of bank ~~for the entire building footprint of any primary and accessory structure~~.

~~A.~~B. Primary and accessory structures adjacent to or in the immediate vicinity of a river, stream, waterbody, aquatic buffer, or large drainage channel ~~Lots adjacent to a river, stream, waterbody, aquatic buffer, or large drainage channel that~~ do have a 100-year base flood elevation established shall have the lowest adjacent grade to the structure elevated to the base flood elevation. ~~at minimum be elevated to the base flood elevation for the entire building footprint of any primary and accessory structure.~~ The CMPC may grant exceptions to this requirement if no other practicable or feasible alternatives exist. All requests for waiver shall be submitted by an engineer clearly define the hardship with full compliance of this regulation, the proposed alternative, and demonstration of the minimization and mitigation of flood risk to the maximum extent practicable.

C. Primary and accessory structures ~~Lots~~ adjacent to a sinkhole or depression shall ~~at~~ have the lowest adjacent grade to the structure ~~minimum be~~ elevated a minimum of one (1.0) foot above the emergency bypass or reasonable filled elevation of the sinkhole or depression. ~~.~~

D. The City Engineer may require a flood study to be performed in areas with known flood hazard or indicative of hazardous terrain.

~~B.A. Fill material, or construction materials that elevate the grade only within the immediate building footprint shall not be considered in net fill calculations for compensatory flood storage.~~

E. No net fill shall be permitted within a FEMA Special Flood Hazard ~~Zone~~Area or areas where flood

studies have established a 100-year base flood elevation and corresponding floodplain. Compensatory cut areas, if provided, shall be located on-site. Fill material, or construction materials that elevate the grade only within the immediate building footprint shall not be considered in net fill calculations for compensatory flood storage. Standard procedures for evaluating and modeling FEMA Special Flood Hazard areas shall be followed for all alterations within the Special Flood Hazard Areas.

5.3 Grading Plans

Grading plans shall show with reasonable certainty the final and finish grades of all portions of the development site and building lot(s). Any deviations from these plans shall require approval by the City Engineer or designee.

A. Spot elevations may be required to provide a full and complete review.

B. Proposed grading contours shall be fully constructible as shown on the plans.

C. Where certain features may be less than the contour resolution of the plans, the plans shall indicate with clear intent the design and function goal.

D. Drainage infrastructure, detention/retention facilities, and preliminary lot grading shall be complete prior to any Final Plat being approved.

~~D.~~E. Deviations of grade greater than one (1.0) foot including the padding of lots from the approved construction plans is prohibited.

5.4 Sinkholes and Depressions

A. The City Engineer may require a geotechnical evaluation of all ~~depressions and~~ sinkholes and depressions prior to the approval of a development plan or construction plans. ~~.~~

~~A.~~B. The City Engineer shall have the authority to delineate the extents of sinkholes. Generally, the extents of a sinkhole is the highest closed contour.

~~B.~~C. Where feasible and practicable, sinkholes should remain in an undisturbed condition.

~~C.~~D. Sinkholes in subdivisions shall be located on common or open space lots. ~~, unless a closure permit is acquired by the State of Tennessee.~~

~~D.~~E. Infrastructure, roadways, and structures shall not be located within the extents of a sinkhole, regardless of closure.

~~E.~~F. Any sinkholes functioning as part of the stormwater management system shall have reasonable access by City personnel with the access and the open space lot being contained within a public drainage easement.

G. Any sinkholes functioning as part of the stormwater management system shall have a constructed bypass system, such that if the sinkhole fails or ceases accepting stormwater runoff the excess may be diverted in a controlled manner.

5.5 Stabilization

Any area of land from which the natural vegetative cover has been either partially or wholly cleared by development activities shall be stabilized. Stabilization measures shall be initiated as soon as possible where construction activities have temporarily or permanently ceased. Temporary or permanent soil stabilization shall be installed where construction activity on a portion of the site is temporarily or permanently ceased within fourteen (14) days or less if other regulations or requirements require.

Permanent stabilization with perennial vegetation (using native herbaceous and woody plants where practicable) or other permanently stable, non-eroding surface shall replace any temporary measures as soon as practicable. Unpacked gravel containing fines (silt and clay sized particles) or crusher runs will not be considered a non-eroding surface.

The following criteria shall apply to revegetation efforts:

A. Reseeding must be done with an annual or perennial cover crop accompanied by placement of straw mulch or its equivalent of sufficient coverage to control erosion.
B. Revegetation with native woody and herbaceous vegetation must be accompanied by placement of straw mulch or its equivalent of sufficient coverage to control erosion until the plantings are established and are capable of controlling erosion.
C. Any area of revegetation must exhibit survival of a minimum of seventy-five percent (75%) of the cover crop throughout the year immediately following revegetation. Revegetation must be repeated in successive years until the minimum seventy-five percent (75%) survival for one (1) year is achieved.
D. In addition to the above requirements, a landscaping plan must be submitted with the final design describing the vegetative stabilization and management techniques to be used at a site after construction is completed. This plan will explain not only how the site will be stabilized after construction, but who will be responsible for the maintenance of vegetation at the site and what practices will be employed to ensure that adequate vegetative cover is preserved.

No Certificate of Occupancy, acceptance, or otherwise approval of completion shall be issued until final grading has been completed and the soil has been stabilized in accordance with this section and the approved construction plans.

Adequate topsoil shall be retained or reserved for residential developments, and shall be redistributed so as to provide a minimum of six (6) inches of cover on vegetated portions of the lots and between any sidewalks and curbs. All disturbed areas shall be stabilized with permanent vegetation.

5.10 Critical Lots and Areas

A lot or area within shall be designated as critical if one or more of the following conditions are present:

A. Natural slopes exceeding three-to-one (3H:1V).

B. ~~The presence of a sinkhole.~~ Adjacent to a sinkhole.

C. Adjacent to a 1% annual flood risk FEMA special flood hazard zone.

D. ~~Cut or fill s~~Slopes that exceed eight (8) feet in height ~~of~~with an average grade of four-to-one (4H:1V) ~~twenty (20) percent~~ or greater. ~~exceed six (6) feet in height.~~

E. Retaining walls over six~~four~~ (6~~4~~) feet in height.

F. Site specific conditions that may make development or construction difficult.

The City Engineer may require a Critical Lot Plan and supplementary information for each lot or area prior to development or construction. The Critical Lot Plan shall include at a minimum:

A. Existing and proposed grades at one (1) foot intervals;

B. Finished floor elevations;

C. Mechanical system locations and elevations;

D. EPSC measures; and

E. Any other information requested or required by the City Engineer to make a judgement on the suitability, constructability, and safety.

5.11 Parking

A. Parking shall conform to the Zoning Ordinance.

B. Parking aisles shall have ~~a~~ minimum curb radii~~i~~ of fifteen (15) feet where intersecting other parking aisles.

C. Parking aisles that terminate shall stub five (5) feet beyond the last parking stall to facilitate backing movements for parked vehicles. This area shall be hatched with pavement markings.

D. Parking stalls adjacent to a curbed island shall be a minimum of one (1) foot wider than the standard stall width to allow safe exit from the vehicle.

E. Drainage grates shall be not located within a logically travelled pedestrian pathway, where possible.

F. Parking aisles that function as fire access lanes shall loop upon themselves, where possible.

~~F.~~G. The use of ~~T~~turnarounds ~~shall~~ should be avoided~~.~~, where possible. Where turnarounds are provided or required, they shall meet the requirements of the Columbia Fire Marshal. ~~-~~

5.15 Retaining Walls

A. Construction plans and supporting materials for retaining walls requiring a building permit (see Building Code) shall consist of scaled drawings with specifications and all relevant and supporting data and calculations and all other information requested by the City Engineer and Building Official to perform a full and complete review. The construction plans shall be neat and legible, such that all information contained within can be clearly and accurately ascertained.

B. Pedestrian guards shall be located along open-sided walking surfaces, including mezzanines, equipment platforms, stairs, ramps, and landings that are located more than thirty (30) inches measured vertically to the floor or grade below at any point within thirty-six (36) inches horizontally to the edge of the open side.

C. Pedestrian guards shall be required on all walls exceeding six (6) feet in height or on walls that the department deems a reasonable hazard to health and human safety.

D. Retaining walls with pedestrian guards shall have a landing with maximum 10H:1V at the top of the wall extending forty-eight (48) inches perpendicular from the guard.

E. Maximum slopes adjacent to retaining walls shall be 3H:1V.

F. Retaining walls in single-family residential developments shall not exceed fifteen (15) feet in height. Walls may be terraced where walls are stepped back ten (10) feet from face of wall to face of wall where the walls are between ten (10) and fifteen (15) feet or stepped back six (6) feet where walls are less than (ten) feet in height.

G. Retaining walls not in single-family residential developments shall not exceed twenty (20) feet in height. Walls may be terraced where walls are stepped back ten (10) feet from face of wall to face of wall where the walls are between ten (10) and twenty (20) feet in height or stepped back six (6) feet where walls are less than (ten) feet in height. The City Engineer may grant exceptions to this requirement if no other practicable or feasible alternatives exist. All requests for waiver shall be submitted by an engineer clearly define the hardship with full compliance of this regulation, the proposed alternative, and demonstration of the minimization and mitigation of risk to the maximum extent practicable.

H. The maximum allowable height for retaining walls shall be reviewed and approved by the City Engineer. The City of Columbia may require walls over a certain height to be stepped or terraced.

I. The angle of repose shall be assumed to be 45 degrees or less steep, unless site specific soil testing and data is provided.

J. No geogrids or mechanically stabilized earth will be acceptable within a public right-of-way limit nor within any PUDE, unless approved by the City Engineer.

K. No retaining wall shall be constructed to support a public right-of-way or be within the angle of repose of the right-of-way, unless approved by the City Engineer. Where retaining walls are approved within the right-of-way, more stringent design standards may be required by the City Engineer.

L. Retaining walls six (6) feet or greater in height shall be a minimum of five (5) feet from the right-of-way.

M. Retaining walls six (6) feet or greater in height shall be a minimum of five (5) feet from adjacent property lines.

N. No retaining wall shall be constructed to support or be within the angle of repose of single-family structures, unless approved by the City Engineer.

O. Retaining walls or walls shall not be designed to primarily retain surface waters. Walls shall be designed in a manner to reinforce and support soils.

5.16 Pump Stations

Pump stations owned and operated by the City of Columbia shall have the following minimum requirements for site development standards. The operating entity shall have the authority to dictate greater requirements where the specific nature of the proposed pump station requires special consideration:

A. Shall be located within a common or open space lot

B. Shall be encompassed within an exclusive seventy-five (75) by seventy-five (75) foot easement. Slopes within the easement shall not exceed five (5) percent, two (2) percent is desired.

C. The exclusive easement shall be surrounded by fence consistent with the requirements of the operating entity.

D. An evergreen hedge screen shall be provided around the perimeter of the fence, consistent with the requirements of hedge screens in the Zoning Ordinance.

E. The exclusive easement shall be surrounded by a twenty-five (25) foot buffer along all sides.

F. The driveway/access to the pump station shall have the following minimum standards:

   a. A minimum of twelve (12) feet in width

   b. Constructed to the local road pavement section

   c. Encompassed in a twenty (20) foot access easement

   d. Ten (10) percent maximum grade

   e. Shall intersect the fenced area perpendicularly at the location determined by the operating entity.

   f. Shall be required to construct a turnaround, if the driveway/access exceeds one hundred fifty (150) feet.

G. All structures and applicable equipment shall acquire a building permit prior to construction.

Chapter 6: Definitions

Avenue
A broad thoroughfare lined with planted strips and trees.

Boulevard
A broad thoroughfare with lanes separated by a planted median.

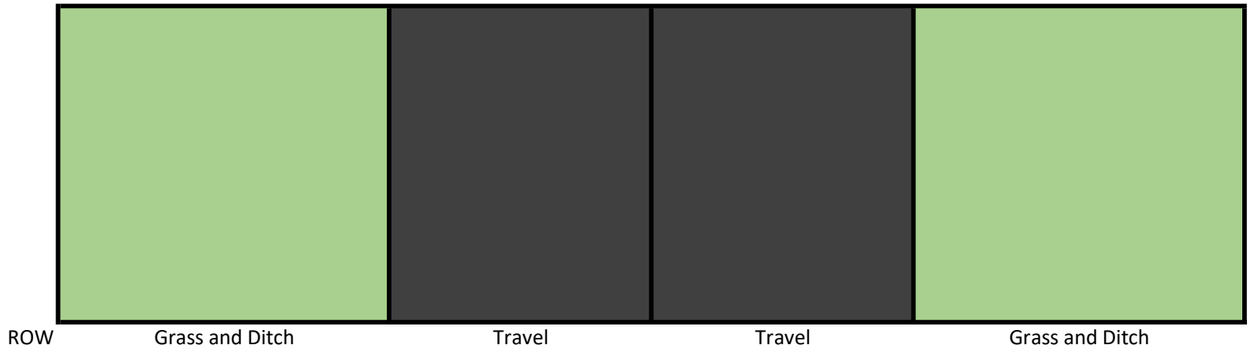
Design storm event

A hypothetical storm event, of a given frequency interval and duration, used in the analysis and design of a stormwater facility. The estimated design rainfall amounts, for any return period interval in terms of either 24-hour depths or intensities for any duration, can be found by accessing the following NOAA National Weather Service Atlas 14 data for the Columbia, Tennessee station ID: 40-1957.

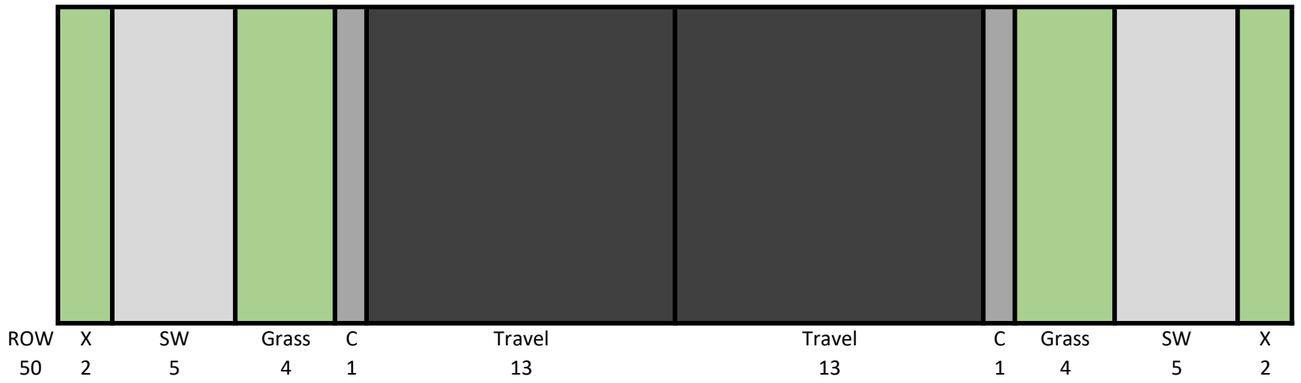
Impervious Surface

Areas which prevent or impede the infiltration of stormwater into the soil as it entered in natural conditions prior to development. Common impervious areas include, but are not limited to, rooftops, sidewalks, walkways, patio areas, driveways, parking lots, storage areas, compacted gravel, awnings and other fabric or plastic coverings.

CD-2


ROW
50
Grass and Ditch
14
Travel
11
Travel
11
Grass and Ditch
14

CD-3L


ROW
50
X
2
SW
5
Grass
4
C
1
Travel
13
Travel
13
C
1
Grass
4
SW
5
X
2

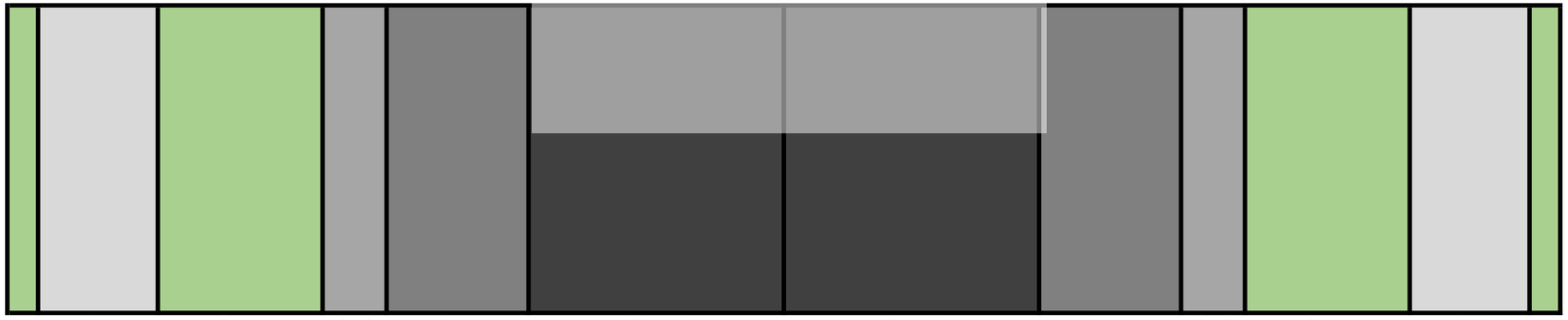
CD-3, SD-MHP
No Parking

ROW	X	SW	Grass	C&G	Travel	Travel	C&G	Grass	SW	X
55	2	5	7	2.5	11	11	2.5	7	5	2

CD-3, SD-MHP
Parking One Side

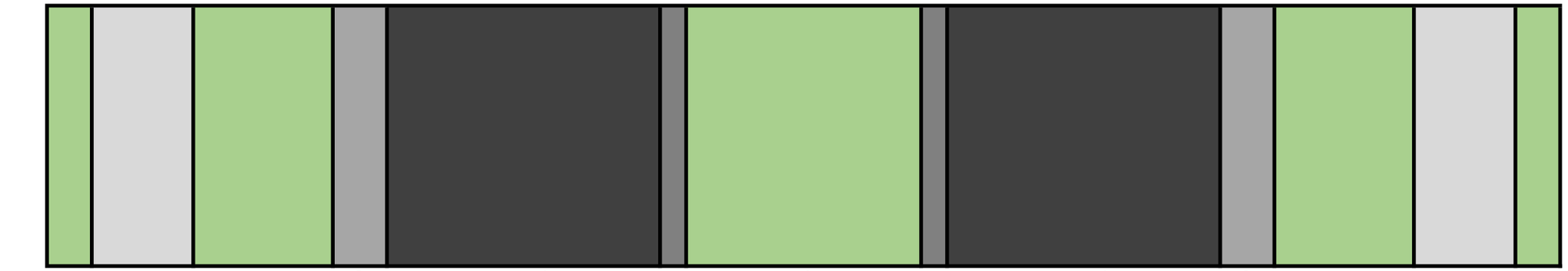
ROW	X	SW	Grass	C&G	Travel	Travel	Park	C&G	Grass	SW	X
60	1.5	5	7	2.5	11	11	6	2.5	7	5	1.5

CD-3, SD-MHP
Parking Both Sides



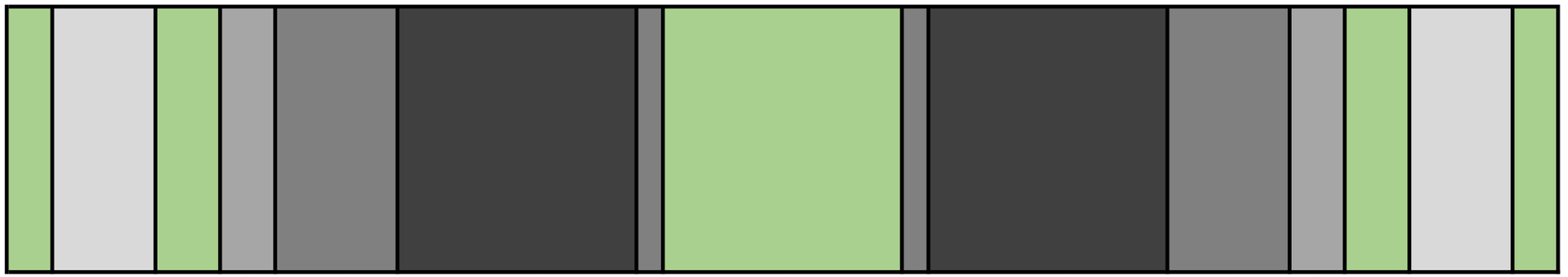
ROW	X	SW	Grass	C&G	Park	Travel	Travel	Park	C&G	Grass	SW	X
65	1	5	7	2.5	6	11	11	6	2.5	7	5	1

CD-3, SD-MHP
Boulevard
No Parking



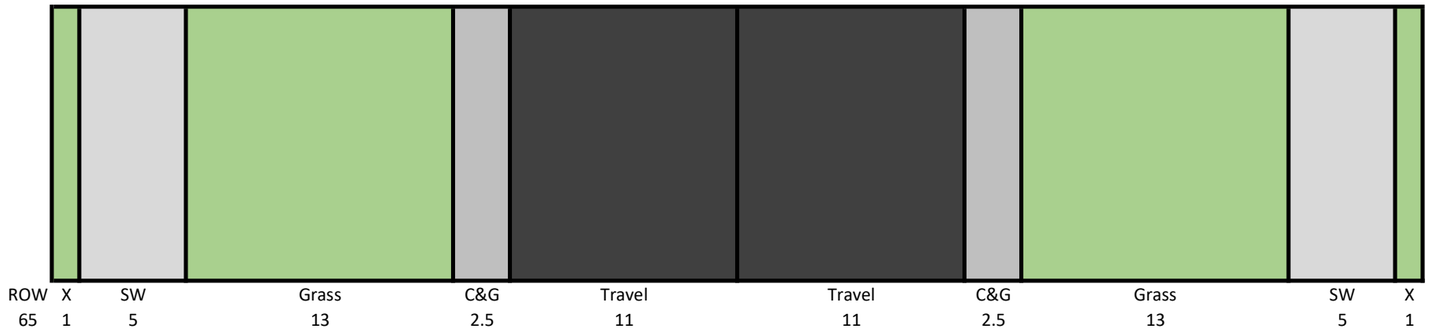
ROW	X	SW	Grass	C&G	Travel	C	Median	C	Travel	C&G	Grass	SW	X
75	2	5	7	2.5	14	1	12	1	14	2.5	7	5	2

CD-3, SD-MHP
Boulevard
With Parking

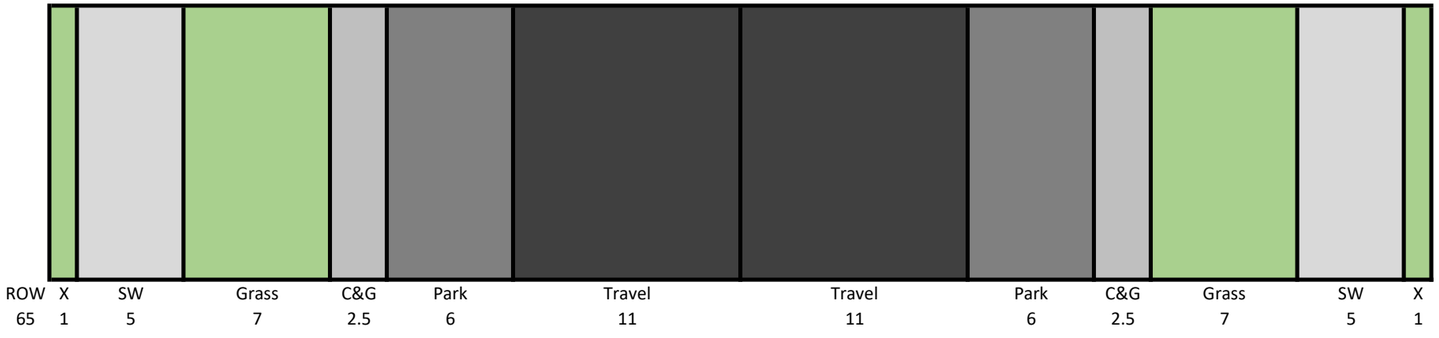


ROW	X	SW	Grass	C&G	Park	Travel	C	Median	C	Travel	Park	C&G	Grass	SW	X
75	2	5	3	2.5	6	12	1	12	1	12	6	2.5	3	5	2

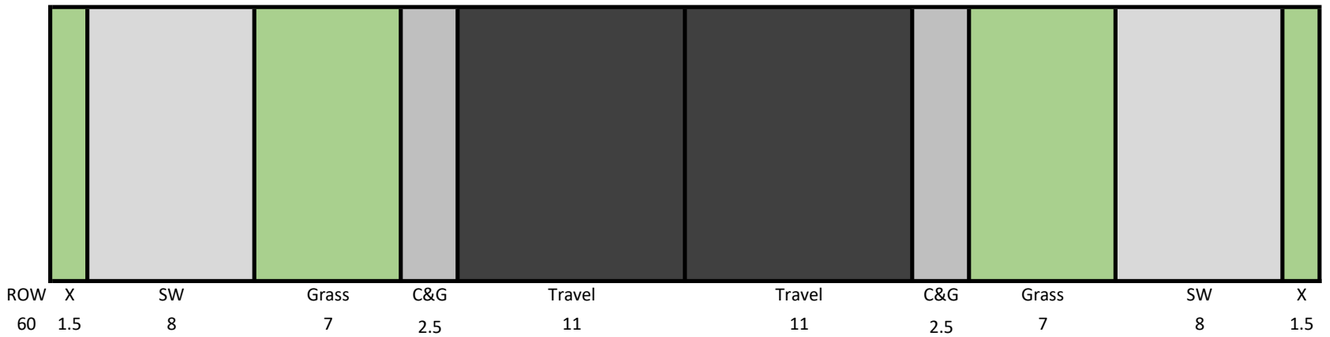
CD-4, PUD-R
No Parking



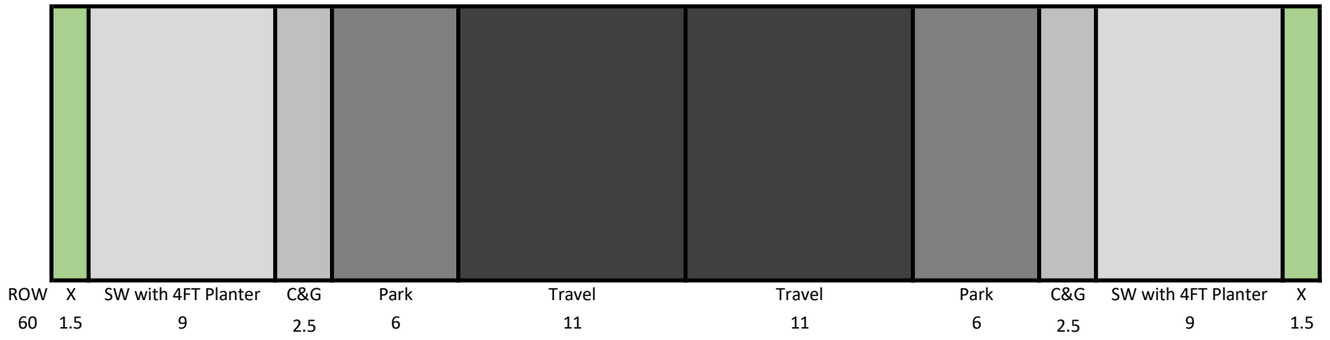
CD-4, PUD-R
With Parking



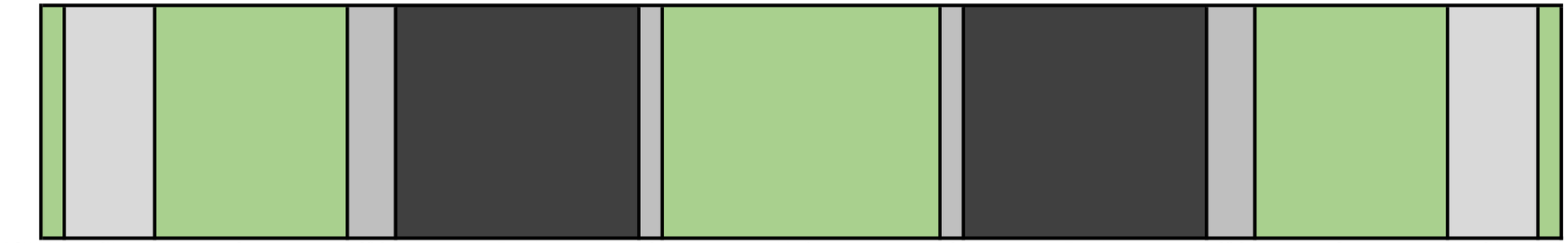
CD-4C, PUD-MU, SD-INT
No Parking



CD-4C, PUD-MU, SD-INT
With Parking



CD-4, PUD-R
CD-4C, PUD-MU, SD-INT
Boulevard
No Parking



ROW	X	SW	Grass	C&G	Travel	C	Median	C	Travel	C&G	Grass	SW	X
85	1	5	11	2.5	14	1	16	1	14	2.5	11	5	1

CD-4, PUD-R
CD-4C, PUD-MU, SD-INT
Boulevard
No Parking

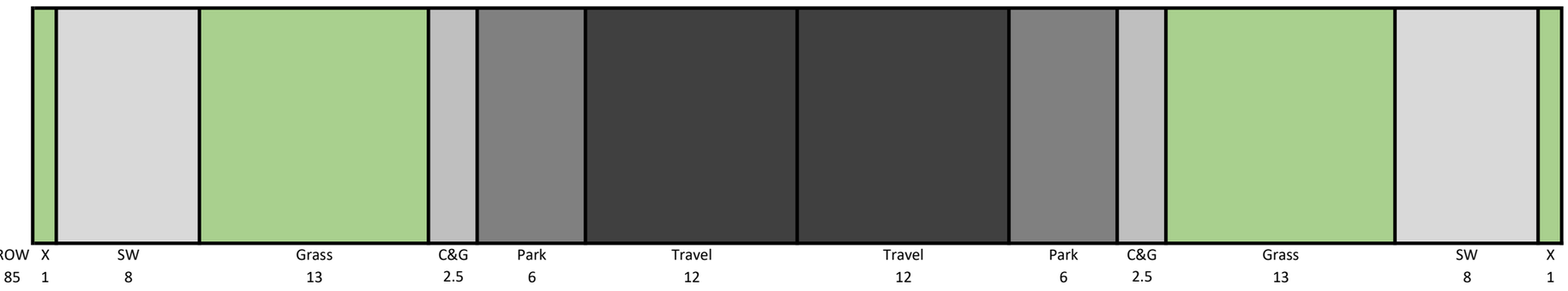
ROW	X	SW	Grass	C&G	Park	Travel	C	Median	C	Travel	Park	C&G	Grass	SW	X
85	1	5	7	2.5	6	12	1	16	1	12	6	2.5	7	5	1

CD-4, PUD-R
CD-4C, PUD-MU, SD-INT
4 Lane Boulevard
No Parking

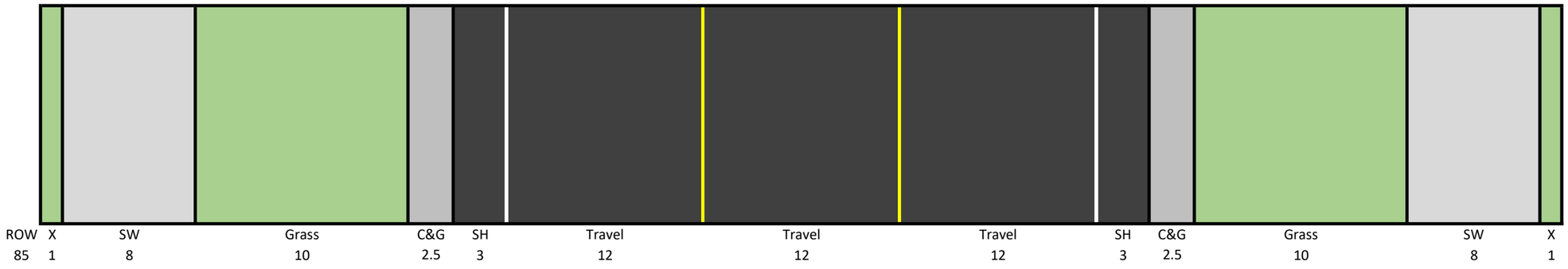
ROW	X	SW	Grass	C&G	Travel	Travel	SH	C	Median	C	SH	Travel	Travel	C&G	Grass	SW	X
100	1	5	7	2.5	12	12	1.5	1	16	1	1.5	12	12	2.5	7	5	1

CD-4C, PUD-MU, SD-INT
Avenue
No Parking

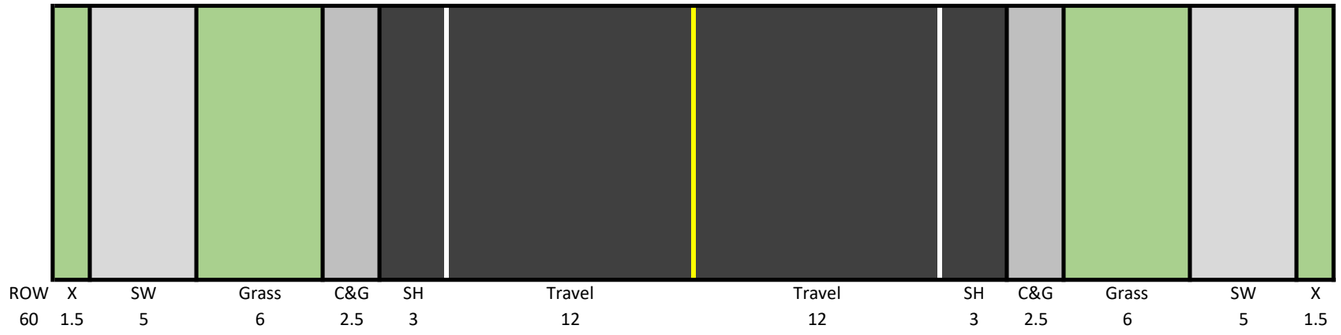
CD-4C, PUD-MU, SD-INT
Avenue
With Parking



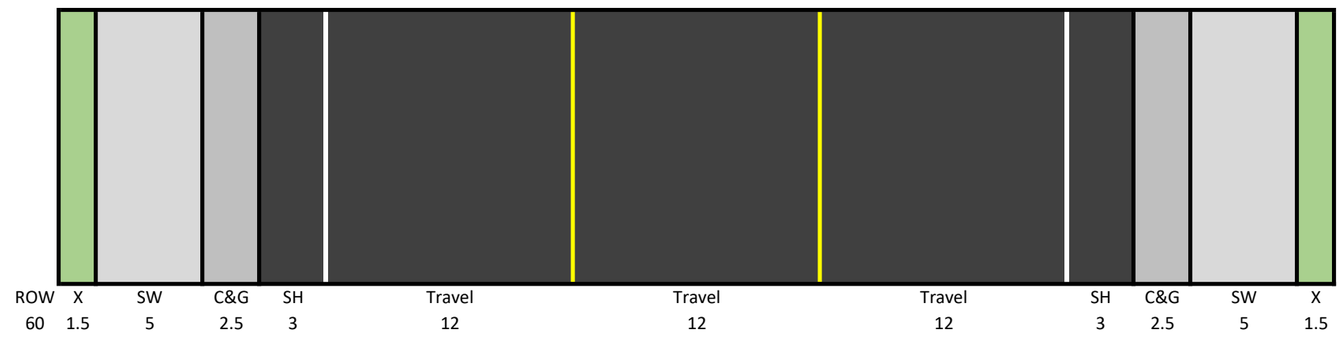
CD-4C, PUD-MU, SD-INT
3 Lane Avenue
No Parking



SD-LI, SD-HI
2 Lane
No Parking



SD-LI, SD-HI
3 Lane
No Parking



City of Columbia

Engineering Standards and Specifications

Adopted June XX, 20XX

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Amendments

Number	Date	Ordinance #

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Chapter 1: General Provisions

1.1 Title

These regulations shall hereinafter be known and cited as the Engineering Standards and Specifications (ESS) of Columbia, Tennessee. They may be referenced within this document as standards, specifications, or regulations.

1.1 Purpose

This document describes the technical design and construction requirements for land development within the City of Columbia, hereinafter referred to as "City". These standards and specifications utilize best practices and well-established standards to promote design that enhances the health, safety, and welfare of the general public, and to provide for the harmonious development of the City.

1.2 Applicability

These specifications shall apply to all entities, persons, developers, firms, or businesses interested in developing property within the City. These specifications are intended only to apply to new developments and streets within a development in the City, unless otherwise specified, or unless remedial work on existing infrastructure is required. The design and construction requirements in this document shall be sensitive to the character of the surrounding areas, impacts upon historic and environmental resources, and existing infrastructure.

1.3 Jurisdiction

Except as otherwise specified or required by law, these rules and regulations shall apply to all areas within the jurisdiction of the City of Columbia. Variations or exceptions to any of the standards of this Ordinance shall be approved by the City Engineer. Any appeals to the City Engineer's determination or these regulations shall be made to the Columbia Municipal Planning Commission (CMPC) as specified in **Section 1.10**.

1.4 Compliance Officer

It shall be the duty of the Columbia City Engineer (hereinafter referred to as the "Compliance Officer" or "City Engineer" or his/her designee to enforce these regulations and to bring to the attention of legal counsel any violations or lack of compliance herewith.

1.5 Relationship to Other Laws and Agreements

1.5.1 Conflict with Other Public Laws, Ordinances, Regulations, or Permits

Where provisions of this ordinance impose greater restrictions than those of any other City, State, or Federal regulation, statute, or ordinance the provisions of this ordinance shall be controlling. Where the provisions of any City, State, or Federal regulation, statute, or ordinance imposes greater restrictions than this ordinance, the provisions of such City, State, or Federal regulation, statute, or ordinance shall be controlling.

1.5.2 Conflict with Private Agreements

This Ordinance is not intended to revoke or repeal any easement, covenant, or other private agreement. However, where the regulations of this ordinance are more restrictive or impose higher standards or requirements than such easement, covenant, or other private agreement, then the requirements of this ordinance shall govern. Nothing in this Ordinance shall modify or repeal any private covenant or deed restriction, but such covenant or restriction shall not excuse any failure to comply with this Ordinance. The City shall not be obligated to enforce the provisions of any easements, covenants, or agreements between private third parties.

1.5.3 Vested Property Rights

In accordance with TCA 13-4-310, the following list specifies the types of plans approved, on or after January 1, 2015, that will cause a vested property right to be established. Vestment rights and periods shall be in accordance with TCA 13-4-310 and the Zoning Ordinance.

A. Approval by the CMPC, or Administratively by Staff, of a Development Plan as required by Zoning Ordinance;

B. Approval by the CMPC, or Administratively by Staff, of a Final Plat as required by the Subdivision Regulations;

C. Approval by the City Council of a Planned Unit Development as required by the Zoning Ordinance; or,

D. Approval by the CMPC of a Preliminary Plat, when not part of a PUD Development Plan, as required by the Subdivision Regulations.

1.5.4 Permits from other Government Agencies, Entities, and Departments

Prior to beginning any construction, the developer/contractor/property owner shall obtain all necessary permits as required by law. Such permits may include but are not limited to: those required by the State of Tennessee, Maury County, and City Departments, Commissions, or Boards.

1.6 Severability

It is hereby declared to be the intention of the City Council of Columbia, Tennessee, that the provisions of this Ordinance are separable. If any court of competent jurisdiction shall adjudge any provision of this Ordinance invalid, such judgment shall not affect any other provision of this ordinance not specifically included in said judgment; and if any court of competent jurisdiction shall adjudge invalid the application of any provision of this Ordinance to a particular property such judgment shall not affect the application of said provisions to any other property not specifically included in said judgment.

1.7 Saving Provision

These Engineering Standards and Specifications shall not be construed as abating any action now pending under or by virtue of previous applicable regulations or standards, or as discontinuing, abating, modifying, or altering any penalty accruing or about to accrue, or as affecting the liability of any person, or as waiving any right of the governing body under any section or provision existing at the time of

adoption of these regulations, or as vacating or annulling any rights obtained by any person by lawful action of the governing body, except as expressly shall be provided otherwise in these regulations.

1.8 Modifications

When the provisions of this ordinance are not appropriate or cannot be justified, modifications to these provisions shall be examined on a case-by-case basis by the City Engineer using the following criteria:

A. The proposed modifications do not negatively impact the health, safety, and welfare of the general public;

B. The proposed modifications adhere to best practices and well-established engineering standards; and

C. The proposed modification is necessary or meets and exceeds the standards of this document using alternative designs or methodologies.

Where a modification is desired, the developer, contractor, or design professional in responsible charge of the project shall submit the following information in writing to the City Engineer:

A. Identification of the specific provisions to be modified;

B. Identification of the alternative design or standards being proposed;

C. A thorough justification of the alternative design; and

D. A notarized affidavit attesting that all information in the request is true and complete, and the applicant has the authority over the development project to request such a modification.

1.9 Amendments

For the purpose of providing for the public health, safety, and general welfare the City Council may from time to time amend these regulations.

1.10 Appeals

A. The Planning Commission shall hear and decide appeals of orders, decisions, or determinations made by the City Engineering or designee relating to the application and interpretation of the technical provisions of the adopted Engineering Standards and Specifications.

B. The application for appeal shall be filed with the Development Services Department within ninety (90) calendar days after the ruling by the City Engineer was made, and shall be accompanied by a fee, as determined by the Development Services Department.

C. The Planning Commission may grant exceptions to the provisions of this ordinance only after finding that the life, safety, health, and general welfare of the City will not be impacted by such an exception.

D. Each item listed below shall be considered and deemed satisfied by the CMPC prior to the

approval of an exception:

1. The strict application of this ordinance would result in practical difficulties to or undue hardship on the owner of the property;

2. The situation is not self-created; and

3. The exception may be granted without substantial detriment to the public good and without sustainably impairing the intent and purpose of this ordinance.

E. The CMPC shall keep a record of all appeals.

1.11 Inspection

All developments shall be subject to inspection during and upon completion of construction by an authorized representative(s) of the City. Presence or absence of an inspector during construction does not relieve the Developer and/or Contractor from adherence to approved plans and material contained in these specifications or from liability. Materials and/or workmanship found not meeting requirements of approved plans and specifications shall be immediately brought into conformity with said plans and specifications.

The cost for inspections performed by the Development Services Department shall be calculated by the Department and paid by the Developer. Additional inspection fees will be required only when an inspection requiring City approval fails and requires subsequent re-inspections. Applicable fees and their fee schedules can be found in the City of Columbia Municipal Code and posted on the Development Services Department web page.

1.12 Testing

The City Engineer may require testing to verify construction materials and methodologies applicable to this ordinance. Testing shall be done by an independent testing laboratory, and results shall be submitted to and approved by the City Engineer. The Developer shall provide testing when requested by the City Engineer. Defects disclosed by the tests shall be corrected or rectified at no cost to the City.

Chapter 2: Construction Plans

2.1 General

In order to provide consistency and accuracy, the following standards shall apply to all construction plans, supplemental information, supporting calculations, and surveys submitted to the City for review. After receiving approval of a Preliminary Plat, Final Plat, Development Plan, Site Plan, or for any project requiring a Land Disturbance Permit, the Developer or Developer's engineer shall submit construction plans and all required documentation required for a full and complete review for approval by the City Engineer or his/her designee(s). Exemptions may be granted or additions required by the City Engineer based upon the project scope and special conditions. Construction plan review and any associated permits shall be accompanied by a fee as specified in Engineering Fee Schedule.

2.2 Expiration

Approval of construction plans shall be valid for one (1) year from the date of approval. If construction has not begun within that timeframe, the construction plans and applicable review fees shall be resubmitted and provided for approval.

2.3 Surveys

All construction plans shall be accompanied by a survey sealed by a professional land surveyor that contains all boundaries, angles, bearings, and calls. All surveys shall be tied to the TN State Plane Coordinate System.

2.4 Construction Plan Requirements

The construction plans shall consist of scaled drawings with specifications and all relevant and supporting data. The construction plans shall include all information related to street construction, grading, drainage, utilities, and all other information requested by the City Engineer to perform a full and complete review. The construction plans shall be neat and legible, such that all information contained within can be clearly and accurately ascertained.

The construction plans shall contain the following information, where applicable:

General

- Title sheet with project name, description, developer/owner contact information, and design professional contact information.
- Index of all pages contained within the plan set.
- North Arrow.
- Legend(s) for all symbology.
- Site vicinity map.
- Graphic Scale: between 1 inch =10ft and 1 inch =50ft.
- Sheet(s) showing existing conditions including but not limited to:
    - Natural features on-site including but not limited to wetlands, streams, ponds, springs, sinkholes, wells, rock outcroppings, slopes 10% and greater, forested areas, and trees over 6" caliper.
    - Existing structures.
    - Existing vehicular and pedestrian facilities.
- The approved Preliminary Plat, Final Plat, Site Plan, or Development Plan. Any deviations from the approved plan shall be clearly noted.
- The location, dimension, square footage of lot and lot numbers of all proposed lots or existing lots; denote critical lots.
- The location of all existing buildings and the proposed location of all commercial, mixed-use or condominium buildings within proposed development, if applicable.
- The location and width of all existing and proposed easements, alleys, public ways, and building setback lines.
- Name of property owners and zoning classification of subject and all adjoining properties.

Streets and Rights-of-Way

- Proposed right-of-way.
- Horizontal alignments showing all radii of all curves, lengths of tangents, and central angles on all streets.
- Vertical alignments showing existing and proposed elevations along center lines of all public and private streets.
- Plans and profiles indicating the locations and typical cross-section of public way pavements, including curbs and gutters, sidewalks, drainage easements, rights-of- way, public utilities, storm infrastructure, manholes, and catch basins.
- Existing and proposed sidewalks, trails, bicycle facilities, and other pedestrian elements.
- Proposed offsite roadway improvements and signalization plans, if warranted.
- Traffic signage and pavement markings.
- Proposed street names, and designation and public or private.

Grading

- Sheet(s) showing existing conditions with contours at a minimum vertical interval of two (2) feet.
- Limits of disturbance.
- Proposed contours at a minimum vertical interval of one (1) foot.
- Proposed erosion protection and sediment control (EPSC) plans.
- Retaining walls, culverts, and bridges.

Stormwater

- FEMA Special Flood Hazard Area (SFHA), 100-year Floodplain (F-P) and Floodway (F-W) boundaries with elevations and the exact location of the nearest benchmark. Indicate the Flood Insurance Rate Map (FIRM) panel number, its effective date, and flood insurance zones.
- Table showing all inverts, lengths, materials, and types of stormwater pipes and structures.
- Show detention and water quality calculations.
- Water Quality Riparian Buffer locations and widths and the location of top of bank for all water resources.
- Show drainage calculation and stormwater pipe calculations table.
- Show detention and water quality calculations.
- Amounts of pervious/impervious area in acres, pre and post-construction.
- All off-site drainage improvements.

Utilities

- The location, size, and invert elevations of existing and proposed sanitary sewers, stormwater drains, and fire hydrants, showing connection to any existing or proposed utility system.
- Exact location and size of all water, gas, or other underground utilities or structures.
- Location, size, elevation, and other appropriate description of any existing facilities or utilities, including but not limited to, existing public ways, sewers, drains, water mains, easements, water bodies, streams, and other pertinent features, such as swamps, railroads, buildings, and features noted on the land development plan or major street or road plan.

Details

- Roadway cross-sections.
- Drainage structures.
- Ditch cross-sections.
- Retaining wall(s).
- Pavement cross-sections.
- Traffic signage.
- EPSC details.
- Traffic signal items, equipment, phasing, and timings.

Other Requirements

- Indicate streetlights, proposed trees, and landscaping – avoid conflicts.
- Location of cluster box units for USPS mail delivery.
- Common or open space.
- ADA facilities including, cross walk, curb ramps, and accessible parking stalls.
- Fire protection system, including main sizes, location of hydrants, boxes, etc.

2.5 As-Built Plan

As construction is completed, an as-built plan must be submitted for all developments and sites with a Land Disturbance Permit. The as-built plan shall consist of a survey sealed by a professional land surveyor and a certification sealed by a registered professional engineer licensed to practice in Tennessee.

Subdivisions and developments with infrastructure dedicated to the City of Columbia shall provide the as-built plan with the final plat application, as well as a second and final certification prior to preliminary acceptance of the subdivision or infrastructure.

Developments without infrastructure dedicated to the City of Columbia shall provide the as-built plan prior to requesting a certificate of occupancy. Larger developments may require multiple as-built plans as portions of the site are completed.

A final inspection by the city is required before any performance security or performance bond will be released. The city shall have the discretion to adopt provisions for a partial pro-rata release of the performance security or performance bond on the completion of various stages of development. In addition, occupation permits shall not be granted until corrections to all BMP's have been made and accepted by the city.

2.5.1 Contents

The survey must show the contain the following:

- Rights-of-way, property boundaries, and easements.
- Invert of all storm structures and pipes
- Size and material of all storm pipes
- Casting or rim elevations of all storm structures
- Volumetric quantity and capacity of all SCMs.
- Location and contours of all ditches.
- Location and contours of a detention/retention ponds.
- Any other information required to determine the final

The licensed professional shall certify that: the stormwater facilities have been constructed as shown on the "as-built" survey, and the facilities are in conformance with approved construction plans and achieve the function for which they were designed.

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Chapter 3: Streets

The purpose of this chapter is to establish the criteria and guidelines for the design of streets and other related elements in the rights-of-way. It is to be used in the design of public and private streets. Certain criteria and guidelines within this chapter may be determined to not be applicable to street design within certain districts and areas in order to preserve the existing character, address peculiarities, and preserve the public health, safety, and welfare, as determined by the City Engineer.

3.1 General

All design drawings and support data submitted to the City Engineer for approval must be sealed by a registered Professional Engineer, licensed to practice in the State of Tennessee.

The design criteria in this chapter are intended to aid in the preparation of plans and specifications and are considered the minimum. A complete design will usually require more information than is presented in this document. Designs of streets shall follow the best practices and standards, the design specifications of this document, and the approved details and roadway sections. Where conflicts exist or interpretations are required, the City Engineer shall make the final determination.

3.2 Location and Layout of New Streets

A. The location and layout of new streets shall be as identified in the Major Thoroughfare Plan of Connect Columbia, Access Management, Subdivision Regulations, and Zoning Ordinance. Streets not identified in the Major Thoroughfare Plan and the Access Management Ordinance shall meet the needs of the specific Development and satisfy all other specific requirements of this document. The City Engineer retains the authority to assign functional classification of streets as needed for circulation and emergency access and retains authority for approval of the overall street layout.

B. All streets shall have a logical relationship to the existing topography and the location of existing, platted, or planned streets within adjacent properties.

C. The street layout for all subdivisions shall be designed to ensure connectivity, enhance general circulation and provide secondary points for emergency access. They shall also provide safe, efficient, and convenient vehicular, bicycle, and pedestrian access within and between developments. Certain streets may need to be extended to property boundaries to provide for the future logical extension of the street through adjacent properties. If a street is located within or adjacent to a development, the development shall continue the street to a logical termination point as determined by the City Engineer.

D. All streets shall be properly integrated with the existing and proposed system of streets and dedicated rights-of-way as established in the Connect Columbia Comprehensive Plan, Transportation Master Plan, and Access Management Ordinance.

E. All streets shall be properly related to special traffic generators, such as industries, business districts, schools, churches, and shopping centers; to population densities; and to the pattern of existing and proposed land uses.

F. Minor local streets shall be laid out to conform as much as possible to the topography, to provide for the efficient dispersal of internal traffic, permit efficient drainage, and accommodate utility systems.

G. The use of an interconnected street system shall be used to broadly disperse internal traffic and provide maximum alternatives for access to the property for both public and private movement.

H. Street designs with connective streets are preferred instead of the use of cul-de-sacs. Cul-de-sacs are prohibited unless where topographic features or configuration of property boundaries prevent street connections, as approved by the CMPC.

3.2.1 Avenues and Boulevards

Where required by the Zoning Ordinance, a portion of the streets within a development shall be Avenues or Boulevards. Avenues and Boulevards shall be continuous in nature, where possible, and generally provide a continuous path from the entrance through the site.

3.3 Traffic Impact Study

When required, the applicant shall provide the City with a Traffic Impact Study (TIS) that shall adhere to the requirements of Ordinance #4106. When a TIS is required, the City shall not accept an application for development review until the TIS has been completed and is under review by the City. The TIS review by the City and resubmissions or responses by the applicant shall be completed and approved before an application for development review may be deemed complete.

3.4 Functional Classification

New connections, streets, and developments mean functional classification of streets is constantly evolving. The functional classification of any street in the jurisdiction and those adjacent to the jurisdiction shall be defined by the Connect Columbia Master Transportation Plan, or as amended by the City Engineer. Any amendments to the functional classification of streets by the City Engineer shall be updated regularly on a map and shall be readily available to the public.

For planning purposes, roads are often designated in terms of their functional classification, which is based on the character of the transportation service it is intended to provide. Categories typically include interstate, principal and minor arterials, collectors, and local roads. As one moves up the hierarchy from local to collector to arterial to interstate, speeds generally increase and there is a corresponding decrease in access provided to adjoining properties.

3.5 Public and Private Streets

Residential subdivisions should be served by public streets. Non-residential, multi-family, and mixed-use developments may be served by public streets or private streets. Where the development is not open to the public, such as in gated communities or access restricted areas, or the use of the proposed streets is not sufficiently public in nature, the streets shall be private.

Private streets serving more than one lot or more than one primary structure shall be built to the same standards as required for public streets and shall be located in a public utility drainage and access easement (PUDAE) the same width and dimensions of the required right-of-way.

All proposed streets shall be clearly identified as public or private on all development plans and platted in accordance with the Subdivision Regulations.

3.6 Rights-of-Way and Easements

3.6.1 Right-of-Way

Minimum right-of-way widths for each functional classification shall be as shown in **Table 1**. Topography, special design features, and other factors may require greater widths than these minimums. The City Engineer shall have the final review with the determination of any additional right-of-way (ROW) that is required for the design of a specific street segment.

Table 1: Minimum Standards for Functional Classifications

Street Classification	Minimum ROW (ft.)
Alley	20
Minor Local	50
Major Local	65
Collector	75
Arterial	90*
Principal Arterial	125*

**Arterial roadways shall at minimum provide the right-of-way in Table 1. Additional right-of-way May be required depending on the existing and/or proposed street section.*

Where a proposed public street intersects a collector roadway, a minimum of sixty-five (65) feet of right-of-way, two hundred (200) feet in length, shall be provided from the edge of the intersected street's right-of-way.

Where a proposed public street intersects an arterial roadway, a minimum of seventy-five (75) feet of right-of-way, two hundred fifty (250) feet in length, shall be provided from the edge of the intersected street's right-of-way.

The minimum radius of curvature for any new right-of-way line shall be twenty-five (25) feet. All radii of curvature at intersections shall be twenty-five (25) feet, except in developments of urban character, where approved by the City Engineer, right-of-way lines may intersect.

3.6.2 Easements

There are several types of easements the City of Columbia may require or permit relating to the construction of streets and the development of property.

A. Public Utility, Drainage, and Access Easement (PUDAE) approved for use by the City Engineer on a case-by-case basis.

B. Public Utility and Drainage Easement (PUDE).

C. Public Access Easement (PAE) for public access to a street, pedestrian facility, or internal drive.

D. Public Drainage Easement (PDE) for drainage purposes only.

E. Slope Easement (SE) for the construction of a slope between one property or the street right-of-way and adjacent property.

F. Temporary Construction Easement (TCE) to provide adequate construction area in the construction of a project.

G. Easements for storm and sanitary sewers shall be a minimum total width of twenty (20) feet. Where the depth of storm sewer exceeds 10 feet, two (2) additional feet of width for each foot of depth exceeding ten (10) feet shall be provided, rounded up in five (5) foot intervals.

H. Where the equivalent diameter of the storm sewer exceeds six (6) feet, two additional feet of width for each foot of diameter exceeding six (6) feet shall be provided, rounded up in five (5) foot intervals.

I. No permanent structures or appurtenances to structures shall encroach into utility easements including but not limited: accessory structures, sheds, pools, HVAC and mechanical units, refrigeration equipment, air handling equipment, or retaining walls over six (6) feet in height.

3.6.3 Improvements in Right-of-Way

All permanent public improvements including streets, lighting, sidewalks, traffic signage, traffic signals and equipment, and street-related features shall be located within a public right-of-way.

Permanent improvements not owned or maintained by the City may be permitted within the right-of-way if a license/maintenance agreement is approved by the City Council and all other appropriate City entities.

3.6.4 Additional Right-of-Way Required

Developments that adjoin existing streets shall dedicate or reserve additional right-of-way where necessary to meet the minimum requirements for the functional street classification of the existing street, see **Table 1**, or other dimensions as required by the City Engineer.

A. Major subdivisions, developments of ten (10) or more acres in size, and development requiring CMPC approval shall dedicate right-of-way, where required.

B. Minor subdivisions, developments under ten (10) acres in size, and developments not requiring CMPC approval shall reserve right-of-way, where required.

C. When the development is located on both side of the existing street, the entire right-of-way dedication or reservation shall be provided.

D. When the development is located on only one side of the existing street, half of the required width of the right-of-way, measured from the centerline of the existing roadway shall be dedicated or reserved.

E. Additional right-of-way may be required to accommodate future roadway improvements, at the

discretion of the City Engineer.

3.6.5 Dedication of Right-of-Way

The dedication of rights-of-way, reservations, and easements shall normally occur through the platting process. When dedications are required outside the platting process, they shall be dedicated in a manner and format approved by the City Engineer and City Attorney.

3.6.6 Encroachments

A. Permanent dumpsters, including the pad and enclosure, shall not be located in a public right-of-way.

B. Permanent encroachments that may impede the use of the public right-of-way shall be prohibited, unless otherwise permitted by City Council.

C. Temporary encroachments of the right-of-way shall require a permit, including but not limited to:

    a. Dumpsters, roll-offs, or containers; and

    b. Scaffolding, construction fencing, or lifts;

D. Permanent encroachments of the right-of-way shall require City Council approval.

E. Encroachments shall not impede pedestrian facilities in a manner that prevents accessibility. If encroachment is within a pedestrian facility, an alternative route shall be provided that is complaint with OSHA, ADA, and other relevant codes/regulations.

F. Encroachments shall not create sight distance barriers for pedestrians, bicycles, and vehicles, and shall comply with city, state, and federal roadway standards.

G. Encroachments shall not impede or obstruct drainage facilities.

H. Encroachments shall not block Fire Department connections, fire hydrants, access, or pathways.

3.7 Geometry

The design criteria presented in this section apply to all roadways that are required to be designed and constructed to City standards and specifications. The design criteria presented below shall be used as minimum requirements for new developments and may be increased at the direction of the City Engineer if warranted by safety hazards or traffic operations.

All streets are to be designed in accordance with the design speeds specified for each street classification in this chapter, or as amended by the City Engineer, and as summarized in **Table 2.**

Table 2: Roadway Geometry Standards

Design Feature	Principal Arterial	Minor Arterial	Collector	Major Local	Minor Local	Alley
Design Speed	50	45	35	25	20	15
Min. Horizontal Centerline Radius	*	*	333	205	125	50
Superelevation	Yes	Yes	Yes	No	No	No
Maximum Grade %	6	7	8	10	14**	8
Min. K Values Crest	84	61	29	12	7	7
Min. K Values Sag	96	79	49	26	17	17
Curb and Gutter	Y	Y	Y	Y	Varies	N

* Min. Horizontal Centerline Radius for arterial streets shall be designed on a case-by-case basis.
**Preferred maximum grade is 10%. Shall not exceed 10% on streets with designated on-street parking lanes or stalls.

3.7.1 Horizontal Alignment

A. The minimum allowable horizontal centerline radii for horizontal curves shall be as designated in **Table 2**. Reverse and compound curves shall only be used where single radii curves cannot work. Where reverse and compound curves are used TDOT standards and specifications and AASHTO standards and procedures shall be used.

B. Whenever a proposed street intersects a street with an equal or greater classification, a tangent (measured from the edge of travelled way, or the right-of-way line when determined by the City Engineer, along the centerline of the intersecting street) shall be provided. The minimum tangent lengths shown in **Table 3** apply only to the intersecting street. The angle of departure of a tangent shall not exceed twenty (20) degrees measured from the intersection of the intersecting street and the intersected street's right-of-way line or ten (10) degrees where intersecting an arterial street.

C. Reverse curves shall be separated by minimum tangent length of fifty (50) feet for local streets, one-hundred (100) feet for collector streets, and one-hundred fifty (150) feet for arterial streets.

D. Curves under deflection angles of ten (10) degrees shall be avoided where possible.

E. Horizontal curves should avoid starting near the crest or sag of a vertical curve.

F. Connections with existing improvements or stub roads shall be made to match the existing grade alignment and continue the roadway in accordance with these standards.

G. Curves under deflection angles of ten (10) degrees shall be avoided where possible.

H. Horizontal curves should avoid starting near the crest or sag of a vertical curve.

Table 3: Tangent Length at Intersections

Street Classification of Intersected Street of Equal or Greater Classification	Minimum Tangent Length (ft.)
Alley	0
Minor Local Street	50
Major Local Street	50
Collector	100
Minor Arterial	150
Principal Arterial	150

3.7.2 Cross slopes

A. The normal crown for new streets shall be two (2.0) percent

B. Culdesacs shall have no portion of pavement less than two (2.0) percent and no portion greater than five (5) percent.

3.7.3 Vertical Alignment

A. The maximum allowable grades for specific street classifications are shown in **Table 2**. The centerline grade of a cul-de-sac shall not exceed five (5.0) percent.

B. Single point grade breaks are permitted on local streets at the bottom of a sag curve where the maximum grade break is no more than one (2.0) percent within a sag curve to facilitate roadway drainage. All other single point grade breaks shall not exceed one (1.0) percent.

C. The minimum slope of the gutter line of all roadways shall be no less than one (1.0) percent, except within cul-de-sacs.

D. Connections with existing improvements or stub roads shall be made to match the existing grade alignment and continue the roadway in accordance with these standards. Single point grade breaks should be avoided where possible.

E. To ensure that future street improvements will meet these Standards, the grade and alignment of streets shall be continued. Where roadway construction may require future grading all necessary easements shall be included.

F. All vertical roadway profiles shall be capable of accommodating the City Fire and Rescue design apparatus and Sanitation Department collection vehicles.

3.7.4 Improvements in Floodable Areas

The finished elevation of proposed streets shall be a minimum of two (2) feet above the 1% annual flood risk, or 100-year flood elevation. Location of such streets shall conform to the requirements of the Stormwater Management Regulations as administered by the Engineering Department.

3.8 Turnarounds and Dead-End Streets

A. A permanent turnaround (cul-de-sac) shall be required on streets exceeding 150 feet in length from an intersection, cul-de-sac, or other approved turnaround.

B. Cul-de-sacs shall be located a minimum distance away from the connected roadway as to provide a right-of-way section a minimum of twenty-five (25) feet in length parallel to the centerline of the street between the intersected street and the expansion of the right-of-way for the cul-de-sac with a width matching the roadway cross-section.

C. No dead-end street shall be permitted to be longer than six hundred and fifty (650) feet.

D. Temporary turnarounds may be permitted for turnarounds within an overall development, where the overall approved development plan shows the removal of the turnaround. Temporary turnarounds shall be constructed within a dedicated right-of-way or a PUDAE where the temporary turnaround extends beyond the limits of the final intended right-of-way. The PUDAE shall be vacated when the temporary turnaround is removed.

E. Cul-de-sac medians may be permitted if it can be demonstrated that all service and emergency vehicles can be accommodated.

F. Cul-de-sac parking is prohibited.

G. Cul-de-sacs may be located where a future roadway connection is intended. When a connection is made by an adjoining development, the connecting development shall remove the cul-de-sac to provide a smooth continuous roadway transition between the existing and proposed development. The driveways of all affected lots shall be extended at the developer's expense.

H. Street designs such as loop streets are preferred to the use of a cul-de-sac design. Cul-de-sacs shall be permitted where topographic features or configuration of property boundaries prevent street connections. These alternatives shall support the turning movements of emergency and service vehicles.

I. Eyebrows or expansions of the roadway geometry shall not be permitted on Public or Private Streets.

3.10 Intersections

Intersections shall be designed to provide for the safety of motorists and pedestrians utilizing the facility. Intersections shall be designed using the standards in this document and those of the AASHTO Green Book, current edition, and the ITE Traffic Engineering Handbook.

3.10.1 Location

Intersection location shall be carefully planned and considered. Intersections shall be located to minimize conflict points, and maximize the safety of motorists and pedestrians. In no instance shall an intersection be used as a means to circumvent the standards for roadway geometry

3.10.2 Spacing of Intersections

Intersection spacing shall at a minimum adhere to the access spacing requirements outlined in the Access Management Ordinance. Streets, except alleys, shall in no case intersect another street within one hundred fifty (150) feet of a street intersection.

3.10.3 Alignments

A. All lanes shall be in alignment at an intersection. Special considerations may be granted to allow for up to a one-half lane width shift, subject to approval by the City Engineer.

   Vertical profiles on the legs of intersections shall be adjusted to provide a smooth junction, proper drainage, and adequate sight distance where streets intersect. Typically, the grade of the higher classified, or more majorly travelled leg of the intersection shall continue with the intersecting street's grade adjusted to meet it. It is desirable to provide near level intersection approach grades. Intersection approach grades shall be measured from the edge of travelled way of the intersected street along the centerline of the intersecting street. The maximum intersection approach grades are shown in **Table 4**.

Table 4: Intersection Approach Grades

Classification of Intersecting Street	Maximum Approach Grade	Minimum Length (ft.)
Alley	10%	N/A
Minor Local Street	5%	25
Major Local Street	5%	50
Collector	4%	75
Minor Arterial	4%	100
Major Arterial	3%	100

3.10.4 Curb Radius of Return

A. The curb radius shall be fifteen (15) feet for all streets unless otherwise mentioned below.

B. The minimum curb radius in industrial areas and areas where a significant portion of right turning traffic volumes are trucks or busses shall be thirty (30) feet minimum.

C. The minimum curb radius for minor and major local streets intersecting collector and arterial roads shall be thirty (30) feet. Where private accesses and driveways connect to TDOT owned roadways, they shall adhere to TDOT Driveway Manual specifications.

D. The curb radius of intersections consisting of collector and arterial streets shall be designed to accommodate the appropriate design vehicles and traffic patterns on a case-by-case basis.

E. Where significant portions of right turning traffic volumes are trucks, the designer shall use a larger radius to properly accommodate the appropriate design vehicle. Where the angle of street intersection is less than ninety (90) degrees, the City Engineer may require a larger radius of return. For streets and driveways intersecting TDOT rights-of-way, TDOT's radius of return requirements shall govern.

3.10.5 Left Turn Control Radius

The control radius refers to a radius that must be considered in establishing the location of a median or traffic separator ends on divided highways and the stop bar on undivided highways. The minimum control radius for left-turn movements is shown in **Table 5**.

Table 5: Minimum Control Radius

Design Vehicles Accommodated	Control Radius (ft.)			
	50 (40 min)	60 (50 min)	75	130
Predominant	P	SU-30	SU-40, WB-40	WB-62
Occasional	SU-30	SU-40, WB-40	WB-62	WB-67

3.10.4 Auxiliary Lanes

Auxiliary Lanes may be required at intersections of any street to address capacity or safety issues, at the determination of the City Engineer. Where required, the developer shall use TDOT standards for taper and transition lengths. A traffic study may be required to determine the sizing and specific requirements of the auxiliary lanes.

3.10.5 Roundabouts

Roundabouts offer a safer alternative, in almost all cases, to traditional stop controlled or signalized intersections. Roundabouts can be utilized to improve traffic flow at intersections while improving safety. Roundabouts designs shall be based on FHWA's, "Roundabouts: An Informational Guide," "TDOT Standard Specifications," requirements identified in a Traffic Study and requirements as determined by the City Engineer. Roundabouts shall be used primarily as a traffic control device.

3.10.6 Considerations for Block Length, Width, and Shape

The lengths, widths, and shapes of blocks shall be determined with due regard to: zoning requirements as to lot sizes, needs for convenient access, circulation, control, and safety of vehicular and pedestrian traffic, and limitations and opportunities of topography.

3.10.7 Sight Distance

Sight distance at intersections shall not be less than the minimum horizontal and vertical distances as specified in the AASHTO Design Guide Manual, current edition.

3.10.8 Traffic Signals

Where warranted the City or developer of a project may install a traffic signal to provide a safe and orderly flow of vehicular and pedestrian traffic. Signal design and warrants shall conform to the requirements of the Manual of Uniform Traffic Control Devices (MUTCD), Public Works and Engineering Department Standards. Where a signal is proposed, a Traffic Impact Study may be required to determine appropriate intersection geometry, signal timing and phasing, and warrant analysis.

A. Signal design shall be approved by Public Works and the Engineering Division.

B. Signal equipment shall be from the City of Columbia's signal equipment list.

C. Signal supports shall be cantilever, mast-arm style supports constructed of clean steel and powder-coated black. Strain arm and wire signal supports shall be evaluated on a case-by-case basis only where mast arm style supports are impractical or unfeasible. Where new strain arm and wire signal supports are proposed, strain arms shall be constructed of clean steel and powder-coated black.

D. Where there is none or there is insufficient street lighting, lighting shall be provided on the signal supports. The lighting design, fixtures, and luminaires shall be approved by the power utility provider and the City Engineer.

E. When a signal is installed for the benefit of a new development, the developer shall provide streets, rights-of-way, or cross access to the adjacent properties.

F. Generally, split-phase timing shall be avoided unless specific conditions exist that would necessitate the usage. Lead-lag phasing shall also be considered where split phasing is proposed.

3.11 On-Street Parking

This section defines the parking criteria for on-street parking on new streets. Parking may be allowed on Local streets. Parking shall not be allowed on Alleys, Collector, and Arterial streets unless in marked or signed areas.

3.11.1 Parallel Parking

Parallel parking is permitted on certain streets as determined by the City Engineer.

3.11.2 Inset Parking

Where a dedicated parking lane is provided, parking inset from the curb line shall be required to provide safety and delineation of the parking aisle. Where inset parking is installed, islands shall be provided at all non-residential, multi-family and mixed-use driveways, intersections, and a minimum of every two hundred fifty (250) feet. Curb and gutter shall be required where inset parking is installed.

3.11.3 Diagonal and Perpendicular Parking

Diagonal and perpendicular parking shall not be allowed on public streets and shall not be allowed to utilize the public street for maneuvering. The City Engineer must approve any on-street parking areas that are not designed as parallel parking. All areas approved for diagonal parking shall be designed at an angle of thirty, forty-five, sixty, or ninety degrees as approved by the City Engineer.

3.12 Pedestrian Facilities

3.12.1 ADA Requirements

All pedestrian facilities provided within the City shall be designed to accommodate movement by the disabled as required by the "Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way."

3.12.2 Sidewalk Location

On streets with curbing the sidewalk shall be:

A. A minimum of five (5) feet wide and constructed of concrete; and

B. Located a minimum of five (5) feet from the travel lane of the roadway.

On streets with roadside ditches instead of curbing, the sidewalk shall be:

A. A minimum of five (5) feet wide and constructed of concrete;

B. Located a minimum of twelve (12) feet from the travel lane of the roadway, separated from the travel lane by a grass buffer strip. Edge clearance requirements may dictate a larger buffer strip; and

C. Where the buffer strip contains the roadside ditch, drainage requirements may dictate an increased buffer width.

3.12.3 Intersections

All intersections where there is the assumption that pedestrians shall be present shall have curb ramps and crosswalks. A curb ramp shall be constructed for each crosswalk at each street corner.

Intersections with arterial, collector, and major local streets, shall have crosswalks that are clearly marked, and signalized intersections shall have pedestrian actuated signals. The signing and pavement markings at intersections shall clearly indicate how all street users should operate.

3.12.4 Detectable Warnings

The "Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way" requires detectable warnings for pedestrian street crossings. These surfaces feature a distinctive pattern of raised domes to provide a tactile cue detectable by cane or underfoot at the boundary between pedestrian and vehicular routes. Detectable warnings shall be used for all pedestrian street crossings, where applicable.

3.12.5 Pedestrian Guards

Safety rail shall be provided along pedestrian and multi-modal facilities in accordance with TDOT Standard Drawing: Bike and Pedestrian Safety Rail MM-BPR-1 or most current TDOT standards..

3.13 Bridges and Structures

Bridges must meet the latest version of the TDOT Standard Specifications for Road and Bridge Construction. All bridges, including bridges as part of a driveway serving a residential lot, shall meet necessary design and construction standards to provide access for emergency vehicles as determined by the City of Columbia Fire and Rescue Department. The City may require the review of bridges and structures by a third party engineer selected by the City at the cost of the developer.

3.14 Signage

All signage shall conform to the requirements of the Manual of Uniform Traffic Control Devices (MUTCD) and Public Works and Engineering Department standards. Temporary signs may be installed and maintained in lieu of permanent signs until curbs are installed and backfilled or Final Plat. Such signs shall meet the same standards for mounting height, size, and legibility as permanent signs but may be mounted on temporary structures. The installation of temporary street name signs, including the signs required for temporary dead-end streets and for greenway easement signs in accordance with these standards, shall be verified by written developer/contractor certification to the Engineering Department before authorization for building permits may be granted.

A. The developer shall purchase and install appropriate signs. Written confirmation of this placement shall be required from the Engineering Department prior to the recording of a final plat.

B. The developer shall post a performance surety prior to the recording of the final plat. Street sign sureties shall be a part of the original surety covering streets, drainage, water, sewer, etc.

C. All street signage shall be installed and in accordance with MUTCD standards prior to the issuance of building permits.

3.15 Pavement Markings

All pavement markings shall conform to the requirements of the Manual of Uniform Traffic Control Devices (MUTCD). All pavement markings on streets not classified as minor local streets shall be retroreflective thermo-plastic pavement markings. Pavements markings for minor local streets, parking areas, and private lots may be painted pavement markings.

Where pavement markings are required to be removed or obliterated, the process shall not result in the degradation or scarring of the pavement surface, ghosting, or incomplete removal of pavement markings. Painting over existing pavement markings with black paint or spraying with asphalt shall not be accepted as a substitute for removal or obliteration. Where pavement markings cannot be removed or obliterated effectively, the pavement surface course shall be milled and overlaid.

3.16 Driveways

A. Access easements, a minimum of twenty-four (24) feet in width, shall be provided for accesses or driveways serving more than one lot/building site, use, or residence.

B. Driveways with two-way traffic serving more than one lot/building site, use, or residence shall be a minimum of sixteen (16) feet in width.

C. Driveways with one-way traffic serving more than one lot/building site, use, or residence shall be a minimum of ten (10) feet in width.

D. Driveways shall be constructed to allow for a typical passenger vehicle to safely pass.

E. Driveways shall be constructed to contain stormwater gutter flow within the curbed portion of the street section.

F. Maintenance for the portion of a driveway within the right-of-way shall be the responsibility of the property it serves.

G. In no circumstance shall parking or other uses on a driveway be permitted to block or restrict access to a sidewalk or pedestrian facility.

H. No commercial driveway shall be greater than ten (10) percent grade along any portion.

I. No residential driveway shall be greater than ten (10 percent) grade along any portion within the right-of-way, and no greater than twenty (20) percent grade along any other portion.

J. Driveways exceeding one hundred fifty (150) feet shall require Fire Marshal approval.

K. Driveway aprons, where streets have curb and sidewalk, shall be concrete pavement to the edge of right-of-way. Driveway aprons, where streets do not have sidewalk, shall be paved with asphalt or concrete pavement to the edge of right-of-way. Where the remainder of driveways are un-paved surfaces, the apron shall be a minimum of thirty (30) feet in length measured from the edge of pavement of the roadway and be constructed in a manner to minimize the traction of gravel into the roadway.

3.17 Future Public Street Connections

Where possible, the City shall require the extensions of right-of-way and the construction of roadway to adjacent properties to facilitate roadway connectivity and the development of neighboring parcels. The City Engineer shall have discretion of the location and number of connections. Where future roadway connections are required, a sign must be provided noting that the street will be extended in the future.

3.18 Improvement of Streets before Acceptance

Private streets or streets accepted for maintenance by annexation into the City may be required to be improved to engineering standards before being accepted for maintenance as City streets. The City Engineer shall evaluate the streets to determine what, if any, improvements shall be required to meet engineering standards and the standards of public safety, heath, and welfare. The City Engineer may

require the following:

A. A survey of the right-of-way and infrastructure;

B. Roadway core samples at least once every five hundred (500) feet in each travel lane;

C. Improvement of the road and pavement sections to meet a current City or State standard;

D. Maintenance of pavement under PCI condition rating of 70;

E. Installation of pavement markings, signage, and safety features; and

F. Installation of pedestrian facilities.

Any improvements shall be required to be completed by the Developer or the entity requesting acceptance of maintenance responsibilities by the City of Columbia.

3.19 Subgrade Preparation and Proof Roll

In addition to the "TDOT Standards Specifications for Road and Bridge Construction", provisions for subgrade construction, it is required that immediately before placement of the crushed aggregate base, the street subgrade of any public or private street shall be proof-rolled using a pneumatic tire vehicle with a gross weight of not less than 30,000 (15 Tons) pounds per axle. The weigh ticket shall be provided. The contractor shall give 24 hours notification prior the request for a proof roll. Proof rolling must be witnessed and approved by authorized personnel of the Development Services Department. Any failures or areas of unsuitability shall be repaired in a manner approved by the City Engineer and may require a further proof roll. No aggregate base shall be applied until approval of the subgrade has been given.

3.20 Surface Course

3.20.1 Public Streets and Subdivisions

After all required inspections are completed, the final paving surface course may be applied when seventy-five (75) percent of the structures are completed within a subdivision. Under no circumstances shall final paving occur until all utility installations, including service lines to lots are complete. However, when an undue hardship is created by disallowing the final paving of a street prior to seventy-five (75) percent build-out, the City Engineer may permit final paving to occur. Once ninety (90) percent of all structures have be completed within a subdivision, no further certificates of occupancy shall be granted until the final surface course has been installed. Due to the phasing, or unique conditions of a development, it may be logical to defer the paving of the asphalt surface course until a later phase of construction.

3.20.2 Private Streets, Parking Areas, and Developments

After all required inspections are completed, the final paving surface course shall be applied prior to seventy-five (75) units or ninety (90) percent of the structures within a development are completed. In order to meet this requirement, paving may be required to be phased in portions of a development.

3.21 Street Lighting

The applicant shall bear the financial responsibility for the installation costs, including materials and labor, for street lighting. Street light layout, location, luminaire, and fixture type shall be approved by the City Engineer and the power utility district. All street lights shall be LED luminaires rated at 3000K luminance temperature.

3.22 Existing Streets and Rights-of-Way Prior to Development

3.22.1 Unimproved Rights-of-Way

Where a lot/building site's primary access is through an existing unimproved right-of-way, and the lot/building site is desired to be developed or subdivided, the right-of-way shall be improved with a roadway cross section and pavement schedule as determined by the CMPC and the City Engineer to the furthest extent of the lot/building site or a point determined by the City Engineer. The roadway dedication shall follow the requirements of the Subdivision Regulations.

3.22.2 Existing Streets

Where a lot/building site's primary access is through an existing street, and the lot/building site is desired to be developed in a manner that would require CMPC approval or subdivided, the street shall meet all of the following requirements:

A. A minimum pavement width of sixteen (16) feet;

B. A pavement section equivalent to the minimum parking lot pavement section or a concrete pavement section with suitability to be determined by the City Engineer; and

C. Capable of passing the City of Columbia Fire and Rescue design fire apparatus.

If the street does not meet the above requirements, the street shall be improved to a roadway cross section and pavement schedule as determined by the CMPC to the furthest extent of the lot/building site or a point determined by the CMPC. The roadway dedication shall follow the requirements of the Subdivision Regulations.

3.22.3 Improvements to Existing Streets

Where improvements are required along existing streets, the required pavement section, construction methods, and materials shall be determined by the City Engineer. All modifications to the existing pavement shall be repaired with a full lane-width surface course.

3.23 Secondary Access

Secondary access points may be required by the City Engineer for developments of seventy-five (75) units or greater or developments requiring a Traffic Impact Study. The feasibility and suitability of the site for a secondary access point shall be evaluated by the City Engineer and the Fire Marshal. Topography, natural features, access management regulations, shape of the property, and other constraints on the site may prevent the construction of a secondary access point. Where secondary

access is not feasible, the geometry, cross section, or dimensions of the access may require modification at the discretion of the City Engineer.

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Chapter 4 – Stormwater and Drainage Systems

4.1 General

The capacity of drainage systems shall be designed such it shall not:

A. Shall not increase flood hazard for an adjacent property;

B. Shall not impede City services, maintenance, and traffic along City streets; and

C. Shall not result in the degradation of water quality of downstream properties and water resources.

4.1.1 General Performance Standards

A. Public streets are not to be used to collect and convey stormwater runoff other than that which falls on a lot fronting that street.

B. Construction shall not aggravate upstream or downstream flooding. Existing downstream or upstream problems may be required to be corrected in conjunction with development.

C. The construction and financing of any required off-site drainage improvement necessitated by private development within the same watershed shall be the responsibility of the developer.

D. Under no circumstances shall a site be graded or drained in such a way as to increase the peak rate of stormwater runoff to sinkholes, dry wells, or drainage wells.

E. Flexible linings, “green” and other “soft” slope and stream bank stabilization methods shall receive preference over riprap, concrete and other hard armoring techniques. “Hard” alternatives shall only be permitted when their necessity can be demonstrated given site-specific conditions.

F. The City may require maintenance or modification of stormwater management practices that are not operating within the guidelines established by this Chapter, as determined by the City Engineer.

G. Drainage channels shall be trapezoidal and have a base a minimum of two (2.0) feet in width, a depth a minimum of one (1.0) foot, side slopes a maximum of three to one (3H:1V), a minimum slope of one (1.0) percent, and a maximum slope of seven and one half (7.5) percent.

H. Swales along property lines shall have a minimum depth of six (6) inches, side slopes a maximum of three to one (3H:1V), and a minimum slope of two (2.0) percent.

I. The minimum size for driveway culverts shall be fifteen (15) inches in diameter with headwalls and endwalls constructed of concrete or masonry.

J. All pipes and culverts under streets or within City rights-of-way or shall be eighteen (18) inches in diameter at a minimum, excluding driveway culverts.

K. Pipes and culverts outside of city rights-of-way shall be a minimum of twelve (12) inches in diameter, excluding small drains such as roof drains, underdrain systems, and yard drains serving a single residential lot.

L. The minimum slope for pipes shall be one-half (0.5) percent for sizes greater than or equal to twenty-four (24) inches in diameter. All pipes smaller than twenty-four (24) inches in diameter shall have a minimum slope of one (1.0) percent.

M. Concentrated discharges shall be located to minimize the impact of downstream impacts.

4.2 Hydrologic and Hydraulic Calculations

All hydrologic and hydraulic computations utilized in the design of stormwater facilities must be prepared by a registered engineer proficient in the field of hydrology and hydraulics and licensed to practice engineering in the state.

4.2.1 Hydrology

A. Design storms shall be based on NOAA Atlas 14 Precipitation Frequency Estimates for Columbia, Tennessee.

B. The rational method shall be acceptable for estimating the peak flow rates for drainage basins under five (5) acres. However, the rational method shall not be used for the volumetric routing of storm events for the purposes of peak runoff control. Alternative methods and hydrographs utilizing the rational method such as the “Modified Rational Method” or the “Dekalb” hydrographs are acceptable for volumetric routing of storm events for the purposes of peak runoff control for catchments under five (5) acres. The City Engineer may require analysis by other methods

C. Drainage basins over five (5) acres shall use NRCS (formerly known as the SCS) unit hydrograph procedures using AMC II curve numbers and type II rainfall distribution, or other criteria that the City Engineer or Designee shall establish based on scientific and engineering information. Precipitation and runoff must be routed at appropriately small time intervals using either hand calculations or computer models that are widely accepted among engineering professionals.

D. In certain circumstances, the City Engineer may require analysis by other methods consistent with widely accepted industry standards and practice.

4.2.2 Hydraulics

All stormwater facilities shall be designed to adequately and safely carry the design flow.

A. All drainage systems at a minimum shall accommodate the ten (10) year storm

B. Drainage systems under a street or alley (public or private) shall accommodate the twenty-five (25) year storm

C. Drainage systems which would pass more than one hundred (100) cubic feet per second (cfs) for the ten (10) year storm shall be capable of accommodating a fifty (50) year storm

D. Drainage systems which would pass more than two hundred (200) cubic feet per second (cfs) for the ten (10) year storm shall be capable of accommodating a one hundred (100) year storm

E. Permanent stormwater controls and drainage systems shall be sized to prevent flooding of any new structures for the one hundred (100) year storm and have no additional adverse impact on existing structures.

All stormwater system design calculations shall include the design flow and the full capacity of the stormwater facility.

4.2.3 Manning's Coefficients

Values for Manning's roughness coefficient for Reinforced Concrete Pipe (RCP), Polypropylene Pipe (PP), High Density Polyethylene Pipe (HDPE), and Corrugated Metal Pipe (CMP) are given below:

A.	RCP	n = 0.013	(precast or cast-in-place)
B.	PP	n = 0.012	
C.	HDPE	n = 0.012	
D.	CMP	n = 0.024	(non-spiral flow, annular)

Manning's roughness coefficient for grass lined ditches shall follow the methodology in The Federal Highway Administration (FHWA) HEC-15. Generally, a Manning's coefficient of 0.03 may be used for ditches with flow capacities less than one hundred (100) cubic feet per second. Generally, a Manning's coefficient of 0.06 may be used for grass-lined swales with flow depths less than 0.7 feet and velocities less than five (5) feet per second.

4.2.4 Hydraulic Gradient

The hydraulic gradient and slopes for storm sewers should conform to the following criteria:

A. The maximum hydraulic gradient shall not produce a velocity that exceeds twenty (20) feet per second, ten (10) feet per second or less is desirable. Velocities in excess of ten (10) feet per second may require specialized anchoring systems and designs.

B. The minimum desirable slope of storm sewers should be that which will produce a velocity of two and one half (2.5) feet per second when the storm sewer is flowing full.

C. Storm sewer systems should be designed for non-pressure, gravity flow conditions.

D. The elevation of the hydraulic gradient for design conditions should be at least one half (0.5) foot below ground elevation.

4.2.5 Stormwater Management Plan

The design engineer shall submit a Stormwater Management Plan (SWMP) with the site construction plans. The SWMP shall include sufficient information to allow the City to evaluate the environmental characteristics of the project site, the potential impacts of all proposed development of the site, both

present and future, on the water resources, and the effectiveness and acceptability of the stormwater control measures (SCMs). To accomplish this goal the SWMP shall include, at a minimum, the following:

A. Topographic base map: Topographic base map of the site which extends a minimum of 100 feet beyond the limits of the proposed development and indicates:

    a. Existing surface water drainage including streams, ponds, culverts, ditches, sink holes, wetlands; and the type, size, elevation, etc., of nearest upstream and downstream drainage structures;

    b. Current land use including all existing structures, locations of utilities, roads, and easements;

    c. All other existing significant natural and artificial features.

B. Proposed land use with tabulation of the percentage of surface area to be adapted to various uses; drainage patterns; locations of utilities, roads and easements; the limits of clearing and grading.

C. Proposed SCMs;

D. A written description of the site plan and justification of proposed changes in natural conditions may also be required;

E. Calculations: Hydrologic and hydraulic design calculations for the pre-development and post-development conditions for the design storm(s). These calculations must show that the proposed SCMs are capable of controlling runoff from the site in compliance with this chapter and the Stormwater Ordinance. Such calculations shall include:

    a. A description of the design storms including: frequency, duration, and intensity where applicable;

    b. Time of concentration;

    c. Soil curve numbers or runoff coefficients;

    d. Peak runoff rates and total runoff volumes for each watershed area;

    e. Infiltration rates, where applicable;

    f. Culvert, stormwater sewer, ditch and/or other stormwater conveyance capacities;

    g. Flow velocities and/or rigid and flexible lining calculations for open channel design;

    h. Comparison table for all watersheds and/or outfalls of pre and post-development rates of runoff.

    i. Water Quality Treatment Volume (WQTV) calculations and figures.

    j. Post-construction water quality SCM capacity sizing

k. Documentation of sources for all computation methods and field test results.

l. Soils information: If SCMs depend on the hydrologic properties of soils (e.g., infiltration basins), then a soils report shall be submitted. The soils report shall be based on on-site boring logs or soil pit profiles and soil survey reports. The number and location of required soil borings or soil pits shall be determined based on what is needed to determine the suitability and distribution of soil types present at the location of the control measure.

4.3 Peak Runoff Control

Peak runoff control shall be required for all development required to obtain a Land Disturbance Permit.

4.3.1 Hydraulics and Hydrology

A. Peak runoff control shall be designed to address the rate at which flow is released over the entire runoff discharge period and the volume of discharge over the Critical Design-Storm Period. This shall be applied for 2, 5, 10, 25, 50, and 100 year 24-hour storms.

B. The post-development peak discharge rate shall not to exceed the pre-development peak discharge rate.

C. Other methods for evaluating and controlling peak runoff may be considered on a case-by-case basis.

4.3.2 Partial Development of a Parcel

On parcels greater than ten (10) acres, the entire parcel and the area within the limits of construction shall be analyzed for peak runoff control. The peak runoff control shall be sized to attenuate the more strenuous condition.

4.3.3 Redevelopment

If redevelopment alters greater than fifty (50) percent of the pre-development impervious surface area and the post-development impervious surface area is greater than 2 acres. Peak runoff control shall evaluate pre-development site conditions as having a maximum curve number of seventy (70).

4.3.4 Outfalls

Each individual outfall discharge directed off-site of the development shall be designed to control the peak rate of runoff in accordance with this section.

4.3.5 Existing Flooding Problems

When existing flooding problems are present, the City Engineer has authority to condition the approval of a permit upon the compliance with additional requirements, including but not limited to detention, conveyance facilities, or other stormwater management solutions required to reduce the adverse impact of the proposed development on other properties or on the subject development.

4.3.6 Waivers

Peak Runoff Control may be waived, with the approval of the City Engineer, if the development's stormwater discharges directly into a main stream.

4.3.7 Location of Facilities

Peak Runoff Control devices shall be located in common or open space lots in residential developments requiring plats. All other development shall be required to locate devices in an exclusive Public Utility and Drainage Easement (PUDE).

4.4 Water Quality

Post Construction Stormwater Quality shall be required for all development requiring a Land Disturbance Permit or development resulting in ten-thousand (10,000) square feet or more of additional impervious surface area. See Stormwater Ordinance for more detail.

4.5 Drainage Inlets

A. Drainage inlets shall be designed to minimize the spread of stormwater into the travel lanes by no more than half of a lane width. Bike lanes, shoulders, etc. May be fully utilized for spread.

B. Inlets or manholes shall be located a minimum of every three hundred (300) feet of storm pipe.

C. Inlets shall be located a minimum of every three hundred (300) feet of roadway for each side of the roadway, unless specific hydraulic analysis of spread is provided.

D. Inlets shall be located a minimum of every one hundred fifty (150) feet of alley.

E. Inlets shall be located at intersections to prevent drainage and spread from across travel lanes.

4.6 Subdivision and Lot Drainage

Subdivision and residential lot drainage shall be designed to minimize lot to lot drainage. Lot line swales shall be provided to direct and accommodate each lots drainage towards drainage infrastructure.

Surface drainage channels within a subdivision providing drainage for the following shall be located on a common or open space lot a minimum of ten (10) feet in width within a public drainage easement or public right-of-way.

1. Eight (8) or more lots, either in whole or a portion of;

2. Public infrastructure; or

3. A contributing drainage area of two (2.0) or more acres.

4.7 Detention/Retention Basins

A. A box or riser weir structure with a pipe culvert shall be used to attenuate basin outflows.

Alternative primary structures may be evaluated on a case-by-case basis by the City Engineer.

B. Removable trash-rack or grates shall be installed on top of the box or riser weir.

C. "V" notch or other open multi-stage weirs are preferred as the primary flow regulation device.

D. The basin outlet culvert shall be a minimum of eighteen (18) inches in diameter. The basin outlet culvert shall not be the primary flow controlling device prior to the 50 year storm.

E. Slopes shall be no steeper than three-to-one (3H:1V).

F. A minimum freeboard of one (1.0) foot must be provided, from the water surface elevation for the 100 year storm, to the lowest point of the embankment, excluding the emergency spillway.

G. The emergency spillway must be capable of passing the entire 100-year storm without overtopping the embankment, in the event of the primary outlet structure clogging. The emergency spillway shall be located such that discharges do not come in contact with the outlet control structure and culvert.

H. The emergency spillway shall be located such that storm water will be directed to minimize risk to downstream structures and drainage facilities.

I. When adjacent to or in the vicinity of a stream, wetland, pond, or other aquatic resource, the invert elevation of the outlet control structure shall be no lower than one (1.0) foot above the top of bank.

J. In areas with a 100-year base flood elevation established, the invert elevation of the outlet control structure shall be no lower than the base flood elevation.

K. The minimum slope within the bottom of a detention pond shall be one (1.0) percent towards the outlet structure.

L. Pipes and channels discharging into a detention pond shall be located at or near the bottom of the detention pond.

4.8 Materials

A. Pipe materials and specifications shall adhere to the following standard specifications:

1. Reinforced Concrete Pipe (RCP): Standard Specification for Reinforced Concrete Culvert, Storm Drain, and Sewer Pipe ASTM C76 – 20.

2. Polypropylene Pipe (PP): Standard Specification for 12 to 60 in. [300 to 1500 mm] Polypropylene (PP) Dual Wall Pipe and Fittings for Non-Pressure Storm Sewer Applications ASTM F2881 / F2881M – 21.

3. High Density Polyethylene Pipe (HDPE): Standard Specification for 2 to 60 inch [50 to 1500 mm] Annular Corrugated Profile Wall Polyethylene (PE) Pipe and Fittings for Land Drainage Applications ASTM F2648 / F2648M – 20.

4. Corrugated Metal Pipe (CMP): Standard Specification for Corrugated Steel Pipe, Metallic-Coated for Sewers and Drains ASTM A760 / A760M - 15(2020).

B. All pipes must be bedded in a manufacturer approved bedding material.

C. All pipe joints and manhole joints must be sealed using a manufacturer approved method and material.

D. All backfill materials must be a manufacturer approved material and meet minimum cover requirements

E. All stormwater pipes must be installed correctly with adequate pipe bedding, backfill, and stormwater joint techniques in accordance with manufacturer specifications and appropriate ASTM standards.

F. Material for pipes used for conveyance of stormwater within the city shall be in accordance with the following:

1. Cross drains, and any other pipe under the pavement surfaces of streets shall be RCP or PP pipe.

2. Private stormwater facilities and those located outside of pavement surfaces of streets may be RCP, PP, and HDPE pipe.

3. RCP shall be required where a significant portion of the traffic is heavily loaded vehicles, on roadways with high traffic, or where the failure of the pipe would result in significant damage or loss of property.

4. Material for driveway culverts may be RCP, PP, HDPE, or CMP. RCP is required underneath any driveways or entrances that are heavily traveled or which would have the potential to flood areas within the public right-of-way or any structure

5. All detention pond outlet pipe culverts and pipes that drain through the berm of a detention pond shall be Reinforced Concrete Pipe (RCP).

4.9 Aquatic Buffers

4.7.1 Applicability and Authority

All Development and redevelopment projects are required to preserve aquatic buffers along the regulatory waterways and aquatic resources within the City of Columbia. Aquatic buffers are considered a Stormwater Control Measure (SCM) and are subject to the provisions of the Stormwater Ordinance.

4.7.2 Plan Requirements

The City Engineer may require the developer or applicant to perform a hydrologic determination to evaluate the regulatory authority of a suspected channel/watercourse.

All development plans and site construction plans shall:

A. Identify and label aquatic buffers;

B. Show top of bank location and elevations; and

C. Show buffer width.

4.7.3 Width Required

A. Aquatic buffers shall have widths as shown in **Table 6**, unless site-specific conditions necessitate alternative widths. The criteria for the width of the buffer zone can be established on an average width basis, as long as the minimum width of the buffer zone is more than the required minimum width at any measured location. Buffer average may be applied to both sides of a stream, but must be applied independently. Buffer averaging may not account for any portion of buffer greater than four (4) times the minimum buffer width.

B. Aquatic buffer widths shall be measured from the top of bank, or by a location as determined by the City Engineer, when the top of bank cannot be determined.

Table 6: Aquatic Buffer Widths

	Average Buffer Width (ft.)	Minimum Buffer Width (ft.)
Supporting*	30	15
Exceptional and Impaired **	60	30

** Waters with available parameters for siltation or habitat alteration, or unassessed waters.*

*** Waters with unavailable parameters for siltation or habitation alteration.*

4.7.4 Design and General Performance Standards

A. Stormwater discharges should enter the aquatic buffer as sheet flow, not as concentrated flow, where site conditions allow.

B. The predominant vegetation within the average buffer width area should be forested with native species. Where aquatic buffers are required to be sixty (60) feet, the minimum buffer width shall be predominantly forested with native species and the remaining buffer may be herbaceous ground cover.

C. Pedestrian, bicycle, and multi-modal paths may be permitted within the aquatic buffer when located outside the minimum buffer width. If constructed of impervious materials, the buffer width shall be increased by the width of the trail or runoff shall be directed to infiltration-based SCM's.

D. Aquatic buffers located within a subdivision shall be located on a common or open space lot within a PDE, PUDE, or PUDAE, or within a city right-of-way.

E. Aquatic buffers shall have reasonable access by City personnel through a PDE, PUDE, PUDAE, or City right-of-way. The number, location, and size of such accesses shall be determined by the City Engineer.

F. Road crossings and private accesses shall minimize impact upon the aquatic buffer. Crossings should be limited to one every one thousand (1,000) feet of stream length where possible. The angle of the crossing shall be perpendicular to the angle of the stream to minimize clearing and impacts upon the aquatic buffer.

G. Utilities, flood control structures, stormwater conveyances, and infrastructure shall minimize impact upon the aquatic buffer. Where possible, these facilities shall be located outside of the buffer.

4.7.5 Restoration Required

For developments receiving a Land Disturbance Permit and where existing vegetation is insufficient or the aquatic buffer areas are impacted by previous development and cannot reasonably be restored to a natural state without intervention, the buffers shall be actively restored in a manner consistent with best management practices and the Tennessee Urban Buffer Handbook provided by the Tennessee Department of Agriculture and the U.S. Forest Service.

4.7.6 Activities Permitted

A. Stream restoration projects, facilities, and activities approved by the City of Columbia Department of Development Services are permitted within the aquatic buffer.

B. Water quality monitoring and stream gauging are permitted within the aquatic buffer, as approved by the Development Services Department.

C. Individual trees within the aquatic buffer that are in danger of falling, causing damage to dwellings or other structures, or causing blockage of the stream may be removed. Non-native

species may be selectively removed.

D. Other timber cutting techniques approved by the City of Columbia Department of Development Services may be undertaken within the aquatic buffer under the advice and guidance of Tennessee Department of Agriculture, Division of Forestry. The City of Columbia Development Services Department shall also be notified if timber cutting is to occur within the aquatic buffer

4.7.5 Maintenance

A. All aquatic buffer areas shall be maintained through a declaration of protective covenant, which is required to be submitted for approval by the City of Columbia Department of Development Services. The covenant shall be recorded in the land records and shall run with the land and continue in perpetuity.

B. All lease agreements must contain a notation regarding the presence and location of protective covenants for aquatic buffer areas and shall contain information on the management and maintenance requirements for the new property owner.

C. An offer of dedication of an aquatic buffer area to the City of Columbia shall not be interpreted to mean that this automatically conveys to the general public the right of access to this area.

D. Aquatic buffer areas may be allowed to grow into their vegetative target state naturally, but methods to enhance the successional process such as active reforestation may be used when deemed necessary by the Tennessee Department of Agriculture, Division of Forestry or the City of Columbia Department of Development Services to ensure the preservation and propagation of the buffer area. Aquatic buffer areas may also be enhanced through reforestation or other growth techniques as a form of mitigation for achieving buffer preservation requirements.

Chapter 5: Grading and Site Development Standards

5.1 General Grading Standards

A. The City Engineer has the authority to adopt site grading standards.

B. Construction shall not aggravate upstream or downstream flooding. Existing downstream or upstream problems may be required to be corrected in conjunction with development or redevelopment.

C. All property lines and corners shall be clearly delineated in the field prior to commencement of any grading and construction.

D. During rough grading operations and prior to construction of permanent drainage structures, temporary drainage control should be provided to prevent ponding water and damage to adjacent properties.

E. No fill shall be placed on existing ground until the ground has been cleared of weeds, debris, topsoil, and other deleterious material.

F. Trash, debris, and waste shall be handled, disposed, and stored in a manner consistent with best practices and the TN ESPC Handbook.

G. The maximum slope of all cut and fill slopes shall not exceed three-to-one (3H:1V). The City Engineer may require geotechnical evaluation of the stability and suitability of any natural slopes exceeding three-to-one (3H:1V).

H. No obstruction of existing drainage courses shall be permitted.

I. Unless approved by the City Engineer, all fill areas shall be raised in lifts no more than eight (8) inches in thickness. The relative compaction of each layer shall be not less than ninety-five (95) percent of the standard proctor maximum dry density (ASTM D-698) in all areas of fill within open areas, and ninety-eight (98) percent for areas under roads, sidewalks, buildings, and structures.

J. Final grades shall provide proper drainage away from structures and prevent standing water, where possible.

K. Constructed slopes with an average grade of four-to-one (4H:1V) or steeper and an overall height of 20 feet or greater shall have a geotechnical design and certification.

L. Constructed fill slopes with an average grade of four-to-one (4H:1V) or steeper and an overall height of five (5) feet and up to ten (10) feet shall be set back from adjoining property line(s) a minimum of five (5) feet.

M. Constructed fill slopes with an average grade of four-to-one (4H:1V) or steeper and an overall height of ten (10) feet or greater shall be set back from adjoining property line(s) half of the height of the of the fill slope.

5.2 Mitigation of Flood Risk

A. Primary and accessory structures adjacent to or in the immediate vicinity of a river, stream, waterbody, aquatic buffer, or large drainage channel that do not have a base flood elevation

established shall have the lowest adjacent grade to the structure elevated a minimum of two (2.0) feet above the nearest top of bank.

B. Primary and accessory structures adjacent to or in the immediate vicinity of a river, stream, waterbody, aquatic buffer, or large drainage channel do have a 100-year base flood elevation established shall have the lowest adjacent grade to the structure elevated to the base flood elevation. The CMPC may grant exceptions to this requirement if no other practicable or feasible alternatives exist. All requests for waiver shall be submitted by an engineer clearly define the hardship with full compliance of this regulation, the proposed alternative, and demonstration of the minimization and mitigation of flood risk to the maximum extent practicable.

C. Primary and accessory structures adjacent to a sinkhole or depression shall have the lowest adjacent grade to the structure elevated a minimum of one (1.0) foot above the emergency bypass or reasonable filled elevation of the sinkhole or depression.

D. The City Engineer may require a flood study to be performed in areas with known flood hazard or indicative of hazardous terrain.

E. No net fill shall be permitted within a FEMA Special Flood Hazard Area or areas where flood studies have established a 100-year base flood elevation and corresponding floodplain. Compensatory cut areas, if provided, shall be located on-site. Fill material, or construction materials that elevate the grade only within the immediate building footprint shall not be considered in net fill calculations for compensatory flood storage. Standard procedures for evaluating and modeling FEMA Special Flood Hazard areas shall be followed for all alterations within the Special Flood Hazard Areas.

5.3 Grading Plans

Grading plans shall show with reasonable certainty the final and finish grades of all portions of the development site and building lot(s). Any deviations from these plans shall require approval by the City Engineer or designee.

A. Spot elevations may be required to provide a full and complete review.

B. Proposed grading contours shall be fully constructible as shown on the plans.

C. Where certain features may be less than the contour resolution of the plans, the plans shall indicate with clear intent the design and function goal.

D. Drainage infrastructure, detention/retention facilities, and preliminary lot grading shall be complete prior to any Final Plat being approved.

E. Deviations of grade greater than one (1.0) foot including the padding of lots from the approved construction plans is prohibited.

5.4 Sinkholes and Depressions

A. The City Engineer may require a geotechnical evaluation of all sinkholes and depressions prior to the approval of a development plan or construction plans.

B. The City Engineer shall have the authority to delineate the extents of sinkholes. Generally, the extents of a sinkhole is the highest closed contour.

C. Where feasible and practicable, sinkholes should remain in an undisturbed condition.

D. Sinkholes in subdivisions shall be located on common or open space lots.

E. Infrastructure, roadways, and structures shall not be located within the extents of a sinkhole, regardless of closure.

F. Any sinkholes functioning as part of the stormwater management system shall have reasonable access by City personnel with the access and the open space lot being contained within a public drainage easement.

G. Any sinkholes functioning as part of the stormwater management system shall have a constructed bypass system, such that if the sinkhole fails or ceases accepting stormwater runoff the excess may be diverted in a controlled manner.

5.5 Stabilization

Any area of land from which the natural vegetative cover has been either partially or wholly cleared by development activities shall be stabilized. Stabilization measures shall be initiated as soon as possible where construction activities have temporarily or permanently ceased. Temporary or permanent soil stabilization shall be installed where construction activity on a portion of the site is temporarily or permanently ceased within fourteen (14) days or less if other regulations or requirements require.

Permanent stabilization with perennial vegetation (using native herbaceous and woody plants where practicable) or other permanently stable, non-eroding surface shall replace any temporary measures as soon as practicable. Unpacked gravel containing fines (silt and clay sized particles) or crusher runs will not be considered a non-eroding surface.

The following criteria shall apply to revegetation efforts:

A. Reseeding must be done with an annual or perennial cover crop accompanied by placement of straw mulch or its equivalent of sufficient coverage to control erosion.
B. Revegetation with native woody and herbaceous vegetation must be accompanied by placement of straw mulch or its equivalent of sufficient coverage to control erosion until the plantings are established and are capable of controlling erosion.
C. Any area of revegetation must exhibit survival of a minimum of seventy-five percent (75%) of the cover crop throughout the year immediately following revegetation. Revegetation must be repeated in successive years until the minimum seventy-five percent (75%) survival for one (1) year is achieved.
D. In addition to the above requirements, a landscaping plan must be submitted with the final design describing the vegetative stabilization and management techniques to be used at a site after construction is completed. This plan will explain not only how the site will be stabilized after construction, but who will be responsible for the maintenance of vegetation at the site and what practices will be employed to ensure that adequate vegetative cover is preserved.

No Certificate of Occupancy, acceptance, or otherwise approval of completion shall be issued until final grading has been completed and the soil has been stabilized in accordance with this section and the

approved construction plans.

Adequate topsoil shall be retained or reserved for residential developments, and shall be redistributed so as to provide a minimum of six (6) inches of cover on vegetated portions of the lots and between any sidewalks and curbs. All disturbed areas shall be stabilized with permanent vegetation.

5.6 Debris and Waste

No timber, debris, earth, rocks, soil, junk, rubbish, or other waste materials of any kind shall be buried in any land or left or deposited on any lot or street at the time of the issuance of a Certificate of Occupancy for any lot. Nor shall any such waste be left nor deposited in any area of the subdivision at the time of expiration of the performance surety and/or at the time of dedication of public improvements.

5.7 Fencing

Fences or pedestrian guards shall be required wherever the Development Services Department determines that a hazardous condition exists. Such fences shall be constructed according to standards established by the Engineering Department, as appropriate, and shall be noted on the construction plans as to height, specifications, and materials. No Certificate of Occupancy shall be issued for any affected lot until such fence improvements have been installed.

5.8 Construction Access

Construction accesses shall be located to provide the minimum possible impact to adjoining properties and to provide adequate safety. The City Engineer shall have final approval of the location and number of such access points. Where construction traffic may negatively impact existing roadways or infrastructure, the City Engineer may designate a route for all heavy construction equipment.

5.9 Suitability of the Land

Land, which the City Engineer finds to be unsuitable for subdivision or development due to flood risk as indicated by FEMA maps or engineering judgement, improper drainage, steep slopes as shown on topographical maps, rock formations, unsuitable soils, sinkholes, other adverse earth formations or topography, utility easements, or other features which may be harmful to the safety, health, and general welfare of inhabitants of the land and surrounding areas shall not be subdivided or developed unless adequate and protective methods to solve the problems created by the unsuitable land conditions are formulated by the developer and approved by the Planning Commission, upon recommendation of the City Engineer, to solve the problems created by the unsuitable land conditions. Such land shall be set aside for uses as shall not involve any danger to public health, safety, and welfare.

5.10 Critical Lots and Areas

A lot or area within shall be designated as critical if one or more of the following conditions are present:

A. Natural slopes exceeding three-to-one (3H:1V).

B. Adjacent to a sinkhole.

C. Adjacent to a 1% annual flood risk FEMA special flood hazard zone.

D. Slopes that exceed eight (8) feet in height with an average grade of four-to-one (4H:1V) or greater.

E. Retaining walls over six (6) feet in height.

F. Site specific conditions that may make development or construction difficult.

The City Engineer may require a Critical Lot Plan and supplementary information for each lot or area prior to development or construction. The Critical Lot Plan shall include at a minimum:

A. Existing and proposed grades at one (1) foot intervals;

B. Finished floor elevations;

C. Mechanical system locations and elevations;

D. EPSC measures; and

E. Any other information requested or required by the City Engineer to make a judgement on the suitability, constructability, and safety.

5.11 Parking

A. Parking shall conform to the Zoning Ordinance.

B. Parking aisles shall have minimum curb radii of fifteen (15) feet where intersecting other parking aisles.

C. Parking aisles that terminate shall stub five (5) feet beyond the last parking stall to facilitate backing movements for parked vehicles. This area shall be hatched with pavement markings.

D. Parking stalls adjacent to a curbed island shall be a minimum of one (1) foot wider than the standard stall width to allow safe exit from the vehicle.

E. Drainage grates shall be not located within a logically travelled pedestrian pathway, where possible.

F. Parking aisles that function as fire access lanes shall loop upon themselves, where possible.

G. The use of turnarounds should be avoided, where possible. Where turnarounds are provided or required, they shall meet the requirements of the Columbia Fire Marshal.

5.12 Sanitary Sewerage System

The construction standards and specifications for the sanitary sewerage system shall be in accordance with standards set forth by the City of Columbia Wastewater Department, the Tennessee Department of Environment and Conservation (TDEC).

5.12.1 Mandatory Connection to Public Sewer System

When public sanitary sewers are accessible to a development, as determined by the Columbia Wastewater Director, the developer shall provide such facilities to each lot therein and shall connect the facilities to the public system.

5.12.2 Individual Disposal System Requirements

If public sewer facilities are not available and individual disposal systems are proposed:

A. Lot areas shall be a minimum of one (1) acre;

B. The septic systems and other waste disposal methods must be permitted by the Tennessee State Department of Environment and Conservation (TDEC), the City of Columbia Wastewater Department, and all other relevant agencies; and

C. Subsurface disposal areas and relevant information shall be indicated on the final plat.

5.12.3 Manholes

A. Sanitary sewer manholes are preferred to be within a public right-of-way, where possible.

B. Sanitary sewer manholes located outside the roadway shall not extend above the surrounding grade by more than one (1) foot, unless approved by the Columbia Wastewater Director.

C. Sanitary sewer manholes located within a public right-of-way with a street shall be located along the centerline of the roadway, where possible. Manholes in the wheel path of travelling vehicles shall be avoided.

5.13 Gates

Guardhouses and gate structures shall be approved by the City Engineer and shall include a typical system, acceptable to the City of Columbia Fire and Rescue, for immediate emergency access to the development. At a minimum, gates shall meet the following requirements:

A. All gates shall be located a minimum of thirty (30) feet from the right-of-way and shall not open outward but shall open with the flow of traffic;

B. At least thirteen and one half (13.5) feet vertical clearance shall be provided and maintained over the full width of all means of access; and

C. The clear opening provided through gates shall be at least two (2) feet wider than the traveled way.

The Columbia Fire Marshal and the City Engineer may impose additional requirements for gated subdivisions as may be necessary to carry out the intent of these subdivision regulations. Under no circumstances shall the City or emergency service providers be responsible for the repair of any damage to the gates or structures associated with an emergency response into the subdivision.

5.14 Utility Services

All proposed primary and secondary utility service lines shall be placed underground. The City Engineer may waive this requirement upon recommendation by the power utility district or in minor subdivisions with existing overhead utilities.

5.15 Retaining Walls

A. Construction plans and supporting materials for retaining walls requiring a building permit (see Building Code) shall consist of scaled drawings with specifications and all relevant and supporting data and calculations and all other information requested by the City Engineer and

Building Official to perform a full and complete review. The construction plans shall be neat and legible, such that all information contained within can be clearly and accurately ascertained.

B. Pedestrian guards shall be located along open-sided walking surfaces, including mezzanines, equipment platforms, stairs, ramps, and landings that are located more than thirty (30) inches measured vertically to the floor or grade below at any point within thirty-six (36) inches horizontally to the edge of the open side.

C. Pedestrian guards shall be required on all walls exceeding six (6) feet in height or on walls that the department deems a reasonable hazard to health and human safety.

D. Retaining walls with pedestrian guards shall have a landing with maximum 10H:1V at the top of the wall extending forty-eight (48) inches perpendicular from the guard.

E. Maximum slopes adjacent to retaining walls shall be 3H:1V.

F. Retaining walls in single-family residential developments shall not exceed fifteen (15) feet in height. Walls may be terraced where walls are stepped back ten (10) feet from face of wall to face of wall where the walls are between ten (10) and fifteen (15) feet or stepped back six (6) feet where walls are less than (ten) feet in height.

G. Retaining walls not in single-family residential developments shall not exceed twenty (20) feet in height. Walls may be terraced where walls are stepped back ten (10) feet from face of wall to face of wall where the walls are between ten (10) and twenty (20) feet in height or stepped back six (6) feet where walls are less than (ten) feet in height. The City Engineer may grant exceptions to this requirement if no other practicable or feasible alternatives exist. All requests for waiver shall be submitted by an engineer clearly define the hardship with full compliance of this regulation, the proposed alternative, and demonstration of the minimization and mitigation of risk to the maximum extent practicable.

H. The maximum allowable height for retaining walls shall be reviewed and approved by the City Engineer. The City of Columbia may require walls over a certain height to be stepped or terraced.

I. The angle of repose shall be assumed to be 45 degrees or less steep, unless site specific soil testing and data is provided.

J. No geogrids or mechanically stabilized earth will be acceptable within a public right-of-way limit nor within any PUDE, unless approved by the City Engineer.

K. No retaining wall shall be constructed to support a public right-of-way or be within the angle of repose of the right-of-way, unless approved by the City Engineer. Where retaining walls are approved within the right-of-way, more stringent design standards may be required by the City Engineer.

L. Retaining walls six (6) feet or greater in height shall be a minimum of five (5) feet from the right-of-way.

M. Retaining walls six (6) feet or greater in height shall be a minimum of five (5) feet from adjacent

property lines.

N. No retaining wall shall be constructed to support or be within the angle of repose of single-family structures, unless approved by the City Engineer.

O. Retaining walls or walls shall not be designed to primarily retain surface waters. Walls shall be designed in a manner to reinforce and support soils.

5.16 Pump Stations

Pump stations owned and operated by the City of Columbia shall have the following minimum requirements for site development standards. The operating entity shall have the authority to dictate greater requirements where the specific nature of the proposed pump station requires special consideration:

A. Shall be located within a common or open space lot

B. Shall be encompassed within an exclusive seventy-five (75) by seventy-five (75) foot easement. Slopes within the easement shall not exceed five (5) percent, two (2) percent is desired.

C. The exclusive easement shall be surrounded by fence consistent with the requirements of the operating entity.

D. An evergreen hedge screen shall be provided around the perimeter of the fence, consistent with the requirements of hedge screens in the Zoning Ordinance.

E. The exclusive easement shall be surrounded by a twenty-five (25) foot buffer along all sides.

F. The driveway/access to the pump station shall have the following minimum standards:

    a. A minimum of twelve (12) feet in width

    b. Constructed to the local road pavement section

    c. Encompassed in a twenty (20) foot access easement

    d. Ten (10) percent maximum grade

    e. Shall intersect the fenced area perpendicularly at the location determined by the operating entity.

    f. Shall be required to construct a turnaround, consistent with the standards of these standards if the driveway/access exceeds one hundred fifty (150) feet.

G. All structures and applicable equipment shall acquire a building permit prior to construction.

Chapter 6: Definitions

AASHTO
American Association of State Highway and Transportation Officials which publishes documents including A Policy on Geometric Design (Green Book) and Roadway Design Guide.

Acceleration Lane
A speed-change lane, including tapered areas, for the purpose of enabling a vehicle entering the roadway to increase its speed to a rate at which it can more safely merge with through traffic. This also may be titled as an “accel lane."

Access
Entrance to or exit from land adjacent to a public road. May be a driveway, public street, private street, or alley.

Access Easement
A publicly owned area of land granted by adjacent landowners or reserved as part of a development plan and being part of the City right-of-way for the purpose of accessing public improvements for maintenance.

Access Management
The process of identifying, tracking, controlling, and managing authorized or specified users' access to a system.

Accessible Pedestrian Signal
A device that communicates information about pedestrian timing in non-visual format such as audible tones, verbal messages, and/or vibrating surfaces. (MUTCD)

Actuation
Initiation of a change in or extension of a traffic signal phase through the operation of any type of detector. (MUTCD)

Alley
A minor public or private way intended to be used primarily for vehicular access to the rear side of properties. Alleys shall connect between two streets or alleys and shall avoid having dead-ends.

Applicant
The owner of the property or the authorized representative of the owner who is applying for development approval.

Approach
The portion of an intersection leg which is used by traffic approaching the intersection.

Asphalt Binder
Course aggregrate bound with bitumen between the foundation and the wearing course of an asphalt pavement section.

Asphalt Surface Course, Asphalt Topping

A mixture of bitumen and a range of graded aggregrates that constitute the wearing course of an asphalt pavement section.

Auxiliary Lane
The portion of the roadway turning, maneuvering of entering and leaving traffic, and other purposes supplementary to the through-traffic movement.

Avenue
A broad thoroughfare lined with planted strips and trees.

Average Annual Daily Traffic (AADT)
The total bi-directional volume of traffic passing through a given point during a given time period (in whole days), divided by the number of days in that time period, annualized.

Boulevard
A broad thoroughfare with lanes separated by a planted median.

Buffers
A protective barrier between two areas. Examples include landscaping buffers, aquatic buffers, and grass strip sidewalk buffers.

Building Site
See Zoning Ordinance.

City
The City of Columbia, TN.

City Engineer
A licensed professional engineer employed by the City or his duly authorized representative serving to direct and oversee engineering design, coordination and implementation of private and City capital improvements as well as public safety and welfare.

City Standards & Specifications
Those standards prescribed for the construction of streets, sidewalks, driveway access points, curb and gutter set out in this manual and the City Code.

Commercial Driveway Access
Any driveway access point that does not meet the definition of residential driveway access.

Connect Columbia
The comprehensive land use, transportation, and parks and recreation plan adopted by the City of Columbia.

Connective Street
A street within a development, other than a cul-de-sac street or loop street, which will allow vehicular and pedestrian circulation to adjoining developments; thereby providing for community-wide circulation.

Construction Plans
The maps or drawings showing the specific location and design of improvements to be installed in a subdivision or development.

Corner Clearance
At an intersecting street, the distance measured from the edge of pavement curb line or the intersection of right-of-way lines to the beginning of outside driveway radius.

Corner Clearance
The distance from an intersection of a public or private road to the nearest access along the highway system. This distance is measured from the closest edge of pavement of the intersecting road to the closest edge of pavement of the access measured along the traveled way (through lanes).

Critical Lot
Lots designated as critical during the concept plan review process, or final plat review process if no concept plan is required, based on soil conditions, degree of slope, flooding, or other lot features that could affect the feasibility of construction.

Crosswalk
That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs or in the absence of curbs, from the edges of the traversable roadway, and in the absence of a sidewalk on one side of the roadway, the part of a roadway included within the extension of the lateral lines of the sidewalk at right angles to the centerline; or any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface. (MUTCD)

Curb Cut
An access or driveway providing ingress and/or egress to or from the highway system along a "curbed" section of highway.

Dead-End Street
A local access system street opened at one end only with special provisions for a vehicle to turn around.

Deceleration Lane
A speed-change lane, including tapered areas, for the purpose of enabling a vehicle that is making an exit turn from a roadway to slow to a safe turning speed after it has left the mainstream of faster-moving traffic. Also called a “decel lane"; it denotes a right turn lane or a left turn lane into a development.

Design Speed
Usually up to five miles per hour above the expected operating speed of the facility under design.

Design storm event
A hypothetical storm event, of a given frequency interval and duration, used in the analysis and design of a stormwater facility. The estimated design rainfall amounts, for any return period interval in terms of either 24-hour depths or intensities for any duration, can be found by accessing the following NOAA National Weather Service Atlas 14 data for the Columbia, Tennessee station ID: 40-1957.

Detectable Warning
A standardized surface feature built in or applied to walking surfaces or other elements to warn visually impaired people of hazards on a circulation path.

Developer
The person or entity responsible for the construction, maintenance, and completion of a development project.

Development Or Development Plan
See Zoning Ordinance

Development Services Department
The Department within the City of Columbia that regulates building, codes, land development, land use, zoning, and engineering.

Driveway Access Point
A point of ingress and egress, or both, which is considered a private driveway. It can be either a residential access point or a commercial driveway access point.

Easement
A grant by a landowner to another person, entity, or to the public for the right to occupy or use designated land for specific purposes such as access, drainage, conservation, the location of public improvements, or other specified purposes. An easement does not constitute fee simple ownership of the land.

Final Plat
A type of application to finalize a layout for subdividing land into two or more lots suitable for recording at the Maury County Office of Register of Deeds.

Floodplain
A land area adjoining a river, stream, watercourse, bay, or lake that is likely to be flooded.

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

FEMA Special Flood Hazard Area (SFHA)
SFHA are defined as the area that will be inundated by the flood event having a 1-percent chance of being equaled or exceeded in any given year. The 1-percent annual chance flood is also referred to as the base flood or 100-year flood. SFHAs are labeled as Zone A, Zone AO, Zone AH, Zones A1-A30, Zone AE, Zone A99, Zone AR, Zone AR/AE, Zone AR/AO, Zone AR/A1-A30, Zone AR/A, Zone V, Zone VE, and Zones V1-V30. Moderate flood hazard areas, labeled Zone B or Zone X (shaded) are also shown on the FIRM, and are the areas between the limits of the base flood and the 0.2-percent-annual-chance (or 500-year) flood. The areas of minimal flood hazard, which are the areas outside the SFHA and higher than the elevation of the 0.2-percent-annual-chance flood, are labeled Zone C or Zone X (unshaded).

Flow Line

The lowest point within a drainage conveyance.

Grade Break:
A single point at which grade changes instantaneously.

Grading Permit
See Land Disturbance Permit.

Grass Strip
A buffer between the sidewalk and curb for pedestrian safety, grading, and public infrastructure.

Impervious Surface
Areas which prevent or impede the infiltration of stormwater into the soil as it entered in natural conditions prior to development. Common impervious areas include, but are not limited to, rooftops, sidewalks, walkways, patio areas, driveways, parking lots, storage areas, compacted gravel, awnings and other fabric or plastic coverings.

Improvements
Any building, structure, landscaping, lighting, public ways, or other objects or improvement constituting a physical betterment of real property, or any part of such betterment.

International Fire Code
Regulations for fire prevention and fire protection systems that prevent hazardous conditions to life and property produced by the International Code Council and adopted by the City of Columbia.

ITE
Institute of Traffic Engineers

Land Disturbance Permit
Permit issued by the City of Columbia that allows for grading and land disturbing activities, see Stormwater Ordinance.

Level of Service
A measurement of the quality of service on transportation infrastructure. This is generally links to transportation trip time as it relates to speed.

Lot
A parcel of land occupied, by one main building or a group of main buildings, including open spaces as required by municipal regulations and ordinances.

Lot of Record
A lot or tract of land, described by deed and/or subdivision plat, filed in the Maury County Office of Register of Deeds.

Major Street
The street normally carrying the higher volume of vehicular traffic. (MUTCD)

Median

That portion of a divided roadway separating the traveled ways for traffic in opposite directions.

Minor Street
The street normally carrying the lower volume of vehicular traffic. (MUTCD)

NCHRP
National Cooperative Highway Research Program

Open Space, Common
Open space includes, but is not limited to, parks, plazas, courtyards, playing fields, trails, greenways, and golf courses.

Owner
Includes any person who is the holder of legal title as well as holders of any equitable interest, such as trust beneficiaries, contract purchasers, option holders, lessees under leases having an unexpired term of at least 10 years, and the like. Whenever a statement of ownership is required by this article, full disclosure of all legal and equitable interests in the property is required.

Pavement Markings
All lines, words or symbols, except signs officially placed within the roadway or parking area to regulate, warn or guide traffic.

PCC
Portland cement concrete

Peak-Hour Volume
Hourly traffic volume used for roadway design and capacity analysis, usually occurring during one or more peak travel hours during a 24 hour period.

Pedestrian
People who travel on foot or who use assistive devices, such as wheelchairs, for mobility.

Permissive Mode
A mode of traffic control signal operation in which, when a CIRCULAR GREEN signal indication is displayed, left or right turns may be made after yielding to pedestrians and/or oncoming traffic. (MUTCD)

Planning Commission
Appointed board of local citizens responsible for decision making related to growth and development within the City.

Preliminary Plat
A map of a proposed land subdivision showing the character and proposed layout of the tract in sufficient detail to indicate the suitability of the proposed subdivision of land.

Redevelopment:
See Zoning Ordinance.

Right-Of-Way, (ROW)
An interest in land to the City which provides for the perpetual right and privilege of the City and its agents, franchise holders, successors, and assigns to construct, install, improve, repair, maintain, and use a public street, including related and customary uses of street rights-of-way such as sidewalk, bike path, landscaping, traffic control devices and signage, sanitary sewer, stormwater drainage devices, water supply, cable television, electric power, gas, and telephone transmission and related purposes in, upon, over, below, and across the right-of-way. The City is authorized to remove, and keep removed from the rights-of-way all trees, vegetation, and other obstructions as is determined to be necessary by the City to maintain, repair, and protect facilities located in the right-of-way

Roadway
See definition of street.

Setback
See Zoning Ordinance.

Sidewalk
Any public or private pedestrian or bicycle walkway or path.

Signal Head
An assembly of one or more signal faces together with the associated signal housings. (MUTCD)

Signal Phase
The right-of-way, yellow change, and red clearance intervals in a cycle that are assigned to an independent traffic movement or combination of movements. (MUTCD)

Signal Timing
The amount of time allocated for the display of a signal indication. (MUTCD)

Signal Warrant
A threshold condition that, if found to be satisfied as part of an engineering study, shall result in analysis of other traffic conditions or factors to determine whether a traffic control signal or other Improvement is justified. (MUTCD)

State Route
An arterial highway designated and signed with a route number, which is primarily funded for construction and administered by TDOT. Improvements and maintenance of state routes is under the jurisdiction of TDOT.

Stormwater Facilities
Designed pipes, ditches, swales, filters, and ponds to convey storm runoff, remove pollutants, and control flow rates.

Stormwater Ordinance
Standards set forth about the management of stormwater runoff and protection of water resources.

Street
An existing or planned public or private right of way that is designed, dedicated, or used principally for vehicular and pedestrian circulation, which provides access for abutting properties.

Subdivision
See Subdivision Regulations

Subdivision Regulations
Documents establishing the guidelines and regulations for the subdivision of land within the City of Columbia.

TDEC
The Tennessee Department of Environment and Conservation.

TIS or TIA:
Traffic Impact Study or Analysis

Traffic Control Signal (Traffic Signal)
Any highway traffic signal by which traffic is alternately directed to stop and permitted to proceed. (MUTCD)

Traffic Sign
A device mounted on a fixed or movable support, conveying a message or symbol to regulate, warn or guide traffic.

United States Army Corps of Engineers (USACE)
Provides engineering services as a government agency as it relates to civil engineering projects.

Zoning Ordinance
Regulations that govern the land use, bulk standards, densities, and zoning districts within the City of Columbia.

Appendix A: Standard Drawings and Details

ROADWAY CLASSIFICATION STREET SECTIONS	
RD-01	MAJOR ARTERIAL ROADWAY
RD-02	MINOR ARTERIAL ROADWAY
RD-03	COLLECTOR ROADWAY
RD-04	MAJOR LOCAL / INDUSTRIAL ROADWAY
RD-05	MINOR LOCAL ROADWAY
RD-06	ALLEY
RD-07	RURAL ROADWAY (AADT < 1500)

CHARACTER DISTRICT STREET SECTIONS	
CD-01	NEIGHBORHOOD STREET
CD-02	SUBURBAN NEIGHBORHOOD STREET
CD-03	URBAN NEIGHBORHOOD STREET
CD-04	URBAN CENTER STREET
CD-05	2 LANE AVENUE
CD-06	4 LANE AVENUE
SD-01	CURB AND GUTTER AND POST CURB
SD-02	EXTRUDED MOUNTABLE CURB
SD-03	RIBBON CURB
SD-04	*BLANK*
SD-05	*BLANK*
SD-06	INSET PARALLEL PARKING ISLAND
SD-07	INTERSECTION CONFIGURATION AND GEOMETRY
SD-08	*BLANK*
SD-09	*BLANK*
SD-10	CONCRETE SIDEWALK
SD-11	SHARED USE PATH
SD-12	DRIVEWAY APRON
SD-13	*BLANK*
SD-14	*BLANK*
SD-15	CUL-DE-SAC
SD-16	TEMPORARY TURNAROUND
SD-17	*BLANK*
SD-18	*BLANK*
SD-19	STREET CONTINUATION SIGNAGE

STANDARD DRAINAGE DETAILS	
DD-01	INLETS, CASTINGS, STRUCTURES, AND PIPES
DD-02	OUTLET CONTROL STRUCTURE
DD-03	TRAPEZOIDAL DITCH
DD-04	RESIDENTIAL LOT GRADING AND DRAINAGE

MISCELLANEOUS DETAILS	
MD-01	DUMPSTER PAD & ENCLOSURE
MD-02	PARKING LOT PAVEMENT SECTION
MD-03	CLUSTER BOX UNITS
MD-04	PROPERTY ADDRESSES

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City of Columbia

Stormwater Ordinance

Adopted XX, 20XX

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Amendments

Number	Date	Ordinance #

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Chapter 1: General provisions

1.1 Title

These regulations shall hereinafter be known and cited as the Stormwater Ordinance of Columbia, Tennessee. They may be referenced within this document as standards, specifications, or regulations.

1.2 Purpose

The purpose of the Stormwater Ordinance is to:

A. protect, maintain, and enhance the environment of the City of Columbia and the public health, safety and the general welfare of the citizens of the city, by controlling discharges of pollutants to the city's Municipal Separate Storm Sewer System (MS4) and to maintain and improve the quality of the receiving waters into which the stormwater outfalls flow, including, without limitation, lakes, rivers, streams, ponds, wetlands, and groundwater of the city;

B. Enable the city to comply with the National Pollution Discharge Elimination System (NPDES) permit and applicable regulations, 40 CFR 122.26 for stormwater discharges; and,

C. Allow the city to exercise the powers granted in Tennessee Code Annotated (TCA) § 68-221-1105

1.3 Jurisdiction

The Stormwater Management Ordinance shall apply to all properties within the corporate limits of the City of Columbia, except agricultural land management activities subject to United States Department of Agriculture (USDA) regulations.

1.4 Compliance Officer

It shall be the duty of the Columbia City Engineer (hereinafter referred to as the "Compliance Officer" or "City Engineer" or his/her designee to enforce these regulations and to bring to the attention of legal counsel any violations or lack of compliance herewith.

1.5 Severability

It is hereby declared to be the intention of the City Council of Columbia, Tennessee, that the provisions of this Ordinance are separable. If any court of competent jurisdiction shall adjudge any provision of this Ordinance invalid, such judgment shall not affect any other provision of this ordinance not specifically included in said judgment; and if any court of competent jurisdiction shall adjudge invalid the application of any provision of this Ordinance to a particular property such judgment shall not affect the application of said provisions to any other property not specifically included in said judgment.

1.6 Saving Provision

The Stormwater Ordinance shall not be construed as abating any action now pending under or by virtue of previous applicable regulations or standards, or as discontinuing, abating, modifying, or altering any penalty accruing or about to accrue, or as affecting the liability of any person, or as waiving any right of the governing body under any section or provision existing at the time of adoption of these regulations, or as vacating or annulling any rights obtained by any person by lawful action of the governing body, except as expressly shall be provided otherwise in these regulations.

1.9 Amendments

For the purpose of providing for the public health, safety, and general welfare the City Council may from time to time amend these regulations.

1.10 Appeals

A. The Columbia Municipal Planning Commission (CMPC) shall hear and decide appeals of orders, decisions, or determinations made by the City Engineer or designee relating to the application and interpretation of the technical provisions of the Stormwater Ordinance.

B. The application for appeal shall be filed with the City Engineer or designee within ninety (90) calendar days after the ruling by the City Engineer or designee was made, and shall be accompanied by a fee, as determined by the Development Services Department.

C. The CMPC shall not grant exceptions to the provisions of this ordinance in conflict with the City's MS4 permit and State of Tennessee regulations, rules, and laws.

D. Each item listed below shall be considered and deemed satisfied by the CMPC prior to the approval of an exception:

    1. The strict application of this ordinance would result in practical difficulties to or undue hardship on the owner of the property;

    2. The situation is not self-created; and

    3. The exception may be granted without substantial detriment to the public good and without sustainably impairing the intent and purpose of this ordinance.

E. The CMPC shall keep a record of all appeals.

1.11 Inspection

All developments shall be subject to inspection during and upon completion of construction by an authorized representative(s) of the City. Presence or absence of an inspector during construction does not relieve the Developer and/or Contractor from adherence to approved plans and material contained in these specifications or from liability. Materials and/or workmanship found not meeting requirements of approved plans and specifications shall be immediately brought into conformity with said plans and specifications.

1.12 Testing

The City Engineer may require testing to verify construction materials and methodologies applicable to this ordinance. Testing shall be done by an independent testing laboratory, and results shall be submitted to and approved by the City Engineer. The Developer shall provide testing when requested by the City Engineer. Defects disclosed by the tests shall be corrected or rectified at no cost to the City.

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Chapter 2: Land Disturbing Activities

2.1 General

The city adopts as its MS4 stormwater design and best management practices (BMP) manuals for stormwater management, the following publications, which are incorporated by reference in this ordinance as if fully set out herein:

A. For Construction Site Stormwater Runoff Pollutant Control, "TDEC - Erosion Prevention and Sediment Control Handbook"; most current edition,

B. For Post Construction Stormwater Runoff, "Tennessee Permanent Stormwater Management and Design Guidance Manual"; most current edition,

C. A collection of approved BMP's developed or collected by the City of Columbia that comply with the goals of the MS4 permit and/or the State of Tennessee Construction General Permit (CGP).

D. The city reserves the right to accept or reject BMP's or Stormwater Control Methods (SCM)s and engineering methods and calculations not explicitly detailed within the adopted BMP manuals.

E. The city manual(s) may be updated and expanded from time to time, at the discretion of the governing body of the city, upon the recommendation of the City Engineer or designee, based on improvements in engineering, science, monitoring and local maintenance experience, or changes in federal or state law or regulation. Stormwater facilities that are designed, constructed and maintained in accordance with these BMP criteria will be presumed to meet the minimum water quality performance standards.

2.2 Land Disturbance Permit

2.2.1 Requirement to Obtain

All development that meets one or more of the following criteria must obtain a Land Disturbance Permit;

A. Development that results in land disturbance of equal to or greater than one (1) acre, or less than one (1) acre if part of a larger plan of common development or sale;

B. Development that results in ten thousand (10,000) square feet or more of additional impervious surface;

C. Development less than the requirements listed above may also be required to obtain authorization under this ordinance if:

   a. The City Engineer or designee has determined that the stormwater discharge from a site is causing, contributing to, or is likely to contribute to a violation of a state or federal water quality standard;

   b. The City Engineer or designee has determined that the stormwater discharge is, or is likely to be a significant contributor of pollutants to waters of the state;

   c. Changes in state or federal rules require sites of less than ten thousand (10,000) square feet that are not part of a larger common plan of development or sale to obtain a permit from the authorizing MS4 authority; and

   d. Any development, regardless of size, that is defined by the City Engineer or designee to be a hotspot land use.

2.2.2 Issuance of Permit

The City Engineer or designee shall issue a Land Disturbance Permit for development that meets the guidelines and requirements of this ordinance as well as all other regulations including but not limited to the Engineering Standards and Specifications, Zoning Ordinance, Access Management Ordinance, and Subdivision Regulations. Application for a permit shall be accompanied by a fee as specified in Engineering Fee Schedule.

A pre-construction meeting with the City Engineer or designee shall be held with the Primary Permittee or designee, Operator(s), and EPSC Professional(s) prior to the issuance of a Land Disturbance Permit.

Prior to commencement of land disturbing activities, the Operator(s) must request an inspection of the site with applicable EPSC practices in place, as designated at the pre-construction meeting. This inspection is not a substitute for Construction General Permit (CGP) initial site assessment requirements.

If coverage under the Construction General Permit (CGP) is required, prior to the pre-construction meeting, proof of Notice of Coverage of the CGP must be provided to the city. Proof of Notice of Termination of the CGP must be also be provided before termination of the Land Disturbance Permit.

Copies of additional applicable local, state or federal permits (i.e.: ARAP, etc.) must also be provided upon request. If requested, these permits must be provided before the issuance of any land disturbance permit or the equivalent.

2.2.3 Termination

The Primary Permittee shall notify the City Engineer once all areas have been stabilized and vegetated, all permanent stormwater controls have been installed, and all construction activities have been completed related to the corresponding Land Disturbance Permit to be granted a Notice of Termination. This shall be completed prior to the release of all performance sureties.

The Primary Permittee shall be responsible for all standards and practices required under this Chapter, regardless of individual lot ownership, until a Notice of Termination is issued by the City Engineer.

2.2.4 Expiration

Every Land Disturbance Permit shall expire and become null and void if substantial work authorized by such permit has not commenced within one hundred and eighty (180) calendar days of issuance, or is not complete within eighteen (18) months from the date of the commencement of construction. Expiration of a Land Disturbance Permit does not release Operator(s) from the requirements of this Chapter. Once a permit has expired, a new permit shall be applied for and shall be accompanied by a fee as specified in the Engineering Fee Schedule.

2.2.5 Extension

Prior to the expiration of the Land Disturbance Permit, the Primary Permittee must request a Land Disturbance Permit extension from the City Engineer or designee.

2.3 Construction Site Stormwater Runoff Control

All land disturbing activities shall exercise erosion prevention and sediment control (EPSC) consistent with the intent of this chapter and the State of Tennessee Construction General Permit.

2.3.1 Sites Receiving a Land Disturbance Permit

All construction sites receiving a Land Disturbance Permit shall follow the requirements of the State of Tennessee's Construction General Permit (CGP) and those set forth in this Chapter (whichever is more stringent) including the following:

A. The design-storm for EPSC practices shall be consistent with the Tennessee Construction General Permit;

B. Land disturbing activities may commence once EPSC practices have been installed and are operational to the City's satisfaction and the Land Disturbance Permit has been issued;

C. All construction site operators must control wastes such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site.

D. The city may require more stringent EPSC practices on properties adjacent to impaired waters, or within impaired watersheds, watersheds with TMDLs, or sites in close proximity to water resources. This may include measures that limit or eliminate, with a greater safety factor, the potential for Sediment or other forms of water pollution from entering Sensitive Areas as designated by TDEC or the City Engineer;

E. The city may require more stringent EPSC practices on properties containing or adjacent to slopes greater than 30 percent.

F. Unwarranted acceleration of erosion or sedimentation, or transport of other pollutants or forms of pollution, due to various land development activities shall be controlled;

G. If deemed appropriate, the City may require the addition, removal or modification of EPSC measures and/or EPSC locations at any time during the construction process to ensure proper EPSC performance;

H. The City may impose enforcement actions outlined in **Chapter 5** if any site, development, or construction is found to be in violation of this ordinance or the CGP in order to achieve EPSC compliance.

2.4 Post Construction Stormwater Quality

A. The water quality treatment design storm is a 1-year, 24-hour storm event as defined by NOAA Atlas 14. The water quality treatment volume (WQTV) is a portion of the runoff generated from impervious surfaces at a new development or redevelopment project by the design storm, as set forth below.

B. Roof runoff is considered to be contaminated and may be not be excluded from the WQTV.

C. SCMs shall be located in common or open space lots on residential developments requiring plats. All other development shall be required to locate SCMs in a Public Drainage Easement.

D. When adjacent to or in the vicinity of a stream, wetland, pond, or other aquatic resource, the invert elevation of the outlet control structure shall be no lower than one (1.0) foot above the top of bank.

E. In areas with a base flood elevation established, the invert elevation of the outlet control structure shall be no lower than the base flood elevation.

F. SCMs must be designed, at a minimum, to achieve an overall treatment efficiency of 80% TSS removal from the WQTV. The quantity of the WQTV depends on the type of treatment provided, as established in **Table 1.**

Table 1: Water Quality Treatment Volume and the Corresponding SCM Treatment Type

SCM Type	WQTV	Examples
Type A	runoff generated from the first 1 inch of the design storm	bioretention, stormwater wetlands, and infiltration systems.
Type B	runoff generated from the first 1.25 inches of the design storm	Biologically active filtration with underdrains with a minimum of 12 inches of water storage. Bioretention, pervious pavers and pavements, green roofs
Type C	runoff generated from the first 2.5 inches of the design storm or the first 75% of the design storm, whichever is less	extended detention ponds, wet ponds, sand or gravel filtration, and settling ponds
Type D	maximum runoff generated from the entire design storm	hydrodynamic separators, baffle box settling, and flow-through manufactured treatment devices (MTDs), and treatment trains using MTDs

2.4.1 Treatment Trains

Treatment trains using MTDs must provide an overall treatment efficiency of at least 80% TSS reduction utilizing the following formula:

$$R = A + B - \frac{A \times B}{100}$$

Where:

R = total TSS percent removal from application of both SCMs,

A = the TSS percent removal rate applicable to the first SCM, and

B = the TSS percent removal rate applicable to the second SCM.

TSS removal rates for MTD must be evaluated using industry-wide standards.

TSS removal rates for other SCMs must be from published reference literature.

Treatment trains using infiltration, evaporation, transpiration, reuse, or biologically active filtration followed by sand or gravel filtration, settling ponds, extended detention ponds or wet ponds may subtract the treated WQTV of the upstream SCMs from the WQTV of the downstream SCMs.

2.5 Performance Surety

The City Engineer or designee may, at its discretion, require the submittal of a performance security or performance bond prior to issuance of a permit or Certificate of Occupancy in order to ensure that the storm water practices are installed by the permit holder as required by the approved Stormwater Management Plan. The amount of the surety shall be the total estimated construction cost of the structural BMPs approved under the permit plus any reasonably foreseeable additional related costs, e.g., for damages or enforcement. The performance surety shall contain forfeiture provisions for failure to complete work specified in the stormwater management plan. The applicant shall provide an itemized construction cost estimate complete with unit prices which shall be subject to acceptance, amendment or rejection by the City Engineer or designee. Alternatively, the City Engineer or designee shall have the right to calculate the amount of construction cost estimates.

The performance surety shall be released in full only upon submission of as-built plans and written certification by a registered professional engineer licensed to practice in Tennessee that the structural BMP has been installed in accordance with the approved plan and other applicable provisions of this title. The City Engineer or designee will make a final inspection of the structural BMP to ensure that it is in compliance with the approved plan and the provisions of this chapter. Provisions for a partial pro-rata release of the performance surety based on the completion of various development stages can be made at the discretion of the City Engineer or designee.

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Chapter 3: Operation, Maintenance, and Inspection.

3.1 Inspection of Stormwater Management Facilities

Periodic inspections of facilities shall be performed, documented, and reported in accordance with this chapter.

3.1.1 Records of Installation, Inspection, and Maintenance activities

Parties responsible for the operation and maintenance of a stormwater management facility shall make records of the installation of the stormwater facility, inspection, and of all maintenance and repairs to the facility, and shall retain the records for at least six (6) years. These records shall be made available to the City during inspection of the facility and at other reasonable times upon request.

3.1.2 Failure to Meet or Maintain Design or Maintenance Standards.

If a responsible party fails or refuses to meet the design or maintenance standards required for stormwater facilities under this chapter, the City, after reasonable notice, may correct a violation of the design standards or maintenance needs by performing all necessary work to place the facility in proper working condition. In the event that the stormwater management facility becomes a danger to public safety or public health, the City shall notify in writing the party responsible for maintenance of the stormwater management facility. Upon receipt of that notice, the responsible person shall have thirty (30) days to effect maintenance and repair of the facility in an approved manner. In the event that corrective action is not undertaken within that time, the City may take necessary corrective action. The cost of any action by the City under this section shall be charged to the responsible party.

3.2 Existing Locations and New Developments – Maintenance Agreement

Where the stormwater facility is located on property that is subject to a Land Disturbance Permit or the development provides for permanent stormwater facilities, the owners of the property must execute an inspection and maintenance agreement that shall operate as a deed restriction binding on the current property owners and all subsequent property owners and their lessees and assigns, including but not limited to, homeowner associations or other groups or entities.

3.1.1 Maintenance Agreement

The maintenance agreement shall:

A. Assign responsibility for the maintenance of the stormwater facilities to the owners/operators, a third party, or the City of Columbia for all stormwater facilities and SCMs.

B. Provide for a periodic inspection responsible party in accordance with the requirements of **Section 3.5** for the purpose of documenting maintenance and repair needs and to ensure compliance with the requirements of this ordinance. It shall also grant permission to the City to enter the property at reasonable times and to inspect the stormwater facility to ensure that it is being properly maintained.

C. Provide that the minimum maintenance and repair needs include, but are not limited to: the removal of silt, litter and other debris, the cutting of grass, cutting and vegetation removal, and the replacement of landscape vegetation, in detention and retention basins, and inlets and drainage pipes and any other stormwater facilities. It shall also provide that the property owners shall be responsible for additional maintenance and repair needs consistent with the needs and standards outlined in the MS4 BMP manual(s).

D. Provide that maintenance needs must be addressed in a timely manner, on a schedule to be determined by the City Engineer or designee.

E. Provide that if the property is not maintained or repaired within the prescribed schedule, the City of Columbia may perform the maintenance and repair at its expense, and bill the same to the property owner. The maintenance agreement shall also provide that the City of Columbia cost of performing the maintenance shall be a lien against the property.

3.3 Existing Locations – No Maintenance Agreement.

The City Engineer or designee shall in writing notify the owners of existing locations and developments of specific drainage, erosion or sediment problems affecting or caused by such locations and developments, and the specific actions required to correct those problems. The notice shall also specify a reasonable time for compliance. Discharges from existing BMP's that have not been maintained and/or inspected in accordance with this ordinance shall be regarded as illicit.

The City may, to the extent authorized by state and federal law, enter and inspect private property for the purpose of determining if there are illicit non-stormwater discharges, and to establish inspection programs to verify that all stormwater management facilities are functioning within design limits. These inspection programs may be established on any reasonable basis, including but not limited to: routine inspections; random inspections; inspections based upon complaints or other notice of possible violations; inspection of drainage basins or areas identified as higher than typical sources of sediment or other contaminants or pollutants; inspections of businesses or industries of a type associated with higher than usual discharges of contaminants or pollutants or with discharges of a type which are more likely than the typical discharge to cause violations of the city's NPDES stormwater permit; and joint inspections with other agencies inspecting under environmental or safety laws. Inspections may include, but are not limited to: reviewing maintenance and repair records; sampling discharges, surface water, groundwater, and material or water in drainage control facilities; and evaluating the condition of drainage control facilities and other BMP's.

3.4 Requirements for All Existing Locations and Ongoing Developments

The following requirements shall apply to all locations and development at which land disturbing activities are currently occurring or have previously occurred:

A. Denuded areas must be vegetated or covered under the standards and guidelines specified in this Ordinance and the CGP and on a schedule acceptable to the City Engineer or designee.

B. Cuts and slopes must be properly covered with appropriate vegetation and/or retaining walls constructed.

3.5 Owner/Operator Inspections

The owners and/or the operators of stormwater management practices shall:

A. Perform routine inspections to ensure that the BMP's are properly functioning. These inspections shall be conducted on an annual basis, at a minimum. These inspections shall be conducted by a person familiar with control measures implemented at a site. Owners or operators shall maintain documentation of these inspections. The City of Columbia may require submittal of this documentation.

B. Perform comprehensive inspection of all stormwater management facilities and practices. These inspections shall be conducted once every five (5) years, at a minimum. Such inspections must be conducted by either a professional engineer or landscape architect, licensed in the State of Tennessee. Complete inspection reports for these five (5) year inspections shall include:

    a. Facility type,

    b. Inspection date,

    c. Latitude and longitude and nearest street address,

    d. BMP owner and operator information (e.g. name, address, phone number, fax, and email),

    e. A description of BMP condition including: vegetation and soils; inlet and outlet channels and structures; embankments, slopes, and safety benches; spillways, weirs, and other control structures; and any sediment and debris accumulation,

    f. Photographic documentation of BMP's, and

    g. Specific maintenance items or violations that need to be corrected by the BMP owner along with deadlines and re-inspection dates.

C. Owners or operators shall maintain documentation of these inspections. The City of Columbia may require submittal of this documentation.

3.6 Corrections of Problems Subject to Appeal

Corrective measures imposed by the City Engineer or designee under this section are subject to appeal under **Section 5.3**.

Chapter 4: Illicit Discharges

4.1 Prohibition of illicit discharges

No person shall introduce or cause to be introduced into the municipal separate storm sewer system any discharge that is not composed entirely of stormwater or any discharge that flows from a stormwater facility that is not inspected in accordance with section §14-412 shall be an illicit discharge.

Non-stormwater discharges shall include, but shall not be limited to:

- sanitary wastewater
- car wash wastewater
- radiator flushing disposal
- spills from roadway crashes
- carpet cleaning wastewater
- effluent from septic tanks
- improper oil disposal,
- laundry wastewater/gray water
- improper disposal of auto and household toxics.

The commencement, conduct or continuance of any non-stormwater discharge to the municipal separate storm sewer system is prohibited. except as described as follows:

A. Uncontaminated discharges from the following sources:

- Water line flushing or other potable water sources;
- Landscape irrigation or lawn watering with potable water;
- Diverted stream flows;
- Rising ground water;
- Groundwater infiltration to storm drains;
- Pumped groundwater;
- Foundation or footing drains;
- Crawl space pumps;
- Air conditioning condensation;
- Springs;
- Non-commercial washing of vehicles;
- Natural riparian habitat or wetland flows;
- Swimming pools (if dechlorinated - typically less than one PPM chlorine);
- Firefighting activities;
- Any other uncontaminated water source.

B. Discharges specified in writing by the city as being necessary to protect public health and safety.

C. Dye testing is an allowable discharge if the city has so specified in writing.

D. Discharges authorized by the Construction General Permit (CGP):

- Dewatering of collected stormwater and groundwater
- Waters used to wash dust and soils from vehicles where detergents are not used and detention and/or filtering is provided before the water leaves site. Wash removal of process materials such as oil, asphalt or concrete is not authorized.
- Water used to control dust
- Potable water sources, including waterline flushings, from which chlorine has been removed to the maximum extent practicable.
- Routine external building washdown that does not use detergents or other chemicals.
- Uncontaminated, non-turbid groundwater or spring water.
- Foundation or footing drains where flows are not contaminated with pollutants (e.g., lubricants and fluids from mechanized equipment, process materials such as solvents, heavy metals, etc.).
- Discharges from emergency fire-fighting activities.
- Fire hydrant flushings.
- Landscape irrigation.
- Pavement wash waters, provided spills or leaks of toxic or hazardous substances have not occurred (unless all spill material has been removed) and where soaps, solvents, and detergents are not used.
- Uncontaminated air conditioning or compressor condensate.

4.2 Prohibition of Illicit Connections

The construction, use, maintenance or continued existence of illicit connections to the municipal separate storm sewer system is prohibited. This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.

Reduction of Stormwater Pollutants by the Use of BMP's.
Any person responsible for a property or premises, which is, or may be, the source of an illicit discharge, may be required to implement, at the person's expense, the BMP's necessary to prevent the further discharge of pollutants to the municipal separate storm sewer system. Compliance with all terms and conditions of a valid NPDES permit authorizing the discharge of stormwater associated with industrial activity, to the extent practicable, shall be deemed in compliance with the provisions of this section. Discharges from existing BMP's that have not been maintained and/or inspected in accordance with this ordinance shall be regarded as illicit.

Notification of spills

Notwithstanding other requirements of law, as soon as any person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of any known or suspected release of materials which are resulting in, or may result in, illicit discharges or pollutants discharging into, the municipal separate storm sewer system, the person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release. In the event of such a release of hazardous materials the person shall immediately notify emergency response agencies of the occurrence via emergency dispatch services. In the event of a release of non-hazardous materials, the person shall notify the city in person or by telephone, fax, or email, no later than the next business day. Notifications in person or by telephone shall be confirmed by written notice addressed and mailed to the city within three (3) business days of the telephone notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three (3) years.

Dumping

No person shall dump or otherwise deposit outside an authorized landfill, convenience center or other authorized garbage or trash collection point, any trash or garbage of any kind or description on any private or public property, occupied or unoccupied, inside the city.

Chapter 5: Enforcement

5.1 Enforcement Authority

The City Engineer or designee shall have the authority to issue notices of violation and citations, and to impose the civil penalties provided in this section. Measures authorized include:

A. **Verbal Warnings**

B. **Written Notices**

C. **Citations with Administrative Penalties**

D. **Stop Work Orders**

E. **Withholding of Plan Approvals or Other Authorizations**

F. **Additional Measures**

The Enforcement Response Plan (ERP) shall guide the City Engineer or designee in selecting the appropriate enforcement action or penalty. The Enforcement Response Plan (ERP) is attached to this Ordinance in **Appendix A.**

5.1.1 Verbal Warning

Verbal warnings may be given at the discretion of the inspector when it appears the condition can be corrected by the violator within a reasonable time, which time shall be approved by the inspector.

5.1.2 Written Notice

Whenever City Engineer or designee finds that any permittee or any other person discharging stormwater has violated or is violating this ordinance or a permit or order issued hereunder, the City Engineer or designee may serve upon such person written notice of the violation. Within ten (10) days of this notice, an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted to the City Engineer or designee. Submission of this plan in no way relieves the discharger of liability for any violations occurring before or after receipt of the notice of violation.

5.1.3 Consent Orders

The City of Columbia is empowered to enter into consent orders, assurances of voluntary compliance, or other similar documents establishing an agreement with the person responsible for the noncompliance. Such orders will include specific action to be taken by the person to correct the noncompliance within a time period also specified by the order. Consent orders shall have the same force and effect as administrative orders issued pursuant to paragraphs (d) and (e) below.

5.1.4 Show Cause Hearing

The City Engineer or designee may order any person who violates this chapter or permit or order issued hereunder, to show cause why a proposed enforcement action should not be taken. Notice shall be served on the person specifying the time and place for the meeting, the proposed enforcement action and the reasons for such action, and a request that the violator show cause why this proposed enforcement action should not be taken. The notice of the meeting shall be served personally or by registered or certified mail (return receipt requested) at least ten (10) days prior to the hearing.

5.1.5 Compliance Order

When the City Engineer or designee finds that any person has violated or continues to violate this chapter or a permit or order issued thereunder, the City Engineer or designee may issue an order to the violator directing that, following a specific time period, adequate structures or devices be installed and/or procedures be implemented and properly operated. Orders may also contain such other requirements as might be reasonably necessary and appropriate to address the noncompliance, including the construction of appropriate structures, installation of devices, self-monitoring, and management practices.

5.1.6 Cease and Desist and Stop Work Orders

When the City Engineer or designee finds that any person has violated or continues to violate this chapter or any permit or order issued hereunder, the City Engineer or designee may issue a stop work order or an order to cease and desist all such violations and direct those persons in noncompliance to:

A. Comply forthwith; or

B. Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation; including halting operations except for terminating the discharge and installing appropriate control measures.

5.1.7 Suspension, Revocation, or Modification of Permit

The City of Columbia may suspend, revoke or modify the permit authorizing the land development project or any other project of the applicant or other responsible person within the city. A suspended, revoked or modified permit may be reinstated after the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein, provided such permit may be reinstated upon such conditions as the City Engineer or designee may deem necessary to enable the applicant or other responsible person to take the necessary remedial measures to cure such violations.

5.1.8 Conflicting standards

Whenever there is a conflict between any standard contained in this chapter and in the BMP manual(s) adopted by the City under this ordinance, the strictest standard shall prevail.

5.2 Penalties.

5.2.1 Violations

Any person who shall commit any act declared unlawful under this chapter, who violates any provision of this chapter, who violates the provisions of any permit issued pursuant to this chapter, or who fails or refuses to comply with any lawful communication or notice to abate or take corrective action by the City of Columbia, shall be guilty of a civil offense.

5.2.2 Penalties

Under the authority provided in Tennessee Code Annotated §68-221-1106, the city declares that any person violating the provisions of this chapter may be assessed a civil penalty by the City of Columbia of not less than fifty dollars ($50.00) and not more than five thousand dollars ($5,000.00) per day for each day of violation. Each day of violation shall constitute a separate violation.

5.2.3 Measuring Civil Penalties

In assessing a civil penalty, the City of Columbia may consider:

A. The harm done to the public health or the environment;

B. Whether the civil penalty imposed will be a substantial economic deterrent to the illegal activity;

C. The economic benefit gained by the violator;

D. The amount of effort put forth by the violator to remedy this violation;

E. Any unusual or extraordinary enforcement costs incurred by the City;

F. The amount of penalty established by ordinance or resolution for specific categories of violations; and

G. Any equities of the situation which outweigh the benefit of imposing any penalty or damage assessment.

5.2.4 Recovery of Damages and Costs

In addition to the civil penalties, the City may recover:

A. All damages proximately caused by the violator to the city, which may include any reasonable expenses incurred in investigating violations of, and enforcing compliance with, this chapter, or any other actual damages caused by the violation.

B. The costs of the city's maintenance of stormwater facilities when the user of such facilities fails to maintain them as required by this chapter.

5.2.5 Referral to TDEC

Where the City has used progressive enforcement to achieve compliance with this ordinance, and in the judgment of the city has not been successful, the city may refer the violation to TDEC. For the purposes of this provision, "progressive enforcement" shall mean two (2) follow-up inspections and two (2) warning letters. In addition, enforcement referrals to TDEC must include, at a minimum, the following information:

A. Construction project or industrial facility location;

B. Name of owner or operator;

C. Estimated construction project or size or type of industrial activity (including SIC code, if known);

D. Records of communications with the owner or operator regarding the violation, including at least two follow-up inspections, two warning letters or notices of violation, and any response from the owner or operator.

5.2.6 Other Remedies

The city may bring legal action to enjoin the continuing violation of this chapter, and the existence of any other remedy, at law or equity, shall be no defense to any such actions.

5.2.7 Remedies Cumulative

The remedies set forth in this section shall be cumulative, not exclusive, and it shall not be a defense to any action, civil or criminal, that one (1) or more of the remedies set forth herein has been sought or granted.

5.3 Appeals

Pursuant to Tennessee Code Annotated § 68-221-1106(d), any person aggrieved by the imposition of a civil penalty or damage assessment as provided by this chapter may appeal said penalty or damage assessment to the city's governing body.

5.3.1 Appeals to be in Writing

The appeal shall be in writing and filed with the municipal recorder or clerk within thirty (30) days after the civil penalty and/or damage assessment is served in any manner authorized by law.

5.3.2 Public hearing

Upon receipt of an appeal, the city's governing body, or other appeals board established by the city's governing body shall hold a public hearing within thirty (30) days. Ten (10) days prior notice of the time, date, and location of said hearing shall be published in a daily newspaper of general circulation. Ten (10) days' notice by registered mail shall also be provided to the aggrieved party, such notice to be sent to the address provided by the aggrieved party at the time of appeal. The decision of the governing body of the city shall be final.

5.3.3 Appealing Decisions of the City's Governing Body

Any alleged violator may appeal a decision of the city's governing body pursuant to the provisions of Tennessee Code Annotated, title 27, chapter 8.

Chapter 6: Definitions

For the purpose of this chapter, the following definitions shall apply: Words used in the singular shall include the plural, and the plural shall include the singular; words used in the present tense shall include the future tense. The word "shall" is mandatory and not discretionary. The word "may" is permissive. Words not defined in this section shall be construed to have the meaning given by common and ordinary use as defined in the latest edition of Webster's Dictionary.

Administrative or Civil Penalties
Under the authority provided in Tennessee Code Annotated § 68-221-1106, the city declares that any person violating the provisions of this chapter may be assessed a civil penalty by the city of not less than fifty dollars ($50.00) and not more than five thousand dollars ($5,000.00) per day for each day of violation. Each day of violation shall constitute a separate violation.

As-built plans
Drawings depicting conditions as they were actually constructed.

Best Management Practices (BMP)
Schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants to waters of the state. BMP's also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

Borrow Pit
An excavation from which erodible material (typically soil) is removed to be fill for another site. There is no processing or separation of erodible material conducted at the site. Given the nature of activity and pollutants present at such excavation, a borrow pit is considered a construction activity for the purpose of this permit.

Buffer Zone
A setback from the top of water body's bank of undisturbed vegetation, including trees, shrubs and herbaceous vegetation; enhanced or restored vegetation; or the re-establishment of native vegetation bordering streams, ponds, wetlands, springs, reservoirs or lakes, which exists or is established to protect those water bodies. The goal of the water quality buffer is to preserve undisturbed vegetation that is native to the streamside habitat in the area of the project. Vegetated, preferably native, water quality buffers protect water bodies by providing structural integrity and canopy cover, as well as stormwater infiltration, filtration and evapotranspiration. For Buffer Zone requirements see the Engineering Standards and Specifications (ESS).

Channel
A natural or artificial watercourse with a definite bed and banks that conducts flowing water continuously or periodically.

Common plan of development or sale
Broadly defined as any announcement or documentation (including a sign, public notice or hearing, sales pitch, advertisement, drawing, permit application, zoning request, computer design, etc.) or physical demarcation (including boundary signs, lot stakes, surveyor markings, etc.) indicating construction activities may occur on a specific plot. A common plan of development or sale identifies a situation in which multiple areas of disturbance are occurring on contiguous areas. This applies because the activities may take place at different times, on different schedules, by different operators.

Design storm event
A hypothetical storm event, of a given frequency interval and duration, used in the analysis and design of a stormwater facility. The estimated design rainfall amounts, for any return period interval in terms of either 24-hour depths or intensities for any duration, can be found by accessing the following NOAA National Weather Service Atlas 14 data for the Columbia, Tennessee station ID: 40-1957.

Contaminant
Any physical, chemical, biological, or radiological substance or matter in water.

Development
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 permanent storage of materials (as defined as materials of like nature stored in whole or in part for more than six months).

Discharge
Dispose, deposit, spill, pour, inject, seep, dump, leak or place by any means, or that which is disposed, deposited, spilled, poured, injected, seeped, dumped, leaked, or placed by any means including any direct or indirect entry of any solid or liquid matter into the municipal separate storm sewer system.

Easement
An acquired privilege or right of use or enjoyment that a person, party, firm, corporation, city or other legal entity has in the land of another.

Erosion
The removal of soil particles by the action of water, wind, ice or other geological agents, whether naturally occurring or acting in conjunction with or promoted by human activities or effects.

Erosion Prevention and Sediment Control (EPSC) Plan
A written plan including drawings or other graphic representations) that is designed to minimize the erosion and sediment runoff at a site during construction activities.

Hotspot
An area where land use or activities generate highly contaminated runoff, with concentrations of pollutants in excess of those typically found in stormwater. The following land uses and activities are deemed stormwater hot spots, but that term is not limited to only these land uses:

Illicit Connections
Illegal and/or unauthorized connections to the municipal separate storm sewer system whether or not such connections result in discharges into that system.

Illicit Discharge
Any discharge to the municipal separate storm sewer system that is not composed entirely of stormwater and not specifically exempted under **Chapter 4.**

Improved Sinkhole
A natural surface depression that has been altered in order to direct fluids into the hole opening. Improved sinkhole is a type of injection well regulated under TDEC's Underground Injection Control (UIC) program. Underground injection constitutes an intentional disposal of waste waters in natural depressions, open fractures, and crevices (such as those commonly associated with weathering of limestone).

Inspector
A person that has successfully completed (has a valid certification from) the "Fundamentals of Erosion Prevention and Sediment Control Level I" course or equivalent course. An inspector performs and documents the required inspections, paying particular attention to time-sensitive permit requirements such as stabilization and maintenance activities. An inspector may also have the following responsibilities:

A. Oversee the requirements of other construction-related permits, such as Aquatic Resources Alteration Permit (ARAP) or Corps of Engineers permit for construction activities in or around waters of the state;
B. Update field SWPPP's;
C. Conduct pre-construction inspection to verify that undisturbed areas have been properly marked and initial measures have been installed; and
D. Inform the permit holder of activities that may be necessary to gain or remain in compliance with the Construction General Permit (CGP) and other environmental permits.

Land Disturbing Activity
Any activity on property that results in a change in the existing soil cover (both vegetative and non-vegetative) and/or the existing soil topography. Land-disturbing activities include, but are not limited to, development, re-development, demolition, construction, reconstruction, clearing, grading, filling, and excavation.

Maintenance
Any activity that is necessary to keep a stormwater facility in good working order so as to function as designed. Maintenance shall include complete reconstruction of a stormwater facility if reconstruction is needed in order to restore the facility to its original operational design parameters. Maintenance shall also include the correction of any problem on the site property that may directly impair the functions of the stormwater facility.

Maintenance Agreement
A document recorded in the land records that acts as a property deed restriction, and which provides for long-term maintenance of stormwater management practices.

Municipal Separate Storm Sewer System (MS4)
The conveyances owned or operated by the city for the collection and transportation of stormwater, including the roads and streets and their drainage systems, catch basins, curbs, gutters, ditches, man-made channels, and storm drains, and where the context indicates, it means the municipality that owns the separate storm sewer system.

National Pollutant Discharge Elimination System (NPDES) Permit
A permit issued pursuant to 33 U.S.C. 1342.

Off-site Facility
A structural BMP located outside the subject property boundary described in the permit application for land development activity.

On-site Facility
A structural BMP located within the subject property boundary described in the permit application for land development activity.

Operator
Any person associated with construction activities that has either design control over construction plans and specifications or day to day operational control over activities on site that are necessary to comply with the SWPPP.

Peak flow
The maximum instantaneous rate of flow of water at a particular point resulting from a storm event.

Person
Any and all persons, natural or artificial, including any individual, firm or association and any municipal or private corporation organized or existing under the laws of this or any other state or country.

Redevelopment
The alteration of developed land. Redevelopment is not intended to include such activities as exterior remodeling, which would not be expected to cause adverse stormwater quality impacts.

Roadway Prism
A portion of the right-of-way between the back of ditch (at the elevation of the adjoining roadway shoulder) or the back of sidewalk and including the roadway ditches, traveled way, shoulders and auxiliary lanes.

Runoff
A portion of the precipitation on a drainage area that is discharged from the area into the municipal separate storm sewer system.

Sediment
Solid material, both inorganic and organic, that is in suspension, is being transported, or has been moved from its site of origin by air, water, gravity, or ice and has come to rest on the earth's surface either above or below sea level.

Sedimentation
The process of soil particles suspended in stormwater settling out of solution.

Soils Report
A study of soils on a subject property with the primary purpose of characterizing and describing the soils. The soils report shall be prepared by a qualified soils engineer, who shall be directly involved in the soil characterization either by performing the investigation or by directly supervising employees conducting the investigation.

Stabilization
Adequate measures, vegetative, and/or structural, that will prevent erosion from occurring.

Stormwater
Stormwater runoff, snow melt runoff, surface runoff, street wash waters related to street cleaning or maintenance, infiltration and drainage.

Stormwater Entity
The entity designated by the city to administer the stormwater management ordinance, and other stormwater rules and regulations adopted by the city.

Stormwater Management
The programs to maintain quality and quantity of stormwater runoff to pre-development levels.

Stormwater Management Facilities
The drainage structures, conduits, ponds, ditches, combined sewers, sewers, and all device appurtenances by means of which stormwater is collected, transported, pumped, treated, or disposed.

Stormwater Management Plan (SWMP)
The set of drawings and other documents that comprise all the information and specifications for the programs, drainage systems, structures, BMP's, concepts and techniques intended to maintain or restore quality and quantity of stormwater runoff to pre-development levels.

Stormwater Pollution Prevention Plan (SWPPP)
A written plan that includes site map(s), an identification of construction/contractor activities that could cause pollutants in the stormwater, and a description of measures or practices to control these pollutants. It must be prepared and approved before construction begins. In order to effectively reduce erosion and sedimentation impacts, Best Management Practices (BMP's) must be designed, installed, and maintained during land disturbing activities. The SWPPP should be prepared in accordance with the current Tennessee Erosion and Sediment Control Handbook. The handbook is intended for use during the design and construction of projects that require erosion and sediment controls to protect waters of the state. It also aids in the development of SWPPPs and other reports, plans, or specifications required when participating in Tennessee's water quality regulations. All SWPPP's shall be prepared and updated in accordance with Section 3 of the General NPDES Permit for Discharges of Stormwater Associated with Construction Activities.

Stormwater Runoff
Flow on the surface of the ground, resulting from precipitation.

Structural BMP's
Facilities that are constructed to provide control of stormwater runoff.

Surface Water
Waters upon the surface of the earth in bounds created naturally or artificially including, but not limited to, streams, other water courses, lakes and reservoirs.

Waste Site
An area where waste material from a construction site is deposited. When the material is erodible, such as soil, the site must be treated as a construction site.

Water Quality Buffer
See "Buffer".

Watercourse
A permanent or intermittent stream or other body of water, either natural or man-made, which gathers or carries surface water.

Watershed
All the land area that contributes runoff to a particular point along a waterway.

Waters or Waters of the State
Any and all water, public or private, on or beneath the surface of the ground, which are contained within, flow through, or border upon Tennessee or any portion thereof except those bodies of water confined to and retained within the limits of private property in single ownership which do not combine or effect a junction with natural surface or underground waters.

Wetland
Areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support a prevalence of vegetation typically adapted to life in saturated soil conditions. Wetlands include, but are not limited to, swamps, marshes, bogs, and similar areas.

Wet Weather Conveyances
Man-made or natural watercourses, including natural watercourses that have been modified by channelization, that flow only in direct response to precipitation runoff in their immediate locality and whose channels are above the groundwater table and are not suitable for drinking water supplies; and in which hydrological and biological analyses indicate that, under normal weather conditions, due to naturally occurring ephemeral or low flow, there is not sufficient water to support fish or multiple populations of obligate lotic aquatic organisms whose life cycle includes an aquatic phase of at least two months. (Rules and Regulations of the State of Tennessee, Chapter 1200-4-3-.04(3)).

Appendix A: Stormwater Enforcement Response Plan

Introduction

The intent of this document is to provide guidance to city officials in enforcing the Stormwater Ordinance. It should be used only as a guide while recognizing that each situation is unique. The provisions of this enforcement response plan are not mandatory. Actual enforcement procedures should consider any unusual aspects of a violation or condition, as well as special characteristics of an enforcement action in determining the proper response.

While the purpose is to provide guidance for administration of the Stormwater Ordinance, it is not intended to limit the judgment and flexibility of the City Engineer or designee in determining the appropriate response.

Initiation of investigations of violations shall take place within seven (7) days of receipt of complaint.

Minor infractions may be resolved by a verbal notice, telephone call or warning letter advising the owner/operator/person of the nature of the violation. If such action fails to generate a response by the owner/operator/person, further enforcement actions as provided by the ordinance may be taken.

Enforcement Response

The order of this precedence for enforcement responses outlined in this guide should not be construed to prevent the City Engineer or his/her designee from taking stronger action without first implementing less stringent steps, if in his/her opinion, a more forceful response is necessary.

A show cause hearing should be held prior to any enforcement action other than a telephone call, warning letter, or notice of violation (NOV). The City of Columbia may order any person who violates the Stormwater management ordinance, permit or order issued hereunder, to show cause why a proposed enforcement action should not be taken. Notice shall be served on the person specifying the time and the place for the meeting, the proposed enforcement action and the reasons for such action, and a request that the violator show cause why this proposed enforcement action should not be taken, The notice of the meeting shall be served personally or by registered or certified mail (return receipt requested) at least ten(10) days prior to the hearing.

Documented Phone Calls or Informal Discussions

In the case of most minor violations of a permit or ordinance, a telephone call or informal meeting may be sufficient to obtain the desired compliance. Phone calls must be documented by contemporaneous notes. A copy of the notes should be placed in the owner's master file and another mailed to the owner.

Likewise if an informal discussion is held, notes shall be kept summarizing the discussion. Copies of the notes should be distributed to all entities involved. Anyone wishing to take exception to the notes should be required o respond in writing.

Warning Letter

A warning letter is the lowest level of formal response to a violation. It is intended for minor violations which would not cause harm to the environment.

Notice of Violation

A notice of violation (NOV) is an official notification to inform a non-compliant owner of a violation of the Stormwater management ordinance. Within ten (10) business days of receipt of the notice, a written explanation of the violation and a plan for satisfactory correction and prevention thereof, to include specific required actions, shall be submitted by the owner to the City Engineer. Inspection to ensure performance of any corrective actions may be conducted by the City Engineer at his/her discretion. Submission of this plan is in no way relieves the owner of liability for any violations occurring before or after receipt of the Notice of Violation.

Administrative Orders

Administrative Orders are enforcement documents which direct owners to perform or to cease specific activities. Administrative orders may also invoke a penalty. There are three (3) primary types of administrative orders: consent orders; compliance orders; and cease and desist orders.

Consent Orders

Consent Orders are entered into between the City and the owners to assure compliance as to specific actions to be taken by the owner to correct non-compliance within a specific time period. The City Engineer may enter into consent orders, assurances of voluntary compliance, or other similar documents establishing an agreement with any owner responsible for noncompliance within a time period specified in the document. Such documents shall have the same force and effect administrative orders issued pursuant to paragraphs (d) and (e) of Section 21-109 of the Stormwater Management Ordinance.

Compliance Orders

Compliance Orders may be issued when the City Engineer finds that the owner has violated, or continues to violate the ordinance or an order issued thereunder. It is similar to a consent order except that the consent of the owner is not implied in its issuance. When the City Engineer finds that an owner has violated or continues to violate a section of the Stormwater Management Ordinance or a permit or order issued thereunder, the City Engineer may issue an order to the owner responsible for the violation directing that the owner come into compliance within a specified time, and such order may include assessment of a civil penalty to be paid if the owner does not come into compliance within the time provided. Compliance orders also may contain other requirements to address the noncompliance, including additional self-monitoring and management practices designed to minimize the amount of pollutants discharged offsite. A compliance order does not relieve the owner of liability for any violation, including any continuing violation. Issuance of a compliance order shall not bar against or a prerequisite for taking any other action against the owner.

Cease and Desist Orders

Cease and Desist Orders may be issued when the City Engineer finds that an owner has violated, or continues to violate, the Stormwater Management Ordinance or an order issued thereunder. The order shall require that the owner:

A. Comply forthwith; and,

B. Take such appropriate remedial or preventative action as may be needed or deemed necessary to properly address a continuing or threatened violation, including halting operations and terminating the discharge. Issuance of a cease and desist order shall not bar against or a prerequisite for taking any other action against the owner.

Contents of Administrative Orders

A. Title – the title specifies the type of order being issued, to whom it is being issued, summarizes the purpose of the order, and contains an identification number.

B. Legal Authority – The authority under which the order is issued (the Stormwater Management Ordinance).

C. The Finding of Noncompliance – All violations must be described including the dates, the specific permit and/or ordinance provisions violated, and any damages known and attributable to the violation.

D. Required Activity – All orders should specify the required actions such as installation of BMP's, additional inspections, appearance at show cause hearings, etc.

E. Milestone Dates for Corrective Actions – When compliance schedules are appropriate, all milestone dates must be established including due dates for required written reports.

F. Supplemental Clauses – The document should contain standard clauses providing that:

   a. Compliance with the terms and conditions of the administrative order shall not be construed to relieve the owner of its obligation to comply with applicable state, federal, or local law, or the permit;

   b. Violation of the administrative order itself may subject the owner to additional penalties as set in the Stormwater Management Ordinance;

   c. No provision of the order shall be construed to limit the city's authority to issue supplementary or additional orders, or to take action deemed necessary to implement this program or ordinance;

   d. The orders shall be binding upon the owner, its officers, directors, agents, employees, successors, assigns, and all persons, firms or corporations acting under, through or on behalf of the owner.

Administrative orders issued as a result of a violation of the Stormwater Management Ordinance shall contain a penalty as determined using Tables "A" and "B" in this document. Administrative orders may also be used to advise an owner to the need of take, or cease, certain actions, and in such case may or may not be associated with penalties as defined in the ordinance or in this guide.

Other Remedies

The City of Columbia may bring legal action to enjoin the continuing violation of the Stormwater Management Ordinance, and the existence of any other remedy, at law or equity, shall be no defense to any such actions.

Civil Injunction

A civil injunction may be requested at any time, for any violation, if in the opinion of the City Engineer in consultation with the City Attorney, such action is needed or appropriate.

Criminal Referral

In cases where criminal acts are suspected, after consultation with the City Attorney, information shall be gathered and forwarded to the District Attorney of the appropriate jurisdiction for action. Criminal prosecution, if pursued, shall be in addition to other actions authorized by the Stormwater Management Ordinance.

Civil Penalties

The Stormwater Ordinance authorizes assessment of civil penalties of not less than fifty dollars ($50.00) and not to exceed five thousand dollars ($5,000.00) per day for each day of violation. Additionally, the Stormwater Ordinance authorizes the City Engineer or designee to assess a civil penalty for actual damages incurred by the City. Before assessment of any civil penalty, a show cause hearing must be held with the non-compliant owner.

If a violation results in conditions requiring the expenditure of public funds for mitigation of damages, a penalty shall be assessed in such amount as to offset the public funds expended. This will in no way reduce or offset the liability of the owner with respect to damages incurred.

Response Guide Tables

The following tables indicates how point values are assigned for each violation, considering the severity, duration, degree of harm, and compliance history of the owner. All possible violations may not be listed; however, this does not preclude an appropriate enforcement response.

In **Table A** three columns are associated with each listed violation – the "Initial Points" column, the "Repeat Value" column, and the "Cumulative" column. If no history of violations is noted, the value in the "Initial Points" column may be used with conjunction with **Table B** to assess a typical response to the violation.

If the user has a history of similar violations, the initial point value plus the product of the number of the previous occurrences times the repeat value should be used as shown in the following formula:

$$T = I + (N \times R)$$

Where:

T = Total Point Value

I = Initial Point Value for a single violation

N = Number of previous occurrences

*R = Repeat Value from **Table A***

Should more than one violation be noted at a time, the cumulative column should be consulted. If violations are cumulative in nature, the sum of the individual point values should be used to judge the response. If not, the greater individual values should be used to judge response, with the documentation for that response noting all violations.

Once a point value is determined, **Table B** should be consulted for recommended responses. **Table B** provides a schedule of appropriate responses bases upon the number of "points" determined by **Table A**

Example

An owner violated the terms of the Stormwater Management Ordinance. This violation is considered significant and causes harm. Investigation reveals the owner has been sited twice in the past for the same violation:

$$T = I + (N \times R)$$

Therefore:

$$T = 3 + (2 \times 1) = 5$$

Where:

3 = Points charged for isolated but significant discharge from **Table A**

2 = Number of previous occurrences; and

1 = Repeat value from **Table A**

Resulting Options: Administrative Order with up to a $500.00 penalty from **Table B**.

Table A: Violation Response Guide

Erosion Prevention and Sediment Control			
Description of Violation	**Initial Points**	**Repeat Value**	**Cumulative**
Violation of a Single Requirement:			
Not Significant	1	1	Yes
Significant, no harm	2	1	Yes
Significant, causes harm	2	1	Yes
Violation of More than one Requirement:			
Not Significant	2	1	Yes
Significant, no harm	3	1	Yes
Significant, causes harm	4	1	Yes
Unauthorized Discharges			
Illicit Discharges:			
Owner unaware of requirement, no harm	1	N/A	No
Owner unaware of requirement, harm	2	N/A	No
Owner aware of requirement, no harm	2	1	Yes
Owner aware of requirement, harm	3	1	Yes
Illicit Connections:			
Owner unaware of requirement, no harm	1	N/A	No
Owner unaware of requirement, harm	2	N/A	No
Owner aware of requirement, no harm	2	1	Yes
Owner aware of requirement, harm	3	1	Yes
Inspection			
Entry denied	2	2	Yes
Inspection Records Incomplete	1	2	No
Inspection Records Not Available	1	2	No
Maintenance			
Failure to properly operate and maintain BMPs	1	1	Yes
Stormwater Management			
Pre-Construction:			
Failure to obtain NOC	2	1	No
Failure to obtain grading permit	2	1	No
Failure to provide performance bond/letter of credit	2	1	No
Post Construction:			
Failure to provide water quality BMPs	2	2	No
Failure to provide channel protection	2	2	No
Failure to provide downstream impact analysis	2	2	No

Table B: Violation Response Guide

Point Total	Action
1	Written Warning
2	Notice of Violation
3	Administrative Order with up to a $150 Penalty
4	Administrative Order with up to a $300 Penalty
5	Administrative Order with up to a $500 Penalty
6	Administrative Order with up to a $1000 Penalty
7	Administrative Order with up to a $2000 Penalty
8	Administrative Order with up to a $3000 Penalty
9	Administrative Order with up to a $4000 Penalty
10	Administrative Order with up to a $5000 Penalty

Cease and Desist Order

A civil injunction may be requested at any time, for any violation, if in the opinion of the City Engineer in consultation with the City Attorney, such action is needed or appropriate.

Criminal Action

In cases where criminal acts are suspected by the director, after consultation with the City Attorney, information shall be gathered and forwarded to the District Attorney of the appropriate county for action. Criminal prosecution, if pursued, shall be in addition to other actions authorized by the Stormwater Management Ordinance.

Q1 and Q2 – 2023 Zoning Text Amendment

Project #:	24-0223, 0221, 0053, 0043	Location:	N/A
Applicant:	Kevin C. McCarthy, AICP	Case Type(s):	Text Amendment
Staff Planner:	Kevin C. McCarthy, AICP	Proposed Use:	N/A

SUMMARY

The applicant, the Zoning Administrator, requests to amend the text of Ordinance 4400, the zoning ordinance for the City of Columbia. This is the second and third of five rounds of zoning text amendments staff will present to the Planning Commission between December 2023 and December 2024. These changes will implement Connect Columbia, better align zoning regulations with community preferences, and calibrate the standards based on "lessons learned" during the first two years administering the Ordinance. This round of proposed amendments is detailed in the attached list of topics and track changes documents.

- The Planning Commission is a **recommending body** for zoning text amendments. The City Council is the decision-making authority.
- The staff comments section details the proposed changes, which are provided in the agenda packet in ~~strikethrough~~ and underlines.
- Planning Commission may recommend adoption of the proposed text, modify the proposal, or decline the request.
- Templates are provided at the end of the report to assist the Planning Commission in crafting properly formatted motions.

CONSISTENCY WITH CONNECT COLUMBIA

The ongoing current process of reviewing and updating the Zoning Ordinance, Subdivision Regulations, Engineering Standards & Specifications, and other regulating documents is part of the implementation of Connect Columbia, the City's comprehensive plan.

REVIEW PROCESS

Section **8.5.16** of the Zoning Ordinance directs the Planning Commission to review and make a recommendation on all proposed changes to the text of the Ordinance. The Planning Commission is the recommending body for text amendments under **§ 8.3.3.B.2** of the Zoning Ordinance.

Section **8.5.18.C** of the Zoning Ordinance requires that Planning Commission determine that the proposed changes are consistent with the comprehensive plan.

8.5.18.G of the Zoning Ordinance establishes the review criteria for approval of all changes to the text of the Ordinance:

a. *The extent to which the proposed Zoning Ordinance Amendment is consistent with the remainder of this Ordinance, including, specifically, any purpose and intent statements;*
b. *The extent to which the proposed Zoning Ordinance Amendment represents a new idea not considered in this Ordinance, or represents a revision necessitated by changing circumstances over time;*
c. *Whether or not the proposed Zoning Ordinance Amendment corrects an error in this Ordinance; and*
d. *Whether or not the proposed Zoning Ordinance Amendment revises this Ordinance to comply with state or federal statutes or case law.*

The criteria for City Council action on a Zoning Ordinance Amendment at § 8.5.18.J.4 are identical to the criteria for Planning Commission review at 8.5.18.G.3.

COMMENTARY FROM PROFESSIONAL PLANNING STAFF

The City Council adopted the current ordinance on July 14, 2022. The Zoning Ordinance implements the City's comprehensive plan, Connect Columbia. On November 8, 2023, the Planning Commission recommended adoption of a five-year update of the framework, land use, and transportation elements of Connect Columbia. The framework element of the plan directs planning staff to initiate revisions to the ordinance in order to bring it into consistency with changes to the future land use plan. It further directs staff to engage residents and property owners to solicit suggestions for further changes to the ordinance. As mentioned above, this is

the second and third of five rounds of zoning text amendments staff plans to present to the Planning Commission between December 2023 and December 2024.

Planning staff will present detailed commentary at the June 5, 2024 meeting of the Planning Commission.

The Planning Commission may recommend approval of the proposed text amendments, direct staff to prepare an alternative text amendment, or decline to act on the proposed changes**.**

SAMPLE MOTIONS

Approve:

Move to find, based on the analysis provided by city staff, that the criteria listed in section **8.5.18** of the City of Columbia Zoning Ordinance have been satisfied and recommend approval of the proposed text amendments **[may be subject to modificaitons proposed by the Planning Commission]**.

Deny:

Move to recommend denial of the requested text amendment having found, based on the analysis provided by city staff, that the criteria listed in section **8.5.18** of the City of Columbia Zoning Ordinance are not satisfied [*list specific reasons for denial and provide direction to staff*].

Defer:

Move to find that there is insufficient information to decide, defer the matter to the next regularly scheduled meeting of the Planning Commission, and direct staff to provide: [*list additional information*] for review at a future meeting.

Article 8
Administration, Procedure, & Enforcement
Proposed Zoning Text Amendment

Additions are Underlined
~~Deletions are Strikethrough~~

Proposed Changes

§ 8.1 Purpose & Intent (p. 392) 2
§ 8.2 Zoning Administrator (p. 392) 2
§ 8.3.7 Development Review Committee (p. 400) 6
§ 8.5.2 Interpretation of Ordinance. (p. 401) 6
§ 8.5.3 Summary of Review Authority/Table 8.5.3 (p. 402-403) 8
§ 8.5.4 Common Review Procedures (p. 401) 8
§ 8.5.5 Zoning Permit (p. 407) 14
§ 8.5.6 Development Plan Review (p. 408 - 422) 17
§ 8.5.19.M Districts as Applied to Territory Added to Jurisdiction of City (p. 449) 46
8.5.21 Planned Unit Development (PUD) (p. 451 – 467) 47
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Article 8
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Additions are Underlined
~~Deletions are Strikethrough~~

§ 8.1 Purpose & Intent (p. 392)

It is the purpose and intent of this Article to provide for the proper and efficient administration of this Ordinance, for procedures for the implementation of this Ordinance, and for enforcement of this Ordinance.

§ 8.2 Zoning Administrator (p. 392)

A. Authorization.

1. There is hereby created the Office of the Zoning Administrator. The Zoning Administrator shall be executive head of such office. This Ordinance shall be administered by the Zoning Administrator.

2. The Zoning Administrator shall have all authority, take all actions, and discharge all duties and responsibilities under this Ordinance, as specified herein, under applicable law, or as directed by the Director of Development Services, the Planning Commission, the Board of Zoning Appeals, or the City Council.

3. The City Planner is hereby designated and appointed as the Zoning Administrator. The Zoning Administrator serves at the direction of the Director of Development Services. In the absence of a City Planner, the Zoning Administrator shall be such person as may be designated by the Director of Development Services, or in the absence of both the City Planner and the Director of Development Services, the City Manager.

B. Method of Acting.

The Zoning Administrator, may act directly or through any one or more ~~of its~~ designees. The Zoning Administrator may designate any staff member to represent the Zoning Administrator in exercising or discharging any of the actions, duties, or responsibilities under this Ordinance, which are

within Zoning Administrator's authority. The Zoning Administrator shall remain responsible for any final action.

C. Powers & Duties.

In order to assure compliance with the provisions of this Ordinance, and in addition to the general authority of the Zoning Administrator pursuant to this ~~S~~section ~~8.2.1.A above~~, the Zoning Administrator shall have the following specific powers and responsibilities:

1. Reviewing, making recommendations regarding, and certifying completeness and compliance of the following:
   a. Applications for Development Plans and Master PUD Development Plans
   b. Applications for Certificates of Appropriateness;
   c. Amendments to adopted Land Use Plans;
   d. Amendments to the text of this Ordinance;
   e. Applications for Rezoning;
   f. Applications for Historic District designation; and
   g. Vested rights determinations.
2. Making final administrative decisions on the following:
   a. Interpretations of this Ordinance;
   b. Issuing of all Zoning Permits, and the creating and maintaining all pertinent records;
   c. Applications for ~~Sketch Development~~Plot Plans~~;~~
   d. Applications for certain Site Development Plans;
   e. Applications for Floodplain Development Permits;
   f. Administrative Adjustments;
   g. Applications for Temporary Use Permits;
   h. Applications for Home Occupation Permits;

i. Applications for Sign Permits.

j. Applications for Certificates of Occupancy, in consultation with the Chief Building Official;

k. Applications for Determination of Economic Hardship; and

l. Applications for removal of Heritage Trees within a required Buffer area or credit for preservation of existing vegetation, including Heritage Trees.

3. Administering the provisions of any ~~certified~~ Development Plan or Master PUD Development Plan and any approved Conditional Use or approved site plan, except where administration is otherwise expressly provided in this Ordinance to be the responsibility of other City personnel;

4. Reviewing and certifying whether plans and applications submitted pursuant to this Ordinance are complete and in compliance with all standards and requirements hereof;

5. Together with Decision-Making Authorities and other City code enforcement personnel as provided herein, enforcing this Ordinance and the provisions of any Development approval, permit, or plan certified, approved, or issued under this Ordinance;

6. Taking all actions and discharging all duties and responsibilities as directed by the City Manager, Director of Development Services, Planning Commission, Board of Zoning Appeals, or City Council; and

7. Taking all other actions as Zoning Administrator specified in this Ordinance.

D. Additional Responsibilities.

The Zoning Administrator shall have the following additional responsibilities:

1. Provide information to the public on all matters relating to this Ordinance;

2. Receive, file, and forward to all necessary agencies all applications for Conditional Uses and for amendments to this Ordinance;

3. Undertake a study of the provisions of this Ordinance, and make reports of his/her recommendations to the Planning Commission as necessary.

4. Receive, file and forward to the Board of Zoning Appeals all applications for matters ~~on~~ which the Board of Zoning Appeals is required to review under the provisions of this Ordinance;

5. Maintain permanent and current records of this Ordinance, including, but not limited to, all maps, amendments, Conditional Uses, Variances, appeals, and applications therefor;

6. Prepare an annual report summarizing annexation requests and subsequent action on such requests, and submit the same annually to the City Council;

7. Not make changes in the provisions of this Ordinance, excepting as provided in Section 8, and

8. Not refuse to issue a permit when conditions imposed by this Ordinance are complied with by the applicant, despite the violation of contracts such as deed covenants or private agreements which may occur upon the granting of said permit.

E. Procedures & Guidelines.

Clarifies the responsibility of staff to establish a process of review

The Zoning Administrator shall develop, approve, and implement administrative procedures and guidelines to execute the provisions of this Ordinance. The Zoning Administrator shall develop deadlines, application forms, instructional sheets, checklists and processes for the efficient administration of development review. The Zoning Administrator may update and revise such form time to time as necessary to maintain efficiency.

Article 8
Administration, Procedure, & Enforcement
Proposed Zoning Text Amendment

Additions are Underlined
~~Deletions are Strikethrough~~

No changes are proposed to sections 8.3.1 through 8.3.6 (p. 393- 400)

§ 8.3.7 Development Review Committee (p. 400)

There shall be a Development Review Committee. Such Committee shall consist of the Zoning Administrator or designee and other staff that the Zoning Administrator deems necessary to review an application. The Zoning Administrator shall chair the Committee.

Clarifies the scope of the DRC

The Committee chair shall prepare and retain a report on each meeting of the Committee. The Committee is authorized to review and provide input on any project proposal forwarded to the Committee by the Zoning Administrator. Additionally, the Committee is authorized to review and provide input on each Rezoning, Site Development Plan, Subdivision Plat, and Master PUD Development Plan or amendment to Master PUD Development Plan in accordance with ~~Section 8.5.6.I.3~~processes and procedures developed by the Zoning Administrator. No application for review shall be forwarded to the Planning Commission until it is deemed completed and responsive to all comments provided by the Development Review Committee.

§ 8.5.2 Interpretation of Ordinance. (p. 401)

A. Zoning Administrator Authorized.

When uncertainty exists, the Zoning Administrator shall be authorized to make all interpretations concerning the provisions of this Ordinance with the exception of the interpretations listed in Section 8.5.2.B.

B. Certain Exceptions.

1. All interpretations of matters relating to the City Building Code shall be made by the Building Official or designee.

2. The Zoning Administrator may refer interpretations of other provisions outside this document to the appropriate City and/or County officials.

C. Initiation / Request for Interpretation.

1. The Zoning Administrator may ~~make an~~initiate an interpretation concerning the provisions of this Ordinance. ~~on his own initiative, at the request of t~~The Planning

Revised to gender neutral language

Commission, City Council, Historic Zoning Commission, or Board of Zoning Appeals may also direct the Zoning Administrator to produce an interpretation concerning the provisions of this Ordinance..

2. In addition to requests pursuant to Section 8.5.2.C.1, a request for interpretation may be made by persons having legal authority to take action in accordance a ~~Zoning Permit~~Zoning Permit. Such persons shall include without limitation owners or lessees of property, or their agents, and persons who have contracted to purchase property contingent upon their ability to acquire the necessary permits under this Ordinance, or the agents of such persons. The Zoning Administrator may require an a requesting person or agent to submit evidence of his or her authority to submit the request for interpretation.

D. Action by Zoning Administrator.

1. Upon receipt of a request pursuant to Section 8.5.2.C, the Zoning Administrator shall:

   a. Review and evaluate the request in light of the text of this Ordinance, the Official Zoning Map, the Comprehensive Plan and any other relevant information;

   b. Consult ~~with the Building Official~~ and coordinate with other staff, ~~including the City Attorney,~~ as necessary; and

   c. Render an opinion.

2. The interpretation shall be provided in writing to the requesting party.

E. Official Record.

The Zoning Administrator shall maintain an official record of all interpretations. The record of interpretations shall be available for public inspection during normal business hours.

F. Appeal.

Final action on an interpretation of this Ordinance by the Zoning Administrator or designee pursuant to Section 8.5.2.C.2 may be appealed in accordance with Section 8.5.17, Appeal of Administrative Decision.

§ 8.5.3 Summary of Review Authority/Table 8.5.3 (p. 402-403)

Replace current table with changes to formatting and updates consistent with previous zoning text amendments (see Attachment 8.A)

§ 8.5.4 Common Review Procedures (p. 401)

A. Applicability.

The review procedures described in this Section 8.5.4 apply as may be listed by the individual relevant Sections found in this Article.

B. Pre-Application Conference.

1. The Zoning Administrator may require applicants to ~~Before submitting an application for any Development or Plat approval, it is recommended that each applicant~~ schedule a pre-application conference with the Zoning Administrator, City Engineer, utility providers, and other appropriate staff to discuss the procedures, standards and regulations required ~~in accordance with of~~by this Ordinance.

~~2. A pre-application conference is not required for Developments of 2 or fewer one- or two-family Dwellings.~~

~~3. A pre-application conference with the Zoning Administrator shall be required but not limited to the following types of Development review:~~

~~a. Application for Development Plan or Plat, of 3 or more one- or two-family Dwellings;~~

~~b. Application for Conditional Use Permit;~~

In practice, formal pre-application meetings are mandated for all reviews which require Planning Commission or City Council approval. Staff rejects applications for review if there has not been a pre-app.. Scheduling a pre-app, providing a "napkin-sketch" and paying the associated fee guarantees a meeting with the City Planner, City Engineer, and Fire Marshal (or designees) and usually includes the Director of Development Services, wastewater engineer, and a representative from CPWS. Others are encouraged to schedule pre-apps, but they are not required in order to submit an application.

~~c. Application for a Variance or Administrative Adjustment;~~

~~d. Application for Rezoning or Zoning Ordinance Amendment, including Rezoning to a PUD; and~~

~~e. Application for Heavy Manufacturing Permit.~~

~~f.~~a. ~~Application for Certificate of Appropriateness~~

C. Application Requirements.

1. Applications required under this Ordinance shall be submitted on forms and in such numbers as required by the ~~appropriate department~~Zoning Administrator. All forms shall include, at a minimum, the following information:

   a. Contact information for the individual or firm submitting the application.

   b. Contact information for the individual or firm on whose behalf the application is being submitted.

   c. If applicable, identification of the property affected by the application, such as a legal description, address, or PIN as may be appropriate; and

   d. Any other information required by the Zoning Administrator, other appropriate department, or the provisions of this Ordinance.

2. All applications and associated fees shall be filed with the appropriate department.

3. Filing fees shall be established from time to time to defray the actual cost of processing the application.

4. All applications must be complete before the appropriate department is required to review the application.

5. A determination of whether a Development application is complete shall be made by the Zoning Administrator no more than five days after submittal of the application.

6. ~~An~~ The Zoning Administrator shall determine whether an application ~~that~~ contains all required information ~~shall be deemed complete.~~ and shall only initiate the review and processing of applications determined to be complete.

7. If the application is determined not to be complete, the Zoning Administrator shall notify the applicant. The notification shall list ~~all m~~issing or incomplete items and provide a specific period of time for the applicant to resubmit the material for the next ~~scheduled meeting~~application deadline. ~~The applicant may request an additional meeting for explanation of the missing or incomplete items. If the application is not resubmitted within the period specified by the Administrator, the application shall be deemed rejected and shall not be accepted for filing.~~ After an application has been rejected, a new application and fee shall be required.

8. A determination of completeness does not preclude any negative final action and does not include any implied determination that the application successfully meets any review criteria.

9. If an incomplete application is erroneously deemed complete and later determined to be incomplete, Section 8.5.4.C.7 shall apply. ~~The applicant may rely on the recommendations of the appropriate department as to whether more or less information should be submitted.~~

10. The Zoning Administrator may require an applicant to present evidence of authority to submit the application.

11. ~~Applications sufficient for processing shall be submitted to the Zoning Administrator in accordance with the published calendar schedule.~~ Schedules indicating submittal dates shall be developed each year and made available to the public. Applications sufficient for processing shall be submitted to the Zoning Administrator in accordance with the published calendar schedule.

12. Applications for Development approvals may be filed and reviewed simultaneously, at the option of the applicant. Any application that also requires a Variance or Administrative Adjustment shall not be eligible for final approval unless and until such relief has been granted.

13. Applications submitted simultaneously are subject to approval of all other related applications; denial or disapproval of any concurrently submitted application shall stop consideration of any related applications until the denied or disapproved application is resolved.

D. Notice & Public Hearing.

1. Notice shall be required for applications for Development approval as shown in **Table 8.5.4.D-1 (Summary of Notice Requirements).**

2. For published notice, in addition to other requirements that may be required for the specific procedure, the following shall be required:

Item #2 missing in 2022 text; renumbered here

   a. a distinctive notice shall be placed by the Development Services Department in a newspaper of general circulation within the City at least ten days but not more than 30 days prior to the Planning Commission or Board of Zoning Appeals meeting, as applicable;

   b. the notice shall include, at a minimum:

      (1) The time, date, and location of the proposed meeting or hearing; and

      (2) A summary description of the proposed action.

4. For posted notice (sign), in addition to other requirements that may be required for a specific procedure, the following shall be required:

a. The sign shall specify the phone number for the City Development Services Department.

b. The sign shall be constructed of a rigid waterproof material, such as plastic board or metal. Letters shall be at least 2" tall.

c. The sign shall have a minimum dimension of 18" tall by 24" wide and legs of sufficient length to raise the top of the sign 36" above the adjacent grade.

5. For an application to be considered complete, at least ten days prior to the meeting, the applicant and/or the Development Services Department shall post any required signs. The signs shall remain in place and in readable condition until one of the following occurs:

a. The request has received final action by the Decision-Making Authority; or

b. The applicant withdraws the request.

6. If the signs are removed during the decision process, the signs shall be replaced ~~and re-certified~~ by the Development Services Department.

~~**6.** Signs for all requests shall be removed following final action by the Decision-Making Authority or when the applicant withdraws the request.~~

Removes language redundant with #5 above

7. Posted notices shall be installed by the City in conformance with the following:

a. At least ~~O~~one sign shall be placed ~~on or to the closest extent~~as close as possible ~~along~~ to the property line fronting on a public street at the point of clearest visibility~~.~~

Allows staff to determine the most visible location for posted notice

~~b. Properties fronting on more than one public street must have one single sign on the property line fronting along each public street.~~

~~c. Signs shall be placed at mid – point on the street frontage from which the site is addressed. If signs are not clearly visible at such midpoints, then they shall be placed at the clearest point of visibility as determined by the Zoning Administrator.~~

~~d. On properties where existing Structures encroach into the minimum sign setback area, the sign shall be located on such Structures so that the top of the sign is located seven to ten feet above grade.~~

~~e.~~b. In situations where site conditions prevent the placement of signs in conformance with the requirements in Sections 8.5.4.D.7.a ~~through 8.5.4.D.7.d~~ above, shall be placed at the clearest point of visibility as determined~~alternative placement may be approved~~ by the Zoning Administrator.

8. For mailed notice, in addition to other requirements that may be required for the specific procedure, the following shall be required:

a. All letters shall be sent by the City using certified U.S. Mail.

b. The letter shall specify the street address and phone number for the City Development Services Department.

c. If the letter shall contain a notice of an upcoming meeting or hearing, the letter shall include the date, time, location of the meeting and the body before which the meeting or hearing shall take place.

d. The letter shall contain the proposed action and street address, or parcel identification, for the property in question.

Not all properties have street addresses

e. All letters shall be mailed at least ten days prior to the scheduled meeting, hearing, or other action.

f. Letters shall be mailed to all owners of property that is Adjacent to the property in question.

9. Minor defects in notice shall not impair the notice or invalidate proceedings pursuant to the notice if a bona fide attempt has been made to comply with applicable notice requirements.

10. A public hearing shall be held for the following procedures before the City Council, Planning Commission, Board of Zoning Appeals, or Historic Zoning Commission, as indicated:

§ 8.5.5 Zoning Permit (p. 407)

A. Required.

1. A Zoning Permit shall be required to commence the excavation for or the construction of any Structure, to commence the moving, Alteration, or repair of any Structure, to use any Structure or to change the use of any Structure. Such permit may be independent in form or combined with other department permit processes.

2. The Zoning Permit shall contain a statement that the plans, specifications and intended use of such Structure in all respects conform to the provisions of this Ordinance.

B. Application.

1. Applications for Zoning Permits may be made by persons having legal authority to take action in accordance with the permit, including without limitation the owners or lessees of property, or their agents, or persons who have contracted to purchase property contingent upon their ability to acquire the necessary permits under this Ordinance, or the agents of such

persons (who may make application in the name of such owners, lessees or contract vendees).

2. The Zoning Administrator may require an applicant to submit evidence of his or her authority to submit the application for a Zoning Permit.

3. An application for a Building Permit shall be submitted in accordance with Section 8.5.4. All applications for Zoning Permits must be complete before the Zoning Administrator may consider the application.

4. Unless specifically exempted, Development Plan or Master PUD Development review and approval shall be required prior to the issuance of a Zoning Permit.

5. For any application where loading and/or five or more parking spaces are to be provided, the application shall be accompanied by a fully dimensioned site plan drawn to a scale of no less than 1"=200'. Such site plan shall show the location of all Structures on the Lot and the location and layout of the proposed parking and loading, including any required vehicular area landscaping.

C. Development of Forms.

The Zoning Administrator shall make every effort to develop application forms, instructional sheets, checklists, or other techniques or devices to assist applicants in understanding the Zoning Permit application requirements and the form and type of information that must be submitted. In classes of cases where a minimal amount of information is necessary to enable the Zoning Administrator to determine compliance with this Section, such applications for Zoning Permits to construct single – family or two – family Dwellings, or applications for Sign Permits, the Zoning Administrator shall develop standard forms that will expedite the submission of the necessary Plans and other required information.

D. Zoning Administrator Action.

1. Upon receipt of a complete application for Zoning Permit and any other required materials, the Zoning Administrator shall ~~have up to 60 days to initiate review of the application. Application review not initiated within 60 days shall be deemed to have automatic approval~~initiate the review according to the procedures established under Section 8.2.1.E.

2. Upon hearing recommendations from all appropriate departments and review bodies, the Zoning Administrator shall proceed as follows:

    a. In cases where no additional permits are required and all Ordinance requirements have been met, the Zoning Administrator shall issue a Zoning Permit.

    b. In cases where an additional permit(s) is required, the Zoning Administrator shall notify the applicant of the additional permit(s).

3. In no case shall a Zoning Permit be issued until all other permits required by this Ordinance have been obtained. Additional permits may include any or all of the following:

    a. Temporary Use Permit

    b. Home Occupation Permit

    c. Sign Permit

    d. Certificate of Appropriateness

    ~~e. Certificate of Economic Hardship~~

    ~~f. Demolition by Neglect~~

    ~~g.~~e. Conditional Use Permit

4. In cases where an amendment to the text of this Ordinance and/or a Rezoning may be required prior to the issuance of a Zoning Permit, the Zoning Administrator shall notify the applicant of the text amendment procedure in Section 8.5.18, and/or the Rezoning procedure in Section 8.5.19.

5. In cases where a Variance or Administrative Waiver may be required prior to the issuance of a Zoning Permit, the Zoning Administrator shall notify the applicant of the Variance procedure in Section 8.5.16 or the Administrative Adjustment procedure in Section 8.5.8.

6. Any Zoning Permit issued by the Zoning Administrator shall become null and void twelve months after the date of its issuance unless Actual Construction has begun and been continued in a diligent manner.

7. Final action on a Zoning Permit may be appealed in accordance with Section 8.5.17, Appeal of Administrative Decision.

§ 8.5.6 Development Plan Review (p. 408 - 422)

A. Applicability

1. Except as exempted under Section 8.5.6.B below, no Building Permit or Certificate of Occupancy may be issued unless and until a Development Plan has been approved therefor and unless the application for the same includes a Development Plan, which has been certified by the Zoning Administrator as being in compliance with Section 4.3. and this Section 8.5.6.

2. Except as exempted by this Ordinance~~under Section 8.5.6.B below~~, no Building shall be constructed, re-constructed, or modified, and no Lot or other land shall be Developed, Improved, subdivided, or re-subdivided, and none of the same shall be used, except in compliance with ~~this Ordinance, the Zoning Map, and~~ a Development Plan that has been prepared, submitted, reviewed and certified in accordance with this Article and all standards and requirements applicable thereto.

3. All requirements imposed by a Development Plan shall run with the land and shall apply against any owner, subsequent owner, or occupant.

B. Exemptions.

The following Development, activities, or Uses shall be exempt from Development Plan review, although they may be subject to other review procedures where noted in other Sections of this Ordinance:

1. Ordinary Maintenance and Repair of a Structure (unless review is required under Certificate of Appropriateness).
2. The use or intended use of land for the purpose of agriculture, raising of crops, or forestry, to the degree established by state law.
3. Home Occupations.
4. Accessory Uses incidental to a one- or two-family Residential Use, provided that an Accessory Building or Accessory Structure is not exempt.
5. Any proposal for which an application for Master PUD Development Plan approval has been approved pursuant to Section 8.5.21.

C. Types of Development Plans.

There shall be ~~two~~ three types of Development Plans, each applicable to certain types of Development and each having a different level of approval required. The criteria for establishing which type of Development Plan and the corresponding level of approval for each are indicated below:

1. ~~Sketch Development~~Plot Plan, which is a Development Plan the approval of which is necessary for:

   a. A one – or two – family detached Dwelling located on a single Lot or Building Site;

   b. A one – or two-family attached Dwelling located on two abutting Lots or Building Sites;

   c. A Manufactured Home located on an individual Lot or Building Site; or

   d. A request for issuance of a Sign Permit; and

Matches terminology of daily practice for zoning compliance review

for which no Conditional Use Permit, Variance, or Rezoning is necessary;

2. Major Site Development Plan, which is a Development Plan ~~the approval of which is necessary for a project~~ that does not meet the criteria listed in Section 8.5.6.C.1 above, for which the Planning Commission is identified as the Decision Making Authority in Section 8.5.6.D below~~. See Illustration 8.5.6 (Development Plan Review Process)~~; and ~~.~~

Distinguishes site plans by decision-making authority

~~2.~~3. Minor Site Development Plan, which is a Development Plan that does not meet the criteria listed in Section 8.5.6.C.1 above, for which the Zoning Administrator is identified as the Decision Making Authority in Section 8.5.6.D below

[Delete Illustration 8.5.6 Development Plan Review Process]

D. Decision-Making Authorities.

Move flow illustration of process into administrative guidelines and procedures document

1. The Zoning Administrator shall be the Decision-Making Authority for ~~Sketch Development~~Plot Plans. However, the Zoning Administrator shall have the discretion to refer ~~Sketch Development~~Plot Plans to the Planning Commission for approval.

2. Except as provided in Section 8.5.6.D.3, the Zoning Administrator shall be the Decision-Making Authority for Site Development Plans. However, the Zoning Administrator shall have the discretion to refer Site Development Plans to the Planning Commission for approval.

3. The Planning Commission shall be the Decision-Making Authority for Site Development Plans that include one or more Development Parcels, any Request for Alternative Performance, Food Truck Courts, Large Multi-Family Buildings, or Manufactured Home Parks, ~~one or more Development Parcels,~~ or an application referred by the Zoning Administrator.

Addition of Food Truck Park adopted in June 2023; Alternative Performance

E. Review by other Departments.

The Zoning Administrator shall ensure that all appropriate ~~review~~ entities have reviewed the ~~proposed project~~application and had

opportunity to comment. ~~These review entities may include, but are not limited to: Department of Public Works, Inspections Department, City Engineer, and others. It is encouraged that the applicant addresses all concerns raised by these entities.~~

F. Development Plan Requirements - General.

1. The following requirements are applicable to all Development Plans and applications:

   a. All Development Plans shall be submitted in accordance with Section 8.5.4 and all procedures and guidelines established under Section 8.2.1.E.~~.~~

   b. ~~In addition,~~ State or Federal regulations may require that additional information be supplied as a part of a submittal.

   c. Each Development Plan required under this Article shall be prepared, signed, and submitted by or on behalf of the Owner of the applicable property or authorized agent. The Zoning Administrator may establish minimum evidence sufficient to demonstrate owner authorization.~~. If such Plan is prepared, signed, or submitted on behalf of such Owner, a written durable irrevocable power of attorney authorizing such actions to be taken on behalf of the Owner shall accompany the Plan.~~

   d. Other information concerning the Lot, Building Site, Development Parcel, or other land or Adjacent Lot, Building Site, Development Parcel, or other land as may be deemed essential by the Zoning Administrator, City Engineer or other reviewers to determine whether the provisions of this Ordinance and other applicable regulation are met.

   Establishes minimum information for review

   ~~d.~~e. Any other information or items deemed necessary by the Planning Commission to determine the conformity of the Site Development Plan with the spirit and intent of this Ordinance, which information or items as specifically identified to the applicant in writing.

~~e. Each Development Plan shall be prepared in accordance with this Section 8.5.6.F and must conform to all applicable requirements of this Ordinance.~~

~~f. Each Development Plan must include all items described in Section 8.5.6.G.~~

~~g. Each Development Plan must be submitted for review and action in accordance with this Section 8.5.6.F~~

~~h. Each Development Plan shall include:~~

~~(1) The name and address of the Applicant and the owner of record, if different from the Applicant.~~

~~(2) The name, address, signature, and seal of the professional preparing the Plan.~~

~~(3) The title of the Development, date prepared, and date of revisions, if any.~~

~~(4) Legal description of the property and tax parcel identification.~~

~~(5) A location map drawn to a scale of no smaller than one inch (1") equals 200 feet, with a North arrow, and written and graphic scale legend.~~

~~(6) Existing zoning of the property and all Adjoining properties.~~

~~(7) The identification of all Adjacent properties, including owners' names.~~

~~(8) Description of all existing and proposed restrictions or covenants applicable to the site.~~

~~(9) Location, width and purpose of all existing and proposed Easements, Setbacks, Yards, reservations and areas, dedicated to public use, both within and Adjacent to the property.~~

~~(10) Certified survey of existing conditions of the application property, prepared and sealed by a~~

Much of the following text is repetitious and overly specific for inclusion in the Ordinance; these requirements are found in checklists, applications, and guidelines published by the Zoning Administrator, the Building Official, and the City Engineer

~~licensed Tennessee surveyor, and showing at a minimum:~~

~~(a) Property lines and measurements,~~

~~(b) Tax lot designation,~~

~~(c) Utility lines and connections,~~

~~(d) Curb cuts,~~

~~(e) Street designations, and~~

~~(f) North arrow.~~

~~(11) Detailed Plan prepared, signed, and sealed by an architect, landscape architect, engineer, or land surveyor licensed to practice by the State of Tennessee, and signed by the applicant, which shall include the following, fully dimensioned and presented at a scale no smaller than 1" = 50' unless a different scale is otherwise approved in writing by the Zoning Administrator showing the location, height, and materials associated with the following:~~

~~(a) Screens~~

~~(b) Streetscreens;~~

~~(c) Walls and Fences;~~

~~(d) Landscaping, including proposed plant species and size at time of planting; and~~

~~(e) Exterior lighting.~~

~~i. In addition to all items required by Section 8.5.6.F, each Development Plan shall show and include all items described in Section 8.5.6.G (Sketch Development Plan Requirements) or Section 8.5.6.H (Site Development Plan Requirements), as applicable.~~

~~j. Each Development Plan must comply with the standards and requirements of the Zoning Map, any other applicable approved Plan, and this Ordinance, including without~~

~~limitation those applicable to the District in which the land covered by such Development Plan is situated; provided however, that a conceptual Development Plan submitted as part of an application for Zoning Text Amendment or Rezoning need only provide information to describe the intended Development; and provided further that solely with respect to a Development Plan submitted for approval of a Development Plan modification, such Plan shall be required to include only those elements being changed.~~

~~**2.** Development Plan applications that cover property located, either wholly or in part, within a Floodplain District shall:~~

~~a. Be submitted in conformance with this Section 8.5.6;~~

~~b. Indicate the location of area(s) subject to flooding.~~

~~c. Require the issuance of a Floodplain Development Permit prior to final approval (see Section 6.12)~~

~~**G. Sketch Development Plan Requirements.**~~

~~At minimum, in addition to meeting all requirements under Section 8.5.6.F above, each Sketch Development Plan shall be fully dimensioned and at a scale no smaller than 1" = 200' except as otherwise specifically provided in this Ordinance, and shall be in compliance with the standards and requirements of the Zoning Map, any other applicable approved Plan, and this Ordinance and shall:~~

~~**1.** Show the actual shape, location and dimensions of the overall project site and each Lot or Building Site;~~

~~**2.** Show the shape, size, and location of all Buildings or other Structures to be constructed, erected, Altered or moved, and of any Building or other Structure already on project site and each Lot or Building Site;~~

~~**3.** Include the existing and intended use of each Lot, Building Site, and other land and of all Buildings or other Structures upon it, including the number of Dwelling Units or other measure of~~

~~Density each Lot, Building Site, and Building is intended to accommodate;~~

~~**4.** Show and include the following, in compliance with the standards and requirements of the Zoning Map, any applicable approved Plan, and this Ordinance, including without limitation those applicable to the District in which the applicable land is situated:~~

~~a. Lot or Building Site Width and Area~~

~~b. Lot or Building Site Layers~~

~~c. Percentage of Building and Wall at Frontage Line-to-Lot or Building Site Width (Frontage Buildout)~~

~~d. Principal Building~~

~~e. Accessory Building and other Accessory Structure~~

~~f. Setbacks or Yards~~

~~g. Encroachments~~

~~h. Building Type~~

~~i. Proposed Impervious Surface Coverage of each Lot or Building Site and the overall Development site~~

~~j. Proposed Floor Area, Dimensions, Floor Elevations, Floor-to-Ceiling Heights, and Height of each Building~~

~~k. Private Frontage and Façade Elements~~

~~l. Building Roof Type & Pitch~~

~~m. Building and Lot Principal Uses, Accessory Uses, and Temporary Uses~~

~~n. Vehicular Parking Accommodations, including Parking spaces and their dimensions within the Lot or Building Site, layout, design and if applicable, landscaping of Parking Lots, Parking Areas and Parking Structures, Parking and if applicable Loading Area Locations, Location of any Garage, Driveways to Off-Street Parking, Passenger Dropoff~~

~~Location, Driveway/Vehicular Entrance Width, any Parking Screen, and points of vehicular ingress and egress to and from each Lot or Building Site, including cross-access Easements~~

~~o. Driveway~~

~~p. Exterior lighting plan including photometric plan, location, pole height, luminaire/head type, pole/standard type, shielding, manufacturer's specifications and hours of operation for all exterior light fixtures;~~

~~q. Refuse Receptacle, Utility Box and Service Meter Accommodations and Locations~~

~~r. Any other personal property or fixtures not affixed to a Building~~

~~s. Private Landscaping, Walls, and Fencing~~

~~t. All Screens & Streetscreens, including vegetative, Fence, and Wall Screens & Streetscreens and their dimensions~~

~~u. Sign Plan, including locations, types, and detailed dimensioned drawings~~

~~v. Ground Floor Elevation above grade for each Building~~

~~w. Any applicable Special Requirements~~

~~x. Any Public Frontage improvement or replacement elements required under Section 6.10~~

~~y. The existing and any proposed zoning classification for the property~~

~~z. Recorded Plat consistent with the Sketch Development Plan.~~

~~**5.** Demonstrate that all other requirements of this Ordinance are met.~~

~~**6.** Include such other information concerning the Lot, Building Site, or other land and all Adjacent Lots, Building Sites, or other land as may be deemed necessary by the Zoning Administrator,~~

~~Director of Public Works, or City Engineer for determining whether the provisions of this Ordinance and other applicable provisions of the City Codes are being met.~~

~~H.~~ ~~Site Development Plan Requirements.~~

~~At minimum, in addition to meeting all requirements under Sections 8.5.6.F and 8.5.6.G, each Site Development Plan shall be fully dimensioned and at a scale no smaller than 1" = 200' except as otherwise specifically provided in this Ordinance, shall be in compliance with the standards and requirements of the Zoning Map, any other applicable approved Plan, and this Ordinance and shall:~~

~~**1.** Be prepared and, as applicable, stamped by an individual licensed and/or certified by the State of Tennessee to perform such design services.~~

~~**2.** Include any more detailed and/or separate plans may be required by the Zoning Administrator.~~

~~**3.** Comply with any applicable approved Plan, the Official Zoning Map, and all standards and requirements of this Ordinance, including without limitation those applicable to the District in which the applicable land is situated, and show and include the following:~~

~~a. The actual shape, location, and dimensions of the overall Development site and each Lot or Building Site.~~

~~b. The shape, size, and location of all Buildings or other Structures to be erected, Altered or moved, and of any other Building or other Structure already on the Lot, Building Site, and overall Development site.~~

~~c. Each existing and intended Use of the Lot, Building Site, and Development site and of all Structures upon it, including, for Residential activities, the number of Dwelling Units each Building is intended to accommodate and for all Non-Residential Uses, the number of square feet of each such Use.~~

~~d. If regulated in the applicable District, the Density and Floor Area Ratio of each Building and Lot or Building Site.~~

~~e. Location of all groupings of trees and how they will be incorporated into the proposed Development.~~

~~f. Location, trunk diameter, and species of all Heritage Trees within any required Buffer or landscaped area. All Heritage Trees proposed for removal shall also be shown.~~

~~g. Position, materials, and dimensions of fences and walls.~~

~~h. Location and dimensions of all required Buffers, which shall be provided on a separate Buffer plan if required by the Zoning Administrator.~~

~~i. Location, type, and size of proposed Signs.~~

~~j. Proposed means of surface drainage.~~

~~k. Overall Development site dimensions.~~

~~l. Bicycle Parking Accommodations, including without limitation number of spaces~~

~~m. Loading Space calculations and location, and Storage, Drive-Through, Refuse Receptacle, Utility Box, and Service Meter Accommodations and Locations~~

~~n. Total area, materials, and design of the following proposed or to remain:~~

~~(1) Structures;~~

~~(2) Parking Lots, Parking Areas, and Parking Structures, keyed to the Parking Plan provided pursuant to Section 8.5.6.H.3.t(12)(o);~~

~~(3) Driveways and their respective distances from the nearest street corner if fewer than 200 feet;~~

~~(4) All impervious surfaces; and~~

~~(5) Outdoor storage and refuse areas, if any, and trash receptacles, including enclosures and Screening measures;~~

~~o. Fire hydrants, keyed to a detailed Fire Equipment Access Plan;~~

~~p. Location, dimensions, design, pavement specifications, profiles, finished grade, slope as a percent of grade, and curbing and striping of proposed public and private sidewalks and other pedestrian accommodations, bicycle, ride-sharing, and pedestrian loading accommodations, Thoroughfares, Internal Drives, Alleys, and Driveways (from the Adjacent roadway through each curb cut to the Building(s), pedestrian accommodations, Parking Area, Parking Lot, Parking Structure, or Garage);~~

~~q. Recorded Plat consistent with the Site Development Plan.~~

~~r. Proposed hours of operation.~~

~~s. Description of all existing and proposed restrictions or covenants applicable to the Development site.~~

~~t. Certified ALTA survey of existing conditions of the applicable property, prepared and sealed by a licensed surveyor, and showing at a minimum:~~

~~(1) Property lines and measurements,~~

~~(2) Legal description and street address,~~

~~(3) Tax parcel designation,~~

~~(4) Utility lines and connections,~~

~~(5) Curb cuts,~~

~~(6) Thoroughfares, Internal Drives, and Alleys, showing dimensions of each element and types,~~

~~(7) North arrow,~~

~~(8) Scale Legend,~~

~~(9) Title block, including:~~

~~(a) The address and legal description of the site; and~~

~~(b) Names, addresses and telephone numbers for the Applicant(s) and owner(s);~~

~~(c) Current zoning classification and use of the property and Adjacent properties;~~

~~(10) Locations of all of the following existing on or within fifty feet (50') of the overall Development site:~~

~~(a) Property boundaries;~~

~~(b) Buildings and other Structures, keyed to the project description and project illustrative plan provided pursuant to Section 8.5.6.H.3.u(3) and the architectural renderings and preliminary plans provided pursuant to Section 8.5.6.H.3.u(2); and~~

~~(c) Sidewalks, walkways, handicap ramps, and curb cuts;~~

~~u. The following additional plans and information:~~

~~(1) Site Access and Circulation Plan, indicating access and circulation routes for all vehicular and pedestrian movement;~~

~~(2) Full color architectural renderings and preliminary architectural plans, showing all Facades and Elevations of each other exterior Wall and all exterior materials to be used, keyed to the project description and project illustrative plan provided pursuant to Section 8.5.6.H.3.u(3);~~

~~(3) Project Description and Illustrative Plan showing each Development and Building element regulated by this Ordinance;~~

~~(4) If applicable, public address system plan, including type, location, design, manufacturer's specifications and hours of operation;~~

~~(5) Erosion and sedimentation control measures for the Development;~~

~~(6) Topographic, excavation and grading plans shown at contour intervals of two feet (2'), and indicating both existing and proposed contours, extended at least ten feet (10') into Adjoining properties, and delineating areas of steep slopes as applicable;~~

~~(7) Existing vegetation plan, including the location of Heritage Trees, existing wooded areas, other significant individual trees with a diameter at breast height of eight inches (8") or more, trees to be removed and trees to be preserved;~~

~~(8) Map showing the extent of flood prone areas or storm water overflows, including Special Flood Hazard Areas as established by the Federal Emergency Management Agency;~~

~~(9) Detailed landscape plan drawn to scale including:~~

~~(a) Common and botanical plant names~~

~~(b) Plant and planting specifications, including size at time of planting~~

~~(c) Total number of trees provided~~

~~(d) Total square footage of landscaped area on site and internal to each Parking Area and Parking Lot~~

~~(e) Identification of area used to calculate Parking Lot or Parking Area landscaping~~

~~(f) Fence detail drawing~~

~~(10) Refuse collection enclosure detail drawing~~

~~(11) Detailed Sign Plan, showing types, design, materials, dimensions and locations of each Sign, keyed to the Sign portion of the plan provided pursuant to Section 8.5.6.H.3.i;~~

~~(12) Stormwater pollution prevention plan that meets all applicable City, County, State and federal standards;~~

~~(13) Detailed utilities plan, showing the locations, design, and specifications of all proposed sanitary sewage and water supply systems, electric, telecommunications, cable television, gas, and other utility facilities, together with "Capacity and Will Serve" letters from each applicable utility provider;~~

~~(14) Storm water drainage facilities with details of detention/ retention basins, catch basins, swales, dry wells and other related stormwater facilities, and if required by the Planning Commission or Zoning Administrator, as applicable, accompanying calculations supporting the design of the proposed drainage system and indication of runoff rates, runoff patterns and storm drain loads;~~

~~(15) Detailed Parking Plan, showing layout, dimensions, grades and pavement section for all Parking stalls, drive aisles, turning radii, etc, keyed to the Parking location plan provided pursuant to Section 8.5.6.H.3.p;~~

~~(16) Demonstration to the satisfaction of the Decision-Making Authority that the Site Development Plan complies with the following:~~

~~(a) The Comprehensive Plan,~~

~~(b) City Development standards for Site Grading, Site Drainage, Sewage, Utilities, Traffic Circulation,~~

~~and Facilities for Persons with Disabilities, as set forth in the City Subdivision Regulations,~~

~~(c) The Supplemental Development Standards of Section 6.2 (Preservation of Natural Features),~~

~~(d) The Supplemental Development Standards of Section 6.3 (Streetscape Repairs and Improvements),~~

~~(e) The Site Development Plan application is complete, as evidenced by the Zoning Administrator's Certificate of Completeness,~~

~~(f) Compliance with all applicable standards and requirements of Article 4 (Lots, Building Sites & Building Standards) and Article 5 (Development Parcel Standards), as evidenced by the Zoning Administrator's Certificates of Compliance, and~~

~~(g) All other applicable provisions of the City Ordinances, City Code, City Subdivision Regulations and other applicable City rules and regulations, and all applicable state and federal statutes and regulations.~~

~~(17) If required by the Planning Commission or Zoning Administrator, as applicable, a traffic impact analysis;~~

~~(18) If required by the Planning Commission or Zoning Administrator, as applicable, a Parking study; and~~

~~(19) If required by the Planning Commission or Zoning Administrator, as applicable, an environmental impact analysis;~~

~~(20) Development schedule indicating, to the best of the Applicant's knowledge, the approximate date on which Development of the project can be expected to begin, the phases of Development, if any, the anticipated rate of Development and the completion~~

~~date, which schedule shall be pursued with diligence until completion by the owner of the property and its successors in interest;~~

~~(21) If the proposed project will require other approvals, such as Rezoning, Variances, Administrative Adjustments, or Conditional Use approvals, the Applicant must identify all such other required approvals;~~

~~(22) All information deemed necessary by the Zoning Administrator, the Director of Public Works or the City Engineer to determine compliance with this Ordinance and all other applicable codes and ordinances;~~

~~(23) Any other items required by this Ordinance with respect to any Site Development Plan or required for any other applicable Development application; and~~

~~(24) Any other studies, information, or items deemed necessary by the Planning Commission or Zoning Administrator, as applicable, to determine the conformity of the Site Development Plan with the requirements of this Ordinance, which information or items as specifically identified to the Applicant in writing.~~

~~(25) If the proposal includes a Development Parcel and includes or requires Construction of any Structure or exterior Alteration to an existing Structure, Development, re-Development, Improvement, subdivision, or re-subdivision of any Lot, Building Site, or other land, use of any land or Structure, or filing, issuing, applying for, approving, or certifying any subdivision application or plat, Building Permit, Conditional Use, site plan, Zoning Map or Zoning Map Amendment, or other Development approval with respect to such Development Parcel, the Sketch~~

~~Development, the items listed in Sections 8.5.6.H.3.a(18)(a) - 8.5.6.H.3.a(18)(j) below, including without limitation those applicable to the District in which the applicable land is situated:~~

~~(a) Thoroughfare and Internal Drive Network, laid out according to Section 5.2, including existing and any required or proposed new Thoroughfares and Internal Drives, or extensions or changes to any existing Thoroughfare(s) or Internal Drive(s);~~

~~(b) Thoroughfare and Internal Drive Types and Standards;~~

~~(c) Thoroughfare Internal Drive cross-sections;~~

~~(d) One or several proposed or existing Standard or Linear Pedestrian Sheds, as applicable, on which the Site Development Plan shall be based, each having a Common Destination near its center and located according to existing conditions, such as traffic intersections, Adjacent Development, and natural features. See Illustration 5.1.4.B-1 (Standard Pedestrian Shed) and Illustration 5.1.4.B-2 (Linear Pedestrian Shed);~~

~~(e) Existing and any required or proposed Civic Spaces, open spaces, Civic Buildings, and Civic Districts and calculation of percentage of Civic Space area-to-Net Site Area, Open Spaces, Civic Buildings, and Civic Districts assigned pursuant to Sections 5.3.1, 5.3.3, 5.3.4, and 5.3.5 and Section 2.4.2;~~

~~(f) Existing and any proposed Character Districts, assigned according to and as required Section 2.4.1;~~

~~(g) Existing and proposed Special Districts, if any, assigned according to Section 2.4.3;~~

~~(h) Existing and proposed Special Requirements, if any;~~

~~(i) The proposed Block Structure for the site in compliance with applicable Block Perimeter Standards; and~~

~~(j) Public Landscaping Plan.~~

~~(26) Where subsurface sewage disposal is anticipated, certification from the Tennessee Department of Health and Environment approving the Lot, Building Site, Development Parcel, or other land, as applicable, for each Use.~~

~~(27) The following additional information and items:~~

~~(a) Photographs of the property and surrounding areas~~

~~(b) The location and dimensions (length, width, floor elevations and height in feet and Stories) of all existing and proposed Structures and Structures to remain.~~

~~(c) Floor plans that indicate the types of Use proposed for each level of floor space.~~

~~(d) Location, width and finished grade of proposed public and private streets, roads and sidewalks, including pavement type and profiles.~~

~~(e) Location, design, pavement specifications, finished grade, curbing and striping of proposed parking, pedestrian, bicycle, ride-sharing, and loading accommodations.~~

~~(f) Driveway designs and profiles from the Adjacent roadway through the curb cut to the Parking Area, Parking Lot, Parking Structure, or Garage, with slopes indicated by percent of grade.~~

~~(g) The location and design of all proposed sanitary sewage and water supply systems and other utility facilities.~~

~~(h) Proposed hours of operation.~~

~~(i) All information deemed necessary by the Division of Public Works and Division of Public Safety to determine compliance with all applicable City codes and ordinances.~~

~~(j) Any other items required by this Ordinance with respect to any applicable Site Plan.~~

~~(28) Any other information or items deemed necessary by the Planning Commission to determine the conformity of the Site Development Plan with the spirit and intent of this Ordinance, which information or items as specifically identified to the applicant in writing.~~

~~(29) All other requirements of this Ordinance shall be met.~~

~~(30) Such other information concerning the Lot, Building Site, Development Parcel, or other land or Adjacent Lot, Building Site, Development Parcel, or other land as may be deemed essential by the Zoning Administrator, Director of Public Works, or City Engineer for determining whether the provisions of this Ordinance are being met.~~

~~I. Development Plan Procedures - Pre-Application Conference & Review.~~

The pre-application requirement is stated above in 8.5.4

~~1.~~ ~~Prior to formal submission of a Development Plan application, an applicant shall schedule a pre-application conference with the Zoning Administrator.~~

~~2.~~ ~~The pre-application conference is intended to define potential issues with the project proposal and to identify any required Variances, Administrative Adjustments, Conditional Uses, or other necessary certifications, approvals or permits.~~

~~Additionally, the pre-submission conference serves to educate the applicant on the Development approval process and the information required to submit a complete Development Plan application.~~

~~**3.** After the pre-application conference, the applicant may provide one complete draft copy of a proposed Development Plan application to the Zoning Administrator for pre-application review and feedback.~~

~~**4.**__2.__ ~~No pre-submission discussion, statement, advice, feedback or review must be binding on the City.~~

~~**J. Development Plan Procedures - Coordination with other Approvals.**~~

This language is contradicted by the Concurent Applications provisions (8.5.6.O of the July 2022 version of the Ordinance)

~~When a Development Plan requires other approvals the applicant shall identify in the Development Plan application all such other approvals that such applicant is seeking and refer a draft Development Plan to the Planning Commission to obtain such Planning Commission's recommendation prior to making application for any other such approval.~~

~~K.~~G. Development Plan Procedures - Submission of Application.

1. No later than six (6) months after ~~feedback~~ a required pre-application meeting~~on the draft Development Plan application is provided to the applicant, and no fewer than twenty (20) days prior to the meeting of the Decision-Making Authority at which the application is to be considered~~, the applicant shall submit complete Development Plan application, including all supporting documentation, accompanied by the appropriate submission fee to the Zoning Administrator, adhering to any published deadlines, guidelines, and procedures~~ printed copies and one (1) digital PDF copy of the complete Development Plan application, including all supporting documentation, accompanied by the appropriate submission fee~~.

2. The ~~digital copy of the application must be clearly identified with the name of the applicant, project address, submission date, and case number, if assigned.~~application must adhere to the format established under Section 8.2.1.E.

~~I.~~H. Development Plan Procedures - ~~Completeness~~ Staff Review.

1. ~~Within fifteen (15) days of submission of a Development Plan application, t~~The Zoning Administrator shall review and determine whether the application is complete.

2. If the Zoning Administrator determines that the Development Plan application is complete, the Zoning Administrator shall initiate the review according to the procedures established under Section 8.2.1.E, and in the case of a Site Development Plan that is subject to review by the Planning Commission, forward such Development Plan application to the Development Review Committee;

~~2.~~3. If, upon resubmittal following review and comment by the Development Review Committee, the Zoning Administrator determines that the application is complete and responsive to all technical comments, the Zoning Administrator shall refer the request to the Planning Commission for review and action, ~~and shall notify the applicant that the application has been certified as complete and, if applicable, forwarded to the Planning Commission for consideration~~.

4. If the Zoning Administrator determines that a Development Plan application ~~is~~ remains incomplete, ~~he~~ the Zoning Administrator shall notify the applicant of such determination with a written explanation regarding which items are incomplete~~, and shall return the application to the applicant~~.

~~3.~~5. Applications which remain incomplete following two resubmittal deadlines may be deemed unresponsive and regarded as withdrawn by the applicant.

~~M.~~ Development Plan Procedures - Compliance Review, Notice ~~& Hearing.~~

~~1. Upon review for a Site Development Plan application for which the Zoning Administrator is the Decision-Making Authority, upon receipt of payment by the Applicant of all fees and reimbursable costs due to the City, the Zoning Administrator shall review the application and take action pursuant to Section 8.5.6.O.1.~~

~~2. Upon review for a Site Development Plan application for which the Planning Commission is the Decision-Making Authority, the Zoning Administrator shall review the application for compliance with the conditions, standards, and requirements of Articles 1-5 and Article 7 of this Ordinance and if the application complies with such Articles, he shall issue a Certificate of Compliance, certifying such compliance, and shall forward the same with the Certificate of Completeness and the Site Development Plan application, to the Planning Commission.~~

~~3. Upon receipt of the items described in Section 8.5.6.M.2, the Planning Commission shall promptly schedule a public hearing on the matter, which shall provide public notice of such hearing in compliance with the public notice requirements set forth in Section 8..~~

~~N.~~I. Review Criteria.

1. The criteria to be applied by the Zoning Administrator in reviewing a Development Plan and application shall be whether such Plan and application comply with the applicable conditions, standards, and requirements of this Ordinance, all applicable previously approved Plans, such as earlier Development Plans, the Comprehensive Plan and ~~all other~~any applicable ~~Land Use Plans~~special area plans.

2. With respect to a Development Plan the Planning Commission shall rely on all conditions, standards, and requirements of Articles 1-5 and Article 7 of this Ordinance and the Planning

Commission shall review the Plan and application for compliance with all other conditions, standards, and requirements of this Ordinance, including without limitation those of Article 6 (Supplemental Standards) , and compliance with all applicable previously approved Plans, such as earlier Development Plans, the Comprehensive Plan and all other applicable Land Use Plans. ~~Additionally, in the case of Development in a Special District, t~~The Planning Commission shall determine:

a. Whether the Development Plan conforms to all applicable requirements of the Zoning Ordinance, including any methods of Alternative Performance which are included in the request.

~~a.~~b. Whether the Development design and Development intensity are appropriate for and tailored to the unique characteristics of the site, such as significant wooded areas, specimen trees, wetlands, steep slopes, floodplains, and zoning of or existing Development on Adjacent property;

~~b.~~c. Whether the proposed access and circulation are adequate with respect to traffic patterns, traffic control measures, and street pavement areas, with provisions for maintaining traffic flows and reducing any negative effects of traffic on nearby properties;

~~c.~~d. Compliance with site construction requirements;

~~d.~~e. Adequacy of stormwater facilities, water supply, sanitary sewer service, fire protection, street signs, and street lighting as evidenced by conformance with City standards, specifications and guidelines; and

~~e.~~f. Compliance with requirements for Easements or dedications.

Creates a process for Planning Commission to approve Alternative Performance equivalent to the default prescriptive standards of the Ordinance

J. Alternative Performance

1. Alternative Performance review allows innovative, high-quality development that would not otherwise conform to certain Lot & Building Site Standards of Article 4, Development Standards of Article 5, and Sign Standards of Article 7 but utilizes other methods of accomplishing the public purpose of those standards. All methods of Alternative Performance must contribute to the character of the applicable district, and implement Connect Columbia.

2. Alternative Performance provides equivalent methods of conforming to the purpose of Articles 4, 5 and 7; it is not a means of alleviating hardship, amending the Zoning Ordinance, or avoiding compliance with the Zoning Ordinance.

a. Alternative Performance is not a Variance. See section 8.5.16.L regarding the process for Variances which provide for the use of property where exceptional circumstances such as unusual narrowness, shallowness, or shape of a parcel renders strict conformity with the Ordinance impossible.

b. Alternative Performance does not establish a new standard, alter the Official Zoning Map, or revise the text of the Zoning Ordinance. Approved methods of Alternative Performance are limited to particular Site Development Plan approvals. All subsequent use the subject property shall conform to all standards of the Zoning Ordinance. See section 8.5.21 regarding the process for establishing a Planned Unit Development.

c. Under no circumstances shall Alternative Performance be used to avoid conformity with the Zoning Ordinance.

d. Under no circumstances shall Alterative Performance be used to avoid compliance with other applicable regulations including the Subdivision Regulations, the Engineering Standards & Specifications, the Access Management

Ordinance, the International Fire Code, or the International Building Code.

3. Authority and Applicability

a. The Planning Commission is the Decision-Making Authority for all requests for Alternative Development Compliance.

b. Requests for Alternative Compliance approval shall be included as part of a Site Development Plan.

c. When Alternative Compliance is proposed as part of a Site Development Plan for which the Zoning Administrator is the Decision-Making Authority, the Zoning Administrator shall refer to the Site Development Plan review to the Planning Commission.

d. Requests for Alterative Performance approval which propose alternatives to dimensional and quantitative criteria may not exceed a deviation of thirty-five percent (35%) from the prescribed standard.

4. Review Process

a. Zoning Administrator Action

(1) The Zoning Administrator shall establish procedures and guidelines for requesting Alternative Performance as provided by section 8.1.1.E.

(2) The Zoning Administrator shall evaluate the request and prepare an analysis as part of the Site Development Plan review. The Zoning Administrator shall provide the Planning Commission an evaluation of the proposal and shall, at the request of the Planning Commission, make a recommendation for approval or denial.

b. Planning Commission Action

(1) The Planning Commission shall evaluate the request for Alternative Performance based on the criteria listed at 8.5.6.O.4.b(2) below, and render

a decision to approve, approve subject to conditions, or deny.

(2) The Planning Commission shall determine that:

(a) The proposed Alterative Performance Standard advances the purposes of zoning listed at section 1.5 of the Ordinance;

(b) The proposed Alternative Performance standard implements Connect Columbia and the description of the applicable character district in Article 3 and 4;

(c) The proposed alternative will provide a high-quality built environment which meets or exceeds the public benefits of the prescribed standards;

(d) The proposed alternative will result in specific enhanced site design features including, but not limited to: increased landscape treatment, tree preservation, public art, public or shared parking, public amenities, innovative Civic Space design, or other enhanced site features which would be impractical through conformity to the prescribed standards;

(e) The proposal does not produce a site plan or street circulation system that would be impractical or detract from the appearance of the development plan or the surrounding area;

(f) The proposal does not adversely affect adjoining properties; and

(g) The Site Development Plan otherwise conforms to the Ordinance and other

applicable regulations adopted by the City of Columbia.

(3) If the Planning Commission declines to approve a proposed method of Alternative Compliance, the Site Development Plan must conform to strict application of the prescribed standards of the Zoning Ordinance.

~~O.~~K. Development Plan Procedures -Decision-Making Authority's Action.

1. ~~Within 62 days for a Development Plan and application for which the Zoning Administrator is the Decision-Making Authority, or within 62 days after the hearing on a Development Plan and application for which the Planning Commission is the Decision-Making Authority, t~~The Site Development Plan ~~and application~~ shall be approved or disapproved by the Decision-Making Authority in accordance with the review criteria of Section 8.5.6.~~N~~I, 8.5.6.J and Sections 8.5.6.K~~O~~.2-.5 below:

2. A Development Plan and application shall be approved by the Decision-Making Authority, upon a finding that the Site Development Plan and application are in compliance with the review criteria set forth in Section 8.5.6.I~~.N.~~

3. If a Development Plan and Application are approved, the Development Plan as approved shall become part of the record of approval, and subsequent actions relating to the authorized Development must be consistent with approved ~~items~~plan.

4. A Development Plan and application shall be disapproved if the Decision-Making Authority determines that the Plan and application do not comply with any one or more of the review criteria set forth in Section 8.5.6.I~~N~~.

~~P.~~L. Comment Compilation.

Pursuant to Section 8.5.6.E, ~~the applicable Decision-Making Authority~~ the Zoning Administrator shall compile all staff comments on behalf of the applicable Decision-Making Authority for a Site Development Plan ~~and application~~ in light of the applicable requirements of this Ordinance. A copy of these comments shall be provided to the Applicant.

~~Q.~~M. Concurrent Applications.

Development Plan applications for projects that also require Design Review, a Variance, a Conditional Use Permit, a Certificate of Appropriateness, a Floodplain Development Permit, or Rezoning may proceed concurrently with such additional application. However, final approval of the Development Plan may not be granted prior to receiving the additional required permit or approval.

~~R.~~N. Time Limits on Approvals.

This time limit remains in place although it is superseded by Section 1.24 and the Tennessee Vested Rights Act

Any Development Plan approved under the provisions of this Ordinance shall become null and void one year after the date of its approval unless a Building Permit for the entire project or applicable phase thereof has been obtained, in which case the provisions of Section 8.5.5, shall apply.

~~S.~~O. Inspection of Required Improvements.

Inspections during the installation of site Improvements shall be made by the entity responsible for such Improvements that is required to certify compliance with approved Development Plans. Without limitation to the foregoing, no Improvements shall be accepted for maintenance by the City unless and until the requirements regarding public improvements have been met.

~~T.~~P. Fees

The applicant shall pay to the City the fees established in Fee Schedule Document available from the Development Services Department in order to cover a portion of the costs associated with the administration of this Ordinance.

~~U.~~Q. Appeal.

1. Final action by the Zoning Administrator on a ~~Development~~ Plot Plan ~~and application~~ may be appealed in accordance with Section 8.5.17.

~~1.~~2. Final action by the Zoning Administrator on a Minor Site Development Plan may be referred to the Planning Commission.

~~2.~~3. Final action by the Planning Commission on a Development Plan may be appealed may appeal by certiorari to a court of competent jurisdiction.

~~V.~~R. Construction & Use Pursuant to Approved Application, Plans, & Permits

Numbering removed from single item heading

Permits, including without limitation, Conditional Use Permits, issued on the basis of approved Development Plans and applications, authorize only the Use, arrangement, and construction set forth in such approved Plans and applications, and none other. Use, arrangement, or construction that does not comply with such approved Plans and applications shall constitute a violation of this Ordinance, enjoinable or punishable as provided by Section 8.6.

No changes are proposed to

Sections 8.5.7 through 8.5.20 (p. 422- 451)

§ 8.5.19.M Districts as Applied to Territory Added to Jurisdiction of City (p. 449)

~~M. Districts as Applied to Territory Added to Jurisdiction of City.~~

Deletion of language which contradicts Section 2.5 and typical process of annexation

~~Whenever new territory is added to the zoning jurisdiction of the City by any means, the Planning Commission shall recommend to the City Council appropriate zoning districting within 30 days following the final approval of the annexation action. Prior to the final enactment by the City Council of an Zoning Map Amendment establishing zoning districting for said territory, the area shall be temporarily unclassified and no Building Permits shall be issued~~.

Article 8
Administration, Procedure, & Enforcement
Proposed Zoning Text Amendment

Additions are Underlined
~~Deletions are Strikethrough~~

8.5.21 Planned Unit Development (PUD)

(p. 451 – 467)

A. Applicability.

This Section 8.5.21 is applicable to the establishment of Planned Unit Developments (each, sometimes referred to as a "PUD") and to the regulation and continued administration of such Planned Unit Developments.

B. Rezoning, Zoning Ordinance Amendment & Master PUD Development Plan Approval Necessary.

1. Establishment of a PUD is subject to Rezoning of the subject land as one of the available PUD Districts by a Zoning Map Amendment, a Zoning Ordinance Amendment to set out the standards and requirements applicable to the specific PUD District, and approval of a Preliminary Master PUD Development Plan and a Final Master PUD Development Plan. Accordingly, in addition to the requirements of this Section 8.5.21, all requirements of Section 8.5.18 and Section 8.5.19 must be complied with to establish a PUD.

2. No application for Rezoning of property to a PUD District, application for Zoning Text Amendment application related to a PUD, or application for approval of a Preliminary Master PUD Development Plan or a Final Master PUD Development Plan., and no approval of any of the foregoing, shall be proposed or used to avoid, or have the effect of avoiding, compliance with the standards and requirements of this Ordinance or of the other zoning Districts, and instead shall be used sparingly and only in exceptional situations where:

    a. such rezoning, the related Preliminary Master PUD Development Plan or a Final Master PUD Development Plan, and the proposed Development are necessary to implement the Comprehensive Plan and any adopted special area Plan and are consistent with the Comprehensive Plan and any adopted special area Plan,

b. due to unique site conditions or the necessary and intrinsic Uses, size, or form of the Development, such Development cannot under any other plan, design, or circumstances conform to one of more of the Character Districts or standards therefor specified in this Ordinance,

c. the rezoning, the related Master PUD Development Plan, and the proposed Development provide an innovative plan, design, and Development that are harmonious with and respect the land use, character, and natural or man-made features of the subject property and Adjacent property, and promote quality design and environmentally sensitive development by taking advantage of special site characteristics, locations and land uses, and

d. there are sufficient existing infrastructure, services, and utilities available to the site prior to Development.

3. Without limitation to Section 8.5.21.B.2 above, approval of Rezoning of property to a PUD District, Zoning Text Amendment application related to a PUD, or a Master PUD Development Plan are subject to the Planning Commission's and the City Council's first making formal, written findings regarding each of the items listed in Section 8.5.21.B.2 and that the proposed Development, such applications, and approvals:

a. conform to all applicable standards and requirements of this Ordinance,

b. would be compatible with other Development permitted under all applicable provisions of this Ordinance;

c. will not significantly interfere with the use and enjoyment of other land in the vicinity;

d. adequately conserve woodland and the protect water courses from erosion and siltation;

e. maximize safety, convenience, and amenities for the residents and visitors of the Development; and

f. adequately address all such other matters as they may find to have a material bearing upon the stated standards and objectives of this Ordinance.

4. Unless specifically exempted, the standards and requirements contained in this Section 8.5.21 shall be in addition to all other applicable standards and requirements established in this Ordinance.

C. Adopted Special Area Plans Mandatory.

1. In the event that any adopted special area plan for an area in which any PUD is proposed so recommends, the City Council shall require that all petitions for reclassifications of land within the area be formulated and administered in accordance with this Article, including any amendments thereto.

2. As appropriate for their respective areas, any adopted special area plans shall also contain recommendations which may differ from or supplement the provisions of this Ordinance respecting new or modified PUD Districts; design standards for signage, Setbacks or Yards, Parking, and other matters, to be made applicable either area – wide or within particular PUD Districts, or both; density credit or bonus systems linked to Development elements; or any other matter affecting public health, safety, or welfare. The City Council shall not entertain proposals for the reclassification of land within such areas until it has formally acted upon these recommendations.

D. Relationship of PUD & Other Regulations.

1. The PUD regulations in this Ordinance shall apply generally to the establishment, initiation and regulation of all PUD Districts. Where there are conflicts between the PUD-specific regulations herein and other zoning, subdivision, or other regulations or requirements, the PUD-specific regulations shall apply in PUD Districts.

2. Where actions, designs, or solutions proposed by the applicant do not conform to applicable PUD or other regulations, but the City Council makes a finding in the particular case that public

purposes are satisfied to an equivalent or greater degree, the City Council may make specific modification of the regulations applicable to the particular PUD, provided that specific standards and requirements applicable to each type of PUD District established by this Ordinance shall not be subject to modification.

3. Except as indicated above, notwithstanding procedures and requirements generally in effect, procedures and requirements set forth herein and in guidelines and standards officially adopted as part of regulations for the applicable type of PUD District shall apply to all such PUD Districts, to any amendments creating such Districts, and to issuance of all required permits therein.

E. Combination of Types of PUD Districts.

Corrects reference to Mixed Use PUD abbreviation

The Planning Commission and the City Council may consider different types of PUDs (PUD-R and PUD-~~COMUMF~~MU) within a consolidated Master PUD Development Plan and application as a single administrative procedure, provided the total tract is under the Unified Control of a Landholder and the land area is sufficient to comply with separate area requirements combined. This provision in no way alters any requirements of this Ordinance.

F. Phasing of Development.

The Planning Commission may permit the phasing of Development within a PUD, in which case, the following provisions shall apply:

1. In PUD-R, the ratio of gross Floor Area of Commercial Use- to -Residential Use in the Master PUD Development Plan as initially approved or amended shall not be exceeded at any given phase of construction.

2. Each phase shall be so planned and so related to existing surroundings and available facilities and services that failure to proceed with subsequent phases will not have an adverse impact on the PUD or its surroundings.

3. The commencement of Actual Construction of any phase of the PUD shall be governed by the provisions of Section 8.5.21.W.

4. In the instance of a combined PUD involving Residential Uses as well as Commercial or Mixed Uses, the Planning Commission may permit the Commercial and Mixed Uses to be constructed first, but only if it finds and records its findings on the final Master PUD Development Plan that the non-Residential Uses are consistent with the Comprehensive Plan even if no Residential construction takes place.

G. Developmental Controls & Division of Land.

1. No tract of land may receive final approval as a PUD unless such tract is under the Unified Control of a Landholder. Unless otherwise provided as a condition of approval of a PUD, the landholder of an approved PUD may divide and transfer parts of the PUD. The transferee shall complete each such part, and shall use, Develop, construct, and maintain it in strict conformance with the adopted final PUD Development Plan.

2. A report identifying all property owners within the area of the proposed PUD and giving evidence of unified control of its entire area shall be submitted with any application for approval of a preliminary PUD Development Plan. The report shall state agreement of all present property owners and/or their successors in title:

   a. To proceed with the proposed PUD according to the regulations in effect when the map amendment creating the PUD District becomes effective, with such modifications as are set by City Council in the course of such action;

   b. To provide bonds, dedication, guarantees, agreements, contracts, and deed restrictions acceptable to the City Council for completion of such PUD according to approved plans; and for continuing operation and maintenance of such areas, facilities, and services as are not to be provided, operated, or maintained at general public expense; and such dedications, contributions, or

guarantees as are required for provision of needed public facilities and services; and

c. To bind further successors in title to any commitments listed above.

H. Consistency with PUD Standards.

All PUD Developments shall be subject to all applicable standards and requirements of this Ordinance, including without limitation, those of Article 4 (Building, Lot, and Building Site Standards), Article 5 (Development Parcel Standards), Article 6 (Supplemental Standards), Article 7 (Sign Standards), and this Section 8.5.21.

[Delete Illustration 8.5.21 Summary of Master PUD Development Plan]

Move flow illustration of PUD process into administrative guidelines and procedures document

~~I. Initial Meeting & Pre-Application Conference.~~

~~1. Prior to filing an application for approval of a Preliminary Master PUD Development Plan or an amendment to an existing approved Preliminary Master PUD Development Plan and prior to the pre-application conference pursuant to Section 8.15.21.I.2, the applicant shall meet with the Zoning Administrator to determine whether the applicant is proceeding under the proper section of this Ordinance, to consider the desirability or necessity of approving a Preliminary Master PUD Development Plan or an amendment to an existing approved Preliminary Master PUD Development Plan, to clarify the issues, and to discuss any other matter as may aid in the disposition of the proposal.~~

~~2. In addition to such initial meeting, an applicant applying for approval of a Preliminary Master PUD Development Plan or an amendment to an existing approved Preliminary Master PUD Development Plan shall schedule a pre-application conference with the Zoning Administrator in accordance with Section 8.5.4.B.~~

~~3. Approval of a Master PUD Development Plan or an amendment to an existing Master PUD Development Plan requires both an application for approval of a Preliminary Master PUD~~

~~Development Plan under Section 8.5.21.J and submission of a Final Master PUD Development Plan under Section 8.5.21.O.~~

~~J.~~I. Application Requirements ~~– General~~.

1. A request for approval of a Master PUD Development Plan or an amendment to an existing Master PUD Development Plan shall be made by filing an application for such approval in connection with an application for Rezoning to a PUD District and an application for a Zoning Ordinance Amendment.

2. An application for approval of a Master PUD Development Plan or an amendment to an existing Master PUD Development Plan shall be filed by the owner of the property or an authorized agent of the owner with the Zoning Administrator in accordance with Section 8.5.4.C and Section 8.5.21.K.

~~K.~~J. Preliminary Master PUD Development Plan.

1. An application for approval of a Preliminary Master PUD Development Plan or an amendment to an existing approved Preliminary Master PUD Development Plan shall meet the requirements of ~~Section 8.5.6.G~~guidelines and procedures established under Section 8.2.1.E and sufficient information to disclose:

   a. A tabulation of the land area and each Building to be devoted to various Uses categories and activities, and the overall number of Dwelling Units and square footage of each non-Residential Use category within the PUD, each part of the PUD, and each Building .

   b. Reservations for public uses including schools, parks, and other open spaces.

   c. The general means of the disposition of sanitary waste.

   d. The nature of the landholder's interest in the land proposed to be developed and a written statement of concurrence from all parties having a beneficial interest in the affected property.

e. The substance of covenants, grants of Easements or other restrictions to be imposed upon the land, Buildings and Structures including proposed Easements.

f. If applicable, phase Development schedule, setting forth when the landholder intends to commence construction and a completion period for each phase.

g. If it is proposed that the final Master PUD Development Plan or amendment to an existing Master PUD Development Plan will be submitted in stages, a schedule of submission thereof.

2. Each application for approval of a Preliminary Master PUD Development Plan or an amendment to an existing approved Preliminary Master PUD Development Plan, and the submitted Preliminary Master PUD Development Plan or amendment to an existing Preliminary Master PUD Development Plan shall be reviewed for completeness pursuant to Section 8.5.4.~~C. If is deemed incomplete by the Zoning Administrator, a written request for further information shall be made within ten days after the original submittal. In such case, the application shall be held in abeyance until the Zoning Administrator issues a Certificate of Completeness pursuant to Section 8.5.4.C.~~

3. If the Zoning Administrator shall review ~~determines that~~ the Preliminary Master PUD Development Plan is complete, the Zoning Administrator ~~he shall review~~ it for compliance with Article 4 (Building, Lot, & Building Site Standards), Article 5 (Development Parcel Standards), Article 6 (Supplemental Standards), and Article 7 (Sign Standards) and forward the proposal to the Development Review Committee~~. If the Zoning Administrator determines that the preliminary Master PUD Development Plan or amendment to an existing Master PUD Development Plan complies with such Articles, as applicable, he shall issue his Certificate of Compliance with respect thereto.~~

Clarifies DRC process for PUDs

4. The Development Review Committee shall review the preliminary Master PUD Development Plan or amendment to

an existing Master PUD Development Plan. If the Zoning Administrator determines that the preliminary Master PUD Development Plan or amendment to an existing Master PUD Development Plan complies with such Articles, as applicable, the Zoning Administrator shall forward the request to the Planning Commission.

~~3.~~5. No Master PUD Development Plan or amendment to an existing Master PUD Development Plan shall be presented for Planning Commission action until the Zoning Administrator determines that the application is complete and responsive to all technical comments~~such Certificate of Completeness and Certificate of Compliance~~ have been issued.

~~4. The Development Review Committee shall the preliminary Master PUD Development Plan or amendment to an existing Master PUD Development Plan.~~

~~L. Architectural Design Review Team Review of Preliminary Master PUD Development Plan.~~

~~Each Preliminary Master PUD Development Plan or amendment to Preliminary Master PUD Development Plan for which a Certificate of Completeness and Certificate of Compliance have been issued shall be reviewed by the Architectural Design Review Team as provided in Section 8.5.15.~~

~~M.~~K. Planning Commission Action on Preliminary Master PUD Development Plan.

1. Before making any recommendation on a Preliminary Master PUD Development Plan or an amendment to an existing approved Preliminary Master PUD Development Plan, the Planning Commission shall consider the Certificate of Compliance and all recommendations from the Zoning Administrator, the City Engineer, and other ~~City departments~~the Development Review Committee, and shall conduct a public hearing.

2. Notice and public hearing requirements shall be in accordance with Section 8.5.4.~~D.~~

3. The applicant or a representative of the applicant shall appear at the meetings to explain the proposed Development and answer questions.

4. The Planning Commission may render any one of the following recommendations:

   a. Unconditional approval of the Preliminary Master PUD Development Plan or an amendment to an existing approved Preliminary Master PUD Development Plan;

   ~~b.~~ Conditional approval of the Preliminary Master PUD Development Plan or an amendment to an existing approved Preliminary Master PUD Development Plan, in which the Planning Commission expressly denotes conditions and modifications that must be made to the Preliminary Master PUD Development Plan or an amendment to an existing approved Preliminary Master PUD Development Plan. If the Planning Commission recommends conditional approval,~~:~~

   ~~c.~~b. the Zoning Administrator ~~Planning Commission~~ shall transmit Planning Commission's conditions in writing to the applicant ~~and to the Zoning Administrator the~~detailing the conditions or modifications which must be complied with in order for the Preliminary Master PUD Development Plan or an amendment to an existing approved Preliminary Master PUD Development Plan to be recommended for unconditional approval;

      (1) ~~Applicant shall have 60 days following the transmittal of the required conditions or modifications to demonstrate compliance with the required conditions or modifications and provide its written commitment to comply with said requirements. The application shall receive Planning Commission recommendation for unconditional approval upon satisfactory review of the revised Preliminary Master PUD Development~~

~~Plan or an amendment to an existing approved Preliminary Master PUD Development Plan and/or written commitment(s); and~~

~~(2) If the applicant makes a negative reply within 60 days of the date of conditional approval of the Preliminary Master PUD Development Plan or an amendment to an existing approved Preliminary Master PUD Development Plan, or does not reply to the Planning Commission, the Preliminary Master PUD Development Plan or an amendment to an existing approved Preliminary Master PUD Development Plan shall be deemed to have received a disapproval recommendation from the Planning Commission, unless such time limit is extended by a specific action of the Planning Commission upon a written request by the applicant; or~~

Removes language pertaining to back-and-forth negotiation related to CMPC-imposed conditions

~~d.~~c. Disapproval.

5. The Planning Commission shall make its recommendation to the City Council within 45 days of the Planning Commission's initial public hearing. The Planning Commission shall prepare a report detailing the Planning Commission's action on the application, including any conditions or modifications that it may have imposed for its recommendation of approval. The time period for a recommendation may be changed, as in the case of significant conditions or modifications, in which case one additional 45-day period shall be granted before the case shall go to the City Council.

6. After review and recommendation by the Planning Commission, the Preliminary Master PUD Development Plan or an amendment to an existing approved Preliminary Master PUD Development Plan shall be forwarded to the City Council with the recommendation.

7. When a recommendation is not rendered or deemed to have been rendered within the time periods established in this

Section, the City Council may process the request without a Planning Commission recommendation.

~~N.~~L. City Council Action on Preliminary Master PUD Development Plan.

1. Upon receipt of the Planning Commission's report and recommendations, the City Council shall consider such report and recommendations and otherwise proceed in the manner established in Section 8.5.18 and Section 8.5.19, as applicable.

2. The City Council may render one of the following decisions with respect to the Preliminary Master PUD Development Plan or an amendment to an existing approved Preliminary Master PUD Development Plan:

   a. Approve;

   b. Disapprove; or

   c. In an instance where the Planning Commission has recommended approval subject to conditions or recommendations for alterations to the Preliminary Master PUD Development Plan or an amendment to an existing approved Preliminary Master PUD Development Plan, the City Council may establish, eliminate, or modify such conditions in its action.

3. In any instance where the City Council acts to eliminate or modify conditions imposed by the Planning Commission to recommend approval of the Preliminary Master PUD Development Plan or an amendment to an existing approved Preliminary Master PUD Development Plan, the City Council shall provide specific guidance as to:

   a. Overall design of the Preliminary Master PUD Development Plan or an amendment to an existing approved Preliminary Master PUD Development Plan;

   b. Any conditions or modifications required; and

c. Any additional information which may be required by the Planning Commission to determine substantial compliance of the Final Master PUD Development Plan or amendment to an existing Final Master PUD Development Plan with the approved Preliminary Master PUD Development Plan or an amendment to an existing approved Preliminary Master PUD Development Plan.

4. Upon City Council approval of the Preliminary Master PUD Development Plan or an amendment to an existing approved Preliminary Master PUD Development Plan, the applicant may prepare and submit to Zoning Administrator for forwarding to the Planning Commission a final Master PUD Development Plan or amendment to an existing Master PUD Development Plan.

Only upon approval of a Final Master PUD Development Plan or amendment to an existing Final Master PUD Development Plan shall the approval of the Preliminary Master PUD Development Plan or an amendment to an existing approved Preliminary Master PUD Development Plan become final. In any instance where a Final Master PUD Development Plan or amendment to an existing Final Master PUD Development Plan is to be presented in portions or stages, any associated Rezoning shall only become effective at the time of final approval of each individual stage or segment Final Master PUD Development Plan or amendment to an existing Final Master PUD Development Plan.

~~O.~~M. Final Master PUD Development Plan - Requirements.

1. City Council approval of the Preliminary Master PUD Development Plan or an amendment to an existing approved Preliminary Master PUD Development Plan must be obtained prior to submission of the Final Master PUD Development Plan or amendment to an existing Final Master PUD Development Plan.

2. An application for approval of a Master PUD Development Plan or an amendment to an existing Master PUD Development Plan shall be filed by the owner of the property or an authorized

agent of the owner with the Zoning Administrator in accordance with Section 8.5.4.~~C and Section 8.5.21.K~~.

3. The proposed Final Master PUD Development Plan or amendment to an existing Final Master PUD Development Plan must meet all requirements for a Preliminary Master PUD Development Plan or an amendment to an existing approved Preliminary Master PUD Development Plan and shall additionally include the following:

The 2022 text includes a blank hanging paragraph 2; it is removed and subsequent sections renumbered

a. Sufficiently detailed information to indicate the ultimate operation and appearance of the Development, or applicable portion thereof.

b. Drawings at a scale no smaller than one inch = 200 feet, indicating:

(1) A circulation plan indicating the proposed movement of vehicles, goods and pedestrians within the PUD and to and from existing Thoroughfares and Internal Drives, which shall specifically include the width of proposed Thoroughfares and Internal Drives;

(2) a plan showing sidewalks and other pedestrian ways; and any special engineering features and traffic regulation devices needed to facilitate or insure the safety of the circulation pattern;

(3) A plot plan for each Lot, Building Site, common open area, Civic Space, and other public or semi – public open space uses, showing the approximate location of all Structures and Improvements and indicating the open spaces around Structures;

(4) A utilities plan, including sewers, both sanitary and storm, gas lines, water lines, fire hydrants, and electric lines showing proposed connections to existing utility systems;

c. a plan which indicates the location, function, and ownership of all Civic Spaces and open spaces, excepting those open spaces included in fee simple Lots;

d. final drafts of all proposed covenants and grants of Easement.

e. copies of legal documents required by the Planning Commission for dedication or reservation of group or common open space and/or for the creation of a nonprofit association; and

f. if applicable, a Development phasing schedule.

~~P.~~N. Final Master PUD Development Plan - Completeness & Compliance Reviews.

1. The Zoning Administrator shall review the submitted Final Master PUD Development Plan or amendment to Final Master PUD Development Plan for completeness pursuant to Section 8.5.4.C. If determined to be complete, the Zoning Administrator shall ~~issue his Certificate of Completeness~~forward the application to the Development Review Committee.

   If, following review by the Development Review Committee, the Zoning Administrator determines that the resubmission of a Final Master PUD Development Plan or amendment to Final Master PUD Development Plan is complete and responsive to all technical comments, the Zoning Administrator shall forward the request to the Planning Commission. ~~is deemed in~~complete by ~~the Zoning Administrator, a written request for further information shall be made within ten days after the original submission of the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan. In such case, the further processing of the PUD application and review of the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan shall be held in abeyance until the Certificate of Completeness has been issued~~. No Final Master PUD Development Plan or amendment to Final Master

PUD Development Plan shall be formally presented to the Planning Commission until ~~such plan is certified by~~ the Zoning Administrator determines the application ~~as being complete~~is complete and ready for review.

2. ~~Upon Issuance of a Certificate of Completion, t~~The Zoning Administrator shall review the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan for compliance with the approved Preliminary Master PUD Development Plan or amendment to Preliminary Master PUD Development Plan. ~~It determined to comply, the Zoning Administrator shall issue his Certificate of Compliance.~~

~~Q.~~O. Final Master PUD Development Plan - Phased Approval.

Submission of and the request for approval of the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan and the approval thereof by the Planning Commission may be limited to each phase of Development ~~in compliance with the Section 8.5.21.6.~~

~~R.~~P. Expiration or Revocation of Preliminary Master PUD Development Plan Approval.

1. In the event the applicant fails to submit the for approval within two years from the date of the approval of the Preliminary Master PUD Development Plan or amendment to Preliminary Master PUD Development Plan by the City Council or in the event the Planning Commission finds that conditions in support of the granting of approval of the Preliminary Master PUD Development Plan or amendment to Preliminary Master PUD Development Plan have so changed as to raise reasonable question regarding the landholder's ability to pursue the Development pursuant to the plan, the Planning Commission may recommend revocation of the approval of the Preliminary Master PUD Development Plan or amendment to existing Preliminary Master PUD Development Plan.

2. Should the Planning Commission recommend revocation of the approval of the Preliminary Master PUD Development Plan or

amendment to Preliminary Master PUD Development Plan, a report of this action shall be sent immediately to the City Council along with a recommendation that action be taken to remove revert the site to its previous District designation.

~~S.~~Q. Final Master PUD Development Plan - General.

1. In reviewing a Final Master PUD Development Plan or amendment to Final Master PUD Development Plan, the function of the reviewing agencies is twofold:

   a. First, the plan or amendment must be found to be in substantial compliance with the approved Preliminary Master PUD Development Plan or amendment to Preliminary Master PUD Development Plan.

   b. Second, all new or revised information that was not in the previously approved Preliminary Master PUD Development Plan or amendment to Preliminary Master PUD Development Plan must be reviewed to determine its quality and compliance with all applicable requirements of this Ordinance.

2. The Final Master PUD Development Plan or amendment to Final Master PUD Development Plan shall be deemed in substantial compliance with the approved Preliminary Master PUD Development Plan or amendment to Preliminary Master PUD Development Plan provided any modifications by the applicant do not involve changes which in aggregate would:

   a. Violate any provisions of this Ordinance;

   b. Change the Lot or Building Site Area requirement as submitted in the Preliminary Master PUD Development Plan or amendment to Preliminary Master PUD Development Plan by more than 10%;

   c. Involve any increase in the number of Dwelling Units approved for the site in the Preliminary Master PUD Development Plan or amendment to Preliminary Master PUD Development Plan;

d. Involve a reduction of more than 3% of the area shown on the Preliminary Master PUD Development Plan or amendment to Preliminary Master PUD Development Plan as reserved for Common Open Space;

e. Increase the Floor Area shown on the Preliminary Master PUD Development Plan or amendment to Preliminary Master PUD Development Plan for non-Residential Uses by more than 5%; or

f. Alter the mix of Building Types or Uses shown on the Preliminary Master PUD Development Plan or amendment to Preliminary Master PUD Development Plan by more than 3% in any category or Uses or any one or more Building Types from that proposed in the Preliminary Master PUD Development Plan or amendment to Preliminary Master PUD Development Plan.

~~**T. Review Procedure - Planning Commission.**~~

~~**1.** Upon issuance of the Zoning Administrator's Certificate of Completeness and Certificate of Compliance, the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan shall be submitted to the Planning Commission for review.~~

~~**2.** The Final Master PUD Development Plan or amendment to Final Master PUD Development Plan must be submitted 15 days prior to the meeting of the Planning Commission at which the plan is to be presented. Twenty copies of the plan and related documents will be required.~~

~~**3.** Within 30 days subsequent to the formal presentation of the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan to the Planning Commission, the Zoning Administrator shall present to the Planning Commission data and findings of the various City departments and agencies concerning the f Final Master PUD Development Plan or amendment to Final Master PUD Development Plan.~~

~~4.~~ ~~In the course of its consideration and prior to any approval of the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan, the Planning Commission shall give notice and provide each of the following an opportunity to be heard:~~

~~a. Any person who is on record as having appeared at the formal public hearing on the Preliminary Master PUD Development Plan or amendment to Preliminary Master PUD Development Plan, or~~

~~b. Any other person who has indicated to the Planning Commission in writing that he wished to be notified.~~

~~U.~~R. Planning Commission Action.

1. The Planning Commission may approve, approve with conditions or modifications, or disapprove the final Master PUD Development Plan or Amendment to existing Master PUD Development Plan.

2. The Planning Commission may approve the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan if it finds:

   a. That the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan meets the provisions for substantial compliance with the Preliminary Master PUD Development Plan or amendment to Preliminary Master PUD Development Plan ; and

   b. The Final Master PUD Development Plan or amendment to Final Master PUD Development Plan complies with all other standards for review which were not considered when the Preliminary Master PUD Development Plan or amendment to Preliminary Master PUD Development Plan was approved.

   ~~a.~~ The Planning Commission may approve the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan with conditions or modifications ~~subject to the following:~~

~~b. Should the Planning Commission require any condition or modification in the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan or any portion thereof including covenants, etc., in order to approve such plan or amendment, such conditions or modifications must be agreed to by the applicant in writing prior to formal action and filing of the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan.~~

~~c. All such conditions or requirements for modification as may be required hereinunder shall be expressly for the purpose of:~~

~~(1) Causing the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan to meet the test of substantial compliance with the approved Preliminary Master PUD Development Plan or amendment to Preliminary Master PUD Development Plan, or~~

~~(2) Meeting some specific requirement of this Ordinance.~~

~~d. The Planning Commission shall transmit in writing the conditions or modifications which must be complied with for the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan to be approved.~~

~~e. Within 60 days of the transmittal of the required modifications, the landholder may make a written response concurring with the required modifications, in which case the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan is deemed to have Planning Commission approval at the date of the receipt by the Planning Commission of said written concurrence.~~

~~f. Where the landholder makes a negative reply or no response is received within 60 days of the date of conditional final approval, the Final Master PUD Development Plan or amendment to Final Master PUD~~

~~Development Plan shall be deemed disapproved, unless such time limit is extended by specific action of the Planning Commission.~~

3. Upon formal action by the Planning Commission approving a Final Master PUD Development Plan or amendment to Final Master PUD Development Plan, or in the instance of conditional or modified approval of a Final Master PUD Development Plan or amendment to Final Master PUD Development Plan, upon acceptance of the conditions or modifications ~~as set forth in Section 8.5.21.M.4.B, said f~~, the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan and all maps, covenants, and other portions thereof, shall be filed with:

(1) The City Council;

(2) The City Recorder; and

(3) The Zoning Administrator.

4. If the Planning Commission finds that the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan does not meet the test for substantial compliance ~~set forth in Section 8.5.21.S.2~~ or does not comply with other standards of review, it shall disapprove the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan.

5. In the event of disapproval, the Zoning Administraor shall prepare a written report ~~shall be prepared by~~ on behalf of the Planning Commission and sen~~t~~d it to the City Council and the applicant. This report shall detail the grounds on which the ~~f~~ Final Master PUD Development Plan or amendment to Final Master PUD Development Plan was denied~~, including specifically the ways in which the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan violated the substantial compliance provisions or other standards of review~~.

~~V.~~S. City Council Action.

1. In the event that the Planning Commission disapproves any Final Master PUD Development Plan or amendment to Final Master PUD Development Plan, such action shall be reviewed by the City Council.

2. The Council shall consider the report submitted by City Planning Commission and such other information as it may require in order to determine whether such Final Master PUD Development Plan or amendment to Final Master PUD Development Plan in its view meets the test of substantial compliance and complies with other standards of review herein established.

3. Should the City Council uphold the Planning Commission's disapproval of the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan, it shall notify the landholder that the action approving the reclassification of such property as contained in the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan shall be disapproved.

4. Should the City Council determine that the ~~f~~ Final Master PUD Development Plan or amendment to Final Master PUD Development Plan does meet the test of substantial compliance and other requirements for approval, it shall notify both the landholder and the Planning Commission of its decision, and the action of the City Council approving the zoning shall thereby become final.

~~W.~~T. Failure to Begin PUD.

If no Actual Construction has begun in the PUD within three (3) years from the date of approval of the final shown on the Preliminary Master PUD Development Plan or amendment to Preliminary Master PUD Development Plan , said approval shall be lapse and be of no further effect and the related Zoning Ordinance Amendment and Rezoning shall lapse, be of no further effect and be repealed. The Planning Commission may, upon showing of good cause by the landholder, extend the time for

commencement of Actual Construction for periods of 12 months. However, at least annually the Planning Commission shall review the status of any PUD on which construction has not begun in order to determine that the project has not been abandoned.

~~X.~~U. Enforcement of Development Schedule.

1. Unless specifically approved as part of the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan, the construction and provision of all Civic Spaces, Common Open Spaces, and public and recreational facilities which are shown on the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan must proceed at no slower rate than the construction of Dwelling Units and non-Residential Improvements.

2. From time to time, the Zoning Administrator shall compare the actual Development and construction accomplished with the approved Development schedule. If the Zoning Administrator finds that the rate of Development and construction of Dwelling Units or non-Residential Improvements is substantially greater than the rate at which Civic Spaces, Common Open Spaces, and public and recreational facilities have been Developed and constructed and provided, then the Zoning Administrator may take either or both of the following actions:

    a. Cease to approve any additional final site plans or plats;

    b. Instruct the Building Official to discontinue issuance of Building Permits.

3. In any instance where either of the above actions is taken, the Planning Commission must be provided satisfactory assurance from the applicant and its successors in interest that the relationship between the Development and construction of Dwelling Units and Commercial or Industrial Structures and the provision of common open spaces and public and recreational facilities is brought into balance acceptable to the Planning

Commission prior to the continuance of Development or construction.

~~Y.~~V. Building Permits & Certificates of Occupancy

Building Permits and Certificates of Occupancy may be issued for Development, Uses, Buildings and other Structures in a PUD in accordance with this Section.

1. The City ~~Engineer~~ may issue a Building Permit for Development, Structures, Buildings, activities, or uses as a part of a finally approved PUD only in strict compliance with the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan for the particular PUD, including the conditions of approval and only after the administrative procedure outlined in this section has been strictly followed. No Building Permit shall be issued for the area included in a Preliminary Master PUD Development Plan or amendment to Preliminary Master PUD Development Plan until the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan has been finally approved.

2. A Certificate of Occupancy shall be issued when the Zoning Administrator determines that a Structure, Building, activity, or Use within a PUD conforms with the applicable adopted ~~f~~ Final Master PUD Development Plan or amendment to Final Master PUD Development Plan, including the any conditions or modifications required for approval under the provisions of Section 8.5.21.~~Z~~W.

~~Z.~~W. Modification of Approved Final Master PUD Development Plan or Amendment to Existing Development Plan During Initial Construction Period.

1. During the period of actual Development or Construction of or within any PUD, or of or within any portion of a PUD when Developed in phases, the provisions of this Section 8.5.21.Z shall apply to any proposed modifications to an approved Final Master PUD Development Plan or amendment to Final Master PUD Development Plan.

2. Any such proposed modification that is not permitted under Sections 8.5.21.~~Z.3-.4~~W may be approved only as an amendment to the approved Final Master PUD Development Plan or amendment to Final Master PUD Development Plan, provided the Decision Making Authority may authorize the Zoning Administrator approve specific changes as part of the Final Master Plan approval.

3. The Planning Commission may approve:

Allows the CMPC to direct staff to approve minor changes to a Final PUD

a. minor modifications in the location, siting, and height of Buildings and Structures if required by engineering or other circumstances not foreseen at the time the f Final Master PUD Development Plan or amendment to Final Master PUD Development Plan was approved so long as no such modification violates the basic policy and concept, standards and requirements of this Ordinance applicable to the PUD, or other standards and requirements applicable to the PUD pursuant to the approved Final Master PUD Development Plan or amendment to Final Master PUD Development Plan. Collectively, all such modifications approved by the Planning Commission shall not in the aggregate result in:

(1) Any increase in the number of Dwelling Units from that approved in the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan; or

(2) An increase of more than 3% in the floor area for Commercial Uses from that approved in the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan; and

b. minor modifications in the location of streets and underground utilities shown on the approved Final Master PUD Development Plan or amendment to Final Master PUD Development Plan.

4. For any modification to an approved Final Master PUD Development Plan or amendment to Final Master PUD

Development Plan other than minor modifications authorized by Section 8.5.21.WZ.3, such modification shall be subject to satisfactory proof by the applicant and written findings by the Planning Commission and City Council as follows and approval as an amendment to the approved Final Master PUD Development Plan or amendment to Final Master PUD Development Plan.

a. The modification shall be limited to the minimum necessary;

b. Strict application of the provisions of the approved Final Master PUD Development Plan or amendment to Final Master PUD Development Plan would result in practical difficulties or unnecessary hardship;

c. There are exceptional or extraordinary circumstances or conditions applying to the land, Buildings, Structures or Uses referred to in the request for modification, which circumstances or conditions do not apply generally to other land, Buildings, Structures or uses in the same type of PUD District.

d. The requested modification will not be detrimental to the public welfare or injurious to property or improvements in the neighborhood of the premises.

e. Under the circumstances of the particular case, the requested modification will not adversely affect the health or safety of persons working or residing in the neighborhood of the premises.

f. The requested modification is consistent the intent and purpose of this Ordinance, the Comprehensive Plan, and the approved Final Master PUD Development Plan or amendment to Final Master PUD Development Plan and will not adversely affect the community objectives of the Comprehensive Plan.

g. The requested modification will not result in any reduction of required Buffer areas or other specific open spaces required by this Ordinance and will not vary any District or

Development standard applicable to the PUD under this Ordinance.

~~AA.~~X. PUD Control After Completion.

~~1. Upon completion of a PUD or of any phase of a PUD, the Zoning Administrator shall issue a Certificate of Completion certifying this fact, and shall note the issuance of the Certificate on the recorded Final Master PUD Development Plan or amendment to Final Master PUD Development Plan.~~

~~2.~~1. After the ~~Certificate of Completion has been issued~~PUD has been substantially completed, the use of land and the construction, modification, or Alteration of any Buildings or Structures within the PUD will be governed by the approved Final Master PUD Development Plan or amendment to Final Master PUD Development Plan and the applicable provisions of this Ordinance.

~~3.~~2. No changes may be made in the approved Final Master PUD Development Plan or amendment to Final Master PUD Development Plan except upon application to the appropriate agency under the procedures below:

a. Any minor extensions, Alterations, or modifications of existing Buildings or Structures may be authorized by the Zoning Administrator if the extensions, Alterations, or modifications are consistent with the purposes and intent of the recorded approved Final Master PUD Development Plan or amendment to Final Master PUD Development Plan, this Ordinance, and the Comprehensive Plan.

b. Any Uses not authorized by the approved Final Master PUD Development Plan or amendment to Final Master PUD Development Plan, but allowable in the applicable type of PUD District as a Permitted Use, Permitted Subject to Limited Use Standards, or as a permitted Conditional Use, may be added to the recorded approved Final Master PUD Development Plan or amendment to Final Master PUD Development Plan under the procedures provided by for the approval of Conditional Uses.

c. A Building or Structure that is completely or substantially destroyed may be reconstructed only in compliance with the approved Final Master PUD Development Plan or amendment to Final Master PUD Development Plan unless an amendment to the approved Final Master PUD Development Plan or amendment to Final Master PUD Development Plan is approved as set forth below.

~~4.~~3. All other changes in the approved Final Master PUD Development Plan or amendment to Final Master PUD Development Plan may be approved only by the City Council under the procedures authorized by this Ordinance for Rezoning, Zoning Ordinance Amendment, and Master PUD Development Plan approval.

~~5.~~4. Notwithstanding any other provision of this Section 8.5.21.AA, no changes may be made to the approved Final Master PUD Development Plan or amendment to Final Master PUD Development Plan unless such changes are required for the continued successful functioning of the PUD or are required by changes in conditions that have occurred since the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan was approved or by changes in the development policy of the community.

~~6.~~5. No changes in the approved Final Master PUD Development Plan or amendment to Final Master PUD Development Plan that are approved under this Section are to be considered as a waiver of the covenants limiting the use of land, Buildings, Structures and Improvements within the area of the PUD and all rights to enforce these covenants against any changes permitted by this Section are expressly reserved.

AB. Re-Subdivision of PUD After Completion.

A completed PUD may be subdivided and re-subdivided for purpose of sale or lease ~~after the Certificate of Completion has been issued under the procedures set forth below:~~subject to the following:

1. If the subdivision or re-subdivision of a PUD will create a new plot line, the applicant shall make application to the Planning Commission for the approval of a subdivision or re-subdivision. The Planning Commission may approve the subdivision or re-subdivision if each section of the subdivided or re-subdivided PUD meets the provisions of this Ordinance governing density, common open space, and dimensional requirements.

2. The owner and lessees of a subdivided or re-subdivided PUD may jointly make application for a Conditional Use or for an amendment to an approved –Final Master PUD Development Plan or amendment to Final Master PUD Development Plan.

Further Modifications Throughout

Delete text at p. 469, 470, 471, 472, and 473, "Building Inspector" and replace with "Chief Building Official."

Delete text throughout Article 8 and other sections of the Ordinance, "Sketch Development Plan" and replace with "Plot Plan or Zoning Permit" except where another term is provided above.

ARTICLE 9:
DEFINITIONS

SECTION 9.1 WORD USAGE. 2
SECTION 9.2 TERMS. 3
SECTION 9.3 DEFINED TERMS. 4

SECTION 9.1 WORD USAGE.

The following shall be applicable to certain words used in this Ordinance and the interpretation of this Ordinance. Unless the context or natural construction of the wording clearly indicates otherwise:

1. All words used in the present tense include the future tense; all words in the plural number include the singular number and all words in the singular number include the plural number.
2. The words "must" and "shall" are mandatory.
3. The words "used" or "occupied" include the words intended, designed, maintained, or arranged to be used or occupied.
4. The particular shall control the general.
5. The word "may" is permissive.
6. In the case of any difference of meaning or implication between the text of this Ordinance and any caption or illustration, the text shall control. Where in conflict, numerical metrics shall take precedence over graphical metrics.
7. The word "permitted" or words "permitted as of right," whether or not capitalized, means permitted without meeting the requirements for a Conditional Use Permit or compliance with limited use standards.
8. The words "conditionally permitted" or "permitted by Conditional Use Permit" mean permitted subject to the requirements for Conditional Use by special permit pursuant to Section 4.3.9.D, of this Ordinance, and all other applicable provisions.
9. The words "Permitted Subject to Limited Use Standards" means permitted subject to compliance with the applicable limited use standards pursuant to Section 4.3.9.D and all other applicable provisions of this Ordinance.
10. The word "applicant" includes any authorized agent of the applicant.
11. The phrase "used for " shall include the phrases "arranged for", "designed for", intended for", maintained for", and "occupied for".
12. Unless the context clearly indicates to the contrary, conjunctions shall be interpreted as follows:
13. "and" indicates that all connected items, conditions, provisions or events shall apply.
14. "or" indicates that any of the connected items, provisions, or events shall apply.
15. "either . . . or" indicates that the connected items, conditions, provisions, or events shall apply singly but not in combination.
16. Unless expressly provided otherwise, all public officials, bodies, and agencies to which reference is made are those of the City.

SECTION 9.2 TERMS.

A. Capitalized Terms.

Certain capitalized terms used in this Ordinance are defined below or elsewhere in this Ordinance and shall be given such meanings unless the context clearly indicates or requires a different meaning.

B. Undefined Terms.

Undefined terms used in this Ordinance shall have the meanings customarily assigned to them.

SECTION 9.3 DEFINED TERMS.

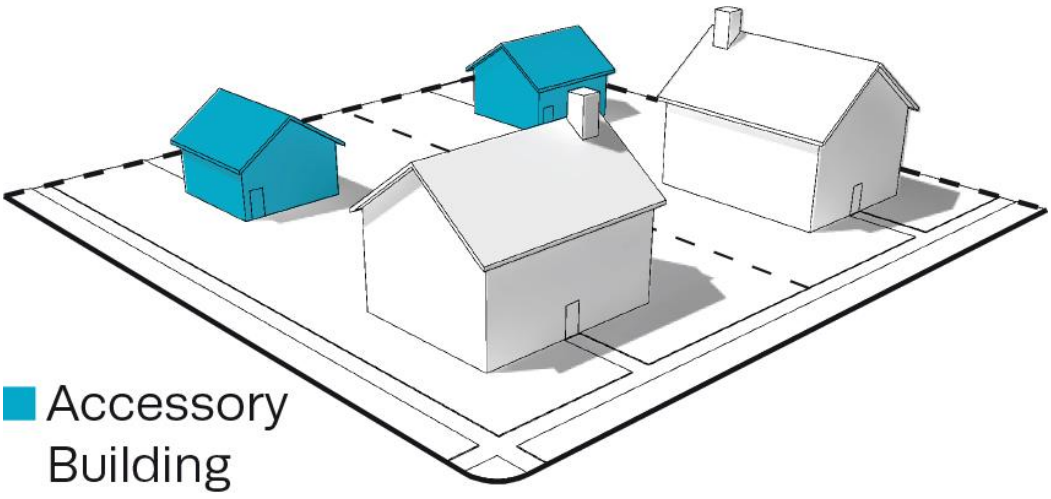
For purposes of this Ordinance, the following terms shall have the meanings set forth below unless the context clearly indicates or requires a different meaning:

Abut/Abutting: to share or sharing a common property line. For the purposes of this definition, properties across an intervening right-of-way shall not be considered abutting.

Access: as a noun, a legal and physical means of entering premises, whether by Adjacency, Easement, or otherwise; as a verb, the act of entering premises.

Accessory Building: a Building that shares a Lot or Building Site with a Principal Building and that is customarily and clearly incidental and subordinate to the Principal Building. An Accessory Building may or may not have an Accessory Unit or be occupied or devoted to one or more Accessory Uses. An Accessory Building may or may not be attached to the Principal Building. See Illustration 9.3.A-1 (Principal Building & Accessory Building).

ILLUSTRATION 9.3.A-1 ACCESSORY BUILDING



Accessory Dwelling:

A residential living unit on the same parcel as a single-family dwelling. The Accessory Dwelling provides complete non-transient independent living facilities for one or more persons while remaining physically subordinate and accessory to the principal residence. It may take various forms: a detached unit; a unit that is part of an accessory structure, such as a detached garage; or a unit that is part of an expanded or remodeled primary dwelling.

~~a Dwelling Unit having habitable space not greater than 600 square feet, which shares ownership and utility connections with a Principal Building; it may or may not be within an Accessory Building. An Accessory Dwelling Unit may not be used for Transient accommodations or as a Short-Term Rental Unit.~~

Accessory Use: a Use that is customarily and clearly incidental and subordinate to a Principal Use of land or a Structure and located on the same parcel of land, Lot, or Building Site as such Principal Use.

Accommodations / Lodging Uses: a Commercial Use sub-category characterized by premises available for daily or weekly renting of bedrooms or suites for periods of less than 30 days, including without limitation Bed and Breakfast, Inn, Hotel, and Motel. A Short-Term Rental Unit is not an Accommodations / Lodging Use. See Table 4.3.9.A-1 (Building, Lot & Building Site Principal Uses).

Private campground, hunting/fishing camp, and dude ranch, shelter for the homeless, and Recreational vehicle (RV) park are not included in Accommodations / Lodging Uses.

Actual Construction or Development: the excavation of a site and/or the systematic placement of building materials in conjunction with the Development of land or construction of a Building or other Structure.

Addition: with respect to an existing Building, any walled and roofed new construction expansion to the perimeter of a Building in which the addition is connected by a common load - bearing wall other than a fire wall or is separated by independent perimeter load – bearing walls.

Adult Day Care: as defined in the Rules of Tennessee Department of Human Services Community and Social Services.

Address Sign: a Sign type, described as such in Table 7.1.2.B-1 (Sign Types - Summary) and Table 7.1.2.B-2 (Sign Types - Specific Standards).

Adjacent/Adjoin: having any distance of real property boundary in common with another property, or being separated from the other property boundary by a right- of-way, Thoroughfare, Internal Drive, Alley, Easement, or Civic Space. Not synonymous with Abutting.

Administrative Adjustment: administrative relief from a standard or requirement of this Ordinance, granted pursuant to the provisions of Article 8 (Administration, Procedure, & Enforcement) by the Zoning Administrator or other staff as specifically authorized by this Ordinance.

Adult Arcade: any place to which the public is permitted or invited wherein coin – operated or slug – operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors or other image – producing devices are maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by the depicting of Specified Sexual Activities or Specified Anatomical Areas.

Adult Bookstore or Adult Video Store: an establishment having as its principal Business purpose the sale or rental of books, magazines, slides, films, video cassettes, video discs, or any other form of media, which are distinguished or characterized by their emphasis on matter depicting, describing or relating to Specific Sexual Activities or Specific Anatomical Areas.

Adult Care Home: a single family residence licensed pursuant to TSA Title 68, Chapter 11, Part 2, in which twenty-four-hour residential care, including assistance with activities of daily living, is provided in a homelike environment to no more than five (5) adults who are elderly or have a disability, as defined in TSA section 68- 11-201.

Adult Day Care Facility: premises at which care, supervision, or guidance is provided for one or more adults, whether or not the facility is operated for profit and whether or not the facility charges for services offered by it. Notwithstanding the foregoing, Adult Day Care Facility does not include:

(1) Facilities for disabled or mentally ill Persons;

(2) Facilities owned and operated by a local church congregation or an established religious denomination or a religious college or university which does not receive State or federal financial assistance for adult care services.

Adult Entertainment: any conduct that presents material by books, films, slides, video cassettes, video discs, or any other media or by live presentation, or services to the patron of an establishment, which material or services are distinguished or characterized by an emphasis on matters depicting, describing engaging in, or relating to Specified Sexual Activities or Specified Anatomical Areas.

Adult Motion Picture Theater: a Building regularly used for presenting material having as a dominant theme or presenting material distinguished or characterized by an emphasis on matter depicting,

describing or relating to Specified Sexual Activities or Specified Anatomical Areas, for observation by patrons therein.

Adult-Oriented Entertainment: Use whereby premises to which the public or members of the public are invited or admitted and which are so physically arranged as to provide booths, cubicles, rooms, compartments or stalls separate from the common areas of the premises for the purpose of viewing Adult – Oriented Motion Pictures, or wherein an entertainer provides Adult Entertainment to a member of the public, a patron or a member, when such Adult Entertainment is held, conducted, operated or maintained for a profit, direct or indirect, including without limitation, Adult Bookstores or Adult Video Stores, Adult Motion Picture Theaters, Adult Arcades, Adult Theaters or Cabarets. any Adult Entertainment studio or any premises physically arranged and used as such, whether advertised or represented as an adult entertainment studio, rap studio, exotic dance studio, encounter studio, sensitivity studio, modeling studio or any other term of like import.

Agricultural Uses: sub-category of Agricultural and Extractive Use category characterized by Uses that create or preserve areas intended primarily for the raising of animals and crops, and the secondary industries associated with agricultural production.

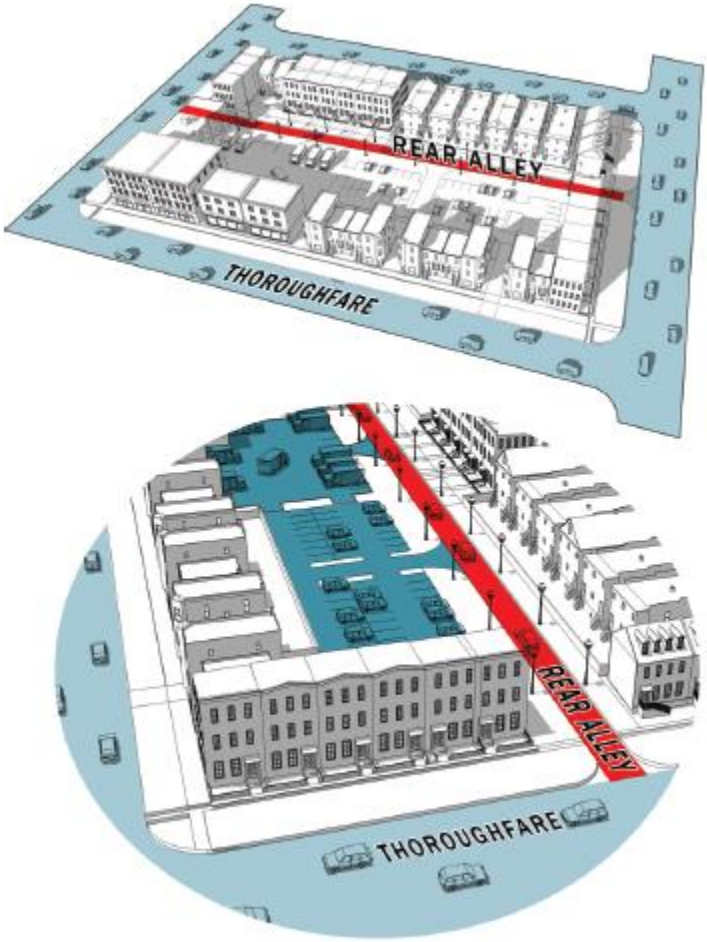
Agricultural and Extractive Uses: (1) collectively, Agricultural Uses and Extractive Uses; (2) a collective reference to Uses in the following sub- Categories: Agricultural Uses and Extractive Uses, as listed in Table 4.3.9.A-1 (Building, Lot & Building Site Principal Uses) Table 4.3.9.A-2 (Building, Lot & Building Site Accessory Uses), and Table 4.3.9.A-1 (Building, Lot & Building Site Temporary Uses).

Alcoholic Beverage: any fermented liquor, such as wine, beer, or distilled spirit, which contains ethyl alcohol (ethanol) as an intoxicating agent.

Alcoholic Beverage Retail Sales: an establishment engaged in the Retail sale of Alcoholic Beverages for off- premises consumption.

Alley: generally, a vehicular way, which is not intended for general traffic circulation, which affords secondary access to Abutting property, and which may or may not be dedicated to public use. An Alley is not a Thoroughfare or an Internal Drive. See Illustration 9.3.A-2 (Alley). See also Rear Alley.

ILLUSTRATION 9.3.A-2 ALLEY



Alteration / Alter: as applied to a Structure, an Addition or a change, rearrangement, or modification in the structural members or elements or the exit facilities, or in any element of the Private Frontage, the Facade or any other exterior architectural feature, including without limitation erection, construction, reconstruction, or removal; any diminution; any enlargement, whether by extending on a side or by increasing in height; moving from one location or position to another; increasing the Floor Area; expending an amount more than 50% of the fair market value; or increasing the fair market value by more than 50%. Alteration does not include Ordinary Maintenance or Repair. The term Alter, in its various modes and tenses and its participial form, refers to the making of an Alteration.

Alternative Tower Structure: as related to Wireless Communication Facilities, trees, clock towers, bell steeples, light poles, water tanks and similar alternative – design mounting structures that camouflage or conceal the presence of antennas or towers.

Antenna: any exterior apparatus designed for telephonic, radio or television communications through the sending and/or receiving of electromagnetic waves.

Applicant: the owner, lessee, or contract vendee of the subject premises, or other person or entity authorized to make application to a Decision-Making Authority or administrative Person pursuant to this Ordinance.

Arcade: a Private Frontage type, which is conventional for Retail / Personal Service / Repair / Artistic / Artisan Use, wherein a colonnade supporting habitable space in one or more upper levels overlaps the Sidewalk, while the Façade at the first level remains at the Frontage Line. See Table 4.3.7.A (Private Frontage Types).

Area of Special Flood Hazard: as defined in Section 6.12.2. Also may be referred to as "Special Flood Hazard Area".

Artisan Establishment: any Structure, premises, or establishment in or on which articles of artistic quality or effect or handmade workmanship are produced with or without Retail sales of such articles. Examples of activities that may be conducted in an Artisan Establishment are candle making, furniture making, glass blowing, weaving, pottery making, woodworking, sculpting, painting, and tailoring.

Art or Photography Studio: premises accommodating the creation of works of art or photography, with or with the exhibition or sale of such works.

Artist Studio Space: space used for the creation, production, rehearsal, or teaching of any performance, visual, or literary art or craft, including but not limited to painting, drawing, graphic design, photography, video, film, sculpture, pottery, written works of fiction or nonfiction, whether for live or recorded, including music, dance, and theater, and accessory sales of such art.

Assisted Living Apartment: multiple unit Residential premises for elderly, infirm, or disabled residents, in which housekeeping, meals, and other assistance are available to residents.

Attached: an enclosure having continuing walls, roof and floor.

Attached Dwelling: Residential premises characterized by two or more Dwelling Units being incorporated into a single Structure or attached Structures, specifically being Apartments, the Residence portion of a

Live/Work Building, Mixed Use Building,or Flex Building, Multifamily Dwellings, Two-Family Dwellings, Duplexes, Rowhouses, Large Multi-family Buildings and Small Multi-Family Buildings.

Attic: the interior part of a Building contained within a pitched roof structure. See Illustration 9.3.A-3(Attic).

ILLUSTRATION 9.3.A-3 ATTIC

Avenue (AV): a Thoroughfare or Internal Drive of high vehicular capacity and low to moderate speed, acting as a short distance connector between urban centers, and sometimes equipped with a landscaped median, described as such in Table 4.3.8.A (Thoroughfare Types - Summary) and Table 4.3.8.B (Thoroughfare Assemblies and Standards).

Awning Sign: the Sign Type described as such in Table 7.1.2.B-1 (Sign Types - Summary) and Table 7.1.2.B-2 (Sign Types - Specific Standards).

Bakery: premises at which cakes, cookies, bread, pastries, tarts, and/or other baked goods are made, whether or not such items are sold at Retail.

Band Sign: the Sign Type described as such in Tables 7.1.2.B-1 (Sign Types - Summary) and 7.1.2.B-2 (sign Types - Specific Standards).

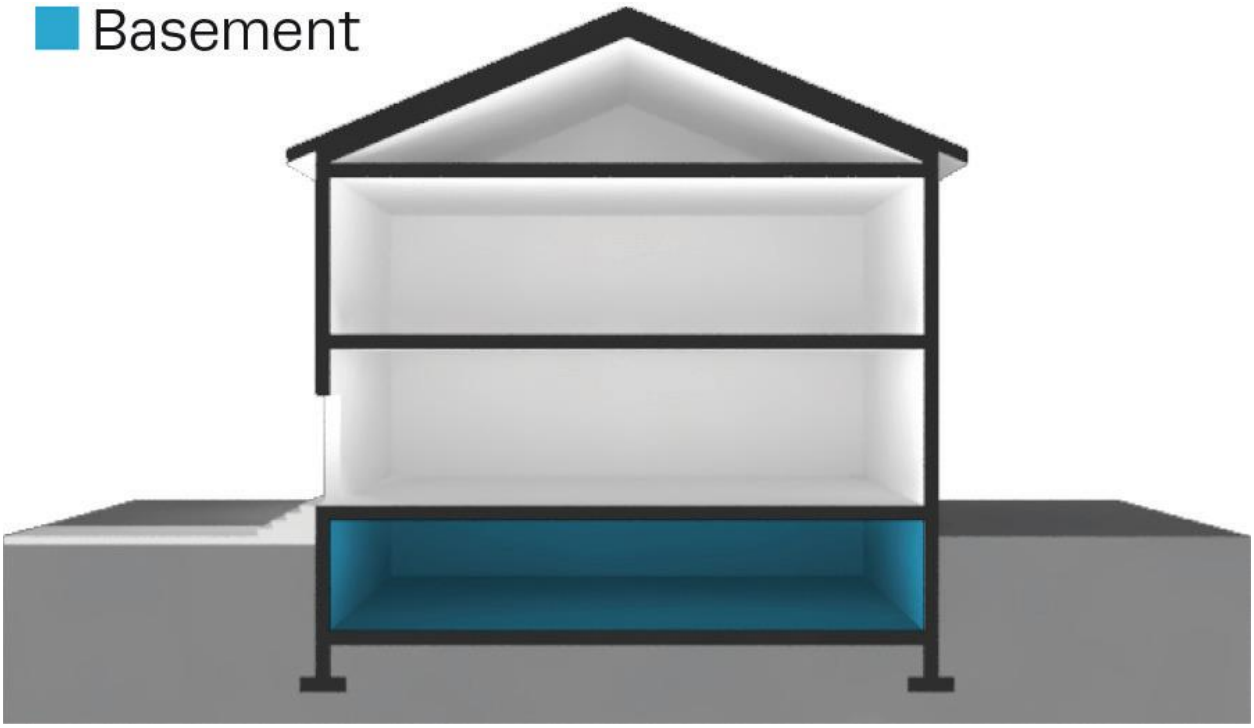
Bar or Tavern: an establishment serving Alcoholic Beverages to be consumed on the premises.

Base: The structural elements, design features, and materials associated with the part of a building that meets the ground and visually differentiates it from the Middle, typically a Knee Wall or Foundation Cladding.

Base Flood Elevation: as defined in Section 6.12.2.

Basement: a portion of a Building having more than half (1/2) of its clear floor- to- ceiling height below the average finished grade of the ground. See Illustration 9.3.B-1 (Basement).

ILLUSTRATION 9.3.B-1 BASEMENT



Bed and Breakfast: an Accommodations / Lodging Use characterized by 1 to 5 bedrooms of an owner-occupied Building or Accessory Building being offered to paying guests for overnight Lodging with breakfast. A Short- Term Rental Unit is not a Bed and Breakfast.

Bicycle Lane (BL): a dedicated lane for cycling within a moderate-speed vehicular Thoroughfare, demarcated by striping. See Table 5.2.4.B (Bikeway Types).

Bicycle Locker: A fully enclosed space for one bicycle, accessible only to the owner or operator of the bicycle. It protects the entire bicycle, its components and accessories from theft and inclement weather. Bicycle lockers may be pre-manufactured or may be designed for individual sites.

Bicycle Rack: A stationary object to which the bicycle user can lock the frame and one or both wheels of a bicycle with a user-provided U-shaped lock or cable, and which is either anchored to an immovable surface or is heavy enough that it cannot be easily moved.

Bicycle Route (BR): a Thoroughfare that is suitable for the shared use of bicycles and automobiles moving at low speeds. See Table 5.2.4.B (Bikeway Types).

Bikeway Stub: A nonpermanent, dead-end Bikeway within a public right-of-way or a public access easement which extends to the boundary of an Adjacent property. Stubs allow the continuation of Bikeways in conjunction with development on adjacent property.

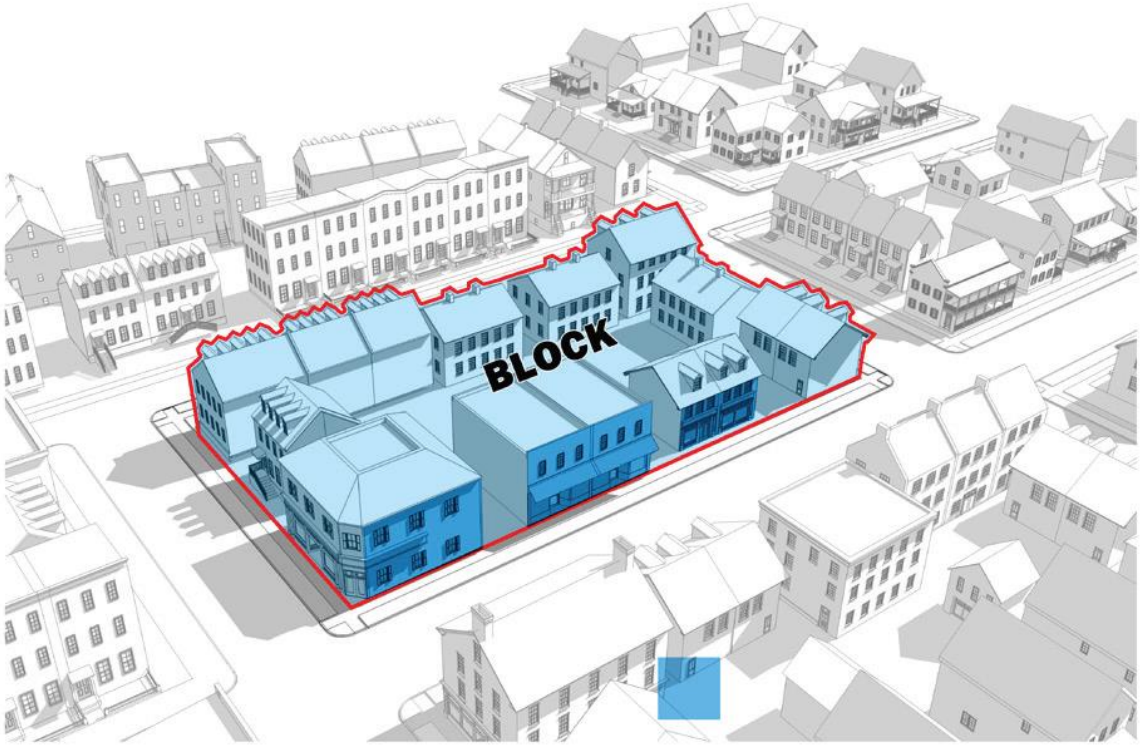
Bicycle Trail (BT): a bicycle way running independently of a vehicular Thoroughfare. See Table 5.2.4.B (Bikeway Types).

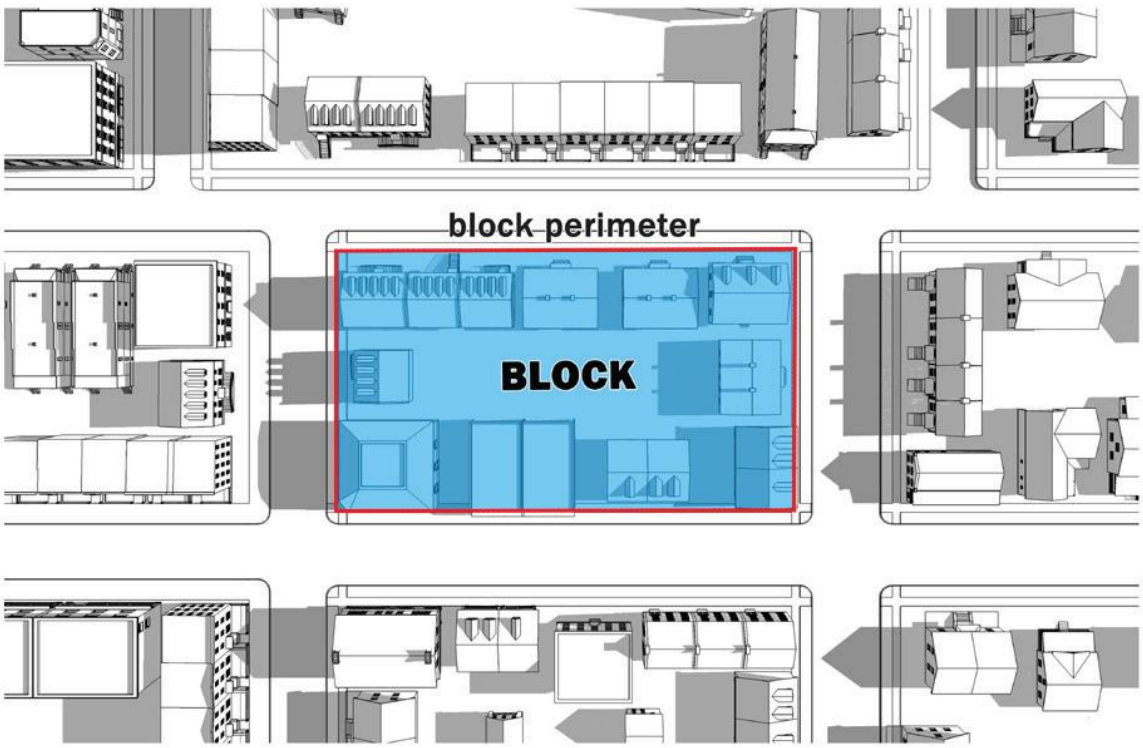
Billboard: a Sign intended for viewing from extended distances, which is mounted on one or two poles. A Pylon Sign is not a Billboard.

Blade Sign: the Sign Type described as such in Table 7.1.2.B-1 (Sign Types - Summary) and Table 7.1.2.B-2 (Sign Types - Specific Standards).

Block: the aggregate of Lots, Building Sites, Passages, Civic Spaces and Rear Alleys, circumscribed by Thoroughfares or Internal Drives, or where applicable, circumscribed by Thoroughfares, Internal Drives, Civic Space, and/or waterbodies. See Illustration 9.3.B-2 (Block).

ILLUSTRATION 9.3.B-2 BLOCK





Block Face: the aggregate of all Building Facades on one side of a Block.

Board or Board of Appeals: the Board of Zoning Appeals of the City.

Boat - Related Uses: the term referring collectively to Boat Body Shop, Maintenance, Repair, or Cleaning, Boat Dock, Boat Sales, Rental, Leasing, or Chartering, Boat Ramp, Boat Rack, Boat Slip, Boat Slip Sales or Leasing, and Boat Storage.

Boat Body Shop, Maintenance, Repair, Cleaning, or Service: a Structure, premises, or establishment in or on which watercraft are maintained, repaired, serviced, and/ or cleaned, including without limitation, incidental storage for fewer than sixty (60) days of watercraft that are being maintained, repaired, serviced, and/or cleaned. This term does not include boat building or Boat Storage.

Boat Dock: a Structure extending into or upon a waterway or water feature, which provides access to the water for the launching and retrieving of watercraft.

Boat Rack: a storage slip for a boat in a dry stack storage facility.

Boat Ramp: an inclined area providing access to the water for the launching and retrieving of watercraft.

Boat Sales, Rental, Leasing, or Chartering: a Structure, premises, or establishment in, on, or from which watercraft are available for sale, rental, leasing, or chartering.

Boat Slip: a docking space alongside a pier, wharf or mooring dolphins in which a waterborne boat may be moored. For purposes of this Ordinance and in the absence of an authorized quantity of Boat Slips by State or federal regulating agencies, a Boat Slip shall be a minimum length of 25 feet for side mooring and 15 feet for stern moorings.

~~**Boat Slip Sales or Leasing:** a Structure, premises, or establishment in, on, or from which watercraft are available for sale or leasing, or chartering.~~

Boat Storage: a Structure, premises, or establishment in or on which watercraft are stored. This term does not include boat building or Boat Body Shop, Maintenance, Repair or Cleaning.

Breakaway Wall: as defined in Section 6.12.2.

Brewery: an establishment that is primarily used for the manufacture of beer. Such establishment may sell beer for on-site consumption or for off- site distribution in accordance with applicable state and local regulations.

Brewpub: a Use or establishment that is primarily engaged in the sale and service of food for on- premises consumption and that also brews beer for on-site consumption in accordance with applicable state and local regulations.

Buffer: a specified land area, located parallel to and within the outer perimeter of a Lot, Building Site, or parcel of land and extending to the Lot, Building Site, or parcel boundary line, together with the planting and landscaping required on the land. A Buffer may also contain, or be required to contain, a barrier such as a fence or wall, or combination thereof, where additional Screening is necessary to achieve the desired level of buffering between various Uses. The term "Buffer" is not synonymous with the term "Setback Area or Yard" or the term "Stormwater Management Area."

Building: any Structure, other than a Parking Structure, having a roof supported by columns or by Walls and intended for the shelter, housing, enclosure, or storage of Persons or property.

Building Element: any component or part of a Building.

Building Official: the City Chief Building Official or designee.

Building Site: a parcel of land that has not been subdivided as a separate Lot, but which is designated by an applicant as a Building Site to be separately built on in a Development Plan or Master PUD Development Plan, site plan, permit application, or plat, and which accommodates, or is available to accommodate, a Principal Building. See Illustration 9.3.L-4 (Lot / Building Site). See also "Lot", "Lot or Building Site of Record", and "Zoning Lot or Building Site".

Building Systems Business: establishment that installs, services, maintains, and/or repairs Building systems, such as heating, ventilation, air conditioning, electrical, and plumbing contractors.

Business: operation of or engagement in for-profit activities and endeavors, including without limitation Commercial and Industrial activities and endeavors.

Business Office: premises available for any function of a Business. Examples are advertising office, Business management, consulting, data processing, collection agency, real estate or insurance agent, sales office, travel agency, Business incubator, TV or radio studio, Utility office, and conference center.

Business, Trade, or Vocational School: an Education Use providing education or training in Business, commerce, language, or other similar activity or occupational pursuit, and not otherwise defined as a Home Occupation, College, or University.

Canopy Tree: a tree that has an expected height at maturity greater than 40 feet and which produces significant shade because it has a crown that is oval, round, vase-shaped, or umbrella-shaped.

Canteen Truck: A Mobile Vending Apparatus used to serve pre-cooked products to workers at various locations where other food service options are unavailable or impractical (e.g. construction site). Service is often from the Right-of-Way.

Cap: The structural elements, design features, and materials associated with the top floor or top edge of the building to differentiate it from the middle and create a visual end to the building, typically a parapet, cornice or eaves line.

Catering Service: an establishment that prepares and provides food and related services to off-premises locations.

Catering Events Establishment: any non-Residential room, place, or space where food and beverages are available for consumption, that is regularly leased or hired out for functions, occasions, or events, to which the general public is not invited or admitted and wherein music or entertainment may be provided.

Cemetery: land used or intended to be used for the burial of the dead and dedicated for purposes of containing graves, tombs, and funeral urns, including when located or operated in conjunction with and within the boundaries of the Cemetery, columbariums, crematoriums, mausoleums, and mortuaries.

Central Sewage Collection and Treatment System: a wastewater collection and/or treatment system owned and operated by a public or quasi – public organization and approved by all appropriate licensing and oversight agencies. This term shall not be construed to include any type of privately owned and operated individual disposal system such as private septic or other similar systems.

Certificate of Appropriateness: a certificate issued by the Historic Zoning Commission indicating its approval of plans for Alteration, Construction, removal, or demolition of a Historic Structure or Structure within a Historic District or Historic Landmark District.

Certificate of Completion: a certificate issued with respect to a submission pursuant to this Ordinance, which certifies that such submission is complete in accordance with the applicable requirements under this Ordinance.

Certificate of Compliance: a certificate issued with respect to a submission pursuant to this Ordinance, which certifies that such submission complies with the applicable requirements under this Ordinance.

Certificate of Economic Hardship: a certificate issued pursuant to Section 8.5.14, which evidences a determination that an Economic Hardship exists with respect to remedying a Condition of Neglect related to a Historic Property, which certificate authorizes such Alteration, Construction, removal, or demolition even though a Certificate of Appropriateness therefor has previously been denied.

Certificate of Occupancy: a written permit, which is required before occupying or commencing to use any Building, Lot, Building Site, or other parcel of land.

Character District: one of several areas on a Zoning Map to which certain Character District Development, Lot or Building Site, Building, Development Parcel standards are applied. See Tables 4.3.1-A - 4.3.1.G (District Standards Character Districts).

Child Care Facility: premises at which care, supervision, or guidance is provided for a minor child who is not related by blood, marriage, or adoption to the owner or operator of the facility, whether or not the facility is operated for profit and whether or not the facility charges for services offered by it. Notwithstanding the foregoing, Childcare Facility does not include:

(1) An educational facility, whether private or public, which operates solely for educational purposes in Grades K or above;
(2) Kindergarten programs for five-year-olds;
(3) Children's Day Camps;
(4) School vacation or school holiday day camps for children operating in distinct sessions running less than three weeks per session;
(5) Summer resident camps for children;
(6) Bible schools normally conducted during vacation periods;
(7) Facilities for disabled or mentally ill Persons;
(8) Facilities owned and operated by a local church congregation or an established religious denomination or a religious college or university which does not receive State or federal financial assistance for childcare services.

Children's Day Camp: premises at which activities are offered to school-aged children in a social setting and the children return home in the evenings.

City: the City of Columbia, Tennessee.

City Code: the municipal code of the City, as the same may be amended and in effect from time to time.

City Council: the City Council of the City.

Civic Uses: (1) not-for-profit Uses dedicated to arts, charitable, philanthropic, culture, Education or Recreation, government, transit, or Parking purposes;

(2) a collective reference to the Uses listed under the heading "Civic Uses" in Table 4.3.9.1-A (Building, Lot, & Building Site Principal Use), Table 4.3.9.1-B (Building, Lot, & Building Site Accessory Use), and Table 4.3.9.1- C (Building, Lot, & Building Site Temporary Use).

Civic Building: a medium- to large-sized attached or detached Principal Building type, which is operated by a not-for-profit organization or governmental entity, is dedicated to Civic activities, and is designed to stand apart from its surroundings due to the specialized nature of its Civic purpose. Examples include but are not limited to Auditoriums, Conference / Convention / Exhibition Centers, Libraries, Places of Assembly, Courthouses, centers of government, Performing Arts Venues, and Museums. Civic Buildings are often the most prominently sited and architecturally significant Buildings in a community. See Table 4.3.8.A (Principal Building Types) and Table 4.3.8.B (Principal Building Types - Specific Standards).

Civic Space: an outdoor area dedicated for Civic Use, which meets the applicable standards of this Ordinance. See Table 5.3.3-A (Civic Space Types - Summary) and Table 5.3.3-B (Civic Space Types -Specific Standards).

Civic District: an area on the Official Zoning Map designated for Civic Building(s) and/or Civic Space(s).

Civil Support: Use category collectively referring to the Uses listed as such in Table 4.3.9.A-1 (Building, Lot & Building Site Principal Uses).

Clinic: a Medical Clinic or Dental Clinic.

College or University: an educational institution that offers courses of general or specialized study leading to a degree.

Commercial Uses: the Use category, which is a collective reference to the Uses in the following Use sub-Categories, as listed in Table 4.3.9.A-1 (Building, Lot & Building Site Principal Uses):

Accommodations / Lodging, Day Care (non-Civic), Educational Facilities (non-Civic), Indoor Recreation, (Commercial), Group Assembly, Outdoor Recreation (Commercial), Commercial Parking (Commercial), Restaurant, Retail / Personal Service / Repair / Art /Artisan, Self-Service Storage, Boat-Related Uses, Motor Vehicle-Related Uses, Manufactured Home Sales, and Wholesale Sales.

Commercial Building: a small- to medium-sized attached or detached non-Residential Building Type, typically designed to facilitate pedestrian-oriented Retail/ Personal Service / Repair / Art / Artisan Uses and Office Uses. See Table 4.3.8.A (Principal Building Types Summary) and Table 4.3.8.B (Principal Building Types - Specific Standards).

Commercial Indoor Athletic Training Facility: Business establishment providing indoor facilities designed and used for active participatory athletic activities or training, including but not limited to personal strength and fitness training, gymnasiums, skating rinks, swimming pools, and tennis courts. Specifically excluded are Health Clubs, Day Spas, and Sports Venues.

Commercial Parking: a Parking Lot or Parking Structure operated as a for-profit endeavor.

~~**Commercial Street:** a Thoroughfare or Internal Drive designed for moderate to high vehicular capacity and slow speed, traversing an Urbanized area, described as such in Table 4.3.8.A (Thoroughfare Types - Summary) and Table 4.3.8.B (Thoroughfare Assemblies and Standards). The Public Frontage has raised Curbs drained by inlets and very wide Sidewalks along both sides, separated from the vehicular lanes by separate Tree wells with grates and parking on both sides. The landscaping consists of a single Tree species aligned with regular spacing where possible, which clears the storefront entrances.~~

Common Destination: an area of focused community activity, usually defining the approximate center of a Pedestrian Shed. It may include without limitation one or more of the following: a Civic Space, a Civic Building, a Commercial center, or a transit station, and may act as the social center of a neighborhood.

Common Open Space: a parcel or parcels of land and/or an area of water within a Development site designated, designed, and intended for use or enjoyment of the occupants of the Development site. Common Open Space may contain such complementary Structures and Improvements as are necessary and appropriate for the benefit and enjoyment of the occupants of such Development site~~. Common Open Space must meet the applicable Civic Space standards of this Ordinance.~~

Common Yard: a planted Frontage wherein the Facade is set back substantially from the Frontage Line, and the Front Yard so created remains unfenced and is visually continuous with Abutting yards, supporting a common landscape. See Table 4.3.7.A (Private Frontage Types).

Communications Equipment: equipment used for communication, transmission or reception by Business, governmental, or other public or quasi-public users, including without limitation cellular towers. This does not include communication equipment for amateur radio operators licensed by the Federal Communications Commission that are exempt from local zoning restrictions.

Communication Services: an establishment primarily engaged in the provision of broadcasting and other information relay services accomplished through the use of electronic and telephonic mechanisms, including without limitation, Radio or Television Broadcasting Studio, News Syndicates, Video or Audio Studio, Telecommunication Service Center, and Telegraph Service Center.

Communications Tower: a tower of any size that supports Communications Equipment, transmission or reception by Commercial, governmental, or other public or quasi- public users, including without limitation cellular towers. This does not include communication towers for amateur radio operators licensed by the Federal Communications Commission that are exempt from local zoning restrictions or communications towers under 100 feet in height used solely for educational communications purposes.

Community Garden: a private or public Civic Space type for the cultivation of fruits, flowers, vegetables, or ornamental plants by more than one person or family, described as such in Table 5.3.3.A (Civic Space Types- Summary) and Table 5.3.3.B (Civic Space - Specific Standards).

~~Conference / Convention / Exhibition Centers, Places of Worship, Places of Assembly, , Performing Arts Venues, and.~~

Community Service: sub-category of the Civic Uses category, being Uses of a public, non-profit, or charitable nature providing ongoing education, training, or counseling to the general public on a regular basis, without a Residential component, including without limitation, Civic Building, club or lodge (Civic), food distribution center (Civic), gallery (Civic), Parking Lot or Parking Structure (Civic), Philanthropic Institution, Place of Assembly, post office, neighborhood arts center (Civic), recreation facility (Civic), Senior Center (Civic), Sports Venue (Civic), transit shelter, transit station, transit terminal with or without vehicle storage or maintenance, and union hall.

Completely Enclosed: refers to a Building or other Structure having a roof, separated on all sides from adjacent open areas, by exterior walls or Party Walls, pierced only by windows or entrance and exit doors normally provided for persons, goods or vehicles.

Comprehensive Plan: The general plan of the City of Columbia as adopted according to T.C.A. § 13-4-201 through 203, also referred to as Connect Columbia. The Comprehensive Plan includes all text and maps of Connect Columbia as well as any ancillary special area plans.

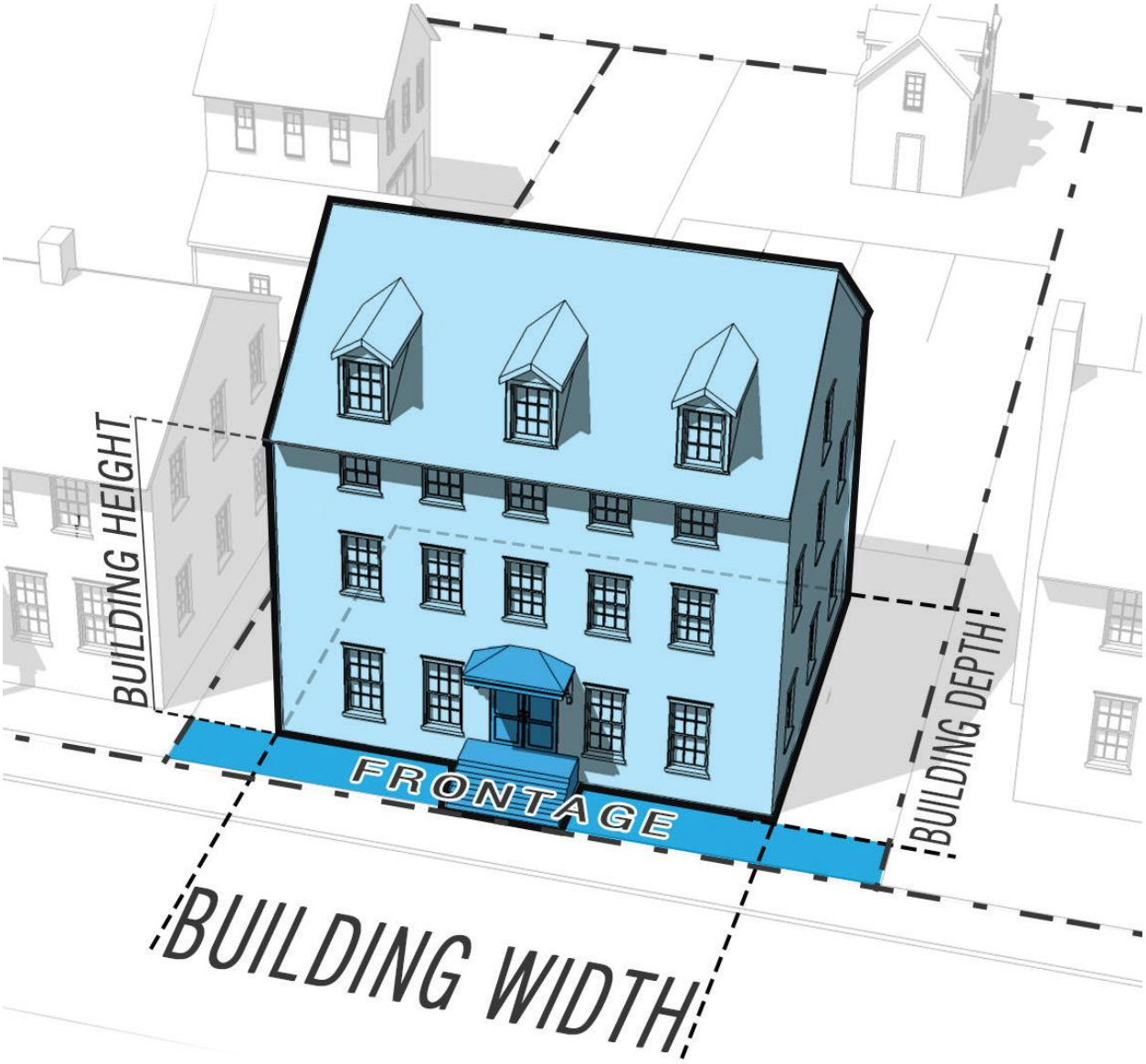
Conditional Use: a Use that would not be appropriate generally or without restriction throughout the applicable District, but which, if controlled as to number, area, location, or relation to the neighborhood, would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or general welfare. Conditional Uses are subject to all such controls and to approval by the Board of Zoning Appeals. For purposes of the administration of this Ordinance, Conditional Uses shall be construed as synonymous with special exceptions, as controlled by TCA Section 13 – 7 – 206.

Conditional Use Permit: a permit issued pursuant to Section 8.5.16.C.

Conditions of Neglect: as defined in Section 8.5.14.C.1.

Configuration: with respect to a Building, its form, including its Massing, Private Frontage, Width, and Height. See Illustration 9.3.C-1 (Configuration).

ILLUSTRATION 9.3.C-1 CONFIGURATION



Conference / Convention / Exhibition Center: premises that accommodate conferences, exhibitions, meetings, seminars, training sessions, and other similar gatherings.

Construction: the act of adding an Addition to an existing Structure or the erection of a new Structure.

Construction Business: an establishment engaged in any Business involving activities generally referred to general contracting, construction trades, building, or Development.

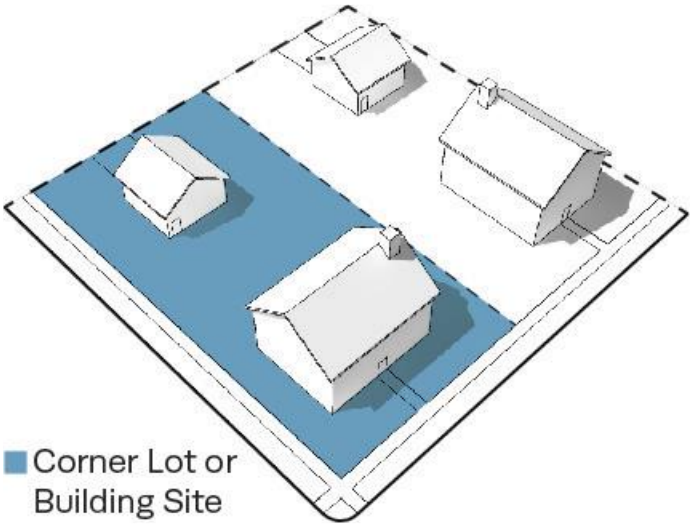
Continuum of Care Facility: a facility providing one or any combination of assisted living, nursing home, or skilled nursing for the elderly or other individuals incapacitated in some manner for medical reasons, as determined and licensed and/or certified by the Tennessee Department of Health, Board of Licensing Health Care Facilities. Included in this definition are homes for the aged, as defined by TCA Sections 68-11-201. Continuum of Care Facilities may include a small amount of age-restricted independent living as part of the overall continuum of care.

Contractor Materials Sales: the sale of building materials at wholesale without Outdoor Storage.

Convenience Store: an establishment primarily engaged in the provision of frequently or recurrently needed goods for household consumption, such as prepackaged food and beverages, newspapers, and limited household supplies, to customers who generally purchase only a few items. Convenience stores shall not include fuel pumps or the selling of fuel for motor vehicles.

Corner Lot or Building Site: a Lot or Building Site type of which at least two Abutting sides Abut Thoroughfares, Internal Drives, Pedestrian Ways, Civic Spaces, or other public places. See Illustration 9.3.C-2 (Corner Lot or Building Site).

ILLUSTRATION 9.3.C-2 CORNER LOT OR BUILDING SITE



Corridor: a lineal geographic system incorporating a Thoroughfare, Internal Drive, Greenway, or other Civic Space.

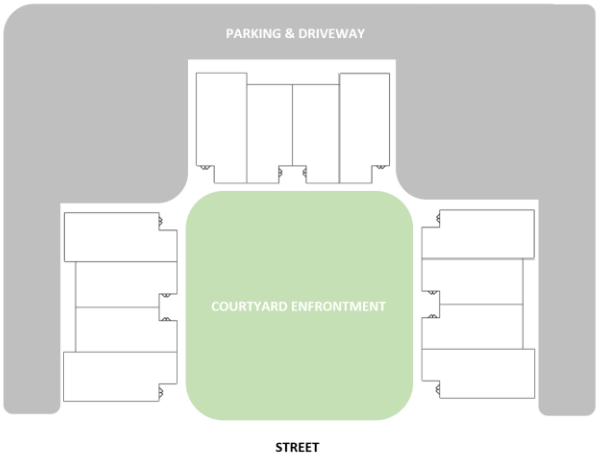
Cosmetic Reconditioning: incidental repair and refinishing of a vehicle, limited to plastic and trim parts, including bumpers, moldings, mirrors, headlight lenses, and the restoration of alloy wheels. Vehicle side panels may also be refinished when a bumper scrape carries onto a fender. Cosmetic Reconditioning shall not include painting of a complete vehicle, or use of traditional collision repair equipment, such as a frame machine, weld, or unibody straightening machine.

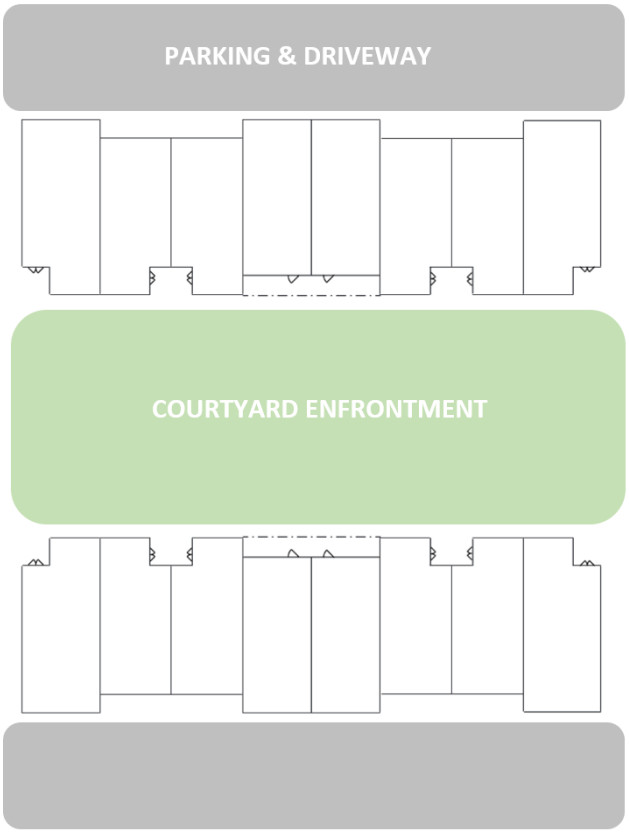
Counseling Service: an establishment providing counseling, guidance, or similar services to persons requiring rehabilitative or vocational assistance. This term includes job training and placement services.

Court: an open unoccupied space, other than a Setback Area or Yard, on the same Lot or Building Site with a Building or group of Buildings, which is bounded on two or more sides by such Building or Buildings.

Courthouse: a Building in which courts of law are held.

Courtyard Enfrontment: Where permitted in Table 4.3.1, the arrangement of buildings, typically Townhomes, facing a parklike area that enfronts a Thoroughfare or Internal Drive on at least one side with a minimum frontage width of fifty (50) feet.





Crisis Counseling Center: premises from which Persons who have experienced a traumatic event are provided short-term counseling to assist in coping with the event.

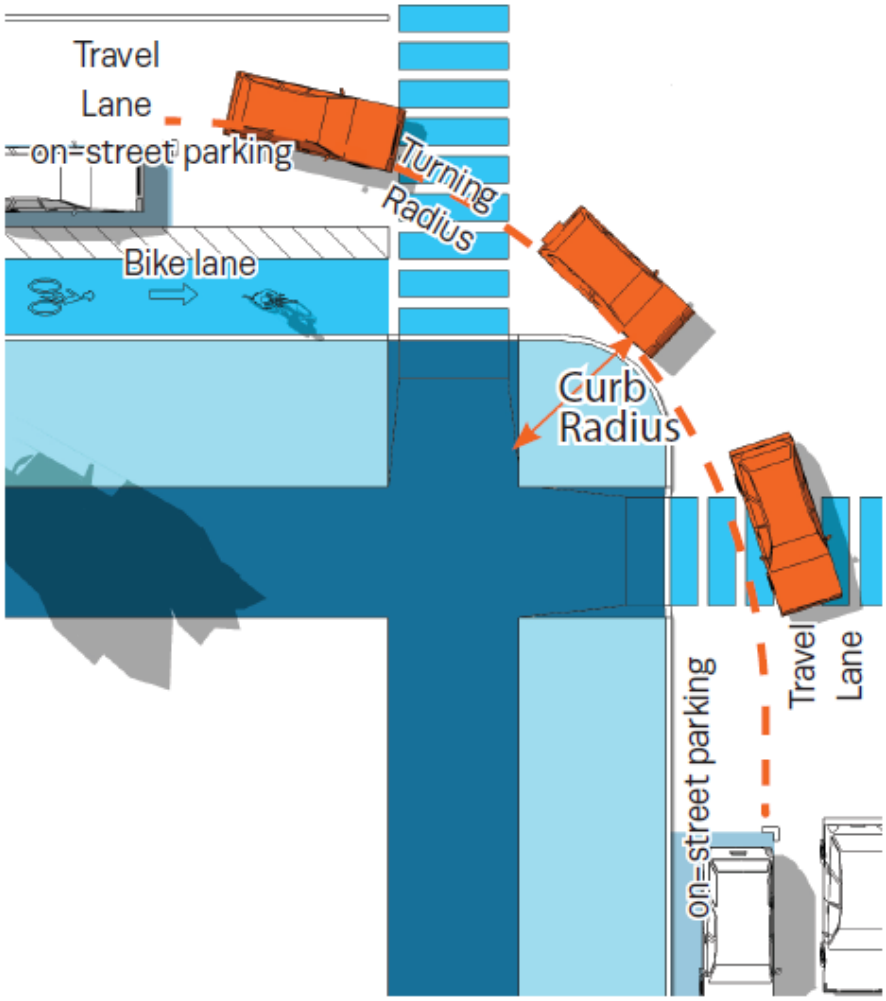
Critical Root Zone: with respect to a tree, a circular area measured outward from the tree trunk, representing the essential area of the roots that must be maintained for the tree's survival. The Critical Root Zone is measured one foot of radial distance for every inch of tree at diameter at breast height, with a minimum of ten feet.

Cross Block Passage: a minimum 10 foot wide pedestrian access reserved between Buildings.

Curb: the edge of the vehicular pavement that may be either raised or flush with a Swale to the extent allowed by this Ordinance. It usually incorporates or is associated with the drainage system. See Table 4.3.8.A (Thoroughfare Types - Summary) and Table 4.3.8.B (Thoroughfare Assemblies and Standards).

Curb Radius: the radius of the curb at an intersection. See Illustration 9.3.C-3 (Curb Radius).

673 **ILLUSTRATION 9.3.C-3 CURB RADIUS**



674

675 **Data Processing or Storage Services:** establishments primarily involved in the compiling, storage, and
676 maintenance of documents, records, and other types of information in digital form utilizing a main frame
677 computer.

678

679 **Day Care Center or Facility:** a place other than an occupied Dwelling, which for a payment, fee, or grant
680 provides care, protection, and supervision for more than 5 children or adults on a regular basis away from
681 their primary Residence for fewer than 18 hours each day (although the facility may be open 24 hours
682 each day), with no overnight accommodations. Those receiving care are not all related to each other by
683 blood or marriage and are not legal wards or foster children of the attendant adults. A Day Care Center or
684 Facility must meet all applicable State and County requirements for standards, licensing, and inspections.

685

Examples are Adult Day Care program, Child Care Center, Nursery School, Preschool, and Latch-key Program.

Decision-Making Authority: any City administrative Person, legislative or quasi-legislative body, or appellate body authorized to make decisions under this Ordinance, including without limitation, the Zoning Administrator, the Planning Commission, the Board of Zoning Appeals and the City Council.

Deck: a covered or uncovered horizontal, platform-like Structure similar to a floor, which is constructed outdoors of wood, composite wood, or vinyl material, is capable of supporting weight, and may be connected or unconnected to a Building.

Demolition: any act or process that destroys in part or in whole a Historic Structure or a landmark or a Structure within a Historic District or Historic Landmark District.

Demolition by Neglect: the existence of any one or more Conditions of Neglect with respect to a Historic Property.

Density: the intensity of Development within a standard measure of land area. The maximum Density established for a District is not a guarantee that such Density may be obtained, nor shall the inability of a Development to achieve the stated maximum Density be considered sufficient justification for a Variance or Administrative Adjustment or otherwise adjusting other Density or other requirements.

Dental Office / Dental Clinic: an Office or other premises for the private practice of dental care professionals licensed by the State, wherein a majority of patient encounters involve dental examination, diagnosis, treatment, surgical procedures, preventive care, restorative care, cosmetic care, and/or emergency care on an outpatient basis.

Dental Lab or Laboratory: premises or establishment at which products to assist in the provision of oral health care by a licensed dentist are made, such as crowns, bridges, dentures, dental implants, and therapeutic and orthodontic devices.

Design Guideline: as related to a Historic District, Historic Landmark District, or Structure in a Historic District or Historic Landmark District, a standard of appropriate activity that will preserve the historic and architectural character of such Structure or district.

Designed for Residential Use: a Building or part thereof which was originally designed for Residential Use.

Develop/Development: (1) commencing, making or planning for man-made changes to land, Structures, or other real property, including without limitation, re-development, clearing, excavation, grading, filling, Construction, re-Construction, Alteration, demolition, modification, subdivision or re-subdivision, installation of infrastructure, mining, dredging, paving, drilling, and storage of materials, whether such changes are horizontal, vertical, or subterranean, but excluding agricultural and gardening activities and Ordinary Maintenance and Repair;

(2) the resulting changes to such land, Structures, or other real property; and (3) with respect to a specific plan of

development or development project, such development or project.

Development Parcel: a parcel of land:

(1) which, either alone or together with one or more other parcels under a common Development scheme, program or plan, is ten (10) or more gross acres;

(2) with respect to the Development of which any new Thoroughfare, Internal Drive, or extension or change of the design of any existing Thoroughfare or Internal Drive is required or will be made or proposed; or

(3) with respect to which any District assignment or any Thoroughfare or Internal Drive or alignment thereof is proposed to be made or changed by a Zoning Map or Zoning Map amendment.

Development Area Per Dwelling Unit: the measurement of Density for Residential Development, which term refers to the number of Dwelling Units per unit of land area, subject to adjustment for Lot or Building Site Area Remainder as follows:

if an amount of Lot or Building Site Area not allocated to a Dwelling Unit is less than that required for one such Dwelling, the remaining Lot or Building Site Area may be used to satisfy Lot or Building Site Area

requirements if it represents at least 75% of the total area required for a Dwelling Unit; provided, however, that the project shall comply with all other applicable regulations including without limitation access, Setbacks, Setback Areas, and Yards.

Development Plan: a Site Development Plan or Sketch Development Plan, as described in Section 8.5.6. See also "Master PUD Development Plan".

Development Permit: any permit or approval issued or granted pursuant to this Ordinance.

Deviation: Alternative Compliance with design standards, Alternative Performance, the customized standards of a Planned Unit Development, ~~an~~ Administrative Adjustment, or a Variance.

Directory Sign: the Sign type described as such in Table 7.1.2.B-1 (Sign Types - Summary) and Table 7.1.2.B-2 (Sign Types - Specific Standards).

Distillery: an establishment which is primarily used for the manufacture of alcoholic spirits in accordance with applicable state and local regulations.

Distribution: the movement of goods including the storage of goods awaiting movement.

Distribution Facility: premises used for Distribution.

District: a Character District, Special District, PUD District, or Civic District; when capitalized and not accompanied by the word "Historic", the word "District" specifically excludes any Local Historic Districts. See also "Zoning District".

Dooryard: a Private Frontage type intended for ground floor Residential Use, wherein the Façade is set back a small distance and the Frontage Line is defined by a low Wall, decorative Fence or hedge, creating a small raised, sunken, or at-grade Dooryard consisting of a front garden or patio. The Dooryard shall not be used for public circulation along a Thoroughfare. See Table 4.3.7.A (Private Frontage Types).

Double-Wide Manufactured Home: (1) A single detached dwelling constructed primarily off-site, designed to be transported on a flat-bed truck or Trailer in 2 or more sections to be attached on site. As used in this Ordinance, Double-Wide Manufactured Home does not include Manufactured Homes constructed as a single self- contained unit and mounted on a single chassis.

(2) A Double-Wide Manufactured Home, shall be considered a Single-Family Dwelling and shall be subject to all standards and regulations applicable to Single- Family Dwellings, as provided by this Ordinance.

Drive: a Thoroughfare or Internal Drive along the boundary between an urbanized and a natural condition, usually along a waterfront, Park, or promontory, with one side having the urban character of a Street, with Sidewalk and Buildings, and the other having the qualities of a Road or Parkway with naturalistic planting and rural details. See Table 5.3.3.F (Thoroughfare / Internal Drives Types – Summary) and Table 5.3.3.G (Thoroughfare / Internal Drive Assemblies and Standards).

Drive Aisle: a vehicular accessway that serves and is within a Parking Area, Parking Lot, or Parking Structure. A Drive Aisle is not a Thoroughfare, Internal Drive, or Driveway.

Drive-Through: any accommodation designed or used for the transaction of Business wherein the patrons may avail themselves of the services or products of an establishment while remaining in their vehicles, whether or not patrons are also able to obtain services or products inside of a Structure.

Driveway: For Houses, Duplexes, and Townhomes, an area for parking and vehicular access conforming to the standards of Table 4.3.1. For all other Lots and Building Sites, a vehicular accessway within a Lot or Building Site to provide access only from a Thoroughfare or Internal Drive to a Parking Area, Parking Lot, Garage, Parking Structure, or Building entrance, but not designed to provide space within the First Layer or Second Layer for vehicular Parking additional to the minimum space required for such access.

Duplex: a small- to medium- sized Building, other than a Manufactured Home, situated on a single or two Abutting small- to medium- sized Lot(s) or Building Site(s) with an Edgeyard or Sideyard, which either is (a) attached to another Building of the same type, each of which consists of a separate Dwelling Unit with a separate entrance or (b) contains two Dwelling Units, each of which has a separate entrance. In each case, the entrance of at least one of the Dwelling Units must face a Thoroughfare, Internal Drive, or Civic Space. Dwelling Units may be side-by-side, front- to-back, or over-and-under. See Table 4.3.8.A (Principal Building Types Summary) and Table 4.3.8.B (Principal Building Types - Specific Standards).

Dwelling / Dwelling Unit: a Building or portion thereof designed or used exclusively as Residential quarters for one or more Families living independently of each other, which includes separate complete sleeping, cooking, eating, and sanitation facilities for each such Family, and occupied for a monthly or longer basis. The term shall not be deemed to include Hotel, Extended Stay Hotel, Motel, Boarding or Rooming House, or any Transient living accommodations.

Easement: a privilege or right of use, access or enjoyment granted on, above, under or across a particular tract of land by the landowner to another Person.

Economic Hardship: an economic burden imposed upon the owner, which is unduly excessive and prevents a realization of a reasonable rate of return upon the value of his property.

Edgeyard: a Yard type that results from a Building being set back from its Lot or Building Site boundaries at the front, rear, and both sides.

Education or Educational: a Use category characterized by the process of receiving or giving instruction. See Table 4.3.9.A-1 (Building, Lot & Building Site Principal Use).

Educational Facility: public and private (including charter or religious) schools at the pre-school, kindergarten, primary, intermediate, or secondary school levels; colleges, universities, community colleges, graduate and professional schools, nursing, dental, and medical schools, seminaries, and other post-secondary institutions of higher learning that offer courses of general or specialized study leading to a degree, usually in a campus setting. The following are not Educational Facilities: dance, art, music, or photographic studios or classrooms (see Retail Sales and Personal Service), driving schools other than truck driving schools (see Retail Sales and Personal Service), and Martial Arts schools (see Retail Sales and Service).

Effective Date: the date on which this Ordinance was adopted by the city Council.

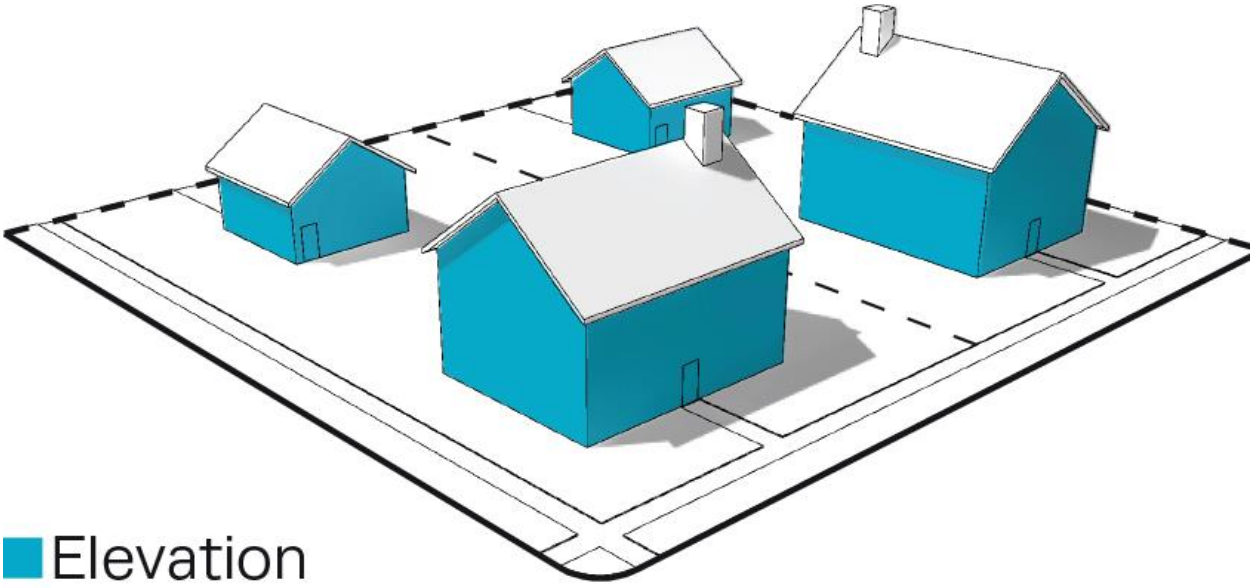
Effective Turning Radius: the measurement of the inside Turning Radius, taking parked cars into account.

Electronic Message Board: a panel or screen with the capability to display electronically programmed variable messages.

Elementary School: a public, private or parochial school offering instruction between Kindergarten and Grade 4 in the branches of learning and study required to be taught in the public schools of Tennessee.

Elevation: as related to the exterior walls of a Building, one that is not along a Frontage Line; when not capitalized, "elevation" means the height above a given level or a drawing or design that represents an object or Structure as being projected geometrically on a vertical plane parallel to one of its sides, as the context indicates. See also Facade. See Illustration 9.3.F-5 (Frontage and Lot or Building Site Lines) and Illustration 9.3.E-1 (Elevation).

ILLUSTRATION 9.3.E-1 ELEVATION



Encroach: to break the plane of a vertical or horizontal regulatory limit with a structural element, so that it extends into a Setback, Setback Area, or Yard or into the Public Frontage, or above a height limit.

Encroachment: any structural element that breaks the plane of a vertical or horizontal regulatory limit, extending into a Setback, Setback Area, or Yard or into the Public Frontage, or above a height limit.

Enfront: to place an element along a Frontage, as in "porches Enfront the Thoroughfare."

Exempt Wireless Communications Tower: communication tower used by amateur radio operators licensed by the FCC that are exempt from local zoning restrictions or communications towers under 100 feet in height used solely for educational communications purposes.

Exempt Sign: a Sign listed in Section 7.1.10 that does not require a Sign Permit.

Existing Local Codes: all City laws, codes, and ordinances in effect on the Effective Date.

Extended Stay Hotel: a Building or part of a Building, containing six (6) or more guest rooms or suites, offering temporary residence for compensation and specifically constructed, licensed, and/or maintained, all or in part, for non-Transient extended stays and/or stays longer than 30 days, regardless of the presence of leases for shorter periods of time. An Extended Stay Hotel is not a Hotel, Motel, Bed and Breakfast, Inn or Short-Term Rental Unit.

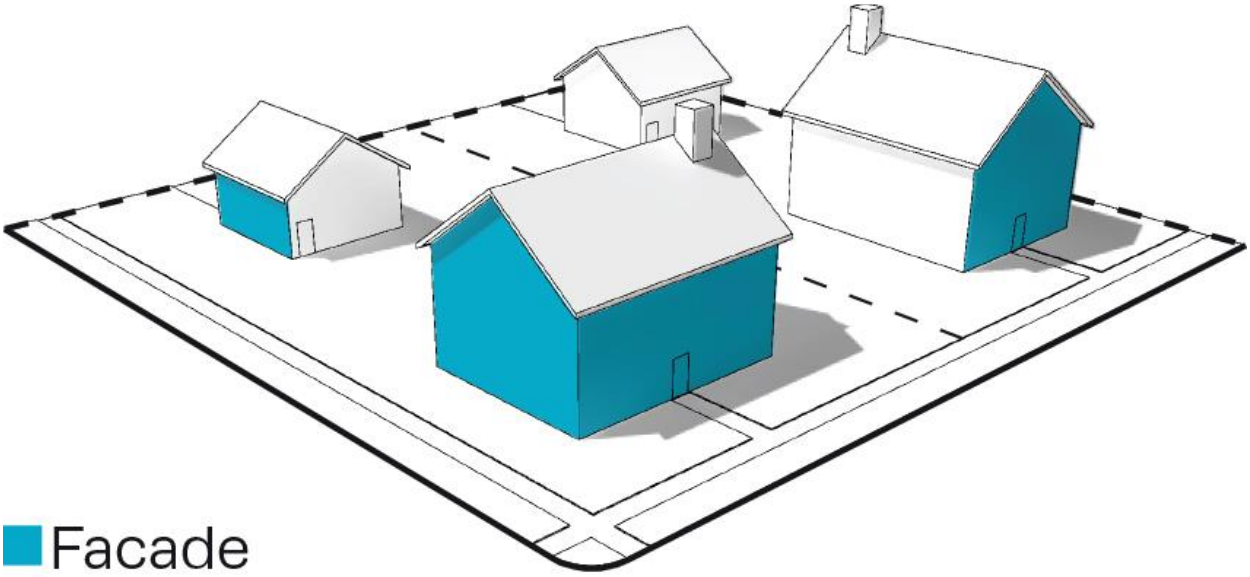
Exterior Architectural Appearance: the architectural character and general composition of the exterior of a Structure, including but not limited to the kind, color, and texture of the building materials and the type, design, and character of all windows, doors, light fixtures, Signs, and appurtenant elements.

Extractive Uses: sub-category of Agricultural and Extractive Uses Category characterized by Uses in which minerals or other solids or liquids are extracted from the earth, including without limitation, chemical fertilizer and non-metallic mineral mining, clay, ceramic, and refectory mineral mining, coal mining, crude petroleum and natural gas production field, metal ore and mineral mining, sand, stone, and gravel quarrying.

FAA: Federal Aviation Administration.

Facade: the exterior Wall of a Building that is set along a Frontage Line. See Illustration 9.3.F-1 (Facade). See also “Elevation”.

ILLUSTRATION 9.3.F-1 FACADE



Family: (1) one or two Persons and their children by birth, adoption, foster care, or guardianship or (2) any number of related or unrelated Persons living together in a single, more or less permanent and stable rather than Transient living arrangement as a not-for-profit housekeeping unit, which is the functional and factual equivalent of a traditional family, including without limitation a group headed by a householder caring for a reasonable number of children as one would be likely to find in a traditional family; provided that the criteria "stable rather than Transient living arrangement" shall not be applied in cases where handicapped persons are affected.

Family Day Care: a facility which provides day care and supervision services for up to 18 hours per day for no more than 12 recipients at any one time, without overnight accommodations, by a provider of such services who is not related to such recipients, which provider has received and maintains in full force and effect all necessary State approvals and licenses. Those receiving care are not all related to each other by blood or marriage and are not legal wards or foster children of the attendants.

Farm and Construction Equipment: equipment used in the conduct of farming or construction activities.

Farmer's Market: an open air area, without or without a Structure, used for the Retail sale of fresh fruits, vegetables, nuts, grains, eggs, flowers, herbs, or plants. A Roadside Stand is not a Farmer's Market.

FCC: Federal Communication Commission.

Fence:

(1) as a Private Frontage type, a Frontage wherein the Facade is set back from the Frontage Line, and the Front Setback Area, Front Yard, or Street Yard so created is separated from the Public Frontage by a Fence. See Table 4.3.7.A (Private Frontage Types);

(2) as a Structure, a device erected to serve as an architectural element, landscape element, Screen, Streetscreen, or physical barrier.

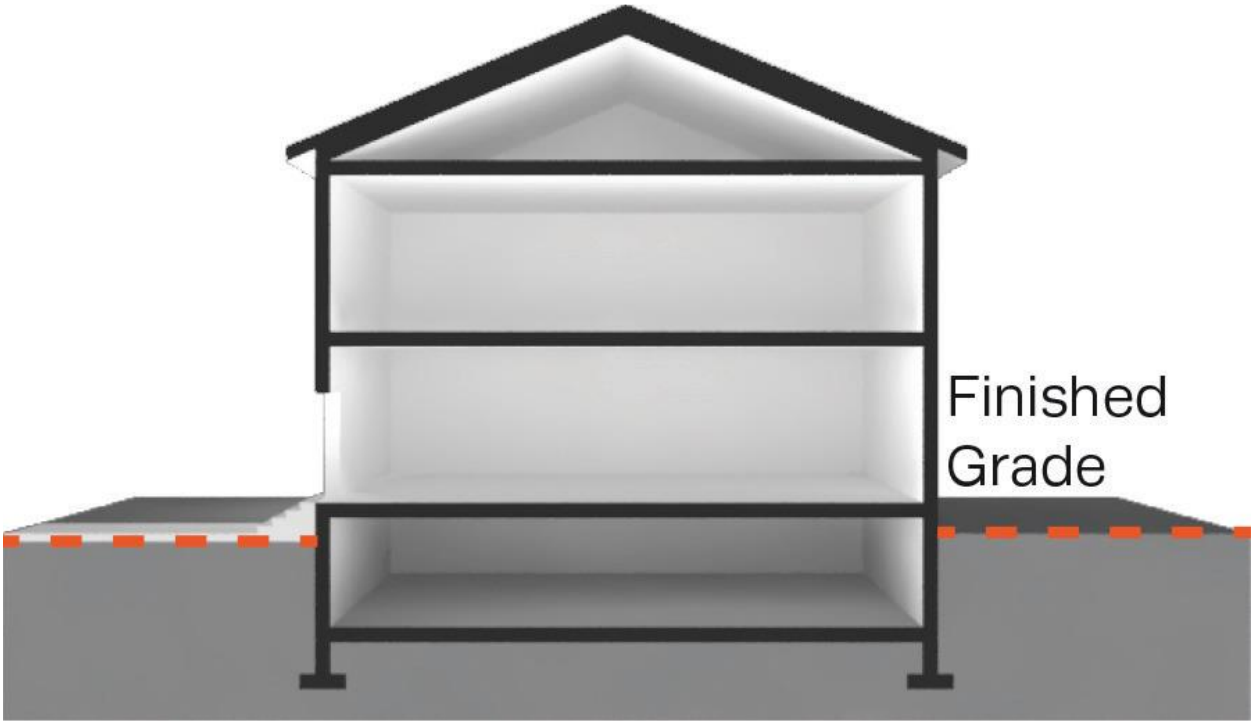
Final Plat: as defined in City Subdivision Regulation Section 2.3.

Financial Institution: an establishment that is regulated by the Federal Deposit Insurance Corporation (FDIC) and/ or Tennessee Department of Financial Institutions and provides a variety of financial services, generally including banks, credit unions, and mortgage companies.

Financial Services: a Business, other than a Financial Institution or Non-Banking Financial Institution, characterized by the provision of financial, investment, and/or similar services.

Finished Grade: the elevation of the completed surfaces of lawns, walks and Thoroughfares and Internal Drives Adjoining a Building wall at that point along such wall. See Illustration 9.3.F-3 (Finished Grade).

ILLUSTRATION 9.3.F-3 FINISHED GRADE



Fire / EMS Station: premises accommodating operations of fire-fighting and emergency medical personnel and other members of staff.

First Layer: See "Layer".

Flex Building: a large footprint Principal Building type designed to accommodate either a single Use or a vertical or horizontal mix of Uses. See Table 4.3.8.A (Principal Building Types- Summary) and Table 4.3.8.B (Principal Building Types - Specific Standards).

Flood: as defined in Section 6.12.2.

Floodplain: as defined in Section 6.12.2.

Flood Fringe Overlay District: an area designated as such on the Official Zoning Map.

Floodplain District: as defined in Section 6.12.2.

Floodway Overlay District: an area designated as such on the Official Zoning Map.

Floor Area: the total of the gross horizontal areas of all floors, including usable Basements and cellars, below the roof and within the outer surface of the main walls of Buildings or the center lines of Party Walls separating such Buildings or portions thereof, or within lines drawn parallel to and two feet within the roof line of any Building or portion thereof without walls, but excluding the following:

(1) Areas used for off – street Parking spaces or loading berths and Driveways and maneuvering relating thereto where required by this Ordinance

(2) In the case of Non-Residential facilities: arcades, porticoes, and similar open areas which are accessible to the general public, and which are not designed or used as sales, display, storage, service, or production areas.

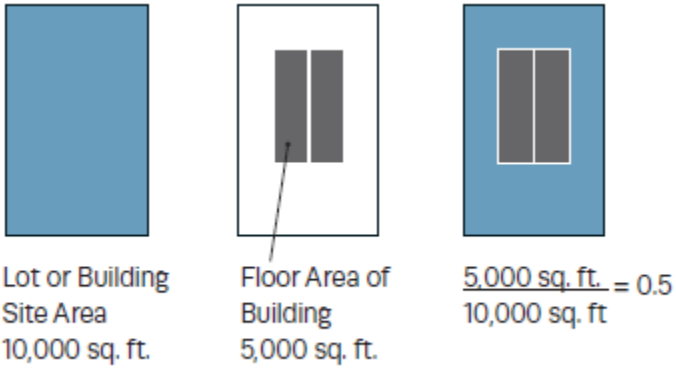
Floor Area Ratio ("FAR") or Floor-to-Area Ratio: a measurement of Non-Residential land use intensity, being the ratio of Building Floor Area- to -Lot or Building Site Area. FAR is determined by dividing (1) the aggregate Floor Area of the several floors and mezzanine areas of all Buildings on a Lot or Building Site by (2) the Lot or Building Site Area, as follows:

$$\frac{\textit{Aggregate Floor Area}}{\textit{Lot or Building Site Area}} = \textit{Floor Area Ratio}$$

For example:

(1) a Building containing 20,000 square feet of Floor Area on a Lot or Building Site that has a Lot or Building Site Area of 10,000 square feet has a Floor Area Ratio of 2.0; and

(2) similarly, a Floor Area Ratio of .5:1 would mean that the Floor Area of the Building is 50% of the Lot or Building Site Area of the Lot or Building Site on which the Building is located.



Food Distribution Center: premises operated for Civic purposes, with or without a Structure, from which edible goods are distributed to the public, with or without compensation.

Food Processing: Use characterized by processing and packaging of edible goods and beverages for consumption off of the premises.

Food Truck: A Mobile Vending Apparatus which qualifies as a vehicle or tow-behind trailer under TCA § 55-1-101-126 from which edible food products and beverage are cooked, prepared, assembled and offered for sale to the general public for immediate consumption. A food truck is not a Mobile Kitchen.

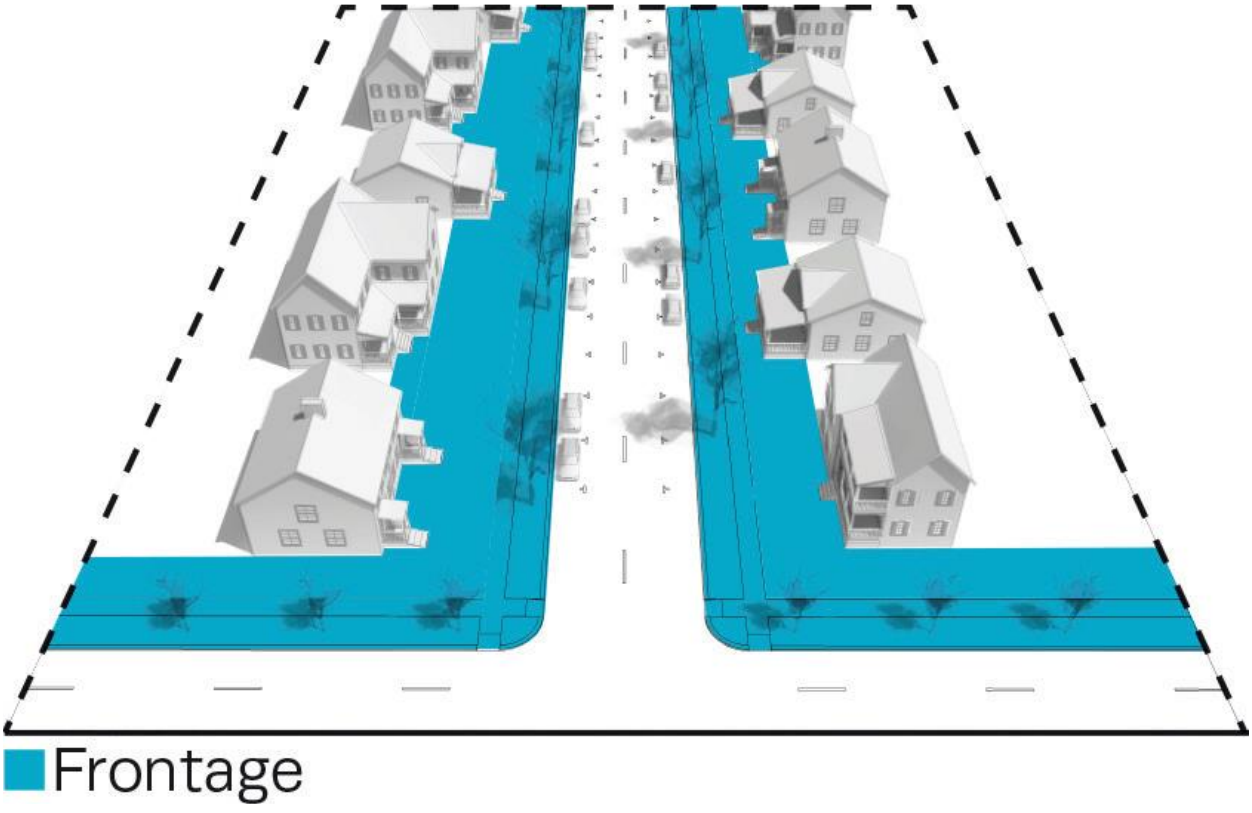
Food Truck Court: A parcel of land where two or more Mobile Vendors congregate to offer food and beverage for sale to the public as the principal use of the site, where permitted by Table 4.3.9.A-1. This definition shall not be interpreted to include a congregation of mobile food vendors as an accessory use or temporary use, where permitted by Table 4.3.9.A-2 and 4.3.9.A-3.

Forecourt: a Private Frontage type wherein a portion of the Facade is close to the Frontage Line and the central portion is set back, creating an gathering space for residents or additional shopping or restaurant seating area within Retail / Personal Service / Repair / Art / Artisan Use areas. This type should be used sparingly and may be used in conjunction with other Private Frontage types. See Table 4.3.7.A (Private Frontage Types).

Freestanding Sign: any Sign supported by Structures or supports that are anchored in the ground and that are independent of any Building or other Structure.

Frontage: the area between a Building Facade and a Path, Passage, waterbody, Civic Space, or the curb (or if there is no curb, the edge) of the Vehicular Lanes of a Thoroughfare or Internal Drive having Vehicular Lanes, inclusive of the built and planted components of such area. Frontage is divided into Private Frontage and Public Frontage. See Illustration 9.3.F-5 (Frontages and Lot or Building Site Lines), Table 5.2.2.G-1 (Thoroughfare & Internal Drive Assemblies and Standards), and Table 4.3.7.A (Private Frontage Types). Corner Lots and Building Sites have two Frontages, a Principal Frontage and a Secondary Frontage. See Illustration 9.3.F-4 (Principal Frontage and Secondary Frontage).

ILLUSTRATION 9.3.F-4 PRINCIPAL FRONTAGE AND SECONDARY FRONTAGE

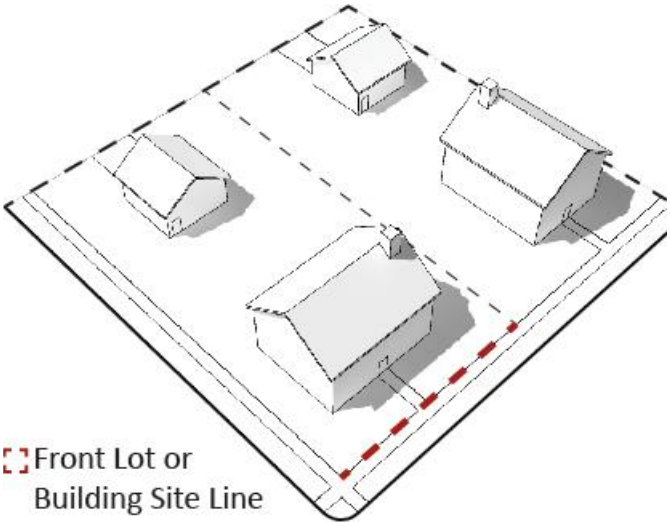


Frontage Line: the common line that separates the Private Frontage from the Public Frontage, typically at the Front Lot or Building Site Line in cases where the entire Public Frontage is with the public right-of-way.

See Illustration 9.3.F-5 (Frontages and Lot or Building Site Lines). On a Corner Lot or Building Site, there are two Frontage Lines.

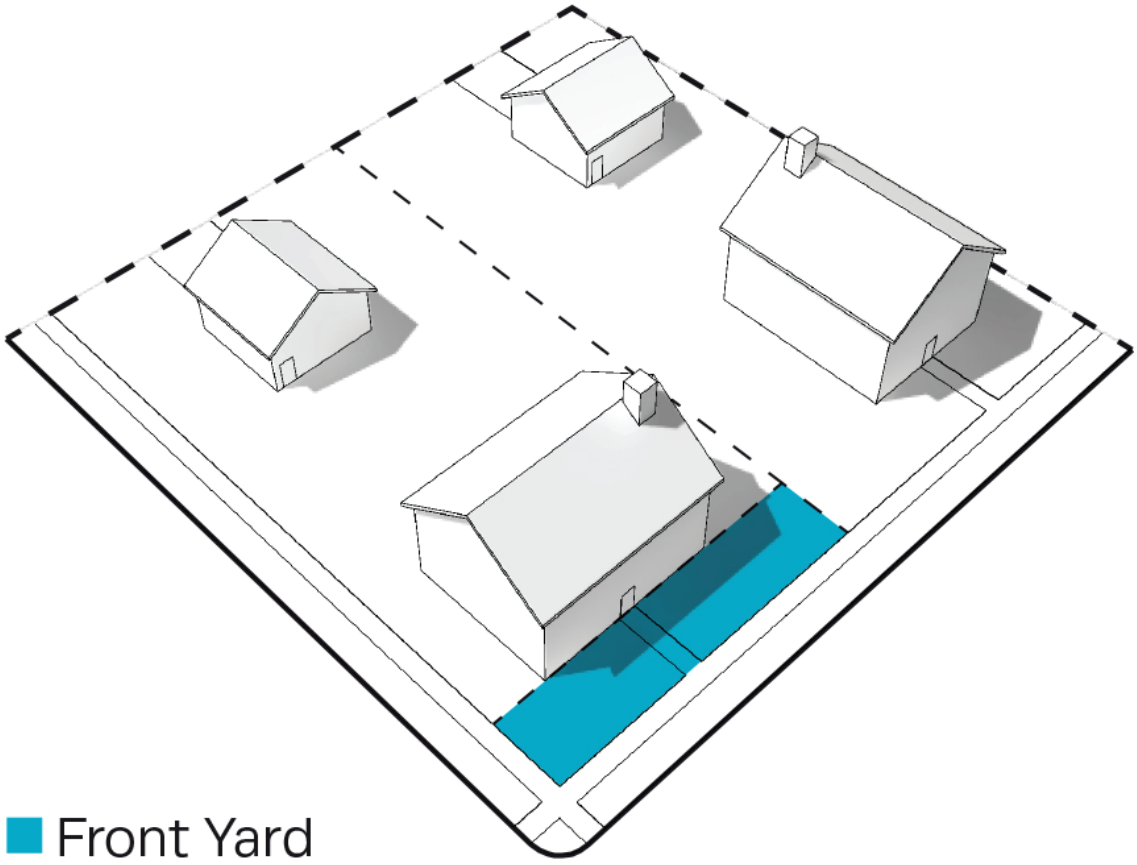
Front Lot or Building Site Line: the boundary at the front of a Lot or Building Site along the Thoroughfare right-of- way or Internal Drive. See Illustration 9.3.F-5 (Frontages and Lot or Building Site Lines).

ILLUSTRATION 9.3.F-5 FRONTAGES AND LOT OR BUILDING SITE LINES



Front Setback Area or Yard: a portion of a Lot or Building Site that is situated between (1) the nearest roofed portion of the Principal Building or of any Accessory Building on the Lot or Building Site and (2) the Front Lot or Building Site Line, extending the full width of the Lot or Building Site, from Side Lot or Building Site Line to Side Lot or Building Site Line. See Illustration 9.3.F-6 (Front Yard). Sometimes referred to as "Street Yard".

ILLUSTRATION 9.3.F-6 FRONT (STREET) SETBACK AREA OR YARD



Full Value: with respect to a Nonconforming Structure or a Structure used for a Nonconforming Use, the Full Value of a Structure shall be determined by subtracting

(1) the estimated value of the foundation as provided by the owner's engineer and approved by the City Engineer from (2) the current assessed value of the Structure.

$$\text{Current Assessed Value of Structure} - \text{Estimated Value of Foundation} = \text{Full Value}$$

Functional Classification: The categorization of Thoroughfares and Internal Drives within the transportation element of Connect Columbia and the Access Management Ordinance which represents the progressive trade-off between access and movement within the regional transportation system. The rubric includes Principal Arterials, Minor Arterials, Collectors, Major Local Streets, and Minor Local Streets.

Funeral Services: a Use characterized by an establishment engaged in undertaking services such as preparing the human or animal dead for burial and arranging and managing funerals, including without limitation, Funeral Home, Mortuary, Cemetery, and Crematorium.

Future Land Use Character Area: The general classification of land identified in the future land use element of Connect Columbia, the comprehensive plan. The comprehensive plan indicates the community's preference for general land use categories and desirable intensity of development corresponding to each future land use character area. Connect Columbia also describes the typical aesthetic and material qualities which provide distinctive character to each area. Each future land use character area corresponds to one or more Character Areas or Special Districts as provided in Article 3. The use, bulk, and design standards of this ordinance, when applied to specific properties, implement the general future land use character area designations. The Planning Commission shall determine the pace of implementation through the process of zoning map amendments (rezoning) described in Article 8.

Gallery: (1) with respect to the Frontage, the Private Frontage type conventional for Retail / Personal Service/ Repair / Art / Artisan Use, wherein the Facade is aligned close to the Frontage Line with an attached cantilevered shed or lightweight colonnade overlapping the Sidewalk (see Table 4.3.7.A (Private Frontage Types);

(2) with respect to the Use of premises or part thereof, the collection and/or exhibition, and often the sale, of works of art, photography, objects of permanent value, or artisan or cultural items.

Garage: an enclosed, detached Building, or an enclosed extension of a Principal Building, used for the storage of one or more motor vehicles on a Lot or Building Site as an Accessory Use, provided that no Business, occupation or service is conducted for profit therein.

~~**General Plan:** the City Comprehensive Plan.~~

Governmental Facility: Governmental Offices and storage and other facilities for the operation of local, state, or federal government. Examples are Courthouses, correctional facilities, jails, prisons, emergency services, paramedic, fire department, and law enforcement facilities, and post offices. Educational Facility, Maintenance Facility, Civic Spaces and Open Areas, solid or liquid waste transfer or composting and Utility Facilities are not Governmental Facilities.

Green: a type of Civic Space for unstructured recreation, spatially defined by landscaping rather than Buildings, described as such in Table 5.3.3.A (Civic Space Types

- Summary) and Table 5.3.3.B (Civic Space - Specific Standards).

Gross: as related to an area of land, that which is inclusive of all land uses, Thoroughfares, Internal Drives, and other public areas located within a Development site.

Ground Floor Elevation: the distance between the top of the fronting Sidewalk and the top of the finished ground floor.

Group Assembly: sub-category of the Commercial Use category, characterized by people congregating regularly for participation in or holding meetings, workshops, lectures, civic activities, religious services, performances, and other similar activities, including Buildings, facilities, and venues in which such functions and activities are held.

Group Care Home or Family Boarding Home: a Group Care Home or a Family Boarding Home, as those terms are defined under the Rules of the Tennessee Department of Children's Services Social Service Division, Chapter 0250-4-2, which is licensed by the State under 0250-4- 2-.01 of said Chapter.

Group Care Facility: shared living quarters (without separate kitchen or bathroom facilities for each room or unit) for nine (9) or more persons with physical or mental impairments that substantially limit one or more of such person's major life activities, provided that such arrangements do not meet the definition of Household Living. A Group Care Facility is not a Group Home for Persons with Disabilities.

Group Day Care: synonymous with Family Day Care.

Group Home for Persons with Disabilities: any home in which eight (8) or fewer unrelated "persons with disabilities" as defined in TSA section 13-24-101 reside, which may include three (3) additional persons acting as support staff or guardians, who need not be related to each other or to any of the persons with disabilities residing in the home.

Group Living: sub-category within the Residential Uses category, characterized by Residential occupancy of a Structure by a group of people, which does not meet the definition of Household Living. Tenancy is usually arranged on a monthly or longer basis. Generally, Structures for Group Living have a common eating area for Residents, and the Residents may receive care, training, or treatment. Examples include

but are not limited to Adult Care Home, Group Home for Persons with Disabilities, and Group Care Home or Family Boarding Home.

Health Care Institution: subcategory within the Institutional Use category, characterized by an establishment providing medical or surgical care to patients. Some uses may offer overnight care.

Nursing or medical schools not accessory to a Hospital (see Educational Facilities) and Urgent Care or Emergency Medical Clinic Offices (see Offices) are not Health Care Institutions.

Health Club: premises that contain one or more of the following types of athletic facilities: swimming pool, racquetball courts, squash courts, exercise rooms, weight rooms, gymnasium or similar facilities available exclusively to members and their guests.

Heavy Industrial: the sub-category of Industrial Uses characterized by and collectively referring to factory production and industrial yards; research and development activities without light fabrication and assembly operations; limited industrial/manufacturing activities; Industrial Businesses, the sale of heavy equipment, Uses involving storage or use of highly flammable, toxic matter or explosive materials, or of Hazardous Materials; Uses that generate pollution, dust, odor, heat, glare, or vibration beyond the walls of such enclosed Building or any light or glare beyond the boundaries of the land on which the Building is situated; any activity or Use that (1) is detrimental to the environment, (2) poses any danger or hazard of fire or explosion or other physical hazard, (3) causes, disseminates, or discharges any material, dust, smoke, gas, fumes, odor, noise, vibration beyond the Lot or Building Site on which the Building is situated, (4) involves any Outside Storage, (5) results in any unusual traffic hazard or congestion, or (6) for which any water, air, or other environmental or pollution license or permit is required; as more specifically listed under such sub- category in Table 4.3.9.1-A (Building, Lot, & Building Site Principal Use).

Not included in this sub-category are animal waste processing (see Waste-Related Service); Repair and service of Motor Vehicles, motorcycles, Recreational Vehicles, boats, or light and medium trucks (see Vehicle Sales and Service); in-store sales, lease, or rental of consumer, household, or business goods (see Retail Sales and Service).

Height: (1) as related to a Structure other than a Tower, the vertical dimension of the Structure, described as applicable, (a) in number of Stories of the Structure or (b) by the distance between (i) the average Finished Grade, as measured at the outside corners of the Structure, and (ii) the highest point of such Structure on the roof surface; excluding in each case (i) Attics under 14 feet in height at their tallest point; (ii) raised Basements; and (iii) masts, belfries, clock towers, spires, steeples, chimneys, chimney flues, flagpoles, silos, water tanks, elevator or stair bulkheads, water tanks, cooling towers, Exempt Communications Towers, or parapet walls not more than four feet (4') high. See Illustration 9.3.H-1 (Height- Building).

ILLUSTRATION 9.3.H-1 HEIGHT - BUILDING

(2) as related to a Tower, the distance measured from ground level to the highest point on the Tower, even if said highest point is an Antenna.

Heritage Tree: a tree of any species listed under "Canopy Trees" in Table 4.3.16.D-1 (Native Plants of the Tennessee Valley) having with a trunk caliper of 24" or greater, measured 3 feet from the base of the trunk.

High School: premises at which education is provided for students from Grade 9 through Grade 12.

Highway: a rural or suburban Thoroughfare or Internal Drive of high vehicular speed and capacity, described as such in Table 5.3.3.F (Thoroughfare / Internal Drives Types – Summary) and Table 5.3.3.G (Thoroughfare / Internal Drive Assemblies and Standards).

Historic District: a geographically definable area which possesses a significant individual Structure or a concentration, linkage or continuity of sites, Buildings, Structures, or objects which are united by past events or aesthetically by plan or physical development, which meets one (1) or more of the following criteria:

(1) It is associated with an event which has made a significant contribution to local, state or national history;

(2) It includes Structures associated with the lives of persons significant in local, state or national history;

(3) It contains Structures or groups of Structures which embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction;

(4) It has yielded or may be likely to yield archaeological information important in history or prehistory; or

(5) It is listed in the National Register of Historic Places.

Historic Landmark: a property, Building, district, object, site, or Structure that has outstanding historical significance and is designated as such pursuant to this Ordinance.

Historic Property: the term used as a collective reference to designated Historic Structures, Historic Landmarks, and Historic Districts, together with properties therein identified as "contributing" or "pivotal" in a designated Historic District.

Historic Structure: any Structure that is:

(1) listed individually in the National Register of Historic Places maintained by the Department of the 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 historical district or a district preliminary determined by the Secretary to qualify as a registered Historic District;

(3) individually listed on the state 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 a local inventory of historic places and determined as eligible by communities with historic preservation programs which have been certified either:

(a) by an approved state program as determined by the Secretary of the Interior; or

(b) directly by the Secretary of the Interior.

Home Occupation: any gainful occupation conducted entirely within a Dwelling solely by the owners- or tenant- residents thereof as an Accessory Use, which does not change the character of the Structure as a Residence; provided that (1) said activity shall not occupy more than 50% of the Floor Area of the Dwelling, (2) there shall be no external evidence other than an Identification Sign, (3) no goods shall be kept, and (4) no mechanical or electrical equipment shall be used except customary household equipment; and provided further that the following are not allowed as Home Occupations: Clinic, Hospital, Home Professional Office, barbershop, beauty shop, Restaurant,

Kennel, antique dealer, Retail sales on the premises, or loading of ammunition.

Horticulture and Landscaping Services: landscaping, tree, plant, lawn, and/or other landscape material installation, care, maintenance, and removal, and other similar services, together with associated equipment and machinery directed toward the care of trees, plants, or lawns.

Hospice: the provision of palliative care and emotional support to the terminally ill so that quality of life is maintained and family members may be active participants in care.

Hospital: premises used for the diagnosis, medical treatment, or similar care of human ailments including without limitation: the term “Hospital” shall be deemed to include (1) psychiatric and substance abuse facilities, ambulatory care, outpatient services, diagnostic and treatment centers, Clinics, Rehabilitation Facilities, Medical Laboratories, Hospices, teaching facilities, and meeting areas associated with and on the same premises as the Hospital, and (2) Accessory Uses such as dining and housing for patients’ Families and guests, staff members, nurses, interns, resident physicians and their immediate families, and maintenance, service and parking facilities. The term “Hospital” shall not be deemed to include (3) Offices of doctors, dentists, chiropractors, or nurse practitioners, sanitariums, Nursing Homes, Long Term premises used for the diagnosis, medical treatment, or similar care of human ailments including without limitation: the term “Hospital” shall be deemed to include (1) psychiatric and substance abuse facilities,

ambulatory care, outpatient services, diagnostic and treatment centers, Clinics, Rehabilitation Facilities, Medical Laboratories, Hospices, teaching facilities, and meeting areas associated with and on the same premises as the Hospital, and (2) Accessory Uses such as dining and housing for patients' Families and guests, staff members, nurses, interns, resident physicians and their immediate families, and maintenance, service and parking facilities. The term "Hospital" shall not be deemed to include (3) Offices of doctors, dentists, chiropractors, or nurse practitioners, sanitariums, Nursing Homes, Long Term Care Facilities, Rehabilitation Facilities, psychiatric and substance abuse facilities, ambulatory care, outpatient services, diagnostic and treatment centers, Clinics, Rehabilitation Facilities, Medical Laboratories, Hospices, teaching facilities, or meeting areas not associated with and on the same premises as the Hospital, or (2) Accessory Uses such as dining and housing for patients' families and guests, staff members, nurses, interns, resident physicians and their immediate families, and maintenance, service and parking facilities not on the same premises and associated with Hospital.

Hostel: an establishment that provides inexpensive food and lodging for a specific group of people, such as students, workers, or travelers.

Hotel: a Business that offers to Transients, on a daily or weekly basis for compensation, sleeping accommodations accessible from interior hallways, whether or not such Business also includes dining facilities. Not synonymous with Motel, motor court, tourist court, auto court, motor lodge, or similar facilities. Neither a Hotel nor a room therein is a Short-Term Rental Unit.

House: a Building Type that was designed as a Single- Family Detached Dwelling on a medium or large Lot or Building Site with an Edgeyard, often shared with an Accessory Building in the rear, described as such in Table 4.3.8.A (Principal Building Types) and Table 4.3.8.B (Principal Building Types - Specific Standards).

Household Living: the sub-Category of Uses designated as such in Table 4.3.9.1-A (Building, Lot, & Building Site Principal Uses), characterized by permanent, non- Transient Residential activities that involve the occupancy of a Residential Dwelling Unit. A Short-Term Rental Unit is not a Household Living Use.

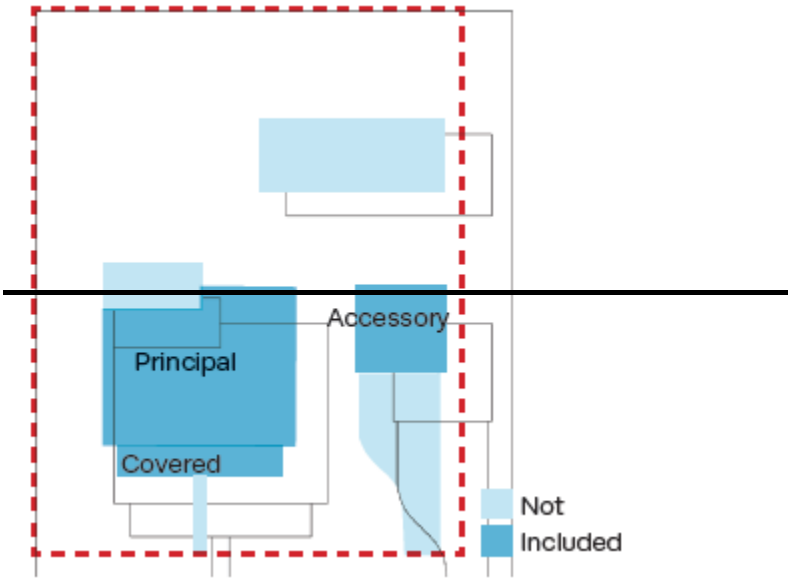
House Trailer: any Trailer designed to be used for living purposes with its wheels, roller or skids in place.

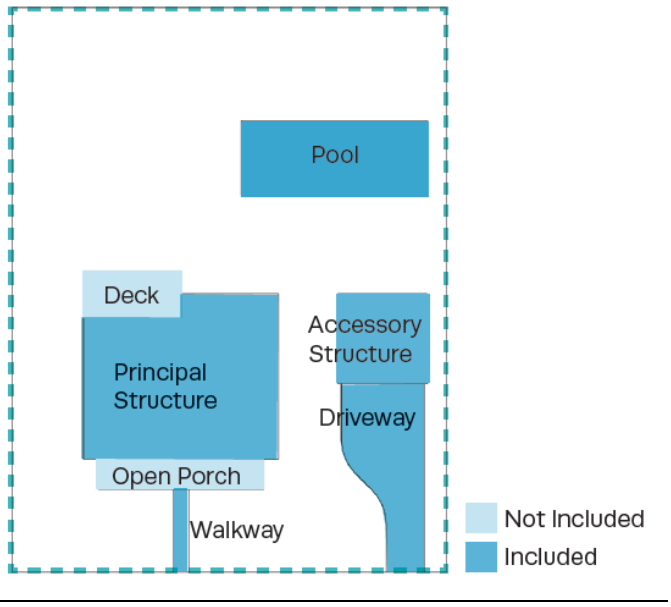
Ice Cream Truck: are motorized vehicles from which the operator vends only pre-packaged frozen dairy or frozen water based food products. Service is often from the Right-of-Way.

Identification Sign: a Sign that directs attention to a Business, profession, or Building with Multi-Family Residential Dwelling Units, which is conducted upon the same Lot, Building Site, or Development Site where such Sign is located.

Impervious Surface Coverage: that portion of a Lot, Building Site, or Development site, as applicable, covered with Buildings, asphalt, or concrete paving or hard-packed, prepared, graveled surfaces that prevent or restrict absorption of rain or surface water into the ground. If a Lot, Building Site, or Development site, as applicable, is located in more than one District, the Impervious Surface Coverage shall be separately computed for each District and no Impervious Surface Coverage may be transferred between Districts. See Illustration 9.3.I-1 Impervious Surface Coverage.

ILLUSTRATION 9.3.I-1 IMPERVIOUS SURFACE COVERAGE





Impound Yard: a facility that provides temporary outdoor storage for: (1) mechanically operable/drivable, licensed vehicles that are to be claimed by titleholders or their agents; and/or (2) wrecked motor vehicles awaiting insurance adjustments and transport to repair shops. This term excludes: Scrap and Salvage Yards / Services; Junkyard; Towing Facilities; Motor Vehicle Storage; or accessory storage of inoperable vehicles.

Improvement: any man-made change of land, a Lot, a Building Site, or Development site, or a change to or creation of a Structure.

Independent Living Apartment: a multiple Dwelling Unit accommodation that provides Residential quarters for Persons over a specified age who do not require skilled nursing care, health care, or assistance with daily activities, such as assistance with eating, dressing, ambulation, medication, bathing, or toileting.

Indoor Recreation: Use characterized by generally Commercial, for-profit Uses, varying in size, providing daily or regularly scheduled entertainment-oriented activities in an indoor setting, including without limitation bowling alley, game arcade, pool hall, skating rink, gymnastic facility, indoor sports academy, Indoor firing range, membership club or lodge, and movie or other theater, but excluding Adult-Oriented Entertainment, Bar, Tavern, Nightclub, athletic, tennis, swim or Health Club (see Retail Sales and Service) and outdoor entertainment (see Outdoor Recreation).

Industrial Uses: (1) a Use category characterized by manufacturing, re-manufacturing, processing, fabricating, creating, producing, packaging, converting, altering, assembling, handling, storing, stockpiling, sorting, recycling, treating, disposing of, wholesaling, warehousing, and distributing materials, products, or information, research and development, trucking, shipping, and transportation Business, repairing and maintaining commercial machinery or equipment, and waste management;

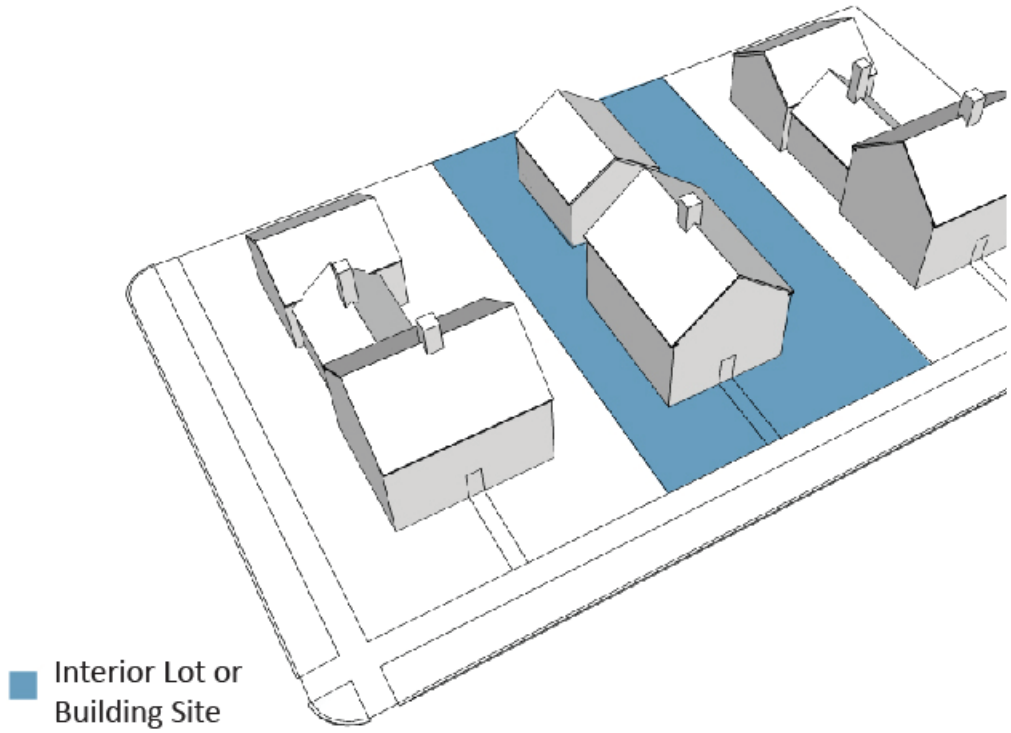
(2) Industrial Uses is the Use category, which is a collective reference to Uses in the following Use sub-Categories, as listed in Table 4.3.9.A-1 (Building, Lot & Building Site Principal Uses) Table 4.3.9.A-2 (Building, Lot & Building Site Accessory Uses), and Table 4.3.9.A-3 (Temporary Uses): Heavy Industrial, Light Industrial, Warehouse and Freight Movement, and Waste-Related Service.

Information Services: enterprises and organizations whose purpose is to produce and process information and to develop the infrastructure and delivery mechanisms to distribute information.

Inn: an owner-occupied Lodging Use, offering 6 to 12 bedrooms, which may serve breakfast to guests. See Table 4.3.9.A-1 (Building, Lot & Building Site Principal Uses). Neither a Bed and Breakfast nor a Short-Term Rental Unit is an Inn.

Interior Lot or Building Site: a Lot or Building Site type other than a Corner Lot or Building Site. See Illustration 9.3.I-2 (Interior Lot or Building Site).

ILLUSTRATION 9.3.I-2 INTERIOR LOT OR BUILDING SITE



Kennel: any Structure or premises on which four (4) or more dogs, cats and/or other household pets over four (4) months of age are kept for boarding, breeding, selling, grooming, or training, excluding, however, any Structure or premises on which such animals are kept solely for Retail sale.

Kindergarten: premises accommodating a program that prepares children for first grade.

Knee Wall: As used in the Façade standards of this Ordinance, a low-wall that is incorporated into the Façade of a building beginning at grade and extending upward at least twelve (12) inches but not more than twenty-four (24) inches. Glazing is typically located above the Knee Wall.

Internal Drive: a curbed pedestrian and vehicular access way, for commerical and industiral land uses within a Lot, Building Site, or Development Parcel that connects to a Thoroughfare or another Internal Drive, and provides access and circulation to or through such Lot, Building Site, or Development Parcel and the Building(s) and Parking accommodations thereon. An Internal Drive is required to meet the Thoroughfare and Internal Drive assemblies and standards for the applicable District.

Inverted Crown: surface shaping of an Alley, Thoroughfare, or Internal Drive having the low point in the middle, causing surface runoff to flow down the center.

Junk Vehicle: a vehicle which does not lawfully display a current license plate and which is partially dismantled or wrecked, or cannot operate under its own power.

Junkyard: any land or Structure or part thereof used for the collection, storage or sale of wastepaper, rags, scrap metal or other scrap or discarded material or for the collecting, dismantling, storage or salvage of machinery or vehicles not in running condition or for the sale of the parts thereof.

Laboratory: a place where scientific studies are conducted, including testing, research, or analysis of a medical, chemical, physical, biological, mechanical, or electronic nature.

Landholder: the legal or beneficial owner or owners of all the land proposed to be included in a Planned Unit Development. The holder of an option or contract to purchase, a lessee having a remaining term of not less than 50 years in duration, or other person having an enforceable proprietary interest may be considered a "landholder" for the purpose of this Ordinance.

Landscaping: (1) live materials such as grass, ground cover, shrubs, vines, hedges and trees, or durable natural material such as crushed stone, wood chips, rock and weathered wood; or (2) the activity of installing or maintaining such materials.

Land Use Plans: as defined in Section 8.5.20.A.

Large Multi-Family Building: Principal Building type that incorporates seven (7) or more side-by-side and/or horizontally stacked Dwelling Units, typically with one or more shared entries. See Table 4.3.8.A (Principal Building Types) and Table 4.3.8.B (Principal Building Types - Specific Standards).

Large Projecting Sign: the Sign Type described as such in Table 7.1.2.B-1 (Sign Types - Summary) and Table 7.1.2.B-2 (Sign Types - Specific Standards).

Laundromat: an establishment with machines for the washing and drying of clothes and garments.

Layer: a range of depth of a Lot or Building Site within which certain elements are permitted. There are three Layers within each Lot or Building Site, as follows:

(1) First Layer: that portion of a Lot or Building Site bounded by

(a) the Side Lot or Building Site Lines,

(b) the Frontage Line, and

(c) the Facade of the Principal Structure, or, on a Secondary Frontage, a Building Elevation.~~Front Setback line or the line of the Setback Area or Street Yard furthest from the Frontage Line.~~

(2) Second Layer: that portion of a Lot or Building Site directly behind the First Layer and extending twenty (20) feet into the lot parallel to the Principal Frontage.~~bounded by~~

~~(a) the Side Lot or Building Site Lines,~~

~~(b) the Front Setback line, and~~

~~(c) a line which is 20 feet from and parallel to the Front Setback line or the line of the Setback Area or Street Yard furthest from the Frontage Line.~~

~~(3) Third Layer:~~ that ~~portion of a Lot or Building Site bounded by~~

(3) Third Layer: that portion of a Lot or Building Site that is not within the First and Second Layer and is least visible from the Thoroughfare.

~~(a) the Side Lot or Building Site Lines,~~

~~(b) the Rear Lot or Building Site Line, and~~

~~(c) the line of the Second Layer as described in paragraph 2.c. of this definition. See Illustration 9.3.L-5 (Layers).~~

ILLUSTRATION 9.3.L-5 LAYERS

Library: a Building or part thereof containing collections of books, periodicals, and/or other media for Persons to read, borrow, or refer to.

Light Industrial: the sub-category of the Industrial Uses Category characterized by and collectively referring to fabrication, creation, processing, production, packaging, converting, altering, assembling, handling, storage, treatment, distribution, disposal, creation, assemblage, processing, or production, and/or treating, designing, fitting, compounding, repairing, assembling, testing, storing, warehousing, selling at wholesale, distributing or transferring, and/or repair, of or from natural, man- made, products or other goods, raw, secondary, partially completed or completed materials, components, products, by-products, goods, materials, or information, and wholesaling of industrial, Business, or consumer machinery, equipment, which activity is:

(1) conducted solely within an enclosed Building,

(2) is not detrimental to the environment;

(3) does not pose any danger or hazard of fire or explosion or other physical hazard;

(4) does not generate, cause, disseminate, or discharge any pollution, material, dust, smoke, gas, fumes, odor, noise, heat, light, glare, or vibration beyond the Building Site on which the Building is situated;

(5) does not involve any Outside Storage;

(6) will not result in any unusual traffic hazard or congestion;

(7) does not require any water, air, or other environmental or pollution license or permit is required; and

(8) does not involve storage or use of highly flammable, toxic matter or explosive materials, or of Hazardous Materials;

Not included in the Light Industrial Uses sub-category are:

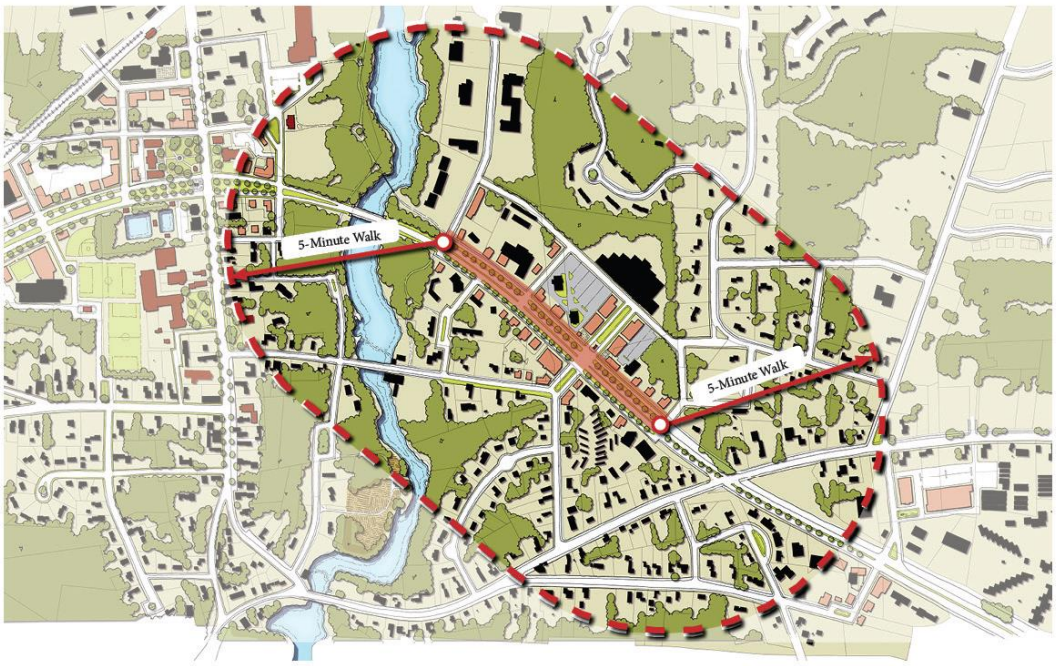
- (1) Heavy Industrial Uses;
- (2) Manufacture and production of goods from composting organic material (see Waste-Related Service);
- (3) Outdoor storage yard (see Warehousing and Freight Movement);
- (4) Sale or rental of machinery, equipment, heavy trucks, building materials, special trade tools, welding supplies, machine parts, electrical supplies, janitorial supplies, restaurant equipment, and store fixtures (see Wholesale Sales); or
- (5) Small-scale catering establishments (see Restaurants).

See Table 4.3.9.A-1 (Building, Lot & Building Site Principal Uses).

Lightwell: a Private Frontage type that is a below-grade entrance or recess designed to allow light into basements. See Table 4.3.7.A (Private Frontage Types).

Linear Pedestrian Shed: a Pedestrian Shed that is elongated along an important Corridor. A Linear Pedestrian Shed extends approximately 1/4 mile from each side of the Corridor. The resulting area is oblong. See Illustration **9.3.L-1 (Linear Pedestrian Shed).**

ILLUSTRATION 9.3.L-1 LINEAR PEDESTRIAN SHED



Liner Building: a Building that is a least 20 feet deep measured from the Façade, which masks a Parking Area, Parking Lot, or a Parking Structure from the Frontage. See Illustration 9.3.L-2 (Liner Building).

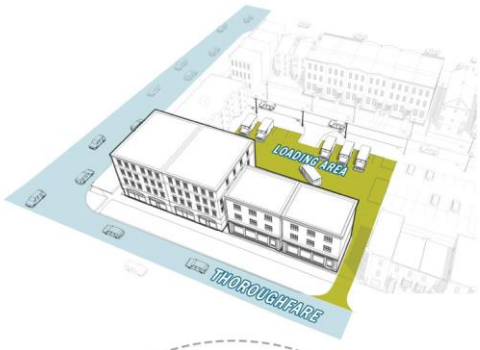
ILLUSTRATION 9.3.L-2 LINER BUILDING

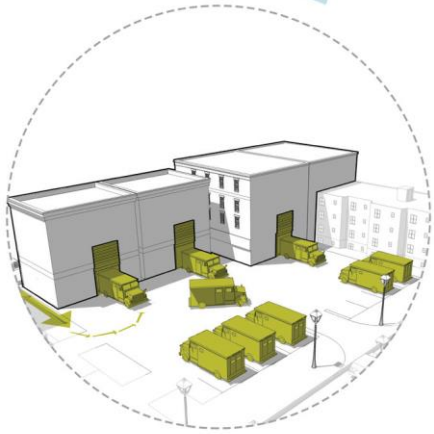
Live / Work Building: a small- to medium-sized attached or detached Principal Building type, which includes a flexible space for Commercial Use and an internally connected Residential Dwelling Unit above and/or behind the flexible space. See Table 4.3.8.A (Principal Building Types) and Table 4.3.8.B (Principal Building Types - Specific Standards).

Living Room: a room designed for general living purposes in a Dwelling Unit. Every Dwelling Unit shall be deemed to have a Living Room.

Loading Area: an area on a Lot or rear Building Site with a Building or along the Thoroughfare or Internal Drive Abutting such Lot or rear Building Site, used for temporary parking of Commercial vehicles while loading or unloading goods. See Illustration 9.3.L-3 (Loading Area).

ILLUSTRATION 9.3.L-3 LOADING AREA





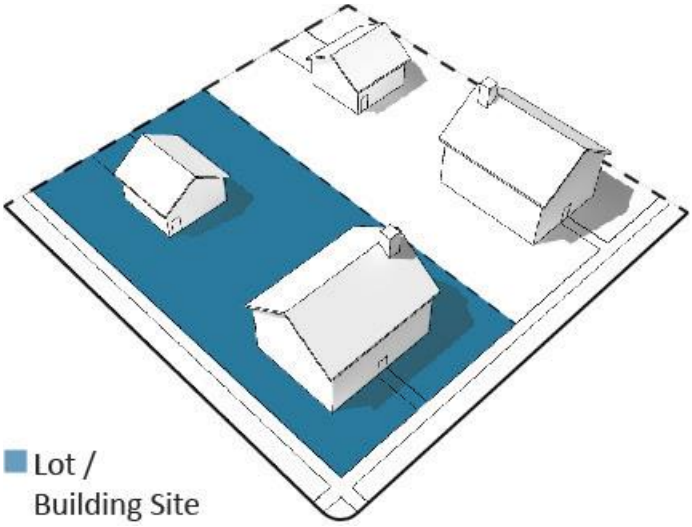
Loading Space: a space within a Loading Area that meets the design and dimensional requirements of Section 4.3.14.

Long Term Care Facility: premises at which living accommodations, bed care, boarding, in-patient service, and/or nursing or other medical care are provided for aged, infirm, disabled persons, persons or who are afflicted with or convalescing from any disease or ailment, or other persons requiring regular medical attention.

Long Term Care Facility does not include Rehabilitation Centers, Assisted Living Apartments, or facilities that provide surgical or emergency medical services, care for alcoholism, drug addiction, substance abuse, mental disease other than dementia, or communicable disease.

Lot: a parcel, plot, tract, or piece of land identified on and established by plat, subdivision, or as otherwise permitted by law, and recorded in the official records of the Maury County Register of Deeds, to be separately owned, used, Developed, or built on. See Illustration 9.3.L-4 (Lot / Building Site). See also "Building Site", "Lot or Building Site of Record" and "Zoning Lot or Building Site".

ILLUSTRATION 9.3.L-4 LOT / BUILDING SITE

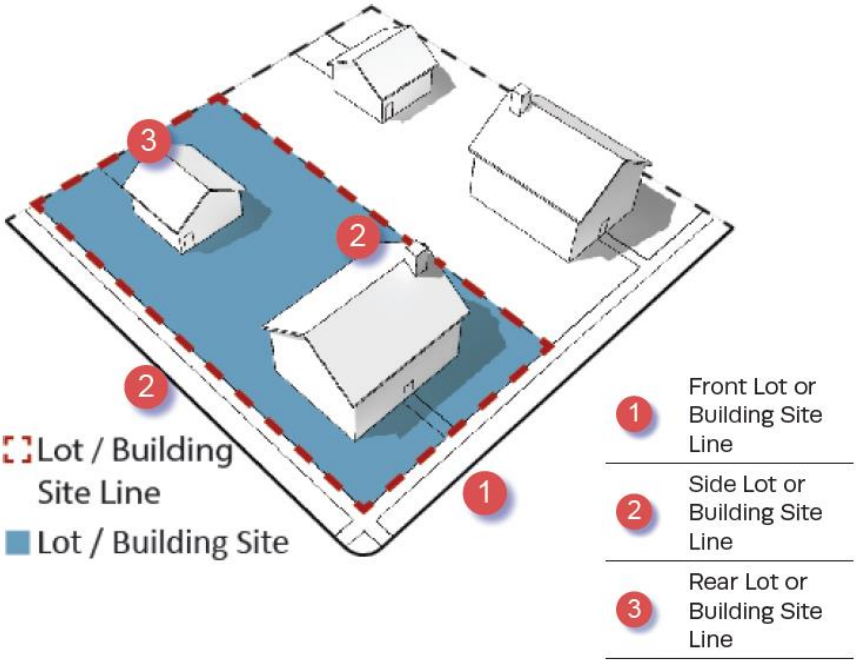


Lot or Building Site Area: the total horizontal area included within the Lot or Building Site Lines.

Lot or Building Site Depth: the shortest horizontal distance between the Front Lot or Building Site Line and Rear Lot or Building Site Line of a Lot or Building Site.

Lot or Building Site Line: any boundary line of a Lot or Building Site. See Illustration 9.3.L-6 (Lot or Building Site Line).

ILLUSTRATION 9.3.L-6 LOT OR BUILDING SITE LINE



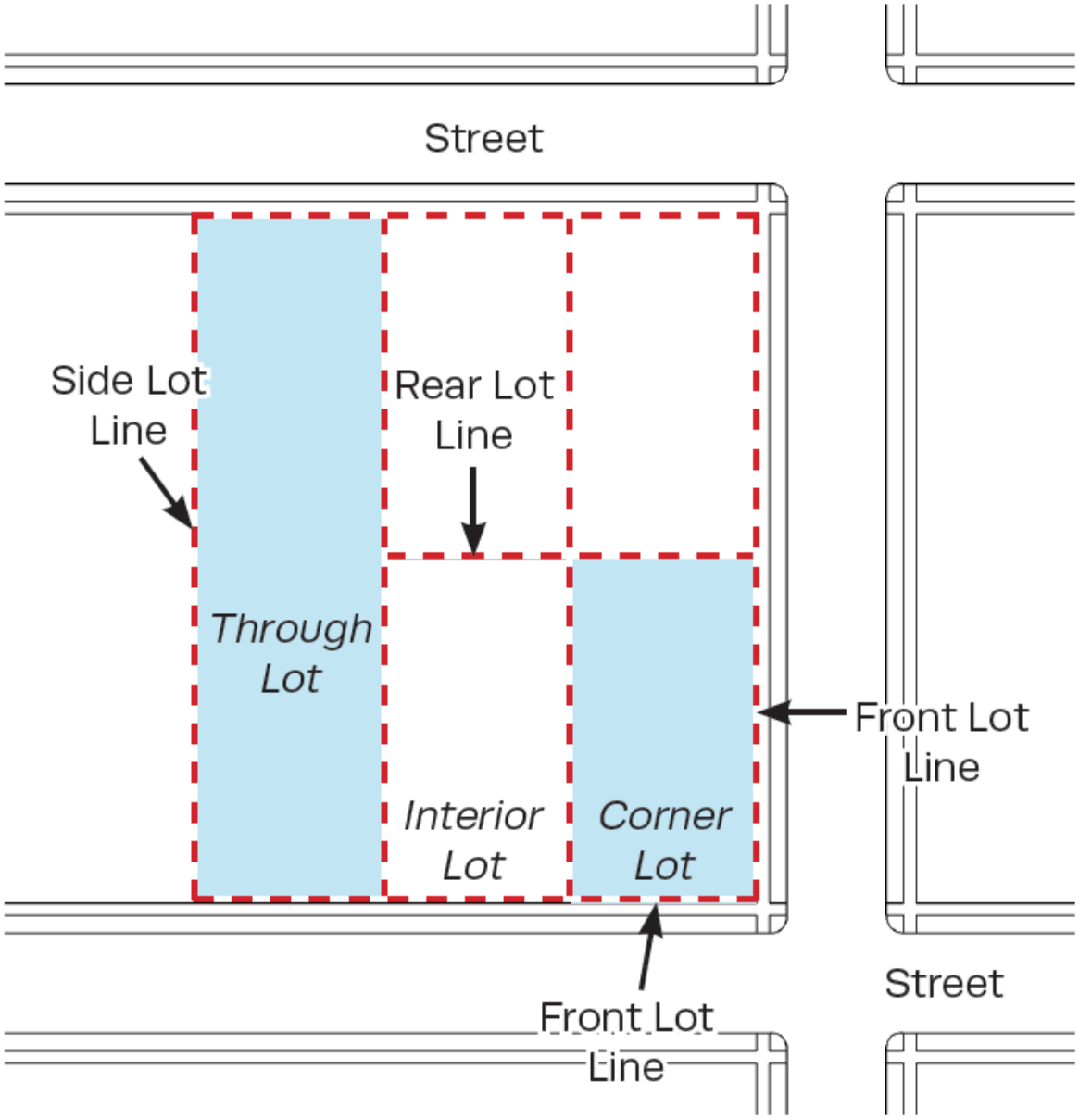
Lot or Building Site Width: the length of the Principal Frontage Line of a Lot or Building Site.

~~**Machine Shop:** premises at which mechanical items are made or repaired using machinery or equipment.~~

Lot or Building Site of Record: a Lot or Building Site, as applicable, which is part of a subdivision or other plat recorded in the office of the Maury County Register of Deeds, or a Lot or parcel described by metes and bounds, the description of which has been so recorded.

Lot or Building Site Type: the classification of a Lot or Building Site , as shown in the following diagram:

ILLUSTRATION 9.3.L-7 LOT OR BUILDING SITE TYPES



Machine Shop: premises at which mechanical items are made or repaired using machinery or equipment.

Main Civic Space: the primary outdoor gathering place within a Development Parcel. The Main Civic Space may be associated with an important Civic Building.

Manufactured Home: a detached one family dwelling constructed as a single self contained unit and mounted on a single chassis transportable after fabrication on its own wheels or detachable wheels with all the following characteristics as prescribed in Section 68-126-202, (4), (6) and (7) of TCA:

(1) Designed for long term occupancy, and containing sleeping accommodations, a flush toilet, a tub or shower bath, and kitchen facilities with plumbing and electrical connections provided for attachment to outside systems.
(2) Arriving at the site where it is to be occupied as a dwelling complete, including major appliances and furniture, and ready for occupancy except for minor and incidental unpacking and assembly operations, location of foundation supports, connections to utilities and the like.
(3) Manufactured Home dwellings do not include camping Trailers, commercial mobile Structures, motor homes, recreational vehicles, travel Trailers, truck campers or similar units designed to provide temporary living quarters.

Manufactured Home- Class A: a Structure manufactured before June 15, 1976, that is not constructed in accordance with the National Manufactured Home Construction and Safety Standards Act of 1974, as amended (42 U.S.C. § 5401 et seq.). It is a Structure that is transportable in one or more sections that in the traveling mode is eight body-feet or more in width and 40 body-feet or more in length, or, when erected on site, is 320 or more square feet and that is built on a chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes any associated plumbing, heating, air conditioning and electrical systems.

Manufactured Home Park or Subdivision: an area, tract, site, or parcel (or contiguous parcels) of land divided into two or more Manufactured Home Sites for rent or sale and associated Lots or Building Sites and Buildings necessary to support the Residential occupancy of Manufactured Homes.

Manufactured Home Sales: a subcategory of the Commercial Use category, characterized by the offer for sale or lease and the sale or lease of Manufactured Homes.

Manufactured Home Site: a designated area within a Manufactured Home Park for the exclusive use of the occupants of a single home.

Manufactured Home Stand: that part of an individual Manufactured Home Site which has been reserved for the placement of the Manufactured Home.

Marina: any of the following: (1) lock harbor facility; (2) any facility which provides fueling, pump-out, maintenance or repair services; or (3) any facility which has permanent docking space for three (3) or more Boat Slips (4) any water area with a Structure that is used for docking or otherwise mooring Vessels and constructed to provide temporary or permanent docking space for more than ten Vessels; or (5) a dry stack facility.

Marquee Sign: the Sign Type described as such in Table 7.1.2.B-1 (Sign Types - Summary) and Table 7.1.2.B-2 (Sign Types - Specific Standards).

Massage Studio: an establishment at which manual manipulation of muscle, connective tissue, tendons, and/or ligaments is provided to enhance a Person's health and well-being.

Massing: the overall shape or arrangement of the Bulk or volume of a Building.

Medical Office / Medical Clinic / Outpatient Clinic / Dental Office: an Office or other premises for the private practice of health care or dental professionals licensed by the State, wherein a majority of patient encounters involve examination, diagnose is, treatment, or surgical procedures on an outpatient basis not extending beyond a 24 hour period.

Medical Laboratory: a facility where testing or observation of clinical specimens from which information about the health of a patient can be obtained in order to provide diagnosis, treatment , and/or prevention of disease.

Meeting Hall: a Building that provides accommodations as a Place of Assembly.

Middle: As used in the Façade standards of this Ordinance, all of the Façade which is visually defined by the Base and Cap of the building.

Middle School: premises at which Education is provided for children from Grade 5 through Grade 8.

Mid-Rise Building: an attached or detached Principal Building Type of 4 Stories, which may provide a vertical and/or horizontal mix of Uses, typically designed to facilitate pedestrian-oriented Retail / Personal Service/ Repair / Art / Artisan, Accommodation / Lodging, or Office Uses on the ground floor, with upper floors typically designed for Residential or Office Uses. See Table 4.3.8.A (Principal Building Types) and Table 4.3.8.B (Principal Building Types - Specific Standards).

Mixed Use: multiple Uses within the same Building or on the same Lot or Building Site through superimposition or Adjacency, or in multiple Buildings or on multiple Lots or Building Sites by Adjacency or proximity.

Mixed-Use Building: a typically attached Principal Building Type, which provides a vertical and/or horizontal mix of Uses typically designed to facilitate pedestrian-oriented Retail / Personal Service / Repair / Art / Artisan, Accommodations / Lodging, or Office Uses on the ground floor, with upper floors typically designed for Residential or Office Uses. See Table 4.3.8.A (Principal Building Types) and Table 4.3.8.B (Principal Building Types - Specific Standards).

Mobile Vending: any temporary activity which includes preparation, assembly, or display of items with the intent to sell such items to the general public (excluding produce stands).

Mobile Vending Apparatus: Any vehicle, trailer, cart, table, tent or other equipment utilized for Mobile Vending.

Monument Sign: the Sign Type described as such in Table 7.1.2.B-1 (Sign Types - Summary) and Table 7.1.2.B-1 (Sign Types - Specific Standards).

Motel: an establishment where short-term Accommodation / Lodging in guest rooms is offered for compensation and one or more rooms are accessed by exterior doors opening directly to exterior Parking accommodations, passageways, or the outdoors. Neither a Hotel, Extended Stay Hotel, or unit therein, nor a Short- Term Rental Unit is a Motel.

Motor Vehicle: every vehicle that is self-propelled by a motor, which can be licensed and registered to be driven on public streets, roads or rights-of-ways, and every vehicle that is propelled by electric power obtained from overhead trolley wires, but not operated upon rails.

Examples are passenger vehicles, trucks, motorcycles and other consumer motor vehicles, and motorized Recreational Vehicles.

This term does not include Boats or other watercraft, non-motorized Recreational Vehicles, Manufactured Homes, or Farm and Construction Equipment.

Motor Vehicle Body Shop: premises or a portion of premises used for the adjustment, painting, replacement of parts, or body repair of Motor Vehicles.

Motor Vehicle Maintenance, Repair, Fuel Sales, Service, or Cleaning: a Structure, premises, or establishment in or on which Motor Vehicles are maintained, repaired, serviced, re-fueled, and/or cleaned, including without limitation, incidental storage for fewer than sixty (60) days of Motor Vehicles that are being maintained, repaired, serviced, and/or cleaned.

Examples are car wash, full vehicle service including alignment shop, auto upholstery shop, towing service, limited vehicle service including auto detailing, auto repair, battery sales and installation, fuel sales, quick lubrication facilities, and tire services.

This term does not include Parking Lots, Parking Structures, Motor Vehicle Storage, Motor Vehicle Body Shop, Motor Vehicle Parts Sales, or Convenience Store with Gasoline Sales (see Retail Sales and Service).

Motor Vehicle Parts Sales: a Structure, premises, or establishment in, from, or on which Motor Vehicle parts other than tires are sold, either at Retail or Wholesale.

Motor Vehicle - Related Sales and Service: Motor Vehicle Body Shop, Motor Vehicle Maintenance, Repair, Service, Fuel Sales, or Cleaning, Motor Vehicle Parts Sales, Motor Vehicle Sales, Rental, or Leasing, and Motor Vehicle Storage.

Motor Vehicle - Related Uses: the term collectively referring to Motor Vehicle Body Shop, Motor Vehicle Maintenance, Repair, Fuel Sales, Service, or Cleaning, Motor Vehicle Parts Sales, Motor Vehicle Sales, Rental, or Leasing, and Motor Vehicle Storage. See Table 4.3.9.A-1 (Building, Lot & Building Site Principal Uses).

Motor Vehicle Sales, Rental, or Leasing: a Structure, premises, or establishment in or on which Motor Vehicles are sold, rented, leased, or chartered, including incidental storage, maintenance, and servicing as an Accessory Use.

Motor Vehicle Storage: long or short term storage of operating Motor Vehicles. This term excludes Parking Lots, Parking Structures, Impound Yards, Towing Facilities, and any dismantling, Scrap and Salvage Yards/Service, or Junkyards.

Multi-Family Building: a Large Multi-Family Building or a Small Multi-Family Building. See Table 4.3.8.A (Principal Building Types) and Table 4.3.8.B (Principal Building Types - Specific Standards).

Multi-Family Dwelling: a Building containing three(3) or more Dwelling Units, including without limitation Residential condominiums, cooperatives, Independent Living Apartments and other Apartments, Large Multi- Family Buildings, and Small Multi-Family Buildings.

Museum: a Use characterized by the display, preservation, collection, curation, and/or exhibit of objects of community and cultural interest in one or more of the arts and sciences.

Neighborhood Street: the Thoroughfare or Internal Drive type described as such in Table 5.3.3.F (Thoroughfare/ Internal Drives Types – Summary) and Table 5.3.3.G (Thoroughfare / Internal Drive Assemblies and Standards).

Neon Tube Illuminated Sign: a Sign with a light source supplied by a neon tube, which is bent to form letters, symbols or other shapes.

Net Site Area: all developable land within a site including Thoroughfares and Internal Drives, but excluding land allocated as Civic Space or Civic District.

Nightclub: an establishment for nighttime entertainment, typically serving Alcoholic Beverages for consumption on site and offering music, dancing, or other entertainment. Adult-Oriented Entertainment is excluded from the term “Nightclub”.

Non-Banking Financial Institution: a Financial Institution that is not regulated by the Federal Deposit Insurance Corporation (FDIC) and is governed by T.C.A Title 45 Chapters 15, 17, and 18, including without limitation, Pawn Shops, title loan lenders, cash advance Lenders, and check cashing establishments and other Short-Term Lenders.

Nonconforming Improvement: any Improvement, or part thereof, that legally existed at the Effective Date of this Ordinance or any amendment of this Ordinance or the Zoning Map affecting such Improvement, but upon such Effective Date does not conform to this Ordinance;

Nonconforming Lot or Building Site: any Lot or Building Site, or part thereof, that legally existed at the Effective Date of this Ordinance or any amendment of this Ordinance or the Zoning Map affecting such Lot or Building Site, but upon such Effective Date does not conform to this Ordinance.

Nonconforming Sign: a Sign that legally existed at the Effective Date of this Ordinance or any amendment of this Ordinance or the Zoning Map affecting such Sign but upon such Effective Date does not conform to this Ordinance.

Nonconforming Structure: a Structure that legally existed at the Effective Date of this Ordinance or any amendment of this Ordinance or the Zoning Map affecting such Structure, but upon such Effective Date does not conform to this Ordinance.

Nonconforming Use: any Use of land, of a Structure, or of an Improvement, or part thereof, that legally existed at the Effective Date of this Ordinance or any amendment of this Ordinance or the Zoning Map affecting such Use, but upon such Effective Date does not conform to this Ordinance.

Nonconformity: a Nonconforming Lot or Building Site, Nonconforming Structure, Nonconforming Sign, Nonconforming Improvement, or Nonconforming Use.

Non-Hazardous Waste Treatment or Disposal: facilities for receiving, sorting, treatment, or disposal of nonhazardous solid waste, including waste transfer stations, compost dumps, and combustors, incinerators, and cogeneration plants, and the collection and hauling of nonhazardous waste incidental to the treatment or disposal operations.

Non-Motor Vehicle or –Boat Body Shop Maintenance/ Cleaning / Repair / Service: a Structure, premises, or establishment in or on which goods other than Motor Vehicles or Boats are maintained, repaired, serviced, and/ or cleaned. This term does not include Parking or Outdoor Storage.

Non-Motor Vehicle or –Boat Rental / Leasing: a Structure, premises, or establishment in or on which goods other than Motor Vehicles or Boats are rented or leased. This term does not include Parking or Outdoor Storage.

Non-Profit Office: premises available for any function of a not-for-profit organization.

Nursery School: see "Pre-School".

Occupancy: the Principal Use of a Lot, Building Site, or Structure for the performance of a function or operation by a Person.

Office Uses: (1) a Use category characterized by premises available for the transaction of Commercial, governmental, professional, medical, dental, not-for profit, or financial services, but excluding Retail / Personal Service / Repair/ Art / Artisan Uses, Light Industrial Uses, and Heavy Industrial Uses.

(2) Office Uses is the Use category, which is a collective reference to Uses in the following Use sub-Categories, as listed in Table 4.3.9.A-1 (Building, Lot & Building Site Principal Uses) 4.3.9.A-2 (Building, Lot & Building Site Accessory Uses), and Table 4.3.9.A-3 (Building, Lot & Building Site Temporary Uses):

Business / Government / Non-Profit Offices (excluding Civic Uses), Medical / Dental Offices, Professional Offices, and Other Offices Not Listed;

Office Building: a Building in which space is made available for Office Use. Office Building is not a Building Type.

Officefront: a Private Frontage type wherein the Facade is aligned close to or at the Frontage Line with the Building entrance at or above Sidewalk grade. This type is conventional for Office Use. It may have a substantial glazing on the Facade. See Table 4.3.7.A (Private Frontage Types).

Off-Premises Sign: a Sign the owner or lessee of which is not the owner or lessee of the premises on which such Sign is located.

Open Air Market: a Farmer's Market, a Roadside Stand, or an Outdoor Market.

Open Space: Use characterized by large expanses of land.

Ordinance or Zoning Ordinance: this City of Columbia, Tennessee Zoning Ordinance, as the same may be amended and in effect from time to time.

Ordinary Maintenance and Repair: (1) keeping a Lot or Building Site , parcel, or Structure in good condition through ongoing minor intervention, undertaken from time to time, in a manner that does not change its external appearance except through the elimination of the usual and expected effects of weathering; (2) strengthening or restoring any portion of a Structure or Improvement to a safe condition, provided no material enlargement results; (3) repairing or replacing interior walls, fixtures, wiring or plumbing; or (4) repaving Driveways, private Thoroughfares, Internal Drives, and Parking and loading accommodations, (5) replacing exterior windows and siding, and (6) painting exterior Structures and fixtures. Ordinary Maintenance and Repair does not constitute Development, Construction or building for the purposes of this Ordinance.

Outbuilding: synonymous with "Accessory Building".

Outdoor Display Case: the Sign Type described as such in Table 7.1.2.B-1 (Sign Types - Summary) and Table 7.1.2.B-2 (Sign Types - Specific Standards).

Outdoor Market: an open air area, without or without a Structure, used for the Retail sale of goods other than fresh fruits, vegetables, nuts, grains, eggs, flowers, herbs, or plants.

Outdoor Recreation: Commercial uses, varying in size, providing daily or regularly scheduled recreation or entertainment-oriented activities. Such activities may take place outdoors or within a Structure.

Athletic, tennis, swim, or Health Club (see Retail Sales and Service), botanical garden, nature preserve (see Parks and Open Areas), and Indoor Recreational Facility (see Indoor Recreation) are excluded from Outdoor Recreation.

Outdoor Storage: one or more assemblages, collections, stacks, or stockpiles of vehicles, equipment, goods, materials, tanks, or other items in any area other than within a Building, including without limitation, parked operative or non-operative vehicles or equipment.

~~**Outer Court:** any open area, other than a Setback or Yard or portion thereof, which is unobstructed from its lowest level to the sky and which, except for one opening upon:~~

~~(1) A Front Lot or Building Site line;~~

~~(2) A Front Setback Area Yard (Street Yard);~~

~~(3) A Rear Setback Area or Yard; or~~

~~(4) Any open area along a Rear Lot or Building Site line or along a Side Lot or Building Site line having a width or depth of at least thirty (30) feet, and which open area extends along the entire length of such Rear or Side Lot or Building Site line, is bounded by either:~~

~~(a) Building walls; or~~

~~(b) Building walls and one or more Lot or Building Site lines other than a Front Lot or Building Site line.~~

Parcel Services: providing for-profit package and message routing, distribution, and delivery services.

Park: as a noun, a Civic Space type that is a natural preserve available for unstructured recreation, described as such in Table 5.3.3.A (Civic Space Types - Summary) and Table 5.3.3.B (Civic Space - Specific Standards); as a verb, to stop and disengage a Motor Vehicle and leave it unoccupied.

Parking: (1) an accommodation designed for the of stopping and disengagement of a Motor Vehicle and leaving it unoccupied; or (2) the act of stopping and disengaging a Motor Vehicle and leaving it unoccupied.

Parking Area: an off-street, ground-level open area within a Lot or Building Site for Parking vehicles as an Accessory Use incidental to a Principal Use of a Lot or Building Site or a Principal Building on a Lot or Building Site. Not synonymous with Parking Lot.

Parking Lot: an off-street, ground-level open area within a Lot or Building Site for Parking vehicles as a Principal Use for which a fee may or may not be charged. Not synonymous with Parking Area. Parking Lot does not include Bus barn (see Warehouse and Freight Movement) or sale or servicing of vehicles (see Vehicle Sales and Service).

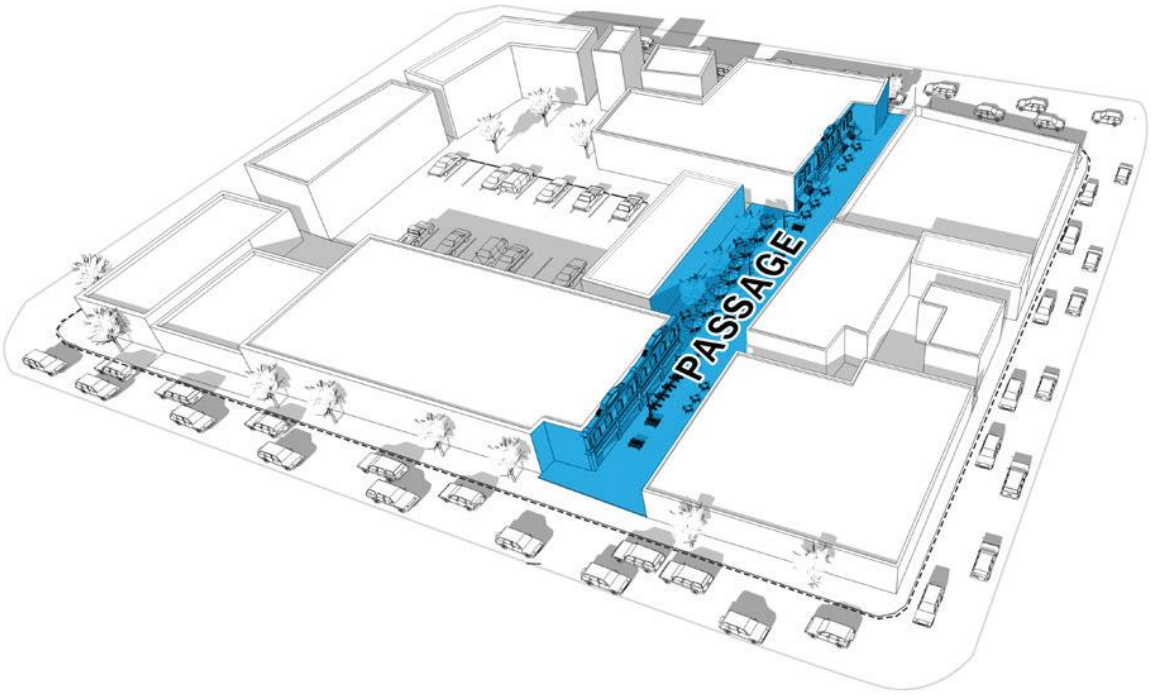
Parking Space: an area required or provided for Parking a vehicle, meeting the requirements of Section 4.3.12.

Parking Structure: a vertical or vertical and subterranean Improvement other than a Garage, containing one or more levels of vehicular Parking above grade. A Parking Structure may not be used for Motor Vehicle Body Shop, Maintenance Repair, Service or Cleaning.

Party Wall: a Wall on an Interior Lot or Building Site Line, used or adopted for joint service between two or more Buildings; such walls shall fully comply with fire and all other provisions and standards established for such walls in the Standard Building Code.

Passage (PS): a pedestrian connector, open or roofed, that passes between Buildings to provide shortcuts through long Blocks and connect rear parking areas to Frontages. See Illustration 9.3.P-1 (Passage).

ILLUSTRATION 9.3.P-1 PASSAGE



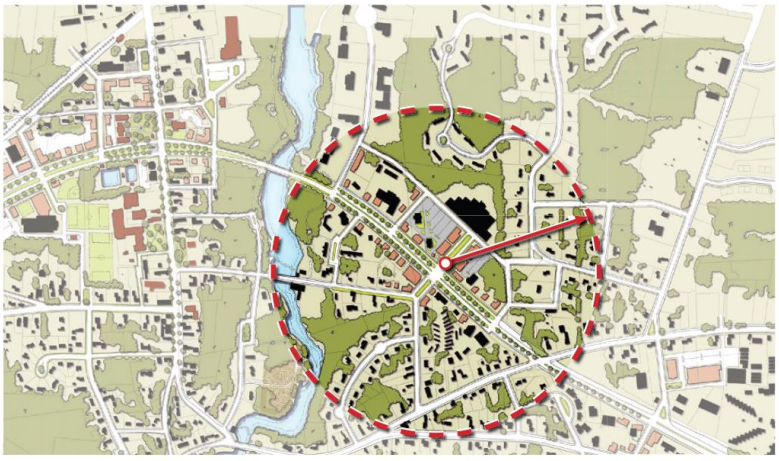
Passive Recreation: outdoor recreational activities, such as nature observation, hiking, and canoeing or kayaking, which require a minimum of facilities or Development and which have minimal environmental impact on the recreational site.

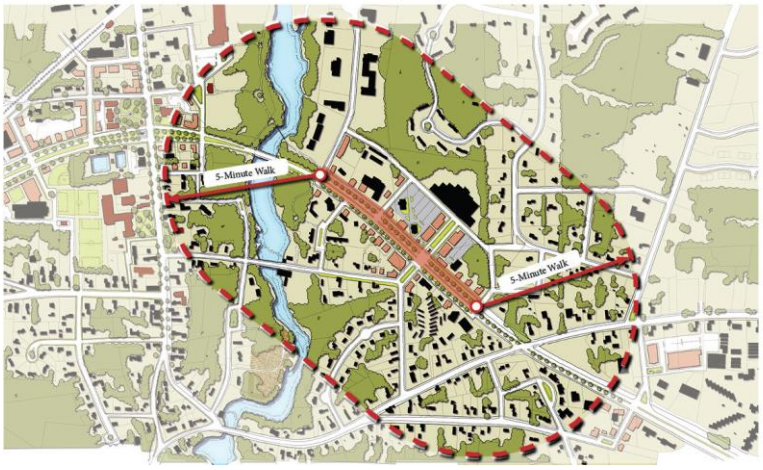
Path (PT): a pedestrian way traversing an open greenspace with a minimum area of 5,000 square feet ~~Park~~, with landscape matching ~~the~~ contiguous Civic Space, ~~ideally~~ connecting directly with the ~~urban~~ Sidewalk network.

Pawnshop: a Business that lends money based upon the security of pledged goods left in pawn, or that is in the Business of purchasing tangible personal property to be left in pawn on the condition that it may redeemed or repurchased by the seller for a fixed price within a fixed period of time. See also, Short-Term Lender.

Pedestrian Shed: an area of a size approximately equal to the average distance comfortably walked by pedestrians and approximately centered on a Common Destination. There are two types of Pedestrian Sheds: Standard Pedestrian Sheds and Linear Pedestrian Sheds. See “Standard Pedestrian Shed” or “Linear Pedestrian Shed”. See Illustration 9.3.P-2 (Pedestrian Sheds).

ILLUSTRATION 9.3.P-2 PEDESTRIAN SHEDS





Performance Guarantee: as defined in Section 1.26.

Performing Arts Venue: a site, with or without a Structure, intended for the presentation of performing arts, such as dance, music, and theatre.

Performing Arts Studio: an establishment that provides instruction in one or more of the performance arts, such as dance, music, and theatre.

Person: an individual, firm, partnership, corporation, company, association, organization, joint stock association, proprietorship, trust, body politic, or other legal entity, or and includes a trustee, receiver, assignee, administrator, executor, guardian, or other representative.

Plot plan: A graphic depiction, drawn to an appropriate scale, indicating the dimensions of the lot or parcel which is the subject of an application for a zoning district amendment or special use permit including a legal description of such lot or parcel and the location of the lot or parcel in relation to adjacent street right-of-way.

Day Care / Personal Care Facilities (Civic): Civic Use sub-category characterized by non-Residential care for adults, children, or families, which does not meet the definition of Household Living or Group Living.

Day Care / Personal Care Facilities (Commercial): Commercial Use sub-category characterized by non-Residential care for adults, children, or families, which does not meet the definition of Household Living or Group Living.

Personal Improvement Education: an establishment primarily engaged in the provision of information or instruction relating to a particular subject or hobby.

Personal Services: Uses in which a service is provided to or for a customer for compensation, in which the Person providing such service deals directly with the consumer, which Uses may or may not include the Retail sale of goods related to the services provided.

Excluded from Personal Services are Motor Vehicle - Related Uses, services provided by a medical or dental professional, and Adult-Oriented Entertainment.

Pharmacy: an establishment having a primary function of dispensing prescription drugs and medications and whose stock-in-trade may or may not include other merchandise.

Place of Assembly: a Building, room, or space that is occupied or arranged for occupation by the public for recreational, amusement, social, sports, or similar purposes.

Place of Worship: a Building, room, or space that is occupied or arranged for occupation for religious. spiritual, recreational, or similar purposes.

Placement: with respect to a Building, the manner in which the Building is situated on the Lot or Building Site. See "Layers", Illustration 9.3.L-5 (Layers); see also "Setback", and "Yard" and Illustration 9.3.S-2 (Setbacks and Yards).

Plan: a Development Plan, Master PUD Development Plan, site plan, Landscape Plan, Sign Plan, or any other plan submitted or prepared pursuant to this Ordinance.

Planned Unit Development: See Section 8.5.21.

Planned Unit Development District: one of the several Districts listed as such in Section 3.7.C. See also Section 8.5.21.

Planning Commission: the Planning Commission of the City.

Planning Director: the City Director of Planning and Development.

Planter: the element of the Public Frontage that accommodates trees along Thoroughfares and Internal Drives, whether continuous or individual.

Plaque Sign: the Sign Type described as such in Table 7.1.2.B-1 (Sign Types - Summary) and Table 7.1.2.B-2 (Sign Types - Specific Standards).

Playground: a Civic Space type, described as such in Table 5.3.3.A (Civic Space Types - Summary) and Table 5.3.3.B (Civic Space - Specific Standards).

Plaza: a Civic Space type described as such in Table 5.3.3.A (Civic Space Types - Summary) and Table 5.3.3.B (Civic Space - Specific Standards).

Police Station: premises accommodating operations of law enforcement officers and other members of staff.

Porch: a Private Frontage type, having a planted Frontage, the Facade is set back from the Frontage Line, and an attached exterior covered area large enough to accommodate outdoor furniture and/or gathering, which is permitted to Encroach into the Front Setback, Setback Area, or Street Yard. This may be used with or without a Fence to maintain Thoroughfare spatial definition. A Stoop is not a Porch. See Table 4.3.7.A (Private Frontage Types).

Porch Sign: the Sign Type described as such in Table 7.1.2.B-1 (Sign Types - Summary) and Table 7.1.2.B-2 (Sign Types - Specific Standards).

Portable Sign: a Sign the principal supporting Structure of which is intended, by design and construction, to be used by resting upon the ground for support and may be easily moved or relocated. Portable Signs include, but are not limited to, Signs mounted on a Trailer, wheeled carrier, or other non-motorized mobile structure, with wheels or with wheels removed.

Post Office: premises operated by or under contract for the United States Postal Service at which letters, parcels, packages or other mail may be received, deposited, processed, sorted, and/or handled and/or postage may be purchased.

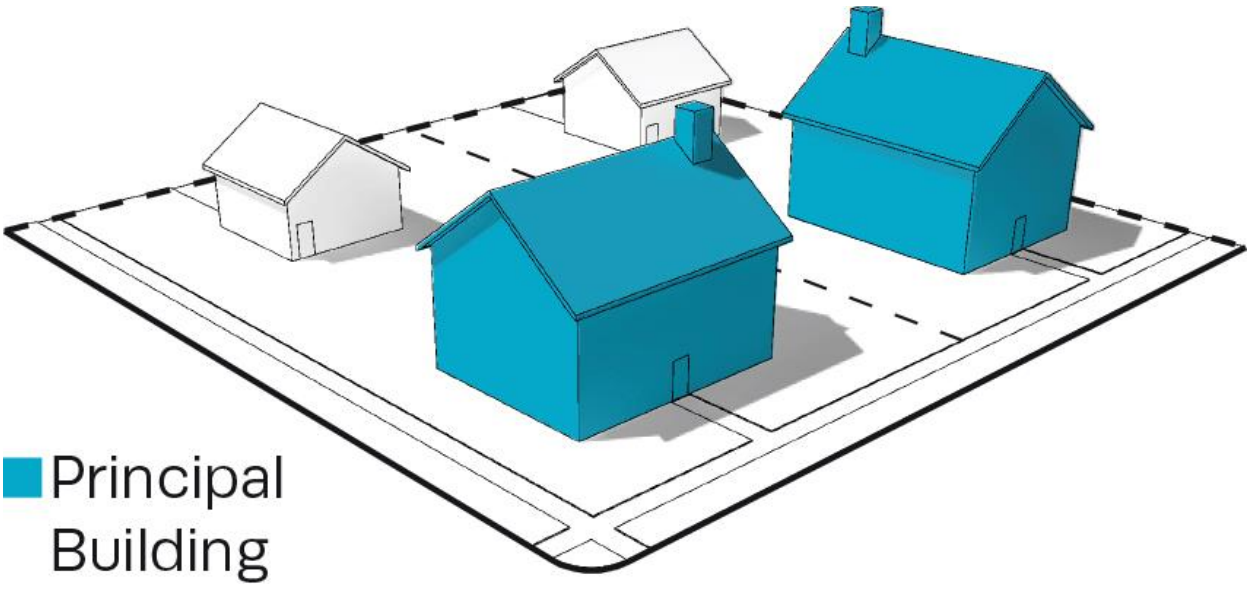
Post Sign: the Sign Type described as such in Table 7.1.2.B-1 (Sign Types - Summary) and Table 7.1.2.B-2 (Sign Types - Specific Standards)

Pre-School: a school, licensed by the State, with an accredited training program and staffed with certified teachers, providing day time care or instruction for two (2) or more children between the ages of two (2) and five (5) years old. Synonymous with Nursery School.

Preliminary Plat: as defined in City Subdivision Regulation Section 2.2.

Principal Building: the main Building on a Lot or Building Site, located toward the Frontage, in which is conducted a Principal Use of such Lot or Building Site. See Illustration 9.3.P-3 (Principal Building).

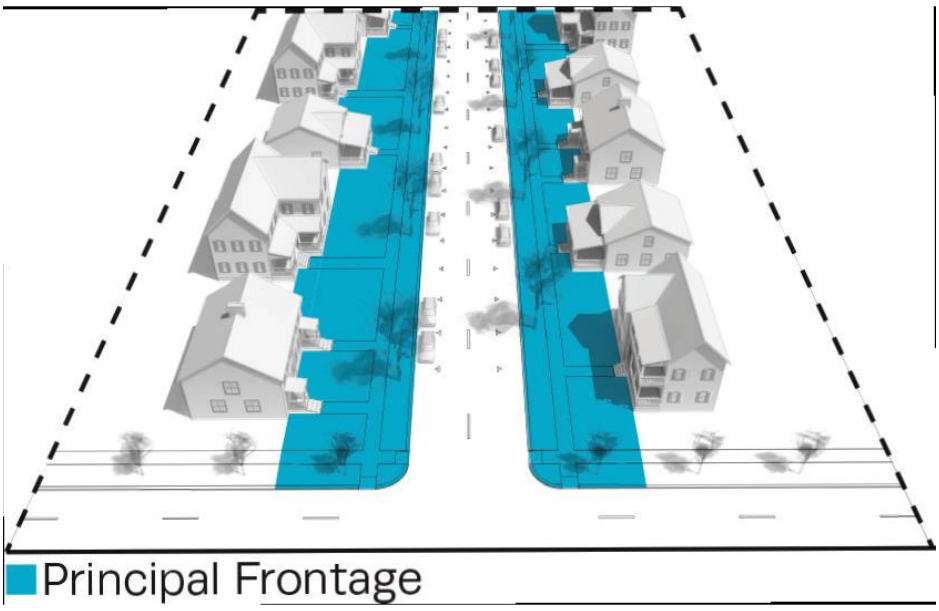
ILLUSTRATION 9.3.P-3 PRINCIPAL BUILDING



Principal Entrance: the main point of access for pedestrians into a Building; the Main Entrance. A building may have more than one Principal Entrance.

Principal Frontage: with respect to: (a) Corner Lots or Building Sites, the Frontage designated to bear the address and Principal Entrance to the Building, and the measure of minimum Lot or Building Site Width; and (b) non-Corner Lots or Building Sites, the Frontage. See "Frontage". See Illustration 9.3.P-4 (Principal Frontage).

ILLUSTRATION 9.3.P-4 PRINCIPAL FRONTAGE

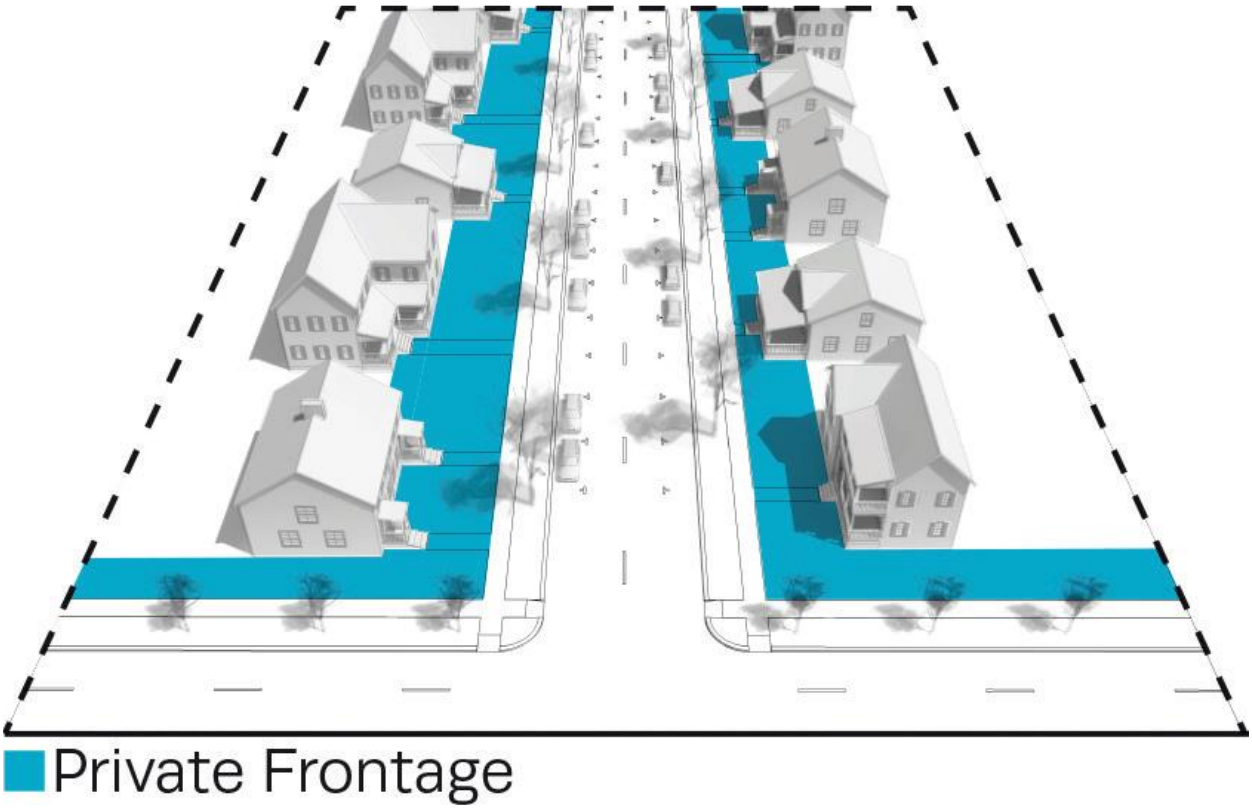


Principal Use: the primary or predominant Use of a Lot, Building Site, or Structure.

Printing Services Shop: Retail premises in which photocopying, scanning, short-run printing, and related services are provided.

Private Frontage: the privately held area between the Frontage Line and the Facade of the Principal Building. See Illustration 9.3.P-5 (Private Frontage); see also Table 4.3.7.A (Private Frontage Types), and Illustration 9.3.F-5 (Frontage & Lot or Building Site Lines).

ILLUSTRATION 9.3.P-5 PRIVATE FRONTAGE



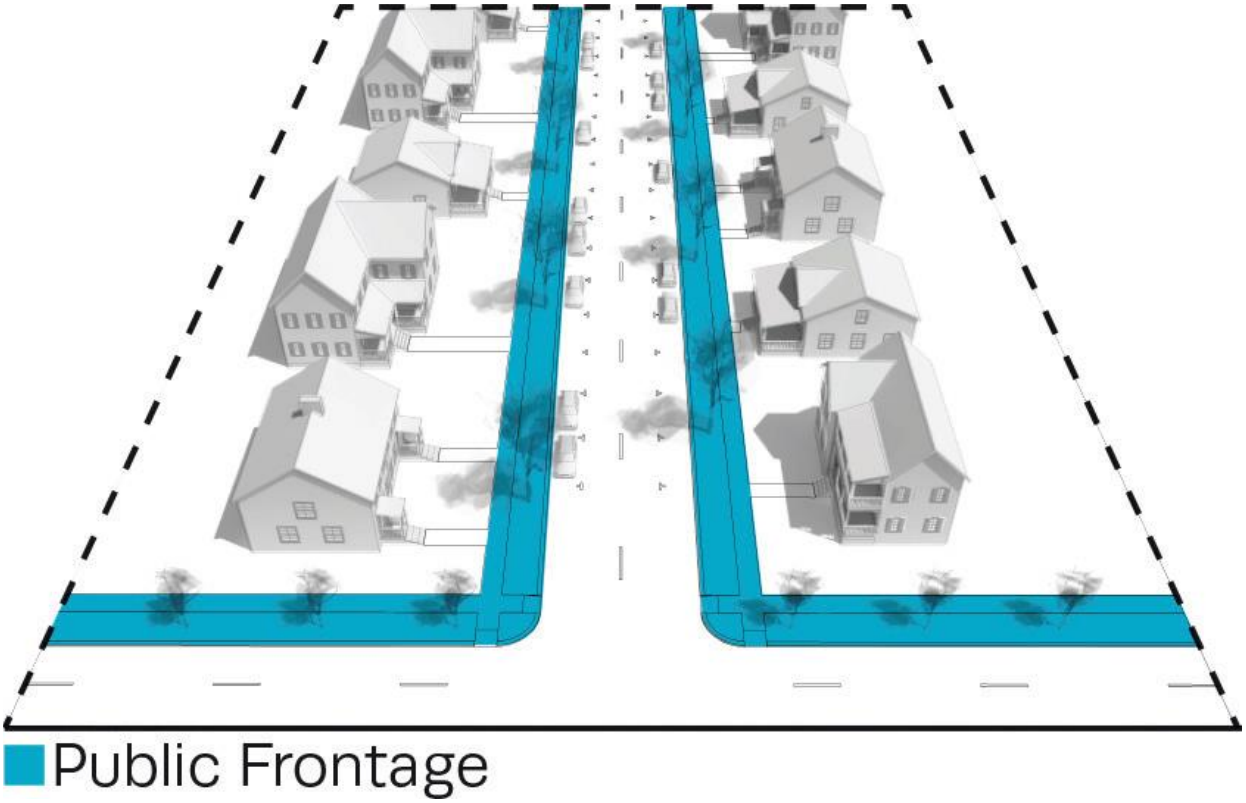
Public Frontage: the area between the Frontage Line and:

(1) the curb (or if there is no curb, the edge) of the Vehicular Lanes in the case of a Lot or Building Site that Enfronts a Thoroughfare or Internal Drive having Vehicular Lanes, or

(2) the Enfronting Civic Space, Path, Passage, waterbody, or Driveway in the case of a Lot or Building Site that Enfronts a Civic Space, Path, Passage, waterbody, or Driveway.

See Illustration 9.3.P-6 (Public Frontage); see also Table 5.2.2.G-1 (Thoroughfare Assemblies & Standards); and Illustration 9.3.F-5 (Frontage & Lot or Building Site Lines)

ILLUSTRATION 9.3.P-6 PUBLIC FRONTAGE



Pushcart: A mobile vending apparatus which may be moved without assistance of a motor from which merchandise or food is stored and prepared with the intent to sell to the public.

Professional Office: Use sub-category of Office Uses category characterized by premises in or from which professional or consulting services in the fields of law, architecture, planning, design, engineering, accounting, bookkeeping, and similar professions are conducted. This term does not include "Medical Office", "Dental Office", or "Clinic".

Project Boundary Buffer: a Buffer located along the boundary of a development.

Public Art: art in any media that has been planned and executed with the intention of being staged in or viewed from the physical public domain, usually outside and accessible to all.

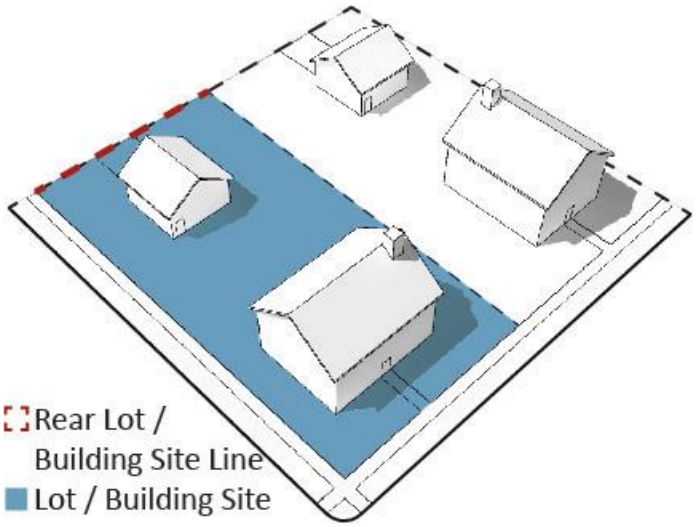
Public Meeting: a duly convened meeting of a Decision- Making Authority as contemplated under applicable state law, including public meetings, public hearings, workshops, and site visits.

Publishing: the Business of issuing software, Internet content, or newspapers, books, or other printed textual or graphical material for sale or distribution to the public.

Pylon Sign: the Sign Type described as such in Table 7.1.2.B-1 (Sign Types - Summary) and Table 7.1.2.B-1 (Sign Types - Specific Standards).

Rear Setback Area or Yard: a portion of a Lot or Building Site that is situated between (1) the nearest roofed portion of the Principal Building or of any Accessory Building on the Lot or Building Site and (2) the Rear Lot or Building Site Line, extending the full width of the Lot or Building Site, from Side Lot or Building Site Line to Side Lot or Building Site Line. See Illustration 9.3.R-2 (Rear Setback Area or Yard).

ILLUSTRATION 9.3.R-2 REAR SETBACK AREA OR REAR YARD

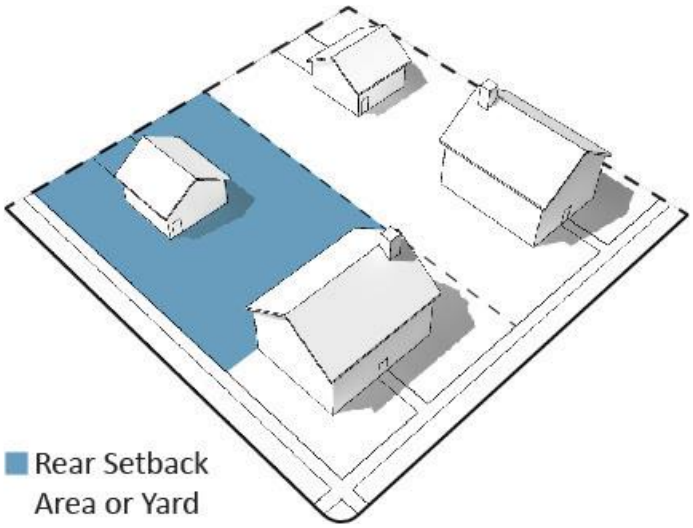


Rail Equipment Storage / Repair: Use involving premises for storing or repairing locomotives, rail cars, or other rail vehicles.

~~**Rear Alley:** See "Alley".~~

Rear Lot or Building Site Line: the Lot or Building Site Line opposite the Front Lot or Building Site Line. See Illustration 9.3.R-1 (Rear Lot or Building Site Line).

ILLUSTRATION 9.3.R-1 REAR LOT OR BUILDING SITE LINE



Recreation: Use characterized by activities for personal enjoyment or entertainment during a Person's discretionary time.

Recreation Facility: premises accommodating Indoor Recreation and/or Entertainment and/or Outdoor Recreation and/or Entertainment. A Recreation Facility may be Civic or non-Civic.

Recreational Vehicle: a vehicle which is:

(1) built on a single chassis;

(2) four hundred (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: and

(4) designed primarily for use as a non – permanent dwelling but as temporary living quarters for recreational, camping, vacation, travel, or seasonal use. The term includes camping Trailer, motor home, travel Trailer, and truck campers.

Recreational Vehicle does not include Manufactured Homes.

Recreation and Entertainment, Indoor: participatory and spectator-oriented Recreation activities conducted within an enclosed Building, including without limitation billiard rooms, bowling centers, ice or roller skating rinks, Shooting Ranges, Theater, and arcades.

Recreation and Entertainment, Outdoor: participatory and spectator-oriented Recreation activities conducted in open, partially enclosed, or screened facilities, including without limitation amusement parks, fairgrounds, golf courses and driving ranges, and go-cart tracks.

Recycling Collection Facility: a facility used for the collection and transfer, but not the actual processing, of any of the following recyclable materials: glass, paper, plastic, cans, or other source-separated, non-decayable materials. Recyclable materials at a Recycling Collection Facility must not include motor oil, chemicals, household appliances, tires, automobiles, automobile parts, or decayable materials.

Rehabilitation Facility: a facility operated for the primary purpose of assisting in the rehabilitation of individuals through an integrated program of medical, psychological, physical, occupational, substance, social, or vocational evaluation and services under competent professional supervision.

Religious Facilities: facilities used by a non-profit group or institution for organized religious services, meetings, assembly, practice, activities, and supporting uses.

Examples are Places of Worship, church, mosque, synagogue, temple, monastery, convent, retreat center or any permanent or temporary Structure providing regular, organized religious worship of any denomination and religious education incidental thereto. A property tax exemption for a religious group

or institution obtained pursuant to state law shall constitute prima facie evidence of a Religious Facilities Use.

Athletic, tennis, swim or Health Club (see Retail Sales and Service), Educational Uses, Day Care facilities, for distribution or production of products, including printed matter, for groups other than immediate membership, public neighborhood arts center or similar community facility (see Community Service), community center, revival or gospel tent, senior center (see Community Service), Social service facility (see Social Service Institution), and Treatment center, transient lodging, or shelter for the homeless (see Social Service Institutions) are not included in this Use Category.

Required Yard or Setback Area: a Yard or Setback Area required by this Ordinance, which is open and unobstructed from 30 inches above the general ground level of the graded lot upward to the sky except as permitted in Section 4.3.10 and no part of which is included as part of a Setback, Setback Area, or Yard for any other Building.

Research Laboratory: premises that contain research, development, and testing laboratories that do not involve the mass manufacture, fabrication, processing, or sale of products Such Uses must not be detrimental to the environment through the release of dust, smoke, fumes, odor, noise, or vibration and must not create an unsafe risk of fire or explosion given the location of the use, the Building in which it is located, and the nature of the surrounding Uses and Structures.

Residence: a Building or part of a Building containing one or more Dwelling Units or Rooming Units, including Single – Family or Two – Family Dwellings, Multi-Family Dwellings, Boarding Houses, Rooming Houses, or residence- apartment hotels. Residences shall not include:

(1) Transient accommodations, such as Transient hotels, Motels, or similar establishments;

(2) Dormitories, fraternity or sorority houses, monasteries, or convents, or similar establishments containing Group Living or sleeping accommodations;

(3) Nurses' residences, sanitariums, nursing homes, convalescent homes, rest homes, or other sleeping or living accommodations in community facility buildings or portions of buildings used for community facilities; or

(4) In any Building with a mix of Uses, the part of the Building used for any Non-Residential Uses, except Uses accessory to Residential Uses.

Residential: pertaining to premises available for long- term, non-Transient human habitation.

Residential Building: any Building or part thereof utilized solely for Residential Use and Accessory Uses.

Residential Uses: (1) a Use category characterized by premises available for long-term non-Transient human habitation; (2) Residential Uses is the Use category, which is a collective reference to the following Use sub-Categories, as listed in Table 4.3.9.A-1 (Building, Lot & Building Site Principal Uses), Table 4.3.9.A-2 (Building, Lot & Building Site Accessory Uses), and Table 4.3.9.A-3 (Building, Lot & Building Site Temporary Uses): Household Living and Group Living.

Restaurant: an establishment engaged in preparing, serving, and selling food at Retail for on- or off-premises consumption. Bars, Taverns, and Nightclubs are not Restaurants.

Restricted-Access Bicycle Enclosure: A locked area containing within it one bicycle rack space for each bicycle to be accommodated, and accessible only to the owners or operators of the bicycles parked within it.

Retail: Use characterized by selling, renting, or leasing new or used goods in person , on-line, or by mail-in transactions dealing directly with the consumer of such goods.

Retail / Personal Service / Repair / Arts / Artisan:

Use sub-category of the Commercial Uses category characterized by selling, renting, or leasing new or used goods in person, on-line, or by mail-in transactions dealing directly with the consumer of such goods, providing personal services or repair services to the general public, and art- related and artisan-related establishments. See Table 4.3.9.A-1 (Building, Lot & Building Site Principal Uses), Table 4.3.9.A-2 (Building, Lot & Building Site Accessory Uses), and Table 4.3.9.A-3 (Building, Lot & Building Site Temporary Uses).

Examples of Retail Uses included in the Retail / Personal Service / Repair / Arts / Artisan sub-category are Convenience Store (with or without petroleum sales), selling, renting or leasing Alcoholic Beverages, antiques, appliances, art supplies, baked goods, bicycles, books, cameras, carpet and floor coverings, crafts, clothing, computers, dry goods, electronic equipment, fabric, flowers, furniture, garden supplies,

gasoline, gifts, groceries, hardware, home improvement goods, household products, jewelry, medical supplies, musical instruments, Open Air Market, outdoor farmers market, pets, pet supplies, pharmaceuticals, picture frames, plants, printed materials, produce, sporting goods, stationery, tobacco and related products, vehicle parts, and videos, and Brewpubs, Tasting Rooms, Retail Food Sales with or without on-premises preparation or processing, Retail Membership Clubs, and Warehouse Retail.

Examples of Personal Service Uses included in the Retail

/ Personal Service / Repair / Arts / Artisan sub-category are art, music, dance, or photographic gallery or studio, athletic, tennis, swim or Health Club, mailing or package delivery service, dry-cleaning or laundry drop-off facility, Laundromat, funeral home or mortuary, hair, nail, tanning, massage therapy and personal care service, photocopy, blueprint, and quick-sign service, photo finishing psychic or medium, security service, tailor, milliner, upholsterer, taxi or ride-share dispatch center, taxidermist, veterinary clinic, animal hospital, or Kennel, and urgent care or emergency medical office.

Examples of Repair Uses included in the Retail / Personal

Service / Repair / Arts / Artisan sub-category are appliance, bicycle, canvas, clock, computer, gun, jewelry, musical instrument, office equipment, radio, shoe, television or watch repair, and locksmith.

Examples of Arts-Related Uses included in the Retail / Personal Service / Repair / Arts / Artisan sub-category are the non-Residential portion of Artist Live/Work Space, Artist Studio Space, arts-related educational facility, crafts-related retail store, non-Civic art museum/gallery, sale of art and art supplies.

Examples of Artisan-Related Uses included in the Retail / Personal Service / Repair / Arts / Artisan sub-category are Artisan Establishments, candle making, furniture making, glass blowing, weaving, pottery making, woodworking, sculpting, painting, and tailoring.

The following are excluded from the Retail / Personal Service / Repair / Arts / Artisan sub-category :

Adult Video Stores (see Indoor Recreation), any Use that is potentially dangerous, noxious or offensive to neighboring Uses or those who pass on public ways by reason of smoke, odor, noise, glare, fumes, gas, vibration, threat of fire or explosion, emission of particulate matter, interference with radio, television reception, radiation or any other likely cause (see Heavy Industrial), Motor Vehicle- and Boat- Related Uses, Crematorium (see Light Industrial), Large-scale catering (see Light Industrial), laundry or dry-cleaning plant (see Light Industrial), Restaurant (see Restaurants), Sale,lease, or rental of machinery, Farm

and Construction Equipment, or other equipment, building materials, special trade tools, welding supplies, machine parts, electrical supplies, janitorial supplies, restaurant equipment, and store fixtures (see Wholesale Trade).

Retail Food Sales: the sale of food for off-premises consumption, excluding Restaurants.

Retail Membership Club: a discount Retail establishment that sells merchandise to its members.

Rezoning: A change in the district boundaries or district classifications of the zoning map pursuant to Section 8.5.19. For the purposes of this Ordinance, rezoning also includes the initial zoning of a property that occurs with annexation.
~~reassignment of the District applicable to land pursuant to Section 8.5.19.~~

Right-of-Way Line: a line contiguous with a Lot or Building Site Line, dividing a Lot or Building Site from an Abutting Thoroughfare or Internal Drive.

Road (RD): a local, rural and suburban Thoroughfare or Internal Drive of low-to-moderate vehicular speed and capacity, described as such in Table 5.3.3.F (Thoroughfare / Internal Drives Types – Summary) and Table 5.3.3.G (Thoroughfare / Internal Drive Assemblies and Standards).

Roadside Stand: a small open air Structure for the Retail sale of produce or other goods grown or produced on the property where the Roadside Stand is located. Roadside Stand does not include Farmer's Markets or Outdoor Markets.

Rooming House: a Residential type in a private Dwelling in which at least three (3) but not more than six (6) rooms are offered for rent, payable in money and/ or other consideration, whether or not table board is furnished to roomers, and in which no Transient guests are accommodated and no Restaurant is maintained for service to any Persons who are not residents of the Rooming House.

Rooming Unit: a unit of Residential occupancy.

Rowhouse: a ~~Building in a collection of very narrow- to medium-sized attached Buildings on contiguous Lot or Building Sites with a Rearyard (and Sideyard if an end unit), which collection consists of side-by-side Dwelling Units with individual entries facing a Thoroughfare or Internal Drive. Each Building and any~~

~~Side Setback Area or Side Yard or occupy the full Frontage Line of its Lot or Building Site and shares at least one Party Wall with another Building of the same type. See Table 4.3.8.A (Principal Building Types) and Table 4.3.8.B (Principal Building Types - Specific Standards).~~Townhouse Building Type described as such in **Table 4.3.8.B (Principal Building Types)**.

School: Business or Trade School, College / University, High School, Middle School, Pre-School or Nursery School, Primary or Elementary School, or Secondary School.

School, Primary or Elementary: See "Primary or Elementary School".

School, Secondary: See "Secondary School".

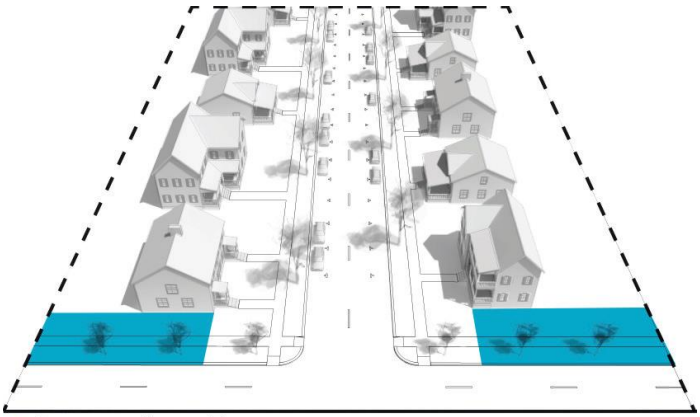
Scrap or Salvage Yard / Service: a Use, other than an Impound Yard or Towing Facility, in which an establishment is engaged primarily in the sale, storage, assembling, dismantling, sorting, distributing, or other processing of scrap, used equipment, mechanical components, or waste materials, including a Junkyard.

Screen/Screening: (1) used as a verb, to block an item or condition from view from a vantage point in accordance with the requirements of this Ordinance by interposition of a Building, Building Element, Wall or Fence constructed of an opaque material, or an evergreen hedge; or

(2) used as a noun, a Building, Building Element, Wall or Fence constructed of an opaque material or an evergreen hedge, which blocks an item or condition from view from a vantage point, as required by this Ordinance. Not synonymous with Streetscreen.

Secondary Frontage: on Corner Lots or Building Sites, the Frontage that is not the Principal Frontage. See Illustration 9.3.S-1 (Secondary Frontage).

ILLUSTRATION 9.3.S-1 SECONDARY FRONTAGE



Second Layer: See "Layer".

Secondary School: a public, private, or parochial school offering instruction at the Middle School and /or High School levels in the branches of learning and study required to be taught in the public schools of the state.

Self-Service Storage Facility: premises at which customers rent separate storage units within a Building designed to allow private access by the customer for storing or removing personal property.

Examples are mini-warehouse, multi-story enclosed storage facility, and storage garage.

The following are not Self-Service Storage Facilities:

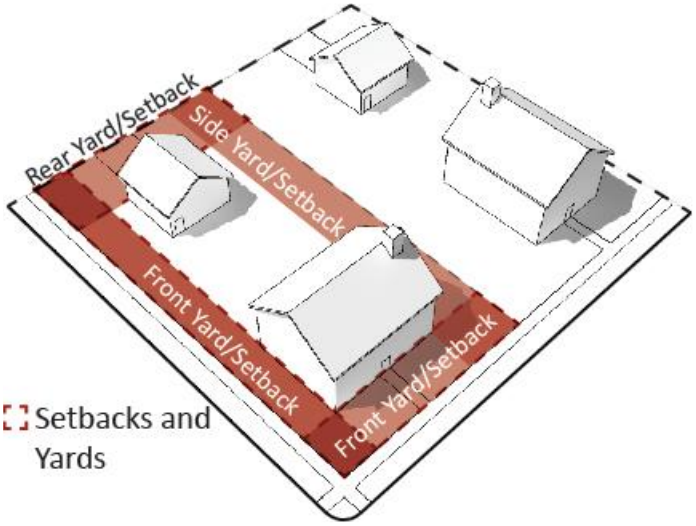
Rental of light or medium trucks, storage area used for Manufacturing use, storage area used for sales, service, and repair operations, and transfer and storage Business where there are no individual storage areas or where employees are the primary movers of the goods to be stored or transferred.

Septic Equipment Installation, Service, or Cleaning: establishments that install, pump, or service septic tanks and cesspools, or that rent or service portable toilets.

Setback or Setback Area: the portion of a Lot or Building Site measured from a Lot or Building Site Line to a Building Facade or Elevation, which area is maintained clear of permanent Structures, with the exception

of permitted Encroachments allowed pursuant to Tables 4.3.1-A -4.3.1.U (District Standards). See Illustration 9.3.S-2 (Setbacks). See also, "Yard".

ILLUSTRATION 9.3.S-2 SETBACKS AND YARDS



Sewage Lines: lines for the movement, distribution, or collection of sewage.

Sewage Facility: utility facilities for the movement, receipt, treatment, and disposal of sewage.

Shared Parking: Parking spaces shared by two or more uses that are in proximity to one another and the parking area, and that have different operational characteristics such that utilization of the parking spaces by one use will not generally overlap with the utilization of the parking spaces by the other use(s). Shared parking on private property must be supported by binding agreement.

~~Parking spaces that are available for two or more Principal Uses.~~

Shared Parking Factor: an accounting for Parking spaces that are available to more than one Principal Use. See Table 4.3.12.B-2 (Shared Parking Factor).

Shooting or Firing Range: a specialized facility within a Building, which accommodates firearms training, practice, and qualification.

Shopfront: a Private Frontage Type conventional for Retail / Personal Service / Repair / Art / Artisan Use, wherein the Facade is aligned close to or at the Frontage

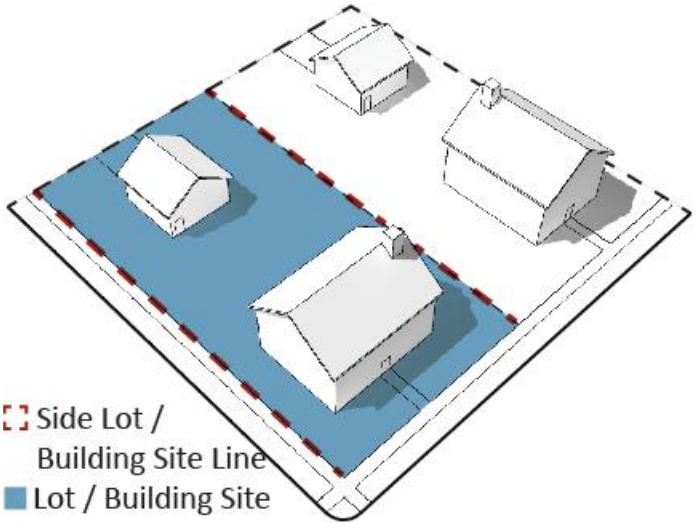
Line with the Building entrance at Sidewalk grade. This Frontage has substantial glazing at the Sidewalk level and may include an awning overlapping the Sidewalk. See Table 4.3.7.A (Private Frontage Types).

Short-Term Lender: a Business or Use that regularly (1) accepts checks from a borrower drawn on the borrower's account to be presented for payment at a later date and that charges a fee for the service or (2) extends short- term non-purchase money loans secured by titles to motor vehicles. The term does not include Financial Institutions. See also, Non-Banking Financial Institution.

Short-Term Rental Unit: a Dwelling Unit in a Building originally used or designed to be used as an abode or home of a person, family, or household in either a portion of a single-family house, or an individual Dwelling Unit in a two-family Dwelling, townhouse, or multi-family Building having no more than 6 Dwelling Units, which Short-Term Rental Unit is rented wholly or partially for a period of less than thirty (30) continuous days occupancy for a fee; specifically excluding however a "hotel" as defined in TSA section 68-14-302 or a "bed and breakfast establishment" or a "bed and breakfast homestay" as those terms are defined in TSA section 68-14-502, all as contemplated in TSA section 13-7-602. A Hotel, Extended Stay Hotel, Motel, Bed and Breakfast, or Inn is not a Short-Term Rental Unit.

Side Lot or Building Site Line: any Lot or Building Site Line that is not a Front Lot or Building Site Line or a Rear Lot or Building Site Line. See Illustration 9.3.S-3 (Side Lot Line).

ILLUSTRATION 9.3.S-3 SIDE LOT OR BUILDING SITE LINE

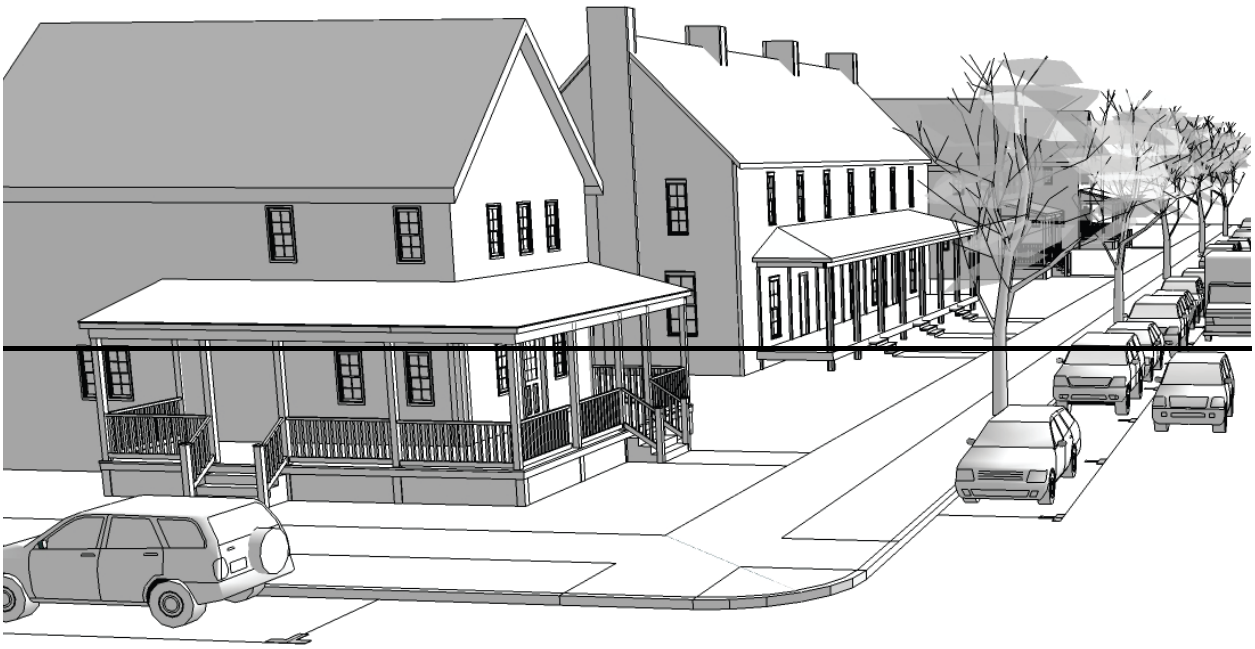


Side Setback, Setback Area or Yard: the portion of a Lot or Building Site that is situated between (1) the nearest roofed portion of the Building or of any Accessory Building on a Lot or Building Site and (2) the Side Lot or Building Site Line, and extending through from the Front Setback Area or Yard or from the Front Lot or Building Site Line where no Front Setback Area or Yard exists to the Rear Setback Area or Yard or to the Rear Lot or Building Site Line where no Rear Setback Area or Yard exists. See Illustration 9.1.S-2 (Setbacks and Yards).

Side Setback Area or Yard Width: the dimension of a Side Setback Area or Yard, measured in such a manner that the Yard is a strip of the minimum width required by the applicable District standards, with its inner edge parallel with the Side Lot or Building Site Line.

Sidewalk: the paved section of the Public Frontage dedicated exclusively to pedestrian activity. See Illustration 9.3.S-4 (Sidewalk).

ILLUSTRATION 9.3.S-4 SIDEWALK



Sidewalk Sign: the Sign Type described as such in Table 7.1.2.B-1 (Sign Types - Summary) and Table 7.1.2.B-2 (Sign Types - Specific Standards).

Sign: any name, number, symbol, identification, description, direction, declaration, demonstration, display, representation, illustration, insignia, instruction, directive, information, illustration, object, graphic, device, display, visual communication, material, Structure or device, or part thereof, in view of the general public, whether permanent, temporary, portable, or affixed, composed of lettered, or pictorial, or graphical matter or upon which lettered or pictorial, or graphical matter is used, that announces, directs attention to, names, gives notice of, informs, advertises, or promotes an ideology, position, interest, cause, object, project, product, place, activity, person, institution, organization, or Business; provided that the term "Sign" shall not be deemed to include any badge or insignia of any government agency or any civic, charitable, religious, patriotic, fraternal or similar organization, Public Art, or any directional sign erected and maintained pursuant to law.

Single-Family Detached Dwelling: a Dwelling Unit, other than a Manufactured Housing Unit, for exclusive occupancy for one only Family, situated on a Lot or Building Site with no other Dwelling Units and not attached to any other Dwelling Unit.

Single - Family Dwelling: a Dwelling Unit shall be considered a Single-Family Dwelling only if permanent occupants are limited to one of the following categories:

(1) One individual or

(2) Any number of persons constituting a "Family".

For purposes of this definition, the following are not considered to be Single-Family Residences:

(1) Boarding Houses.

(2) Apartment houses.

(3) Dwelling Units in which more than two rooms are rented to unrelated tenants.

(4) Structures or portions of Structures which are designed or constructed for any of the above purposes; and such Structures and Uses of Structures are explicitly prohibited in each Residential District unless otherwise specifically permitted. Notwithstanding the foregoing, "Single-Family

Residence" may include a Dwelling Unit which includes separate quarters for persons who are related by blood, marriage or adoption to the primary occupants, provided such quarters are connected by interior passageways to the other portions of the dwelling unit, and are not rented to any unrelated tenants or otherwise used in violation of this Ordinance If more than one meter is installed for the same type of household utility service, it will be presumed that Structure is not being used as a Single- Family Residence.

Notwithstanding any other provisions to the contrary, subject to the City Manager's approval, and for such periods of time as the City Manager deems reasonable and necessary, a Single-Family Residence may include, on a temporary basis, one or more persons, not related to the primary occupants, who have been dislocated from their permanent residence due to an officially recognized local, regional or national emergency. A report shall be provided to advise the City Council, Planning Commission, and Development Services Department of any such situations approved by the City Manager.

Single Ownership: a proprietary interest of a Landholder as defined herein.

Site Development Plan: a map required by Section 8.5.6.H, which indicates the intended Development of a parcel of land and which meets the standards and requirements of, and is prepared in accordance with, Section 8.5.6.H and other applicable provisions of this Ordinance.

Small Multi-Family Building: Principal Building type that incorporates between three (3) and six (6) side-by-side and/or horizontally stacked Dwelling Units, typically with one or more shared entries. See Table 4.3.8.A (Principal Building Types) and Table 4.3.8.B (Principal Building Types - Specific Standards).

Social or Civic Club or Lodge: a Use characterized by a Structure and/or land owned by or leased to one or more Social or Civic Organizations for meeting, recreational, or social purposes primarily by their members and their guests.

Social or Civic Organization: a private non-profit group, association, organization, club, establishment, brotherhood, membership, or other similar group providing meeting, recreational, social, fraternal, youth, or similar activities or facilities primarily for its members and guests; excluding, however any type of Residential facility such as fraternity or sorority houses.

Solid Waste Facility: premises, appurtenances and Improvements used for treating, storing, or disposing of solid waste, whether publicly or privately owned or operated. A Solid Waste Facility may consist of

several treatment, storage, or disposal operational units, including, but not limited to, one or more landfills, surface impoundments, or combination thereof.

Special District: an area which, due to its intrinsic size, Use, Configuration, cannot conform to the requirements and standards of one or more of the applicable Character Districts or Civic District as specified in this Ordinance.

Special Exception: synonymous with Conditional Use.

Special Requirements: provisions of Section 2.2 and Section 5.7 and/or the associated designations on the Zoning Map for those provisions.

Specified Anatomical Areas: less than completely and opaquely covered human genitals, pubic region, buttock, and female breast below a point immediately above the top of the areola. Also, human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Specified Sexual Activities: human genitals in a state of sexual stimulation or arousal; acts of human masturbation, sexual intercourse or sodomy; fondling or other erotic touching of human genitals, pubic region, buttock or female breast.

Specimen Tree: any Canopy Tree with a diameter of 24 inches or greater measured at diameter breast height (DBH) 4.5 ft.

Sports Field: a Civic Space type that accommodates the play of athletic endeavors, described as such in Table

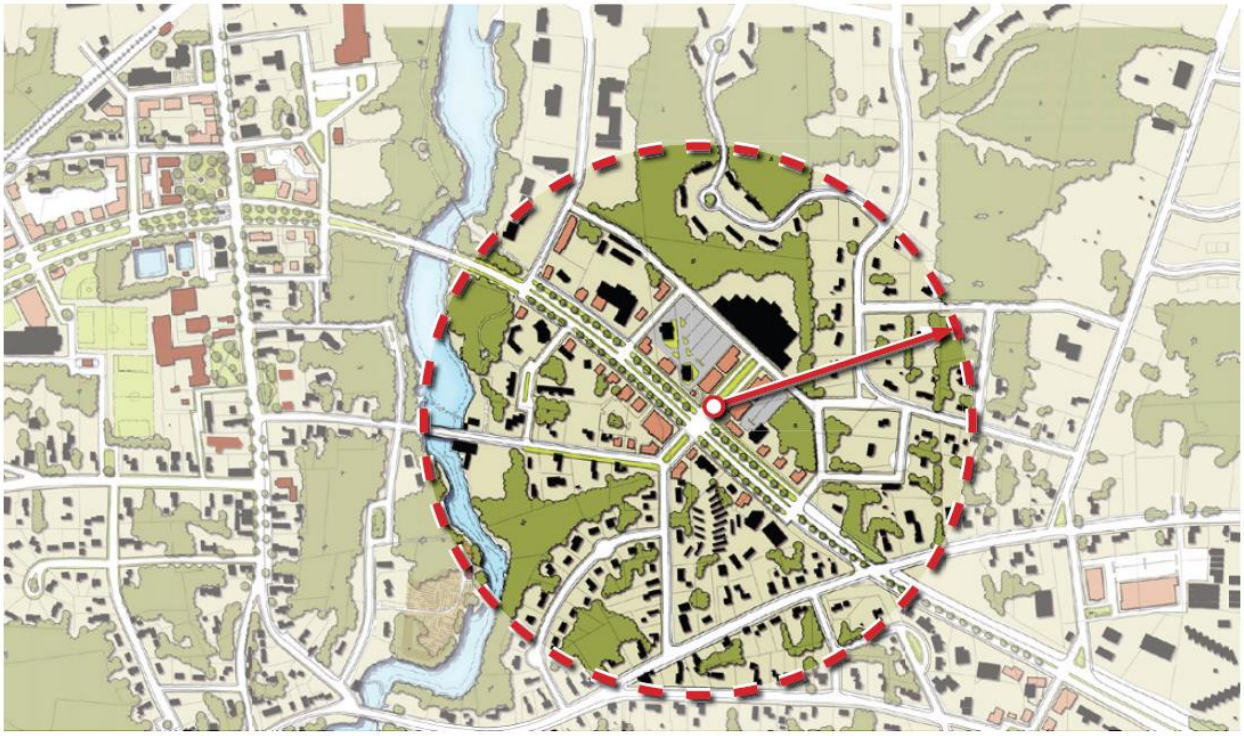
5.3.3.A (Civic Space Types - Summary) and Table 5.3.3.B (Civic Space - Specific Standards); excluding Sports Venues. May include associated Structures.

Sports Venue: premises at which athletic events are presented.

Square: a Civic Space type described as such in Table 5.3.3.A (Civic Space Types - Summary) and Table 5.3.3.B (Civic Space - Specific Standards).

Standard Pedestrian Shed: a Pedestrian Shed that is an average 1/4 mile radius or 1320 feet, about the distance of a five-minute walk at a leisurely pace. See "Pedestrian Shed". See Illustration 9.3.S-5 (Standard Pedestrian Shed).

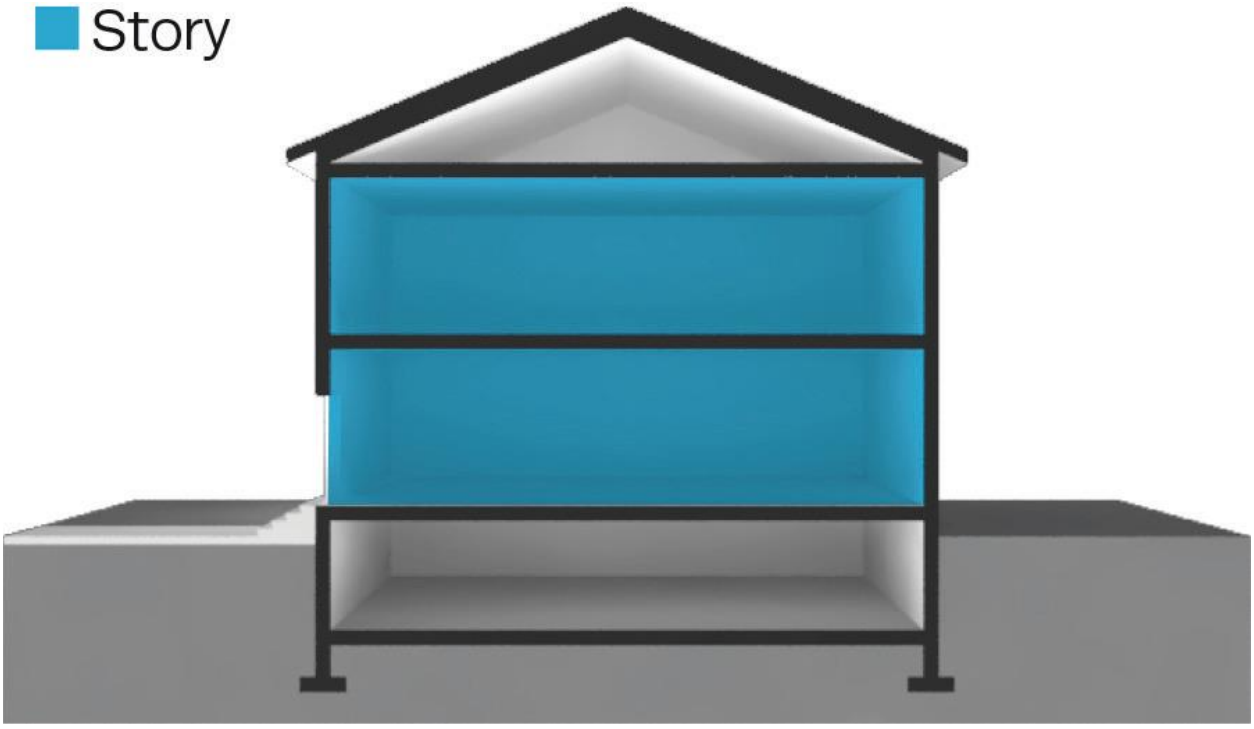
ILLUSTRATION 9.3.S-5 STANDARD PEDESTRIAN SHED



Stoop: a Private Frontage type wherein the Facade is aligned close to the Frontage Line with the first Story elevated from the Sidewalk for privacy. An exterior stair and landing provides access to the entrance. This type is recommended for ground-floor Residential Use. See Table 4.3.7.A (Private Frontage Types).

Story: a habitable level within a Building, being that portion included between the surface of any floor and the surface of the floor next above it; if there is no floor above it, then the space between the floor and the ceiling next above it; excluding an Attic or a raised Basement. See Illustration 9.3.S-6 (Story).

ILLUSTRATION 9.3.S-6 STORY



Street (ST): a local urban Thoroughfare or Internal Drive of low speed and capacity, which meets the standards and requirements for such Thoroughfare type as set forth in and as described as such Table 5.3.3.F (Thoroughfare / Internal Drive Types - Summary) and Table 5.3.3.G (Thoroughfare / Internal Drive Assemblies & Standards). When not capitalized, the term "street" means any public way not within a Lot or Building Site on which vehicles travel.

Streetscape: street lights, trees, planting accommodations and Sidewalk along a Thoroughfare or Internal Drive.

Streetscreen: a type of Screen situated along a Frontage Line, or along the same plane as a Façade, and consisting of a planted evergreen hedge or freestanding Wall constructed of brick or stucco over masonry, which blocks the view of Parking, equipment, or other item or condition from the Frontage, provides privacy to a Side Yard, or strengthens the spatial definition of the public realm.

Street Setback, Setback Area, or Yard: synonymous with Front Setback, Setback Area, or Yard.

Street Setback, Setback Area, or Yard Depth: the dimension of a Street Setback, Setback Area, or Yard that is measured as follows:

The depth of a Street Setback, Setback Area, or Yard shall be measured at right angles to a straight line joining the foremost points of the Side Lot or Building Site Lines; provided that in the case of rounded property corners at Thoroughfare or Internal Drive intersections, the foremost point of the Side Lot or Building Site Lines shall be the point at which the Side Lot or Building Site Lines and Front Lot or Building Site Lines would have met without such rounding.

Synonymous with Front Setback, Setback, or Yard Depth.

Structure: anything constructed, installed, or erected, the use of which requires a permanent location on the ground or attachment to something having a permanent location on the ground, regardless whether the same is horizontal or vertical. The word "Structure" includes Buildings and other Improvements and all parts thereof.

Swimming Pool: a constructed basin or Structure for swimming and aquatic recreation, excluding plastic, canvas or rubber pools temporarily erected upon the ground and holding less than 300 gallons of water.

Tasting Room: an establishment or portion of an establishment that allows customers to taste samples of beer, alcoholic spirits, or vinous beverages. In addition to such products, a Tasting Room may include the Retail sale of related items, marketing events, special events, entertainment, and/or food sales.

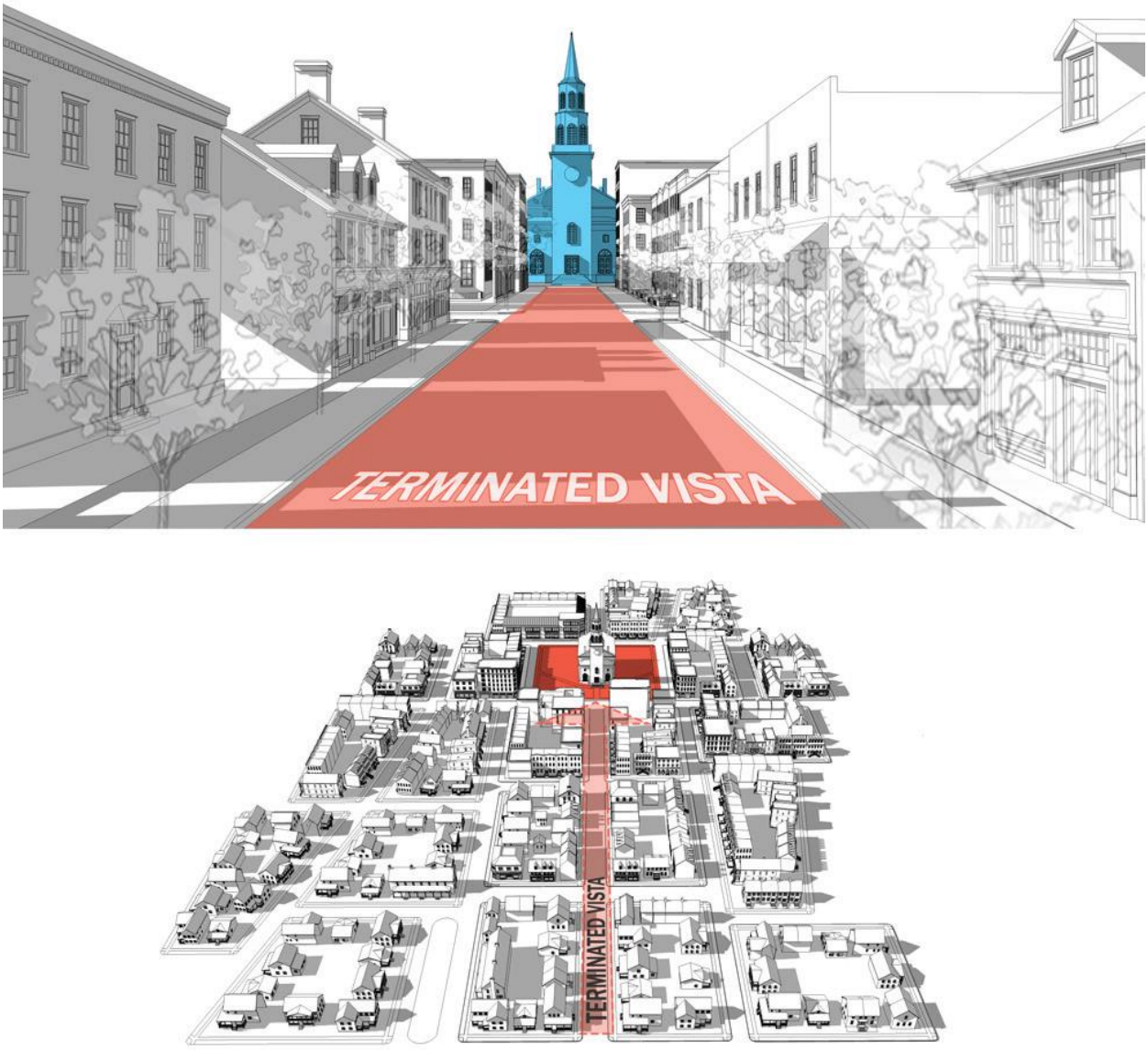
TCA: Tennessee Code Annotated.

Temporary Sign: any Sign which is not permanently installed, mounted, or placed. Signs of the types described in Table 7.1.2.B-1 (Summary of Sign Types) and Table 7.1.2.B-2 (Sign Types - Specific Standards) are not Temporary Signs.

Temporary Use: Use of premises for fewer than 60 days or such other period as may be specifically provided in this Ordinance, and permitted by right, by conditional use, or subject to limited use standards under Section 4.3.9G in accordance with Table 4.3.9.A-3 (Building, Lot & Building Site Temporary Uses), for which a Temporary Use Permit has been issued and is in effect.

Terminated Vista: a location at the axial conclusion of a Thoroughfare or Internal Drive. A Building located at a Terminated Vista location designated on a Zoning Map is required to be designed in response to the axis. See Illustration 9.3.T-1 (Terminated Vista).

ILLUSTRATION 9.3.T-1 TERMINATED VISTA



Terrace/Lightwell: a Private Frontage type wherein the Facade is set back from the Frontage Line by an elevated landing and a sunken Lightwell. This type buffers Residential Uses from urban Sidewalks with the first Story elevated from the Sidewalk for privacy, and may allow for activation of space below grade. An exterior stair and landing provides access to the entrance. This type is recommended for ground-floor Residential Use. See Table 4.3.7.A (Private Frontage Types).

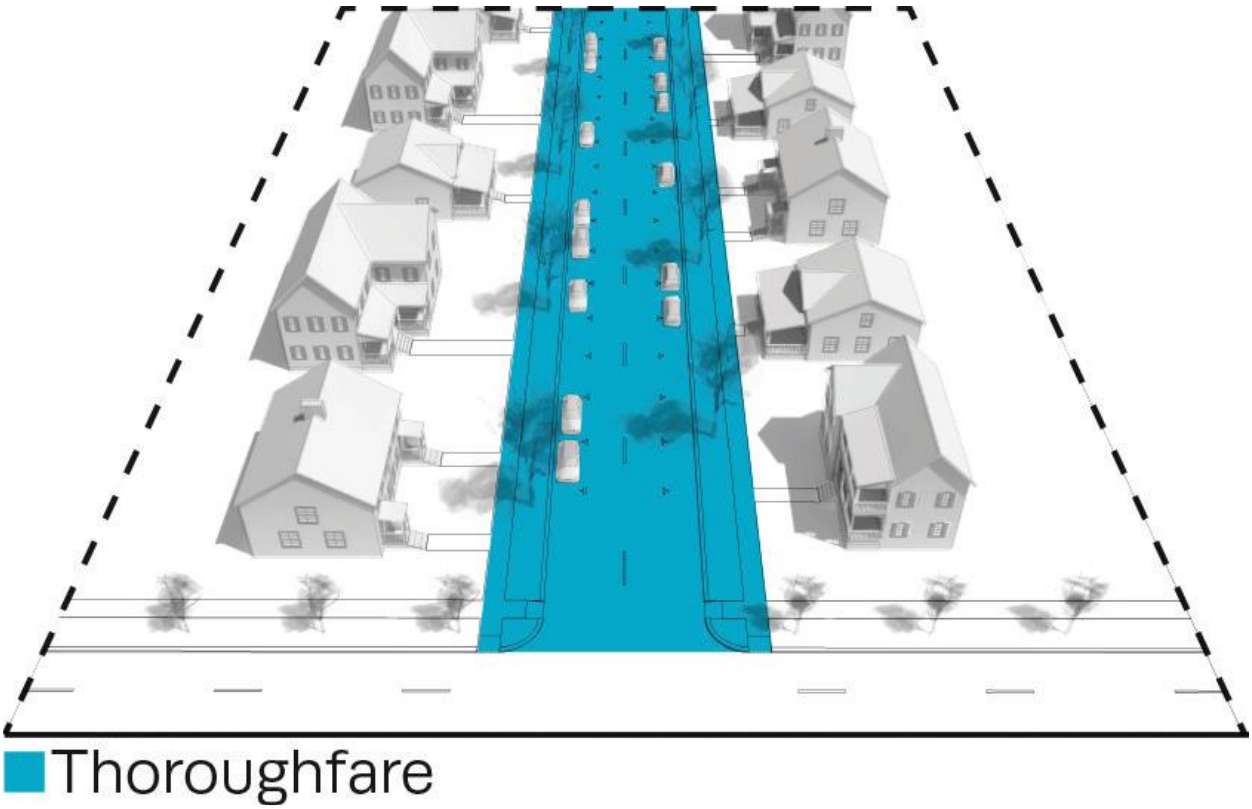
Theater: a Building or part of a Building devoted to the showing of motion pictures, or theatrical or performing arts productions, as a Principal Use.

Third Layer: See "Layer".

Thoroughfare: a way, whether public or private, open for common and general use by vehicular and/or pedestrian traffic and to provide access to Lots or Building Sites and Civic Spaces, consisting of Vehicular Lanes and the Public

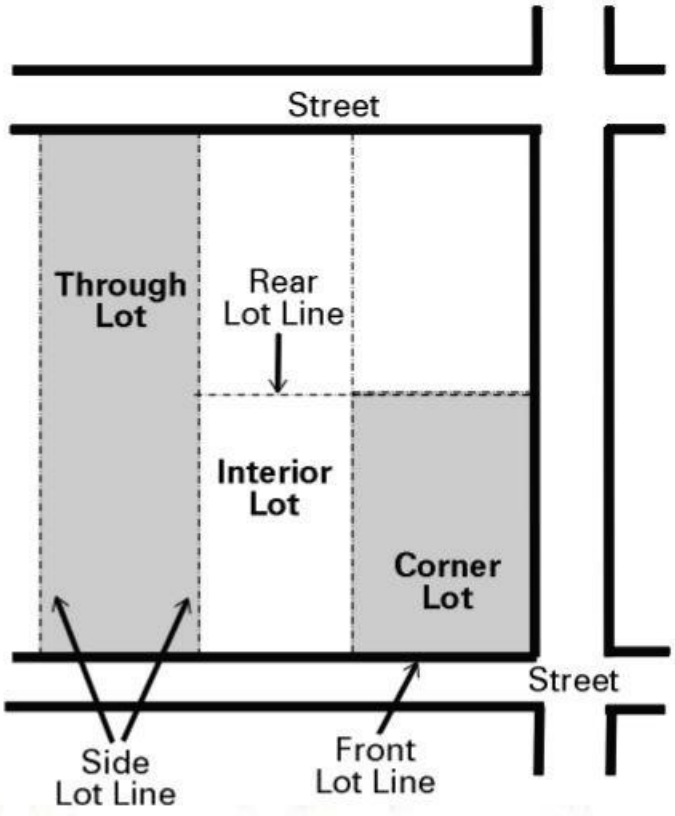
Frontage. See Illustration 9.3.T-2 (Thoroughfare). See also Table 5.3.3.F (Thoroughfare / Internal Drive Types Summary) and Table 5.3.3.G-1 (Thoroughfare / Internal Drive Assemblies and Standards). See also "Internal Drive".

ILLUSTRATION 9.3.T-2 THOROUGHFARE



Through Lot or Building Site: a Lot or Building Site type that extends through from Thoroughfare or Internal Drive to Thoroughfare or Internal Drive.

ILLUSTRATION 9.3.T-3 THROUGH LOT / BUILDING SITE



Tire Sales: a Structure, premises, or establishment in or on which tires are sold, installed, and/or repaired.

Tower: with respect to communications equipment, any Structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including self – supporting lattice towers, guy towers or monopole towers. The term includes radio and television transmission towers, microwave towers, common carrier towers, cellular telephone towers, alternative tower structures and the like.

Towing Facility: an establishment that provides vehicle towing services and accessory temporary outdoor storage for the vehicles it tows, which shall only include: (1) mechanically operable/drivable, licensed vehicles that are to be claimed by titleholders or their agents; and/or (2) wrecked motor vehicles awaiting insurance adjustments and transport to repair shops.

The term "Towing Facility" excludes: automotive services that have a tow truck on-site; Salvage or Scrap Yard / Service; Junkyards, Impound Yards; Motor Vehicle storage; and storage of inoperable vehicles.

Townhouse: the Building Type described as such in Table 4.3.8.B (Principal Building Types).

Trailer: an unpowered, portable, or mobile vehicle designed to be designed to be towed by a Motor Vehicle.

Transient: as a noun, a Person who is staying in a place for fewer than thirty (30) days; as an adjective or adverb, a duration of fewer than thirty (30) days.

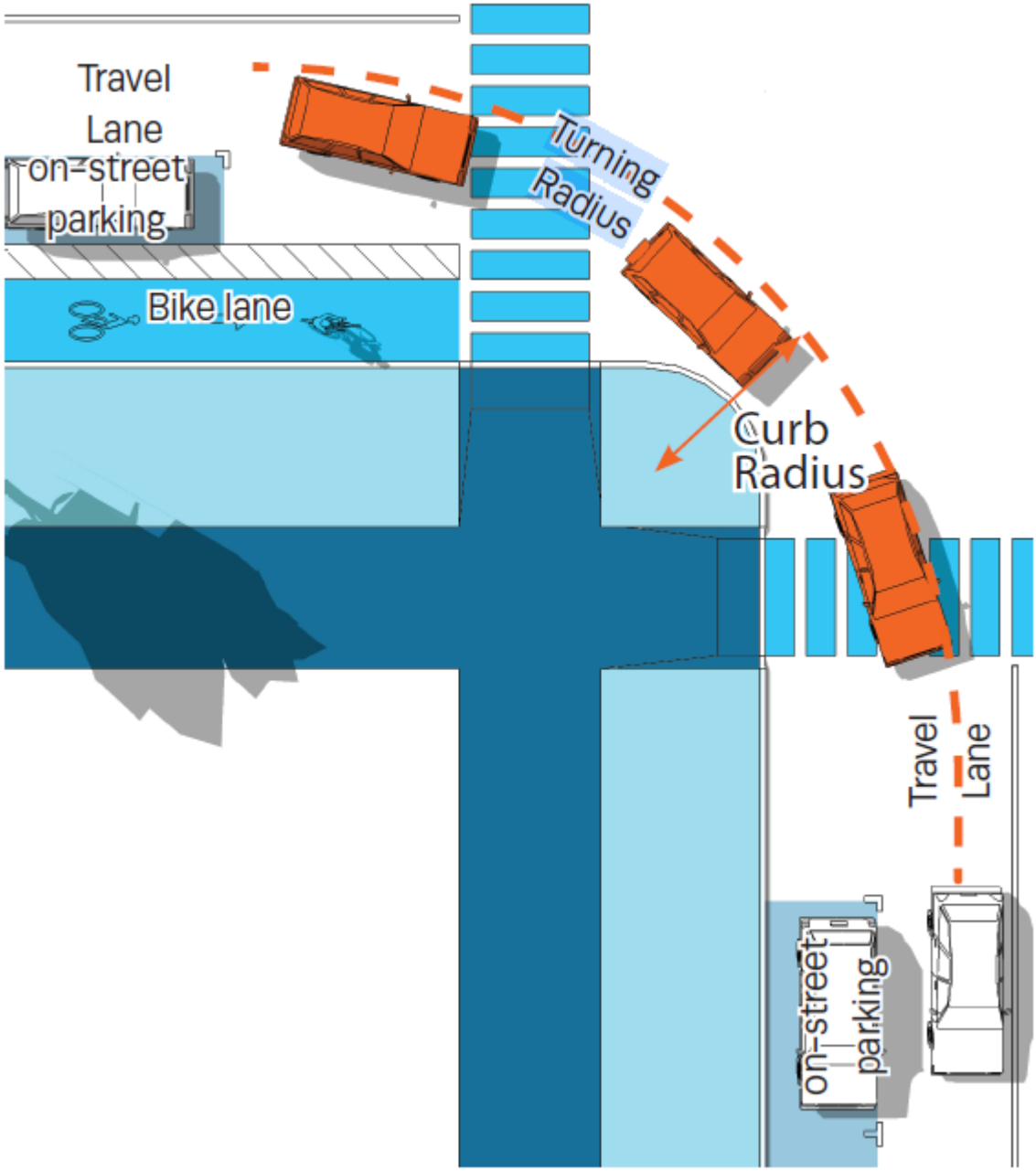
Transit Shelter: accommodation providing shelter from the elements for waiting transit riders, excluding a Transit Station or Terminal.

Transit Station or Terminal: a facility or area at which train, rapid transit, light rail, bus, or other mass transit modality service regularly stops to load or unload passengers.

Tree Removal: cutting down, digging up, destroying, clearing, or otherwise taking a tree from the location in which it is growing; inflicting damage to the root system; girdling; storing materials, soil compaction, changing the natural grade above or below the root system or around the trunk; inflicting damage that permits fungus infection or pest infestation; excessive pruning; excessive thinning; excessive paving with conrete, asphalt or other impervious material in such proximity as to be harmful to the tree; excessive grading; or any act of intentional or reckless damage to a tree. Without limiting the foregoing, excessive pruning or thinning shall include pruning or thinning more than 25% of the leaf surface on both the lateral branch and the overall foliage of a mature tree and and pruning or thinning that does not allow 1/2 of the foliage of a mature tree to remain evenly distributed in the lower 2/3rds of the crown and individual limbs; and excessive paving or grading shall include paving or grading over any part of the Critical Root Zone of a tree.

Turning Radius: the inside radius of the Vehicular Lanes available for a vehicle to make a turn, accounting for the presence of parking, bike lanes, medians or other features. See Illustration 9.3.C-3 (Curb Radius). Table 5.2.2.G-1 (Thoroughfare Assemblies & Standards) and Illustration 9.3.T-4 (Turning Radius). See also Curb Radius.

ILLUSTRATION 9.3.T-4 TURNING RADIUS



2625

2626 **Usable Floor Area:** the Floor Area within a Building, less the area of space used for utilities or storage.

Floor Area Within Building	**-**	***Space Used For Utilities or Storage***	**=**	***Useable Floor Area***

2627

2628

Utility(ies): (1) as a Uses category under this Ordinance, the Uses category involving uses, activities, and equipment involved with the providing electricity, gas, water, sewage, telephone, cable, or other similar publicly regulated service, such category of Uses including without limitation Utility Lines, Utility Distribution / Substation / Switching Facility, and Utility Pumping Station (See Table 4.3.9.A-1 (Building, Lot & Building Site Principal Use); (2) as a service, electricity, gas, water, sewage, telephone, cable, wireless communications, or other similar publicly regulated service provided by a Utility Provider.

Two-Family Detached Dwelling: separate Residential premises for only two Families within a Building, whether both Dwelling Units are on a single Lot or Building Site or Abutting Lots or Building Sites. A Duplex is a specific Building Type that may accommodate a Two-Family Detached Dwelling, but the terms are not synonymous.

Unified Control of a Landholder: with respect to a Planned Unit Development, control by a single Person of all land to be developed within the overall Planned Unit Development site.

Use: a specific function, activity, or purpose accommodated by or intended to be accommodated by land, a Lot, Building Site, or a Structure, or for which land, Lot, Building Site, or Structure is designed, arranged, intended, occupied or maintained. See Table 4.3.9.A-1 (Building, Lot & Building Site Principal Use) and Table 4.3.9.A-2 Building, Lot & Building Site Accessory Uses).

Utility Distribution / Substation / Switching Facility: facility used for Utility distribution, including systems, and equipment used for such purposes.

Utility Facility: premises used by a Utility Provider relative to providing a Utility service, including without limitation a Utility Pumping Station, a Utility Distribution / Substation/ Switching Facility, a water tower or tank, a Water Treatment / Supply Facility, a water or wastewater pump station, a water reclamation facility, a Sewage Facility, a Utility Generation Facility, a Wireless Communications Facility, a Communications Tower, or other facility used to provide a Utility service, excluding, however, Utility Lines.

Maintenance yard or Building (see Light Industrial Service), Utility office (see Office), TV and radio studio (see Office), and Reservoir or water supply (see Civic Space and Open Space) are not included in this Use Category.

Utility Generation Facility: facility used for electric or gas power generation (except hydroelectric and nuclear), control and transmission. This definition includes systems that facilitate the sale of gas or electricity via power distribution systems operated by others, and gas or electric power transmission systems such as transmission towers, pipes or lines, and transformer stations, but does not include Utility Distribution / Substations / Switching Facilities.

Utility Line: a line used in providing a Utility service.

Utility Provider: a public or private entity or other Person engaged in generating, transmitting, distributing, or providing a Utility service.

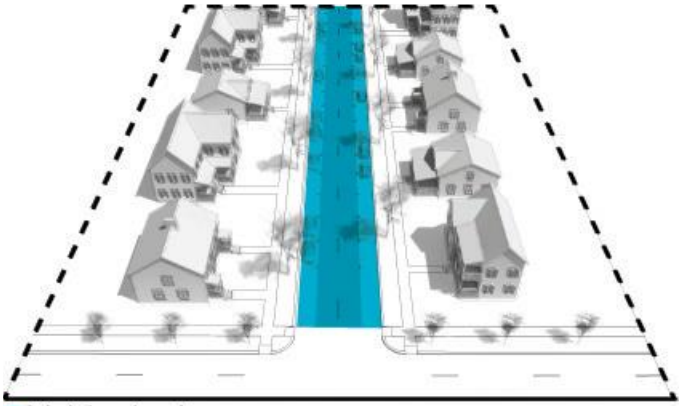
Utility Pumping Station: a facility at which water, sewage, or other Utility fluids are pumped from one place to another.

Utility Transmission Line: line used for the movement of high powered electricity or high pressure gas.

Variance: relief granted by the Board of Zoning Appeals from a standard or requirement of this Ordinance, which is specifically provided for in this Ordinance or granted pursuant to the provisions of Article 8 (Administration, Procedure, & Enforcement).

Vehicular Lane: an area of a Thoroughfare or Internal Drive for parked or moving vehicles. See Illustration 9.3.V-1 (Vehicular Lane).

ILLUSTRATION 9.3.V-1 VEHICULAR LANE



Vessel: a Boat, yacht, ship, canoe, kayak, paddle board, paddle board, jet-ski, or recreational or other watercraft.

Veterinary Office, Clinic, or Hospital: premises or an establishment offering Veterinary Services for animals.

Veterinary Services: health or medical care provided to animals by a licensed veterinarian.

Wall: a vertical Structure that (1) supports a Structure or (2) encloses or separates an area of land.

Wall Sign: the Sign Type described as such in Table 7.1.2.B-1 (Sign Types - Summary) and Table 7.1.2.B-2 (Sign Types - Specific Standards).

Warehouse Retail: a Retail establishment that has limited customer amenities and service and sells goods at discounted prices.

Warehousing: the indoor storage of goods, not including storage in Self-Service Storage facilities.

Warehouse: premises used for Warehousing, not including Self-Service Storage facilities.

Warehouse and Freight Movement: Use sub-category of the Industrial Category characterized by the storage or movement of goods.

Not included in this sub-category are bulk storage of flammable liquids (see Heavy Industrial), Self-Storage Facilities, Mini-warehouse, multi-story enclosed storage facility, storage garages (see Self-Service Storage), Solid or liquid waste transfer, or composting (see Waste- Related Service).

Waste-Related Service: Use sub-category of Industrial Use category characterized by Uses that receive solid or liquid wastes from others for transfer to another location and Uses involving collection of sanitary wastes or manufacture or production of goods or energy from the composting of organic material.

Not included in this sub-category are:

Stockpiling of sand, gravel, or other aggregate materials (see Warehouse and Freight Movement).

Water Treatment / Supply Facility: facilities for the treatment and supply of potable, irrigation, or industrial water supply.

Wholesale Sales: the sale, lease, or rent of goods in large quantities primarily to industrial, institutional, and commercial business customers, which goods may or may not be resold at Retail by such customers.

Retail Sales, Personal Service, Repair, Arts, and Artisan Use, in-store sales, lease, or rental of consumer, household, or business goods, Warehousing or Freight Movement (see Warehouse and Freight Movement), and Warehouse or Wholesale Club (see Retail Sales and Service) are not included in Wholesale Sales.

Window Sign: the Sign Type described as such in Table 7.1.2.B-1 (Sign Types - Summary) and Table 7.1.2.B-2 (Sign Types - Specific Standards).

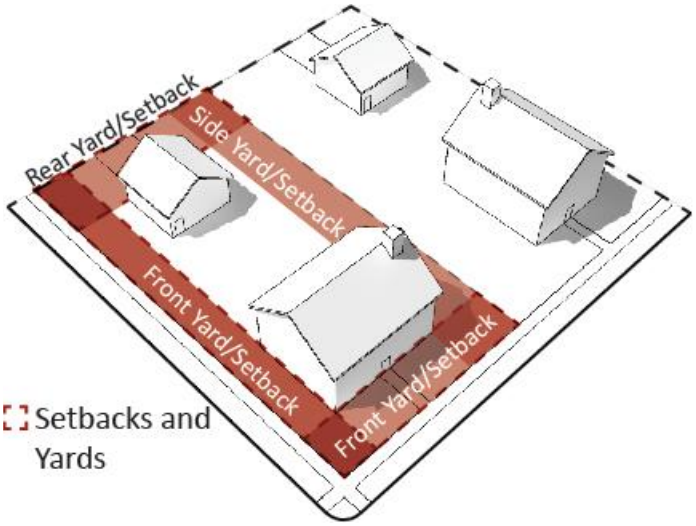
Winery: an establishment which is primarily used for the manufacture of vinous beverages in accordance with applicable state and local regulations.

Wireless Communications Facility: any facility for the receiving or transmitting of wireless signals for commercial purposes. As used herein the term shall include any necessary support structure, connection cables and equipment buildings as well as towers or monopoles.

Woodworking Shop: premises at which wooden articles are made or repaired.

Yard or Setback Area: an open area within a Lot or Building Site on which there is a Building. Setback Areas or Yards are described by their positions within the Lot or Building Site, and their area is calculated as the shortest horizontal distance from a Lot or Building Site Line to the nearest foundation wall supporting Building on the Lot or Building Site. See "Front Setback, Setback Area, or Yard", "Street Setback, Setback Area, or Yard", "Rear Setback, Setback Area, or Yard", and "Side Setback, Setback Area, or Yard". See Illustration 9.3.R-1 (Setback Areas or Yards).

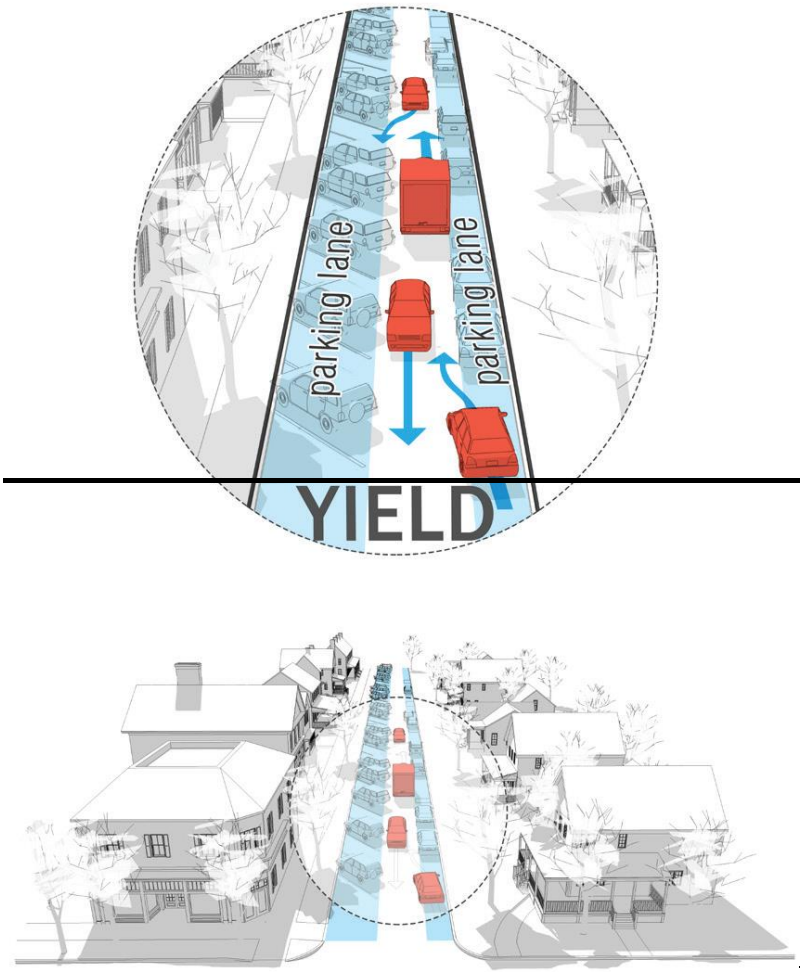
ILLUSTRATION 9.3.R-1 YARD / SETBACK AREAS



~~**Yield:** characterizing a Thoroughfare or Internal Drive that has two-way traffic but only one effective travel lane because of parked cars, necessitating slow movement and driver negotiation.~~

~~Also, characterizing Parking accommodations on such a Thoroughfare or Internal Drive. See Illustration 9.3.Y-1 (Yield).~~

~~**ILLUSTRATION 9.3.Y-1 YIELD**~~



Zoning Administrator: the City Planning ~~Director~~or other person designated to administer the provisions of Zoning Ordinance as described in Article 8.

Zoning Change: the Effective Date of any applicable Zoning Map Amendment (Rezoning) or of any applicable amendment of this Ordinance.

Zoning District: a Character District, Special District, Planned Unit Development District, or Civic District.

Zoning Map: the map or set of maps, which show the Districts, Thoroughfares and Internal Drives, and Special Requirements if any, of areas subject to, or proposed to be subject to, regulation by this Ordinance.

The Zoning Map approved by the City Council, as the same may be amended from time to time, constitutes the Official Zoning Map of the City.

Zoning Permit: a permit required to Develop, construct, reconstruct, Improve, Alter, or use any Structure, Lot or Building Site.

SECTION 8.1 PURPOSE & INTENT.

It is the purpose and intent of this Article to provide for the proper and efficient administration of this Ordinance, for procedures for the implementation of this Ordinance, and for enforcement of this Ordinance.

SECTION 8.2 ADMINISTRATION.

8.2.1 Zoning Administrator.

A. Authorization.

1. There is hereby created the Office of the Zoning Administrator. The Zoning Administrator shall be executive head of such office. This Ordinance shall be administered by the Zoning Administrator.

2. The Zoning Administrator shall have all authority, take all actions, and discharge all duties and responsibilities under this Ordinance, as specified herein, under applicable law, or as directed by the Planning Commission, the Board of Zoning Appeals, or the City Council.

3. The City Planner is hereby designated and appointed as the Zoning Administrator. In the absence of a City Planner, the Zoning Administrator shall be such person as may be designated by the City Manager.

B. Method of Acting.

The Zoning Administrator, may act directly or through any one or more of its designees. The Zoning Administrator may designate any staff member to represent the Zoning Administrator in exercising or discharging any of actions, duties, or responsibilities under this Ordinance, which are within Zoning Administrator's authority. The Zoning Administrator shall remain responsible for any final action.

C. Powers & Duties.

In order to assure compliance with the provisions of this Ordinance, and in addition to the general authority of the Zoning Administrator pursuant to Section 8.2.1.A above, the Zoning Administrator shall have the following specific powers and responsibilities:

1. Reviewing, making recommendations regarding, and certifying completeness and compliance of the following:

a. Applications for Development Plans and Master PUD Development Plans

b. Applications for Certificates of Appropriateness;

c. Amendments to adopted Land Use Plans;

d. Amendments to the text of this Ordinance;

e. Applications for Rezoning;

f. Applications for Historic District designation; and

g. Vested rights determinations.

2. Making final administrative decisions on the following:

a. Interpretations of this Ordinance;

b. Issuing of all Zoning Permits, and the creating and maintaining all pertinent records;

c. Applications for Sketch Development Plans;

d. Applications for certain Site Development Plans;

e. Applications for Floodplain Development Permits;

f. Administrative Adjustments;

g. Applications for Temporary Use Permits;

h. Applications for Home Occupation Permits;

i. Applications for Sign Permits.

j. Applications for Certificates of Occupancy;

k. Applications for Determination of Economic Hardship; and

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l. Applications for removal of Heritage Trees within a required Buffer area or credit for preservation of existing vegetation, including Heritage Trees.

3. Administering the provisions of any certified Development Plan or Master PUD Development Plan and any approved Conditional Use or approved site plan, except where administration is otherwise expressly provided in this Ordinance to be the responsibility of other City personnel;

4. Reviewing and certifying whether plans and applications submitted pursuant to this Ordinance are complete and in compliance with all standards and requirements hereof;

5. Together with Decision-Making Authorities and other City code enforcement personnel as provided herein, enforcing this Ordinance and the provisions of any Development approval, permit, or plan certified, approved, or issued under this Ordinance;

6. Taking all actions and discharging all duties and responsibilities as directed by the Planning Commission, Board of Zoning Appeals, or City Council; and

7. Taking all other actions as Zoning Administrator specified in this Ordinance.

D. Additional Responsibilities.

The Zoning Administrator shall have the following additional responsibilities:

1. Provide information to the public on all matters relating to this Ordinance;

2. Receive, file, and forward to all necessary agencies all applications for Conditional Uses and for amendments to this Ordinance;

3. Undertake a study of the provisions of this Ordinance, and make reports of his/her recommendations to the Planning Commission as necessary.

4. Receive, file and forward to the Board of Zoning Appeals all applications for matters on which the Board of Zoning Appeals is required to review under the provisions of this Ordinance;

5. Maintain permanent and current records of this Ordinance, including, but not limited to, all maps, amendments, Conditional Uses, Variances, appeals, and applications therefor;

6. Prepare an annual report summarizing annexation requests and subsequent action on such requests, and submit the same annually to the City Council;

7. Not make changes in the provisions of this Ordinance, excepting as provided in Section 8, and

8. Not refuse to issue a permit when conditions imposed by this Ordinance are complied with by the applicant, despite the violation of contracts such as deed covenants or private agreements which may occur upon the granting of said permit.

E. Procedures & Guidelines.

The Zoning Administrator shall develop, approve, and implement administrative procedures and guidelines to execute the provisions of this Ordinance.

SECTION 8.3 REVIEW AND DECISION-MAKING AUTHORITIES.

8.3.1 General.

Authority under this Ordinance shall be vested in and delegated to the officials and Decision-Making Authorities designated in this Ordinance, the City Code, and Tennessee law. This authority shall be deemed supplemental to any other authority lawfully conferred upon the officials and Decision-Making Authorities.

The officials and Decision-Making Authorities shall have all implied authority necessary to carry out the duties and responsibilities expressly provided in this Ordinance to the extent the implied authority is not in

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conflict with the express authority.

8.3.2 City Council.

A. Creation & Membership.

Information regarding the creation, membership, and rules of procedure of the City Council is available in the City Code.

B. Powers & Duties.

In execution of the provisions of this Ordinance, the City Council shall have the following powers and duties:

1. Final decision on amendments to this Ordinance;

2. Final decision on Rezonings;

3. Final decision on adoption of/or amendments to the Comprehensive Plan,

4. Final decision on the preliminary Master PUD Development Plan of a Planned Unit Development;

5. Final decision on a Heavy Manufacturing Permit; and

6. To perform all duties and functions assigned to City Councils under Tennessee law, this Ordinance, and any applicable Chapter of the City Code.

8.3.3 Planning Commission.

A. Creation & Membership.

Information regarding the creation and membership of the Planning Commission is available in the City Code.

B. Powers & Duties.

In execution of the provisions of this Ordinance, the Planning Commission shall have the following powers and duties:

1. Final decision on certain Development Plans;

2. Make recommendations to the City Council on amendments to this Ordinance;

3. Make recommendations to the City Council on Rezonings;

4. Develop an official Comprehensive Plan for the physical Development of the City, including any area outside of its boundaries which, in the Planning Commission's judgment, bears relation to the planning of the City;

5. Make recommendations to the City Council to amend, extend or add to the Comprehensive Plan or carry any part of subject matter into greater detail;

6. Submit an advisory opinion on any matter before the Board of Zoning Appeals, which opinion shall be made part of the record of such public hearing;

7. Make recommendations to the City Council on a preliminary Master PUD Development Plan; and

8. Make recommendations on compliance for a Final PUD Development Plan or Plat; and

9. To perform all duties and functions assigned to Planning Commissions under state law, this Ordinance, and any applicable Chapter of the City Code.

8.3.4 Board of Zoning Appeals.

A. Creation.

A Board of Zoning Appeals is hereby created for the City (referred to in this Ordinance as "Board of Zoning Appeals").

B. Membership.

The Board of Zoning Appeals shall consist of five (5) members, all of whom shall be bona fide residents of the City both at the time of their appointment and for the duration of their tenure on the Board of Zoning Appeals. No person holding any public office or position within the City government shall be eligible for membership on the Board of Zoning

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Appeals. A member shall be removed from the Board of Zoning Appeals if found to be in violation of these membership requirements at any time during their tenure.

C. Term of Office, Removal & Vacancies.

1. Members of the Board of Zoning Appeals shall serve for three year terms or until their respective successors are appointed and qualified, except that the members first appointed shall serve respectively for the following terms:

a. Two Members – One Year

b. Two Members – Two Years

c. One Member – Three Years

2. All members of the Board of Zoning Appeals shall serve with such compensation as may be fixed by the City Council and may be removed from membership on the Board of Zoning Appeals for continued absence or just cause. Vacancies of said Board of Zoning Appeals shall be filled for the unexpired term of those members whose positions have become vacant in the manner provided herein for the appointment of such member.

D. Election of Officers.

The Board of Zoning Appeals shall elect from its members a chairman and vice chairman, who shall serve for one year and may upon election serve succeeding terms. The City shall provide necessary secretarial services for members of the Board of Zoning Appeals.

E. Meetings.

Regular meetings of the Board of Zoning Appeals shall be held at such time and place as established by the Zoning Administrator on behalf or such Board. Special meetings may be held at the call of the chairman or at the request of two members, provided that notice of the special meeting is given to every member at least 24 hours before the time set, except that the announcement of a special session at any meeting at which a quorum is present shall be sufficient notice of such meeting.

F. Conflict of Interest.

Any member of the Board of Zoning Appeals who shall have a direct or an indirect interest in any property which is the subject matter of or affected by, a decision of the Board of Zoning Appeals shall be disqualified from participating in the discussion, decision, and proceedings of the Board of Zoning Appeals in connection therewith. The burden for revealing any such conflict rests with individual members of the Board of Zoning Appeals. Failure to reveal any such conflict shall constitute grounds for immediate removal from the Board of Zoning Appeals for cause.

G. Powers & Duties.

The Board of Zoning Appeals shall have the following powers and duties:

1. Final decision on appeals of any administrative decision made in the enforcement of this Ordinance;

2. Final decision on a Conditional Use Permit;

3. Final decision on an application for a Variance;

4. Interpret zoning District boundaries;

5. Interpret the boundaries of the Flood Hazard Districts on appeal from a decision of the Zoning Administrator;

6. Hear and decide all matters referred to it on which it is required to act under this Ordinance or by statute; and

7. To perform related duties as directed by the City Council;

8. To perform all duties and functions assigned to boards of appeal under state law, this Ordinance,

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and any other applicable Chapter of the City Code.

H. Annual Report.

The Board of Zoning Appeals shall prepare an annual report and submit it to the City Council. The annual report shall include a comprehensive review of the activities, problems, and actions of the Board of Zoning Appeals and any budget requests or other recommendations.

I. Rules.

The Board of Zoning Appeals shall adopt rules for the conduct of its meetings, requiring at a minimum the requirements of Section 8.3.3.J.

J. Proceedings.

1. The presence of three members of the Board of Zoning Appeals shall constitute a quorum and the concurring affirmative vote of at least three members of Board of Zoning Appeals shall be necessary to deny or grant any application before the Board of Zoning Appeals.

2. No action shall be taken by the Board of Zoning Appeals on any case until after a public hearing and notice thereof. Said notice of public hearing shall be a legal notice published in a newspaper of general circulation in the City at least ten days before the hearing of an appeal. No appeal shall be considered and heard by the Board of Zoning Appeals earlier than 15 days after filing such appeal. If new information is uncovered regarding an action of the Board of Zoning Appeals that could not have been reasonably presented in public hearing before the Board of Zoning Appeals, the Board of Zoning Appeals shall establish a date for the purpose of rehearing in accordance with the appropriate procedures herein.

3. The Board of Zoning Appeals may call upon any other office or agency of the city government for information in the performance of its duties and it shall be the duty of such other agencies to render such information to the Board of Zoning Appeals as may be reasonably required.

4. All hearing sessions shall be open to the public.

K. Appeal.

1. Any officer, agency or department of the City or other aggrieved party may appeal any decision of the Board of Zoning Appeals to a court of competent jurisdiction as provided by State law.

2. An appeal shall stay all proceedings relating to the action under appeal, unless the Zoning Administrator certifies to the Board of Zoning Appeals, after such notice of appeal has been filed, that by reason of facts stated in the certificate, such stay would cause imminent peril to life or property. In such instance, the proceedings shall not be stayed otherwise than by a restraining order stating the justification for the stay, which may be granted by a court of competent jurisdiction, on notice to the Zoning Administrator.

L. Rehearing.

1. No Rehearing of a Decision by the Board of Zoning Appeals shall be had except:

a. On motion by Board of Zoning Appeals member to reconsider the vote; or

b. On a written request for a hearing by the property owner or authorized agent.

2. All rehearing requests must conform to the following:

a. All motions or requests to reconsider shall require a majority affirmative vote. Only then shall the Board of Zoning Appeals vote on the motion to grant the request for a rehearing, subject to such conditions as the Board of Zoning Appeals may by resolution in each case, stipulate.

b. No request to grant a rehearing will be entertained unless new evidence is submitted, which could not reasonably be presented at the previous hearing.

c. If the request for a rehearing is granted, the

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case shall be put on the calendar for a rehearing. In all cases, the request for a rehearing shall be in writing, reciting the reasons for the request and shall be duly verified and accompanied by the necessary data and diagrams. The person(s) requesting the rehearing shall be notified to appear before the Board of Zoning Appeals on a date to be set by the Board of Zoning Appeals.

d. No rehearing for a Variance shall be granted to an applicant found by a court of competent jurisdiction to be in willful violation of the express provisions of a prior Variance granted under the authority of this Ordinance or any prior ordinance.

8.3.5 Historic Zoning Commission.

A. Creation.

A Historic Zoning Commission is hereby created for the City. The Historic Zoning Commission shall consist of seven members, each of who shall be a resident of, or property or Business owner within, the City prior to the appointment and who shall continue to be so as long as they serve.

B. Membership.

1. Membership on the Historic Zoning Commission shall be composed of the following members:

a. One member of the Planning Commission.

b. One member representing a local historical or patriotic organization.

c. One architect who is a member, or meets membership requirements, of the American Institute of Architects, if available; if such a qualified architect is unavailable, this position will be filled by another member selected from the community in general.

d. Four members as selected from the City in general.

2. Members of the Historic Zoning Commission shall be appointed by the Mayor, subject to confirmation by the City Council.

3. Except as herein provided, the members of the Historic Zoning Commission shall serve for a five year term. The members first appointed, shall serve respectively as follows:

a. One member for one year;

b. One member for two years;

c. One member for three years;

d. Two members for four years; and

e. Two members for five years.

4. The term of the member nominated from the Planning Commission shall be concurrent with the term on the Planning Commission, and in the event that any other member shall also be a member of the City Council, the term of such member shall be concurrent with the term of the elected office of the member.

5. All members shall serve without compensation and may be removed from membership by the Mayor and City Council.

C. Vacancies.

Vacancies on the Historic Zoning Commission shall be filled for the unexpired term of those members whose position has become vacant in the manner herein provided for the appointment of such member; vacancies shall be filled within 60 days.

D. Election of Officers.

The Historic Zoning Commission shall elect from its members its own chairman and other officers deemed appropriate to carry out its purpose.

E. Conflict of Interest.

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Any member of the Historic Zoning Commission who shall have a direct or indirect interest in any property which is subject matter of or is affected by a decision of the Historic Zoning Commission shall be governed by the provisions of TCA Section 12 – 4 – 101.

F. Rules & Meetings.

1. The Historic Zoning Commission shall adopt rules of order and establish regular meeting dates.

2. Four members of the Historic Zoning Commission shall constitute a quorum for the transaction of its business.

3. The concurring vote of a majority of the Historic Zoning Commission members present shall constitute final action of the commission on any matter before it.

G. Powers & Duties.

Subject to state law and the procedures prescribed hereunder, the Historic Zoning Commission shall have the following powers, functions and duties:

1. To create and to recommend the adoption of legislation which will facilitate establishment of Historic Districts wherein the construction, repair, Alteration, rehabilitation, relocation or demolition of any Structure now located or to be located will be subject to special provisions as set forth herein and as further specified in TCA Section 13 – 7 – 402.

2. To create and recommend the enactment of legislation providing for the transfer of Development rights as a portion of the legislation which establishes any Historic District and as further specified in TCA Section 13 – 7 – 402 (C).

3. To testify before all boards and commissions, including the Planning Commission, City Council and the Board of Zoning Appeals, on any matter affecting historically and architecturally significant property, Structures and areas.

4. To conduct a survey of Buildings, places or areas within the City for the purpose of identifying those of historic or cultural significance.

5. To develop and adopt, prior to the establishment of any Historic District, review guidelines as specified in Section 8.5.12.F.3, which the Historic Zoning Commission will apply in ruling upon the granting or denial of a Certificate of Appropriateness.

6. To submit and to review all applications designating Historic Districts.

7. To review and make decisions on any application for a Certificate of Appropriateness as specified in Section 8.5.13.C and to require the presentation of such plans, drawings, elevations and other information as may be necessary to make such decisions.

8. To determine an appropriate system of markers for designation of Historic Districts.

9. To prepare and publish maps, brochures and other descriptive material about the City's Historic Districts, Historic Landmarks and Historic Structures.

10. To cooperate with and enlist the assistance of persons, organizations, corporations, foundations and public agencies in matters involving historic preservation, renovation, rehabilitation and property reuse.

11. To advise and assist owners of Historic Properties on physical and financial aspects of preservation, renovation, rehabilitation and reuse.

12. To accept gifts, grants and money as may be appropriate for the purposes of this Article.

13. To adopt, publish and make available Bylaws for the conduct of Historic Zoning Commission meetings.

14. To exercise such powers as may be delegated it by the Tennessee Historical Commission under the certified Local Government's Historic Preservation

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Program, to include participation in the review of nominations to National Register of Historic Places, and enforcement of appropriate state and local legislation for designation and protection of Historic Properties.

15. To review proposed zoning amendments, applications for Conditional Use Permits, Variances, and applications for subdivision that affect proposed or designated Historic Districts.

16. To retain such specialists or consultants or to appoint such citizen advisory committees as may from time to time be required.

17. To confer recognition upon the owners of property within Historic Districts.

18. To develop a preservation component in the Comprehensive Plan of the City and to recommend it to the Planning Commission.

19. To review periodically this Ordinance and to recommend to the Planning Commission and City Council any amendments appropriate for the protection of Historic Properties..

20. To undertake any other action or activity necessary or appropriate to the implementation of its powers and duties or to implementation of the purposes of this Article.

21. To review signs citywide of an historic nature as it relates to the original building of at least 50 years old at time of code adoption.

8.3.6 Architectural Design Review Team.

A. Creation.

There is hereby created the Architectural Design Review Team for the purpose of reviewing Development applications that are subject to design review pursuant to this Ordinance.

B. Membership.

1. The Architectural Design Review Team shall be composed of the following:

a. Current president of the Maury Alliance or City Chamber of Commerce, or their designee; and

b. Two citizen members, appointed by the City Council, one who should be a registered architect or landscape architect, and the other who should be the owner of a Business registered in the City, and which citizen members shall serve staggered two-year terms, with a maximum of three consecutive terms.

C. Vacancies.

Any vacancy in the membership shall be filled for the unexpired term in the same manner as the initial appointment.

D. Removal.

The City Council may remove and replace any member which it has appointed for cause.

E. Meetings.

Meetings shall be held on an as-needed basis.

F. Rules of Procedure.

The Architectural Design Review Team shall adopt rules of procedure, which shall include at a minimum the following:

1. An affirmative vote of a majority of the eligible members of the Architectural Design Review Team present and voting shall be required for all recommendations; and

2. Failure of the Architectural Design Review Team to meet or to review a particular application within 30 days of the submittal of such application to the Team shall be deemed to be a recommendation of approval by the Team.

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G. Powers & Duties.

1. The Architectural Design Review Team shall be responsible for reviewing and making recommendations regarding proposals for Building Permit or Planned Unit Development approval.

2. Review by the Architectural Design Review Team shall be limited to the criteria established within this Ordinance.

3. As necessary, the Architectural Design Review Team shall periodically review and make recommendations regarding any necessary changes to the Building Facade Regulations within this Ordinance.

H. Annual Report.

The Architectural Design Review Team shall prepare an annual report and submit it to the City Council. The annual report shall include a comprehensive review of the activities and actions of the Architectural Design Review Team and any other recommendations.

8.3.7 Development Review Committee.

There shall be a Development Review Committee. Such Committee shall consist of the Zoning Administrator or designee and other staff that the Zoning Administrator deems necessary to review an application. The Zoning Administrator shall chair the Committee.

The Committee chair shall prepare and retain a report on each meeting of the Committee. The Committee is authorized to review and provide input on any project proposal forwarded to the Committee by the Zoning Administrator. Additionally, the Committee is authorized to review and provide input on each Site Development Plan and Master PUD Development Plan or amendment to Master PUD Development Plan in accordance with Section 8.5.6.I.3.

8.3.8 Other Review & Decision–Making Authorities.

A. General.

In addition to those bodies previously identified in this Section 8.3, other bodies as listed below may have review on projects, Development, and property within the City.

1. Development Services Department;

2. Department of Public Works;

3. Wastewater Department;

4. Fire Department;

5. City Power and Water Systems;

6. Police Department;

7. Other departments and agencies as may be required under applicable law.

SECTION 8.4 LIABILITY.

Neither any Board of Zoning Appeals, Planning Commission, Historic Zoning Commission, or Architectural Design Review Team member, the Zoning Administrator, nor other City employee charged with implementation or enforcement of this Ordinance, acting for the City in the discharge of his duties, shall not be liable personally, and is hereby relieved from all personal liability.

All such persons shall be held harmless by the City from and against any damage that may occur to persons or property as the result of any act required or permitted in the discharge of his duties.

Any suit brought against any of such persons shall be defended by legal representatives furnished by the City

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at the City's expense until the final termination of such proceedings.

SECTION 8.5
APPLICATIONS & DEVELOPMENT REVIEW PROCEDURES

8.5.1 Types of Applications & Development Reviews.

Development review as regulated by this Ordinance, may involve one or more of the following types of applications, requests, and Development reviews:

1. Interpretation of this Ordinance
2. Building Permit
3. Sketch Development Plan Review
4. Site Development Plan Review
5. Floodplain Development Permit
6. Administrative Adjustment
7. Temporary Use Permit
8. Home Occupation Permit
9. Certificate of Occupancy
10. Historic District Designation
11. Certificate of Appropriateness
12. Demolition by Neglect
13. Certificate of Economic Hardship
14. Design Review
15. Conditional Use Permit
16. Variance
17. Appeal of Administrative Decision
18. Zoning Ordinance Amendment
19. Rezoning
20. Comprehensive Plan or other Land Use Plan Amendment or Adoption
21. Planned Unit Development Master Development Plan
22. Heavy Manufacturing Permit
23. Sign Permit
24. Other Applications and Reviews

8.5.2 Interpretation of Ordinance.

A. Zoning Administrator Authorized.

When uncertainty exists, the Zoning Administrator shall be authorized to make all interpretations concerning the provisions of this Ordinance with the exception of the interpretations listed in Section 8.5.2.B.

B. Certain Exceptions.

1. All interpretations of matters relating to the City Building Code shall be made by the Building Official or designee.

2. The Zoning Administrator may refer interpretations of other provisions outside this document to the appropriate City and/or County officials.

C. Initiation / Request for Interpretation.

1. The Zoning Administrator may make an interpretation concerning the provisions of this Ordinance on his own initiative, at the request of the Planning Commission, City Council, Historic Zoning Commission, or Board of Zoning Appeals.

2. In addition to requests pursuant to Section 8.5.2.C.1, a request for interpretation may be made by persons having legal authority to take action in

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accordance a Zoning Permit. Such persons shall include without limitation owners or lessees of property, or their agents, and persons who have contracted to purchase property contingent upon their ability to acquire the necessary permits under this Ordinance, or the agents of such persons. The Zoning Administrator may require an a requesting person or agent to submit evidence of his or her authority to submit the request for interpretation.

D. Action by Zoning Administrator.

1. Upon receipt of a request pursuant to Section 8.5.2.C, the Zoning Administrator shall:

a. Review and evaluate the request in light of the text of this Ordinance, the Official Zoning Map, the Comprehensive Plan and any other relevant information;

b. Consult with the Building Official and coordinate with other staff, including the City Attorney, as necessary; and

c. Render an opinion.

2. The interpretation shall be provided in writing to the requesting party.

E. Official Record.

The Zoning Administrator shall maintain an official record of all interpretations. The record of interpretations shall be available for public inspection during normal business hours.

F. Appeal.

1. Final action on an interpretation of this Ordinance by the Zoning Administrator or designee pursuant to Section 8.5.2.C.2 may be appealed in accordance with Section 8.5.17, Appeal of Administrative Decision.

8.5.3 Summary of Review Authority.

The following **Table 8.5.3 (Review Authority)** summarizes review authority under this Ordinance.

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Table 8.5.3 Review Authority

Application or Permit	Zoning Administrator	Design Review Team	Historic Zoning Commission	Board of Zoning Appeals	Planning Commission	City Council	Section
Interpretation of the Ordinance	D			< A >			8.5.2
Zoning Permit	D			< A >			8.5.5
Development Plan Review	D / R	R / D*		< A >	< D* >		8.5.6
Floodplain Development Permit	D			< A >			8.5.7
Administrative Adjustment	D			< A >			8.5.8
Temporary Use Permit	D			< A >			8.5.9
Home Occupation Permit	D			< A >			8.5.10
Sign Permit	D		R	< A >			8.5.23
Certificate of Occupancy	D			< A >			8.5.11
Historic District Designation	R		< R >	< A >		< D >	8.5.12
Certificate of Appropriateness	R*		< D >	< A >			8.5.13
Demolition by Neglect	D		< A >	< A >			8.5.14
Conditional Use Permit	R		R	< D >			8.5.16
Appeal of Administrative Decision				< D >			8.5.17
Variance	R		R	< D >			8.5.16
Zoning Ordinance Amendment	R		R		R	< D >	8.5.18
Rezoning			R		R	< D >	8.5.19
Plan Amendment/Adoption	R		R		R	< D >	8.5.20
Preliminary PUD Development Plan Approval	R	R	R		< D >	< D >	8.5.21
Final PUD Development Plan Approval	R					< D >	8.5.21
Heavy Manufacturing Permit	R					< D >	8.5.22

LEGEND The following notations are utilized in this table.					
	R Review or Recommendation		D* Final decision on certain developments (ADRT has authority to approve design elements only)		
* Certain Certifs of Appropr. D by ZA	D Decision		A Appeal	< > Public Hearing(s) Required	

ARTICLE 8

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8.5.4 Common Review Procedures.

A. Applicability.

The review procedures described in this Section 8.5.4 apply as may be listed by the individual relevant Sections found in this Article.

B. Pre-Application Conference.

1. Before submitting an application for any Development or Plat approval, it is recommended that each applicant schedule a pre-application conference with the Zoning Administrator to discuss the procedures, standards and regulations required in accordance with of this Ordinance.

2. A pre-application conference is not required for Developments of 2 or fewer one- or two-family Dwellings.

3. A pre-application conference with the Zoning Administrator shall be required but not limited to the following types of Development review:

a. Application for Development Plan or Plat, of 3 or more one- or two-family Dwellings;

b. Application for Conditional Use Permit;

c. Application for a Variance or Administrative Adjustment;

d. Application for Rezoning or Zoning Ordinance Amendment, including Rezoning to a PUD; and

e. Application for Heavy Manufacturing Permit.

f. Application for Certificate of Appropriateness

C. Application Requirements.

1. Applications required under this Ordinance shall be submitted on forms and in such numbers as required by the appropriate department. All forms shall include, at a minimum, the following information:

a. Contact information for the individual or firm submitting the application.

b. Contact information for the individual or firm on whose behalf the application is being submitted.

c. If applicable, identification of the property affected by the application, such as a legal description, address, or PIN as may be appropriate; and

d. Any other information required by the Zoning Administrator, other appropriate department, or the provisions of this Ordinance.

2. All applications and associated fees shall be filed with the appropriate department.

3. Filing fees shall be established from time to time to defray the actual cost of processing the application.

4. All applications must be complete before the appropriate department is required to review the application.

5. A determination of whether a Development application is complete shall be made by the Zoning Administrator no more than five days after submittal of the application.

6. An application that contains all required information shall be deemed complete.

7. If the application is determined not to be complete, the Zoning Administrator shall notify the applicant. The notification shall list all missing or incomplete items and provide a specific period of time for the applicant to resubmit the material for the next scheduled meeting. The applicant may request an additional meeting for explanation of the missing or incomplete items. If the application is not resubmitted within the period specified by the Administrator, the application shall be deemed rejected and shall not be accepted for filing. After an application has been rejected, a new application and fee shall be required.

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8. A determination of completeness does not preclude any negative final action and does not include any implied determination that the application successfully meets any review criteria.

9. If an incomplete application is erroneously deemed complete and later determined to be incomplete, Section 8.5.4.C.7 shall apply. The applicant may rely on the recommendations of the appropriate department as to whether more or less information should be submitted.

10. The Zoning Administrator may require an applicant to present evidence of authority to submit the application.

11. Applications sufficient for processing shall be submitted to the Zoning Administrator in accordance with the published calendar schedule. Schedules indicating submittal dates shall be developed each year and made available to the public.

12. Applications for Development approvals may be filed and reviewed simultaneously, at the option of the applicant. Any application that also requires a Variance or Administrative Adjustment shall not be eligible for final approval unless and until such relief has been granted.

13. Applications submitted simultaneously are subject to approval of all other related applications; denial or disapproval of any concurrently submitted application shall stop consideration of any related applications until the denied or disapproved application is resolved.

D. Notice & Public Hearing.

1. Notice shall be required for applications for Development approval as shown in **Table 8.5.4.D–1 (Summary of Notice Requirements).**

Table 8.5.4.D–1 Summary of Notice

Procedure	Published	Posted	Mailed
Historic District Designation			●
Appeal of Administrative Decision	●		
Certificate of Appropriateness	●		
Demolition by Neglect			
Conditional Use Permit	●		●
Variance	●		●
Ordinance Amendment	●		
Rezoning	●	●	●
Comprehensive Plan Amendment/Adoption	●		
Planned Unit Development	●	●	●
Heavy Use Permit		●	●
Design Review	●		

3. For published notice, in addition to other requirements that may be required for the specific procedure, the following shall be required:

a. a distinctive notice shall be placed by the Development Services Department in a newspaper of general circulation within the City at least ten days but not more than 30 days prior to the Planning Commission or Board of Zoning Appeals meeting, as applicable;

b. the notice shall include, at a minimum:

(1) The time, date, and location of the proposed meeting or hearing; and

(2) A summary description of the proposed

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action.

4. For posted notice (sign), in addition to other requirements that may be required for a specific procedure, the following shall be required:

a. The sign shall specify the phone number for the City Development Services Department.

b. The sign shall be constructed of a rigid waterproof material, such as plastic board or metal. Letters shall be at least 2" tall.

c. The sign shall have a minimum dimension of 18" tall by 24" wide and legs of sufficient length to raise the top of the sign 36" above the adjacent grade.

5. For an application to be considered complete, at least ten days prior to the meeting, the applicant and/or the Development Services Department shall post any required signs. The signs shall remain in place and in readable condition until one of the following occurs:

a. The request has received final action by the Decision–Making Authority; or

b. The applicant withdraws the request.

6. If the signs are removed during the decision process, the signs shall be replaced and re–certified by the Development Services Department.

7. Signs for all requests shall be removed following final action by the Decision–Making Authority or when the applicant withdraws the request.

8. Posted notices shall be installed by the City in conformance with the following:

a. One sign shall be placed on or to the closest extent possible along the property line fronting on a public street.

b. Properties fronting on more than one public street must have one single sign on the property line fronting along each public street.

c. Signs shall be placed at mid – point on the street frontage from which the site is addressed. If signs are not clearly visible at such midpoints, then they shall be placed at the clearest point of visibility as determined by the Zoning Administrator.

d. On properties where existing Structures encroach into the minimum sign setback area, the sign shall be located on such Structures so that the top of the sign is located seven to ten feet above grade.

e. In situations where site conditions prevent the placement of signs in conformance with the requirements in Sections 8.5.4.D.7.a through 8.5.4.D.7.d above, alternative placement may be approved by the Zoning Administrator.

9. For mailed notice, in addition to other requirements that may be required for the specific procedure, the following shall be required:

a. All letters shall be sent by the City using certified U.S. Mail.

b. The letter shall specify the street address and phone number for the City Development Services Department.

c. If the letter shall contain a notice of an upcoming meeting or hearing, the letter shall include the date, time, location of the meeting and the body before which the meeting or hearing shall take place.

d. The letter shall contain the proposed action and street address for the property in question.

e. All letters shall be mailed at least ten days prior to the scheduled meeting, hearing, or other action.

f. Letters shall be mailed to all owners of property that is Adjacent to the property in question.

10. Minor defects in notice shall not impair the notice or invalidate proceedings pursuant to the notice if a bona fide attempt has been made to comply with

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applicable notice requirements.

11. A public hearing shall be held for the following procedures before the City Council, Planning Commission, Board of Zoning Appeals, or Historic Zoning Commission, as indicated:

Table 8.5.4.D–10 Required Hearing

Procedure	City Council	Planning Commission	Board of Zoning Appeals	Historic Zoning Commission
Historic District Designation	●			●
Certificate of Appropriateness				●
Conditional Use Permit			●	
Variance			●	
Appeal of Administrative Decision			●	
Ordinance Amendment	●			
Rezoning	●	●		
Plan Amendment/ Adoption	●	●		
Vested Rights Determination	●			
Planned Unit Development	●	●		
Heavy Manufacturing Permit	●			

8.5.5 Zoning Permit.

A. Required.

1. A Zoning Permit shall be required to commence the excavation for or the construction of any Structure, to commence the moving, Alteration, or repair of any Structure, to use any Structure or to change the use of any Structure. Such permit may be independent in form or combined with other department permit processes.

2. The Zoning Permit shall contain a statement that the plans, specifications and intended use of such Structure in all respects conform to the provisions of this Ordinance.

B. Application.

1. Applications for Zoning Permits may be made by persons having legal authority to take action in accordance with the permit, including without limitation the owners or lessees of property, or their agents, or persons who have contracted to purchase property contingent upon their ability to acquire the necessary permits under this Ordinance, or the agents of such persons (who may make application in the name of such owners, lessees or contract vendees).

2. The Zoning Administrator may require an applicant to submit evidence of his or her authority to submit the application for a Zoning Permit.

3. An application for a Building Permit shall be submitted in accordance with Section 8.5.4. All applications for Zoning Permits must be complete before the Zoning Administrator may consider the application.

4. Unless specifically exempted, Development Plan or Master PUD Development review and approval shall be required prior to the issuance of a Zoning Permit.

5. For any application where loading and/or five or more parking spaces are to be provided, the application shall be accompanied by a fully dimensioned site plan drawn to a scale of no less than 1″=200′. Such site plan shall show the location

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of all Structures on the Lot and the location and layout of the proposed parking and loading, including any required vehicular area landscaping.

C. Development of Forms.

The Zoning Administrator shall make every effort to develop application forms, instructional sheets, checklists, or other techniques or devices to assist applicants in understanding the Zoning Permit application requirements and the form and type of information that must be submitted. In classes of cases where a minimal amount of information is necessary to enable the Zoning Administrator to determine compliance with this Section, such applications for Zoning Permits to construct single – family or two – family Dwellings, or applications for Sign Permits, the Zoning Administrator shall develop standard forms that will expedite the submission of the necessary Plans and other required information.

D. Zoning Administrator Action.

1. Upon receipt of a complete application for Zoning Permit and any other required materials, the Zoning Administrator shall have up to 60 days to initiate review of the application. Application review not initiated within 60 days shall be deemed to have automatic approval.

2. Upon hearing recommendations from all appropriate departments and review bodies, the Zoning Administrator shall proceed as follows:

a. In cases where no additional permits are required and all Ordinance requirements have been met, the Zoning Administrator shall issue a Zoning Permit.

b. In cases where an additional permit(s) is required, the Zoning Administrator shall notify the applicant of the additional permit(s).

3. In no case shall a Zoning Permit be issued until all other permits required by this Ordinance have been obtained. Additional permits may include any or all of the following:

a. Temporary Use Permit

b. Home Occupation Permit

c. Sign Permit

d. Certificate of Appropriateness

e. Certificate of Economic Hardship

f. Demolition by Neglect

g. Conditional Use Permit

4. In cases where an amendment to the text of this Ordinance and/or a Rezoning may be required prior to the issuance of a Zoning Permit, the Zoning Administrator shall notify the applicant of the text amendment procedure in Section 8.5.18, and/or the Rezoning procedure in Section 8.5.19.

5. In cases where a Variance or Administrative Waiver may be required prior to the issuance of a Zoning Permit, the Zoning Administrator shall notify the applicant of the Variance procedure in Section 8.5.16 or the Administrative Adjustment procedure in Section 8.5.8.

6. Any Zoning Permit issued by the Zoning Administrator shall become null and void twelve months after the date of its issuance unless Actual Construction has begun and been continued in a diligent manner.

7. Final action on a Zoning Permit may be appealed in accordance with Section 8.5.17, Appeal of Administrative Decision.

8.5.6 Development Plan Review.

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A. Applicability

1. Except as exempted under Section 8.5.6.B below, no Building Permit or Certificate of Occupancy may be issued unless and until a Development Plan has been approved therefor and unless the application for the same includes a Development Plan, which has been certified by the Zoning Administrator as being in compliance with Section 4.3. and this Section 8.5.6.

2. Except as exempted under Section 8.5.6.B below, no Building shall be constructed, re-constructed, or modified, and no Lot or other land shall be Developed, Improved, subdivided, or re-subdivided, and none of the same shall be used, except in compliance with this Ordinance, the Zoning Map, and a Development Plan that has been prepared, submitted, reviewed and certified in accordance with this Article and all standards and requirements applicable thereto.

3. All requirements imposed by a Development Plan shall run with the land and shall apply against any owner, subsequent owner, or occupant.

B. Exemptions.

The following Development, activities, or Uses shall be exempt from Development Plan review, although they may be subject to other review procedures where noted in other Sections of this Ordinance:

1. Ordinary Maintenance and Repair of a Structure (unless review is required under Certificate of Appropriateness).

2. The use or intended use of land for the purpose of agriculture, raising of crops, or forestry.

3. Home Occupations.

4. Accessory Uses incidental to a one- or two-family Residential Use, provided that an Accessory Building or Accessory Structure is not exempt.

5. Any proposal for which an application for Master PUD Development Plan approval has been approved pursuant to Section 8.5.21.

C. Types of Development Plans.

There shall be two types of Development Plans, each applicable to certain types of Development and each having a different level of approval required. The criteria for establishing which type of Development Plan and the corresponding level of approval for each are indicated below:

1. Sketch Development Plan, which is a Development Plan the approval of which is necessary for:

a. A one – or two – family detached Dwelling located on a single Lot or Building Site;

b. A one – or two-family attached Dwelling located on two abutting Lots or Building Sites;

c. A Manufactured Home located on an individual Lot or Building Site; or

d. A request for issuance of a Sign Permit; and

for which no Conditional Use Permit, Variance, or Rezoning is necessary;

2. Site Development Plan, which is a Development Plan the approval of which is necessary for a project that does not meet the criteria listed in Section 8.5.6.C.1 above. See **Illustration 8.5.6 (Development Plan Review Process).**

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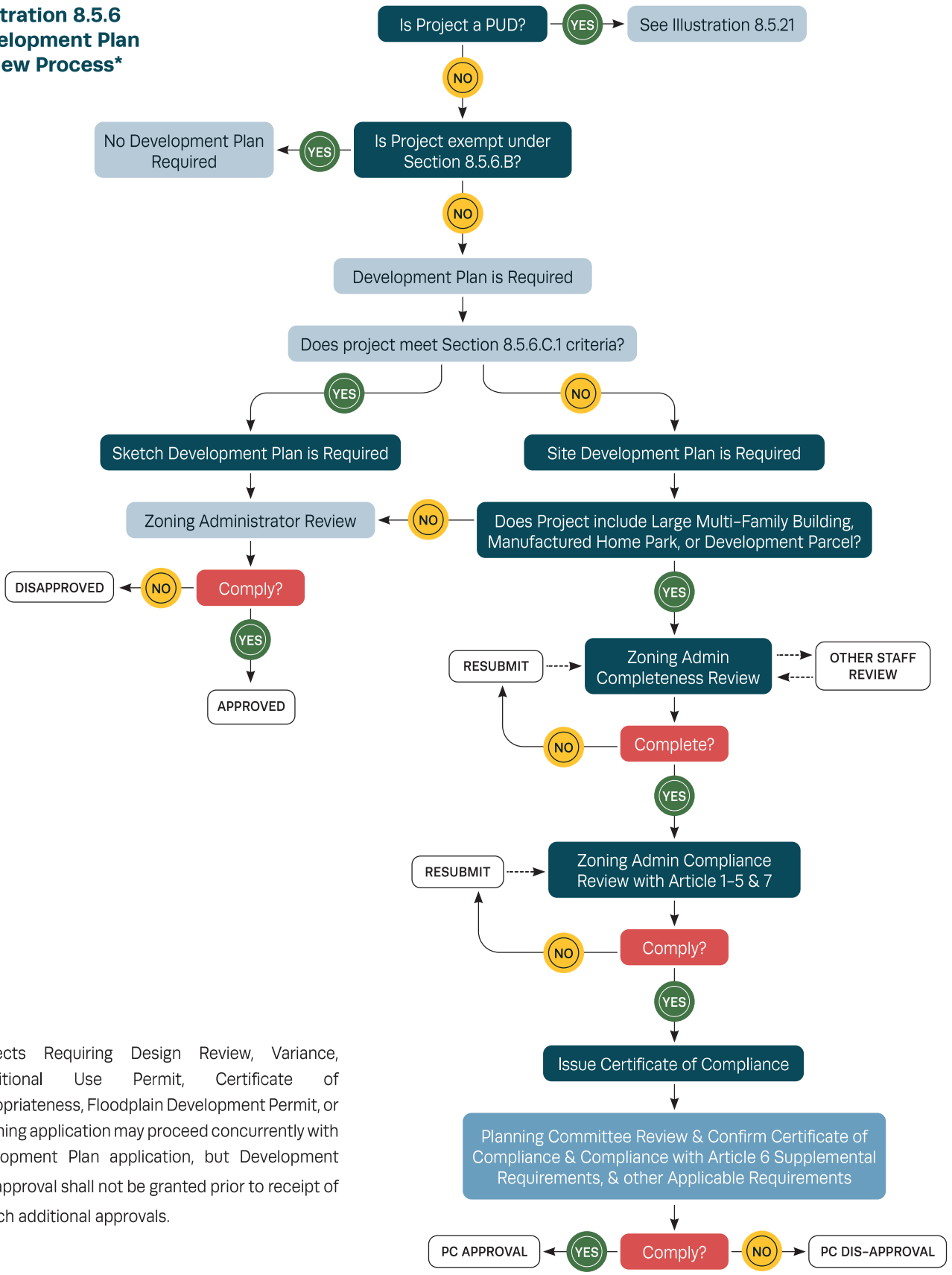
Illustration 8.5.6
Development Plan Review Process*



*Projects Requiring Design Review, Variance, Conditional Use Permit, Certificate of Appropriateness, Floodplain Development Permit, or Rezoning application may proceed concurrently with Development Plan application, but Development Plan approval shall not be granted prior to receipt of all such additional approvals.

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D. Decision–Making Authorities.

1. The Zoning Administrator shall be the Decision–Making Authority for Sketch Development Plans. However, the Zoning Administrator shall have the discretion to refer Sketch Development Plans to the Planning Commission for approval.

2. Except as provided in Section 8.5.6.D.3, the Zoning Administrator shall be the Decision–Making Authority for Site Development Plans. However, the Zoning Administrator shall have the discretion to refer Site Development Plans to the Planning Commission for approval.

3. The Planning Commission shall be the Decision–Making Authority for Site Development Plans that include Large Multi–Family Buildings or Manufactured Home Parks, one or more Development Parcels, or an application referred by the Zoning Administrator.

E. Review by other Departments.

The Zoning Administrator shall ensure that all appropriate review entities have reviewed the proposed project and had opportunity to comment. These review entities may include, but are not limited to: Department of Public Works, Inspections Department, City Engineer, and others. It is encouraged that the applicant addresses all concerns raised by these entities.

F. Development Plan Requirements – General.

1. The following requirements are applicable to all Development Plans and applications:

a. All Development Plans shall be submitted in accordance with Section 8.5.4.

b. In addition, State or Federal regulations may require that additional information be supplied as a part of a submittal.

c. Each Development Plan required under this Article shall be prepared, signed, and submitted by or on behalf of the Owner of the applicable property. If such Plan is prepared, signed, or submitted on behalf of such Owner, a written durable irrevocable power of attorney authorizing such actions to be taken on behalf of the Owner shall accompany the Plan.

d. Each Development Plan shall be prepared in accordance with this Section 8.5.6.F and must conform to all applicable requirements of this Ordinance.

e. Each Development Plan must include all items described in Section 8.5.6.G.

f. Each Development Plan must be submitted for review and action in accordance with this Section 8.5.6.F

g. Each Development Plan shall include:

(1) The name and address of the Applicant and the owner of record, if different from the Applicant.

(2) The name, address, signature, and seal of the professional preparing the Plan.

(3) The title of the Development, date prepared, and date of revisions, if any.

(4) Legal description of the property and tax parcel identification.

(5) A location map drawn to a scale of no smaller than one inch (1") equals 200 feet, with a North arrow, and written and graphic scale legend.

(6) Existing zoning of the property and all Adjoining properties.

(7) The identification of all Adjacent properties, including owners' names.

(8) Description of all existing and proposed restrictions or covenants applicable to the site.

(9) Location, width and purpose of all existing and proposed Easements, Setbacks, Yards, reservations and areas, dedicated to public

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use, both within and Adjacent to the property.

(10) Certified survey of existing conditions of the application property, prepared and sealed by a licensed Tennessee surveyor, and showing at a minimum:

(a) Property lines and measurements,

(b) Tax lot designation,

(c) Utility lines and connections,

(d) Curb cuts,

(e) Street designations, and

(f) North arrow.

(11) Detailed Plan prepared and signed, and sealed by prepared, signed, and sealed by an architect, landscape architect, engineer, or land surveyor licensed to practice by the State of Tennessee, and signed by the applicant, which shall include the following, fully dimensioned and presented at a scale no smaller than 1" = 50' unless a different scale is otherwise approved in writing by the Zoning Administrator showing the location, height, and materials associated with the following:

(a) Screens

(b) Streetscreens;

(c) Walls and Fences;

(d) Landscaping, including proposed plant species and size at time of planting; and

(e) Exterior lighting.

h. In addition to all items required by Section 8.5.6.F, each Development Plan shall show and include all items described in Section 8.5.6.G (Sketch Development Plan Requirements) or Section 8.5.6.H (Site Development Plan Requirements), as applicable.

i. Each Development Plan must comply with the standards and requirements of the Zoning Map, any other applicable approved Plan, and this Ordinance, including without limitation those applicable to the District in which the land covered by such Development Plan is situated; provided however, that a conceptual Development Plan submitted as part of an application for Zoning Text Amendment or Rezoning need only provide information to describe the intended Development; and provided further that solely with respect to a Development Plan submitted for approval of a Development Plan modification, such Plan shall be required to include only those elements being changed.

2. Development Plan applications that cover property located, either wholly or in part, within a Floodplain District shall:

a. Be submitted in conformance with this Section 8.5.6;

b. Indicate the location of area(s) subject to flooding.

c. Require the issuance of a Floodplain Development Permit prior to final approval (see Section 6.12)

G. Sketch Development Plan Requirements.

At minimum, in addition to meeting all requirements under Section 8.5.6.F above, each Sketch Development Plan shall be fully dimensioned and at a scale no smaller than 1" = 200' except as otherwise specifically provided in this Ordinance, and shall be in compliance with the standards and requirements of the Zoning Map, any other applicable approved Plan, and this Ordinance and shall:

1. Show the actual shape, location and dimensions of the overall project site and each Lot or Building Site;

2. Show the shape, size, and location of all Buildings or other Structures to be constructed, erected,

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Altered or moved, and of any Building or other Structure already on project site and each Lot or Building Site;

3. Include the existing and intended use of each Lot, Building Site, and other land and of all Buildings or other Structures upon it, including the number of Dwelling Units or other measure of Density each Lot, Building Site, and Building is intended to accommodate;

4. Show and include the following, in compliance with the standards and requirements of the Zoning Map, any applicable approved Plan, and this Ordinance, including without limitation those applicable to the District in which the applicable land is situated:

a. Lot or Building Site Width and Area

b. Lot or Building Site Layers

c. Percentage of Building and Wall at Frontage Line-to-Lot or Building Site Width (Frontage Buildout)

d. Principal Building

e. Accessory Building and other Accessory Structure

f. Setbacks or Yards

g. Encroachments

h. Building Type

i. Proposed Impervious Surface Coverage of each Lot or Building Site and the overall Development site

j. Proposed Floor Area, Dimensions, Floor Elevations, Floor-to-Ceiling Heights, and Height of each Building

k. Private Frontage and Façade Elements

l. Building Roof Type & Pitch

m. Building and Lot Principal Uses, Accessory Uses, and Temporary Uses

n. Vehicular Parking Accommodations, including Parking spaces and their dimensions within the Lot or Building Site, layout, design and if applicable, landscaping of Parking Lots, Parking Areas and Parking Structures, Parking and if applicable Loading Area Locations, Location of any Garage, Driveways to Off-Street Parking, Passenger Dropoff Location, Driveway/Vehicular Entrance Width, any Parking Screen, and points of vehicular ingress and egress to and from each Lot or Building Site, including cross-access Easements

o. Driveway

p. Exterior lighting plan including photometric plan, location, pole height, luminaire/head type, pole/standard type, shielding, manufacturer's specifications and hours of operation for all exterior light fixtures;

q. Refuse Receptacle, Utility Box and Service Meter Accommodations and Locations

r. Any other personal property or fixtures not affixed to a Building

s. Private Landscaping, Walls, and Fencing

t. All Screens & Streetscreens, including vegetative, Fence, and Wall Screens & Streetscreens and their dimensions

u. Sign Plan, including locations, types, and detailed dimensioned drawings

v. Ground Floor Elevation above grade for each Building

w. Any applicable Special Requirements

x. Any Public Frontage improvement or replacement elements required under Section 6.10

y. The existing and any proposed zoning classification for the property

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z. Recorded Plat consistent with the Sketch Development Plan.

5. Demonstrate that all other requirements of this Ordinance are met.

6. Include such other information concerning the Lot, Building Site, or other land and all Adjacent Lots, Building Sites, or other land as may be deemed necessary by the Zoning Administrator, Director of Public Works, or City Engineer for determining whether the provisions of this Ordinance and other applicable provisions of the City Codes are being met.

H. Site Development Plan Requirements.

At minimum, in addition to meeting all requirements under Sections 8.5.6.F and 8.5.6.G, each Site Development Plan shall be fully dimensioned and at a scale no smaller than 1" = 200' except as otherwise specifically provided in this Ordinance, shall be in compliance with the standards and requirements of the Zoning Map, any other applicable approved Plan, and this Ordinance and shall:

1. Be prepared and, as applicable, stamped by an individual licensed and/or certified by the State of Tennessee to perform such design services.

2. Include any more detailed and/or separate plans may be required by the Zoning Administrator.

3. Comply with any applicable approved Plan, the Official Zoning Map, and all standards and requirements of this Ordinance, including without limitation those applicable to the District in which the applicable land is situated, and show and include the following:

a. The actual shape, location, and dimensions of the overall Development site and each Lot or Building Site.

b. The shape, size, and location of all Buildings or other Structures to be erected, Altered or moved, and of any other Building or other Structure already on the Lot, Building Site, and overall Development site.

c. Each existing and intended Use of the Lot, Building Site, and Development site and of all Structures upon it, including, for Residential activities, the number of Dwelling Units each Building is intended to accommodate and for all Non-Residential Uses, the number of square feet of each such Use.

d. If regulated in the applicable District, the Density and Floor Area Ratio of each Building and Lot or Building Site.

e. Location of all groupings of trees and how they will be incorporated into the proposed Development.

f. Location, trunk diameter, and species of all Heritage Trees within any required Buffer or landscaped area. All Heritage Trees proposed for removal shall also be shown.

g. Position, materials, and dimensions of fences and walls.

h. Location and dimensions of all required Buffers, which shall be provided on a separate Buffer plan if required by the Zoning Administrator.

i. Location, type, and size of proposed Signs.

j. Proposed means of surface drainage.

k. Overall Development site dimensions.

l. Bicycle Parking Accommodations, including without limitation number of spaces

m. Loading Space calculations and location, and Storage, Drive-Through, Refuse Receptacle, Utility Box, and Service Meter Accommodations and Locations

n. Total area, materials, and design of the following proposed or to remain:

(1) Structures;

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(2) Parking Lots, Parking Areas, and Parking Structures, keyed to the Parking Plan provided pursuant to Section 8.5.6.H.3.t(12)(o);

(3) Driveways and their respective distances from the nearest street corner if fewer than 200 feet;

(4) All impervious surfaces; and

(5) Outdoor storage and refuse areas, if any, and trash receptacles, including enclosures and Screening measures;

o. Fire hydrants, keyed to a detailed Fire Equipment Access Plan;

p. Location, dimensions, design, pavement specifications, profiles, finished grade, slope as a percent of grade, and curbing and striping of proposed public and private sidewalks and other pedestrian accommodations, bicycle, ride-sharing, and pedestrian loading accommodations, Thoroughfares, Internal Drives, Alleys, and Driveways (from the Adjacent roadway through each curb cut to the Building(s), pedestrian accommodations, Parking Area, Parking Lot, Parking Structure, or Garage);

q. Recorded Plat consistent with the Site Development Plan.

r. Proposed hours of operation.

s. Description of all existing and proposed restrictions or covenants applicable to the Development site.

t. Certified ALTA survey of existing conditions of the applicable property, prepared and sealed by a licensed surveyor, and showing at a minimum:

(1) Property lines and measurements,

(2) Legal description and street address,

(3) Tax parcel designation,

(4) Utility lines and connections,

(5) Curb cuts,

(6) Thoroughfares, Internal Drives, and Alleys, showing dimensions of each element and types,

(7) North arrow,

(8) Scale Legend,

(9) Title block, including:

(a) The address and legal description of the site; and

(b) Names, addresses and telephone numbers for the Applicant(s) and owner(s);

(10) Current zoning classification and use of the property and Adjacent properties;

(11) Locations of all of the following existing on or within fifty feet (50') of the overall Development site:

(a) Property boundaries;

(b) Buildings and other Structures, keyed to the project description and project illustrative plan provided pursuant to Section 8.5.6.H.3.u(3) and the architectural renderings and preliminary plans provided pursuant to Section 8.5.6.H.3.u(2); and

(c) Sidewalks, walkways, handicap ramps, and curb cuts;

u. The following additional plans and information:

(1) Site Access and Circulation Plan, indicating access and circulation routes for all vehicular and pedestrian movement;

(2) Full color architectural renderings and preliminary architectural plans, showing all Facades and Elevations of each other exterior Wall and all exterior materials to be used, keyed to the project description and project illustrative plan provided pursuant to Section 8.5.6.H.3.u(3);

(3) Project Description and Illustrative Plan

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showing each Development and Building element regulated by this Ordinance;

(4) If applicable, public address system plan, including type, location, design, manufacturer's specifications and hours of operation;

(5) Erosion and sedimentation control measures for the Development;

(6) Topographic, excavation and grading plans shown at contour intervals of two feet (2'), and indicating both existing and proposed contours, extended at least ten feet (10') into Adjoining properties, and delineating areas of steep slopes as applicable;

(7) Existing vegetation plan, including the location of Heritage Trees, existing wooded areas, other significant individual trees with a diameter at breast height of eight inches (8") or more, trees to be removed and trees to be preserved;

(8) Map showing the extent of flood prone areas or storm water overflows, including Special Flood Hazard Areas as established by the Federal Emergency Management Agency;

(9) Detailed landscape plan drawn to scale including:

(a) Common and botanical plant names

(b) Plant and planting specifications, including size at time of planting

(c) Total number of trees provided

(d) Total square footage of landscaped area on site and internal to each Parking Area and Parking Lot

(e) Identification of area used to calculate Parking Lot or Parking Area landscaping

(f) Fence detail drawing

(10) Refuse collection enclosure detail drawing

(11) Detailed Sign Plan, showing types, design, materials, dimensions and locations of each Sign, keyed to the Sign portion of the plan provided pursuant to Section 8.5.6.H.3.i;

(12) Stormwater pollution prevention plan that meets all applicable City, County, State and federal standards;

(13) Detailed utilities plan, showing the locations, design, and specifications of all proposed sanitary sewage and water supply systems, electric, telecommunications, cable television, gas, and other utility facilities, together with "Capacity and Will Serve" letters from each applicable utility provider;

(14) Storm water drainage facilities with details of detention/ retention basins, catch basins, swales, dry wells and other related stormwater facilities, and if required by the Planning Commission or Zoning Administrator, as applicable, accompanying calculations supporting the design of the proposed drainage system and indication of runoff rates, runoff patterns and storm drain loads;

(15) Detailed Parking Plan, showing layout, dimensions, grades and pavement section for all Parking stalls, drive aisles, turning radii, etc, keyed to the Parking location plan provided pursuant to Section 8.5.6.H.3.p;

(16) Demonstration to the satisfaction of the Decision– Making Authority that the Site Development Plan complies with the following:

(a) The Comprehensive Plan,

(b) City Development standards for Site Grading, Site Drainage, Sewage, Utilities, Traffic Circulation, and Facilities for Persons with Disabilities, as set forth in the City Subdivision Regulations,

(c) The Supplemental Development Standards of Section 6.2 (Preservation of Natural Features),

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(d) The Supplemental Development Standards of Section 6.3 (Streetscape Repairs and Improvements),

(e) The Site Development Plan application is complete, as evidenced by the Zoning Administrator's Certificate of Completeness,

(f) Compliance with all applicable standards and requirements of Article 4 (Lots, Building Sites & Building Standards) and Article 5 (Development Parcel Standards), as evidenced by the Zoning Administrator's Certificates of Compliance, and

(g) All other applicable provisions of the City Ordinances, City Code, City Subdivision Regulations and other applicable City rules and regulations, and all applicable state and federal statutes and regulations.

(17) If required by the Planning Commission or Zoning Administrator, as applicable, a traffic impact analysis;

(18) If required by the Planning Commission or Zoning Administrator, as applicable, a Parking study; and

(19) If required by the Planning Commission or Zoning Administrator, as applicable, an environmental impact analysis;

(20) Development schedule indicating, to the best of the Applicant's knowledge, the approximate date on which Development of the project can be expected to begin, the phases of Development, if any, the anticipated rate of Development and the completion date, which schedule shall be pursued with diligence until completion by the owner of the property and its successors in interest;

(21) If the proposed project will require other approvals, such as Rezoning, Variances, Administrative Adjustments, or Conditional Use approvals, the Applicant must identify all such other required approvals;

(22) All information deemed necessary by the Zoning Administrator, the Director of Public Works or the City Engineer to determine compliance with this Ordinance and all other applicable codes and ordinances;

(23) Any other items required by this Ordinance with respect to any Site Development Plan or required for any other applicable Development application; and

(24) Any other studies, information, or items deemed necessary by the Planning Commission or Zoning Administrator, as applicable, to determine the conformity of the Site Development Plan with the requirements of this Ordinance, which information or items as specifically identified to the Applicant in writing.

(25) If the proposal includes a Development Parcel and includes or requires Construction of any Structure or exterior Alteration to an existing Structure, Development, re-Development, Improvement, subdivision, or re-subdivision of any Lot, Building Site, or other land, use of any land or Structure, or filing, issuing, applying for, approving, or certifying any subdivision application or plat, Building Permit, Conditional Use, site plan, Zoning Map or Zoning Map Amendment, or other Development approval with respect to such Development Parcel, the Sketch Development, the items listed in Sections 8.5.6.H.3.a(18)(a) – 8.5.6.H.3.a(18)(j) below, including without limitation those applicable to the District in which the applicable land is situated:

(a) Thoroughfare and Internal Drive Network, laid out according to Section 5.2, including existing and any required or proposed new Thoroughfares and Internal Drives, or extensions or changes to any existing Thoroughfare(s) or Internal Drive(s);

(b) Thoroughfare and Internal Drive Types and Standards;

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(c) Thoroughfare Internal Drive cross-sections;

(d) One or several proposed or existing Standard or Linear Pedestrian Sheds, as applicable, on which the Site Development Plan shall be based, each having a Common Destination near its center and located according to existing conditions, such as traffic intersections, Adjacent Development, and natural features. See **Illustration 5.1.4.B-1 (Standard Pedestrian Shed)** and **Illustration 5.1.4.B-2 (Linear Pedestrian Shed)**;

(e) Existing and any required or proposed Civic Spaces, open spaces, Civic Buildings, and Civic Districts and calculation of percentage of Civic Space area-to-Net Site Area, Open Spaces, Civic Buildings, and Civic Districts assigned pursuant to Sections 5.3.1, 5.3.3, 5.3.4, and 5.3.5 and Section 2.4.2;

(f) Existing and any proposed Character Districts, assigned according to and as required Section 2.4.1;

(g) Existing and proposed Special Districts, if any, assigned according to Section 2.4.3;

(h) Existing and proposed Special Requirements, if any;

(i) The proposed Block Structure for the site in compliance with applicable Block Perimeter Standards; and

(j) Public Landscaping Plan.

(26) Where subsurface sewage disposal is anticipated, certification from the Tennessee Department of Health and Environment approving the Lot, Building Site, Development Parcel, or other land, as applicable, for each Use.

(27) The following additional information and items:

(a) Photographs of the property and surrounding areas

(b) The location and dimensions (length, width, floor elevations and height in feet and Stories) of all existing and proposed Structures and Structures to remain.

(c) Floor plans that indicate the types of Use proposed for each level of floor space.

(d) Location, width and finished grade of proposed public and private streets, roads and sidewalks, including pavement type and profiles.

(e) Location, design, pavement specifications, finished grade, curbing and striping of proposed parking, pedestrian, bicycle, ride-sharing, and loading accommodations.

(f) Driveway designs and profiles from the Adjacent roadway through the curb cut to the Parking Area, Parking Lot, Parking Structure, or Garage, with slopes indicated by percent of grade.

(g) The location and design of all proposed sanitary sewage and water supply systems and other utility facilities.

(h) Proposed hours of operation.

(i) All information deemed necessary by the Division of Public Works and Division of Public Safety to determine compliance with all applicable City codes and ordinances.

(j) Any other items required by this Ordinance with respect to any applicable Site Plan.

(28) Any other information or items deemed necessary by the Planning Commission to determine the conformity of the Site Development Plan with the spirit and intent of this Ordinance, which information or items as specifically identified to the applicant in writing.

(29) All other requirements of this Ordinance shall be met.

(30) Such other information concerning the Lot, Building Site, Development Parcel, or other land or Adjacent Lot, Building Site,

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Development Parcel, or other land as may be deemed essential by the Zoning Administrator, Director of Public Works, or City Engineer for determining whether the provisions of this Ordinance are being met.

I. Development Plan Procedures – Pre-Application Conference & Review.

1. Prior to formal submission of a Development Plan application, an applicant shall schedule a pre-application conference with the Zoning Administrator.

2. The pre-application conference is intended to define potential issues with the project proposal and to identify any required Variances, Administrative Adjustments, Conditional Uses, or other necessary certifications, approvals or permits. Additionally, the pre-submission conference serves to educate the applicant on the Development approval process and the information required to submit a complete Development Plan application.

3. After the pre-application conference, the applicant may provide one complete draft copy of a proposed Development Plan application to the Zoning Administrator for pre-application review and feedback.

4. No pre-submission discussion, statement, advice, feedback or review must be binding on the City.

J. Development Plan Procedures – Coordination with other Approvals.

When a Development Plan requires other approvals the applicant shall identify in the Development Plan application all such other approvals that such applicant is seeking and refer a draft Development Plan to the Planning Commission to obtain such Planning Commission's recommendation prior to making application for any other such approval.

K. Development Plan Procedures – Submission of Application.

1. No later than six (6) months after feedback on the draft Development Plan application is provided to the applicant, and no fewer than twenty (20) days prior to the meeting of the Decision-Making Authority at which the application is to be considered, the applicant shall submit to the Zoning Administrator printed copies and one (1) digital PDF copy of the complete Development Plan application, including all supporting documentation, accompanied by the appropriate submission fee.

2. The digital copy of the application must be clearly identified with the name of the applicant, project address, submission date, and case number, if assigned.

L. Development Plan Procedures – Completeness Review.

1. Within fifteen (15) days of submission of a Development Plan application, the Zoning Administrator shall review and determine whether the application is complete.

2. If the Zoning Administrator determines that the Development Plan application is complete, and in the case of a Site Development Plan that is subject to review by the Planning Commission, forward such Development Plan application to the Planning Commission for review and action, and shall notify the applicant that the application has been certified as complete and, if applicable, forwarded to the Planning Commission for consideration.

3. If the Zoning Administrator determines that a Development Plan application is incomplete, he shall notify the applicant of such determination with a written explanation regarding which items are incomplete, and shall return the application to the applicant.

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M. Development Plan Procedures – Compliance Review, Notice & Hearing.

1. Upon review for a Site Development Plan application for which the Zoning Administrator is the Decision-Making Authority, upon receipt of payment by the Applicant of all fees and reimbursable costs due to the City, the Zoning Administrator shall review the application and take action pursuant to Section 8.5.6.O.1.

2. Upon review for a Site Development Plan application for which the Planning Commission is the Decision-Making Authority, the Zoning Administrator shall review the application for compliance with the conditions, standards, and requirements of Articles 1-5 and Article 7 of this Ordinance and if the application complies with such Articles, he shall issue a Certificate of Compliance, certifying such compliance, and shall forward the same with the Certificate of Completeness and the Site Development Plan application, to the Planning Commission.

3. Upon receipt of the items described in Section 8.5.6.M.2, the Planning Commission shall promptly schedule a public hearing on the matter, which shall provide public notice of such hearing in compliance with the public notice requirements set forth in Section 8..

N. Review Criteria.

1. The criteria to be applied by the Zoning Administrator in reviewing a Development Plan and application shall be whether such Plan and application comply with the applicable conditions, standards, and requirements of this Ordinance, all applicable previously approved Plans, such as earlier Development Plans, the Comprehensive Plan and all other applicable Land Use Plans.

2. With respect to a Development Plan the Planning Commission shall rely on all conditions, standards, and requirements of Articles 1-5 and Article 7 of this Ordinance and the Planning Commission shall review the Plan and application for compliance with all other conditions, standards, and requirements of this Ordinance, including without limitation those of Article 6 (Supplemental Standards) , and compliance with all applicable previously approved Plans, such as earlier Development Plans, the Comprehensive Plan and all other applicable Land Use Plans. Additionally, in the case of Development in a Special District, the Planning Commission shall determine:

a. Whether the Development design and Development intensity are appropriate for and tailored to the unique characteristics of the site, such as significant wooded areas, specimen trees, wetlands, steep slopes, floodplains, and zoning of or existing Development on Adjacent property;

b. Whether the proposed access and circulation are adequate with respect to traffic patterns, traffic control measures, and street pavement areas, with provisions for maintaining traffic flows and reducing any negative effects of traffic on nearby properties;

c. Compliance with site construction requirements;

d. Adequacy of stormwater facilities, water supply, sanitary sewer service, fire protection, street signs, and street lighting as evidenced by conformance with City standards, specifications and guidelines; and

e. Compliance with requirements for Easements or dedications.

O. Development Plan Procedures –Decision-Making Authority's Action.

1. Within 62 days for a Development Plan and application for which the Zoning Administrator is the Decision-Making Authority, or within 62 days after the hearing on a Development Plan and

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application for which the Planning Commission is the Decision-Making Authority, the Development Plan and application shall be approved or disapproved by the Decision-Making Authority in accordance with the review criteria of Section 8.5.6.N and Sections 8.5.6.O.2-.5 below:

2. A Development Plan and application shall be approved by the Decision-Making Authority, upon a finding that the Development Plan and application are in compliance with the review criteria set forth in Section 8.5.6.N.

3. If a Development Plan and Application are approved, the Development Plan as approved shall become part of the record of approval, and subsequent actions relating to the authorized Development must be consistent with approved items.

4. A Development Plan and application shall be disapproved if the Decision-Making Authority determines that the Plan and application do not comply with any one or more of the review criteria set forth in Section 8.5.6.N.

P. Comment Compilation.

Pursuant to Section 8.5.6.E, the applicable Decision-Making Authority shall compile all staff comments on a Development Plan and application in light of the applicable requirements of this Ordinance. A copy of these comments shall be provided to the Applicant.

Q. Concurrent Applications.

Development Plan applications for projects that also require Design Review, a Variance, a Conditional Use Permit, a Certificate of Appropriateness, a Floodplain Development Permit, or Rezoning may proceed concurrently with such additional application. However, final approval of the Development Plan may not be granted prior to receiving the additional required permit or approval.

R. Time Limits on Approvals.

Any Development Plan approved under the provisions of this Ordinance shall become null and void one year after the date of its approval unless a Building Permit for the entire project or applicable phase thereof has been obtained, in which case the provisions of Section 8.5.5, shall apply.

S. Inspection of Required Improvements.

Inspections during the installation of site Improvements shall be made by the entity responsible for such Improvements that is required to certify compliance with approved Development Plans. Without limitation to the foregoing, no Improvements shall be accepted for maintenance by the City unless and until the requirements regarding public improvements have been met.

T. Fees

The applicant shall pay to the City the fees established in Fee Schedule Document available from the Development Services Department in order to cover a portion of the costs associated with the administration of this Ordinance.

U. Appeal.

1. Final action by the Zoning Administrator on a Development Plan and application may be appealed in accordance with Section 8.5.17.

2. Final action by the Planning Commission on a Development Plan may be appealed may appeal by certiorari to a court of competent jurisdiction.

V. Construction & Use Pursuant to Approved Application, Plans, & Permits

1. Permits, including without limitation, Conditional Use Permits, issued on the basis of approved Development Plans and applications, authorize

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only the Use, arrangement, and construction set forth in such approved Plans and applications, and none other. Use, arrangement, or construction at that does not comply with such approved Plans and applications shall constitute a violation of this Ordinance, enjoinable or punishable as provided by Section 8.6.

8.5.7 Floodplain Development Permit.

A. Applicability.

Within any Floodplain District:

1. No person shall erect, construct, enlarge, Alter, repair, Improve, move, or demolish any Building or Structure without first obtaining a separate Floodplain Development Permit for each such Building or Structure;

2. No man – made change to improved or unimproved real estate, including but not limited to Buildings or other Structures, mining, dredging, filling, grading, paving, excavation or drilling operations, shall be commenced until a separate Floodplain Development Permit has been obtained for each such change; and

3. No Manufactured Home shall be placed on improved or unimproved real estate without first obtaining a separate permit for each Manufactured Home.

B. Application Requirements.

1. All applications for Floodplain Development Permits shall be submitted in accordance with Section 8.5.4.C.

2. Any application for a Floodplain Development Permit shall be made prior to any Development activities, and may include, but not be limited to, plans in triplicate drawn to scale and showing:

a. The nature, location, dimensions, and elevations of the area in question;

b. Existing or proposed Structures, earthen fill, storage of materials or equipment, drainage facilities, and the location of the foregoing. Specifically, the following information is required:

(1) Elevation in relation to mean sea level of the proposed lowest floor (including Basement) of all Structures;

(2) Elevation in relation to mean sea level to which any Non–Residential Building will be floodproofed;

(3) Certificate from a registered professional engineer or architect that a Non–Residential floodproofed Building will meet the floodproofing criteria set forth in this Ordinance; and

(4) Description of the extent to which any watercourse will be changed or relocated as a result of proposed Development.

C. Action by Zoning Administrator.

1. In the review of the requirements of this Section, the Zoning Administrator shall:

a. 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;

b. Advise applicant that additional federal or state permits may be required, and if specific federal or state requirement are known, require that copies of such permits be provided and maintained on file with the Floodplain Development Permit;

c. Notify adjacent communities and the Tennessee Department of Economic and Community Development, Local Planning Office prior to any change or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency;

d. Assure that maintenance is provided within the changed or relocated portion of said

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watercourse so that the flood – carrying capacity is not diminished;

e. Verify and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved Buildings, in accordance with Section 6.12.4.D;

f. Verify and record the actual elevation (in relation to mean sea level) to which the new or substantially improved Buildings have been floodproofed, in accordance with Section 6.12.4.D;

g. When floodproofing is utilized for a particular Building, the Zoning Administrator shall obtain certification from a registered professional engineer or architect, in accordance with Section 6.12.4.D;

g. 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) the Zoning Administrator shall make the necessary interpretation. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this Ordinance; and

h. When Base Flood Elevation or floodway data have not been provided in accordance with Section 6.12.3., then the Zoning Administrator shall obtain, review, and utilize any Base Flood Elevation and floodway data available from a federal, state, or other source, in order to administer the provisions of this Section.

2. Before a Floodplain Development Permit is issued, the Zoning Administrator shall confirm that all necessary permits have been obtained 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.

3. Upon placement of the lowest floor, or floodproofing by whatever construction means, or upon placement of the lowest horizontal structural members of the lowest floor, whichever is applicable, it shall be the duty of the permit holder to submit to the Zoning Administrator a certification of the lowest floor, floodproofed elevation, or the elevation, whichever is applicable, as built, in relation to mean sea level. Said certification shall be prepared by or under the direct supervision of a registered land surveyor or professional engineer and certified by same. When floodproofing is utilized for a particular Building, said certification shall be prepared by or under the direct supervision of a professional engineer or architect and certified by same. Any work undertaken prior to submission of the certification shall be at the permit holder's risk. The Zoning Administrator shall review the floor elevation survey data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further progressive work being permitted to proceed. Failure to submit the survey or failure to make said corrections required hereby shall be cause to issue a stop work order for the project.

D. Final Action.

The Zoning Administrator shall issue the Floodplain Development Permit upon notice that the applicant has successfully satisfied all of the requirements listed above.

E. Appeal.

Final action on a Floodplain Development Permit may be appealed in accordance with Section 8.5.17, Appeal of Administrative Decision.

F. Maintenance of Records.

All records pertaining to Floodplain Development Permits shall be maintained in the office of the Zoning Administrator and shall be open for public inspection.

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8.5.8 Administrative Adjustment / Approval

A. Applicability.

The Zoning Administrator shall be authorized to approve minor specified Administrative Adjustments to the requirements of this Ordinance as specified below where, owing to special conditions, strict enforcement of the provisions of this Ordinance would be physically impractical.

B. Application Requirements.

An application for an Administrative Adjustment shall be submitted in accordance with Section 8.5.4.C.

C. Action by Zoning Administrator

1. The Zoning Administrator shall have the following administrative authority:

a. To make a determination that a Use, which is not specifically listed as Not Permitted ("NP"), Permitted by Right ("P"), Permitted Subject to Limited Conditions ("PC"), or as a Conditional Use (CU") in **Table 4.3.9.A–1 (Building, Lot, & Building Site Principal Uses), Table 4.3.9.A–2 (Building, Lot, & Building Site Accessory Uses), or Table 4.3.9.A–3 (Building, Lot, & Building Site Temporary Uses),** as applicable, for the applicable District, is substantially similar to a Use that is specifically listed in such applicable Table as Permitted by Right ("P"), Permitted Subject to Limited Conditions ("PC"), or as a Conditional Use (CU") for the applicable District, applying the following criteria:

(1) The actual or projected characteristics of the activity in relationship to the stated characteristics of each group of Uses.

(2) The relative number of vehicle trips generated.

(3) The likely impact on surrounding properties. and

(4) Whether the activity is likely to be found independent of the other activities on the site.

b. To permit Outdoor Display subject to the standards in Section 4.3.9.D.6;

c. To adjust dimensional requirements in accordance with Section 8.5.8.D

2. Any request for a deviation from the provisions of this Ordinance not listed above shall be deemed to be a request for Variance, which shall be subject to review by the Board of Zoning Appeals as provided in Section 8.5.16.D.

D. Administrative Adjustment Criteria.

To approve an Administrative Adjustment of a dimensional requirement up to 20% of such requirement, subject to the Zoning Administrator's affirmative finding that all of the following criteria are met:

1. All additional procedures and standards are met;

2. That granting the Administrative Adjustment will not have an adverse impact on land use compatibility;

3. That granting the Administrative Adjustment will not materially and adversely affect Adjacent land uses or the physical character of uses in the immediate vicinity of the proposed Development; and

4. That granting the Administrative Adjustment will be consistent with the Comprehensive Plan and the purposes and intent of this Ordinance.

E. Appeals.

Final action on an Administrative Adjustment by the Zoning Administrator may be appealed in accordance

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with Section 8.5.17.

8.5.9 Temporary Use Permit

A. Applicability.

1. Temporary Uses occurring on property outside of the public right-of-way shall be allowed only upon the issuance of a Temporary Use Permit, except as set forth in Section 4.3.9.G.

2. The provisions of this section shall not apply to Temporary Uses occurring within the public right-of-way.

B. Application Requirements.

A Temporary Use Permit application shall be submitted in accordance with Section 8.5.4.C.

C. Action by Zoning Administrator.

1. After receiving the application, the Zoning Administrator shall have up to 30 days to review the application.

2. Upon hearing recommendations from all appropriate departments, the Zoning Administrator shall approve the issuance of a Temporary Use Permit subject the use standards established in Section 4.3.9 and the following:

a. No lighting or electrical service shall be provided without an electrical permit;

b. No Temporary Use Structure shall be erected without a Building Permit;

c. No Temporary Use Structure shall block fire lanes or pedestrian or vehicular access;

d. The site of the Temporary Use shall be cleared of all debris at the end of the Temporary Use. All temporary Structures shall be cleared from the site within five days after the use is terminated;

e. Written permission of the property owner for the Temporary Use shall be provided;

f. Adequate Parking shall be provided;

g. Required Parking for other uses shall remain available;

h. Adequate traffic control measures shall be provided;

i. Adequate provisions for refuse disposal and sanitary facilities shall be provided; and

j. When appropriate, adequate provisions for crowd control shall be provided.

3. Temporary Use Permits shall be valid for the time period established in Section 4.3.9.G. Where no time period is established in Section 4.3.9.G, the use shall automatically be permitted for thirty (30) days. The Zoning Administrator may extend this time period by up to sixty (60) days at his/her discretion provided the request is made at the time of original application.

4. Temporary Use Permits may be renewed one time by the Zoning Administrator unless other renewal standards are specified in Section 4.3.9.G or in other provisions of this Section.

D. Revocation of Temporary Use Permit.

A Temporary Use Permit shall be revoked if the Zoning Administrator finds that the terms of the permit have been violated or that there is a hazard to the public health, safety and welfare.

E. Appeal

Final action on a Temporary Use Permit may be appealed in accordance with Section 8.5.17.

8.5.10 Home Occupation Permit

A. Applicability

Any Home Occupation shall require a permit, as set forth below.

B. Application Requirements.

A Home Occupation application shall be submitted in

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accordance with Section 8.5.4.C.

C. Action by Zoning Administrator.

1. Upon review of the application, the Zoning Administrator shall approve the Home Occupation Permit, provided the Home Occupation meets all requirements of this Ordinance.

2. The Zoning Administrator shall maintain a record of all Home Occupation Permits that have been issued by the City.

D. Time Limit.

A Home Occupation Permit shall be valid for a period not to exceed two (2) years.

E. Revocation.

A Home Occupation Permit shall be revoked if the Zoning Administrator finds the Home Occupation to be in violation of the requirements of this Ordinance.

F. Appeal.

Final action on a Home Occupation Permit may be appealed in accordance with Section 8.5.17.

8.5.11 Certificate of Occupancy

A. Certificate of Occupancy Required.

No land, Building, Structure, or part thereof hereafter erected, Altered, or changed in its use shall be used or occupied until the Zoning Administrator shall have approved and the Building Official shall have issued a Certificate of Occupancy stating that such land, Building, Structure, or part thereof, and the proposed use thereof are found to be in conformity with the provisions of this Ordinance.

B. Applicability.

A Certificate of Occupancy shall be required for any of the following:

1. Occupancy or use of a Building or Structure hereafter erected or enlarged;

2. Change in occupancy or use of an existing Building; or

3. Any change in a Nonconforming Use or Nonconforming Structure.

C. Application Requirements.

A Certificate of Occupancy application shall be submitted in accordance with Section 8.5.4.C.

D. Action by Zoning Administrator.

The Zoning Administrator shall review an application for a Certificate of Occupancy for conformance with the approved Development Plan and the requirements of this Ordinance. The Zoning Administrator shall provide comments and recommendations to the Building Official.

E. Action by the Building Official.

Upon review of the application and approval by the Zoning Administrator, the Building Official shall issue the Certificate of Occupancy, provided the project meets all requirements of this Ordinance and other applicable requirements.

F. Permits not to be Issued.

No final Certificate of Occupancy shall be issued for any Building, Structure, or part thereof, or for the use of land, which is not in accordance with the provisions of this Ordinance, or where the Development or Improvements have not been completed in accordance with the approved Development Plan.

G. Temporary Certificate of Occupancy.

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1. In the case of hardship not related to the applicable Building, Structure, or premises, at the discretion of the Building Official, he or she may issue a temporary Certificate of Occupancy provided that such portion of the Building, Structure, or premises for which the temporary certificate is issued is in conformity with the provisions of this Ordinance. A temporary Certificate of Occupancy shall not be effective for a time period in excess of three (3) months.

2. In order for a temporary Certificate of Occupancy to be issued, all required Improvements must be substantially complete. The temporary certificate may include safeguards and conditions as will protect the safety of the occupants and the public.

3. An Applicant for a temporary Certificate of Occupancy shall post a bond or other surety acceptable to the City in an amount equal to $10,000 or the 125% of the cost of completing all required improvements, whichever is greater.

H. Appeal.

Final action on a Certificate of Occupancy may be appealed in accordance with Section 8.5.17.

8.5.12 Historic District Designation

A. Creation.

There is hereby created pursuant to TSA sections 13-7-401 et seq. the Historic District designation, as defined in Article 9 (Definitions) and established as such pursuant to this Section 8.5.12. The boundaries of each specific Historic District so established shall be shown on the official Zoning Map or special overlays thereto and noted by name on said maps, and shall be so designated and made subject to the Historic Overlay District as described in Section 3.7.3.B.2, in which no Structure shall be constructed, Altered, repaired, relocated, or demolished unless the action complies with the requirements of this Ordinance.

B. Interim Control.

No Building Permit shall be issued for Alteration, construction, demolition, or removal of a nominated Structure within a nominated Historic District from the date of the meeting of the Historic Zoning Commission at which a completed nomination form is first presented until the final decision by the City Council, unless such Alteration, removal, or demolition is authorized by formal resolution of the City Council as necessary for public health, welfare or safety. In no event shall this restriction be in place for more than 180 days. After 180 days, a Building Permit may be issued provided all applicable requirements have been met. This may include the requirement for a Certificate of Appropriateness if the nominated District or Structure has been approved by the City Council.

C. Applicability.

1. The City Council may designate an area as a Historic District.

2. The owner or owners may request that an area as a Historic District, a property be designated as a Historic District.

3. Any designation of a Historic District must be pursuant to this Section 8.5.12, shall require a Zoning Map amendment pursuant to Section 8.5.19, and shall subject the applicable area, property or Structure to all applicable requirements of this Section 8.5.12, Section 8.5.13, and Section 8.5.14.

D. Initiation of Request.

1. Requests for designating a Historic District, may be made in any one of the following methods:

a. By petition to the City Council by owner(s) of the proposed Historic District;

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b. By initiative of the City Council; or

c. By initiative of the Historic Zoning Commission subject to the requirements of Section 8.5.12.E.

2. An application for a Historic District designation shall be submitted to the Historic Zoning Commission in accordance with Section 8.5.4.C. Requests for designation shall include the specific elements of the area, property, or Structure for which the designation is proposed.

E. Historic Preservation Plan.

The Historic Zoning Commission shall undertake an ongoing survey within the corporate limits of the City to identify neighborhoods, areas, sites, property, Structures and objects that have historic, community, architectural, or aesthetic importance, interest, or value. Before the Historic Zoning Commission shall on its own initiative nominate any Historic District, it shall develop a plan for completion of a survey of the entire City.

F. Historic Zoning Commission Review & Recommendation.

1. The Historic Zoning Commission shall, within sixty (60) days from receipt of a completed nomination in proper form, adopt by resolution a recommendation that the nominated Historic District does or does not meet the criteria for nomination set out in Section 8.5.12.F.2. The resolution, accompanied by a written report, shall be forwarded to the Planning Commission for review as specified in Section 8.5.12.G and to the City Council as specified in Section 8.5.12.H for final action. The report shall contain the following information:

a. Explanation of the significance or lack of significance of the nominated Historic District as it relates to the criteria for designation.

b. Explanation of the integrity or lack of integrity of the nominated Historic District.

c. Proposed Design Guidelines required by Section 8.5.12.F.3, for applying the criteria for review of Certificates of Appropriateness to the nominated Historic District.

d. The relationship of the nominated Historic District to the ongoing effort of the Historic Zoning Commission to identify and nominate all potential areas, properties, and Structures that meet the criteria for designation.

e. Recommendations as to appropriate Permitted Uses, Uses Permitted Subject to Limited Development Standards, Conditional Uses, height and area regulations, minimum Dwelling size, Floor Area, Sign regulations, and parking regulations necessary or appropriate to the preservation of the nominated Historic District.

f. A map showing the location of the nominated Historic District.

g. In the case of a nominated area or property found to meet the criteria for designation as a Historic District

(1) The significant exterior architectural features of the nominated Historic District that should be protected;

(2) The types of construction, Alteration, demolition, and removal, other than those requiring a Building Permit or Demolition Permit, which are subject to review for appropriateness pursuant to the provisions of Section 8.5.13.

2. In order for an area or property to be considered for nomination as a Historic District such must be found to meet one or more of the following criteria:

a. That it is associated with an event that has made a significant contribution to local, state or national history;

b. That it includes is associated with the lives of persons significant in local, state or national history;

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c. That it is a Structure, or contains Structures or groups of Structures, which embody the distinctive characteristics of a type, period or method of construction, or that represent the work of a master, or that pose high artistic value, or that represent a significant and distinguishable entity whose components may lack individual distinction;

d. That it has yielded or may be likely to yield archaeological information important in history or prehistory; or

e. That it is listed in the National Register of Historic Places.

3. Prior to the establishment or designation of a Historic District, the Historic Zoning Commission shall adopt for each such area or property a set of Design Guidelines, which it will apply in ruling upon the granting or denial of a Certificate of Appropriateness, as provided for in this Article. Such guidelines shall be consistent with this Ordinance and with the requirements for such, as established and provided for by TCA Section 13 – 7 – 406. The Historic Zoning Commission shall, to the maximum feasible extent, secure the involvement and participation of owners of property proposed for designation within any Historic District in developing such guidelines. These guidelines shall accompany the request for Historic District designation and shall be considered together with such request. These Design Guidelines shall, at a minimum, consider the following criteria:

a. The height of any proposed Alteration or construction should be compatible with the style and character of or within the Historic District and with surrounding Structures in the Historic District.

b. The proportions and relationships between doors and windows should be compatible with the architectural style and character of or within the Historic District and with surrounding Structures in the Historic District.

c. The relationship of a Structure within a Historic District to the open space between it and adjoining Structures should be compatible.

d. The design of the roof should be compatible with the architectural style and character of or within the Historic District and with surrounding Structures in a Historic District.

4. Landscaping should be compatible with the architectural character and appearance of or within the Historic District and with surrounding Structures in a Historic District.

5. The scale of the Structure after Alteration, construction, or partial demolition should be compatible with its architectural style and character and with surrounding Structures in a Historic District.

6. Facades in a Historic District and surrounding Structures in a Historic District should blend with other Structures with regard to directional expression. Structures in a Historic District should be compatible with the dominant horizontal or vertical expression of surrounding Structures. The directional expression of a Historic District and surrounding Structures in a Historic District after Alteration, construction, or partial demolition should be compatible with its original architectural style and character.

7. Architectural details, including materials, colors, and textures, should be treated so as to make a Historic District and Structures within a Historic District compatible with the original architectural style and character thereof and to preserve and enhance the architectural style or character of and within a Historic District and Structures within a Historic District.

G. Planning Commission Review & Recommendation.

Upon receipt of a report prepared by the Historic Zoning Commission in accordance with Section 8.5.12.F, the Planning Commission shall conduct a

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review as provided herein. The Planning Commission shall review such report relative to the following:

1. The adopted Major Thoroughfare Plan.

2. Any re-Development or restoration plans.

3. Utility plans (including need for Easements).

4. Impact on or possible modification required in base District zoning.

5. All other matters normally considered in recommending a Rezoning, excepting those aspects of the report that pertain specifically and solely to the Historic District and as otherwise specified in Section 8.5.12.F.

H. City Council Review & Decision.

1. The City Council shall schedule a public hearing on the nomination within thirty (30) days following receipt of a report and recommendation from the Planning Commission that a nominated Historic District does or does not meet the criteria for designation.

2. Notice of the Zoning Map Amendment shall be published in accordance with Section 8.5.4.D.2. This notice shall also include the street address and legal description of the boundaries of a nominated Historic District.

3. Notice of the Zoning Map Amendment shall be mailed to the owner(s) of record and to the nominators, as well as to owners of property Adjacent to the nominated Historic District at least 15 days prior to the date of the hearing in accordance with Section 8.5.4.D.8. This notice shall also include the street address and legal description of the boundaries of a nominated Historic District.

4. Oral or written testimony concerning the significance of the nominated Historic District shall be taken at the public hearing from any person concerning the nomination. The Historic Zoning Commission may present expert testimony or present its own evidence regarding the compliance of the nominated Historic District with the criteria for consideration of a nomination set forth in this Section.

5. The owner of any real property located within or consisting of any nominated Historic District shall be allowed reasonable opportunity to present evidence in support of his position and shall be afforded the right of representation by counsel and reasonable opportunity to cross – examine expert witnesses. The hearing shall be closed upon completion of testimony.

I. Landowner Approval.

A petition signed by at least 51% of the owners of property within a Historic District, indicating approval of the designation of a Historic District shall be required prior to final designation of the Historic District. Such petition shall be filed with the Zoning Administrator.

J. Action by City Council.

1. The City Council shall, within thirty (30) days after holding the Public Hearing specified in Section 8.5.12.H. and after consideration of the report prepared by the Historic Zoning Commission and the review by the Planning Commission concerning the proposed Historic District either reject the proposed nomination or designate the Historic District by ordinance. The City Council may extend this decision period if it determines that additional meetings or hearings are required. Each extension shall be for no more than thirty (30) days. No more than three extensions shall be permitted. If, at the end of three (3) extensions no final decision has been rendered by the City Council, the application shall be considered rejected.

2. In the event that the City Council approves the proposed Historic District ordinance, the City Council shall amend this Zoning Ordinance to reflect the same in the manner specified in Sections

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8.5.18. Upon designation, a Historic District shall be classified as "Historic Overlay District" shall be classified as such and the designating ordinance shall prescribe significant exterior architectural features, the types of construction, Alteration, demolition, and removal, other than those requiring a Building Permit or Demolition Permit that should be reviewed for appropriateness; the Design Guidelines for applying the criteria for review of appropriateness; Permitted Uses, Permitted Uses Subject to Limited Development Standards, Conditional Uses; height and area regulations; minimum Dwelling size; Floor Area; Sign regulations; and Parking regulations.

3. Upon decision to amend this Zoning Ordinance, the Official Zoning Map of the City shall be amended to show the location of the Historic District. The applicant shall not be required to go through the Rezoning process in Section 8.5.19.

K. Amendment or Removal of Designation.

Designation of a Historic District may be amended or rescinded upon petition to the Historic Zoning Commission and compliance with the same procedure and according to the same criteria set forth herein for designation.

L. Mapping of Historic Landmarks & Historic Structures.

The locations or boundaries of Historic Landmarks and Historic Structures, each as defined in Article 9 (Definitions) shall be indicated for reference only on the official Zoning Map or special overlays thereto and noted by name on said maps. The applicant shall not be required to go through the Rezoning process in Section 8.5.19.

8.5.13 Certificate of Appropriateness

A. Applicability.

A Certificate of Appropriateness shall be required before the any of the following actions may be taken, which affect the exterior architectural appearance of any Structure or other property within a Historic District:

1. Any construction, Alteration, or removal requiring a Building Permit.

2. Any demolition in whole or in part requiring a Demolition Permit.

3. Any construction, Alteration, demolition, or removal affecting a significant exterior architectural feature as specified in the ordinance designating the Historic District.

B. Application for Certificate Appropriateness.

A Certificate of Appropriateness application shall be submitted in accordance with Section 8.5.4. In addition:

1. Every application for a Demolition Permit or a Building Permit, including the accompanying plans and specifications, affecting the exterior architectural appearance of a designated Historic District or property within a designated Historic District shall be forwarded by the Planning Department within seven days following its receipt of the application for action pursuant to the City Historic Guidelines.

2. The Planning Department shall not issue the Building Permit or Demolition Permit until a Certificate of Appropriateness has been issued by the Historic Zoning Commission. Any applicant may request a meeting with the Historic Zoning Commission before the application is sent by the Planning Department to the Historic Zoning Commission or during the review of the application. Application for review of construction, Alteration, demolition, or removal not requiring a Building Permit for which a Certificate

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of Appropriateness is required shall be made on a form available at the office of the Historic Zoning Commission.

C. Review by Historic Zoning Commission.

1. Upon receipt of an application for a Certificate of Appropriateness, which in the judgment of the Historic Zoning Commission is sufficiently complete to enable it to make a decision on the request, the Historic Zoning Commission shall set a meeting for initial presentation of the application.

2. The Historic Zoning Commission shall within thirty (30) days following the initial meeting at which the application is presented approve, conditionally approve or deny the request.

3. In its review of any application submitted hereunder, the Historic Zoning Commission shall apply all applicable review standards established in accordance with Section 8.5.13.D.

4. The owner(s) of a Historic Structure, or any individual or group of property owners from the Historic District where the specific property that is the subject of the requested Certificate of Appropriateness is located may appear before the Historic Zoning Commission for purposes of offering evidence or testimony concerning the request and its applicability to the Design Guidelines established for the Historic District. In making its decision as to the granting of a Certificate of Appropriateness, the Historic Zoning Commission shall consider:

a. The review guidelines established for the Historic District.

b. The testimony and evidence offered by property owner(s) of the owners of property within the Historic District where the specific property that is the subject of the requested Certificate of Appropriateness is located.

5. The Historic Zoning Commission may establish a subcommittee of its members to review a routine application for a Certificate of Appropriateness when delay to the next regular meeting would create an unnecessary inconvenience to the applicant. A Certificate of Appropriateness may be issued prior to the next regular meeting upon the signatures of four (4) of the members of the subcommittee.

D. Standards for Review.

In considering an application for a Certificate of Appropriateness, the Historic Zoning Commission shall be guided by the following criteria:

1. Every reasonable effort shall be made to provide a compatible Use for a property that requires a minimal Alteration to the Historic District or property therein and its environment, or to use a property for its originally intended purpose.

2. The distinguishing original qualities or character of Historic District or property therein and its environment shall not be destroyed. The removal or Alteration of any historic material or distinctive architectural feature shall be avoided.

3. All Historic Districts and properties therein shall be recognized as products of their own time. Alterations that have no historical basis and that seek to create an earlier appearance shall be discouraged.

4. Changes that may have taken place in the course of time are evidence of the history and development of a Historic District, the properties therein and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.

5. Distinctive stylistic features or examples of skilled craftsmanship that characterize a Historic District and the properties therein shall be treated with sensitivity.

6. Deteriorated architectural features shall be repaired rather than replaced, whenever possible.

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In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features shall be based on accurate duplication of features, substantiated by historic, physical, or pictorial evidence, rather than on conjectural designs or the availability of different architectural elements from other Structures.

7. The surface cleaning of Structures shall be undertaken with the most gentle means possible. Sandblasting and other cleaning methods that will damage the historic materials shall not be undertaken.

8. Every reasonable effort shall be made to protect and preserve archaeological resources affected by, or Adjacent to, any project.

9. Contemporary design for Alterations and additions to existing properties shall not be discouraged when such Alterations and additions do not destroy significant historical, architectural, or cultural material, and such design is compatible with the size, scale, color, material, and character of the property, neighborhood, or environment.

E. Final Action by Historic Zoning Commission.

The Historic Zoning Commission shall either:

1. Approve the application for Certificate of Appropriateness; or

2. Approve the application for Certificate of Appropriateness with conditions; or

3. Deny the application for Certificate of Appropriateness.

F. Denial of Certificate of Appropriateness.

A denial of a Certificate of Appropriateness shall be accompanied by a statement of the reasons for the denial. The Historic Zoning Commission shall make recommendations to the applicant concerning changes, if any, in the proposed action that would cause the Historic Zoning Commission to reconsider its denial and shall confer with the applicant and attempt to resolve as quickly as possible the differences between the owner(s) and the Historic Zoning Commission. The applicant may resubmit an amended application or submit a new application that takes into consideration the recommendations of the Historic Zoning Commission.

8.5.14 Demolition by Neglect

A. Applicability.

The requirements of this Section 8.5.14 are applicable only to Structures within designated Historic Districts that are identified as "contributing" or "pivotal".

B. Maintenance.

Owners shall maintain or cause to be maintained the exterior and structural features of their properties and not allow to occur on such properties any Condition of Neglect. It shall be a violation of this Ordinance to fail to remedy a Condition of Neglect within the period of time set by a final administrative determination, as described in Sections 8.5.14.C and 8.5.14.D.

C. Conditions of Neglect.

1. Each of the following is a Condition of Neglect:

a. Deterioration of exterior walls, foundations, or other vertical support that causes leaning, sagging, splitting, listing, or buckling;

b. Deterioration of flooring or floor supports, roofs, or other horizontal members that causes leaning, sagging, splitting, listing, or buckling;

c. Deterioration of external chimneys that causes leaning, sagging, splitting, listing, or buckling;

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d. Deterioration or crumbling of exterior plasters or mortars;

e. Ineffective waterproofing of exterior walls, roofs, and foundations, including broken windows or doors;

f. Defective protection or lack of weather protection for exterior wall and roof coverings, including lack of paint, or weathering due to lack of paint or other protective covering;

g. Rotting, holes, or other forms of decay;

h. Deterioration of exterior stairs, porches, handrails, window and door frames, cornices, entablatures, wall facings, or architectural details that causes delamination, instability, loss of shape and form, or crumbling;

i. Heaving, subsidence, or cracking of sidewalks, steps, or pathways;

j. Deterioration of Fences, gates, or Accessory Structures;

k. Deterioration that has a detrimental effect on the applicable Historic District or on the special character thereof; and

l. Deterioration that contributes to a hazardous or unsafe condition.

2. The existence of any one or more Conditions of Neglect shall constitute Demolition by Neglect.

D. Process & Administration.

1. The initial determination that there is a Condition of Neglect shall be made by the Zoning Administrator, after an investigation that is initiated by a petition from any person who is familiar with the subject property, which may include but not be limited to a City employee.

2. On receipt of a petition alleging the existence of a Condition of Neglect, the Zoning Administrator shall notify the owner(s) in writing of the allegation and the process for making a decision regarding the petition, including any applicable deadlines. Among other things, the notice shall offer the owner the opportunity to meet in person with the Zoning Administrator and to present any relevant information. Notice shall be delivered by personal service, or by certified or registered mail, return receipt requested. If certified mail is refused or unclaimed, notice may be delivered by first class mail, and shall be considered effective if such mail is not returned by the post office within fifteen (15) days of mailing. In the case of notice by first class mail, notice shall also be posted on the property. Notice of the investigation may also be given to the owners of nearby or adjacent properties or neighborhood associations.

3. The Zoning Administrator shall:

a. Investigate the allegation that a Condition of Neglect exists;

b. Hold one or more meetings at a time to be set by the Zoning Administrator in which the owner(s), other persons who have received notice, or other interested persons may give information;

c. Issue a written determination, supported by findings of fact, regarding the allegation within 45 days of the owner's receipt of notice;

d. Include within the determination a time period for correcting the Condition of Neglect, if a Condition of Neglect has been found;

e. Retain all information presented by the owner(s) or other persons;

f. Deliver the written determination through any of the means for delivery of notice, as described above;

g. Designate the written determination as a final administrative determination with the right of appeal to the Historic Zoning Commission; and

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h. Include information regarding rights to a de novo hearing before the Historic Zoning Commission in accordance with the process described in Section 8.5.14.D.5.

4. The above process may be suspended in the event the owner(s) agrees in writing to correct the alleged Condition of Neglect within a time period determined to be reasonable by the Zoning Administrator. If the condition is not corrected within that time period, the process shall continue where it was suspended.

5. If the owner(s) disagrees with the Zoning Administrator's determination, the owner may appeal and may request a de novo hearing before the Historic Zoning Commission.

6. The request shall be delivered to the Development Services Department, in writing, within thirty (30) days of receipt of the Zoning Administrator's determination.

7. The Historic Zoning Commission shall hold a hearing on the issue of whether Demolition by Neglect is occurring on the property. Procedures that would be followed by the Board of Zoning Appeals shall be used.

8. The Zoning Administrator's determination shall be considered an administrative determination, which has been appealed to the Historic Zoning Commission. The Historic Zoning Commission's determination on the administrative determination shall be in accordance with the standards established in Section 8.3.4.

9. The Historic Zoning Commission's written decision shall include findings of fact and conclusions regarding Conditions of Neglect consistent with this Section 8.5.14.D. It shall be delivered to the appealing party by certified mail, return receipt requested.

10. Decisions by the Historic Zoning Commission may be appealed to the courts in the same manner as an appeal of a Board of Zoning Appeals decision. If the decision is not appealed, it shall be considered a final decision subject to enforcement with no rights of appeal.

11. The owner(s) is entitled to make a claim of undue economic hardship if the owner(s) is unable to make needed repairs to the property because it is economically unfeasible.

12. In the event that the owner(s) and/or other parties in interest do not wish to contest the determination regarding the Condition of Neglect, but do wish to petition for a claim of undue Economic Hardship, the Zoning Administrator's order regarding the Condition of Neglect shall be stayed until after the Historic Zoning Commission's determination regarding the claim of undue Economic Hardship.

13. If a claim of undue Economic Hardship is made, the Zoning Administrator shall receive all information from the property owners that the Historic Zoning Commission is entitled to receive pursuant to this Ordinance, make a determination regarding whether there is undue Economic Hardship, and if it is found to exist, develop a plan for dealing with such hardship, and issue a Certificate of Economic Hardship with respect to its determination and plan.

14. The determination and, if applicable, the plan, shall be sent to the owner(s), certified mail, return receipt requested, with notice of the owner's rights to appeal to the Historic Zoning Commission within thirty (30) days of receipt. If the owner(s) disagrees with the determination and, if applicable, the plan, the owner(s) may request a hearing before the Historic Zoning Commission. In the event of such a request, the hearing shall be a quasi-judicial hearing, in the nature of a Board of Zoning Appeals hearing, and the decision shall be in writing, supported by findings and conclusions. The Zoning Administrator's determination as to undue Economic Hardship and any plan for dealing with such a hardship shall be

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considered a final administrative determination, and any Historic Zoning Commission decision altering such determination or plan shall be made in a manner consistent with the requirements of Section 8.3.4.

15. When a claim of undue Economic Hardship is made owing to the effects of this Section 8.5.14, the owner and/or parties in interest shall, where reasonably possible, provide the evidence below, describing the circumstances of hardship, and any additional evidence requested by the Zoning Administrator or Historic Zoning Commission or evidence the owner(s) considers relevant:

a. Nature of ownership (individual, Business, or nonprofit) or legal possession, custody, and control.

b. Financial resources of the owner(s) and/or parties in interest.

c. Cost of repairs.

d. Assessed value of the land and improvements.

e. Real estate taxes for the previous two years.

f. Amount paid for the property, date of purchase, and party from whom purchased, including a description of the relationship between the owner(s) and the person from whom the property was purchased, or other means of acquisition of title, such as by gift or inheritance.

g. Annual debt service, if any, for previous two years.

h. Any listing of the property for sale or rent, price asked, and offers received, if any.

i. Annual gross income, if any, from the property for the previous two years.

j. Itemized operating and maintenance expenses for the previous two years, including proof that adequate and competent management procedures were followed.

k. Annual cash flow, if any, for the previous two years.

16. Nothing contained within this Section 8.5.14 shall diminish the City's power to declare a Structure unsafe or in violation of the minimum housing code or any other applicable statute or code. In addition, the procedures described herein are mandatory only for determinations being made solely under the authority of this Section 8.5.14. Where other sections of this Ordinance, the City Code, or other ordinances apply, the City Council may, in its discretion, choose to process any action regarding the property under such other provisions alone, or under such provisions along with these provisions concurrently, or solely under these provisions. The City Council may also suspend the procedures of this Section 8.5.14 at any time if an action has been initiated under other applicable law.

17. Enforcement of this Section 8.5.14 may be by any one or more of the following methods, and the institution of any action under any of these methods shall not relieve any party from any other civil or criminal proceeding prescribed for violations and prohibitions:

a. The City may apply for any appropriate equitable remedy to enforce the provisions of this Section 8.5.14.

b. The City may apply for and the court may enter an order of abatement. An order of abatement may direct that improvements or repairs be made, or that any other action be taken that is necessary to bring the property into compliance with this Section 8.5.14. Whenever the party is cited for contempt by the court and the City has executed the order of abatement, the City shall have a lien on the property for the cost of executing the order of abatement.

c. Civil penalties may be assessed for failure to comply with a final administrative determination or an un-appealed Historic Zoning Commission decision under the provisions and guidelines for

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assessing such penalties for violations of this Ordinance. Prior to imposing a civil penalty, the Zoning Administrator shall deliver a written notice by personal service or by registered or certified mail, return receipt requested, to the person responsible for the violation indicating the nature of the violation and ordering corrective action. Where the violation is the failure to remedy a Condition of Neglect within the time periods provided by the Zoning Administrator or the Historic Zoning Commission, no additional time period for compliance need be given. The notice shall include information regarding the possible assessment of civil penalties and other possible enforcement actions. If this notice is appealed to the Board of Zoning Appeals, the Board of Zoning Appeals shall not rehear any issue that was heard by the Historic Zoning Commission or could have been so heard had an appeal to the Historic Zoning Commission been made; rather, the Board of Zoning Appeals shall limit the scope of its review to whether there has been compliance with the Zoning Administrator's determination or the Historic Zoning Commission's determination, as applicable.

8.5.15 Design Review

A. Intent.

Design Review by the Architectural Design Review Team is intended to protect the physical character of the City through additional review of certain proposed Developments meeting certain criteria.

B. Applicability.

Prior to issuance of a Building Permit, Design Review shall be required for the following:

1. Design of all Buildings and Structures within a Special District; and

2. Design of all Buildings and Structures Buildings within a Planned Unit Development District.

C. Pre-Application Conference.

Applicants for Development requiring Design Review are encouraged to schedule a pre-application conference in accordance with Section 8.5.4.B.

D. Action by Architectural Review Team.

All reviews by the Architectural Design Review Team shall be in accordance with the following procedures:

1. Upon receipt of an application for Design Review which in the judgment of the Zoning Administrator is sufficiently complete to enable the Architectural Design Review Team to conduct a review, the Zoning Administrator shall set a meeting for initial review as soon as reasonably possible, but in no case later than 30 calendar days after receipt of a complete application.

2. Applicants are encouraged (but not required) to begin the process with a conceptual presentation of the project to the Architectural Design Review Team at the initial review meeting.

3. In cases where the Architectural Design Review Team deems it necessary, it may hold a public hearing concerning the application. Such hearing shall be advertised in accordance with Section 8.5.4.D.2, Published Notice.

E. Approval Authority.

For all applications that include Buildings that are subject to Design Review, the Architectural Design Review Team shall make a recommendation to approve or deny a proposal.

F. Design Review Criteria.

1. In their consideration, the Architectural Design Review Team shall consider the following:

a. Compatibility with the surrounding Structures; and

b. Compliance with applicable design standards and requirements of this Ordinance or the

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applicable Development Plan or Master PUD Development Plan.

2. In rendering a decision, the Architectural Design Review Team shall be limited to the consideration of the design features and materials of construction of each Building or other Structure.

3. The Architectural Design Review Team shall not be permitted to consider aspects of a proposal not specifically related to the design features and/or materials of construction of a Building or other Structure.

8.5.16 Conditional Use Permits & Variances

A. Applicability.

This Section applies to Conditional Use Permits and to Variances.

B. Concurrent Applications.

Applications for Variances may be submitted concurrently with applications for Conditional Use Permits. However, decisions shall be rendered separately for any Variance and the Conditional Use Permit.

C. Conditional Use Permits.

1. Conditional Uses within Districts are considered to be Uses which are appropriate in a particular District, but because of their potential for incompatibility with Adjacent Uses, require individual review.

2. The Board of Zoning Appeals shall hear and decide, in accordance with the provisions of this Ordinance, requests for Conditional Use Permits.

3. The procedures and requirements for Conditional Uses are applicable when a Use is indicated within the applicable District as a Conditional Use in **Tables 4.3.9.A-1 (Building, Lot, & Building Site Principal Uses)**, **4.3.9.A-2 (Building, Lot, & Building Site Accessory Uses), and 4.3.9.A-3 (Building, Lot, & Building Site Temporary Uses)** and are not applicable to Use when a Use is indicated within the applicable District as a Use Permitted Subject to Limited Use Standards in such Tables.

D. Variances.

1. The Board of Zoning Appeals shall hear and decide, in accordance with the provisions of this Ordinance, requests for Variances.

2. The Board of Zoning Appeals may authorize, upon appeal relating to a piece of property, a Variance from the strict application of certain standards, conditions, and requirements of this Ordinance; subject however to the requirements of this Section.

3. Notwithstanding anything to the contrary contained or implied in Section 8.5.16.D.2, no Variance may be granted with respect to any of the following types of standards, conditions, or requirements of this Ordinance:

a. Use

b. Floor Area or Floor Area Ratio

c. Lot or Building Site Width or Area

d. Impervious Surface Coverage

e. Parking

f. Signs

g. Extension of Nonconforming Use

h. Maximum dimensions of vehicular lanes

4. In addition to Variances that may be granted pursuant to Section 8.5.16.D.2, the Board of Zoning Appeals may grant Variances for the reconstruction, rehabilitation, or restoration of Structures within Historic Districts.

E. Pre-Application Conference.

All applicants for a Conditional Use Permit or a Variance shall schedule a pre-application conference

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in accordance with Section 8.5.4.B.

F. Application Requirements.

An application for a Conditional Permit or a Variance shall be filed in writing with the Board of Zoning Appeals in accordance with Section 8.5.4.C. Application Requirements and shall contain the information and exhibits required under Section 8.5.6.H as if it were an application for Site Development Plan review.

G. Public Hearing

1. Any request for a Conditional Use Permit or a Variance shall require a public hearing before the Board of Zoning Appeals.

2. Not more than 60 days after filing such application, a hearing shall be held on the application, unless otherwise withdrawn or postponed upon written request by the applicant.

3. All notices shall specify the current zoning and notification that applicant is seeking a Conditional Use Permit or Variance.

4. All notices shall include a brief summary indicating the nature of the action and the standard that is requested to be modified (if applicable).

5. All notices shall be made at least 10 days prior to the scheduled Board of Zoning Appeals meeting.

6. The notice shall be published in accordance with Section 8.5.4.D.2. The notice shall be mailed in accordance with Section 8.5.4.D.8.

H. Zoning Administrator Action.

1. The Zoning Administrator shall transmit one copy of the application and all supporting information to the City Engineer for technical assistance in evaluating the proposed project in relation to flood heights and velocities, threatened erosion, the adequacy of the plans for flood and erosion protection, the adequacy of drainage facilities, and other technical matters.

2. If the proposed use is located within or on a Historic District, the Zoning Administrator shall transmit one copy of the application and all supporting information to the Historic Zoning Commission.

3. The Zoning Administrator shall prepare a report that reviews the application in light of any requirements of this Ordinance and technical input from the City Engineer or other review bodies. A copy of the report shall be provided to the Board of Zoning Appeals and to the applicant.

I. Historic Zoning Commission Action.

1. If the proposed Use is located within a Historic District and a Certificate of Appropriateness is required, the applicant shall obtain the certificate according to the procedure in Section 8.5.13, prior to proceeding.

2. If no Certificate of Appropriateness is required but the proposed use is within a Historic District, the Zoning Administrator shall include comments and recommendations in the report prepared by the Zoning Administrator.

J. Board of Zoning Appeals Action.

1. The Board of Zoning Board of Appeals shall conduct a public hearing pursuant to Section 8.5.16.G.

2. After conducting the public hearing, and considering the recommendations of the Zoning Administrator and the requirements listed in Sections 8.5.16K and 8.5.16.L, the Board of Zoning Appeals shall:

a. Approve the request;

b. Approve the request with conditions;

c. Deny the request; or

d. Continue the hearing.

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3. In acting on an application for a Variance, the Board of Zoning Appeals shall limit its review and action to the specific standard, condition, or requirement from which relief is requested.

K. Conditional Use Permit Specific Requirements.

1. A Conditional Use Permit may be granted provided the Board of Zoning Appeals finds that the request conforms to the following requirements:

a. The proposed Use is listed as a Conditional Use for the applicable District.

b. The proposed Use conforms to all applicable standards listed in Section 4.3.9.D, for the proposed Use;

c. The proposed Use Is so designed, located, and proposed to be operated that the public health, safety, and welfare will be protected;

d. The proposed Use will not adversely affect other property in the area in which it is located;

e. The proposed Use conforms to all applicable provisions of this Ordinance for the District in which it is to be located.

2. The Board of Zoning Appeals may impose such other conditions and restrictions upon the premises benefited by a Conditional Use Permit as may be necessary to reduce or minimize the injurious effect of such Conditional Use upon and ensure compatibility with surrounding properties. The Board of Zoning Appeals may establish dates for the expiration of any Conditional Use Permit as a condition of approval.

3. The provisions of Sections 8.5.16.K.3.a–.c following shall apply to all applications for approval of any Conditional Use located within any Floodplain District as indicated on the Floodplain Map available from the Development Services Department during normal business hours:

a. Prior to the approval of a Conditional Use Permit application, an approved Floodplain Development Permit shall be required.

b. The Board of Zoning Appeals shall determine the specific flood or erosion hazard at the site and shall evaluate the suitability of the proposed use in relation to the flood hazard. Upon consideration of the factors listed herein and the purposes of this Ordinance, the Board of Zoning Appeals may attach such conditions to the granting of the Conditional Use Permit as it deems necessary to further the purposes of this Ordinance.

c. In passing upon such applications, the Board of Zoning Appeals shall consider the technical evaluation of the City Engineer, all relevant factors, and standards specified in other sections of this Ordinance, and:

(1) The danger that materials may be swept onto the other lands to the injury of others;

(2) The danger to life and property due to flooding or erosion damage;

(3) The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination, and unsanitary conditions;

(4) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;

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

(6) The necessity to the facility of a waterfront location, where applicable;

(7) The availability of alternative locations, not subject to flooding or erosion damage;

(8) The compatibility of the proposed use with existing Development anticipated in the foreseeable future;

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(9) The relationship of the proposed use to the Comprehensive Plan and floodplain management program for that area;

(10) The safety of access to and from the property in times of flood for ordinary and emergency vehicles;

(11) The expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters expected at the site; and

(12) 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, and water systems, and streets and bridges.

L. Variance Requirements.

1. The Board of Zoning Appeals shall not grant a Variance unless it makes the following findings based upon evidence presented to it:

a. That by reason of exceptional narrowness, shallowness, or shape of a particular piece of property at the time of enactment of this Ordinance, or by reason of exceptional topographic conditions or other exceptional and extraordinary situation or condition of such piece of property, the strict application of any regulation contained within this Ordinance would result in peculiar and exceptional practical difficulties to or exceptional or undue hardship upon the owner of such property.

b. That the Variance is the minimum Variance necessary so as to relieve such difficulties or hardship and thereby make possible the reasonable use of the land, Building, or Structure.

c. That the Variance will not authorize uses or activities in the applicable District other than those permitted by this Ordinance.

d. That financial returns alone shall not be considered as a basis for granting a Variance.

e. That the granting of the Variance will not be substantially detrimental to the public good or substantially injurious to other property or improvements in the area in which the subject property is located, and will not substantially impair the intent and purpose of the general provisions of the City's zone plan and this Ordinance.

f. That the proposed Variance will not impair an adequate supply of light and air to the adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety.

g. That the alleged difficulty or hardship has not been caused or created by the act or omission of the applicant or any person having an interest in the property.

2. Notwithstanding anything to the contrary contained or implied in Section 8.5.16.L.1, none of the following shall be deemed or considered to be, or be considered in making a determination whether strict compliance with this Ordinance presents, a peculiar and exceptional practical difficulty to or exceptional or undue hardship upon the owner of property:

a. Pecuniary considerations

b. Aesthetic considerations

c. Historic Preservation

d. Public good

e. Over-compliance with other provisions of this Ordinance

f. Personal Situations

g. Proximity to inconsistent or incompatible Uses or Development

h. Other Variances that have been granted

i. Nonconformities

j. District boundaries

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k. Conditional Uses or Uses Permitted Subject to Limited Use Standards; or

l. Deterioration of surrounding area

3. Neither any Nonconforming Use of neighboring lands, Structures, or Buildings in the same District, nor any non-permitted or Nonconforming Use of lands, Structures, or Building in other Districts shall be considered grounds for the issuance of a Variance.

4. Under no circumstances shall the Board of Zoning Appeals grant a Variance to allow a Use that is not permissible under this Ordinance in the applicable District, or any Use which is expressly or by implication prohibited by the terms of this Ordinance in said District.

5. The Board of Zoning Appeals may impose such conditions and restrictions upon the premises benefited by a Variance as may be necessary to comply with the provisions set out in Sections 8.5.16.L.1 above to reduce or minimize the injurious effect to such Variance upon surrounding property and better carry out the general intent of this Ordinance. The Board of Zoning Appeals may establish expiration dates as a condition or as a part of any Variances.

6. The additional requirements of Sections 8.5.16.L.6.a –.c following shall apply to all applications for approval of any Variance from the provisions of Section 6.12:

a. Each application for a Variance shall reflect the type of Structure(s) for which the Variance is sought, the size of such Structures, the approximate location upon the parcel and the intended use thereof.

b. Due to the extreme hazardous conditions within the floodway and the effect of obstructions to upstream Structures, no Variance shall be issued within the designated Floodway District which would result in any increase in flood levels during the regulatory flood discharge.

c. Any applicant to whom a Variance is granted shall be given notice that the proposed Structure will be located in the flood prone area, but the Structure will be permitted to be built with a lowest flood elevation of the number of feet approved by the Variance below the regulatory flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced first floor elevation, and all subsequent purchasers shall be notified in writing, and same shall be set out in any deed or other writing issued to subsequent purchasers, lessees, mortgagors or vendees.

7. Any person, including without limitation any agency of the City, who is aggrieved by a decision of the Board of Zoning Appeals on a Variance, may appeal by *certiorari* to a court of competent jurisdiction. The judgment and findings of the Board of Zoning Appeals on all questions of fact that may be involved in any appeal, cause, hearing or proceeding under this Ordinance shall be final and subject to review only for illegality or want of jurisdiction.

8.5.17 Appeal of Administrative Decision

A. Applicability.

An appeal may be made by the aggrieved party in the case of refusal by the Zoning Administrator to issue a Building Permit, Certificate of Compliance, or other administrative decision.

B. Application Requirements.

1. An application for an appeal of an administrative decision shall be filed in accordance with Section 8.5.4.C.

2. A notice of appeal of an administrative decision shall be considered filed when a complete application is delivered to the Zoning Administrator, or designee.

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The date and time of filing shall be entered on the notice.

3. An application for appeal of an administrative decision shall be filed with the Board of Zoning Appeals within 30 days of receipt of the decision by the Zoning Administrator.

C. Notice & Public Hearing.

1. Any appeal of an administrative decision shall require a public hearing before the Board of Zoning Appeals.

2. Each application for appeal of an administrative decision shall be numbered serially and filed in proper form with the required date, and shall be placed upon the calendar of the Board of Zoning Appeals by the Zoning Administrator. The calendar numbers shall begin anew on January 1, each year, shall be hyphenated with the year in which the appeal is filed.

3. Appeals will be assigned for hearing by the Zoning Administrator in the order in which they appear on the calendar thereof, except that appeals may be advanced for hearing by order by the Board of Zoning Appeals, upon good cause being shown. The Zoning Administrator of Adjustment shall give published public notice as forth in Section 8.5.4.D.2.

4. All notices shall specify the current zoning and notification that the applicant is seeking an appeal of administrative decision.

5. All notices shall be made at least 10 days prior to the scheduled Board of Zoning Appeals meeting.

6. The notice shall be published in accordance with 8.5.4.D.2.

D. Action by Board of Zoning Appeals.

1. At the public hearing of the case before the Board of Zoning Appeals, the appellant shall appear on appellant's own behalf or be represented by counsel or agent. The appellant's case shall be heard first and those in objection shall follow. To maintain orderly procedure, each side shall proceed without interruption from the other.

2. Every person before the rostrum shall abide by the order and direction of the chair. Discourteous, disorderly, or contemptuous conduct shall be regarded as a breach of the privileges of the Board of Zoning Appeals and shall be dealt with as the chair deems proper.

3. The Board of Zoning Appeals may reverse or affirm (wholly or partly) or may modify the order, requirement, decision, or determination appealed from and shall make any order, requirement, decision or determination that in its opinion ought to be made in the case before it. To this end, the Board of Zoning Appeals shall have all the powers of the officer from whom the appeal is taken.

4. A motion to reverse, affirm, or modify the order, requirement, decision, or determination appealed from shall include, insofar as practicable, a statement of the specific reasons or findings of fact that support the motion.

5. The concurring vote of a majority of the entire membership of the Board of Zoning Appeals shall be necessary to reverse any order, requirement, decision, or determination of the Zoning Administrator, or to decide in favor of the applicant on any matter upon which it is required to pass under this Ordinance, or to effect any Administrative Adjustment in the application of this Ordinance.

6. Any motion to overturn an administrative decision shall state the reasons or findings of fact that support the motion.

E. Effect of Appeal.

1. An appeal shall stay all proceedings in furtherance of the action appealed, unless the administrative official from whom the appeal is taken certifies to the Board of Zoning Appeals that, because of

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facts stated in the certificate, a stay would, in their opinion, cause imminent peril to life or property or that because the violation is transitory in nature a stay would seriously interfere with the effective enforcement of this Ordinance. In that case, proceedings shall not be stayed except by order of the Board of Zoning Appeals or a court, issued on application of the party seeking the stay, for due cause shown, after notice to the administrative official.

2. An appeal shall not stop action lawfully approved (including construction activities authorized by a Building Permit); only actions presumed in violation of this Ordinance are stayed.

F. Further Appeal.

Any person, including without limitation, any agency of the City, who is aggrieved by a decision of the Board of Zoning Appeals on appeal of an administrative decision may appeal by certiorari to a court of competent jurisdiction. The judgment and findings of the Board of Zoning Appeals on all questions of fact that may be involved in any appeal, cause, hearing or proceeding under this Ordinance shall be final and subject to review only for illegality or want of jurisdiction.

8.5.18 Zoning Ordinance Text Amendment

A. Applicability.

This Section 8.5.18 is applicable to requests for amendment of the text or other content of this Ordinance. Such an amendment is sometimes referred to as a Zoning Ordinance Amendment or a "zoning text amendment". Requests for changing the Zoning Map as applied to a particular piece of property (i.e., a Rezoning or Zoning Map Amendment] are governed by Section 8.5.19.

B. General.

The City Council may, from time to time, amend this Ordinance by changing any provisions whenever it is alleged that there was an error in the Zoning Ordinance or whenever the public necessity, convenience, and general welfare require such amendment.

C. Consistency with Plans.

1. All petitions for Zoning Ordinance Amendment must be consistent with the Comprehensive Plan and applicable local plans. A petition for Zoning Ordinance Amendment shall not be approved by the City Council when there is a conflict with the Comprehensive Plan or applicable local plans, as determined by the Planning Commission (see Section 8.3.3.B.4.

2. When required, an application for an amendment to the Comprehensive Plan or local plan may be submitted concurrently with an application for Zoning Ordinance Amendment. The decisions, however, shall be rendered with separate motions.

D. Initiation of Amendment.

A Zoning Ordinance Amendment may be initiated by the City Council, the Planning Commission, or by the Zoning Administrator..

E. Application for Amendment.

1. An application for Zoning Ordinance amendment shall be filed with the Zoning Administrator.

2. An application for Zoning Ordinance Amendment shall be submitted in accordance with Section 8.5.4.C.

3. An application for Zoning Ordinance Amendment shall be accompanied by a conceptual Sketch Development Plan.

4. The Zoning Administrator on receiving such an application, shall transmit a copy thereof to the Planning Commission prior to any consideration of the proposed amendment by the City Council.

F. Planning Commission Hearing

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Schedule.

The petition for Zoning Ordinance Amendment shall be placed on the agenda of the next available Planning Commission meeting.

G. Planning Commission Action.

1. The Planning Commission shall make a recommendation within 30 days of its initial meeting on the application. The time period for a recommendation may be altered, as in the case of significant modifications, in which case one additional 30-day period shall be granted before the case shall go to the City Council.

2. When a recommendation is not rendered within the time periods established in this section, the City Council may process the request without a Planning Commission recommendation.

3. The Planning Commission in its review and recommendation shall make specific findings with regard to the following grounds for a Zoning Ordinance Amendment and shall note the same in the official record as follows:

a. The extent to which the proposed Zoning Ordinance Amendment is consistent with the remainder of this Ordinance, including, specifically, any purpose and intent statements;

b. The extent to which the proposed Zoning Ordinance Amendment represents a new idea not considered in this Ordinance, or represents a revision necessitated by changing circumstances over time;

c. Whether or not the proposed Zoning Ordinance Amendment corrects an error in this Ordinance; and

d. Whether or not the proposed Zoning Ordinance Amendment revises this Ordinance to comply with state or federal statutes or case law.

H. City Council Hearing Schedule.

The petition for Zoning Ordinance Amendment shall be placed on the agenda of the next available City Council meeting following a Planning Commission recommendation or failure of the Planning Commission to make a recommendation under Section 8.5.18.G above.

I. Notice of Public Hearing.

1. Any request for Zoning Ordinance Amendment shall require a public hearing before the City Council.

2. Notice of the proposed Zoning Ordinance Amendment shall be published in accordance with Section 8.5.4.D.2.

3. This notice shall also include:

a. A summary description of the proposed amendment;

b. A statement that interested parties may appear at the City Council meeting; and

c. A statement that substantial changes to the proposed action may be made following the meeting.

J. City Council Action.

1. A public hearing shall be held.

2. In rendering its decision, the City Council shall consider any recommendations by the Planning Commission.

3. The City Council may approve the proposed Zoning Ordinance Amendment, approve the amendment with modifications, deny the amendment, or send the amendment back to the Planning Commission for additional consideration.

4. The City Council in its deliberation and decision shall make specific findings with regard to the following grounds for an Zoning Ordinance Amendment and shall note the same in the official record as follows:

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a. The extent to which the proposed Zoning Ordinance Amendment is consistent with the remainder of this Ordinance, including, specifically, any purpose and intent statements;

b. The extent to which the proposed Zoning Ordinance Amendment represents a new idea not considered in this Ordinance, or represents a revision necessitated by changing circumstances over time;

c. Whether or not the proposed Zoning Ordinance Amendment corrects an error in this Ordinance; and

d. Whether or not the proposed Zoning Ordinance Amendment revises this Ordinance to comply with state or federal statutes or case law.

K. Effect of Denial of Application.

Whenever an application for a Zoning Ordinance Amendment is denied, the application for such amendment shall not be eligible for reconsideration for one year following such denial, except in the following cases:

1. Upon initiation by the City Council or Planning Commission.

2. When the previous application was denied for the reason that the proposed Zoning Ordinance Amendment would not conform to the Comprehensive Plan or local plans, and the Comprehensive Plan has subsequently been amended in a manner which will allow the proposed Zoning Ordinance Amendment.

L. Entry of Zoning Ordinance Amendment.

Upon enactment of a Zoning Ordinance Amendment, the Zoning Administrator shall cause such amendment to be entered into the Ordinance, and if it affects the Zoning Map, cause such amendment to be entered on the Official Zoning Map, in each case noting thereon the ordinance number and effective date of such amendatory ordinance.

M. No Unauthorized Changes.

No changes of any nature shall be made to the Zoning Ordinance except in conformity with the procedures set forth in this Ordinance. Any unauthorized change of whatever kind by any person or persons shall be considered a violation of this Ordinance and punishable as provided under Section 8.6.

8.5.19 Rezoning

A. Applicability

This Section 8.15.9 is applicable to requests for a change in the District boundaries of property, including without limitation the District assignment of a particular piece of property, as depicted on the Official Zoning Map. Such a change is sometimes referred to as a Rezoning or a Zoning Map Amendment. Requests for amendment of the text or other content of this Ordinance (i.e., a Zoning Ordinance Amendment or a "zoning text amendment") are governed by Section 8.5.18.

B. General.

1. The City Council may, from time to time, amend the Official Zoning Map by changing the boundaries of districts whenever it is alleged that there was an error in the Official Zoning Map or whenever the public necessity, convenience, and general welfare require such amendment.

2. For additional requirements applicable to Rezonings to a Planned Unit Development, see Section 8.5.21.

C. Consistency & Coordination with Plans.

1. All petitions for Rezoning shall be consistent with the Comprehensive Plan and any applicable local plans. A petition for Rezoning shall not be approved by the City Council unless the Rezoning is consistent with and not in conflict with the Comprehensive

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Plan or applicable local plans, as determined by the Planning Commission (see Section 8.5.20).

2. When required, an application for a Comprehensive Plan Amendment or other Land Use Plan Amendment may be submitted concurrently with an application for Rezoning. The decisions, however, shall be rendered with separate motions.

D. Initiation of Rezoning.

Rezonings may be initiated by the City Council, the Planning Commission, the Zoning Administrator, or by application by the owner of the property or an authorized agent of the owner.

E. Application for Rezoning.

1. An application for Rezoning shall be filed with the Zoning Administrator.

2. The Zoning Administrator, on receiving such application, shall transmit a copy thereof to the Planning Commission prior to any consideration of the proposed amendment by the City Council.

F. Application Requirements.

1. Rezonings should correspond with the boundary lines of existing platted Lots, Building Sites, or tracts. If the boundaries of a Rezoning request stop short of an exterior property line, that portion of the property outside the proposed Rezoning boundary shall be capable of being subdivided in accordance with the City Subdivision Regulations and Developed in accordance with the requirements of this Ordinance.

2. All requirements of this Ordinance shall be met within the boundaries of the area being Rezoned. If all of the requirements cannot be met on the property proposed to be Rezoned, the Rezoning shall be expanded to include necessary property being used to meet such requirements.

3. As applicable, a Sketch Development Plan meeting the requirements of Section 8.5.6.G or a Master PUD Development Plan meeting the requirements of Section 8.5.21 shall be provided as part of a Rezoning application that proposes assignment of land to any of the available types of PUD District. Without limitation to the foregoing, no proposal for Rezoning shall be approved unless and until an application for a Sketch Development Plan or a Master PUD Development Plan, as applicable, shall have been approved and-or certified, as applicable, pursuant to Section 8.5.6.G or Section 8.5.21.

G. Hearing Schedule.

The petition for Rezoning shall be placed on the agenda of the next available Planning Commission meeting.

H. Planning Commission Action.

1. Notice requirements shall be met as described in Section 8.5.4.D

2. The Planning Commission shall make its recommendation within 30 days of its initial public hearing. The time period for a recommendation may be altered, as in the case of significant modifications, in which case one additional 30-day period shall be granted before the case shall go to the City Council.

3. When a recommendation is not rendered within the time periods established in this section, the City Council may process the request without a Planning Commission recommendation.

4. The Planning Commission in its review and recommendation, 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 Rezoning is consistent and not in conflict with the Comprehensive Plan or other applicable approved local plans for the area;

b. It has been determined that the legal purposes for which zoning exists, as set forth in Section 1.5;

c. It has been determined that there will be no adverse effect upon Adjoining property owners

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unless such effect 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 to warrant the Zoning Map Amendment or that the existing zoning of the property was the result of a mistake.

f. It has been determined that adequate school, road, parks, wastewater treatment, water supply, and stormwater drainage facilities are available.

I. Initial Reading before City Council.

The City Council shall hold an initial reading of the petition for Rezoning prior to scheduling a public hearing.

J. Notice of Public Hearing.

Any request for Rezoning shall require a public hearing before the City Council. After the initial reading before the City Council, the petition shall be placed on the agenda of the next available City Council meeting and notification of a public hearing shall be performed as follows:

1. Notice of the Rezoning shall be published in accordance with Section 8.5.4.D.2.

2. This notice shall specify the property by the best means possible and proposed zoning classification of the property under consideration.

3. Except in cases of a newly annexed property receiving initial zoning, the City shall post signs on the property indicating the action requested in accordance with Section 8.5.4.D.3.

4. Initial zoning of properties newly annexed into the City shall not require the posting of a sign.

5. Notice of the Rezoning shall be mailed in accordance with Section 8.5.4.D.3.

6. This notice shall specify the street address, current and proposed zoning classification, and it shall contain a graphic illustration of the area.

K. City Council Action.

1. Notice requirements shall be met.

2. The City Council shall consider any recommendations by the Planning Commission in rendering its decision.

3. The City Council may approve the request, deny the request, or send the request back to the Planning Commission for additional consideration.

4. The City Council may approve the request at a less intensive classification than requested with consent of the applicant.

5. Including the initial consideration before City Council mentioned above, two considerations before the City Council shall be required prior to any decision on the petition.

6. The City Council in its deliberation and decision shall make specific findings with regard to the following grounds for a Rezoning and shall note the same in the official record as follows:

a. The Rezoning is in agreement with the Comprehensive Plan and any applicable local area plans;

b. It has been determined that the legal purposes for which zoning exists are not contravened; and

c. It has been determined that there will be no adverse effect upon Adjoining property owners unless such effect can be justified by the overwhelming public good or welfare.

L. Effect of Denial of Application.

Whenever an application for a Rezoning of any

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property is denied, no application for Rezoning of all or any part of such property may be made or considered for one year following such denial, except in the following cases:

1. Upon initiation by the City Council or Planning Commission.

2. If the new application, although involving all or a portion of the same property, is for a different District than that for which the denied application was made.

3. If the previous application was denied for the reason that the proposed Rezoning would not conform to the Comprehensive Plan, and the Comprehensive Plan was subsequently amended in a manner which would allow the proposed zoning.

M. Districts as Applied to Territory Added to Jurisdiction of City.

Whenever new territory is added to the zoning jurisdiction of the City by any means, the Planning Commission shall recommend to the City Council appropriate zoning districting within 30 days following the final approval of the annexation action. Prior to the final enactment by the City Council of an Zoning Map Amendment establishing zoning districting for said territory, the area shall be temporarily unclassified and no Building Permits shall be issued.

N. Reflection on Zoning Map.

1. Upon approval of a Zoning Map Amendment, the Zoning Administrator shall cause such amendment to be placed upon the Official Zoning Map, noting thereon the ordinance number and effective date of such amendatory ordinance.

2. No amendment to this Ordinance that involves any matter portrayed on the Official Zoning Map shall become effective until after such change and entry have been made on said map.

N. No Unauthorized Changes.

No changes of any nature shall be made in the Official Zoning Map or matter shown thereon except in conformity with the procedures set forth in this Ordinance. Any unauthorized change of whatever kind by any person or persons shall be considered a violation of this Ordinance and punishable as provided under Section 8.6.

8.5.20 Plan Amendment / Adoption

A. Applicability.

1. This Section 8.5.20 is applicable to the adoption of, or amendments to, the Comprehensive Plan, Future Land Use Map, or other City land use plans and maps (hereinafter referred to collectively as "Land Use Plans).

2. The City Council shall consider adoption of, or amendments to, Land Use Plans as may be required from time to time.

3. The process for adoption of a Land Use Plan shall be the same as that for a Land Use Plan Amendment, as set forth herein.

B. Coordination with Rezoning Application.

An application for a Land Use Plan Amendment may be submitted and reviewed concurrently with a Rezoning application. The public hearings on both the proposed Land Use Plan Amendment and the proposed Rezoning may be heard at the same meeting; however, decisions shall be rendered with separate motions.

C. Pre-Application Conference.

All applicants applying for a Land Use Plan Amendment shall schedule a pre-application conference with the Zoning Administrator in accordance with Section 8.5.4.B.

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D. Application Requirements.

An application for a Land Use Plan Amendment shall be submitted in accordance with Section 8.5.4.C, Application Requirements. The Zoning Administrator shall review the application and make any recommendations to the Planning Commission.

E. Action by Planning Commission.

1. Before making any recommendation on a Land Use Plan Amendment, the Planning Commission shall consider any recommendations from the Zoning Administrator, and shall conduct a public hearing.

2. Notice and public hearing requirements shall be in accordance with Section 8.5.4.D.

3. It is expected that the applicant or a representative of the applicant will appear at the meetings to explain why the Land Use Plan should be changed.

4. Following the public hearing, the Planning Commission shall make a recommendation on the application to the City Council.

5. The Planning Commission shall make its recommendation within 30 days of its initial public hearing. The time period for a recommendation may be altered, as in the case of significant modifications, in which case one additional 30-day period shall be granted before the case shall go to the City Council.

6. If a recommendation is not rendered within the time periods established in this section, the City Council may process the request without a Planning Commission recommendation.

F. Criteria for Planning Commission Recommendations.

The recommendations of the Planning Commission to the City Council shall show that the Planning Commission has studied and considered the proposed Land Use Plan Amendment in relation to the following, where applicable:

1. Whether the proposed change would be consistent with the intent, goals, objectives, policies, guiding principles and programs of all other applicable adopted Land Use Plans;

2. Whether the proposed change would be compatible with the existing land use pattern and designated future land uses;

3. Whether the proposed change would create substantial adverse impacts in the Adjacent area or the City in general;

4. Whether conditions affecting the area have changed to a sufficient extent to warrant the proposed change; and

5. Whether the subject parcel is of adequate shape and size to accommodate the proposed change.

G. Action by City Council

1. Before taking action on a Land Use Plan Amendment, the City Council shall consider the recommendations of the Planning Commission and any recommendations of Zoning Administrator, and shall conduct a public hearing.

2. Notice and public hearing requirements shall be in accordance with Section 8.5.4.D.

3. It is expected that the applicant or a representative of the applicant will appear at the meetings to explain why the Land Use Plan should be changed.

4. Following the public hearing, the City Council may approve the amendment, deny the amendment, or send the amendment back to the Planning Commission for additional consideration.

5. An approval shall be by written resolution. The approval may be subject to any conditions specified by the City Council. The effective date may be immediate or may be a date otherwise specified in

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the approval.

H. Official Copies of Land Use Plans.

Official, current copies of all land use plans adopted by the City shall be maintained in the office of the Zoning Administrator and shall be available for review during normal business hours.

8.5.21 Planned Unit Development (PUD)

A. Applicability.

This Section 8.5.21 is applicable to the establishment of Planned Unit Developments (each, sometimes referred to as a "PUD") and to the regulation and continued administration of such Planned Unit Developments.

B. Rezoning, Zoning Ordinance Amendment & Master PUD Development Plan Approval Necessary.

1. Establishment of a PUD is subject to Rezoning of the subject land as one of the available PUD Districts by a Zoning Map Amendment, a Zoning Ordinance Amendment to set out the standards and requirements applicable to the specific PUD District, and approval of a Preliminary Master PUD Development Plan and a Final Master PUD Development Plan. Accordingly, in addition to the requirements of this Section 8.5.21, all requirements of Section 8.5.18 and Section 8.5.19 must be complied with to establish a PUD.

2. No application for Rezoning of property to a PUD District, application for Zoning Text Amendment application related to a PUD, or application for approval of a Preliminary Master PUD Development Plan or a Final Master PUD Development Plan., and no approval of any of the foregoing, shall be proposed or used to avoid, or have the effect of avoiding, compliance with the standards and requirements of this Ordinance or of the other zoning Districts, and instead shall be used sparingly and only in exceptional situations where:

a. such rezoning, the related Preliminary Master PUD Development Plan or a Final Master PUD Development Plan, and the proposed Development are necessary to implement the Comprehensive Plan and any adopted special area Plan and are consistent with the Comprehensive Plan and any adopted special area Plan,

b. due to unique site conditions or the necessary and intrinsic Uses, size, or form of the Development, such Development cannot under any other plan, design, or circumstances conform to one of more of the Character Districts or standards therefor specified in this Ordinance,

c. the rezoning, the related Master PUD Development Plan, and the proposed Development provide an innovative plan, design, and Development that are harmonious with and respect the land use, character, and natural or man-made features of the subject property and Adjacent property, and promote quality design and environmentally sensitive development by taking advantage of special site characteristics, locations and land uses, and

d. there are sufficient existing infrastructure, services, and utilities available to the site prior to Development.

3. Without limitation to Section 8.5.21.B.2 above, approval of Rezoning of property to a PUD District, Zoning Text Amendment application related to a PUD, or a Master PUD Development Plan are subject to the Planning Commission's and the City Council's first making formal, written findings regarding each of the items listed in Section 8.5.21.B.2 and that the proposed Development, such applications, and approvals:

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a. conform to all applicable standards and requirements of this Ordinance,

b. would be compatible with other Development permitted under all applicable provisions of this Ordinance;

c. will not significantly interfere with the use and enjoyment of other land in the vicinity;

d. adequately conserve woodland and the protect water courses from erosion and siltation;

e. maximize safety, convenience, and amenities for the residents and visitors of the Development; and

f. adequately address all such other matters as they may find to have a material bearing upon the stated standards and objectives of this Ordinance.

4. Unless specifically exempted, the standards and requirements contained in this Section 8.5.21 shall be in addition to all other applicable standards and requirements established in this Ordinance.

C. Adopted Special Area Plans Mandatory.

1. In the event that any adopted special area plan for an area in which any PUD is proposed so recommends, the City Council shall require that all petitions for reclassifications of land within the area be formulated and administered in accordance with this Article, including any amendments thereto.

2. As appropriate for their respective areas, any adopted special area plans shall also contain recommendations which may differ from or supplement the provisions of this Ordinance respecting new or modified PUD Districts; design standards for signage, Setbacks or Yards, Parking, and other matters, to be made applicable either area – wide or within particular PUD Districts, or both; density credit or bonus systems linked to Development elements; or any other matter affecting public health, safety, or welfare. The City Council shall not entertain proposals for the reclassification of land within such areas until it has formally acted upon these recommendations.

D. Relationship of PUD & Other Regulations.

1. The PUD regulations in this Ordinance shall apply generally to the establishment, initiation and regulation of all PUD Districts. Where there are conflicts between the PUD-specific regulations herein and other zoning, subdivision, or other regulations or requirements, the PUD-specific regulations shall apply in PUD Districts.

2. Where actions, designs, or solutions proposed by the applicant do not conform to applicable PUD or other regulations, but the City Council makes a finding in the particular case that public purposes are satisfied to an equivalent or greater degree, the City Council may make specific modification of the regulations applicable to the particular PUD, provided that specific standards and requirements applicable to each type of PUD District established by this Ordinance shall not be subject to modification.

2. Except as indicated above, notwithstanding procedures and requirements generally in effect, procedures and requirements set forth herein and in guidelines and standards officially adopted as part of regulations for the applicable type of PUD District shall apply to all such PUD Districts, to any amendments creating such Districts, and to issuance of all required permits therein.

E. Combination of Types of PUD Districts.

The Planning Commission and the City Council may consider different types of PUDs (PUD-R and PUD-COMUMF) within a consolidated Master

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PUD Development Plan and application as a single administrative procedure, provided the total tract is under the Unified Control of a Landholder and the land area is sufficient to comply with separate area requirements combined. This provision in no way alters any requirements of this Ordinance.

F. Phasing of Development.

The Planning Commission may permit the phasing of Development within a PUD, in which case, the following provisions shall apply:

1. In PUD-R, the ratio of gross Floor Area of Commercial Use- to - Residential Use in the Master PUD Development Plan as initially approved or amended shall not be exceeded at any given phase of construction.

2. Each phase shall be so planned and so related to existing surroundings and available facilities and services that failure to proceed with subsequent phases will not have an adverse impact on the PUD or its surroundings.

3. The commencement of Actual Construction of any phase of the PUD shall be governed by the provisions of Section 8.5.21.W.

4. In the instance of a combined PUD involving Residential Uses as well as Commercial or Mixed Uses, the Planning Commission may permit the Commercial and Mixed Uses to be constructed first, but only if it finds and records its findings on the final Master PUD Development Plan that the non-Residential Uses are consistent with the Comprehensive Plan even if no Residential construction takes place.

G. Developmental Controls & Division of Land.

1. No tract of land may receive final approval as a PUD unless such tract is under the Unified Control of a Landholder. Unless otherwise provided as a condition of approval of a PUD, the landholder of an approved PUD may divide and transfer parts of the PUD. The transferee shall complete each such part, and shall use, Develop, construct, and maintain it in strict conformance with the adopted final PUD Development Plan.

2. A report identifying all property owners within the area of the proposed PUD and giving evidence of unified control of its entire area shall be submitted with any application for approval of a preliminary PUD Development Plan. The report shall state agreement of all present property owners and/or their successors in title:

a. To proceed with the proposed PUD according to the regulations in effect when the map amendment creating the PUD District becomes effective, with such modifications as are set by City Council in the course of such action;

b. To provide bonds, dedication, guarantees, agreements, contracts, and deed restrictions acceptable to the City Council for completion of such PUD according to approved plans; and for continuing operation and maintenance of such areas, facilities, and services as are not to be provided, operated, or maintained at general public expense; and such dedications, contributions, or guarantees as are required for provision of needed public facilities and services; and

c. To bind further successors in title to any commitments listed above.

H. Consistency with PUD Standards.

All PUD Developments shall be subject to all applicable standards and requirements of this Ordinance, including without limitation, those of Article 4 (Building, Lot, and Building Site Standards), Article 5 (Development Parcel Standards), Article 6 (Supplemental Standards), Article 7 (Sign Standards), and this Section 8.5.21.

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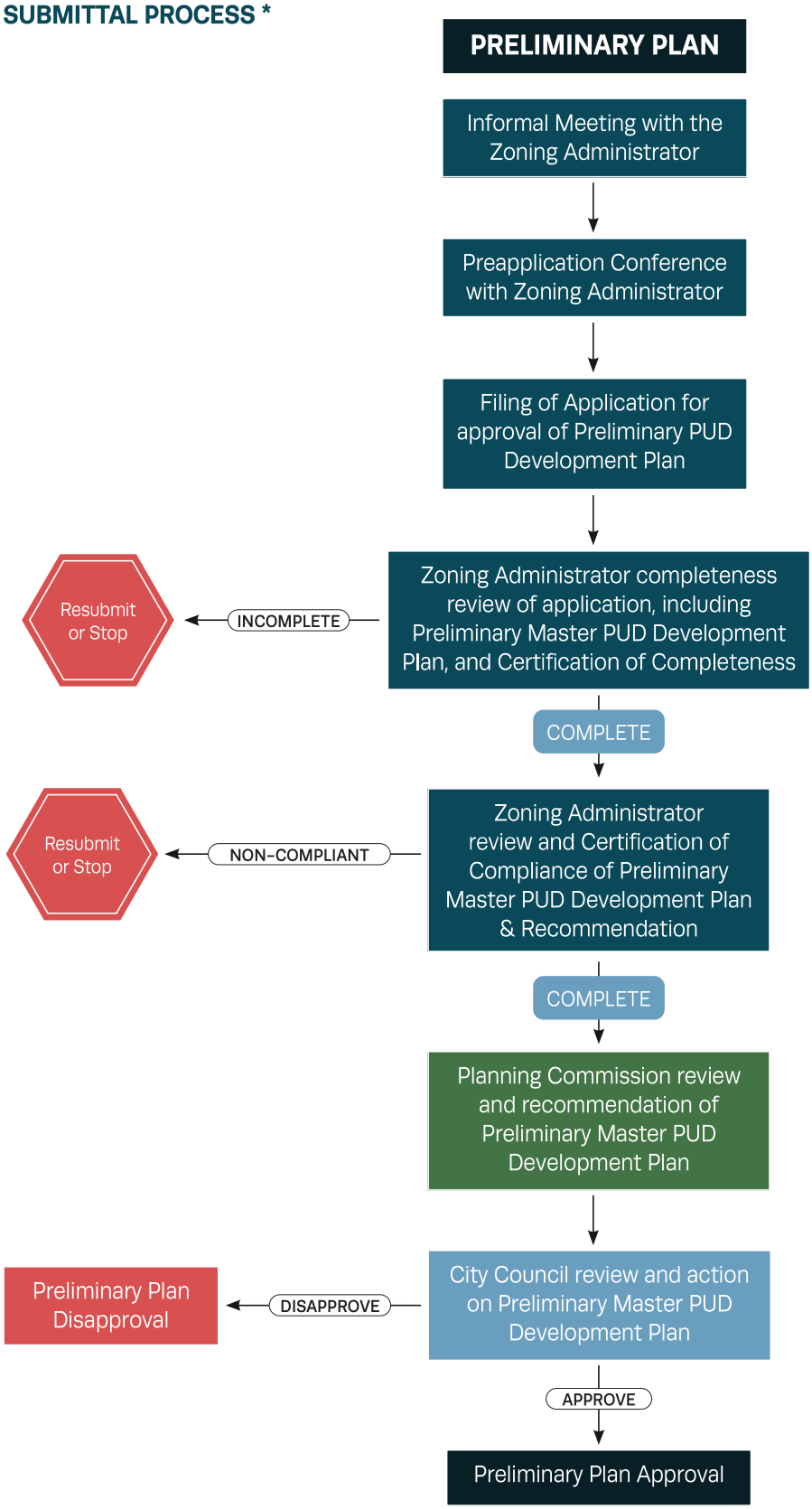
ILLUSTRATION 8.5.21. SUMMARY OF MASTER PUD DEVELOPMENT PLAN APPLICATION AND SUBMITTAL PROCESS *



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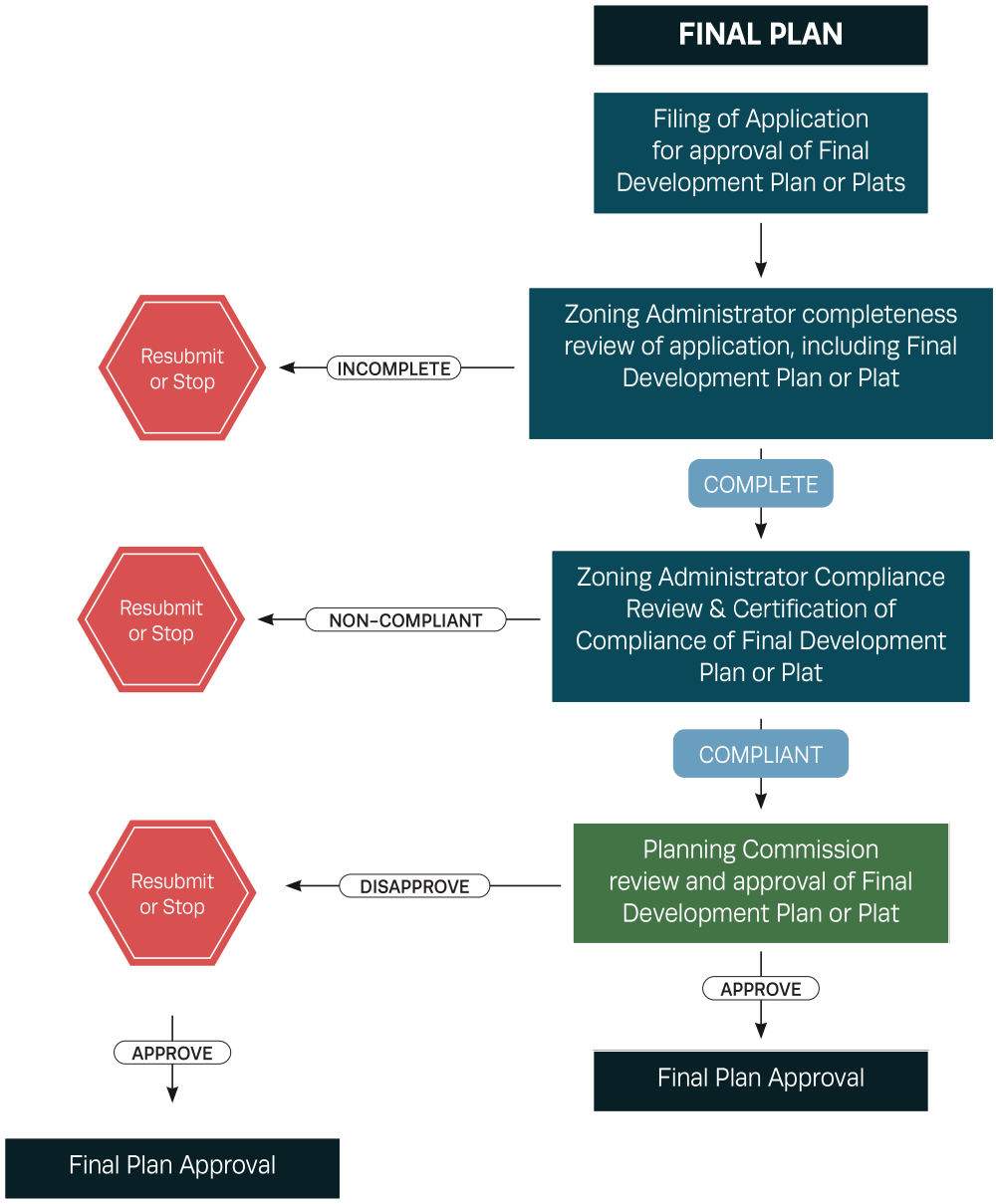

*Zoning Ordinance Amendment & Zoning Map Amendment are also required.

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I. Initial Meeting & Pre-Application Conference.

1. Prior to filing an application for approval of a Preliminary Master PUD Development Plan or an amendment to an existing approved Preliminary Master PUD Development Plan and prior to the pre-application conference pursuant to Section 8.15.21.I.2, the applicant shall meet with the Zoning Administrator to determine whether the applicant is proceeding under the proper section of this Ordinance, to consider the desirability or necessity of approving a Preliminary Master PUD Development Plan or an amendment to an existing approved Preliminary Master PUD Development Plan, to clarify the issues, and to discuss any other matter as may aid in the disposition of the proposal.

2. In addition to such initial meeting, an applicant applying for approval of a Preliminary Master PUD Development Plan or an amendment to an existing approved Preliminary Master PUD Development Plan shall schedule a pre-application conference with the Zoning Administrator in accordance with Section 8.5.4.B.

3. Approval of a Master PUD Development Plan or an amendment to an existing Master PUD Development Plan requires both an application for approval of a Preliminary Master PUD Development Plan under Section 8.5.21.J and submission of a Final Master PUD Development Plan under Section 8.5.21.O.

J. Application Requirements – General.

1. A request for approval of a Master PUD Development Plan or an amendment to an existing Master PUD Development Plan shall be made by filing an application for such approval in connection with an application for Rezoning to a PUD District and an application for a Zoning Ordinance Amendment.

2. An application for approval of a Master PUD Development Plan or an amendment to an existing Master PUD Development Plan shall be filed by the owner of the property or an authorized agent of the owner with the Zoning Administrator in accordance with Section 8.5.4.C and Section 8.5.21.K.

K. Preliminary Master PUD Development Plan.

1. An application for approval of a Preliminary Master PUD Development Plan or an amendment to an existing approved Preliminary Master PUD Development Plan shall meet the requirements of Section 8.5.6.G and sufficient information to disclose:

*Zoning Ordinance Amendment & Zoning Map Amendment are also required.

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a. A tabulation of the land area and each Building to be devoted to various Uses categories and activities, and the overall number of Dwelling Units and square footage of each non-Residential Use category within the PUD, each part of the PUD, and each Building .

b. Reservations for public uses including schools, parks, and other open spaces.

c. The general means of the disposition of sanitary waste.

d. The nature of the landholder's interest in the land proposed to be developed and a written statement of concurrence from all parties having a beneficial interest in the affected property.

e. The substance of covenants, grants of Easements or other restrictions to be imposed upon the land, Buildings and Structures including proposed Easements.

f. If applicable, phase Development schedule, setting forth when the landholder intends to commence construction and a completion period for each phase.

g. If it is proposed that the final Master PUD Development Plan or amendment to an existing Master PUD Development Plan will be submitted in stages, a schedule of submission thereof.

2. Each application for approval of a Preliminary Master PUD Development Plan or an amendment to an existing approved Preliminary Master PUD Development Plan, and the submitted Preliminary Master PUD Development Plan or amendment to an existing Preliminary Master PUD Development Plan shall be reviewed for completeness pursuant to Section 8.5.4.C. If is deemed incomplete by the Zoning Administrator, a written request for further information shall be made within ten days after the original submittal. In such case, the application shall be held in abeyance until the Zoning Administrator issues a Certificate of Completeness pursuant to Section 8.5.4.C.

3. If the Zoning Administrator determines that the Preliminary Master PUD Development Plan is complete, he shall review it for compliance with Article 4 (Building, Lot, & Building Site Standards), Article 5 (Development Parcel Standards), Article 6 (Supplemental Standards), and Article 7 (Sign Standards). If the Zoning Administrator determines that the preliminary Master PUD Development Plan or amendment to an existing Master PUD Development Plan complies with such Articles, as applicable, he shall issue his Certificate of Compliance with respect thereto.

4. No Master PUD Development Plan or amendment to an existing Master PUD Development Plan shall be presented for Planning Commission action until such Certificate of Completeness and Certificate of Compliance have been issued.

5. The Development Review Committee shall the preliminary Master PUD Development Plan or amendment to an existing Master PUD Development Plan.

L. Architectural Design Review Team Review of Preliminary Master PUD Development Plan.

Each Preliminary Master PUD Development Plan or amendment to Preliminary Master PUD Development Plan for which a Certificate of Completeness and Certificate of Compliance have been issued shall be reviewed by the Architectural Design Review Team as provided in Section 8.5.15.

M. Planning Commission Action on Preliminary Master PUD Development Plan.

1. Before making any recommendation on a Preliminary Master PUD Development Plan or an amendment to an existing approved Preliminary Master PUD Development Plan, the Planning Commission shall consider the Certificate of Compliance and all recommendations from the

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Zoning Administrator and other City departments, and shall conduct a public hearing.

2. Notice and public hearing requirements shall be in accordance with Section 8.5.4.D.

3. The applicant or a representative of the applicant shall appear at the meetings to explain the proposed Development and answer questions.

4. The Planning Commission may render any one of the following recommendations:

a. Unconditional approval of the Preliminary Master PUD Development Plan or an amendment to an existing approved Preliminary Master PUD Development Plan;

b. Conditional approval of the Preliminary Master PUD Development Plan or an amendment to an existing approved Preliminary Master PUD Development Plan, in which the Planning Commission expressly denotes conditions and modifications that must be made to the Preliminary Master PUD Development Plan or an amendment to an existing approved Preliminary Master PUD Development Plan. If the Planning Commission recommends conditional approval:

(1) the Planning Commission shall transmit in writing to the applicant and to the Zoning Administrator the conditions or modifications which must be complied with in order for the Preliminary Master PUD Development Plan or an amendment to an existing approved Preliminary Master PUD Development Plan to be recommended for unconditional approval;

(2) Applicant shall have 60 days following the transmittal of the required conditions or modifications to demonstrate compliance with the required conditions or modifications and provide its written commitment to comply with said requirements. The application shall receive Planning Commission recommendation for unconditional approval upon satisfactory review of the revised Preliminary Master PUD Development Plan or an amendment to an existing approved Preliminary Master PUD Development Plan and/or written commitment(s); and

(3) If the applicant makes a negative reply within 60 days of the date of conditional approval of the Preliminary Master PUD Development Plan or an amendment to an existing approved Preliminary Master PUD Development Plan, or does not reply to the Planning Commission, the Preliminary Master PUD Development Plan or an amendment to an existing approved Preliminary Master PUD Development Plan shall be deemed to have received a disapproval recommendation from the Planning Commission, unless such time limit is extended by a specific action of the Planning Commission upon a written request by the applicant; or

c. Disapproval.

5. The Planning Commission shall make its recommendation to the City Council within 45 days of the Planning Commission's initial public hearing. The Planning Commission shall prepare a report detailing the Planning Commission's action on the application, including any conditions or modifications that it may have imposed for its recommendation of approval. The time period for a recommendation may be changed, as in the case of significant conditions or modifications, in which case one additional 45-day period shall be granted before the case shall go to the City Council.

6. After review and recommendation by the Planning Commission, the Preliminary Master PUD Development Plan or an amendment to an existing approved Preliminary Master PUD Development Plan shall be forwarded to the City Council with the recommendation.

7. When a recommendation is not rendered or

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deemed to have been rendered within the time periods established in this Section, the City Council may process the request without a Planning Commission recommendation.

N. City Council Action on Preliminary Master PUD Development Plan.

1. Upon receipt of the Planning Commission's report and recommendations, the City Council shall consider such report and recommendations and otherwise proceed in the manner established in Section 8.5.18 and Section 8.5.19, as applicable.

2. The City Council may render one of the following decisions with respect to the Preliminary Master PUD Development Plan or an amendment to an existing approved Preliminary Master PUD Development Plan:

a. Approve;

b. Disapprove; or

c. In an instance where the Planning Commission has recommended approval subject to conditions or recommendations for alterations to the Preliminary Master PUD Development Plan or an amendment to an existing approved Preliminary Master PUD Development Plan, the City Council may establish, eliminate, or modify such conditions in its action.

3. In any instance where the City Council acts to eliminate or modify conditions imposed by the Planning Commission to recommend approval of the Preliminary Master PUD Development Plan or an amendment to an existing approved Preliminary Master PUD Development Plan, the City Council shall provide specific guidance as to:

a. Overall design of the Preliminary Master PUD Development Plan or an amendment to an existing approved Preliminary Master PUD Development Plan;

b. Any conditions or modifications required; and

c. Any additional information which may be required by the Planning Commission to determine substantial compliance of the Final Master PUD Development Plan or amendment to an existing Final Master PUD Development Plan with the approved Preliminary Master PUD Development Plan or an amendment to an existing approved Preliminary Master PUD Development Plan.

4. Upon City Council approval of the Preliminary Master PUD Development Plan or an amendment to an existing approved Preliminary Master PUD Development Plan, the applicant may prepare and submit to Zoning Administrator for forwarding to the Planning Commission a final Master PUD Development Plan or amendment to an existing Master PUD Development Plan.

Only upon approval of a Final Master PUD Development Plan or amendment to an existing Final Master PUD Development Plan shall the approval of the Preliminary Master PUD Development Plan or an amendment to an existing approved Preliminary Master PUD Development Plan become final. In any instance where a Final Master PUD Development Plan or amendment to an existing Final Master PUD Development Plan is to be presented in portions or stages, any associated Rezoning shall only become effective at the time of final approval of each individual stage or segment Final Master PUD Development Plan or amendment to an existing Final Master PUD Development Plan.

O. Final Master PUD Development Plan – Requirements.

1. City Council approval of the Preliminary Master PUD Development Plan or an amendment to an existing approved Preliminary Master PUD Development Plan must be obtained prior to submission of the Final Master PUD Development Plan or amendment to an existing Final Master PUD

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Development Plan.

2. An application for approval of a Master PUD Development Plan or an amendment to an existing Master PUD Development Plan shall be filed by the owner of the property or an authorized agent of the owner with the Zoning Administrator in accordance with Section 8.5.4.C and Section 8.5.21.K.

3.

4. The proposed Final Master PUD Development Plan or amendment to an existing Final Master PUD Development Plan must meet all requirements for a Preliminary Master PUD Development Plan or an amendment to an existing approved Preliminary Master PUD Development Plan and shall additionally include the following:

a. Sufficiently detailed information to indicate the ultimate operation and appearance of the Development, or applicable portion thereof.

b. Drawings at a scale no smaller than one inch = 200 feet, indicating:

(1) A circulation plan indicating the proposed movement of vehicles, goods and pedestrians within the PUD and to and from existing Thoroughfares and Internal Drives, which shall specifically include the width of proposed Thoroughfares and Internal Drives;

(2) a plan showing sidewalks and other pedestrian ways; and any special engineering features and traffic regulation devices needed to facilitate or insure the safety of the circulation pattern;

(3) A plot plan for each Lot, Building Site, common open area, Civic Space, and other public or semi – public open space uses, showing the approximate location of all Structures and Improvements and indicating the open spaces around Structures;

(4) A utilities plan, including sewers, both sanitary and storm, gas lines, water lines, fire hydrants, and electric lines showing proposed connections to existing utility systems;

c. a plan which indicates the location, function, and ownership of all Civic Spaces and open spaces, excepting those open spaces included in fee simple Lots;

d. final drafts of all proposed covenants and grants of Easement.

e. copies of legal documents required by the Planning Commission for dedication or reservation of group or common open space and/or for the creation of a nonprofit association; and

f. if applicable, a Development phasing schedule.

P. Final Master PUD Development Plan – Completeness & Compliance Reviews.

1. The Zoning Administrator shall review the submitted Final Master PUD Development Plan or amendment to Final Master PUD Development Plan for completeness pursuant to Section 8.5.4.C. If determined to be complete, the Zoning Administrator shall issue his Certificate of Completeness.

If the submission of a Final Master PUD Development Plan or amendment to Final Master PUD Development Plan is deemed incomplete by the Zoning Administrator, a written request for further information shall be made within ten days after the original submission of the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan. In such case, the further processing of the PUD application and review of the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan shall be held in abeyance until the Certificate of Completeness has been issued. No Final Master PUD Development Plan or amendment to Final Master PUD Development Plan shall be formally presented to the Planning Commission until such

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plan is certified by the Zoning Administrator as being complete and ready for review.

2. Upon Issuance of a Certificate of Completion, the Zoning Administrator shall review the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan for compliance with the approved Preliminary Master PUD Development Plan or amendment to Preliminary Master PUD Development Plan. It determined to comply, the Zoning Administrator shall issue his Certificate of Compliance.

Q. Final Master PUD Development Plan – Phased Approval.

Submission of and the request for approval of the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan and the approval thereof by the Planning Commission may be limited to each phase of Development in compliance with the Section 8.5.21.6.

R. Expiration or Revocation of Preliminary Master PUD Development Plan Approval.

1. In the event the applicant fails to submit the for approval within two years from the date of the approval of the Preliminary Master PUD Development Plan or amendment to Preliminary Master PUD Development Plan by the City Council or in the event the Planning Commission finds that conditions in support of the granting of approval of the Preliminary Master PUD Development Plan or amendment to Preliminary Master PUD Development Plan have so changed as to raise reasonable question regarding the landholder's ability to pursue the Development pursuant to the plan, the Planning Commission may recommend revocation of the approval of the Preliminary Master PUD Development Plan or amendment to existing Preliminary Master PUD Development Plan.

2. Should the Planning Commission recommend revocation of the approval of the Preliminary Master PUD Development Plan or amendment to Preliminary Master PUD Development Plan, a report of this action shall be sent immediately to the City Council along with a recommendation that action be taken to remove revert the site to its previous District designation.

S. Final Master PUD Development Plan – General.

1. In reviewing a Final Master PUD Development Plan or amendment to Final Master PUD Development Plan, the function of the reviewing agencies is twofold:

a. First, the plan or amendment must be found to be in substantial compliance with the approved Preliminary Master PUD Development Plan or amendment to Preliminary Master PUD Development Plan.

b. Second, all new or revised information that was not in the previously approved Preliminary Master PUD Development Plan or amendment to Preliminary Master PUD Development Plan must be reviewed to determine its quality and compliance with all applicable requirements of this Ordinance.

2. The Final Master PUD Development Plan or amendment to Final Master PUD Development Plan shall be deemed in substantial compliance with the approved Preliminary Master PUD Development Plan or amendment to Preliminary Master PUD Development Plan provided any modifications by the applicant do not involve changes which in aggregate would:

a. Violate any provisions of this Ordinance;

b. Change the Lot or Building Site Area requirement as submitted in the Preliminary Master PUD Development Plan or amendment to Preliminary Master PUD Development Plan by more than 10%;

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c. Involve any increase in the number of Dwelling Units approved for the site in the Preliminary Master PUD Development Plan or amendment to Preliminary Master PUD Development Plan;

d. Involve a reduction of more than 3% of the area shown on the Preliminary Master PUD Development Plan or amendment to Preliminary Master PUD Development Plan as reserved for Common Open Space;

e. Increase the Floor Area shown on the Preliminary Master PUD Development Plan or amendment to Preliminary Master PUD Development Plan for non-Residential Uses by more than 5%; or

f. Alter the mix of Building Types or Uses shown on the Preliminary Master PUD Development Plan or amendment to Preliminary Master PUD Development Plan by more than 3% in any category or Uses or any one or more Building Types from that proposed in the Preliminary Master PUD Development Plan or amendment to Preliminary Master PUD Development Plan.

T. Review Procedure – Planning Commission.

1. Upon issuance of the Zoning Administrator's Certificate of Completeness and Certificate of Compliance, the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan shall be submitted to the Planning Commission for review.

2. The Final Master PUD Development Plan or amendment to Final Master PUD Development Plan must be submitted 15 days prior to the meeting of the Planning Commission at which the plan is to be presented. Twenty copies of the plan and related documents will be required.

3. Within 30 days subsequent to the formal presentation of the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan to the Planning Commission, the Zoning Administrator shall present to the Planning Commission data and findings of the various City departments and agencies concerning the f Final Master PUD Development Plan or amendment to Final Master PUD Development Plan.

4. In the course of its consideration and prior to any approval of the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan, the Planning Commission shall give notice and provide each of the following an opportunity to be heard:

a. Any person who is on record as having appeared at the formal public hearing on the Preliminary Master PUD Development Plan or amendment to Preliminary Master PUD Development Plan, or

b. Any other person who has indicated to the Planning Commission in writing that he wished to be notified.

U. Planning Commission Action.

1. The Planning Commission may approve, approve with conditions or modifications, or disapprove the final Master PUD Development Plan or Amendment to existing Master PUD Development Plan.

2. The Planning Commission may approve the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan if it finds:

a. That the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan meets the provisions for substantial compliance with the Preliminary Master PUD Development Plan or amendment to Preliminary Master PUD Development Plan ; and

b. The Final Master PUD Development Plan or amendment to Final Master PUD Development Plan complies with all other standards for review which were not considered when the Preliminary Master PUD Development Plan or amendment to

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Preliminary Master PUD Development Plan was approved.

3. The Planning Commission may approve the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan with conditions or modifications subject to the following:

a. Should the Planning Commission require any condition or modification in the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan or any portion thereof including covenants, etc., in order to approve such plan or amendment, such conditions or modifications must be agreed to by the applicant in writing prior to formal action and filing of the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan.

b. All such conditions or requirements for modification as may be required hereinunder shall be expressly for the purpose of:

(1) Causing the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan to meet the test of substantial compliance with the approved Preliminary Master PUD Development Plan or amendment to Preliminary Master PUD Development Plan, or

(2) Meeting some specific requirement of this Ordinance.

c. The Planning Commission shall transmit in writing the conditions or modifications which must be complied with for the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan to be approved.

d. Within 60 days of the transmittal of the required modifications, the landholder may make a written response concurring with the required modifications, in which case the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan is deemed to have Planning Commission approval at the date of the receipt by the Planning Commission of said written concurrence.

e. Where the landholder makes a negative reply or no response is received within 60 days of the date of conditional final approval, the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan shall be deemed disapproved, unless such time limit is extended by specific action of the Planning Commission.

4. Upon formal action by the Planning Commission approving a Final Master PUD Development Plan or amendment to Final Master PUD Development Plan, or in the instance of conditional or modified approval of a Final Master PUD Development Plan or amendment to Final Master PUD Development Plan, upon acceptance of the conditions or modifications as set forth in Section 8.5.21.M.4.B, said f Final Master PUD Development Plan or amendment to Final Master PUD Development Plan and all maps, covenants, and other portions thereof, shall be filed with:

(1) The City Council;

(2) The City Recorder; and

(3) The Zoning Administrator.

5. If the Planning Commission finds that the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan does not meet the test for substantial compliance set forth in Section 8.5.21.S.2 or does not comply with other standards of review, it shall disapprove the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan.

6. In the event of disapproval, a written report shall be prepared by the Planning Commission and sent to the City Council and the applicant. This report shall detail the grounds on which the f Final Master

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PUD Development Plan or amendment to Final Master PUD Development Plan was denied, including specifically the ways in which the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan violated the substantial compliance provisions or other standards of review.

V. City Council Action.

1. In the event that the Planning Commission disapproves any Final Master PUD Development Plan or amendment to Final Master PUD Development Plan, such action shall be reviewed by the City Council.

2. The Council shall consider the report submitted by City Planning Commission and such other information as it may require in order to determine whether such Final Master PUD Development Plan or amendment to Final Master PUD Development Plan in its view meets the test of substantial compliance and complies with other standards of review herein established.

3. Should the City Council uphold the Planning Commission's disapproval of the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan, it shall notify the landholder that the action approving the reclassification of such property as contained in the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan shall be disapproved.

4. Should the City Council determine that the f Final Master PUD Development Plan or amendment to Final Master PUD Development Plan does meet the test of substantial compliance and other requirements for approval, it shall notify both the landholder and the Planning Commission of its decision, and the action of the City Council approving the zoning shall thereby become final.

W. Failure to Begin PUD.

If no Actual Construction has begun in the PUD within three (3) years from the date of approval of the final shown on the Preliminary Master PUD Development Plan or amendment to Preliminary Master PUD Development Plan , said approval shall be lapse and be of no further effect and the related Zoning Ordinance Amendment and Rezoning shall lapse, be of no further effect and be repealed. The Planning Commission may, upon showing of good cause by the landholder, extend the time for commencement of Actual Construction for periods of 12 months. However, at least annually the Planning Commission shall review the status of any PUD on which construction has not begun in order to determine that the project has not been abandoned.

X. Enforcement of Development Schedule.

1. Unless specifically approved as part of the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan, the construction and provision of all Civic Spaces, Common Open Spaces, and public and recreational facilities which are shown on the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan must proceed at no slower rate than the construction of Dwelling Units and non-Residential Improvements.

2. From time to time, the Zoning Administrator shall compare the actual Development and construction accomplished with the approved Development schedule. If the Zoning Administrator finds that the rate of Development and construction of Dwelling Units or non-Residential Improvements is substantially greater than the rate at which Civic Spaces, Common Open Spaces, and public and recreational facilities have been Developed and constructed and provided, then the Zoning Administrator may take either or both of the following actions:

a. Cease to approve any additional final site plans or plats;

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b. Instruct the Building Official to discontinue issuance of Building Permits.

3. In any instance where either of the above actions is taken, the Planning Commission must be provided satisfactory assurance from the applicant and its successors in interest that the relationship between the Development and construction of Dwelling Units and Commercial or Industrial Structures and the provision of common open spaces and public and recreational facilities is brought into balance acceptable to the Planning Commission prior to the continuance of Development or construction.

Y. Building Permits & Certificates of Occupancy

Building Permits and Certificates of Occupancy may be issued for Development, Uses, Buildings and other Structures in a PUD in accordance with this Section.

1. The City Engineer may issue a Building Permit for Development, Structures, Buildings, activities, or uses as a part of a finally approved PUD only in strict compliance with the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan for the particular PUD, including the conditions of approval and only after the administrative procedure outlined in this section has been strictly followed. No Building Permit shall be issued for the area included in a Preliminary Master PUD Development Plan or amendment to Preliminary Master PUD Development Plan until the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan has been finally approved.

2. A Certificate of Occupancy shall be issued when the Zoning Administrator determines that a Structure, Building, activity, or Use within a PUD conforms with the applicable adopted f Final Master PUD Development Plan or amendment to Final Master PUD Development Plan, including the any conditions or modifications required for approval under the provisions of Section 8.5.21.Z.

Z. Modification of Approved Final Master PUD Development Plan or Amendment to Existing Development Plan During Initial Construction Period.

1. During the period of actual Development or Construction of or within any PUD, or of or within any portion of a PUD when Developed in phases, the provisions of this Section 8.5.21.Z shall apply to any proposed modifications to an approved Final Master PUD Development Plan or amendment to Final Master PUD Development Plan.

2. Any such proposed modification that is not permitted under Sections 8.5.21.Z.3–.4 may be approved only as an amendment to the approved Final Master PUD Development Plan or amendment to Final Master PUD Development Plan.

3. The Planning Commission may approve:

a. minor modifications in the location, siting, and height of Buildings and Structures if required by engineering or other circumstances not foreseen at the time the f Final Master PUD Development Plan or amendment to Final Master PUD Development Plan was approved so long as no such modification violates the basic policy and concept, standards and requirements of this Ordinance applicable to the PUD, or other standards and requirements applicable to the PUD pursuant to the approved Final Master PUD Development Plan or amendment to Final Master PUD Development Plan. Collectively, all such modifications approved by the Planning Commission shall not in the aggregate result in:

(1) Any increase in the number of Dwelling Units from that approved in the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan; or

(2) An increase of more than 3% in the floor

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area for Commercial Uses from that approved in the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan; and

b. minor modifications in the location of streets and underground utilities shown on the approved Final Master PUD Development Plan or amendment to Final Master PUD Development Plan.

4. For any modification to an approved Final Master PUD Development Plan or amendment to Final Master PUD Development Plan other than minor modifications authorized by Section 8.5.21.Z.3, such modification shall be subject to satisfactory proof by the applicant and written findings by the Planning Commission and City Council as follows and approval as an amendment to the approved Final Master PUD Development Plan or amendment to Final Master PUD Development Plan.

a. The modification shall be limited to the minimum necessary;

b. Strict application of the provisions of the approved Final Master PUD Development Plan or amendment to Final Master PUD Development Plan would result in practical difficulties or unnecessary hardship;

c. There are exceptional or extraordinary circumstances or conditions applying to the land, Buildings, Structures or Uses referred to in the request for modification, which circumstances or conditions do not apply generally to other land, Buildings, Structures or uses in the same type of PUD District.

d. The requested modification will not be detrimental to the public welfare or injurious to property or improvements in the neighborhood of the premises.

e. Under the circumstances of the particular case, the requested modification will not adversely affect the health or safety of persons working or residing in the neighborhood of the premises.

f. The requested modification is consistent the intent and purpose of this Ordinance, the Comprehensive Plan, and the approved Final Master PUD Development Plan or amendment to Final Master PUD Development Plan and will not adversely affect the community objectives of the Comprehensive Plan.

g. The requested modification will not result in any reduction of required Buffer areas or other specific open spaces required by this Ordinance and will not vary any District or Development standard applicable to the PUD under this Ordinance.

AA. PUD Control After Completion.

1. Upon completion of a PUD or of any phase of a PUD, the Zoning Administrator shall issue a Certificate of Completion certifying this fact, and shall note the issuance of the Certificate on the recorded Final Master PUD Development Plan or amendment to Final Master PUD Development Plan.

2. After the Certificate of Completion has been issued, the use of land and the construction, modification, or Alteration of any Buildings or Structures within the PUD will be governed by the approved Final Master PUD Development Plan or amendment to Final Master PUD Development Plan and the applicable provisions of this Ordinance.

3. No changes may be made in the approved Final Master PUD Development Plan or amendment to Final Master PUD Development Plan except upon application to the appropriate agency under the procedures below:

a. Any minor extensions, Alterations, or modifications of existing Buildings or Structures may be authorized by the Zoning Administrator if the extensions, Alterations, or modifications

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are consistent with the purposes and intent of the recorded approved Final Master PUD Development Plan or amendment to Final Master PUD Development Plan, this Ordinance, and the Comprehensive Plan.

b. Any Uses not authorized by the approved Final Master PUD Development Plan or amendment to Final Master PUD Development Plan, but allowable in the applicable type of PUD District as a Permitted Use, Permitted Subject to Limited Use Standards, or as a permitted Conditional Use, may be added to the recorded approved Final Master PUD Development Plan or amendment to Final Master PUD Development Plan under the procedures provided by for the approval of Conditional Uses.

c. A Building or Structure that is completely or substantially destroyed may be reconstructed only in compliance with the approved Final Master PUD Development Plan or amendment to Final Master PUD Development Plan unless an amendment to the approved Final Master PUD Development Plan or amendment to Final Master PUD Development Plan is approved as set forth below.

4. All other changes in the approved Final Master PUD Development Plan or amendment to Final Master PUD Development Plan may be approved only by the City Council under the procedures authorized by this Ordinance for Rezoning, Zoning Ordinance Amendment, and Master PUD Development Plan approval.

5. Notwithstanding any other provision of this Section 8.5.21.AA, no changes may be made to the approved Final Master PUD Development Plan or amendment to Final Master PUD Development Plan unless such changes are required for the continued successful functioning of the PUD or are required by changes in conditions that have occurred since the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan was approved or by changes in the development policy of the community.

6. No changes in the approved Final Master PUD Development Plan or amendment to Final Master PUD Development Plan that are approved under this Section are to be considered as a waiver of the covenants limiting the use of land, Buildings, Structures and Improvements within the area of the PUD and all rights to enforce these covenants against any changes permitted by this Section are expressly reserved.

AB. Re-Subdivision of PUD After Completion.

A PUD may be subdivided and re-subdivided for purpose of sale or lease after the Certificate of Completion has been issued under the procedures set forth below:

1. If the subdivision or re-subdivision of a PUD will create a new plot line, the applicant shall make application to the Planning Commission for the approval of a subdivision or re-subdivision. The Planning Commission may approve the subdivision or re-subdivision if each section of the subdivided or re-subdivided PUD meets the provisions of this Ordinance governing density, common open space, and dimensional requirements.

2. The owner and lessees of a subdivided or re-subdivided PUD may jointly make application for a Conditional Use or for an amendment to an approved Final Master PUD Development Plan or amendment to Final Master PUD Development Plan.

8.5.22 Heavy Manufacturing Permit

A. Applicability.

All proposed Uses requiring a Heavy Manufacturing Permit shall be required to obtain a Heavy Manufacturing Permit prior to establishment or expansion.

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B. Pre-Application Conference

All applicants shall schedule a pre-application conference in accordance with Section 8.5.4.B.

C. Application Requirements

An application shall be filed in writing with the City Council in accordance with Section 8.5.4.C, which shall contain information and exhibits as may be required under Section 8.5.6. In the case of Buildings or other Structures or Uses to be located within Floodplain Districts, all information as may be required by Section 6.6 and 8.5.7 Additionally the applicant shall provide the following information in sufficient detail to reveal the intended function and ultimate operation of such Use:

1. The nature of the operations and/or processes proposed, including storage, processing, and handling methods, proposed;

2. The materials; and

3. The nature and potential level of atmospheric emissions associated with the intended operation.

D. Meetings.

The City Council may conduct meetings as may be required in order to establish the findings necessary to proceed with such application. However, prior to final consideration of any information that has been provided to the City Council, such information shall be made available for public view and comment.

E. Notice & Public Hearing.

1. Any request shall require a public hearing before the City Council.

2. Not more than 60 days after filing such application, a hearing shall be held on the application, unless otherwise withdrawn or postponed upon written request by the applicant.

3. All notices shall specify the current zoning and notification that applicant is seeking a Heavy Manufacturing Permit.

4. All notices shall include a brief summary indicating the nature of the action.

5. All notices shall be made at least 10 days prior to the scheduled City Council meeting.

6. The notice shall be published in accordance with Section 8.5.4.D.2.

7. The notice shall be posted in accordance with Section 8.5.4.D.3.

8. The notice shall be mailed in accordance with Section 8.5.4.D.8.

F. Zoning Administrator Action

1. The Zoning Administrator shall transmit one copy of the application and all supporting information to the City Engineer for technical assistance in evaluating the proposed project.

2. The Zoning Administrator shall prepare a report that reviews the application in light of any requirements of this Ordinance and technical input from the City Engineer or other review bodies. A copy shall be provided to the City Council and the applicant.

G. City Council Action

1. The City Council shall conduct a public hearing.

2. After the public hearing, and considering the recommendations of the Zoning Administrator, the City Council shall:

a. Approve the request;

b. Approve the request with conditions.

c. Deny the request; or

d. Continue the hearing.

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H. Requirements for Permit

A Heavy Manufacturing Permit may be granted only if the City Council finds that the request conforms to the following requirements:

1. The proposed Use is:

2. Listed as a Permitted Use within the applicable District;

3. Conforms to any additional standards listed in Section 4.3.9.D for the proposed Use;

4. Is so designed, located, and proposed to be operated that the public health, safety, and welfare will be protected;

5. Will not adversely affect other property in the area in which it is located; and

6. Conforms to all applicable provisions of this Ordinance for the applicable District.

7. Any proposed use Adjacent to a Residential District or Use (whether or not such property is actively used as a residence), shall be required to provide a Yard of a minimum depth of 150 feet between the proposed Use and the Adjacent Residential District or Use. This Yard shall not be used for any activity or Use other than permitted in Section 4.3.10.

8. A proposed Use Adjacent to any non-Residential District or Use shall be required to provide a Yard of a minimum depth of 100 feet between the proposed Use and the Adjacent District or Use. The City Council may impose such other conditions and restrictions as may be necessary to reduce or minimize the injurious effect of such Heavy Manufacturing Use upon and ensure compatibility with surrounding properties. The City Council may establish dates for the expiration of any Heavy Manufacturing Use Permit as a condition of approval.

8.5.23 Sign Permits.

A. Sign Permit Required

No Sign other than an Exempt Sign may exist or be erected, installed, altered, modified, or restored in the City unless it is the subject of a valid Sign Permit issued by the Building Inspector in accordance with this Section 8.5.23.

B. Applications

Sign Permit applications shall be made with the Building Inspector.

C. Application Requirements

Each application for a Sign Permit shall be accompanied by a fully dimensioned Sign Plan that reflects that such Sign, the method and means of its installation, its type, and its location on the applicable Building or Lot comply with all applicable standards and requirements of this Ordinance, together with such other information as may be necessary to determine and provide for the enforcement of Article 7 (Sign Standards).

D. Review by Zoning Administrator; Certificate of Compliance

Upon receipt of an application for a Sign Permit, the Building Inspector shall forward to the Zoning Administrator a copy thereof and copies of all accompanying materials, including without limitation the Sign Plan.

The Zoning Administrator shall review such application, Sign Plan, and other materials to determine whether the proposed Sign complies with Article 7 (Sign Standards).

If the Zoning Administrator determines that the application, Sign Plan, and other materials, comply with Article 7 (Sign Standards), he or she shall issue a Certificate of Compliance, certifying compliance Article 7 (Sign Standards), and shall forward a copy of the same to the Building Inspector.

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E. Issuance of Sign Permit

A Sign Permit shall be issued by the Building Inspector if and only if:

1. the applicant pays the application fee in accordance with a fee schedule adopted by the Commission,

2. the Building Inspector determines that the application, proposed Sign, and the Sign Plan and other materials accompanying the application conform to the applicable requirements of the Building Code and all applicable electrical codes, and

3. the Building Inspector has received a copy of the Zoning Administrator's Certificate of Compliance, certifying compliance with Article 7 (Sign Standards).

8.5.24 Subdivision Plats.

Subdivision Plats must meet the standards and requirements of this Ordinance and the City Subdivision Regulations as the same are in effect from time to time, and must be prepared, submitted, reviewed and acted upon in accordance with such City Subdivision Regulations.

SECTION 8.6 ENFORCEMENT.

8.6.1 Enforcement; Violations; Penalties; & Remedies – General.

A. Enforcement.

This Ordinance and the provisions of any Development approval, permit, or Plan certified, approved, or issued under this Ordinance shall be enforced by the Zoning Administrator, the Building Inspector, the applicable Decision-Making Authority, the City Code Enforcement Officer, and other City code enforcement personnel as provided herein.

B. Complaints / Notice of Violation.

1. Whenever a violation of this Ordinance occurs, or is alleged to have occurred, any person may file a written complaint. Such complaint shall state fully the causes and basis thereof and shall be filed with the Zoning Administrator. The Zoning Administrator shall record properly such complaint, immediately investigate, and take action thereon as provided by this Ordinance.

2. If, after such investigation or at his own initiation, the Zoning Administrator determines that a violation of this Ordinance exists, the Zoning Administrator, Building Inspector, or a law enforcement officer of the City, shall serve a notice of violation on the owner, agent or contractor of the Structure or Lot, Building Site, or other land where such violation has been committed or shall exist, and on any lessee or tenant of the part of, or of the entire Structure or the Lot, Building Site or other land where such violation has been committed or shall exist and/or on the agent, architect, contractor, or any other Person who takes part or assists in such violation or who maintains any Structure or the Lot, Building Site or other land with respect to which any such violation has been committed or shall exist.

3. If the violation is one of those for which the premises may or must be vacated, such fact shall be stated in the notice, and a notice to that effect shall be affixed to the front of the premises giving notice thereof.

4. Irrespective whether notice is otherwise required, notice of violation shall be served by certified mail, return receipt requested, or by personal service.

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C. Correction of Violation.

1. If notice of violation is given by certified mail, the violation must be corrected not later than five (5) days after the time of mailing.

2. If notice of violation is given by personal service, the violation must be corrected within two (2) days after such service.

D. Service of Appearance Ticket.

In addition, if those Persons notified shall fail to correct any violation within the required period, the Zoning Administrator, Building Inspector, or any police officer may serve an appearance ticket by personal service on any Person so notified, charging a violation of this Ordinance before the appropriate court of law.

E. Remedies

1. In case any Structure is proposed to be erected, constructed, reconstructed, Altered, extended, or converted, or any Structure or land is or is proposed to be used in violation of this Ordinance, the Zoning Administrator or other appropriate authority of the City or any Adjacent or neighboring property owner who would be especially damaged by such violation may, in addition to other remedies, institute injunction, mandamus or other appropriate action or proceeding to prevent such unlawful erection, construction, reconstruction, Alteration, extension, conversion or use, to correct or abate the violation, or to prevent the occupancy of such Structure or land.

2. Where a violation of this Ordinance exists, the Zoning Administrator may, in addition to other remedies, notify all public utilities and municipal service departments of such violation and request that initial or re – establishment of service be withheld until such time as the Structure or premises are no longer in violation of this Ordinance.

F. Certain Remedies for Specific Violations.

1. If the violation is one of the following, and if those Persons notified shall fail to correct such violation within the allotted time period, the Zoning Administrator, the City Code Enforcement Officer, the Building Inspector and/or any law enforcement officer of the City shall charge them with such violation of this Ordinance before the appropriate court of law:

a. No Building Permit and/or no Certificate of Occupancy.

b. Building Permit and/or Certificate of Occupancy has been revoked.

c. The Structure, in the opinion of the Building Inspector, constitutes an immediate danger to health or a fire hazard. An immediate danger to health shall consist of:

(1) No heat or heat below 50˚ F in the months of December, January, February or March.

(2) Inoperable plumbing facilities.

(3) Structural instability.

(4) No water service to the Building or applicable part thereof.

(5) Heating units, systems, or venting not in conformity with the requirements of the Building Code and Fire Code.

2. Such charge may be made by an appearance ticket, which the Zoning Administrator, the City Code Enforcement Officer, the Building Inspector, and/or police officer is authorized to issue.

3. Other provisions of this Ordinance notwithstanding, no notice shall be required by the Zoning Administrator, the City Code Enforcement Officer, the Building Inspector, or a City law enforcement officer prior to the issuance of an appearance ticket for violations of Sections 1.9.4, 4.3.12.F.9, or 8.5.11.A.

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G. Request for Reconsideration Review.

If any Person shall feel aggrieved by the determination of the Zoning Administrator or Building Inspector to close a Structure, said Person may file a written request for reconsideration review, together with the applicable fee, within the time provided to correct the defect, and the right to remove shall be stayed until one (1) day after notice of the decision on reconsideration is provided by personal service or three (3) days after notice of the decision on reconsideration is provided certified mailing or, if the Zoning Administrator or Building Inspector shall grant an extension of the time allowed to correct the violation, until the end of that extension.

H. Each Violation Separate.

Each violation of this Ordinance shall constitute a separate and distinct violation and each day a violation of this Ordinance continues after expiration of the allotted time for its cure, if any, shall constitute a separate and distinct violation.

I. Penalties for Violation

1. Any violation of the provisions of this Ordinance or failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with grants of Variance or Conditional Uses) shall constitute a misdemeanor and shall be punished as provided for by law.

2. Each day such violation exists shall be deemed a separate offense.

3. The owner or tenant of any Structure, premises, or part thereof, and any architect, builder, contractor, agent, or other person, who commits, participates in, assists in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided.

J. Other Remedies for Violation.

In addition to all other remedies provided by this Ordinance or other applicable law, rule or regulation, if there exists or occurs with respect to any Lot, Building Site or other land or any Structure, Development, Use, permit, license, approval, or certificate issued or granted pursuant to this Ordinance any violation or failure to comply with any requirement, standard, or condition of this Ordinance or any such permit, license approval, or certificate, any or all of the following actions or proceedings may be taken on behalf of the City, whether by legal process or otherwise:

1. Revocation or suspension of any or all approvals, permits, certificate or licenses related to such Lot, Building Site or other land or any Structure, Development, or Use;

2. Denial of any or all applications, approvals, permits, certificates or licenses related to such Lot, Building Site, or other land or any Structure, Development, or Use;

3. Issuance of one or more stop work or cease and desist orders;

4. Taking or instituting any other action or proceeding, whether by legal process or otherwise, to require compliance with the requirements, standards, and conditions of this Ordinance, and all permits, license, certificate, or approvals granted or issued pursuant to this Ordinance; and

5. Taking or instituting any other action or proceeding to prevent the unlawful erection, construction, reconstruction, Alteration, repair, conversion, moving, maintenance, Use, Development, Improvement, or Structure, to restrain, correct or abate such violation, to prevent the occupancy of such Structure or Lot, or to prevent any illegal act, conduct, Business or use in or about such premises.

8.6.2 Procedure to Revoke Certificate of Occupancy or Building Permit.

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A. Notice of Non-Compliance

Without limitation to any of the other penalties, remedies, and rights of enforcement provided for under this Ordinance, if the Zoning Administrator or the Building Inspector determines that a violation exists under this Ordinance or any permit, license, or certificate approval granted or issued pursuant to this Ordinance, or certificate that one or more of the terms of any Building Permit or Certificate of Occupancy are not being complied with, the Zoning Administrator shall give notice of noncompliance to the owner, as shown on the latest tax assessment roll, by certified mail addressed to the address shown thereon, requiring that the specified violations be corrected within five (5) days of the mailing of the notice and that, in the event that the violations are not corrected within that time, the Building Inspector shall revoke any such Certificate of Occupancy and/or Building Permit.

A return receipt or refusal of certified mail shall create a presumption of compliance with the mailing requirements hereof.

B. Reinspection

On or after said fifth (5th) day of certified mail notice, the Zoning Administrator and Building Inspector shall reinspect the site, and, if any of such violations still exist, the Building Inspector shall revoke the Building Permit and/or Certificate of Occupancy, post a notice of revocation on the property or Structure and mail a notice, by certified mail, to the owner thereof as shown on the latest tax assessment roll.

C. Appeal

In the event that any Person shall feel aggrieved by the revocation, such Person shall have ten (10) days from the mailing of the notice of revocation to file an appeal with the Board of Zoning Appeals, specifying the objections, which shall review the same and give a decision, by certified mail, to the applicant at the address shown on the application. The revocation shall be stayed by the appeal from the date of filing until three (3) days after any notice of denial shall be sent by the Board of Zoning Appeals.

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SECTION 9.1 WORD USAGE.

The following shall be applicable to certain words used in this Ordinance and the interpretation of this Ordinance. Unless the context or natural construction of the wording clearly indicates otherwise:

1. All words used in the present tense include the future tense; all words in the plural number include the singular number and all words in the singular number include the plural number.

2. The words "must" and "shall" are mandatory.

3. The words "used" or "occupied" include the words intended, designed, maintained, or arranged to be used or occupied.

4. The particular shall control the general.

5. The word "may" is permissive.

6. In the case of any difference of meaning or implication between the text of this Ordinance and any caption or illustration, the text shall control. Where in conflict, numerical metrics shall take precedence over graphical metrics.

7. The word "permitted" or words "permitted as of right," whether or not capitalized, means permitted without meeting the requirements for a Conditional Use Permit or compliance with limited use standards.

8. The words "conditionally permitted" or "permitted by Conditional Use Permit" mean permitted subject to the requirements for Conditional Use by special permit pursuant to Section 4.3.9.D, of this Ordinance, and all other applicable provisions.

9. The words "Permitted Subject to Limited Use Standards" means permitted subject to compliance with the applicable limited use standards pursuant to Section 4.3.9.D and all other applicable provisions of this Ordinance.

10. The word "applicant" includes any authorized agent of the applicant.

11. The phrase "used for " shall include the phrases "arranged for", "designed for", intended for", maintained for", and "occupied for".

12. Unless the context clearly indicates to the contrary, conjunctions shall be interpreted as follows:

13. "and" indicates that all connected items, conditions, provisions or events shall apply.

14. "or" indicates that any of the connected items, provisions, or events shall apply.

15. "either . . . or" indicates that the connected items, conditions, provisions, or events shall apply singly but not in combination.

16. Unless expressly provided otherwise, all public officials, bodies, and agencies to which reference is made are those of the City.

SECTION 9.2 TERMS.

A. Capitalized Terms.

Certain capitalized terms used in this Ordinance are defined below or elsewhere in this Ordinance and shall be given such meanings unless the context clearly indicates or requires a different meaning.

B. Undefined Terms.

Undefined terms used in this Ordinance shall have the meanings customarily assigned to them.

SECTION 9.3 DEFINED TERMS.

For purposes of this Ordinance, the following terms shall have the meanings set forth below unless the context clearly indicates or requires a different meaning:

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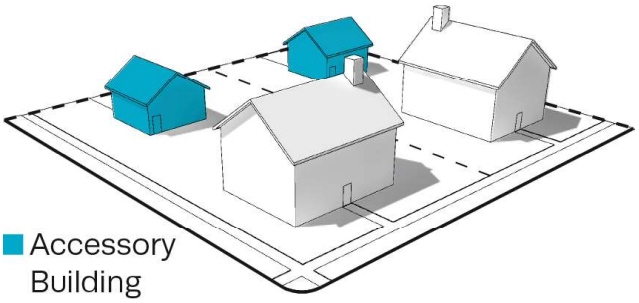
A

Abut/Abutting: to share or sharing a common property line. For the purposes of this definition, properties across an intervening right-of-way shall not be considered abutting.

Access: as a noun, a legal and physical means of entering premises, whether by Adjacency, Easement, or otherwise; as a verb, the act of entering premises.

Accessory Building: a Building that shares a Lot or Building Site with a Principal Building and that is customarily and clearly incidental and subordinate to the Principal Building. An Accessory Building may or may not have an Accessory Unit or be occupied or devoted to one or more Accessory Uses. An Accessory Building may or may not be attached to the Principal Building. *See* **Illustration 9.3.A-1 (Principal Building & Accessory Building)**.

ILLUSTRATION 9.3.A-1 ACCESSORY BUILDING



Accessory Dwelling: a Dwelling Unit having habitable space not greater than 600 square feet, which shares ownership and utility connections with a Principal Building; it may or may not be within an Accessory Building. An Accessory Dwelling Unit may not be used for Transient accommodations or as a Short-Term Rental Unit.

Accessory Use: a Use that is customarily and clearly incidental and subordinate to a Principal Use of land or a Structure and located on the same parcel of land, Lot, or Building Site as such Principal Use.

Accommodations / Lodging Uses: a Commercial Use sub-category characterized by premises available for daily or weekly renting of bedrooms or suites for periods of less than 30 days, including without limitation Bed and Breakfast, Inn, Hotel, and Motel. A Short-Term Rental Unit is not an Accommodations / Lodging Use. *See* **Table 4.3.9.A-1 (Building, Lot & Building Site Principal Uses)**.

Private campground, hunting/fishing camp, and dude ranch, shelter for the homeless, and Recreational vehicle (RV) park are not included in Accommodations / Lodging Uses.

Actual Construction or Development: the excavation of a site and/or the systematic placement of building materials in conjunction with the Development of land or construction of a Building or other Structure.

Addition: with respect to an existing Building, any walled and roofed new construction expansion to the perimeter of a Building in which the addition is connected by a common load – bearing wall other than a fire wall or is separated by independent perimeter load – bearing walls.

Adult Day Care: as defined in the Rules of Tennessee Department of Human Services Community and Social Services.

Address Sign: a Sign type, described as such in **Table 7.1.2.B-1 (Sign Types – Summary)** and **Table 7.1.2.B-2 (Sign Types – Specific Standards)**.

Adjacent/Adjoin: having any distance of real property boundary in common with another property, or being separated from the other property boundary by a right-of-way, Thoroughfare, Internal Drive, Alley, Easement, or Civic Space. Not synonymous with Abutting.

Administrative Adjustment: administrative relief from a standard or requirement of this Ordinance, granted pursuant to the provisions of Article 8 (Administration, Procedure, & Enforcement) by the Zoning Administrator or other staff as specifically authorized by this Ordinance.

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Adult Arcade: any place to which the public is permitted or invited wherein coin – operated or slug – operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors or other image – producing devices are maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by the depicting of Specified Sexual Activities or Specified Anatomical Areas.

Adult Bookstore or Adult Video Store: an establishment having as its principal Business purpose the sale or rental of books, magazines, slides, films, video cassettes, video discs, or any other form of media, which are distinguished or characterized by their emphasis on matter depicting, describing or relating to Specific Sexual Activities or Specific Anatomical Areas.

Adult Care Home: a single family residence licensed pursuant to TSA Title 68, Chapter 11, Part 2, in which twenty-four-hour residential care, including assistance with activities of daily living, is provided in a homelike environment to no more than five (5) adults who are elderly or have a disability, as defined in TSA section 68-11-201.

Adult Day Care Facility: premises at which care, supervision, or guidance is provided for one or more adults, whether or not the facility is operated for profit and whether or not the facility charges for services offered by it. Notwithstanding the foregoing, Adult Day Care Facility does not include:

(1) Facilities for disabled or mentally ill Persons;

(2) Facilities owned and operated by a local church congregation or an established religious denomination or a religious college or university which does not receive State or federal financial assistance for adult care services.

Adult Entertainment: any conduct that presents material by books, films, slides, video cassettes, video discs, or any other media or by live presentation, or services to the patron of an establishment, which material or services are distinguished or characterized by an emphasis on matters depicting, describing engaging in, or relating to Specified Sexual Activities or Specified Anatomical Areas.

Adult Motion Picture Theater: a Building regularly used for presenting material having as a dominant theme or presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to Specified Sexual Activities or Specified Anatomical Areas, for observation by patrons therein.

Adult-Oriented Entertainment: Use whereby premises to which the public or members of the public are invited or admitted and which are so physically arranged as to provide booths, cubicles, rooms, compartments or stalls separate from the common areas of the premises for the purpose of viewing Adult – Oriented Motion Pictures, or wherein an entertainer provides Adult Entertainment to a member of the public, a patron or a member, when such Adult Entertainment is held, conducted, operated or maintained for a profit, direct or indirect, including without limitation, Adult Bookstores or Adult Video Stores, Adult Motion Picture Theaters, Adult Arcades, Adult Theaters or Cabarets. any Adult Entertainment studio or any premises physically arranged and used as such, whether advertised or represented as an adult entertainment studio, rap studio, exotic dance studio, encounter studio, sensitivity studio, modeling studio or any other term of like import.

Agricultural Uses: sub-category of Agricultural and Extractive Use category characterized by Uses that create or preserve areas intended primarily for the raising of animals and crops, and the secondary industries associated with agricultural production.

Agricultural and Extractive Uses: (1) collectively, Agricultural Uses and Extractive Uses;

(2) a collective reference to Uses in the following sub-Categories: Agricultural Uses and Extractive Uses, as listed in **Table 4.3.9.A-1 (Building, Lot & Building Site Principal**

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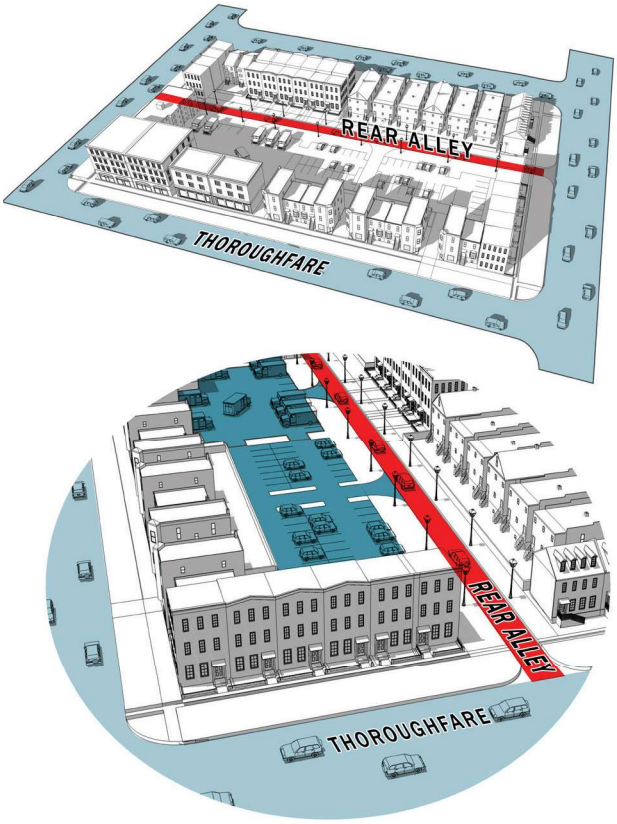
Uses) Table 4.3.9.A–2 (Building, Lot & Building Site Accessory Uses), and Table 4.3.9.A–1 (Building, Lot & Building Site Temporary Uses).

Alcoholic Beverage: any fermented liquor, such as wine, beer, or distilled spirit, which contains ethyl alcohol (ethanol) as an intoxicating agent.

Alcoholic Beverage Retail Sales: an establishment engaged in the Retail sale of Alcoholic Beverages for off–premises consumption.

Alley: generally, a vehicular way, which is not intended for general traffic circulation, which affords secondary access to Abutting property, and which may or may not be dedicated to public use. An Alley is not a Thoroughfare or an Internal Drive. *See* **Illustration 9.3.A–2 (Alley)**. *See also* Rear Alley.

ILLUSTRATION 9.3.A–2 ALLEY



Alteration / Alter: as applied to a Structure, an Addition or a change, rearrangement, or modification in the structural members or elements or the exit facilities, or in any element of the Private Frontage, the Facade or any other exterior architectural feature, including without limitation erection, construction, reconstruction, or removal; any diminution; any enlargement, whether by extending on a side or by increasing in height; moving from one location or position to another; increasing the Floor Area; expending an amount more than 50% of the fair market value; or increasing the fair market value by more than 50%. Alteration does not include Ordinary Maintenance or Repair. The term Alter, in its various modes and tenses and its participial form, refers to the making of an Alteration.

Alternative Tower Structure: as related to Wireless Communication Facilities, trees, clock towers, bell steeples, light poles, water tanks and similar alternative – design mounting structures that camouflage or conceal the presence of antennas or towers.

Antenna: any exterior apparatus designed for telephonic, radio or television communications through the sending and/or receiving of electromagnetic waves.

Applicant: the owner, lessee, or contract vendee of the subject premises, or other person or entity authorized to make application to a Decision–Making Authority or administrative Person pursuant to this Ordinance.

Arcade: a Private Frontage type, which is conventional for Retail / Personal Service / Repair / Artistic / Artisan Use, wherein a colonnade supporting habitable space in one or more upper levels overlaps the Sidewalk, while the Façade at the first level remains at the Frontage Line. *See* **Table 4.3.7.A (Private Frontage Types)**.

Area of Special Flood Hazard: as defined in Section 6.12.2. Also may be referred to as "Special Flood Hazard Area".

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Artisan Establishment: any Structure, premises, or establishment in or on which articles of artistic quality or effect or handmade workmanship are produced with or without Retail sales of such articles. Examples of activities that may be conducted in an Artisan Establishment are candle making, furniture making, glass blowing, weaving, pottery making, woodworking, sculpting, painting, and tailoring.

Art or Photography Studio: premises accommodating the creation of works of art or photography, with or with the exhibition or sale of such works.

Artist Studio Space: space used for the creation, production, rehearsal, or teaching of any performance, visual, or literary art or craft, including but not limited to painting, drawing, graphic design, photography, video, film, sculpture, pottery, written works of fiction or nonfiction, whether for live or recorded, including music, dance, and theater, and accessory sales of such art.

Assisted Living Apartment: multiple unit Residential premises for elderly, infirm, or disabled residents, in which housekeeping, meals, and other assistance are available to residents.

Attached: an enclosure having continuing walls, roof and floor.

Attached Dwelling: Residential premises characterized by two or more Dwelling Units being incorporated into a single Structure or attached Structures, specifically being Apartments, the Residence portion of a Live/Work Building, Mixed Use Building,or Flex Building, Multifamily Dwellings, Two-Family Dwellings, Duplexes, Rowhouses, Large Multi-family Buildings and Small Multi-Family Buildings.

Attic: the interior part of a Building contained within a pitched roof structure. *See* **Illustration 9.3.A-3(Attic).**

ILLUSTRATION 9.3.A-3 ATTIC

Avenue (AV): a Thoroughfare or Internal Drive of high vehicular capacity and low to moderate speed, acting as a short distance connector between urban centers, and sometimes equipped with a landscaped median, described as such in **Table 4.3.8.A (Thoroughfare Types – Summary)** and **Table 4.3.8.B (Thoroughfare Assemblies and Standards)**.

Awning Sign: the Sign Type described as such in **Table 7.1.2.B-1 (Sign Types – Summary) and Table 7.1.2.B-2 (Sign Types – Specific Standards)**.

B

Bakery: premises at which cakes, cookies, bread, pastries, tarts, and/or other baked goods are made, whether or not such items are sold at Retail.

Band Sign: the Sign Type described as such in **Tables 7.1.2.B-1 (Sign Types – Summary)** and **7.1.2.B-2 (sign Types – Specific Standards).**

Bar or Tavern: an establishment serving Alcoholic Beverages to be consumed on the premises.

Base Flood Elevation: as defined in Section 6.12.2.

Basement: a portion of a Building having more than half (1/2) of its clear floor- to- ceiling height below the average finished grade of the ground. *See* **Illustration 9.3.B-1 (Basement).**

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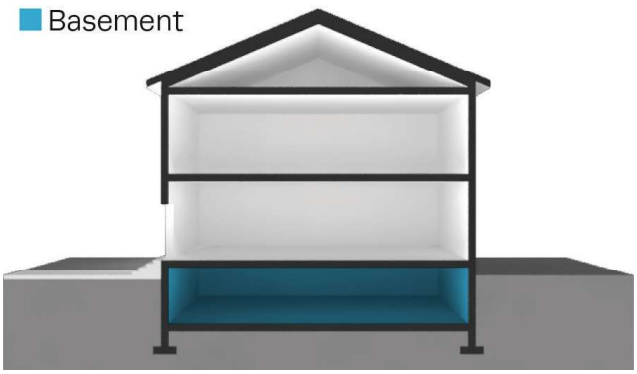
ILLUSTRATION 9.3.B–1 BASEMENT



Bed and Breakfast: an Accommodations / Lodging Use characterized by 1 to 5 bedrooms of an owner-occupied Building or Accessory Building being offered to paying guests for overnight Lodging with breakfast. A Short-Term Rental Unit is not a Bed and Breakfast.

Bicycle Lane (BL): a dedicated lane for cycling within a moderate-speed vehicular Thoroughfare, demarcated by striping. *See* **Table 5.2.4.B (Bikeway Types).**

Bicycle Route (BR): a Thoroughfare that is suitable for the shared use of bicycles and automobiles moving at low speeds. *See* **Table 5.2.4.B (Bikeway Types).**

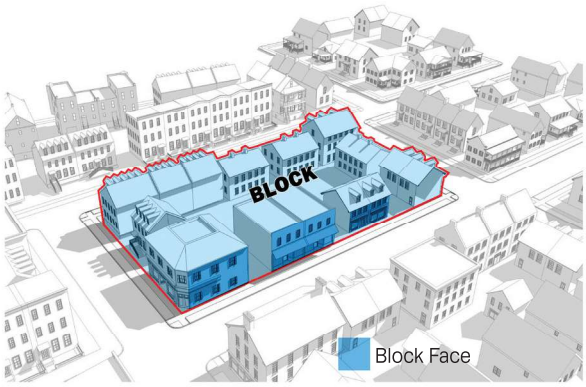
Bicycle Trail (BT): a bicycle way running independently of a vehicular Thoroughfare. *See* **Table 5.2.4.B (Bikeway Types).**

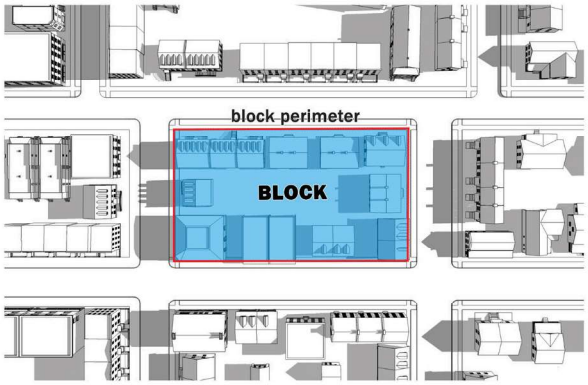
Billboard: a Sign intended for viewing from extended distances, which is mounted on one or two poles. A Pylon Sign is not a Billboard.

Blade Sign: the Sign Type described as such in **Table 7.1.2.B–1 (Sign Types – Summary) and Table 7.1.2.B–2 (Sign Types – Specific Standards)**.

Block: the aggregate of Lots, Building Sites, Passages, Civic Spaces and Rear Alleys, circumscribed by Thoroughfares or Internal Drives, or where applicable, circumscribed by Thoroughfares, Internal Drives, Civic Space, and/or waterbodies. *See* **Illustration 9.3.B–2 (Block).**

ILLUSTRATION 9.3.B–2 BLOCK





Block Face: the aggregate of all Building Facades on one side of a Block.

Board or Board of Appeals: the Board of Zoning Appeals of the City.

Boat – Related Uses: the term referring collectively to Boat Body Shop, Maintenance, Repair, or Cleaning, Boat Dock, Boat Sales, Rental, Leasing, or Chartering, Boat Ramp, Boat Rack, Boat Slip, Boat Slip Sales or Leasing, and Boat Storage.

Boat Body Shop, Maintenance, Repair, Cleaning, or Service: a Structure, premises, or establishment in or on which watercraft are maintained, repaired, serviced, and/or cleaned, including without limitation, incidental storage for fewer than sixty (60) days of watercraft that are being maintained, repaired, serviced, and/or cleaned. This term does not include boat building or Boat Storage.

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Boat Dock: a Structure extending into or upon a waterway or water feature, which provides access to the water for the launching and retrieving of watercraft.

Boat Rack: a storage slip for a boat in a dry stack storage facility.

Boat Ramp: an inclined area providing access to the water for the launching and retrieving of watercraft.

Boat Sales, Rental, Leasing, or Chartering: a Structure, premises, or establishment in, on, or from which watercraft are available for sale, rental, leasing, or chartering.

Boat Slip: a docking space alongside a pier, wharf or mooring dolphins in which a waterborne boat may be moored. For purposes of this Ordinance and in the absence of an authorized quantity of Boat Slips by State or federal regulating agencies, a Boat Slip shall be a minimum length of 25 feet for side mooring and 15 feet for stern moorings.

Boat Slip Sales or Leasing: a Structure, premises, or establishment in, on, or from which watercraft are available for sale or leasing, or chartering.

Boat Storage: a Structure, premises, or establishment in or on which watercraft are stored. This term does not include boat building or Boat Body Shop, Maintenance, Repair or Cleaning.

Breakaway Wall: as defined in Section 6.12.2.

Brewery: an establishment that is primarily used for the manufacture of beer. Such establishment may sell beer for on-site consumption or for off- site distribution in accordance with applicable state and local regulations.

Brewpub: a Use or establishment that is primarily engaged in the sale and service of food for on- premises consumption and that also brews beer for on-site consumption in accordance with applicable state and local regulations.

Buffer: a specified land area, located parallel to and within the outer perimeter of a Lot, Building Site, or parcel of land and extending to the Lot, Building Site, or parcel boundary line, together with the planting and landscaping required on the land. A Buffer may also contain, or be required to contain, a barrier such as a fence or wall, or combination thereof, where additional Screening is necessary to achieve the desired level of buffering between various Uses. The term "Buffer" is not synonymous with the term "Setback Area or Yard" or the term "Stormwater Management Area."

Building: any Structure, other than a Parking Structure, having a roof supported by columns or by Walls and intended for the shelter, housing, enclosure, or storage of Persons or property.

Building Element: any component or part of a Building.

Building Official: the City Chief Building Official or designee.

Building Site: a parcel of land that has not been subdivided as a separate Lot, but which is designated by an applicant as a Building Site to be separately built on in a Development Plan or Master PUD Development Plan, site plan, permit application, or plat, and which accommodates, or is available to accommodate, a Principal Building. *See* **Illustration 9.3.L-4 (Lot / Building Site)**. *See also* "Lot", "Lot or Building Site of Record", and "Zoning Lot or Building Site".

Building Systems Business: establishment that installs, services, maintains, and/or repairs Building systems, such as heating, ventilation, air conditioning, electrical, and plumbing contractors.

Business: operation of or engagement in for-profit activities and endeavors, including without limitation Commercial and Industrial activities and endeavors.

Business Office: premises available for any function of a Business. Examples are advertising office, Business management, consulting, data processing, collection agency, real estate or insurance agent, sales office, travel

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agency, Business incubator, TV or radio studio, Utility office, and conference center.

Business, Trade, or Vocational School: an Education Use providing education or training in Business, commerce, language, or other similar activity or occupational pursuit, and not otherwise defined as a Home Occupation, College, or University.

C

Canopy Tree: a tree that has an expected height at maturity greater than 40 feet and which produces significant shade because it has a crown that is oval, round, vase–shaped, or umbrella–shaped.

Catering Service: an establishment that prepares and provides food and related services to off–premises locations.

Catering Events Establishment: any non–Residential room, place, or space where food and beverages are available for consumption, that is regularly leased or hired out for functions, occasions, or events, to which the general public is not invited or admitted and wherein music or entertainment may be provided.

Cemetery: land used or intended to be used for the burial of the dead and dedicated for purposes of containing graves, tombs, and funeral urns, including when located or operated in conjunction with and within the boundaries of the Cemetery, columbariums, crematoriums, mausoleums, and mortuaries.

Central Sewage Collection and Treatment System: a wastewater collection and/or treatment system owned and operated by a public or quasi – public organization and approved by all appropriate licensing and oversight agencies. This term shall not be construed to include any type of privately owned and operated individual disposal system such as private septic or other similar systems.

Certificate of Appropriateness: a certificate issued by the Historic Zoning Commission indicating its approval of plans for Alteration, Construction, removal, or demolition of a Historic Structure or Structure within a Historic District or Historic Landmark District.

Certificate of Completion: a certificate issued with respect to a submission pursuant to this Ordinance, which certifies that such submission is complete in accordance with the applicable requirements under this Ordinance.

Certificate of Compliance: a certificate issued with respect to a submission pursuant to this Ordinance, which certifies that such submission complies with the applicable requirements under this Ordinance.

Certificate of Economic Hardship: a certificate issued pursuant to Section 8.5.14, which evidences a determination that an Economic Hardship exists with respect to remedying a Condition of Neglect related to a Historic Property, which certificate authorizes such Alteration, Construction, removal, or demolition even though a Certificate of Appropriateness therefor has previously been denied.

Certificate of Occupancy: a written permit, which is required before occupying or commencing to use any Building, Lot, Building Site, or other parcel of land.

Character District: one of several areas on a Zoning Map to which certain Character District Development, Lot or Building Site, Building, Development Parcel standards are applied. *See* **Tables 4.3.1–A – 4.3.1.G (District Standards – Character Districts)**.

Child Care Facility: premises at which care, supervision, or guidance is provided for a minor child who is not related by blood, marriage, or adoption to the owner or operator of the facility, whether or not the facility is operated for profit and whether or not the facility charges for services offered by it. Notwithstanding the foregoing, Childcare Facility does not include:

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(1) An educational facility, whether private or public, which operates solely for educational purposes in Grades K or above;

(2) Kindergarten programs for five-year-olds;

(3) Children's Day Camps;

(4) School vacation or school holiday day camps for children operating in distinct sessions running less than three weeks per session;

(5) Summer resident camps for children;

(6) Bible schools normally conducted during vacation periods;

(7) Facilities for disabled or mentally ill Persons;

(8) Facilities owned and operated by a local church congregation or an established religious denomination or a religious college or university which does not receive State or federal financial assistance for childcare services.

Children's Day Camp: premises at which activities are offered to school-aged children in a social setting and the children return home in the evenings.

City: the City of Columbia, Tennessee.

City Code: the municipal code of the City, as the same may be amended and in effect from time to time.

City Council: the City Council of the City.

Civic Uses: (1) not-for-profit Uses dedicated to arts, charitable, philanthropic, culture, Education or Recreation, government, transit, or Parking purposes;

(2) a collective reference to the Uses listed under the heading "Civic Uses" in **Table 4.3.9.1-A (Building, Lot, & Building Site Principal Use), Table 4.3.9.1-B (Building, Lot, & Building Site Accessory Use),** and **Table 4.3.9.1-C (Building, Lot, & Building Site Temporary Use)**.

Civic Building: a medium- to large-sized attached or detached Principal Building type, which is operated by a not-for-profit organization or governmental entity, is dedicated to Civic activities, and is designed to stand apart from its surroundings due to the specialized nature of its Civic purpose. Examples include but are not limited to Auditoriums, Conference / Convention / Exhibition Centers, Libraries, Places of Assembly, Courthouses, centers of government, Performing Arts Venues, and Museums. Civic Buildings are often the most prominently sited and architecturally significant Buildings in a community. *See* **Table 4.3.8.A (Principal Building Types) and Table 4.3.8.B (Principal Building Types – Specific Standards)**.

Civic Space: an outdoor area dedicated for Civic Use, which meets the applicable standards of this Ordinance. *See* **Table 5.3.3-A (Civic Space Types – Summary)** and **Table 5.3.3-B (Civic Space Types –Specific Standards).**

Civic District: an area on the Official Zoning Map designated for Civic Building(s) and/or Civic Space(s).

Civil Support: Use category collectively referring to the Uses listed as such in **Table 4.3.9.A-1 (Building, Lot & Building Site Principal Uses)**.

Clinic: a Medical Clinic or Dental Clinic.

College or University: an educational institution that offers courses of general or specialized study leading to a degree.

Commercial Uses: the Use category, which is a collective reference to the Uses in the following Use sub-Categories, as listed in **Table 4.3.9.A-1 (Building, Lot & Building Site Principal Uses)**:

Accommodations / Lodging, Day Care (non-Civic), Educational Facilities (non-Civic), Indoor Recreation, (Commercial), Group Assembly, Outdoor Recreation (Commercial), Commercial Parking (Commercial), Restaurant, Retail / Personal Service / Repair / Art /

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Artisan, Self-Service Storage, Boat-Related Uses, Motor Vehicle-Related Uses, Manufactured Home Sales, and Wholesale Sales.

Commercial Building: a small- to medium-sized attached or detached non-Residential Building Type, typically designed to facilitate pedestrian-oriented Retail / Personal Service / Repair / Art / Artisan Uses and Office Uses. *See* **Table 4.3.8.A (Principal Building Types Summary)** and **Table 4.3.8.B (Principal Building Types – Specific Standards)**.

Commercial Indoor Athletic Training Facility: Business establishment providing indoor facilities designed and used for active participatory athletic activities or training, including but not limited to personal strength and fitness training, gymnasiums, skating rinks, swimming pools, and tennis courts. Specifically excluded are Health Clubs, Day Spas, and Sports Venues.

Commercial Parking: a Parking Lot or Parking Structure operated as a for-profit endeavor.

Commercial Street: a Thoroughfare or Internal Drive designed for moderate to high vehicular capacity and slow speed, traversing an Urbanized area, described as such in **Table 4.3.8.A (Thoroughfare Types – Summary)** and **Table 4.3.8.B (Thoroughfare Assemblies and Standards)**. The Public Frontage has raised Curbs drained by inlets and very wide Sidewalks along both sides, separated from the vehicular lanes by separate Tree wells with grates and parking on both sides. The landscaping consists of a single Tree species aligned with regular spacing where possible, which clears the storefront entrances.

Common Destination: an area of focused community activity, usually defining the approximate center of a Pedestrian Shed. It may include without limitation one or more of the following: a Civic Space, a Civic Building, a Commercial center, or a transit station, and may act as the social center of a neighborhood.

Common Open Space: a parcel or parcels of land and/or an area of water within a Development site designated, designed, and intended for use or enjoyment of the occupants of the Development site. Common Open Space may contain such complementary Structures and Improvements as are necessary and appropriate for the benefit and enjoyment of the occupants of such Development site. Common Open Space must meet the applicable Civic Space standards of this Ordinance.

Common Yard: a planted Frontage wherein the Facade is set back substantially from the Frontage Line, and the Front Yard so created remains unfenced and is visually continuous with Abutting yards, supporting a common landscape. *See* **Table 4.3.7.A (Private Frontage Types)**.

Communications Equipment: equipment used for communication, transmission or reception by Business, governmental, or other public or quasi-public users, including without limitation cellular towers. This does not include communication equipment for amateur radio operators licensed by the Federal Communications Commission that are exempt from local zoning restrictions.

Communication Services: an establishment primarily engaged in the provision of broadcasting and other information relay services accomplished through the use of electronic and telephonic mechanisms, including without limitation, Radio or Television Broadcasting Studio, News Syndicates, Video or Audio Studio, Telecommunication Service Center, and Telegraph Service Center.

Communications Tower: a tower of any size that supports Communications Equipment, transmission or reception by Commercial, governmental, or other public or quasi-public users, including without limitation cellular towers. This does not include communication towers for amateur radio operators licensed by the Federal Communications Commission that are exempt from local zoning restrictions or communications towers under 100 feet in height used solely for educational communications purposes.

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Community Garden: a private or public Civic Space type for the cultivation of fruits, flowers, vegetables, or ornamental plants by more than one person or family, described as such in **Table 5.3.3.A (Civic Space Types – Summary)** and **Table 5.3.3.B (Civic Space – Specific Standards)**.

Conference / Convention / Exhibition Centers, Places of Worship, Places of Assembly, , Performing Arts Venues, and.

Community Service: sub-category of the Civic Uses category, being Uses of a public, non-profit, or charitable nature providing ongoing education, training, or counseling to the general public on a regular basis, without a Residential component, including without limitation, Civic Building, club or lodge (Civic), food distribution center (Civic), gallery (Civic), Parking Lot or Parking Structure (Civic), Philanthropic Institution, Place of Assembly, post office, neighborhood arts center (Civic), recreation facility (Civic), Senior Center (Civic), Sports Venue (Civic), transit shelter, transit station, transit terminal with or without vehicle storage or maintenance, and union hall.

Completely Enclosed: refers to a Building or other Structure having a roof, separated on all sides from adjacent open areas, by exterior walls or Party Walls, pierced only by windows or entrance and exit doors normally provided for persons, goods or vehicles.

Comprehensive Plan: (1) generally, an analysis of existing conditions and a compilation of policies, guidelines, standards, goals, and objectives, including but not limited to detailed elements of planning (as described and outlined in TCA Section 13-4-201, TCA Section 13-3-301 (2), and the Powers and Functions of the Local Planning Commission in Tennessee, p. 7), along with accompanying maps, tables, plats and illustrations, developed by the Planning Commission subsequent to substantial public review and active participation in the planning process, and officially adopted by the City Council to provide a vision which guides and directs the present and future physical, social, and economic development that occurs within the planning jurisdiction as well as a unified physical design for both the private and public development of land within the community; (3) specifically, the City's Comprehensive Plan adopted and in effect from time to time. Sometimes referred to as the "General Plan".

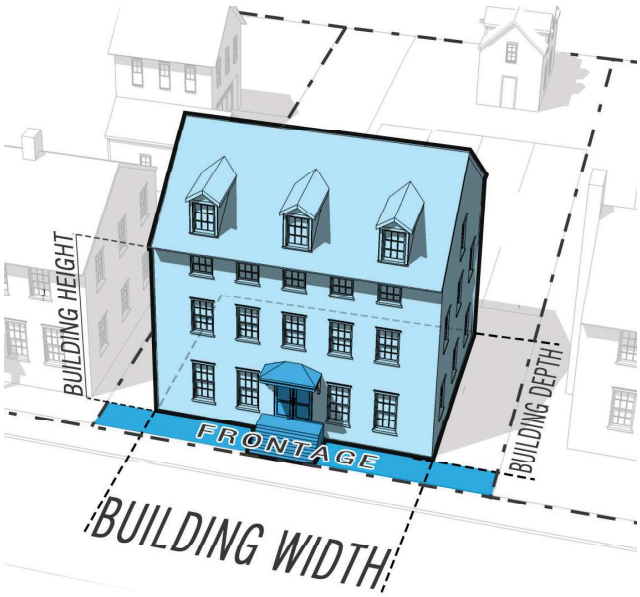
Conditional Use: a Use that would not be appropriate generally or without restriction throughout the applicable District, but which, if controlled as to number, area, location, or relation to the neighborhood, would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or general welfare. Conditional Uses are subject to all such controls and to approval by the Board of Zoning Appeals. For purposes of the administration of this Ordinance, Conditional Uses shall be construed as synonymous with special exceptions, as controlled by TCA Section 13 – 7 – 206.

Conditional Use Permit: a permit issued pursuant to Section 8.5.16.C.

Conditions of Neglect: as defined in Section 8.5.14.C.1.

Configuration: with respect to a Building, its form, including its Massing, Private Frontage, Width, and Height. *See* **Illustration 9.3.C-1 (Configuration).**

ILLUSTRATION 9.3.C-1 CONFIGURATION



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Conference / Convention / Exhibition Center: premises that accommodate conferences, exhibitions, meetings, seminars, training sessions, and other similar gatherings.

Construction: the act of adding an Addition to an existing Structure or the erection of a new Structure.

Construction Business: an establishment engaged in any Business involving activities generally referred to general contracting, construction trades, building, or Development.

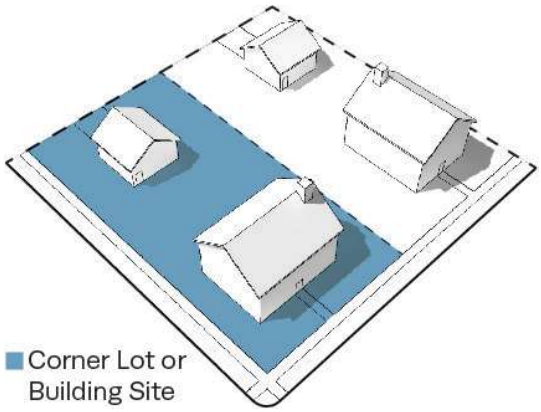
Continuum of Care Facility: a facility providing one or any combination of assisted living, nursing home, or skilled nursing for the elderly or other individuals incapacitated in some manner for medical reasons, as determined and licensed and/or certified by the Tennessee Department of Health, Board of Licensing Health Care Facilities. Included in this definition are homes for the aged, as defined by TCA Sections 68-11-201. Continuum of Care Facilities may include a small amount of age-restricted independent living as part of the overall continuum of care.

Contractor Materials Sales: the sale of building materials at wholesale without Outdoor Storage.

Convenience Store: an establishment primarily engaged in the provision of frequently or recurrently needed goods for household consumption, such as prepackaged food and beverages, newspapers, and limited household supplies, to customers who generally purchase only a few items. Convenience stores shall not include fuel pumps or the selling of fuel for motor vehicles.

Corner Lot or Building Site: a Lot or Building Site type of which at least two Abutting sides Abut Thoroughfares, Internal Drives, Pedestrian Ways, Civic Spaces, or other public places. *See* **Illustration 9.3.C-2 (Corner Lot or Building Site)**.

ILLUSTRATION 9.3.C-2 CORNER LOT OR BUILDING SITE



Corridor: a lineal geographic system incorporating a Thoroughfare, Internal Drive, Greenway, or other Civic Space.

Cosmetic Reconditioning: incidental repair and refinishing of a vehicle, limited to plastic and trim parts, including bumpers, moldings, mirrors, headlight lenses, and the restoration of alloy wheels. Vehicle side panels may also be refinished when a bumper scrape carries onto a fender. Cosmetic Reconditioning shall not include painting of a complete vehicle, or use of traditional collision repair equipment, such as a frame machine, weld, or unibody straightening machine.

Counseling Service: an establishment providing counseling, guidance, or similar services to persons requiring rehabilitative or vocational assistance. This term includes job training and placement services.

Court: an open unoccupied space, other than a Setback Area or Yard, on the same Lot or Building Site with a Building or group of Buildings, which is bounded on two or more sides by such Building or Buildings.

Courthouse: a Building in which courts of law are held.

Crisis Counseling Center: premises from which Persons who have experienced a traumatic event are provided short-term counseling to assist in coping with the event.

Critical Root Zone: with respect to a tree, a circular area

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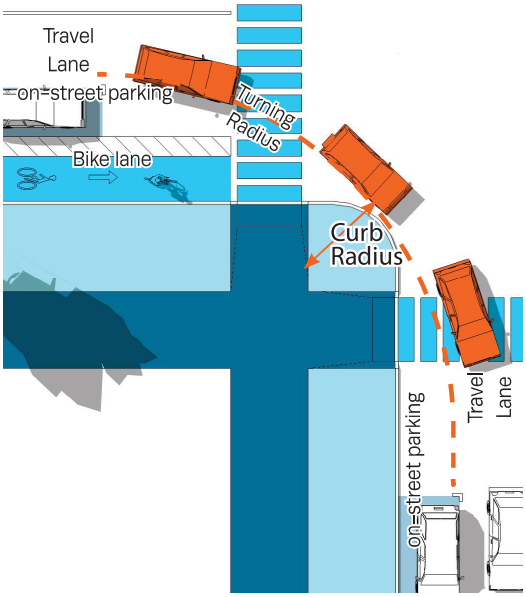
measured outward from the tree trunk, representing the essential area of the roots that must be maintained for the tree's survival. The Critical Root Zone is measured one foot of radial distance for every inch of tree at diameter at breast height, with a minimum of ten feet.

Cross Block Passage: a minimum 10 foot wide pedestrian access reserved between Buildings.

Curb: the edge of the vehicular pavement that may be either raised or flush with a Swale to the extent allowed by this Ordinance. It usually incorporates or is associated with the drainage system. See **Table 4.3.8.A (Thoroughfare Types – Summary)** and **Table 4.3.8.B (Thoroughfare Assemblies and Standards).**

Curb Radius: the radius of the curb at an intersection. *See* **Illustration 9.3.C–3 (Curb Radius).**

ILLUSTRATION 9.3.C–3 CURB RADIUS



D

Data Processing or Storage Services: establishments primarily involved in the compiling, storage, and maintenance of documents, records, and other types of information in digital form utilizing a main frame computer.

Day Care Center or Facility: a place other than an occupied Dwelling, which for a payment, fee, or grant provides care, protection, and supervision for more than 5 children or adults on a regular basis away from their primary Residence for fewer than 18 hours each day (although the facility may be open 24 hours each day), with no overnight accommodations. Those receiving care are not all related to each other by blood or marriage and are not legal wards or foster children of the attendant adults. A Day Care Center or Facility must meet all applicable State and County requirements for standards, licensing, and inspections.

Examples are Adult Day Care program, Child Care Center, Nursery School, Preschool, and Latch–key Program.

Decision–Making Authority: any City administrative Person, legislative or quasi–legislative body, or appellate body authorized to make decisions under this Ordinance, including without limitation, the Zoning Administrator, the Planning Commission, the Board of Zoning Appeals and the City Council.

Deck: a covered or uncovered horizontal, platform–like Structure similar to a floor, which is constructed outdoors of wood, composite wood, or vinyl material, is capable of supporting weight, and may be connected or unconnected to a Building.

Demolition: any act or process that destroys in part or in whole a Historic Structure or a landmark or a Structure within a Historic District or Historic Landmark District.

Demolition by Neglect: the existence of any one or more Conditions of Neglect with respect to a Historic Property.

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Density: the intensity of Development within a standard measure of land area. The maximum Density established for a District is not a guarantee that such Density may be obtained, nor shall the inability of a Development to achieve the stated maximum Density be considered sufficient justification for a Variance or Administrative Adjustment or otherwise adjusting other Density or other requirements.

Dental Office / Dental Clinic: an Office or other premises for the private practice of dental care professionals licensed by the State, wherein a majority of patient encounters involve dental examination, diagnosis, treatment, surgical procedures, preventive care, restorative care, cosmetic care, and/or emergency care on an outpatient basis.

Dental Lab or Laboratory: premises or establishment at which products to assist in the provision of oral health care by a licensed dentist are made, such as crowns, bridges, dentures, dental implants, and therapeutic and orthodontic devices.

Design Guideline: as related to a Historic District, Historic Landmark District, or Structure in a Historic District or Historic Landmark District, a standard of appropriate activity that will preserve the historic and architectural character of such Structure or district.

Designed for Residential Use: a Building or part thereof which was originally designed for Residential Use.

Develop/Development: (1) commencing, making or planning for man-made changes to land, Structures, or other real property, including without limitation, re-development, clearing, excavation, grading, filling, Construction, re-Construction, Alteration, demolition, modification, subdivision or re-subdivision, installation of infrastructure, mining, dredging, paving, drilling, and storage of materials, whether such changes are horizontal, vertical, or subterranean, but excluding agricultural and gardening activities and Ordinary Maintenance and Repair; (2) the resulting changes to such land, Structures, or other real property; and (3) with respect to a specific plan of development or development project, such development or project.

Development Parcel: a parcel of land:

(1) which, either alone or together with one or more other parcels under a common Development scheme, program or plan, is ten (10) or more gross acres;

(2) with respect to the Development of which any new Thoroughfare, Internal Drive, or extension or change of the design of any existing Thoroughfare or Internal Drive is required or will be made or proposed; or

(3) with respect to which any District assignment or any Thoroughfare or Internal Drive or alignment thereof is proposed to be made or changed by a Zoning Map or Zoning Map amendment.

Development Area Per Dwelling Unit: the measurement of Density for Residential Development, which term refers to the number of Dwelling Units per unit of land area, subject to adjustment for Lot or Building Site Area Remainder as follows:

if an amount of Lot or Building Site Area not allocated to a Dwelling Unit is less than that required for one such Dwelling, the remaining Lot or Building Site Area may be used to satisfy Lot or Building Site Area requirements if it represents at least 75% of the total area required for a Dwelling Unit; provided, however, that the project shall comply with all other applicable regulations including without limitation access, Setbacks, Setback Areas, and Yards.

Development Plan: a Site Development Plan or Sketch Development Plan, as described in Section 8.5.6. See also "Master PUD Development Plan".

Development Permit: any permit or approval issued or granted pursuant to this Ordinance.

Deviation: an Administrative Adjustment or a Variance.

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Directory Sign: the Sign type described as such in **Table 7.1.2.B–1 (Sign Types – Summary)** and **Table 7.1.2.B–2 (Sign Types – Specific Standards)**.

Distillery: an establishment which is primarily used for the manufacture of alcoholic spirits in accordance with applicable state and local regulations.

Distribution: the movement of goods including the storage of goods awaiting movement.

Distribution Facility: premises used for Distribution.

District: a Character District, Special District, PUD District, or Civic District; when capitalized and not accompanied by the word "Historic", the word "District" specifically excludes any Local Historic Districts. *See also* "Zoning District".

Dooryard: a Private Frontage type intended for ground floor Residential Use, wherein the Façade is set back a small distance and the Frontage Line is defined by a low Wall, decorative Fence or hedge, creating a small raised, sunken, or at-grade Dooryard consisting of a front garden or patio. The Dooryard shall not be used for public circulation along a Thoroughfare. *See* **Table 4.3.7.A (Private Frontage Types)**.

Double-Wide Manufactured Home: (1) A single detached dwelling constructed primarily off-site, designed to be transported on a flat-bed truck or Trailer in 2 or more sections to be attached on site. As used in this Ordinance, Double-Wide Manufactured Home does not include Manufactured Homes constructed as a single self-contained unit and mounted on a single chassis.

(2) A Double-Wide Manufactured Home, shall be considered a Single-Family Dwelling and shall be subject to all standards and regulations applicable to Single-Family Dwellings, as provided by this Ordinance.

Drive: a Thoroughfare or Internal Drive along the boundary between an urbanized and a natural condition, usually along a waterfront, Park, or promontory, with one side having the urban character of a Street, with Sidewalk and Buildings, and the other having the qualities of a Road or Parkway with naturalistic planting and rural details. *See* **Table 5.3.3.F (Thoroughfare / Internal Drives Types – Summary)** and **Table 5.3.3.G (Thoroughfare / Internal Drive Assemblies and Standards)**.

Drive Aisle: a vehicular accessway that serves and is within a Parking Area, Parking Lot, or Parking Structure. A Drive Aisle is not a Thoroughfare, Internal Drive, or Driveway.

Drive-Through: any accommodation designed or used for the transaction of Business wherein the patrons may avail themselves of the services or products of an establishment while remaining in their vehicles, whether or not patrons are also able to obtain services or products inside of a Structure.

Driveway: a vehicular accessway within a Lot or Building Site to provide access only from a Thoroughfare or Internal Drive to a Parking Area, Parking Lot, Garage, Parking Structure, or Building entrance, but not designed to provide space within the First Layer or Second Layer for vehicular Parking additional to the minimum space required for such access.

Duplex: a small- to medium- sized Building, other than a Manufactured Home, situated on a single or two Abutting small- to medium- sized Lot(s) or Building Site(s) with an Edgeyard or Sideyard, which either is (a) attached to another Building of the same type, each of which consists of a separate Dwelling Unit with a separate entrance or (b) contains two Dwelling Units, each of which has a separate entrance. In each case, the entrance of at least one of the Dwelling Units must face a Thoroughfare, Internal Drive, or Civic Space. Dwelling Units may be side-by-side, front-to-back, or over-and-under. *See* **Table 4.3.8.A (Principal Building Types Summary)** and **Table 4.3.8.B (Principal Building Types – Specific Standards)**.

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Dwelling / Dwelling Unit: a Building or portion thereof designed or used exclusively as Residential quarters for one or more Families living independently of each other, which includes separate complete sleeping, cooking, eating, and sanitation facilities for each such Family, and occupied for a monthly or longer basis. The term shall not be deemed to include Hotel, Extended Stay Hotel, Motel, Boarding or Rooming House, or any Transient living accommodations.

E

Easement: a privilege or right of use, access or enjoyment granted on, above, under or across a particular tract of land by the landowner to another Person.

Economic Hardship: an economic burden imposed upon the owner, which is unduly excessive and prevents a realization of a reasonable rate of return upon the value of his property.

Edgeyard: a Yard type that results from a Building being set back from its Lot or Building Site boundaries at the front, rear, and both sides.

Education or Educational: a Use category characterized by the process of receiving or giving instruction. *See* **Table 4.3.9.A–1 (Building, Lot & Building Site Principal Use)**.

Educational Facility: public and private (including charter or religious) schools at the pre-school, kindergarten, primary, intermediate, or secondary school levels; colleges, universities, community colleges, graduate and professional schools, nursing, dental, and medical schools, seminaries, and other post-secondary institutions of higher learning that offer courses of general or specialized study leading to a degree, usually in a campus setting. The following are not Educational Facilities: dance, art, music, or photographic studios or classrooms (see Retail Sales and Personal Service), driving schools other than truck driving schools (see Retail Sales and Personal Service), and Martial Arts schools (see Retail Sales and Service).

Effective Date: the date on which this Ordinance was adopted by the city Council.

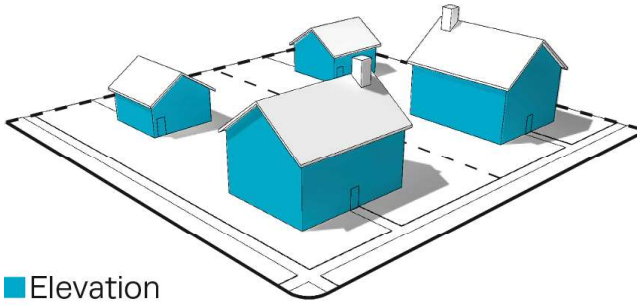
Effective Turning Radius: the measurement of the inside Turning Radius, taking parked cars into account.

Electronic Message Board: a panel or screen with the capability to display electronically programmed variable messages.

Elementary School: a public, private or parochial school offering instruction between Kindergarten and Grade 4 in the branches of learning and study required to be taught in the public schools of Tennessee.

Elevation: as related to the exterior walls of a Building, one that is not along a Frontage Line; when not capitalized, "elevation" means the height above a given level or a drawing or design that represents an object or Structure as being projected geometrically on a vertical plane parallel to one of its sides, as the context indicates. See also Facade. *See* **Illustration 9.3.F–5 (Frontage and Lot or Building Site Lines)** and **Illustration 9.3.E–1 (Elevation)**.

ILLUSTRATION 9.3.E–1 ELEVATION



Elevation

Encroach: to break the plane of a vertical or horizontal regulatory limit with a structural element, so that it extends into a Setback, Setback Area, or Yard or into the Public Frontage, or above a height limit.

Encroachment: any structural element that breaks the plane of a vertical or horizontal regulatory limit, extending into a Setback, Setback Area, or Yard or into the Public Frontage, or above a height limit.

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Enfront: to place an element along a Frontage, as in "porches Enfront the Thoroughfare."

Exempt Wireless Communications Tower: communication tower used by amateur radio operators licensed by the FCC that are exempt from local zoning restrictions or communications towers under 100 feet in height used solely for educational communications purposes.

Exempt Sign: a Sign listed in Section 7.1.10 that does not require a Sign Permit.

Existing Local Codes: all City laws, codes, and ordinances in effect on the Effective Date.

Extended Stay Hotel: a Building or part of a Building, containing six (6) or more guest rooms or suites, offering temporary residence for compensation and specifically constructed, licensed, and/or maintained, all or in part, for non-Transient extended stays and/or stays longer than 30 days, regardless of the presence of leases for shorter periods of time. An Extended Stay Hotel is not a Hotel, Motel, Bed and Breakfast, Inn or Short-Term Rental Unit.

Exterior Architectural Appearance: the architectural character and general composition of the exterior of a Structure, including but not limited to the kind, color, and texture of the building materials and the type, design, and character of all windows, doors, light fixtures, Signs, and appurtenant elements.

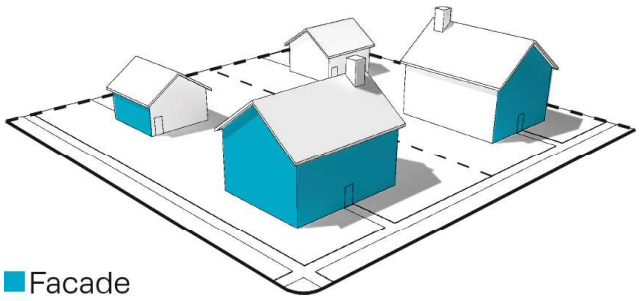
Extractive Uses: sub-category of Agricultural and Extractive Uses Category characterized by Uses in which minerals or other solids or liquids are extracted from the earth, including without limitation, chemical fertilizer and non-metallic mineral mining, clay, ceramic, and refectory mineral mining, coal mining, crude petroleum and natural gas production field, metal ore and mineral mining, sand, stone, and gravel quarrying.

F

FAA: Federal Aviation Administration.

Facade: the exterior Wall of a Building that is set along a Frontage Line. See **Illustration 9.3.F-1 (Facade)**. *See also* "Elevation".

ILLUSTRATION 9.3.F-1 FACADE



Family: (1) one or two Persons and their children by birth, adoption, foster care, or guardianship or (2) any number of related or unrelated Persons living together in a single, more or less permanent and stable rather than Transient living arrangement as a not-for-profit housekeeping unit, which is the functional and factual equivalent of a traditional family, including without limitation a group headed by a householder caring for a reasonable number of children as one would be likely to find in a traditional family; provided that the criteria "stable rather than Transient living arrangement" shall not be applied in cases where handicapped persons are affected.

Family Day Care: a facility which provides day care and supervision services for up to 18 hours per day for no more than 12 recipients at any one time, without overnight accommodations, by a provider of such services who is not related to such recipients, which provider has received and maintains in full force and effect all necessary State approvals and licenses. Those receiving care are not all related to each other by blood or marriage and are not legal wards or foster children of the attendants.

Farm and Construction Equipment: equipment used in the conduct of farming or construction activities.

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Farmer's Market: an open air area, without or without a Structure, used for the Retail sale of fresh fruits, vegetables, nuts, grains, eggs, flowers, herbs, or plants. A Roadside Stand is not a Farmer's Market.

FCC: Federal Communication Commission.

Fence: (1) as a Private Frontage type, a Frontage wherein the Facade is set back from the Frontage Line, and the Front Setback Area, Front Yard, or Street Yard so created is separated from the Public Frontage by a Fence. *See* **Table 4.3.7.A (Private Frontage Types)**;

(2) as a Structure, a device erected to serve as an architectural element, landscape element, Screen, Streetscreen, or physical barrier.

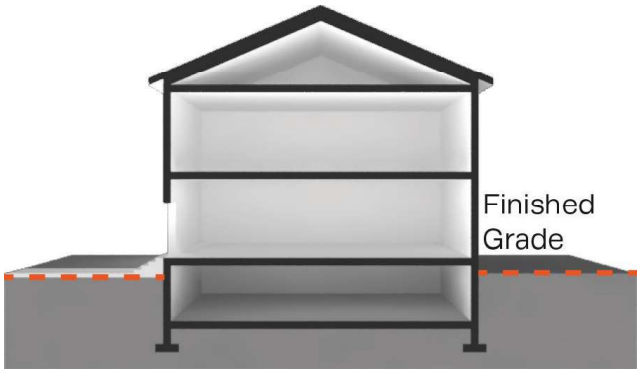
Final Plat: as defined in City Subdivision Regulation Section 2.3.

Financial Institution: an establishment that is regulated by the Federal Deposit Insurance Corporation (FDIC) and/or Tennessee Department of Financial Institutions and provides a variety of financial services, generally including banks, credit unions, and mortgage companies.

Financial Services: a Business, other than a Financial Institution or Non-Banking Financial Institution, characterized by the provision of financial, investment, and/or similar services.

Finished Grade: the elevation of the completed surfaces of lawns, walks and Thoroughfares and Internal Drives Adjoining a Building wall at that point along such wall. *See* **Illustration 9.3.F-3 (Finished Grade).**

ILLUSTRATION 9.3.F-3 FINISHED GRADE



Fire / EMS Station: premises accommodating operations of fire-fighting and emergency medical personnel and other members of staff.

First Layer: *See* "Layer".

Flex Building: a large footprint Principal Building type designed to accommodate either a single Use or a vertical or horizontal mix of Uses. See **Table 4.3.8.A (Principal Building Types- Summary)** and **Table 4.3.8.B (Principal Building Types – Specific Standards).**

Flood: as defined in Section 6.12.2.

Floodplain: as defined in Section 6.12.2.

Flood Fringe Overlay District: an area designated as such on the Official Zoning Map.

Floodplain District: as defined in Section 6.12.2.

Floodway Overlay District: an area designated as such on the Official Zoning Map.

Floor Area: the total of the gross horizontal areas of all floors, including usable Basements and cellars, below the roof and within the outer surface of the main walls of Buildings or the center lines of Party Walls separating such Buildings or portions thereof, or within lines drawn parallel to and two feet within the roof line of any Building or portion thereof without walls, but excluding the following:

(1) Areas used for off – street Parking spaces or loading berths and Driveways and maneuvering relating thereto

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where required by this Ordinance.

(2) In the case of Non-Residential facilities: arcades, porticoes, and similar open areas which are accessible to the general public, and which are not designed or used as sales, display, storage, service, or production areas.

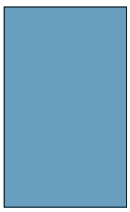
Floor Area Ratio ("FAR") or Floor-to-Area Ratio: a measurement of Non-Residential land use intensity, being the ratio of Building Floor Area- to -Lot or Building Site Area. FAR is determined by dividing (1) the aggregate Floor Area of the several floors and mezzanine areas of all Buildings on a Lot or Building Site by (2) the Lot or Building Site Area, as follows:

$$\frac{\textit{Aggregate Floor Area}}{\textit{Lot or Building Site Area}} = \textit{Floor Area Ratio}$$

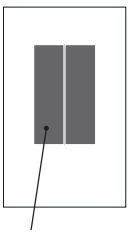
For example:

(1) a Building containing 20,000 square feet of Floor Area on a Lot or Building Site that has a Lot or Building Site Area of 10,000 square feet has a Floor Area Ratio of 2.0; and

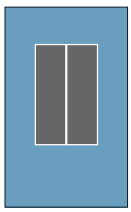
(2) similarly, a Floor Area Ratio of .5:1 would mean that the Floor Area of the Building is 50% of the Lot or Building Site Area of the Lot or Building Site on which the Building is located.



Lot or Building Site Area
10,000 sq. ft.



Floor Area of Building
5,000 sq. ft.



5,000 sq. ft. / 10,000 sq. ft = 0.5

Food Distribution Center: premises operated for Civic purposes, with or without a Structure, from which edible goods are distributed to the public, with or without compensation.

Food Processing: Use characterized by processing and packaging of edible goods and beverages for consumption off of the premises.

Forecourt: a Private Frontage type wherein a portion of the Facade is close to the Frontage Line and the central portion is set back, creating an gathering space for residents or additional shopping or restaurant seating area within Retail / Personal Service / Repair / Art / Artisan Use areas. This type should be used sparingly and may be used in conjunction with other Private Frontage types. *See* **Table 4.3.7.A (Private Frontage Types)**.

Freestanding Sign: any Sign supported by Structures or supports that are anchored in the ground and that are independent of any Building or other Structure.

Frontage: the area between a Building Facade and a Path, Passage, waterbody, Civic Space, or the curb (or if there is no curb, the edge) of the Vehicular Lanes of a Thoroughfare or Internal Drive having Vehicular Lanes, inclusive of the built and planted components of such area. Frontage is divided into Private Frontage and Public Frontage. *See* **Illustration 9.3.F-5 (Frontages and Lot or Building Site Lines), Table 5.2.2.G-1 (Thoroughfare & Internal Drive Assemblies and Standards),** and **Table 4.3.7.A (Private Frontage Types)**. Corner Lots and Building Sites have two Frontages, a Principal Frontage and a Secondary Frontage. *See* **Illustration 9.3.F-4 (Principal Frontage and Secondary Frontage)**.

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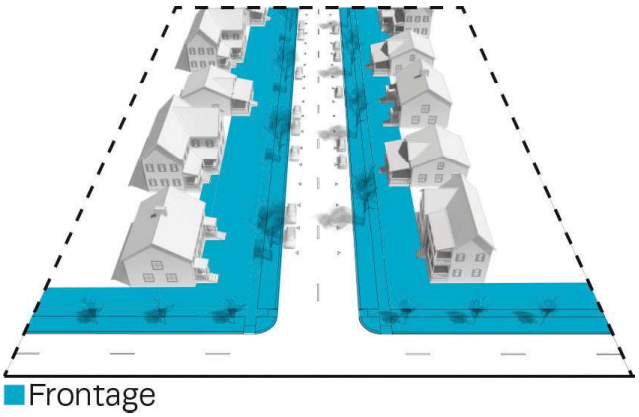
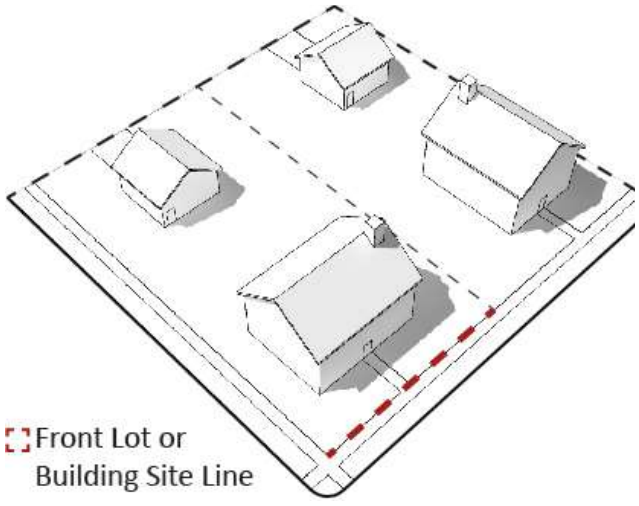
ILLUSTRATION 9.3.F–4 PRINCIPAL FRONTAGE AND SECONDARY FRONTAGE



Frontage Line: the common line that separates the Private Frontage from the Public Frontage, typically at the Front Lot or Building Site Line in cases where the entire Public Frontage is with the public right–of–way. *See* **Illustration 9.3.F–5 (Frontages and Lot or Building Site Lines)**. On a Corner Lot or Building Site, there are two Frontage Lines.

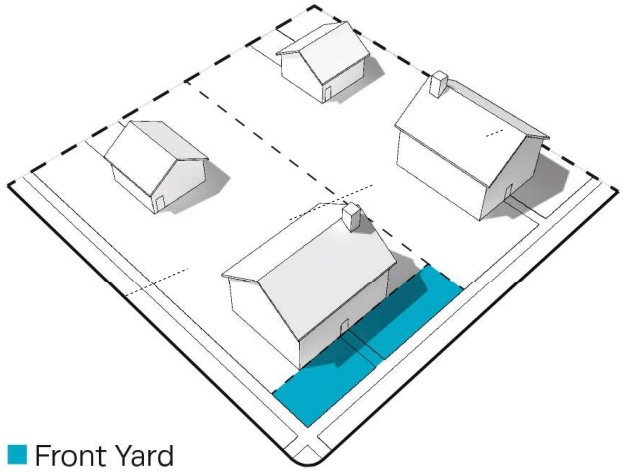
Front Lot or Building Site Line: the boundary at the front of a Lot or Building Site along the Thoroughfare right–of–way or Internal Drive. *See* **Illustration 9.3.F–5 (Frontages and Lot or Building Site Lines).**

ILLUSTRATION 9.3.F–5 FRONTAGES AND LOT OR BUILDING SITE LINES



Front Setback Area or Yard: a portion of a Lot or Building Site that is situated between (1) the nearest roofed portion of the Principal Building or of any Accessory Building on the Lot or Building Site and (2) the Front Lot or Building Site Line, extending the full width of the Lot or Building Site, from Side Lot or Building Site Line to Side Lot or Building Site Line. *See* **Illustration 9.3.F–6 (Front Yard).** Sometimes referred to as "Street Yard".

ILLUSTRATION 9.3.F–6 FRONT (STREET) SETBACK AREA OR YARD



Full Value: with respect to a Nonconforming Structure or a Structure used for a Nonconforming Use, the Full Value of a Structure shall be determined by subtracting (1) the estimated value of the foundation as provided by the owner's engineer and approved by the City Engineer from (2) the current assessed value of the Structure.

$$\textit{Current Assessed Value of Structure} - \textit{Estimated Value of Foundation} = \textit{Full Value}$$

Funeral Services: a Use characterized by an establishment engaged in undertaking services such as preparing the human or animal dead for burial and arranging and managing funerals, including without limitation, Funeral Home, Mortuary, Cemetery, and Crematorium.

G

Gallery: (1) with respect to the Frontage, the Private Frontage type conventional for Retail / Personal Service / Repair / Art / Artisan Use, wherein the Facade is aligned close to the Frontage Line with an attached cantilevered shed or lightweight colonnade overlapping the Sidewalk (*see* **Table 4.3.7.A (Private Frontage Types)**;

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(2) with respect to the Use of premises or part thereof, the collection and/or exhibition, and often the sale, of works of art, photography, objects of permanent value, or artisan or cultural items.

Garage: an enclosed, detached Building, or an enclosed extension of a Principal Building, used for the storage of one or more motor vehicles on a Lot or Building Site as an Accessory Use, provided that no Business, occupation or service is conducted for profit therein.

General Plan: the City Comprehensive Plan.

Governmental Facility: Governmental Offices and storage and other facilities for the operation of local, state, or federal government. Examples are Courthouses, correctional facilities, jails, prisons, emergency services, paramedic, fire department, and law enforcement facilities, and post offices. Educational Facility, Maintenance Facility, Civic Spaces and Open Areas, solid or liquid waste transfer or composting and Utility Facilities are not Governmental Facilities.

Green: a type of Civic Space for unstructured recreation, spatially defined by landscaping rather than Buildings, described as such in **Table 5.3.3.A (Civic Space Types – Summary)** and **Table 5.3.3.B (Civic Space – Specific Standards).**

Gross: as related to an area of land, that which is inclusive of all land uses, Thoroughfares, Internal Drives, and other public areas located within a Development site.

Ground Floor Elevation: the distance between the top of the fronting Sidewalk and the top of the finished ground floor.

Group Assembly: sub-category of the Commercial Use category, characterized by people congregating regularly for participation in or holding meetings, workshops, lectures, civic activities, religious services, performances, and other similar activities, including Buildings, facilities, and venues in which such functions and activities are held.

Group Care Home or Family Boarding Home: a Group Care Home or a Family Boarding Home, as those terms are defined under the Rules of the Tennessee Department of Children's Services Social Service Division, Chapter 0250-4-2, which is licensed by the State under 0250-4-2-.01 of said Chapter.

Group Care Facility: shared living quarters (without separate kitchen or bathroom facilities for each room or unit) for nine (9) or more persons with physical or mental impairments that substantially limit one or more of such person's major life activities, provided that such arrangements do not meet the definition of Household Living. A Group Care Facility is not a Group Home for Persons with Disabilities.

Group Day Care: synonymous with Family Day Care.

Group Home for Persons with Disabilities: any home in which eight (8) or fewer unrelated "persons with disabilities" as defined in TSA section 13-24-101 reside, which may include three (3) additional persons acting as support staff or guardians, who need not be related to each other or to any of the persons with disabilities residing in the home.

Group Living: sub-category within the Residential Uses category, characterized by Residential occupancy of a Structure by a group of people, which does not meet the definition of Household Living. Tenancy is usually arranged on a monthly or longer basis. Generally, Structures for Group Living have a common eating area for Residents, and the Residents may receive care, training, or treatment. Examples include but are not limited to Adult Care Home, Group Home for Persons with Disabilities, and Group Care Home or Family Boarding Home.

H

Health Care Institution: subcategory within the Institutional Use category, characterized by an

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establishment providing medical or surgical care to patients. Some uses may offer overnight care.

Nursing or medical schools not accessory to a Hospital (see Educational Facilities) and Urgent Care or Emergency Medical Clinic Offices (see Offices) are not Health Care Institutions.

Health Club: premises that contain one or more of the following types of athletic facilities: swimming pool, racquetball courts, squash courts, exercise rooms, weight rooms, gymnasium or similar facilities available exclusively to members and their guests.

Heavy Industrial: the sub-category of Industrial Uses characterized by and collectively referring to factory production and industrial yards; research and development activities without light fabrication and assembly operations; limited industrial/manufacturing activities; Industrial Businesses, the sale of heavy equipment, Uses involving storage or use of highly flammable, toxic matter or explosive materials, or of Hazardous Materials; Uses that generate pollution, dust, odor, heat, glare, or vibration beyond the walls of such enclosed Building or any light or glare beyond the boundaries of the land on which the Building is situated; any activity or Use that (1) is detrimental to the environment, (2) poses any danger or hazard of fire or explosion or other physical hazard, (3) causes, disseminates, or discharges any material, dust, smoke, gas, fumes, odor, noise, vibration beyond the Lot or Building Site on which the Building is situated, (4) involves any Outside Storage, (5) results in any unusual traffic hazard or congestion, or (6) for which any water, air, or other environmental or pollution license or permit is required; as more specifically listed under such sub-category in **Table 4.3.9.1-A (Building, Lot, & Building Site Principal Use).**

Not included in this sub-category are animal waste processing (see Waste-Related Service); Repair and service of Motor Vehicles, motorcycles, Recreational Vehicles, boats, or light and medium trucks (see Vehicle Sales and Service); in-store sales, lease, or rental of consumer, household, or business goods (see Retail Sales and Service).

Height: (1) as related to a Structure other than a Tower, the vertical dimension of the Structure, described as applicable, (a) in number of Stories of the Structure or (b) by the distance between (i) the average Finished Grade, as measured at the outside corners of the Structure, and (ii) the highest point of such Structure on the roof surface; excluding in each case (i) Attics under 14 feet in height at their tallest point; (ii) raised Basements; and (iii) masts, belfries, clock towers, spires, steeples, chimneys, chimney flues, flagpoles, silos, water tanks, elevator or stair bulkheads, water tanks, cooling towers, Exempt Communications Towers, or parapet walls not more than four feet (4') high. *See* **Illustration 9.3.H-1 (Height-Building).**

ILLUSTRATION 9.3.H-1 HEIGHT - BUILDING

(2) as related to a Tower, the distance measured from ground level to the highest point on the Tower, even if said highest point is an Antenna.

Heritage Tree: a tree of any species listed under "Canopy Trees" in **Table 4.3.16.D-1 (Native Plants of the Tennessee Valley)** having with a trunk caliper of 24" or greater, measured 3 feet from the base of the trunk.

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High School: premises at which education is provided for students from Grade 9 through Grade 12.

Highway: a rural or suburban Thoroughfare or Internal Drive of high vehicular speed and capacity, described as such in **Table 5.3.3.F (Thoroughfare / Internal Drives Types – Summary)** and **Table 5.3.3.G (Thoroughfare / Internal Drive Assemblies and Standards)**.

Historic District: a geographically definable area which possesses a significant individual Structure or a concentration, linkage or continuity of sites, Buildings, Structures, or objects which are united by past events or aesthetically by plan or physical development, which meets one (1) or more of the following criteria:

(1) It is associated with an event which has made a significant contribution to local, state or national history;

(2) It includes Structures associated with the lives of persons significant in local, state or national history;

(3) It contains Structures or groups of Structures which embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction;

(4) It has yielded or may be likely to yield archaeological information important in history or prehistory; or

(5) It is listed in the National Register of Historic Places.

Historic Landmark: a property, Building, district, object, site, or Structure that has outstanding historical significance and is designated as such pursuant to this Ordinance.

Historic Property: the term used as a collective reference to designated Historic Structures, Historic Landmarks, and Historic Districts, together with properties therein identified as "contributing" or "pivotal" in a designated Historic District.

Historic Structure: any Structure that is:

(1) listed individually in the National Register of Historic Places maintained by the Department of the 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 historical district or a district preliminary determined by the Secretary to qualify as a registered Historic District;

(3) individually listed on the state 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 a local inventory of historic places and determined as eligible by communities with historic preservation programs which have been certified either:

(a) by an approved state program as determined by the Secretary of the Interior; or

(b) directly by the Secretary of the Interior.

Home Occupation: any gainful occupation conducted entirely within a Dwelling solely by the owners– or tenant–residents thereof as an Accessory Use, which does not change the character of the Structure as a Residence; provided that (1) said activity shall not occupy more than 50% of the Floor Area of the Dwelling, (2) there shall be no external evidence other than an Identification Sign, (3) no goods shall be kept, and (4) no mechanical or electrical equipment shall be used except customary household equipment; and provided further that the following are not allowed as Home Occupations: Clinic, Hospital, Home Professional Office, barbershop, beauty shop, Restaurant,

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Kennel, antique dealer, Retail sales on the premises, or loading of ammunition.

Horticulture and Landscaping Services: landscaping, tree, plant, lawn, and/or other landscape material installation, care, maintenance, and removal, and other similar services, together with associated equipment and machinery directed toward the care of trees, plants, or lawns.

Hospice: the provision of palliative care and emotional support to the terminally ill so that quality of life is maintained and family members may be active participants in care.

Hospital: premises used for the diagnosis, medical treatment, or similar care of human ailments including without limitation: the term "Hospital" shall be deemed to include (1) psychiatric and substance abuse facilities, ambulatory care, outpatient services, diagnostic and treatment centers, Clinics, Rehabilitation Facilities, Medical Laboratories, Hospices, teaching facilities, and meeting areas associated with and on the same premises as the Hospital, and (2) Accessory Uses such as dining and housing for patients' Families and guests, staff members, nurses, interns, resident physicians and their immediate families, and maintenance, service and parking facilities. The term "Hospital" shall not be deemed to include (3) Offices of doctors, dentists, chiropractors, or nurse practitioners, sanitariums, Nursing Homes, Long Term Care Facilities, Rehabilitation Facilities, psychiatric and substance abuse facilities, ambulatory care, outpatient services, diagnostic and treatment centers, Clinics, Rehabilitation Facilities, Medical Laboratories, Hospices, teaching facilities, or meeting areas not associated with and on the same premises as the Hospital, or (2) Accessory Uses such as dining and housing for patients' families and guests, staff members, nurses, interns, resident physicians and their immediate families, and maintenance, service and parking facilities not on the same premises and associated with Hospital.

Hostel: an establishment that provides inexpensive food and lodging for a specific group of people, such as students, workers, or travelers.

Hotel: a Business that offers to Transients, on a daily or weekly basis for compensation, sleeping accommodations accessible from interior hallways, whether or not such Business also includes dining facilities. Not synonymous with Motel, motor court, tourist court, auto court, motor lodge, or similar facilities. Neither a Hotel nor a room therein is a Short-Term Rental Unit.

House: a Building Type that was designed as a Single-Family Detached Dwelling on a medium or large Lot or Building Site with an Edgeyard, often shared with an Accessory Building in the rear, described as such in **Table 4.3.8.A (Principal Building Types)** and **Table 4.3.8.B (Principal Building Types – Specific Standards)**.

Household Living: the sub-Category of Uses designated as such in **Table 4.3.9.1-A (Building, Lot, & Building Site Principal Uses)**, characterized by permanent, non-Transient Residential activities that involve the occupancy of a Residential Dwelling Unit. A Short-Term Rental Unit is not a Household Living Use.

House Trailer: any Trailer designed to be used for living purposes with its wheels, roller or skids in place.

I

Ice Cream Truck: are motorized vehicles from which the operator vends only pre-packaged frozen dairy or frozen water based food products.

Identification Sign: a Sign that directs attention to a Business, profession, or Building with Multi-Family Residential Dwelling Units, which is conducted upon the same Lot, Building Site, or Development Site where such Sign is located.

Impervious Surface Coverage: that portion of a Lot, Building Site, or Development site, as applicable, covered with Buildings, asphalt, or concrete paving or hard-packed, prepared, graveled surfaces that prevent or restrict

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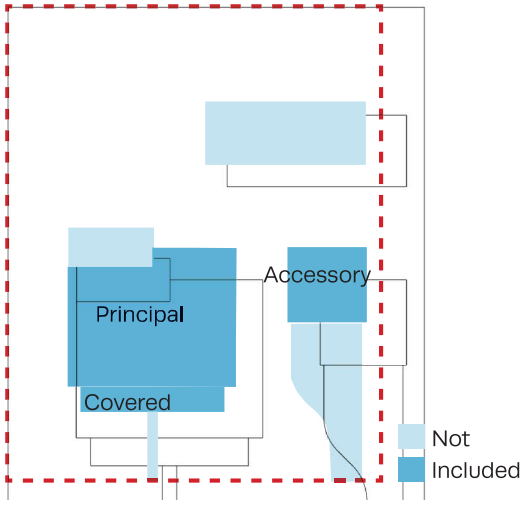
absorption of rain or surface water into the ground. If a Lot, Building Site, or Development site, as applicable, is located in more than one District, the Impervious Surface Coverage shall be separately computed for each District and no Impervious Surface Coverage may be transferred between Districts. See **Illustration 9.3.I–1 Impervious Surface Coverage.**

ILLUSTRATION 9.3.I–1 IMPERVIOUS SURFACE COVERAGE



Impound Yard: a facility that provides temporary outdoor storage for: (1) mechanically operable/drivable, licensed vehicles that are to be claimed by titleholders or their agents; and/or (2) wrecked motor vehicles awaiting insurance adjustments and transport to repair shops. This term excludes: Scrap and Salvage Yards / Services; Junkyard; Towing Facilities; Motor Vehicle Storage; or accessory storage of inoperable vehicles.

Improvement: any man-made change of land, a Lot, a Building Site, or Development site, or a change to or creation of a Structure.

Independent Living Apartment: a multiple Dwelling Unit accommodation that provides Residential quarters for Persons over a specified age who do not require skilled nursing care, health care, or assistance with daily activities, such as assistance with eating, dressing, ambulation, medication, bathing, or toileting.

Indoor Recreation: Use characterized by generally Commercial, for-profit Uses, varying in size, providing daily or regularly scheduled entertainment-oriented activities in an indoor setting, including without limitation bowling alley, game arcade, pool hall, skating rink, gymnastic facility, indoor sports academy, Indoor firing range, membership club or lodge, and movie or other theater, but excluding Adult-Oriented Entertainment, Bar, Tavern, Nightclub, athletic, tennis, swim or Health Club (see Retail Sales and Service) and outdoor entertainment (see Outdoor Recreation).

Industrial Uses: (1) a Use category characterized by manufacturing, re-manufacturing, processing, fabricating, creating, producing, packaging, converting, altering, assembling, handling, storing, stockpiling, sorting, recycling, treating, disposing of, wholesaling, warehousing, and distributing materials, products, or information, research and development, trucking, shipping, and transportation Business, repairing and maintaining commercial machinery or equipment, and waste management;

(2) Industrial Uses is the Use category, which is a collective reference to Uses in the following Use sub-Categories, as listed in **Table 4.3.9.A–1 (Building, Lot & Building Site Principal Uses) Table 4.3.9.A–2 (Building, Lot & Building Site Accessory Uses), and Table 4.3.9.A–3 (Temporary** Uses): Heavy Industrial, Light Industrial, Warehouse and Freight Movement, and Waste-Related Service.

Information Services: enterprises and organizations whose purpose is to produce and process information and to develop the infrastructure and delivery mechanisms to distribute information.

Inn: an owner-occupied Lodging Use, offering 6 to 12 bedrooms, which may serve breakfast to guests. *See* **Table 4.3.9.A–1 (Building, Lot & Building Site Principal Uses).** Neither a Bed and Breakfast nor a Short-Term Rental Unit is an Inn.

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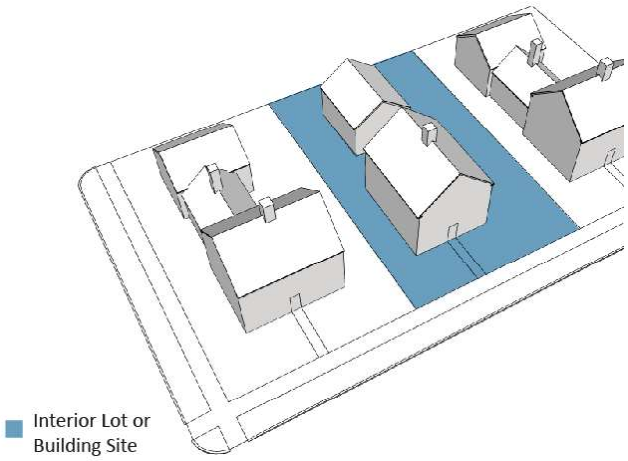
Interior Lot or Building Site: a Lot or Building Site type other than a Corner Lot or Building Site. *See* **Illustration 9.3.I–2 (Interior Lot or Building Site).**

ILLUSTRATION 9.3.I–2 INTERIOR LOT OR BUILDING SITE



Internal Drive: a curbed pedestrian and vehicular access way, for commerical and industiral land uses within a Lot, Building Site, or Development Parcel that connects to a Thoroughfare or another Internal Drive, and provides access and circulation to or through such Lot, Building Site, or Development Parcel and the Building(s) and Parking accommodations thereon. An Internal Drive is required to meet the Thoroughfare and Internal Drive assemblies and standards for the applicable District.

Inverted Crown: surface shaping of an Alley, Thoroughfare, or Internal Drive having the low point in the middle, causing surface runoff to flow down the center.

J

Junk Vehicle: a vehicle which does not lawfully display a current license plate and which is partially dismantled or wrecked, or cannot operate under its own power.

Junkyard: any land or Structure or part thereof used for the collection, storage or sale of wastepaper, rags, scrap metal or other scrap or discarded material or for the collecting, dismantling, storage or salvage of machinery or vehicles not in running condition or for the sale of the parts thereof.

K

Kennel: any Structure or premises on which four (4) or more dogs, cats and/or other household pets over four (4) months of age are kept for boarding, breeding, selling, grooming, or training, excluding, however, any Structure or premises on which such animals are kept solely for Retail sale.

Kindergarten: premises accommodating a program that prepares children for first grade.

L

Laboratory: a place where scientific studies are conducted, including testing, research, or analysis of a medical, chemical, physical, biological, mechanical, or electronic nature.

Landholder: the legal or beneficial owner or owners of all the land proposed to be included in a Planned Unit Development. The holder of an option or contract to purchase, a lessee having a remaining term of not less than 50 years in duration, or other person having an enforceable proprietary interest may be considered a "landholder" for the purpose of this Ordinance.

Landscaping: (1) live materials such as grass, ground cover, shrubs, vines, hedges and trees, or durable natural material such as crushed stone, wood chips, rock and weathered wood; or (2) the activity of installing or maintaining such materials.

Land Use Plans: as defined in Section 8.5.20.A.

Large Multi–Family Building: Principal Building type that incorporates seven (7) or more side–by–side and/or horizontally stacked Dwelling Units, typically with one or more shared entries. *See* **Table 4.3.8.A (Principal Building Types)** and **Table 4.3.8.B (Principal Building Types – Specific Standards).**

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Large Projecting Sign: the Sign Type described as such in **Table 7.1.2.B–1 (Sign Types – Summary)** and **Table 7.1.2.B–2 (Sign Types – Specific Standards)**.

Laundromat: an establishment with machines for the washing and drying of clothes and garments.

Layer: a range of depth of a Lot or Building Site within which certain elements are permitted. There are three Layers within each Lot or Building Site , as follows:

(1) First Layer: that portion of a Lot or Building Site bounded by

(a) the Side Lot or Building Site Lines,

(b) the Frontage Line, and

(c) the Front Setback line or the line of the Setback Area or Street Yard furthest from the Frontage Line.

(2) Second Layer: that portion of a Lot or Building Site bounded by

(a) the Side Lot or Building Site Lines,

(b) the Front Setback line, and

(c) a line which is 20 feet from and parallel to the Front Setback line or the line of the Setback Area or Street Yard furthest from the Frontage Line.

(3) Third Layer: that portion of a Lot or Building Site bounded by

(a) the Side Lot or Building Site Lines,

(b) the Rear Lot or Building Site Line, and

(c) the line of the Second Layer as described in paragraph 2.c. of this definition. See **Illustration 9.3.L–5 (Layers)**.

ILLUSTRATION 9.3.L–5 LAYERS

Library: a Building or part thereof containing collections of books, periodicals, and/or other media for Persons to read, borrow, or refer to.

Light Industrial: the sub-category of the Industrial Uses Category characterized by and collectively referring to fabrication, creation, processing, production, packaging, converting, altering, assembling, handling, storage, treatment, distribution, disposal, creation, assemblage, processing, or production, and/or treating, designing, fitting, compounding, repairing, assembling, testing, storing, warehousing, selling at wholesale, distributing or transferring, and/or repair, of or from natural, man-made, products or other goods, raw, secondary, partially completed or completed materials, components, products, by-products, goods, materials, or information, and wholesaling of industrial, Business, or consumer machinery, equipment, which activity is:

(1) conducted solely within an enclosed Building,

(2) is not detrimental to the environment;

(3) does not pose any danger or hazard of fire or explosion or other physical hazard;

(4) does not generate, cause, disseminate, or discharge any pollution, material, dust, smoke, gas, fumes, odor,

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noise, heat, light, glare, or vibration beyond the Building Site on which the Building is situated;

(5) does not involve any Outside Storage;

(6) will not result in any unusual traffic hazard or congestion;

(7) does not require any water, air, or other environmental or pollution license or permit is required; and

(8) does not involve storage or use of highly flammable, toxic matter or explosive materials, or of Hazardous Materials;

Not included in the Light Industrial Uses sub-category are:

· Heavy Industrial Uses;

· Manufacture and production of goods from composting organic material (see Waste-Related Service);

· Outdoor storage yard (see Warehousing and Freight Movement);

· Sale or rental of machinery, equipment, heavy trucks, building materials, special trade tools, welding supplies, machine parts, electrical supplies, janitorial supplies, restaurant equipment, and store fixtures (see Wholesale Sales); or

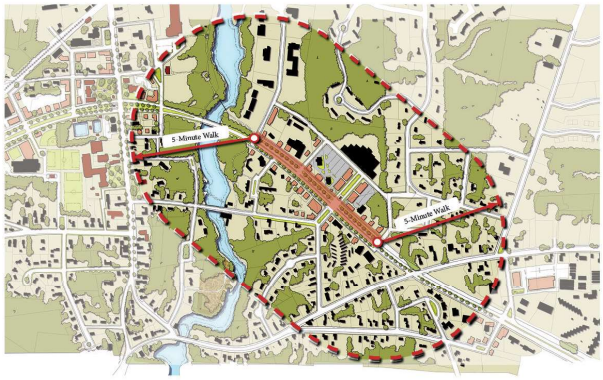
· Small-scale catering establishments (see Restaurants).

See **Table 4.3.9.A-1 (Building, Lot & Building Site Principal Uses)**.

Lightwell: a Private Frontage type that is a below-grade entrance or recess designed to allow light into basements. *See* **Table 4.3.7.A (Private Frontage Types).**

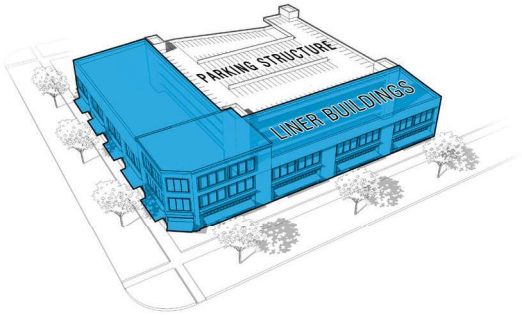
Linear Pedestrian Shed: a Pedestrian Shed that is elongated along an important Corridor. A Linear Pedestrian Shed extends approximately 1/4 mile from each side of the Corridor. The resulting area is oblong. *See* **Illustration 9.3.L-1 (Linear Pedestrian Shed)**.

ILLUSTRATION 9.3.L-1 LINEAR PEDESTRIAN SHED



Liner Building: a Building that is a least 20 feet deep measured from the Façade, which masks a Parking Area, Parking Lot, or a Parking Structure from the Frontage. *See* **Illustration 9.3.L-2 (Liner Building).**

ILLUSTRATION 9.3.L-2 LINER BUILDING



Live / Work Building: a small- to medium-sized attached or detached Principal Building type, which includes a flexible space for Commercial Use and an internally connected Residential Dwelling Unit above and/or behind the flexible space. *See* **Table 4.3.8.A (Principal Building Types)** and **Table 4.3.8.B (Principal Building Types - Specific Standards)**.

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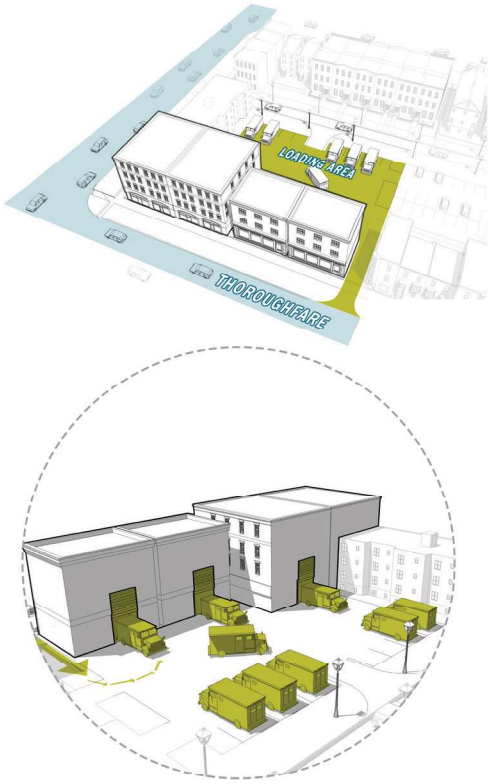
Living Room: a room designed for general living purposes in a Dwelling Unit. Every Dwelling Unit shall be deemed to have a Living Room.

Loading Area: an area on a Lot or rear Building Site with a Building or along the Thoroughfare or Internal Drive Abutting such Lot or rear Building Site, used for temporary parking of Commercial vehicles while loading or unloading goods. *See* **Illustration 9.3.L–3 (Loading Area)**.

ILLUSTRATION 9.3.L–3 LOADING AREA



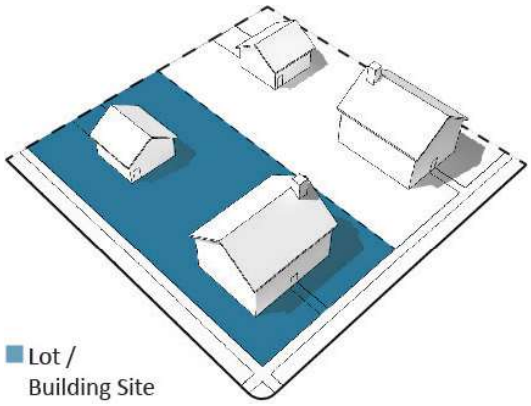
Loading Space: a space within a Loading Area that meets the design and dimensional requirements of Section 4.3.14.

Long Term Care Facility: premises at which living accommodations, bed care, boarding, in-patient service, and/or nursing or other medical care are provided for aged, infirm, disabled persons, persons or who are afflicted with or convalescing from any disease or ailment, or other persons requiring regular medical attention.

Long Term Care Facility does not include Rehabilitation Centers, Assisted Living Apartments, or facilities that provide surgical or emergency medical services, care for alcoholism, drug addiction, substance abuse, mental disease other than dementia, or communicable disease.

Lot: a parcel, plot, tract, or piece of land identified on and established by plat, subdivision, or as otherwise permitted by law, and recorded in the official records of the Maury County Register of Deeds, to be separately owned, used, Developed, or built on. *See* **Illustration 9.3.L–4 (Lot / Building Site).** *See also* "Building Site", "Lot or Building Site of Record" and "Zoning Lot or Building Site".

ILLUSTRATION 9.3.L–4 LOT / BUILDING SITE



Lot or Building Site Area: the total horizontal area included within the Lot or Building Site Lines.

Lot or Building Site Depth: the shortest horizontal distance between the Front Lot or Building Site Line and Rear Lot or Building Site Line of a Lot or Building Site.

Lot or Building Site Line: any boundary line of a Lot or Building Site. *See* **Illustration 9.3.L–6 (Lot or Building Site Line)**.

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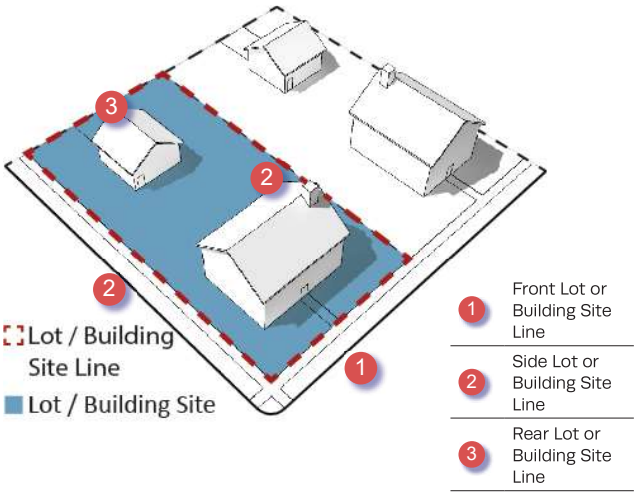
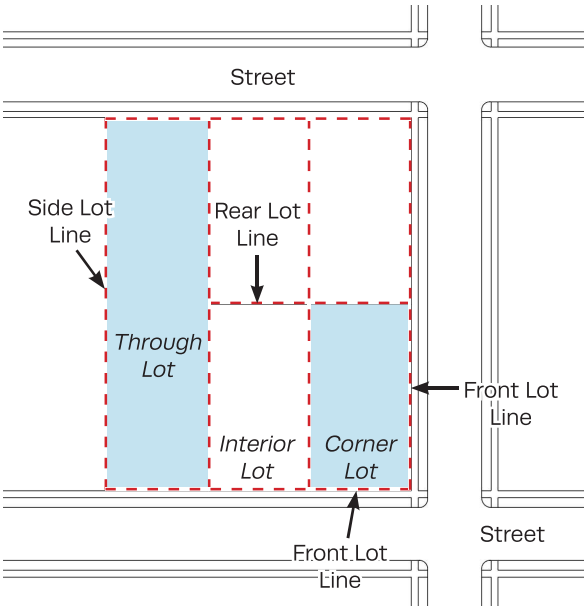
ILLUSTRATION 9.3.L–6 LOT OR BUILDING SITE LINE



Lot or Building Site of Record: a Lot or Building Site, as applicable, which is part of a subdivision or other plat recorded in the office of the Maury County Register of Deeds, or a Lot or parcel described by metes and bounds, the description of which has been so recorded.

Lot or Building Site Type: the classification of a Lot or Building Site , as shown in the following diagram:

ILLUSTRATION 9.3.L–7 LOT OR BUILDING SITE TYPES



Lot or Building Site Width: the length of the Principal Frontage Line of a Lot or Building Site.

M

Machine Shop: premises at which mechanical items are made or repaired using machinery or equipment.

Main Civic Space: the primary outdoor gathering place within a Development Parcel. The Main Civic Space may be associated with an important Civic Building.

Manufactured Home: a detached one family dwelling constructed as a single self contained unit and mounted on a single chassis transportable after fabrication on its own wheels or detachable wheels with all the following characteristics as prescribed in Section 68–126–202, (4), (6) and (7) of TCA:

(1) Designed for long term occupancy, and containing sleeping accommodations, a flush toilet, a tub or shower bath, and kitchen facilities with plumbing and electrical connections provided for attachment to outside systems.

(2) Arriving at the site where it is to be occupied as a dwelling complete, including major appliances and furniture, and ready for occupancy except for minor and incidental unpacking and assembly operations, location of foundation supports, connections to utilities and the like.

(3) Manufactured Home dwellings do not include camping Trailers, commercial mobile Structures, motor homes, recreational vehicles, travel Trailers, truck campers or similar units designed to provide temporary living quarters.

Manufactured Home– Class A: a Structure manufactured before June 15, 1976, that is not constructed in accordance with the National Manufactured Home Construction and Safety Standards Act of 1974, as amended (42 U.S.C. § 5401 et seq.). It is a Structure that is transportable in

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one or more sections that in the traveling mode is eight body-feet or more in width and 40 body-feet or more in length, or, when erected on site, is 320 or more square feet and that is built on a chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes any associated plumbing, heating, air conditioning and electrical systems.

Manufactured Home Park or Subdivision: an area, tract, site, or parcel (or contiguous parcels) of land divided into two or more Manufactured Home Sites for rent or sale and associated Lots or Building Sites and Buildings necessary to support the Residential occupancy of Manufactured Homes.

Manufactured Home Sales: a subcategory of the Commercial Use category, characterized by the offer for sale or lease and the sale or lease of Manufactured Homes.

Manufactured Home Site: a designated area within a Manufactured Home Park for the exclusive use of the occupants of a single home.

Manufactured Home Stand: that part of an individual Manufactured Home Site which has been reserved for the placement of the Manufactured Home.

Marina: any of the following: (1) lock harbor facility; (2) any facility which provides fueling, pump-out, maintenance or repair services; or (3) any facility which has permanent docking space for three (3) or more Boat Slips (4) any water area with a Structure that is used for docking or otherwise mooring Vessels and constructed to provide temporary or permanent docking space for more than ten Vessels; or (5) a dry stack facility.

Marquee Sign: the Sign Type described as such in **Table 7.1.2.B-1 (Sign Types – Summary)** and **Table 7.1.2.B-2 (Sign Types – Specific Standards)**.

Massage Studio: an establishment at which manual manipulation of muscle, connective tissue, tendons, and/or ligaments is provided to enhance a Person's health and well-being.

Massing: the overall shape or arrangement of the Bulk or volume of a Building.

Medical Office / Medical Clinic / Outpatient Clinic / Dental Office: an Office or other premises for the private practice of health care or dental professionals licensed by the State, wherein a majority of patient encounters involve examination, diagnose is, treatment, or surgical procedures on an outpatient basis not extending beyond a 24 hour period.

Medical Laboratory: a facility where testing or observation of clinical specimens from which information about the health of a patient can be obtained in order to provide diagnosis, treatment , and/or prevention of disease.

Meeting Hall: a Building that provides accommodations as a Place of Assembly.

Middle School: premises at which Education is provided for children from Grade 5 through Grade 8.

Mid-Rise Building: an attached or detached Principal Building Type of 4 Stories, which may provide a vertical and/or horizontal mix of Uses, typically designed to facilitate pedestrian-oriented Retail / Personal Service / Repair / Art / Artisan, Accommodation / Lodging, or Office Uses on the ground floor, with upper floors typically designed for Residential or Office Uses. *See* **Table 4.3.8.A (Principal Building Types)** and **Table 4.3.8.B (Principal Building Types – Specific Standards)**.

Mixed Use: multiple Uses within the same Building or on the same Lot or Building Site through superimposition or Adjacency, or in multiple Buildings or on multiple Lots or Building Sites by Adjacency or proximity.

Mixed-Use Building: a typically attached Principal Building Type, which provides a vertical and/or horizontal mix of Uses typically designed to facilitate pedestrian-

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oriented Retail / Personal Service / Repair / Art / Artisan, Accommodations / Lodging, or Office Uses on the ground floor, with upper floors typically designed for Residential or Office Uses. See **Table 4.3.8.A (Principal Building Types)** and **Table 4.3.8.B (Principal Building Types – Specific Standards)**.

Mobile Vendor / Mobile Vending: any temporary activity and/or apparatus from which the operator prepares, assembles, or displays items with the intent to sell such items to the general public (excluding produce stands).

Monument Sign: the Sign Type described as such in **Table 7.1.2.B–1 (Sign Types – Summary)** and **Table 7.1.2.B–1 (Sign Types – Specific Standards)**.

Motel: an establishment where short-term Accommodation / Lodging in guest rooms is offered for compensation and one or more rooms are accessed by exterior doors opening directly to exterior Parking accommodations, passageways, or the outdoors. Neither a Hotel, Extended Stay Hotel, or unit therein, nor a Short-Term Rental Unit is a Motel.

Motor Vehicle: every vehicle that is self-propelled by a motor, which can be licensed and registered to be driven on public streets, roads or rights-of-ways, and every vehicle that is propelled by electric power obtained from overhead trolley wires, but not operated upon rails.

Examples are passenger vehicles, trucks, motorcycles and other consumer motor vehicles, and motorized Recreational Vehicles.

This term does not include Boats or other watercraft, non-motorized Recreational Vehicles, Manufactured Homes, or Farm and Construction Equipment.

Motor Vehicle Body Shop: premises or a portion of premises used for the adjustment, painting, replacement of parts, or body repair of Motor Vehicles.

Motor Vehicle Maintenance, Repair, Fuel Sales, Service, or Cleaning: a Structure, premises, or establishment in or on which Motor Vehicles are maintained, repaired, serviced, re-fueled, and/or cleaned, including without limitation, incidental storage for fewer than sixty (60) days of Motor Vehicles that are being maintained, repaired, serviced, and/or cleaned.

Examples are car wash, full vehicle service including alignment shop, auto upholstery shop, towing service, limited vehicle service including auto detailing, auto repair, battery sales and installation, fuel sales, quick lubrication facilities, and tire services.

This term does not include Parking Lots, Parking Structures, Motor Vehicle Storage, Motor Vehicle Body Shop, Motor Vehicle Parts Sales, or Convenience Store with Gasoline Sales (see Retail Sales and Service).

Motor Vehicle Parts Sales: a Structure, premises, or establishment in, from, or on which Motor Vehicle parts other than tires are sold, either at Retail or Wholesale.

Motor Vehicle – Related Sales and Service: Motor Vehicle Body Shop, Motor Vehicle Maintenance, Repair, Service, Fuel Sales, or Cleaning, Motor Vehicle Parts Sales, Motor Vehicle Sales, Rental, or Leasing, and Motor Vehicle Storage.

Motor Vehicle – Related Uses: the term collectively referring to Motor Vehicle Body Shop, Motor Vehicle Maintenance, Repair, Fuel Sales, Service, or Cleaning, Motor Vehicle Parts Sales, Motor Vehicle Sales, Rental, or Leasing, and Motor Vehicle Storage. *See* **Table 4.3.9.A–1 (Building, Lot & Building Site Principal Uses).**

Motor Vehicle Sales, Rental, or Leasing: a Structure, premises, or establishment in or on which Motor Vehicles are sold, rented, leased, or chartered, including incidental storage, maintenance, and servicing as an Accessory Use.

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Motor Vehicle Storage: long or short term storage of operating Motor Vehicles. This term excludes Parking Lots, Parking Structures, Impound Yards, Towing Facilities, and any dismantling, Scrap and Salvage Yards/Service, or Junkyards.

Multi-Family Building: a Large Multi-Family Building or a Small Multi-Family Building. *See* **Table 4.3.8.A (Principal Building Types) and Table 4.3.8.B (Principal Building Types – Specific Standards)**.

Multi-Family Dwelling: a Building containing three (3) or more Dwelling Units, including without limitation Residential condominiums, cooperatives, Independent Living Apartments and other Apartments, Large Multi-Family Buildings, and Small Multi-Family Buildings.

Museum: a Use characterized by the display, preservation, collection, curation, and/or exhibit of objects of community and cultural interest in one or more of the arts and sciences.

N

Neighborhood Street: the Thoroughfare or Internal Drive type described as such in **Table 5.3.3.F (Thoroughfare / Internal Drives Types – Summary)** and **Table 5.3.3.G (Thoroughfare / Internal Drive Assemblies and Standards)**.

Neon Tube Illuminated Sign: a Sign with a light source supplied by a neon tube, which is bent to form letters, symbols or other shapes.

Net Site Area: all developable land within a site including Thoroughfares and Internal Drives, but excluding land allocated as Civic Space or Civic District.

Nightclub: an establishment for nighttime entertainment, typically serving Alcoholic Beverages for consumption on site and offering music, dancing, or other entertainment. Adult-Oriented Entertainment is excluded from the term "Nightclub".

Non-Banking Financial Institution: a Financial Institution that is not regulated by the Federal Deposit Insurance Corporation (FDIC) and is governed by T.C.A Title 45 Chapters 15, 17, and 18, including without limitation, Pawn Shops, title loan lenders, cash advance Lenders, and check cashing establishments and other Short-Term Lenders.

Nonconforming Improvement: any Improvement, or part thereof, that legally existed at the Effective Date of this Ordinance or any amendment of this Ordinance or the Zoning Map affecting such Improvement, but upon such Effective Date does not conform to this Ordinance;

Nonconforming Lot or Building Site: any Lot or Building Site, or part thereof, that legally existed at the Effective Date of this Ordinance or any amendment of this Ordinance or the Zoning Map affecting such Lot or Building Site, but upon such Effective Date does not conform to this Ordinance.

Nonconforming Sign: a Sign that legally existed at the Effective Date of this Ordinance or any amendment of this Ordinance or the Zoning Map affecting such Sign but upon such Effective Date does not conform to this Ordinance.

Nonconforming Structure: a Structure that legally existed at the Effective Date of this Ordinance or any amendment of this Ordinance or the Zoning Map affecting such Structure, but upon such Effective Date does not conform to this Ordinance.

Nonconforming Use: any Use of land, of a Structure, or of an Improvement, or part thereof, that legally existed at the Effective Date of this Ordinance or any amendment of this Ordinance or the Zoning Map affecting such Use, but upon such Effective Date does not conform to this Ordinance.

Nonconformity: a Nonconforming Lot or Building Site, Nonconforming Structure, Nonconforming Sign, Nonconforming Improvement, or Nonconforming Use.

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Non-Hazardous Waste Treatment or Disposal: facilities for receiving, sorting, treatment, or disposal of nonhazardous solid waste, including waste transfer stations, compost dumps, and combustors, incinerators, and cogeneration plants, and the collection and hauling of nonhazardous waste incidental to the treatment or disposal operations.

Non-Motor Vehicle or -Boat Body Shop Maintenance / Cleaning / Repair / Service: a Structure, premises, or establishment in or on which goods other than Motor Vehicles or Boats are maintained, repaired, serviced, and/or cleaned. This term does not include Parking or Outdoor Storage.

Non-Motor Vehicle or -Boat Rental / Leasing: a Structure, premises, or establishment in or on which goods other than Motor Vehicles or Boats are rented or leased. This term does not include Parking or Outdoor Storage.

Non-Profit Office: premises available for any function of a not-for-profit organization.

Nursery School: see "Pre-School".

O

Occupancy: the Principal Use of a Lot, Building Site, or Structure for the performance of a function or operation by a Person.

Office Uses: (1) a Use category characterized by premises available for the transaction of Commercial, governmental, professional, medical, dental, not-for profit, or financial services, but excluding Retail / Personal Service / Repair / Art / Artisan Uses, Light Industrial Uses, and Heavy Industrial Uses.

(2) Office Uses is the Use category, which is a collective reference to Uses in the following Use sub-Categories, as listed in **Table 4.3.9.A-1 (Building, Lot & Building Site Principal Uses) 4.3.9.A-2 (Building, Lot & Building Site Accessory Uses), and Table 4.3.9.A-3 (Building, Lot & Building Site Temporary Uses)**:

Business / Government / Non-Profit Offices (excluding Civic Uses), Medical / Dental Offices, Professional Offices, and Other Offices Not Listed;

Office Building: a Building in which space is made available for Office Use. Office Building is not a Building Type.

Officefront: a Private Frontage type wherein the Facade is aligned close to or at the Frontage Line with the Building entrance at or above Sidewalk grade. This type is conventional for Office Use. It may have a substantial glazing on the Facade. *See* **Table 4.3.7.A (Private Frontage Types)**.

Off-Premises Sign: a Sign the owner or lessee of which is not the owner or lessee of the premises on which such Sign is located.

Open Air Market: a Farmer's Market, a Roadside Stand, or an Outdoor Market.

Open Space: Use characterized by large expanses of land.

Ordinance or Zoning Ordinance: this City of Columbia, Tennessee Zoning Ordinance, as the same may be amended and in effect from time to time.

Ordinary Maintenance and Repair: (1) keeping a Lot or Building Site , parcel, or Structure in good condition through ongoing minor intervention, undertaken from time to time, in a manner that does not change its external appearance except through the elimination of the usual and expected effects of weathering; (2) strengthening or restoring any portion of a Structure or Improvement to a safe condition, provided no material enlargement results; (3) repairing or replacing interior walls, fixtures, wiring or plumbing; or (4) repaving Driveways, private Thoroughfares, Internal Drives, and Parking and loading accommodations, (5) replacing exterior windows and

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siding, and (6) painting exterior Structures and fixtures. Ordinary Maintenance and Repair does not constitute Development, Construction or building for the purposes of this Ordinance.

Outbuilding: synonymous with "Accessory Building".

Outdoor Display Case: the Sign Type described as such in **Table 7.1.2.B–1 (Sign Types – Summary)** and **Table 7.1.2.B–2 (Sign Types – Specific Standards)**.

Outdoor Market: an open air area, without or without a Structure, used for the Retail sale of goods other than fresh fruits, vegetables, nuts, grains, eggs, flowers, herbs, or plants.

Outdoor Recreation: Commercial uses, varying in size, providing daily or regularly scheduled recreation or entertainment-oriented activities. Such activities may take place outdoors or within a Structure.

Athletic, tennis, swim, or Health Club (see Retail Sales and Service), botanical garden, nature preserve (see Parks and Open Areas), and Indoor Recreational Facility (see Indoor Recreation) are excluded from Outdoor Recreation.

Outdoor Storage: one or more assemblages, collections, stacks, or stockpiles of vehicles, equipment, goods, materials, tanks, or other items in any area other than within a Building, including without limitation, parked operative or non-operative vehicles or equipment.

Outer Court: any open area, other than a Setback or Yard or portion thereof, which is unobstructed from its lowest level to the sky and which, except for one opening upon:

(1) A Front Lot or Building Site line;

(2) A Front Setback Area Yard (Street Yard);

(3) A Rear Setback Area or Yard; or

(4) Any open area along a Rear Lot or Building Site line or along a Side Lot or Building Site line having a width or depth of at least thirty (30) feet, and which open area extends along the entire length of such Rear or Side Lot or Building Site line, is bounded by either:

(a) Building walls; or

(b) Building walls and one or more Lot or Building Site lines other than a Front Lot or Building Site line.

P

Parcel Services: providing for-profit package and message routing, distribution, and delivery services.

Park: as a noun, a Civic Space type that is a natural preserve available for unstructured recreation, described as such in **Table 5.3.3.A (Civic Space Types – Summary)** and **Table 5.3.3.B (Civic Space – Specific Standards)**; as a verb, to stop and disengage a Motor Vehicle and leave it unoccupied.

Parking: (1) an accommodation designed for the of stopping and disengagement of a Motor Vehicle and leaving it unoccupied; or (2) the act of stopping and disengaging a Motor Vehicle and leaving it unoccupied.

Parking Area: an off-street, ground-level open area within a Lot or Building Site for Parking vehicles as an Accessory Use incidental to a Principal Use of a Lot or Building Site or a Principal Building on a Lot or Building Site. Not synonymous with Parking Lot.

Parking Lot: an off-street, ground-level open area within a Lot or Building Site for Parking vehicles as a Principal Use for which a fee may or may not be charged. Not synonymous with Parking Area. Parking Lot does not include Bus barn (see Warehouse and Freight Movement) or sale or servicing of vehicles (see Vehicle Sales and Service).

Parking Space: an area required or provided for Parking a vehicle, meeting the requirements of Section 4.3.12.

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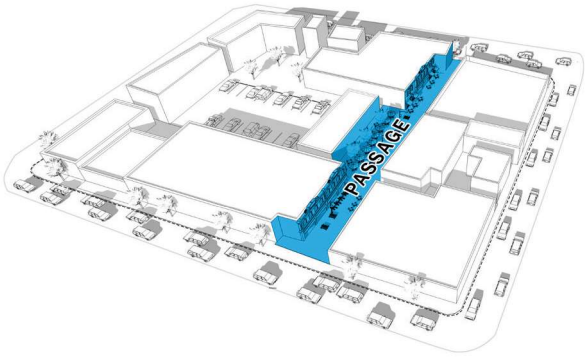
Parking Structure: a vertical or vertical and subterranean Improvement other than a Garage, containing one or more levels of vehicular Parking above grade. A Parking Structure may not be used for Motor Vehicle Body Shop, Maintenance Repair, Service or Cleaning.

Party Wall: a Wall on an Interior Lot or Building Site Line, used or adopted for joint service between two or more Buildings; such walls shall fully comply with fire and all other provisions and standards established for such walls in the Standard Building Code.

Passage (PS): a pedestrian connector, open or roofed, that passes between Buildings to provide shortcuts through long Blocks and connect rear parking areas to Frontages. *See* **Illustration 9.3.P–1 (Passage).**

ILLUSTRATION 9.3.P–1 PASSAGE



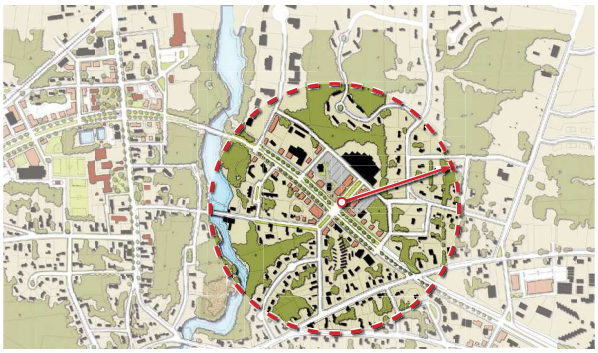
Passive Recreation: outdoor recreational activities, such as nature observation, hiking, and canoeing or kayaking, which require a minimum of facilities or Development and which have minimal environmental impact on the recreational site.

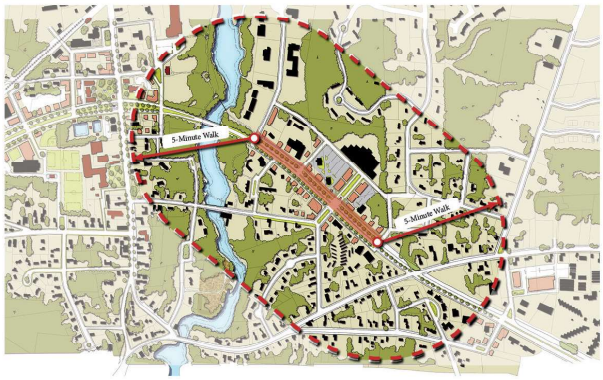
Path (PT): a pedestrian way traversing a Park, with landscape matching the contiguous Civic Space, ideally connecting directly with the urban Sidewalk network.

Pawnshop: a Business that lends money based upon the security of pledged goods left in pawn, or that is in the Business of purchasing tangible personal property to be left in pawn on the condition that it may redeemed or repurchased by the seller for a fixed price within a fixed period of time. *See also,* Short–Term Lender.

Pedestrian Shed: an area of a size approximately equal to the average distance comfortably walked by pedestrians and approximately centered on a Common Destination. There are two types of Pedestrian Sheds: Standard Pedestrian Sheds and Linear Pedestrian Sheds. *See* "Standard Pedestrian Shed" or "Linear Pedestrian Shed". *See* **Illustration 9.3.P–2 (Pedestrian Sheds).**

ILLUSTRATION 9.3.P–2 PEDESTRIAN SHEDS





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Performance Guarantee: as defined in Section 1.26.

Performing Arts Venue: a site, with or without a Structure, intended for the presentation of performing arts, such as dance, music, and theatre.

Performing Arts Studio: an establishment that provides instruction in one or more of the performance arts, such as dance, music, and theatre.

Person: an individual, firm, partnership, corporation, company, association, organization, joint stock association, proprietorship, trust, body politic, or other legal entity, or and includes a trustee, receiver, assignee, administrator, executor, guardian, or other representative.

Day Care / Personal Care Facilities (Civic): Civic Use sub-category characterized by non-Residential care for adults, children, or families, which does not meet the definition of Household Living or Group Living.

Day Care / Personal Care Facilities (Commercial): Commercial Use sub-category characterized by non-Residential care for adults, children, or families, which does not meet the definition of Household Living or Group Living.

Personal Improvement Education: an establishment primarily engaged in the provision of information or instruction relating to a particular subject or hobby.

Personal Services: Uses in which a service is provided to or for a customer for compensation, in which the Person providing such service deals directly with the consumer, which Uses may or may not include the Retail sale of goods related to the services provided.

Excluded from Personal Services are Motor Vehicle - Related Uses, services provided by a medical or dental professional, and Adult-Oriented Entertainment.

Pharmacy: an establishment having a primary function of dispensing prescription drugs and medications and whose stock-in-trade may or may not include other merchandise.

Place of Assembly: a Building, room, or space that is occupied or arranged for occupation by the public for recreational, amusement, social, sports, or similar purposes.

Place of Worship: a Building, room, or space that is occupied or arranged for occupation for religious. spiritual, recreational, or similar purposes.

Placement: with respect to a Building, the manner in which the Building is situated on the Lot or Building Site. *See* "Layers", **Illustration 9.3.L-5 (Layers)**; *see also* "Setback", and "Yard" and **Illustration 9.3.S-2 (Setbacks and Yards)**.

Plan: a Development Plan, Master PUD Development Plan, site plan, Landscape Plan, Sign Plan, or any other plan submitted or prepared pursuant to this Ordinance.

Planned Unit Development: See Section 8.5.21.

Planned Unit Development District: one of the several Districts listed as such in Section 3.7.C. See also Section 8.5.21.

Planning Commission: the Planning Commission of the City.

Planning Director: the City Director of Planning and Development.

Planter: the element of the Public Frontage that accommodates trees along Thoroughfares and Internal Drives, whether continuous or individual.

Plaque Sign: the Sign Type described as such in **Table 7.1.2.B-1 (Sign Types - Summary)** and **Table 7.1.2.B-2 (Sign Types - Specific Standards)**.

Playground: a Civic Space type, described as such in **Table 5.3.3.A (Civic Space Types - Summary)** and Table **5.3.3.B (Civic Space - Specific Standards)**.

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Plaza: a Civic Space type described as such in **Table 5.3.3.A (Civic Space Types – Summary)** and **Table 5.3.3.B (Civic Space – Specific Standards).**

Police Station: premises accommodating operations of law enforcement officers and other members of staff.

Porch: a Private Frontage type, having a planted Frontage, the Facade is set back from the Frontage Line, and an attached exterior covered area large enough to accommodate outdoor furniture and/or gathering, which is permitted to Encroach into the Front Setback, Setback Area, or Street Yard. This may be used with or without a Fence to maintain Thoroughfare spatial definition. A Stoop is not a Porch. *See* **Table 4.3.7.A (Private Frontage Types)**.

Porch Sign: the Sign Type described as such in **Table 7.1.2.B–1 (Sign Types – Summary**) and **Table 7.1.2.B–2 (Sign Types – Specific Standards)**.

Portable Sign: a Sign the principal supporting Structure of which is intended, by design and construction, to be used by resting upon the ground for support and may be easily moved or relocated. Portable Signs include, but are not limited to, Signs mounted on a Trailer, wheeled carrier, or other non-motorized mobile structure, with wheels or with wheels removed.

Post Office: premises operated by or under contract for the United States Postal Service at which letters, parcels, packages or other mail may be received, deposited, processed, sorted, and/or handled and/or postage may be purchased.

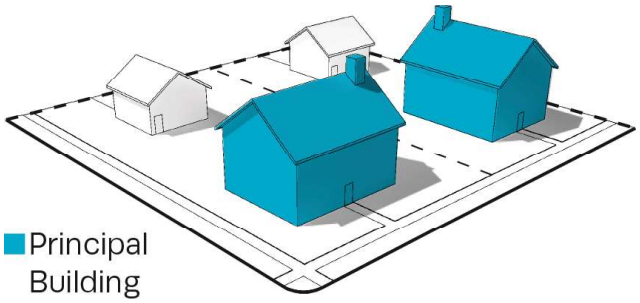
Post Sign: the Sign Type described as such in **Table 7.1.2.B–1 (Sign Types – Summary**) and **Table 7.1.2.B–2 (Sign Types – Specific Standards)**

Pre-School: a school, licensed by the State, with an accredited training program and staffed with certified teachers, providing day time care or instruction for two (2) or more children between the ages of two (2) and five (5) years old. Synonymous with Nursery School.

Preliminary Plat: as defined in City Subdivision Regulation Section 2.2.

Principal Building: the main Building on a Lot or Building Site, located toward the Frontage, in which is conducted a Principal Use of such Lot or Building Site. *See* **Illustration 9.3.P–3 (Principal Building)**.

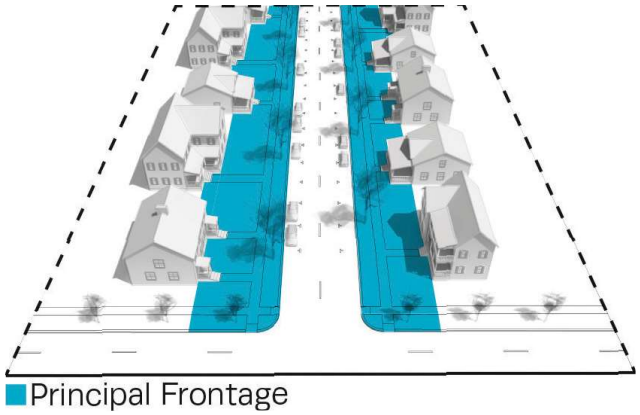
ILLUSTRATION 9.3.P–3 PRINCIPAL BUILDING



Principal Entrance: the main point of access for pedestrians into a Building.

Principal Frontage: with respect to: (a) Corner Lots or Building Sites, the Frontage designated to bear the address and Principal Entrance to the Building, and the measure of minimum Lot or Building Site Width; and (b) non-Corner Lots or Building Sites, the Frontage. *See* "Frontage". *See* **Illustration 9.3.P–4 (Principal Frontage)**.

ILLUSTRATION 9.3.P–4 PRINCIPAL FRONTAGE



Principal Use: the primary or predominant Use of a Lot, Building Site, or Structure.

Printing Services Shop: Retail premises in which

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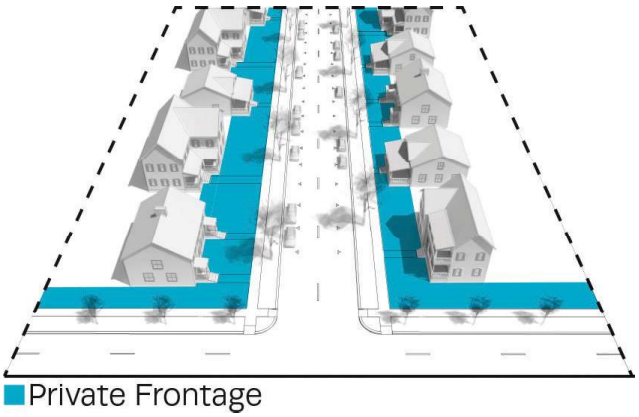
photocopying, scanning, short-run printing, and related services are provided.

Private Frontage: the privately held area between the Frontage Line and the Facade of the Principal Building. *See* **Illustration 9.3.P–5 (Private Frontage)**; *see also* **Table 4.3.7.A (Private Frontage Types)**, and **Illustration 9.3.F–5 (Frontage & Lot or Building Site Lines)**.

ILLUSTRATION 9.3.P–5 PRIVATE FRONTAGE



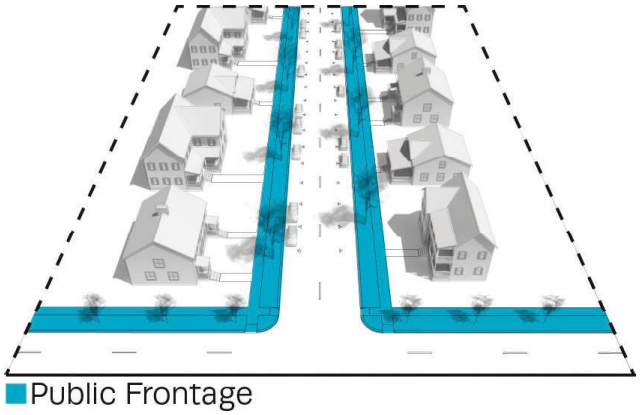
Public Frontage: the area between the Frontage Line and:

(1) the curb (or if there is no curb, the edge) of the Vehicular Lanes in the case of a Lot or Building Site that Enfronts a Thoroughfare or Internal Drive having Vehicular Lanes, or

(2) the Enfronting Civic Space, Path, Passage, waterbody, or Driveway in the case of a Lot or Building Site that Enfronts a Civic Space, Path, Passage, waterbody, or Driveway.

See **Illustration 9.3.P–6 (Public Frontage)**; *see also* **Table 5.2.2.G–1 (Thoroughfare Assemblies & Standards);** *and* **Illustration 9.3.F–5 (Frontage & Lot or Building Site Lines)**

ILLUSTRATION 9.3.P–6 PUBLIC FRONTAGE



Professional Office: Use sub-category of Office Uses category characterized by premises in or from which professional or consulting services in the fields of law, architecture, planning, design, engineering, accounting, bookkeeping, and similar professions are conducted. This term does not include "Medical Office", "Dental Office", or "Clinic".

Project Boundary Buffer: a Buffer located along the boundary of a development.

Public Art: art in any media that has been planned and executed with the intention of being staged in or viewed from the physical public domain, usually outside and accessible to all.

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Public Meeting: a duly convened meeting of a Decision-Making Authority as contemplated under applicable state law, including public meetings, public hearings, workshops, and site visits.

Publishing: the Business of issuing software, Internet content, or newspapers, books, or other printed textual or graphical material for sale or distribution to the public.

Pylon Sign: the Sign Type described as such in **Table 7.1.2.B-1 (Sign Types – Summary)** and **Table 7.1.2.B-1 (Sign Types – Specific Standards)**.

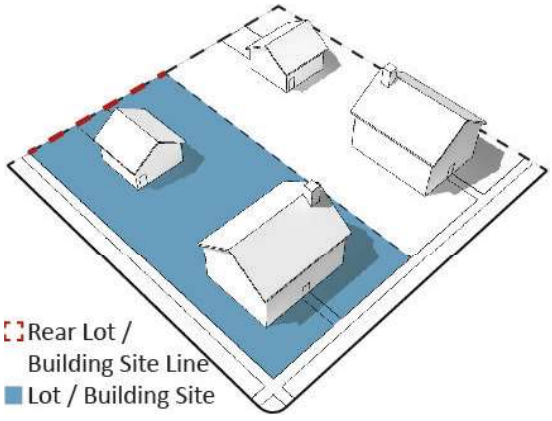
R

Rail Equipment Storage / Repair: Use involving premises for storing or repairing locomotives, rail cars, or other rail vehicles.

Rear Alley: See "Alley".

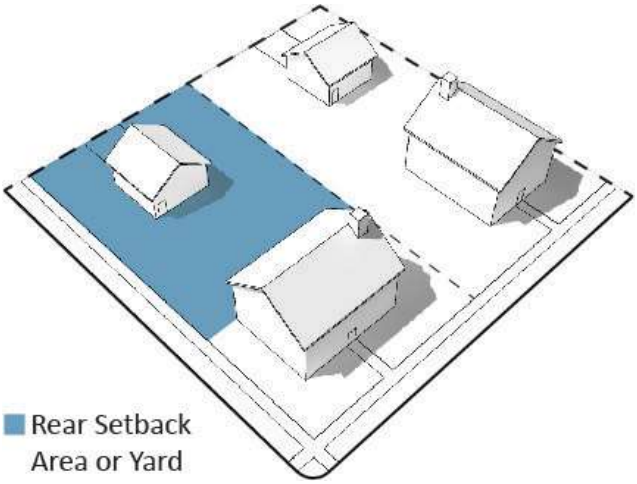
Rear Lot or Building Site Line: the Lot or Building Site Line opposite the Front Lot or Building Site Line. *See* **Illustration 9.3.R-1 (Rear Lot or Building Site Line).**

ILLUSTRATION 9.3.R-1 REAR LOT OR BUILDING SITE LINE



Rear Setback Area or Yard: a portion of a Lot or Building Site that is situated between (1) the nearest roofed portion of the Principal Building or of any Accessory Building on the Lot or Building Site and (2) the Rear Lot or Building Site Line, extending the full width of the Lot or Building Site, from Side Lot or Building Site Line to Side Lot or Building Site Line. See **Illustration 9.3.R-2 (Rear Setback Area or Yard).**

ILLUSTRATION 9.3.R-2 REAR SETBACK AREA OR REAR YARD



Recreation: Use characterized by activities for personal enjoyment or entertainment during a Person's discretionary time.

Recreation Facility: premises accommodating Indoor Recreation and/or Entertainment and/or Outdoor Recreation and/or Entertainment. A Recreation Facility may be Civic or non-Civic.

Recreational Vehicle: a vehicle which is:

(1) built on a single chassis;

(2) four hundred (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: and

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(4) designed primarily for use as a non – permanent dwelling but as temporary living quarters for recreational, camping, vacation, travel, or seasonal use. The term includes camping Trailer, motor home, travel Trailer, and truck campers.

Recreational Vehicle does not include Manufactured Homes.

Recreation and Entertainment, Indoor: participatory and spectator-oriented Recreation activities conducted within an enclosed Building, including without limitation billiard rooms, bowling centers, ice or roller skating rinks, Shooting Ranges, Theater, and arcades.

Recreation and Entertainment, Outdoor: participatory and spectator-oriented Recreation activities conducted in open, partially enclosed, or screened facilities, including without limitation amusement parks, fairgrounds, golf courses and driving ranges, and go-cart tracks.

Recycling Collection Facility: a facility used for the collection and transfer, but not the actual processing, of any of the following recyclable materials: glass, paper, plastic, cans, or other source-separated, non-decayable materials. Recyclable materials at a Recycling Collection Facility must not include motor oil, chemicals, household appliances, tires, automobiles, automobile parts, or decayable materials.

Rehabilitation Facility: a facility operated for the primary purpose of assisting in the rehabilitation of individuals through an integrated program of medical, psychological, physical, occupational, substance, social, or vocational evaluation and services under competent professional supervision.

Religious Facilities: facilities used by a non-profit group or institution for organized religious services, meetings, assembly, practice, activities, and supporting uses.

Examples are Places of Worship, church, mosque, synagogue, temple, monastery, convent, retreat center or any permanent or temporary Structure providing regular, organized religious worship of any denomination and religious education incidental thereto. A property tax exemption for a religious group or institution obtained pursuant to state law shall constitute prima facie evidence of a Religious Facilities Use.

Athletic, tennis, swim or Health Club (see Retail Sales and Service), Educational Uses, Day Care facilities, for distribution or production of products, including printed matter, for groups other than immediate membership, public neighborhood arts center or similar community facility (see Community Service), community center, revival or gospel tent, senior center (see Community Service), Social service facility (see Social Service Institution), and Treatment center, transient lodging, or shelter for the homeless (see Social Service Institutions) are not included in this Use Category.

Required Yard or Setback Area: a Yard or Setback Area required by this Ordinance, which is open and unobstructed from 30 inches above the general ground level of the graded lot upward to the sky except as permitted in Section 4.3.10 and no part of which is included as part of a Setback, Setback Area, or Yard for any other Building.

Research Laboratory: premises that contain research, development, and testing laboratories that do not involve the mass manufacture, fabrication, processing, or sale of products Such Uses must not be detrimental to the environment through the release of dust, smoke, fumes, odor, noise, or vibration and must not create an unsafe risk of fire or explosion given the location of the use, the Building in which it is located, and the nature of the surrounding Uses and Structures.

Residence: a Building or part of a Building containing one or more Dwelling Units or Rooming Units, including Single – Family or Two – Family Dwellings, Multi-Family Dwellings, Boarding Houses, Rooming Houses, or residence-apartment hotels. Residences shall not include:

(1) Transient accommodations, such as Transient hotels, Motels, or similar establishments;

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(2) Dormitories, fraternity or sorority houses, monasteries, or convents, or similar establishments containing Group Living or sleeping accommodations;

(3) Nurses' residences, sanitariums, nursing homes, convalescent homes, rest homes, or other sleeping or living accommodations in community facility buildings or portions of buildings used for community facilities; or

(4) In any Building with a mix of Uses, the part of the Building used for any Non-Residential Uses, except Uses accessory to Residential Uses.

Residential: pertaining to premises available for long-term, non-Transient human habitation.

Residential Building: any Building or part thereof utilized solely for Residential Use and Accessory Uses.

Residential Uses: (1) a Use category characterized by premises available for long-term non-Transient human habitation;

(2) Residential Uses is the Use category, which is a collective reference to the following Use sub-Categories, as listed in **Table 4.3.9.A-1 (Building, Lot & Building Site Principal Uses), Table 4.3.9.A-2 (Building, Lot & Building Site Accessory Uses), and Table 4.3.9.A-3 (Building, Lot & Building Site Temporary Uses)**:

Household Living and Group Living.

Restaurant: an establishment engaged in preparing, serving, and selling food at Retail for on- or off- premises consumption. Bars, Taverns, and Nightclubs are not Restaurants.

Retail: Use characterized by selling, renting, or leasing new or used goods in person , on-line, or by mail-in transactions dealing directly with the consumer of such goods.

Retail / Personal Service / Repair / Arts / Artisan: Use sub-category of the Commercial Uses category characterized by selling, renting, or leasing new or used goods in person, on-line, or by mail-in transactions dealing directly with the consumer of such goods, providing personal services or repair services to the general public, and art- related and artisan-related establishments. See **Table 4.3.9.A-1 (Building, Lot & Building Site Principal Uses), Table 4.3.9.A-2 (Building, Lot & Building Site Accessory Uses)**, and **Table 4.3.9.A-3 (Building, Lot & Building Site Temporary Uses)**.

Examples of Retail Uses included in the Retail / Personal Service / Repair / Arts / Artisan sub-category are Convenience Store (with or without petroleum sales), selling, renting or leasing Alcoholic Beverages, antiques, appliances, art supplies, baked goods, bicycles, books, cameras, carpet and floor coverings, crafts, clothing, computers, dry goods, electronic equipment, fabric, flowers, furniture, garden supplies, gasoline, gifts, groceries, hardware, home improvement goods, household products, jewelry, medical supplies, musical instruments, Open Air Market, outdoor farmers market, pets, pet supplies, pharmaceuticals, picture frames, plants, printed materials, produce, sporting goods, stationery, tobacco and related products, vehicle parts, and videos, and Brewpubs, Tasting Rooms, Retail Food Sales with or without on-premises preparation or processing, Retail Membership Clubs, and Warehouse Retail.

Examples of Personal Service Uses included in the Retail / Personal Service / Repair / Arts / Artisan sub-category are art, music, dance, or photographic gallery or studio, athletic, tennis, swim or Health Club, mailing or package delivery service, dry-cleaning or laundry drop-off facility, Laundromat, funeral home or mortuary, hair, nail, tanning, massage therapy and personal care service, photocopy, blueprint, and quick-sign service, photo finishing psychic or medium, security service, tailor, milliner, upholsterer, taxi or ride-share dispatch center, taxidermist, veterinary clinic, animal hospital, or Kennel, and urgent care or emergency medical office.

Examples of Repair Uses included in the Retail / Personal

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Service / Repair / Arts / Artisan sub-category are appliance, bicycle, canvas, clock, computer, gun, jewelry, musical instrument, office equipment, radio, shoe, television or watch repair, and locksmith.

Examples of Arts-Related Uses included in the Retail / Personal Service / Repair / Arts / Artisan sub-category are the non-Residential portion of Artist Live/Work Space, Artist Studio Space, arts-related educational facility, crafts-related retail store, non-Civic art museum/gallery, sale of art and art supplies.

Examples of Artisan-Related Uses included in the Retail / Personal Service / Repair / Arts / Artisan sub-category are Artisan Establishments, candle making, furniture making, glass blowing, weaving, pottery making, woodworking, sculpting, painting, and tailoring.

The following are excluded from the Retail / Personal Service / Repair / Arts / Artisan sub-category :

Adult Video Stores (see Indoor Recreation), any Use that is potentially dangerous, noxious or offensive to neighboring Uses or those who pass on public ways by reason of smoke, odor, noise, glare, fumes, gas, vibration, threat of fire or explosion, emission of particulate matter, interference with radio, television reception, radiation or any other likely cause (see Heavy Industrial), Motor Vehicle- and Boat- Related Uses, Crematorium (see Light Industrial), Large-scale catering (see Light Industrial), laundry or dry-cleaning plant (see Light Industrial), Restaurant (see Restaurants), Sale,lease, or rental of machinery, Farm and Construction Equipment, or other equipment, building materials, special trade tools, welding supplies, machine parts, electrical supplies, janitorial supplies, restaurant equipment, and store fixtures (see Wholesale Trade).

Retail Food Sales: the sale of food for off-premises consumption, excluding Restaurants.

Retail Membership Club: a discount Retail establishment that sells merchandise to its members.

Rezoning: reassignment of the District applicable to land pursuant to Section 8.5.19.

Right-of-Way Line: a line contiguous with a Lot or Building Site Line, dividing a Lot or Building Site from an Abutting Thoroughfare or Internal Drive.

Road (RD): a local, rural and suburban Thoroughfare or Internal Drive of low-to-moderate vehicular speed and capacity, described as such in **Table 5.3.3.F (Thoroughfare / Internal Drives Types – Summary) and Table 5.3.3.G (Thoroughfare / Internal Drive Assemblies and Standards)**.

Roadside Stand: a small open air Structure for the Retail sale of produce or other goods grown or produced on the property where the Roadside Stand is located. Roadside Stand does not include Farmer's Markets or Outdoor Markets.

Rooming House: a Residential type in a private Dwelling in which at least three (3) but not more than six (6) rooms are offered for rent, payable in money and/ or other consideration, whether or not table board is furnished to roomers, and in which no Transient guests are accommodated and no Restaurant is maintained for service to any Persons who are not residents of the Rooming House.

Rooming Unit: a unit of Residential occupancy.

Rowhouse: a Building in a collection of very narrow- to medium-sized attached Buildings on contiguous Lot or Building Sites with a Rearyard (and Sideyard if an end unit), which collection consists of side-by-side Dwelling Units with individual entries facing a Thoroughfare or Internal Drive. Each Building and any Side Setback Area or Side Yard or occupy the full Frontage Line of its Lot or Building Site and shares at least one Party Wall with another Building of the same type. *See* **Table 4.3.8.A (Principal Building Types)** and **Table 4.3.8.B (Principal Building Types – Specific Standards)**.

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S

School: Business or Trade School, College / University, High School, Middle School, Pre-School or Nursery School, Primary or Elementary School, or Secondary School.

School, Primary or Elementary: *See* "Primary or Elementary School".

School, Secondary: *See* "Secondary School".

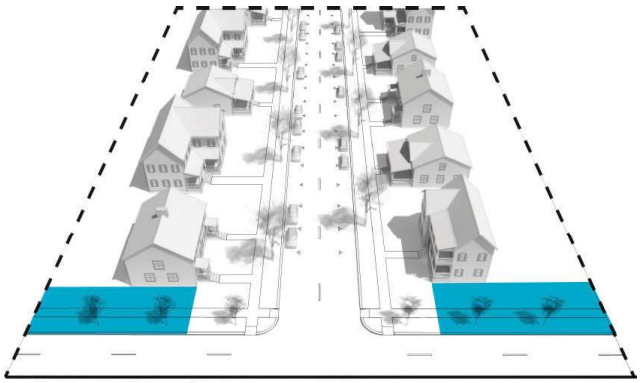
Scrap or Salvage Yard / Service: a Use, other than an Impound Yard or Towing Facility, in which an establishment is engaged primarily in the sale, storage, assembling, dismantling, sorting, distributing, or other processing of scrap, used equipment, mechanical components, or waste materials, including a Junkyard.

Screen/Screening: (1) used as a verb, to block an item or condition from view from a vantage point in accordance with the requirements of this Ordinance by interposition of a Building, Building Element, Wall or Fence constructed of an opaque material, or an evergreen hedge; or

(2) used as a noun, a Building, Building Element, Wall or Fence constructed of an opaque material or an evergreen hedge, which blocks an item or condition from view from a vantage point, as required by this Ordinance. Not synonymous with Streetscreen.

Secondary Frontage: on Corner Lots or Building Sites, the Frontage that is not the Principal Frontage. *See* **Illustration 9.3.S-1 (Secondary Frontage)**.

ILLUSTRATION 9.3.S-1 SECONDARY FRONTAGE



Second Layer: *See* "Layer".

Secondary School: a public, private, or parochial school offering instruction at the Middle School and /or High School levels in the branches of learning and study required to be taught in the public schools of the state.

Self-Service Storage Facility: premises at which customers rent separate storage units within a Building designed to allow private access by the customer for storing or removing personal property.

Examples are mini-warehouse, multi-story enclosed storage facility, and storage garage.

The following are not Self-Service Storage Facilities:

Rental of light or medium trucks, storage area used for Manufacturing use, storage area used for sales, service, and repair operations, and transfer and storage Business where there are no individual storage areas or where employees are the primary movers of the goods to be stored or transferred.

Septic Equipment Installation, Service, or Cleaning: establishments that install, pump, or service septic tanks and cesspools, or that rent or service portable toilets.

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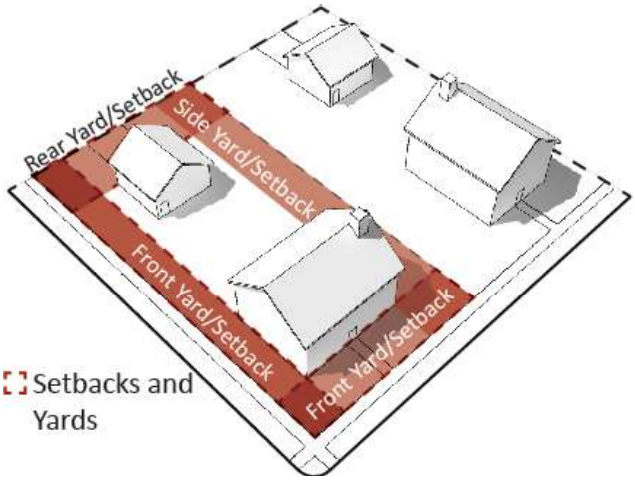
Setback or Setback Area: the portion of a Lot or Building Site measured from a Lot or Building Site Line to a Building Facade or Elevation, which area is maintained clear of permanent Structures, with the exception of permitted Encroachments allowed pursuant to **Tables 4.3.1-A – 4.3.1.U (District Standards)**. *See* **Illustration 9.3.S-2 (Setbacks)**. *See also,* "Yard".

ILLUSTRATION 9.3.S-2 SETBACKS AND YARDS



Sewage Lines: lines for the movement, distribution, or collection of sewage.

Sewage Facility: facilities for the receipt, treatment, and disposal of sewage.

Shared Parking: Parking spaces that are available for two or more Principal Uses.

Shared Parking Factor: an accounting for Parking spaces that are available to more than one Principal Use. *See* **Table 4.3.12.B-2 (Shared Parking Factor)**.

Shooting or Firing Range: a specialized facility within a Building, which accommodates firearms training, practice, and qualification.

Shopfront: a Private Frontage Type conventional for Retail / Personal Service / Repair / Art / Artisan Use, wherein the Facade is aligned close to or at the Frontage Line with the Building entrance at Sidewalk grade. This Frontage has substantial glazing at the Sidewalk level and may include an awning overlapping the Sidewalk. *See* **Table 4.3.7.A (Private Frontage Types)**.

Short-Term Lender: a Business or Use that regularly (1) accepts checks from a borrower drawn on the borrower's account to be presented for payment at a later date and that charges a fee for the service or (2) extends short-term non-purchase money loans secured by titles to motor vehicles. The term does not include Financial Institutions. *See also,* Non-Banking Financial Institution.

Short-Term Rental Unit: a Dwelling Unit in a Building originally used or designed to be used as an abode or home of a person, family, or household in either a portion of a single-family house, or an individual Dwelling Unit in a two-family Dwelling, townhouse, or multi-family Building having no more than 6 Dwelling Units, which Short-Term Rental Unit is rented wholly or partially for a period of less than thirty (30) continuous days occupancy for a fee; specifically excluding however a "hotel" as defined in TSA section 68-14-302 or a "bed and breakfast establishment" or a "bed and breakfast homestay" as those terms are defined in TSA section 68-14-502, all as contemplated in TSA section 13-7-602. A Hotel, Extended Stay Hotel, Motel, Bed and Breakfast, or Inn is not a Short-Term Rental Unit.

Side Lot or Building Site Line: any Lot or Building Site Line that is not a Front Lot or Building Site Line or a Rear Lot or Building Site Line. *See* **Illustration 9.3.S-3 (Side Lot Line)**.

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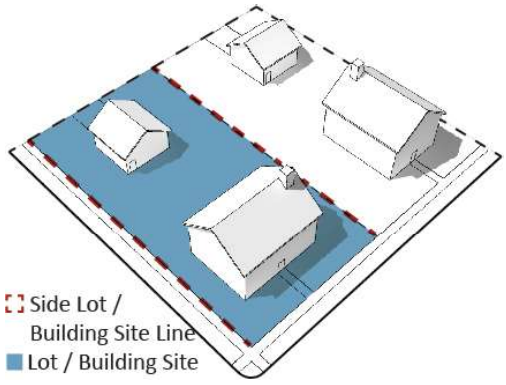
ILLUSTRATION 9.3.S–3 SIDE LOT OR BUILDING SITE LINE

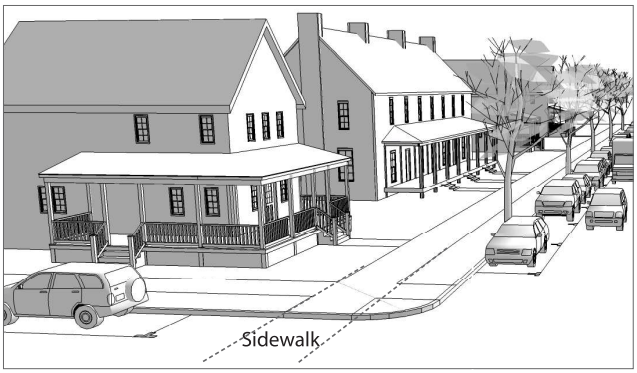


Side Setback, Setback Area or Yard: the portion of a Lot or Building Site that is situated between (1) the nearest roofed portion of the Building or of any Accessory Building on a Lot or Building Site and (2) the Side Lot or Building Site Line, and extending through from the Front Setback Area or Yard or from the Front Lot or Building Site Line where no Front Setback Area or Yard exists to the Rear Setback Area or Yard or to the Rear Lot or Building Site Line where no Rear Setback Area or Yard exists. *See* **Illustration 9.1.S–2 (Setbacks and Yards)**.

Side Setback Area or Yard Width: the dimension of a Side Setback Area or Yard, measured in such a manner that the Yard is a strip of the minimum width required by the applicable District standards, with its inner edge parallel with the Side Lot or Building Site Line.

Sidewalk: the paved section of the Public Frontage dedicated exclusively to pedestrian activity. *See* **Illustration 9.3.S–4 (Sidewalk)**.

ILLUSTRATION 9.3.S–4 SIDEWALK



Sidewalk Sign: the Sign Type described as such in **Table 7.1.2.B–1 (Sign Types – Summary)** and **Table 7.1.2.B–2 (Sign Types – Specific Standards)**.

Sign: any name, number, symbol, identification, description, direction, declaration, demonstration, display, representation, illustration, insignia, instruction, directive, information, illustration, object, graphic, device, display, visual communication, material, Structure or device, or part thereof, in view of the general public, whether permanent, temporary, portable, or affixed, composed of lettered, or pictorial, or graphical matter or upon which lettered or pictorial, or graphical matter is used, that announces, directs attention to, names, gives notice of, informs, advertises, or promotes an ideology, position, interest, cause, object, project, product, place, activity, person, institution, organization, or Business; provided that the term "Sign" shall not be deemed to include any badge or insignia of any government agency or any civic, charitable, religious, patriotic, fraternal or similar organization, Public Art, or any directional sign erected and maintained pursuant to law.

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Single-Family Detached Dwelling: a Dwelling Unit, other than a Manufactured Housing Unit, for exclusive occupancy for one only Family, situated on a Lot or Building Site with no other Dwelling Units and not attached to any other Dwelling Unit.

Single – Family Dwelling: a Dwelling Unit shall be considered a Single-Family Dwelling only if permanent occupants are limited to one of the following categories:

(1) One individual or

(2) Any number of persons constituting a "Family".

For purposes of this definition, the following are not considered to be Single-Family Residences:

(1) Boarding Houses.

(2) Apartment houses.

(3) Dwelling Units in which more than two rooms are rented to unrelated tenants.

(4) Structures or portions of Structures which are designed or constructed for any of the above purposes; and such Structures and Uses of Structures are explicitly prohibited in each Residential District unless otherwise specifically permitted. Notwithstanding the foregoing, "Single-Family Residence" may include a Dwelling Unit which includes separate quarters for persons who are related by blood, marriage or adoption to the primary occupants, provided such quarters are connected by interior passageways to the other portions of the dwelling unit, and are not rented to any unrelated tenants or otherwise used in violation of this Ordinance If more than one meter is installed for the same type of household utility service, it will be presumed that Structure is not being used as a Single-Family Residence.

Notwithstanding any other provisions to the contrary, subject to the City Manager's approval, and for such periods of time as the City Manager deems reasonable and necessary, a Single-Family Residence may include, on a temporary basis, one or more persons, not related to the primary occupants, who have been dislocated from their permanent residence due to an officially recognized local, regional or national emergency. A report shall be provided to advise the City Council, Planning Commission, and Development Services Department of any such situations approved by the City Manager.

Single Ownership: a proprietary interest of a Landholder as defined herein.

Site Development Plan: a map required by Section 8.5.6.H, which indicates the intended Development of a parcel of land and which meets the standards and requirements of, and is prepared in accordance with, Section 8.5.6.H and other applicable provisions of this Ordinance.

Small Multi-Family Building: Principal Building type that incorporates between three (3) and six (6) side-by-side and/or horizontally stacked Dwelling Units, typically with one or more shared entries. *See* **Table 4.3.8.A (Principal Building Types)** and **Table 4.3.8.B (Principal Building Types – Specific Standards)**.

Social or Civic Club or Lodge: a Use characterized by a Structure and/or land owned by or leased to one or more Social or Civic Organizations for meeting, recreational, or social purposes primarily by their members and their guests.

Social or Civic Organization: a private non-profit group, association, organization, club, establishment, brotherhood, membership, or other similar group providing meeting, recreational, social, fraternal, youth, or similar activities or facilities primarily for its members and guests; excluding, however any type of Residential facility such as fraternity or sorority houses.

Solid Waste Facility: premises, appurtenances and Improvements used for treating, storing, or disposing of solid waste, whether publicly or privately owned or

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operated. A Solid Waste Facility may consist of several treatment, storage, or disposal operational units, including, but not limited to, one or more landfills, surface impoundments, or combination thereof.

Special District: an area which, due to its intrinsic size, Use, Configuration, cannot conform to the requirements and standards of one or more of the applicable Character Districts or Civic District as specified in this Ordinance.

Special Exception: synonymous with Conditional Use.

Special Requirements: provisions of Section 2.2 and Section 5.7 and/or the associated designations on the Zoning Map for those provisions.

Specified Anatomical Areas: less than completely and opaquely covered human genitals, pubic region, buttock, and female breast below a point immediately above the top of the areola. Also, human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Specified Sexual Activities: human genitals in a state of sexual stimulation or arousal; acts of human masturbation, sexual intercourse or sodomy; fondling or other erotic touching of human genitals, pubic region, buttock or female breast.

Specimen Tree: any Canopy Tree with a diameter of 24 inches or greater measured at diameter breast height (DBH) 4.5 ft.

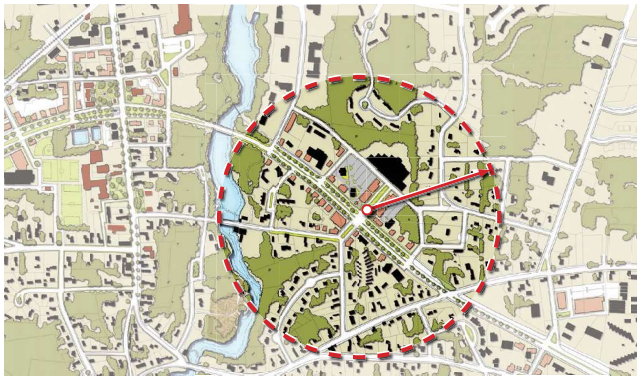
Sports Field: a Civic Space type that accommodates the play of athletic endeavors, described as such in **Table 5.3.3.A (Civic Space Types – Summary)** and **Table 5.3.3.B (Civic Space – Specific Standards)**; excluding Sports Venues. May include associated Structures.

Sports Venue: premises at which athletic events are presented.

Square: a Civic Space type described as such in **Table 5.3.3.A (Civic Space Types – Summary)** and **Table 5.3.3.B (Civic Space – Specific Standards)**.

Standard Pedestrian Shed: a Pedestrian Shed that is an average 1/4 mile radius or 1320 feet, about the distance of a five-minute walk at a leisurely pace. *See* "Pedestrian Shed". *See* **Illustration 9.3.S-5 (Standard Pedestrian Shed).**

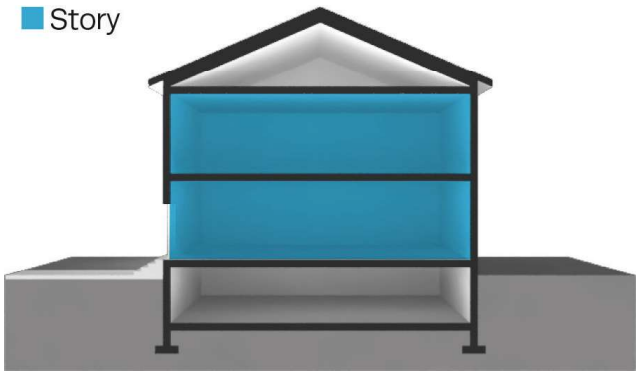
ILLUSTRATION 9.3.S-5 STANDARD PEDESTRIAN SHED



Stoop: a Private Frontage type wherein the Facade is aligned close to the Frontage Line with the first Story elevated from the Sidewalk for privacy. An exterior stair and landing provides access to the entrance. This type is recommended for ground-floor Residential Use. *See* **Table 4.3.7.A (Private Frontage Types)**.

Story: a habitable level within a Building, being that portion included between the surface of any floor and the surface of the floor next above it; if there is no floor above it, then the space between the floor and the ceiling next above it; excluding an Attic or a raised Basement. *See* **Illustration 9.3.S-6 (Story).**

ILLUSTRATION 9.3.S-6 STORY



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Street (ST): a local urban Thoroughfare or Internal Drive of low speed and capacity, which meets the standards and requirements for such Thoroughfare type as set forth in and as described as such **Table 5.3.3.F (Thoroughfare / Internal Drive Types – Summary)** and **Table 5.3.3.G (Thoroughfare / Internal Drive Assemblies & Standards)**. When not capitalized, the term "street" means any public way not within a Lot or Building Site on which vehicles travel.

Streetscape: street lights, trees, planting accommodations and Sidewalk along a Thoroughfare or Internal Drive.

Streetscreen: a type of Screen situated along a Frontage Line, or along the same plane as a Façade, and consisting of a planted evergreen hedge or freestanding Wall constructed of brick or stucco over masonry, which blocks the view of Parking, equipment, or other item or condition from the Frontage, provides privacy to a Side Yard, or strengthens the spatial definition of the public realm.

Street Setback, Setback Area, or Yard: synonymous with Front Setback, Setback Area, or Yard.

Street Setback, Setback Area, or Yard Depth: the dimension of a Street Setback, Setback Area, or Yard that is measured as follows:

The depth of a Street Setback, Setback Area, or Yard shall be measured at right angles to a straight line joining the foremost points of the Side Lot or Building Site Lines; provided that in the case of rounded property corners at Thoroughfare or Internal Drive intersections, the foremost point of the Side Lot or Building Site Lines shall be the point at which the Side Lot or Building Site Lines and Front Lot or Building Site Lines would have met without such rounding.

Synonymous with Front Setback, Setback, or Yard Depth.

Structure: anything constructed, installed, or erected, the use of which requires a permanent location on the ground or attachment to something having a permanent location on the ground, regardless whether the same is horizontal or vertical. The word "Structure" includes Buildings and other Improvements and all parts thereof.

Swimming Pool: a constructed basin or Structure for swimming and aquatic recreation, excluding plastic, canvas or rubber pools temporarily erected upon the ground and holding less than 300 gallons of water.

T

Tasting Room: an establishment or portion of an establishment that allows customers to taste samples of beer, alcoholic spirits, or vinous beverages. In addition to such products, a Tasting Room may include the Retail sale of related items, marketing events, special events, entertainment, and/or food sales.

TCA: Tennessee Code Annotated.

Temporary Sign: any Sign which is not permanently installed, mounted, or placed. Signs of the types described in **Table 7.1.2.B–1 (Summary of Sign Types)** and **Table 7.1.2.B–2 (Sign Types – Specific Standards)** are not Temporary Signs.

Temporary Use: Use of premises for fewer than 60 days or such other period as may be specifically provided in this Ordinance, and permitted by right, by conditional use, or subject to limited use standards under Section 4.3.9G in accordance with **Table 4.3.9.A–3 (Building, Lot & Building Site Temporary Uses)**, for which a Temporary Use Permit has been issued and is in effect.

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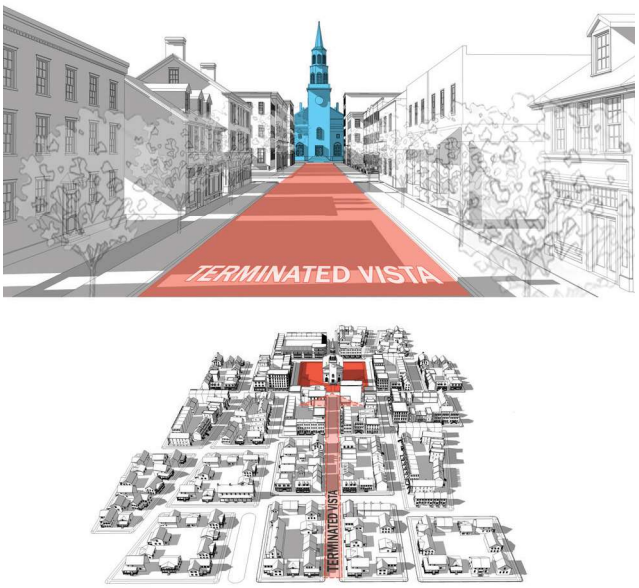
Terminated Vista: a location at the axial conclusion of a Thoroughfare or Internal Drive. A Building located at a Terminated Vista location designated on a Zoning Map is required to be designed in response to the axis. *See* **Illustration 9.3.T–1 (Terminated Vista).**

ILLUSTRATION 9.3.T–1 TERMINATED VISTA



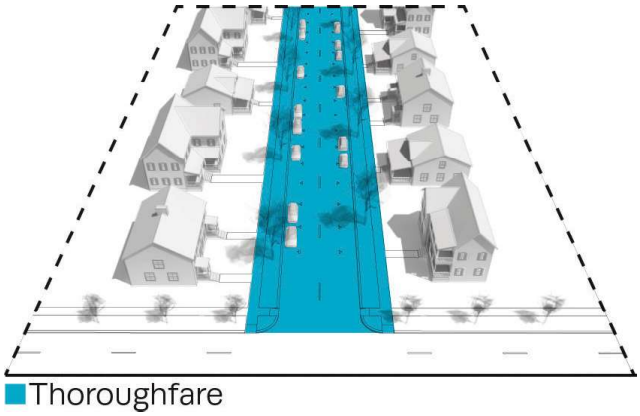
Terrace/Lightwell: a Private Frontage type wherein the Facade is set back from the Frontage Line by an elevated landing and a sunken Lightwell. This type buffers Residential Uses from urban Sidewalks with the first Story elevated from the Sidewalk for privacy, and may allow for activation of space below grade. An exterior stair and landing provides access to the entrance. This type is recommended for ground–floor Residential Use. See **Table 4.3.7.A (Private Frontage Types)**.

Theater: a Building or part of a Building devoted to the showing of motion pictures, or theatrical or performing arts productions, as a Principal Use.

Third Layer: *See* "Layer".

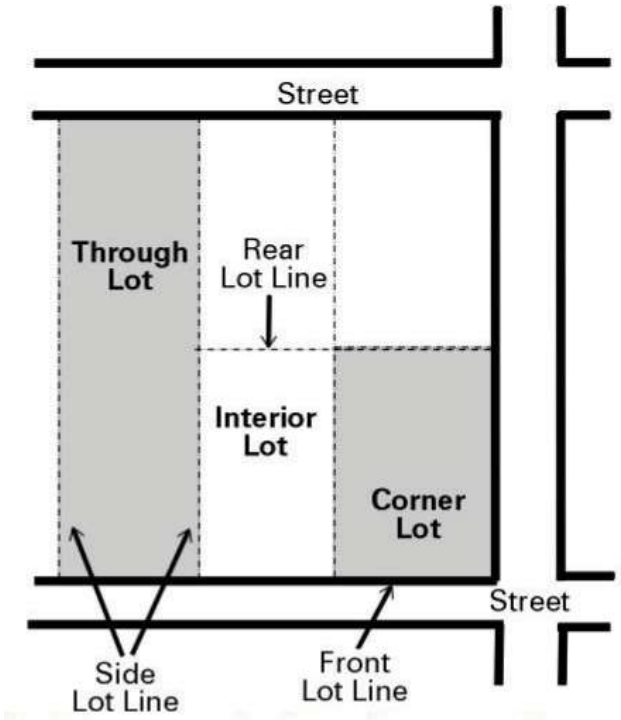
Thoroughfare: a way, whether public or private, open for common and general use by vehicular and/or pedestrian traffic and to provide access to Lots or Building Sites and Civic Spaces, consisting of Vehicular Lanes and the Public Frontage. *See* **Illustration 9.3.T–2 (Thoroughfare).** *See also* **Table 5.3.3.F (Thoroughfare / Internal Drive Types Summary)** and **Table 5.3.3.G–1 (Thoroughfare / Internal Drive Assemblies and Standards**). See also "Internal Drive".

ILLUSTRATION 9.3.T–2 THOROUGHFARE



Through Lot or Building Site: a Lot or Building Site type that extends through from Thoroughfare or Internal Drive to Thoroughfare or Internal Drive.

ILLUSTRATION 9.3.T–3 THROUGH LOT / BUILDING SITE



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Tire Sales: a Structure, premises, or establishment in or on which tires are sold, installed, and/or repaired.

Tower: with respect to communications equipment, any Structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including self – supporting lattice towers, guy towers or monopole towers. The term includes radio and television transmission towers, microwave towers, common carrier towers, cellular telephone towers, alternative tower structures and the like.

Towing Facility: an establishment that provides vehicle towing services and accessory temporary outdoor storage for the vehicles it tows, which shall only include: (1) mechanically operable/drivable, licensed vehicles that are to be claimed by titleholders or their agents; and/or (2) wrecked motor vehicles awaiting insurance adjustments and transport to repair shops.

The term "Towing Facility" excludes: automotive services that have a tow truck on-site; Salvage or Scrap Yard / Service; Junkyards, Impound Yards; Motor Vehicle storage; and storage of inoperable vehicles.

Townhouse: the Building Type described as such in **Table 4.3.8.B (Principal Building Types)**.

Trailer: an unpowered, portable, or mobile vehicle designed to be designed to be towed by a Motor Vehicle.

Transient: as a noun, a Person who is staying in a place for fewer than thirty (30) days; as an adjective or adverb, a duration of fewer than thirty (30) days.

Transit Shelter: accommodation providing shelter from the elements for waiting transit riders, excluding a Transit Station or Terminal.

Transit Station or Terminal: a facility or area at which train, rapid transit, light rail, bus, or other mass transit modality service regularly stops to load or unload passengers.

Tree Removal: cutting down, digging up, destroying, clearing, or otherwise taking a tree from the location in which it is growing; inflicting damage to the root system; girdling; storing materials, soil compaction, changing the natural grade above or below the root system or around the trunk; inflicting damage that permits fungus infection or pest infestation; excessive pruning; excessive thinning; excessive paving with conrete, asphalt or other impervious material in such proximity as to be harmful to the tree; excessive grading; or any act of intentional or reckless damage to a tree. Without limiting the foregoing, excessive pruning or thinning shall include pruning or thinning more than 25% of the leaf surface on both the lateral branch and the overall foliage of a mature tree and and pruning or thinning that does not allow 1/2 of the foliage of a mature tree to remain evenly distributed in the lower 2/3rds of the crown and individual limbs; and excessive paving or grading shall include paving or grading over any part of the Critical Root Zone of a tree.

Turning Radius: the inside radius of the Vehicular Lanes available for a vehicle to make a turn, accounting for the presence of parking, bike lanes, medians or other features. *See* **Illustration 9.3.C-3 (Curb Radius). Table 5.2.2.G-1 (Thoroughfare Assemblies & Standards)** and **Illustration 9.3.T-4 (Turning Radius)**. *See also* Curb Radius.

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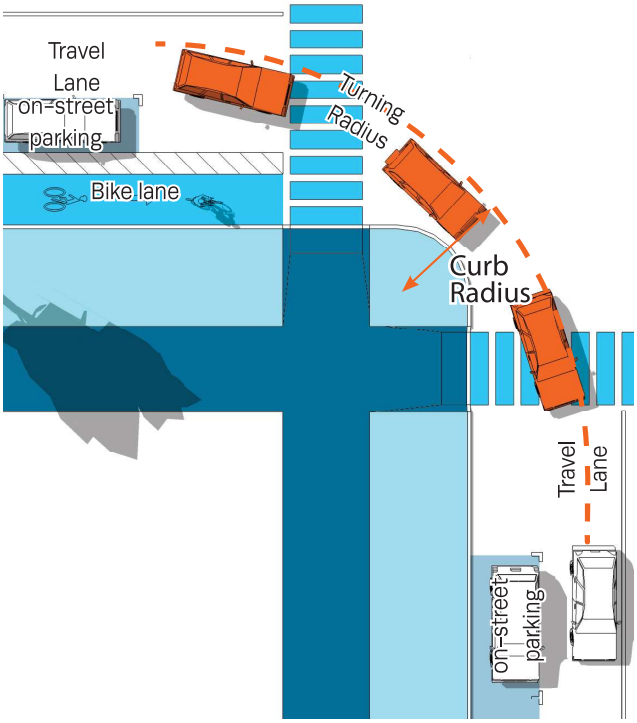
ILLUSTRATION 9.3.T–4 TURNING RADIUS



Two-Family Detached Dwelling: separate Residential premises for only two Families within a Building, whether both Dwelling Units are on a single Lot or Building Site or Abutting Lots or Building Sites. A Duplex is a specific Building Type that may accommodate a Two-Family Detached Dwelling, but the terms are not synonymous.

U

Unified Control of a Landholder: with respect to a Planned Unit Development, control by a single Person of all land to be developed within the overall Planned Unit Development site.

Use: a specific function, activity, or purpose accommodated by or intended to be accommodated by land, a Lot, Building Site, or a Structure, or for which land, Lot, Building Site, or Structure is designed, arranged, intended, occupied or maintained. *See* **Table 4.3.9.A–1 (Building, Lot & Building Site Principal Use)** and **Table 4.3.9.A–2 Building, Lot & Building Site Accessory Uses)**.

Usable Floor Area: the Floor Area within a Building, less the area of space used for utilities or storage.

Floor Area Within Building − ***Space Used For Utilities or Storage*** = ***Useable Floor Area***

Utility(ies): (1) as a Uses category under this Ordinance, the Uses category involving uses, activities, and equipment involved with the providing electricity, gas, water, sewage, telephone, cable, or other similar publicly regulated service, such category of Uses including without limitation Utility Lines, Utility Distribution / Substation / Switching Facility, and Utility Pumping Station (See **Table 4.3.9.A–1 (Building, Lot & Building Site Principal Use)**; (2) as a service, electricity, gas, water, sewage, telephone, cable, wireless communications, or other similar publicly regulated service provided by a Utility Provider.

Utility Distribution / Substation / Switching Facility: facility used for Utility distribution, including systems, and equipment used for such purposes.

Utility Facility: premises used by a Utility Provider relative to providing a Utility service, including without limitation a Utility Pumping Station, a Utility Distribution / Substation / Switching Facility, a water tower or tank, a Water Treatment / Supply Facility, a water or wastewater pump station, a water reclamation facility, a Sewage Facility, a Utility Generation Facility, a Wireless Communications Facility, a Communications Tower, or other facility used to provide a Utility service, excluding, however, Utility Lines.

Maintenance yard or Building (see Light Industrial Service), Utility office (see Office), TV and radio studio (see Office), and Reservoir or water supply (see Civic Space and Open Space) are not included in this Use Category.

Utility Generation Facility: facility used for electric or gas power generation (except hydroelectric and nuclear), control and transmission. This definition includes systems that facilitate the sale of gas or electricity via power distribution systems operated by others, and gas or electric power transmission systems such as transmission

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towers, pipes or lines, and transformer stations, but does not include Utility Distribution / Substations / Switching Facilities.

Utility Line: a line used in providing a Utility service.

Utility Provider: a public or private entity or other Person engaged in generating, transmitting, distributing, or providing a Utility service.

Utility Pumping Station: a facility at which water, sewage, or other Utility fluids are pumped from one place to another.

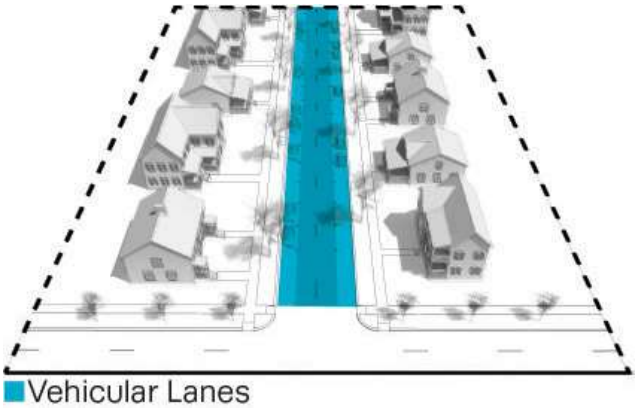
Utility Transmission Line: line used for the movement of high powered electricity or high pressure gas.

V

Variance: relief granted by the Board of Zoning Appeals from a standard or requirement of this Ordinance, which is specifically provided for in this Ordinance or granted pursuant to the provisions of Article 8 (Administration, Procedure, & Enforcement).

Vehicular Lane: an area of a Thoroughfare or Internal Drive for parked or moving vehicles. *See* **Illustration 9.3.V–1 (Vehicular Lane).**

ILLUSTRATION 9.3.V–1 VEHICULAR LANE



Vessel: a Boat, yacht, ship, canoe, kayak, paddle board, paddle board, jet–ski, or recreational or other watercraft.

Veterinary Office, Clinic, or Hospital: premises or an establishment offering Veterinary Services for animals.

Veterinary Services: health or medical care provided to animals by a licensed veterinarian.

W

Wall: a vertical Structure that (1) supports a Structure or (2) encloses or separates an area of land.

Wall Sign: the Sign Type described as such in **Table 7.1.2.B–1 (Sign Types – Summary**) and **Table 7.1.2.B–2 (Sign Types – Specific Standards)**.

Warehouse Retail: a Retail establishment that has limited customer amenities and service and sells goods at discounted prices.

Warehousing: the indoor storage of goods, not including storage in Self–Service Storage facilities.

Warehouse: premises used for Warehousing, not including Self–Service Storage facilities.

Warehouse and Freight Movement: Use sub–category of the Industrial Category characterized by the storage or movement of goods.

Not included in this sub–category are bulk storage of flammable liquids (see Heavy Industrial), Self–Storage Facilities, Mini–warehouse, multi–story enclosed storage facility, storage garages (see Self–Service Storage), Solid or liquid waste transfer, or composting (see Waste–Related Service).

Waste–Related Service: Use sub–category of Industrial Use category characterized by Uses that receive solid or liquid wastes from others for transfer to another location and Uses involving collection of sanitary wastes or manufacture or production of goods or energy from the composting of organic material.

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Not included in this sub-category are:

Stockpiling of sand, gravel, or other aggregate materials (see Warehouse and Freight Movement).

Water Treatment / Supply Facility: facilities for the treatment and supply of potable, irrigation, or industrial water supply.

Wholesale Sales: the sale, lease, or rent of goods in large quantities primarily to industrial, institutional, and commercial business customers, which goods may or may not be resold at Retail by such customers.

Retail Sales, Personal Service, Repair, Arts, and Artisan Use, in-store sales, lease, or rental of consumer, household, or business goods, Warehousing or Freight Movement (see Warehouse and Freight Movement), and Warehouse or Wholesale Club (see Retail Sales and Service) are not included in Wholesale Sales.

Window Sign: the Sign Type described as such in **Table 7.1.2.B-1 (Sign Types – Summary)** and **Table 7.1.2.B-2 (Sign Types – Specific Standards)**.

Winery: an establishment which is primarily used for the manufacture of vinous beverages in accordance with applicable state and local regulations.

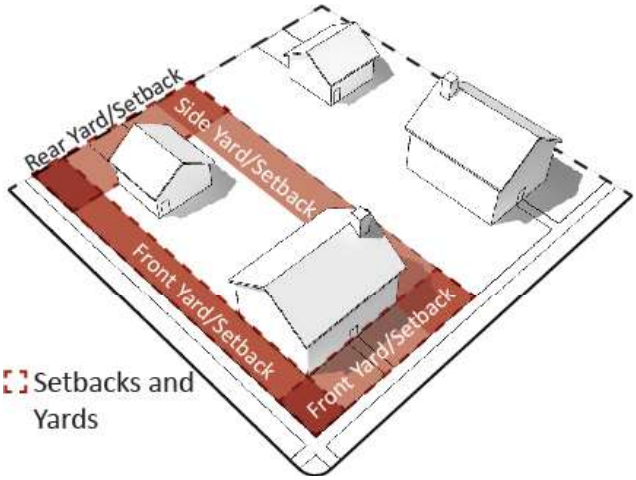
Wireless Communications Facility: any facility for the receiving or transmitting of wireless signals for commercial purposes. As used herein the term shall include any necessary support structure, connection cables and equipment buildings as well as towers or monopoles.

Woodworking Shop: premises at which wooden articles are made or repaired.

Y

Yard or Setback Area: an open area within a Lot or Building Site on which there is a Building. Setback Areas or Yards are described by their positions within the Lot or Building Site, and their area is calculated as the shortest horizontal distance from a Lot or Building Site Line to the nearest foundation wall supporting Building on the Lot or Building Site. *See* "Front Setback, Setback Area, or Yard", "Street Setback, Setback Area, or Yard", "Rear Setback, Setback Area, or Yard", and "Side Setback, Setback Area, or Yard". *See* **Illustration 9.3.R-1 (Setback Areas or Yards).**

ILLUSTRATION 9.3.R-1 YARD / SETBACK AREAS



Yield: characterizing a Thoroughfare or Internal Drive that has two-way traffic but only one effective travel lane because of parked cars, necessitating slow movement and driver negotiation.

Also, characterizing Parking accommodations on such a Thoroughfare or Internal Drive. *See* **Illustration 9.3.Y-1 (Yield).**

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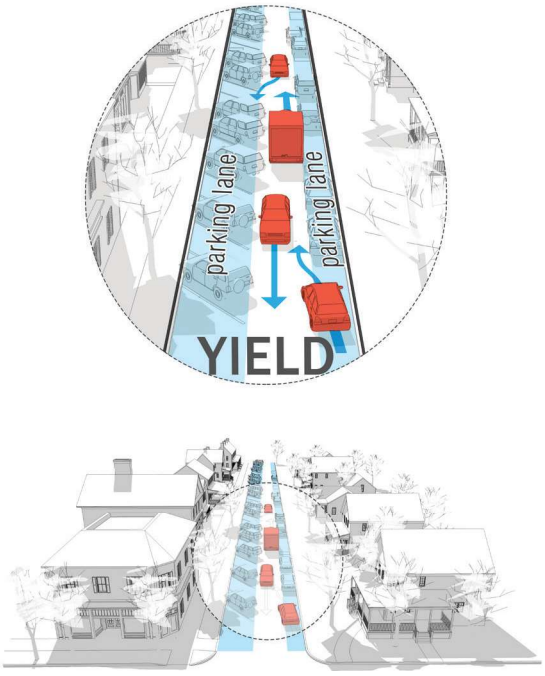
ILLUSTRATION 9.3.Y–1 YIELD



Z

Zoning Administrator: the Planning Director.

Zoning Change: the Effective Date of any applicable Zoning Map Amendment (Rezoning) or of any applicable amendment of this Ordinance.

Zoning District: a Character District, Special District, Planned Unit Development District, or Civic District.

Zoning Map: the map or set of maps, which show the Districts, Thoroughfares and Internal Drives, and Special Requirements if any, of areas subject to, or proposed to be subject to, regulation by this Ordinance. The Zoning Map approved by the City Council, as the same may be amended from time to time, constitutes the Official Zoning Map of the City.

Zoning Permit: a permit required to Develop, construct, reconstruct, Improve, Alter, or use any Structure, Lot or Building Site.

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Q1 and Q2 – 2023 Zoning Text Amendment

Project #:	24-0223, 0221, 0053, 0043	Location:	N/A
Applicant:	Kevin C. McCarthy, AICP	Case Type(s):	Text Amendment
Staff Planner:	Kevin C. McCarthy, AICP	Proposed Use:	N/A

SUMMARY

The applicant, the Zoning Administrator, requests to amend the text of Ordinance 4400, the zoning ordinance for the City of Columbia. This is the second and third of five rounds of zoning text amendments staff will present to the Planning Commission between December 2023 and December 2024. These changes will implement Connect Columbia, better align zoning regulations with community preferences, and calibrate the standards based on "lessons learned" during the first two years administering the Ordinance. This round of proposed amendments is detailed in the attached list of topics and track changes documents.

- The Planning Commission is a **recommending body** for zoning text amendments. The City Council is the decision-making authority.
- The staff comments section details the proposed changes, which are provided in the agenda packet in ~~strikethrough~~ and underlines.
- Planning Commission may recommend adoption of the proposed text, modify the proposal, or decline the request.
- Templates are provided at the end of the report to assist the Planning Commission in crafting properly formatted motions.

CONSISTENCY WITH CONNECT COLUMBIA

The ongoing current process of reviewing and updating the Zoning Ordinance, Subdivision Regulations, Engineering Standards & Specifications, and other regulating documents is part of the implementation of Connect Columbia, the City's comprehensive plan.

REVIEW PROCESS

Section **8.5.16** of the Zoning Ordinance directs the Planning Commission to review and make a recommendation on all proposed changes to the text of the Ordinance. The Planning Commission is the recommending body for text amendments under **§ 8.3.3.B.2** of the Zoning Ordinance.

Section **8.5.18.C** of the Zoning Ordinance requires that Planning Commission determine that the proposed changes are consistent with the comprehensive plan.

8.5.18.G of the Zoning Ordinance establishes the review criteria for approval of all changes to the text of the Ordinance:

a. *The extent to which the proposed Zoning Ordinance Amendment is consistent with the remainder of this Ordinance, including, specifically, any purpose and intent statements;*
b. *The extent to which the proposed Zoning Ordinance Amendment represents a new idea not considered in this Ordinance, or represents a revision necessitated by changing circumstances over time;*
c. *Whether or not the proposed Zoning Ordinance Amendment corrects an error in this Ordinance; and*
d. *Whether or not the proposed Zoning Ordinance Amendment revises this Ordinance to comply with state or federal statutes or case law.*

The criteria for City Council action on a Zoning Ordinance Amendment at § 8.5.18.J.4 are identical to the criteria for Planning Commission review at 8.5.18.G.3.

COMMENTARY FROM PROFESSIONAL PLANNING STAFF

The City Council adopted the current ordinance on July 14, 2022. The Zoning Ordinance implements the City's comprehensive plan, Connect Columbia. On November 8, 2023, the Planning Commission recommended adoption of a five-year update of the framework, land use, and transportation elements of Connect Columbia. The framework element of the plan directs planning staff to initiate revisions to the ordinance in order to bring it into consistency with changes to the future land use plan. It further directs staff to engage residents and property owners to solicit suggestions for further changes to the ordinance. As mentioned above, this is

the second and third of five rounds of zoning text amendments staff plans to present to the Planning Commission between December 2023 and December 2024.

Planning staff will present detailed commentary at the June 5, 2024 meeting of the Planning Commission.

The Planning Commission may recommend approval of the proposed text amendments, direct staff to prepare an alternative text amendment, or decline to act on the proposed changes**.**

SAMPLE MOTIONS

Approve:

Move to find, based on the analysis provided by city staff, that the criteria listed in section **8.5.18** of the City of Columbia Zoning Ordinance have been satisfied and recommend approval of the proposed text amendments **[may be subject to modificaitons proposed by the Planning Commission]**.

Deny:

Move to recommend denial of the requested text amendment having found, based on the analysis provided by city staff, that the criteria listed in section **8.5.18** of the City of Columbia Zoning Ordinance are not satisfied [*list specific reasons for denial and provide direction to staff*].

Defer:

Move to find that there is insufficient information to decide, defer the matter to the next regularly scheduled meeting of the Planning Commission, and direct staff to provide: [*list additional information*] for review at a future meeting.

Article 4 Building, Lot & Building Site Standards
Proposed Zoning Text Amendment

Additions are Underlined
~~Deletions are Strikethrough~~

Proposed Changes

TABLE 4.3.1-A CD-2 District Standards (p. 47-55) 2
TABLE 4.3.1-B CD-3L District Standards (p. 57-65) 3
TABLE 4.3.1-C CD-3 District Standards (p. 67-75) 4
TABLE 4.3.1-D CD-4 District Standards (p. 77-85) 5
§ 4.3.3 Lots & Building Sites (p.190) 10
§ 4.3.5 Building Standards (p.194) 12
§ 4.3.6 Fences & Walls (p. 195) 13
§ 4.3.7 Private Frontage, Building Form & Building Type; Floor Elevation (p. 195) 16
TABLE 4.3.7-A & TABLE 4.3.7-B Private Frontage Types (p. 151-161) ..... 17~~18~~
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§ 4.3.9.E.6 Attached Dwellings Limited Use Standards (p. 243) 23
§ 4.3.9.E.6 Civic Buildings Limited Use Standards (p. TBD) 24
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Additions are Underlined
~~Deletions are Strikethrough~~

TABLE 4.3.1-A

CD-2 District Standards (p. 47-55)

Replace current table with changes to formatting (see Attachment 4.A delete each standard which begins with "Except House Building Types;" and revise standards as follows:

Eliminates inapplicable standards from the character district tables

Foundation Cladding	R;	brick, ~~or natural~~ stone, or stucco except renovations and minor expansions of existing structures may match current material, or absence of cladding.
Porch Pier Cladding	R;	brick or ~~natural~~ stone, with any space under Porch concealed by painted or stained latticework between piers, except renovations and minor expansions of existing structures, pier cladding, or absence of cladding, may match current material.

Provides greater flexibility in choice of foundation cladding

Building Composition	
Vertical Composition	~~NR~~ Each Principal Building must have an identifiable Base, Middle, & Cap
Finished Floor Level	NR

Article 4 Building, Lot & Building Site Standards
Proposed Zoning Text Amendment

Additions are Underlined
~~Deletions are Strikethrough~~

TABLE 4.3.1-B

CD-3L District Standards (p. 57-65)

Replace current table with changes to formatting (see Attachment 4.A); delete each standard which begins with "Except House Building Types;" and revise standards as follows:

Foundation Cladding	R;	brick, ~~or natural~~ stone , or Stucco except renovations and minor expansions of existing structures may match current material, or absence of cladding.
Porch Pier Cladding	R;	brick or ~~natural~~ stone, with any space under Porch concealed by painted or stained latticework between piers, except renovations and minor expansions of existing structures, pier cladding, or absence of cladding, may match current material.
Building Composition		
Vertical Composition		~~NR~~ Each Principal Building must have an identifiable Base, Middle, & Cap
Finished Floor Level		NR
Additional Parking Requirements		
Off-Street Parking Surface		Prepared surface of ~~gravel,~~ asphalt, concrete or other hard surface for 30 feet from Thoroughfare or Internal Drive, gravel permitted for any remaining depth of driveway.

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Additions are Underlined
~~Deletions are Strikethrough~~

TABLE 4.3.1-C

CD-3 District Standards (p. 67-75)

Replace current table with changes to formatting (see Attachment 4.A); delete each standard which begins with "Except House Building Types;" and revise standards as follows:

Ensures variety of lot-widths in CD-3

Lot/Building Site Width	House: 40 ft min if Alley loaded Garage at rear, otherwise 65 ft min. Within a Development Parcel, no more than 50% of Lots and Buildings Sites may have a width less than 65 ft. Duplex: 50 ft. min for each unit of Duplex Civic: 50 ft min.
Lot/Building Site Enfrontment	Must enfront a vehicular Thoroughfare or Internal Drive, except ≤ 20% of the Lots or Building Sites within a Development Parcel may Enfront a Pedestrian Path, Passage, pedestrian walkway or water body if such Lots have legal and physical vehicular access to a vehicular Thoroughfare via Driveway or Easement. The Planning Commission may approve alternative enfrontment within a Development Parcel as described in 8.5.6.O.
Foundation Cladding (R)	brick, or ~~natural~~ stone, or stucco except on renovations and minor expansions of existing structures, pier cladding, or absence of cladding, may match current material.
Porch Pier Cladding (R)	brick or ~~natural~~ stone, with any space under Porch concealed by painted or stained latticework between piers except on renovations and minor expansions of existing structures pier cladding, or absence of cladding, may match current material.
Additional Parking Requirements	
Off-Street Parking Surface	Prepared surface of asphalt, concrete or other hard surface for 100 feet from Thoroughfare or Internal Drive, gravel permitted for any remaining depth of driveway.

Driveway/Vehicular Entrance Maximum Width	18~~0~~ ft. max. in 1st Layer
Setback / Yards - Accessory Building	
Front Setback / Yard, Secondary Frontage	20 ft. min.~~10 ft. min.~~
Building Composition	
Vertical Composition	~~NR~~ Each Principal Building must have an identifiable Base, Middle, & Cap
Finished Floor Level	NR

Prohibits accessory structures from street yards on corner lots

13

TABLE 4.3.1-D

CD-4 District Standards (p. 77-85)

14 **Replace current table with changes to formatting**

15 **(see Attachment 4.A); and revise standards as**

16 **follows:**

Established minimum area for in-fill townhome developments in CD-4 and permits courtyard style enfrontment for townhomes

Lot/Building Site Width	House: 38 ft. min if Alley loaded Garage at rear, otherwise 50 ft min. Duplex: 30 ft. min for each unit of Duplex Townhouse: For Townhouses with each unit on its own Lot or Building Site: 18 - 36 ft. for single Townhouse unit attached to other Townhouse units X 8 max. attached Townhouse units. For multiple Townhouses on a single Lot or Building Site: 18 -20 ft. per Townhouse unit X 8 max. attached Townhouse units All other Building Types: 18 ft. min. All Building Types: 120 ft. max.
Lot/Building Site Area	~~NR~~ The overall site for a Townhouse building may not be less than 43,560 square feet in area.
Lot/Building Site Enfrontment	Townhouse: Must enfront a vehicular Thoroughfare, Internal Drive, or Courtyard, except ≤ 20% of the Lots or Building Sites within a Development Parcel may Enfront a Pedestrian Path, Passage, pedestrian walkway or water

		body if such Lots have legal and physical vehicular access to a vehicular Thoroughfare via Driveway or Easement. All others: Must enfront a vehicular Thoroughfare or Internal Drive, except ≤ 20% of the Lots or Building Sites within a Development Parcel may Enfront a Pedestrian Path, Passage, pedestrian walkway or water body if such Lots have legal and physical vehicular access to a vehicular Thoroughfare via Driveway or Easement. The Planning Commission may approve alternative enfrontment within a Development Parcel as described in 8.5.6.O.
Foundation Cladding	R;	brick or ~~natural~~ stone except foundation cladding, or absence of cladding, may match current material on renovations and minor expansions of existing structures.
Porch Pier Cladding	R;	brick or ~~natural~~ stone, with any space under Porch concealed by painted or stained latticework between piers except pier cladding, or absence of cladding, may match current material on renovations and minor expansions of existing structures.
Chimney Cladding	R;	brick, ~~natural~~ stone, or material matching primary material of Facade

Setback / Yards - Accessory Building	
Front Setback / Yard, Secondary Frontage	~~0~~6 ft. min.

Places accessory structures in rhythm with Principal Structures

17

Ceiling Height
May not exceed 14 ft. from finished floor to finished ceiling, except for a first floor ~~Business/Commercial, Office, Retail/ Personal Service, or Accommodation / Lodging Use~~ Shopfront Facade, which m~~ust be a minimum of 11 ft. with a maximum of~~ay not exceed 25 ft.

Eliminates requirement for 11ft ceiling height (professionally prepared plans for all commercial buildings)

Additions are Underlined
~~Deletions are Strikethrough~~

Reduces the façade glazing requirement and allows repeated use of a façade on the same street

18

Facade	
Facade Glazing	20% – 60% of total ground floor Facade area
Facade Variety	Within a Development Parcel ~~N~~no Facade may exist more than once on a Block Face ~~or within view of the same Facade~~

TABLE 4.3.1-E

CD-4C District Standards (p. 87-95)

19 **Replace current table with changes to formatting (see**

20 **Attachment 4.A); and revise standards as follows:**

Lot/Building Site Width	House: 38’ min if Alley loaded Garage at rear, otherwise 50 ft min. Duplex: 30 ft. min for each unit of Duplex Townhouse: For Townhouses with each unit on its own Lot or Building Site: 18 - 36 ft. for single Townhouse unit attached to other Townhouse units X 8 max. attached Townhouse units For multiple Townhouses on a single Lot or Building Site: 18 -20 ft. per Townhouse unit X 6 max. attached Townhouse units Large Scale Commercial: 600 ft. max All other Building Types: 18 ft. min. - 200 ft. max
Lot/Building Site Enfrontment	Must enfront a vehicular Thoroughfare or Internal Drive, except ≤ 20% of the Lots or Building Sites within a Development Parcel may Enfront a Pedestrian Path, Passage, pedestrian walkway or water body if such Lots have legal and physical vehicular access to a vehicular Thoroughfare via Driveway or Easement. The Planning Commission may approve alternative enfrontment within a Development Parcel as described in 8.5.6.O.

Article 4 Building, Lot & Building Site Standards
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Additions are Underlined
~~Deletions are Strikethrough~~

Setback / Yards - Principal Building	
Front Setback / Yard, Principal Frontage	6 ft. min., 40 ft. max; except where the Lot or Building Site enfronts a Thoroughfare with a functional classification of Arterial and parking is located in the First Layer, max 85 ft
Front Setback / Yard, Secondary Frontage	6 ft. min., 40 ft. max; except where the Lot or Building Site enfronts a Thoroughfare with a functional classification of Arterial and parking is located in the First Layer, max 85 ft

21

Ceiling Height
May not exceed 14 ft. from finished floor to finished ceiling, except for a first floor ~~Business/Commercial, Office, Retail/ Personal Service, or Accommodation / Lodging Use~~ Shopfront Facade, which m~~ust be a minimum of 11 ft. with a maximum of~~ay not exceed 25 ft.

Eliminates requirement for 11ft ceiling height (professionally prepared plans for all commercial buildings).

22

Facade	
Facade Glazing	Non-Shopfront: 20% – 60% of total ground floor Facade area for ~~non-Shopfront~~; Shopfront: min.~~7~~50% of total ground floor Facade area, min. 20% of total Façade area on upper floors and secondary elevations ~~min. for Shopfront~~.
Facade Variety	Within a Development Parcel no Facade may exist more than once on a Block Face ~~or within view of the same Facade~~

Additions are Underlined
~~Deletions are Strikethrough~~

Provides for limited Parking in First Layer in auto-oriented commercial settings

23

Parking Location	
	Off-Street Parking
All Other Vehicles	in 3rd Layer only, and in Driveway; except where the Lot or Building Site utilizing Commercial, Large-Scale Commercial, Mixed Use, or Flex buildings enfronts a Thoroughfare with an Arterial functional classification, a maximum of two bays of on-site parking and a drive aisle between the building and the Thoroughfare is permitted.
Pedestrian connections through to Adjacent Neighborhoods or Uses	Where parking is located in the First Layer, continuous pedestrian connection shall be provided from the Main Entrance of the Building to the Frontage Line and adjacent uses by way of an elevated crosswalk traversing the parking area and connected sidewalks
Screening of Parking, Loading Areas, Service Areas, Outdoor Storage, Drive-Through, Trash Receptacles/Dumpsters, HVAC and other equipment Screened from Frontage, Civic Space and Adjacent Property	R except at Driveways: Parking Lots and Parking Areas must be Screened from Frontage and Civic Space by Building or Streetscreen; Parking Structures must be Screened from Frontages by Liner Buildings. Otherwise, Screening must be by Building, wall, hedge or fence at Frontage or Building, Wall, hedge or fence not at Frontages or Adjacent to Civic Space. Where parking is located in the First Layer, it shall be screened by a landscape buffer at least 10 feet in width consisting of two canopy trees and two accent trees per 100 linear feet of property frontage.

24

25

Article 4 Building, Lot & Building Site Standards
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Additions are Underlined
~~Deletions are Strikethrough~~

TABLE 4.3.1-F

CD-5 District Standards (p. 96-105)

Replace current table with changes to formatting (see Attachment 4.A).

Facade	
Facade Glazing	Non-Shopfront: 20% – 60% of total ground level Facade area for ~~non-Shopfront~~; Shopfront: min. 5~~7~~0% of total ground level Facade area, min. 20% of total Façade area on upper floors and secondary elevations~~for Shopfront~~.

§ 4.3.3 Lots & Building Sites (p.190)

A. Layers

1. Lots and Building Sites are comprised of three Layers, the First Layer, the Second Layer, and the Third Layer, as related to the Frontage(s), as shown in Illustration 4.3.3.A (Layers) and as defined in Article 9 (Definitions).

2. Layers are used to regulate the placement of ~~in what parts of a Lot or Building Site certain Development, Building elements,~~Structures and Uses on a Lot or Building Site~~are allowed or required~~, as set forth in **Tables 4.3.1-A - 4.3.1-U (District Standards)**.

Simplifies definitions of First, Second, and Third Layer

3. For ~~Corner~~ Lots and Building Sites, which have both a Principal Frontage and ~~a~~ Secondary Frontage(s), typically Corner Lots:

a. Standards and prescriptions for the First Layer apply to the First Layer as related to ~~both~~ all Frontages, except for Through Lots and Building Sites where they are permitted by this Ordinance or exist as legal non-conforming lots of record; and

b. Standards and prescriptions for the Second Layer ~~and Third Layer~~ pertain only to such Layers as related to the Principal Frontage.

4. Standards and prescriptions for the First Layer apply to a depth of (twenty) 20 feet as related to the secondary frontage of a Through Lot or Building Site which is parallel to the Principal Frontage.

B. Dimensions

~~1.~~ Lots and Building Sites within each District must be dimensioned according to **Tables 4.3.1-A - 4.3.1-U (District Standards).**

Matches formatting of following paragraphs.

C. Enfrontment

Within all Districts ~~and Civic Districts~~, each Lot or Building Site must have Frontage along a Thoroughfare or Internal Drive, except as provided in **Tables 4.3.1-A - 4.3.1-U (District Standards)**.

Provides for alternative enfrontment consistent with other provisions of the ordinance.

D. Through Lots

1. Through Lots and Building Sites are prohibited, except:

a. Blocks entirely comprised of Civic Spaces;

b. Lots and Building Sites enfronting a roadway with a functional classification of Principal Arterial; and

c. Lots and Building Sites within 3,000 feet of and Interstate interchange.

2. In any case in which a Nonconforming Lot is a Through Lot or Building Site, or a Through Lot or Building Site is permitted by this Ordinance, the Frontage and Front Setback regulations shall apply to both Frontages.

3. The Façade of each Principal Building located on a Through Lot and Building Site, where they are permitted by this Ordinance or exist as legal non-conforming lots of record, shall face the same Principal Frontage as Buildings on any adjacent Lot or Building Site. Where adjacent Lots and Building Sites are vacant, or the appropriate Principal Frontage cannot be determined, the Zoning Administrator shall determine which Frontage is the Principal Frontage, typically the roadway with the lesser functional classification.

Article 4 Building, Lot & Building Site Standards
Proposed Zoning Text Amendment

Additions are Underlined
~~Deletions are Strikethrough~~

§ 4.3.5 Building Standards (p.194)

A. Facade.

1. Principal Building Facades shall conform to **Tables 4.3.1-A - 4.3.1-U (District Standards)**.

2. The Façade of the Principal Building shall be built along the minimum percentage of the Front Lot Line or Building Site Line width at the Setback or back Street Yard line, specified as Frontage Buildout on **Tables 4.3.1-A - 4.3.1-U (District Standards)**. A Streetscreen may be substituted for a Façade for up to twenty percent (20%) of the applicable Frontage Buildout requirement. Required driveways may be subtracted from the Front Lot Line or Building Site Line where Alley access or cross access with an adjacent property is not available.

Codifies current administrative interpretation

3. Principal Building Facades shall be articulated as shown in (See Illustration 4.3.5.A-3).

B. Building Design & Materials.

1. The design and exterior materials of Buildings shall conform to **Tables 4.3.1-A - 4.3.1-U (District Standards)**,

C. Building Height, Ceiling Height & Ground Floor Finish Elevation.

Building Height, ceiling height, and ground floor finish elevation must conform to **Tables 4.3.1-A - 4.3.1-U (District Standards)**

D. Roof Type & Pitch

Building roof type and pitch must conform to **Tables 4.3.1-A - 4.3.1-U (District Standards)**. See **Illustration 4.3.5.D-1 (Roof Types)** and **Illustration 4.3.5.D-2 (Roof Pitch)**.

E. Vertical Composition

Vertical composition must conform to **Tables 4.3.1-A - 4.3.1-U (District Standards)** provided that:

1. The discernable Base of all new structures, where regulated, must be at least 8 (eight) inches high; and

2. The discernable Base of all new non-residential structures, where regulated, must be at least twelve (12) inches high.

These provisions ensure that all new CD-3L, CD-3 structures can provide three-brick high cladding and commercial/mixed-use structures provide the required knee-wall.

§ 4.3.6 Fences & Walls (p. 195)

A. Fences and non-Building Walls shall not:

1. Encroach a public right-of-way, including Alleys, or in areas reserved or dedicated for public right-of-way;

2. Obstruct sight distance visibility of intersections or driveways;

3. Block access within an access easement; or

4. Block access to fire hydrants, mechanical equipment, or utility equipment.

B. A finished side of all fences shall face off site

C. Within each District, Fences and non-Building Walls ~~must comply with the applicable standards in Tables 4.3.1-A - 4.3.1-U (District Standards).~~ may be installed within Public Utility and Drainage Easements where permitted by the City Engineer, but shall not block or divert water flow onto or off of any other property. Fences erected within Public Utility and Drainage Easements may be removed by the City or utility providers at any time without notice.

D. Height

1. Within each District, Fences and non-Building Walls must comply with the height standards in **Tables 4.3.1-A - 4.3.1-U (District Standards)**.

2. Fence and wall height shall be measured from the lowest adjacent grade to the top of the fence or wall. The use of a berm to increase a fence or wall height is prohibited, unless used in accordance with Section 8.1.2 Transition Areas Abutting Residential Lots.

E. Material

1. Within each District, Fences and non-Building Walls must comply with the material standards in **Tables 4.3.1-A - 4.3.1-U (District Standards)**.

2. Where chain link is permitted, it shall be coated with dark green or black material; plastic or metal slats in chain link are prohibited.

Prohibits fence materials which deteriorate quickly

F. Retaining Walls

1. Within required yards on individual single-family CD-2, CD-3L, and CD-3 Lots and Building Sites, retaining walls shall conform to the limitations at **Table 4.3.10 Encroachments**.

2. In all other districts, and within CD-2, CD-3L, and CD-3 common areas and Civic Spaces, retaining walls shall conform to the following:

a. Retaining walls in CD-2, CD-3L, and CD-3 shall not exceed fifteen (15) feet in height.

(1) Where the overall grade change exceeds fifteen (15) feet, walls may be terraced with a minimum horizontal separation of ten (10) feet from face of wall to face of wall, provided no

individual wall may exceed fifteen (15) feet in height.

(2) Where the overall grade change exceeds ten (10) feet, walls shall be terraced with a minimum horizontal separation of six (6) feet, provided no individual wall may exceed fifteen (15) feet in height.

b. Retaining walls in all other districts shall not exceed twenty (20) feet in height.

1. Where the overall grade change exceeds twenty (20) feet, walls may be terraced with a minimum horizontal separation of ten (10) feet from face of wall to face of wall, provided no individual wall may exceed fifteen (20) feet in height.

(2) Where the overall grade change exceeds ten (10) feet, walls shall be terraced with a minimum horizontal separation of six (6) feet, provided no individual wall may exceed twenty (20) feet in height. The Zoning Administrator may approve a waiver to this requirement if the City Engineer has determined that no other practicable or feasible alternatives exist; and, the

Zoning Administrator determines that there will be no harmful impact to adjacent property owners or the public

2. Each retaining wall shall be screened by a row of evergreen shrubs, planted every five feet on center, at the base of the wall. Shrubs shall be a minimum of 30 inches in height at the time of planting. The Zoning Administrator may permit alternative trees or groundcover which provide equivalent all-seasons screening.

3. Retaining walls shall be clad in brick, or stone. Where not visible from a Thoroughfare, Internal Drive, or Civic Space, stained or stamped concrete and split-face block are also permitted.

§ 4.3.7 Private Frontage, Building Form & Building Type; Floor Elevation (p. 195)

A. Private Frontage – General.

The Private Frontage of each Lot or Building Site must conform to and be allocated in accordance with **Table 4.3.7.A (Private Frontage Types Summary,)** **Table 4.3.7.~~A~~B (Private Frontage Types), and Tables 4.3.1-A - 4.3.1-U (District Standards).**

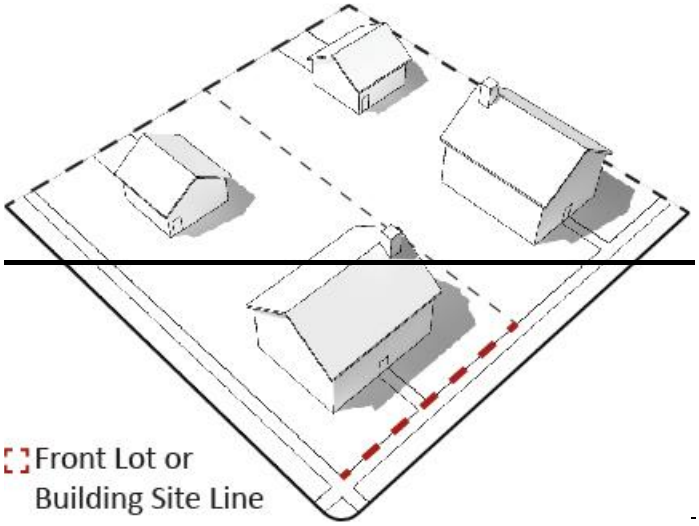
B. Private Frontage – Corner Lots / Building Sites. Principal Buildings on Corner Lots or Building sites shall have two Private Frontages:

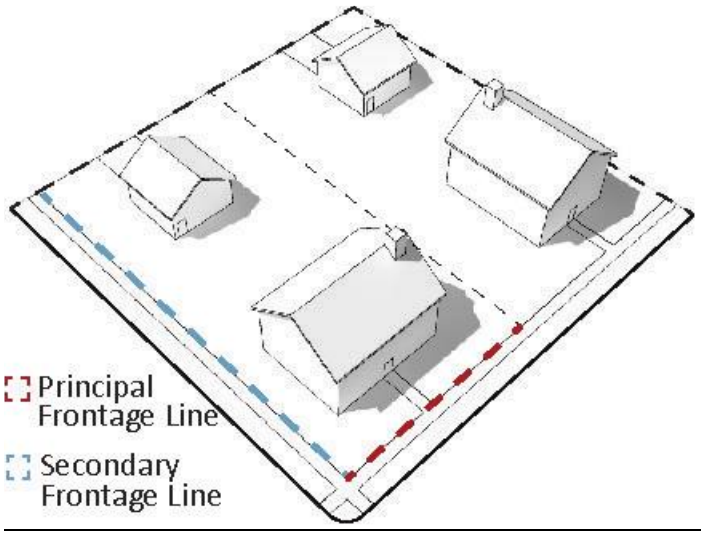
1. a Principal Frontage and

2. a Secondary Frontage(s), as illustrated generally in **Illustration 4.3.7.B-2 (Frontage & Lot / Building Site Lines)**.

ILLUSTRATION 4.3.7.B-2 (FRONTAGE & LOT / BUILDING SITE LINES)

The illustration in the adopted Ordinance does not depict the Secondary Frontage. This change updates the illustration.





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Additions are Underlined
~~Deletions are Strikethrough~~

TABLE 4.3.7-A & TABLE 4.3.7-B

Private Frontage Types (p. 151-161)

Add a new Private Frontage Types Summary (see Attachment 4.B) table and renumber tables; and

Replace current Private Frontage Types table with changes to formatting. (see Attachment 4C).

Adds a summary table in similar format to the Building Types summary table 4.3.8.A

§ 4.3.8 Building Types (p. 207)

A. General.

Principal Buildings must be of one or more of the Principal Building Types specified for such District in **Table 4.3.8.A (Principal Building Types - Summary)** and **Table 4.3.8.B (Principal Building Types – Specific Standards)**. ~~For Development Parcels~~, ~~t~~The mix of Building Types ~~in~~ on each Development Parcel ~~District~~ is further regulated under Section 5.1.10.

B. Manufactured Homes.

1. No Manufactured Home shall be placed on any Lot or Building Site within a Residential District, unless it is used actively for Residential purposes, except as provided in 4.3.8.A.2.

2. Non-Residential use of a Manufactured Home may be permitted as a Temporary Use as a construction office during construction, subject to issuance of an annual permit by the Zoning Administrator subject to limitations pursuant to Section 4.3.9.E and **Table 4.3.9.A-3 (Temporary Uses)**.

3. Pursuant to TCA. Section 13-24-201, the provisions of Section 4.3.8.A shall not apply to Double-Wide Manufactured Homes used as single family residences, which shall instead be considered a single-family home; provided that, pursuant to TCA. § 13-24-202, such Double-Wide Manufactured Homes must have the same general appearance as required for site-built homes and shall comply with all standards and requirements of this Ordinance.

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~~Deletions are Strikethrough~~

Table 4.3.8.A Principal Building Types - Summary (p. 208)

Replace current table with changes to formatting (see Attachment 4.D).

Table 4.3.8.B Principal Building Types (p. 210)

Replace current table with changes to formatting and additional standards (see Attachment 4E).

Modify the general description of the Mixed Use building type: "A ~~typically attached~~ Principal Building, which provides a vertical and/or horizontal mix of Uses ~~typically~~ designed to facilitate pedestrian-oriented Retail / Personal Service / Repair / Art / Artisan, Accommodations / Lodging, or Office Uses on the ground floor, with upper floors typically designed for Residential or Office Uses. The ground floor of a Mixed Use building must be occupied by a Retail / Personal Service / Repair / Art / Artisan, Accommodations / Lodging, or Office use along all Façades."

§ 4.3.9 Principal Uses (various at p. 222 - 264)

More extensive evaluation of uses is planned for a subsequent round of ZTAs. These changes relate to district standards and some correction of typos.

C. Required Uses.

1. Commercial Corridors

Within the CD-4C Character District, Principal Buildings on any Lot or Building Site located within 400 feet of a Thoroughfare with a Functional Classification of Arterial must contain a Retail Sales or Service use, Restaurant use, Arts-Related Use, or Office use for the entire ground floor. Any permitted use may be

established on second, third, and fourth stories of a Principal Building.

2. Downtown Pedestrian Streets

Buildings enfronting the following rights of way must contain a Retail Sales or Service use, Restaurant Use, Arts-Related Use, or Office use at the sidewalk level through the depth of the second layer for at least 80 percent of the building frontage.

This change requires commercial uses on the ground floor of all CD-4C zoned properties along arterials (e.g. Nashville Highway, James Campbell Boulevard, Carmack Boulevard).

a. Public Square;

b. North Main Street between West 4th Street and Public Square;

c. South Main Street between Public Square and West 9th Street, inclusive of all building sites with frontage at the corners of South Main and West 9th street;

d. North Garden Street between West 6th Street and West 7th Street, inclusive of all building sites with frontage at the corners of North Garden Street and West 6th Street;

e. North Garden Street between West 7th Street and West 9th Street, inclusive of all building sites with frontage at the corners of South Garden Street and West 9th Street;

f. South High Street between West 7th Street and West 9th Street, inclusive of all building sites with frontage at the corners of South High Street and West 7th Street, all building sites with frontage at the corners of South High Street and West 8th Street, and all building sites with frontage at the corners of South High Street and West 9th Street;

g. West 7th Street between Public Square and Frierson Street, inclusive of all building sites with frontage at the corners of Frierson Street and West 7th Street;

h. East 7th Street between Public Square and North Water Street, inclusive of all building sites with frontage at the corners of South Glade Street and East 7th Street;

i. West 6th Street between North Main Street and Woodland Street, inclusive of all building sites with frontage at the corners of West 6th Street and Woodland Street;

j. West 6th Street between North Main Street and North Garden Street; and West 8th Street between South Garden and South Glade Street, inclusive of all building sites with frontage at the corners of West 8th Street and South Garden Street as well as all building sites with frontage at the corners of West 8th Street and South Glade Street.

D. Prohibited Uses.

1. Except as otherwise determined by the Zoning Administrator pursuant to Section 8.5.8 with respect to a Use that is not specifically listed as Permitted ("P"), Permitted Subject to Limited Conditions ("PL"), or as a Conditional Use ("CU") in **Table 4.3.9.A-1 (Building & Lot Principal Uses)**, **Table 4.3.9.A-2 (Building, Lot & Building Site Accessory Uses)**, or **Table 4.3.9.A- 3 (Building, Lot & Building Site Temporary Uses)**, as applicable, any Use that is not specifically listed as Permitted ("P"), Permitted Subject to Limited Conditions ("PL"), or as a Conditional Use ("CU"), and any Use that is specifically listed Not Permitted ("NP") in such applicable Table or is otherwise prohibited pursuant to ~~Section 4.3.9.7 or~~ any other provision of the City Code, is prohibited.

2. In the CD-4C Character District, all uses listed under the heading Residential Uses Category on **Table 4.3.9.A-1** are prohibited on the entire ground floor of any Building located within 400 feet of a Thoroughfare with a Functional Classification of Arterial. Any permitted use may be established on second, third, and fourth stories of a Principal Building.

Prohibits residential uses on key commercial sites

E. Uses Permitted Subject to Limited Use Standards & Conditional Uses.

1. Any Principal Use, Accessory Use, or Temporary Use shown for the applicable District as Permitted Subject to Limited Use Standards ("PL") on **Table 4.3.9.A-1 (Building & Lot Principal Uses)**, **Table 4.3.9.A-2 (Building & Lot Accessory Uses)**, or **Table 4.3.9.A-3 (Building & Lot Temporary Uses)**, is allowed subject to compliance with all applicable conditions and requirements imposed by this Section 4.3.9.D and Section 4.3.9.4.h. **2.** Any Principal Use, Accessory Use, or Temporary Use shown for the applicable District as Conditional Use (CU") on **Table 4.3.9.A-1 (Building, Lot, & Building Site Principal Uses)**, **Table 4.3.9.A-2 (Building, Lot, & Building Site Accessory Uses)**, or **Table 4.3.9.A-3 (Building, Lot, & Building Site Temporary Uses)**, is allowed subject to compliance with all applicable conditions and requirements imposed by this Section 4.3.9.~~D~~ E in addition to Conditional Use approval and issuance of a Conditional Use permit pursuant to Article 8 (Administration, Procedures & Enforcement).

3. The conditions, standards, and requirements of each Use Permitted Subject to Limited Use Standards or Conditional Use shall be applicable, irrespective of the Use being a Principal Use, an Accessory Use, or a Temporary Use.

4. The conditions and requirements applicable to any Use Permitted Subject to Limited Use Standards or Conditional Use shall be enforceable, and failure to comply with any condition or requirement of a Use Permitted Subject to Limited Use Standards or as a Conditional Use shall subject such Use Permitted Subject to Limited Use Standards or Conditional Use to revocation pursuant to Section 8.6.1.J.

5. No Use Permitted Subject to Limited Use Standards or Conditional Use shall commence or exist, or be conducted or engaged in, on any Lot or Building Site, or within any Building except in accordance with all applicable conditions and requirements for such Use, including without limitation in the case of a Conditional Use, review, approval, and issuance of a Conditional Use Permit by the Board of Zoning Appeals.

Article 4 Building, Lot & Building Site Standards
Proposed Zoning Text Amendment

Additions are Underlined
~~Deletions are Strikethrough~~

§ 4.3.9.E.6 Attached Dwellings

Limited Use Standards (p. 243)

~~e~~d. **Attached Dwellings,** which includes

Apartments, the Residence portion of a Live/Work Building, Mixed Use Building, or Flex Building, Multifamily Dwellings, Two-Family Dwellings, Duplexes, Rowhouses, Large Multifamily Buildings and Small Multi-Family Buildings**, shall** be permitted in accordance with the applicable Use Table, subject to the following:

(1) Within the CD-2, CD-3L, and CD-3 District,~~N~~ no more than three (3) Duplex Buildings (each Duplex Building containing two Dwellings) may be located on any Block Face.

Limits number of duplexes on a street while allowing flexibility on adjacent streets

(2) Within the CD-3 District, Duplex Buildings shall have only one entrance along the frontage, with any additional exterior entrances located within the 3rd layer.

(3) Party walls, subject to the provisions of the Standard Building Code and National Fire Protection Association Fire Code, shall be provided along all points of attachment.

(4) Additional Use limitations may be applicable to specific types of Attached Dwellings.

(5) Within the CD-5 District buildings enfronting the rights of way identified in Section 4.3.9.C must contain a retail sales or service use, restaurant use, arts-related use, or office use at the sidewalk level through the depth of the second layer for at least 80 percent of the building frontage.

(6) In all districts, Townhouses shall be subject to the following limitations:

Requires rear-loaded townhomes

(a) Garages, when they are provided, must be located at the rear of the Building facing an Alley or Driveway;

(b) Individual unit parking and driveways must be located at the rear of the Building;

(c) On-street parallel parking is permitted;

(d) Parking Lots and Parking Areas are permitted in accordance with 4.3.9.E.6.ag and 4.3.12.

§ 4.3.9.E.6 Civic Buildings

Limited Use Standards (p. TBD)

g. **Civic Buildings** in all districts may utilize the lot occupation, building, and other standards of the Civic District listed at **Table 4.3.1-U**.

Provides workable standards for churches, schools, and other non-residential buildings in CD-2, CD-3L, and CD-3

§ 4.3.9.E.6 Outdoor Storage

Limited Use Standards (p. 255)

a~~e~~g. **Outdoor Storage,** where permitted by this Ordinance, ~~all~~ shall be located ~~only in the 3rd Layer and~~ at least 15 feet from the public right-of-way and any Abutting Residential Use or Residential District. All areas utilized for outdoor storage should be screened from view from the public right-of-way.

Removes a difficult to apply standard and replaces it with a screening requirement

§ 4.3.9.E.6 Parking Lots

Limited Use Standards (p. 255)

ag~~f~~. **Parking Lots** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) No storage, repair, or sales of vehicles shall be allowed on the site.

(2) A wall, ~~or~~ or continuous evergreen hedgerow of at least 24 inches and no more than ~~30~~48 inches in height shall be placed around the perimeter of the Parking area to prevent Encroachment of vehicles into the surrounding area. Openings for pedestrian and vehicular access are permitted.

Clarifies the requirement for demarcation of a parking lot

(3) Compliance with all other applicable provisions of this Code related to Parking Lots.

Article 4 Building, Lot & Building Site Standards
Proposed Zoning Text Amendment

Additions are Underlined
~~Deletions are Strikethrough~~

Table 4.3.9.A-2 Accessory Use Table (p. 261)

Change Accessory Dwelling Unit (ADU) from "P" (Permitted) to "PL" Permitted Subject to Limited Use Standards for CD-2, CD-3L, CD-3, CD-4, CD-4C, and CD-5C.

Replace current table with changes to formatting (see Attachment 4.F).

Changes the permissibility of ADUs Adds Limited Use Standards to

§ 4.3.9.E.6 Accessory Dwelling Units

Limited Use Standards (p. 243)

a. Accessory Dwelling.

(1) Only one Accessory Dwelling is permitted on any Lot or Building Site.

(2) The Accessory Dwelling must be accessory to a House or Townhouse used for Household Living..

(3) If the Accessory Dwelling is not attached to the primary dwelling, it must be separated a minimum of ten (10) feet from the primary dwelling.

(4) In all districts except CD-2, an Accessory Dwelling may not exceed 600 square feet of habitable space; in a CD-2 Character District, an Accessory Dwelling may not exceed 1,000 square feet of habitable space.

(5) An Accessory Dwelling Unit may not be used for Transient accommodations or as a Short-Term Rental Unit.

Limits the number of ADUs per Lot or Building Site and applies other standards

See revised definition in Article 9

(6) The Accessory Dwelling must share ownership and utility connections with the primary dwelling.

TABLE 4.3.9.A-3 Temporary Uses (p. 263)

Replace current table with changes to formatting (see Attachment 4.G).

TABLE 4.3.10 Encroachments (p. 264-266)

Replace current table with changes to formatting (see Attachment 4.H) and add items from 4.3.1 Tables which are listed as "non-building components."

Replace "CLot or Building Sitehes poles or lines" with

"Clothes poles or lines,"

Add "See Section 4.3.6" after "Retaining walls"

Corrects formatting error and revises encroachments table

§ 4.3.11 Modification of Parcel Buffers (p.268)

I. Modification.

1. The Parcel Buffer requirement may be modified by the Zoning Administrator upon a finding that:

(a) a modification would be consistent with the purpose of protecting residential land uses from noise, odor, and unsightliness of adjacent higher intensity land uses;

(b) the actual proposed use of the Lot or Building Site is not incompatible with the use of the abutting parcel;

(c) a modified buffer, fence, or screening adequately mitigates any potential deleterious impact to abutting parcels; or

Provides for common sense modification of Parcel Buffers

(d) site conditions render the required buffer ineffective.

2. The applicant may appeal the Zoning Administrator's determination as described in 8.5.17.

§ 4.3.12.B Parking (p. 268)

A. General.

1. Within each District, all Parking Areas, Parking Structures, Parking Lots, Garages, and other Parking accommodations shall be provided, located, designed, accessed, constructed, maintained, operated, and otherwise meet the standards and requirements specified for the applicable District in **Tables 4.3.1-A– 4.3.1-U (District Standards)**, **Table 4.3.12.B (Vehicular Parking Requirements)** and **Table 4.3.12.C (Off-Street Vehicular Parking Space Dimensions)** or **Table 4.3.12.A-3 (Off-Street Compact Vehicular Parking Space Dimensions)**, except as they may be modified by the handicapped Parking regulations found in Section 4.3.12.B.9 and 4.3.12.B.10.

B. Parking Required.

1. Vehicular Parking shall be provided in accordance with this Section 4.3.12.B and Table 4.3.12.B (Vehicular Parking Requirements), shall comply with and be located and in accordance with Tables 4.3.1-A–4.3.1-U (District Standards) and shall be designed in accordance with Section 4.3.12.C and Table 4.3.12.C (Off-Street Vehicular Parking Space Dimensions).

2. Vehicular Parking required for each Lot or Building Site shall be determined based on the quantity of Principal Use(s) of the Lot or Building Site and the number of spaces available to the Lot or Building Site, as determined by Section 4.3.12.B, Section

4.3.12.4, and **Table 4.3.12.B-1 (Vehicular Parking Requirements)**.

3. The number of spaces of Parking available to a Lot or Building Site is the sum of

(a) All spaces within the Lot or Building Site,

(b) All spaces Adjacent to the Frontage Line on the same side of the Thoroughfare or Internal Drive as the Lot or Building Site, and

(c) If elected by the Applicant, all spaces within the same or an Adjacent Block within a public Parking Lot or Parking Structure or by Parking agreement or Easement.

(d) Any fractional spaces shall be rounded down to the nearest whole number.

4. Exemptions

Provides parking solutions for existing buildings in the historic core of Columbia

(a) Within CD-5, the Columbia Arts District Overlay, and the Columbia West End Historic District, existing buildings and uses shall comply with the following:

(i) When a non-residential use is changed to another non-residential use, additional parking spaces are not required;

(ii) A one-time building expansion of ten percent (10%) or less of the existing floor area, up to a maximum expansion of 1,000 square feet, shall not require additional parking spaces, provided that the number of existing parking spaces on the Lot or Building Site shall not be reduced to accommodate the expansion;

(iii) When a building is demolished and a new building is constructed, or the area of the structure is expanded by more than ten percent

(10%), parking shall comply with the standards of this section for the entire square footage of the building.

(iv) For new construction, the Zoning Administrator may approve counting all public and on-street spaces within 1,320 feet of the Lot or Building Site; and

(v) When a residential use is changes to a non-residential use, the Zoning Administrator may approve counting all public and on-street spaces within 1,320 feet of the Lot or Building Site.

~~4.~~5 The number of spaces of Parking available to a Lot or Building Site ~~must~~ may not exceed ~~be less than, nor more than 30% greater than,~~ the number of spaces of Parking determined by **Table 4.3.12.B-1 (Vehicular Parking Requirements)** by more than thirty percent (30%) based on the quantity of Principal Use(s) on the Lot or Building Site, provided that the minimum number of spaces may be reduced pursuant to Section 4.3.12.B.5 and Section 4.3.12.B.6.

~~5~~6. For purposes of this Section 4.3.12.B-2, the number of Parking spaces available to a Lot or Building Site may be reduced, at the election of the Applicant, by dividing the number of spaces of Parking required to be available to the Lot or Building Site by the applicable Shared Parking Factor. The Zoning Administrator may assign an appropriate factor to uses not listed.

~~6.~~7 The applicable Shared Parking Factor is determined under **Table 4.3.12-B (Shared Parking Factor)** for any two Principal Uses within the Lot or Building Site or within the Lot or Building Site and any other Lot or Building Site within the same or any Adjacent Block.

Article 4 Building, Lot & Building Site Standards
Proposed Zoning Text Amendment

Additions are Underlined
~~Deletions are Strikethrough~~

§ 4.3.12.F Parking Restrictions (p. 283)

1. Domestic and recreational vehicles such as boats, camper trailers, and utility trailers shall be stored off - street, subject to the location requirements of **Table 4.3.1-A– 4.3.1-U (District Standards)**. Boats, camper trailers, and utility trailers may be stored on an unpaved surface, provided they are parked in the third layer and screened from view from the public right-of-way and adjacent properties.

§ 4.3.13 Bicycle Parking (p. 286)

4.3.13 Bicycle Parking

Adds standards for bicycle parking facilities

A. Bicycle Parking Required

Bicycle Parking shall be provided within CD-4,CD-4C, and CD-5 for a Lot or Building Site as set forth in **Table 4.3.13 (Bicycle Parking)**.

B. Bicycle Parking Standards

1. Bicycle parking shall be provided using Bicycle Racks, Bicycle Lockers, restricted access bicycle enclosures, or similar secured facilities.

2. Bicycle Racks shall be securely anchored.

3. An aisle providing access to bicycle parking areas shall clear maneuverable access without limiting use of any sidewalk. Access aisles must be at least 4-feet wide.

4. Bicycle parking areas may be located in any layer and should be accessible from the main entrance by a continuous sidewalk connection.

~~**1.**~~**5.** Bicycle parking areas shall be separated from automobile parking and circulation areas by a physical barrier or a distance of feet.

Article 4 Building, Lot & Building Site Standards
Proposed Zoning Text Amendment

Additions are Underlined
~~Deletions are Strikethrough~~

§ 4.3.16.L.5.c(2)

Protection of Specimen Trees (p.296)

(2) Replacement trees shall be ~~either~~ planted on the Lot or Building Site or, as applicable, the Development Parcel~~site, as applicable,~~ where the Specimen Tree was removed; however, in cases where space on the Lot or Building Site ~~or site~~ is insufficient, the Zoning Administrator may allow mitigation through planting on a site within 1,320 feet of the Lot or Building Site. In cases where space on the Development Parcel is insufficient, the Planning Commission may allow mitigation through planting on an a site within 1,320 feet of the Development Parcel.~~may take the form of payment to the City's tree bank, pursuant to Section 4.3.16.L.8~~

Provides additional flexibility for location of replacement tree plantings

§ 4.3.16.L.4.e(2)

Protection of Tree Canopy (p.295)

(2) Replacement trees for trees removed from the Tree Save Area shall be planted in the Tree Save Area or, in cases where adequate room is not available, planted elsewhere on the Lot or Building Site or Development site. In cases where adequate room on the Lot or Building Site or Development site is not available, as determined by the ~~Development Review Committee~~Decision Making Authority for the applicable review, mitigation may take the form of planting on a site within 1,320 feet of the Lot, Building Site, or Development Parcel~~payment to the City tree bank, pursuant to Subsection 4.3.16.L.8.~~

Article 4 Building, Lot & Building Site Standards
Proposed Zoning Text Amendment

Additions are Underlined
~~Deletions are Strikethrough~~

Further Modifications Throughout

Delete retaining wall standard at p. 54, 64, 74, 84, 94, 104, 114, 122, 132, 144, 154, 166, 177, and 188 "If supporting grade 8 ft. or higher than grade at interior edge of a required Buffer, must be set back 10 ft. from such interior edge;" **and replace with** "See Section 4.3.6."

Delete retaining wall standard at p. 84, 94, 104, 114, 122, 132, 144, 154, 166, 177, and 188 "P within required Yards, per Section 4.3.10."

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-2 TABLE 4.3.1-A DISTRICT STANDARDS
RURAL CHARACTER DISTRICT

General Description

The CD-2 Rural Character District consists of large-lot semi-rural estates, open spaces, and legacy agricultural operations in low density single-family detached Residential areas. CD-2 is an appropriate District for the Rural Transition and Hillsides & Natural Spaces future land use Character Areas described in the Comprehensive Plan.

CONTENTS

CD-2 TABLE 4.3.1-A DISTRICT STANDARDS: RURAL CHARACTER DISTRICT

Density / Floor Area Ratio (FAR)	*Applicable only to Development Parcels
1 Density Unit per acre max	

BLOCK SIZE*	*Applicable only to Development Parcels
Block Perimeter	**NR**

Private Frontage Types

Common Yard	P	Stepfront	P
Porch	P	Shopfront	P
Fence	P	Gallery	P
Terrace/Lightwell	P	Arcade	P
Forecourt	P	Officefront	P
Stoop	P		

See Table 4.3.7.A (Private Frontage Types)

Civic Space Types*

*Applicable only to Development Parcels.

Natural Area	P	Playground	P
Green	P	Sport Field	P
Square	NP	Community Garden	P
Plaza	NP	Pocket Park	NP

See Table 5.3.3.A (Civic Space Types - Summary) and Table 5.3.3.B (Civic Space - Specific Standards)

Permitted Uses

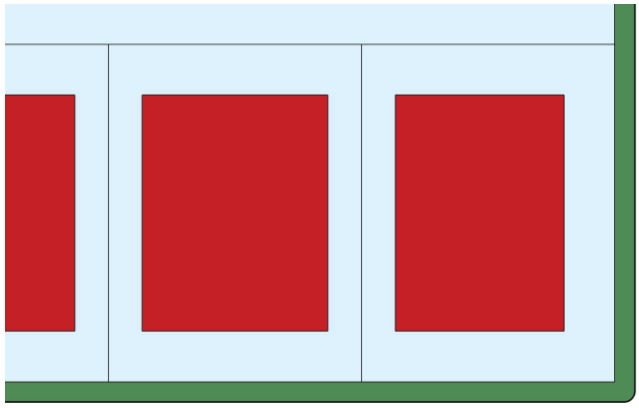
See Table 4.3.9.A-1 (Building, Lot & Building Site Principal Use), Table 4.3.9.A-2 (Building, Lot & Building Site Accessory Uses), and Table 4.3.9.A-3 (Building, Lot & Building Site Temporary Uses). For Development Parcels, see also Table 5.1.11 (Principal Use Mix).

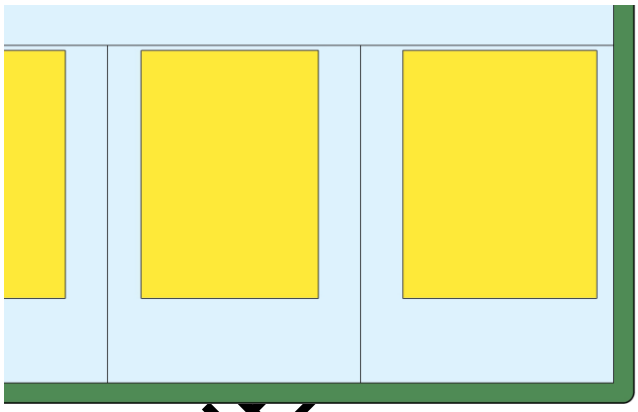
Number of Buildings

Principal Building	1 max
Accessory Buildings	2 max

CONTENTS WILL BE MODIFIED BY ZTA

CD-2 TABLE 4.3.1-A DISTRICT STANDARDS: RURAL CHARACTER DISTRICT





Lot Occupation	
Lot/ Building Site Width	125 ft. min.
Frontage Buildout	**NR**
Lot/ Building Site Area	12,000 sq. ft. min.
Impervious Surface Coverage	**NR**
Lot/ Building Site Enfrontment	Must enfront a vehicular Thoroughfare
Lot/ Building Site Access	All lots must have legal and physical vehicular access to a vehicular Thoroughfare via Driveway or Easement.

Setbacks / Yards

Setbacks / Yards – Principal Building			Setbacks / Yards – Accessory Building		
Front Setback/ Yard Principal Footage	30 ft. min.	**A**	Front Setback/ Yard Principal Frontage	20 ft.min + Principal Building Front Setback/ Yard	**E**
Front Setback/ Yard Secondary Frontage	30 ft. min.	**B**	Front Setback/ Yard Secondary Frontage	30 ft. min	**F**
Side Setback/ Yard Each side	20 ft. min. 30 ft. min, or 15 ft min	**C**	Side Setback/ Yard Each side	20 ft. min	**G**
Rear Setback	From center line of Alley	**D**	Rear Setback	5 ft. min	

CONTENTS WILL BE MODIFIED

CD-2	TABLE 4.3.1-A DISTRICT STANDARDS: RURAL CHARACTER DISTRICT

Building Standards

Building Height*

Principal Building 3 Stories max

Accessory Building 2 Stories max

*Stories and height do not include Attics and Basements, chimneys, flagpoles, towers, spires, belfries, parapet walls, aerials, or antennas. Any Building exceeding 35 feet in height must obtain approval from the stipulations made by the Fire Department in accordance with the above cited codes shall be required.

Ceiling Height

NR

Building Composition

Vertical Composition **NR**

Finished Floor Level **NR**

Façade	
Main Entrance	Main Entrance must be in Façade of Principal Frontages, located no further than 50% of the total Façade width for the Principal Frontage from the First Layer
Façade Position	Parallel to straight Frontage Line or to tangent of curved Frontage Line
Façade & Façade Element Design Proportions	Except House Building Types, must be vertically proportioned
Blank Walls	**NP**
Façade Articulation	**NR** at Frontage
Façade Openings	Except House Building Types, windows, and/or doors spaced ≤ 20 ft. apart Except House Building Types, in Stories above first, Façade openings must be ≤ 50% of the total Façade area
Façade Glazing	Except House Building Types, 20% - 60% of total Façade area
Window Shape	Except House Building Types, square or vertical in proportion, except transoms
Window Alignment	Except House Building Types, upper floor windows and other features must be aligned with those on the first floor
Window Types	Except House Building Types, and except for transoms and sidelights, Windows in Facade and 1st & 2nd Layers must be single-hung, double-hung, casement or awning types
Window Glazing Material	Except House Building Types, clear glass is required for all Elevations
Window Trim in 1st Layer	Except House Building Types, min. 4 in. trim with sill and top plate if siding surrounding window; soldier course above lintel and rollock course below sill if brick or stone surrounds window
Shutters	Except House Building Types, and if any, must be functional and proportioned to cover half of window width from each side or entire window width, with shutter dogs
Façade Window Sill Height	**NR**
Porch Frontages	Min. 6 ft. clear depth, excluding rails, pillars, columns or other features
Shopfront Frontages	**NR**
Façade Variety	**NR**

CONTENTS WILL BE MODIFIED BY ZT

CD-2	TABLE 4.3.1-A DISTRICT STANDARDS: RURAL CHARACTER DISTRICT

Building Standards (continued)

Roof Type & Pitch

Flat	NP
Shed	P at rear only and if ridge is attached to an exterior Building wall; except for porches, stoops or dormers which may have a shed rood anywhere on the Building.
Hip	P
Gable	P
Pitch	6:12 – 6:14, except for shed roofs which may be 3:12 – 14:12 and except rood pitch may match the primary roof pitch of an existing Building that is less than 6:12

Roof Design

Eaves shall extend no less than nine inches beyond the supporting walls.
Gable end rakes shall overhang at least six inches.
Eaves and rakes on Accessory Buildings and dormers shall overhang at least six inches.
Soffits shall be placed perpendicular to the Building wall, not sloping in plane with the roof (except for gable end rakes).

Building Materials

Primary Building Material on Facades	Brick	P	Exposed concrete	NP
	Natural stone	P	Vinyl siding	P
	Wood	P	Aluminum siding	NP
	Cementitious siding	P	Corrugated and/or sheet metal	NP
	Authentic stucco over masonry	P		

Changes in Building Materials	Primary materials must continue along side Elevations through 2nd layer. Primary materials shall continue for entire length of all Facades facing a frontage. Any material changes must coincide with form, structural, or massing changes and shall not occur at outside corner of any such change.
Building Colors	
Foundation Cladding	**Required**; brick or natural stone
Porch Pier Cladding	**Required**; brick or natural stone, with any space under Porch concealed by painted or stained latticework between piers
Chimney Cladding	**Required**; brick, natural stone, with material matching primary material of Façade

Building Types

House	P	Commercial	NP
Duplex	NP	Mixed Use	NP
Townhouse	NP	Flex	NP
Small Multifamily	NP	Mid-Rise	NP
Large Multifamily	NP	Large Scale Commercial	NP
Live/Work	NP	Civic	P

CONTENTS WILL BE MODIFIED BY ZTA

See Table 4.3.8.A (Principal Building Types - Summary) and Table 4.3.8.B (Principal Building Types - Specific Standards). For Development Parcels, see also Table 5.1.10 (Building Type Mix).

CD-2 TABLE 4.3.1-A DISTRICT STANDARDS: RURAL CHARACTER DISTRICT

Vehicular Parking Requirements

Parking Location

	On-Street Parking	Off-Street Parking
Domestic Vehicles	P	P in 3rd layer only, and in Driveway
Recreational Vehicles	NP	P in 3rd layer only, and in Driveway
Heavy Equipment	NP	P in 3rd layer only, and in Driveway
Tractor trailers (including trailers for storage)	NP on-Street, except for delivery and Temporary Use of trailers	NP
All Other Vehicles	NP	P in 3rd Layer only, and in Driveway

Additional Parking Requirements

Off-Street Parking Surface	P Prepared surface of gravel, asphalt, concrete, or other hard surface
Garage Location	In 2nd or 3rd Layer only; Min interior dimensions 10 ft. x 20 ft. per vehicle Parking space
Garage Design	If Garage faces Street in 2nd or 2nd layer: max. Garage door width 33% of total Garage
Driveway/ Vehicular Entrance Location	P in any Layer
Driveway/ Vehicular Entrance Maximum Width	10' – 20' in 1st Layer
Parking Structure	NP
Parking Structure Pedestrian Exit Location	N/A

Bicycle Parking

See Section 4.3.13

Thoroughfare & Internal Drive Types*

See Article 5 (Development Parcel Standards) for additional requirements

* Only applicable to Development Parcels

CONTENTS WILL BE MODIFIED BY ZTA

CD-2 TABLE 4.3.1-A DISTRICT STANDARDS: RURAL CHARACTER DISTRICT

Loading & Access	
Off-Street Loading and Storage	P in 3rd Layer only
Utility Box & Service Meter* Locations (*Not including water meters)	P in 3rd Layer only
Off-Street Trash Receptacle Locations	P in 3rd Layer only
Off-Street Dumpster Locations	N/A
Drive- Through Locations	N/A

Non-Building Components

	1st Layer	2nd Layer	3rd Layer
HVAC Equipment, Utility, Service and Mechanical Equipment	NP	NP	P
Solar Panels	P if coplanar to and integrated into roof deign	P if coplanar to and integrated into roof deign	P
Antennas & Satellite Equipment	P in 1st or 2nd Layer if such Layer is only possible location for satisfactory reception	P in 1st or 2nd Layer if such Layer is only possible location for satisfactory reception	P
Recreation or Paly Equipment	NP		P
Animals Enclosures, Runs or Shelters	NP	NP	P
Swimming pools, Hot Tubs and Spas	NP		P
Transmitting and/or receiving towers, or antennas and wind-generating machines	NP	NP	P

Signs

See Sign Standards in Article 7 (Sign Standards) and Table 7.12.B-1 (Sign Types - Summary) and Table 7.1.2.B-2 (Sign Types- Specific Standards)

Lighting

See Private Lighting Requirements in Section 4.3.17 and Table 4.3.17.B (Private Lighting Standards)

CONTENTS WILL BE MODIFIED BY ZTA

CD-2	TABLE 4.3.1-A DISTRICT STANDARDS: RURAL CHARACTER DISTRICT

Private Landscaping and Fencing

Landscaping

In compliance with Section 4.3.16; with one (1) tree min per 50 ft. of Frontage

Walls & Fencing

Height 4 ft max at Frontage, otherwise 6 ft max; height measured from avg. undisturbed grade of Adjacent property at property line

Construction Finished ide must face Adjacent property, Thoroughfare, Path, Passage or Waterbody

Maintenance Must be well maintained, in upright condition and free of missing or broken parts and graffiti.

Materials

Natural Wood	P	Chain Link	P at sides and rear only
Brick, Natural Stone, or Stucco over Masonry	P	Barbed/ Razor/ Concertina Wire	NP
Wrought Iron or Aluminum	P	Exposed or Painted Aggregate Concrete	NP
Vinyl	P	Smooth or Split-faced Block	NP

Additional Standards

Pedestrian Connections through to Adjacent Neighborhoods or Uses — **Required**

Locations of Retaining Walls — P within required Yards, per Section 4.3.10
If supporting grade 3 ft. or higher than property line, must be set back 10 ft. from property line

Screens, Street-Screens & Buffers

Height

	At Frontage or Adjacent to Civic Space	Not at Frontage or Adjacent to Civic Space
Wall Screen/Street-Screen Height	3ft. to 3.5ft.	5ft. to 6ft; Minimum 6ft. for Dumpsters and Trash Receptacles
Fence Screen/ Street-Screen Height	NP	5ft. to 6ft. for Dumpsters and Trash Receptacles
Hedge Screen/ Street-Screen Height	3ft. to 3.5ft at installation	5ft. to 6ft. at installation

Materials

Wall Screen or Street-Screen	Brick, Natural Stone or Stucco over Masonry
Fence Screen or Street-Screen	Natural Wood, painted or unpainted
Hedge Screen or Street-Screen	Evergreen plants with min. 80% opacity

CONTENTS WILL BE MODIFIED BY ZTA

CD-2	TABLE 4.3.1-A DISTRICT STANDARDS: RURAL CHARACTER DISTRICT

Additional Standards	
Non-Residential & Multi-Family Residential Screen. Street-Screen Adjacent to or across Thoroughfare from Non-Family Residential	**N/A** (uses not permitted in District)
Screening of Parking, Loading Areas, Service Areas, Outdoor Storage, Drive-Throughs, Trash Receptacle/Dumpsters, HVAC and other equipment Screened from Frontage, Civic Space and Adjacent Property	**Required**; except at Driveways Parking Lots and Parking Areas must be Screened From Frontage and Civic Space by Building or Street-Screen; otherwise Screening must be by Building, wall, hedge or fence at Frontage or Building wall, hedge or fence not at Frontage or Adjacent to Civic Space.
Rooftop Antenna Screening	**NR**
HVAC, Mechanical and other Equipment Screening	**Required**: Must be Screened from Frontage and Civic Space by Building Parapet or other Building element
Self-Storage Warehouse Screening	**N/A** (not permitted in District)
Street-Screen Location Parcel Buffer Project Buffer	2nd Layer Section 4.3.11.H Section 5

CONTENTS WILL BE MODIFIED BY ZTA

CONTENTS WILL BE MODIFIED BY ZTA

TABLE 4.3.8.A PRINCIPAL BUILDING TYPES - SUMMARY

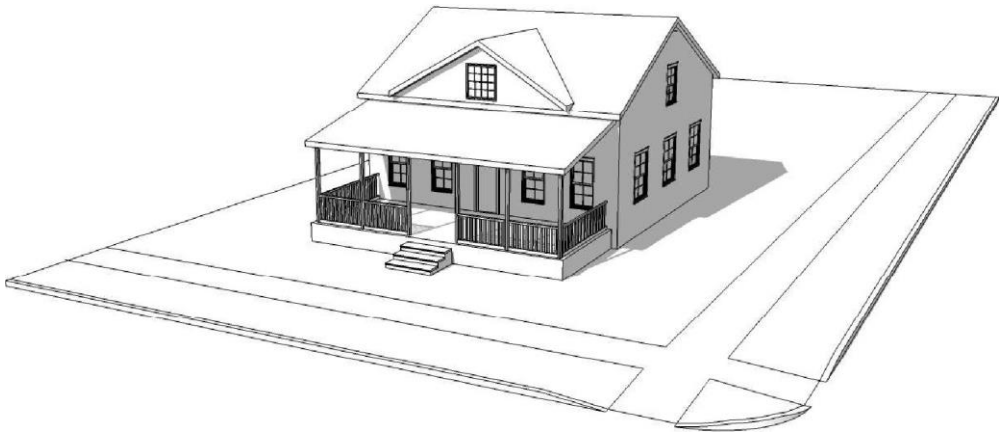
PRINCIPAL BUILDING TYPE		PERMITTED DISTRICTS
	Manufactured Home A detached one family dwelling constructed as a single self-contained unit and mounted on a single chassis transportable after fabrication on its own wheels or detachable wheels, as further defined in Article 9 (Definitions).	SD-MHP
	House A medium-sized Building designed as a Single-Family Detached Dwelling, situated on a medium or large Lot or Building Site with an Edgeyard, often shared with an Accessory Building in the rear.	CD-2 CD-3L CD-3 CD-4 CD-4C PUD-R
	Duplex A small- to medium- sized Principal Building, other than a manufactured housing unit, situated on a small-to-medium sized Lot or Building Site with an Edgeyard or Sideyard, which Building contains two Dwelling Units with separate entrances at least one of which faces the Thoroughfare or Internal Drive. Both Dwelling Units, whether side-by-side, front-to-back, or over-and-under, are contained within a single Building Massing.	CD-3 CD-4 CD-4C PUD-R
	Townhouse A Principal Building in a collection of very narrow- to medium-sized attached Buildings on contiguous Lots or Building Sites with a Rearyard (or Sideyard if an end unit), which collection consists of side-by-side Dwelling Units with individual entries facing the Thoroughfare or Internal Drive. Each Building occupies the full Frontage Line of its Lot or Building Site and shares at least one Party Wall with another Building of the same type.	CD-4 CD-4C CD-5 CD-5C SD-LI PUD-R PUD-MU
	Small Multi-Family Building A Principal Building that incorporates between three (3) and six (6) side-by-side and/or horizontally stacked Dwelling Units, typically with one or more shared entries.	CD-4 CD-4C CD-5 CD-5C SD-LI PUD-R PUD-MU
	Large Multi-Family Building A Principal Building that incorporates between seven (7) and twenty four (24) side-by-side and/or horizontally stacked Dwelling Units, which may have one or more shared entries. CD	CD-4 CD-4C CD-5 CD-5C SD-LI PUD-R

		PUD-MU
	Live/Work Building A small- to medium-sized attached or detached Principal Building, which includes a flexible space for Commercial Use and an internally connected Residential Dwelling Unit above and/or behind the flexible space.	CD-4 CD-4C CD-5 CD-5C SD-INT SD-LI PUD-R PUD-MU
	Commercial Building A small- to medium-sized attached or detached non-Residential Building, typically designed to facilitate pedestrian-oriented Retail / Personal Service / Repair / Art / Artisan Uses and Office Uses.	CD-4 CD-4C CD-5 CD-5C SD-INT PUD-MU
	Mixed-Use Building A ~~typically attached~~ Principal Building, which provides a vertical and/or horizontal mix of Uses ~~typically~~ designed to facilitate pedestrian-oriented Retail / Personal Service / Repair / Art / Artisan, Lodging, or Office Uses on the ground floor, with upper floors typically designed for Residential or Office Uses. <u>The ground floor of a Mixed Use building must be occupied by a Retail / Personal Service /Repair/Art / Artisan, Accommodations / Lodging, or Office use along all Façades.</u>	CD-4 CD-4C CD-5 CD-5C PUD-MU
	Flex Building A large footprint Principal Building designed to accommodate either a single Use or a vertical or horizontal mix of Uses.	CD-4 CD-4C CD-5 CD-5C SD-INT SD-LI SD-HI PUD-MU
	Mid-Rise Building An attached or detached Building that may provide a vertical and/or horizontal mix of Uses, typically designed to facilitate pedestrian-oriented Retail/Personal Service, Lodging, Business/Commercial, or Office Uses on the ground floor, with upper floors typically designed for Residential or Office Uses.	CD-5 CD-5C SD-LI PUD-MU
	Large-Scale Commercial Building A building of 50,000 square feet or more that is most commonly associated with a large-format retailer. It has in-line Retail or Liner Buildings along the front of the Building.	CD-4C CD-5C SD-INT SD-LI PUD-MU
	Civic Building	CD-2

	A medium- to large-sized attached or detached Principal Building, which is operated by a not-for-profit organization or governmental entity dedicated to Civic activities, and is designed to stand apart from its surroundings due to the specialized nature of its Civic purpose. Examples include Libraries, Places of Worship, Places of Assembly, Courthouses, schools, centers of government, Performing Arts Venues, and Museums. Civic Buildings are often the	CD-3L CD-3 CD-4 CD-4C CD-5 CD-5C PUD-R PUD-MU CV

HOUSE

TABLE 4.3.8.B PRINCIPAL BUILDING TYPES
SPECIFIC STANDARDS



Permitted Districts

CD-3 CD-4 CD-4C PUD-R

General Description

A medium-sized Building designed as a Single-Family Detached Dwelling having an Edgeyard yard type that may be shared with an Accessory Building in the backyard. This Building type typically incorporates a single Residential unit.

Lot/Building Site

Width	Per District Lot/Building Site Width

Number of Units

Units per Building	1 max.

Allowed Private Frontages

Common Yard	P
Fence	P
Porch	P
Stoop	P

Building Size & Massing

Height

2 Stories max

Width

Not Regulated

Pedestrian Access

Main Entrance Location	Principal Frontage

Vehicle Access & Parking

Parking may be accessed from an Alley, side Thoroughfare or Front Thoroughfare

DUPLEX

TABLE 4.3.8.B PRINCIPAL BUILDING TYPES
SPECIFIC STANDARDS

Permitted Districts

CD-3 CD-4 CD-4C PUD-R

General Description

A small- to medium- sized Principal Building, other than a manufactured housing unit, situated on a small-to-medium sized Lot or Building Site with an Edgeyard or Sideyard, which Building contains two Dwelling Units with separate entrances at least one of which faces the Thoroughfare or Internal Drive. Both Dwelling Units, whether side-by-side, front-to-back, or over-and-under, are contained within a single Building Massing.

Lot/Building Site	
Width	Per District lot/Building site width

Number of Units	
Units / Building	2

Allowed Private Frontages	
Common Yard	P
Fence	P
Porch	P
Stoop	P

Building Size & Massing

Height

2 Stories max

Width

Per District standards

Pedestrian Access	
Main Entrance Location	Principal Frontage

Vehicle Access & Parking

Parking may be accessed from an Alley, side Thoroughfare or front Thoroughfare

TOWNHOUSE

TABLE 4.3.8.B PRINCIPAL BUILDING TYPES
SPECIFIC STANDARDS

Permitted Districts

CD-4 CD-4C CD-5 CD-5C PUD-R

General Description

A Principal Building in a collection of very narrow- to medium-sized attached Buildings on contiguous Lots or Building Sites with a Rearyard (or Sideyard if an end unit), which collection consists of side-by-side Dwelling Units with individual entries facing the Thoroughfare or Internal Drive. Each Building occupies the full Frontage Line of its Lot or Building Site and shares at least one Party Wall with another Building of the same type.

Lot/Building Site	
Width	Per District lot/building site width
Number of Units	
Units per townhouse	1 max
Number of townhomes connected to another	3 min – 8 max
Allowed Private Frontages	
Porch	P
Stoop	P
Terrace/Lightwell	P

Building Size & Massing

Height

Per Character District Hight Standards

Width

18 ft. min per Townhouse

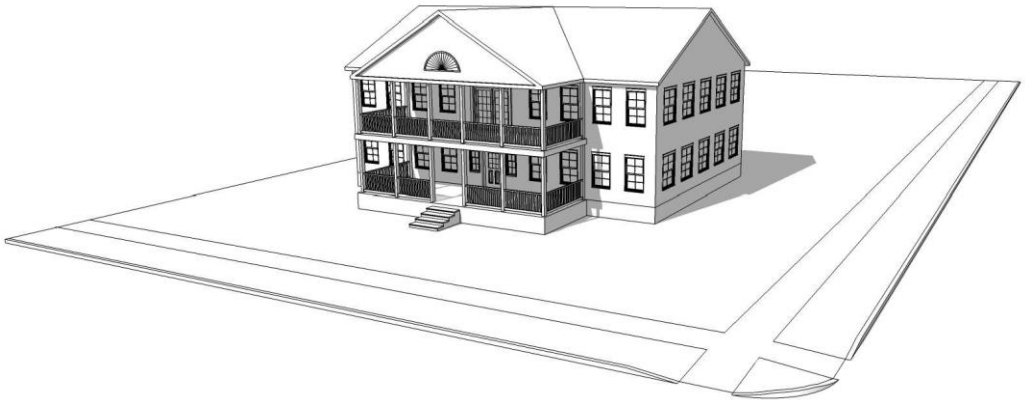
Pedestrian Access	
Main Entrance Location	Principal Frontage

Vehicle Access & Parking

Parking may be accessed from an Alley, side Thoroughfare, or front Thoroughfare

SMALL MULTIFAMILY

TABLE 4.3.8.B PRINCIPAL BUILDING TYPES
SPECIFIC STANDARDS



Permitted Districts

CD-3 CD-4 CD-4C PUD-R

General Description

A Principal Building that incorporates three (3) to six (6) side-by-side, and/or, horizontally staked Dwelling Units typically with one or more shared entries.

Lot/Building Site	
Width	Per district lot/building site width
Number of Units	
Units per building	3 min
Allowed Private Frontages	
Porch	P
Stoop	P
Forecourt	P
Terrace/ Lightwell	P

Building Size & Massing

Height

Per District height standards

Width

Per district lot/building site width and side setback/ yard standards

Pedestrian Access	
Main Entrance Location	Principal Frontage

Vehicle Access & Parking

Parking may be accessed from an Alley, Thoroughfare or internal drive at frontage

LARGE MULTIFAMILY

TABLE 4.3.8.B PRINCIPAL BUILDING TYPES
SPECIFIC STANDARDS

Permitted Districts

CD-3 CD-4 CD-4C PUD-R

General Description

A Principal Building that incorporates seven (7) side-by-side, and/or horizontally stacked Dwelling Units typically with one or more shared entries.

Lot/Building Site	
Width	Per district lot/building site width
Number of Units	
Units per building	7 min
Allowed Private Frontages	
Porch	P
Stoop	P
Forecourt	P
Terrace/Lightwell	P

Building Size & Massing

Height

Per district height standards

Width

Per district lot/building site width and setback/ yard standards

Pedestrian Access	
Main Entrance Location	Principal Frontage

Vehicle Access & Parking

Parking may be accessed from an Alley, Thoroughfare or drive at frontage

LIVE/WORK

TABLE 4.3.8.B PRINCIPAL BUILDING TYPES
SPECIFIC STANDARDS

Permitted Districts

CD-3 CD-4 CD-4C PUD-R

General Description

A small to medium sized attached or detached Principal Building which includes a flexible space for commercial use and an internally connected residential Dwelling unit above, and/or behind the flexible space.

Lot/Building Site

Width	Per district lot/building site width

Number of Units

Units per building	1 residential unit per 1 flexible space

Allowed Private Frontages

Stoop	P
Terrace/Lightwell	P
Shopfront	P
Officefront	P

Building Size & Massing

Height

Per district height standards

Width

18 ft min – 36 ft max

Pedestrian Access

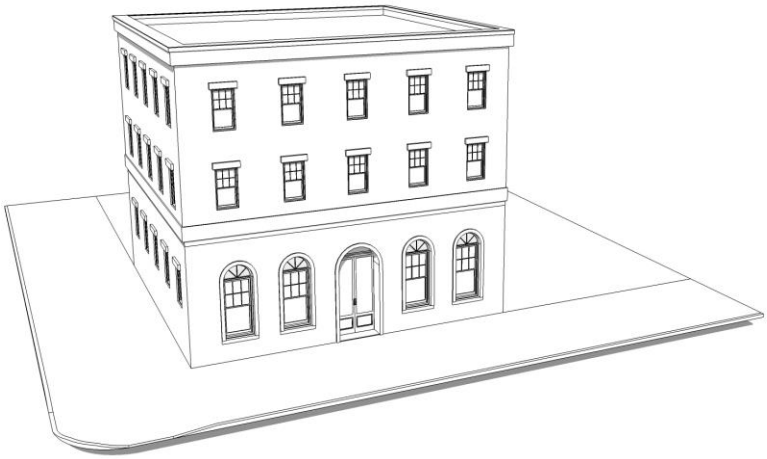
Main Entrance	Principal frontage

Vehicle Access & Parking

Parking may be accessed from an Alley, Thoroughfare or internal drive at frontage

COMMERCIAL

TABLE 4.3.8.B PRINCIPAL BUILDING TYPES
SPECIFIC STANDARDS



Permitted Districts

CD-3 CD-4 CD-4C PUD-R

General Description

A small to medium sized attached or detached non-residential building, typically designed to facilitate pedestrian-oriented Retail/Personal Service/ Repair/ Art/ Artisan Uses and Office Uses.

Lot/Building Site	
Width	Per district lot/building site width

Number of Units	
Units per Building	Unrestricted, except as may be due to building code

Allowed Private Frontages	
Stoop	P
Terrace/Lightwell	P
Shopfront	P
Officefront	P

Building Size & Massing

Height

Per district height standards

Width

Per district lot/building site width and side setback/ yard standards

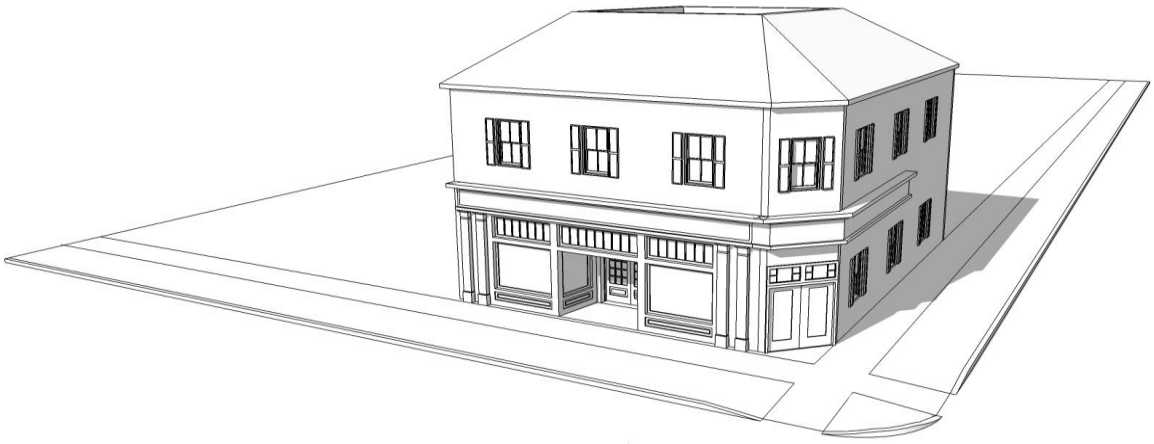
Pedestrian Access	
Main Entrance	Principal Frontage

Vehicle Access & Parking

Parking may be accessed from an Alley, a Thoroughfare, or internal drive at frontage

MIXED-USE

TABLE 4.3.8.B PRINCIPAL BUILDING TYPES
SPECIFIC STANDARDS



Permitted Districts

CD-3 CD-4 CD-4C PUD-R

General Description

A typically attached Principal Building which provides a vertical and/or horizontal mix of uses typically designed to facilitate pedestrian-oriented Retail/ Personal Service/ Repair/ Art/ Artisan, Accommodations/ Lodging, or Office uses on the ground floor, with upper floors typically designed for residential or office uses.

Lot/Building Site

Width	Per district lot/building site width

Number of Units

Units per Building	2 min., which must accommodate Principal Uses

Allowed Private Frontages

Stoop	P	Terrace	P
Forecourt	P	Officefront	P
Terrace/Lightwell	P	Gallery	P
Shopfront	P	Arcade	P

*Only used in conjunction with a shopfront or officefront type

Building Size & Massing

Height

2 stories min, 3 stories max in CD-4, CD-5 per district height

Width

Per district lot/building width and yard/side setback standard

Pedestrian Access

Ground floor	Principal Frontage
Upper floor	Principal or secondary

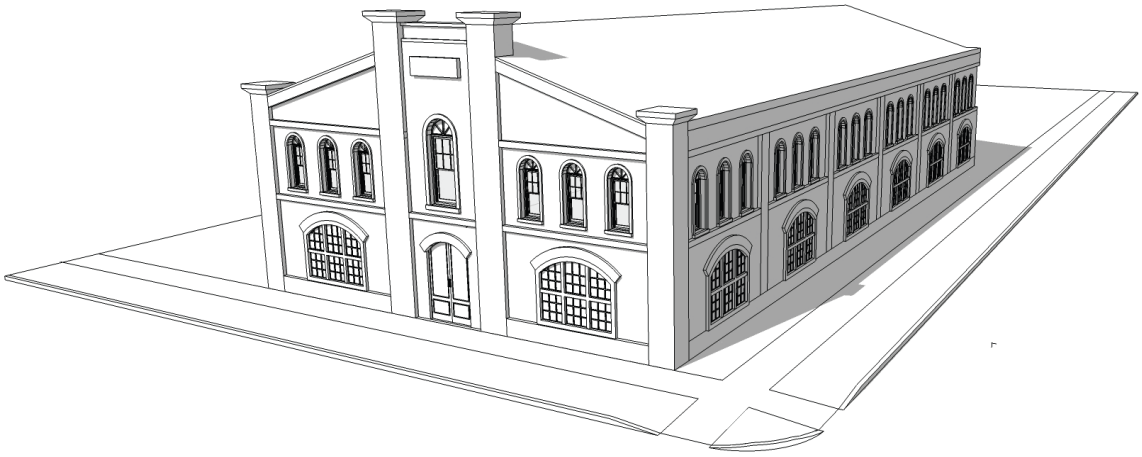
Upper floors must be accessed by a common entry

Vehicle Access & Parking

Parking may be accessed from an Alley, Thoroughfare, or internal drive at frontage

FLEX

TABLE 4.3.8.B PRINCIPAL BUILDING TYPES
SPECIFIC STANDARDS



Permitted Districts

CD-3 CD-4 CD-4C PUD-R

General Description

A typically attached Principal Building which provides a vertical and/or horizontal mix of uses typically designed to facilitate pedestrian-oriented Retail/ Personal Service/ Repair/ Art/ Artisan, Accommodations/ Lodging, or Office uses on the ground floor, with upper floors typically designed for residential or office uses.

Lot/Building Site

Width	Per District lot/building site width

Number of Units

Units per building	2 min, which must accommodate different principal uses

Allowed Private Frontages

Stoop	P	Terrace	P
Forecourt	P	Officefront	P
Terrace/Lightwell	P	Gallery	P
Shopfront	P	Arcade	P

Building Size & Massing

Height

2 stories min, 3 stories max in CD-4, CD-5 per district height

Width

Per district lot/building width and yard/side setback standard

Pedestrian Access

Ground floor	Principal Frontage
Upper floor	Principal or secondary frontage

Upper floors must be accessed by a common entry

Vehicle Access & Parking

Parking may be accessed from an alley, thoroughfare, or internal drive at frontage

*Only used in conjunction with shopfront or officefront type

MID-RISE

TABLE 4.3.8.B PRINCIPAL BUILDING TYPES
SPECIFIC STANDARDS

Permitted Districts

CD-3 CD-4 CD-4C PUD-R

General Description

An attached or detached building that may provide a vertical and/or horizontal mix of uses. ~~Typically~~ designed to facilitate a pedestrian-oriented Retail/ Personal Service/ Repair/ Art/ Artisan Accommodations/ Lodging, Commercial, or Office uses on the ground floor, with upper floors ~~typically~~ designed for Residential or Office use. The ground floor of a Mixed Use building must be occupied by a Retail / Personal Service /Repair/Art / Artisan, Accommodations / Lodging, or Office use along all Façades.

Lot/Building Site

Width	Per District lot/building Site Width

Number of Units

Units per Building	2 min, which may be residential or non-residential

Allowed Private Frontages

Stoop	P	Terrace	P
Forecourt	P	Officefront	P
Terrace/Lightwell	P	Gallery	P
Shopfront	P	Arcade	P

Building Size & Massing

Height

4 stories min, 5 max per district table 4.3.1

Width

Per district lot/building site width and side yard/ setback standards

Pedestrian Access

Ground Floors	Principal Frontage
Upper Floors	Principal or secondary frontage

Upper floors must be accessed by common entry

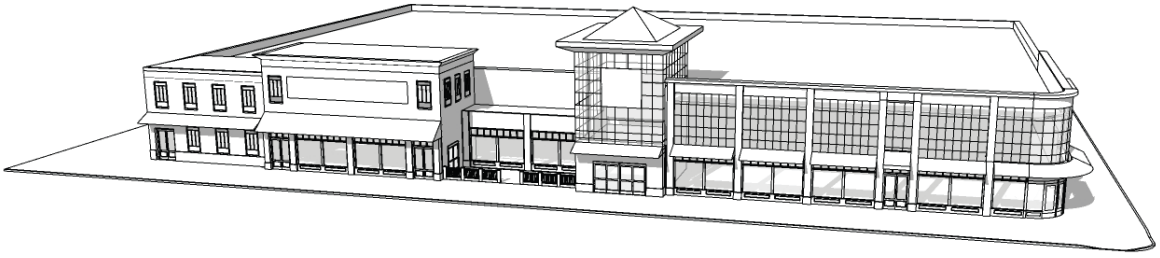
Vehicle Access & Parking

Parking may be accessed from an alley, thoroughfare, or drive at frontage

*Only used in conjunction with Shopfront or Officefront type

LARGE SCALE COMMERICAL

TABLE 4.3.8.B PRINCIPAL BUILDING TYPES SPECIFIC STANDARDS



Permitted Districts

CD-3 CD-4 CD-4C PUD-R

General Description

A building of 50,000 square feet, or more, that is most commonly associated with a large-format retailer. It has in-line Retail or Liner Buildings along the front of the building.

Lot/Building Site

Width	Per District lot/Building site width

Number of Units

Units per Building	Not regulated

Allowed Private Frontages

Stoop	P	Terrace	P
Forecourt	P	Officefront	P
Terrace/Lightwell	P	Gallery	P
Shopfront	P	Arcade	P

*Only used in conjunction with Shopfront or Officefront type

Building Size & Massing

Height

Per district height standards

Width

Per district lot/building site width and side yard/ setback standards

Pedestrian Access

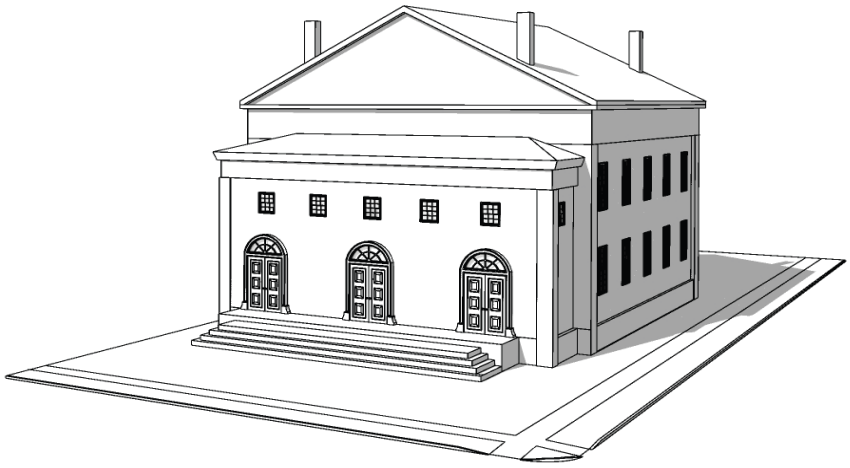
Ground floors	Principal frontage
Upper floors	Principal or secondary frontage

Vehicle Access & Parking

Parking may be accessed from an alley, thoroughfare, or internal drive at frontage

CIVIC

TABLE 4.3.8.B PRINCIPAL BUILDING TYPES
SPECIFIC STANDARDS



Permitted Districts

CD-3 CD-4 CD-4C PUD-R

General Description

A medium to large-sized attached or detached Principal Building which is operated by a not-for-profit organization or governmental entity dedicated to Civic activities, and is designed to stand apart from its surroundings due to the specialized nature of its Civic purpose. Examples include Libraries, Places of Worship, Places of Assembly, Courthouses, City Halls, schools, centers of government, Performing Arts Venues, and Museums. Civic buildings are often the most prominently sited and architecturally significant Buildings in a community.

Lot/Building Site

Width	N/A

Number of Units

N/A

Building Size & Massing

Height

The height of Civic Buildings should be limited to 20 additional feet above the maximum allowed height in any adjacent district.

Width

Not Regulated.

Pedestrian Access

Except as specifically provided in this chapter, Civic Buildings are not subject to Building lot/Building site or Private frontage requirements of this chapter.

Vehicle Access & Parking

Parking may be accessed from an Alley, Thoroughfare, or internal drive at frontage.

TABLE 4.3.9.A-1 BUILDING, LOT & BUILDING SITE PRINCIPAL USE

PRINCIPAL USE	CD-2	CD-3 L	CD-3	CD-4	CD-4C	CD-5	CD - 5C	SD-MHP	SD-INT	SD-LI	SD-HI	PUD - R	PUD-MU	CV
Farming	PL	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Greenhouse	PL	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Other Agricultural Uses Not Listed Under any Use Category	PL	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Sand, Stone, and Gravel Quarrying	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CU	NP	NP	NP
Other Extractive Uses Not Listed Under any Use Category	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
House for Single-Family Dwelling	P	P	P	P	P	P	NP	NP	NP	NP	NP	P	NP	NP
Attached Dwelling - Duplex for 2-Family Dwelling	NP	NP	PL	PL	PL	PL	NP	NP	NP	NP	NP	NP	NP	NP
Attached Dwelling - Townhouses	NP	NP	NP	PL	PL	PL	PL	NP	PL	NP	NP	PL	PL	NP
Attached Dwelling -Small Multifamily Building	NP	NP	NP	PL	PL	PL	PL	NP	PL	PL	NP	PL	PL	NP
Attached Dwelling -Large Multifamily Building	NP	NP	NP	PL	PL	PL	PL	NP	PL	PL	NP	PL	PL	NP
Attached Dwelling -Residence Portion of a Live/Work, Mixed-Use, or Flex Building, if Building Type permitted in District	NP	NP	NP	PL	PL	PL	PL	NP	PL	PL	NP	PL	PL	NP

TABLE 4.3.9.A-1 BUILDING, LOT & BUILDING SITE PRINCIPAL USE

PRINCIPAL USE	CD-2	CD-3 L	CD-3	CD-4	CD-4C	CD-5	CD - 5C	SD-MHP	SD-INT	SD-LI	SD-HI	PUD - R	PUD-MU	CV
Attached Dwelling -Assisted Living Apartment	NP	NP	NP	PL	PL	PL	PL	NP	NP	PL	NP	NP	PL	NP
Attached Dwelling - Independent Living Apartment	NP	NP	NP	PL	PL	PL	PL	NP	NP	PL	NP	NP	PL	NP
Retirement Community or other Congregate Living Facility with individual Dwelling Units	NP	NP	NP	PL	PL	PL	PL	NP	PL	PL	NP	PL	PL	NP
Manufactured Home	PL	PL	PL	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Manufactured Home- Class A	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Manufactured Home Park	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Other Household Living Uses Not Listed Under any Use Category	NP	NP	NP	NP	NP	NP	NP	PL	NP	NP	NP	NP	NP	NP
Adult Care Home	P	P	P	P	P	NP	NP	NP	NP	NP	NP	P	NP	NP
Boarding or Rooming House, not including Group Home for Persons with Disabilities	NP	NP	NP	NP	NP	P	P	NP	P	P	NP	NP	NP	NP
Dormitory not associated with Educational Institution	NP	NP	NP	PL	PL	PL	PL	NP	NP	PL	NP	NP	NP	NP
Fraternity or Sorority House	NP	NP	NP	PL	PL	PL	PL	NP	NP	PL	NP	NP	NP	NP

TABLE 4.3.9.A-1 BUILDING, LOT & BUILDING SITE PRINCIPAL USE

PRINCIPAL USE	CD-2	CD-3 L	CD-3	CD-4	CD-4C	CD-5	CD - 5C	SD-MHP	SD-INT	SD-LI	SD-HI	PUD - R	PUD-MU	CV
Group Home for Persons with Disabilities or other Group Living Home	P	P	P	P	P	NP	NP	NP	NP	NP	NP	P	NP	NP
Monastery or Convent	NP	NP	NP	PL	PL	PL	PL	NP	NP	PL	NP	NP	NP	NP
Orphanage	NP	NP	NP	PL	PL	PL	PL	NP	NP	PL	NP	NP	NP	NP
Other Group Living Uses not Listed Under any Use Category	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Civic Building	NP	P	P	P	P	P	NP	NP	NP	NP	NP	NP	NP	P
Philanthropic Institution	NP	NP	NP	P	P	P	P	NP	NP	NP	NP	NP	P	P
Recreation Facility (Civic)	NP	P	P	P	P	P	P	P	NP	P	NP	P	P	P
Other Community Service Use Not Listed Under any Use Category	NP	NP	NP	P	P	P	P	P	NP	P	NP	P	P	P
Adult Day Care Facility (Civic)	P	P	P	P	P	P	P	P	P	P	NP	P	P	P
Children Day Care Facility (Civic)	P	P	P	P	P	P	P	P	P	P	NP	P	P	P
Group Day Care or Family Day Care or Facility (Civic)	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL	NP	PL	PL	PL
Other Day Care Facility Use (Civic) Not Listed Under any Use Category	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P
Correctional Facilities	NP	NP	NP	NP	NP	NP	NP	NP	CU	CU	CU	NP	NP	CU

TABLE 4.3.9.A-1 BUILDING, LOT & BUILDING SITE PRINCIPAL USE

PRINCIPAL USE	CD-2	CD-3 L	CD-3	CD-4	CD-4C	CD-5	CD - 5C	SD-MHP	SD-INT	SD-LI	SD-HI	PUD - R	PUD-MU	CV
Other Government Facility Use (Civic) Not Listed Under any Use Category	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	P
Civic Space – Community Garden	P	P	P	P	P	P	NP	P	P	P	NP	P	P	P
Civic Space – Green	NP	P	P	P	P	P	NP	P	P	P	NP	P	P	P
Civic Space – Square or Plaza	NP	NP	NP	P	P	P	NP	NP	NP	NP	NP	NP	P	P
Civic Space – Park or Playground	P	P	P	P	P	P	NP	P	P	P	NP	P	P	P
Civic Space - Sports Field	NP	P	P	P	NP	NP	NP	P	NP	P	NP	P	NP	P
Other Civic Space Use Not Listed Under any Use Category	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Botanical Garden	P	P	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P
Nature Preserve	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Recreational Trail	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Game Preserve	P	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P
Wildlife Management Area	P	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P
Refuge	P	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P
Wild Animal Sanctuary	P	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P

TABLE 4.3.9.A-1 BUILDING, LOT & BUILDING SITE PRINCIPAL USE

PRINCIPAL USE	CD-2	CD-3 L	CD-3	CD-4	CD-4C	CD-5	CD - 5C	SD-MHP	SD-INT	SD-LI	SD-HI	PUD - R	PUD-MU	CV
Water Conservation Area	P	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P
Reservoir	P	P	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P
Drainage Well	P	P	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P
Water Supply	P	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P
Water Well	P	P	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P
Zoo	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P
Other Open Space Use Not Listed Under any Use Category	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Place of Worship or other Religious Facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Cemetery / Mausoleum / Columbarium / Memorial Garden	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P
Funeral Services	NP	NP	NP	P	P	P	P	NP	NP	NP	NP	NP	P	P
Fire / EMS Station	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Police Station	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Adult Continuing Education	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	NP
Personal Improvement Education	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	NP

TABLE 4.3.9.A-1 BUILDING, LOT & BUILDING SITE PRINCIPAL USE

PRINCIPAL USE	CD-2	CD-3 L	CD-3	CD-4	CD-4C	CD-5	CD - 5C	SD-MHP	SD-INT	SD-LI	SD-HI	PUD - R	PUD-MU	CV
Business, trade, or vocational school, other than Truck Driving School	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	NP
Truck Driving School	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Pre-School or Nursery School	P	P	P	P	P	P	P	NP	P	P	NP	P	P	P
Kindergarten	P	P	P	P	P	P	P	NP	P	P	NP	P	P	P
Elementary School	P	P	P	P	P	P	P	NP	P	P	NP	P	P	P
Middle School	P	P	P	P	P	P	P	NP	P	P	NP	P	P	P
High School	P	P	P	P	P	P	P	NP	P	P	NP	P	P	P
College or University	NP	NP	NP	P	P	P	P	NP	P	P	P	NP	P	P
Community College	NP	NP	NP	P	P	P	P	NP	P	P	P	NP	P	P
Graduate / Professional School	NP	NP	NP	P	P	P	P	NP	P	P	P	NP	P	P
Nursing or Medical Schools not accessory to a Hospital	NP	NP	NP	P	P	P	P	NP	P	P	P	NP	P	P
Seminary	NP	NP	NP	P	P	P	P	NP	P	P	P	NP	P	P
Other Educational Use Not Listed in any Use Category	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Hospital	NP	NP	NP	PL	PL	PL	PL	NP	PL	PL	NP	NP	PL	PL

TABLE 4.3.9.A-1 BUILDING, LOT & BUILDING SITE PRINCIPAL USE

PRINCIPAL USE	CD-2	CD-3 L	CD-3	CD-4	CD-4C	CD-5	CD - 5C	SD-MHP	SD-INT	SD-LI	SD-HI	PUD - R	PUD-MU	CV
Rehabilitation Facility or Center for Observation	NP	NP	NP	PL	PL	PL	PL	NP	PL	PL	NP	NP	PL	PL
Other Health Care Institution Use Not Listed Under any Use Category	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Long Term Care Facility	NP	NP	NP	PL	PL	PL	PL	NP	NP	PL	NP	NP	PL	NP
Continuum of Care Facility	NP	NP	NP	PL	PL	PL	PL	NP	NP	PL	NP	NP	PL	NP
Bed & Breakfast	P	NP	NP	P	P	P	P	NP	NP	NP	NP	NP	P	NP
Extended Stay Hotel	NP	NP	NP	NP	NP	NP	NP	NP	PL	PL	NP	NP	NP	NP
Inn	P	NP	NP	P	P	P	P	NP	NP	NP	NP	NP	P	NP
Hotel, not including Extended Stay Hotel	NP	NP	NP	PL	PL	PL	PL	NP	PL	NP	NP	NP	PL	NP
Motel	NP	NP	NP	NP	NP	NP	NP	NP	PL	PL	NP	NP	NP	NP
Short-Term Rental Unit	NP	NP	NP	PL	PL	PL	PL	NP	NP	NP	NP	NP	NP	NP
Other Accommodation / Lodging Uses Not Listed Under any Use Category	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Adult Day Care Facility (non-Civic)	P	P	P	P	P	P	P	P	P	P	NP	P	P	NP
Child Care Facility (non-Civic), excluding Child Care in Home	P	P	P	P	P	P	P	P	P	P	NP	P	P	NP

TABLE 4.3.9.A-1 BUILDING, LOT & BUILDING SITE PRINCIPAL USE

PRINCIPAL USE	CD-2	CD-3 L	CD-3	CD-4	CD-4C	CD-5	CD - 5C	SD-MHP	SD-INT	SD-LI	SD-HI	PUD - R	PUD-MU	CV
Children's Day Camp (non-Civic)	P	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Group Day Care Facility, Family Day Care Facility or other Group Care Facility (non-Civic)	NP	NP	NP	CU	CU	CU	CU	NP	CU	CU	NP	CU	CU	NP
Hospice (non-Civic)	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	NP
Retirement Center or Life Care Community without individual Dwelling Units (non-Civic)	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	NP
Other Personal & Group Care Facilities Use Not Listed Under any Use Category (non-Civic)	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Bowling Alley	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	NP
Game Arcade	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	NP
Gymnastics Facility	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	NP
Commercial Indoor Athletic Training Facility	NP	PL	PL	PL	P	P	P	NP	P	P	NP	NP	P	NP
Indoor firing range	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	NP	NP	NP	NP
Indoor Sports Academy	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	NP
Membership Club or Lodge	P	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	NP

TABLE 4.3.9.A-1 BUILDING, LOT & BUILDING SITE PRINCIPAL USE

PRINCIPAL USE	CD-2	CD-3 L	CD-3	CD-4	CD-4C	CD-5	CD - 5C	SD-MHP	SD-INT	SD-LI	SD-HI	PUD - R	PUD-MU	CV
Movie or other Theater	NP	NP	NP	P	P	P	P	NP	P	NP	NP	NP	P	NP
Pool Hall	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	NP
Recreation Facility (non-Civic)	NP	P	P	P	P	P	P	NP	P	P	NP	P	P	NP
Skating rink	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	NP
Social Club, Lodge, or Organization (non-Civic)	NP	CU	CU	P	P	P	NP	NP	P	P	NP	NP	P	NP
Other Commercial Indoor Recreation Use Not Listed Under any Use Category	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Group Assembly (non-Civic)	NP	NP	NP	PL	PL	PL	PL	NP	PL	PL	NP	NP	PL	NP
Other Commercial Group Assembly Use (non-Civic) Not Listed Under any Use Category	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Amphitheater	NP	NP	NP	PL	PL	PL	PL	NP	PL	PL	NP	NP	PL	NP
Sports Field	NP	NP	NP	PL	PL	PL	PL	NP	PL	PL	NP	NP	PL	NP
BMX Bicycle Park	NP	NP	NP	NP	NP	NP	NP	NP	PL	PL	NP	NP	NP	NP
Campground	NP	NP	NP	NP	NP	NP	NP	NP	PL	PL	NP	NP	NP	NP
Drive-in Theater	NP	NP	NP	NP	NP	NP	NP	NP	PL	PL	NP	NP	NP	NP
Firing Range such as Rifle Range, Archery Range, Handgun, or Skeet Shooting	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL	NP	NP	NP

TABLE 4.3.9.A-1 BUILDING, LOT & BUILDING SITE PRINCIPAL USE

PRINCIPAL USE	CD-2	CD-3 L	CD-3	CD-4	CD-4C	CD-5	CD - 5C	SD-MHP	SD-INT	SD-LI	SD-HI	PUD - R	PUD-MU	CV
Golf Course, Country Club, Swim Club, and Tennis Club	PL	PL	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Marina / Boating Facility	PL	PL	PL	PL	PL	PL	PL	PL	NP	NP	NP	PL	PL	NP
Recreational Vehicle (RV) Park	NP	NP	NP	NP	NP	NP	NP	NP	PL	PL	NP	NP	NP	NP
Paintball Park	NP	NP	NP	NP	NP	NP	NP	NP	PL	PL	NP	NP	NP	NP
Outdoor Entertainment Activity such as Batting Cage, Golf Driving Range, Amusement Park, Miniature Golf Facility	NP	NP	NP	NP	NP	NP	NP	NP	PL	PL	NP	NP	NP	NP
Skateboard Park	NP	NP	NP	NP	NP	NP	NP	NP	PL	PL	NP	NP	NP	NP
Stadium / Arena	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL	NP	NP	NP	NP
Summer Camp (overnight)	NP	NP	NP	NP	NP	NP	NP	NP	PL	PL	NP	NP	NP	NP
Swimming Pool	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL	NP	PL	PL	NP
Tennis Court	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL	NP	PL	PL	NP
Water Park	NP	NP	NP	NP	NP	NP	NP	NP	PL	PL	NP	NP	NP	NP
Other Commercial Outdoor Recreation Use Not Listed Under any Use Category	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Parking Lot	NP	NP	NP	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL
Parking Structure	NP	NP	NP	P	P	P	P	NP	P	P	P	NP	P	P

TABLE 4.3.9.A-1 BUILDING, LOT & BUILDING SITE PRINCIPAL USE

PRINCIPAL USE	CD-2	CD-3 L	CD-3	CD-4	CD-4C	CD-5	CD - 5C	SD-MHP	SD-INT	SD-LI	SD-HI	PUD - R	PUD-MU	CV
Restaurant or other Food Service Business without Drive-Through	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	NP
Small-scale Catering Establishment without Drive-Through	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	NP
Drive-in Restaurant and Any Restaurant with Drive-Through	NP	NP	NP	PL	PL	PL	PL	NP	PL	PL	NP	NP	PL	NP
Bar, Tavern, or Nightclub	NP	NP	NP	PL	PL	PL	PL	NP	PL	PL	NP	NP	PL	NP
Alcoholic Beverage Retail Sales	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	NP
Artisan Establishment, with or without Retail Sales, & without Drive-Through	NP	NP	NP	P	P	P	P	NP	NP	P	NP	NP	P	NP
Arts-Related Uses	NP	NP	NP	P	P	P	P	NP	NP	P	NP	NP	P	NP
Convenience Store with Gasoline Sales Facility without Drive-Through	NP	NP	NP	PL	PL	PL	PL	NP	PL	PL	PL	NP	PL	NP
Retail, Personal Service, Repair, Arts, or Artisan Establishment with Drive-Through	NP	NP	NP	PL	PL	PL	PL	NP	PL	PL	NP	NP	PL	NP
Food Truck Court	NP	NP	NP	PL	PL	PL	PL	NP	PL	PL	NP	NP	NP	NP
Personal Services, other than Motor Vehicle Body Shop,	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	NP

TABLE 4.3.9.A-1 BUILDING, LOT & BUILDING SITE PRINCIPAL USE

PRINCIPAL USE	CD-2	CD-3 L	CD-3	CD-4	CD-4C	CD-5	CD - 5C	SD-MHP	SD-INT	SD-LI	SD-HI	PUD - R	PUD-MU	CV
and Motor Vehicle Maintenance, Repair, Fuel Sales, Service, or Cleaning, without Drive-Through														
Repair Services, other than Motor Vehicle Body Shop, and Motor Vehicle Maintenance, Repair, Fuel	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	NP
Retail Membership Club	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	NP
Retail Food Sales, with or without on-premises preparation or processing, without Drive-Through	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	NP
Retail Sales, Rental, or Leasing, other than Motor Vehicle - Related Uses, Retail Food Sales, Retail Membership Club, Restaurant, and Warehouse Retail	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	NP
Other Retail Sales, Rental, or Leasing Not Listed Above without Drive-Through	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	NP
Veterinary Clinic, Animal Hospital, or Non-Agricultural Kennel	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	NP

TABLE 4.3.9.A-1 BUILDING, LOT & BUILDING SITE PRINCIPAL USE

PRINCIPAL USE	CD-2	CD-3 L	CD-3	CD-4	CD-4C	CD-5	CD - 5C	SD-MHP	SD-INT	SD-LI	SD-HI	PUD - R	PUD-MU	CV
Other Personal Service or Repair Uses Not Listed Under any Use Category	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	NP
Other Art or Artisan Uses Not Listed Under any Use Category without Drive-Through	NP	P	P	P	P	P	P	NP	P	P	NP	NP	P	NP
Self-Service Storage Facilities	NP	NP	NP	NP	NP	NP	NP	NP	PL	PL	PL	NP	NP	NP
Motor Vehicle Body Shop	NP	NP	NP	NP	NP	NP	NP	NP	P	P	P	NP	NP	NP
Motor Vehicle Maintenance, Repair, Fuel Sales, Service or Cleaning, other than Car Wash	NP	NP	NP	PL	PL	PL	PL	NP	PL	PL	PL	NP	NP	NP
Car Wash	NP	NP	NP	PL	PL	PL	PL	NP	PL	PL	PL	NP	PL	NP
Gasoline Sales Facility or Fuel Sales	NP	NP	NP	PL	PL	PL	PL	NP	PL	PL	PL	NP	PL	NP
Motor Vehicle Sales, Rental, or Leasing	NP	NP	NP	NP	PL	NP	PL	NP	PL	PL	NP	NP	NP	NP
Motor Vehicle Storage	NP	NP	NP	NP	NP	NP	NP	NP	P	P	P	NP	NP	NP
Tire Sales	NP	NP	NP	NP	P	NP	P	NP	P	P	P	NP	NP	NP
Towing Service	NP	NP	NP	NP	NP	P	NP	P	P	P	NP	NP	NP	NP
Other Motor Vehicle - Related Use Not Listed Under any Use Category	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP

TABLE 4.3.9.A-1 BUILDING, LOT & BUILDING SITE PRINCIPAL USE

PRINCIPAL USE	CD-2	CD-3 L	CD-3	CD-4	CD-4C	CD-5	CD - 5C	SD-MHP	SD-INT	SD-LI	SD-HI	PUD - R	PUD-MU	CV
Manufactured Home Sales	NP	NP	NP	NP	NP	NP	NP	NP	PL	PL	NP	NP	NP	NP
Sale of building and construction materials, special trade tools, welding supplies, machine parts, electrical supplies, janitorial supplies, restaurant equipment, store fixtures, Other Wholesale Sales Uses Not Listed Under any Use Category	NP NP	NP NP	NP NP	NP NP	NP NP	NP NP	NP NP	NP NP	P P	P P	NP NP	NP NP	NP NP	NP NP
Business Office, Business Incubator or Professional Office	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	NP
Conference Center or Office with Conference Center (non-Civic)	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	NP
Co-Working Space	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	NP
Financial Institution or Financial Services	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	NP
Office with Drive-Through Facilities	NP	NP	NP	PL	PL	PL	PL	NP	PL	PL	NP	NP	PL	NP
Non-Banking Financial Institution	NP	NP	NP	PL	PL	PL	PL	NP	PL	PL	NP	NP	PL	NP

TABLE 4.3.9.A-1 BUILDING, LOT & BUILDING SITE PRINCIPAL USE

PRINCIPAL USE	CD-2	CD-3 L	CD-3	CD-4	CD-4C	CD-5	CD - 5C	SD-MHP	SD-INT	SD-LI	SD-HI	PUD - R	PUD-MU	CV
Radio / Television / Recording Studio or Station without Communications Tower	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	NP
Other Business / Government / Non-Profit Office Uses Not Listed Under any Use Category	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	NP
Dental Office / Dental Clinic, Medical Office / Medical Clinic / Outpatient Clinic, or Medical or Dental Lab	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	NP
Asphalt Plant or other Facilities for Manufacture and Storage of Chemials, Petroleum Products, Explosives, and Allied Products	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL CU	NP	NP	NP
Concrete Batch or Concrete Manufacturing Plant	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL CU	NP	NP	NP
Hazardous & Low-Level Nuclear Disposal & Storage	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL CU	NP	NP	NP
Wrecking, Junk, & Salvage Yards, & Scrap Operations	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL CU	NP	NP	NP
Tile or Brick Manufacturing	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL CU	NP	NP	NP
Automobile, Truck, or Tire Manufacturing or Assembly	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL CU	NP	NP	NP

TABLE 4.3.9.A-1 BUILDING, LOT & BUILDING SITE PRINCIPAL USE

PRINCIPAL USE	CD-2	CD-3 L	CD-3	CD-4	CD-4C	CD-5	CD - 5C	SD-MHP	SD-INT	SD-LI	SD-HI	PUD - R	PUD-MU	CV
Ammonia or Chlorine Manufacturing	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CU	NP	NP	NP
Metal Casting or Foundries	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CU	NP	NP	NP
Gas Manufacturing	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CU	NP	NP	NP
Metal or Metal Ore Production, Refining, Smelting, or Alloying	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CU	NP	NP	NP
Petroleum or Petroleum Product Storage or Refining	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CU	NP	NP	NP
Boat, Pool, or Spa Manufacturing	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CU	NN	NP	NP
Keeping, Selling, or Slaughtering of Animals	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CU	NP	NP	NP
Glass Manufacturing	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CU	NP	NP	NP
Paper Manufacturing	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CU	NP	NP	NP
Manufacturing of Materials into Compost	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CU	NP	NP	NP
Rail Equipment Storage / Repair	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CU	NP	NP	NP
Railroad Freight Yard	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CU	NP	NP	NP
Sawmill	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CU	NP	NP	NP
Wood or Lumber Processing	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CU	NP	NP	NP

TABLE 4.3.9.A-1 BUILDING, LOT & BUILDING SITE PRINCIPAL USE

PRINCIPAL USE	CD-2	CD-3 L	CD-3	CD-4	CD-4C	CD-5	CD - 5C	SD-MHP	SD-INT	SD-LI	SD-HI	PUD - R	PUD-MU	CV
Animal processing, Rendering, Packing, Treating, and Storage	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CU	NP	NP	NP
Livestock Slaughtering	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CU	NP	NP	NP
Processing of Food and Related Products	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CU	NP	NP	NP
Sale of Farm Equipment and Machinery and Earth Moving and Heavy Construction Equipment	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	CU	NP	NP	NP
Production of Chemical, Rubber, Leather, Clay, Bone, Plastic, Stone, or Glass Materials or Products	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CU	NP	NP	NP
Other Heavy Industrial Not Listed in any Use Category	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CU	NP	NP	NP
Brewery, excluding Brewpubs	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Bottling Plants	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Building Systems / Construction Business	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Carpet cleaning plants or manufacturing	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Catering Service or Catering Events Establishment	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP

TABLE 4.3.9.A-1 BUILDING, LOT & BUILDING SITE PRINCIPAL USE

PRINCIPAL USE	CD-2	CD-3 L	CD-3	CD-4	CD-4C	CD-5	CD - 5C	SD-MHP	SD-INT	SD-LI	SD-HI	PUD - R	PUD-MU	CV
Textile Manufacturing	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Commercial bakery	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Contractor Materials Sales	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Crematorium	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Dairy Plant	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Distillery	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Distribution / Distribution Facility	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Dry Cleaning Plants	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Equipment Rental	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Fabrication, work, or storage on-site by building, heating, plumbing, electrical, or general contractors, and	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Food Processing plants	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Horticulture and Landscaping Services	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Ice plant	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Institutional bakeries	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Laundry Plant	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP

TABLE 4.3.9.A-1 BUILDING, LOT & BUILDING SITE PRINCIPAL USE

PRINCIPAL USE	CD-2	CD-3 L	CD-3	CD-4	CD-4C	CD-5	CD - 5C	SD-MHP	SD-INT	SD-LI	SD-HI	PUD - R	PUD-MU	CV
Light Manufacturing Plant	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Machine Shop / Woodworking Shop, other than Artisan Establishment	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Maintenance yard or facility	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Manufacture or assembly of equipment, instruments (including musical instrument	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Non-Hazardous Waste Treatment or Disposal	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Outdoor Storage	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Printing, Publishing, and lithography	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Production of artwork	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Rail Equipment Storage / Repair	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Recycling Processing Facility	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Repair of scientific or professional instruments, electric motors;	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Regional recycling center;	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Research Laboratory / Research & Development	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP

TABLE 4.3.9.A-1 BUILDING, LOT & BUILDING SITE PRINCIPAL USE

PRINCIPAL USE	CD-2	CD-3 L	CD-3	CD-4	CD-4C	CD-5	CD - 5C	SD-MHP	SD-INT	SD-LI	SD-HI	PUD - R	PUD-MU	CV
Sheet metal shop	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Soft drink bottling	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Solid Waste Facility	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Warehouse / Warehousing	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Welding, machine, tool repair shop	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Winery	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Woodworking, including cabinet makers and furniture manufacturing, but excluding Artisan Establishments	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Other Light Industrial Not Listed in any Use Category	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Bulk storage, including nonflammable liquids, feed and grain storage	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Bus barn	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Cold storage plants, frozen food lockers,	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Household moving and general freight storage	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP

TABLE 4.3.9.A-1 BUILDING, LOT & BUILDING SITE PRINCIPAL USE

PRINCIPAL USE	CD-2	CD-3 L	CD-3	CD-4	CD-4C	CD-5	CD - 5C	SD-MHP	SD-INT	SD-LI	SD-HI	PUD - R	PUD-MU	CV
Separate warehouse used by Retail store such as a furniture or appliance store	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Stockpiling of sand, gravel, or other aggregate materials	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	NP	NP	NP
Transfer and storage Business with no individual storage areas or where employees are the primary movers of the goods	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Other Warehouse & Freight Movement Not Listed in any Use Category	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Animal waste processing	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL	NP	NP	NP
Septic Equipment Installation, Service, or Cleaning	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL	NP	NP	NP
Landfill	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL	NP	NP	NP
Incinerator	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL	NP	NP	NP
Manufacture and production of goods from composting organic material	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL	NP	NP	NP
Recyclable material storage, including construction material	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL	NP	NP	NP
Recycling center	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL	PL	NP	NP	NP

TABLE 4.3.9.A-1 BUILDING, LOT & BUILDING SITE PRINCIPAL USE

PRINCIPAL USE	CD-2	CD-3 L	CD-3	CD-4	CD-4C	CD-5	CD - 5C	SD-MHP	SD-INT	SD-LI	SD-HI	PUD - R	PUD-MU	CV
Transfer station	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL	PL	NP	NP	NP
Recycling Station	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Other Waste-Related Service Not Listed in any Use Category	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Utility Facilities	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL
Utility Transmission Line	PL	PL	NP	NP	NP	NP	NP	NP	PL	PL	PL	PL	PL	NP
Wireless Communication Facility	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU
Other Utilities Use Not Listed Under any other Category	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Adult - Oriented Establishment	NP	NP	NP	NP	NP	NP	NP	NP	PL	NP	NP	NP	NP	NP

SECTION 4.1
GENERAL

This Article applies to all Buildings, Lots, and Building Sites located or proposed within the City, except as otherwise provided in Section 1.22 with respect to Nonconformities.

SECTION 4.2
PLAN REQUIRED.

No Building shall be constructed, re-constructed, Altered, modified, raised, moved, extended, reduced, or enlarged, and no Lot or Building Site or other land shall be Developed, re-Developed, Improved, subdivided, or re-subdivided, and none of the same shall be used, except in compliance with this Article 4, the Official Zoning Map, and pursuant to a Development Plan or Master PUD Development Plan that conforms with and has been prepared, submitted, reviewed and approved in accordance with Article 8 (Administration, Procedures & Enforcement), this Article 4, and all other standards and requirements applicable thereto.

SECTION 4.3
BUILDING, LOT & BUILDING SITE STANDARDS

4.3.1 District Buildings, Lots & Building Sites

The standards for Buildings, Lots, and Building Sites within Districts are set forth in this Section 4.3 and elsewhere in this Ordinance.

4.3.2 Civic District Buildings & Lots

A. Definitions.

The terms Civic District, Civic Space and Civic Building are defined in Article 9 (Definitions).

B. Design; Compliance.

If a Building, Lot, or Building Site is located within an area designated on the Official Zoning Map as Civic District, Civic Space or Civic Building.

1. Civic Space shall be designed generally as described in **Table 5.3.3-A (Civic Space Types – Summary)** and **Table 5.3.3-B (Civic Space Types – Specific Standards)**, as related to the Adjacent District, or if Adjacent more than one, as related to the Adjacent District with the largest number of linear feet of common boundary with the Civic Space.

2. Development, re-Development, Lots, Buildings, Building Sites, Structures, and Improvements and Use thereof within Civic Districts must comply with the applicable standards and requirements of **Table 4.3.1-U (District Standards-Civic)**, subject, however, to Section 4.3.2.B.4.

3. Without limitation to Section 4.3.2.B.2, Civic Buildings within Civic Districts must comply with the standards and requirements of **Table 4.3.1-U (District Standards-Civic)** and any other requirements as may be determined by the City Council.

4. Buildings operated for Civic purposes but not located within a Civic District must comply with the applicable District standards of the District in which they are situated.

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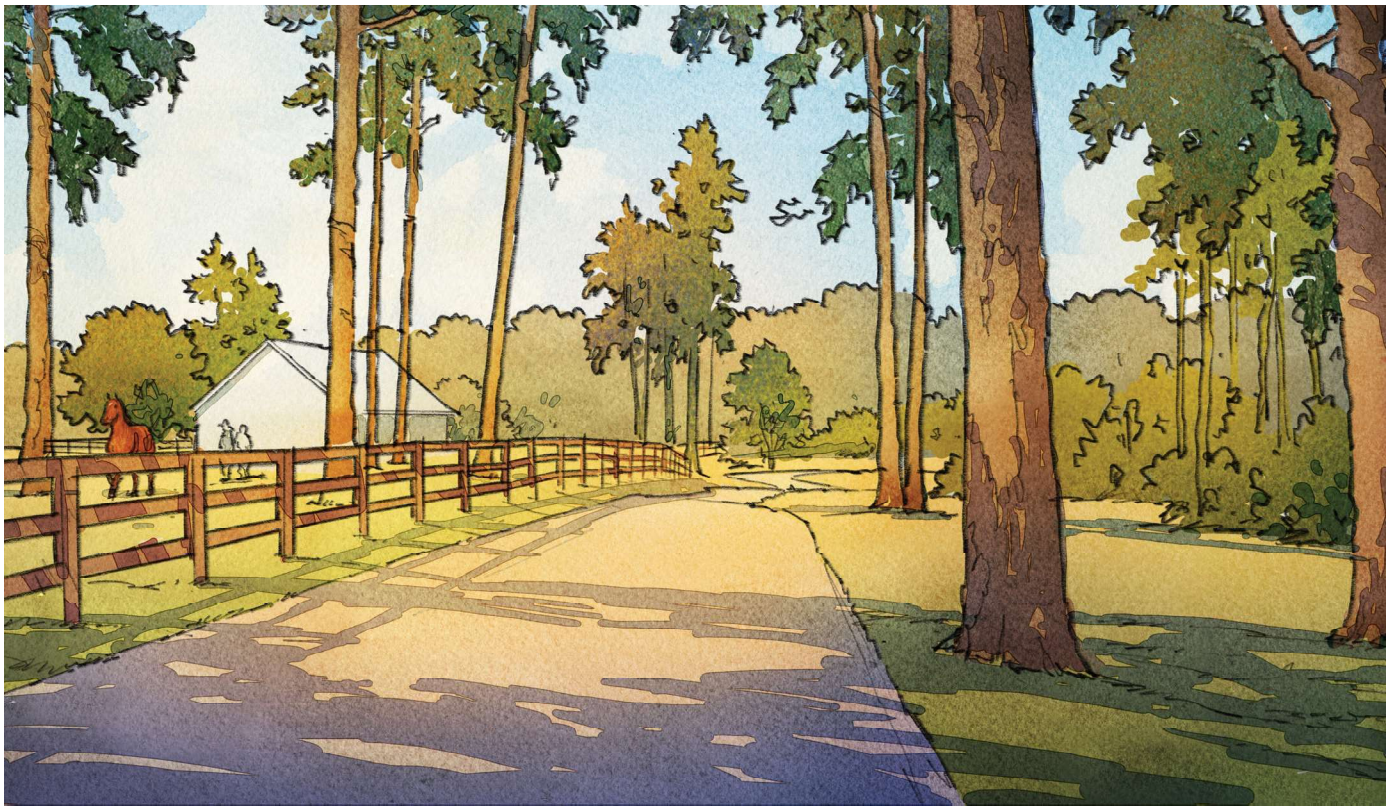
CD-2 TABLE 4.3.1-A DISTRICT STANDARDS: RURAL CHARACTER DISTRICT



General Description

The CD-2 Rural Character District consists of sparsely settled, primarily agricultural or low density single-family detached Residential areas. Typical buildings include farmhouses and agricultural buildings. CD-2 is an appropriate District for the Rural Countryside Character Area described in the Comprehensive Plan.

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CD-2 TABLE 4.3.1-A DISTRICT STANDARDS: RURAL CHARACTER DISTRICT

Density / Floor Area Ratio (FAR) *Applicable only to Development Parcels*

1 Density Unit per acre max

Block Size* *Applicable only to Development Parcels.

Block Perimeter	NR

Private Frontage Types

Common Yard	P	Stepfront	NP
Porch	P	Shopfront	NP
Fence	P	Gallery	NP
Terrace/Lightwell	NP	Arcade	NP
Forecourt	NP	Officefront	NP
Stoop	NP		

See Table 4.3.7.A (Private Frontage Types)

Civic Space Types* *Applicable only to Development Parcels.

Natural Area	P	Playground	P
Green	P	Sport Field	P
Square	NP	Community Garden	P
Plaza	NP	Pocket Park	NP

See Table 5.3.3.A (Civic Space Types – Summary) and Table 5.3.3.B (Civic Space – Specific Standards)

Permitted Uses

See Table 4.3.9.A-1 (Building, Lot & Building Site Principal Use), Table 4.3.9.A-2 (Building, Lot & Building Site Accessory Uses), and Table 4.3.9.A-3 (Building, Lot & Building Site Temporary Uses). For Development Parcels, see also Table 5.1.11 (Principal Use Mix).

Number of Buildings

Principal Building	1 max
Accessory Buildings	2 max

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

ARTICLE 4

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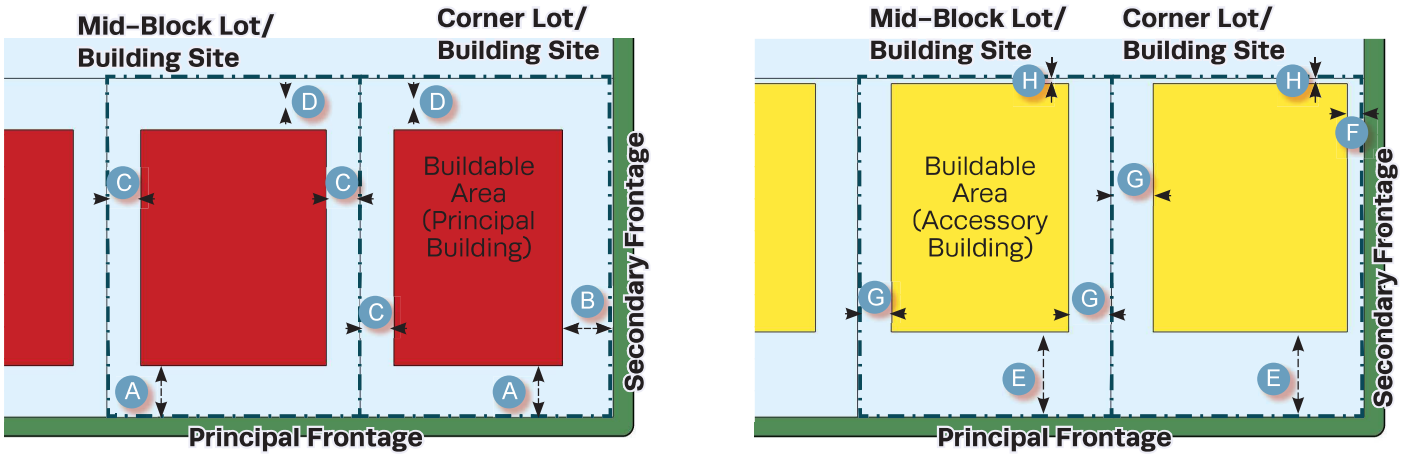
CD-2 TABLE 4.3.1-A DISTRICT STANDARDS: RURAL CHARACTER DISTRICT



Lot Occupation

Lot/Building Site Width	125 ft. min
Frontage Buildout	NR
Lot/Building Site Area	12,500 sq. ft. min.
Impervious Surface Coverage	NR
Lot/Building Site Enfrontment	Must enfront a vehicular Thoroughfare.
Lot/Building Site Access	All Lots must have legal and physical vehicular access to a vehicular Thoroughfare via Driveway or Easement.

Setbacks / Yards

Setbacks / Yards– Principal Building

Front Setback / Yard, Principal Frontage	30 ft. min	A
Front Setback / Yard, Secondary Frontage	30 ft. min	B
Side Setback / Yard, each side	20 ft. min	C
Rear Setback	30 ft. min; or 15 ft. min. from center line of Rear Alley	D

Setback / Yards – Accessory Building

Front Setback / Yard, Principal Frontage	20 ft. min. + Principal Building Front Setback / Yard	E
Front Setback / Yard, Secondary Frontage	30 ft. min.	F
Side Setback / Yard, each side	20 ft. min	G
Rear Setback	5 ft. min	H

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CD-2 TABLE 4.3.1-A DISTRICT STANDARDS: RURAL CHARACTER DISTRICT

Building Standards

Building Height*

Principal Building	3 Stories max
Accessory Building	2 Stories max

*Stories and height do not include Attics and Basements, chimneys, flagpoles, towers, steeples, spires, belfries, parapet walls, aerials, or antennas. Any Building exceeding 35 feet in height must obtain approval from the Fire Department prior to the issuance of a Building Permit.

The Fire Department may stipulate special fire protection measures in accordance with National Fire Protection Association and International Building Code criteria as a condition of approval of such Structure. In such instance the stipulations made by the Fire Department in accordance with the above cited codes shall be required.

Ceiling Height

NR

Building Composition

Vertical Composition	NR
Finished Floor Level	NR

Facade

Main Entrance	Main Entrance must be in Facade of Principal Frontages, located no further than 50% of the total Facade width for the Principal Frontage from the First Layer
Facade Position	Parallel to straight Frontage Line or to tangent of curved Frontage Line
Facade & Facade Element Design Proportions	Except House Building Types, must be vertically proportioned
Blank Walls	NP at Frontage
Facade Articulation	NR
Facade Openings	Except House Building Types, windows and/or doors spaced ≤ 20 ft. apart. Except House Building Types, in Stories above first, Facade openings must be ≤ 50% of total Facade area.
Facade Glazing	Except House Building Types, 20% – 60% of total Facade area
Window Shape	Except House Building Types, square or vertical in proportion, except for transoms.
Window Alignment	Except House Building Types, upper floor windows and other features must be aligned with those of first floor.

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

ARTICLE 4

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CD-2 TABLE 4.3.1-A DISTRICT STANDARDS: RURAL CHARACTER DISTRICT

Building Standards (continued)

Facade (continued)

Window Types	Except House Building Types, and except for transoms and sidelights, Windows in Facade and 1st & 2nd Layers must be single-hung, double-hung, casement or awning types.
Window Glazing Material	Except House Building Types, clear glass (R) for all Elevations.
Window Trim in 1st Layer	Except House Building Types, min. 4 in. trim with sill and top plate if siding surrounding window; soldier course above lintel and rollock course below sill if brick or stone surrounds window
Shutters	Except House Building Types, and if any, must be functional and proportioned to cover half of window width from each side or entire window width, with shutter dogs
Facade Window Sill Height	(NR)
Porch Frontages	Min. 6 ft. clear depth, excluding rails, pillars, columns or other features
Shopfront Frontages	(NR)
Facade Variety	(NR)

Roof Type & Pitch

Flat	(NP)
Shed	(P) at rear only and if ridge is attached to an exterior Building wall; except for porches, stoops or dormers which may have a shed roof anywhere on the Building
Hip	(P)
Gable	(P)
Pitch	6:12 – 14:12, except for shed roofs which may be 3:12 – 14:12 and except roof pitch may match the primary roof pitch of an existing Building that is less than 6:12

Roof Design

Eaves shall extend no less than nine inches beyond the supporting walls.
Gable end rakes shall overhang at least six inches.
Eaves and rakes on Accessory Buildings and dormers shall overhang at least six inches.
Soffits shall be placed perpendicular to the Building wall, not sloping in plane with the roof (except for gable end rakes).

LEGEND The following notations are utilized in this table.	(P) Permitted	(NP) Not Permitted	(NA) Not Applicable	(R) Required	(NR) Not Regulated

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CD-2 TABLE 4.3.1-A DISTRICT STANDARDS: RURAL CHARACTER DISTRICT

Building Standards (continued)

Building Materials

Primary Building Material on Facades	Brick	P	Exposed concrete	NP
	Natural stone	P	Vinyl siding	P
	Wood	P	Aluminum siding	NP
	Cementitious siding	P	Corrugated and/or sheet metal	NP
	Authentic stucco over masonry	P		
Changes in Building Materials	Primary materials must continue along side Elevations through 2nd Layer. Primary materials shall continue for entire length of all Facades facing a Frontage. Any material changes must coincide with form, structural, or massing changes and shall not occur at outside corner of such change.			
Building Colors				
Foundation Cladding	R; brick or natural stone			
Porch Pier Cladding	R; brick or natural stone, with any space under Porch concealed by painted or stained latticework between piers			
Chimney Cladding	R; brick, natural stone, or material matching primary material of Facade			

Building Types

House	P	Commercial	NP
Duplex	NP	Mixed Use	NP
Townhouse	NP	Flex	NP
Small Multifamily	NP	Mid-Rise	NP
Large Multifamily	NP	Large Scale Commercial	NP
Live/Work	NP	Civic	P

See Table 4.3.8.A (Principal Building Types - Summary) and Table 4.3.8.B (Principal Building Types - Specific Standards). For Development Parcels, see also Table 5.1.10 (Building Type Mix).

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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CD-2 TABLE 4.3.1-A DISTRICT STANDARDS: RURAL CHARACTER DISTRICT

Vehicular Parking Requirements

Parking Location

	On-Street Parking	Off-Street Parking
Domestic Vehicles	P	P in 3rd Layer only, and in Driveway
Recreational Vehicles	NP	P in 3rd Layer only, and in Driveway
Heavy Equipment	NP	P in 3rd Layer only, and in Driveway
Tractor trailers (including trailers for storage)	NP on-Street, except for delivery and Temporary Use of trailers	NP
All Other Vehicles	NP	P in 3rd Layer only, and in Driveway

Additional Parking Requirements

Off-Street Parking Surface	Prepared surface of gravel, asphalt, concrete or other hard surface
Garage Location	P in 2nd or 3rd Layer only
Garage Design	Min. interior dimensions 10 ft. x 20 ft. per vehicle Parking space. If Garage faces Street in 1st or 2nd layer: max. Garage door width 33% of total of Garage + Facade width.
Driveway/Vehicular Entrance Location	P in any Layer
Driveway/Vehicular Entrance Maximum Width	10'-20' in 1st Layer
Parking Structures	NP
Parking Structure Pedestrian Exit Location	NA

Bicycle Parking

See Section 4.3.13

Thoroughfares & Internal Drive Types*

**Only applicable to Development Parcels.*

See Article 5 (Development Parcel Standards) for additional requirements.

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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CD-2 TABLE 4.3.1-A DISTRICT STANDARDS: RURAL CHARACTER DISTRICT

Loading & Access

Off-Street Loading and Storage	P in 3rd Layer only.
Utility Box & Service Meter* Locations (*Not including water meters)	P in 3rd Layer only.
Off-Street Trash Receptacle Locations	P in 3rd Layer only.
Off-Street Dumpster Locations	NA
Drive-Through Locations	NA

Non-Building Components

	1st Layer	2nd Layer	3rd Layer
Heating and Air Conditioning Equipment, Utility, Service and Mechanical Equipment	NP	NP	P
Solar Panels	P if coplanar to and integrated into roof design		P
Antennas & Satellite Equipment	P in 1st or 2nd Layer if such Layer is only possible location possible for satisfactory reception.		P
Recreation or Play Equipment	NP	P	P
Animal Enclosures, Runs or Shelters	NP	NP	P
Swimming Pools, Hot Tubs and Spas	NP	P	P
Transmitting and/or receiving towers or antennas and wind-generating machines	NP	NP	P

Signs

See Sign Standards in Article 7 (Sign Standards) and Table 7.12.B-1 (Sign Types - Summary) and Table 7.1.2.B-2 (Sign Types - Specific Standards)

Lighting

See Private Lighting requirements in Section 4.3.17 and Table 4.3.17.B (Private Lighting Standards)

ARTICLE 4

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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CD-2 TABLE 4.3.1-A DISTRICT STANDARDS: RURAL CHARACTER DISTRICT

Private Landscaping and Fencing

Landscaping

lin compliance with Section 4.3.16, with 1 tree min. per 50 ft. of Frontage.

Walls & Fencing (not including Screens)

Height	4 ft. max. at Frontage; otherwise 6 ft. max; height measured from avg. undisturbed grade of Adjacent property at property line
Construction	Finished side must face Adjacent property, Thoroughfare, Path, Passage or Waterbody
Maintenance	Must be well-maintained, in upright condition and free of missing or broken parts and graffiti.

Materials

Natural Wood	P	Chain Link	P at sides and rear only
Brick, Natural Stone, or Stucco over Masonry	P	Barbed/razor/concertina wire	NP
Wrought Iron or Aluminum	P	Exposed or painted aggregate concrete	NP
Vinyl	P	Smooth or split-faced block	NP

Additional Standards

Pedestrian connections through to Adjacent Neighborhoods or Uses	R
Location of Retaining Walls	P within required Yards, per Section 4.3.10 If supporting grade 8 ft. or higher than grade at property line, must be set back 10 ft. from property line.

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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CD-2 TABLE 4.3.1-A DISTRICT STANDARDS: RURAL CHARACTER DISTRICT

Screens, Streetscreens & Buffers

Height

	At Frontage or Adjacent to Civic Space	Not at Frontage or Adjacent to Civic Space
Wall Screen/Streetscreen Height	3 ft. to 3.5 ft.	5 ft. to 6 ft.; Min. 6 ft. for Dumpsters and Trash Receptacles
Fence Screen/Streetscreen Height	NP	5 ft. to 6 ft.; Min. 6 ft. for Dumpsters and Trash Receptacles
Hedge Screen/Streetscreen Height	3 ft. to 3.5 ft. at installation	5 ft. to 6 ft. at installation

Materials

Wall Screen or Streetscreen	Brick, Natural Stone or Stucco over Masonry
Fence Screen or Streetscreen	Natural Wood, painted or unpainted
Hedge Screen or Streetscreen	Evergreen plants with min. 80% opacity

Additional Standards

Non-Residential & Multi-Family Residential Screen /Streetscreen Adjacent to or across Thoroughfare from Non-Multi-Family Residential	NA (Uses not permitted in District)
Screening of Parking, Loading Areas, Service Areas, Outdoor Storage, Drive-Throughs, Trash Receptacles/Dumpsters, HVAC and other equipment Screened from Frontage, Civic Space and Adjacent Property	R; except at Driveways: Parking Lots and Parking Areas must be Screened from Frontage and Civic Space by Building or Streetscreen; otherwise, Screening must be by Building, wall, hedge or fence at Frontage or Building, Wall, hedge or fence not at Frontages or Adjacent to Civic Space.
Rooftop Antenna Screening	NR
HVAC, Mechanical and other Equipment Screening	R; must be Screened from Frontage and Civic Space by Building parapet or other Building Element
Self-Storage Warehouse Screening	NA (not permitted in District)
Streetscreen Location	2nd Layer
Parcel Buffer	Section 4.3.11.H.
Project Buffer	Section 5.8.

ARTICLE 4

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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CD-3L TABLE 4.3.1-B DISTRICT STANDARDS: NEIGHBORHOOD LARGE LOT CHARACTER DISTRICT

General Description

The CD-3L Neighborhood Large Lot Character District consists of primarily a low density single-family detached Residential area in which House is the predominant Building Type. It has large Lot or Building Sites, medium to deep front Setbacks and medium to wide side Setbacks. Its Thoroughfares and Internal Drives have curbs and may include Sidewalks and/or street trees, and form medium to large blocks. CD-3L is an appropriate District for the Suburban Neighborhood Character Area described in the Comprehensive Plan.

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CD-3L TABLE 4.3.1-B DISTRICT STANDARDS: NEIGHBORHOOD LARGE LOT CHARACTER DISTRICT

Density / Floor Area Ratio (FAR) *Applicable only to Development Parcels*

2 Density Units per acre max

Block Size* *Applicable only to Development Parcels.

Block Perimeter	3600 ft. max

Private Frontage Types

Common Yard	P	Stepfront	NP
Porch	P	Shopfront	NP
Fence	P	Gallery	NP
Terrace/Lightwell	NP	Arcade	NP
Forecourt	NP	Officefront	NP
Stoop	NP		

See Table 4.3.7.A (Private Frontage Types)

Civic Space Types* *Applicable only to Development Parcels.

Natural Area	P	Playground	P
Green	P	Sport Field	P
Square	NP	Community Garden	P
Plaza	NP	Pocket Park	P

See Table 5.3.3.A (Civic Space Types - Summary) and Table 5.3.3.B (Civic Space – Specific Standards)

Permitted Uses

See Table 4.3.9.A-1 (Building, Lot & Building Site Principal Use), Table 4.3.9.A-2 (Building, Lot & Building Site Accessory Uses), and Table 4.3.9.A-3 (Building, Lot & Building Site Temporary Uses). For Development Parcels, see also Table 5.1.11 (Principal Use Mix).

Number of Buildings Per Lot or Building Site

Principal Building	1 max
Accessory Buildings	2 max

LEGEND The following notations are utilized in this table.									
	P	Permitted	NP	Not Permitted	NA	Not Applicable	R	Required	NR	Not Regulated

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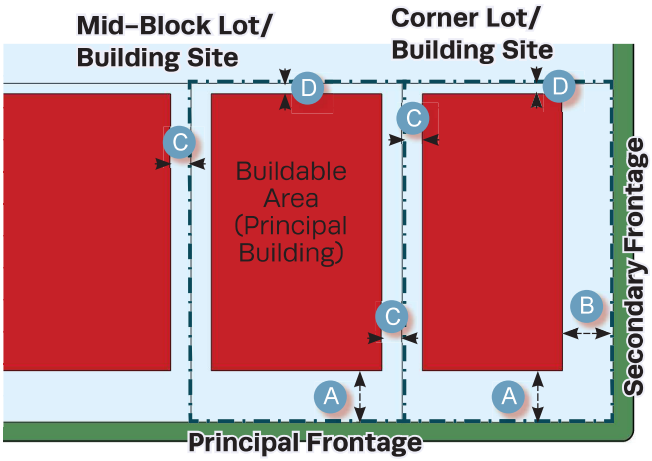
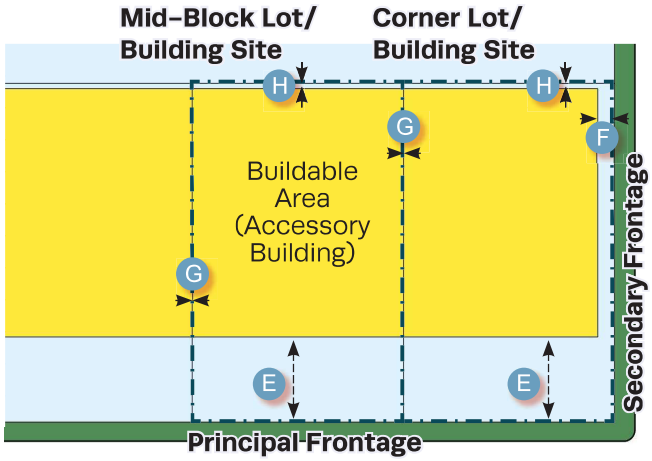
CD-3L TABLE 4.3.1-B DISTRICT STANDARDS: NEIGHBORHOOD LARGE LOT CHARACTER DISTRICT





Lot Occupation

Lot/Building Site Width	100 ft. min
Frontage Buildout	NR
Lot/Building Site Area	NR
Impervious Surface Coverage	NR
Lot/Building Site Enfrontment	Must enfront a vehicular Thoroughfare or Internal Drive, except ≤ 20% of the Lots or Building Sites within each type of Character District of a Development Parcel may Enfront a Pedestrian Path, Passage, pedestrian walkway or water body if such Lots have legal and physical vehicular access to a vehicular Thoroughfare via Driveway or Easement.
Lot/Building Site Access	All Lots must have legal and physical vehicular access to a vehicular Thoroughfare nor Internal Drive via Driveway or Easement.

Setback / Yards

Setback / Yards – Principal Building

Front Setback / Yard, Principal Frontage	30 ft. min	A
Front Setback / Yard, Secondary Frontage	30 ft. min	B
Side Setback / Yard, each side	12 ft. min	C
Rear Setback / Yard	30 ft. min; or 15 ft. min. from center line of Rear Alley	D

Setback / Yards – Accessory Building

Front Setback / Yard, Principal Frontage	20 ft. min. behind Principal Building Frontage	E
Front Setback / Yard, Secondary Frontage	30 ft. min.	F
Side Setback / Yard, each side	10 ft. min	G
Rear Setback / Yard	5 ft. min; or 15 ft. min. from center line of Rear Alley	H

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CD-3L TABLE 4.3.1-B DISTRICT STANDARDS: NEIGHBORHOOD LARGE LOT CHARACTER DISTRICT

Building Standards

Building Height*

Principal Building	3 Stories max
Accessory Building	2 Stories max

*Stories and height do not include Attics and Basements, chimneys, flagpoles, towers, steeples, spires, belfries, parapet walls, aerials, or antennas. Any Building exceeding 35 feet in height must obtain approval from the Fire Department prior to the issuance of a Building Permit.

The Fire Department may stipulate special fire protection measures in accordance with National Fire Protection Association and International Building Code criteria as a condition of approval of such Structure. In such instance the stipulations made by the Fire Department in accordance with the above cited codes shall be required.

Ceiling Height

NR

Building Composition

Vertical Composition	NR
Finished Floor Level	NR

Facade

Main Entrance	Main Entrance must be in Facade of Principal Frontages, located no further than 50% of the total Facade width for the Principal Frontage from the First Layer
Facade Position	Parallel to straight Frontage Line or to tangent of curved Frontage Line
Facade & Facade Element Design Proportions	Except House Building Types, must be vertically proportioned
Blank Walls	NP at Frontage
Facade Articulation	NR
Facade Openings	Except House Building Types, windows and/or doors spaced ≤ 20 ft. apart. Except House Building Types, in Stories above first, Facade openings must be ≤ 50% of total Facade area.
Facade Glazing	Except House Building Types, 20% – 60% of total Facade area
Window Shape	Except House Building Types, square or vertical in proportion, except for transoms.
Window Alignment	Except House Building Types, upper floor windows and other features must be aligned with those of first floor.

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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CD-3L TABLE 4.3.1-B DISTRICT STANDARDS: NEIGHBORHOOD LARGE LOT CHARACTER DISTRICT

Building Standards (continued)

Facade (continued)

Window Types	Except House Building Types, and except for transoms and sidelights, Windows in Facade and 1st & 2nd Layers must be single-hung, double-hung, casement or awning types.
Window Glazing Material	Except House Building Types, clear glass (R) for all Elevations.
Window Trim in 1st Layer	Except House Building Types, min. 4 in. trim with sill and top plate if siding surrounding window; soldier course above lintel and rollock course below sill if brick or stone surrounds window
Shutters	Except House Building Types, and if any, must be functional and proportioned to cover half of window width from each side or entire window width, with shutter dogs
Facade Window Sill Height	(NR)
Porch Frontages	Min. 6 ft. clear depth, excluding rails, pillars, columns or other features
Shopfront Frontages	(NR)
Facade Variety	(NR)

Roof Type & Pitch

Flat	(NP)
Shed	(P) at rear only and if ridge is attached to an exterior Building wall; except for porches, stoops or dormers which may have a shed roof anywhere on the Building
Hip	(P)
Gable	(P)
Pitch	6:12 – 14:12, except for shed roofs which may be 3:12 – 14:12 and except roof pitch may match the primary roof pitch of an existing Building that is less than 6:12

Roof Design

Eaves shall extend no less than nine inches beyond the supporting walls.
Gable end rakes shall overhang at least six inches.
Eaves and rakes on Accessory Buildings and dormers shall overhang at least six inches.
Soffits shall be placed perpendicular to the Building wall, not sloping in plane with the roof (except for gable end rakes).

LEGEND The following notations are utilized in this table.	(P) Permitted	(NP) Not Permitted	(NA) Not Applicable	(R) Required	(NR) Not Regulated

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CD-3L TABLE 4.3.1-B DISTRICT STANDARDS: NEIGHBORHOOD LARGE LOT CHARACTER DISTRICT

Building Standards (continued)

Building Materials

Primary Building Material on Facades	Brick	P	Exposed concrete	NP
	Natural stone	P	Vinyl siding	P
	Wood	P	Aluminum siding	NP
	Cementitious siding	P	Corrugated and/or sheet metal	NP
	Authentic stucco over masonry	P		
Changes in Building Materials	Primary materials must continue along side Elevations through 2nd Layer. Primary materials shall continue for entire length of all Facades facing a Frontage. Any material changes must coincide with form, structural, or massing changes and shall not occur at outside corner of such change.			
Building Colors	NR			
Foundation Cladding	R; brick or natural stone			
Porch Pier Cladding	R; brick or natural stone, with any space under Porch concealed by painted or stained latticework between piers			
Chimney Cladding	R; brick, natural stone, or material matching primary material of Facade			

Building Types

House	P	Commercial	NP
Duplex	NP	Mixed Use	NP
Townhouse	NP	Flex	NP
Small Multifamily	NP	Mid-Rise	NP
Large Multifamily	NP	Large Scale Commercial	NP
Live/Work	NP	Civic	P

See Table 4.3.8.A (Principal Building Types - Summary) and Table 4.3.8.B (Principal Building Types - Specific Standards). For Development Parcels, see also Table 5.1.10 (Building Type Mix).

ARTICLE 4

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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CD-3L TABLE 4.3.1-B DISTRICT STANDARDS: NEIGHBORHOOD LARGE LOT CHARACTER DISTRICT

Vehicular Parking Requirements

Parking Location

	On-Street Parking	Off-Street Parking
Domestic Vehicles	P	P in 3rd Layer only, and in Driveway
Recreational Vehicles	NP	P in 3rd Layer only, and in Driveway
Heavy Equipment	NP	P in 3rd Layer only, and in Driveway
Tractor trailers (including trailers for storage)	NP on-Street, except for delivery and Temporary Use of trailers	NP
All Other Vehicles	NP	P in 3rd Layer only, and in Driveway

Additional Parking Requirements

Off-Street Parking Surface	Prepared surface of gravel, asphalt, concrete or other hard surface
Garage Location	P in 2nd or 3rd Layer only
Garage Design	Min. interior dimensions 10 ft. x 20 ft. per vehicle Parking space. If Garage faces Street in 1st or 2nd layer: max. Garage door width 33% of total of Garage + Facade width.
Driveway/Vehicular Entrance Location	P in any Layer
Driveway/Vehicular Entrance Maximum Width	10-20 ft. in 1st Layer
Parking Structures	NP
Parking Structure Pedestrian Exit Location	NA

Bicycle Parking

See Section 4.3.13

Thoroughfares & Internal Drive Types*

**Only applicable to Development Parcels.*

See Article 5 (Development Parcel Standards) for additional requirements.

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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CD-3L TABLE 4.3.1-B DISTRICT STANDARDS: NEIGHBORHOOD LARGE LOT CHARACTER DISTRICT

Loading & Access

Off-Street Loading and Storage	P in 3rd Layer only.
Utility Box & Service Meter* Locations (*Not including water meters)	P in 3rd Layer only.
Off-Street Trash Receptacle Locations	P in 3rd Layer only.
Off-Street Dumpster Locations	NA
Drive-Through Locations	NA

Non-Building Components

	1st Layer	2nd Layer	3rd Layer
Heating and Air Conditioning Equipment, Utility, Service and Mechanical Equipment	NP	NP	P
Solar Panels	P if coplanar to and integrated into roof design		P
Antennas & Satellite Equipment	P in 1st or 2nd Layer if such Layer is only possible location possible for satisfactory reception.		P
Recreation or Play Equipment	NP	P	P
Animal Enclosures, Runs or Shelters	NP	NP	P
Swimming Pools, Hot Tubs and Spas	NP	P	P
Transmitting and/or receiving towers or antennas and wind-generating machines	NP	NP	P

Signs

See Sign Standards in Article 7 (Sign Standards) and Table 7.12.B-1 (Sign Types - Summary) and Table 7.1.2.B-2 (Sign Types - Specific Standards)

Lighting

See Private Lighting requirements in Section 4.3.17 and Table 4.3.17.B (Private Lighting Standards)

ARTICLE 4

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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CD-3L TABLE 4.3.1-B DISTRICT STANDARDS: NEIGHBORHOOD LARGE LOT CHARACTER DISTRICT

Private Landscaping and Fencing

Landscaping

In compliance with Section 4.3.16, 1 tree min. per 50 ft. of Frontage and continuous shrubs around foundation at Frontage.

Walls & Fencing (not including Screens)

Height	4 ft. max. at Frontage; otherwise 6 ft. max; height measured from avg. undisturbed grade of Adjacent property at property line
Construction	Finished side must face Adjacent property, Thoroughfare or Internal Drive, Path, Passage or Waterbody
Maintenance	Must be well-maintained, in upright condition and free of missing or broken parts and graffiti.

Materials

Natural Wood	P	Chain Link	P at sides and rear only
Brick, Natural Stone, or Stucco over Masonry	P	Barbed/razor/concertina wire	NP
Wrought Iron or Aluminum	P	Exposed or painted aggregate concrete	NP
Vinyl	P	Smooth or split-faced block	NP

Additional Standards

Pedestrian connections through to Adjacent Neighborhoods or Uses	R
Location of Retaining Walls	P within required Yards, per Section 4.3.10 If supporting grade 8 ft. or higher than grade at property line, must be set back 10 ft. from property line.

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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CD-3L TABLE 4.3.1-B DISTRICT STANDARDS: NEIGHBORHOOD LARGE LOT CHARACTER DISTRICT

Screens, Streetscreens & Buffers

Height

	At Frontage or Adjacent to Civic Space	Not at Frontage or Adjacent to Civic Space
Wall Screen/Streetscreen Height	3 ft. to 3.5 ft.	5 ft. to 6 ft.; Min. 6 ft. for Dumpsters and Trash Receptacles
Fence Screen/Streetscreen Height	NP	5 ft. to 6 ft.; Min. 6 ft. for Dumpsters and Trash Receptacles
Hedge Screen/Streetscreen Height	3 ft. to 3.5 ft. at installation	5 ft. to 6 ft. at installation

Materials

Wall Screen or Streetscreen	Brick, Natural Stone or Stucco over Masonry
Fence Screen or Streetscreen	Natural Wood, painted or unpainted
Hedge Screen or Streetscreen	Evergreen plants with min. 80% opacity

Additional Standards

Non-Residential & Multi-Family Residential Screen /Streetscreen Adjacent to or across Thoroughfare from Non-Multi-Family Residential	NA (Uses not permitted in District)
Screening of Parking, Loading Areas, Service Areas, Outdoor Storage, Drive-Throughs, Trash Receptacles/Dumpsters, HVAC and other equipment Screened from Frontage, Civic Space and Adjacent Property	R; except at Driveways: Parking Lots and Parking Areas must be Screened from Frontage and Civic Space by Building or Streetscreen; otherwise, Screening must be by Building, wall, hedge or fence at Frontage or Building, Wall, hedge or fence not at Frontages or Adjacent to Civic Space.
Rooftop Antenna Screening	NR
HVAC, Mechanical and other Equipment Screening	R; must be Screened from Frontage and Civic Space by Building parapet or other Building Element
Self-Storage Warehouse Screening	NA (not permitted in District)
Streetscreen Location	2nd Layer
Parcel Buffer	Section 4.3.11.H.
Project Buffer	Section 5.8.

ARTICLE 4

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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CD-3 TABLE 4.3.1-C DISTRICT STANDARDS: NEIGHBORHOOD CHARACTER DISTRICT

General Description

The CD-3 Neighborhood District consists of primarily a medium density single-family detached Residential area in which House is the predominant Building Types. It has medium to deep front Setbacks and medium to wide side Setbacks. Its Thoroughfares have curbs and may include Sidewalks and/or street trees, and form medium to large blocks. CD-3 is an appropriate District for the Suburban Neighborhood Character Area, the Tom Hitch Special Area, and the Bear Creek Pike "Node" Special Area described in the Comprehensive Plan.

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CD-3 TABLE 4.3.1-C DISTRICT STANDARDS: NEIGHBORHOOD CHARACTER DISTRICT

Density / Floor Area Ratio (FAR) *Applicable only to Development Parcels*

4 Density Units per acre max

Block Size* *Applicable only to Development Parcels.

Block Perimeter	2800 ft. max

Private Frontage Types

Common Yard	P	Stepfront	NP
Porch	P	Shopfront	NP
Fence	P	Gallery	NP
Terrace/Lightwell	NP	Arcade	NP
Forecourt	NP	Officefront	NP
Stoop	P		

See Table 4.3.7.A (Private Frontage Types)

Civic Space Types* *Applicable only to Development Parcels.

Natural Area	P	Playground	P
Green	P	Sport Field	P
Square	NP	Community Garden	P
Plaza	NP	Pocket Park	P

See Table 5.3.3.A (Civic Space Types – Summary) and Table 5.3.3.B (Civic Space – Specific Standards)

Permitted Uses

See Table 4.3.9.A-1 (Building, Lot & Building Site Principal Use), Table 4.3.9.A-2 (Building, Lot & Building Site Accessory Uses), and Table 4.3.9.A-3 (Building, Lot & Building Site Temporary Uses). For Development Parcels, see also Table 5.1.11 (Principal Use Mix).

Number of Buildings Per Lot or Building Site

Principal Building	1 max
Accessory Buildings	2 max

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

ARTICLE 4

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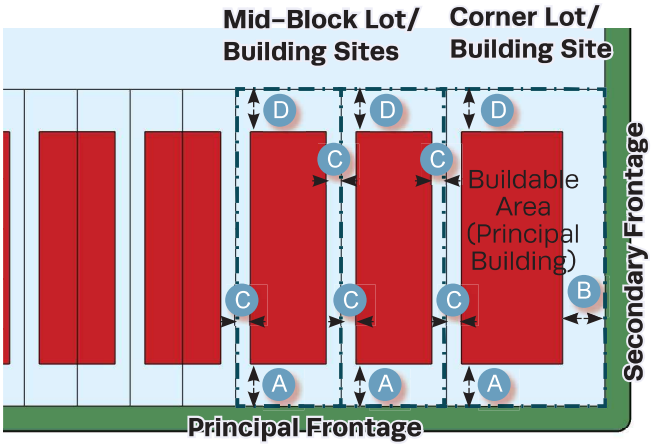
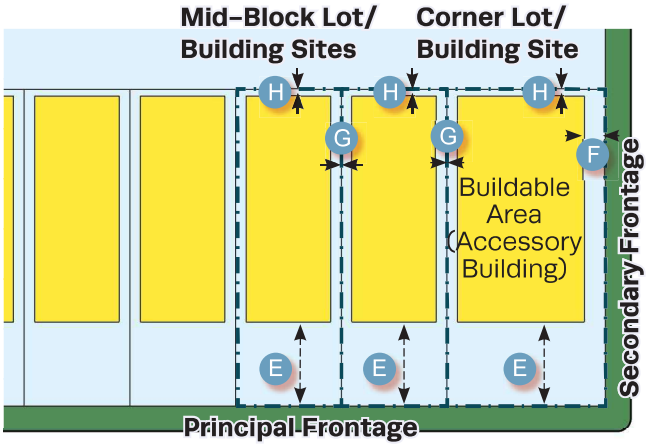
CD-3 TABLE 4.3.1-C DISTRICT STANDARDS: NEIGHBORHOOD CHARACTER DISTRICT





Lot Occupation

Lot/Building Site Width	House: 40 ft min if Alley loaded Garage at rear, otherwise 65 ft min. Duplex: 50 ft. min for each unit of Duplex Civic: 50 ft min.
Frontage Buildout	NR
Lot/Building Site Area	NR
Impervious Surface Coverage	50% max
Lot/Building Site Enfrontment	Must enfront a vehicular Thoroughfare or Internal Drive, except ≤ 20% of the Lots or Building Sites within each type of Character District of a Development Parcel may Enfront a Pedestrian Path, Passage, pedestrian walkway or water body if such Lots have legal and physical vehicular access to a vehicular Thoroughfare via Driveway or Easement.
Lot/Building Site Access	All Lots must have legal and physical vehicular access to a vehicular Thoroughfare via Driveway or Easement.

Setback / Yards

Setback / Yards – Principal Building

Front Setback / Yard, Principal Frontage	25 ft. min	A
Front Setback / Yard, Secondary Frontage	20 ft. min	B
Side Setback / Yard, each side	8 ft. min	C
Rear Setback / Yard	25 ft. min; or 15 ft. min. from center line of Rear Alley	D

Setback / Yards – Accessory Building

Front Setback / Yard, Principal Frontage	20 ft. min. behind Principal Building Frontage	E
Front Setback / Yard, Secondary Frontage	10 ft. min.	F
Side Setback / Yard, each side	5 ft. min	G
Rear Setback / Yard	5 ft. min; or 15 ft. min. from center line of Rear Alley	H

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CD-3 TABLE 4.3.1-C DISTRICT STANDARDS: NEIGHBORHOOD CHARACTER DISTRICT

Building Standards

Building Height*

Principal Building	3 Stories max
Accessory Building	2 Stories max

*Stories and height do not include Attics and Basements, chimneys, flagpoles, towers, steeples, spires, belfries, parapet walls, aerials, or antennas. Any Building exceeding 35 feet in height must obtain approval from the Fire Department prior to the issuance of a Building Permit.

The Fire Department may stipulate special fire protection measures in accordance with National Fire Protection Association and International Building Code criteria as a condition of approval of such Structure. In such instance the stipulations made by the Fire Department in accordance with the above cited codes shall be required.

Ceiling Height

NR

Building Composition

Vertical Composition	NR
Finished Floor Level	NR

Facade

Main Entrance	Main Entrance must be in Facade of Principal Frontages, located no further than 50% of the total Facade width for the Principal Frontage from the First Layer
Facade Position	Parallel to straight Frontage Line or to tangent of curved Frontage Line
Facade & Facade Element Design Proportions	Except House Building Types, must be vertically proportioned
Blank Walls	NP at Frontage
Facade Articulation	NR
Facade Openings	Except House Building Types, windows and/or doors spaced ≤ 20 ft. apart. Except House Building Types, in Stories above first, Facade openings must be ≤ 50% of total Facade area.
Facade Glazing	Except House Building Types, 20% – 60% of total Facade area
Window Shape	Except House Building Types, square or vertical in proportion, except for transoms.

ARTICLE 4

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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CD-3 TABLE 4.3.1-C DISTRICT STANDARDS: NEIGHBORHOOD CHARACTER DISTRICT

Building Standards (continued)	
Window Alignment	Except House Building Types, upper floor windows and other features must be aligned with those of first floor.
Facade (continued)	
Window Types	Except House Building Types, and except for transoms and sidelights, Windows in Facade and 1st & 2nd Layers must be single-hung, double-hung, casement or awning types.
Window Glazing Material	Except House Building Types, clear glass R for all Elevations.
Window Trim in 1st Layer	Except House Building Types, min. 4 in. trim with sill and top plate if siding surrounding window; soldier course above lintel and rollock course below sill if brick or stone surrounds window
Shutters	Except House Building Types, and if any, must be functional and proportioned to cover half of window width from each side or entire window width, with shutter dogs
Facade Window Sill Height	NR
Porch Frontages	Min. 6 ft. clear depth, excluding rails, pillars, columns or other features
Shopfront Frontages	NR
Facade Variety	NR
Roof Type & Pitch	
Flat	NP
Shed	P at rear only and if ridge is attached to an exterior Building wall; except for porches, stoops or dormers which may have a shed roof anywhere on the Building
Hip	P
Gable	P
Pitch	6:12 – 14:12, except for shed roofs which may be 3:12 – 14:12 and except roof pitch may match the primary roof pitch of an existing Building that is less than 6:12
Roof Design	
Eaves shall extend no less than nine inches beyond the supporting walls.	
Gable end rakes shall overhang at least six inches.	

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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CD-3 TABLE 4.3.1-C DISTRICT STANDARDS: NEIGHBORHOOD CHARACTER DISTRICT

Building Standards (continued)

Eaves and rakes on Accessory Buildings and dormers shall overhang at least six inches.

Soffits shall be placed perpendicular to the Building wall, not sloping in plane with the roof (except for gable end rakes).

Building Materials

Primary Building Material on Facades	Brick	P	Exposed concrete	NP
	Natural stone	P	Vinyl siding	P for Residential Use only
	Wood	P	Aluminum siding	NP
	Cementitious siding	P	Corrugated and/or sheet metal	NP
	Authentic stucco over masonry	P		
Changes in Building Materials	Primary materials must continue along side Elevations through 2nd Layer. Primary materials shall continue for entire length of all Facades facing a Frontage. Any material changes must coincide with form, structural, or massing changes and shall not occur at outside corner of such change.			
Building Colors	NR			
Foundation Cladding	R; brick or natural stone			
Porch Pier Cladding	R; brick or natural stone, with any space under Porch concealed by painted or stained latticework between piers			
Chimney Cladding	R; brick, natural stone, or material matching primary material of Facade			

Building Types

House	P	Commercial	NP
Duplex	P	Mixed Use	NP
Townhouse	NP	Flex	NP
Small Multifamily	NP	Mid-Rise	NP
Large Multifamily	NP	Large Scale Commercial	NP
Live/Work	NP	Civic	P

See Table 4.3.8.A (Principal Building Types - Summary) and Table 4.3.8.B (Principal Building Types - Specific Standards). For Development Parcels, see also Table 5.1.10 (Building Type Mix).

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

ARTICLE 4

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CD-3 TABLE 4.3.1-C DISTRICT STANDARDS: NEIGHBORHOOD CHARACTER DISTRICT

Vehicular Parking Requirements

Parking Location

	On-Street Parking	Off-Street Parking
Domestic Vehicles	P	P in 3rd Layer only, and in Driveway
Recreational Vehicles	NP	P in 3rd Layer only, and in Driveway
Heavy Equipment	NP	P in 3rd Layer only, and in Driveway
Tractor trailers (including trailers for storage)	NP on-Street, except for delivery and Temporary Use of trailers	NP
All Other Vehicles	NP	P in 3rd Layer only, and in Driveway

Additional Parking Requirements

Off-Street Parking Surface	Prepared surface of asphalt, concrete or other hard surface
Garage Location	P in 2nd or 3rd Layer only
Garage Design	Min. interior dimensions 10 ft. x 20 ft. per vehicle Parking space. If Garage faces Street in 1st or 2nd layer: max. Garage door width 33% of total of Garage + Facade width.
Driveway/Vehicular Entrance Location	P in any Layer
Driveway/Vehicular Entrance Maximum Width	10 ft. max. in 1st Layer
Parking Structures	NP
Parking Structure Pedestrian Exit Location	NA

Bicycle Parking

See Section 4.3.13

Thoroughfares & Internal Drive Types*

**Only applicable to Development Parcels.*

See Article 5 (Development Parcel Standards) for additional requirements.

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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CD-3 TABLE 4.3.1-C DISTRICT STANDARDS: NEIGHBORHOOD CHARACTER DISTRICT

Loading & Access

Off-Street Loading and Storage	P in 3rd Layer only.
Utility Box & Service Meter* Locations (*Not including water meters)	P in 3rd Layer only.
Off-Street Trash Receptacle Locations	P in 3rd Layer only.
Off-Street Dumpster Locations	NA
Drive-Through Locations	NA

Non-Building Components

	1st Layer	2nd Layer	3rd Layer
Heating and Air Conditioning Equipment, Utility, Service and Mechanical Equipment	NP	P	P
Solar Panels	P if coplanar to and integrated into roof design		P
Antennas & Satellite Equipment	P in 1st or 2nd Layer if such Layer is only possible location possible for satisfactory reception.		P
Recreation or Play Equipment	NP	P	P
Animal Enclosures, Runs or Shelters	NP	NP	P
Swimming Pools, Hot Tubs and Spas	NP	P	P
Transmitting and/or receiving towers or antennas and wind-generating machines	NP	NP	P

Signs

See Sign Standards in Article 7 (Sign Standards) and Table 7.12.B-1 (Sign Types - Summary) and Table 7.1.2.B-2 (Sign Types - Specific Standards)

Lighting

See Private Lighting requirements in Section 4.3.17 and Table 4.3.17.B (Private Lighting Standards)

ARTICLE 4

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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CD-3 TABLE 4.3.1-C DISTRICT STANDARDS: NEIGHBORHOOD CHARACTER DISTRICT

Private Landscaping and Fencing

Landscaping

In compliance with Section 4.3.16, 1 tree min. per 50 ft. of Frontage and continuous shrubs around foundation at Frontage.

Walls & Fencing (not including Screens)

Height	4 ft. max. at Frontage; otherwise 6 ft. max; height measured from avg. undisturbed grade of Adjacent property at property line
Construction	Finished side must face Adjacent property, Thoroughfare or Internal Drive, Path, Passage or Waterbody
Maintenance	Must be well-maintained, in upright condition and free of missing or broken parts and graffiti.

Materials

Natural Wood	P	Chain Link	P at sides and rear only
Brick, Natural Stone, or Stucco over Masonry	P	Barbed/razor/concertina wire	NP
Wrought Iron or Aluminum	P	Exposed or painted aggregate concrete	NP
Vinyl	P	Smooth or split-faced block	NP

Additional Standards

Pedestrian connections through to Adjacent Neighborhoods or Uses	R
Location of Retaining Walls	P within required Yards, per Section 4.3.10 If supporting grade 8 ft. or higher than grade at property line, must be set back 10 ft. from property line.

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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CD-3 TABLE 4.3.1-C DISTRICT STANDARDS: NEIGHBORHOOD CHARACTER DISTRICT

Screens, Streetscreens & Buffers

Height

	At Frontage or Adjacent to Civic Space	Not at Frontage or Adjacent to Civic Space
Wall Screen/Streetscreen Height	3 ft. to 3.5 ft.	5 ft. to 6 ft.; Min. 6 ft. for Dumpsters and Trash Receptacles
Fence Screen/Streetscreen Height	NP	5 ft. to 6 ft.; Min. 6 ft. for Dumpsters and Trash Receptacles
Hedge Screen/Streetscreen Height	3 ft. to 3.5 ft. at installation	5 ft. to 6 ft. at installation

Materials

Wall Screen or Streetscreen	Brick, Natural Stone or Stucco over Masonry
Fence Screen or Streetscreen	Natural Wood, painted or unpainted
Hedge Screen or Streetscreen	Evergreen plants with min. 80% opacity

Additional Standards

Non-Residential & Multi-Family Residential Screen /Streetscreen Adjacent to or across Thoroughfare from Non-Multi-Family Residential	NA (Uses not permitted in District)
Screening of Parking, Loading Areas, Service Areas, Outdoor Storage, Drive-Throughs, Trash Receptacles/Dumpsters, HVAC and other equipment Screened from Frontage, Civic Space and Adjacent Property	R; except at Driveways: Parking Lots and Parking Areas must be Screened from Frontage and Civic Space by Building or Streetscreen; otherwise, Screening must be by Building, wall, hedge or fence at Frontage or Building, Wall, hedge or fence not at Frontages or Adjacent to Civic Space.
Rooftop Antenna Screening	NR
HVAC, Mechanical and other Equipment Screening	R; must be Screened from Frontage and Civic Space by Building parapet or other Building Element
Self-Storage Warehouse Screening	NA (not permitted in District)
Streetscreen Location	2nd Layer
Parcel Buffer	Section 4.3.11.H.
Project Buffer	Section 5.8.

ARTICLE 4

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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CD-4 TABLE 4.3.1-D DISTRICT STANDARDS: GENERAL URBAN CHARACTER DISTRICT

General Description

The CD-4 General Urban Character District consists of a medium density area that has a mix of Building Types and primarily Residential, Retail / Personal Service / Artisan, Office, Lodging and Civic Uses; there are medium, shallow or no front Setbacks and narrow to medium side Setbacks; it has variable private landscaping; and it has Thoroughfares and Internal Drives with curbs, Sidewalks and trees that define medium-sized blocks. CD-4 is an appropriate District for the Urban Neighborhood Character Area, the Employment Character Area, the Tom Hitch Special Area, the Industrial Road Special Area, the Bear Creek Pike "Node" Special Area, and the Interstate Gateway Special Area as described in the Comprehensive Plan.

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CD-4 TABLE 4.3.1-D DISTRICT STANDARDS: GENERAL URBAN CHARACTER DISTRICT

Density / Floor Area Ratio (FAR) *Applicable only to Development Parcels*

12 Density Units per acre max

Block Size* *Applicable only to Development Parcels.

Block Perimeter	2400 ft. max

Private Frontage Types

Common Yard	P	Stepfront	P
Porch	P	Shopfront	P
Fence	P	Gallery	P
Terrace/Lightwell	P	Arcade	NP
Forecourt	P	Officefront	P
Stoop	P		

See Table 4.3.7.A (Private Frontage Types)

Civic Space Types* *Applicable only to Development Parcels.

Natural Area	P	Playground	P
Green	P	Sport Field	P
Square	P	Community Garden	P
Plaza	NP	Pocket Park	P

See Table 5.3.3.A (Civic Space Types – Summary) and Table 5.3.3.B (Civic Space – Specific Standards)

Permitted Uses

See Table 4.3.9.A-1 (Building, Lot & Building Site Principal Use), Table 4.3.9.A-2 (Building, Lot & Building Site Accessory Uses), and Table 4.3.9.A-3 (Building, Lot & Building Site Temporary Uses). For Development Parcels, see also Table 5.1.11 (Principal Use Mix).

Number of Buildings Per Lot or Building Site

Principal Building	1 max
Accessory Buildings	1 max

LEGEND The following notations are utilized in this table.									
	P	Permitted	NP	Not Permitted	NA	Not Applicable	R	Required	NR	Not Regulated

ARTICLE 4

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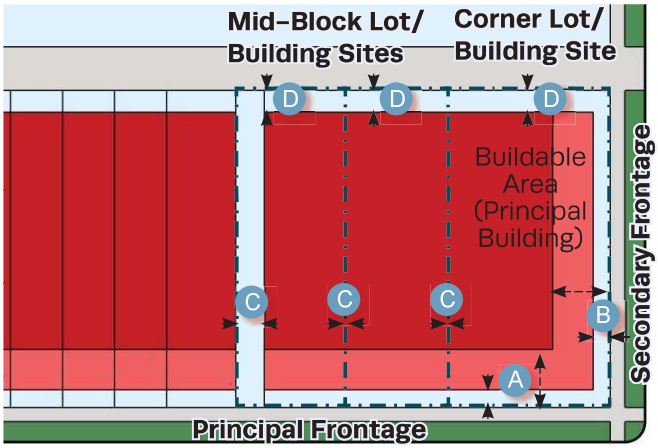
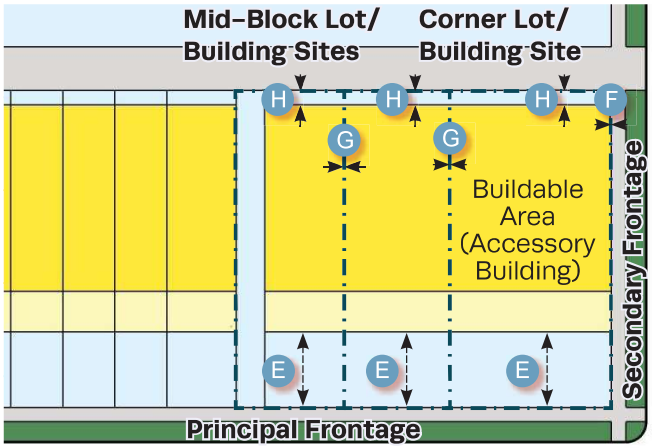
CD-4 TABLE 4.3.1-D DISTRICT STANDARDS: GENERAL URBAN CHARACTER DISTRICT





Lot Occupation

Lot/Building Site Width	House: 38 ft. min if Alley loaded Garage at rear, otherwise 50 ft min. Duplex: 30 ft. min for each unit of Duplex Townhouse: For Townhouses with each unit on its own Lot or Building Site: 18 – 36 ft. for single Townhouse unit attached to other Townhouse units X 8 max. attached Townhouse units For multiple Townhouses on a single Lot or Building Site: 18 –20 ft. per Townhouse unit X 8 max. attached Townhouse units All other Building Types: 18 ft. min. All Building Types: 120 ft. max.
Frontage Buildout	60% min
Lot/Building Site Area	NR
Impervious Surface Coverage	80% max
Lot/Building Site Enfrontment	Must enfront a vehicular Thoroughfare or Internal Drive, except ≤ 20% of the Lots or Building Sites within each type of Character District of a Development Parcel may Enfront a Pedestrian Path, Passage, pedestrian walkway or water body if such Lots have legal and physical vehicular access to a vehicular Thoroughfare via Driveway or Easement.
Lot/Building Site Access	All Lots must have legal and physical vehicular access to a vehicular Thoroughfare via Driveway or Easement.

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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CD-4 TABLE 4.3.1-D DISTRICT STANDARDS: GENERAL URBAN CHARACTER DISTRICT

Setback / Yards

Setback / Yards – Principal Building			Setback / Yards – Accessory Building		
Front Setback / Yard, Principal Frontage	6 ft. min., 20 ft. max	A	Front Setback / Yard, Principal Frontage	20 ft. min. behind Principal Building Frontage	E
Front Setback / Yard, Secondary Frontage	6 ft. min., 20 ft. max	B	Front Setback / Yard, Secondary Frontage	0 ft. min.	F
Side Setback / Yard, each side	0 ft. min. between individual Townhouse Units & Duplex units; otherwise 6 ft. min.	C	Side Setback / Yard, each side	0 ft. min.	G
Rear Setback	3 ft. min; or 15 ft. min. from center line of Rear Alley	D	Rear Setback	3 ft. min. or 5 ft. min. if Garage door faces Rear Alley	H

Building Standards

Building Height*

Principal Building	3 Stories max.
Accessory Building	2 Stories max.

*Stories and height do not include Attics and Basements, chimneys, flagpoles, towers, steeples, spires, belfries, parapet walls, aerials, or antennas. Any Building exceeding 35 feet in height must obtain approval from the Fire Department prior to the issuance of a Building Permit.

The Fire Department may stipulate special fire protection measures in accordance with National Fire Protection Association and International Building Code criteria as a condition of approval of such Structure. In such instance the stipulations made by the Fire Department in accordance with the above cited codes shall be required.

Ceiling Height

May not exceed 14 ft. from finished floor to finished ceiling, except for a first floor Business/Commercial, Office, Retail/Personal Service, or Accommodation / Lodging Use, which must be a minimum of 11 ft. with a maximum of 25 ft.

Building Composition

Vertical Composition	Each Principal Building must have an identifiable Base, Middle, & Cap
Finished Floor Level	If Residential: 18 in. min., 48 in. max. above avg. grade at Facade

Facade

Main Entrance	Main Entrance must be in Facade of Principal Frontages. If Shopfront Frontage at corner, Main Entrance may be at Principal Frontage or at corner.
Facade Position	Parallel to straight Frontage Line or to tangent of curved Frontage Line

LEGEND The following notations are utilized in this table.

P	Permitted	NP	Not Permitted	NA	Not Applicable	R	Required	NR	Not Regulated

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CD-4 TABLE 4.3.1-D DISTRICT STANDARDS: GENERAL URBAN CHARACTER DISTRICT

Building Standards (continued)

Facade (continued)

Facade & Facade Element Design Proportions	Must be vertically proportioned
Blank Walls	NP at Frontage
Facade Articulation	A Façade greater than 100 ft. in width must be differentiated so that it appears to be comprised of two or more Adjacent Buildings, by dividing such Façade into two segments each of which includes a separate entrance and (1) differs from each of the other segments with respect to all of the following: (a) a change in shape, sill, and header height, detail, size, spacing, rhythm, and muntin pattern of windows; (b) a change of Building or cornice height; (c) a change in cornice details; (d) a change of wall material or wall color; a change in trim courses and other horizontal elements; (e) a change in dormer or balcony design, if any, and (f) providing or changing pilasters, columns, or other Façade elements; and (2) is composed with a defined center and edges. (See **Illustration 4.3.5.A-3**)
Facade Openings	Windows and/or doors spaced ≤ 20 ft. apart. In Stories above first, Facade openings must be ≤ 50% of total Facade area.
Facade Glazing	20% – 60% of total Facade area
Window Shape	Square or vertical in proportion, except for transoms.
Window Alignment	Upper floor windows and other features must be aligned with those of first floor.
Window Types	Except for transoms and sidelights, Windows in Facade and 1st & 2nd Layers must be single-hung, double-hung, casement or awning types.
Window Glazing Material	Clear glass R for all Elevations.
Window Trim in 1st Layer	Min. 4 in. trim with sill and top plate if siding surrounding window; soldier course above lintel and rollock course below sill if brick or stone surrounds window
Shutters	If any, must be functional and proportioned to cover half of window width from each side or entire window width, with shutter dogs
Facade Window Sill Height	If Residential, 5 ft. min. above avg. grade at Facade
Porch Frontages	Min. 6 ft. clear depth, excluding rails, pillars, columns or other features
Shopfront Frontages	12 in.-24 in. knee wall required at Frontage
Facade Variety	No Facade may exist more than once on a Block Face or within view of the same Facade

Roof Type & Pitch

Flat	P

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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CD-4 TABLE 4.3.1-D DISTRICT STANDARDS:
GENERAL URBAN CHARACTER DISTRICT

Building Standards (continued)

Shed	P at rear only and if ridge is attached to an exterior Building wall; except for porches, stoops or dormers which may have a shed roof anywhere on the Building
Hip	P
Gable	P
Pitch	If pitched, 6:12 – 14:12, except for shed roofs which may be 3:12 – 14:12 and except roof pitch may match the primary roof pitch of an existing Building that is less than 6:12

Roof Design

Eaves shall extend no less than nine inches beyond the supporting walls.
Gable end rakes shall overhang at least six inches.
Eaves and rakes on Accessory Buildings and dormers shall overhang at least six inches.
Soffits shall be placed perpendicular to the Building wall, not sloping in plane with the roof (except for gable end rakes).

Building Materials

Primary Building Material on Facades	Brick	P	Exposed concrete	NP
	Natural stone	P	Vinyl or Aluminum siding	NP
	Wood	P		
	Cementitious siding	P	Aluminum siding	NP
	Authentic stucco over masonry	P	Corrugated and/or sheet metal	NP

Changes in Building Materials	Primary materials must continue along side Elevations through 2nd Layer. Primary materials shall continue for entire length of all Facades facing a Frontage. Any material changes must coincide with form, structural, or massing changes and shall not occur at outside corner of such change.
Building Colors	Up to 3 colors, including the natural color of any allowed materials, but excluding trim colors
Foundation Cladding	R; brick or natural stone
Porch Pier Cladding	R; brick or natural stone, with any space under Porch concealed by painted or stained latticework between piers
Chimney Cladding	R; brick, natural stone, or material matching primary material of Facade

ARTICLE 4

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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CD-4 TABLE 4.3.1-D DISTRICT STANDARDS: GENERAL URBAN CHARACTER DISTRICT

Building Types

House	P	Commercial	P
Duplex	P	Mixed Use	P
Townhouse	P	Flex	P
Small Multifamily	P	Mid-Rise	NP
Large Multifamily	P	Large Scale Commercial	NP
Live/Work	P	Civic	P

See Table 4.3.8.A (Principal Building Types - Summary) and Table 4.3.8.B (Principal Building Types - Specific Standards). For Development Parcels, see also Table 5.1.10 (Building Type Mix).

Vehicular Parking Requirements

Parking Location

	On-Street Parking	Off-Street Parking
Domestic Vehicles	P	P in 3rd Layer only, and in Driveway
Recreational Vehicles	NP	P in 3rd Layer only, and in Driveway
Heavy Equipment	NP	P in 3rd Layer only, and in Driveway
Tractor trailers (including trailers for storage)	NP on-Street, except for delivery and Temporary Use of trailers	NP
All Other Vehicles	NP	P in 3rd Layer only, and in Driveway

Additional Parking Requirements

Off-Street Parking Surface	asphalt, concrete or other hard surface
Garage Location	P in 3rd Layer only
Garage Design	Min. interior dimensions 10 ft. x 20 ft. per vehicle Parking space. If Garage faces Street: max. Garage door width 33% of total of Garage + Facade width. Garage must be detailed, finished, & designed like rest of Building with carriage house doors; max. Garage door width 9 ft.; each Garage door must have ornamental lighting fixture above it; min. 2 ft. separation between Garage doors.
Driveway/Vehicular Entrance Location	P in any Layer

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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CD-4 TABLE 4.3.1-D DISTRICT STANDARDS: GENERAL URBAN CHARACTER DISTRICT

Parking & Circulation (continued)

Driveway/Vehicular Entrance Maximum Width	10 ft max. in 1st Layer if Residential; 36 ft max. in 1st Layer if non-Residential, regardless if shared or not
Parking Structures	P, if Screened from Frontage by Liner Buildings
Parking Structure Pedestrian Exit Location	Via pedestrian access to Frontage

Bicycle Parking

See Section 4.3.13

Thoroughfares & Internal Drive Types*

**Only applicable to Development Parcels.*

See Article 5 (Development Parcel Standards) for additional requirements.

Loading & Access

Off-Street Loading and Storage	P in 3rd Layer only.
Utility Box & Service Meter* Locations (**Not including water meters*)	P in 3rd Layer only.
Off-Street Trash Receptacle Locations	P in 3rd Layer only.
Off-Street Dumpster Locations	P in 3rd Layer only.
Drive-Through Locations	P in 3rd Layer only.

Non-Building Components

	1st Layer	2nd Layer	3rd Layer
Heating and Air Conditioning Equipment, Utility, Service and Mechanical Equipment	NP	P if Screened from Frontage	P
Solar Panels	P if coplanar to and integrated into roof design		P
Antennas & Satellite Equipment	P in 1st or 2nd Layer if such Layer is only possible location possible for satisfactory reception.		P
Recreation or Play Equipment	NP	NP	P
Animal Enclosures, Runs or Shelters	NP	NP	P
Swimming Pools, Hot Tubs and Spas	NP	NP	P
Transmitting and/or receiving towers or antennas and wind-generating machines	NP	NP	P

LEGEND The following notations are utilized in this table.

P	Permitted	NP	Not Permitted	NA	Not Applicable	R	Required	NR	Not Regulated

ARTICLE 4

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CD-4 TABLE 4.3.1-D DISTRICT STANDARDS: GENERAL URBAN CHARACTER DISTRICT

Signs

See Sign Standards in Article 7 (Sign Standards) and Table 7.12.B-1 (Sign Types – Summary) and Table 7.1.2.B-2 (Sign Types – Specific Standards)

Lighting

See Private Lighting requirements in Section 4.3.17 and Table 4.3.17.B (Private Lighting Standards)

Private Landscaping and Fencing

Landscaping

R continuous shrubs around foundation at Facade if 1st Layer is ≥ 3 ft. deep, plus if 1st Layer is ≥ 15 ft. deep, 1 tree planted in 1st Layer every 50' ft of frontage. Drive aisle within the 1st layer, continuous shrubs Landscaping must comply with Section 4.3.16.

Walls & Fencing (not including Screens)

Height	4 ft. max. at Frontage; otherwise 6 ft. max; height measured from avg. undisturbed grade of Adjacent property at property line
Construction	Finished side must face Adjacent property, Thoroughfare or Internal Drive, Path, Passage or Waterbody
Maintenance	Must be well-maintained, in upright condition and free of missing or broken parts and graffiti.

Materials

Natural Wood	P Only picket type allowed at Frontage; other types allowed on sides and at rear	Chain Link	P at sides and rear only
Brick, Natural Stone, or Stucco over Masonry	P	Barbed/razor/concertina wire	NP
Wrought Iron or Aluminum	P	Exposed or painted aggregate concrete	NP
Vinyl	P	Smooth or split-faced block	NP

Additional Standards

Pedestrian connections through to Adjacent Neighborhoods or Uses	R
Location of Retaining Walls	P within required Yards, per Section 4.3.10 If supporting grade 8 ft. or higher than grade at property line, must be set back 10 ft. from property line.

LEGEND The following notations are utilized in this table.

P Permitted | NP Not Permitted | NA Not Applicable | R Required | NR Not Regulated

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CD-4 TABLE 4.3.1-D DISTRICT STANDARDS: GENERAL URBAN CHARACTER DISTRICT

Screens, Streetscreens & Buffers

Height

	At Frontage or Adjacent to Civic Space	Not at Frontage or Adjacent to Civic Space
Wall Screen/Streetscreen Height	3 ft. to 5 ft.	5 ft. to 6 ft.; Min. 6 ft. for Dumpsters and Trash Receptacles
Fence Screen/Streetscreen Height	NP	5 ft. to 6 ft.; Min. 6 ft. for Dumpsters and Trash Receptacles
Hedge Screen/Streetscreen Height	3 ft. to 5 ft. at installation	5 ft. to 6 ft. at installation

Materials

Wall Screen or Streetscreen	Brick, Natural Stone or Stucco over Masonry
Fence Screen or Streetscreen	Natural Wood, painted or unpainted
Hedge Screen or Streetscreen	Evergreen plants with min. 80% opacity

Additional Standards

Non-Residential & Multi-Family Residential Screen /Streetscreen Adjacent to or across Thoroughfare from Non-Multi-Family Residential	NR
Screening of Parking, Loading Areas, Service Areas, Outdoor Storage, Drive-Throughs, Trash Receptacles/Dumpsters, HVAC and other equipment Screened from Frontage, Civic Space and Adjacent Property	R; except at Driveways: Parking Lots and Parking Areas must be Screened from Frontage and Civic Space by Building or Streetscreen; Parking Structures must be Screened from Frontages by Liner Buildings. Otherwise, Screening must be by Building, wall, hedge or fence at Frontage or Building, Wall, hedge or fence not at Frontages or Adjacent to Civic Space.
Rooftop Antennas and HVAC, Mechanical and other Equipment Screening	R; must be Screened from Frontage and Civic Space by Building parapet or other Building Element
Self-Storage Warehouse Screening	NA (not permitted in District)
Streetscreen Location	2nd Layer
Parcel Buffer	Section 4.3.11.H.
Project Buffer	Section 5.8.

ARTICLE 4

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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CD-4C TABLE 4.3.1–DISTRICT STANDARDS: GENERAL URBAN CORRIDOR CHARACTER DISTRICT

General Description

The CD-4C General Urban – Corridor Character District consists of a medium density area along a corridor. It provides for a balanced automobile– and pedestrian– oriented built environment and a mix of Building Types and primarily Residential, Retail / Personal Service / Artisan, Office, Lodging and Civic Uses; there are medium, narrow or no front Setbacks and narrow to medium side Setbacks; it has variable private landscaping; and it has Thoroughfares and Internal Drives with curbs, Sidewalks and trees that define medium–sized blocks. CD–4C is an appropriate District for the Suburban Corridor Character Area, the Employment Character Area, the Urban Corridor Character Area, the Tom Hitch Special Area, the Bear Creek Pike "Node" Special Area the Neapolis Special Area described in the Comprehensive Plan.

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CD-4C TABLE 4.3.1-E DISTRICT STANDARDS: GENERAL URBAN CORRIDOR CHARACTER DISTRICT

Density / Floor Area Ratio (FAR) *Applicable only to Development Parcels*

24 Density Units per acre max

Block Size* *Applicable only to Development Parcels.

Block Perimeter	2400 ft. max

Private Frontage Types

Common Yard	P	Stepfront	NP
Porch	P	Shopfront	P
Fence	P	Gallery	P
Terrace/Lightwell	P	Arcade	NP
Forecourt	P	Officefront	P
Stoop	P		

See Table 4.3.7.A (Private Frontage Types)

Civic Space Types* *Applicable only to Development Parcels.

Natural Area	NP	Playground	P
Green	NP	Sport Field	NP
Square	P	Community Garden	P
Plaza	P	Pocket Park	P

See Table 5.3.3.A (Civic Space Types – Summary) and Table 5.3.3.B (Civic Space – Specific Standards)

Permitted Uses

See Table 4.3.9.A-1 (Building, Lot & Building Site Principal Use), Table 4.3.9.A-2 (Building, Lot & Building Site Accessory Uses), and Table 4.3.9.A-3 (Building, Lot & Building Site Temporary Uses). For Development Parcels, see also Table 5.1.11 (Principal Use Mix).

Number of Buildings Per Lot or Building Site

Principal Building	1 max
Accessory Buildings	1 max

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

ARTICLE 4

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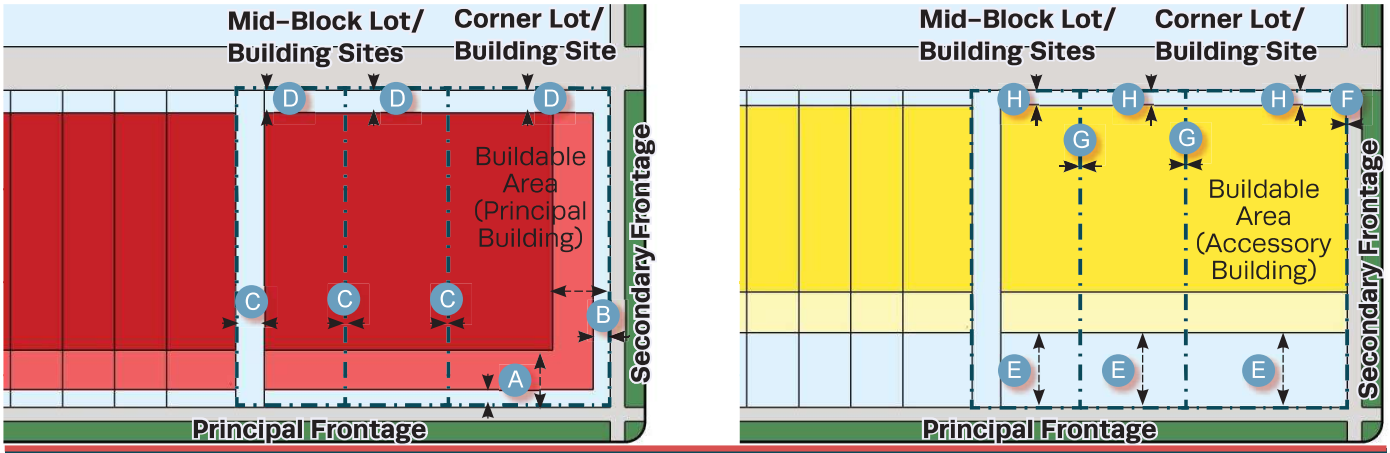
CD-4C TABLE 4.3.1–DISTRICT STANDARDS: GENERAL URBAN CORRIDOR CHARACTER DISTRICT



Lot Occupation

Lot/Building Site Width	House: 38' min if Alley loaded Garage at rear, otherwise 50 ft min. Duplex: 30 ft. min for each unit of Duplex Townhouse: For Townhouses with each unit on its own Lot or Building Site: 18 – 36 ft. for single Townhouse unit attached to other Townhouse units X 8 max. attached Townhouse units For multiple Townhouses on a single Lot or Building Site: 18 –20 ft. per Townhouse unit X 6 max. attached Townhouse units Large Scale Commercial: 600 ft. max All other Building Types: 18 ft. min. – 200 ft. max
Frontage Buildout	60% min. except commercial 40% min.
Lot/Building Site Area	NR
Impervious Surface Coverage	80% max.
Lot/Building Site Enfrontment	Must enfront a vehicular Thoroughfare or Internal Drive, except ≤ 20% of the Lots or Building Sites within each type of Character District of a Development Parcel may Enfront a Pedestrian Path, Passage, pedestrian walkway or water body if such Lots have legal and physical vehicular access to a vehicular Thoroughfare via Driveway or Easement.
Lot/Building Site Access	All Lots must have legal and physical vehicular access to a vehicular Thoroughfare via Driveway or Easement.

Setback / Yards

Setback / Yards – Principal Building

Front Setback / Yard, Principal Frontage	6 ft. min., 40 ft. max	A
Front Setback / Yard, Secondary Frontage	6 ft. min., 40 ft. max	B
Side Setback / Yard, each side	0 ft. min. per side	C
Rear Setback	3 ft. min; or 15 ft. min. from center line of Rear Alley	D

Setback / Yards – Accessory Building

Front Setback / Yard, Principal Frontage	20 ft. min. behind Principal Building Frontage	E
Front Setback / Yard, Secondary Frontage	5 ft. min.	F
Side Setback / Yard, each side	5 ft. min	G
Rear Setback	3 ft. min. or 5 ft. min. if Garage door faces Rear Alley	H

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CD-4C TABLE 4.3.1-E DISTRICT STANDARDS: GENERAL URBAN CORRIDOR CHARACTER DISTRICT

Building Standards

Building Height*

Principal Building	4 Stories max.
Accessory Building	2 Stories max.

*Stories and height do not include Attics and Basements, chimneys, flagpoles, towers, steeples, spires, belfries, parapet walls, aerials, or antennas. Any Building exceeding 35 feet in height must obtain approval from the Fire Department prior to the issuance of a Building Permit.

The Fire Department may stipulate special fire protection measures in accordance with National Fire Protection Association and International Building Code criteria as a condition of approval of such Structure. In such instance the stipulations made by the Fire Department in accordance with the above cited codes shall be required.

Ceiling Height

May not exceed 14 ft. from finished floor to finished ceiling, except for a first floor Business/Commercial, Office, Retail/Personal Service, or Accommodation / Lodging Use, which must be a minimum of 11 ft. with a maximum of 25 ft.

Building Composition

Vertical Composition	Each Principal Building must have an identifiable Base, Middle, & Cap
Finished Floor Level	NR

Facade

Main Entrance	Main Entrance must be in Facade of Principal Frontages. If Shopfront Frontage at corner, Main Entrance may be at Principal Frontage or at corner.
Facade Position	Parallel to straight Frontage Line or to tangent of curved Frontage Line
Facade & Facade Element Design Proportions	Must be vertically proportioned
Blank Walls	NP at Frontage
Facade Articulation	Except for House Building Types, a Façade greater than 100 ft. in width must be differentiated so that it appears to be comprised of two or more Adjacent Buildings (except Large Scale Commercial 200 ft.) by dividing such Façade into two segments each of which includes a separate entrance and (1) differs from each of the other segments with respect to all of the following: (a) a change in shape, sill, and header height, detail, size, spacing, rhythm, and muntin pattern of windows; (b) a change of Building or cornice height; (c) a change in cornice details; (d) a change of wall material or wall color; a change in trim courses and other horizontal elements; (e) a change in dormer or balcony design, if any, and (f) providing or changing pilasters, columns, or other Façade elements; and (2) is composed with a defined center and edges. (See **Illustration 4.3.5.A-3**)

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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CD-4C TABLE 4.3.1–DISTRICT STANDARDS: GENERAL URBAN CORRIDOR CHARACTER DISTRICT

Building Standards (continued)

Facade (continued)

Facade Openings	Windows and/or doors spaced ≤ 20 ft. apart. In Stories above first, Facade openings must be ≤ 50% of total Facade area.
Facade Glazing	20% – 60% of total Facade area for non-Shopfront; 70% of total Facade area, min. for Shopfront.
Window Shape	Square or vertical in proportion, except for transoms.
Window Alignment	Upper floor windows and other features must be aligned with those of first floor.
Window Types	Except in Shopfront or Gallery Frontage, and except for transoms and sidelights, Windows in Facade and 1st & 2nd Layers must be single-hung, double-hung, casement or awning types. In Stories above first, Facade openings must be ≤ 50% of total Facade area.
Window Glazing Material	Clear glass (R) for all Elevations.
Window Trim in 1st Layer	Min. 4 in. trim with sill and top plate if siding surrounding window; soldier course above lintel and rollock course below sill if brick or stone surrounds window
Shutters	If any, must be functional and proportioned to cover half of window width from each side or entire window width, with shutter dogs
Facade Window Sill Height	If Residential: 5 ft. min. above avg. grade at Facade
Porch Frontages	Min. 6 ft. clear depth, excluding rails, pillars, columns or other features
Shopfront Frontages	12 in.–24 in. knee wall required at Frontage
Facade Variety	No Facade may exist more than once on a Block Face or within view of the same Facade

Roof Type & Pitch

Flat	(P)
Shed	(P) at rear only and if ridge is attached to an exterior Building wall; except for porches, stoops or dormers which may have a shed roof anywhere on the Building
Hip	(P)
Gable	(P)
Pitch	6:12 – 14:12, except for shed roofs which may be 3:12 – 14:12 and except roof pitch may match the primary roof pitch of an existing Building that is less than 6:12

Roof Design

Eaves shall extend no less than nine inches beyond the supporting walls.

LEGEND The following notations are utilized in this table.	(P) Permitted	(NP) Not Permitted	(NA) Not Applicable	(R) Required	(NR) Not Regulated

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CD-4C TABLE 4.3.1-E DISTRICT STANDARDS: GENERAL URBAN CORRIDOR CHARACTER DISTRICT

Building Standards (continued)

Gable end rakes shall overhang at least six inches.
Eaves and rakes on Accessory Buildings and dormers shall overhang at least six inches.
Soffits shall be placed perpendicular to the Building wall, not sloping in plane with the roof (except for gable end rakes).

Building Materials

Primary Building Material on Facades	Brick	P	Authentic stucco over masonry	P
	Natural stone	P	Exposed concrete	NP
	Wood	P	Aluminum or vinyl siding	NP
	Cementitious siding	P	Corrugated and/or sheet metal	NP
Changes in Building Materials	Primary materials must continue along side Elevations through 2nd Layer. Primary materials shall continue for entire length of all Facades facing a Frontage. Any material changes must coincide with form, structural, or massing changes and shall not occur at outside corner of such change.			
Building Colors	Up to 3 colors, including the natural color of any allowed materials, but excluding trim colors			
Foundation Cladding	R; brick or natural stone			
Porch Pier Cladding	R; brick or natural stone, with any space under Porch concealed by painted or stained latticework between piers			
Chimney Cladding	R; brick, natural stone, or material matching primary material of Facade			

Building Types

House	P	Commercial	P
Duplex	P	Mixed Use	P
Townhouse	P	Flex	P
Small Multifamily	P	Mid-Rise	NP
Large Multifamily	P	Large Scale Commercial	P
Live/Work	P	Civic	P

See Table 4.3.8.A (Principal Building Types – Summary) and Table 4.3.8.B (Principal Building Types – Specific Standards). For Development Parcels, see also Table 5.1.10 (Building Type Mix).

ARTICLE 4

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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CD-4C TABLE 4.3.1–DISTRICT STANDARDS: GENERAL URBAN CORRIDOR CHARACTER DISTRICT

Vehicular Parking Requirements

Parking Location

	On-Street Parking	Off-Street Parking
Domestic Vehicles	P	P in 3rd Layer only, and in Driveway
Recreational Vehicles	NP	P in 3rd Layer only, and in Driveway
Heavy Equipment	NP	P in 3rd Layer only, and in Driveway
Tractor trailers (including trailers for storage)	NP on-Street, except for delivery and Temporary Use of trailers	P in 3rd Layer only, and in Driveway
All Other Vehicles	NP	P in 3rd Layer only, and in Driveway

Additional Parking Requirements

Off-Street Parking Surface	Prepared surface of asphalt, concrete or other hard surface
Garage Location	P in 3rd Layer only
Garage Design	Min. interior dimensions 10 ft. x 20 ft. per vehicle Parking space. If Garage faces Street: max. Garage door width 33% of total of Garage + Facade width. Garage must be detailed, finished, & designed like rest of Building with carriage house doors; max. Garage door width 9 ft.; each Garage door must have ornamental lighting fixture above it; min. 2 ft. separation between Garage doors
Driveway/Vehicular Entrance Location	P in any Layer
Driveway/Vehicular Entrance Maximum Width	10 ft max. in 1st Layer if Residential; 36 ft max. in 1st Layer if non-Residential, regardless if shared or not
Parking Structures	P, if Screened from Frontage by Liner Buildings
Parking Structure Pedestrian Exit Location	Via pedestrian access to Frontage

Bicycle Parking

See Section 4.3.13

Thoroughfares & Internal Drive Types*

**Only applicable to Development Parcels.*

See Article 5 (Development Parcel Standards) for additional requirements.

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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CD-4C TABLE 4.3.1-E DISTRICT STANDARDS: GENERAL URBAN CORRIDOR CHARACTER DISTRICT

Loading & Access

Off-Street Loading and Storage	P in 3rd Layer only.
Utility Box & Service Meter* Locations (*Not including water meters)	P in 3rd Layer only.
Off-Street Trash Receptacle Locations	P in 3rd Layer only.
Off-Street Dumpster Locations	P in 3rd Layer only.
Drive-Through Locations	P in 3rd Layer only.

Non-Building Components

	1st Layer	2nd Layer	3rd Layer
Heating and Air Conditioning Equipment, Utility, Service and Mechanical Equipment	NP	P if Screened from Frontage	P
Solar Panels	P if coplanar to and integrated into roof design		P
Antennas & Satellite Equipment	P in 1st or 2nd Layer if such Layer is only possible location possible for satisfactory reception.		P
Recreation or Play Equipment	NP	NP	P
Animal Enclosures, Runs or Shelters	NP	NP	P
Swimming Pools, Hot Tubs and Spas	NP	NP	P
Transmitting and/or receiving towers or antennas and wind-generating machines	NP	NP	P

Signs

See Sign Standards in Article 7 (Sign Standards) and Table 7.12.B-1 (Sign Types - Summary) and Table 7.1.2.B-2 (Sign Types - Specific Standards)

Lighting

See Private Lighting requirements in Section 4.3.17 and Table 4.3.17.B (Private Lighting Standards)

ARTICLE 4

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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CD-4C TABLE 4.3.1–DISTRICT STANDARDS: GENERAL URBAN CORRIDOR CHARACTER DISTRICT

Private Landscaping and Fencing

Landscaping

R continuous shrubs around foundation at Facade if 1st Layer is ≥ 3 ft. deep, plus if 1st Layer is ≥ 15 ft. deep, 1 tree planted in 1st Layer every 50 ft. of frontage. Drive aisle within the 1st layer, continuous shrubs. Landscaping must comply with Section 4.3.16.

Walls & Fencing (not including Screens)

Height	3.5–4 ft. at Frontage; otherwise 6 ft. max; height measured from avg. undisturbed grade of Adjacent property at property line
Construction	Finished side must face Adjacent property, Thoroughfare or Internal Drive, Path, Passage or Waterbody
Maintenance	Must be well-maintained, in upright condition and free of missing or broken parts and graffiti.

Materials

Natural Wood	P Only picket type allowed at Frontage; other types allowed on sides and at rear	Chain Link	P at sides and rear only
Brick, Natural Stone, or Stucco over Masonry	P	Barbed/razor/concertina wire	NP
Wrought Iron or Aluminum	P	Exposed or painted aggregate concrete	NP
Vinyl	P	Smooth or split-faced block	NP

Additional Standards

Pedestrian connections through to Adjacent Neighborhoods or Uses	R
Location of Retaining Walls	P within required Yards, per Section 4.3.10 If supporting grade 8 ft. or higher than grade at property line, must be set back 10 ft. from property line.

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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CD-4C TABLE 4.3.1-E DISTRICT STANDARDS: GENERAL URBAN CORRIDOR CHARACTER DISTRICT

Screens, Streetscreens & Buffers

Height

	At Frontage or Adjacent to Civic Space	Not at Frontage or Adjacent to Civic Space
Wall Screen/Streetscreen Height	3.5 ft. to 5 ft.	5 ft. to 6 ft.; Min. 6 ft. for Dumpsters and Trash Receptacles
Fence Screen/Streetscreen Height	NP	5 ft. to 6 ft.; Min. 6 ft. for Dumpsters and Trash Receptacles
Hedge Screen/Streetscreen Height	3 ft. to 5 ft. at installation	5 ft. to 6 ft. at installation

Materials

Wall Screen or Streetscreen	Brick, Natural Stone or Stucco over Masonry
Fence Screen or Streetscreen	Natural Wood, painted or unpainted
Hedge Screen or Streetscreen	Evergreen plants with min. 80% opacity

Additional Standards

Non-Residential & Multi-Family Residential Screen /Streetscreen Adjacent to or across Thoroughfare from Non-Multi-Family Residential	NR
Screening of Parking, Loading Areas, Service Areas, Outdoor Storage, Drive-Throughs, Trash Receptacles/Dumpsters, HVAC and other equipment Screened from Frontage, Civic Space and Adjacent Property	R; except at Driveways: Parking Lots and Parking Areas must be Screened from Frontage and Civic Space by Building or Streetscreen; Parking Structures must be Screened from Frontages by Liner Buildings. Otherwise, Screening must be by Building, wall, hedge or fence at Frontage or Building, Wall, hedge or fence not at Frontages or Adjacent to Civic Space.
Rooftop Antennas and HVAC, Mechanical and other Equipment Screening	R; must be Screened from Frontage and Civic Space by Building parapet or other Building Element
Self-Storage Warehouse Screening	NA (not permitted in District)
Streetscreen Location	2nd Layer
Parcel Buffer	Section 4.3.11.H.
Project Buffer	Section 5.8.

ARTICLE 4

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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CD-5 TABLE 4.3.1-F DISTRICT STANDARDS: URBAN CENTER CHARACTER DISTRICT

General Description

The CD-5 Urban Center Character District consists of higher density Mixed Use areas. It has a tight network of Thoroughfares and Internal Drives with Sidewalks, street lights and regular tree spacing, defining medium-sized blocks. Buildings are set close to the Sidewalks. CD-5 is an appropriate District for the Urban Neighborhood Character Area, the Center Character Area, the Inner Core (Downtown) Special Area, and the Neapolis Special Area described in the Comprehensive Plan.

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CD-5 TABLE 4.3.1-F DISTRICT STANDARDS: URBAN CENTER CHARACTER DISTRICT

Density / Floor Area Ratio (FAR) *Applicable only to Development Parcels

NR

Block Size* *Applicable only to Development Parcels.

Block Perimeter	2,000 ft. max. or 3,000 ft. max. if a Parking Structure provided within Block

Private Frontage Types

Common Yard	NP	Stepfront	P
Porch	NP	Shopfront	P
Fence	NP	Gallery	P
Terrace/Lightwell	P	Arcade	P
Forecourt	P	Officefront	P
Stoop	P		

See Table 4.3.7.A (Private Frontage Types)

Civic Space Types* *Applicable only to Development Parcels.

Natural Area	NP	Playground	P
Green	NP	Sport Field	NP
Square	P	Community Garden	P
Plaza	P	Pocket Park	P

See Table 5.3.3.A (Civic Space Types – Summary) and Table 5.3.3.B (Civic Space – Specific Standards)

Permitted Uses

See Table 4.3.9.A-1 (Building, Lot & Building Site Principal Use), Table 4.3.9.A-2 (Building, Lot & Building Site Accessory Uses), and Table 4.3.9.A-3 (Building, Lot & Building Site Temporary Uses). For Development Parcels, see also Table 5.1.11 (Principal Use Mix).

Number of Buildings Per Lot or Building Site

Principal Building	1 max
Accessory Buildings	1 max

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

ARTICLE 4

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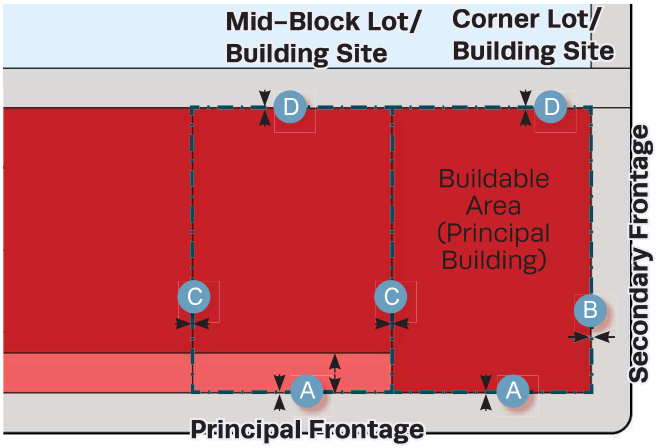
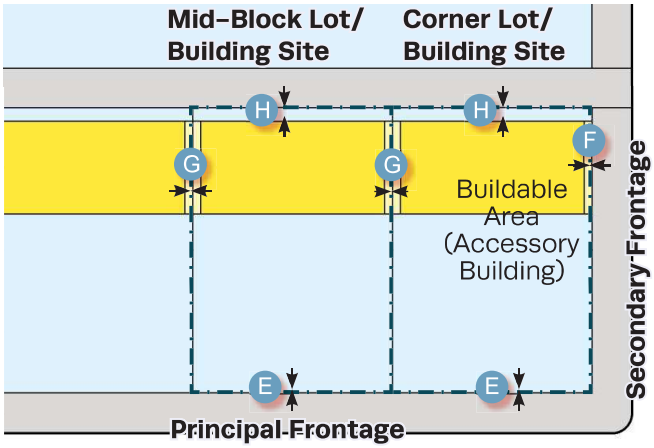
CD-5 TABLE 4.3.1-F DISTRICT STANDARDS: URBAN CENTER CHARACTER DISTRICT





Lot Occupation

Lot/Building Site Width	House: 38ft. min if Alley loaded Garage at rear, otherwise 50ft. min Duplex: 30 ft. min for each unit of Duplex Townhouse: For Townhouses with each unit on its own Lot or Building Site: 18 – 36 ft. for single Townhouse unit attached to other Townhouse units X 8 max. attached Townhouse units For multiple Townhouses on a single Lot or Building Site: 18 –20 ft. per Townhouse unit X 6 max. attached Townhouse units All other Building Types: 18 ft. min.– 120 ft. max.
Frontage Buildout	80% min. except House and Duplex 60%
Lot/Building Site Area	NR
Impervious Surface Coverage	100% max
Lot/Building Site Enfrontment	Must enfront a vehicular Thoroughfare or Internal Drive, except ≤ 20% of the Lots or Building Sites within each type of Character District of a Development Parcel may Enfront a Pedestrian Path, Passage, pedestrian walkway or water body if such Lots have legal and physical vehicular access to a vehicular Thoroughfare via Driveway or Easement.
Lot/Building Site Access	All Lots must have legal and physical vehicular access to a vehicular Thoroughfare via Driveway or Easement.

Setback / Yards

Setback / Yards – Principal Building

Front Setback / Yard, Principal Frontage	0 ft. at corners; 0 ft. min; 15 ft. max. elsewhere	A
Front Setback / Yard, Secondary Frontage	0 ft. at corners; 0 ft. min; 15 ft. max. elsewhere	B
Side Setback / Yard, each side	0 ft. min; 24 ft. max. per side	C
Rear Setback	NR	D

Setback / Yards – Accessory Building

Front Setback / Yard, Principal Frontage	40 ft. max. from rear property line; except	E
Side Setback / Yard	3 ft. max	F
Rear Setback / Yard	3 ft. min. or 5 ft min. if Garage door faces Rear Alley	G

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CD-5 TABLE 4.3.1-F DISTRICT STANDARDS: URBAN CENTER CHARACTER DISTRICT

Building Standards

Building Height*

Principal Building	2 Story min; 5 Stories max. adjacent to CD-5 all other areas 3 stories max.
Accessory Building	2 Stories max

*Stories and height do not include Attics and Basements, chimneys, flagpoles, towers, steeples, spires, belfries, parapet walls, aerials, or antennas. Any Building exceeding 35 feet in height must obtain approval from the Fire Department prior to the issuance of a Building Permit.

The Fire Department may stipulate special fire protection measures in accordance with National Fire Protection Association and International Building Code criteria as a condition of approval of such Structure. In such instance the stipulations made by the Fire Department in accordance with the above cited codes shall be required.

Ceiling Height

May not exceed 14 ft. from finished floor to finished ceiling, except for a first floor Business/Commercial, Office, Retail/Personal Service, or Accommodation / Lodging Use, which must be a minimum of 11 ft. with a maximum of 25 ft.

Building Composition

Vertical Composition	Each Principal Building must have an identifiable Base, Middle, & Cap
Finished Floor Level	If Residential: 18 in. min., 48 in. max. above avg. grade at Facade

Facade

Main Entrance	Main Entrance must be in Facade of Principal Frontages. If Shopfront Frontage at corner, Main Entrance may be at Principal Frontage or at corner.
Facade Position	Parallel to straight Frontage Line or to tangent of curved Frontage Line
Facade & Facade Element Design Proportions	Must be vertically proportioned
Blank Walls	NP at Frontage

ARTICLE 4

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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CD-5 TABLE 4.3.1-F DISTRICT STANDARDS: URBAN CENTER CHARACTER DISTRICT

Building Standards (continued)

Facade Articulation	A Façade greater than 100 ft. in width must be differentiated so that it appears to be comprised of two or more Adjacent Buildings, by dividing such Façade into two segments each of which includes a separate entrance and (1) differs from each of the other segments with respect to all of the following: (a) a change in shape, sill, and header height, detail, size, spacing, rhythm, and muntin pattern of windows; (b) a change of Building or cornice height; (c) a change in cornice details; (d) a change of wall material or wall color; a change in trim courses and other horizontal elements; (e) a change in dormer or balcony design, if any, and (f) providing or changing pilasters, columns, or other Façade elements; and (2) is composed with a defined center and edges. (See illustration)
Facade (continued)	
Facade Openings	Windows and/or doors spaced ≤ 20 ft. apart. In Stories above first, Facade openings must be ≤ 50% of total Facade area.
Facade Glazing	20% – 60% of total Facade area for non-Shopfront; 70% of total Facade area, min. for Shopfront.
Window Shape	Square or vertical in proportion, except for transoms.
Window Alignment	Upper floor windows and other features must be aligned with those of first floor.
Window Types	Except in Shopfront or Gallery Frontage, and except for transoms and sidelights, Windows in Facade and 1st & 2nd Layers must be single-hung, double-hung, casement or awning types. In Stories above first, Facade openings must be ≤ 50% of total Facade area.
Window Glazing Material	Clear glass (R) for all Elevations.
Window Trim in 1st Layer	Min. 4 in. trim with sill and top plate if siding surrounding window; soldier course above lintel and rollock course below sill if brick or stone surrounds window
Shutters	If any, must be functional and proportioned to cover half of window width from each side or entire window width, with shutter dogs
Facade Window Sill Height	If Residential: 5 ft. min. above avg. grade at Facade
Porch Frontages	Min. 6 ft. clear depth, excluding rails, pillars, columns or other features
Shopfront Frontages	12 in.-24 in. knee wall required at Frontage
Facade Variety	No Facade may exist more than once on a Block Face or within view of the same Facade
Roof Type & Pitch	
Flat	(P)
Shed	(P) at rear only and if ridge is attached to an exterior Building wall; except for porches, stoops or dormers which may have a shed roof anywhere on the Building
Hip	(P)

LEGEND The following notations are utilized in this table.	(P) Permitted	(NP) Not Permitted	(NA) Not Applicable	(R) Required	(NR) Not Regulated

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CD-5 TABLE 4.3.1-F DISTRICT STANDARDS: URBAN CENTER CHARACTER DISTRICT

Building Standards (continued)

Gable	P
Pitch	6:12 – 14:12, except for shed roofs which may be 3:12 – 14:12 and except roof pitch may match the primary roof pitch of an existing Building that is less than 6:12

Roof Design

Eaves shall extend no less than nine inches beyond the supporting walls.
Gable end rakes shall overhang at least six inches.
Eaves and rakes on Accessory Buildings and dormers shall overhang at least six inches.
Soffits shall be placed perpendicular to the Building wall, not sloping in plane with the roof (except for gable end rakes).

Building Materials

Primary Building Material on Facades	Brick	P	Authentic stucco over masonry	P
	Natural stone	P	Exposed concrete	NP
	Wood	P	Aluminum or vinyl siding	NP
	Cementitious siding	P	Corrugated and/or sheet metal	NP
Changes in Building Materials	Primary materials must continue along side Elevations through 2nd Layer. Primary materials shall continue for entire length of all Facades facing a Frontage. Any material changes must coincide with form, structural, or massing changes and shall not occur at outside corner of such change.			
Building Colors	Up to 3 colors, including the natural color of any allowed materials, but excluding trim colors			

Building Types

House	P	Commercial	P
Duplex	P	Mixed Use	P
Townhouse	P	Flex	P
Small Multifamily	P	Mid-Rise	P
Large Multifamily	P	Large Scale Commercial	NP
Live/Work	P	Civic	P

See Table 4.3.8.A (Principal Building Types – Summary) and Table 4.3.8.B (Principal Building Types – Specific Standards). For Development Parcels, see also Table 5.1.10 (Building Type Mix).

ARTICLE 4

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CD-5 TABLE 4.3.1-F DISTRICT STANDARDS: URBAN CENTER CHARACTER DISTRICT

Vehicular Parking Requirements

Parking Location

	On-Street Parking	Off-Street Parking
Domestic Vehicles	P	P in 3rd Layer only, and in Driveway
Recreational Vehicles	NP	P in 3rd Layer only, and in Driveway
Heavy Equipment	NP	P in 3rd Layer only, and in Driveway
Tractor trailers (including trailers for storage)	NP on-Street, except for delivery and Temporary Use of trailers	P in 3rd Layer only, and in Driveway
All Other Vehicles	NP	P in 3rd Layer only, and in Driveway

Additional Parking Requirements

Off-Street Parking Surface	Prepared surface of asphalt, concrete or other hard solid surface
Garage Location	P in 3rd Layer only
Garage Design	Min. interior dimensions 10 ft. x 20 ft. per vehicle Parking space. If Garage faces Street: max. Garagedoor width 33% of total of Garage + Facade width. Garage must be detailed, finished, & designed like rest of Building with carriage house doors; max. Garage door width 9 ft.; each Garage door must have ornamental lighting fixture above it; min. 2 ft. separation between Garage doors
Driveway/Vehicular Entrance Location	P in any Layer
Driveway/Vehicular Entrance Maximum Width	24 ft max. in 1st Layer, regardless if shared or not
Parking Structures	P, if Screened from Frontage by Liner Buildings
Parking Structure Pedestrian Exit Location	Via pedestrian access to Frontage

Bicycle Parking

See Section 4.3.13

Thoroughfares & Internal Drive Types*

**Only applicable to Development Parcels.*

See Article 5 (Development Parcel Standards) for additional requirements.

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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CD-5 TABLE 4.3.1-F DISTRICT STANDARDS: URBAN CENTER CHARACTER DISTRICT

Loading & Access

Off-Street Loading and Storage	P in 3rd Layer only.
Utility Box & Service Meter* Locations (*Not including water meters)	P in 3rd Layer only.
Off-Street Trash Receptacle Locations	P in 3rd Layer only.
Off-Street Dumpster Locations	P in 3rd Layer only.
Drive-Through Locations	P in 3rd Layer only.

Non-Building Components

	1st Layer	2nd Layer	3rd Layer
Heating and Air Conditioning Equipment, Utility, Service and Mechanical Equipment	NP	P if Screened from Frontage	P
Solar Panels	P if coplanar to and integrated into roof design		P
Antennas & Satellite Equipment	P in 1st or 2nd Layer if such Layer is only possible location possible for satisfactory reception.		P
Recreation or Play Equipment	NP	NP	P
Animal Enclosures, Runs or Shelters	NP	NP	P
Swimming Pools, Hot Tubs and Spas	NP	NP	P
Transmitting and/or receiving towers or antennas and wind-generating machines	NP	NP	P

Signs

See Sign Standards in Article 7 (Sign Standards) and Table 7.12.B-1 (Sign Types - Summary) and Table 7.1.2.B-2 (Sign Types - Specific Standards)

Lighting

See Private Lighting requirements in Section 4.3.17 and Table 4.3.17.B (Private Lighting Standards)

ARTICLE 4

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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CD-5 TABLE 4.3.1-F DISTRICT STANDARDS: URBAN CENTER CHARACTER DISTRICT

Private Landscaping and Fencing

Landscaping

NA if paved or ≤3 ft Front Setback / Yard; Otherwise, shrubs continuous around foundation at Facade. Landscaping must comply with Section 4.3.16.

Walls & Fencing (not including Screens)

Height	3.5–4 ft. at Frontage; otherwise 6 ft. max; height measured from avg. undisturbed grade of Adjacent property at property line
Construction	Finished side must face Adjacent property, Thoroughfare or Internal Drive, Path, Passage or Waterbody
Maintenance	Must be well-maintained, in upright condition and free of missing or broken parts and graffiti.

Materials

Natural Wood	P at sides and rear only	Chain Link	P at sides and rear only
Brick, Natural Stone, or Stucco over Masonry	P at sides and rear only	Barbed/razor/concertina wire	NP
Wrought Iron or Aluminum	P	Exposed or painted aggregate concrete	NP
Vinyl	NP	Smooth or split-faced block	NP

Additional Standards

Pedestrian connections through to Adjacent Neighborhoods or Uses	R
Location of Retaining Walls	P within required Yards, per Section 4.3.10 If supporting grade 8 ft. or higher than grade at property line, must be set back 10 ft. from property line.

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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CD-5 TABLE 4.3.1-F DISTRICT STANDARDS: URBAN CENTER CHARACTER DISTRICT

Screens, Streetscreens & Buffers

Height

	At Frontage or Adjacent to Civic Space	Not at Frontage or Adjacent to Civic Space
Wall Screen/Streetscreen Height	3.5 ft. to 5 ft.	5 ft. to 6 ft.; Min. 6 ft. for Dumpsters and Trash Receptacles
Fence Screen/Streetscreen Height	NP	5 ft. to 6 ft.; Min. 6 ft. for Dumpsters and Trash Receptacles
Hedge Screen/Streetscreen Height	3 ft. to 5 ft. at installation	5 ft. to 6 ft. at installation

Materials

Wall Screen or Streetscreen	Brick, Natural Stone or Stucco over Masonry
Fence Screen or Streetscreen	Natural Wood, painted or unpainted
Hedge Screen or Streetscreen	Evergreen plants with min. 80% opacity

Additional Standards

Non-Residential & Multi-Family Residential Screen /Streetscreen Adjacent to or across Thoroughfare from Non-Multi-Family Residential	NR
Screening of Parking, Loading Areas, Service Areas, Outdoor Storage, Drive-Throughs, Trash Receptacles/Dumpsters, HVAC and other equipment Screened from Frontage, Civic Space and Adjacent Property	R; except at Driveways: Parking Lots and Parking Areas must be Screened from Frontage and Civic Space by Building or Streetscreen; Parking Structures must be Screened from Frontages by Liner Buildings. Otherwise, Screening must be by Building, wall, hedge or fence at Frontage or Building, Wall, hedge or fence not at Frontages or Adjacent to Civic Space.
Rooftop Antennas and HVAC, Mechanical and other Equipment Screening	R; must be Screened from Frontage and Civic Space by Building parapet or other Building Element
Self-Storage Warehouse Screening	NA (not permitted in District)
Streetscreen Location	2nd Layer
Parcel Buffer	Section 4.3.11.H.
Project Buffer	Section 5.8.

ARTICLE 4

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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CD-5C TABLE 4.3.1-G DISTRICT STANDARDS: URBAN CENTER CORRIDOR CHARACTER DISTRICT

General Description

The CD-5C Urban Center-Corridor Character District consists of higher density Mixed Use areas. It provides for a balanced automobile- and pedestrian- oriented built environment, a mix of Building Types and primarily has a tight network of Thoroughfares and Internal Drives with Sidewalks, street lights and regular tree spacing, defining medium-sized blocks. Buildings are set close to the Sidewalks. CD-5C is an appropriate District for the Urban Corridor Character Area, the South Central (James Campbell) Special Area, and the Neapolis Special Area described in the Comprehensive Plan.

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CD-5C TABLE 4.3.1-G DISTRICT STANDARDS: URBAN CENTER CORRIDOR CHARACTER DISTRICT

Density / Floor Area Ratio (FAR) *Applicable only to Development Parcels*

NR

Block Size* *Applicable only to Development Parcels.

Block Perimeter	2,000 ft. max. or 3,000 ft. max. if a Parking Structure provided within Block

Private Frontage Types

Common Yard	NP	Stepfront	NP
Porch	NP	Shopfront	P
Fence	NP	Gallery	P
Terrace/Lightwell	P	Arcade	P
Forecourt	P	Officefront	P
Stoop	P		

See Table 4.3.7.A (Private Frontage Types)

Civic Space Types* *Applicable only to Development Parcels.

Natural Area	NP	Playground	P
Green	NP	Sport Field	NP
Square	P	Community Garden	P
Plaza	P	Pocket Park	P

See Table 5.3.3.A (Civic Space Types – Summary) and Table 5.3.3.B (Civic Space – Specific Standards)

Permitted Uses

See Table 4.3.9.A-1 (Building, Lot & Building Site Principal Use), Table 4.3.9.A-2 (Building, Lot & Building Site Accessory Uses), and Table 4.3.9.A-3 (Building, Lot & Building Site Temporary Uses). For Development Parcels, see also Table 5.1.11 (Principal Use Mix).

Number of Buildings Per Lot or Building Site

Principal Building	1 max
Accessory Buildings	1 max

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

ARTICLE 4

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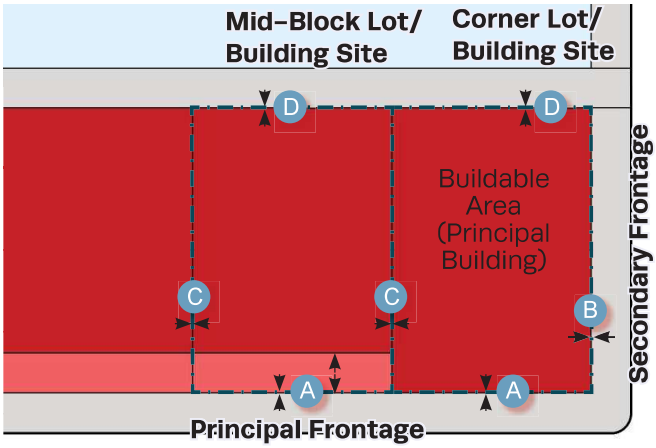
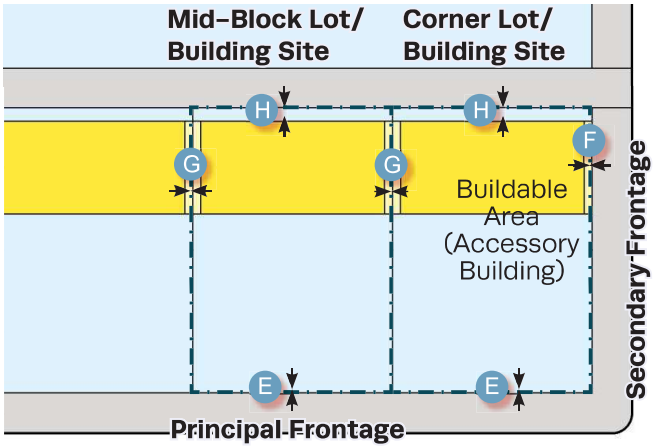
CD-5C TABLE 4.3.1-G DISTRICT STANDARDS: URBAN CENTER CORRIDOR CHARACTER DISTRICT





Lot Occupation

Lot/Building Site Width	Townhouse: For Townhouses with each unit on its own Lot or Building Site: 18 – 36 ft. for single Townhouse unit attached to other Townhouse units X 8 max. attached Townhouse units For multiple Townhouses on a single Lot or Building Site: 18 –20 ft. per Townhouse unit X 8 max. attached Townhouse units All other Building Types: 18 ft. min. All Building Types: 120 ft. max.
Frontage Buildout	80% min
Lot/Building Site Area	NR
Impervious Surface Coverage	100% max
Lot/Building Site Enfrontment	Must enfront a vehicular Thoroughfare or Internal Drive, except ≤ 20% of the Lots or Building Sites within each type of Character District of a Development Parcel may Enfront a Pedestrian Path, Passage, pedestrian walkway or water body if such Lots have legal and physical vehicular access to a vehicular Thoroughfare via Driveway or Easement.
Lot/Building Site Access	All Lots must have legal and physical vehicular access to a vehicular Thoroughfare via Driveway or Easement.

Setback / Yards

Setback / Yards – Principal Building

Front Setback / Yard, Principal Frontage	0 ft. at corners; 0 ft. min; 15 ft. max. elsewhere	A
Front Setback / Yard, Secondary Frontage	0 ft. at corners; 0 ft. min; 15 ft. max. elsewhere	B
Side Setback / Yard, each side	0 ft. min; 24 ft. max. per side	C
Rear Setback	NR	D

Setback / Yards – Accessory Building

Front Setback / Yard, Principal Frontage	40 ft. max. from rear property line	E
Side Setback / Yard	3 ft. max	F
Rear Setback / Yard	3 ft. min. or 5 ft min. if Garage door faces Rear Alley	G

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CD-5C TABLE 4.3.1-G DISTRICT STANDARDS: URBAN CENTER CORRIDOR CHARACTER DISTRICT

Building Standards

Building Height*

Principal Building	2 Story min; 4 Stories max
Accessory Building	2 Stories max

*Stories and height do not include Attics and Basements, chimneys, flagpoles, towers, steeples, spires, belfries, parapet walls, aerials, or antennas. Any Building exceeding 35 feet in height must obtain approval from the Fire Department prior to the issuance of a Building Permit.

The Fire Department may stipulate special fire protection measures in accordance with National Fire Protection Association and International Building Code criteria as a condition of approval of such Structure. In such instance the stipulations made by the Fire Department in accordance with the above cited codes shall be required.

Ceiling Height

May not exceed 14 ft. from finished floor to finished ceiling, except for a first floor Business/Commercial, Office, Retail/Personal Service, or Accommodation / Lodging Use, which must be a minimum of 11 ft. with a maximum of 25 ft.

Building Composition

Vertical Composition	Each Principal Building must have an identifiable Base, Middle, & Cap
Finished Floor Level	If Residential: 18 in. min., 48 in. max. above avg. grade at Facade

Facade

Main Entrance	Main Entrance must be in Facade of Principal Frontages. If Shopfront Frontage at corner, Main Entrance may be at Principal Frontage or at corner.
Facade Position	Parallel to straight Frontage Line or to tangent of curved Frontage Line
Facade & Facade Element Design Proportions	Must be vertically proportioned
Blank Walls	NP at Frontage
Facade Articulation	Except for House Building Types, a Façade greater than 100 ft. in width must be differentiated so that it appears to be comprised of two or more Adjacent Buildings, by dividing such Façade into two segments each of which includes a separate entrance and (1) differs from each of the other segments with respect to all of the following: (a) a change in shape, sill, and header height, detail, size, spacing, rhythm, and muntin pattern of windows; (b) a change of Building or cornice height; (c) a change in cornice details; (d) a change of wall material or wall color; a change in trim courses and other horizontal elements; (e) a change in dormer or balcony design, if any, and (f) providing or changing pilasters, columns, or other Façade elements; and (2) is composed with a defined center and edges. (See **Illustration 4.3.5.A-3**)

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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CD-5C TABLE 4.3.1-G DISTRICT STANDARDS: URBAN CENTER CORRIDOR CHARACTER DISTRICT

Building Standards (continued)

Facade (continued)

Facade Openings	Windows and/or doors spaced ≤ 20 ft. apart. In Stories above first, Facade openings must be ≤ 50% of total Facade area.
Facade Glazing	20% – 60% of total Facade area for non-Shopfront; 70% of total Facade area, min. for Shopfront.
Window Shape	Square or vertical in proportion, except for transoms.
Window Alignment	Upper floor windows and other features must be aligned with those of first floor.
Window Types	Except in Shopfront or Gallery Frontage, and except for transoms and sidelights, Windows in Facade and 1st & 2nd Layers must be single-hung, double-hung, casement or awning types. In Stories above first, Facade openings must be ≤ 50% of total Facade area.
Window Glazing Material	Clear glass (R) for all Elevations.
Window Trim in 1st Layer	Min. 4 in. trim with sill and top plate if siding surrounding window; soldier course above lintel and rollock course below sill if brick or stone surrounds window
Shutters	If any, must be functional and proportioned to cover half of window width from each side or entire window width, with shutter dogs
Facade Window Sill Height	If Residential: 5 ft. min. above avg. grade at Facade
Porch Frontages	Min. 6 ft. clear depth, excluding rails, pillars, columns or other features
Shopfront Frontages	12 in.-24 in. knee wall required at Frontage
Facade Variety	No Facade may exist more than once on a Block Face or within view of the same Facade

Roof Type & Pitch

Flat	(P)
Shed	(P) at rear only and if ridge is attached to an exterior Building wall; except for porches, stoops or dormers which may have a shed roof anywhere on the Building
Hip	(P)
Gable	(P)
Pitch	6:12 – 14:12, except for shed roofs which may be 3:12 – 14:12 and except roof pitch may match the primary roof pitch of an existing Building that is less than 6:12

Roof Design

Eaves shall extend no less than nine inches beyond the supporting walls.

LEGEND The following notations are utilized in this table.	(P) Permitted	(NP) Not Permitted	(NA) Not Applicable	(R) Required	(NR) Not Regulated

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CD-5C TABLE 4.3.1-G DISTRICT STANDARDS: URBAN CENTER CORRIDOR CHARACTER DISTRICT

Building Standards (continued)

Gable end rakes shall overhang at least six inches.
Eaves and rakes on Accessory Buildings and dormers shall overhang at least six inches.
Soffits shall be placed perpendicular to the Building wall, not sloping in plane with the roof (except for gable end rakes).

Building Materials

Primary Building Material on Facades	Brick	P	Authentic stucco over masonry	P
	Natural stone	P	Exposed concrete	NP
	Wood	P	Aluminum or vinyl siding	NP
	Cementitious siding	P	Corrugated and/or sheet metal	NP
Changes in Building Materials	Primary materials must continue along side Elevations through 2nd Layer. Primary materials shall continue for entire length of all Facades facing a Frontage. Any material changes must coincide with form, structural, or massing changes and shall not occur at outside corner of such change.			
Building Colors	Up to 3 colors, including the natural color of any allowed materials, but excluding trim colors			
Foundation Cladding	R; brick or natural stone			
Porch Pier Cladding	R; brick or natural stone, with any space under Porch concealed by painted or stained latticework between piers			
Chimney Cladding	R; brick, natural stone, or material matching primary material of Facade			

Building Types

House	NP	Commercial	P
Duplex	NP	Mixed Use	P
Townhouse	P	Flex	P
Small Multifamily	P	Mid-Rise	P
Large Multifamily	P	Large Scale Commercial	P
Live/Work	P	Civic	P

See Table 4.3.8.A (Principal Building Types – Summary) and Table 4.3.8.B (Principal Building Types – Specific Standards). For Development Parcels, see also Table 5.1.10 (Building Type Mix).

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

ARTICLE 4

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CD-5C TABLE 4.3.1-G DISTRICT STANDARDS: URBAN CENTER CORRIDOR CHARACTER DISTRICT

Vehicular Parking Requirements

Parking Location

	On-Street Parking	Off-Street Parking
Domestic Vehicles	P	P in 3rd Layer only, and in Driveway
Recreational Vehicles	NP	P in 3rd Layer only, and in Driveway
Heavy Equipment	NP	P in 3rd Layer only, and in Driveway
Tractor trailers (including trailers for storage)	NP on-Street, except for delivery and Temporary Use of trailers	P in 3rd Layer only, and in Driveway
All Other Vehicles	NP	P in 3rd Layer only, and in Driveway

Additional Parking Requirements

Off-Street Parking Surface	Prepared surface of asphalt, concrete or other hard surface
Garage Location	P in 3rd Layer only
Garage Design	Min. interior dimensions 10 ft. x 20 ft. per vehicle Parking space. If Garage faces Street: max. Garage door width 33% of total of Garage + Facade width. Garage must be detailed, finished, & designed like rest of Building with carriage house doors; max. Garage door width 9 ft.; each Garage door must have ornamental lighting fixture above it; min. 2 ft. separation between Garage doors
Driveway/Vehicular Entrance Location	P in any Layer
Driveway/Vehicular Entrance Maximum Width	24 ft max. in 1st Layer, regardless if shared or not
Parking Structures	P, if Screened from Frontage by Liner Buildings
Parking Structure Pedestrian Exit Location	Via pedestrian access to Frontage

Bicycle Parking

See Section 4.3.13

Thoroughfares & Internal Drive Types*

**Only applicable to Development Parcels.*

See Article 5 (Development Parcel Standards) for additional requirements.

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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CD-5C TABLE 4.3.1-G DISTRICT STANDARDS: URBAN CENTER CORRIDOR CHARACTER DISTRICT

Loading & Access

Off-Street Loading and Storage	P in 3rd Layer only.
Utility Box & Service Meter* Locations (*Not including water meters)	P in 3rd Layer only.
Off-Street Trash Receptacle Locations	P in 3rd Layer only.
Off-Street Dumpster Locations	P in 3rd Layer only.
Drive-Through Locations	P in 3rd Layer only.

Non-Building Components

	1st Layer	2nd Layer	3rd Layer
Heating and Air Conditioning Equipment, Utility, Service and Mechanical Equipment	NP	P if Screened from Frontage	P
Solar Panels	P if coplanar to and integrated into roof design		P
Antennas & Satellite Equipment	P in 1st or 2nd Layer if such Layer is only possible location possible for satisfactory reception.		P
Recreation or Play Equipment	NP	NP	P
Animal Enclosures, Runs or Shelters	NP	NP	P
Swimming Pools, Hot Tubs and Spas	NP	NP	P
Transmitting and/or receiving towers or antennas and wind-generating machines	NP	NP	P

Signs

See Sign Standards in Article 7 (Sign Standards) and Table 7.12.B-1 (Sign Types - Summary) and Table 7.1.2.B-2 (Sign Types - Specific Standards)

Lighting

See Private Lighting requirements in Section 4.3.17 and Table 4.3.17.B (Private Lighting Standards)

ARTICLE 4

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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CD-5C TABLE 4.3.1-G DISTRICT STANDARDS: URBAN CENTER CORRIDOR CHARACTER DISTRICT

Private Landscaping and Fencing

Landscaping

NA if paved or ≤ 3 ft Front Setback / Yard; Otherwise, shrubs continuous around foundation at Facade. Landscaping must comply with Section 4.3.16.

Walls & Fencing (not including Screens)

Height	3.5–4 ft. at Frontage; otherwise 6 ft. max; height measured from avg. undisturbed grade of Adjacent property at property line
Construction	Finished side must face Adjacent property, Thoroughfare or Internal Drive, Path, Passage or Waterbody
Maintenance	Must be well-maintained, in upright condition and free of missing or broken parts and graffiti.

Materials

Natural Wood	P at sides and rear only	Chain Link	P at sides and rear only
Brick, Natural Stone, or Stucco over Masonry	P at sides and rear only	Barbed/razor/concertina wire	NP
Wrought Iron or Aluminum	P	Exposed or painted aggregate concrete	NP
Vinyl	NP	Smooth or split-faced block	NP

Additional Standards

Pedestrian connections through to Adjacent Neighborhoods or Uses	R
Location of Retaining Walls	P within required Yards, per Section 4.3.10 If supporting grade 8 ft. or higher than grade at interior edge of a required Buffer, must be set back 10 ft. from such interior edge.

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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CD-5C TABLE 4.3.1-G DISTRICT STANDARDS: URBAN CENTER CORRIDOR CHARACTER DISTRICT

Screens, Streetscreens & Buffers

Height

	At Frontage or Adjacent to Civic Space	Not at Frontage or Adjacent to Civic Space
Wall Screen/Streetscreen Height	3.5 ft. to 5 ft.	5 ft. to 6 ft.; Min. 6 ft. for Dumpsters and Trash Receptacles
Fence Screen/Streetscreen Height	NP	5 ft. to 6 ft.; Min. 6 ft. for Dumpsters and Trash Receptacles
Hedge Screen/Streetscreen Height	3 ft. to 5 ft. at installation	5 ft. to 6 ft. at installation

Materials

Wall Screen or Streetscreen	Brick, Natural Stone or Stucco over Masonry
Fence Screen or Streetscreen	Natural Wood, painted or unpainted
Hedge Screen or Streetscreen	Evergreen plants with min. 80% opacity

Additional Standards

Non-Residential & Multi-Family Residential Screen /Streetscreen Adjacent to or across Thoroughfare from Non-Multi-Family Residential	NR
Screening of Parking, Loading Areas, Service Areas, Outdoor Storage, Drive-Throughs, Trash Receptacles/Dumpsters, HVAC and other equipment Screened from Frontage, Civic Space and Adjacent Property	R; except at Driveways: Parking Lots and Parking Areas must be Screened from Frontage and Civic Space by Building or Streetscreen; Parking Structures must be Screened from Frontages by Liner Buildings. Otherwise, Screening must be by Building, wall, hedge or fence at Frontage or Building, Wall, hedge or fence not at Frontages or Adjacent to Civic Space.
Rooftop Antennas and HVAC, Mechanical and other Equipment Screening	R; must be Screened from Frontage and Civic Space by Building parapet or other Building Element
Self-Storage Warehouse Screening	NA (not permitted in District)
Streetscreen Location	2nd Layer
Parcel Buffer	Section 4.3.11.H.
Project Buffer	Section 5.8.

ARTICLE 4

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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SD-MHP TABLE 4.3.1-H DISTRICT STANDARDS: MANUFACTURED HOME PARK RESIDENTIAL SPECIAL DISTRICT

General Description

This District is designed to provide suitable areas for Manufactured Home Parks where sufficient urban facilities are available prior to Development. Manufactured Homes and Buildings necessary to support the Residential occupancy of Manufactured Homes are permitted. This District is intended also to permit community facilities and public utility installations that are necessary to service specifically the residents of this District, or which are benefited by and compatible with a Residential environment.

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SD-MHP TABLE 4.3.1-H DISTRICT STANDARDS:
MANUFACTURED HOME PARK RESIDENTIAL SPECIAL DISTRICT

Density / Floor Area Ratio (FAR) *Applicable only to Development Parcels*

6 Density Units per acre max

Block Size* *Applicable only to Development Parcels.

Block Perimeter	2,400 ft. max

Private Frontage Types

Common Yard	NP	Stepfront	P
Porch	NP	Shopfront	P
Fence	NP	Gallery	P
Terrace/Lightwell	P	Arcade	P
Forecourt	P	Officefront	P
Stoop	P		

See Table 4.3.7.A (Private Frontage Types)

Civic Space Types* *Applicable only to Development Parcels.

Natural Area	P	Playground	P
Green	P	Sport Field	P
Square	NP	Community Garden	P
Plaza	NP	Pocket Park	P

See Table 5.3.3.A (Civic Space Types – Summary) and Table 5.3.3.B (Civic Space – Specific Standards)

Permitted Uses

See Table 4.3.9.A-1 (Building, Lot & Building Site Principal Use), Table 4.3.9.A-2 (Building, Lot & Building Site Accessory Uses), and Table 4.3.9.A-3 (Building, Lot & Building Site Temporary Uses). For Development Parcels, see also Table 5.1.11 (Principal Use Mix).

ARTICLE 4

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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SD-MHP TABLE 4.3.1-H DISTRICT STANDARDS: MANUFACTURED HOME PARK RESIDENTIAL SPECIAL DISTRICT

Number of Buildings Per Lot or Building Site

Principal Building	1 max. per Manufactured Home Site or Building Site
Accessory Buildings	1 max. per Manufactured Home Site or Building Site

Manufactured Home Site / Building Site / Manufactured Home Park Occupation

Manufactured Home / Building Site Width	Residential: (1) Non-Residential Use: 60 ft. min.
Manufactured Home Park Minimum Street/Highway Frontage	50 ft min.
Frontage Buildout	If non-mobile: 40% min; otherwise NR
Manufactured Home Site/ Building Site Depth	NR
Manufactured Home Site/ Building Site Area	Residential Use: 6,000 sf. min. Non-Residential Use: 10,000 sf. min.
Manufactured Home Stand	max. 25% of Manufactured Home Site
Impervious Surface Coverage	35% max
Building Site Enfrontment	Must enfront a vehicular Thoroughfare or Internal Drive, except ≤ 20% of the Manufactured Home Sites of a Development Parcel may Enfront a Pedestrian Path, Passage, pedestrian walkway or waterbody if such Manufactured Home Sites have legal and physical vehicular access to a vehicular Thoroughfare via Driveway or Easement. All Manufactured Home Sites must have legal and physical vehicular access to a vehicular Thoroughfare via Driveway or Easement.

Setback / Yards

Setback / Yards – Street Yard

Street Yard-Arterial	Residential: (1) Non-Residential: 50 ft. min	A
Street Yard-Collector	Residential: (1) Non-Residential: 50 ft. min	A
Street Yard-Minor	Residential: (1) Non-Residential: 50 ft. min	A

Setback / Yards – Side and Rear Yard

Side Yard-Per side	Residential: (1) Non-Residential: 2 Stories or less 15 ft. min; 3 or more Stories 25 ft. min	B
Side Yard-Total	Residential: (1) Non-Residential: NR	B
Rear Yard	Residential: (1) Non-Residential: 20 ft. min	?

Notes:
(1) Within a Manufactured Home Park, dimensional standards shall be as required for the park. All other Residential uses of a Manufactured Home (including a Manufactured Home not in a park) shall conform to the standards of the CD-3 Character District.

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SD-MHP TABLE 4.3.1-H DISTRICT STANDARDS:
MANUFACTURED HOME PARK RESIDENTIAL SPECIAL DISTRICT

Building Standards

Building Height*

Principal Building	2 Stories max
Accessory Building	2 Stories max

*Stories and height do not include Attics and Basements, chimneys, flagpoles, towers, steeples, spires, belfries, parapet walls, aerials, or antennas. Any Building exceeding 35 feet in height must obtain approval from the Fire Department prior to the issuance of a Building Permit.

The Fire Department may stipulate special fire protection measures in accordance with National Fire Protection Association and International Building Code criteria as a condition of approval of such Structure. In such instance the stipulations made by the Fire Department in accordance with the above cited codes shall be required.

Ceiling Height

NR

Building Composition

Vertical Composition	NR
Finished Floor Level	NR
Support piers, plumbing, HVAC, hitch and wheels	R to be concealed by apron between floor level and ground on all sides, including beneath Porch or Stoop

Facade

Main Entrance	If non-mobile: R prominently located on Facade at Principal Frontage; otherwise NR
Facade Position	If non-mobile: Parallel to straight Frontage Line or to tangent of curved Frontage Line; otherwise NR
Blank Walls	NP at Frontage
Facade Glazing	20% – 60% of total Facade area

Roof Type & Pitch

NR

Building Materials

NR except R clear glass for windows at frontage

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

ARTICLE 4

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SD-MHP TABLE 4.3.1-H DISTRICT STANDARDS: MANUFACTURED HOME PARK RESIDENTIAL SPECIAL DISTRICT

Building Types

Manufactured Homes & Associated Buildings	P

Vehicular Parking Requirements

Parking Location

	On-Street Parking	Off-Street Parking
Domestic Vehicles	P	P in 3rd Layer only, and in Driveway
Recreational Vehicles	NP	P in 3rd Layer only, and in Driveway
Heavy Equipment	NP	P in 3rd Layer only, and in Driveway
Tractor trailers (including trailers for storage)	NP on-Street, except for delivery and Temporary Use of trailers	P in 3rd Layer only, and in Driveway
All Other Vehicles	NP	P in 3rd Layer only, and in Driveway

Additional Parking Requirements

Off-Street Parking Surface	Prepared surface of asphalt, concrete or other hard surface
Garage Location	P in Rear Yard only
Garage Design	NR
Driveway/Vehicular Entrance Location	P in any Layer
Driveway/Vehicular Entrance Maximum Width	10 ft max. single lane; 20 ft max. width double lane
Parking Structures	NA
Parking Structure Pedestrian Exit Location	NA

Bicycle Parking

NR

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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SD-MHP TABLE 4.3.1-H DISTRICT STANDARDS:
MANUFACTURED HOME PARK RESIDENTIAL SPECIAL DISTRICT

Parking & Circulation (continued)

Thoroughfares & Internal Drive Types* **Only applicable to Development Parcels.*

See Article 5 (Development Parcel Standards) for additional requirements.

Loading & Access

Off-Street Loading and Storage	P in 3rd Layer only.
Utility Box & Service Meter* Locations (**Not including water meters*)	P in 3rd Layer only.
Trash Receptacle Locations – Manufactured Home Site	P in 3rd Layer only, except when moved to 1st or 2nd Layer for pickup
Community Trash Receptacle or Dumpster Locations	P in 3rd Layer only, must be Screened from Frontage and fully enclosed on 3 sides and enclosed on the 4th side with self-closing gate.
Drive-Through Locations	NA

Non-Building Components

	1st Layer	2nd Layer	3rd Layer
Heating and Air Conditioning Equipment, Utility, Service and Mechanical Equipment	NP	NP	P
Solar Panels	P if coplanar to and integrated into roof design		P
Antennas & Satellite Equipment	P in 1st or 2nd Layer if such Layer is only possible location possible for satisfactory reception.		P
Recreation or Play Equipment	NP	NP	P
Animal Enclosures, Runs or Shelters	NP	NP	P
Swimming Pools, Hot Tubs and Spas	NP	NP	P
Transmitting and/or receiving towers or antennas and wind-generating machines	NR		

ARTICLE 4

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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SD-MHP TABLE 4.3.1-H DISTRICT STANDARDS: MANUFACTURED HOME PARK RESIDENTIAL SPECIAL DISTRICT

Signs

See Sign Standards in Article 7 (Sign Standards) and Table 7.12.B-1 (Sign Types - Summary) and Table 7.1.2.B-2 (Sign Types - Specific Standards)

Lighting

See Private Lighting requirements in Section 4.3.17 and Table 4.3.17.B (Private Lighting Standards)

Private Landscaping and Fencing

Landscaping

Required Street Yard and any required Side Yard of a corner Manufactured Home Site must be landscaped in compliance with Section 4.3.16., including 1 tree per Manufactured Home Site and continuous shrub plantings around foundation facing Frontage.

Walls & Fencing (not including Screens)

Height	4 ft. max. at Frontage; otherwise 6 ft. max; height measured from avg. undisturbed grade of Adjacent property at property line
Construction	Finished side must face Adjacent property, Thoroughfare or Internal Drive, Path, Passage or Waterbody
Maintenance	Must be well-maintained, in upright condition and free of missing or broken parts and graffiti.

Materials

Natural Wood	P	Chain Link	NP
Brick, Natural Stone, or Stucco over Masonry	P	Barbed/razor/concertina wire	NP
Wrought Iron or Aluminum	NP	Exposed or painted aggregate concrete	NP
Vinyl	NP	Smooth or split-faced block	NP

Additional Standards

Pedestrian connections through to Adjacent Neighborhoods or Uses	R
Location of Retaining Walls	P within required Yards, per Section 4.3.10 If supporting grade 8 ft. or higher than grade at interior edge of a required Buffer, must be set back 10 ft. from such interior edge.

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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SD-MHP TABLE 4.3.1-H DISTRICT STANDARDS: MANUFACTURED HOME PARK RESIDENTIAL SPECIAL DISTRICT

Height		
	At Frontage or Adjacent to Civic Space	**Not at Frontage or Adjacent to Civic Space**
Wall Screen/Streetscreen Height	3 ft. to 3.5 ft.	5 ft. to 6 ft.; Min. 6 ft. for Dumpsters and Trash Receptacles
Fence Screen/Streetscreen Height	NP	5 ft. to 6 ft.; Min. 6 ft. for Dumpsters and Trash Receptacles
Hedge Screen/Streetscreen Height	3 ft. to 3.5 ft. at installation	5 ft. to 6 ft. at installation
Materials		
Wall Screen or Streetscreen	Brick, Natural Stone or Stucco over Masonry	
Fence Screen or Streetscreen	Natural Wood, painted or unpainted	
Hedge Screen or Streetscreen	Evergreen plants with min. 80% opacity	
Additional Standards		
Non-Residential & Multi-Family Residential Screen /Streetscreen Adjacent to or across Thoroughfare from Non-Multi-Family Residential	NA (Uses not permitted in District)	
Screening of Parking, Loading Areas, Service Areas, Outdoor Storage, Drive-Throughs, Trash Receptacles/Dumpsters, HVAC and other equipment Screened from Frontage, Civic Space and Adjacent Property	R, except at Driveways: Parking Lots and Parking Areas must be Screened from Frontages and Civic Space by Building or Streetscreen; Parking Structures must be Screened from Frontages and Civic Space by Liner Buildings; Otherwise, Screening from Frontages and Civic Space must be by Building, Wall, hedge or fence, & Screening from Adjacent property must be by Building, Wall, hedge or fence.	
Rooftop Antennas and HVAC, Mechanical and other Equipment Screening	R; must be Screened from Frontage and Civic Space by Building parapet or other Building Element	
Self-Storage Warehouse Screening	NA (Use not permitted in District)	
Parcel Buffer	Section 4.3.11.H.	
Project Buffer	Section 5.8.	

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

ARTICLE 4

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SD-INT TABLE 4.3.1-H DISTRICT STANDARDS: INTERSTATE SERVICE SPECIAL DISTRICT

General Description

This District is designed to provide space along I-65 to serve the needs of the motoring public. Automobile and other vehicular service establishments, transient sleeping accommodations, and eating and drinking establishments primarily characterize this District. Appropriate locations for this District are along I-65 in an environment of general Commercial and Mixed Use activity. Due to the high traffic volumes and general incompatibility between some of the Uses permitted within this District and those in CD-3L and CD-3 areas, this District shall not be located in or Adjacent to a CD-3L or CD-3 District. The SD-INT Special District is an appropriate District for the Interstate Gateway Special Area described in the Comprehensive Plan.

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SD-INT TABLE 4.3.1-H DISTRICT STANDARDS: INTERSTATE SERVICE SPECIAL DISTRICT

Density / Floor Area Ratio (FAR) *Applicable only to Development Parcels*

24 Density Units per acre max

Parcel Size

Parcel Size	Min. 1 gross acre

Block Size* *Applicable only to Development Parcels.

Block Perimeter	NR

Private Frontage Types

NR

Civic Space Types* *Applicable only to Development Parcels.

NR

Permitted Uses

See Table 4.3.9.A-1 (Building, Lot & Building Site Principal Use), Table 4.3.9.A-2 (Building, Lot & Building Site Accessory Uses), and Table 4.3.9.A-3 (Building, Lot & Building Site Temporary Uses). For Development Parcels, see also Table 5.1.11 (Principal Use Mix).

Number of Buildings Per Lot or Building Site

Principal Building	1 max. per Lot or Building Site
Accessory Buildings	1 max

ARTICLE 4

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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SD-INT TABLE 4.3.1-H DISTRICT STANDARDS: INTERSTATE SERVICE SPECIAL DISTRICT

Lot Occupation	
Lot/Building Site Width	100 ft. min
Lot Frontage on Street / Highway	100 ft. min
Lot Depth	NR
Frontage Buildout	NR
Lot/Building Site Area	20,000 SF min
Impervious Surface Coverage	NR
Usable Open Space	Min. 7% of gross site area
Lot/Building Site Enfrontment	NR
Lot/Building Site Access	All Lots and Building Sites must have legal and physical vehicular access to a vehicular Thoroughfare via Driveway or Easement.

Setback / Yards		
Setback / Yards – Principal Building		
Street Yard – Min	As applicable: 1. For sites Adjacent to a District in which a Residential use is allowed: a. An addition to an existing Building with a Facade of variable distance from the Street may be extended to the plane of the existing Facade closest to the Street. b. Except for an addition to an existing Building described in 1.a above, the lesser of I. the avg depth of Street Yards of existing Buildings within 100 ft. on each side of a Lot or Building Site or II. 60 ft. 2. Otherwise, 30 ft.	A
Side Yard–Per side	0 ft. min. along Lot Lines or Building Site Lines Adjacent to a Lot or Building Site on which no Mixed Use or Residential Use is located, or is being constructed; otherwise, 10 ft. min. (1)(2)(3)	B
Rear Yard	0 ft. min. along Lot or Building Site Lines Adjacent to other Commercial Districts on which another Commercial establishment is located, or is being constructed; otherwise, 20 ft. min. (1)(2)(3)	C

Notes: * See Article 9 (Definitions) for FAR measurement information.

(1) Additional Side Yard or Rear Yard depth may be necessary to accommodate Buffers and landscaping required in Sections 4.3.11, 4.3.16, and 5.8.
(2) The required Rear Yard depth shall be reduced as provided below if the Lot does not abut a different District and is owned separately and individually from all other tracts of land, both on the Effective Date of this Ordinance and on the date of application for a Zoning Permit. Such reduction shall be as follows:
a. For all Interior Lots between 80 ft. and 100 ft. deep, the required Rear Yard shall be reduced by an amount equal to the lesser of (i) 100 ft. minus the depth of the Lot or (ii) 10 ft..
b. For Interior Lots < 80 ft. deep within Non Residential Districts, the required Rear Yard depth shall be 0 ft., but if any Rear Yard is provided, it must be at least 10 ft. deep.
(3) Buffering requirements are not applicable to Side Yards or Rear Yards with zero depth.

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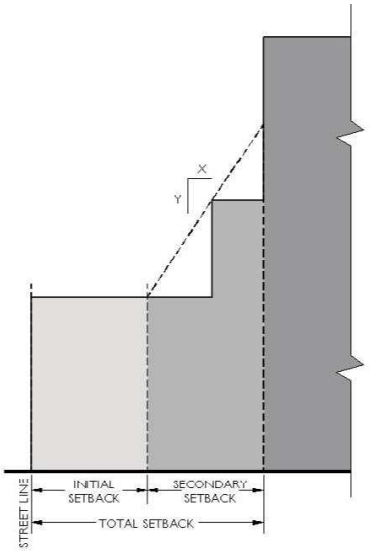
SD-INT TABLE 4.3.1–H DISTRICT STANDARDS: INTERSTATE SERVICE SPECIAL DISTRICT

Building Standards

Building Height*

Principal Building	Initial Stepback = depth of required Front Setback / Street Yard, within which no Structure is allowed. Max. height within 1st 30 ft. beyond Initial Stepback ("Secondary Stepback"): 45 ft. + 1.5 ft. (Y) for every additional 1 ft. (X) Building is stepped back from Initial Stepback (Slope of Sky Exposure Plane (X:Y) = 1:1.5). From and beyond 40 ft. from back of sidewalk ("Total Stepback"), greater of 75 ft. max. or height permitted by Conditional Use Permit, if total Impervious Surface Coverage is 40% or less.
Accessory Building	45 ft. max



*Stories and height do not include Attics and Basements, chimneys, flagpoles, towers, steeples, spires, belfries, parapet walls, aerials, or antennas. Any Building exceeding 35 feet in height must obtain approval from the Fire Department prior to the issuance of a Building Permit.

The Fire Department may stipulate special fire protection measures in accordance with National Fire Protection Association and International Building Code criteria as a condition of approval of such Structure. In such instance the stipulations made by the Fire Department in accordance with the above cited codes shall be required.

Ceiling Height

May not exceed 14 ft. from finished floor to finished ceiling, except for a first floor Business/Commercial, Office, Retail/ Personal Service, or Accommodation / Lodging Use, which must be a minimum of 11 ft. with a maximum of 25 ft.

Building Composition

Vertical Composition	Each Principal Building must have an identifiable Base, Middle, & Cap
Finished Floor Level	NR

Facade

Main Entrance	Main Entrance must be in Facade of Principal Frontages.
Facade Position	Parallel to straight Frontage Line or to tangent of curved Frontage Line

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

ARTICLE 4

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SD-INT TABLE 4.3.1-H DISTRICT STANDARDS: INTERSTATE SERVICE SPECIAL DISTRICT

Building Standards (continued)

Facade & Facade Element Design Proportions	Must be vertically proportioned
Blank Walls	NP at Frontage
Facade Articulation	A Façade greater than 100 ft. in width must be differentiated so that it appears to be comprised of two or more Adjacent Buildings, by dividing such Façade into two segments each of which includes a separate entrance and (1) differs from each of the other segments with respect to all of the following: (a) a change in shape, sill, and header height, detail, size, spacing, rhythm, and muntin pattern of windows; (b) a change of Building or cornice height; (c) a change in cornice details; (d) a change of wall material or wall color; a change in trim courses and other horizontal elements; (e) a change in dormer or balcony design, if any, and (f) providing or changing pilasters, columns, or other Façade elements; and (2) is composed with a defined center and edges. (See **Illustration 4.3.5.A-3**)

Facade (continued)

Facade Openings	Windows and/or doors spaced ≤ 20 ft. apart. In Stories above first, Facade openings must be ≤ 50% of total Facade area.
Facade Glazing	20% – 60% of total Facade area for non-Shopfront; 70% of total Facade area, min. for Shopfront.
Window Shape	Square or vertical in proportion, except for transoms.
Window Alignment	Upper floor windows and other features must be aligned with those of first floor.
Window Types	Except in Shopfront or Gallery Frontage, and except for transoms and sidelights, Windows in Facade and 1st & 2nd Layers must be single-hung, double-hung, casement or awning types. In Stories above first, Facade openings must be ≤ 50% of total Facade area.
Window Glazing Material	Clear glass R for windows at Frontage
Window Trim in 1st Layer	Min. 4 in. trim with sill and top plate if siding surrounding window; soldier course above lintel and rollock course below sill if brick or stone surrounds window
Shutters	If any, must be functional and proportioned to cover half of window width from each side or entire window width, with shutter dogs
Facade Window Sill Height	If Residential: 5 ft. min. above avg. grade at Facade
Porch Frontages	Min. 6 ft. clear depth, excluding rails, pillars, columns or other features
Shopfront Frontages	12 in.-24 in. knee wall required at Frontage
Facade Variety	No Facade may exist more than once on a Block Face or within view of the same Facade

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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SD-INT TABLE 4.3.1-H DISTRICT STANDARDS: INTERSTATE SERVICE SPECIAL DISTRICT

Building Standards (continued)

Roof Type & Pitch

NR

Roof Design

NR

Building Materials

Primary Building Material on Facades	Brick	P	Authentic stucco over masonry	P
	Natural stone	P	Exposed concrete	NP
	Wood	P	Aluminum or vinyl siding	NP
	Cementitious siding	P	Corrugated and/or sheet metal	NP
Changes in Building Materials	NR			
Building Colors	NR			
Foundation Cladding	NR			
Porch Pier Cladding	NR			
Chimney Cladding	NR			

Building Types

House	NP	Commercial	P
Duplex	NP	Mixed Use	P
Townhouse	NP	Flex	P
Small Multifamily	NP	Mid-Rise	P
Large Multifamily	P	Large Scale Commercial	P
Live/Work	NP	Civic	P

See Table 4.3.8.A (Principal Building Types - Summary) and Table 4.3.8.B (Principal Building Types - Specific Standards). For Development Parcels, see also Table 5.1.10 (Building Type Mix).

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

ARTICLE 4

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SD-INT TABLE 4.3.1-H DISTRICT STANDARDS: INTERSTATE SERVICE SPECIAL DISTRICT

Vehicular Parking Requirements

Parking Location

	On-Street Parking	Off-Street Parking
All Vehicles	NR	P behind first 10 ft. from Front Lot Line if site not abutting Residential District; Otherwise, P only in Side Yard or Rear Yard.

Additional Parking Requirements

Off-Street Parking Surface	Asphalt, concrete or other hard surface
Garage Location	P in 3rd Layer only
Garage Design	NR
Driveway/Vehicular Entrance Location	P in any Layer
Driveway/Vehicular Entrance Maximum Width	10 ft max. in 1st Layer if Residential; 36 ft max. in 1st Layer if non-Residential, regardless if shared or not
Parking Structures	P, if Screened from Frontage by Liner Buildings
Parking Structure Pedestrian Exit Location	Via pedestrian access to Frontage

Bicycle Parking

See Section 4.3.13

Thoroughfares & Internal Drive Types*

**Only applicable to Development Parcels.*

See Article 5 (Development Parcel Standards) for additional requirements.

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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SD-INT TABLE 4.3.1-H DISTRICT STANDARDS: INTERSTATE SERVICE SPECIAL DISTRICT

Loading & Access

Off-Street Loading and Storage	P in 3rd Layer only.
Utility Box & Service Meter* Locations (*Not including water meters)	P in 3rd Layer only.
Off-Street Trash Receptacle Locations	P in 3rd Layer only.
Off-Street Dumpster Locations	P in 3rd Layer only, must be Screened from Frontage and fully enclosed on 3 sides and enclosed on the 4th side with self-closing gate.
Drive-Through Locations	P in 3rd Layer only.

Non-Building Components

	1st Layer	2nd Layer	3rd Layer
Heating and Air Conditioning Equipment, Utility, Service and Mechanical Equipment	NP	P if Screened from Frontage	P
Solar Panels	P if coplanar to and integrated into roof design		P
Antennas & Satellite Equipment	P in 1st or 2nd Layer if such Layer is only possible location possible for satisfactory reception.		P
Recreation or Play Equipment	NP	NP	P
Animal Enclosures, Runs or Shelters	NP	NP	P
Swimming Pools, Hot Tubs and Spas	NP	NP	P
Transmitting and/or receiving towers or antennas and wind-generating machines	NP	NP	P

Signs

See Sign Standards in Article 7 (Sign Standards) and Table 7.12.B-1 (Sign Types - Summary) and Table 7.1.2.B-2 (Sign Types - Specific Standards)

Lighting

See Private Lighting requirements in Section 4.3.17 and Table 4.3.17.B (Private Lighting Standards)

ARTICLE 4

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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SD-INT TABLE 4.3.1-H DISTRICT STANDARDS: INTERSTATE SERVICE SPECIAL DISTRICT

Private Landscaping and Fencing

Landscaping

R continuous shrubs around foundation facing Frontage if 1st Layer is ≥ 3 ft. deep, plus if 1st Layer is ≥ 15 ft. deep, 1 tree planted in 1st Layer. Landscaping must comply with Section 4.3.16.

Walls & Fencing (not including Screens)

Height	3.5–4 ft. at Frontage; otherwise 6 ft. max; height measured from avg. undisturbed grade of Adjacent property at property line
Construction	Finished side must face Adjacent property, Thoroughfare or Internal Drive, Path, Passage or Waterbody
Maintenance	Must be well-maintained, in upright condition and free of missing or broken parts and graffiti.

Materials

Natural Wood	P at sides and rear only	Chain Link	P at sides and rear only
Brick, Natural Stone, or Stucco over Masonry	P at sides and rear only	Barbed/razor/concertina wire	NP
Wrought Iron or Aluminum	P	Exposed or painted aggregate concrete	NP
Vinyl	NP	Smooth or split-faced block	NP

Additional Standards

Pedestrian connections through to Adjacent Neighborhoods or Uses	NR
Location of Retaining Walls	P within required Yards, per Section 4.3.10 If supporting grade 8 ft. or higher than grade at interior edge of a required Buffer, must be set back 10 ft. from such interior edge.

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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SD-INT TABLE 4.3.1-H DISTRICT STANDARDS: INTERSTATE SERVICE SPECIAL DISTRICT

Screens, Streetscreens & Buffers

Height

	At Frontage or Adjacent to Civic Space	Not at Frontage or Adjacent to Civic Space
Wall Screen/Streetscreen Height	3.5 ft. to 5 ft.	5 ft. to 6 ft.; Min. 6 ft. for Dumpsters and Trash Receptacles
Fence Screen/Streetscreen Height	NP	5 ft. to 6 ft.; Min. 6 ft. for Dumpsters and Trash Receptacles
Hedge Screen/Streetscreen Height	3 ft. to 5 ft. at installation	5 ft. to 6 ft. at installation

Materials

Wall Screen or Streetscreen	Brick, Natural Stone or Stucco over Masonry
Fence Screen or Streetscreen	Natural Wood, painted or unpainted
Hedge Screen or Streetscreen	Evergreen plants with min. 80% opacity

Additional Standards

Non-Residential & Multi-Family Residential Screen /Streetscreen Adjacent to or across Thoroughfare from Non-Multi-Family Residential	NR
Screening of Parking, Loading Areas, Service Areas, Outdoor Storage, Drive-Throughs, Trash Receptacles/Dumpsters, HVAC and other equipment Screened from Frontage, Civic Space and Adjacent Property	R; except at Driveways: Parking Lots and Parking Areas must be Screened from Frontage and Civic Space by Building or Streetscreen; Parking Structures must be Screened from Frontages by Liner Buildings. Otherwise, Screening must be by Building, wall, hedge or fence at Frontage or Building, Wall, hedge or fence not at Frontages or Adjacent to Civic Space.
Rooftop Antennas and HVAC, Mechanical and other Equipment Screening	R; must be Screened from Frontage and Civic Space by Building parapet or other Building Element
Self-Storage Warehouse Screening	NA (not permitted in District)
Parcel Buffer	Section 4.3.11.H.
Project Buffer	Section 5.8.

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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SD-LI TABLE 4.3.1–I DISTRICT STANDARDS: LIGHT INDUSTRIAL SPECIAL DISTRICT

General Description

This District is intended to provide space for a wide range of wholesale trade, warehousing of a wide variety of products or materials, manufacturing processes, and industrial and related uses that conform to a high level of performance criteria and have few objectionable characteristics. All operations must be carried on within completely enclosed Buildings, thus providing a standard of Development that removes most adverse characteristics that affect neighboring properties. This District may provide a buffer between other Districts and other industrial activities that have more objectionable influences. This District may require types of Structures and have Uses and other characteristics that cannot be facilitated in other Districts. New Residential Development, Commercial establishments, Retail establishments, personal service Uses, and community facilities and utilities, are permitted, as well as additional Uses that provide needed complementary services or are necessary for the general community welfare. SD–LI is an appropriate District for portions of the Industrial Road Special Area described in the Comprehensive Plan.

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SD-LI TABLE 4.3.1–I DISTRICT STANDARDS: LIGHT INDUSTRIAL SPECIAL DISTRICT

Density / Floor Area Ratio (FAR) *Applicable only to Development Parcels

NR

Parcel Size

Parcel Size	Min. 1 acre min

Block Size* *Applicable only to Development Parcels.

Block Perimeter	2,000 ft. max. or 3,000 ft. max. if a Parking Structure provided within Block

Private Frontage Types

NR

Civic Space Types* *Applicable only to Development Parcels.

NR

Permitted Uses

See Table 4.3.9.A-1 (Building, Lot & Building Site Principal Use), Table 4.3.9.A-2 (Building, Lot & Building Site Accessory Uses), and Table 4.3.9.A-3 (Building, Lot & Building Site Temporary Uses). For Development Parcels, see also Table 5.1.11 (Principal Use Mix).

Number of Buildings Per Lot or Building Site

Principal Building
Accessory Buildings

ARTICLE 4

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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SD-LI TABLE 4.3.1–I DISTRICT STANDARDS: LIGHT INDUSTRIAL SPECIAL DISTRICT

Lot Occupation	
Lot/Building Site Width	50 ft. min
Lot Depth	NR
Frontage Buildout	NR
Lot/Building Site Area	40,000 SF min
Impervious Surface Coverage	70% max
Usable Open Space	Min. 7% of gross site area
Lot/Building Site Enfrontment	NR
Lot/Building Site Access	All Lots must have legal and physical vehicular access to a vehicular Thoroughfare via Driveway or Easement.

Setbacks / Yards		
Setbacks / Yards – Principal / Accessory Building		
Street Yard – Min	As applicable: 1. For sites Adjacent to and sharing frontage with a Residential District: a. An addition to an existing Building with a front wall of variable distance from the street may be extended to the plane of the existing front wall closest to the street. b. Except for an addition to an existing Building described in 1.a above, the lesser of I. the avg depth of Street Yards of existing Buildings within 100 ft. on each side of a Lot or II. 40 ft. (1)	A
Side Yard–Per side	As applicable: 1. For sites abutting a Residential District, 50 ft. along the common boundary; 2. Otherwise, 10 ft. (1)(2)(3)(4)	B
Rear Yard	As applicable: 1. For sites abutting a Residential District, 50 ft. along the common boundary; 2. Otherwise, 20 ft. (1)(2)(3)(4)	C

NOTES:

(1) Additional Side Yard or Rear Yard depth may be necessary to accommodate Buffers and landscaping required in Sections 4.3.11, 4.3.16, and 5.8.
(2) The required Rear Yard depth shall be reduced as provided below if the Lot does not abut a different District and is owned separately and individually from all other tracts of land, both on the Effective Date of this Ordinance and on the date of application for a Zoning Permit. Such reduction shall be as follows:
a. For all Interior Lots between 80 ft. and 100 ft. deep, the required Rear Yard shall be reduced by an amount equal to the lesser of (i) 100 ft. minus the depth of the Lot or (ii) 10 ft.
b. For Interior Lots < 80 ft. deep within Non Residential Districts and Corner Lots < 80 ft. deep within Industrial Districts, the required Rear Yard depth shall be 0 ft., but if any Rear Yard is provided, it must be at least 10 ft. deep.
(3) In Industrial Districts, the required Side Yard and Rear Yard depth for Lots along Lot Lines abutting other Industrial Districts or along a railroad Right-of-Way is 0 ft.
(4) In Industrial Districts, Buffering requirements are not applicable to Side Yards or Rear Yards with zero depth.

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SD-LI TABLE 4.3.1–I DISTRICT STANDARDS: LIGHT INDUSTRIAL SPECIAL DISTRICT

Building Standards

Building Height*

Principal Building	45 ft. max
Accessory Building	45 ft. max

Any Building exceeding 35 feet in height must obtain approval from the Fire Department prior to the issuance of a Building Permit.

The Fire Department may stipulate special fire protection measures in accordance with National Fire Protection Association and International Building Code criteria as a condition of approval of such Structure. In such instance the stipulations made by the Fire Department in accordance with the above cited codes shall be required.

Ceiling Height

NR

Building Composition

Vertical Composition	Each Principal Building must have an identifiable Base, Middle, & Cap
Finished Floor Level	NR

Facade

Main Entrance	Main Entrance must be in Facade of Principal Frontages.
Facade Position	Parallel to straight Frontage Line or to tangent of curved Frontage Line
Facade & Facade Element Design Proportions	NR Flex Building with Industrial Category Use Other – Must be vertically proportioned
Blank Walls	NP at Frontage
Facade Articulation	NR Flex Building with Industrial Category Use Others – Façade greater than 100 ft. in width must be differentiated so that it appears to be comprised of two or more Adjacent Buildings, by dividing such Façade into two segments each of which includes a separate entrance and (1) differs from each of the other segments with respect to all of the following: (a) a change in shape, sill, and header height, detail, size, spacing, rhythm, and muntin pattern of windows; (b) a change of Building or cornice height; (c) a change in cornice details; (d) a change of wall material or wall color; a change in trim courses and other horizontal elements; (e) a change in dormer or balcony design, if any, and (f) providing or changing pilasters, columns, or other Façade elements; and (2) is composed with a defined center and edges. (See Illustration 4.3.5.A–3)

ARTICLE 4

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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SD-LI TABLE 4.3.1–I DISTRICT STANDARDS: LIGHT INDUSTRIAL SPECIAL DISTRICT

Building Standards (continued)

Facade (continued)

Facade Openings	NR Flex Building with Industrial Category Use Others– Windows and/or doors spaced ≤ 20 ft. apart.; in Stories above first, Facade openings must be ≤ 50% of total Facade area.
Facade Glazing	NR Flex Building with Industrial Category Use Others– 20% – 60% of total Facade area
Window Shape	NR Flex Building with Industrial Category Use Others – Square or vertical in proportion, except for transoms.
Window Alignment	NR Flex Building with Industrial Category Use Others – Upper floor windows and other features must be aligned with those of first floor.
Window Types	NR Flex Building with Industrial Category Use Others – Except for transoms and sidelights, Windows in Facade and 1st & 2nd Layers must be single–hung, double–hung, casement or awning types
Window Glazing Material	Flex Building with Industrial Category Use – Clear glass R for windows at Frontage Others – Clear glass R for all Elevations
Window Trim in 1st Layer	NR Flex Building with Industrial Category Use Others – Min. 4 in. trim with sill and top plate if siding surrounding window; soldier course above lintel and rollock course below sill if brick or stone surrounds window
Shutters	NR Flex Building with Industrial Category Use Others – If shutters provided, must be functional and proportioned to cover half of window width from each side or entire window width, with shutter dogs
Facade Window Sill Height	If Residential – 5 ft. min. above avg. grade at Facade Others – NR
Porch Frontages	NR Flex Building with Industrial Category Use Others – If provided, min. 6 ft. clear depth, excluding rails, pillars, columns or other features
Shopfront Frontages	NR Flex Building with Industrial Category Use For Shopfront Private Frontage – 12 in.–24 in. knee wall required at Frontage
Facade Variety	NR Flex Building with Industrial Category Use Others –No Facade may exist more than once on a Block Face or within view of the same Facade

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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SD-LI TABLE 4.3.1–I DISTRICT STANDARDS: LIGHT INDUSTRIAL SPECIAL DISTRICT

Building Standards (continued)

Roof Type & Pitch

Flat	NR Flex Building with Industrial Category Use Others P
Shed	NR Flex Building with Industrial Category Use P at rear only and if ridge is attached to an exterior Building wall; except for porches, stoops or dormers which may have a shed roof anywhere on the Building
Hip	NR Flex Building with Industrial Category Use Others P
Gable	NR Flex Building with Industrial Category Use Others P
Pitch	If pitched, 6:12 – 14:12, except for shed roofs which may be 3:12 – 14:12 and except roof pitch may match the primary roof pitch of an existing Building that is less than 6:12

Roof Design

Eaves shall extend no less than nine inches beyond the supporting walls.
Gable end rakes shall overhang at least six inches.
Eaves and rakes on Accessory Buildings and dormers shall overhang at least six inches.
Soffits shall be placed perpendicular to the Building wall, not sloping in plane with the roof (except for gable end rakes).

Building Materials

Primary Building Material on Facades	Brick	P	Authentic stucco over masonry P
	Natural stone	P	Exposed concrete P Flex Buildings with Industrial Category Use NP Others
	Wood	P	Aluminum or vinyl siding NP
	Cementitious siding	P	Corrugated and/or sheet metal P Flex Buildings with Industrial Category Use NP Others

ARTICLE 4

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SD-LI TABLE 4.3.1–I DISTRICT STANDARDS: LIGHT INDUSTRIAL SPECIAL DISTRICT

Building Standards (continued)

Changes in Building Materials	NR
Building Colors	NR
Foundation Cladding	NR
Porch Pier Cladding	NR
Chimney Cladding	NR

Building Types

House	NP	Commercial	P
Duplex	NP	Mixed Use	P
Townhouse	NP	Flex	P
Small Multifamily	P	Mid–Rise	P
Large Multifamily	P	Large Scale Commercial	P
Live/Work	P	Civic	P

See Table 4.3.8.A (Principal Building Types – Summary) and Table 4.3.8.B (Principal Building Types – Specific Standards). For Development Parcels, see also Table 5.1.10 (Building Type Mix).

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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SD-LI TABLE 4.3.1-I DISTRICT STANDARDS: LIGHT INDUSTRIAL SPECIAL DISTRICT

Vehicular Parking Requirements

Parking Location

	On-Street Parking	Off-Street Parking
Domestic Vehicles	NP	P in any Required Yard, unless specifically prohibited* Except Residential and Commercial in 3rd layer only
Recreational Vehicles	NP	P in any Required Yard, unless specifically prohibited* Except Residential and Commercial in 3rd layer only
Heavy Equipment	NP	P in any Required Yard, unless specifically prohibited* Except Residential and Commercial in 3rd layer only
Tractor trailers (including trailers for storage)	NP on-Street, except for delivery and Temporary Use of trailers	P in any Required Yard, unless specifically prohibited* Except Residential and Commercial in 3rd layer only
All Other Vehicles	NP	P in any Required Yard, unless specifically prohibited* Except Residential and Commercial in 3rd layer only

* Driveways are not permitted within required Project Buffers & may penetrate required Lot/Building Site/Parcel Buffers to minimum amount necessary to comply with this Ordinance.

Additional Parking Requirements

Off-Street Parking Surface	Asphalt or concrete
Garage Location	P in 3rd Layer only
Garage Design	Min. interior dimensions 10 ft. x 20 ft. per vehicle Parking space. If Garage faces Street: max. Garage door width 33% of total of Garage + Facade width. Garage must be detailed, finished, & designed like rest of Building with carriage house doors; max. Garage door width 9 ft.; each Garage door must have ornamental lighting fixture above it; min. 2 ft. separation between Garage doors
Driveway/Vehicular Entrance Location	P in any Layer
Driveway/Vehicular Entrance Maximum Width	10 ft max. in 1st Layer and 2nd Layer if Residential; 24 ft max. in 1st Layer if non-Residential, regardless if shared or not
Parking Structures	P, if Screened from Frontage by Liner Buildings
Parking Structure Pedestrian Exit Location	Via pedestrian access to Frontage

LEGEND The following notations are utilized in this table.

P	Permitted	NP	Not Permitted	NA	Not Applicable	R	Required	NR	Not Regulated

ARTICLE 4

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SD-LI TABLE 4.3.1–I DISTRICT STANDARDS: LIGHT INDUSTRIAL SPECIAL DISTRICT

Parking & Circulation (continued)

Bicycle Parking

See Section 4.3.13

Thoroughfares & Internal Drive Types*

**Only applicable to Development Parcels.*

See Article 5 (Development Parcel Standards) for additional requirements.

Loading & Access

Off–Street Loading and Storage	P only in any Required Side Yard or Rear Yard, unless specifically prohibited
Utility Box & Service Meter* Locations (*Not including water meters)	P only in any Required Side Yard or Rear Yard, unless specifically prohibited
Off–Street Trash Receptacle Locations	P in 3rd Layer only.
Off–Street Dumpster Locations	P in 3rd Layer only, must be Screened from Frontage and fully enclosed on 3 sides and enclosed on the 4th side with self–closing gate.
Drive–Through Locations	P in 3rd Layer only.

Non–Building Components

	1st Layer	2nd Layer	3rd Layer
Heating and Air Conditioning Equipment, Utility, Service and Mechanical Equipment	NP	P if Screened from Frontage	P
Solar Panels	P if coplanar to and integrated into roof design		P
Antennas & Satellite Equipment	P in 1st or 2nd Layer if such Layer is only possible location possible for satisfactory reception.		P
Recreation or Play Equipment	NP	NP	P
Animal Enclosures, Runs or Shelters	NP	NP	P
Swimming Pools, Hot Tubs and Spas	NP	NP	P
Transmitting and/or receiving towers or antennas and wind–generating machines	NP	NP	P

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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SD-LI TABLE 4.3.1–I DISTRICT STANDARDS: LIGHT INDUSTRIAL SPECIAL DISTRICT

Signs

See Sign Standards in Article 7 (Sign Standards) and Table 7.12.B–1 (Sign Types – Summary) and Table 7.1.2.B–2 (Sign Types – Specific Standards)

Lighting

See Private Lighting requirements in Section 4.3.17 and Table 4.3.17.B (Private Lighting Standards)

Private Landscaping and Fencing

Landscaping

R continuous shrubs around foundation at Facade if 1st Layer is ≥ 3 ft. deep, plus if 1st Layer is ≥ 15 ft. deep, 1 tree per 50 ft. of Frontage width, planted in 1st Layer. Landscaping must comply with Section 4.3.16.

Walls & Fencing (not including Screens)

Height	3.5–4 ft. at Frontage; otherwise 6 ft. max; height measured from avg. undisturbed grade of Adjacent property at property line
Construction	Finished side must face Adjacent property, Thoroughfare or Internal Drive, Path, Passage or Waterbody
Maintenance	Must be well-maintained, in upright condition and free of missing or broken parts and graffiti.

Materials

Natural Wood	P Only picket type allowed at Frontage; other types allowed on sides and at rear	Chain Link	P at sides and rear only
Brick, Natural Stone, or Stucco over Masonry	P	Barbed/razor/concertina wire	P at sides and rear only & only if not Adjacent to Residential use
Wrought Iron or Aluminum	P	Exposed or painted aggregate concrete	NP

ARTICLE 4

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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SD-LI TABLE 4.3.1–I DISTRICT STANDARDS: LIGHT INDUSTRIAL SPECIAL DISTRICT

Private Landscaping and Fencing (continued)

Vinyl	NP	Smooth or split-faced block	NP

Additional Standards

Pedestrian connections through to Adjacent Neighborhoods or Uses	R
Location of Retaining Walls	P within required Yards, per Section 4.3.10 If supporting grade 8 ft. or higher than grade at interior edge of a required Buffer, must be set back 10 ft. from such interior edge.

Screens, Streetscreens & Buffers

Height

	At Frontage or Adjacent to Civic Space	Not at Frontage or Adjacent to Civic Space
Wall Screen/Streetscreen Height	3.5 ft. to 5 ft.	5 ft. to 6 ft.; Min. 6 ft. for Dumpsters and Trash Receptacles
Fence Screen/Streetscreen Height	NP	5 ft. to 6 ft.; Min. 6 ft. for Dumpsters and Trash Receptacles
Hedge Screen/Streetscreen Height	3 ft. to 5 ft. at installation	5 ft. to 6 ft. at installation

Materials

Wall Screen or Streetscreen	Brick, Natural Stone or Stucco over Masonry
Fence Screen or Streetscreen	Natural Wood, painted or unpainted
Hedge Screen or Streetscreen	Evergreen plants with min. 80% opacity

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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SD-LI TABLE 4.3.1-I DISTRICT STANDARDS: LIGHT INDUSTRIAL SPECIAL DISTRICT

Additional Standards	
Non-Residential & Multi-Family Residential Screen /Streetscreen Adjacent to or across Thoroughfare from Non-Multi-Family Residential	NR
Screening of Parking, Loading Areas, Service Areas, Outdoor Storage, Drive-Throughs, Trash Receptacles/Dumpsters, HVAC and other equipment Screened from Frontage, Civic Space and Adjacent Property	R; except at Driveways: Parking Lots and Parking Areas must be Screened from Frontage and Civic Space by Building or Streetscreen; Parking Structures must be Screened from Frontages by Liner Buildings. Otherwise, Screening must be by Building, wall, hedge or fence at Frontage or Building, Wall, hedge or fence not at Frontages or Adjacent to Civic Space.
Rooftop Antennas and HVAC, Mechanical and other Equipment Screening	R; must be Screened from Frontage and Civic Space by Building parapet or other Building Element
Self-Storage Warehouse Screening	R; except at Driveways: Screening must be by Building, wall, hedge or fence at Frontage or Building, Wall, hedge or fence not at Frontages or Adjacent to Civic Space.
Streetscreen Location	2nd Layer
Parcel Buffer	Section 4.3.11.H.
Project Buffer	Section 5.8.

ARTICLE 4

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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SD-HI

TABLE 4.3.1-J DISTRICT STANDARDS: HEAVY INDUSTRIAL SPECIAL DISTRICT

General Description

This District is intended to provide suitable areas for intense or potentially noxious Industrial operations, including open land operations. It is specifically intended that all newly created Districts be so located and Buffered as to prevent possible negative impact upon Adjacent land and Uses. SD-HI is an appropriate District for portions of the Industrial Road Special Area described in the Comprehensive Plan.

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SD-HI TABLE 4.3.1–J DISTRICT STANDARDS: HEAVY INDUSTRIAL SPECIAL DISTRICT

Density / Floor Area Ratio (FAR) *Applicable only to Development Parcels

NR

Parcel Size

Parcel Size	NR

Block Size* *Applicable only to Development Parcels.

Block Perimeter	Not Regulated

Private Frontage Types

NR

Civic Space Types* *Applicable only to Development Parcels.

NR

Permitted Uses

See Table 4.3.9.A–1 (Building, Lot & Building Site Principal Use), Table 4.3.9.A–2 (Building, Lot & Building Site Accessory Uses), and Table 4.3.9.A–3 (Building, Lot & Building Site Temporary Uses).

Number of Buildings Per Lot or Building Site

Principal Building
Accessory Buildings

ARTICLE 4

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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SD-HI TABLE 4.3.1-J DISTRICT STANDARDS: HEAVY INDUSTRIAL SPECIAL DISTRICT

Lot Occupation	
Lot/Building Site Width	100 ft. min
Lot / Building Site / Parcel Frontage on Street / Highway	24 ft min.
Lot Depth	NR
Frontage Buildout	NR
Lot/Building Site Area	as required to meet all other applicable requirements of this Ordinance
Impervious Surface Coverage	70% max
Usable Open Space	Min. 7% of gross site area
Lot/Building Site Enfrontment	NR
Lot/Building Site Access	All Lots must have legal and physical vehicular access to a vehicular Thoroughfare via Driveway or Easement.

Setbacks / Yards		
Setbacks / Yards– Principal Building		
Street Yard – Min	As applicable: 1. For sites Adjacent to and sharing frontage with a Residential District: a. An addition to an existing Building with a front wall of variable distance from the street may be extended to the plane of the existing front wall closest to the street. b. Except for an addition to an existing Building described in 1.a above, the lesser of I. the avg depth of Street Yards of existing Buildings within 100 ft. on each side of a Lot or II. 40 ft. 2. Otherwise, 20 ft.	A
Side Yard–Per side	As applicable: 1. For sites abutting a Residential District, 50 ft. along the common boundary; 2. Otherwise, 10 ft. (1)(2)(3)(4)	B
Rear Yard	As applicable: 1. For sites Adjacent to and sharing frontage with a Residential District, a min. of 50 ft. along the common boundary abutting such Residential District; 2. Otherwise, 20 ft. (1)(2)(3)(4)	C

NOTES:

(1) Additional Side Yard or Rear Yard depth may be necessary to accommodate Buffers and landscaping required in Sections 4.3.11, 4.3.16, and 5.8.
(2) The required Rear Yard depth shall be reduced as provided below if the Lot does not abut a different District and is owned separately and individually from all other tracts of land, both on the Effective Date of this Ordinance and on the date of application for a Zoning Permit. Such reduction shall be as follows:
a. For all Interior Lots between 80 ft. and 100 ft. deep, the required Rear Yard shall be reduced by an amount equal to the lesser of (i) 100 ft. minus the depth of the Lot or (ii) 10 ft.
b. For Interior Lots < 80 ft. deep within Non Residential Districts and Corner Lots < 80 ft. deep within Industrial Districts, the required Rear Yard depth shall be 0 ft. but if any Rear Yard is provided, it must be at least 10 ft. deep.
(3) In Industrial Districts, the required Side Yard and Rear Yard depth for Lots along Lot Lines abutting other Industrial Districts or along a railroad Right-of-Way is 0 ft.
(4) In Industrial Districts, Buffering requirements are not applicable to Side Yards or Rear Yards with zero depth.

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SD-HI TABLE 4.3.1–J DISTRICT STANDARDS: HEAVY INDUSTRIAL SPECIAL DISTRICT

Building Standards

Building Height*

Principal Building	45 ft. max
Accessory Building	45 ft. max

Any Building exceeding 35 feet in height must obtain approval from the Fire Department prior to the issuance of a Building Permit.

The Fire Department may stipulate special fire protection measures in accordance with National Fire Protection Association and International Building Code criteria as a condition of approval of such Structure. In such instance the stipulations made by the Fire Department in accordance with the above cited codes shall be required.

Ceiling Height

NR

Building Composition

Vertical Composition	Each Principal Building must have an identifiable Base, Middle, & Cap
Finished Floor Level	NR

Facade

Main Entrance	Main Entrance must be in Facade of Principal Frontages.
Facade Position	Parallel to straight Frontage Line or to tangent of curved Frontage Line
Facade & Facade Element Design Proportions	NR
Blank Walls	NP at Frontage
Facade Articulation	NR
Facade Openings	NR
Facade Glazing	NR
Window Shape	NR
Window Alignment	NR
Window Types	NR
Window Glazing Material	Clear glass R for windows at Frontage

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

ARTICLE 4

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SD-HI TABLE 4.3.1–J DISTRICT STANDARDS: HEAVY INDUSTRIAL SPECIAL DISTRICT

Building Standards (continued)

Facade (continued)

Window Trim in 1st Layer	NR
Shutters	NR
Facade Window Sill Height	NR
Porch Frontages	NR
Shopfront Frontages	NR
Facade Variety	NR

Roof Type & Pitch

NR

Roof Design

NR

Building Materials

Primary Building Material on Facades	Brick	P	Authentic stucco over masonry	P
	Natural stone	P	Exposed concrete	NP
	Wood	P	Aluminum or vinyl siding	NP
	Cementitious siding	P	Corrugated and/or sheet metal	P

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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SD-HI TABLE 4.3.1–J DISTRICT STANDARDS: HEAVY INDUSTRIAL SPECIAL DISTRICT

Building Standards (continued)

Changes in Building Materials	NR
Building Colors	NR
Foundation Cladding	NR
Porch Pier Cladding	NR
Chimney Cladding	NR

Building Types

NR

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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SD-HI TABLE 4.3.1-J DISTRICT STANDARDS: HEAVY INDUSTRIAL SPECIAL DISTRICT

Vehicular Parking Requirements

Parking Location

	On-Street Parking	Off-Street Parking
All Vehicles	P	P in any Required Yard, unless specifically prohibited*

Additional Parking Requirements

Off-Street Parking Surface	Asphalt, concrete or other hard surface
Garage Location	P in 3rd Layer only
Garage Design	NR
Driveway/Vehicular Entrance Location	P in any Layer
Driveway/Vehicular Entrance Maximum Width	10 ft max. in 1st Layer and 2nd Layer if Residential; 36 ft max. in 1st Layer if non-Residential, regardless if shared or not
Parking Structures	P, if Screened from Frontage by Liner Buildings
Parking Structure Pedestrian Exit Location	Via pedestrian access to Frontage

Bicycle Parking

See Section 4.3.13

Thoroughfares & Internal Drive Types*

**Only applicable to Development Parcels.*

See Article 5 (Development Parcel Standards) for additional requirements.

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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SD-HI TABLE 4.3.1–J DISTRICT STANDARDS: HEAVY INDUSTRIAL SPECIAL DISTRICT

Loading & Access

Off–Street Loading and Storage	P only in any Required Side Yard or Rear Yard, unless specifically prohibited
Utility Box & Service Meter* Locations (*Not including water meters)	P only in any Required Side Yard or Rear Yard, unless specifically prohibited
Off–Street Trash Receptacle Locations	P in 3rd Layer only.
Off–Street Dumpster Locations	P in 3rd Layer only, must be Screened from Frontage and fully enclosed on 3 sides and enclosed on the 4th side with self–closing gate.
Drive–Through Locations	P in 3rd Layer only.

Non–Building Components

	1st Layer	2nd Layer	3rd Layer
Heating and Air Conditioning Equipment, Utility, Service and Mechanical Equipment	NP	P if Screened from Frontage	P
Solar Panels	P if coplanar to and integrated into roof design		P
Antennas & Satellite Equipment	P in 1st or 2nd Layer if such Layer is only possible location possible for satisfactory reception.		P
Recreation or Play Equipment	NP	NP	P
Animal Enclosures, Runs or Shelters	NP	NP	P
Swimming Pools, Hot Tubs and Spas	NP	NP	P
Transmitting and/or receiving towers or antennas and wind–generating machines	NP	NP	P

ARTICLE 4

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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SD-HI TABLE 4.3.1-J DISTRICT STANDARDS: HEAVY INDUSTRIAL SPECIAL DISTRICT

Signs

See Sign Standards in Article 7 (Sign Standards) and Table 7.12.B-1 (Sign Types – Summary) and Table 7.1.2.B-2 (Sign Types – Specific Standards)

Lighting

See Private Lighting requirements in Section 4.3.17 and Table 4.3.17.B (Private Lighting Standards)

Private Landscaping and Fencing

Landscaping

R if 1st Layer ≥ 10 ft, minimum of 30% of 1st Layer must be landscaped in compliance with Section 4.3.16, with continuous shrubs around foundation at Facade if 1st Layer is ≥ 3 ft. deep, plus if 1st Layer is ≥ 15 ft. deep, 1 tree per 50 ft. of Frontage width, planted in 1st Layer. Landscaping must comply with Section 4.3.16.

Walls & Fencing (not including Screens)

Height	3.5–4 ft. at Frontage; otherwise 6 ft. max; height measured from avg. undisturbed grade of Adjacent property at property line
Construction	Finished side must face Adjacent property, Thoroughfare or Internal Drive, Path, Passage or Waterbody
Maintenance	Must be well-maintained, in upright condition and free of missing or broken parts and graffiti.

Materials

Natural Wood	P Only picket type allowed at Frontage; other types allowed on sides and at rear	Chain Link	P at sides and rear only
Brick, Natural Stone, or Stucco over Masonry	P at sides and rear only	Barbed/razor/concertina wire	P at sides and rear only & only if not Adjacent to Residential use
Wrought Iron or Aluminum	P	Exposed or painted aggregate concrete	NP
Vinyl	NP	Smooth or split-faced block	NP

Additional Standards

Pedestrian connections through to Adjacent Neighborhoods or Uses	NR
Location of Retaining Walls	P within required Yards, per Section 4.3.10 If supporting grade 8 ft. or higher than grade at interior edge of a required Buffer, must be set back 10 ft. from such interior edge.

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SD-HI TABLE 4.3.1–J DISTRICT STANDARDS: HEAVY INDUSTRIAL SPECIAL DISTRICT

Screens, Streetscreens & Buffers

Height

	At Frontage or Adjacent to Civic Space	Not at Frontage or Adjacent to Civic Space
Wall Screen/Streetscreen Height	3.5 ft. to 5 ft.	5 ft. to 6 ft.; Min. 6 ft. for Dumpsters and Trash Receptacles
Fence Screen/Streetscreen Height	NP	5 ft. to 6 ft.; Min. 6 ft. for Dumpsters and Trash Receptacles
Hedge Screen/Streetscreen Height	3 ft. to 5 ft. at installation	5 ft. to 6 ft. at installation

Materials

Wall Screen or Streetscreen	Brick, Natural Stone or Stucco over Masonry
Fence Screen or Streetscreen	Natural Wood, painted or unpainted
Hedge Screen or Streetscreen	Evergreen plants with min. 80% opacity

Additional Standards

Non-Residential & Multi-Family Residential Screen /Streetscreen Adjacent to or across Thoroughfare from Non-Multi-Family Residential	NR
Screening of Parking, Loading Areas, Service Areas, Outdoor Storage, Drive-Throughs, Trash Receptacles/Dumpsters, HVAC and other equipment Screened from Frontage, Civic Space and Adjacent Property	R; except at Driveways: Parking Lots and Parking Areas must be Screened from Frontage and Civic Space by Building or Streetscreen; Parking Structures must be Screened from Frontages by Liner Buildings. Otherwise, Screening must be by Building, wall, hedge or fence at Frontage or Building, Wall, hedge or fence not at Frontages or Adjacent to Civic Space.
Rooftop Antennas and HVAC, Mechanical and other Equipment Screening	R; must be Screened from Frontage and Civic Space by Building parapet or other Building Element
Self-Storage Warehouse Screening	R; except at Driveways: Screening must be by Building, wall, hedge or fence at Frontage or Building, Wall, hedge or fence not at Frontages or Adjacent to Civic Space.
Streetscreen Location	2nd Layer
Parcel Buffer	Section 4.3.11.H.
Project Buffer	Section 5.8.

ARTICLE 4

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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PUD-R

TABLE 4.3.1-K DISTRICT STANDARDS: PLANNED UNIT DEVELOPMENT –RESIDENTIAL DISTRICT

General Description

This District is to allow for utilization of the Planned Unit Development process under TCA Section 13-4-310, implementation of the Comprehensive Plan, and review and approval of a Master PUD Development Plan that complies with these standards and establishes them and other standards as entitlements for a property, including a customized combination of permitted Uses, Building Types, Private Frontage Types, Setbacks and Yards, and Thoroughfares and Internal Drives.

Specifically, this District is intended for predominantly Residential areas on sites where there are sufficient existing infrastructure, services, and utilities available for a proposed Development. Development in this District (a) is walkable and provides a diverse mixture of housing choices and Building Types, (b) is necessary to implement and is consistent with the Comprehensive Plan, (c) cannot under any circumstances, plan, or design conform to one or more of the other Districts and standards therefor due to its necessary and intrinsic Uses or size or form, (d) provides an innovative plan and design, (e) is harmonious with and respects the land use, character, and natural or man-made features of both the subject property and Adjacent property, (f) promotes quality and environmentally sensitive planning and design by taking advantage of special site characteristics, locations and land uses, (g) provides Civic Space, (h) is the best use of the site consistent with the goals of protecting and enhancing the natural environment. There are specific Development standards provided for this District, which may be supplemented by additional standards approved in the applicable Final Master PUD Development Plan.

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PUD-R TABLE 4.3.1-K DISTRICT STANDARDS:
PLANNED UNIT DEVELOPMENT –RESIDENTIAL DISTRICT

Density / Intensity *Applicable only to Development Parcels

12 Density Units per acre max

Parcel Size

Parcel Size	Min. more than 10 gross acres

Block Size* *Applicable only to Development Parcels.

Block Perimeter	2000 ft. max. or 3,000 ft. max. if a Parking Structure provided within Block

Private Frontage Types

Common Yard	P	Stepfront	P
Porch	P	Shopfront	P
Fence	P	Gallery	NP
Terrace/Lightwell	P	Arcade	NP
Forecourt	P	Officefront	NP
Stoop	P		

See Table 4.3.7.A (Private Frontage Types)

Civic Space Types* *Applicable only to Development Parcels.

Natural Area	P	Playground	P
Green	P	Sport Field	NP
Square	P	Community Garden	P
Plaza	P	Pocket Park	P

See Table 5.3.3.A (Civic Space Types – Summary) and Table 5.3.3.B (Civic Space – Specific Standards)

Permitted Uses

See Table 4.3.9.A-1 (Building, Lot & Building Site Principal Use), Table 4.3.9.A-2 (Building, Lot & Building Site Accessory Uses), and Table 4.3.9.A-3 (Building, Lot & Building Site Temporary Uses). For Development Parcels, see also Table 5.1.11 (Principal Use Mix).

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

ARTICLE 4

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PUD-R

TABLE 4.3.1-K DISTRICT STANDARDS: PLANNED UNIT DEVELOPMENT –RESIDENTIAL DISTRICT

Number of Buildings Per Lot or Building Site

Principal Building	6 max. per Lot / Building Site for attached Townhouse Buildings; otherwise, 1 max. per Lot / Building Site
Accessory Buildings	1 max. per Building Site

Lot Occupation

Lot/Building Site Width	18 ft. min; 180 ft. max; For Townhouses with each unit on its own Lot or Building Site: 18 – 36 ft. for single Townhouse unit attached to other Townhouse units X 8 max. attached Townhouse units For multiple Townhouses on a single Lot or Building Site: 18 –20 ft. per Townhouse unit X 8 max. attached Townhouse units 38 ft min. for House, 25 ft min. for each Duplex unit or 50 ft min. for both units of Duplex, and 100 ft. max. for Small Multifamily Building.
Frontage Buildout	60% min
Lot/Building Site Area	NR
Impervious Surface Coverage	70% max; except 90% max. for each group of attached Townhouse units.
Lot/Building Site Enfrontment	Must enfront a vehicular Thoroughfare or Internal Drive, except ≤ 20% of the Lots / Building Sites within a Development Parcel may Enfront a Pedestrian Path, Passage, pedestrian walkway or water body if such Lots / Building Sites have legal and physical vehicular access to a vehicular Thoroughfare via Driveway or Easement.
Lot/Building Site Access	All Lots must have legal and physical vehicular access to a vehicular Thoroughfare via Driveway, Internal Drive or Easement.

Setbacks / Yards

Setbacks / Yards– Principal Building

Front Setback / Yard, Principal Frontage	15 ft. – 35 ft.	A
Front Setback / Yard, Secondary Frontage	15 ft. – 35 ft.	B
Side Setback / Yard	0 ft. min. on attached side(s) of attached Building Types, otherwise 10 ft. min; 24 ft. max. per side	C
Rear Setback	10 ft. min.	D

Setbacks /Yards– Accessory Building

Front Setback / Yard, Principal Frontage	40 ft. max. from Rear Lot / Building Site Line	E
Side Setback / Yard	0 ft. min.	F
Rear Setback / Yard	3 ft. max	G

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PUD-R TABLE 4.3.1-K DISTRICT STANDARDS:
PLANNED UNIT DEVELOPMENT –RESIDENTIAL DISTRICT

Building Standards

Building Height*

Principal Building	1–2 Stories for House and Duplex Building Types; 2–3 Stories for Townhouse, Live / Work and Small Multifamily Building Types; 2– 4 Stories for Large Multifamily Building Type
Accessory Building	2 Stories max; Allowed in 3rd Layer only.

*Stories and height do not include Attics and Basements, chimneys, flagpoles, towers, steeples, spires, belfries, parapet walls, aerials, or antennas. Any Building exceeding 35 feet in height must obtain approval from the Fire Department prior to the issuance of a Building Permit.

The Fire Department may stipulate special fire protection measures in accordance with National Fire Protection Association and International Building Code criteria as a condition of approval of such Structure. In such instance the stipulations made by the Fire Department in accordance with the above cited codes shall be required.

Ceiling Height

May not exceed 14 ft. from finished floor to finished ceiling.

Building Composition

Vertical Composition	Each Principal Building must have an identifiable Base, Middle, & Cap
Finished Floor Level	Min. 18 in. above finished grade at Facade

Facade

Main Entrance	Main Entrance must be in Facade of Principal Frontage.
Facade Position	Parallel to straight Frontage Line or to tangent of curved Frontage Line
Facade & Facade Element Design Proportions	Must be vertically proportioned
Blank Walls	NP at Frontage
Facade Articulation	Expect for House Building Types, a Façade greater than 100 ft. in width must be differentiated so that it appears to be comprised of two or more Adjacent Buildings, by dividing such Façade into two segments each of which includes a separate entrance and (1) differs from each of the other segments with respect to all of the following: (a) a change in shape, sill, and header height, detail, size, spacing, rhythm, and muntin pattern of windows; (b) a change of Building or cornice height; (c) a change in cornice details; (d) a change of wall material or wall color; a change in trim courses and other horizontal elements; (e) a change in dormer or balcony design, if any, and (f) providing or changing pilasters, columns, or other Façade elements; and (2) is composed with a defined center and edges. (See **Illustration 4.3.5.A–3**)

ARTICLE 4

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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PUD-R TABLE 4.3.1-K DISTRICT STANDARDS:
PLANNED UNIT DEVELOPMENT –RESIDENTIAL DISTRICT

Building Standards (continued)

Facade (continued)

Facade Openings	Facade windows and/or doors must be spaced ≤ 20 ft. apart. In Stories above first, Facade openings must be ≤ 50% of total Facade area.
Facade Glazing	20% – 60% of total Facade area for non-Shopfront; 70% of total Facade area, min. for Shopfront.
Window Shape	Square or vertical in proportion, except for transoms.
Window Alignment	Upper floor windows and other features must be aligned with those of first floor.
Window Types	Except in Shopfront or Gallery Frontage, and except for transoms and sidelights, Windows in Facade and 1st & 2nd Layers must be single-hung, double-hung, casement or awning types. In Stories above first, Facade openings must be ≤ 50% of total Facade area.
Window Glazing Material	Clear glass (R) for all Elevations.
Window Trim in 1st Layer	Min. 4 in. trim with sill and top plate if siding surrounding window; soldier course above lintel and rollock course below sill if brick or stone surrounds window
Shutters	If any, must be functional and proportioned to cover half of window width from each side or entire window width, with shutter dogs
Facade Window Sill Height	If Residential: 5 ft. min. above avg. grade at Facade
Porch Frontages	Min. 6 ft. clear depth, excluding rails, pillars, columns or other features
Shopfront Frontages	12 in.-24 in. knee wall required at Frontage
Facade Variety	No Facade may exist more than once on a Block Face or within view of the same Facade

Roof Type & Pitch

Flat	(NP)
Shed	(P) at rear only and if ridge is attached to an exterior Building wall; except for porches, stoops or dormers which may have a shed roof anywhere on the Building
Hip	(P)
Gable	(P)
Pitch	6:12 – 14:12, except for shed roofs which may be 3:12 – 14:12 and except roof pitch may match the primary roof pitch of an existing Building that is less than 6:12

Roof Design

Eaves shall extend no less than nine inches beyond the supporting walls.

LEGEND The following notations are utilized in this table.	(P) Permitted	(NP) Not Permitted	(NA) Not Applicable	(R) Required	(NR) Not Regulated

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PUD-R TABLE 4.3.1-K DISTRICT STANDARDS: PLANNED UNIT DEVELOPMENT –RESIDENTIAL DISTRICT

Building Standards (continued)

Gable end rakes shall overhang at least six inches.
Eaves and rakes on Accessory Buildings and dormers shall overhang at least six inches.
Soffits shall be placed perpendicular to the Building wall, not sloping in plane with the roof (except for gable end rakes).

Building Materials

Primary Building Material on Facades	Brick	P	Authentic stucco over masonry	P
	Natural stone	P	Exposed concrete	NP
	Wood	P	Aluminum or vinyl siding	NP
	Cementitious siding	P	Corrugated and/or sheet metal	NP
Changes in Building Materials	Primary materials must continue along side Elevations through 2nd Layer. Primary materials shall continue for entire length of all Facades facing a Frontage. Any material changes must coincide with form, structural, or massing changes and shall not occur at outside corner of such change.			
Building Colors	Up to 3 colors, including the natural color of any allowed materials, but excluding trim colors			
Foundation Cladding	R; brick or natural stone			
Porch Pier Cladding	R; brick or natural stone, with any space under Porch concealed by painted or stained latticework between piers			
Chimney Cladding	R; brick, natural stone, or material matching primary material of Facade			

Building Types

House	P	Commercial	NP
Duplex	P	Mixed Use	NP
Townhouse	P	Flex	NP
Small Multifamily	P	Mid-Rise	NP
Large Multifamily	P	Large Scale Commercial	NP
Live/Work	P	Civic	P

See Table 4.3.8.A (Principal Building Types – Summary) and Table 4.3.8.B (Principal Building Types – Specific Standards). For Development Parcels, see also Table 5.1.10 (Building Type Mix).

ARTICLE 4

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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PUD-R TABLE 4.3.1-K DISTRICT STANDARDS:
PLANNED UNIT DEVELOPMENT –RESIDENTIAL DISTRICT

Vehicular Parking Requirements

Parking Location

	On-Street Parking	Off-Street Parking
All Vehicles	P	P in any Required Yard, unless specifically prohibited

Additional Parking Requirements

Off-Street Parking Surface	Asphalt, concrete or other hard surface
Garage Location	P in 3rd Layer only
Garage Design	Min. interior dimensions 10 ft. x 20 ft. per vehicle Parking space. If Garage faces Street: max. Garage door width 33% of total of Garage + Facade width. Garage must be detailed, finished, & designed like rest of Building with carriage house doors; max. Garage door width 9 ft.; each Garage door must have ornamental lighting fixture above it; min. 2 ft. separation between Garage doors
Driveway/Vehicular Entrance Location	P in any Layer
Driveway/Vehicular Entrance Maximum Width	10 ft max. in 1st Layer if Residential; 24 ft max. in 1st Layer if non-Residential, regardless if shared or not
Parking Structures	P, if Screened from Frontage by Liner Buildings
Parking Structure Pedestrian Exit Location	Via pedestrian access to Frontage

Bicycle Parking

See Section 4.3.13

Thoroughfares & Internal Drive Types*

**Only applicable to Development Parcels.*

See Article 5 (Development Parcel Standards) for additional requirements.

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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PUD-R TABLE 4.3.1-K DISTRICT STANDARDS: PLANNED UNIT DEVELOPMENT –RESIDENTIAL DISTRICT

All Development in a PUD-R District must comply with all applicable standards of this Ordinance, including without limitation the following:

A. Design Criteria, General

1. In order to reduce curb cuts and provide a unified corridor image, a secondary frontage road may be required along selected portions of the highway as determined by the Planning Commission. Access points to the highway will be predetermined based on topography, highway alignment, vegetation, etc.

2. Points of access from individual sites onto the highway or frontage road shall be coordinated so as to pair entrances wherever possible.

3. Roads and Parking areas shall follow the natural topography whenever possible to minimize cutting and filling.

B. Design Criteria, Detailed

1. All curb cuts and driveways shall have a minimum separation of 300 feet.

2. Driveways and entrance roads shall be designed according to the following criteria:

a. The surface shall be a permanent, all-weather pavement, such as asphalt or concrete.

b. The design speed shall be 15 mph.

c. Maximum slope shall be 5% in the first 200 feet of the drive. The slope may be increased to 7% if the applicant can show that a lesser slope would result in undue hardship.

d. All drives and roads shall intersect the highway at 900 angles.

e. Where the projected Average Daily Trips (ADT) for a driveway or road is greater than 500, islands extending 20 feet into the property shall be provided for channelization of traffic.

f. Where feasible, curb cuts shall be aligned with existing median cuts.

g. Proposed median cuts must receive the approval of the Planning Commission before being submitted to the State Department of Transportation (DOT) for approval. State DOT approval shall be required for all curb cuts.

h. Where the projected ADT for a crossroad is greater than 1,000 acceleration and deceleration lanes are required. The length of those lanes shall be 450 feet and two 250 feet, respectively.

i. The need for signalization shall be explored with the Tennessee Department of Transportation under the following circumstances:

– The ADT for the highway is greater than 6,720, and the projected ADT exiting a crossroad is greater than 1,600 for one lane or 2,248 for two lanes;

–The ADT for the highway is greater than 10,080, and the projected ADT exiting a crossroad is greater than 850 for one lane or 1,120 for two lanes; and

– The Planning Commission determines that signalization may be warranted.

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PUD-R TABLE 4.3.1-K DISTRICT STANDARDS:
PLANNED UNIT DEVELOPMENT –RESIDENTIAL DISTRICT

Loading & Access

Off-Street Loading and Storage	R for Large Multifamily Building per Table 4.3.14.B (Loading Space Requirements); P in 3rd Layer only.
Utility Box & Service Meter* Locations (*Not including water meters)	R for Large Multifamily Building per Table4.3.14.B (Loading Space Requirements); P in 3rd Layer only.
Off-Street Trash Receptacle Locations	P in 3rd Layer only.
Off-Street Dumpster Locations	P in 3rd Layer only, must be Screened from Frontage and fully enclosed on 3 sides and enclosed on the 4th side with self-closing gate.
Drive-Through Locations	P in 3rd Layer only.

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PUD-R TABLE 4.3.1-K DISTRICT STANDARDS:
PLANNED UNIT DEVELOPMENT –RESIDENTIAL DISTRICT

Non-Building Components

	1st Layer	2nd Layer	3rd Layer
Heating and Air Conditioning Equipment, Utility, Service and Mechanical Equipment	NP	P if Screened from Frontage	P
Solar Panels	P if coplanar to and integrated into roof design		P
Antennas & Satellite Equipment	P in 1st or 2nd Layer if such Layer is only possible location possible for satisfactory reception.		P
Recreation or Play Equipment	NP	NP	P
Animal Enclosures, Runs or Shelters	NP	NP	P
Swimming Pools, Hot Tubs and Spas	NP	NP	P
Transmitting and/or receiving towers or antennas and wind-generating machines	NP	NP	P

Signs

See Sign Standards in Article 7 (Sign Standards) and Table 7.12.B-1 (Sign Types – Summary) and Table 7.1.2.B-2 (Sign Types – Specific Standards)

Lighting

See Private Lighting requirements in Section 4.3.17 and Table 4.3.17.B (Private Lighting Standards)

ARTICLE 4

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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PUD-R TABLE 4.3.1-K DISTRICT STANDARDS:
PLANNED UNIT DEVELOPMENT –RESIDENTIAL DISTRICT

Private Landscaping and Fencing

Landscaping

R if 1st Layer ≥ 3 ft, 30% of 1st Layer must be landscaped, with continuous shrubs along foundation at Facade and additionally if 1st Layer ≥ 15 ft, sod, and 1 tree per 50 ft. of Frontage width, planted in 1st Layer. Landscaping must comply with Section 4.3.16.

Walls & Fencing (not including Screens)

Height	3.5–4 ft. at Frontage; otherwise 6 ft. max; height measured from avg. undisturbed grade of Adjacent property at property line
Construction	Finished side must face Adjacent property, Thoroughfare or Internal Drive, Path, Passage or Waterbody
Maintenance	Must be well-maintained, in upright condition and free of missing or broken parts and graffiti.

Materials

Natural Wood	P at side and rear only	Chain Link	P at sides and rear only
Brick, Natural Stone, or Stucco over Masonry	P	Barbed/razor/concertina wire	NP
Wrought Iron or Aluminum	P	Exposed or painted aggregate concrete	NP
Vinyl	NP	Smooth or split-faced block	NP

Additional Standards

Pedestrian connections through to Adjacent Neighborhoods or Uses	R
Location of Retaining Walls	P within required Yards, per Section 4.3.10 If supporting grade 8 ft. or higher than grade at interior edge of a required Buffer, must be set back 10 ft. from such interior edge.

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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PUD-R TABLE 4.3.1-K DISTRICT STANDARDS:
PLANNED UNIT DEVELOPMENT –RESIDENTIAL DISTRICT

Screens, Streetscreens & Buffers

Height

	At Frontage or Adjacent to Civic Space	Not at Frontage or Adjacent to Civic Space
Wall Screen/Streetscreen Height	3 ft. to 5 ft.	5 ft. to 6 ft.; Min. 6 ft. for Dumpsters and Trash Receptacles
Fence Screen/Streetscreen Height	NP	5 ft. to 6 ft.; Min. 6 ft. for Dumpsters and Trash Receptacles
Hedge Screen/Streetscreen Height	3 ft. to 5 ft. at installation	5 ft. to 6 ft. at installation

Materials

Wall Screen or Streetscreen	Brick, Natural Stone or Stucco over Masonry
Fence Screen or Streetscreen	Natural Wood, painted or unpainted
Hedge Screen or Streetscreen	Evergreen plants with min. 80% opacity

Additional Standards

Non-Residential & Multi-Family Residential Screen /Streetscreen Adjacent to or across Thoroughfare from Non-Multi-Family Residential	NR
Screening of Parking, Loading Areas, Service Areas, Outdoor Storage, Drive-Throughs, Trash Receptacles/Dumpsters, HVAC and other equipment Screened from Frontage, Civic Space and Adjacent Property	R; except at Driveways: Parking Lots and Parking Areas must be Screened from Frontage and Civic Space by Building or Streetscreen; Parking Structures must be Screened from Frontages by Liner Buildings. Otherwise, Screening must be by Building, wall, hedge or fence at Frontage or Building, Wall, hedge or fence not at Frontages or Adjacent to Civic Space.
Rooftop Antennas and HVAC, Mechanical and other Equipment Screening	R; must be Screened from Frontage and Civic Space by Building parapet or other Building Element
Self-Storage Warehouse Screening	NA (not permitted in District)
Streetscreen Location	2nd Layer
Parcel Buffer	Section 4.3.11.H.
Project Buffer	Section 5.8.

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

ARTICLE 4

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PUD-MU TABLE 4.3.1-L DISTRICT STANDARDS: PLANNED UNIT DEVELOPMENT – MIXED USE

General Description

This District is to allow for utilization of the Planned Unit Development process under TCA Section 13-4-310, implementation of the Comprehensive Plan, and review and approval of a Master PUD Development Plan that complies with these standards and establishes them and other standards as entitlements for a property, including a customized combination of permitted Uses, Building Types, Private Frontage Types, Setbacks and Yards, and Thoroughfares and Internal Drives.

Specifically, this District is intended for Commercial, Office, Mixed Use, and Multifamily Uses on sites where there are sufficient existing infrastructure, services, and utilities available for a proposed Development. Development in this District (a) is walkable and provides a diverse mixture of housing choices and Building Types, (b) is necessary to implement and is consistent with the Comprehensive Plan, (c) cannot under any circumstances, plan, or design conform to one or more of the other Districts and standards therefor due to its necessary and intrinsic Uses or size or form, (d) provides an innovative plan and design, (e) is harmonious with and respects the land use, character, and natural or man-made features of both the subject property and Adjacent property, (f) promotes quality and environmentally sensitive planning and design by taking advantage of special site characteristics, locations and land uses, (g) provides Civic Space, (h) is the best use of the site consistent with the goals of protecting and enhancing the natural environment. There are specific Development standards provided for this District, which may be supplemented by additional standards approved in the applicable Final Master PUD Development Plan.

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PUD-MU TABLE 4.3.1-L DISTRICT STANDARDS:
PLANNED UNIT DEVELOPMENT – MIXED USE

Density / Floor Area Ratio (FAR) *Applicable only to Development Parcels*

12 Density Units per acre max

Parcel Size

Parcel Size	Min. more than 10 gross acres

Block Size* *Applicable only to Development Parcels.

Block Perimeter	2000 ft. max. or 3,000 ft. max. if a Parking Structure provided within Block

Private Frontage Types

Common Yard	NP	Stepfront	P
Porch	NP	Shopfront	P
Fence	NP	Gallery	P
Terrace/Lightwell	P	Arcade	P
Forecourt	P	Officefront	P
Stoop	P		

See Table 4.3.7.A (Private Frontage Types)

Civic Space Types* *Applicable only to Development Parcels.

Natural Area	NP	Playground	P
Green	NP	Sport Field	NP
Square	P	Community Garden	P
Plaza	P	Pocket Park	P

See Table 5.3.3.A (Civic Space Types – Summary) and Table 5.3.3.B (Civic Space – Specific Standards)

Permitted Uses

See Table 4.3.9.A-1 (Building, Lot & Building Site Principal Use), Table 4.3.9.A-2 (Building, Lot & Building Site Accessory Uses), and Table 4.3.9.A-3 (Building, Lot & Building Site Temporary Uses). For Development Parcels, see also Table 5.1.11 (Principal Use Mix).

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

ARTICLE 4

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PUD-MU TABLE 4.3.1-L DISTRICT STANDARDS:
PLANNED UNIT DEVELOPMENT – MIXED USE

Number of Buildings Per Lot or Building Site

Principal Building	1 max
Accessory Buildings	1 max

Lot Occupation

Lot/Building Site Width	18 ft. min; 180 ft. max; except for Townhouses, 18 – 24 ft. for single Townhouse unit attached to other Townhouse units or 18 –24 ft. per Townhouse unit X number of attached Townhouse units on single Lot or Building Site, with max. of 6 attached units; 100 ft. max. for Small Multifamily Building
Frontage Buildout	90% min
Lot/Building Site Area	NR
Impervious Surface Coverage	100% max
Lot/Building Site Enfrontment	Must enfront a vehicular Thoroughfare or Internal Drive, except ≤ 20% of the Lot / Building Sites within a Development Parcel may Enfront a Pedestrian Path, Passage, pedestrian walkway or water body if such Lot / Building Sites have legal and physical vehicular access to a vehicular Thoroughfare via Driveway or Easement.
Lot/Building Site Access	All Lots must have legal and physical vehicular access to a vehicular Thoroughfare via Driveway or Easement.

Setbacks / Yards

Setbacks / Yards – Principal Building

Front Setback / Yard, Principal Frontage	0 – 20 ft.	A
Front Setback / Yard, Secondary Frontage	0 – 20 ft.	B
Side Setback / Yard	0 ft. min. for attached Buildings; Otherwise, 10 – 24 ft.	C
Rear Setback / Yard	NR	D

Setbacks / Yards– Accessory Building

Front Setback / Yard, Principal Frontage	40 ft. max. from rear property line	E
Side Setback / Yard	0 ft. min	F
Rear Setback / Yard	3 ft. max	G

If the District abuts property zoned for Residential use that is not included within the District, all Buildings shall be set back as follows:

a. Where the property is zoned, but not currently utilized, for Residential purposes, a distance equal to the setback established for the Residential District.

b. Where the property is currently utilized for Residential purposes, a distance equal to the lesser of (i) the present average setback of properties located 200 feet from the nearest point on the subject property and (ii) twice the minimum setback established for the CD-4C District.

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PUD-MU TABLE 4.3.1-L DISTRICT STANDARDS:
PLANNED UNIT DEVELOPMENT – MIXED USE

Building Standards

Building Height*

Principal Building	2 Stories min. – 4 stories max
Accessory Building	2 Stories max

Along any District boundary where a PUD-MU District adjoins a Residential District that is not included within a PUD-MU District no Building within the commercial planned unit Development shall project through imaginary planes starting at the maximum height permitted in the adjoining District and leaning inward from District boundaries at an angle representing an increase of 1/2 foot in height for each foot of horizontal distance perpendicular to the boundary.

*Stories and height do not include Attics and Basements, chimneys, flagpoles, towers, steeples, spires, belfries, parapet walls, aerials, or antennas. Any Building exceeding 35 feet in height must obtain approval from the Fire Department prior to the issuance of a Building Permit.

The Fire Department may stipulate special fire protection measures in accordance with National Fire Protection Association and International Building Code criteria as a condition of approval of such Structure. In such instance the stipulations made by the Fire Department in accordance with the above cited codes shall be required.

Ceiling Height

May not exceed 14 ft. from finished floor to finished ceiling, except for a first floor Commercial, Office, Retail/Personal Service, or Accommodation / Lodging Use, which must be a minimum of 11 ft. with a maximum of 25 ft.

Building Composition

Vertical Composition	Each Principal Building must have an identifiable Base, Middle, & Cap
Finished Floor Level	Residential: 18 in. –48 in. above finished grade at Facade Non-Residential & Mixed Use: 48 in. max. above finished grade at Facade

Facade

Main Entrance	Main Entrance must be in Facade of Principal Frontages. If Shopfront Frontage at corner, Main Entrance may be at Principal Frontage or at corner.
Facade Position	Parallel to straight Frontage Line or to tangent of curved Frontage Line
Facade & Facade Element Design Proportions	Must be vertically proportioned
Blank Walls	NP at Frontage

ARTICLE 4

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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PUD-MU TABLE 4.3.1-L DISTRICT STANDARDS:
PLANNED UNIT DEVELOPMENT – MIXED USE

Building Standards (continued)

Facade (continued)

Facade Articulation	A Façade greater than 100 ft. in width must be differentiated so that it appears to be comprised of two or more Adjacent Buildings, by dividing such Façade into two segments each of which includes a separate entrance and (1) differs from each of the other segments with respect to all of the following: (a) a change in shape, sill, and header height, detail, size, spacing, rhythm, and muntin pattern of windows; (b) a change of Building or cornice height; (c) a change in cornice details; (d) a change of wall material or wall color; a change in trim courses and other horizontal elements; (e) a change in dormer or balcony design, if any, and (f) providing or changing pilasters, columns, or other Façade elements; and (2) is composed with a defined center and edges. (See **Illustration 4.3.5.A-3**)
Facade Openings	Windows and/or doors spaced ≤ 20 ft. apart. In Stories above first, Facade openings must be ≤ 50% of total Facade area.
Facade Glazing	20% – 60% of total Facade area for non-Shopfront; 70% of total Facade area min. for Shopfront Frontage.
Window Shape	Square or vertical in proportion., except for transoms
Window Alignment	Upper floor windows and other features must be aligned with those of first floor.
Window Types	Except in Shopfront or Gallery Frontage, and except for transoms and sidelights, Windows in Facade and 1st & 2nd Layers must be single-hung, double-hung, casement or awning types. In Stories above first, Facade openings must be ≤ 50% of total Facade area.
Window Glazing Material	Clear glass (R) for all Elevations.
Window Trim in 1st Layer	Min. 4 in. trim with sill and top plate if siding surrounding window; soldier course above lintel and rollock course below sill if brick or stone surrounds window
Shutters	If any, must be functional and proportioned to cover half of window width from each side or entire window width, with shutter dogs
Facade Window Sill Height	If Residential: 5 ft. min. above avg. grade at Facade. Shopfront Frontages: at knee wall.
Porch Frontages	Min. 6 ft. clear depth, excluding rails, pillars, columns or other features
Shopfront Frontages	12 in.-24 in. knee wall required at Frontage
Facade Variety	No Facade may exist more than once on a Block Face or within view of the same Facade

Roof Type & Pitch

Flat	(P)

LEGEND The following notations are utilized in this table.	(P) Permitted	(NP) Not Permitted	(NA) Not Applicable	(R) Required	(NR) Not Regulated

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PUD-MU TABLE 4.3.1-L DISTRICT STANDARDS:
PLANNED UNIT DEVELOPMENT – MIXED USE

Building Standards (continued)

Shed	P at rear only and if ridge is attached to an exterior Building wall; except for porches, stoops or dormers which may have a shed roof anywhere on the Building
Hip	P
Gable	P
Pitch	6:12 – 14:12, except for shed roofs which may be 3:12 – 14:12 and except roof pitch may match the primary roof pitch of an existing Building that is less than 6:12

Roof Design

Eaves shall extend no less than nine inches beyond the supporting walls.
Gable end rakes shall overhang at least six inches.
Eaves and rakes on Accessory Buildings and dormers shall overhang at least six inches.
Soffits shall be placed perpendicular to the Building wall, not sloping in plane with the roof (except for gable end rakes).

Building Materials

Primary Building Material on Facades	Brick	P	Authentic stucco over masonry	P
	Natural stone	P	Exposed concrete	NP
	Wood	P	Aluminum or vinyl siding	NP
	Cementitious siding	P	Corrugated and/or sheet metal	NP
Changes in Building Materials	Primary materials must continue along side Elevations through 2nd Layer. Primary materials shall continue for entire length of all Facades facing a Frontage. Any material changes must coincide with form, structural, or massing changes and shall not occur at outside corner of such change.			
Building Colors	Up to 3 colors, including the natural color of any allowed materials, but excluding trim colors			
Foundation Cladding	R; brick or natural stone			
Porch Pier Cladding	R; brick or natural stone, with any space under Porch concealed by painted or stained latticework between piers			
Chimney Cladding	R; brick, natural stone, or material matching primary material of Facade			

ARTICLE 4

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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PUD-MU TABLE 4.3.1-L DISTRICT STANDARDS:
PLANNED UNIT DEVELOPMENT – MIXED USE

Building Types

House	NP	Commercial	P
Duplex	NP	Mixed Use	P
Townhouse	P	Flex	P
Small Multifamily	P	Mid-Rise	P
Large Multifamily	P	Large Scale Commercial	NP
Live/Work	P	Civic	P

See Table 4.3.8.A (Principal Building Types – Summary) and Table 4.3.8.B (Principal Building Types – Specific Standards). For Development Parcels, see also Table 5.1.10 (Building Type Mix).

Vehicular Parking Requirements

Parking Location

	On-Street Parking	Off-Street Parking
All Vehicles	P	P in 3rd Layer only

Additional Parking Requirements

Off-Street Parking Surface	Asphalt, concrete or other hard surface
Garage Location	P in 3rd Layer only
Garage Design	Min. interior dimensions 10 ft. x 20 ft. per vehicle Parking space. If Garage faces Street: max. Garage door width 33% of total of Garage + Facade width. Garage must be detailed, finished, & designed like rest of Building with carriage house doors; max. Garage door width 9 ft.; each Garage door must have ornamental lighting fixture above it; min. 2 ft. separation between Garage doors
Driveway/Vehicular Entrance Location	P in any Layer
Driveway/Vehicular Entrance Maximum Width	24 ft max. width, regardless if shared or not
Parking Structures	P, if Screened from Frontage by Liner Buildings

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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PUD-MU TABLE 4.3.1-L DISTRICT STANDARDS:
PLANNED UNIT DEVELOPMENT – MIXED USE

Parking & Circulation (continued)

Parking Structure Pedestrian Exit Location	Via pedestrian access to Frontage

Bicycle Parking

See Section 4.3.13

Thoroughfares & Internal Drive Types*

**Only applicable to Development Parcels.*

See Article 5 (Development Parcel Standards) for additional requirements.

Loading & Access

Off-Street Loading and Storage	R per Table 4.3.14.B (Loading Space Requirements); P in 3rd Layer only.
Utility Box & Service Meter* Locations (**Not including water meters*)	R per Table 4.3.14.B (Loading Space Requirements); P in 3rd Layer only.
Off-Street Trash Receptacle Locations	P in 3rd Layer only.
Off-Street Dumpster Locations	P in 3rd Layer only, must be Screened from Frontage and fully enclosed on 3 sides and enclosed on the 4th side with self-closing gate.
Drive-Through Locations	P in 3rd Layer only.

Non-Building Components

	1st Layer	2nd Layer	3rd Layer
Heating and Air Conditioning Equipment, Utility, Service and Mechanical Equipment	NP	P if Screened from Frontage	P
Solar Panels	P if coplanar to and integrated into roof design		P
Antennas & Satellite Equipment	P in 1st or 2nd Layer if such Layer is only possible location possible for satisfactory reception.		P
Recreation or Play Equipment	NP	NP	P
Animal Enclosures, Runs or Shelters	NP	NP	P
Swimming Pools, Hot Tubs and Spas	NP	NP	P
Transmitting and/or receiving towers or antennas and wind-generating machines	NP	NP	P

LEGEND The following notations are utilized in this table.

P Permitted | NP Not Permitted | NA Not Applicable | R Required | NR Not Regulated

ARTICLE 4

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PUD-MU TABLE 4.3.1-L DISTRICT STANDARDS: PLANNED UNIT DEVELOPMENT – MIXED USE

Signs

See Sign Standards in Article 7 (Sign Standards) and Table 7.12.B-1 (Sign Types – Summary) and Table 7.1.2.B-2 (Sign Types – Specific Standards)

Lighting

See Private Lighting requirements in Section 4.3.17 and Table 4.3.17.B (Private Lighting Standards)

Private Landscaping and Fencing

Landscaping

R if 1st Layer ≥ 10 ft, minimum of 30% of 1st Layer must be landscaped in compliance with Section 4.3.16, with continuous shrubs around foundation at Facade if 1st Layer is ≥ 3 ft. deep, plus if 1st Layer is ≥ 15 ft. deep, 1 tree per 50 ft. of Frontage width, planted in 1st Layer. Landscaping must comply with Section 4.3.16.

NA in front if ≤3 ft front setback.

Additionally, any Yard Adjacent to a Street must be landscaped and maintained for a distance of 10 ft. from the Lot Line or Building Site Line Adjacent to the Street, except for portions that adjoin Lots or Building Sites in Residential Use, which shall be so landscaped and maintained for the full width or depth of the required Yards within 25 feet of adjoining Lot Lines or Building Site Lines.

Side Yards Adjacent to Lots or Building Sites in Residential Use shall be similarly landscaped and maintained for their full required minimum width. No such required landscaped area shall be used for Parking or loading.

Walls & Fencing (not including Screens)

Height	3.5–4 ft. at Frontage; otherwise 6 ft. max; height measured from avg. undisturbed grade of Adjacent property at property line
Construction	Finished side must face Adjacent property, Thoroughfare or Internal Drive, Path, Passage or Waterbody
Maintenance	Must be well-maintained, in upright condition and free of missing or broken parts and graffiti.

Materials

Natural Wood	P at sides and rear only	Chain Link	P at sides and rear only
Brick, Natural Stone, or Stucco over Masonry	P	Barbed/razor/concertina wire	NP

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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PUD-MU TABLE 4.3.1-L DISTRICT STANDARDS:
PLANNED UNIT DEVELOPMENT – MIXED USE

Private Landscaping and Fencing (continued)

Wrought Iron or Aluminum	P	Exposed or painted aggregate concrete	NP
Vinyl	NP	Smooth or split-faced block	NP

Additional Standards

Pedestrian connections through to Adjacent Neighborhoods or Uses	R
Location of Retaining Walls	P within required Yards, per Section 4.3.10 If supporting grade 8 ft. or higher than grade at interior edge of a required Buffer, must be set back 10 ft. from such interior edge.

Screens, Streetscreens & Buffers

Height

	At Frontage or Adjacent to Civic Space	Not at Frontage or Adjacent to Civic Space
Wall Screen/Streetscreen Height	3 ft. to 5 ft.	5 ft. to 6 ft.; Min. 6 ft. for Dumpsters and Trash Receptacles
Fence Screen/Streetscreen Height	NP	5 ft. to 6 ft.; Min. 6 ft. for Dumpsters and Trash Receptacles
Hedge Screen/Streetscreen Height	3 ft. to 5 ft. at installation	5 ft. to 6 ft. at installation

Materials

Wall Screen or Streetscreen	Brick, Natural Stone or Stucco over Masonry
Fence Screen or Streetscreen	Natural Wood, painted or unpainted
Hedge Screen or Streetscreen	Evergreen plants with min. 80% opacity

ARTICLE 4

LEGEND The following notations are utilized in this table.
P Permitted | NP Not Permitted | NA Not Applicable | R Required | NR Not Regulated

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PUD-MU TABLE 4.3.1-L DISTRICT STANDARDS: PLANNED UNIT DEVELOPMENT – MIXED USE

Additional Standards	
Non-Residential & Multi-Family Residential Screen /Streetscreen Adjacent to or across Thoroughfare from Non-Multi-Family Residential	NR
Screening of Parking, Loading Areas, Service Areas, Outdoor Storage, Drive-Throughs, Trash Receptacles/Dumpsters, HVAC and other equipment Screened from Frontage, Civic Space and Adjacent Property	R; except at Driveways: Parking Lots and Parking Areas must be Screened from Frontage and Civic Space by Building or Streetscreen; Parking Structures must be Screened from Frontages by Liner Buildings. Otherwise, Screening must be by Building, wall, hedge or fence at Frontage or Building, Wall, hedge or fence not at Frontages or Adjacent to Civic Space.
Rooftop Antennas and HVAC, Mechanical and other Equipment Screening	R; must be Screened from Frontage and Civic Space by Building parapet or other Building Element
Self-Storage Warehouse Screening	NA (not permitted in District)
Streetscreen Location	2nd Layer
Parcel Buffer	Section 4.3.11.H.
Project Buffer	Section 5.8.

Market Analysis

The Planning Commission may require a market analysis for any proposed PUD-MU Development. The market analysis will be utilized, among other things, to determine the impact of the proposed Development on the long – range Development of the commercial land use in the Columbia area, to determine the timing of any proposed Development, to limit the extent of the PUD-MU; to ascertain the effects of a proposed Development upon other lands used or zoned for similar purposes; to form a basis for evaluating the estimated effects on traffic, and other purposes which assist in an understanding of the public interest pertinent in the evaluation of a proposed Development. The market analysis, if required, shall be provided by the landholder and the landholder shall provide any other economic data or analysis as may be reasonably requested by the Planning Commission or City Council.

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TABLE 4.3.1–M – TABLE 4.3.1–T

OTHER PUD DISTRICTS FROM PREVIOUS ORDINANCES TO BE REGULATED BY THEIR PUD APPROVALS.

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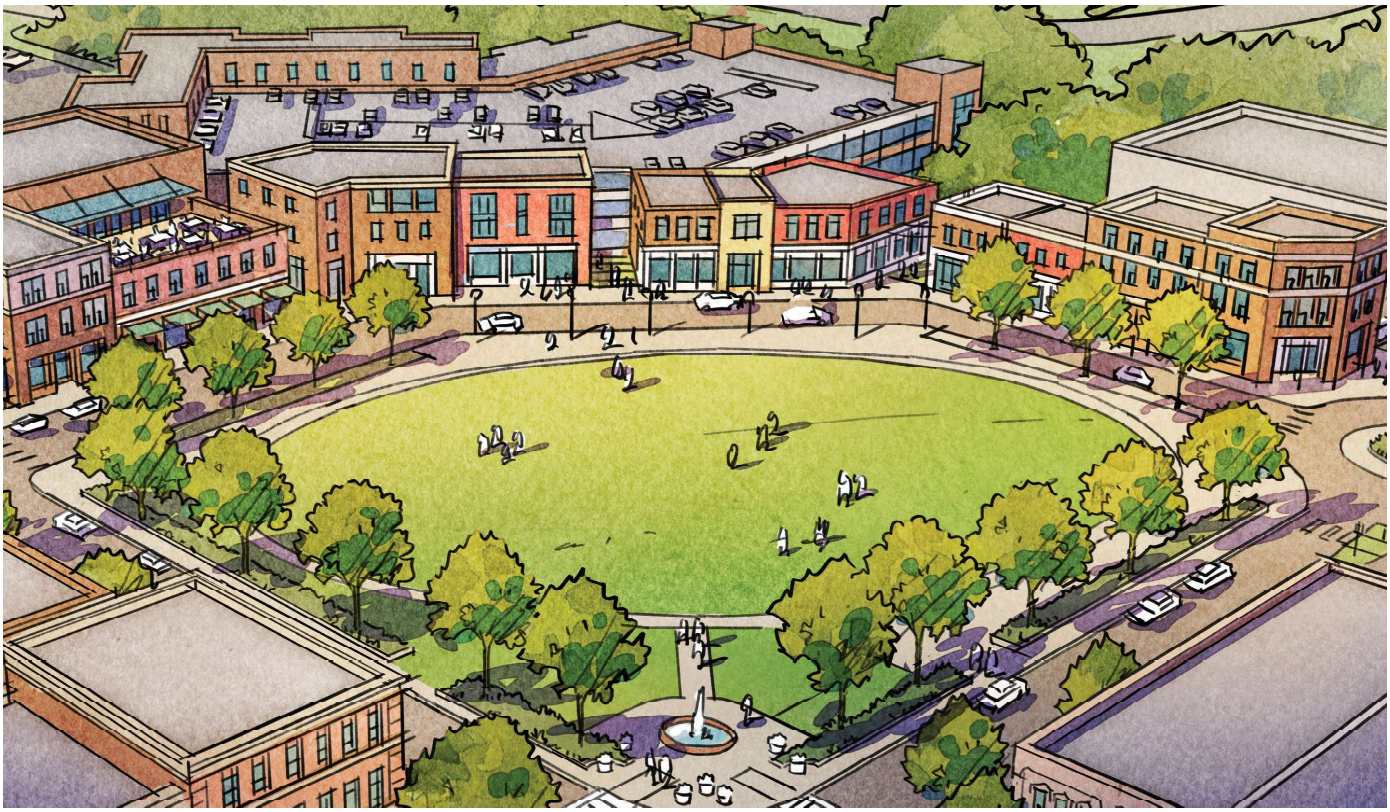
CV TABLE 4.3.1–U DISTRICT STANDARDS: CIVIC DISTRICT



General Description

Civic District (CV) is assigned to areas designated for Civic purposes. These may be one or more Civic Space Types allowed within or Adjacent to any specific Character District or Special District, as well as sites dedicated to significant Buildings to be used for Civic purposes, such as City Halls, Post Offices, Libraries, Places of Assembly, Places of Worship, and community centers.

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CV TABLE 4.3.1–U DISTRICT STANDARDS: CIVIC DISTRICT

Density / Floor Area Ratio (FAR) *Applicable only to Development Parcels*

NR

Block Size* *Applicable only to Development Parcels.

Block Perimeter	NR

Private Frontage Types

NR

Civic Space Types* *Applicable only to Development Parcels.

Natural Area	P	Playground	P
Green	P	Sport Field	P
Square	P	Community Garden	P
Plaza	P	Pocket Park	P

See Table 5.3.3.A (Civic Space Types – Summary) and Table 5.3.3.B (Civic Space – Specific Standards)

Permitted Uses

See Table 4.3.9.A-1 (Building, Lot & Building Site Principal Use), Table 4.3.9.A-2 (Building, Lot & Building Site Accessory Uses), and Table 4.3.9.A-3 (Building, Lot & Building Site Temporary Uses). For Development Parcels, see also Table 5.1.11 (Principal Use Mix).

Number of Buildings Per Lot or Building Site

Principal Building	1 max
Accessory Buildings	1 max

ARTICLE 4

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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CV TABLE 4.3.1–U DISTRICT STANDARDS: CIVIC DISTRICT

Lot Occupation	
Lot/Building Site Width	NR
Frontage Buildout	NR
Lot/Building Site Area	NR
Impervious Surface Coverage	80% max
Lot/Building Site Enfrontment	Must enfront a vehicular Thoroughfare, Internal Drive, Pedestrian Path, Passage, pedestrian walkway or waterbody
Lot/Building Site Access	All Lots must have legal and physical vehicular access to a vehicular Thoroughfare via Driveway or Easement.

Setbacks / Yards		
Setbacks / Yards– Principal Building		
Front Setback / Yard, Principal Frontage	0 ft. min., 50 ft. of Lot Depth max	A
Front Setback / Yard, Secondary Frontage	0 ft. min	B
Side Setback / Yard	0 ft. min	
Rear Setback / Yard	0 ft. min	

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CV TABLE 4.3.1–U DISTRICT STANDARDS: CIVIC DISTRICT

Building Standards

Building Height*

Principal Building	20 ft. higher than maximum Height of any Adjacent Character District, max.
Accessory Building	Not to exceed Principal Building Height

*Stories and height do not include Attics and Basements, chimneys, flagpoles, towers, steeples, spires, belfries, parapet walls, aerials, or antennas. Any Building exceeding 35 feet in height must obtain approval from the Fire Department prior to the issuance of a Building Permit.

The Fire Department may stipulate special fire protection measures in accordance with National Fire Protection Association and International Building Code criteria as a condition of approval of such Structure. In such instance the stipulations made by the Fire Department in accordance with the above cited codes shall be required.

Ceiling Height

14 ft. min. 1st floor; 10 ft. min. other floors

Building Composition

Vertical Composition	Each Principal Building must have an identifiable Base, Middle, & Cap
Finished Floor Level	NR

Facade

Main Entrance	Main Entrance must be in Facade of Principal Frontages
Facade Position	Parallel to straight Frontage Line or to tangent of curved Frontage Line
Facade & Facade Element Design Proportions	Must be vertically proportioned
Blank Walls	NP at Frontage
Facade Articulation	NR
Facade Openings	In Stories above first, Facade openings must be ≤ 50%
Facade Glazing	20% min. – 60% max.
Window Shape	Square or vertical in proportion, except for transoms.
Window Alignment	Upper floor windows and other features must be aligned with those of first floor.
Window Types	Except in Shopfront or Gallery Frontage, and except for transoms and sidelights, Windows in Facade and 1st & 2nd Layers must be single-hung, double-hung, casement or awning types. In Stories above first, Facade openings must be ≤ 50% of total Facade area.

ARTICLE 4

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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CV TABLE 4.3.1–U DISTRICT STANDARDS: CIVIC DISTRICT

Building Standards (continued)

Facade (continued)

Window Glazing Material	Clear glass (R) for all Elevations.
Window Trim in 1st Layer	Min. 4 in. trim with sill and top plate if siding surrounding window; soldier course above lintel and rollock course below sill if brick or stone surrounds window
Shutters	If any, must be functional and proportioned to cover half of window width from each side or entire window width, with shutter dogs
Facade Window Sill Height	(NR)
Porch Frontages	(NR)
Shopfront Frontages	(NR)
Facade Variety	No Facade may exist more than once on a Block Face or within view of the same Facade

Roof Type & Pitch

Flat	(P)
Shed	(P) at rear only and if ridge is attached to an exterior Building wall; except for porches, stoops or dormers which may have a shed roof anywhere on the Building
Hip	(P)
Gable	(P)
Pitch	6:12 – 14:12, except for shed roofs which may be 3:12 – 14:12 and except roof pitch may match the primary roof pitch of an existing Building that is less than 6:12

Roof Design

Eaves shall extend no less than nine inches beyond the supporting walls.
Gable end rakes shall overhang at least six inches.
Eaves and rakes on Accessory Buildings and dormers shall overhang at least six inches.
Soffits shall be placed perpendicular to the Building wall, not sloping in plane with the roof (except for gable end rakes).

Building Materials

Primary Building Material on Facades	Brick	(P)	Authentic stucco over masonry	(P)
	Natural stone	(P)	Exposed concrete	(NP)

LEGEND The following notations are utilized in this table.	(P) Permitted	(NP) Not Permitted	(NA) Not Applicable	(R) Required	(NR) Not Regulated

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CV **TABLE 4.3.1–U DISTRICT STANDARDS: CIVIC DISTRICT**

Building Standards (continued)

	Wood	P	Aluminum or vinyl siding	NP
	Cementitious siding	P	Corrugated and/or sheet metal	NP
Changes in Building Materials	Primary materials must continue along side Elevations through 2nd Layer. Primary materials shall continue for entire length of all Facades facing a Frontage. Any material changes must coincide with form, structural, or massing changes and shall not occur at outside corner of such change.			
Building Colors	Up to 3 colors, including the natural color of any allowed materials, but excluding trim colors			
Foundation Cladding	R; brick or natural stone			
Porch Pier Cladding	R; brick or natural stone, with any space under Porch concealed by painted or stained latticework between piers			
Chimney Cladding	R; brick, natural stone, or material matching primary material of Facade			

Building Types

House	NP	Commercial	NP
Duplex	NP	Mixed Use	NP
Townhouse	NP	Flex	NP
Small Multifamily	NP	Mid-Rise	NP
Large Multifamily	NP	Large Scale Commercial	NP
Live/Work	NP	Civic	P

See Table 4.3.8.A (Principal Building Types – Summary) and Table 4.3.8.B (Principal Building Types – Specific Standards). For Development Parcels, see also Table 5.1.10 (Building Type Mix).

ARTICLE 4

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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CV TABLE 4.3.1–U DISTRICT STANDARDS: CIVIC DISTRICT

Vehicular Parking Requirements

Parking Location

	On–Street Parking	Off–Street Parking
Domestic Vehicles	P	P in 3rd Layer only, and in Driveway
Recreational Vehicles	NP	P in 3rd Layer only, and in Driveway
Heavy Equipment	NP	P in 3rd Layer only, and in Driveway
Tractor trailers (including trailers for storage)	NP on–Street, except for delivery and Temporary Use of trailers	NP
All Other Vehicles	NP	P in 3rd Layer only, and in Driveway

Additional Parking Requirements

Off–Street Parking Surface	Prepared surface of gravel, asphalt, concrete or other hard surface
Garage Location	P in 3rd Layer only
Garage Design	Min. interior dimensions 10 ft. x 20 ft. per vehicle Parking space. If Garage faces Street: max. Garage door width 33% of total of Garage + Facade width. Garage must be detailed, finished, & designed like rest of Building with carriage house doors; max. Garage door width 9 ft.; each Garage door must have ornamental lighting fixture above it; min. 2 ft. separation between Garage doors
Driveway/Vehicular Entrance Location	P in any Layer
Driveway/Vehicular Entrance Maximum Width	24 ft. max. in 1st Layer and 2nd Layer
Parking Structures	P, if Screened from Frontage by Liner Buildings
Parking Structure Pedestrian Exit Location	Via pedestrian access to Frontage

Bicycle Parking

See Section 4.3.13

Thoroughfares & Internal Drive Types* **Only applicable to Development Parcels.*

See Article 5 (Development Parcel Standards) for additional requirements.

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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CV TABLE 4.3.1–U DISTRICT STANDARDS: CIVIC DISTRICT

Loading & Access

Off–Street Loading and Storage	P in 3rd Layer only.
Utility Box & Service Meter* Locations (*Not including water meters)	P in 3rd Layer only.
Off–Street Trash Receptacle Locations	P in 3rd Layer only.
Off–Street Dumpster Locations	P in 3rd Layer only, must be Screened from Frontage and fully enclosed on 3 sides and enclosed on the 4th side with self–closing gate.
Drive–Through Locations	P in 3rd Layer only.

Non–Building Components

	1st Layer	2nd Layer	3rd Layer
Heating and Air Conditioning Equipment, Utility, Service and Mechanical Equipment	NP	P if Screened from Frontage	P
Solar Panels	P if coplanar to and integrated into roof design		P
Antennas & Satellite Equipment	P in 1st or 2nd Layer if such Layer is only possible location possible for satisfactory reception.		P
Recreation or Play Equipment	NP	NP	P
Animal Enclosures, Runs or Shelters	NP	NP	NP
Swimming Pools, Hot Tubs and Spas	NP	NP	P
Transmitting and/or receiving towers or antennas and wind–generating machines	NP	NP	P

Signs

See Sign Standards in Article 7 (Sign Standards) and Table 7.12.B–1 (Sign Types – Summary) and Table 7.1.2.B–2 (Sign Types – Specific Standards)

Lighting

See Private Lighting requirements in Section 4.3.17 and Table 4.3.17.B (Private Lighting Standards)

ARTICLE 4

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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CV TABLE 4.3.1–U DISTRICT STANDARDS: CIVIC DISTRICT

Private Landscaping and Fencing

Landscaping

NR

Walls & Fencing (not including Screens)

Height	3.5–4 ft. max. at Frontage; otherwise 6 ft. max; height measured from avg. undisturbed grade of Adjacent property at property line
Construction	Finished side must face Adjacent property, Thoroughfare or Internal Drive, Path, Passage or Waterbody
Maintenance	Must be well-maintained, in upright condition and free of missing or broken parts and graffiti.

Materials

Natural Wood	P Only picket type allowed at Frontage; other types allowed on sides and at rear	Chain Link	P at sides and rear only
Brick, Natural Stone, or Stucco over Masonry	P	Barbed/razor/concertina wire	NP
Wrought Iron or Aluminum	P	Exposed or painted aggregate concrete	NP
Vinyl	P in 3rd Layer only	Smooth or split-faced block	NP

Additional Standards

Pedestrian connections through to Adjacent Neighborhoods or Uses	R
Location of Retaining Walls	P within required Yards, per Section 4.3.10 If supporting grade 8 ft. or higher than grade at interior edge of a required Buffer, must be set back 10 ft. from such interior edge.

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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CV **TABLE 4.3.1–U DISTRICT STANDARDS: CIVIC DISTRICT**

Screens, Streetscreens & Buffers

Height

	At Frontage or Adjacent to Civic Space	Not at Frontage or Adjacent to Civic Space
Wall Screen/Streetscreen Height	3.5 ft. to 5 ft.	5 ft. to 6 ft.; Min. 6 ft. for Dumpsters and Trash Receptacles
Fence Screen/Streetscreen Height	NP	5 ft. to 6 ft.; Min. 6 ft. for Dumpsters and Trash Receptacles
Hedge Screen/Streetscreen Height	3.5 ft. to 5 ft. at installation	5 ft. to 6 ft. at installation

Materials

Wall Screen or Streetscreen	Brick, Natural Stone or Stucco over Masonry
Fence Screen or Streetscreen	Natural Wood, painted or unpainted
Hedge Screen or Streetscreen	Evergreen plants with min. 80% opacity

Additional Standards

Non–Residential & Multi–Family Residential Screen /Streetscreen Adjacent to or across Thoroughfare from Non–Multi–Family Residential	NA
Screening of Parking, Loading Areas, Service Areas, Outdoor Storage, Drive–Throughs, Trash Receptacles/Dumpsters, HVAC and other equipment Screened from Frontage, Civic Space and Adjacent Property	R; except at Driveways: Parking Lots and Parking Areas must be Screened from Frontage and Civic Space by Building or Streetscreen; Parking Structures must be Screened from Frontages by Liner Buildings. Otherwise, Screening must be by Building, wall, hedge or fence at Frontage or Building, Wall, hedge or fence not at Frontages or Adjacent to Civic Space.
Rooftop Antennas and HVAC, Mechanical and other Equipment Screening	R; must be Screened from Frontage and Civic Space by Building parapet or other Building Element
Self–Storage Warehouse Screening	NA (not permitted in District)
Streetscreen Location	2nd Layer

ARTICLE 4

LEGEND The following notations are utilized in this table.	P Permitted	NP Not Permitted	NA Not Applicable	R Required	NR Not Regulated

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4.3.3 Lots & Building Sites

A. Layers

1. Lots and Building Sites are comprised of three Layers, the First Layer, the Second Layer, and the Third Layer, as related to the Frontage, as shown in Illustration 4.3.3.A (Layers) and as defined in Article 9 (Definitions).

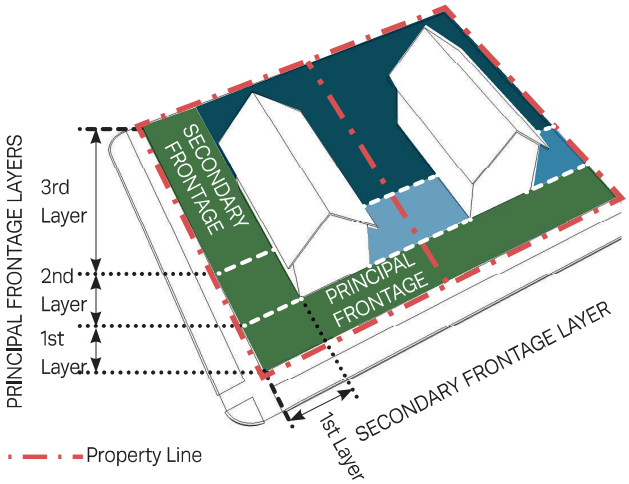
2. Layers are used to regulate in what parts of a Lot or Building Site certain Development, Building elements, and Uses are allowed or required, as set forth in **Tables 4.3.1–A – 4.3.1–U (District Standards).**

3. For Corner Lots and Building Sites, which have both a Principal Frontage and a Secondary Frontage:

a. Standards and prescriptions for the First Layer apply to the First Layer as related to both Frontages; and

b. Standards and prescriptions for the Second Layer and Third Layer pertain only to such Layers as related to the Principal Frontage.

ILLUSTRATION 4.3.3.A (LAYERS)



B. Dimensions

1. Lots and Building Sites within each District must be dimensioned according to **Tables 4.3.1–A – 4.3.1–U (District Standards).**

C. Enfrontment

Within all Districts and Civic Districts, each Lot or Building Site must have Frontage along a Thoroughfare or Internal Drive, as provided in **Tables 4.3.1–A – 4.3.1–U (District Standards).**

D. Through Lots

Through Lots and Building Sites are prohibited. In any case in which a Nonconforming Lot is a Through Lot or Building Site, the Frontage and Front Setback regulations shall apply to both Frontages.

E. Required Spaces or Areas.

1. The Setback and Yard requirements in **Tables 4.3.1–A – 4.3.1–U (District Standards)** shall be applicable to each Lot, Building Site, or parcel of land.

2. All required Setbacks and Required Yards shall be maintained and have no obstructions or Encroachments except as allowed in **Tables 4.3.1–A – 4.3.1–U (District Standards)**.

3. Existing interior Lots or Building Sites may be permitted a reduction in required Rear Yard depth by Administrative Adjustment, subject to meeting the following:

a. The Lot must be located in a single District and not abut another District.

b. The Lot must be owned separately and individually from all other tracts of land, both on the Effective Date of this Ordinance and on the date of application for a Zoning Permit, if applicable.

c. For a Lot between 80 – 100 feet deep, the required Rear Yard may be reduced by the lesser of (i) 100 feet minus the depth of the Lot, or (ii) ten feet (10 ft.).

Example: if Lot is 95 ft. deep, the required Rear Yard may be reduced by five feet (5 ft.) [100 ft.

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– 95 ft. = 5 ft.], but if a Lot is 80 ft. deep, the required Rear Yard may only be reduced by ten feet (10 ft.).

d. Within all Non-Residential Districts and for all Non-Residential Uses, interior Lots or Building Sites that are less than 80 ft. deep may be permitted a reduction in required Rear Yard depth to reduce the required Rear Yard depth to zero; however, if any Rear Yard is provided, the minimum required depth shall be 10 ft..

4. No Lot shall be divided or reduced so as to result in its area or dimensions not complying with the standards required by this Section 4.3.3, nor shall any Setback required for a Principal Building be included as part of a Setback required under this Ordinance for any other Building.

5. A minimum required Lot or Yard size for one Structure shall not be used in whole or in part as any part of a required Lot or Yard for a second Structure.

6. The required Lot or Yard for an existing Structure shall not be diminished below the minimum requirements of this Ordinance.

7. Where a Structure has zero clearance from an Adjacent Lot or Building Site, as defined in the International Building Code, at all points of attachment along the shared Lot Line or Building Site Line, Buildings shall be separated from each other by fire-rated walls, as defined by the latest adopted version of the International Building Code and fire prevention codes, extending from footings to the underside of the roof deck without openings which would permit the spread of fire.

8. In addition to the requirements listed in paragraph 7 above, the following shall apply to common or Party Walls:

a. A firewall shall bisect the line dividing each portion of the Building, Lot, or Building Site so that 1/2 of the firewall is held by each of the abutting properties.

b. If a firewall is destroyed or damaged by fire or other casualty, any owner may restore said wall and if other owners thereafter make use of the wall, they shall contribute to the cost of the 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 applicable aw requiring liability for negligent or willful acts and omissions.

c. Each abutter who may share in the ownership of any firewall shall have an Easement on the property of other owner(s) for the purpose of reconstruction and protection of remaining property from the elements.

F. Lots in Two Districts.

Where a District boundary divides a Lot, Building Site, or parcel in a single ownership of record at the time when such line is adopted, regulations for the less restricted portion of such Lot, Building Site, or parcel may extend not more than 30 feet into the more restricted portion, provided that the Lot, Building Site, or parcel has Frontage on a Thoroughfare or Internal Drive in a less restricted District.

G. Visibility.

1. On a Corner Lot or Building Site, no Fence, Wall, hedge, Structure, or planting more than 3 feet in height, measured above the Curb level shall be erected, placed, or maintained within the triangular area formed by the intersecting lines of the curbs of the enfronting Thoroughfares or Internal Drives and a line drawn between points along such Thoroughfare or Internal Drive Lines that are 25 feet distant from their point of intersection.

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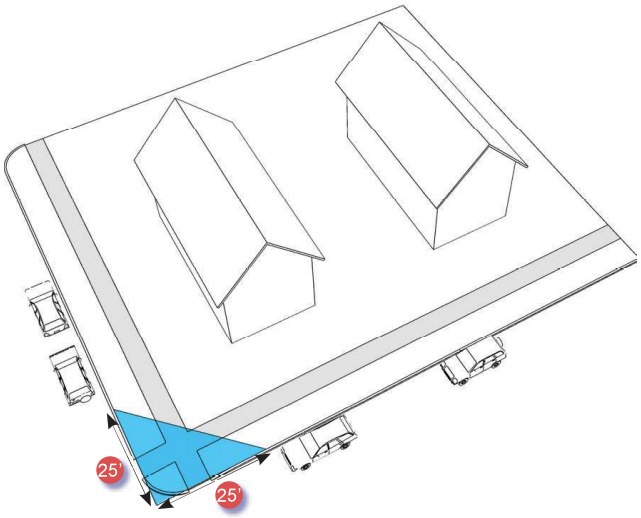
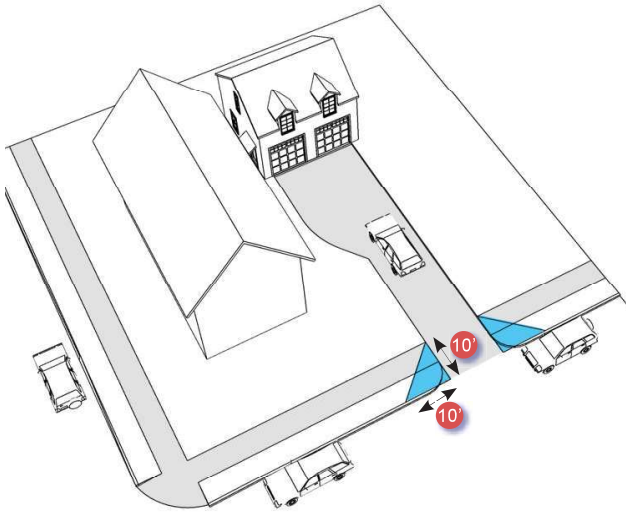
ILLUSTRATION 4.3.3.G.1 (SIGHT TRIANGLE – CORNER)



2. For any Driveway, no Fence, Wall, hedge, Structure, or planting more than 3 feet in height, measured above the Curb level, shall be erected, placed, or maintained within the triangular area formed on each side of the Driveway by a line drawn between a point that is 10 feet from the back of the curb and extends 10 feet to its point of intersection with the Thoroughfare or Internal Drive.

ILLUSTRATION 4.3.3.G.2 (SIGHT TRIANGLE – DRIVEWAY)



H. Access Requirements.

1. No Building shall be erected on a Lot or Building Site that does not Abut an open public Thoroughfare, an approved private Thoroughfare or Internal Drive, or an approved private vehicular access Easement.

2. Where access is provided by an approved private street or Easement, an Easement for the same is required for each Lot, Building Site, or tract of land across which it traverses.

3. Additional access requirements may be found in Sections 4.3.12, 4.3.14, and 6.7, and elsewhere in this Ordinance, including City adopted Access Management Plan.

4.3.4 Building Placement & Number

A. Building Placement.

1. Every Building shall be located on a Lot or Building Site. Buildings shall be located in relation to the boundaries of their Lots or Building Sites and shall comply with the Setback or Yard standards within each District according to **Tables 4.3.1–A – 4.3.1–U (District Standards).**

2. To accommodate slopes over ten percent (10%), relief from front Setback or Yard requirements may be granted by Administrative Adjustment by the Zoning Administrator.

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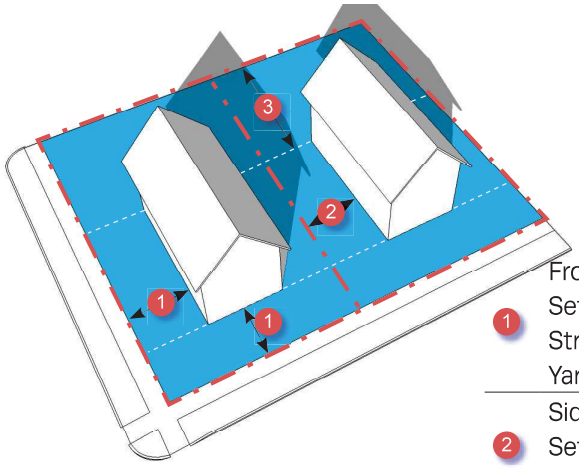
ILLUSTRATION 4.3.4.A SETBACK /YARD DESIGNATIONS



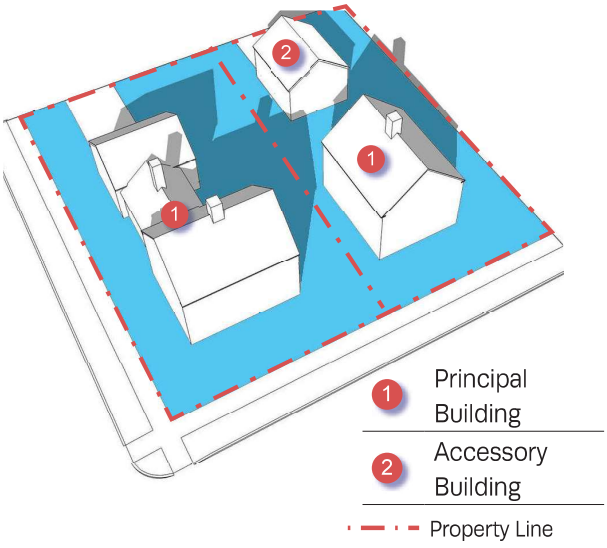
B. Principal Buildings

Within each District:

1. The number of Principal Buildings on each Lot or Building Site shall not exceed that indicated in **Tables 4.3.1–A – 4.3.1–U (District Standards)** and

2. Principal Buildings shall be oriented and situated as specified in **Tables 4.3.1–A – 4.3.1–U (District Standards)** and **illustrated in Illustration 4.3.4.B (Principal Building / Accessory Building).**

ILLUSTRATION 4.3.4.B PRINCIPAL BUILDING / ACCESSORY BUILDING



C. Accessory Buildings & Accessory Structures

1. Within each District:

a. The number of Accessory Buildings on each Lot or Building Site must not exceed that indicated in **Tables 4.3.1–A – 4.3.1–U (District Standards)**; and

b. Any such Accessory Buildings must be located as specified in **Tables 4.3.1–A – 4.3.1–U (District Standards)** as applicable and illustrated generally in **Illustration 4.3.4.B (Principal Building / Accessory Building).**

2. Except within Civic Districts and Agricultural uses, Accessory Buildings or other Structures may not be erected on a Lot or Building Site on which there is no Principal Building.

3. Where Accessory Buildings and Structures are permitted:

a. Except within Civic Districts and CD–2, the footprint of a detached Accessory Building shall not exceed 60% of the building footprint of the Principal Building on the Lot;

b. Any Accessory Building shall be located in the Layer indicated in **Tables 4.3.1–A – 4.3.1–U (District Standards);**

c. Except for Communications Towers, transmitting and/or receiving towers or antennas and wind turbines shall not be located in the First Layer or Second Layer; and

d. Guy wires or any other structural supports shall not Encroach upon any right–of–way, Adjoining property, Easements, Setback, or Yard areas.

4. An Accessory Building or Accessory Structure may be detached from or constructed as a structural part of a Principal Building, including those attached by means of a breezeway or a roofed passageway with open or latticed sides. If constructed as a

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structural part of a Principal Building, its walls shall be regarded as walls of the Principal Building in applying the standards and requirements of this Ordinance.

5. Where more than one Building exists or is proposed to be constructed on a single Lot or Building Site, all zoning requirements applicable to Principal Buildings or Accessory Buildings, respectively shall be applicable to each of such Buildings.

4.3.5 Building Standards

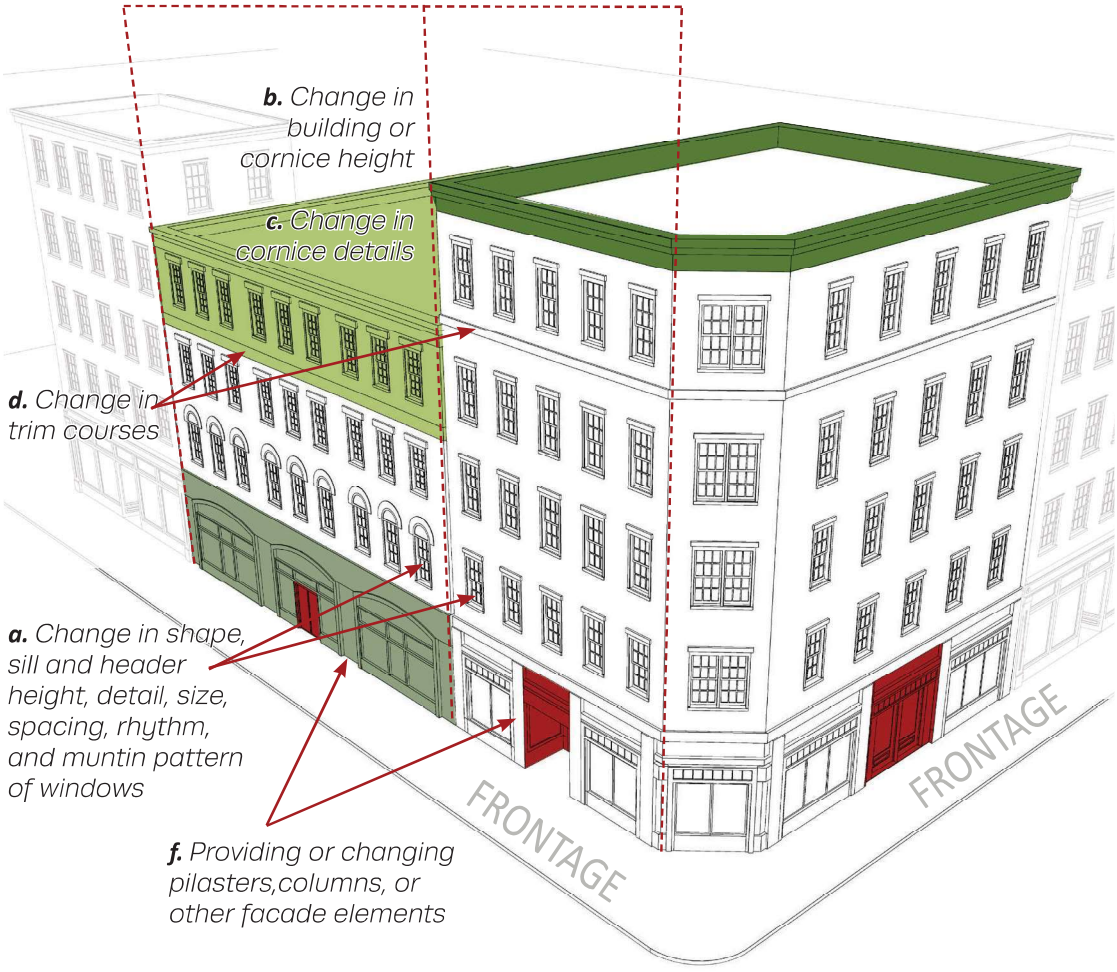
A. Facade.

1. Principal Building Facades shall conform to **Tables 4.3.1–A – 4.3.1–U (District Standards).**

2. The Façade of the Principal Building shall be built along the minimum percentage of the Front Lot Line or Building Site Line width at the Setback or back Street Yard line, specified as Frontage Buildout on **Tables 4.3.1–A – 4.3.1–U (District Standards)**. A Streetscreen may be substituted for a Façade for up to twenty percent (20%) of the applicable Frontage Buildout requirement.

3. Principal Building Facades shall be articulated as shown in (See **Illustration 4.3.5.A–3**).

ILLUSTRATION 4.3.5.A–3 (FACADE ARTICULATION)



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B. Building Design & Materials.

The design and exterior materials of Buildings shall conform to **Tables 4.3.1-A – 4.3.1-U (District Standards)**,

C. Building Height, Ceiling Height & Ground Floor Finish Elevation.

Building Height, ceiling height, and ground floor finish elevation must conform to **Tables 4.3.1-A – 4.3.1-U (District Standards)** .

D. Roof Type & Pitch

Building roof type and pitch must conform to **Tables 4.3.1-A – 4.3.1-U (District Standards)**. See **Illustration 4.3.5.D-1 (Roof Types)** and **Illustration 4.3.5.D-2 (Roof Pitch).**

ILLUSTRATION 4.3.5.D-1 (ROOF TYPES)

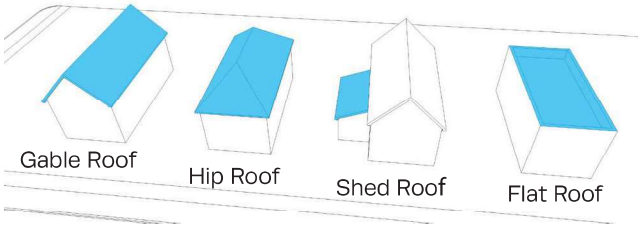
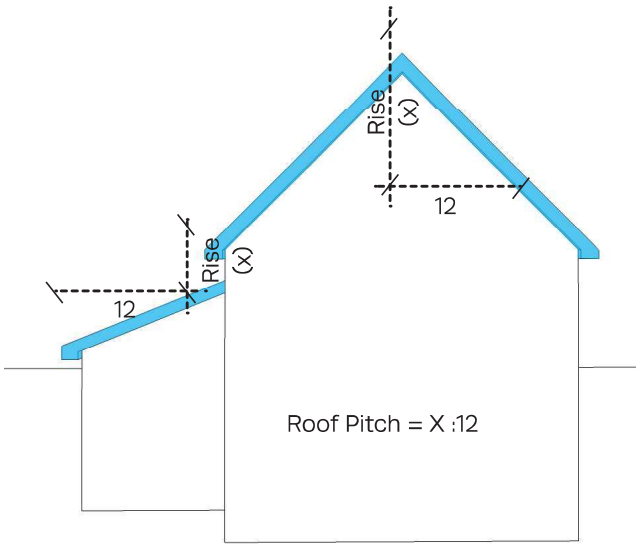


ILLUSTRATION 4.3.5.D-2 (ROOF PITCH)



4.3.6 Fences & Walls

Within each District, Fences and non-Building Walls must comply with the applicable standards in **Tables 4.3.1-A – 4.3.1-U (District Standards).**

4.3.7 Private Frontage, Building Form & Building Type; Floor Elevation

A. Private Frontage – General.

The Private Frontage of each Lot or Building Site must conform to and be allocated in accordance with **Table 4.3.7.A (Private Frontage Types)** and **Tables 4.3.1-A – 4.3.1-U (District Standards).**

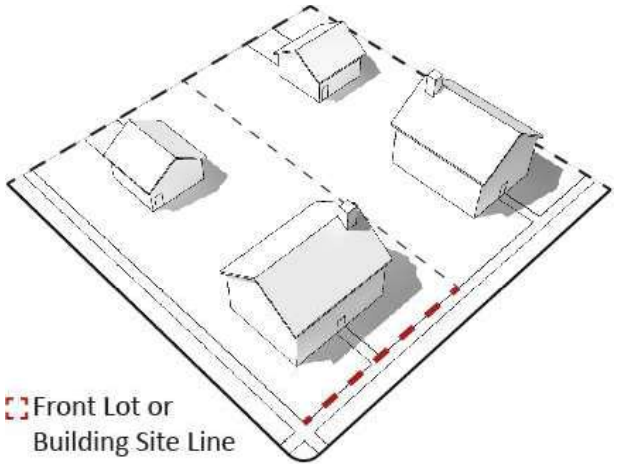
B. Private Frontage – Corner Lots / Building Sites.

Principal Buildings on Corner Lots or Building sites shall have two Private Frontages:

1. a Principal Frontage and

2. a Secondary Frontage, as illustrated generally in **Illustration 4.3.7.B-2 (Frontage & Lot / Building Site Lines)**.

ILLUSTRATION 4.3.7.B-2 (FRONTAGE & LOT / BUILDING SITE LINES)



ARTICLE 4

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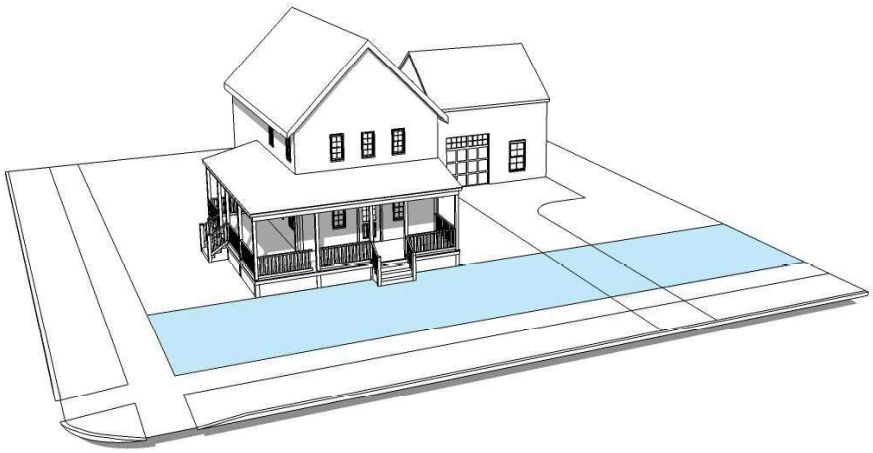
COMMON YARD

TABLE 4.3.7.A PRIVATE FRONTAGE TYPES



Permitted Districts

CD-2 | CD-3L | CD-3 | CD-4 | CD-4C | SD-MHP | PUD-R

A planted Frontage wherein the Facade is set back substantially from the Frontage Line, and the Front Yard so created remains unfenced and is visually continuous with Adjacent yards, supporting a common landscape. This may be used with or without a Porch.

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PORCH

TABLE 4.3.7.A PRIVATE FRONTAGE TYPES

Permitted Districts

CD-2 | CD-3L | CD-3 | CD-4 | CD-4C | SD-MHP | PUD-R

A planted Frontage wherein the Facade is set back from the Frontage Line with an attached exterior covered area large enough to accommodate outdoor furniture and/or gathering, which is permitted to Encroach into the Front Setback. This may be used with or without a Fence to maintain Thoroughfare / Internal Drive spatial definition.

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FENCE

TABLE 4.3.7.A PRIVATE FRONTAGE TYPES

Permitted Districts

CD-2 | CD-3L | CD-3 | CD-4 | CD-4C | SD-MHP | PUD-R

A Frontage wherein the Facade is set back from the Frontage Line, and the Front Yard so created is separated from the Public Frontage by a Fence. This may be used with or without a Porch.

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TERRACE/LIGHTWELL

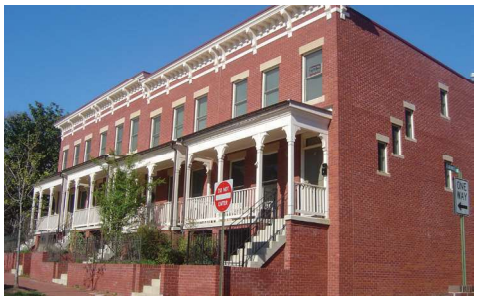
TABLE 4.3.7.A PRIVATE FRONTAGE TYPES

Permitted Districts

CD-4 CD-4C CD-5 CD-5C

PUD-R PUD-MU

A Frontage wherein the Facade is set back from the Frontage Line by an elevated landing and a sunken Lightwell. This type buffers Residential Uses from urban Sidewalks with the first Story elevated from the Sidewalk for privacy, and may allow for activation of space below grade. , An exterior stair and landing provides access to the entrance. This type is recommended for ground–floor Residential Use.



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FORECOURT

TABLE 4.3.7.A PRIVATE FRONTAGE TYPES

Permitted Districts

CD-4 CD-4C CD-5 CD-5C

PUD-R PUD-MU

A Frontage wherein a portion of the Facade is close to the Frontage Line and the central portion is set back creating an gathering space for residents or additional shopping or restaurant seating area within Retail / Personal Service / Repair / Art / Artisan Use areas. This type should be used sparingly and may be used in conjunction with other Frontage types.

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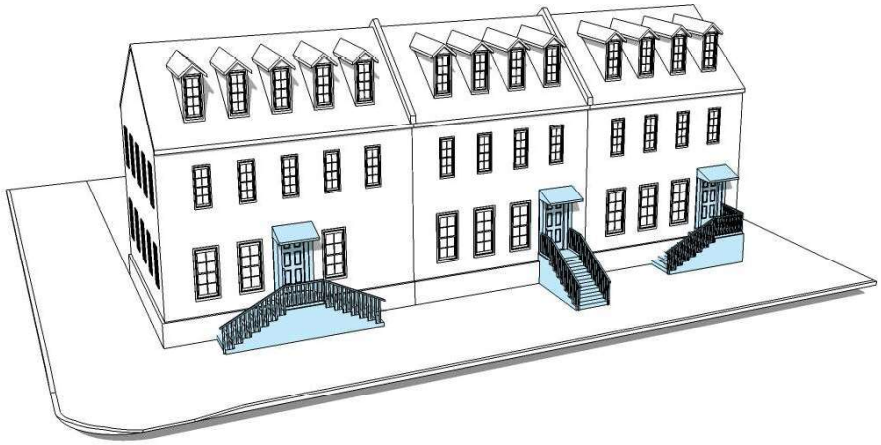
STOOP

TABLE 4.3.7.A PRIVATE FRONTAGE TYPES



Permitted Districts

CD-3 CD-4 CD-4C CD-5 CD-5C

SD-MHP PUD-R PUD-MU

A Frontage wherein the Facade is aligned close to the Frontage Line with the first Story elevated from the Sidewalk for privacy. An exterior stair and landing provides access to the entrance. This type is recommended for ground-floor Residential Use.

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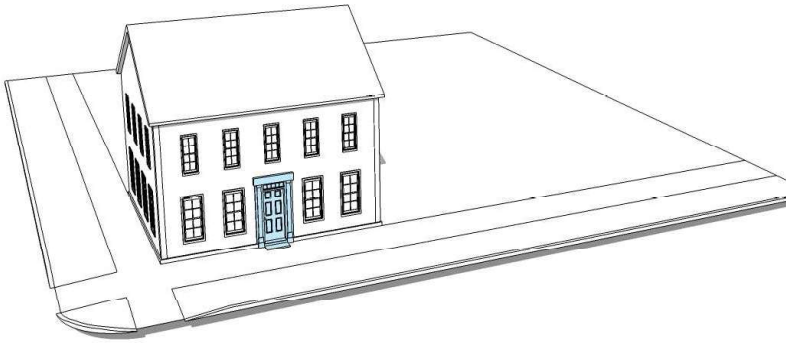
STEPFRONT

TABLE 4.3.7.A PRIVATE FRONTAGE TYPES



Permitted Districts

CD-4 CD-5

PUD-R PUD-MU

A Frontage wherein the Facade is aligned very close to the Frontage Line. The entrance is usually an exterior single step without a landing. This type is recommended for ground floor Residential / Retail / Personal Service / Art / Artisan Use.

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SHOPFRONT

TABLE 4.3.7.A PRIVATE FRONTAGE TYPES

Permitted Districts

CD-4 CD-4C CD-5 CD-5C

SD-LI PUD-R PUD-MU

A Frontage conventional for Retail / Personal Service / Repair / Art / Artisan Use, wherein the Facade is aligned close to or at the Frontage Line with the Building entrance at Sidewalk grade. This Frontage has substantial glazing at the Sidewalk level and may include an awning overlapping the Sidewalk.

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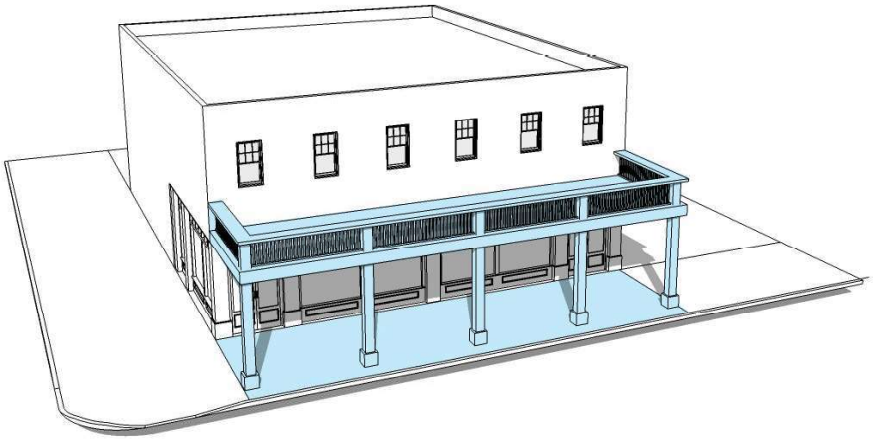
GALLERY

TABLE 4.3.7.A PRIVATE FRONTAGE TYPES



Permitted Districts

CD-4 CD-4C CD-5 CD-5C
SD-INT PUD-R PUD-MU

A Private Frontage conventional for Retail / Personal Service / Repair / Art / Artisan Use, wherein the Facade is aligned close to the Frontage Line with an attached cantilevered shed or lightweight colonnade overlapping the Sidewalk.

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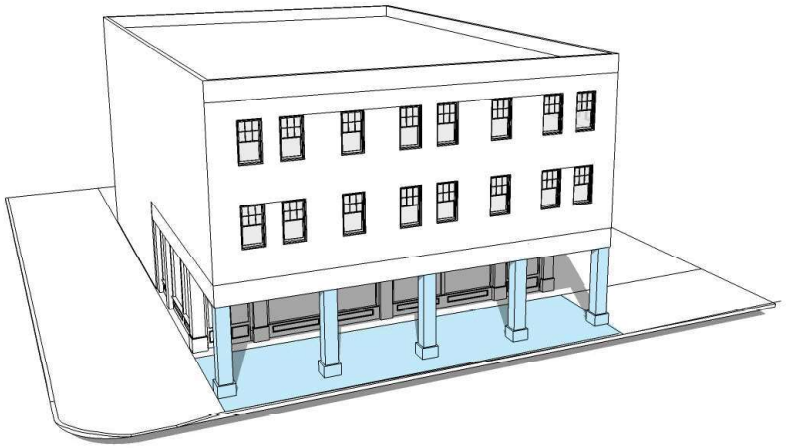
ARCADE

TABLE 4.3.7.A PRIVATE FRONTAGE TYPES



Permitted Districts

CD-5 CD-5C PUD-MU

A Private Frontage conventional for Retail / Personal Service / Repair / Art / Artisan Use, wherein a colonnade supporting habitable space in one or more upper levels overlaps the Sidewalk, while the Façade at the first level remains at the Frontage Line.

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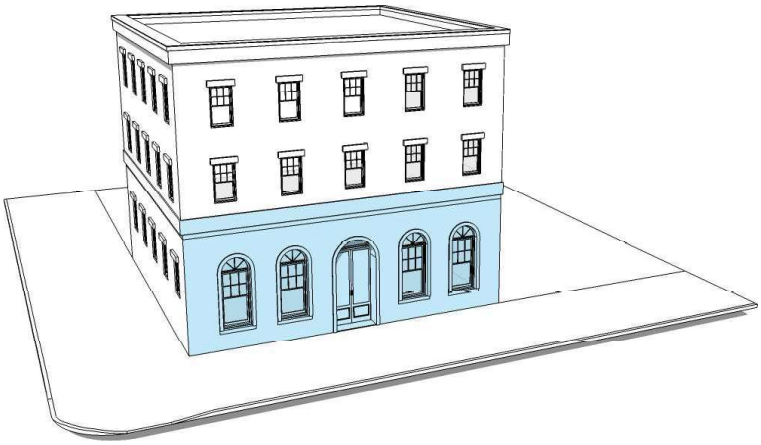
OFFICEFRONT

TABLE 4.3.7.A PRIVATE FRONTAGE TYPES



Permitted Districts

CD-4 CD-4C CD-5 CD-5C PUD-MU

A Frontage wherein the Facade is aligned close to or at the Frontage Line with the Building entrance at or above Sidewalk grade. This type is conventional for Office Use. It may have a substantial glazing on the Facade.

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4.3.8 Building Types

A. General.

Principal Buildings must be of one or more of the Principal Building Types specified for such District in **Table 4.3.8.A (Principal Building Types – Summary)** and **Table 4.3.8.B (Principal Building Types – Specific Standards)**. For Development Parcels, the mix of Building Types in each District is further regulated under Section 5.1.10.

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TABLE 4.3.8.A PRINCIPAL BUILDING TYPES – SUMMARY

Principal Building Type		Permitted Districts
	Manufactured Home A detached one family dwelling constructed as a single self-contained unit and mounted on a single chassis transportable after fabrication on its own wheels or detachable wheels, as further defined in Article 9 (Definitions).	SD-MHP
	House A medium-sized Building designed as a Single-Family Detached Dwelling, situated on a medium or large Lot or Building Site with an Edgeyard, often shared with an Accessory Building in the rear.	CD-2 CD-3L & -3 CD-4 & -4C PUD-R
	Duplex A small- to medium- sized Principal Building, other than a manufactured housing unit, situated on a small-to-medium sized Lot or Building Site with an Edgeyard or Sideyard, which Building contains two Dwelling Units with separate entrances at least one of which faces the Thoroughfare or Internal Drive. Both Dwelling Units, whether side-by-side, front-to-back, or over-and-under, are contained within a single Building Massing.	CD-3, CD-4C, CD-4, & PUD-R
	Townhouse A Principal Building in a collection of very narrow- to medium-sized attached Buildings on contiguous Lots or Building Sites with a Rearyard (or Sideyard if an end unit), which collection consists of side-by-side Dwelling Units with individual entries facing the Thoroughfare or Internal Drive. Each Building occupies the full Frontage Line of its Lot or Building Site and shares at least one Party Wall with another Building of the same type.	CD-4 & -4C CD-5 & -5C SD-LI PUD-R PUD-MU
	Small Multi-Family Building A Principal Building that incorporates between three (3) and six (6) side-by-side and/or horizontally stacked Dwelling Units, typically with one or more shared entries.	CD-4 & -4C CD-5 & -5C SD-LI PUD-R PUD-MU
	Large Multi-Family Building A Principal Building that incorporates between seven (7) and twenty four (24) side-by-side and/or horizontally stacked Dwelling Units, which may have one or more shared entries.	CD-4 & -4C CD-5 & -5C SD-INT SD-LI PUD-R PUD-MU
	Live/Work Building A small- to medium-sized attached or detached Principal Building, which includes a flexible space for Commercial Use and an internally connected Residential Dwelling Unit above and/or behind the flexible space.	CD-4 & -4C CD-5 & -5C PUD-R PUD-MU
	Commercial Building A small- to medium-sized attached or detached non-Residential Building, typically designed to facilitate pedestrian-oriented Retail / Personal Service / Repair / Art / Artisan Uses and Office Uses.	CD-4 & -4C CD-5 & -5C SD-INT PUD-MU

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TABLE 4.3.8.A PRINCIPAL BUILDING TYPES – SUMMARY

Principal Building Type		Permitted Districts
	Mixed-Use Building A typically attached Principal Building, which provides a vertical and/or horizontal mix of Uses typically designed to facilitate pedestrian-oriented Retail / Personal Service / Repair / Art / Artisan, Lodging, or Office Uses on the ground floor, with upper floors typically designed for Residential or Office Uses.	CD-4 & -4C CD-5 & -5C PUD-MU
	Flex Building A large footprint Principal Building designed to accommodate either a single Use or a vertical or horizontal mix of Uses.	CD-4 & -4C CD-5 & -5C SD-INT SD-LI SD-HI PUD-MU
	Mid-Rise Building An attached or detached Building that may provide a vertical and/or horizontal mix of Uses, typically designed to facilitate pedestrian-oriented Retail/Personal Service, Lodging, Business/Commercial, or Office Uses on the ground floor, with upper floors typically designed for Residential or Office Uses.	CD-5 & -5C SD-LI PUD-MU
	Large-Scale Commercial Building A building of 50,000 square feet or more that is most commonly associated with a large-format retailer. It has in-line Retail or Liner Buildings along the front of the Building.	CD-4C CD -5C SD-INT SD-LI PUD-MU
	Civic Building A medium- to large-sized attached or detached Principal Building, which is operated by a not-for-profit organization or governmental entity dedicated to Civic activities, and is designed to stand apart from its surroundings due to the specialized nature of its Civic purpose. Examples include Libraries, Places of Worship, Places of Assembly, Courthouses, schools, centers of government, Performing Arts Venues, and Museums. Civic Buildings are often the most prominently sited and architecturally significant Buildings in a community.	CD-2 CD-3L & -3 CD-4 & 4C CD-5 & -5C PUD-R PUD-MU CV

Illustrations are provided for illustrative purposes only.

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HOUSE

TABLE 4.3.8.B PRINCIPAL BUILDING TYPES
SPECIFIC STANDARDS

Permitted Districts

CD-2 | CD-3L | CD-3 | CD-4 | CD-4C | PUD-R

General Description

A medium-sized Building designed as a Single-Family Detached Dwelling having an Edgeyard yard type that may be shared with an Accessory Building in the backyard. This Building type typically incorporates a single Residential unit.

Lot / Building Site

Width	Per District Lot/Building Site Width

Number of Units

Units per Building	1 max.

Allowed Private Frontages

Common Yard	P
Fence	P
Porch	P
Stoop	P

Building Size and Massing

Height

3 Stories max

Width

Not Regulated

Pedestrian Access

Main Entrance Location	Principal Frontage

Vehicle Access and Parking

Parking may be accessed from an Alley, side Thoroughfare or front Thoroughfare

LEGEND
The following notations are utilized in this table.

P Permitted

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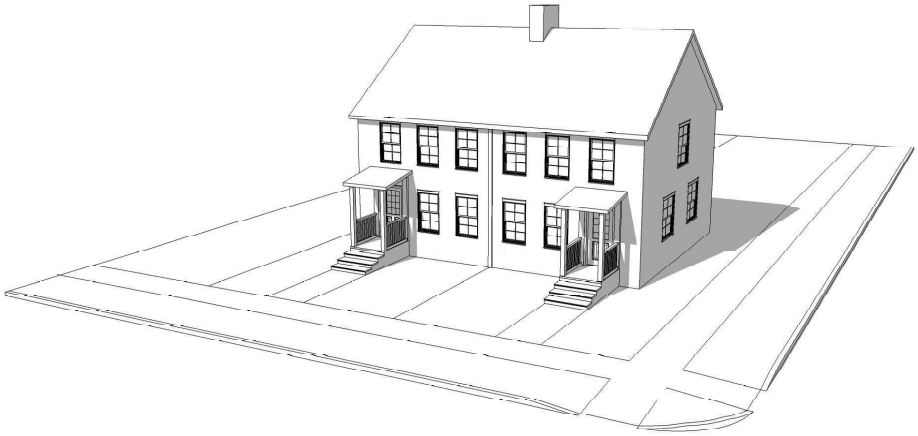
DUPLEX

TABLE 4.3.8.B PRINCIPAL BUILDING TYPES
SPECIFIC STANDARDS



Permitted Districts

CD-3 | CD-4 | CD-4C | PUD-R

General Description

A small- to medium- sized Building, other than a Manufactured Home, situated on a single or two Abutting small- to medium- sized Lot(s) or Building Site(s) with an Edgeyard or Sideyard, which either is (a) attached to another Building of the same type, each of which consists of a separate Dwelling Unit with a separate entrance or (b) contains two Dwelling Units, each of which has a separate entrance. In each case, the entrance of at least one of the Dwelling Units must face a Thoroughfare, Internal Drive, or Civic Space. Dwelling Units may be side-by-side, front-to-back, or over-and-under.

Lot / Building Site

Width	Per District Lot/Building Site Width

Number of Units

Units / Building	1 / each of 2 attached Buildings

Allowed Private Frontages

Common Yard	P
Fence	P
Porch	P
Stoop	P

Building Size and Massing

Height

2 Stories max

Width

Per District standards

Pedestrian Access

Main Entrance Location	Principal Frontage

At least one unit must have an individual entry at the Principal Frontage

Vehicle Access and Parking

Parking may be accessed from an Alley, side Thoroughfare or front Thoroughfare

LEGEND
The following notations are utilized in this table.

P Permitted

ARTICLE 4

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TOWNHOUSE

TABLE 4.3.8.B PRINCIPAL BUILDING TYPES
SPECIFIC STANDARDS

Permitted Districts

CD-4 | CD-4C | CD-5 | CD-5C | PUD-R

General Description

A Principal Building in a collection of very narrow- to medium-sized attached Buildings on contiguous Lots or Building Sites with a Rearyard (or Sideyard if an end unit), which collection consists of side-by-side Dwelling Units with individual entries facing the Thoroughfare or Internal Drive. Each Building occupies the full Frontage Line of its Lot or Building Site and shares at least one Party Wall with another Building of the same type.

Lot / Building Site

Width	Per District Lot/Building Site Width

Number of Units

Units per Townhouse	1 max.
Number of Townhouses connected to other Townhouses	3 min. - 8 max.

Allowed Private Frontages

Porch	P
Stoop	P
Terrace/Lightwell	P

Building Size and Massing

Height

Per Character District Height Standards

Width

18 ft. min per Townhouse

Pedestrian Access

Main Entrance Location	Principal Frontage

Vehicle Access and Parking

Parking may be accessed from an Alley, side Thoroughfare or front Thoroughfare

LEGEND
The following notations are utilized in this table.

P Permitted

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SMALL MULTI-FAMILY

TABLE 4.3.8.B PRINCIPAL BUILDING TYPES
SPECIFIC STANDARDS

Permitted Districts

CD-4 | CD-4C | CD-5 | CD-5C | SD-LI | PUD-R | PUD-MU

General Description

A Principal Building that incorporates three (3) to six (6) side-by-side and/or horizontally stacked Dwelling Units, typically with one or more shared entries.

Lot

Width	Per District Lot/Building Site Width

Number of Units

Units per Building	3 min.

Allowed Private Frontages

Porch	P
Stoop	P
Forecourt	P
Terrace/Lightwell	P

Building Size and Massing

Height

Per District Height Standards

Width

Per District Lot/Building Site Width and Side Setback / Yard Standards

Pedestrian Access

Main Entrance Location	Principal Frontage

Vehicle Access and Parking

Parking may be accessed from an Alley or from a Thoroughfare or Internal Drive at a Frontage.

LEGEND
The following notations are utilized in this table.

P Permitted

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LARGE MULTI-FAMILY

TABLE 4.3.8.B PRINCIPAL BUILDING TYPES
SPECIFIC STANDARDS

Permitted Districts

CD-4 | CD-4C | CD-5 | CD-5C | SD-INT | SD-LI | PUD-R | PUD-MU

General Description

A Principal Building that incorporates seven (7) or more side-by-side and/or horizontally stacked Dwelling Units, typically with one or more shared entries.

Lot / Building Site

Width	Per District Lot/Building Site Width

Number of Units

Units per Building	7 min.

Allowed Private Frontages

Porch	P
Stoop	P
Forecourt	P
Terrace/Lightwell	P

Building Size and Massing

Height

Per District Height Standards

Width

Per District Lot/Building Site Width and Side Setback / Yard Standards

Pedestrian Access

Main Entrance Location	Principal Frontage

Vehicle Access and Parking

Parking may be accessed from an Alley or from a Thoroughfare or Internal Drive at a Frontage.

LEGEND
The following notations are utilized in this table.

P Permitted

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LIVE/WORK

TABLE 4.3.8.B PRINCIPAL BUILDING TYPES
SPECIFIC STANDARDS

Permitted Districts

CD-4 | CD-4C | CD-5 | CD-5C | SD-LI | PUD-R | PUD-MU

General Description

A small- to medium-sized attached or detached Principal Building, which includes a flexible space for Commercial Use and an internally connected Residential Dwelling Unit above and/or behind the flexible space.

Lot / Building Site

Width	Per District Lot/Building Site Width

Number of Units

Units per Building	1 Residential unit per 1 flexible space

Allowed Private Frontages

Stoop	P
Terrace/Lightwell	P
Shopfront	P
Officefront	P

Building Size and Massing

Height

Per District Height Standards

Width

18 ft min. - 36 ft max.

Pedestrian Access

Main Entrance Location	Principal Frontage

Vehicle Access and Parking

Parking may be accessed from an Alley or from a Thoroughfare or Internal Drive at a Frontage.

LEGEND
The following notations are utilized in this table.

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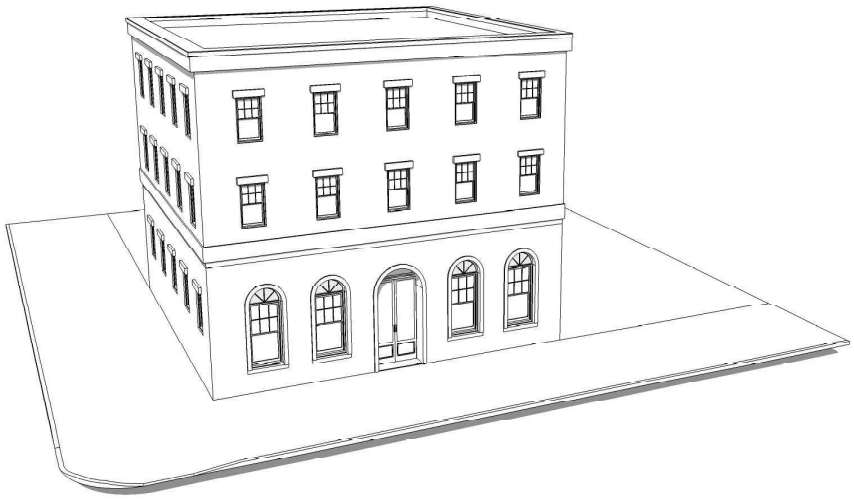
COMMERCIAL

TABLE 4.3.8.B PRINCIPAL BUILDING TYPES
SPECIFIC STANDARDS



Permitted Districts

CD-4 | CD-4C | CD-5 | CD-5C | SD-LI | SD-LI | PUD-MU

General Description

A small- to medium-sized attached or detached non-Residential Building, typically designed to facilitate pedestrian-oriented Retail / Personal Service / Repair / Art / Artisan Uses and Office Uses.

Lot / Building Site

Width	Per District Lot/Building Site Width

Number of Units

Units per Building	Unrestricted, except as may be due to Building Code

Allowed Private Frontages

Stoop	P
Terrace/Lightwell	P
Shopfront	P
Officefront	P

Building Size and Massing

Height

Per District Height Standards

Width

Per District Lot/Building Site Width and Side Setback / Yard Standards

Pedestrian Access

Main Entrance Location	Principal Frontage

Vehicle Access and Parking

Parking may be accessed from an Alley or from a Thoroughfare or Internal Drive at a Frontage

LEGEND
The following notations are utilized in this table.

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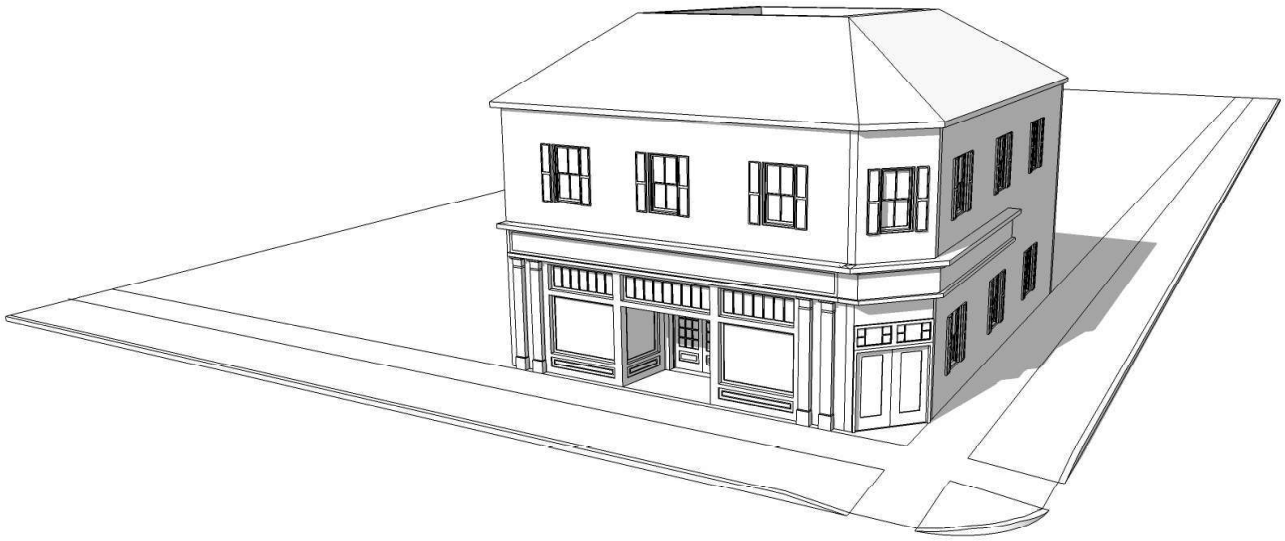
MIXED USE

TABLE 4.3.8.B PRINCIPAL BUILDING TYPES
SPECIFIC STANDARDS



Permitted Districts

CD-4 | CD-4C | CD-5 | CD-5C | SD-LI | PUD-MU

General Description

A typically attached Principal Building, which provides a vertical and/or horizontal mix of Uses typically designed to facilitate pedestrian-oriented Retail / Personal Service / Repair / Art / Artisan, Accommodations / Lodging, or Office Uses on the ground floor, with upper floors typically designed for Residential or Office Uses.

Lot / Building Site

Width	Per District Lot/Building Site Width

Number of Units

Units per Building	2 min., which must accommodate different Principal Uses

Allowed Private Frontages

Stoop	P	Terrace	P
Forecourt	P	**Officefront**	P
Terrace/Lightwell	P	**Gallery**[1]	P
Shopfront	P	**Arcade**[1]	P

Allowed Private Frontages (continued)

[1]May only be used in conjunction with a Shopfront or Officefront Frontage type.

Building Size and Massing

Height

2 Stories min; 3 Stories max. in CD-4; 5 Stories max. in CD-5 per district height standards Table 4.3.1

Width

Per District Lot/Building Site Width and Yard / Side Setback Standards

Pedestrian Access

Ground Floor Units	Principal Frontage
Upper Floors Units	Principal or Secondary Frontage

Upper floors units must be accessed by a common entry

Vehicle Access and Parking

Parking may be accessed from an Alley or from a Thoroughfare or Internal Drive at a Frontage

LEGEND
The following notations are utilized in this table.

P Permitted

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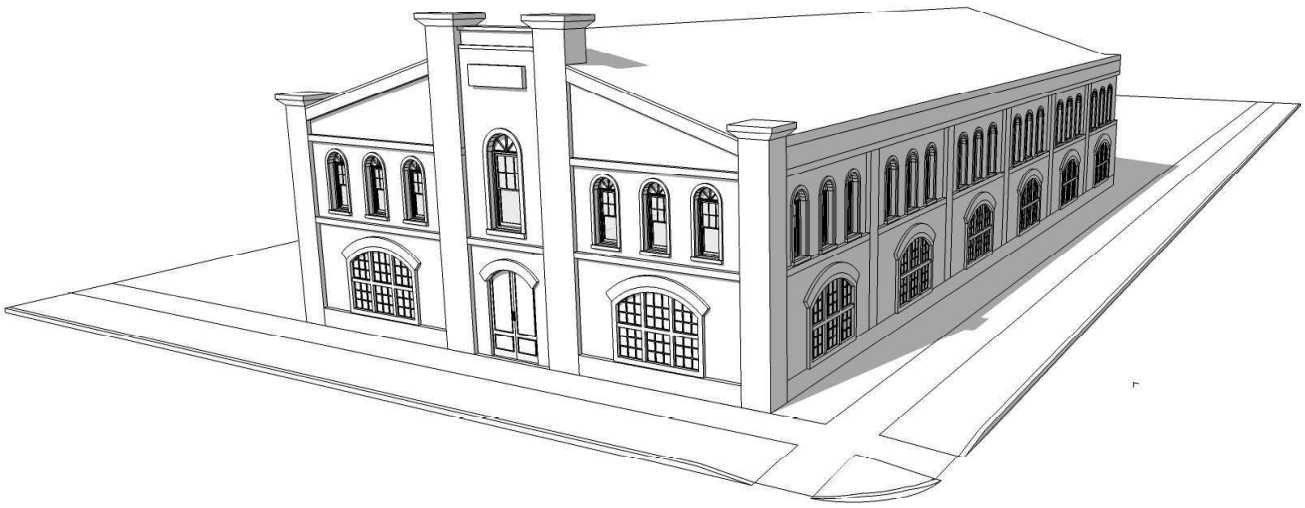
FLEX

TABLE 4.3.8.B PRINCIPAL BUILDING TYPES
SPECIFIC STANDARDS



Permitted Districts

CD-4 | CD-4C | CD-5 | CD-5C | SD-LI | SD-LI | SD-HI | PUD-MU

General Description

A large footprint Principal Building designed to accommodate either a single Use or a vertical or horizontal mix of Uses.

Lot / Building Site

Width	Per District Lot/Building Site Width

Number of Units

Not Regulated.

Allowed Private Frontages

Stoop	P	Terrace	P
Forecourt	P	**Officefront**	P
Terrace/Lightwell	P	**Gallery**[1]	P
Shopfront	P	**Arcade**[1]	P

[1]May only be used in conjunction with a Shopfront or Officefront Frontage type.

Building Size and Massing

Height

Minimum as prescribed for applicable Character District; 3 stories max.

Width

50 ft min.; max. per District Lot/Building Site Width and Side Setback / Yard Standards

Pedestrian Access

Ground Floor Units	Principal Frontage
Upper Floors Units	Principal or Secondary Frontage

Upper floors units must be accessed by a common entry

Vehicle Access and Parking

Parking may be accessed from an Alley or from a Thoroughfare or Internal Drive at a Frontage

LEGEND
The following notations are utilized in this table.

P Permitted

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MID-RISE

TABLE 4.3.8.B PRINCIPAL BUILDING TYPES
SPECIFIC STANDARDS

Permitted Districts

CD-5 **CD-5C** **PUD-MU**

General Description

An attached or detached Building that may provide a vertical and/or horizontal mix of Uses, typically designed to facilitate pedestrian-oriented Retail / Personal Service / Repair / Art / Artisan, Accommodations / Lodging, Commercial, or Office Uses on the ground floor, with upper floors typically designed for Residential or Office Uses.

Lot / Building Site

Width	Per District Lot/Building Site Width

Number of Units

Units per Building	2 min., which may be Residential or non-Residential

Allowed Private Frontages

Stoop	P	Terrace	P
Forecourt	P	**Officefront**	P
Terrace/Lightwell	P	**Gallery**[1]	P
Shopfront	P	**Arcade**[1]	P

Allowed Private Frontages (continued)

[1]May only be used in conjunction with a Shopfront or Officefront Frontage type.

Building Size and Massing

Height

4 Stories min.; 5 Stories max per district table 4.3.1

Width

Per District Lot/Building Site Width and Side Yard / Setback Standards

Pedestrian Access

Ground Floor Units	Principal Frontage
Upper Floors Units	Principal or Secondary Frontage

Upper floors units must be accessed by a common entry

Vehicle Access and Parking

Parking may be accessed from an Alley or from a Thoroughfare or Internal Drive at a Frontage

LEGEND
The following notations are utilized in this table.

P Permitted

ARTICLE 4

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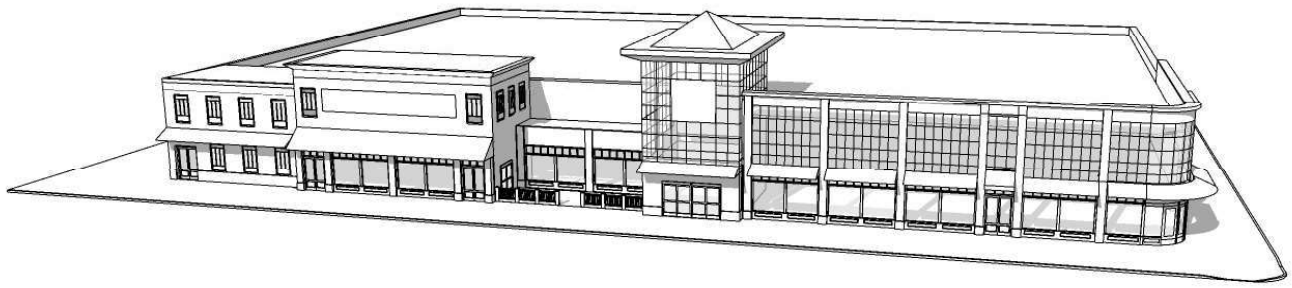
LARGE SCALE COMMERCIAL

TABLE 4.3.8.B PRINCIPAL BUILDING TYPES
SPECIFIC STANDARDS



Permitted Districts

CD-4C | CD-5C | SD-INT | SD-LI | PUD-MU

General Description

A building of 50,000 square feet or more that is most commonly associated with a large-format retailer. It has in-line Retail or Liner Buildings along the front of the Building.

Lot

Width	Per District Lot/Building Site Width

Number of Units

Units per Building	Not Regulated.

Allowed Private Frontages

Stoop	P	Terrace	P
Forecourt	P	**Officefront**	P
Terrace/Lightwell	P	**Gallery**[1]	P
Shopfront	P	**Arcade**[1]	P

[1]May only be used in conjunction with a Shopfront or Officefront Frontage type.

Building Size and Massing

Height

Per District Building Height Standards

Width

Per District Lot/Building Site Width and Side Yard / Setback Standards

Pedestrian Access

Ground Floor Units	Principal Frontage
Upper Floors Units	Principal or Secondary Frontage

Upper floors units must be accessed by a common entry

Vehicle Access and Parking

Parking may be accessed from an Alley or from a Thoroughfare or Internal Drive at a Frontage

LEGEND
The following notations are utilized in this table.

P Permitted

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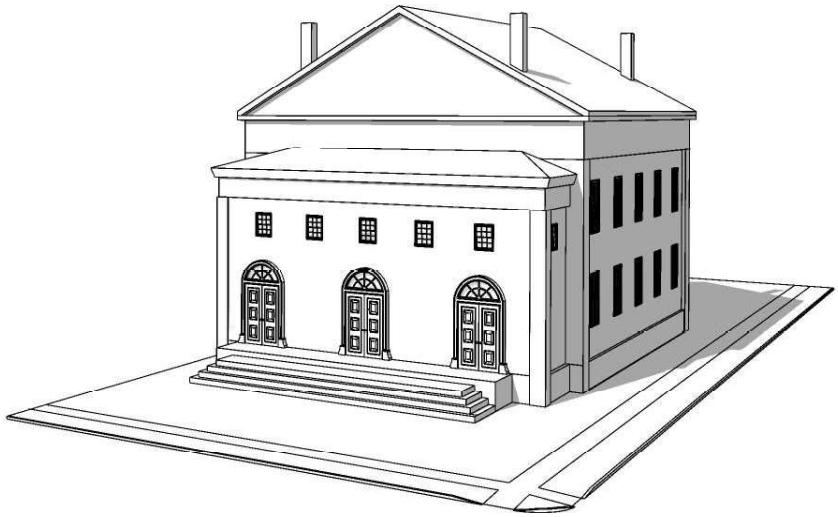
CIVIC

TABLE 4.3.8.B PRINCIPAL BUILDING TYPES
SPECIFIC STANDARDS



Permitted Districts

CD-2 | CD-3L | CD-3 | CD-4 | CD-4C | CD-5 | CD-5C | SD-LI | PUD-R | PUD-MU | CV

General Description

A medium- to large-sized attached or detached Principal Building, which is operated by a not-for-profit organization or governmental entity dedicated to Civic activities, and is designed to stand apart from its surroundings due to the specialized nature of its Civic purpose. Examples include Libraries, Places of Worship, Places of Assembly, Courthouses, City Halls, schools, centers of government, Performing Arts Venues, and Museums. Civic Buildings are often the most prominently sited and architecturally significant Buildings in a community.

Lot / Building Site

Width	N/A

Number of Units

N/A

Building Size and Massing

Height

The height of Civic Buildings shall be limited to 20 additional feet above the maximum allowed height in any Adjacent District.

Width

Not Regulated

Pedestrian Access

Except as specifically provided in this Chapter, Civic Buildings are not subject to the Building, Lot / Building Site or Private Frontage requirements of this Chapter.

Vehicle Access and Parking

Parking may be accessed from an Alley or from a Thoroughfare or Internal Drive at a Frontage

LEGEND
The following notations are utilized in this table.

P Permitted

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B. Manufactured Homes.

1. No Manufactured Home shall be placed on any Lot within a Residential District, unless it is used actively for Residential purposes.

2. Non-Residential use of a Manufactured Home may be permitted as a Temporary Use as a construction office during construction, subject to issuance of an annual permit by the Zoning Administrator.

3. Pursuant to TCA. Section 13-24-201, the provisions of Section 4.3.8.A shall not apply to Double-Wide Manufactured Homes used as single-family residences, which shall instead be considered a single-family homes; provided that, pursuant to TCA. § 13-24-202, such Double-Wide Manufactured Homes must have the same general appearance as required for site-built homes and shall comply with all standards and requirements of this Ordinance.

4.3.9 Uses

A. General.

1. Buildings, Lots, and Building Sites must comply with the Use standards and requirements of this Section 4.3.9. For Development Parcels, the mix of Principal Uses in each District is further regulated under Section 5.1.11.

2. Principal Uses, Accessory Uses, and Temporary Uses are Permitted by Right ("P"), Permitted Subject to Limited Use Standards ("PL"), as Conditional Uses ("CU"), or Not Permitted ("NP") within each District, in each case as indicated in **Table 4.3.9.A-1 (Building, Lot & Building Site Principal Uses), Table 4.3.9.A-2 (Building, Lot & Building Site Accessory Uses)**, and **Table 4.3.9.A-3 (Building, Lot & Building Site Temporary Uses).**

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TABLE 4.3.9.A-1 BUILDING, LOT & BUILDING SITE PRINCIPAL USE

PRINCIPAL USE	CD-2	CD-3 L	CD-3	CD-4	CD-4C	CD-5	CD - 5C	SD-MHP	SD-INT	SD-LI	SD-HI	PUD - R	PUD-MU	OTHER PUD	CV
AGRICULTURAL & EXTRACTIVE USES CATEGORY															
Agricultural*															
Farming	PL	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PUD	NP
Greenhouse	PL	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PUD	NP
Other Agricultural Uses Not Listed Under any Use Category	PL	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PUD	NP
Extractive															
Sand, Stone, and Gravel Quarrying	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CU	NP	NP	PUD	NP
Other Extractive Uses Not Listed Under any Use Category	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PUD	NP
RESIDENTIAL USES CATEGORY															
Household Living															
House for Single-Family Dwelling	P	P	P	P	P	P	NP	NP	NP	NP	NP	P	NP	PUD	NP
Attached Dwelling - Duplex for 2-Family Dwelling	NP	NP	PL	PL	PL	PL	NP	NP	NP	NP	NP	NP	NP	PUD	NP
Attached Dwelling -Townhouses	NP	NP	NP	PL	PL	PL	PL	NP	PL	NP	NP	PL	PL	PUD	NP
Attached Dwelling -Small Multifamily Building	NP	NP	NP	PL	PL	PL	PL	NP	PL	PL	NP	PL	PL	PUD	NP
Attached Dwelling -Large Multifamily Building	NP	NP	NP	PL	PL	PL	PL	NP	PL	PL	NP	PL	PL	PUD	NP
Attached Dwelling -Residence Portion of a Live/Work, Mixed-Use, or Flex Building, if Building Type permitted in District	NP	NP	NP	PL	PL	PL	PL	NP	NP	PL	NP	PL	PL	PUD	NP
Attached Dwelling -Assisted Living Apartment	NP	NP	NP	PL	PL	PL	PL	NP	NP	PL	NP	NP	PL	PUD	NP
Attached Dwelling -Independent Living Apartment	NP	NP	NP	PL	PL	PL	PL	NP	NP	PL	NP	NP	PL	PUD	NP

LEGEND The following notations are utilized in this table. * Except as exempted under TCA Sec. 44-18-104(c)(4).				
P Permitted by Right	CU Conditional Use (See Section 4.3.9.D)	NP Not Permitted	PL Permitted Subject to Limited Use Standards (See Section 4.3.9.D)	PUD Per PUD Approval

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TABLE 4.3.9.A–1 BUILDING, LOT & BUILDING SITE PRINCIPAL USE

PRINCIPAL USE	CD–2	CD–3 L	CD–3	CD–4	CD–4C	CD–5	CD – 5C	SD–MHP	SD–INT	SD–LI	SD–HI	PUD – R	PUD–MU	OTHER PUD	CV
Retirement Community or other Congregate Living Facility with individual Dwelling Units	NP	NP	NP	PL	PL	PL	PL	NP	PL	PL	NP	PL	PL	PUD	NP
Manufactured Home	PL	PL	PL	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Manufactured Home–Class A	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PUD	NP
Manufactured Home Park	NP	NP	NP	NP	NP	NP	NP	PL	NP	NP	NP	NP	NP	PUD	NP
Other Household Living Uses Not Listed Under any Use Category	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PUD	NP
Group Living															
Adult Care Home	P	P	P	P	P	NP	NP	NP	NP	NP	NP	P	NP	PUD	NP
Boarding or Rooming House, not including Group Home for Persons with Disabilities	NP	NP	NP	NP	NP	P	P	NP	P	P	NP	NP	NP	PUD	NP
Dormitory not associated with Educational Institution	NP	NP	NP	PL	PL	PL	PL	NP	NP	PL	NP	NP	NP	PUD	NP
Fraternity or Sorority House	NP	NP	NP	PL	PL	PL	PL	NP	NP	PL	NP	NP	NP	PUD	NP
Group Home for Persons with Disabilities or other Group Living Home	P	P	P	P	P	NP	NP	NP	NP	NP	NP	P	NP	PUD	NP
Monastery or Convent	NP	NP	NP	PL	PL	PL	PL	NP	NP	PL	NP	NP	NP	PUD	NP
Orphanage	NP	NP	NP	PL	PL	PL	PL	NP	NP	PL	NP	NP	NP	PUD	NP
Other Group Living Uses not Listed Under any Use Category	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PUD	NP
CIVIC USES CATEGORY															
Community Service															
Civic Building	NP	P	P	P	P	P	NP	NP	NP	NP	NP	NP	NP	PUD	P

LEGEND The following notations are utilized in this table. * Except as exempted under TCA Sec. 44–18–104(c)(4).				
P Permitted by Right	CU Conditional Use (See Section 4.3.9.D)	NP Not Permitted	PL Permitted Subject to Limited Use Standards (See Section 4.3.9.D)	PUD Per PUD Approval

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TABLE 4.3.9.A–1 BUILDING, LOT & BUILDING SITE PRINCIPAL USE

PRINCIPAL USE	CD–2	CD–3 L	CD–3	CD–4	CD–4C	CD–5	CD – 5C	SD–MHP	SD–INT	SD–LI	SD–HI	PUD – R	PUD–MU	OTHER PUD	CV
Philanthropic Institution	NP	NP	NP	P	P	P	P	NP	NP	NP	NP	NP	P	PUD	P
Recreation Facility (Civic)	NP	P	P	P	P	P	P	P	NP	P	NP	P	P	PUD	P
Other Community Service Use Not Listed Under any Use Category	NP	NP	NP	P	P	P	P	P	NP	P	NP	P	P	PUD	P
Day Care / Personal Care Facilities (Civic)															
Adult Day Care Facility (Civic)	P	P	P	P	P	P	P	P	P	P	NP	P	P	PUD	P
Children Day Care Facility (Civic)	P	P	P	P	P	P	P	P	P	P	NP	P	P	PUD	P
Group Day Care or Family Day Care or Facility (Civic)	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL	NP	PL	PL	PUD	PL
Other Day Care Facility Use (Civic) Not Listed Under any Use Category	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PUD	P
Government Facilities															
Correctional Facilities	NP	NP	NP	NP	NP	NP	NP	NP	CU	CU	CU	NP	NP	PUD	CU
Other Government Facility Use (Civic) Not Listed Under any Use Category	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	PUD	P
Civic Space															
Civic Space – Community Garden	P	P	P	P	P	P	NP	P	P	P	NP	P	P	PUD	P
Civic Space – Green	NP	P	P	P	P	P	NP	P	P	P	NP	P	P	PUD	P
Civic Space – Square or Plaza	NP	NP	NP	P	P	P	NP	NP	NP	NP	NP	NP	P	PUD	P
Civic Space – Park or Playground	P	P	P	P	P	P	NP	P	P	P	NP	P	P	PUD	P
Civic Space – Sports Field	NP	P	P	P	NP	NP	NP	P	NP	P	NP	P	NP	PUD	P
Other Civic Space Use Not Listed Under any Use Category	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP

LEGEND The following notations are utilized in this table. * Except as exempted under TCA Sec. 44–18–104(c)(4).

P Permitted by Right	CU Conditional Use (See Section 4.3.9.D)	NP Not Permitted	PL Permitted Subject to Limited Use Standards (See Section 4.3.9.D)	PUD Per PUD Approval

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TABLE 4.3.9.A–1 BUILDING, LOT & BUILDING SITE PRINCIPAL USE

PRINCIPAL USE	CD–2	CD–3 L	CD–3	CD–4	CD–4C	CD–5	CD – 5C	SD–MHP	SD–INT	SD–LI	SD–HI	PUD – R	PUD–MU	OTHER PUD	CV
Open Space															
Botanical Garden	P	P	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	PUD	P
Nature Preserve	P	P	P	P	P	P	P	P	P	P	P	P	P	PUD	P
Recreational Trail	P	P	P	P	P	P	P	P	P	P	P	P	P	PUD	P
Game Preserve	P	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PUD	P
Wildlife Management Area	P	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PUD	P
Refuge	P	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PUD	P
Wild Animal Sanctuary	P	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PUD	P
Water Conservation Area	P	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PUD	P
Reservoir	P	P	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PUD	P
Drainage Well	P	P	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PUD	P
Water Supply	P	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PUD	P
Water Well	P	P	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PUD	P
Zoo	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PUD	P
Other Open Space Use Not Listed Under any Use Category	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PUD	NP
Religious Facilities															
Place of Worship or other Religious Facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	PUD	P
CIVIL SUPPORT USES CATEGORY															
Cemetery / Mausoleum / Columbarium / Memorial Garden	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PUD	P
Funeral Services	NP	NP	NP	P	P	P	P	NP	NP	NP	NP	NP	P	PUD	P

LEGEND The following notations are utilized in this table. * Except as exempted under TCA Sec. 44-18-104(c)(4).				
P Permitted by Right	CU Conditional Use (See Section 4.3.9.D)	NP Not Permitted	PL Permitted Subject to Limited Use Standards (See Section 4.3.9.D)	PUD Per PUD Approval

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TABLE 4.3.9.A-1 BUILDING, LOT & BUILDING SITE PRINCIPAL USE

PRINCIPAL USE	CD-2	CD-3 L	CD-3	CD-4	CD-4C	CD-5	CD - 5C	SD-MHP	SD-INT	SD-LI	SD-HI	PUD - R	PUD-MU	OTHER PUD	CV
Fire / EMS Station	P	P	P	P	P	P	P	P	P	P	P	P	P	PUD	P
Police Station	P	P	P	P	P	P	P	P	P	P	P	P	P	PUD	P
EDUCATIONAL USES CATEGORY															
Adult Education / Personal Improvement / Business, Trade, & Vocational Schools															
Adult Continuing Education	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	PUD	NP
Personal Improvement Education	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	PUD	NP
Business, trade, or vocational school, other than Truck Driving School	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	PUD	NP
Truck Driving School	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	PUD	NP
Pre-School / Primary / Intermediate /Secondary Schools															
Pre-School or Nursery School	P	P	P	P	P	P	P	NP	P	P	NP	P	P	PUD	P
Kindergarten	P	P	P	P	P	P	P	NP	P	P	NP	P	P	PUD	P
Elementary School	P	P	P	P	P	P	P	NP	P	P	NP	P	P	PUD	P
Middle School	P	P	P	P	P	P	P	NP	P	P	NP	P	P	PUD	P
High School	P	P	P	P	P	P	P	NP	P	P	NP	P	P	PUD	P
Post-Secondary Education															
College or University	NP	NP	NP	P	P	P	P	NP	P	P	P	NP	P	PUD	P
Community College	NP	NP	NP	P	P	P	P	NP	P	P	P	NP	P	PUD	P
Graduate / Professional School	NP	NP	NP	P	P	P	P	NP	P	P	P	NP	P	PUD	P
Nursing or Medical Schools not accessory to a Hospital	NP	NP	NP	P	P	P	P	NP	P	P	P	NP	P	PUD	P

LEGEND The following notations are utilized in this table. * Except as exempted under TCA Sec. 44-18-104(c)(4).				
P Permitted by Right	CU Conditional Use (See Section 4.3.9.D)	NP Not Permitted	PL Permitted Subject to Limited Use Standards (See Section 4.3.9.D)	PUD Per PUD Approval

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TABLE 4.3.9.A–1 BUILDING, LOT & BUILDING SITE PRINCIPAL USE

PRINCIPAL USE	CD–2	CD–3 L	CD–3	CD–4	CD–4C	CD–5	CD – 5C	SD–MHP	SD–INT	SD–LI	SD–HI	PUD – R	PUD–MU	OTHER PUD	CV
Seminary	NP	NP	NP	P	P	P	P	NP	P	P	P	NP	P	PUD	P
Other Educational Use Not Listed in any Use Category	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PUD	NP
INSTITUTIONAL USES CATEGORY															
Health Care Institutions															
Hospital	NP	NP	NP	PL	PL	PL	PL	NP	PL	PL	NP	NP	PL	PUD	PL
Rehabilitation Facility or Center for Observation	NP	NP	NP	PL	PL	PL	PL	NP	PL	PL	NP	NP	PL	PUD	PL
Other Health Care Institution Use Not Listed Under any Use Category	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PUD	NP
Long Term Care															
Long Term Care Facility	NP	NP	NP	PL	PL	PL	PL	NP	NP	PL	NP	NP	PL	PUD	NP
Continuum of Care Facility	NP	NP	NP	PL	PL	PL	PL	NP	NP	PL	NP	NP	PL	PUD	NP
COMMERCIAL USES CATEGORY															
Accommodations / Lodging															
Bed & Breakfast	P	NP	NP	P	P	P	P	NP	NP	NP	NP	NP	P	PUD	NP
Extended Stay Hotel	NP	NP	NP	NP	NP	NP	NP	NP	PL	PL	NP	NP	NP	PUD	NP
Inn	P	NP	NP	P	P	P	P	NP	NP	NP	NP	NP	P	PUD	NP
Hotel, not including Extended Stay Hotel	NP	NP	NP	PL	PL	PL	PL	NP	PL	NP	NP	NP	PL	PUD	NP
Motel	NP	NP	NP	NP	NP	NP	NP	NP	PL	PL	NP	NP	NP	PUD	NP
Short–Term Rental Unit	NP	NP	NP	PL	PL	PL	PL	NP	NP	NP	NP	NP	NP	PUD	NP
Other Accommodation / Lodging Uses Not Listed Under any Use Category	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PUD	NP
Day Care / Personal Care (non–Civic)															

LEGEND The following notations are utilized in this table. * Except as exempted under TCA Sec. 44–18–104(c)(4).

P Permitted by Right	CU Conditional Use (See Section 4.3.9.D)	NP Not Permitted	PL Permitted Subject to Limited Use Standards (See Section 4.3.9.D)	PUD Per PUD Approval

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TABLE 4.3.9.A-1 BUILDING, LOT & BUILDING SITE PRINCIPAL USE

PRINCIPAL USE	CD-2	CD-3 L	CD-3	CD-4	CD-4C	CD-5	CD - 5C	SD-MHP	SD-INT	SD-LI	SD-HI	PUD - R	PUD-MU	OTHER PUD	CV
Adult Day Care Facility (non-Civic)	P	P	P	P	P	P	P	P	P	P	NP	P	P	PUD	NP
Child Care Facility (non-Civic), excluding Child Care in Home	P	P	P	P	P	P	P	P	P	P	NP	P	P	PUD	NP
Children's Day Camp (non-Civic)	P	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PUD	NP
Group Day Care Facility, Family Day Care Facility or other Group Care Facility (non-Civic)	NP	NP	NP	CU	CU	CU	CU	NP	CU	CU	NP	CU	CU	PUD	NP
Hospice (non-Civic)	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	PUD	NP
Retirement Center or Life Care Community without individual Dwelling Units (non-Civic)	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	PUD	NP
Other Personal & Group Care Facilities Use Not Listed Under any Use Category (non-Civic)	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PUD	NP
Indoor Recreation - Commercial															
Bowling Alley	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	PUD	NP
Game Arcade	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	PUD	NP
Gymnastics Facility	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	PUD	NP
Commercial Indoor Athletic Training Facility	NP	PL	PL	PL	P	P	P	NP	P	P	NP	NP	P	PUD	NP
Indoor firing range	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	NP	NP	NP	PUD	NP
Indoor Sports Academy	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	PUD	NP
Membership Club or Lodge	P	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	PUD	NP
Movie or other Theater	NP	NP	NP	P	P	P	P	NP	P	NP	NP	NP	P	PUD	NP
Pool Hall	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	PUD	NP
Recreation Facility (non-Civic)	NP	P	P	P	P	P	P	NP	P	P	NP	P	P	PUD	NP

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P Permitted by Right	CU Conditional Use (See Section 4.3.9.D)	NP Not Permitted	PL Permitted Subject to Limited Use Standards (See Section 4.3.9.D)	PUD Per PUD Approval

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TABLE 4.3.9.A-1 BUILDING, LOT & BUILDING SITE PRINCIPAL USE

PRINCIPAL USE	CD-2	CD-3 L	CD-3	CD-4	CD-4C	CD-5	CD - 5C	SD-MHP	SD-INT	SD-LI	SD-HI	PUD - R	PUD-MU	OTHER PUD	CV
Skating rink	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	PUD	NP
Social Club, Lodge, or Organization (non-Civic)	NP	CU	CU	P	P	P	NP	NP	P	P	NP	NP	P	PUD	NP
Other Commercial Indoor Recreation Use Not Listed Under any Use Category	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PUD	NP
Group Assembly (non-Civic)															
Group Assembly (non-Civic)	NP	NP	NP	PL	PL	PL	PL	NP	PL	PL	NP	NP	PL	PUD	NP
Other Commercial Group Assembly Use (non-Civic) Not Listed Under any Use Category	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PUD	NP
Outdoor Recreation - Commercial															
Amphitheater	NP	NP	NP	PL	PL	PL	PL	NP	PL	PL	NP	NP	PL	PUD	NP
Sports Field	NP	NP	NP	PL	PL	PL	PL	NP	PL	PL	NP	NP	PL	PUD	NP
BMX Bicycle Park	NP	NP	NP	NP	NP	NP	NP	NP	PL	PL	NP	NP	NP	PUD	NP
Campground	NP	NP	NP	NP	NP	NP	NP	NP	PL	PL	NP	NP	NP	PUD	NP
Drive-in Theater	NP	NP	NP	NP	NP	NP	NP	NP	PL	PL	NP	NP	NP	PUD	NP
Firing Range such as Rifle Range, Archery Range, Handgun, or Skeet Shooting	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL	NP	NP	PUD	NP
Golf Course, Country Club, Swim Club, and Tennis Club	PL	PL	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PUD	NP
Marina / Boating Facility	PL	PL	PL	PL	PL	PL	PL	PL	NP	NP	NP	PL	PL	PUD	NP
Recreational Vehicle (RV) Park	NP	NP	NP	NP	NP	NP	NP	NP	PL	PL	NP	NP	NP	PUD	NP
Paintball Park	NP	NP	NP	NP	NP	NP	NP	NP	PL	PL	NP	NP	NP	PUD	NP

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TABLE 4.3.9.A-1 BUILDING, LOT & BUILDING SITE PRINCIPAL USE

PRINCIPAL USE	CD-2	CD-3 L	CD-3	CD-4	CD-4C	CD-5	CD - 5C	SD-MHP	SD-INT	SD-LI	SD-HI	PUD - R	PUD-MU	OTHER PUD	CV
Outdoor Entertainment Activity such as Batting Cage, Golf Driving Range, Amusement Park, Miniature Golf Facility	NP	NP	NP	NP	NP	NP	NP	NP	PL	PL	NP	NP	NP	PUD	NP
Skateboard Park	NP	NP	NP	NP	NP	NP	NP	NP	PL	PL	NP	NP	NP	PUD	NP
Stadium / Arena	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL	NP	NP	NP	PUD	NP
Summer Camp (overnight)	NP	NP	NP	NP	NP	NP	NP	NP	PL	PL	NP	NP	NP	PUD	NP
Swimming Pool	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL	NP	PL	PL	PUD	NP
Tennis Court	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL	NP	PL	PL	PUD	NP
Water Park	NP	NP	NP	NP	NP	NP	NP	NP	PL	PL	NP	NP	NP	PUD	NP
Other Commercial Outdoor Recreation Use Not Listed Under any Use Category	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PUD	NP
Parking (Commercial)															
Parking Lot	NP	NP	NP	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL	PUD	PL
Parking Structure	NP	NP	NP	P	P	P	P	NP	P	P	P	NP	P	PUD	P
Restaurant															
Restaurant or other Food Service Business without Drive-Through	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	PUD	NP
Small-scale Catering Establishment without Drive-Through	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	PUD	NP
Drive-in Restaurant and Any Restaurant with Drive-Through	NP	NP	NP	PL	PL	PL	PL	NP	PL	PL	NP	NP	PL	PUD	NP
Bars, Taverns, & Nightclubs															
Bar, Tavern, or Nightclub	NP	NP	NP	PL	PL	PL	PL	NP	PL	PL	NP	NP	PL	PUD	NP

LEGEND The following notations are utilized in this table. * Except as exempted under TCA Sec. 44-18-104(c)(4).				
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TABLE 4.3.9.A-1 BUILDING, LOT & BUILDING SITE PRINCIPAL USE

PRINCIPAL USE	CD-2	CD-3 L	CD-3	CD-4	CD-4C	CD-5	CD - 5C	SD-MHP	SD-INT	SD-LI	SD-HI	PUD - R	PUD-MU	OTHER PUD	CV
Retail / Personal Service /Repair / Arts / Artisan															
Alcoholic Beverage Retail Sales	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	PUD	NP
Artisan Establishment, with or without Retail Sales, & without Drive-Through	NP	NP	NP	P	P	P	P	NP	NP	P	NP	NP	P	PUD	NP
Arts-Related Uses	NP	NP	NP	P	P	P	P	NP	NP	P	NP	NP	P	PUD	NP
Convenience Store with Gasoline Sales Facility without Drive-Through	NP	NP	NP	PL	PL	PL	PL	NP	PL	PL	PL	NP	PL	PUD	NP
Retail, Personal Service, Repair, Arts, or Artisan Establishment with Drive-Through	NP	NP	NP	PL	PL	PL	PL	NP	PL	PL	NP	NP	PL	PUD	NP
On-Street Vending / Mobile Vendor	NP	NP	NP	PL	PL	PL	PL	NP	NP	PL	PL	NP	PL	PUD	NP
Personal Services, other than Motor Vehicle Body Shop, and Motor Vehicle Maintenance, Repair, Fuel Sales, Service, or Cleaning, without Drive-Through	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	PUD	NP
Repair Services, other than Motor Vehicle Body Shop, and Motor Vehicle Maintenance, Repair, Fuel Sales, Service, or Cleaning, without Drive-Through	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	PUD	NP
Retail Membership Club	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	PUD	NP
Retail Food Sales, with or without on-premises preparation or processing, without Drive-Through	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	PUD	NP

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TABLE 4.3.9.A–1 BUILDING, LOT & BUILDING SITE PRINCIPAL USE

PRINCIPAL USE	CD–2	CD–3 L	CD–3	CD–4	CD–4C	CD–5	CD – 5C	SD–MHP	SD–INT	SD–LI	SD–HI	PUD – R	PUD–MU	OTHER PUD	CV
Retail Sales, Rental, or Leasing, other than Motor Vehicle – Related Uses, Retail Food Sales, Retail Membership Club, Restaurant, and Warehouse Retail	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	PUD	NP
Other Retail Sales, Rental, or Leasing Not Listed Above without Drive–Through	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	PUD	NP
Veterinary Clinic, Animal Hospital, or Non–Agricultural Kennel	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	PUD	NP
Other Personal Service or Repair Uses Not Listed Under any Use Category	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	PUD	NP
Other Art or Artisan Uses Not Listed Under any Use Category without Drive–Through	NP	P	P	P	P	P	P	NP	P	P	NP	NP	P	PUD	NP
Self–Service Storage															
Self–Service Storage Facilities	NP	NP	NP	NP	NP	NP	NP	NP	PL	PL	PL	NP	NP	PUD	NP
Motor Vehicle –Related Uses															
Motor Vehicle Body Shop	NP	NP	NP	NP	NP	NP	NP	NP	P	P	P	NP	NP	PUD	NP
Motor Vehicle Maintenance, Repair, Fuel Sales, Service or Cleaning, other than Car Wash	NP	NP	NP	PL	PL	PL	PL	NP	PL	PL	PL	NP	NP	PUD	NP
Car Wash	NP	NP	NP	PL	PL	PL	PL	NP	PL	PL	PL	NP	PL	PUD	NP
Gasoline Sales Facility or Fuel Sales	NP	NP	NP	PL	PL	PL	PL	NP	PL	PL	PL	NP	PL	PUD	NP
Motor Vehicle Sales, Rental, or Leasing	NP	NP	NP	NP	PL	NP	PL	NP	PL	PL	NP	NP	NP	PUD	NP

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TABLE 4.3.9.A-1 BUILDING, LOT & BUILDING SITE PRINCIPAL USE

PRINCIPAL USE	CD-2	CD-3 L	CD-3	CD-4	CD-4C	CD-5	CD - 5C	SD-MHP	SD-INT	SD-LI	SD-HI	PUD - R	PUD-MU	OTHER PUD	CV
Motor Vehicle Storage	NP	NP	NP	NP	NP	NP	NP	NP	P	P	P	NP	NP	PUD	NP
Tire Sales	NP	NP	NP	NP	P	NP	P	NP	P	P	P	NP	NP	PUD	NP
Towing Service	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP	PUD	NP
Other Motor Vehicle -Related Use Not Listed Under any Use Category	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PUD	NP
Manufactured Home Sales															
Manufactured Home Sales	NP	NP	NP	NP	NP	NP	NP	NP	PL	PL	NP	NP	NP	PUD	NP
Wholesale Sales															
Sale of building and construction materials, special trade tools, welding supplies, machine parts, electrical supplies, janitorial supplies, restaurant equipment, store fixtures, food, paper goods, auto parts and building hardware	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP	PUD	NP
Other Wholesale Sales Uses Not Listed Under any Use Category	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP	PUD	NP
OFFICE USE CATEGORY															
Business or Professional / Government / Not-for-Profit (excluding Civic Uses)															
Business Office, Business Incubator or Professional Office	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	PUD	NP
Conference Center or Office with Conference Center (non-Civic)	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	PUD	NP
Co-Working Space	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	PUD	NP

a. Asphalt plants and other facilities for the manufacture and storage of chemicals, petroleum products, explosives, and allied products

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TABLE 4.3.9.A–1 BUILDING, LOT & BUILDING SITE PRINCIPAL USE

PRINCIPAL USE	CD–2	CD–3 L	CD–3	CD–4	CD–4C	CD–5	CD – 5C	SD–MHP	SD–INT	SD–LI	SD–HI	PUD – R	PUD–MU	OTHER PUD	CV
Financial Institution or Financial Services	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	PUD	NP
Office with Drive–Through Facilities	NP	NP	NP	PL	PL	PL	PL	NP	PL	PL	NP	NP	PL	PUD	NP
Non–Banking Financial Institution	NP	NP	NP	PL	PL	PL	PL	NP	PL	PL	NP	NP	PL	PUD	NP
Radio / Television / Recording Studio or Station without Communications Tower	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	PUD	NP
Other Business / Government / Non–Profit Office Uses Not Listed Under any Use Category	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	PUD	NP
Medical / Dental															
Dental Office / Dental Clinic, Medical Office / Medical Clinic / Outpatient Clinic, or Medical or Dental Lab	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	PUD	NP
INDUSTRIAL USES CATEGORY															
Heavy Industrial															
Asphalt Plant or other Facilities for Manufacture and Storage of Chemials, Petroleum Products, Explosives, and Allied Products	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL CU	NP	NP	PUD	NP
Concrete Batch or Concrete Manufacturing Plant	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL CU	NP	NP	PUD	NP
Hazardous & Low–Level Nuclear Disposal & Storage	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL CU	NP	NP	PUD	NP
Wrecking, Junk, & Salvage Yards, & Scrap Operations	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL CU	NP	NP	PUD	NP
Tile or Brick Manufacturing	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CU	NP	NP	PUD	NP

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TABLE 4.3.9.A–1 BUILDING, LOT & BUILDING SITE PRINCIPAL USE

PRINCIPAL USE	CD–2	CD–3 L	CD–3	CD–4	CD–4C	CD–5	CD – 5C	SD–MHP	SD–INT	SD–LI	SD–HI	PUD – R	PUD–MU	OTHER PUD	CV
Automobile, Truck, or Tire Manufacturing or Assembly	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CU	NP	NP	PUD	NP
Ammonia or Chlorine Manufacturing	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CU	NP	NP	PUD	NP
Metal Casting or Foundries	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CU	NP	NP	PUD	NP
Gas Manufacturing	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CU	NP	NP	PUD	NP
Metal or Metal Ore Production, Refining, Smelting, or Alloying	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CU	NP	NP	PUD	NP
Petroleum or Petroleum Product Storage or Refining	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CU	NP	NP	PUD	NP
Boat, Pool, or Spa Manufacturing	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CU	NP	NP	PUD	NP
Keeping, Selling, or Slaughtering of Animals	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CU	NP	NP	PUD	NP
Glass Manufacturing	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CU	NP	NP	PUD	NP
Paper Manufacturing	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CU	NP	NP	PUD	NP
Manufacturing of Materials into Compost	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CU	NP	NP	PUD	NP
Rail Equipment Storage / Repair	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CU	NP	NP	PUD	NP
Railroad Freight Yard	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CU	NP	NP	PUD	NP
Sawmill	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CU	NP	NP	PUD	NP
Wood or Lumber Processing	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CU	NP	NP	PUD	NP
Animal processing, Rendering, Packing, Treating, and Storage	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CU	NP	NP	PUD	NP
Livestock Slaughtering	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CU	NP	NP	PUD	NP
Processing of Food and Related Products	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CU	NP	NP	PUD	NP

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TABLE 4.3.9.A–1 BUILDING, LOT & BUILDING SITE PRINCIPAL USE

PRINCIPAL USE	CD–2	CD–3 L	CD–3	CD–4	CD–4C	CD–5	CD – 5C	SD–MHP	SD–INT	SD–LI	SD–HI	PUD – R	PUD–MU	OTHER PUD	CV
Sale of Farm Equipment and Machinery and Earth Moving and Heavy Construction Equipment	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	CU	NP	NP	PUD	NP
Production of Chemical, Rubber, Leather, Clay, Bone, Plastic, Stone, or Glass Materials or Products	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CU	NP	NP	PUD	NP
Other Heavy Industrial Not Listed in any Use Category	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CU	NP	NP	PUD	NP
Light Industrial															
Brewery, excluding Brewpubs	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	PUD	NP
Bottling Plants	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	PUD	NP
Building Systems / Construction Business	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	PUD	NP
Carpet cleaning plants or manufacturing	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	PUD	NP
Catering Service or Catering Events Establishment	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	PUD	NP
Textile Manufacturing	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	PUD	NP
Commercial bakery	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	PUD	NP
Contractor Materials Sales	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	PUD	NP
Crematorium	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	PUD	NP
Dairy Plant	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	PUD	NP
Distillery	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	PUD	NP
Distribution / Distribution Facility	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	PUD	NP
Dry Cleaning Plants	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	PUD	NP

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TABLE 4.3.9.A–1 BUILDING, LOT & BUILDING SITE PRINCIPAL USE

PRINCIPAL USE	CD–2	CD–3 L	CD–3	CD–4	CD–4C	CD–5	CD – 5C	SD–MHP	SD–INT	SD–LI	SD–HI	PUD – R	PUD–MU	OTHER PUD	CV
Equipment Rental	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	PUD	NP
Fabrication, work, or storage on–site by building, heating, plumbing, electrical, or general contractors, and others who perform services off–site	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	PUD	NP
Food Processing plants	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	PUD	NP
Horticulture and Landscaping Services	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	PUD	NP
Ice plant	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	PUD	NP
Institutional bakeries	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	PUD	NP
Laundry Plant	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	PUD	NP
Light Manufacturing Plant	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	PUD	NP
Machine Shop / Woodworking Shop, other than Artisan Establishment	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	PUD	NP
Maintenance yard or facility	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	PUD	NP
Manufacture or assembly of equipment, instruments (including musical instruments), appliances, precision items or electrical items, or toys	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	PUD	NP
Non–Hazardous Waste Treatment or Disposal	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	PUD	NP
Outdoor Storage	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL	PL	NP	NP	PUD	NP
Printing, Publishing, and lithography	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	PUD	NP
Production of artwork	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	PUD	NP

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PRINCIPAL USE	CD–2	CD–3 L	CD–3	CD–4	CD–4C	CD–5	CD – 5C	SD–MHP	SD–INT	SD–LI	SD–HI	PUD – R	PUD–MU	OTHER PUD	CV
Rail Equipment Storage / Repair	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	PUD	NP
Recycling Processing Facility	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	PUD	NP
Repair of scientific or professional instruments, electric motors;	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	PUD	NP
Regional recycling center;	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	PUD	NP
Research Laboratory / Research & Development	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	PUD	NP
Sheet metal shop	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	PUD	NP
Soft drink bottling	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	PUD	NP
Solid Waste Facility	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	PUD	NP
Warehouse / Warehousing	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	PUD	NP
Welding, machine, tool repair shop	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	PUD	NP
Winery	CU	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	PUD	NP
Woodworking, including cabinet makers and furniture manufacturing, but excluding Artisan Establishments	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	PUD	NP
Other Light Industrial Not Listed in any Use Category	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	PUD	NP
Warehouse & Freight Movement															
Bulk storage, including nonflammable liquids, feed and grain storage	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	PUD	NP
Bus barn	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	PUD	NP

LEGEND The following notations are utilized in this table. * Except as exempted under TCA Sec. 44–18–104(c)(4).				
P Permitted by Right	CU Conditional Use (See Section 4.3.9.D)	NP Not Permitted	PL Permitted Subject to Limited Use Standards (See Section 4.3.9.D)	PUD Per PUD Approval

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TABLE 4.3.9.A–1 BUILDING, LOT & BUILDING SITE PRINCIPAL USE

PRINCIPAL USE	CD–2	CD–3 L	CD–3	CD–4	CD–4C	CD–5	CD – 5C	SD–MHP	SD–INT	SD–LI	SD–HI	PUD – R	PUD–MU	OTHER PUD	CV
Cold storage plants, frozen food lockers,	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	PUD	NP
Household moving and general freight storage	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	PUD	NP
Separate warehouse used by Retail store such as a furniture or appliance store	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	PUD	NP
Stockpiling of sand, gravel, or other aggregate materials	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	NP	NP	PUD	NP
Transfer and storage Business with no individual storage areas or where employees are the primary movers of the goods	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	PUD	NP
Other Warehouse & Freight Movement Not Listed in any Use Category	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	PUD	NP
Waste–Handling Service															
Animal waste processing	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL	NP	NP	PUD	NP
Septic Equipment Installation, Service, or Cleaning	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL	NP	NP	PUD	NP
Landfill	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL	NP	NP	PUD	NP
Incinerator	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL	NP	NP	PUD	NP
Manufacture and production of goods from composting organic material	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL	NP	NP	PUD	NP
Recyclable material storage, including construction material	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL	NP	NP	PUD	NP
Recycling center	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL	PL	NP	NP	PUD	NP
Transfer station	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL	PL	NP	NP	PUD	NP

LEGEND The following notations are utilized in this table. * Except as exempted under TCA Sec. 44–18–104(c)(4).				
P Permitted by Right	CU Conditional Use (See Section 4.3.9.D)	NP Not Permitted	PL Permitted Subject to Limited Use Standards (See Section 4.3.9.D)	PUD Per PUD Approval

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TABLE 4.3.9.A–1 BUILDING, LOT & BUILDING SITE PRINCIPAL USE

PRINCIPAL USE	CD–2	CD–3 L	CD–3	CD–4	CD–4C	CD–5	CD – 5C	SD–MHP	SD–INT	SD–LI	SD–HI	PUD – R	PUD–MU	OTHER PUD	CV
Recycling Station	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	PUD	NP
Other Waste–Related Service Not Listed in any Use Category	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PUD	NP
UTILITIES USES CATEGORY															
Utility Facilities	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL	PUD	PL
Utility Transmission Line	PL	PL	NP	NP	NP	NP	NP	NP	PL	PL	PL	PL	PL	PUD	NP
Wireless Communication Facility	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	PUD	CU
Other Utilities Use Not Listed Under any other Category	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PUD	NP
OTHER USES CATEGORY															
Adult – Oriented Establishment	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL	NP	NP	NP	NP	NP

3. Principal Uses, Accessory Uses, or Temporary Uses, as applicable, of Buildings, Lots, and Building Sites, which are indicated in **Table 4.3.9.A–1 (Building & Lot Principal Uses)**, **Table 4.3.9.A–2 (Building, Lot & Building Site Accessory Uses)**, or **Table 4.3.9.A–3 (Building, Lot & Building Site Temporary Uses)** as Permitted ("P"), Permitted Subject to Limited Conditions ("PL"), or as Conditional Use ("CU"), are permitted within each District, subject to compliance with all applicable standards, conditions and requirements thereof and obtaining all applicable approvals and permits therefor, including without limitation in the case of Uses Permitted Subject to Limited Use Standards ("PL") and Conditional Uses ("(CU"), compliance with the applicable Use standards of Section 4.3.11.D, and in the case of Conditional Uses ("CU"), Board of Zoning Appeals approval pursuant to Article 8 (Administrative, Procedural, and Enforcement).

4. Accessory Uses of Buildings, Lots, and Building Sites in each District must conform to the Accessory Uses specified on **Table 4.3.9.A–2 (Building, Lot & Building Site Accessory Uses)** for such District and are subject to compliance with all other applicable standards and requirements of this Ordinance.

5. Temporary Uses of Buildings, Lots, and Building Sites in each District must conform to the Temporary Uses specified on **Table 4.3.9.A–3 (Building, Lot & Building Site Temporary Uses)** for such District and are subject to compliance with all other applicable standards and requirements of this Ordinance.

6. Without limitation, Accessory Uses must be subordinate and customarily incidental to a permitted Principal Use on the Lot.

7. If multiple Principal Uses are allowed within a District, they may exist within a single Building, Lot, or Building Site, subject to compliance with all other applicable standards and requirements.

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B. Uses Permitted by Right.

Principal Uses, Accessory Uses, or Temporary Uses, as applicable, of Buildings, Lots, and Building Sites, which are indicated for each District in **Table 4.3.9.A–1 (Building, Lot & Building Site Principal Uses), Table 4.3.9.A–2 (Building, Lot & Building Site Accessory Uses)**, or **Table 4.3.9.A–3 (Building, Lot & Building Site Temporary Uses)** as Permitted ("P") are allowed by right, subject to compliance with all other applicable provisions of this Ordinance.

C. Required Uses.

Buildings fronting the following rights of way must contain a retail sales or service use, restaurant use, arts–related use, or office use at the sidewalk level through the depth of the second layer for at least 80 percent of the building frontage.

Public Square

North Main Street between West 4th Street and Public Square;

South Main Street between Public Square and West 9th Street, inclusive of all building sites with frontage at the corners of South Main and West 9th street;

North Garden Street between West 6th Street and West 7th Street, inclusive of all building sites with frontage at the corners of North Garden Street and West 6th Street;

North Garden Street between West 7th Street and West 9th Street, inclusive of all building sites with frontage at the corners of South Garden Street and West 9th Street;

South High Street between West 7th Street and West 9th Street, inclusive of all building sites with frontage at the corners of South High Street and West 7th Street, all building sites with frontage at the corners of South High Street and West 8th Street, and all building sites with frontage at the corners of South High Street and West 9th Street;

West 7th Street between Public Square and Frierson Street, inclusive of all building sites with frontage at the corners of Frierson Street and West 7th Street;

East 7th Street between Public Square and North Water Street, inclusive of all building sites with frontage at the corners of South Glade Street and East 7th Street;

West 6th Street between North Main Street and Woodland Street, inclusive of all building sites with frontage at the corners of West 6th Street and Woodland Street;

West 6th Street between North Main Street and North Garden Street; and

West 8th Street between South Garden and South Glade Street, inclusive of all building sites with frontage at the corners of West 8th Street and South Garden Street as well as all building sites with frontage at the corners of West 8th Street and South Glade Street.

D. Prohibited Uses.

Except as otherwise determined by the Zoning Administrator pursuant to Section 8.5.8 with respect to a Use that is not specifically listed as Permitted ("P"), Permitted Subject to Limited Conditions ("PL"), or as a Conditional Use ("CU") in **Table 4.3.9.A–1 (Building & Lot Principal Uses)**, **Table 4.3.9.A–2 (Building, Lot & Building Site Accessory Uses)**, or **Table 4.3.9.A–3 (Building, Lot & Building Site Temporary Uses)**, as applicable, any Use that is not specifically listed as Permitted ("P"), Permitted Subject to Limited Conditions ("PL"), or as a Conditional Use ("CU"), and any Use that is specifically listed Not Permitted ("NP") in such applicable Table or is otherwise prohibited pursuant to Section 4.3.9.7 or any other provision of the City Code, is prohibited.

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E. Uses Permitted Subject to Limited Use Standards & Conditional Uses.

1. Any Principal Use, Accessory Use, or Temporary Use shown for the applicable District as Permitted Subject to Limited Use Standards ("PL") on **Table 4.3.9.A–1 (Building & Lot Principal Uses)**, **Table 4.3.9.A–2 (Building & Lot Accessory Uses)**, or **Table 4.3.9.A–3 (Building & Lot Temporary Uses)**, is allowed subject to compliance with all applicable conditions and requirements imposed by this Section 4.3.9.D and Section 4.3.9.4.h.

2. Any Principal Use, Accessory Use, or Temporary Use shown for the applicable District as Conditional Use (CU") on **Table 4.3.9.A–1 (Building, Lot, & Building Site Principal Uses)**, **Table 4.3.9.A–2 (Building, Lot, & Building Site Accessory Uses)**, or **Table 4.3.9.A–3 (Building, Lot, & Building Site Temporary Uses)**, is allowed subject to compliance with all applicable conditions and requirements imposed by this Section 4.3.9.D in addition to Conditional Use approval and issuance of a Conditional Use permit pursuant to Article 8 (Administration, Procedures & Enforcement).

3. The conditions, standards, and requirements of each Use Permitted Subject to Limited Use Standards or Conditional Use shall be applicable, irrespective of the Use being a Principal Use, an Accessory Use, or a Temporary Use.

4. The conditions and requirements applicable to any Use Permitted Subject to Limited Use Standards or Conditional Use shall be enforceable, and failure to comply with any condition or requirement of a Use Permitted Subject to Limited Use Standards or as a Conditional Use shall subject such Use Permitted Subject to Limited Use Standards or Conditional Use to revocation pursuant to Section 8.6.1.J.

5. No Use Permitted Subject to Limited Use Standards or Conditional Use shall commence or exist, or be conducted or engaged in, on any Lot or Building Site, or within any Building except in accordance with all applicable conditions and requirements for such Use, including without limitation in the case of a Conditional Use, review, approval, and issuance of a Conditional Use Permit by the Board of Zoning Appeals.

6. The following standards shall apply only to those Districts and Uses where the "PL" and / or "CU" is designated on the applicable **Table 4.3.9.A–1 (Building, Lot & Building Site Principal Uses)**, **Table 4.3.9.A–2 (Building, Lot & Building Site Accessory Uses)**, or **Table 4.3.9.A–3 (Building, Lot & Building Site Temporary Uses)**, as applicable:

a. **Adult – Oriented Establishments** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) No Adult – Oriented Establishment shall be operated or maintained in the City within 1,000 feet, measured from property line to property line, of a school, religious facility, public recreation facility, or licensed day care facility.

(2) No Adult – Oriented Establishment shall be operated or maintained in the City within 1,000 feet, from property line to property line, of a boundary of a Residential District or a Residential Use.

(3) No Building or Structure associated with the Adult – Oriented Establishment shall be closer than 50 feet to a property line of an adjacent Non–Residential District or Use.

(4) No Adult – Oriented Establishment shall be operated or maintained in the City within 1,000 feet, measured from property line to property line, of another Adult – Oriented Establishment.

b. **Agricultural Activities**, except as certain enterprises that produce the majority of their income from agricultural activities may be exempted from certain zoning restrictions pursuant to TCA. Section 44–18–104(c)(4) shall be subject to the following:

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(1) Barns, feedLot or Building Sites, pens, and stockyards may be permitted in accordance with the applicable Use Table, subject to the following:

(a) Barns, feedLot or Building Sites, pens and stockyards shall require a minimum separation of 200 feet from all property lines.

(b) The location of such an activity shall be in an area sparsely developed during the length of time the Use as a stockyard or feedLot or Building Site is anticipated;

(c) The site area shall be a minimum of twice the minimum required for the applicable District. Sites containing outdoor animal pens shall require a minimum site area of four acres.

(d) All proposals shall include a site plan which contains, at minimum, the following information:

- Existing and proposed contours of the site and up to 100 feet beyond the site boundary. Contour intervals shall be at two foot intervals;
- Location of the area in which the proposed keeping of animals is to be conducted;
- Location of all proposed buildings, animal pens, roadways and other facilities proposed on the site;
- Proposed method of drainage of the animal pens and any proposed waste lagoons;
- Proposed fencing of the site; and
- Location of all existing or platted residences on adjacent properties.

c. **Asphalt Plants and Other Facilities for the Manufacture and Storage of Chemicals, Petroleum Products, Explosives, and Allied Products** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) A Heavy Manufacturing Permit shall be required (See Section 8.5.22) in addition to a Conditional Use Permit.

(2) The boundary of the property shall be at least 1,500 feet from any Residential Use or District.

(3) The Use shall be totally enclosed by a security fence or wall at least 8 feet high or enclosed within a fire proof Building.

(4) All plans shall be reviewed by Fire and Emergency staff prior to approval in order to determine that existing services provide adequate protection for citizens.

(5) Any additional conditions imposed during the Heavy Manufacturing Permit or Conditional Use Permit process.

d. **Attached Dwellings,** which includes Apartments, the Residence portion of a Live/Work Building, Mixed Use Building, or Flex Building, Multifamily Dwellings, Two-Family Dwellings, Duplexes, Rowhouses, Large Multi-family Buildings and Small Multi-Family Buildings, shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) No more than three (3) Duplex Buildings (each Duplex Building containing two Dwellings) may be located on any Block.

(2) Within the CD-3 District, Duplex Buildings shall have only one entrance along the frontage, with any additional exterior entrances located within the 3rd layer.

(3) Party walls, subject to the provisions of the Standard Building Code and National Fire Protection Association Fire Code, shall be provided along all points of attachment.

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(4) Additional Use limitations may be applicable to specific types of Attached Dwellings.

(5) Within the CD-5 District buildings enfronting the rights of way identified in Section 4.3.9.C must contain a retail sales or service use, restaurant use, arts-related use, or office use at the sidewalk level through the depth of the second layer for at least 80 percent of the building frontage.

e. **Bar, Tavern, or Nightclub** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) With the exception of nightclubs, taverns, or bars located within District CD-5, the applicant shall demonstrate that no pre-existing Place of Worship is located within 500 feet of the proposed nightclub or similar establishment. Measurements shall be made from the property line of the proposed night club or similar establishment and from the property line of any separate Parking Lots to be used by the nightclub or similar establishment.

(2) Except in District CD-5, no nightclub, tavern, or bar shall be located within 500 feet of a Residentially zoned or Residentially used property.

(3) No outside storage or activities shall be located on the site.

(4) Outdoor activities occupying no more than 400 square feet may be permitted by Administrative Adjustment.

f. **Car Wash** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) No storage, repair, or sales of vehicles shall be allowed on the site.

(2) Provisions shall be made for an on-site drainage system to capture water used to wash vehicles. This water shall be discharged into a sanitary sewer system or another approved on-site system and shall not be discharged into the stormwater system.

(3) No wash bay shall face or be located in the 1st or 2nd Layer or the Frontage.

g. **Concrete Batch Plants and Concrete Manufacturing Plants** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) A Heavy Manufacturing Permit shall be required (See Section 8.5.22) in addition to a Conditional Use Permit.

(2) The facility shall be at least 1,500 feet from any Residential Use or Residential District.

(3) The property may not be adjacent to an existing Hospital, Day Care Facility, Educational facility, Religious Facility, Long Term Care Facility, Continuum of Care Facility, or Assisted Living Facility.

(4) The site shall be at least four acres in size and shall have access on a major or minor thoroughfare.

(5) Property boundaries facing public streets shall be fenced with a six foot high fence.

(6) Any additional conditions imposed during the Heavy Manufacturing Permit or Conditional Use Permit process.

h. **Correctional Facilities** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) In order to accommodate outdoor recreational facilities and to allow for potential building expansion, the site size for facilities located outside the CD-5 Character District shall be a minimum of one acre in size or the minimum of the District, whichever is larger; provided that County and City jail facilities have no minimum site size.

(2) The facility shall be at least 650 feet from the nearest property which is Residentially zoned or used.

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(3) The facility shall not be established within 1,320 feet of a public or private school, day care, or Place of Worship.

(4) Site Development shall be in conformance with the landscaping and dimensional requirements of the applicable District.

(5) The Use requires a Conditional Use Permit, which may be denied when the Use would be detrimental to nearby properties or may add conditions or safeguards to the approval in order to protect the health and welfare of citizens.

i. **Drive-Through Facilities** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) Where no street separates the Use and a Residentially zoned or Residentially used property, at least 40 feet of separation shall be maintained between such Residential property Line and the Drive-Through facility.

(2) Drive-through Facilities must be located in the 3rd Layer and the location of Drive-Through Facilities and associated facilities (for example: communications systems and access aisles) shall be identified on all submitted Plans.

(3) Any speaker systems associated with a Drive-Through Facility shall be designed and located so as not to be audible beyond the Lot or Building Site on which the Drive-Through Facility is located.

(4) Vehicular access to a Drive-Through Facility that is between a Thoroughfare or Internal Drive and a Building shall require a Parcel Buffer pursuant to Section 4.3.11 if such access is within 50 feet of, and visible from, the Thoroughfare or Internal Drive. Such Buffer shall be installed and maintained along the entire length of such vehicular access and the Adjacent Thoroughfare or Internal Drive

(5) Vehicle stacking areas shall be provided in accordance with Section 4.3.12.H.

(6) All other requirements for Drive-Throughs in this Code must be met.

j. **Extractive Uses** may be permitted in accordance with the applicable Use Table, subject to the following:

(1) The application for the Use shall include a plan for restoration procedures once the operation ceases.

(2) The location of such an activity shall be in an area sparsely developed during the length of time the mining or quarrying activity is anticipated;

(3) Any permit or approval issued or granted hereunder shall be based on a Development Plan or other documents submitted with an application which shall provide, together with all other requirements for such Development Plan, the following:

(a) Existing contours of the site and up to 100 feet beyond the site boundary. Contour intervals shall be at two foot intervals.

(b) Location of the area in which the proposed quarrying activity is to be conducted.

(c) Location of all proposed buildings, crusher and screening equipment, roadways, and other facilities proposed on the site.

(d) Proposed method of drainage of the quarry area.

(e) Proposed fencing of the quarry area. Fencing shall be provided around all open excavations.

(f) Methods proposed for blasting. Open blasting commonly referred to as "pop shots" shall be prohibited.

(g) Methods proposed to control noise,

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vibration and other particulate matter in order to meet the performance standards as set out in this Ordinance.

(h) Finished contours of the site after the quarrying operation has been terminated. The site shall be graded and / or filled so as to be in substantial conformity with the topography of the surrounding lands. All fill material shall be nontoxic, nonflammable, and noncombustible solids. All areas that are back – filled shall be left so that adequate drainage is provided.

(4) Approval for mining and quarrying activity may also include accessory concrete batching plants, asphaltic cement mixing plants and/ or rock crushing activities on the same or Abutting Lots or Building Sites, which may have directly opposing Frontages on the same public street. If such accessory activities are included on the quarry site, the total site must meet all of the Conditional Use requirements for mining and quarrying activities; however, in conditions of multiple Lots or Building Sites, the outer perimeter of the site shall be considered the Lot Line or Building Site Line;

(5) Before issuing a Conditional Use permit, the Board of Zoning Appeals shall require the owner of the quarry facility to execute a bond not less than $1,000 per acre or more than $2,000 per acre of active quarry throughout a five year period to restore the lands in the manner prescribed herein, including the removal of all Structures and machinery;

(6) Any permit issued hereunder shall not be for a period exceeding five years. After the expiration date of such permit, the Board of Zoning Appeals may review and grant an extension of time in the manner and procedure as prescribed for an original application.

k. **Family Day Care Facilities** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) A maximum of 12 clients may be served at any one time.

(2) Overnight accommodation shall not be permitted.

(3) No outdoor public address systems shall be allowed.

(4) The facility shall contain twice the minimum Lot area for the underlying District.

(5) When the facility is located within a Non-Residential area, the Fire Marshall shall review the proposal prior to approval and make a recommendation.

(6) A client drop off area shall be provided. All required Parking shall be in the Rear Yard or Side Yards; however, required Parking may be located in the Street Yard if the Zoning Administrator finds that such Parking is safe, not detrimental to the neighborhood, accessible, and compatible with surrounding properties.

(7) All other standards of the applicable District shall be met.

l. **Fuel Sales and Gasoline Sales Facilities, including Convenience Store with Gasoline Sales Facility,** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) Fuel pumps shall be located at least 15 feet from any property line.

(2) No outdoor storage shall be allowed.

(3) Storage of vehicles for more than 24 hours is prohibited.

(4) A spill prevention and counter measures plan shall be provided prior to construction plan approval that includes, at a minimum:

(a) Clean up procedures for fuel (or other hazardous material) spills occurring inside and outside the Building;

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(b) Counter measures for use in preventing fuel (or other hazardous material) spills from entering the stormwater collection system;

(c) Routine cleanup procedures for work area and Parking Areas; and

(d) Washdown water shall not be permitted to enter the stormwater collection system.

(5) Pumps shall be located in the 3rd Layer.

(6) Within Districts CD-4, CD-4C, CD-5C, and PUD-MU, the maximum number of fuel dispensing pumps shall be eight per Lot or Building Site. Within District CD-5, the maximum number of fuel-dispensing pumps shall be eight for the entire District.

m. **Golf Course, Country Club, Swim Club, and Tennis Club** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) No maintenance Building or clubhouse shall be closer than 100 feet from any Residentially zoned or Residentially used land.

n. **Group Assembly Facilities** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) The locations, size and design of such facilities shall be situated so that the proposed Development shall be compatible with the Development within the surrounding area thus reducing the impact upon the surrounding area;

(2) The traffic generated by such facility shall be safely accommodated along major streets without traversing local minor streets; and

(3) When an application for a Group Assembly permit includes an amusement park, sports arena, fairground, racetrack, or similar recreational pursuits, the following requirements shall be observed:

(a) The minimum site area shall 25 acres;

(b) The minimum setback of all Structures from all public roads shall be 100 feet;

(c) Such facility shall be situated so that no Residentially zoned or Residentially used property is located closer than 500 feet from the Building entrance of such facility;

(4) Access to such facility shall be by a paved public major arterial or major collector thoroughfare. Traffic shall not be directed through Residentially zoned or Residentially used property, through areas that are Adjacent to Residentially zoned or Residentially used property, or on minor Residential streets traversing Residentially zoned or Residentially used property areas or areas that are Adjacent thereto;

(5) Any lighting provided at such facilities shall be designed so that no direct light falls on Adjacent Residential property; and

(6) Accessory Uses may be permitted in conjunction with the Principal Use of the property provided that such uses are physically designed as a part of or within the principal Structure. Such Uses may include food sales, beverage sales, gift or souvenir shops, and similar activities.

o. **Group Living** Uses indicated on the applicable Use Table as Uses Permitted with Limited Conditions are permitted subject to following:

(1) The home shall be operated in a manner that is compatible with the neighborhood and shall not be detrimental to Adjacent properties as a result of traffic, noise, refuse, parking, or other activities.

(2) When located in a Residential neighborhood, the home shall maintain a residential appearance compatible with the neighborhood.

(3) The home shall meet all state requirements, and all applicable housing and building codes.

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p. **Hazardous and Low Level Nuclear Material Disposal and Storage Areas** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) A Heavy Manufacturing Permit shall be required (See Section 8.5.22) in addition to a Conditional Use Permit.

(2) The facility shall comply with all applicable State and federal regulations.

(3) The facility shall be located at least 1,500 feet from any Residential property.

(4) Maps and engineering drawings shall be provided showing proposed drainage, proposed sewer system design, the depth of the water table, soil composition, all existing surface water, and all existing uses within ¼-mile of the property line.

(5) The site shall be enclosed by a fence or wall at least 6 feet high. Entrance and exit shall be through a gate which shall be locked during non-business hours.

(6) Any additional conditions imposed during the Heavy Manufacturing Permit or Conditional Use Permit process.

q. **Heavy Industrial Facilities, Not Otherwise Classified** may be permitted in accordance with the applicable Use Table, subject to the following:

(1) A Heavy Manufacturing Permit shall be required (See Section 8.5.22) in addition to a Conditional Use Permit.

(2) The facility shall comply with all applicable State and federal regulations.

(3) Any additional conditions imposed during the Heavy Manufacturing Permit or Conditional Use Permit process.

r. **Hospitals, Rehabilitation Facilities, and Centers for Observation** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) The minimum Side Yards and Rear Yards for Hospitals and Centers for Observation or Rehabilitation Facility shall be 50 feet for one or two Story Buildings, increased by five feet for each Story above two Stories.

(2) The location and operation of such facility shall be in keeping with the character of the surrounding area and shall not have an adverse effect on the properties in the surrounding area.

(3) All public utilities including a Central Sewage Collection and Treatment System shall be available to the site.

s. **Hotels, Motels, and Extended Stay Hotels** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) The parcel shall be accessed from a Thoroughfare or Internal Drive.

(2) Where the property line of a Motel is Adjacent to Residentially zoned or Residentially used property, the minimum depth for the required Yard along such Adjacent property shall be 50 feet and no Structures or Parking shall be permitted in the required Yard.

(3) Any Accessory Uses such as restaurants and outdoor recreational activities shall not be located on the side of Adjacent to Residentially zoned or Residentially used property.

t. **Long Term Care Facilities, Continuum of Care Facilities and Group Care Facilities** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) The purpose(s) of the facility must be clearly established by the agency responsible and the appropriate staff services must be provided to achieve the stated purpose(s).

(2) Group Care Facilities accommodating from

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seven to 12 individuals shall have 24-hour staff and professional services in the behavioral sciences available.

(3) Group Care Facilities accommodating more than 12 individuals shall have resident 24-hour staff, and shall provide professional services in the behavioral sciences.

(4) The Planning Commission must make a written finding to the Board of Zoning Appeals regarding the foregoing requirements based on advice from such agencies as the Tennessee Department of Human Services.

(5) An appropriate license must be secured for any activity regulated by any public agency, including the Tennessee Department of Human Services. Any activity lawfully regulated by any public agency may be permitted for only that time period for which a valid license is obtained. Where grades or classes of approvals are granted, only the most restrictive may be permitted.

(6) No more than one of either a Long Term Care Facility, Continuum of Care Facility, or Group Care Facility may be permitted on a single Block.

(7) A Family Care Facility may not accommodate more than one individual (excluding staff) per living room.

(8) The home shall be operated in a manner that is compatible with the neighborhood and shall not be detrimental to Adjacent properties as a result of traffic, noise, refuse, Parking or other activities.

(9) The home shall maintain a Residential appearance compatible with the neighborhood.

(10) The home shall meet all state requirements, and all applicable housing and building code requirements.

(11) A Group Care Facility must contain 1,500 square feet of net floor space for the first six residents, including resident staff, and 150 square feet of net floor space per person above six residents.

(12) Necessary utilities including a Central Sewage Collection and Treatment System shall be available to the site.

(13) Group Care Facilities accommodating from seven to 12 persons, and Family Care Facilities accommodating from one to six persons shall meet all bulk regulations for a Residence in the applicable District.

(14) Group Care Facilities accommodating from 13 to 50 persons shall have a minimum Lot/Building Site Area of five acres. When more than 50 persons are accommodated, there shall be one additional acre is required for each ten persons accommodated.

(15) The minimum Side Yards and Rear Yards for Group Care Facilities accommodating 13 or more persons shall be 50 feet for a one – or two – story building, increased by five feet for each story above two.

(16) The Development Plan shall be subject to approval by the Planning Commission, taking into account but not limited to the following considerations:

(a) Compatibility with the surrounding area;

(b) Any adverse impact of the proposed activity on the character of the area;

(c) Needed fencing and screening;

(d) Adequate open space and recreation space if appropriate; and

(e) All other requirements of this Section.

(17) Notwithstanding the factors listed above, the Board of Zoning Appeals shall be permitted to vary the Required Yards or Setbacks and the Screening for Parking when the application

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involves a change in activities in existing Structures. The Development Plan shall provide for compensating features to offset any potentially adverse conditions that might be brought about by said modification to the requirements.

u. **Manufactured Homes** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) No person shall place a Manufactured Home on any Lot or Building Site within a Residential District, unless it is used actively for Residential purposes. Non-Residential Use of a Manufactured Home may be permitted as a Temporary Use subject to Section 4.3.8.B, Temporary Construction Offices.

v. **Manufactured Home Parks** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) Applications for a Multi-family Dwelling shall be subject to the Site Development Plan Review requirements of Section 8.5.6 and shall require Planning Commission approval.

(2) Manufactured Home Parks must be designed and constructed to the same standards as a site-built subdivision to assure a safe, healthy Residential environment.

(3) Where permitted, Manufactured Homes within a Manufactured Home Park shall be located to minimize hazards due to possible subsidence, flood or erosion, and insect or rodent infestation.

(4) Landscaping and Buffering shall be provided in conformance with Section 4.3.11. A planting plan shall be submitted with the final Development Plan.

(5) Publication "NCSBCS Standard for Manufactured Home Installations" (ANSI A 225.1 – 1982), including NFPA Standard for Firesafety Criteria for Manufactured Home Installations, Sites and Communities (NFPA 501A – 1982), shall be applicable to Manufactured Home Parks, and is hereby adopted by reference.

(6) Each Manufactured Home Park shall be served by a public water supply of adequate quantity, quality and pressure.

(7) Adequate fire protection, as determined by the Municipal Fire Department, shall be provided for each Manufactured Home located within a Manufactured Home Park.

(8) Each Manufactured Home within a Manufactured Home Park shall be served by a Central Sewage Collection and Treatment System.

(9) Solid waste collection stands shall be provided for waste facilities. Such stands shall be so designed as to prevent containers from being tipped, to minimize spillage and container deterioration, and to facilitate cleaning around them. Stands shall be screened in accordance with Section 4.3.11.

(10) Service Buildings housing sanitation and laundry facilities shall be permanent Structures complying with all applicable Ordinances and statutes regulating buildings, electrical installations, and plumbing and sanitation systems.

(11) All Manufactured Home Stands shall be located within reasonable proximity to a fire hydrant or similar fire protection facilities.

(12) A safe, convenient, all-season pedestrian circulation system shall be provided and maintained between locations where pedestrian traffic is concentrated. Such common walks shall have an adequate gradient and a minimum width of three feet.

(13) Direct vehicular access to the Manufactured Home Park shall be provided by means of an abutting improved public street or way and access to each Manufactured Home

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site shall be by a permanently maintained private street or way which is protected by a permanent Easement. Sole vehicular access shall not be by an Alley.

(14) All Vehicular Use Areas used for common access for two or more residents shall be suitably paved and maintained as a condition of approval of the Manufactured Home Park.

(15) The limits of each Manufactured Home Site shall be marked on the ground by suitable means. Location of Manufactured Home Site limits on the ground shall be the same as shown on accepted plans.

(16) Manufactured Homes shall have a minimum side-to-side clearance of 25 feet and a minimum end-to-end clearance of 15 feet.

(17) There shall be a minimum distance of ten feet between the nearest edge of any Manufactured Home Stand and an Abutting Street or Internal Drive.

(18) Each Manufactured Home Site shall be provided with an outdoor living and service area. Such area shall be improved as necessary to assure reasonable privacy and comfort. The minimum area of such outdoor living and service area shall be at least 300 square feet, with a minimum dimension of 15 feet. This area shall not be counted towards required Civic Space.

w. **Manufactured Home Sales** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) The boundary of the property shall be a minimum of 500 feet from any Residentially zoned or Residentially used property.

(2) The display area shall be set back a minimum of 25 feet from the street right-of-way and shall be Screened from the Frontage in accordance with Section 4.3.11.

(3) In addition to the landscaping requirements in Sections 4.3.11 and 4.3.16, the following landscaping shall be provided within any Front (Street) Yard:

(a) An evergreen hedge which is at least 24 inches in height; or

(b) Plantings which meet the requirements for plantings under Section 4.3.9.D.6.y(5).

(c) Storage and repair activities shall be screened from off-site views.

(4) A minimum separation of at least 10 feet shall be maintained between display homes. Display homes which are visible off-site shall be provided with some type of material and/or landscaping around the base which will prevent open views underneath the Manufactured Home.

x. **Mobile Vending** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) Issuance of a Temporary Use Permit pursuant to Section 8.5.9 for a Temporary Use on private property within any Commercial or Industrial Zoning use.

(2) All Mobile Vending shall be subject to the following requirements and limitations:

(a) A plot or Building Site plan shall be required to be submitted with the Temporary Use Permit showing: the location of the vending area, the location of the site access points/driveways, the number of parking spaces that are being occupied by the temporary use, and any other necessary information, as determined by the Development Services Department

(b) Access, ingress, egress, and interior vehicular or pedestrian circulation on the private property shall not be impeded.

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(c) The primary use on site shall maintain an adequate parking supply after the temporary use site area.

(d) A written and signed agreement from the property owner granting permission for the temporary use of the property, which shall include a provision for the usage of on-site restroom facilities when tables and/or chairs are incorporated.

(e) Trash receptacle of adequate size shall be provided by the vendor.

(f) All signage shall be on located on the mobile vending apparatus.

(g) With the exception of special events, vending shall only take place in conjunction with a primary structure and/or on a hard surface conforming to Section 4.3.12.C-7 with an approved driveway entrance.

(h) With the exception of special events, the vending apparatus shall only be allowed on a parcel of land four (4) consecutive days within a seven day time period.

(3) Within Character District CD-5, on a case by case basis, Mobile Vending trucks may be permitted to set up for service or to conduct business in the public right of way under the following criteria, which shall be reviewed for approval by the Zoning Administrator:

(a) Compliance with the requirements of Sections 4.3.9.D.6.x(2)(a)-(h);

(b) Location and time of service are clearly outlined on the permit;

(c) Only one parking space as assigned by the Zoning Administrator shall be occupied;

(d) Such truck shall be removed from the parking space each day.

(e) The Use must be fulfilling a lack in culinary diversity within the area, so as to not directly compete with area brick and mortar stores.

(4) Except as set forth in Section 4.3.9.D.6.x(3) and Section 4.3.9.D.6.x(5) with respect to Character District CD-5, in order to maintain the safe movement of vehicles and pedestrians on the City's roadways, Mobile Vendors, excluding Ice Cream Truck operations, shall not be permitted to set up for service or to conduct business on any public right-of-Way.

(5) In addition to the circumstances under which Mobile Vendors may be permitted to set up for service or to conduct business in the public right of way of Character District CD-5 under Section 4.3.9.D.6.x(3), Mobile Vendors shall be permitted to set up for service or to conduct business in Character District CD-5 for a special event that includes full or partial street closures, or mass gathering permits sanctioned by the City.

(6) Permit holders with repeated violations may have the annual temporary use permit revoked.

y. **Motor Vehicle Maintenance, Repair, Fuel Sales, Service or Cleaning, other than Car Wash** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) Fuel and oil pumps, if present, shall be at least 15 feet from property lines.

(2) Pump island canopies shall be so located that a vertical downward projection of the edge nearest the Front Lot Line or Building Line shall not be closer than 1/2 the required yard depth for the District in which the Use is located.

(3) Any repair, servicing, maintenance or other work on vehicles shall be conducted within an enclosed Structure.

(4) No outdoor storage shall be allowed.

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(5) Storage of vehicles for 15 days or more shall be prohibited.

(6) A spill prevention and counter measures plan shall be provided prior to construction plan approval that includes, at a minimum:

(a) Cleanup procedures for spills occurring inside and outside the Building;

(b) Counter measures for use in preventing spills from entering the stormwater collection system;

(c) Routine cleanup procedures for work areas and Parking areas; and

(d) Wash-down water shall not be permitted to enter the stormwater collection system.

z. **Motor Vehicle Sales, Leasing, and Rentals** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) All Junk Vehicles or inoperable vehicles or equipment shall be within a completely enclosed Building.

(2) Vehicle or equipment repairs made on-site shall be conducted within an enclosed Structure.

(3) Adequate on-site area shall exist for the loading and unloading of vehicles from car carriers to ensure that no such loading or unloading occurs in any Right-of-Way.

(4) No vehicles shall be displayed in required landscaping or in Rights-of-Way.

(5) Vehicle sales, leasing, and rental facilities shall meet the following Parking Area landscaping standards rather than those of Section 4.3.12.C:

(a) Trees shall be planted at the rate of one tree per 50 linear feet, and shrubs at the rate of one shrub per five linear feet of display area.

(b) Plants may be grouped together, provided that at least 250 square feet of contiguous growing area, not encroached upon by impervious surfaces, surrounds each planted tree.

(6) The provisions of Section 4.3.9.D.6.a shall not apply.

aa. **Non-Banking Financial Institution** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) A Non-Banking Financial Institution shall be located no less than 1,320 linear feet from the property line of another property upon which another Non-Banking Financial Institution is located.

ab. **On-Street Vending** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) Issuance of a Temporary Use Permit pursuant to Section 8.5.9.

ac. **Outdoor Display** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) Outdoor Display shall be permitted only through the Administrative Adjustment process in Section 8.5.8.

(2) A binding site plan illustrating the extent of the permitted area for outdoor display shall be required.

(3) Vehicles for sale, lease or rent as part of a properly permitted Use (including boats and manufactured housing) shall not be considered merchandise, material or equipment subject to the restrictions of this Section.

(4) Plant material at a Plant Nursery or Plant Nursery with Landscape Supply shall not be considered merchandise, material or equipment subject to the restrictions of this Section.

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(5) Waste generated on-site and deposited in ordinary refuse containers shall not be subject to the restrictions of this Section.

(6) Temporary uses permitted by these zoning regulations are not subject to the requirements of this Section.

(7) The requirements of this Section do not supersede any previously issued Conditional Use or special exception for outdoor display or storage.

(8) The outdoor location of soft drink or similar vending machines shall be considered outdoor display where the location is visible from Adjacent Residential Development.

(9) Outdoor acceptance of payment or other remittance (including cash registers or similar devices) shall not be permitted, except for activities permitted through a Temporary Use permit.

ad. **Outdoor Recreation** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) The use shall have direct access from a major or minor thoroughfare.

(2) Food sales shall be provided for patrons of the recreational activity only.

(3) Passive recreational activities may use alternative Parking surfaces as approved by the City Engineer.

ae. **Outdoor Storage,** where permitted by this Ordinance, all shall be located only in the 3rd Layer and at least 15 feet from the public right-of-way and any Abutting Residential Use or Residential District.

af. **Parking Lots** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) No storage, repair, or sales of vehicles shall be allowed on the site.

(2) A wall or fence no more than 30 inches in height shall be placed around the perimeter of the Parking area to prevent Encroachment of vehicles into the surrounding area.

(3) Compliance with all other applicable provisions of this Code related to Parking Lots.

ag. **Self-Service Storage Facilities** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) Except when located within District SD-LI or SD-HI, there shall be a Parcel Buffer provided pursuant to Section 4.3.11.H, which shall include a perimeter fence no less than four feet and no more than eight feet in height. Such fence shall be Screened in accordance with Section 4.3.1.

(2) Barbed-wire, razor wire, or similar accoutrements may not be used on portions of the fence visible from a roadway. Acceptable materials include wrought iron, aluminum, stone, brick or other materials with similar appearance.

(3) One Loading Space shall be provided for each 10,000 square feet of enclosed storage area.

(4) When located within a PUD District, the Use shall maintain a minimum 300 foot Setback from any property line along arterial roadways.

ah. **Short-Term Rental Units** shall be permitted in acordance with the applicable Use Table, subject to the following:

(1) the Short-Term Rental Unit must be in a Building originally used or designed to be used as an abode or home of a person, family, or household in either a portion of a single-family house, or an individual Dwelling Unit in a two-family Dwelling, or townhouse, which Short-Term Rental Unit is rented wholly or partially for a period of less than thirty (30) continuous

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days occupancy for a fee;

(2) the owner, defined as Single-Family Dwelling, of such Short-Term Rental Unit must reside on the premise;

(3) each Short-Term Rental Unit must be registered with and licensed by the City.

ai. **Townhouses or Rowhouses** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) Party walls, subject to the provisions of the Standard Building Code and National Fire Protection Association Fire Code, shall be provided along all points of attachment.

aj. **Transfer Stations and Recycling Facilities** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) The transfer station shall handle only waste that can be legally handled or disposed of in a solid waste landfill facility. This limitation shall not preclude use of the transfer station site for collection, processing, storage, and transfer of recyclable materials or for other waste reduction activities.

(2) Recycling facilities shall handle only recyclable materials for which a permit has been obtained through the appropriate regulatory agency.

(3) The entrance Driveway shall be located on a major thoroughfare located within 2,000 feet of an interstate highway interchange.

(4) There shall be at least 500 feet of separation between the facility [building and vehicular use areas adjacent to the building] and the nearest Residential Structure.

(5) The facility shall conform to all applicable State and federal regulations.

ak. **Utility Facilities** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) Utility Facilities in Residential areas or adjoining Residential Uses shall maintain Residential area Setbacks or Required Yards, be fenced (unless totally enclosed with a Structure), and either be screened from view or designed to have a Residential appearance.

(2) Expansion of Utility Facilities originally approved through the issuance of a Conditional Use Permit pursuant to Section 8.5.16 of up to 20% or 1,000 square feet, whichever is greater, may be approved administratively by the Zoning Administrator.

al. **Waste Handling Facility, Not Otherwise Classified** may be permitted in accordance with the applicable Use Table, subject to the following:

(1) A Heavy Manufacturing Permit shall be required (See Section 8.5.22) in addition to a Conditional Use Permit.

(2) The facility shall comply with all applicable State and federal regulations.

(3) Any additional conditions imposed during the Heavy Manufacturing Permit or Conditional Use Permit process.

am. **Wireless Communication Facilities other than Communications Towers** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) The requirements set forth in this Section 4.3.9.D.6.n. shall govern the location of Towers that exceed, and antennas that are installed at a height in excess of 70 feet. The height limitations applicable to Buildings and Structures shall not apply to Towers and Antennas.

(2) Antennas or Towers located on property owned, leased, or otherwise controlled by the CITY shall be exempt from the requirements of this subsection, provided a license or lease

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authorizing such Antenna or Tower has been approved by City Council.

(3) This Section shall not govern any Tower, or the installation of any Antenna, that is under 70 feet in height and is owned and operated by a federally – licensed amateur radio station operator or is used exclusively for receive – only Antennas.

(4) The following requirements must be met:

(a) Site and landscape plans drawn to scale and landscape plans drawn to scale;

(b) A report including a description of the Tower with technical reasons for its design;

(c) Documentation establishing the structural integrity for the Tower's proposed uses, certified by a professional engineer licensed in the State of Tennessee competent in such design, the general capacity of the Tower and information necessary to assure that ANSI (American National Standard Institute) standards are met;

(d) A statement of intent whether excess space on the Tower will be leased;

(e) Proof of ownership of the site or a copy of the owner's authorization to use the site;

(f) Copies of any Easements necessary to gain access or limited Development areas;

(g) An analysis of the site containing existing topographical contours;

(h) A written opinion from an appropriate authority that the soils and underlying materials will support the intended Structure;

(i) Evidence that the Tower facility meets technical emissions standards set by the FCC (Federal Communication Commission);

(j) Evidence of "Determination of No Hazard" from the FAA (Federal Aviation Administration), as well as all required FCC permit information;

(k) Alternatives to the Tower location and why this site was selected; and

(l) Evidence that the site complies with requirements of the NEPA (National Environmental Policy Act) in regard to impact on wildlife, endangered species, historical sites, Native American religious sites, floodplains, wetlands, high intensity white lights in Residential neighborhoods ,and frequency emissions in excess of FCC guidelines.

(5) Towers may be built on the same Lot or Building Site with another Principal Use. A separation a minimum of the Tower height between the Tower and any other Principal Use is required in order to provide for the health, safety and welfare of individuals and Structures occupying the same site. Joint use is prohibited on a Lot or Building Site where a proposed or existing Principal Use includes the storage, distribution or sale of volatile, flammable, explosive or hazardous wastes such as LP gas, propane, gasoline, natural gas and corrosive or dangerous chemicals.

(6) Towers 80 feet or more in height shall be located on the Lot so that the distance from the base of the Tower to any adjoining property line or supporting Structure of another Tower is a minimum of 100% of the proposed Tower height. No Variance shall be granted from this minimum setback requirement.

(7) Except as specifically required by the FAA (Federal Aviation Administration) or the FCC (Federal Communication Commission), transmission Structures shall:

(a) use colors such as gray, blue or green which reduce their visual impacts; provided, wooden poles do not have to be painted; and

(b) not be illuminated, except equipment shelters may use lighting for security reasons

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which is compatible with the surrounding neighborhood;

(c) not use strobe lights unless specifically required by FAA.

(8) Any proposed Tower shall be structurally designed so as to accommodate the minimum number of foreseeable shared users.

(9) No advertising or display is permitted on any Communication Tower.

(10) Any Accessory Buildings or Structures shall be located a minimum of 50 feet from any adjoining property line. Except for emergency purposes, the accessory facilities may not include offices, long-term vehicular storage, other outdoor storage, or broadcast studios, unless the Use is permitted in the District.

(11) The Tower base and equipment area shall be enclosed with a fence no less than six feet in height. Access shall be locked at all times when the site is not occupied.

(12) 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 material as will provide an evergreen Screen. Screening as required herein shall be not less than four feet in height at the time of planting and shall be permanently maintained.

(13) Location on any other Structure other than a Tower (i.e. water tank, utility poles, roof tops, etc.) is permitted subject to the provisions listed above relating to a Tower location.

(14) Co – location on Towers is encouraged. The Zoning Administrator has authority to approve a co – location on an existing Tower subject to:

(a) receipt of a letter from a licensed engineer stating that the Tower is structurally adequate to handle the additional load; and

(b) the FCC technical emissions standards not being exceeded.

(15) Any Antenna or Tower that is not operated for a continuous period of 12 months shall be considered abandoned and the owner of such antenna or tower, as well as any shared user(s) of the Tower or Antenna, shall remove same within 90 days of receipt of notice from the City notifying the owner and shared user(s) of such abandonment. If such Antenna or Tower is not removed within said 90 days, the City may remove or have the Structure removed at the owner's expense.

an. **Wrecking, junk, and salvage yards** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) A Heavy Manufacturing Permit shall be required (See Section 8.5.22) in addition to a Conditional Use Permit.

(2) The facility shall not be within 1,000 feet of Residentially zoned or Residentially used property; however, intervening highways, streets, railroads, and similar Rights-of-Ways shall be included in the 1,000-foot measurement.

(3) The facilities shall be enclosed by a fence and shall be Screened from view. The fence shall be six-feet high, measured from the lowest point of grade. The fence shall be maintained in good condition. No stored materials shall be visible from ground level immediately outside the fence.

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(4) A spill prevention and countermeasures plan shall be provided prior to construction plan approval that includes, at a minimum:

(a) Cleanup procedures for spills occurring inside and outside the Building;

(b) Countermeasures to prevent spills from entering the stormwater collection system; and

(c) Routine cleanup procedures for work areas and parking areas. Washdown water shall not be permitted to enter the stormwater collection system.

(5) Any additional conditions imposed during the Heavy Manufacturing Permit or Conditional Use Permit process.

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F. General Performance Standards for All Uses.

1. Any activity which releases smoke, particulate matter, gases or contaminants into the atmosphere shall comply with all applicable federal and State regulations.

2. All activities shall comply with the City Fire Codes.

3. All activities shall comply at a minimum with all applicable State and federal regulations as well as the appropriate County Health Department regulations and City and County fire department regulations for hazardous materials and wastes.

4. All activities shall control electromagnetic frequencies so that there is no interference in the operation of equipment off-site and no adverse effects to persons off-site.

5. Any activity which discharges material or liquids into sanitary sewers shall conform to all federal, state and local discharge and release regulations. City sanitation ordinances may also apply. The drainage of waste or stored materials onto adjacent properties or directly into creeks and watercourses or into the stormwater conveyance system is prohibited. Only uncontaminated stormwater runoff may be discharged into the stormwater conveyance system.

6. All activities shall comply with all federal and State regulations which apply to the handling, storage, and disposal of nuclear material.

7. All activities shall comply with all City regulations which pertain to the emanation of sound waves.

G. Accessory Uses.

1. Accessory Uses are Permitted by Right, Permitted Subject to Limited Use Standards, as Conditional Uses, or Not Permitted, as indicated in **Table 4.3.9.A-2 (Building, Lot & Building Site Accessory Uses).**

2. Those Uses shown in **Table 4.3.9.A-2 (Building, Lot & Building Site Accessory Uses)** as "P" (Permitted Accessory Use) are permitted in the applicable District, as indicated, if subordinate and customarily incidental to a permitted Principal Use existing on the Lot or Building Site.

3. Those Uses shown in **Table 4.3.9.A-2 (Building, Lot & Building Site Accessory Uses)** as "CU" (Conditional Use) are permitted in the applicable District, as indicated, if compliant with all applicable standards, requirements and conditions of Section 4.3.9.D, and subject to issuance of a Conditional Use Permit pursuant to Section 8.5.16.

4. Those Uses shown in **Table 4.3.9.A-2 (Building, Lot & Building Site Accessory Uses)** as "PL" (Permitted Subject to Limited Use Standards) are permitted in the applicable District, as indicated, if compliant with all applicable standards, requirements and conditions of Section 4.3.9.D.

LEGEND The following notations are utilized in this table. * Except as exempted under TCA Sec. 44-18-104(c)(4).				
P Permitted by Right	CU Conditional Use	NP Not Permitted	PL Permitted Subject to Limited Use Standards	PUD Per PUD Approval

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TABLE 4.3.9.A–2 BUILDING, LOT & BUILDING SITE ACCESSORY USES

ACCESSORY USE	CD–2	CD–3L	CD–3	CD–4	CD–4C	CD–5	CD–5C	SD–MHP	SD–INT	SD–LI	SD–HI	PUD –R	PUD–MU	PUD OTHER	CV
RESIDENTIAL / DWELLING															
Accessory Building	P	P	P	P	P	P	P	P	P	P	P	P	P	PUD	P
Accessory Dwelling Unit	P	P	P	P	P	P	P		NP	NP	NP	P	NP	PUD	NP
Accessory Garden Center	NP	NP	NP	NP	P	NP	P	NP	P	P	NP	NP	NP	PUD	NP
Parish House, Rectory, Parsonage, Monastery, or Convent on Site with Place of Worship	P	P	P	P	P	P	P	P	P	P	NP	P	NP	PUD	P
Dormitory on Site with Educational Institution	NP	NP	NP	P	P	P	P	P	P	P	NP	NP	NP	PUD	P
Hazardous Materials Storage	NP	NP	NP	NP	NP	NP	NP	NP	CU	CU	CU	NP	NP	PUD	NP
Home Occupations	P	P	P	P	P	P	P	P	P	P	NP	P	P	PUD	NP
Child Care for 4 or fewer In Home	P	P	P	P	P	P	P	P	NP	P	NP	P	P	PUD	NP
Outdoor Storage	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL	PL	NP	NP	PUD	NP
Parking Area	P	P	P	P	P	P	P	P	P	P	P	P	P	PUD	P
Recreation, refreshment and service uses of Structures in Civic Space incidental to the Civic Principal Use	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	PUD	P
Retail Sales Accessory to Light Manufacturing or Warehouse	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	NP	NP	NP	PUD	NP

LEGEND The following notations are utilized in this table. * Except as exempted under TCA Sec. 44-18-104(c)(4).				
P Permitted by Right	CU Conditional Use	NP Not Permitted	PL Permitted Subject to Limited Use Standards	PUD Per PUD Approval

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TABLE 4.3.9.A–2 BUILDING, LOT & BUILDING SITE ACCESSORY USES

ACCESSORY USE	CD–2	CD–3L	CD–3	CD–4	CD–4C	CD–5	CD–5C	SD–MHP	SD–INT	SD–LI	SD–HI	PUD –R	PUD–MU	PUD OTHER	CV
Motor Vehicle Maintenance that is routine, periodic and incidental, if inside Garage or in 3rd Layer & vehicle is owned and registered occupant of Dwelling	P	P	P	P	P	P	P	P	P	P	P	P	P	PUD	NP
Outdoor Display	NP	NP	NP	PL	PL	PL	PL	PL	PL	PL	NP	NP	PL	PUD	PL
School on site with Place of Worship	P	P	P	P	P	P	P	P	P	P	NP	P	NP	PUD	P
Seminary on site with Place of Worship	P	P	P	P	P	P	P	P	P	P	NP	P	NP	PUD	P
Solar Panels	P	P	P	P	P	P	P	P	P	P	P	P	P	PUD	P
Sports Court, Swimming Pool, Hot Tub in 3rd Layer	P	P	P	P	P	P	P	P	P	P	NP	P	NP	PUD	NP
Tasting Room on site with Brewery, Distillery, Winery	NP	NP	NP	P	P	P	P	P	P	P	P	NP	NP	PUD	NP
Telecommunications Receiving Equipment	P	P	P	P	P	P	P	P	P	P	P	P	P	PUD	P
Wireless Telecommunications Facility	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	PUD	CU

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H. Temporary Uses

1. Temporary Uses indicated in **Table 4.3.9.A–3 (Building, Lot & Building Site Temporary Uses)** as Permitted ("P") are allowed by right, subject to the issuance of a Temporary Use Permit by the Zoning Administrator.

2. Temporary Uses indicated in **Table 4.3.9.A–3 (Building, Lot & Building Site Temporary Uses)** as Permitted Subject to Limited Use Standards ("PL") are allowed by right provided that the applicable standards and requirements are met, subject to the issuance of a Temporary Use Permit by the Zoning Administrator.

3. Temporary Uses indicated in **Table 4.3.9.A–3 (Building, Lot & Building Site Temporary Uses)** as Conditional Use ("CU") are allowed by Conditional Use Permit, subject to compliance with the Conditional Use requirements of this Article and the issuance of a Temporary Use Permit by the Zoning Administrator.

4. Temporary Uses indicated in **Table 4.3.9.A–3 (Building, Lot & Building Site Temporary Uses)** as Not Permitted ("NP"), not allowed as Permitted ("P") or allowed as a Conditional Use ("CU"), or otherwise prohibited by this Ordinance are prohibited as Temporary Uses.

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TABLE 4.3.9.A–3 BUILDING, LOT & BUILDING SITE TEMPORARY USES

TEMPORARY USE	CD–2	CD–3L	CD–3	CD–4C	CD–4	CD–5	CD–5 C	SD–MHP	SD–INT	SD–LI	SD–HI	PUD–R	PUD– MU	PUD–OTHER	CV
Trailers in Third Layer for Storage of Goods Associated with Commercial Principal Use, for up to 6 mos with possible extension to 12 mos	NP	NP	NP	CU	CU	CU	CU	CU	CU	CU	CU	NP	CU	PUD	NP
Seasonal Uses or Uses for Unusual Non–Recurrent Events, for no more than 30 days	P	P	P	P	P	P	P	P	P	P	P	P	P	PUD	P
New Subdivision Sales & Management Office, until development completion	P	P	P	P	P	P	P	P	NP	P	P	P	P	PUD	NP
Construction Office Trailer	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P

4.3.10 Encroachments.

Encroachments of Building Elements are allowed within each District and Civic District only as set forth in **Table 4.3.10 Encroachments.**

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~~TABLE 4.3.10~~ ENCROACHMENTS

Encroachments – Required Setbacks & Yards*

**Encroachments shall not requirements for a clear sight triangle.*

Encroachment Type	Front/Street	Side	Rear
Steps to Building Entrance	P	P	P
Open Porches, including steps	P up to 25% Setback / Yard	P	P
Patios, in permitted applicable Layer	NP	P	P
Decks, in permitted applicable Layer	NP	P up to 25% Setback / Yard	P up to 25% Setback / Yard
Openwork Fire Escapes & Fire Balconies	NP	P by no more than 6 ft.	P by no more than 6 ft.
Chimney flues, sills, belt courses, cornices, buttresses eaves and other Architectural Features	P	P	P
Satellite dishes/ antennae	NP	NP	P
Mechanical equipment, including HVAC	NP	P	P
Underground utility lines, wires and associated Structures (e.g. poles)	P	P	P
Fences, hedges, walls, Shrubbery, and other landscape features	P	P	P
Parking Areas, Loading Areas and Driveways in 3rd Layer	NP	P	P
Bicycle Parking	P	P	P
Stoops	P	P	P
Balconies and Bay Windows	P	P	P

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Encroachments – Required Setbacks & Yards (continued)

Encroachment Type	Front/Street	Side	Rear
Driveways & Sidewalks	P	P	P
Retaining walls	P < 3 ft. in height	P < 4 ft. in height	< 6 ft. in height
Awnings or canopies w/out support other than integral or wall support	P up to 6 ft.	P	P
Signs permitted by Article 7 (Signs)	P	P	P
Eaves, gutters, or downspouts	P ≤ greater of 24" or 20% of Setback / Yard	P ≤ greater of 24 in. or 20% of Setback / Yard	P ≤ greater of 24 in. or 20% of Setback / Yard
Flagpoles w/ ≤ 1 structural ground member	P	P	P
CLot or Building Sitehes poles or lines	NP	NP	P
Mailboxes	P	P	P
Sculptures or similar artistic objects	P	P	P
Street furniture, such as benches, drinking fountains, trash receptacles, ash trays, & lighting standards	P	P	P

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4.3.11 Screens, Streetscreens, & Lot/Building Site/Parcel Buffers

A. Compliance with Standards.

Any Screen, Streetscreen, or Buffer required under this Ordinance shall comply with the applicable standards and requirements in **Tables 4.3.1-A – 4.3.1-U (District Standards)**, and this Section 4.3.11.

B. When Screening Required.

Screening of the items and conditions indicated shall be provided as required for each applicable District in **Tables 4.3.1-A – 4.3.1-U (District Standards)**, and this Section 4.3.11, except in each case, at any Driveway.

C. Location of Streetscreen.

Any Streetscreen must be located as set forth in **Tables 4.3.1-A – 4.3.1-U (District Standards)**.

D. Wall Screen / Streetscreen Material.

A Wall Screen or Streetscreen shall be constructed of the materials specified in **Tables 4.3.1-A – 4.3.1-U (District Standards).**

E. Fence Screen / Streetscreen Material.

A Fence Screen or Streetscreen shall be constructed of the materials specified in **Tables 4.3.1-A – 4.3.1-U (District Standards).**

F. Hedge Screen / Streetscreen Standards.

A hedge Screen or Streetscreen shall consist of plants meeting the standards of **Tables 4.3.1-A – 4.3.1-U (District Standards)**.

G. Openings in Streetscreens.

Streetscreens shall have openings no larger than necessary to allow vehicular and pedestrian access.

H. Lot/Building Site/Parcel Buffer Requirements.

1. For Project Buffers applicable to Development Parcels, see Section 5.8.

2. If a Project Buffer exists or is required pursuant to Section 5.7, a Lot/Building Site/ Parcel Buffer is not required under this Section 4.3.11.H.

3. Except as provided in paragraph 4.3.11.H.2 or as otherwise specifically provided in this Ordinance, a Lot/Building Site/ Parcel Buffer must be provided for any new Development or Structure within Districts CD-4C, CD-5C, PUD-R, PUD-MU, or any Special District, along the common Lot, Building Site, or parcel boundary of such Development or Structure and that of any Lot, Building Site, or parcel on which a single-family Dwelling or Two-Family Detached Residential Dwelling is located. Except as otherwise specifically provided in this Ordinance, all Lot/ Building Site/ Parcel Buffers required under this Article 4 must meet the following requirements:

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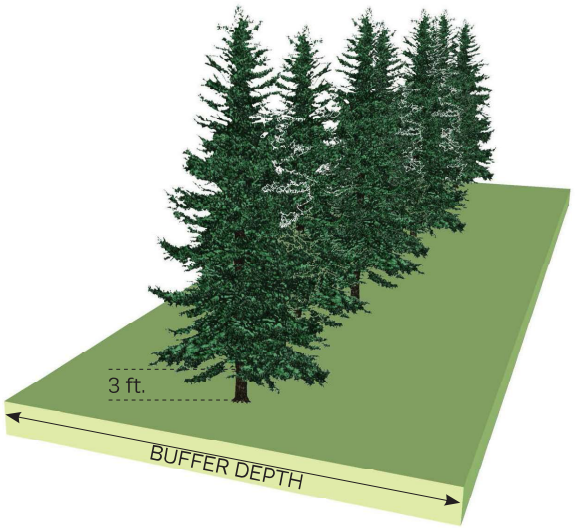
TABLE 4.3.11.H.–1 LOT/BUILDING SITE/PARCEL BUFFER

District of New Dev/ Structure	Buffer Depth	Buffer Design
CD–4C	25 ft.	Min. 90% opacity 3 ft. from ground and up; Evergreen plants > 2.5 in. caliper measured 3 ft from ground & 8 ft. tall @ installation & 20 ft. tall @ maturity, planted < 10 ft. o.c.
CD–5C	25 ft.	Same
PUD–R or PUD–MU	75 ft.	Same
SD–MHP	50 ft.	Same
SD–INT, SD–LI, or SD–HI	100 ft.	Same

ILLUSTRATION 4.3.11.H–2 BUFFER



4.3.12 Parking

A. General.

1. Within each District, all Parking Areas, Parking Structures, Parking Lots, Garages, and other Parking accommodations shall be provided, located, designed, accessed, constructed, maintained, operated, and otherwise meet the standards and requirements specified for the applicable District in **Tables 4.3.1–A– 4.3.1–U (District Standards)**, **Table 4.3.12.B (Vehicular Parking Requirements)** and **Table 4.3.12.C (Off–Street Vehicular Parking Space Dimensions)** or **Table 4.3.12.A–3 (Off–Street Compact Vehicular Parking Space Dimensions)**, except as they may be modified by the handicapped Parking regulations found in Section 4.3.12.B.9 and 4.3.12.B.10.

B. Parking Required.

1. Vehicular Parking shall be provided in accordance with this Section 4.3.12.B and **Table 4.3.12.B (Vehicular Parking Requirements),** shall comply with and be located and in accordance with **Tables 4.3.1–A–4.3.1–U (District Standards)** and shall be designed in accordance with Section 4.3.12.C and **Table 4.3.12.C (Off–Street Vehicular Parking Space Dimensions).**

2. Vehicular Parking required for each Lot or Building Site shall be determined based on the quantity of Principal Use(s) of the Lot or Building Site and the number of spaces available to the Lot or Building Site, as determined by Section 4.3.12.B, Section 4.3.12.4, and **Table 4.3.12.B–1 (Vehicular Parking Requirements).**

3. The number of spaces of Parking available to a Lot or Building Site is the sum of

a. All spaces within the Lot or Building Site,

b. All spaces Adjacent to the Frontage Line on the same side of the Thoroughfare or Internal Drive as the Lot or Building Site, and

c. If elected by the Applicant, all spaces within the same or an Adjacent Block within a public Parking Lot or Parking Structure or by Parking agreement or Easement.

d. Any fractional spaces shall be rounded down to the nearest whole number.

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TABLE 4.3.12.B-1 VEHICULAR PARKING REQUIREMENTS

PRINCIPAL USE	Minimum Number of Spaces of Parking Available to Lot Per Unit of Measure
AGRICULTURAL & EXTRACTIVE USES CATEGORY	
Agricultural	
Any Agricultural Use	Not Regulated
Extractive	
Any Extractive Use	Not Regulated
RESIDENTIAL USES CATEGORY	
Household Living	
Attached Dwellings, except Two Family Dwelling	2 per Dwelling Unit in PUD-R & PUD-MU; 1.5 per Dwelling Unit in other Districts
Residence Portion of a Live/Work, Mixed-Use, or Flex Building	1.5 per Dwelling Unit
Single-Family Detached Dwellings	2 per Dwelling Unit, plus 1 per any rented room
Two Family Dwellings	2 per Dwelling Unit
Group Living	
Group Living Home	2 per Group Living Home + 1 per each counselor
Other Residential Use Not Listed Under Any Use Category	1.5 per Dwelling Unit
CIVIC USES CATEGORY	
Community Service	
Auditorium (Civic)	1 per 200 square feet of total Usable Floor Area
Civic Building	1 per 3 permanent seats, or 1 per each 40 square feet of seating area where fixed seating is not provided
Civic Space - Community Garden, Green, Square, Plaza, Park, Playground, Sports Field	1 per 5,000 square feet of gross land area
Club or Lodge (Civic)	1 per 1,000 square feet of total Usable Floor Area
Conference / Convention / Exhibition Center /	1 per 3 permanent seats, or 1 per each 40 square feet of seating area where fixed seating is not provided
Courthouse	1 per employee plus 1 per every 3 seats of seating available to the public in the courtrooms
Food Distribution Center (Civic)	1 per 1,000 square feet of total Usable Floor Area
Gallery / Museum	1 per 3 permanent seats, or 1 per each 40 square feet of seating area where fixed seating is not provided
Library	1 per each 100 square feet of seating area
Parking Lot / Parking Structure (Civic)	Not Regulated
Performing Arts Venue	1 per 3 permanent seats, or 1 per each 40 square feet of seating area where fixed seating is not provided
Place of Assembly	1 per 3 permanent seats, or 1 per each 40 square feet of seating area where fixed seating is not provided
Post Office	1 per 500 square feet of Usable Floor Area

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TABLE 4.3.12.B–1 VEHICULAR PARKING REQUIREMENTS

PRINCIPAL USE	Minimum Number of Spaces of Parking Available to Lot Per Unit of Measure
Recreation Facility (Civic)	1 per 200 square feet of activity Usable Floor Area +1 per 200 square feet of gross swimming water surface area + 2 spaces per tennis court + 5 spaces per basketball court + 15 spaces per athletic field
Sports Venue	1 per 3 permanent seats, or 1 per each 40 square feet of seating area where fixed seating is not provided
Transit Shelter	Not Regulated
Transit Station or Terminal	Transit vehicle storage space + 1 per 150 square feet of waiting area + 1 per 2 employees
Day Care Facilities (Civic)	
All Day Care Facilities (Civic)	1 per employee + 1 per 10 clients accommodated
Government Facilities	
Correctional Facilities	1 per employee and 1 per 20 inmates
Other Government Facility Use not listed under any Use Category	1 per employee + 1 per 500 square feet of public Usable Floor Area
Open Space	
Any Open Space, excluding Civic Space	Not Regulated
Religious Facilities	
Any Place of Worship or other Religious Facility	1 per 3 permanent seats, or 1 per each 40 square feet of seating area where fixed seating is not provided
Other Civic Uses	
Other Civic Use Not Listed Under Any Other Use Category	Not Regulated
CIVIL SUPPORT USE CATEGORY	
Cemetery / Funeral Services	1 per full time employee + 1 per 40 square feet of public Usable Floor Area
Fire / EMS Station or Police Station	Not Regulated
EDUCATIONAL USES CATEGORY	
Adult Education / Personal Improvement / Business, Trade & Vocational Schools	
Adult Continuing Education	1 per teacher or other staff + .50 per student seat
Business, trade, or vocational school other than truck driving	1 per teacher or other staff + .50 per student seat
Personal Improvement Education	.50 per student seat + 1 per teacher or other staff
Truck Driving School	1 per teacher or other staff + 1 per student
Pre-School / Primary / Intermediate / Secondary Schools	
Pre-School	1 per teacher or other staff + 1 per 20 students
Kindergarten	1 per teacher or other staff + 1 per 20 students
Elementary School	1 per teacher or other staff+ 1 per 20 students

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TABLE 4.3.12.B-1 VEHICULAR PARKING REQUIREMENTS

PRINCIPAL USE	Minimum Number of Spaces of Parking Available to Lot Per Unit of Measure
Middle School	1 per teacher or other staff+ 1 per 20 students
High School	1 per teacher or other staff + .50 per student seat
Post-Secondary School	
College or University	1 per teacher or other staff + 1 per student seat
Community College	1 per teacher or other staff + 1 per student seat
Graduate or Professional School	1 per teacher or other staff + 1 per student seat
Nursing or Medical Schools not accessory to a Hospital	1 per teacher or other staff + 1 per student seat
Seminary	1 per teacher or other staff + 1 per student seat
Other Educational Use	
Other Educational Use Not Listed In Any Other Category	1 per teacher, instructor, care giver or other staff + 1 per 20 students or children
INSTITUTIONAL USE CATEGORY	
Health Care	
Clinic	2 per patient room
Hospice, other than at-home care	.50 per bed
Hospital	.50 per bed
Rehabilitation Facility or Facility for Observation	.50 per bed
Long Term Care	
Long Term Care Facility or Continuum of Care Facility	1 per 3 beds
Other Institutional Use	
Other Institutional Uses Not Listed in any Use Category	1 per patient or client room
COMMERCIAL USES CATEGORY	
Accommodations / Lodging	
Bed & Breakfast or Inn	1 per Dwelling Unit + 1 per guest bedroom + 1 per each 2 employees on the premises at one time
Boarding or Rooming House	1 per guest bedroom + 1 per each 2 employees on the premises at one time
Hotel, Extended Stay Hotel, or Motel	1 per guest bedroom + 1 per each 2 employees on the premises at one time
Short-Term Rental Unit	1 per bedroom + 1 per each additional bed, cot, sofa, or other sleeping accommodation
Other Accommodation / Lodging Use Not Listed Under Any Use Category	Not Regulated
Day Care / Personal & Group Care (non-Civic)	
Adult Day Care (non-Civic)	1 per staff member + 1 per 3 seats or 1 per 200 square feet of activity Usable Floor Area, whichever is greater
Child Care Facility (non-Civic), excluding Child Care in Home	1 per staff member + .50 per child

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TABLE 4.3.12.B-1 VEHICULAR PARKING REQUIREMENTS

PRINCIPAL USE	Minimum Number of Spaces of Parking Available to Lot Per Unit of Measure
Children's Day Camp	1 per staff member + .50 per child
Group Day Care or Facility or Family Day Care	1 per staff member + .50 per client
Other Day Care / Personal & Group Care (non-Civic)	
Other Day Care / Personal & Group Care (non-Civic)	Not Regulated
Indoor Recreation - Commercial	
Bowling Alley	1 per 500 square feet of total Usable Floor Area
Commercial Indoor Athletic Training Facility	1 per 1,000 square feet of total Usable Floor Area
Game Arcade	1 per 100 square feet of total Usable Floor Area
Gymnastics Facility	1 per 1,000 square feet of total Usable Floor Area
Indoor firing range	1 per 500 square feet of total Usable Floor Area
Indoor Sports Academy	1 per 1,000 square feet of total Usable Floor Area
Movie or other Theater (non-Civic)	1 per theater, bar, or dining seat or 1 per 100 square feet of total Usable Floor Area, whichever is greater
Pool Hall	1 per 300 square feet of total Usable Floor Area
Recreation Facility	1 per 200 square feet of activity Usable Floor Area +1 per 200 square feet of gross swimming water surface area + 2 spaces per tennis court + 5 spaces per basketball court + 15 spaces per athletic field
Skating Rink	1 per 300 square feet of total Usable Floor Area
Social (or Civic) Club, Lodge, or Organization	1 per 200 square feet of gathering or activity Usable Floor Area
Other Indoor Recreation - Commercial Use Not Listed Under any Use Category	1 per 500 square feet of total Usable Floor Area
Group Assembly (non-Civic)	
Any Group Assembly (non-Civic)	1 per 4 seats
Outdoor Recreation - Commercial	
Amphitheater	1 per 2 seats + 1 per 20 square feet of standing area
BMX Bicycle Park	1 per biker accommodated or 1 per 5,000 square feet, whichever is greater
Campground	1 per campsite
Drive-In Theater	1 per vehicle accommodated
Firing Range, such as Rifle Range, Archery Range, Handgun Range, or Skeet Shooting	1 per customer firing stand
Golf Course, Swim Club, Tennis Club, Country Club	Per Planning Commission Approval
Marina / Boating Facility	1 per Boat Slip
Recreational Vehicle (RV) Park	1 per motorized RV space + 1 per non-motorized RV space
Paintball Park	Per Planning Commission Approval

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TABLE 4.3.12.B-1 VEHICULAR PARKING REQUIREMENTS

PRINCIPAL USE	Minimum Number of Spaces of Parking Available to Lot Per Unit of Measure
Outdoor Entertainment Activity, such as Batting Cage, Golf Driving Range, Amusement Park, Miniature Golf Facility	Per Planning Commission Approval
Skateboard Park	Per Planning Commission Approval
Sports Field	Per Planning Commission Approval
Stadium / Arena	Per Planning Commission Approval
Summer Camp (overnight)	Per Planning Commission Approval
Swimming Pool	Per Planning Commission Approval
Tennis Club	Per Planning Commission Approval
Water Park	Per Planning Commission Approval
Other Outdoor Recreation Use – Commercial Not Listed under any other Use Category	Per Planning Commission Approval
Parking – Commercial	
Parking Lot	Not Regulated
Parking Structure	Not Regulated
Restaurant	
Restaurant without Drive-Through Facility or Drive-In Facility	1 per 100 square feet of total Usable Floor Area
Restaurant with Drive-Through Facility or Drive-In Facility	1 per 100 square feet of total Usable Floor Area
Small-scale Catering without Drive-Through Facility	1 per 300 square feet of total Usable Floor Area
Bars, Taverns & Nightclubs	
Bar, Tavern, or Nightclub	1 per 100 square feet of total Usable Floor Area
Retail / Personal Service / Repair / Art / Artisan	
Alcoholic Beverage Retail Sales	1 per 300 square feet of total Usable Floor Area
Artisan Establishment, with or without Retail Sales	1 per 500 square feet of total Usable Floor Area
Arts-Related Uses	1 per 500 square feet of total Usable Floor Area
Mail-Order or On-Line Retail Sales	1 per 1,000 square feet of total Usable Floor Area
Motor Vehicle Sales, Rental, or Leasing or Motor Vehicle Maintenance / Cleaning / Repair / Service	1 per 500 square feet of total Usable Floor Area
On-Street Vending / Mobile Vending	None Required
Personal Services, other than Motor Vehicle Maintenance / Cleaning / Repair / Service	2 per work station if applicable, or 1 per 500 square feet of total Usable Floor Area
Repair Services, other than Motor Vehicle Maintenance / Cleaning / Repair / Service	1 per 500 square feet of total Usable Floor Area
Retail Membership Club	1 per 500 square feet of total Usable Floor Area

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TABLE 4.3.12.B-1 VEHICULAR PARKING REQUIREMENTS

PRINCIPAL USE	Minimum Number of Spaces of Parking Available to Lot Per Unit of Measure
Retail Food Sales, with or without on-premises preparation or processing	1 per 200 square feet of total Usable Floor Area
Recreation Facility (non-Civic)	1 per 1,000 square feet of total Usable Floor Area
Veterinary Clinic, Animal Hospital, or Non-Agricultural Kennel	1 per treatment, procedure, or surgical room + 100 square feet of total other Usable Floor Area
Warehouse Retail	1 per 1,000 square feet of total Usable Floor Area
Other Retail Sales, Rental, or Leasing Uses Not Listed Above	1 per 500 square feet of gross floor area
Self-Service Storage	
Self-Service Storage	1 per 2,000 square feet of storage space
Boat-Related Uses	
All Boat-Related Uses other than Marina / Boating Facility	1 per 200 square feet of administrative space + 1 per 10 Boat storage spaces + 2 per Boat Ramp + 1 per Boat available for rental + 1 per employee work station + 2 per work bay
Motor Vehicle-Related Uses	
All Motor Vehicle - Related Uses, other than Gasoline Sales, Motor Vehicle Sales, Rental, or Leasing, Motor Vehicle Maintenance / Cleaning / Repair / Service Parts Sales and Tire Sales	1 per 500 square feet of Usable Floor Area + .25 per vehicle available for rental + 1 per employee work station + vehicle storage space + 1 per work bay
Tire Sales	2 per work station or service bay + 1 per 200 square feet of customer waiting area
Towing Service	1 per 500 square feet of Usable Floor Area + spaces for towed vehicles
Manufactured Home Sales	
Manufactured Home Sales	1 per 500 square feet of Usable Floor Area + 1 per employee work station + inventory storage space + 1 per work bay
Wholesale Sales	
All Wholesale Sales Not Listed Under Any Other Category	1 per 10,000 square feet of Usable Floor Area, with a minimum of 2 spaces per employee on premises at one time, but no fewer than 2 spaces
OFFICE USES CATEGORY	
All Office Uses Not Listed Under Any Other Category	1 per 200 square feet of total Usable Floor Area
INDUSTRIAL USES CATEGORY	
Heavy Industrial	
All Heavy Industrial Uses	Not Regulated
Light Industrial	
Brewery, excluding Brewpubs	1 per 2,000 square feet of Usable Floor Area, with a minimum of 2 spaces per employee on premises at one time, but no fewer than 2 spaces

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TABLE 4.3.12.B–1 VEHICULAR PARKING REQUIREMENTS

PRINCIPAL USE	Minimum Number of Spaces of Parking Available to Lot Per Unit of Measure
Bottling Plants	1 per 2,000 square feet of Usable Floor Area, with a minimum of 2 spaces per employee on premises at one time, but no fewer than 2 spaces
Building Systems / Construction Business	1 per 2,000 square feet of Usable Floor Area, with a minimum of 2 spaces per employee on premises at one time, but no fewer than 2 spaces
Carpet cleaning plants or manufacturing	1 per 2,000 square feet of Usable Floor Area, with a minimum of 2 spaces per employee on premises at one time, but no fewer than 2 spaces
Catering Service or Catering Events Establishment	1 per 400 square feet of food preparation area + 1 per 3 permanent seats, or 1 per each 40 square feet of seating area where fixed seating is not provided
CLot or Building Sitehing or Textile Manufacturing	1 per 2,000 square feet of Usable Floor Area, with a minimum of 2 spaces per employee on premises at one time, but no fewer than 2 spaces
Commercial or Institutional Bakery	1 per 2,000 square feet of Usable Floor Area, with a minimum of 2 spaces per employee on premises at one time, but no fewer than 2 spaces
Contractor Materials Sales	1 per 2,000 square feet of Usable Floor Area, with a minimum of 2 spaces per employee on premises at one time, but no fewer than 2 spaces
Crematorium	1 per employee on premises at one time, but no fewer than 2 spaces
Dairy Plant	1 per 2,000 square feet of Usable Floor Area, with a minimum of 2 spaces per employee on premises at one time, but no fewer than 2 spaces
Distillery	1 per 2,000 square feet of Usable Floor Area, with a minimum of 2 spaces per employee on premises at one time, but no fewer than 2 spaces
Distribution Facility	1 per 10,000 square feet of Usable Floor Area, with a minimum of 2 spaces per employee on premises at one time, but no fewer than 2 spaces
Dry Cleaning Plant	1 per 2,000 square feet of Usable Floor Area, with a minimum of 2 spaces per employee on premises at one time, but no fewer than 2 spaces
Equipment Rental	1 per 2,000 square feet of Usable Floor Area, with a minimum of 2 spaces per employee on premises at one time, but no fewer than 2 spaces
Fabrication, work, or storage on–site by building, heating, plumbing, electrical, or general contractors and others who perform services off–site	1 per 2,000 square feet of Usable Floor Area, with a minimum of 2 spaces per employee on premises at one time, but no fewer than 2 spaces

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TABLE 4.3.12.B–1 VEHICULAR PARKING REQUIREMENTS

PRINCIPAL USE	Minimum Number of Spaces of Parking Available to Lot Per Unit of Measure
Food Processing for Wholesale Sales	1 per 2,000 square feet of Usable Floor Area, with a minimum of 2 spaces per employee on premises at one time, but no fewer than 2 spaces
Horticulture & Landscaping Services	.50 space per employee on premises at one time, but no fewer than 2 spaces
Ice Plant	1 per 5,000 square feet of Usable Floor Area, with a minimum of 2 spaces per employee on premises at one time, but no fewer than 2 spaces
Information Services	.50 space per employee on premises at one time, but no fewer than 2 spaces
Janitorial & Building Maintenance Service	1 per 2,000 square feet of Usable Floor Area, with a minimum of 2 spaces per employee on premises at one time, but no fewer than 2 spaces
Laundry Plant	1 per 2,000 square feet of Usable Floor Area, with a minimum of 2 spaces per employee on premises at one time, but no fewer than 2 spaces
Light Manufacturing Plant with or without Retail Sales	1 space per 2,000 square feet of total Usable Floor Area, with a minimum of 1 space per 2 employees on premises at one time, but no fewer than 2 spaces
Machine Shop / Woodworking Shop, other than Artisan Establishment	1 space per 1,000 square feet of total Usable Floor Area, with a minimum of 1 space per 2 employees on premises at one time, but no fewer than 2 spaces
Maintenance Yard or Facility	
Manufacture or assembly of equipment, instruments, appliances, precision items or electrical items, or toys	1 per 2,000 square feet of Usable Floor Area, with a minimum of 2 spaces per employee on premises at one time, but no fewer than 2 spaces
Non-Hazardous Waste Treatment or Disposal	1 per 5,000 square feet of Usable Floor Area, with a minimum of 2 spaces per employee on premises at one time, but no fewer than 2 spaces
Outdoor Storage	Not Regulated
Photo-Finishing or Photography Lab	1 per 2,000 square feet of Usable Floor Area, with a minimum of 2 spaces per employee on premises at one time, but no fewer than 2 spaces
Printing, Publishing, and Lithography	1 space per 1,000 square feet of total Usable Floor Area, with a minimum of 1 space per 2 employees on premises at one time, but no fewer than 2 spaces

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TABLE 4.3.12.B–1 VEHICULAR PARKING REQUIREMENTS

PRINCIPAL USE	Minimum Number of Spaces of Parking Available to Lot Per Unit of Measure
Production of artwork	1 per 2,000 square feet of Usable Floor Area, with a minimum of 2 spaces per employee on premises at one time, but no fewer than 2 spaces
Rail Equipment Storage or Repair	1 per employee plus 2 per acre
Recycling Collection	1 per collection container
Recycling Processing Facility	1 per 5,000 square feet of Usable Floor Area, with a minimum of 2 spaces per employee on premises at one time, but no fewer than 2 spaces
Repair of scientific or professional instruments or electric motors	1 per 2,000 square feet of Usable Floor Area, with a minimum of 2 spaces per employee on premises at one time, but no fewer than 2 spaces
Research Lab / Research and Development	1 per 2,000 square feet of Usable Floor Area, with a minimum of 2 spaces per employee on premises at one time, but no fewer than 2 spaces
Scrap or Salvage Yard / Services	1 per employee + 2 per acre
Sheet Metal Shop	1 per 2,000 square feet of Usable Floor Area, with a minimum of 2 spaces per employee on premises at one time, but no fewer than 2 spaces
Solid Waste Facility	Not Regulated
Towing Facility	Not Regulated
Welding, machine, tool repair shop	1 per 2,000 square feet of Usable Floor Area, with a minimum of 2 spaces per employee on premises at one time, but no fewer than 2 spaces
Wholesale Sales	1 per 2,000 square feet of total Usable Floor Area, with a minimum of 1 per 2 employees on premises at one time, but no fewer than 2 spaces
Winery	1 per 2,000 square feet of Usable Floor Area, with a minimum of 2 spaces per employee on premises at one time, but no fewer than 2 spaces
Woodworking, including cabinet makers and furniture manufacturing, but excluding Artisan Establishments	1 space per 2,000 square feet of total Usable Floor Area, with a minimum of 1 space per 2 employees on premises at one time, but no fewer than 2 spaces
Other Light Industrial Uses Not Listed in any Use Category	1 space per 2,000 square feet of total Usable Floor Area, with a minimum of 1 space per 2 employees on premises at one time, but no fewer than 2 spaces

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TABLE 4.3.12.B–1 VEHICULAR PARKING REQUIREMENTS

PRINCIPAL USE	Minimum Number of Spaces of Parking Available to Lot Per Unit of Measure
Warehouse & Freight Movement	
All Warehouse / Warehousing & Freight Movement	1 per 10,000 square feet of Usable Floor Area, with a minimum of 2 spaces per employee on premises at one time, but no fewer than 2 spaces
Waste–Handling	
All Waste–Handling Services	Not Regulated
UTILITIES USES CATEGORY	
All Utilities Uses	Not Regulated
OTHER USES CATEGORY	
Adult Entertainment	1 per 200 square feet of Usable Floor Area but no fewer than 2 spaces

4. The number of spaces of Parking available to a Lot or Building Site must not be less than, nor more than 30% greater than, the number of spaces of Parking determined by Table 4.3.12.B–1 (Vehicular Parking Requirements) based on the quantity of Principal Use(s) on the Lot or Building Site, provided that the minimum number of spaces may be reduced pursuant to Section 4.3.12.B.5 and Section 4.3.12.B.6.

5. For purposes of this Section 4.3.12.B, the number of Parking spaces available to a Lot or Building Site may be reduced, at the election of the Applicant, by dividing the number of spaces of Parking required to be available to the Lot or Building Site by the applicable Shared Parking Factor.

6. The applicable Shared Parking Factor is determined under **Table 4.3.12–B (Shared Parking Factor)** for any two Principal Uses within the Lot or Building Site or within the Lot or Building Site and any other Lot or Building Site within the same or any Adjacent Block.

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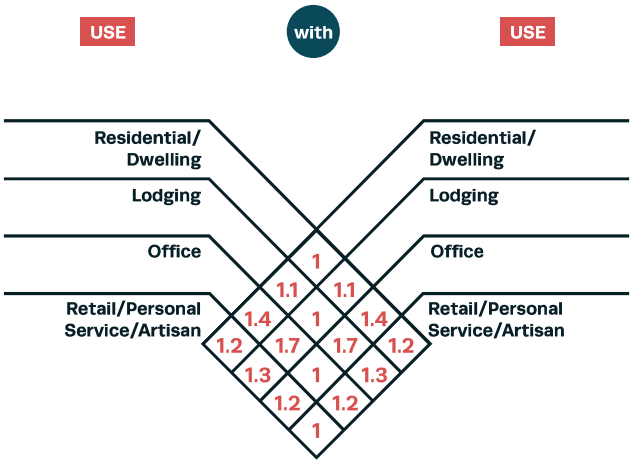
TABLE 4.3.12.B–2 (SHARED PARKING FACTOR)



7. In determining compliance with this Section 4.3.12.B, the following shall not be counted:

a. Accessory Dwelling Units; and

b. Liner Buildings fewer than 30 feet deep and no more than two Stories.

8. Up to 10% of the total number of Parking spaces in Parking Areas, Parking Lots, and Parking Structures that provide Parking for fifty (50) or more cars may be provided as Parking for compact cars, designed in compliance with Section 4.3.12.C.

9. Parking spaces to accommodate the needs of handicapped individuals shall be provided in accordance with the following **Table 4.3.12.B–3 (Off–Street Handicapped–Accessible Parking)**, designed in compliance with Section 4.3.12.C.

TABLE 4.3.12.B–3 REQUIRED HANDICAPPED–ACCESSIBLE PARKING SPACES

# Off–Street Spaces Provided	Min. # Accessible Spaces
1–200	1 per 25 required spaces
201–500	1 per 50 required spaces
501 or more	10 + 1 per 100 required spaces above 500 spaces

10. One out of every eight required handicapped accessible spaces shall be van–accessible. A minimum of one van–accessible space shall be provided.

11. Any Plan submitted under this Ordinance must show the proposed types, numbers, and arrangement of Parking accommodations, including access to such areas from the Thoroughfares and Internal Drives, with spaces complying with all requirements of this Section 4.3.12.B.

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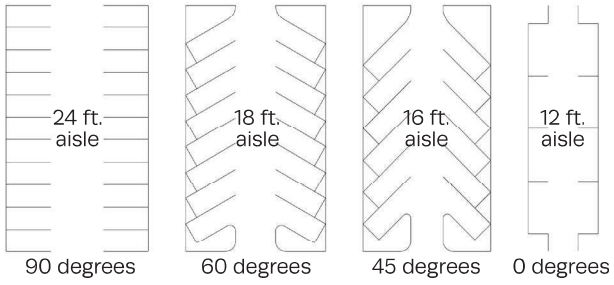
C. Design.

1. In all Districts, Parking Lots shall be designed in accordance with this Section 4.3.12.C and other applicable provisions of this Article 4.

2. Except as otherwise provided for compact vehicle Parking accommodations under Section 4.3.12.C.3, the dimensional standards set forth in **Table 4.3.12.C–1 (Off–Street Vehicular Parking Space Dimensions)** are applicable to off–street Parking accommodations:

TABLE 4.3.12.C–1 (OFF–STREET VEHICULAR PARKING SPACE DIMENSIONS)

Parking Angle (degrees)	Stall Width	Minimum Stall Length	Aisle Width
0	8 ft.	21 ft.	12 ft.
45	9 ft.	19 ft. except 18 ft. if adjacent to curb	16 ft.
60	9 ft.	19 ft. except 18 ft. if adjacent to curb	18 ft.
90	9 ft.	19 ft. except 18 ft. if adjacent to curb	24 ft.



3. Any compact car spaces must be separately signed and marked in distinct, separate areas. The dimensional requirements for compact car spaces are as set forth in **Table 4.3.12.C–2 (Off–Street Compact Vehicle Parking Space Dimensions)**:

TABLE 4.3.12.C–2 (OFF–STREET COMPACT VEHICLE PARKING SPACE DIMENSIONS)

Angle of Parking (degrees)	Width of Space (feet)	Length of Space (feet)	Aisle Width (feet)
0	7.5 ft.	17 ft	12 ft.
45	7.5 ft.	17 ft.	12 ft.
60	7.5 ft.	18 ft.	15 ft.
90	7.5 ft.	16 ft.	21 ft.

4. Any ramps leading from a Thoroughfare or Internal Drive to a Parking Lot, Parking Area, Garage, or Parking Structure shall be at least twenty feet (20 ft.) wide for two–way traffic and 10 feet (10 ft.) wide for one–way traffic.

5. Curbs must be made of granite or concrete at heights between six inches (6 in.) and eight inches (8 in.) above the elevation of the Thoroughfare and must be at least six inches (6 in.) wide.

6. Curb cuts must be at least 20 feet (20 ft.) wide for two–way access and 10 feet (10 ft.) wide for one–way access. Except as otherwise expressly provided in this Ordinance with respect to numbers of Driveways, Lots and Building Sites shall be limited to one curb cut per Lot or Building Site.

7. Unless alternative Parking surfaces are otherwise permitted by this Ordinance, all off – street Parking Areas and Parking Lots shall be surfaced with asphalt or concrete. Asphalt Parking Areas and Parking Lots shall be compacted after sub–grade with a minimum six inch stone base, a minimum two inches of modified asphalt binder, and a minimum 1–½ inches of asphalt mix topping and must follow the construction detail provided below. Concrete Parking Areas and Parking Lots shall be constructed according to recognized construction standards. Construction plans for all Parking Areas and Parking Lots construction plans shall be subject to review

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and approval by the City Engineering Department.

8. Except in District CD-2, all Parking accommodations counted toward the applicable Parking requirements shall be paved and completed prior to issuance of the Final Certificate of Occupancy for the related Building(s).

9. Any Parking Area or Parking Lot in the First or Second Layer shall be Screened from view in accordance with Section 4.3.11 and Tables 4.3.1-A – 4.3.1-U (District Standards).

10. Any Parking Area or Parking Lot having five (5) or more spaces shall include Curbs, paving, Sidewalks, drainage facilities and lighting in accordance with this Ordinance and all other applicable laws, regulations and specifications.

11. The maximum grade permitted for any required Parking shall not exceed 8%.

12. Except in Districts CD-2, CD-3L, and CD-3, all off-street Parking spaces a shall be striped with paint or some other form of permanent marking.

13. All access to any City street from a Driveway shall have a concrete Driveway apron as approved by the City Engineering Department.

14. Any Parking Area or Parking Lot having ten (10) or more parking spaces shall conform to the following:

a. Parking Areas and Parking Lots shall contain at least one landscape island for every ten (10) parking spaces. Parking Lots with more than one landscape island shall have such islands distributed throughout the Parking Lot.

b. Interior parking rows shall be terminated at both ends with landscape islands.

c. Each parking island shall be of a minimum size equal to a standard parking space; provided that each parking island abutting two rows of head to head parking spaces shall be of a minimum size and length equal to two (2) parking spaces.

d. Parking islands shall contain a minimum of one (1) shade tree for every single island. If a parking island is double length or width, then two (2) shade trees shall be required.

e. Rows of parking fronting on drive aisles including alleys shall be provided with a minimum five feet (5 ft.) (excluding curbs) landscaped buffer.

f. Root zones for existing trees to remain shall be a minimum of 48 square feet.

g. For every 2,000 square feet of Parking Area or Parking Lot, at least one tree shall be installed or preserved within the Parking Area or Parking Lot except to the extent that trees outside of the Lot containing the Parking Area or Parking Lot are allowed to satisfy this requirement as set forth below.

h. No parking space shall be more than seventy-two feet (72 ft.) from a tree within the Lot, as measured from the center of the Tree to the nearest line demarcating the space.

i. Except for trees allowed to be counted outside the Parking Area or Parking Lot, new trees shall be installed and/or existing trees preserved in Tree islands provided pursuant to this Section and/or at the perimeter of the Parking Area or Parking Lot, provided that the perimeter of the Parking Area or Parking Lot where trees are installed or preserved to meet this requirement lies within the Lot on which the Parking Area or Parking Lot is located.

j. Trees outside of the Parking Area or Parking Lot located within twenty feet (20 ft.) of the closest portion of such Parking Area or Parking Lot, including but not limited to Trees within Thoroughfare Rights-of-Way, Internal Drive Easements, and Civic Spaces, may be counted toward satisfying the requirements.

k. In addition to any walkway or Sidewalk around a Parking Area or Parking Lot, each such Parking Area or Parking Lot exceeding one hundred and twenty (120) spaces shall have least one pedestrian walkway bisecting the Parking Area or Parking Lot and connecting to adjoining

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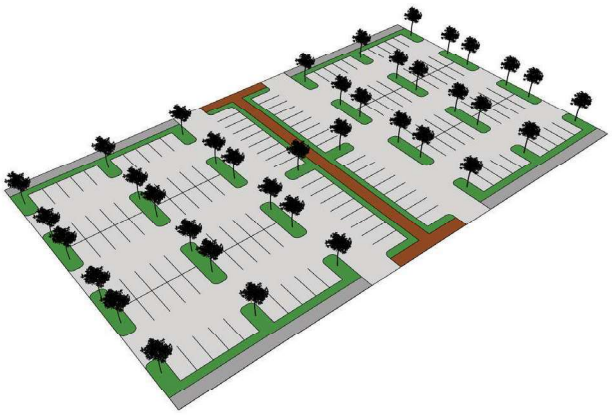
sidewalks of a minimum width of eight feet (8 ft.) that is paved differently from the parking spaces with respect to texture, material, style, and/or color.

ILLUSTRATION 4.3.12.C-3 PARKING AREA / LOT OR BUILDING SITE LANDSCAPING



l. Any Parking Area or Parking Lot in the First or Second Layer shall be Screened from view in accordance with Section 4.3.11.

15. Parking Areas and Parking Lots shall include Curbs, paving, Sidewalks, drainage facilities and lighting in accordance with this Article as well as any other applicable laws, regulations and specifications.

16. Parking Area paving shall be confined to the minimum area necessary to comply with the parking requirements of this Article.

17. Any Plan submitted under this Article shall show the proposed arrangement of Parking accommodations, including access to such areas from the Thoroughfares or Internal Drives, with Parking spaces to comply with the requirements of this Section 4.3.12.

18. Parking Structures must be Screened from view of any Frontage by one or more Liner Buildings as set forth in **Table 4.3.1-A– Table 4.3.1-U (District Standards)**. Such Liner Buildings must be the same or greater height as the associated Parking Structure that they Screen.

19. Lighting illuminating off-street Parking accommodations in all Districts other than Districts CD-2, CD-3L, and CD-3 must be installed within and directed only within the applicable Parking Area, Parking Lot, Garage, or Parking Structure.

20. Handicapped-accessible Parking shall comply wit the following:

a. Handicapped-accessible Parking shall be located as near as possible to the main public entrances of a single Building or centrally located in Parking Areas that serve more than one Building.

b. All off-street handicapped-accessible Parking spaces shall be located in the closest Parking Area to a public entrance to the Building but no more than 250 feet from such entrance.

c. No stairs or curbs are permitted between a handicapped-accessible Parking space and the entrance which it is intended to serve, and the slope along the accessible route shall not exceed 1:12.

d. All off-street handicapped accessible Parking spaces shall be designated by a Sign or other means accepted by State requirements. Van-accessible spaces shall be designated by a sign indicating "Van Accessible" in addition to any other means used.

e. A minimum width of 96 inches shall be required for all van-accessible spaces. Van- accessible spaces shall further require a minimum vertical clearance of 98 inches.

f. An access aisle of 60 inches shall be provided for all handicapped accessible spaces and an aisle of 96 inches shall be provided for all van-accessible spaces (one 96 inch aisle may serve both types of spaces. No ramps may project into this access aisle.

21. No required Parking accommodation shall be Encroached upon by any Building, Structure, or Use.

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D. Operation & Maintenance.

1. No Parking space required for Dwelling Units shall be rented to Persons not living on the premises. All required Parking spaces or Dwelling Units must be made available to occupants of the Dwelling Units as an integral part of their occupancy.

2. Required Parking Accommodations must be available and maintained for such period as the Use or Structure exists that the facilities are designed to serve.

E. Access.

1. All Parking Areas, Parking Structures, and Garages shall be accessed by Rear Alleys, when such are available on the Zoning Map or otherwise available.

2. Vehicular access to Parking Areas, Garages, and Parking Lots shall not conflict with general vehicular movement serving the site. Ingress and egress points must be at Curb cuts approved by City Engineer.

3. In all Districts, vehicular entrances and exits shall be designed to be easily identifiable by drivers and pedestrians. Any signage must be simple, clear, and concise. Any gates, arms, or booths must be set back at least 20 feet from the Frontage.

4. Off-street Parking accommodations other than those in Districts CD-2, CD-3L, and CD-3, and Single family Residential Lots and Building Sites in Districts SD-MHP and PUD-R shall provide access so that backing directly onto a Thoroughfare or Internal Drive is unnecessary.

5. A Driveway, drive aisle, or Internal Drive must be provided for off-street Parking accommodations in all Districts.

6. Driveways and entrances and exits for off-street Parking accommodations in all Districts other than Districts CD-2, CD-3L, and CD-3 and Single family Residential Lots and Building Sites in Districts SD-MHP and PUD-R, shall be at least 25 feet from a Thoroughfare or Internal Drive at an intersection.

7. Except in Districts CD-2, CD-3L, and CD-3, cross-access Easements must be provided between all contiguous Parking Areas and Parking Lots except where such areas and Lots are accessed from a Rear Alley.

8. In all Districts, Driveways at Frontages must be no wider in the First Layer than the width specified for the applicable District in **Table 4.3.1-A– 4.3.1-U (District Standards).**

9. For Residential Uses other than Townhomes and Multifamily, Driveways shall not be located within five feet of a Side Building Site Line or Rear Building Site Line unless a shared Driveway is used.

10. In all other Districts, except 4.3.12.E-9, no Driveway shall be constructed within 25 feet of an Adjacent Driveway. This dimension shall be increased to the greater of 40 feet Adjacent Driveways on State highways.

11. No Driveway curb return shall extend beyond an Adjacent Side Building Site Line or Rear Building Site Line or more than one-half (1/2) the distance to a Driveway located on the same property. This provision may require increased separation from Adjacent properties over the minimum indicated in Sections 4.3.12.E.10 or 4.3.12.E.11 above.

12. In all Districts, pedestrian exits from all Parking Lots, Parking Areas, Garages, and Parking Structures must conform to **Table 4.3.1-A– 4.3.1-U (District Standards)**, except for underground Parking accommodations.

F. Parking Restrictions.

1. Domestic and recreational vehicles such as boats, camper trailers, and utility trailers shall be stored off – street, subject to the location requirements of **Table 4.3.1-A– 4.3.1-U (District Standards)**.

2. Parking of buses on the site of and directly associated with a permitted Non-Residential Use

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shall be permitted.

3. Parking of heavy equipment or tractor trailers (including trailers as storage) shall not be permitted. This requirement shall not prohibit commercial vehicles from making deliveries. Trailers may be permitted for temporary storage in association with a construction with a Temporary Use Permit (Sec. 3.8).

4. Single and double axle trucks that exceed 90 inches in width and are greater than 12 feet in height are prohibited from Parking on a street for more than four (4) consecutive hours, unless it is related to performing a service for a property owner, ie. construction, remodeling, etc.

5. Required Parking spaces and loading facilities shall not be used for the storage or sale of merchandise, vehicle storage, vehicles for sale, or vehicle repair. Non-required spaces proposed for these uses shall be designated on a site plan.

6. The private sale or storage of one vehicle per Dwelling Unit may be permitted as an Accessory Use in association with a Residential Use.

7. Any area designated for required off-street Parking or loading shall not be changed to another use until adequate Parking and/or loading facilities in conformance with this Article have been established.

8. Required Parking spaces may be temporarily used for uses other than Parking and loading with the issuance of a Temporary Use Permit pursuant to Section 8.5.9; provided such use does not negatively impact adjacent roadways, neighborhoods, or other uses and is clearly temporary in nature.

G. Drive-Through Locations & Standards.

1. Any drive-through facilities must be located and designed and comply with all standards as specified for the applicable District as set forth in **Tables 4.3.1-A– 4.3.1-U (District Standards)**. See **Illustration 4.3.12.G (Drive-Throughs)**.

ILLUSTRATION 4.3.12.G DRIVE-THROUGH

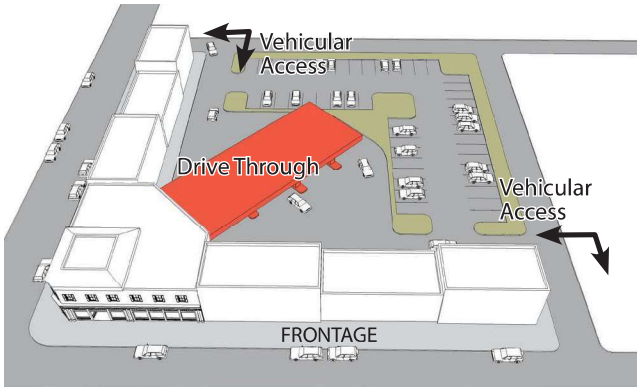

Illustration is provided for illustrative purposes only.

2. Any drive-through locations must be accessed by Rear Alleys, when such are available on the Zoning Map or otherwise available.

3. Off-street vehicular stacking spaces shall be provided for all drive-through facilities in accordance with Section 4.3.12.H.

H. Stacking Spaces.

1. Off-street vehicular stacking spaces shall be provided in accordance with **Table 4.3.12.H (Stacking Spaces)** for the activity type indicated as follows:

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TABLE 4.3.12.H (STACKING SPACES)

Activity Type	Min. # Stacking Spaces*	Measured From
Automated teller machine	4	Machine
Drive–through	3	Teller
Bank teller drive through	4	Teller or Window
Car wash bay, full–service	6	Bay
Car wash bay, self–service	2	Bay
Dry cleaning/ laundry drive–through	2	Cleaner/Laundry Window
Gasoline Pump Island	1	Pump Island
Gatehouse, staffed	4	Gatehouse
Gate, unstaffed	2	Gate
Pharmacy Pickup	3	Pharmacy Windows
Restaurant Drive–through	8	Pick up window
Valet Parking	3	Valet Stand

* Other as determined by Zoning Administrator in consideration of an approved study prepared by a registered engineer with expertise in Transportation Engineering.

2. Required stacking spaces shall be subject to the following design and layout standards:

a. Stacking spaces shall be a minimum of eight feet in width by 25 feet in length.

b. Stacking spaces by shall not impede on– or off–site traffic movement or movement into or out of off–street Parking spaces.

c. Stacking spaces for each type of activity or accommodation shall be subject to any location standards applicable to the activity or accommodation itself.

d. Stacking spaces shall be separated from other drive aisles, Driveways, or Internal Drives by raised medians. if deemed necessary by the City Engineer for traffic movement and safety.

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4.3.13 Bicycle Parking

Bicycle Parking shall be provided within CD-4,CD-4C, and CD-5 for a Lot or Building Site as set forth in **Table 4.3.13 (Bicycle Parking)**.

TABLE 4.3.13 BICYCLE PARKING

Use Type	Parking Requirement
RESIDENTIAL/DWELLING USES	
Single family dwellings	None required
Two family dwellings	None required
Multi family dwellings	1 space per 20 parking spaces
Mobile Home	None required
LODGING USES	
All uses	None required
EDUCATIONAL/INSTITUTIONAL/CIVIC USES	
All uses	1 space per 4,000 sq. ft. gross floor area
MEDICAL USES	
All uses	None required
COMMERCIAL, RETAIL, PROFESSIONAL & SERVICE USES	
All uses	1 space per 4,000 sq. ft. gross floor area
OFFICE USES	
All uses	1 space per 20 parking spaces
COMMUNICATION USES	
All uses	None required
INDUSTRIAL USES	
All uses	None required
AGRICULTURAL USES	
All uses	None required
UTILITY USES	
All uses	None required
PUBLIC OR PRIVATE PARKING	
All uses	None required

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4.3.14 Loading Space

A. General.

1. Loading spaces shall be provided, designed, accessed, and located in accordance with this Section and **Table 4.3.14.B (Loading Space Requirement)** and **Tables 4.3.1-A– 4.3.1-U (District Standards).**

2. Loading areas must be accessed by Rear Alleys, when such are available on the Zoning Map or otherwise available.

B. Loading Space Required.

1. Each Lot or Building Site shall have the minimum number of loading spaces per quantity of the indicated Use as set forth in **Table 4.3.14.B (Loading Space Requirements).**

TABLE 4.3.14.B LOADING SPACE REQUIREMENTS

Principal Use Category in District	Quantity of Use	# of Loading Space(s)	Size of Loading Space(s)
Residential – Multifamily Building	≥100 Dwelling Units	1	10 ft. W x 50 ft. L x 15 ft. H
Commercial, Office, Retail/ Personal Service/ Artisan, Industrial	>5,000–25,000SF	1	10 ft. W x 50 ft. L x 15 ft. H
	25,001–60,000SF	2	
	60,001–120,000SF	3	
	120,001–200,000SF	4	
	201,000–290,000SF	5	
	≥290001SF	5+1 for ea additional 90,000SF	
Other	NA	NA	NA

2. Without limitation to the other requirements of this Section, loading spaces shall be provided for each delivery bay, loading dock or delivery entrance.

3. Loading spaces must be available at all times without conflict with any Plan or Improvement element.

4. Space allocated to any loading area or access thereto shall not be used to satisfy the requirements for any Parking or garbage, recycling, or trash facilities.

5. Parking spaces may not be used or counted as meeting loading requirements.

6. No required loading space shall be Encroached upon by Buildings, Structures, Open Storage or any other Use.

7. Required loading facilities may be temporarily used for uses other than loading with the issuance of a Temporary Use Permit pursuant to Section 8.5.9, provided such use does not negatively impact adjacent roadways, neighborhoods, or other uses and is clearly temporary in nature.

C. Location, Design & Access.

1. Except as otherwise provided in subparagraph 4.3.14.C.2 below, all required loading spaces shall be provided within the applicable Lot or Building Site.

2. In Districts CD-4, CD-4C, CD-5, and CD-5C, required loading spaces may be provided either within the applicable Lot or Building Site or in the parking lane of the Enfronting Thoroughfare or Internal Drive.

3. Off-street loading spaces shall be located in accordance with **Tables 4.3.1-A– 4.3.1-U (District Standards).**

4. Off-street loading areas must be accessed by Rear Alleys, when such are available on the Zoning Map or otherwise available.

5. No loading facility shall be located within 30 feet of a Thoroughfare or Internal Drive intersection.

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6. Off-street loading areas shall include Curbs, paving, drainage facilities, and lighting in accordance with City standards and this Ordinance, as well as any other applicable laws, regulations and specifications.

7. Each required loading space shall have the minimum dimensions set forth in **Table 4.3.14.B (Loading Space Requirements).**

8. Loading facilities may not obstruct facilities required for emergency access, including fire lanes.

9. Each off-street loading space shall be directly accessible from a Thoroughfare, Driveway, drive aisle, Internal Drive, or Alley without crossing or entering any other required off-street loading facility. Such loading spaced shall be accessible from the interior of the Building it serves and shall be arranged for convenient and safe ingress and egress by motor truck and/or trailer combination.

The required dimensions of loading spaces shall not include any access or entrances to, or exits from, such spaces.

10. All off-street loading spaces shall be surfaced with asphalt, concrete, or other hard surfaced material, and constructed so as to support the heaviest anticipated load, including without limitation fire and sanitation equipment and delivery vehicles, and shall provide for adequate drainage, and prevent the release of dust.

11. Loading Spaces provided within a Thoroughfare or Internal Drive shall meet construction requirements of provided by the City Engineer.

12. Each loading space shall be permanently marked and identified as a loading space in which no Parking is allowed. Permanent wheel stops or curbing shall be provided for each off-street loading space to prevent any vehicle using the loading space from Encroaching on the required Yards or Adjacent property.

13. Off-street loading areas shall be Screened in conformance with Section 4.3.11.

4.3.15 Refuse, Service, Equipment & Other Items

A. Trash Receptacle / Dumpster Requirement

Trash receptacles and dumpsters must be provided for each Lot or Building Site and must be located in accordance with Section 4.3.15.B.

B. Trash Receptacle/Dumpster Locations & Standards.

1. Dumpsters and trash and recycling receptacles shall be located as specified for the applicable District in **Tables 4.3.1-A– 4.3.1-U (District Standards)** .

2. All dumpsters and trash and recycling receptacles shall be enclosed as required in this Section and **Tables 4.3.1-A– 4.3.1-U (District Standards)**. The enclosures shall be designed to prevent debris from leaving enclosure or being scattered by wind or animals. Except in Districts CD-2, CD-3L, and CD-3, dumpsters and garbage, trash, and recycling receptacles must be placed on concrete pads. The enclosure must be kept closed at all times other than for servicing. Except in Districts CD-2, CD-3L, and CD-3, bollards or posts must be placed on the interior of the enclosure to protect the walls from damage by the trash containers within.

3. Dumpsters and garbage, trash and recycling receptacle locations shall be accessed by Rear Alleys, when such are available on the Official Zoning Map or otherwise available.

4. Space allocated to any off-street garbage, trash, or recycling areas, receptacles, or dumpsters shall not be used to satisfy any Parking or loading requirements.

5. All Uses that generate food-related garbage shall provide water quality treatment to mitigate runoff.

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C. Equipment & Other Items Locations & Standards

1. All heating, ventilation and air-conditioning equipment, utility meters (not including water meters) and equipment, mechanical equipment, antennas and satellite equipment, communications transmitting and receiving equipment, solar panels, recreation, play, and swimming pool, hot tub and spa locations shall be located and meet the other standards and requirements specified for the applicable District, as required in **Tables 4.3.1-A– 4.3.1-U (District Standards).**

D. Service Areas.

1. Service areas shall be located as required in **Tables 4.3.1-A– 4.3.1-U (District Standards).**

2. Service areas shall be accessed by Rear Alleys, when such are available on the Zoning Map or otherwise available.

4.3.16 Private Landscape Standards

A. General. 1

1. Lots and Building Sites in Districts other than the Civic District shall be landscaped in accordance with **Table 4.3.1-A– 4.3.1-T (District Standards)** and this Section 4.3.16.

2. In Civic Districts, Lots and Building Sites shall be landscaped in accordance with **Table 4.3.1-A– 4.3.1-U (District Standards-Civic)** and this Section 4.3.16. Additionally, Civic Spaces shall be designed as set forth in **Table 5.3.3.B (Civic Space –Specific Standards).**

3. Without limitation to any other provisions of this Section 4.3.16, all Screen, Streetscreen, Buffer, and Parking Area and Parking Lot landscape standards and requirements of this Ordinance must be met.

4. All bare or exposed ground on a Lots and Building Sites and/or in any other landscaped area shall be covered with live plant materials and/or mulch, with the following exceptions:

a. Naturally occurring river beds, rock outcroppings or similar landscape features typically lacking in vegetation.

b. Hiking trails and/or traces.

c. Clay or sand surfaces associated with recreation fields and facilities.

5. Buildings and Structures lawfully existing as of the Effective Date may be modified without providing or modifying landscaping in conformance with this Section 4.3.16, provided that the same does not constitute an Alteration and does not increase the degree by which the Building or Structure is Non-conforming. This shall not be construed as prohibiting the provision of landscaping in full conformance with this Ordinance.

6. The standards and requirements herein set out for landscaping shall not apply to temporary uses or to Development or site work on relatively undeveloped sites which do not involve significant ground disturbance.

B. Maintenance of Landscaping.

1. All landscaping must be properly maintained by the property owner and his or her successors, heirs, assignees or any consenting grantee.

2. All plantings shall be maintained in an attractive and healthy condition. Maintenance shall include, but not be limited to, watering, mulching, fertilizing and pest management, mowing, weeding, removal of litter and dead plant material, and necessary pruning and trimming.

3. Any required plantings that are dead or diseased plantings shall be removed and replaced with plants meeting all requirements of this Ordinance.

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4. Natural water courses within a Buffer shall be maintained in a natural condition consistent with any applicable regulations.

5. A water source shall be supplied within 100 feet of any planting requiring continuing watering. Where non-native or non-drought tolerant native vegetation is incorporated in the Buffer, an irrigation system shall be required.

6. Landscape structural features such as walls, fences, berms or water features shall be maintained in a structurally safe and attractive condition.

7. Where other uses, including pedestrian, bike or other trails, are allowed within a Buffer, these uses shall be maintained to provide for their safe use.

8. If any Person responsible for landscape maintenance fails to maintain same according to the standards of this Ordinance, these regulations shall be enforceable by the City with the right to recover the cost of enforcement, including reasonable attorney fees. The City may also, following reasonable notice and a demand that deficiency of maintenance be corrected, enter the area to maintain same. The cost of such maintenance shall be charged to those persons having the primary responsibility for maintenance of the area.

9. Without limitation to Section 4.3.16.B, a maintenance bond lasting one (1) year must be provided for all plantings required under this Section 4.3.16.

C. Removal of Walls or Trees.

None of the following may be removed without the prior approval of the Decision-Making Authority:

1. Walls or trees required or shown on an approved site plan, Development Plan, or Master PUD Development Plan.

D. Plant Material Standards and Sizes.

1. Except as otherwise required by Sections 4.3.16.D.4, 4.3.16.D.5, 4.3.16.D.8, 4.3.16.D.9 and 4.3.16.D.10, all required plant materials must meet with the minimum sizes, class and other requirements outlined in American Standards for Nursery Stock (ANSI Z60.1-2004) published by the American Nursery and Landscape Association (ANLA) or other local Nursery Association Standards.

2. Trees shall be chosen from the following list of plant species contained within this Section and/or plants identified in the guide, "Native Plants of the Tennessee Valley", published by the Tennessee Valley Authority (TVA) .

TABLE 4.3.16.D-1 (NATIVE PLANTS OF THE TENNESSEE VALLEY)

Common Name	Botanical Name
Canopy Trees	
American Beech	Fagus grandifolia
Nuttall Oak	Q. nuttalli
American Linden	Tilia americana
Overcup Oak	Q. lyrata
Baldcypress	Taxodium distichum
Pecan	Carya illinoensis
Black Cherry	Prunus serotina
Persimmon	Diospyros virginiana
Black Locust	Robinia pseudoacacia
Post Oak	Q. stellata
Black Oak	Q. velutina
Red Maple	Acer rubrum
Black Walnut	Juglans nigra
River Birch	Betula nigra
Blackgum	Nyssa sylvatica
Sassafras	Sassafras albidum
Buckeye	Aesculus spp.
Scarlet Oak	Q. coccinea

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TABLE 4.3.16.D-1 (NATIVE PLANTS OF THE TENNESSEE VALLEY)

Common Name	Botanical Name
Bur Oak	Q. macrocarpa
Shortleaf Pine	Pinus echinata
Cherrybark Oak	Q. pagoda
Shumard Oak	Q. shumardii
Chestnut Oak	Q. prinus
Silver Maple	Acer saccharinum
Chinkapin Oak	Q. muehlenbergii
Silverbell	Halesia carolina
Cucumbertree	Magnolia acuminata
Southern Red Oak	Q. falcata
Eastern Hemlock	Tsuga candensis
Sugar Maple	Acer saccharum
Eastern Red-Cedar	Juniperus virginiana
Swamp Chestnut Oak	Q. michauxii
Eastern White Pine	Pinus strobus
Sweetgum	Liquidambar styraciflua
Green Ash	Fraxinus pennsylvanica
Sycamore	Platanus occidentalis
Hickories	Carya spp.
Water Oak	Q. nigra
Kentucky Coffeetree	Gymnocladus dioicus
White Ash	Fraxinus americana
Loblolly Pine	Pinus taeda
White Oak	Quercus alba
Northern Catalpa	Catalpa speciosa
Willow Oak	Q. phellos
Northern Red Oak	Q. rubra
Yellow-Poplar	Liriodendron tulipifera
Accent Trees	
Alder	Alnus serrulata
Red Buckeye	Aesculus pavia
Allegheny Chinkapin	Castanea pumila
Redbud	Cercis canadensis
American Holly	Ilex opaca

TABLE 4.3.16.D-1 (NATIVE PLANTS OF THE TENNESSEE VALLEY)

Common Name	Botanical Name
Serviceberry	Amelanchier arborea
Buckthorn Bumelia	Bumelia lycioides
Shining Sumac	Rhus copallina
Carolina Buckthorn	Rhamnus caroliniana
Smoketree	Cotinus obovatus
Devil's Walking Stick	Aralia spinosa
Smooth Sumac	Rhus glabra
Dogwood	Cornus florida
Snowbell	Styraxspp.
False Indigo	Amorpha fruticosa
Sourwood	Oxydendron arboreum
Fringetree	Chionanthus virginicus
Staghorn Sumac	Rhus typhina
Hawthorn	Crateagus spp.
Striped Maple	Acer pensylvanicum
Hophornbeam	Ostrya virginiana
Sweetbay	Magnolia virginiana
Hornbeam	Carpinus caroliniana
Sweetleaf	Symplocus tinctoria
Mountain Maple	Acer spicatum
Witch Hazel	Hamamelis virginiana
Pawpaw	Asimina triloba
Yellowwood	Cladrastis lutea

3. When more than 20 trees are planted on used on a site to meet these regulations, a mix of trees (genera) shall be provided. The following table indicates the maximum percentage of same trees (same genus) that may be planted.

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TABLE 4.3.16.D-2 (TREES-# PER GENERA)

Planted on Site	Minimum Number of Genera Required	Maximum Percentage of Any Genera
20 trees or less	1	not applicable
21 to 50 trees	2	70 percent
51 to 100 trees	3	50 percent
101 to 200 trees	4	40 percent
200 to 500 trees	5	30 percent
over 500 trees	6	25 percent

4. Shrubs when planted as a hedge, the maximum spacing for shrubs shall be 40 inches on center.

5. Canopy trees shall have a planting area no less than 10 feet wide in all dimensions. Accent and substitution trees shall have a planting area no less than eight feet wide in all dimensions. This requirement may be modified administratively by the Zoning Administrator.

6. Plants shall be mulched a minimum of three inches deep. Where selected plant material is not tolerant of deep mulch, a specific note regarding shallower mulch shall be set forth on the final landscape plan and approved by the City as part of the landscape plan. Mulch shall be kept away from tree trunks.

7. Where specified, Building foundation planting shall meet the following requirements:

a. Foundation plantings shall be placed within five feet of the building perimeter. If the Zoning Administrator determines that, due to site design considerations such as the location of sidewalks, plazas or service areas, this is not feasible, such plant materials may be located in planter boxes or in the areas of the site in a manner that enhances the overall landscape plan for the development.

b. One shrub shall be required as foundation planting for every ten (10) linear feet of Facade for Non-Residential Uses.

8. Any plant materials required for Screening must be evergreen and have an opacity of at least 90% from the ground through the full height of the plant.

9. At the time of installation, trees must be a minimum two and a half inches (2.5 in.) caliper measured three feet (3 ft.) from the base of the trunk.

10. At the time of installation, Shrubs must be a three (3) gallon container minimum and a minimum height above ground level of 30 in.

11. Plantings must not conflict at installation or maturity with the location of any other required Building and Building Site elements or other plantings.

12. Ground vegetation or Shrub plantings with spines, thorns or needles that may present hazards to pedestrians, bicyclists or vehicles are prohibited in the first two feet of the First Layer.

E. Placement of Trees and Shrubs.

1. Proposed trees and shrubs must be placed minimally 18 in. from any Sidewalk or pavement edge, measured from the center of the plant.

2. No trees shall be planted in wet retention ponds or drainage maintenance Easements.

3. Trees and shrubs shall be installed at least five feet away from the flow line of a drainage facility unless specifically designed as water quality measures adhering to best management practices.

4. Existing trees may remain in dry retention ponds provided that the natural grade is undisturbed to the tree line, they are a species adapted to seasonal flooding and the pond is adequately maintained.

5. Accent trees and shrubs listed in **Table 4.3.16.D-**

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1 (Native Plants of the Tennessee Valley) shall be allowed in access Easements, provided a minimum 20-foot wide travelway is maintained clear of vegetation, and all clear sight triangle requirements are met.

6. Trees may be planted in Easements for underground utilities with approval by the City and any applicable utility provider, provided the root structure of the proposed tree is not anticipated to extend more than three feet below the ground. Shrubs may be planted, provided they are only within the outer three feet of the Easement. Where such trees and shrubs are planted, the property owner shall be responsible for replacement of such required vegetation if maintenance or other utility requirements require their temporary removal.

F. Artificial Plants / Turf.

Artificial plants or artificial turf are prohibited, except on active recreation fields that are typically subject to intense use and soil compaction that prohibits the establishment of turfgrass.

G. Establishment.

All required landscape areas must be watered and fertilized as necessary to ensure establishment within the first year planted in accordance with best landscape practices.

H. Screens.

Screens must be provided in accordance with Section 4.3.11.

I. Soils.

Soil shall be uncompacted coarse loam that is a minimum of 12 inches deep. Soils shall be appreciably free of gravel, stones, rubble or trash. All compacted soil, contaminated soil or road base fill shall be removed. Under no circumstances shall soils have greater than 5% or less than 0.5% organic matter.

J. Condition of Plants.

Plants must have normal, well-developed branches and vigorous root systems.

K. Pavement of First Layer.

The First Layer shall not be paved, except for the following:

1. Driveways and

2. Pavement matching the adjoining Public Frontage in Character Districts CD-4, CD-4C, CD-5, and CD-5C, where the Building is set back no more than five feet (5 ft.) from the Front Lot / Building Site Line.

L. Tree Protection.

1. Exemptions. The following Tree Removal activities are exempt from this Section 4.3.16.L:

a. The tree proposed for removal is located:

(1) On a single-family residential Lot or Building Site of one acre or less that is not noted as a Critical Lot or Building Site; or

(2) On a Lot or Building Site in Districts CD-5 or CV;

2. Tree Removal. Existing trees on a Lot or Building Site or Development site shall not be removed or disturbed unless:

a. Trees are removed in accordance with an approved Development Plan or Master PUD Development Plan, site plan, Preliminary Plat, Building Permit, or grading permit that meets Sections 4.3.16.L.4 and 4.3.16.L.5; or

3. Tree Preservation Plan. As part of any Application required for a Development Plan or Master PUD Development Plan , site plan, or Preliminary Plat, the Applicant shall submit a Tree Preservation Plan with the following information:

a. The Lot or Building Site lines associated with the proposed development;

b. A recent aerial photograph with date photograph was taken;

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c. The location and extent of the existing on site tree canopy, including an estimate of the total percentage of the parcels covered by the existing on-site tree canopy;

d. The exact location, health, and size of all Specimen Trees; however, in the instances of large established tree stands, the Zoning Administrator may accept an approximation of the location, health, and size of Specimen Trees if the trees are not being counted towards landscape requirements, or if the trees are located within a designated Tree Save Area; and

e. The minimum tree canopy retention requirement.

4. Protection of Tree Canopy.

a. Tree Removal activities associated with Agricultural Uses are exempt from this Section 4.3.16.L.4.

b. A percentage of the existing tree canopy shall be retained on a Development or construction site in accordance with **Table 4.3.16.L (Tree Canopy Cover Retention)** below:

TABLE 4.3.16.L TREE CANOPY COVER RETENTION

Existing Tree Canopy Cover (as % of Total Development, Lot or Building Site Size)	Minimum Tree Canopy Retention by Zoning District (as % of Total Tree Canopy Cover) [1] [2]		
	CD-2 CD-3L CD-3 CD-4 [3] CD-4C [3] CD-5C [3] SD-MHP SD-INT [3] PUD-R PUD-MU [3]	CD-4 [4] CD-4C [4] CD-5C [4] SD-INT [4] PUD-MU [4]	SD-LI [4] SD-HI
80% - 100%	30%	15%	10%
60% - 79%	36%	18%	11%
40% - 59%	45%	22%	12%
20% - 39%	48%	24%	13%
19% - less	54%	26%	14%

[1] Additional tree canopy retention may be required under other provisions of this Ordinance.
[2] CD-5 and CV do not have a minimum tree canopy retention requirement.
[3] Residential portion of Development or construction in noted Districts.
[4] Non-Residential portion of Development or construction in noted Districts.

c. Designation of Tree Save Areas.

(1) The minimum tree canopy to be retained within a construction or Development site shall be located within designated Tree Save Areas, which shall include the areas occupied by the Critical Root Zones of all healthy trees being retained in accordance with this Section 4.3.16.L.4.

(2) The location of Tree Save Areas shall be based on the presence of any one or more of the following:

(a) Woodland forest;

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(b) Established tree stands;

(c) Tree rows; or

(d) Specimen Trees.

(3) Tree Save Areas shall be depicted as an open space, conservation easement, or Civic Space on the applicable Development Plan or Master PUD Development Plan, site plan, or Preliminary Plat, and recorded on the Final Plat, as applicable.

(4) Each single-family residential Lot or Building Site with Tree Save Areas shall be identified on the applicable Development Plan or Master PUD Development Plan, site plan, or Preliminary Plat, and shall be platted on the Final Plat, if applicable.

d. Tree Save Area Priorities. Consideration shall be given to the following when determining locations for Tree Save Areas:

(1) Woodland forests greater than five acres;

(2) Riparian buffers or natural drainage courses;

(3) Land with with naturally occurring slopes of 20 percent or greater;

(4) Habitat used by endangered or threatened species;

(5) Scenic corridors and viewsheds;

(6) Areas that could serve to extend existing greenways, trails, parks, or recreation areas; and

(7) Areas needed for Buffers.

e. Removal of Trees in Tree Save Areas. The removal, damage, or destruction of trees within a Tree Save Area shall be a violation of this Ordinance and require mitigation in accordance with the following standards:

(1) Any tree that is damaged or removed from the Tree Save Area shall be replaced at a rate of two caliper inches per one caliper inch removed, with each replacement tree having a minimum diameter of two caliper inches. If the total caliper inches removed cannot be determined, the area subject to Tree Removal shall be replanted at the rate of 80 trees per acre for each acre disturbed, or portion thereof. Replacement trees shall not be used to meet any other landscape requirements.

(2) Replacement trees for trees removed from the Tree Save Area shall be planted in the Tree Save Area or, in cases where adequate room is not available, planted elsewhere on the Lot or Building Site or Development site. In cases where adequate room on the Lot or Building Site or Development site is not available as determined by the Development Review Committee, mitigation may take the form of payment to the City tree bank, pursuant to Subsection 4.3.16.L.8.

(3) Following notice of violation from the Zoning Administrator related to this Section 4.3.16.L, no Decision-Making Authority shall review or approve any application for the site from the date of the violation until:

(a) A replacement plan has been approved by the Zoning Administrator and a performance guarantee for the associated replacement has been established in accordance with Section 1.26; or

5. Protection of Specimen Trees.

a. General Protections.

(1) Specimen Trees shall not be cut, removed, pushed over, killed, or otherwise harmed, except as exempted by Section 4.3.16.L.1 and allowed by Section 4.3.16.L.5.c.

(2) The area within the Critical Root Zone, known as the Tree Protection Zone, of any Specimen Tree shall not be subject to any disturbance unless the disturbance is based on an ISA certified arborist report stating that

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the proposed construction shall cause no harm to the tree and is approved by the Zoning Administrator.

b. Designation on Plans and Plats.

Each single-family Residential Lot or Building Site with Specimen Trees shall be identified on each Development Plan, Master PUD Development Plan, and site plan and Final Plat, if applicable, noting that there is a Specimen Tree on such Lot or Building Site, which must be preserved and cannot be removed.

c. Removal and Replacement of Specimen Trees. The removal, damage, or destruction of Specimen Trees shall be a violation of this Ordinance and require mitigation in accordance with the following standards:

(1) Two caliper inches of replacement trees shall be provided for each caliper inch of Specimen Tree removed. Each replacement tree shall be a minimum of two and a half caliper inches, and shall either be replanted within 12 months of the removal of the Specimen Tree, or within a timeframe approved by the Zoning Administrator. Performance gurantees for the associated replacement, if warranted in the opinion of the Zoning Administrator, shall be established in accordance with Section 1.26. Replacement trees shall not be used to meet any other landscape requirements.

(2) Replacement trees shall be either planted on the Lot or Building Site or Development site, as applicable, where the Specimen Tree was removed; however, in cases where space on the Lot or Building Site or site is insufficient, the Zoning Administrator may allow mitigation may take the form of payment to the City's tree bank, pursuant to Section 4.3.16.L.8.

6. Tree Protection During Construction.

a. Tree Protection Fencing.

(1) All Specimen Trees in a Tree Protection Zone and the perimeter of Tree Save Areas shall be fenced in accordance with this Subsection before any Development or construction activity begins. Fencing shall extend at least one foot in distance from the edge of the tree for each inch of diameter at breast height (DBH), so that, at a minimum, each tree's Critical Root Zone is protected, but no case shall the tree fence be less than ten feet from the trunk. The Zoning Administrator shall consider existing site conditions in determining the exact location of any tree protection fencing.

(2) All fencing required by this Subsection shall be chain link fencing at least four feet in height and secured using appropriate posts spaced not more than ten feet apart. Such chain link fencing is not required to be vinyl coated.

(3) Signs that are visible on all sides of the fenced-in area shall be installed on the tree protection fence at a rate of at least one sign for every 150 linear feet. The size of each sign must be a minimum of two feet by two feet and shall contain the following language in English and Spanish: "TREE PROTECTION ZONE: KEEP OUT. ZONA DE LA PROTECCION DEL ARBOL. NO SE PERMITE ENTRAR".

(4) All tree protection measures shall be inspected by and approved by the Zoning Administrator prior to start of any Development or construction activities. Failure to install tree protection measures prior to the commencement of construction is a violation of this Ordinance.

(5) The tree protection fencing shall be clearly shown on the Development Plan, Master PUD Development Plan, and site plan. No construction, grading, equipment or material storage, or any other activity shall be allowed within the fenced area except in accordance with the standards in Section 4.3.16.L.6.b.

(6) Fencing shall be maintained until the

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Development or construction activities are complete.

b. Encroachments into Critical Root Zones.

(1) Encroachments within the Critical Root Zones of trees protected in accordance with this Subsection shall occur only in rare instances where no alternatives exist, such as may be required for the installation of streets, internal drives, sidewalks, or utilities.

(2) If unauthorized encroachments occur, leading to trees being damaged during construction activities, the trees shall be replaced at a one caliper inch to one caliper inch ratio.

c. Owner's Responsibility During Development. The owner, or if the owner is different from the developer, the developer, shall be responsible for the erection of all barriers necessary to protect any existing or installed trees from damage both during and after construction in accordance with the standards of this Subsection.

4.3.17 Private Lighting Standards

The following standards and requirements are applicable within all Districts and Civic Districts:

A. Areas to be Lighted.

All Parking Areas, Parking Lots, Parking Structures, and accessways within the Lot or Building Site shall be lighted.

B. Lighting Standards.

1. A lighting standard shall be no event higher than 30 feet in Non-Residential Parking Areas and Parking Lots or 15 feet in other areas.

2. Additional standards may apply within a Historic District, Historic Landmark District, or with respect to a Historic Structure.

C. Illumination.

1. Illumination at all Building Site Lines must meet the standards of **Table 4.3.17.B (Private Lighting Standards)**; provided that a minimum of one foot-candle (1.0 fc) of illumination must be provided throughout all Parking Areas, Parking Lots, and Parking Structures.

TABLE 4.3.17.B (PRIVATE LIGHTING STANDARDS)

District	Min./Max. Lighting Level at Frontage Line (in foot-candles)
CD-2, CD-3L & CD-3	0-1.0 fc
CD-4 & CD-4C	0-1.0 fc
CD-5 & CD-5C	1.0-2.0 fc
SD-MHP	0-1.0 fc
SD-LI & SD-HI	1.0-2.0 fc
PUD-R & PUD-MU	1.0-2.0 fc
Other PUD's	Per approved PUD standards

2. Lighting fixtures shall be mounted in a manner so that the cone of illumination is contained on-site and does not cross any property line of the site.

3. Lighting shall not be oriented so that it directs glare or excessive illumination onto Streets in a manner that may distract or interfere with the vision of drivers.

4. Any fixtures used to accent architectural features, landscaping, or art shall be located, aimed or shielded to minimize light spill into the night sky.

5. Use of illuminated tubing or light strings outlining or defining property lines, sales areas, roof lines, doors, windows or similar areas or features in a manner that is not primarily for safety purposes, as determined by the Zoning Administrator, is prohibited. This paragraph shall not limit the use of

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lights illuminating outdoor dining or gathering areas.

6. Lighting for Internal Drives is not subject to this Section 4.3.17, but must comply with the Public Lighting Standards set forth in Article 5.

D. Building Spotlights.

Spotlights on Buildings shall not be used to meet the lighting requirements of this Ordinance.

E. Limitation on Periods of Use.

Outdoor recreation areas Adjacent to Residential Uses or Districts shall not be illuminated after 10 PM Sunday through Thursday, and 11 PM Friday and Saturday.

4.3.18 Signage.

All signage must comply with the standards and requirements of Article 7 (Sign Standards).

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Q1 and Q2 – 2023 Zoning Text Amendment

Project #:	24-0223, 0221, 0053, 0043	Location:	N/A
Applicant:	Kevin C. McCarthy, AICP	Case Type(s):	Text Amendment
Staff Planner:	Kevin C. McCarthy, AICP	Proposed Use:	N/A

SUMMARY

The applicant, the Zoning Administrator, requests to amend the text of Ordinance 4400, the zoning ordinance for the City of Columbia. This is the second and third of five rounds of zoning text amendments staff will present to the Planning Commission between December 2023 and December 2024. These changes will implement Connect Columbia, better align zoning regulations with community preferences, and calibrate the standards based on "lessons learned" during the first two years administering the Ordinance. This round of proposed amendments is detailed in the attached list of topics and track changes documents.

- The Planning Commission is a **recommending body** for zoning text amendments. The City Council is the decision-making authority.
- The staff comments section details the proposed changes, which are provided in the agenda packet in ~~strikethrough~~ and underlines.
- Planning Commission may recommend adoption of the proposed text, modify the proposal, or decline the request.
- Templates are provided at the end of the report to assist the Planning Commission in crafting properly formatted motions.

CONSISTENCY WITH CONNECT COLUMBIA

The ongoing current process of reviewing and updating the Zoning Ordinance, Subdivision Regulations, Engineering Standards & Specifications, and other regulating documents is part of the implementation of Connect Columbia, the City's comprehensive plan.

REVIEW PROCESS

Section **8.5.16** of the Zoning Ordinance directs the Planning Commission to review and make a recommendation on all proposed changes to the text of the Ordinance. The Planning Commission is the recommending body for text amendments under **§ 8.3.3.B.2** of the Zoning Ordinance.

Section **8.5.18.C** of the Zoning Ordinance requires that Planning Commission determine that the proposed changes are consistent with the comprehensive plan.

8.5.18.G of the Zoning Ordinance establishes the review criteria for approval of all changes to the text of the Ordinance:

a. *The extent to which the proposed Zoning Ordinance Amendment is consistent with the remainder of this Ordinance, including, specifically, any purpose and intent statements;*
b. *The extent to which the proposed Zoning Ordinance Amendment represents a new idea not considered in this Ordinance, or represents a revision necessitated by changing circumstances over time;*
c. *Whether or not the proposed Zoning Ordinance Amendment corrects an error in this Ordinance; and*
d. *Whether or not the proposed Zoning Ordinance Amendment revises this Ordinance to comply with state or federal statutes or case law.*

The criteria for City Council action on a Zoning Ordinance Amendment at § 8.5.18.J.4 are identical to the criteria for Planning Commission review at 8.5.18.G.3.

COMMENTARY FROM PROFESSIONAL PLANNING STAFF

The City Council adopted the current ordinance on July 14, 2022. The Zoning Ordinance implements the City's comprehensive plan, Connect Columbia. On November 8, 2023, the Planning Commission recommended adoption of a five-year update of the framework, land use, and transportation elements of Connect Columbia. The framework element of the plan directs planning staff to initiate revisions to the ordinance in order to bring it into consistency with changes to the future land use plan. It further directs staff to engage residents and property owners to solicit suggestions for further changes to the ordinance. As mentioned above, this is

the second and third of five rounds of zoning text amendments staff plans to present to the Planning Commission between December 2023 and December 2024.

Planning staff will present detailed commentary at the June 5, 2024 meeting of the Planning Commission.

The Planning Commission may recommend approval of the proposed text amendments, direct staff to prepare an alternative text amendment, or decline to act on the proposed changes**.**

SAMPLE MOTIONS

Approve:

Move to find, based on the analysis provided by city staff, that the criteria listed in section **8.5.18** of the City of Columbia Zoning Ordinance have been satisfied and recommend approval of the proposed text amendments **[may be subject to modificaitons proposed by the Planning Commission]**.

Deny:

Move to recommend denial of the requested text amendment having found, based on the analysis provided by city staff, that the criteria listed in section **8.5.18** of the City of Columbia Zoning Ordinance are not satisfied [*list specific reasons for denial and provide direction to staff*].

Defer:

Move to find that there is insufficient information to decide, defer the matter to the next regularly scheduled meeting of the Planning Commission, and direct staff to provide: [*list additional information*] for review at a future meeting.

Article 2 Zoning Map
Proposed Zoning Text Amendment

Additions are Underlined
~~Deletions are Strikethrough~~

Proposed Changes

§ 2.2 Special Requirements (p. 30) 2
§ 2.3 Changes To Zoning Map (p. 31)..... 3
§ 2.4 Assignment of Districts for Parcels > 80 Gross Acres. (P. 31 - 32) 4
§ 2.5 Newly Annexed Properties (p. 32) 6

Article 2 Zoning Map
Proposed Zoning Text Amendment

Additions are Underlined
~~Deletions are Strikethrough~~

§ 2.2 SPECIAL REQUIREMENTS. (p. 30)

Removes inappropriate language related to incorporation of standards into the Official Zoning Map

~~**Section 2.2 SPECIAL REQUIREMENTS**~~.

~~**2.2.1 Designation on Zoning Map.**~~

~~The Zoning Map and any amendment thereto may designate any of the Special Requirements listed in Section 2.2.2 below. If there is any conflict between an applicable Special Requirement and another standard or requirement, the Special Requirement shall be controlling.~~

~~**2.2.2 Effect of Designation.**~~

~~If a Zoning Map or any amendment designates any one or more of such Special Requirements, such designation indicates that the following requirements shall be applied as follows:~~

~~**A. Shopfront Frontage.**~~

~~A Shopfront Frontage designation requires that each Private Frontage within the designated area be provided a Shopfront Frontage at Sidewalk level, except at any allowed Driveways or Streetscreen areas, as provided in Table 4.3.7.A (Private Frontage Types) and specified in Article 4 (Building, Lot & Building Site Standards).~~

~~**B. Mandatory Retail Frontage.**~~

~~A Mandatory Retail Frontage designation requires that each Private Frontage within the designated area be provided a Shopfront Frontage at Sidewalk level, except at any allowed Driveways or Streetscreen areas, as Provided in Table 4.3.7.A (Private Frontage Types) and specified in Article 4 (Building, Lot & Building Site Standards) and that the ground level be available for Retail Use.~~

~~**C. Terminated Vista.**~~

~~A Terminated Vista designation requires that a Building be provided with a cupola, chimney, entry feature, or~~

~~habitable tower that intersects the centerline axis of the view to which it responds.~~

~~**D. Cross Block Passage.**~~

~~A Cross Block Passage designation requires that a minimum 10-foot-wide pedestrian access be reserved between Buildings.~~

~~**E. Special Height Range.**~~

~~A designation of Special Height Range requires that Buildings within the designated area comply with the Height noted rather than the Height standard that otherwise would be applicable within the District.~~

~~**F. Residential/Dwelling Use Restriction**~~.

~~A designation of Residential/Dwelling Use Restriction prohibits Uses categorized as Residential/Dwelling Uses within the ground floor of Buildings within the designated area, irrespective of whether Residential/ Dwelling Use would otherwise be permitted within the applicable District.~~

~~**G. Residential/Dwelling Use Only**~~.

~~A designation of Residential/Dwelling Use Only requires that the only Principal Uses that are allowed within the designated area are Uses categorized as Residential/Dwelling in Table 4.3.9.A-1 (Building, Lot & Building Site Principal Use), irrespective of whether other Principal Uses would otherwise be permitted within the applicable District~~

§ 2.3 CHANGES TO ZONING MAP (p. 31)

Section 2.~~3~~ 2 Changes to Zoning Map

Renumbers headings

Any change to the adopted Zoning Map shall be subject to compliance with the requirements and procedures of this Ordinance, which shall include without limitation in cases where the change was initiated by any Person other than the City, submission, review and approval of an application for approval of a proposed Zoning Map Amendment that complies with all standards,

conditions, and requirements of this Ordinance, in accordance with Section 8.5.19 and related provisions of Article 8 (Administration, Procedures & Enforcement).

§ 2.4 ASSIGNMENT OF DISTRICTS FOR PARCELS > 80 GROSS ACRES. (p. 31 - 32)

Removes language related to district assignments within development parcels that was not ultimately not adopted as part of the zoning ordinance.

~~**2.4.1 Character Districts.**~~

~~**A. Assignment.**~~

~~Character Districts must be assigned within parcels of land of 80 or more gross acres, excluding any Special Districts, in accordance with Article 5 (Development Parcel Standards). For any Development Parcel of 80 or more gross acres excluding any Special Districts, assignment of each Character District type (i.e., CD-2, CD-3L, CD-3, CD-4, CD-4C, CD-5, or CD-5C) for any Zoning Map Amendment must be consistent with the then effective CIty Comprehensive Plan. Except for applications and approvals for a rezoning related to a PUD District, all applications for and approvals of a Zoning Map Amendment covering a parcel of land of 80 or more gross acres, excluding any Special Districts, must be in accordance with this Section 2.4.1.~~

~~**B. Zoning Map Amendment.**~~

~~Assignment of Character Districts shall be subject to approval as a Zoning Map Amendment pursuant to Section 8.5.19.~~

~~**2.4.2 Civic Districts.**~~

~~**A. Assignment.**~~

~~Civic Districts must be assigned within parcels of land of 80 or more gross acres, excluding any Special Districts, in accordance with Article 5 (Development Parcel Standards). B. Zoning Map Amendment. Assignment of Civic Districts shall be subject to approval as a Zoning~~

~~Map Amendment pursuant to Section 8.5.19. 2.4.3 Special Districts. A. Assignment. A Special District may be assigned to an area within a parcel of land over 10 gross acres, excluding any Special Districts, only if due to the necessary and intrinsic Uses, size, or form, a proposed Development cannot under any plan, design, or circumstances conform to one or more of the Character Districts and standards therefor. Special Districts shall not be proposed or used to avoid, or have the effect of avoiding compliance with the standards and requirements of this Ordinance for Character Districts, and instead, shall be used sparingly and only in exceptional situations.~~

~~B. Zoning Map Amendment.~~

~~Assignment of Special Districts shall be subject to approval as a Zoning Map Amendment pursuant to Section 8.5.19.~~

~~2.4.3 Special Districts.~~

~~A. Assignment.~~

~~A Special District may be assigned to an area within a parcel of land over 10 gross acres, excluding any Special Districts, only if due to the necessary and intrinsic Uses, size, or form, a proposed Development cannot under any plan, design, or circumstances conform to one or more of the Character Districts and standards therefor.~~

~~Special Districts shall not be proposed or used to avoid, or have the effect of avoiding compliance with the standards and requirements of this Ordinance for Character Districts, and instead, shall be used sparingly and only in exceptional situations.~~

~~B. Zoning Map Amendment. Assignment of Special Districts shall be subject to approval as a Zoning Map Amendment pursuant to Section 8.5.19.~~

~~2.4.4 PUD Districts.~~

~~A. Assignment.~~

~~A PUD District may be assigned to an area within~~

~~a parcel of land over 10 gross acres, only if due to unique site conditions or the necessary and intrinsic Uses, size, or form, a proposed Development cannot under any plan, design, or circumstances conform to one or more of the Character Districts and standards therefor. PUD Districts shall not be proposed or used to avoid, or have the effect of avoiding compliance with the standards and requirements of this Ordinance for Character Districts, and instead, shall be used sparingly and only in exceptional situations.~~

~~**B. Zoning Map Amendment.**~~

~~Assignment of PUD Districts shall be subject to approval as a Zoning Map Amendment pursuant to Section 8.5.19.~~

§ 2.5 NEWLY ANNEXED PROPERTIES (p. 32)

Section 2.~~5~~ 4 NEWLY ANNEXED PROPERTIES

Newly annexed properties shall have an initial zoning of CD-3L. However, an application for rezoning to any other District may be considered concurrently with the action for annexation subject to Section 8.5.19

Renumber sections to reflect changes above.

Article 5 Development Standards
Proposed Zoning Text Amendment

Additions are Underlined
~~Deletions are Strikethrough~~

Proposed Changes

§ 5.1.1 through § 5.1.4 District Assignments (p. 303) 2
§ 5.1.9 – Thoroughfare / Internal Drive Network (p. 304) 2
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TABLE 5.2.2.F (p. 309-310) Thoroughfare / Internal Drive Types –Summary 11
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TABLE 5.2.2.L (P. 320) Alley Assembly and Standards 11
§ 5.2.3 Public Frontages (p. 321 - 322) 12
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§ 5.8.13 Maintenance (p. 340 – 341) 25

Article 5 Development Standards
Proposed Zoning Text Amendment

Additions are Underlined
~~Deletions are Strikethrough~~

§ 5.1.1 through § 5.1.4

District Assignments (p. 303)

~~5.1.5 Civic Districts.~~

~~Civic Districts shall be assigned according to and as required by Sections 2.4.2 and 3.4.~~

Removes extraneous text regarding assignment of districts within large development parcel. This process is not part of the Ordinance adopted in 2022.

~~5.1.6 Character Districts.~~

~~Character Districts shall be assigned as required by Section 2.4.1 and 3.2.~~

~~5.1.7 Special DISTRICTS.~~

~~Special Districts, if any, shall be assigned according to Section 2.4.3 and 3.3.~~

~~5.1.8 PUD Districts.~~

~~Each PUD District shall be assigned according to Sections 2.4.4, 3.3, and 8.5.21.~~

§ 5.1.9 – Thoroughfare / Internal Drive Network (p. 304)

5.1.5~~9~~ Thoroughfare / Internal Drive Network

Renumber headings

The Thoroughfare and Internal Drive network shall be laid out according to Section 5.2.

§ 5.1.3 – Plans Applicable to Development Parcel (p. 303)

~~5.1.3 Plans Applicable to Development Parcel.~~

Except as otherwise provided in Section 1.22 with respect to Nonconformities, none of the following shall

occur with respect to any project or proposal involving a Development Parcel, except in compliance with this Article 5, the Official Zoning Map, and pursuant to a Development Plan or Master PUD Development Plan that conforms with and has been prepared, submitted, reviewed and approved in accordance with Section 8.5.6, this Article 5, and all other standards and requirements applicable thereto:

A. Construction Activities.

Construction, re-construction, Alteration, modification, raising, moving, extending, reducing, or enlarging any Structure;

B. Development Activities.

Development, re-Development, Improvement~~,~~ ~~subdivision, or re-subdivision~~ of any Lot, Building Site, or other parcel of land;

Provides for subdivision of property without a Site Development Plan (SDP) in order to facilitate the division of property. An SDP is still required prior to actual development.

C. Subdivision

Subdivision, or re-subdivision of any Lot, Building Site, or other parcel of land, except when approved by the Zoning Administrator and City Engineer in order to facilitate the orderly division of land for subsequent development review, any subsequent use of the property shall require review and approval of a Development Plan or Master PUD Development Plan;

~~C.~~D. Use.

Use of any Structure, Lot, Building Site, or other parcel of land;

~~D.~~E. Applications and Actions.

~~1.~~ Filing, issuing, applying for, certifying, or approving any subdivision application or plat, Building Permit, Development Plan or Master PUD Development Plan, or other Zoning Permit, relating to, or subdividing, re-subdividing, except as provided in 5.3.1.C, commencing Construction on, or Developing, or Improving any part of a Development Parcel.

~~2. Approving any Zoning Map or Zoning Map amendment, other than any Zoning Map or Zoning Map Amendment prepared by or on behalf of the City.~~

Distinguishes rezoning from site plan review and adds consistency with Article 8.

§ 5.1.4– Pedestrian Sheds (p. 303)

A. Parcel to be Based on Pedestrian Shed.

Each Development Parcel ~~of 80 acres or more~~ shall be based upon one or several proposed or existing Standard or Linear Pedestrian Sheds, as applicable, located according to existing conditions, such as traffic intersections, Adjacent Development, and natural features.

Applies the pedestrian shed analysis to all development parcels.

B. Common Destination.

Each Pedestrian Shed shall have a Common Destination near its center. See **Illustration 5.1.4.B-1 (Standard**

Pedestrian Shed) and **Illustration 5.1.4.B-2 (Linear Pedestrian Shed)**.

C. Parcel / Site Size Relative to Pedestrian Shed Size.

A Development Parcel and the overall site plan ~~site~~ may be smaller or larger than the Pedestrian Shed within which it is situated.

TABLE 5.1.10 Building Type Mix (p.305)

Replace current table with revised Building Type Mix Table. (see Attachment 5.A).

TABLE 5.1.11 Uses (p.306)

Replace current table with revised Principal Use Miz Table. (see Attachment 5.B).

Revised tables eliminate Live/Work as an option to fulfill non-residential requirement and remove districts not regulated to create a cleaner table

§ 5.2 (p. 306 - 311)

Thoroughfares & Internal Drive Standards

5.2.1 Thoroughfare & Internal Drive Standards.

Any Thoroughfares, Internal Drives, and Alleys within or Adjacent to a Development Parcel shall comply with the following standards:

A. Access.

Thoroughfares and Internal Drives shall provide for vehicular and non-vehicular traffic and provide Access to Lots or Building Sites and Civic Spaces. Alleys, where provided, shall provide for vehicular Access to the side or rear of Lots or Building Sites and Civic Spaces.

B. Components.

1. Each Thoroughfare and Internal Drive shall consist of Public Frontage, Vehicular Travel Lanes and any required Vehicular Parking Lanes, any allowed Loading Spaces, and any required Bicycle Accommodations. See **Illustration 5.2.2.B-1 (Thoroughfare / Internal Drive Components)** and details shown in the Engineering Standards & Specifications.

2. Each Alley shall consist of the elements shown in ~~**Illustration 5.2.2.B-2 (Alley Components)**~~the Engineering Standards & Specifications.

C. Thoroughfares / Internal Drives in Multiple Districts.

The Public Frontages of Thoroughfares that pass from one District to another shall be adjusted accordingly or, alternatively, may follow the alignment of the Thoroughfare to the depth of one Lot or Building Site, retaining a single Public Frontage throughout its trajectory.

D. Block~~s Perimeter~~.

Clarifies the formation of blocks and adds adjustment for site conditions

1. Thoroughfares and Internal Drives shall be provided and designed to define Blocks, subject to adjustment by Waiver of the Zoning Administrator at the edge of a Development Parcel or to accommodate specific site constraints.

2. Blocks shall not exceed~~ing any~~ the applicable perimeter size prescribed in **Table 5.2.2.D (Block**

Provides for adjustment to block perimeter size

Perimeter Standards), measured as the sum of Lot or Building Site Frontage Lines.~~,~~ subject to adjustment by Waiver of the Zoning Administrator at the edge of a Development Parcel~~.~~

E. Network / Connections.

1. Thoroughfares and Internal Drives shall terminate at other Thoroughfares or Internal Drives, forming a network, connecting wherever possible to Thoroughfares or Internal Drives on Adjacent sites. ~~and~~

2. C~~c~~ul-de-sacs ~~not being allowed~~are prohibited ~~unless~~ except where approved by Waiver of the Zoning Administrator to accommodate specific site conditions.

F. Thoroughfare / Internal Drive Types.

Each Thoroughfare or Internal Drive shall be one of the types described in **Table 5.2.2.F (Thoroughfare / Internal Drive Types – Summary)** for the applicable District ~~or the District Adjacent to a Civic District~~.

G. **Assemblies & Standards.**

Thoroughfares and Internal Drives within Districts and ~~within Civic Districts~~ Adjacent to Districts shall conform to the applicable standards for such Districts set forth in the City of Columbia Engineering Standards & Specifications ~~**Table 5.2.2.G-1 (Thoroughfare / Internal Drive Assemblies and Standards)**~~. ~~Alleys shall conform to the standards of **Table 5.2.2.L (Alley Assembly and Standards)**.~~

~~All dimensions and standards listed are considered the minimum for the general case.~~ All street specifications shall meet engineering standards and are subject to approval by the ~~City Engineer~~Planning Commission. Elements of the street sections may be altered and approved by the City Engineer. ~~Permitted on minor local and major local roadway~~ ~~Greater classified roadways shall use standard engineering roadway sections for the appropriate roadway classification~~

Shifts the current thoroughfares assemblies to the ESS and clarifies that the Planning Commission is the approval authority.

1. Boulevards and Avenues Required

a. A portion of thoroughfares shall be Boulevards or Avenues for Development Parcels in character districts CD-3, CD-4, CD-4C, PUD-R, and PUD-MU, where:

(1) The total centerline length of all proposed Thoroughfares exceeds 19,999 linear feet;

(2) The number of residential units within the Development Parcel, or within a common scheme of development, exceeds 299; or

(3) Total frontage of all non-residential Lots and Building Sites exceeds 499 feet.

Requires a prominent entrance to very large developments.

b. Boulevards and Avenues shall comprise a portion of the total Thoroughfare length in each Development Parcel with the following districts:

Establishes the minimum Boulevard/Avenue section as a percentage of overall thoroughfare length

TABLE 5.2.2.G.1

CD-3	10%
CD-4	10%
CD-4C	20%
PUD-R	20%
PUD-MU	20%

c. Boulevards and Avenues shall be continuous in nature where possible and generally provide a continuous path from the entrance through the site.

2. Where a Traffic Impact Study indicates Average Annual Daily Traffic exceeds 1,200 trips per day, a 4-Lane Avenue shall be provided.

H. Additional Pedestrian Walkways.

1. Pedestrian Access

a. ~~In addition to the Public Frontage, Parking Lot and Parking Area sidewalk and walkway requirements and the sidewalk requirements contained in the Subdivision Regulations, p~~Pedestrian ways, linkages and paths shall be provided from the Main Entrance of each principal Building ~~entry~~ to surrounding Thoroughfares, Internal Drives, external

Improve clarity of language.

sidewalks, ~~transit stops~~ and ~~out~~Adjacent-parcels.

b. Pedestrian ways shall be designed to provide access between Parking Lots and Parking Areas and Building public entrances.

c. At least one handicapped accessible route in accordance with all applicable regulations adopted by the City ~~State requirements~~ shall connect Buildings, facilities, elements and Parking spaces that are on the same Lot, Building Site, or Development Parcel.

2. Pedestrian Crosswalks.

Crosswalks shall ~~be designed and~~ provide~~d for~~ pedestrian access ~~to and~~ from Buildings to Parking Lots, Parking Areas and off-site Parking spaces, and shall be clearly designated with signage and variations in pavement materials or markings.

I. Sight Triangle.

At all Thoroughfare and Internal Drive intersections, the visibility standard of Section 4.3.3.G or Section 7.1.7.D shall be met.

~~**J. Connecting Driveways.**~~

~~Where a Driveway connects to a collector or major Thoroughfare, it shall be designed to provide for a turnaround to avoid backing into the Thoroughfare.~~

Removes duplication of provisions in 4.3.12.E and the Access Management Ordinance

~~K~~J. Internal Drives.

Any Internal Drives shall be placed in a public access Easement and recorded as part of a Final Plat.

~~L~~K. Alleys.

Alleys shall comply with the assembly and standards of the City of Columbia Engineering Standards & Specifications**~~Table 5.2.2.L (Alley Assembly & Standards)~~**.

TABLE 5.2.2.F (p. 309-310)

THOROUGHFARE / INTERNAL DRIVE TYPES –SUMMARY

Replace current table with summary of corresponding assemblies in ESS. (see Attachment 5.C).

TABLE 5.2.2.G-1 (p. 310)

THOROUGHFARE / INTERNAL DRIVE TYPES

Delete the table in its entirety (see concurrent revisions to the ESS).

TABLE 5.2.2.L (p. 320)

ALLEY ASSEMBLY AND STANDARDS

Delete the table in its entirety (see concurrent revisions to the ESS).

Article 5 Development Standards
Proposed Zoning Text Amendment

Additions are Underlined
~~Deletions are Strikethrough~~

§ 5.2.3 Public Frontages (p. 321 - 322)

5.2.3 Public Frontages.

A. Elements.

The Public Frontage of any Thoroughfare or Internal Drive shall include the Sidewalk, Curb, planter, trees, bicycle accommodations, and lights, as required and designed in accordance with this Article 5, **Table 5.2.4.B (Bikeway Types)**, **Table 5.2.2.F (Thoroughfare & Internal Drive Types Summary)** and ~~Table 5.2.2.G-1 (Thoroughfare & Internal Drive Assemblies and Standards)~~the City of Columbia Engineering Standards & Specifications. Trees are not required along any side of a Thoroughfare that is contiguous to a Civic Space.

B. Civic Districts

Within Civic Districts, the Public Frontage shall comply with the Public Frontage standards applicable to any Adjacent Character District~~, or if there is none, the nearest Character District~~.

C. Plantings Provided by Owner.

1. Within the Public Frontage, Public Planting, if any is required or is to be provided, shall be provided by the property Owner in accordance with ~~Table 5.2.2.G- 1 (Thoroughfare & Internal Drive Assemblies and Standards)~~the City of Columbia Engineering Standards & Specifications, provided that the spacing may

be adjusted by Administrative Adjustment of the Zoning Administrator to accommodate specific site conditions.

2.Tree species shall be selected from **Table 4.3.16.D-1 (Native Plants of the Tennessee Valley)**; provided that coniferous trees are not allowed within the Public Frontage. The Zoning Administrator may approve alternative tree species where appropriate.

Provides greater flexibility in tree selections.

D. Tree Height at Maturity.

The Public Frontage shall include trees with shade canopies of a height which, at maturity, leaves clear at least one Story.

E. Plant Species.

Other than Public Frontage trees prescribed by this Section, the introduced landscape shall consist primarily of durable native species and hybrids that are tolerant of soil compaction and require minimal irrigation, fertilization and maintenance.

F. Sidewalk Construction Standards. Sidewalks meeting the technical standards of the City Engineer and the standards and requirements set forth in the City of Columbia Engineering Standards & Specifications~~**Table 5.2.2.G-1 (Thoroughfare & Internal Drive Assemblies and Standards)**~~ are required to insure pedestrian movement and safety.

G. Placement of Trees.

Revisions to formatting

Landscaping within the Public Frontage and landscaping within Civic Spaces shall comply with the following standards:

1. ~~The~~ Trees ~~same~~ shall be centered horizontally; and

2. Trees ~~and~~ shall be placed ~~minimally~~:

a. At least ~~T~~two (2) feet from walkways, curbs, and other impervious surfaces if planted in a tree well or continuous planter;

b. At least ~~T~~three (3) feet from walkways, curbs, and other impervious surfaces if planted in a continuous Swale or uncontained area.

~~2~~**c.** At least ~~F~~five (5) feet from street lights, utility meters and service lines, fences, walls and other ground level obstructions;

~~3~~**d.** At least Six (6) feet from porch eaves, awnings and similar overhead obstructions associated with the ground level of Buildings; and

~~4~~**e.** At least Eight (8) feet from balconies, verandas, Building eaves and cornices, and similar overhead

No changes proposed to 5.2.3.H – O on p. 322

obstructions associated with the upper stories of Buildings.

§ 5.2.4 Bicycle Accommodations (p. 322 – 323)

A. Bicycle Parking.

Bicycle Parking shall be provided in accordance with Section 4.3.13.

B. Bikeway Types.

1. A bicycle network comprised of the various allowed Bikeway Types indicated in **Table 5.2.4.B (Bikeway Types)** shall be provided through~~out~~ each Development Parcel of ~~80~~ 10 acres or more.

Expands requirement for gradual creation of a Bikeway network

2. The total length of the bicycle network provided must meet or exceed the total combined centerline length of roadways with a functional classification of Major Local and Collector within the Development Parcel, as indicated by the Traffic Impact Study or designated by the City Engineer.

3. Development Parcels of 80 acres or more shall utilize a Bikeway Type of Shared Use Path, Bicycle Lane, or Protected Bicycle Lane. Shared Use Paths may be located in Civic Space.

C. Bikeway Network Connectivity

Bikeways established under this section shall connect to existing Bikeways within public rights-of-way and on Adjacent properties. Where no Bikeways currently exist, provision shall be made for future connections in the form of ~~a~~ Bikeway Stubs. Such stubs should be placed in the location most suitable for continuation of the Bikeway in conjunction with development of the Adjacent property, as determined by the Zoning Administrator. The placement of Bikeways shall be consistent with the Parks & Greenways element of Connect Columbia.

D. All Bikeways shall be placed in a public right-of-way or public access easement.

E~~C~~. Bicycle Accommodation Standards – Civic Districts. Within Civic Districts, any bicycle accommodations shall comply with the standards applicable to any Adjacent Character District.

~~**D. Bicycle AccommodationStandards – Special Districts.** Within Special Districts, any bicycle accommodations shall comply with any applicable standards for the Special District.~~

Table 5.2.4.B lists bikeway types for special districts

Article 5 Development Standards
Proposed Zoning Text Amendment

Additions are Underlined
~~Deletions are Strikethrough~~

TABLE 5.2.4.B Bikeway Types (p. 323)

Replace current table with revised Bikeway Types table. (see Attachment 5.D).

Revision to Bikeway table limited to requirement for "sharrows" on Bicycle Lanes

§ 5.2.5 Public Planting (p. 326)

Public Planting shall be provided within the Public Frontage of Thoroughfares in accordance with **Table 5.2.2.F (Thoroughfare & Internal Drive Types - Summary)**, ~~**Table 5.2.2.G-1 (Thoroughfare & Internal Drive Assemblies & Standards)**~~, and **Table 5.2.5 (Public Planting)** and **Table 4.3.16.D-1 (Native Plants of the Tennessee Valley)**.

Remove reference to table deleted above

§ 5.3 Civic Districts (p. 328)

5.3 Civic ~~Districts~~ Spaces

Updates title of the section.

5.3.1 Civic Space Requirement~~; Civic District Designation.~~

A. Percentage of Civic Space.

Any Development Parcel shall include at least 5% ~~but not more than 20%~~ of its gross acreage assigned as Civic Space(s). The Civic Space provided pursuant to this Section 5.3.1.A shall be in addition to all Yard, Setback, and Impervious Surface area required ~~not permitted to be covered~~ under this Ordinance and the Subdivision Regulations.

Eliminates the maximum Civic Space area.

B. Other Open Spaces Permitted

These provisions do not restrict o~~r~~ prohibit supplemental open space and amenities in addition to the required Civic Space.

Makes clear that a developer can provide additional open space.

~~**B. Designation on Zoning Map.**~~

~~Civic District(s) shall be designated on the applicable Zoning Map as Civic Space (CS) and / or Civic Building (CB). Civic Districts shall be assigned in accordance with Section 2.4.2.~~

Removes references to zoning within a Development Parcel which were not incorporated into Ord. 4400 upon adoption in 2022.

~~C~~B. Compliance with Civic District Standards.

All Lots, Building Sites, ~~Development,~~ Buildings, Structures and Improvements within Civic ~~Districts~~ Spaces shall comply with the standards applicable to Civic Districts at **Table 4.3.1-U (District Standards-Civic)**.

Clarifies requirements for identifying Civic Space and exemptions from certain standards.

C. Civic Space Lots and Building Site

1. Civic Spaces shall be located on Lots or Buildings Sites identified on a Final Plat, Site Development Plan, or Planned Unit Development Master Plan.

2. Civic Spaces are exempt from the prohibition of through-lots at Section 4.3.3.D.

5.3.2 Civic Spaces - Design.

Civic Spaces shall be designed as generally described in **Table 5.3.3-A (Civic Space Types - Summary)** and **Table**

5.3.3-B (Civic Space - Specific Standards) ~~as indicated for any Adjacent Character District, Special District, or PUD District, or if not Adjacent to any such District, as indicated for the closest non-Adjacent District~~. The Planning Commission may approve additional specifications for typical facilities within Civic Spaces. The selection of Civic Space types and placement of Civic Spaces within a Development Parcel shall be consistent with the Parks & Greenways element of Connect Columbia.

5.3.3 Civic Spaces Required.

Each Development Parcel of ~~20~~ 10 acres or more shall provide the following:

A. Main Civic Space.

Each Pedestrian Shed within such Development Parcel shall contain at least one Main Civic Space of the Green, Square, or Plaza type, as permitted within the applicable District and conforming to **Table 5.3.3-A (Civic Space Types - Summary)** and **Table 5.3.3-B (Civic Spaces – Specific Standards)**, within 800 feet of the geographic center of such Pedestrian Shed.~~,~~ ~~unless~~ Where topographic conditions, pre-existing Thoroughfare alignments or other circumstances prevent such location, the Zoning Administrator may approve an alternative location within the Pedestrian Shed.~~;~~

B. Playground. A Civic Space designed and equipped as a Playground conforming to **Table 5.3.3-B (Civic Spaces – Playground)** (1) within ~~800~~ 1,300 feet of ~~every~~ each Lot or Building Site in Residential Use in all Districts ~~except CD-2, CD-3L, SD-INT~~CD-3, CD-4, CD-4C, CD-5~~, and SD-LI, and (2) within 1300 feet of every Lot or Building Site in Residential Use in Districts CD-2, CD-3L, and SD-LI~~; and

Revises playground requirement

C. Thoroughfare Enfrontment.

Each Civic Space shall have a ~~minimum of~~ ~~50%~~portion of its perimeter equal to or greater than the minimum width of a Lot or Building Site in the applicable character district Enfronting a Thoroughfare, ~~except for Playgrounds,~~ ~~or~~ except for ~~Community Gardens~~Sport Fields or Courts.

Provides greater flexibility for location of Civic Space within a Development Parcel.

~~**5.3.4 Civic Spaces in or Adjacent to Special Districts.**~~

~~Civic Space in addition to that required by Section 5.3.1.A and 5.3.3 shall be permitted.~~

5.3.4~~5~~ Civic Building(s) within Civic Spaces ~~Standards~~.

Civic Buildings and community amenities, including mail kiosks, pool houses, and community centers may be located in Civic Spaces. ~~Any Civic Building provided or required pursuant to this Ordinance shall be located within or Adjacent to a Civic Space, or at the axial termination of a significantThoroughfare.~~

Removes redundant language.

Eliminates the requirement for all Civic Buildings to be located at a Terminating Vista or adjacent to a Civic Space.

5.3.5~~6~~ Maintenance of Civic Buildings & Civic Space.

Civic Buildings and Civic Space shall be owned and maintained by a property owners' association unless specifically dedicated to and accepted by the City. Any such property owner's association shall be organized under the laws of the State of Tennessee. The deed conveying a Civic Building or Civic Space to a property owners' association shall include covenants running with the land that permanently reserve it for Civic purposes and require the association to maintain and pay all expenses associated with such Civic Building or Civic Space.

TABLES 5.3.3-A & 5.3.3-B Civic Spaces (p.329 - 334)

Replace current table with revised Civic Space Summary and Details Tables. (see Attachment 5.E and 5.F).

§ 5.4 – DISTRICT DENSITY (p. 335 - 337)

Section 5.4 DISTRICT DENSITY

A. Density Calculations. Any proposed Development Parcel, ~~excluding any Special Districts,~~ shall require compliance with the following District Density provisions:

1. District Density shall be calculated based on the gross acreage of a specific District covered by the Development Parcel Plan.

2. Density shall be expressed in terms of Density Units per gross acre as specified for the area of each District by **Table 5.4.A-1 (District Density)**.

Corrects discrepancy between Article 4 and Article 5 regarding maximum density

TABLE 5.4.A-1 DISTRICT DENSITY

	Density Units
CD-2	1 Density Unit~~s~~ per acre, gross, max
CD-3L	2 Density Units per acre, gross, max
CD-3	~~6~~ 4 Density Units per acre, gross, max
CD-4	12 Density Units per acre, gross, max
CD-4C	24 Density Units per acre, gross, max
~~CD-5~~	~~Not Regulated~~
~~CD-5C~~	~~Not Regulated~~
SD-MHP	6 Density Units per acre, gross, max
SD-INT	24 Density Units per acre, gross, max
~~SD-LI~~	~~Not Regulated~~
~~SD-HI~~	~~Not Regulated~~
PUD-R	12 Density Units per acre, gross, max
PUD-MU	12 Density Units per acre, gross, max
Other PUDs	Per PUD Approval
~~CV~~	~~Not Regulated~~

Development Parcel density is unregulated in CV, SD-LI, SD-HI, CD-5, and CD-5C.

3. For purposes of calculating District Density:

a. the area shall include the Thoroughfares, Internal Drives, and Civic Space within the Development Parcel~~istrict, but not land assigned to Civic Zones~~;

b. the quantities of the Principal Uses indicated on **Table 5.4.A-2 (Density Equivalencies)** shall constitute the indicated number of Density Units or portion thereof.

B. Maximum ~~District~~ Density.

~~**1.**~~ The Maximum Density ~~per Character District~~ of a Development Parcel, shall not exceed that set forth in **Table 5.4.A-1 (District Density)**.

§ 5.6 – SPECIAL DISTRICTS (p. 337)

[delete section and renumber subsequent sections as well as all cross-references within the Ordinance]

~~Section 5.6 SPECIAL DISTRICTS~~

~~**5.6.1 Purpose of Special Districts.**~~

~~Special District designations are for areas which, due to their intrinsic size, Use, or Configuration, cannot~~

~~conform to the requirements and standards of the applicable Character District(s).~~

~~5.6.2 Not to be Used to Avoid Compliance.~~

~~Special Districts shall not be used to avoid compliance with standards and requirements for Character Districts, and instead, shall be used sparingly.~~

~~5.6.3 Assignment of Special Districts.~~

~~Special Districts shall be assigned in accordance with Sections 2.4.3 and 3.3.~~

§ 5.7 – SPECIAL REQUIREMENTS (p. 337)

[delete section and renumber subsequent sections as well as all cross-references within the Ordinance]

~~Section 5.7 SPECIAL REQUIREMENTS~~

~~Any of the Special Requirements set forth in Section 2.2 may be designated for any Development Parcel on the applicable Development Plan or Master PUD Development Plan~~

Removes language related to district assignments within development parcels that was not ultimately not adopted as part of the zoning ordinance. Some incorrect references in subsequent sections are made accurate by this deletion. Others will be updated.

§ 5.8.12 – Ownership of Project Buffers (p. 340)

[Renumber sections 5.8.1 through 5.8.11 on p. 337 - 340 as well as all cross-references within the Ordinance. New number is 5.6.1 through 5.6.11.]

5.~~8~~6.12 Ownership.

Project Buffers may remain in the ownership of the original developer (and assignees) of ~~a Lot, Building Site,~~

~~or parcel of land~~; they may be subjected to deed restrictions and subsequently conveyed~~; or they may be transferred to any consenting grantees, such as a forest preserve, the City, Civic Space held by an association (homeowners, etc.), or conservation group~~. Any such conveyance shall adequately guarantee the protection and maintenance of the Project Buffer in accordance with the provisions of this Ordinance.

§ 5.8.13 Maintenance (p. 340 – 341)

5~~.68.~~13 Maintenance

A. Responsible Parties /Responsibilities.

Require recorded agreement for long-term maintenance of project buffers.

The responsibility for maintenance of a required Project Buffer shall be that of the owner of the property, such owner's successors, heirs, and assignees or any consenting grantee. Upon approval of a Development Plan which includes Project Buffers required by this Ordinance, the property owner shall execute and record a maintenance agreement guaranteeing performance by all successors in interest and authorizing the City and its agents to enter the property for purposes of enforcement described in 5.6.13.G.

[Renumber subsequent subsections on p. 341 from 5.8.13.B through G to 5.6.13.B through G.

Article 5 Development Standards
Proposed Zoning Text Amendment

Additions are Underlined
~~Deletions are Strikethrough~~

Renumber sections 5.8.14 and 5.8.15 on p. 341 as well as all cross-references within the Ordinance. New number is 5.6.14 and 5.6.15.]

5.1.10 Mix of Building Types p. 304-305

5.1.10 BUILDING TYPES.

Within each Development Parcel of 10 acres or more there shall be a mix of Building Types in compliance with **Table 5.1.10 (Building Type Mix)**.

[Revised Table]:

TABLE 5.1.10 BUILDING TYPE MIX

District	Building Types	Permitted Share of Total Building Frontage Width
CD-4	Total of House, Duplex, Townhouse, Small Multifamily & Large Multifamily	85% max, with Large Multifamily < 20% of Total CD-4 Frontage width
	Total of Commercial, Mixed Use & Flex	15% min Frontage width
CD-4C	Total of House, Duplex, Townhouse, Small Multifamily & Large Multifamily	85% max, with Large Multifamily < 20% of Total CD-4C Frontage width
	Total of Commercial, Mixed Use & Flex	15% min Frontage width
CD-5	Total of House, Duplex, Townhouse, Small Multifamily & Large Multifamily	85% max, with Large Multifamily < 20% of Total CD-5 Frontage width
	Total of Commercial, Mixed Use & Flex	30% min Frontage width
CD-5C	Total of House, Duplex, Townhouse, Small Multifamily & Large Multifamily	85% max, with Large Multifamily < 20% of Total CD-5C Frontage width
	Total of Commercial, Mixed Use & Flex	15% min Frontage width
PUD-R	Any single permitted Building Type	Determined by Decision Making Authority
PUD-MU	Total of Commercial, Mixed Use, Flex & Mid-Rise	40% min

Table to be Removed

TABLE 5.1.10 BUILDING TYPE MIX

District	Building Types	Permitted Min/Max Building Type Mix Frontage Width of Total Building Frontage Width
CD-2	--------	NR
CD-3L	--------	NR
CD-3	--------	NR
CD-4	Total of House, Duplex, Townhouse, Small Multifamily & Large Multifamily	85% max, with Large Multifamily ≤ 20% of Total CD-4 Frontage width
	Total of Live/Work, Commercial, Mixed Use & Flex	15% min
CD-4C	Total of House, Duplex, Townhouse, Small Multifamily & Large Multifamily	85% max, with Large Multifamily ≤ 20% of Total CD-4 Frontage width
	Total of Live/Work, Commercial, Mixed Use & Flex	15% min
CD-5	Total of House, Townhouse, Small Multifamily & Large Multifamily	70% max, with Large Multifamily ≤ 40% of Total CD-4 Frontage width
	Total of Live/Work, Commercial, Mixed Use, Flex & Mid-Rise	30% min
CD-5C	Total of House, Townhouse, Small Multifamily & Large Multifamily	70% max, with Large Multifamily ≤ 40% of Total CD-4 Frontage width
	Total of Live/Work, Commercial, Mixed Use, Flex & Mid-Rise	30% min
PUD-R	Any single permitted Building Type	Determined by Decision Making Authority
PUD-MU	Total of Live/Work, Commercial, Mixed Use, Flex & Mid-Rise	40% min
SD-MHP	--------	NR
SD INT	--------	NR
SD-LI	--------	NR
SD-HI	--------	NR
CV	--------	NR

5.1.11 Uses.

Within each Development Parcel of 10 acres or more there shall be a mix of Principal Uses in compliance with **Table 5.1.11 (Principal Use Mix)**. Any district not listed is not regulated.

TABLE 5.1.11 PRINCIPAL USE MIX

Max Residential Use % of Net Site Area	
CD-4	85% max
CD-4C	85% max
CD-5	70% max
CD-5C	70% max
SD-INT	40% max
SD-LI	40% max
SD-HI	None Permitted
PUD-MU	40% max

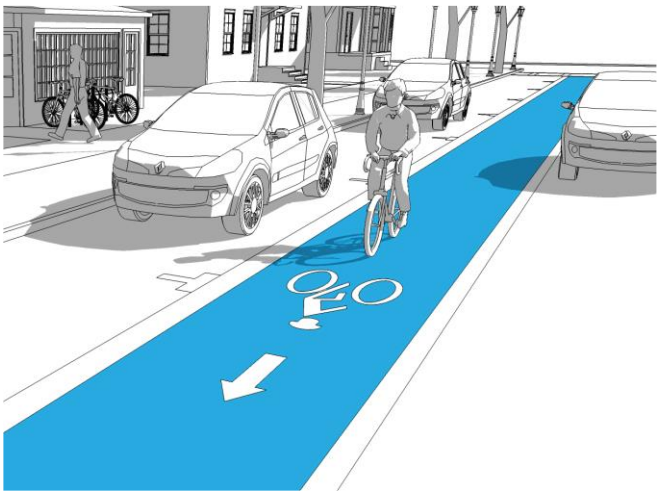
Table to be Removed

TABLE 5.1.11 PRINCIPAL USE MIX

	Max Residential Use % of District Net Site Area
CD-2	Not Regulated
CD-3L	Not Regulated
CD-3	Not Regulated
CD-4	85% max
CD-4C	85% max
CD-5	70% max
CD-5C	70% max
SD-MHP	Not Regulated
SD-INT	40% max
SD-LI	40% max
SD-HI	None Permitted
PUD-R	Not Regulated
PUD-MU	40% max
Other PUDs	Per PUD Approval
CV	Not Regulated

TABLE 5.2.4.B BIKEWAY TYPES

Bicycle Lane

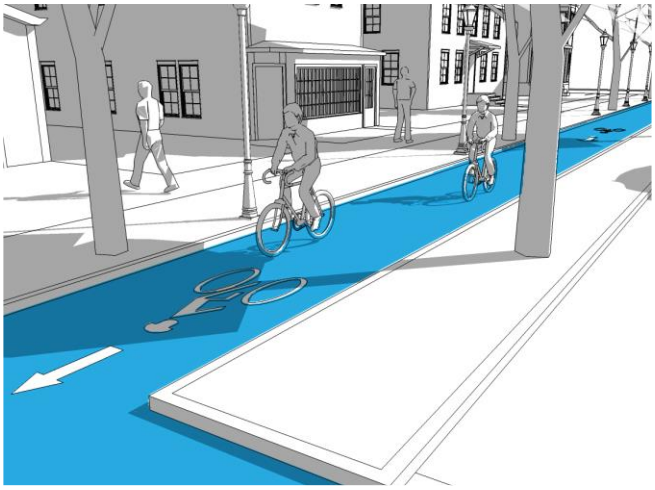


Permitted Districts

CD-2 CD-3L CD-3 CD-4 CD-4C CD-5 CD-5C SD-MHP SD-INT SD-LI SD-HI PUD-R PUD-MU

Riding Surface Width	5 ft min
Buffer	None
Movement	With traffic
Intersection Detailing	Signalized, Peg-a-Track, colored, Bicycle Box
Bicycle Parking	Rack, bicycle shelter, bicycle station

Protected Bicycle Lane

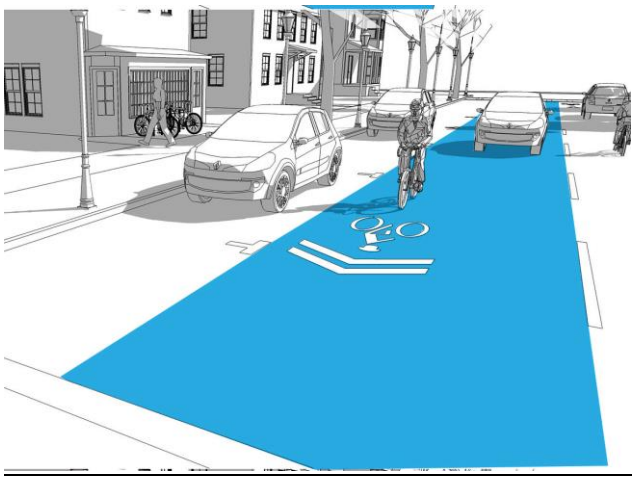


Permitted Districts

CD-2 CD-3L CD-3 CD-4 CD-4C CD-5 CD-5C SD-MHP SD-INT SD-LI SD-HI PUD-R PUD-MU

Riding Surface Width	5 ft min
Buffer	3 ft min, painted buffer, curb, or planter strip
Movement	With traffic or dual direction
Intersection Detailing	Signalized, Peg-a-Track, colored, Bicycle Box
Bicycle Parking	Rack, bicycle shelter, bicycle station

Buffered Bicycle Lane

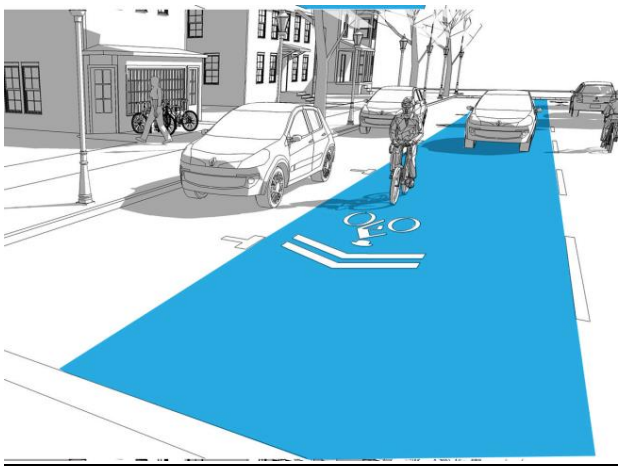


Permitted Districts

CD-2 CD-3L CD-3 CD-4 CD-4C CD-5 CD-5C SD-MHP SD-INT SD-LI SD-HI PUD-R PUD-MU

Riding Surface Width	5 ft min each way
Buffer	2 ft min, painted buffer
Movement	With traffic or Contra-flow (2 lanes on the same side of the street or 1 lane on each side)
Intersection Detailing	Signalized, Peg-a-Track, colored, Bicycle Box
Bicycle Parking	Rack, bicycle shelter, bicycle station

Shared Use Lane

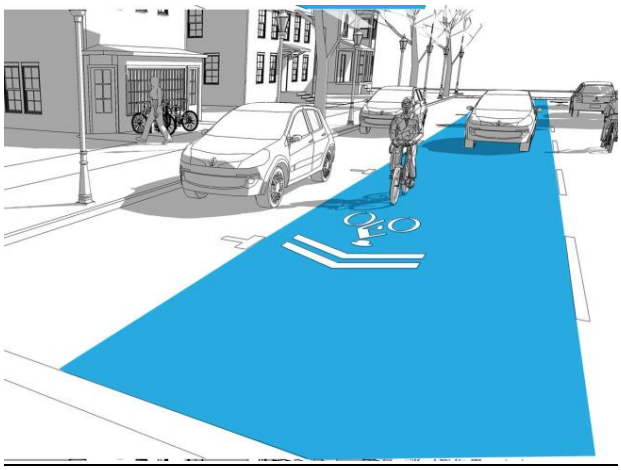


Permitted Districts

CD-2 CD-3L CD-3 CD-4 CD-4C CD-5 CD-5C SD-MHP SD-INT SD-LI SD-HI PUD-R PUD-MU

Riding Surface Width	Same as Vehicular Lane with signs or sharrows at intervals established by the City Engineer
Buffer	None
Movement	With traffic
Intersection Detailing	Signed, Signalized
Bicycle Parking	Opportunistic, rack, Bicycle Shelter

Shared Use Path



Permitted Districts

CD-2 CD-3L CD-3 CD-4 CD-4C CD-5 CD-5C
SD-MHP SD-INT SD-LI SD-HI PUD-R PUD-MU

Riding Surface Width	10 ft min
Buffer	3 ft min, curb or planter strip
Movement	With traffic or dual direction
Intersection Detailing	Signed, Signalized, Peg-a-Track
Bicycle Parking	Rack, bicycle shelter, bicycle station

SECTION 5.1
DEVELOPMENT PARCEL STANDARDS.

5.1.1 Definition of Development Parcel.

Development Parcel is defined in Article 9 (Definitions).

5.1.2 Applicability.

This Article applies to all Development Parcels located or proposed within the City, except as otherwise provided in Section 1.22 with respect to Nonconformities.

5.1.3 Plans Applicable to Development Parcel.

Except as otherwise provided in Section 1.22 with respect to Nonconformities, none of the following shall occur with respect to any project or proposal involving a Development Parcel, except in compliance with this Article 5, the Official Zoning Map, and pursuant to a Development Plan or Master PUD Development Plan that conforms with and has been prepared, submitted, reviewed and approved in accordance with Section 8.5.6, this Article 5, and all other standards and requirements applicable thereto:

A. Construction Activities.

Construction, re-construction, Alteration, modification, raising, moving, extending, reducing, or enlarging any Structure;

B. Development Activities.

Development, re-Development, Improvement, subdivision, or re-subdivision of any Lot, Building Site, or other parcel of land;

C. Use.

Use of any Structure, Lot, Building Site, or other parcel of land;

D. Applications and Actions.

1. Filing, issuing, applying for, certifying, or approving any subdivision application or plat, Building Permit, Development Plan or Master PUD Development Plan, or other Zoning Permit, relating to, or subdividing, re-subdividing, commencing Construction on, or Developing, or Improving any part of a Development Parcel.

2. Approving any Zoning Map or Zoning Map amendment, other than any Zoning Map or Zoning Map Amendment prepared by or on behalf of the City.

5.1.4 Pedestrian Sheds.

A. Parcel to be Based on Pedestrian Shed.

Each Development Parcel of 80 acres or more shall be based upon one or several proposed or existing Standard or Linear Pedestrian Sheds, as applicable, located according to existing conditions, such as traffic intersections, Adjacent Development, and natural features.

B. Common Destination.

Each Pedestrian Shed shall have a Common Destination near its center. See **Illustration 5.1.4.B-1 (Standard Pedestrian Shed)** and **Illustration 5.1.4.B-2 (Linear Pedestrian Shed)**.

C. Parcel / Site Size Relative to Pedestrian Shed Size.

A Development Parcel and the overall plan site may be smaller or larger than the Pedestrian Shed within which it is situated.

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ILLUSTRATION 5.1.4.B–1 STANDARD PEDESTRIAN SHED

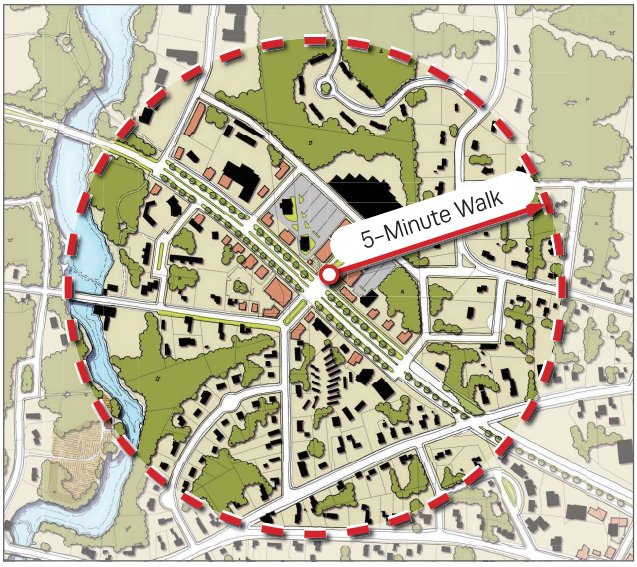
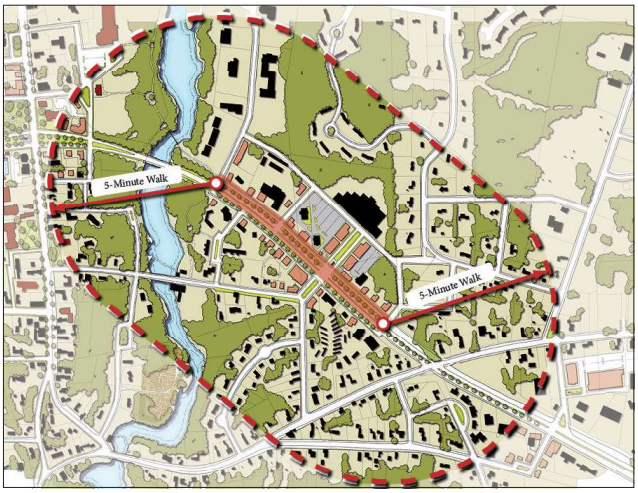


ILLUSTRATION 5.1.4.B–2 LINEAR PEDESTRIAN SHED



5.1.5 Civic Districts.

Civic Districts shall be assigned according to and as required by Sections 2.4.2 and 3.4.

5.1.6 Character Districts.

Character Districts shall be assigned as required by Section 2.4.1 and 3.2.

5.1.7 Special Districts.

Special Districts, if any, shall be assigned according to Section 2.4.3 and 3.3.

5.1.8 PUD Districts.

Each PUD District shall be assigned according to Sections 2.4.4, 3.3, and 8.5.21.

5.1.9 Thoroughfare / Internal Drive Network.

The Thoroughfare and Internal Drive network shall be laid out according to Section 5.2.

5.1.10 Building Types.

Within each District of a Development Parcel or Plan of 10 acres or more there shall be a mix of Building Types in compliance with **Table 5.1.10 (Building Type Mix)**.

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TABLE 5.1.10 BUILDING TYPE MIX

District	Building Types	Permitted Min/Max Building Type Mix Frontage Width of Total Building Frontage Width
CD-2	--------	NR
CD-3L	--------	NR
CD-3	--------	NR
CD-4	Total of House, Duplex, Townhouse, Small Multifamily & Large Multifamily	85% max, with Large Multifamily ≤ 20% of Total CD-4 Frontage width
	Total of Live/Work, Commercial, Mixed Use & Flex	15% min
CD-4C	Total of House, Duplex, Townhouse, Small Multifamily & Large Multifamily	85% max, with Large Multifamily ≤ 20% of Total CD-4 Frontage width
	Total of Live/Work, Commercial, Mixed Use & Flex	15% min
CD-5	Total of House, Townhouse, Small Multifamily & Large Multifamily	70% max, with Large Multifamily ≤ 40% of Total CD-4 Frontage width
	Total of Live/Work, Commercial, Mixed Use, Flex & Mid-Rise	30% min
CD-5C	Total of House, Townhouse, Small Multifamily & Large Multifamily	70% max, with Large Multifamily ≤ 40% of Total CD-4 Frontage width
	Total of Live/Work, Commercial, Mixed Use, Flex & Mid-Rise	30% min
PUD-R	Any single permitted Building Type	Determined by Decision Making Authority
PUD-MU	Total of Live/Work, Commercial, Mixed Use, Flex & Mid-Rise	40% min
SD-MHP	--------	NR
SD INT	--------	NR
SD-LI	--------	NR
SD-HI	--------	NR
CV	--------	NR

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5.1.11 Uses.

Within each District of a Development Parcel or Plan of 10 acres or more there shall be a mix of Principal Uses in compliance with **Table 5.1.11 (Principal Use Mix)**.

TABLE 5.1.11 PRINCIPAL USE MIX

	Max Residential Use % of District Net Site Area
CD-2	Not Regulated
CD-3L	Not Regulated
CD-3	Not Regulated
CD-4	85% max
CD-4C	85% max
CD-5	70% max
CD-5C	70% max
SD-MHP	Not Regulated
SD-INT	40% max
SD-LI	40% max
SD-HI	None Permitted
PUD-R	Not Regulated
PUD-MU	40% max
Other PUDs	Per PUD Approval
CV	Not Regulated

SECTION 5.2 THOROUGHFARES, INTERNAL DRIVES & ALLEYS

5.2.1 General.

Thoroughfares, Internal Drives, and Alleys shall be provided within and Adjacent to each Development Parcel, as necessary to comply with this Article 5.

5.2.2 Thoroughfare & Internal Drive Standards.

Any Thoroughfares, Internal Drives, and Alleys within or Adjacent to a Development Parcel shall comply with the following standards:

A. Access.

Thoroughfares and Internal Drives shall provide for vehicular and non-vehicular traffic and provide Access to Lots or Building Sites and Civic Spaces. Alleys, where provided, shall provide for vehicular Access to the side or rear of Lots or Building Sites and Civic Spaces.

B. Components.

Each Thoroughfare and Internal Drive shall consist of Public Frontage, Vehicular Travel Lanes and any required Vehicular Parking Lanes, any allowed Loading Spaces, and any required Bicycle Accommodations. See **Illustration 5.2.2.B-1 (Thoroughfare / Internal Drive Components)**.

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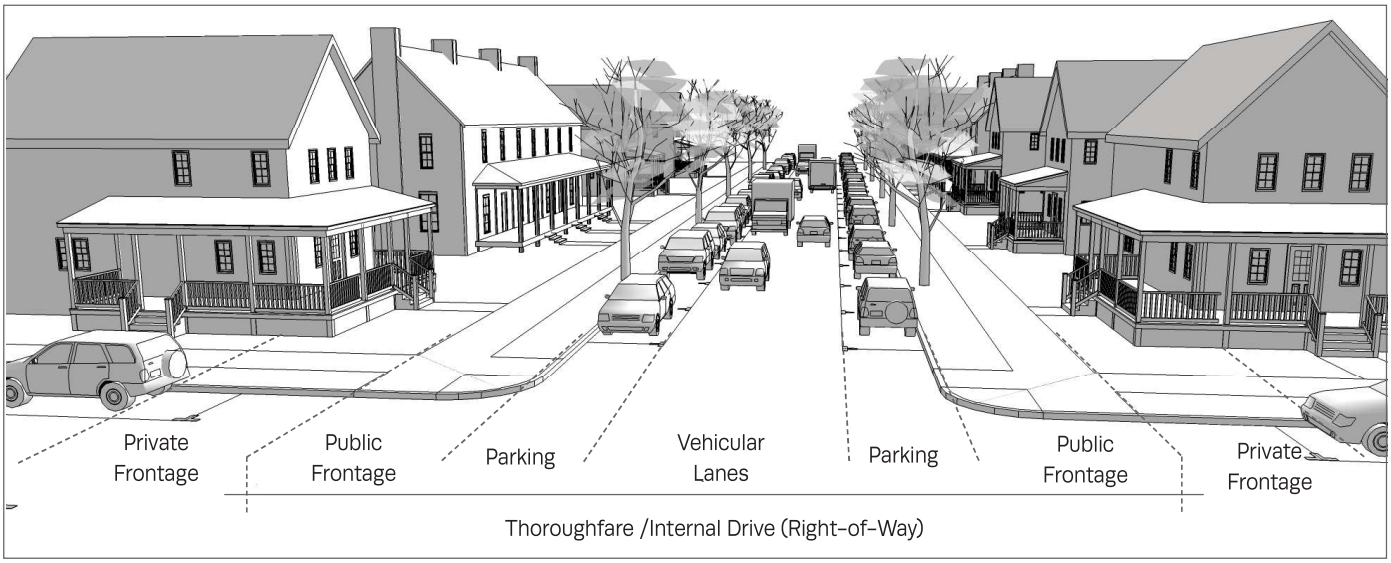
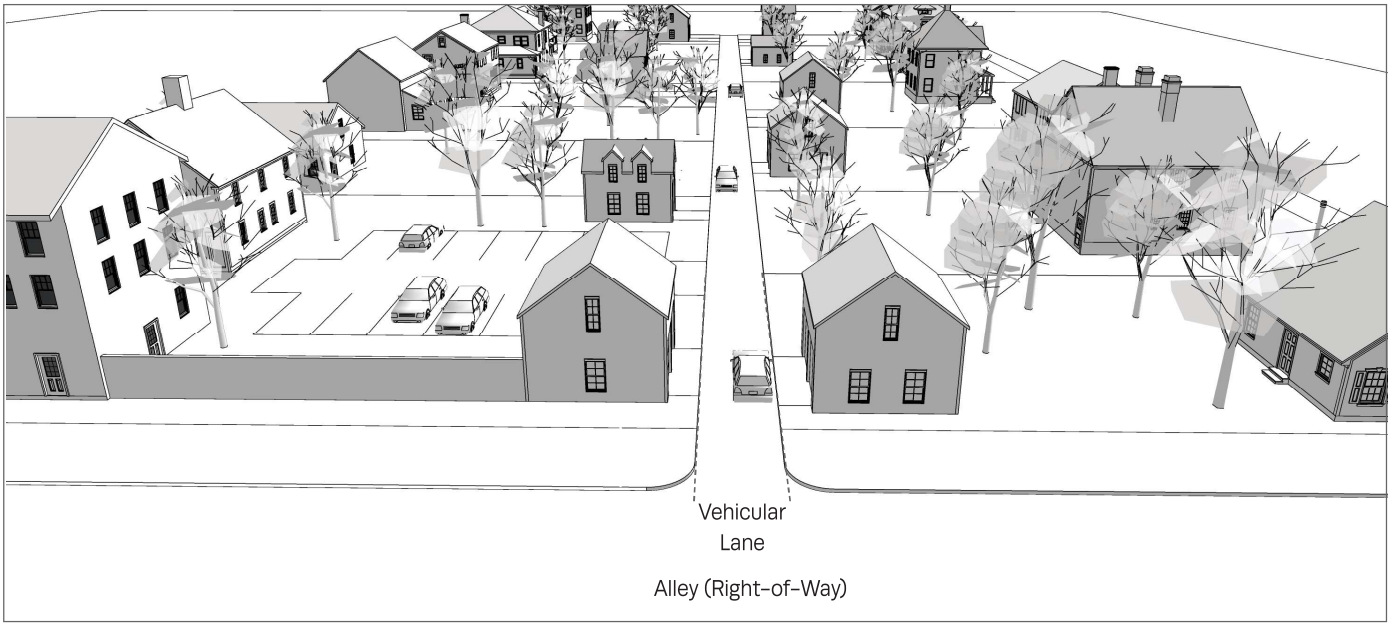
ILLUSTRATION 5.2.2.B–1 THOROUGHFARE / INTERNAL DRIVE COMPONENTS



Each Alley shall consist of the elements shown in **Illustration 5.2.2.B–2 (Alley Components)**.

ILLUSTRATION 5.2.2.B–2 ALLEY COMPONENTS



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C. Thoroughfares / Internal Drives in Multiple Districts.

The Public Frontages of Thoroughfares that pass from one District to another shall be adjusted accordingly or, alternatively, may follow the alignment of the Thoroughfare to the depth of one Lot or Building Site, retaining a single Public Frontage throughout its trajectory.

D. Block Perimeter.

Thoroughfares and Internal Drives shall be provided and designed to define Blocks not exceeding any applicable perimeter size prescribed in **Table 5.2.2.D (Block Perimeter Standards)**, measured as the sum of Lot or Building Site Frontage Lines, subject to adjustment by Waiver of the Zoning Administrator at the edge of a Development Parcel.

TABLE 5.2.2.D BLOCK PERIMETER STANDARDS

District	Max Perimeter
CD-2	Not Regulated
CD-3L	3600 ft max
CD-3	2800 ft max
CD-4, CD-4C, SD-MHP	2400 ft max
CD-5, CD-5C, PUD-R & PUD-MU	2,000 ft. max. or 3,000 ft. max. if a Parking Structure provided within Block
SD-INT, SD-LI, SD-HI & CV	Not Regulated
Other PUDs	Per approved Master PUD Development Plan

E. Network / Connections.

Thoroughfares and Internal Drives shall terminate at other Thoroughfares or Internal Drives, forming a network, connecting wherever possible to Thoroughfares or Internal Drives on Adjacent sites and cul-de-sacs not being allowed unless approved by Waiver of the Zoning Administrator to accommodate specific site conditions.

F. Thoroughfare / Internal Drive Types.

Each Thoroughfare or Internal Drive shall be one of the types described in **Table 5.2.2.F (Thoroughfare / Internal Drive Types – Summary)** for the applicable District or the District Adjacent to a Civic District.

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TABLE 5.2.2.F THOROUGHFARE / INTERNAL DRIVE TYPES – SUMMARY

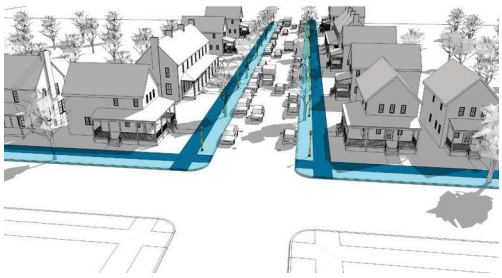
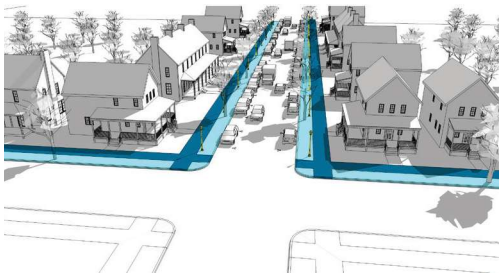
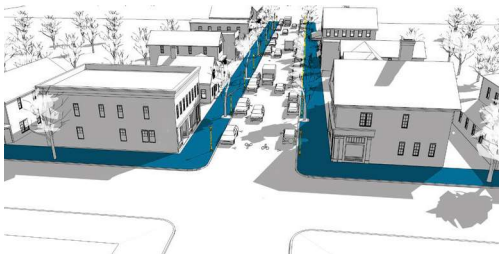
Thoroughfare / Internal Drive Type	Illustration	Permitted Districts
Neighborhood Street A local, rural and suburban Thoroughfare or Internal Drive of low-to-moderate vehicular speed and capacity, and having a Public Frontage that is drained by swales. There are continuous Planters and no on-street parking. The landscaping consists of clustered and irregularly spaced trees along the Thoroughfare.		CD-2
Suburban Neighborhood Street A local urban Thoroughfare of low speed and capacity and having a Public Frontage with raised Curbs drained by inlets, Sidewalks on one or both sides of the Vehicular Lanes, with each Sidewalk being accompanied by a planting strip. Parking may be provided on-street. The landscaping consists of regularly spaced and aligned rows of trees along the Thoroughfare.		CD-2 CD-3L SD-LI SD-HI
Urban Neighborhood Street A local urban Thoroughfare of low speed and capacity and having a Public Frontage with raised Curbs drained by inlets, Sidewalks are separated from the Vehicular Lanes byplanting strips, and parking is provided on or both sides. The landscaping consists of regularly spaced and aligned rows of trees along the thoroughfare.		CD-3L CD-3 CD-4 CD-4C SD-MHP PUD-R
Urban Center Street A Thoroughfare type designed for moderate to high vehicular capacity and slow speed, traversing an urbanized area. The Public Frontage has raised Curbs drained by inlets and very wide Sidewalks along both sides, separated from the Vehicular Lanes by separate tree wells or planters with grates and parking on both sides. The landscaping consists of regularly spaced and aligned rows of trees along the thoroughfare, which clears the storefront entrances.		CD-4 CD-4C CD-5 CD-5C SD-INT PUD-R PUD-MU

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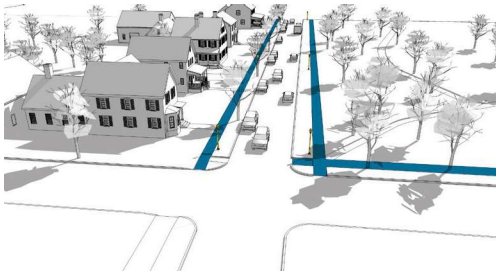
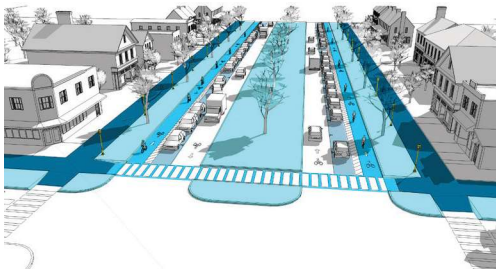
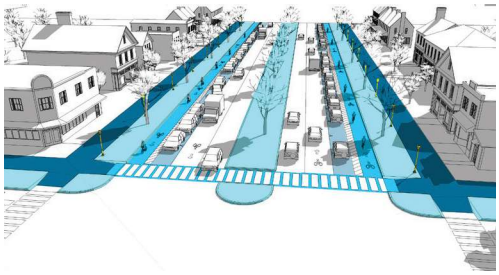
TABLE 5.2.2.F THOROUGHFARE / INTERNAL DRIVE TYPES – SUMMARY

Thoroughfare Type (continued)	Illustration	Permitted Districts
Internal Drive A Thoroughfare type with Building Frontages on one side and no or very sporadic Building Frontages on the other side. The Public Frontage has raised Curbs drained by inlets and a Sidewalk or paved Path along one or both sides. It is separated from the Vehicular Lanes by individual or continuous planters. The landscaping consists of Thoroughfare Trees aligned in a regularly spaced row.		CD-4C, CD-5, CD-5C, SD-INT, SD-HI, PUD-MU
2-Lane Avenue A Thoroughfare of moderate vehicular capacity and low to moderate speed, acting as a short distance connector between urban centers, and usually equipped with a landscaped median. Its Public Frontage has raised Curbs drained by inlets and wide Sidewalks separated from the Vehicular Lanes by a narrow continuous planter with parking on both sides. The landscaping consists of regularly spaced and aligned rows of trees along the thoroughfare.		CD-3L, CD-3, CD-4, CD-4C, CD-5, CD-5C, SD-MHP, SD-INT, PUD-R, PUD-MU
4-Lane Avenue A Thoroughfare of high vehicular capacity and low to moderate speed, acting as a short distance connector between urban centers, and usually equipped with a landscaped median. Its Public Frontage has raised Curbs drained by inlets and wide Sidewalks separated from the Vehicular Lanes by a narrow continuous Planter with parking on both sides. The landscaping consists of regularly spaced and aligned rows of trees along the thoroughfare.		CD-4, CD-4C, CD-5, CD-5C, SD-INT, PUD-MU

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G. Assemblies & Standards.

Thoroughfares and Internal Drives within Districts and within Civic Districts Adjacent to Districts shall conform to the applicable standards for such Districts set forth in **Table 5.2.2.G–1 (Thoroughfare / Internal Drive Assemblies and Standards)**. Alleys shall conform to the standards of **Table 5.2.2.L (Alley Assembly and Standards)**.

All dimensions and standards listed are considered the minimum for the general case. All street specifications shall meet engineering standards and are subject to approval by the City Engineer. Elements of the street sections may be altered and approved by the City Engineer. Permitted on minor local and major local roadway classifications. Greater classified roadways shall use standard engineering roadway sections for the appropriate roadway classification.

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TABLE 5.2.2.G-1 THOROUGHFARE / INTERNAL DRIVE ASSEMBLIES AND STANDARDS
NEIGHBORHOOD STREET

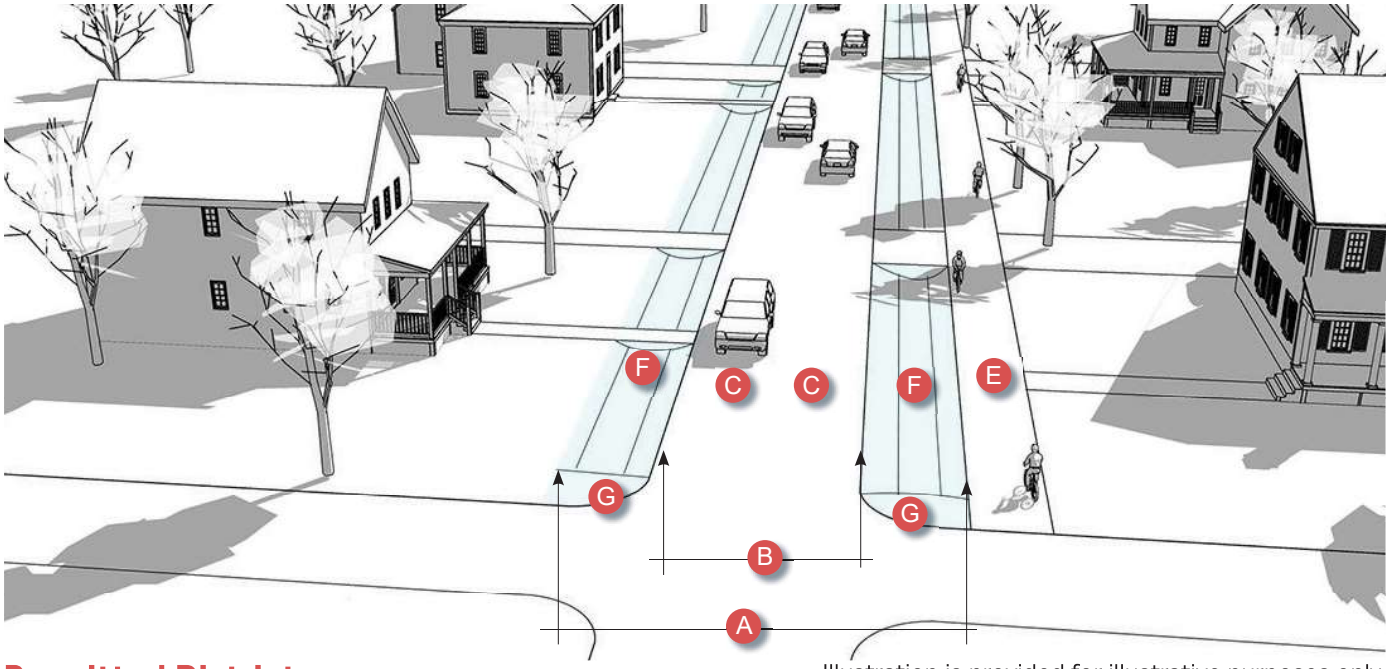

Illustration is provided for illustrative purposes only.

Permitted Districts

CD-2

Thoroughfare Type	Road	
Right of Way Width	50 ft	A
Pavement Width	20 ft	B
Movement	Slow	
Assemblies		
Travel Lanes	2 Lanes	C
Travel Lane Width	10 ft	
Parking Lanes	None	
Parking Lane Width	N/A	
Bikeway Type	Shared Use Path. See Table 5.2.4.B*	E

* Bikeways optional. If bikeways provided, right of way & pavement width may be increased by the aggregate width of bikeways, per Table 5.2.4.B (Bikeway Types).

Walkway	
Walkway Type	None
Walkway Width	N/A

Planter		
Planter Type	Continuous Swale	F
Planter Width	14 ft or per approved Engineering standards	
Landscape Type	Not Regulated	
Curb		
Curb Radius	25 ft	G
Curb Type	None	
Lighting		
Type, Design & Placement	Pole mounted cobra head	

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TABLE 5.2.2.G–1 THOROUGHFARE / INTERNAL DRIVE ASSEMBLIES AND STANDARDS
SUBURBAN NEIGHBORHOOD STREET

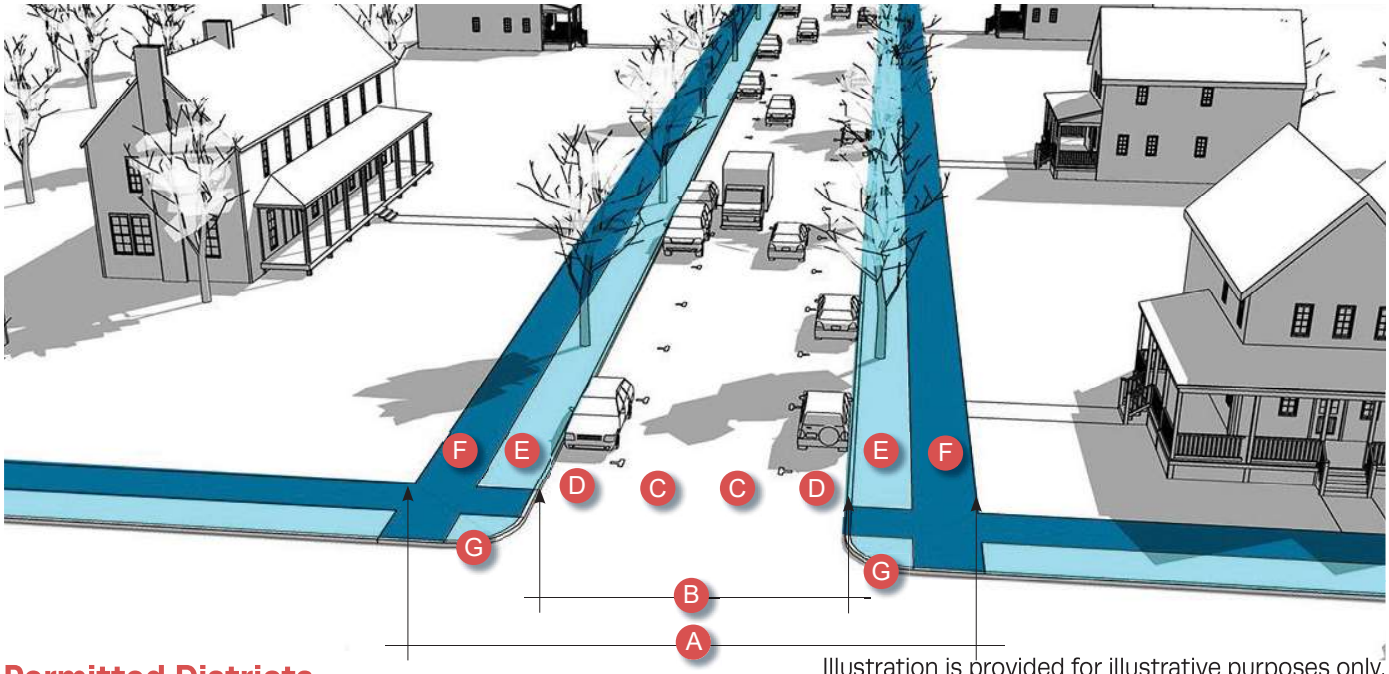

Illustration is provided for illustrative purposes only.

Permitted Districts

CD-2 | CD-3L | SD-LI | SD-HI

Thoroughfare Type	Suburban Neighborhood Street	
Right of Way Width	50′	A
Pavement Width	26 ft	B
Movement	Slow	
Assemblies		
Travel Lanes	2 Lanes	
Travel Lane Width	13 ft	
Parking Lanes	NA	
Parking Lane Width	NA	
Bikeway Type	Shared Use Path, See Table 5.2.4.B*	

* Bikeways optional. If bikeways provided, right of way & pavement width may be increased by the aggregate width of bikeways, per Table 5.2.4.B (Bikeway Types).

Walkway		
Walkway Type	Sidewalk required on both sides	F
Walkway Width	5 ft min	

Planter	
Planter Type	Continuous Planting Strip along each sidewalk
Planter Width	4 – 6 ft
Landscape Type	NA

Curb		
Curb Radius	15 ft	G
Curb Type	Mountable extruded curb or curb and gutter	

Lighting	
Lighting Placement	Lighting design to be approved by Utility Service Provider and the City Engineer. Lighting foundations shall be placed within planter strip.
Lighting Type	Decorative lighting fixtures approved by Utility Service Provider and the City Engineer

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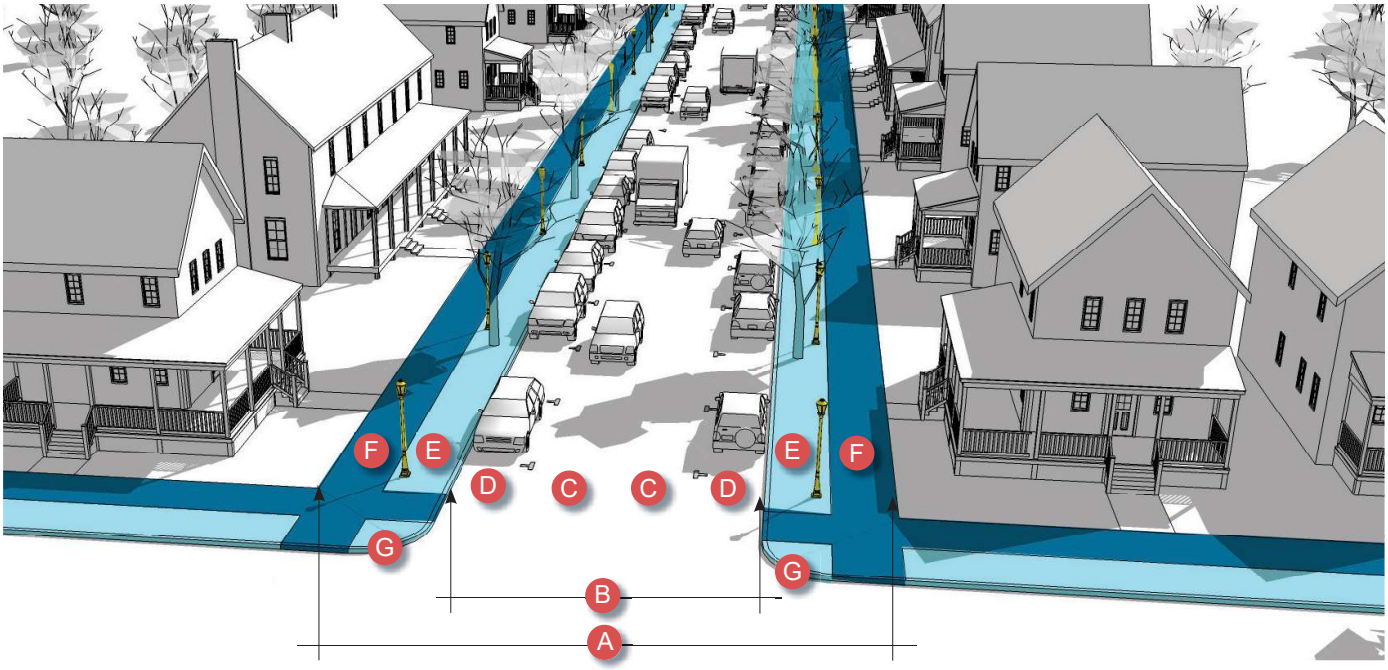
TABLE 5.2.2.G-1 THOROUGHFARE / INTERNAL DRIVE ASSEMBLIES AND STANDARDS
URBAN NEIGHBORHOOD STREET



Permitted Districts

CD-3L | CD-3 | CD-4 | CD-4C | SD-MHP | PUD-R

Thoroughfare Type	Urban Neighborhood Street	
Right of Way Width	70 ft	A
Pavement Width	38 ft	B
Movement	Slow	
Assemblies		
Travel Lanes	2 Lanes	
Travel Lane Width	11 ft	
Parking Lanes	Parallel, 1 or both sides	
Parking Lane Width	8 ft.	
Bikeway Type	Shared Use Lane, Buffered Bicycle Lane. See Table 5.2.4.B*	

* Bikeways optional. If bikeways provided, right of way & pavement width may be increased by the aggregate width of bikeways, per Table 5.2.4.B (Bikeway Types).

Walkway		
Walkway Type	Sidewalk, both sides	F
Walkway Width	5 ft	

Planter	
Planter Type	Continuous Planting Strip
Planter Width	8 ft
Landscape Type	Required on both sides: Sod and Canopy Trees at 50' on center average with 1st tree from each Block corner placed within 50' of corner; No shrubs, ornamental grasses or decorative or accent trees permitted.

Curb		
Curb Radius	15 ft	G
Curb Type	Mountable extruded curb or curb and gutter	

Lighting	
Lighting Placement	Lighting design to be approved by Utility Service Provider and the City Engineer. Lighting foundations shall be placed within planter strip.
Lighting Type	Decorative lighting fixtures approved by Utility Service Provider and the City Engineer

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TABLE 5.2.2.G-1 THOROUGHFARE / INTERNAL DRIVE ASSEMBLIES AND STANDARDS
URBAN CENTER STREET

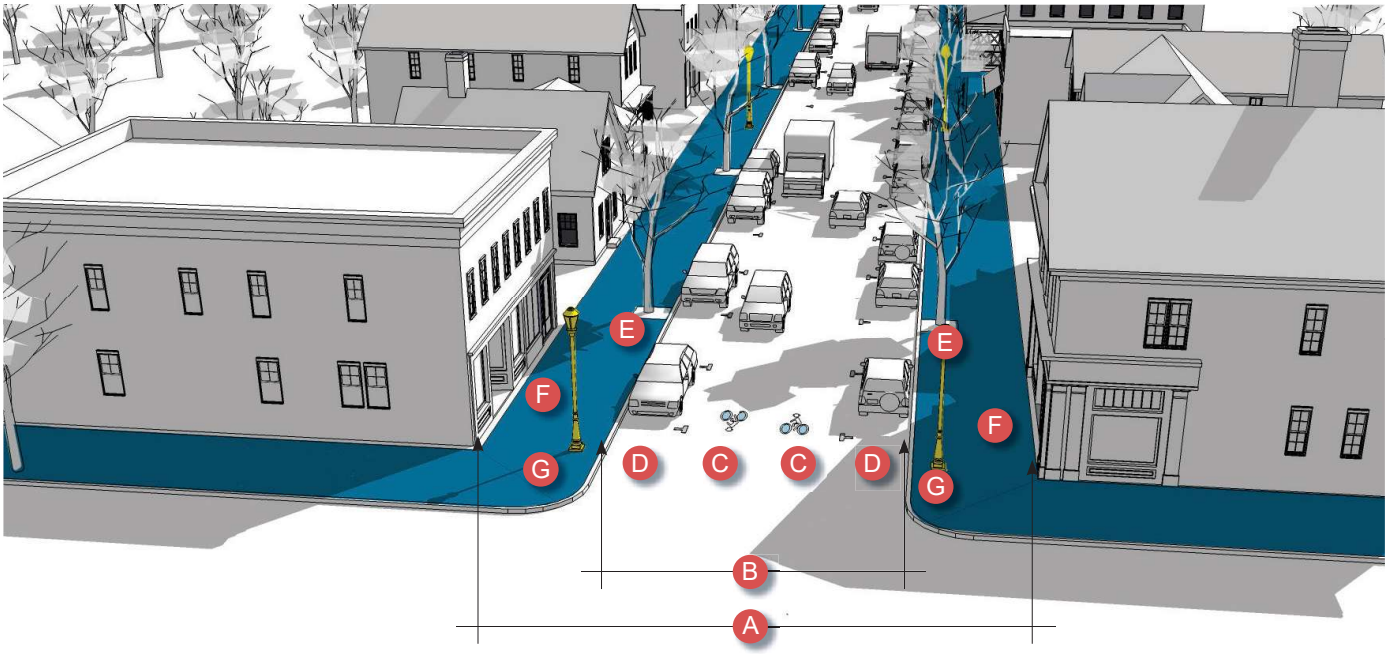

Illustration is provided for illustrative purposes only.

Permitted Districts

CD-4 | CD-4C | CD-5 | CD-5C | SD-INT | PUD-MU | PUD-R

Thoroughfare Type	Commercial Street	
Right of Way Width	65 ft	A
Pavement Width	38 ft	B
Movement	Slow	
Assemblies		
Travel Lanes	2 Lanes	
Travel Lane Width	11 ft	C
Parking Lanes	Parallel, 2 sides	D
Parking Lane Width	8 ft, marked	
Bikeway Type	Shared Use Lane, Buffered Bicycle Lane. Protected Bicycle Lane. See Table 5.2.4.B*	

* Bikeways optional. If bikeways provided, right of way & pavement width may be increased by the aggregate width of bikeways, per Table 5.2.4.B (Bikeway Types).

Walkway		
Walkway Type	Sidewalk, both sides	F
Walkway Width	12 ft with 6 ft min unobstructred	

Planter		
Planter Type	Tree Well or Planter	E
Planter Width / Area	4 ft width min; 30 SF area min	
Landscape Type	Trees at 50 ft on center average; first tree shall be placed within 50 ft of Block corner.	
Curb		
Curb Radius	15'	G
Curb Type	Curb and gutter	

Lighting	
Lighting Placement	Lighting design to be approved by Utility Service Provider and the City Engineer. Lighting foundations shall be placed within planter strip.
Lighting Type	Decorative lighting fixtures approved by Utility Service Provider and the City Engineer

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TABLE 5.2.2.G-1 THOROUGHFARE / INTERNAL DRIVE ASSEMBLIES AND STANDARDS
INTERNAL DRIVE

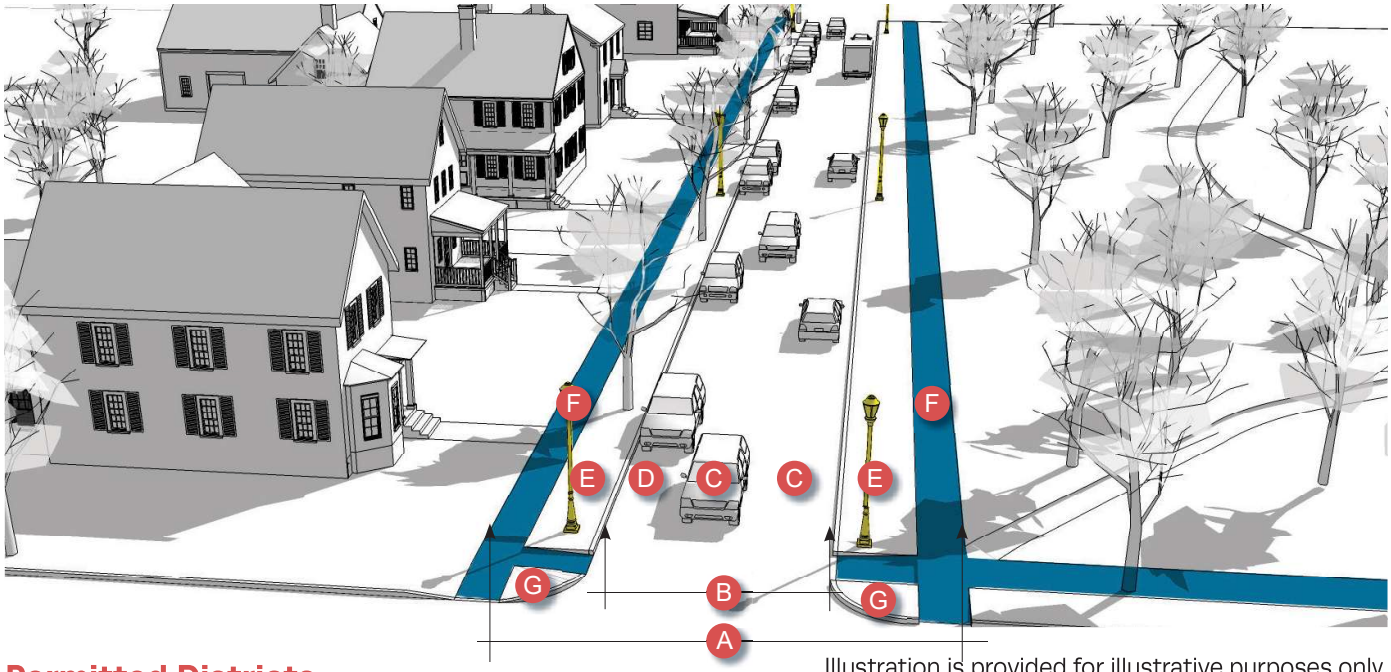

Illustration is provided for illustrative purposes only.

Permitted Districts

CD-4 | CD-4C | CD-5 | CD-5C | SD-INT | PUD-MU

Thoroughfare Type	Drive	
Right of Way Width	36 ft	A
Pavement Width	22 ft	B
Movement	Slow	
Assemblies		
Travel Lanes	2 lanes	
Travel Lane Width	11 ft	C
Parking Lanes	Not Permited	D
Parking Lane Width	Not Permitted	
Bikeway Type	Shared Use Lane, Buffered Bicycle Lane. See Table 5.2.4.B*	

* Bikeways optional. If bikeways provided, right of way & pavement width may be increased by the aggregate width of bikeways, per Table 5.2.4.B (Bikeway Types).

Walkway		
Walkway Type	Sidewalk one side, or both when building frontages on both sides	F
Walkway Width	5 ft min.	

Planter		
Planter Type	Continuous Planting Strip both sides	E
Planter Width	4 ft	
Landscape Type	Trees placed at 50 ft on center average; first tree shall be placed within 50 ft of Block corner. Within the planter area 33% shall be landscaped with shrubs.	
Curb		
Turning Radius	25 ft min	
Curb Radius	10 – 20 ft*, except where travel lane is adjacent to the curb, the maximum curb radius shall be 25 ft.	G
Curb Type	Raised Curb and Gutter (Travel Lane may not include gutter, Parking Lane may)	

* Designated truck routes may have a curb radius larger than 20 feet if required by the Division of Public Works to accommodate the design vehicle for that route.

Lighting	
Lighting Placement	Within 20' of each Block corner and at mid-Block; L lighting shall generally be placed mid-way between Thoroughfare Trees where possible.
Lighting Type	Decorative lighting fixtures approved by Utility Service Provider and the City Engineer

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TABLE 5.2.2.G-1 THOROUGHFARE / INTERNAL DRIVE ASSEMBLIES AND STANDARDS
2 LANE AVENUE

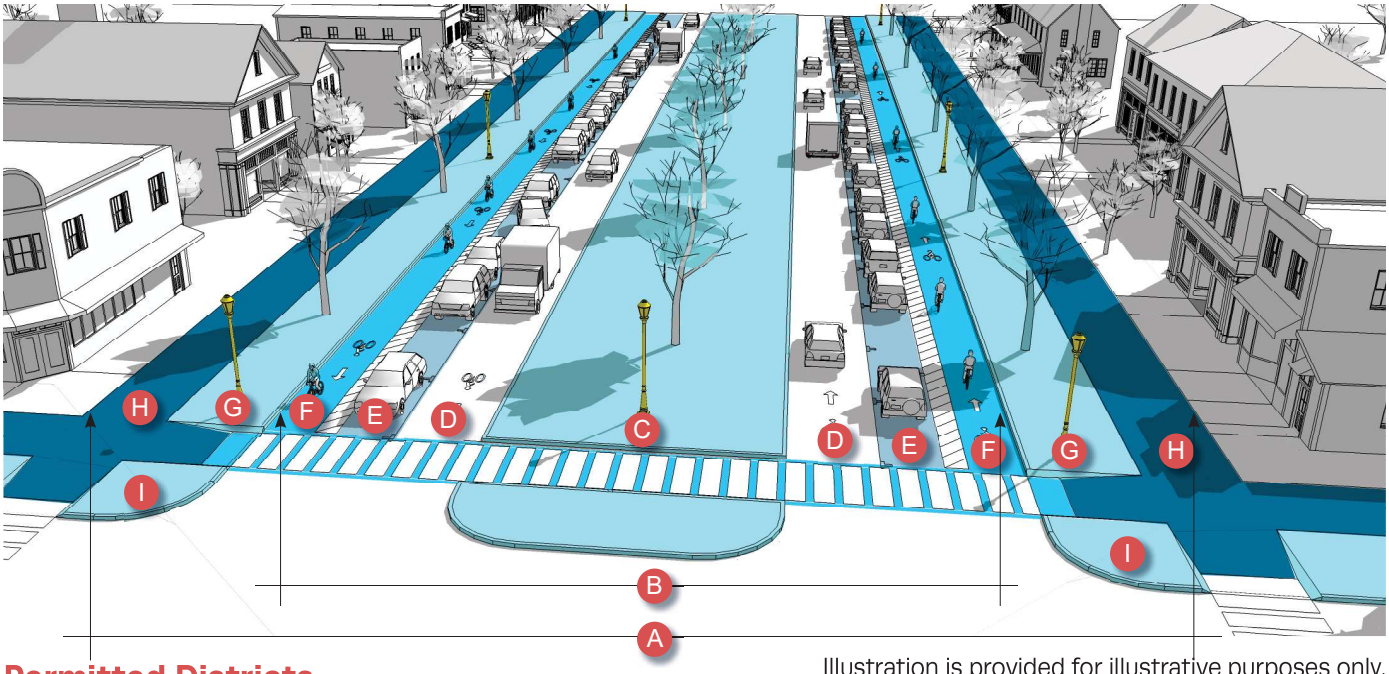

Illustration is provided for illustrative purposes only.

Permitted Districts

CD-3L | CD-3 | CD-4 | CD-4C | CD-5 | CD-5C | SD-MHP | SD-INT | PUD-R | PUD-MU

Thoroughfare Type	2 Lane Avenue	
Right of Way Width	90 ft	A
Pavement Width	40 ft	B
Movement	Slow	
Assemblies		
Median Width	14 ft	C
Travel Lanes	2 Lanes	
Travel Lane Width	12ft	D
Parking Lanes	Parallel, 2 sides	E
Parking Lane Width	8 ft, marked	
Bikeway Type	Shared Use Lane, Buffered Bicycle Lane. Protected Bicycle Lane. See Table 5.2.4.B*	F

* Bikeways optional. If bikeways provided, right of way & pavement width may be increased by the aggregate width of bikeways, per Table 5.2.4.B (Bikeway Types).

Walkway		
Walkway Type	Sidewalk, both sides	H
Walkway Width	6 ft	

Planter		
Planter Type	Continuous Planting Strip both sides	G
Planter Width	8 ft	
Landscape Type	Sodded and Canopy Trees at 50 ft on center average; first tree shall be placed within 50 ft of Block corner.	
Curb		
Curb Radius	15 ft	I
Curb Type	Curb and Gutter along outside, Mountable Curb along median	

Lighting	
Lighting Placement	Lighting design to be approved by Utility Service Provider and the City Engineer. Lighting foundations shall be placed within planter strip.
Lighting Type	Decorative lighting fixtures approved by Utility Service Provider and the City Engineer. Metal pole mounted lighting with underground power service may be provided within the median.

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TABLE 5.2.2.G-1 THOROUGHFARE / INTERNAL DRIVE ASSEMBLIES AND STANDARDS
4 LANE AVENUE

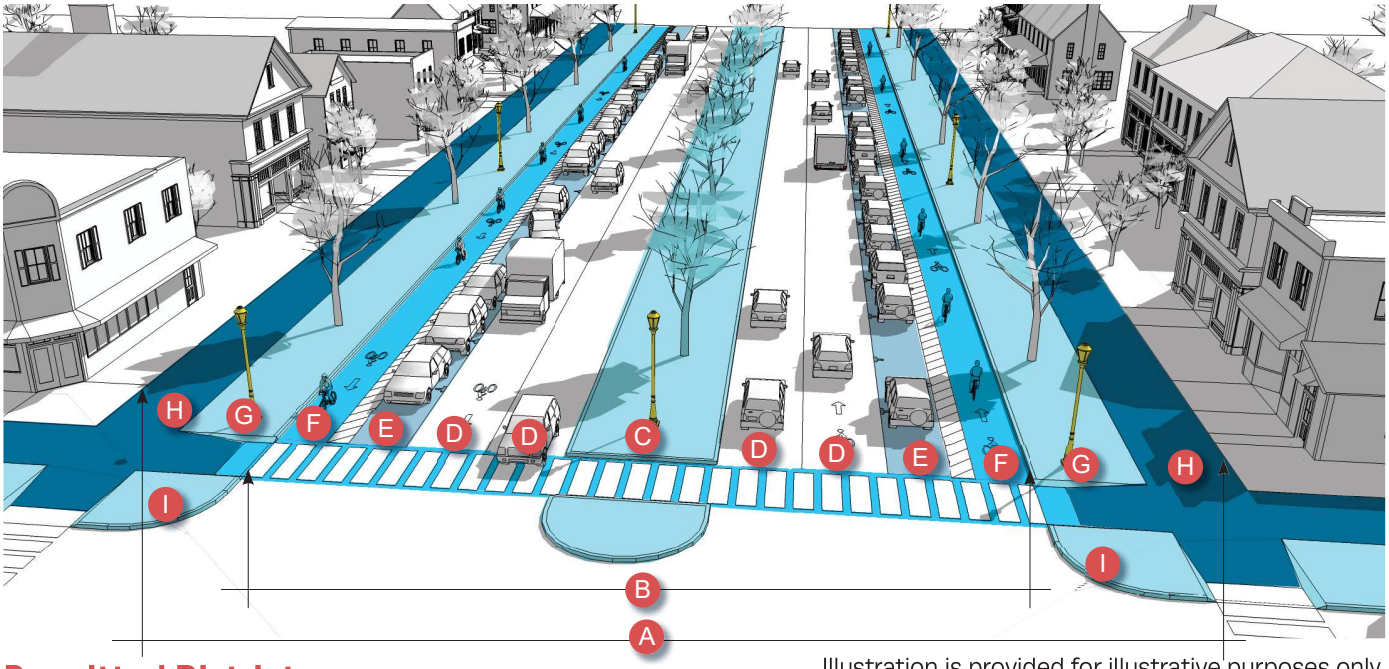

Illustration is provided for illustrative purposes only.

Permitted Districts

CD-4 | CD-4C | CD-5 | CD-5C | SD-INT | PUD-MU

Thoroughfare Type	4 Lane Avenue	
Right of Way Width	93 ft – 121 ft	A
Pavement Width	65 ft	B
Movement	Slow	
Assemblies		
Median Width	16 ft	C
Travel Lanes	4 Lanes	
Travel Lane Width	12 ft	
Parking Lanes	Parallel, 2 sides	E
Parking Lane Width	8 ft, marked	
Bikeway Type	Shared Use Lane, Buffered Bicycle Lane. Protected Bicycle Lane. See Table 5.2.4.B*	F

* Bikeways optional. If bikeways provided, right of way & pavement width may be increased by the aggregate width of bikeways, per Table 5.2.4.B (Bikeway Types).

Walkway		
Walkway Type	Sidewalk, both sides	H
Walkway Width	6 ft	

Planter	
Planter Type	Continuous Planting Strip both sides
Planter Width	10 ft
Landscape Type	Sodded and Canopy Trees at 50 ft on center average; first tree shall be placed within 50 ft of Block corner.

Curb		
Curb Radius	15 ft	G
Curb Type	Curb and Gutter along outside, Mountable Curb along median.	

Lighting	
Lighting Placement	Lighting design to be approved by Utility Service Provider and the City Engineer. Lighting foundations shall be placed within planter strip.
Lighting Type	Decorative lighting fixtures approved by Utility Service Provider and the City Engineer. Metal pole mounted lighting with underground power service may be provided within the median.

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H. Additional Pedestrian Walkways.

1. Pedestrian Access

a. In addition to the Public Frontage, Parking Lot and Parking Area sidewalk and walkway requirements and the sidewalk requirements contained in the Subdivision Regulations, pedestrian ways, linkages and paths shall be provided from the Building entry to surrounding Thoroughfares, Internal Drives, external sidewalks, transit stops and out-parcels.

b. Pedestrian ways shall be designed to provide access between Parking Lots and Parking Areas and Building public entrances.

c. At least one handicapped accessible route in accordance with applicable State requirements shall connect Buildings, facilities, elements and Parking spaces that are on the same Lot, Building Site, or Development Parcel.

2. Pedestrian Crosswalks

Crosswalks shall be designed and provided for pedestrian access to and from Buildings Parking Lots, Parking Areas and off-site Parking spaces, and shall be clearly designated with signage and variations in pavement materials or markings.

I. Sight Triangle.

At all Thoroughfare and Internal Drive intersections, the visibility standard of Section 4.3.3.G or Section 7.1.7.D shall be met.

J. Connecting Driveways.

Where a Driveway connects to a collector or major Thoroughfare, it shall be designed to provide for a turnaround to avoid backing into the Thoroughfare.

K. Internal Drives.

Any Internal Drives shall be placed in a public access Easement and recorded as part of a Final Plat.

L. Alleys.

Alleys shall comply with the assembly and standards of **Table 5.2.2.L (Alley Assembly & Standards)**.

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TABLE 5.2.2.L ALLEY ASSEMBLY AND STANDARDS

Illustration is provided for illustrative purposes only.

Permitted Districts

CD-2 | CD-3L | CD-3 | CD-4 | CD-4C | CD-5 | CD-5C | SD-MHP | SD-INT | PUD-R | PUD-MU

Thoroughfare Type	Alley	
Right of Way Width	20 ft	A
Pavement Width	16 ft	B
Movement	Slow Movement	
Assemblies		
Travel Lanes	2	
Travel Lane Width	8 ft	
Parking Lanes	None	
Parking Lane Width	N/A	
Bikeway Type	N/A	
Walkway		
Walkway Type	None	
Walkway Width	N/A	

Planter	
Planter Type	None
Planter Width	N/A
Landscape Type	None
Tree Species	N/A
Curb	
Curb Radius	None
Curb Type	12" Ribbon Curb, each side
Lighting	
Not Regulated	

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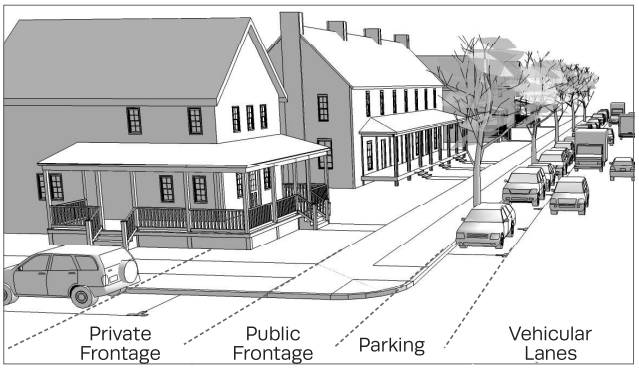
5.2.3 Public Frontages.

A. Elements.

The Public Frontage of any Thoroughfare or Internal Drive shall include the Sidewalk, Curb, planter, trees, bicycle accommodations, and lights, as required and designed in accordance with this Article 5, **Table 5.2.4.B (Bikeway Types), Table 5.2.2.F (Thoroughfare & Internal Drive Types Summary) and Table 5.2.2.G–1 (Thoroughfare & Internal Drive Assemblies and Standards)**. Trees are not required along any side of a Thoroughfare that is contiguous to a Civic Space.

ILLUSTRATION 5.2.3 PUBLIC FRONTAGE



B. Civic Districts

Within Civic Districts, the Public Frontage shall comply with the Public Frontage standards applicable to any Adjacent Character District, or if there is none, the nearest Character District.

C. Plantings Provided by Owner.

Within the Public Frontage, Public Planting, if any is required or is to be provided, shall be provided by the property Owner in accordance with **Table 5.2.2.G–1 (Thoroughfare & Internal Drive Assemblies and Standards)**, provided that the spacing may be adjusted by Administrative Adjustment of the Zoning Administrator to accommodate specific site conditions. Tree species shall be selected from **Table 4.3.16.D–1 (Native Plants of the Tennessee Valley)**; provided that coniferous trees are not allowed within the Public Frontage.

D. Tree Height at Maturity.

The Public Frontage shall include trees with shade canopies of a height which, at maturity, leaves clear at least one Story.

E. Plant Species.

Other than Public Frontage trees prescribed by this Section, the introduced landscape shall consist primarily of durable native species and hybrids that are tolerant of soil compaction and require minimal irrigation, fertilization and maintenance.

F. Sidewalk Construction Standards.

Sidewalks meeting the technical standards of the City Engineer and the standards and requirements set forth in **Table 5.2.2.G–1 (Thoroughfare & Internal Drive Assemblies and Standards)** are required to insure pedestrian movement and safety.

G. Placement of Trees.

Landscaping within the Public Frontage and landscaping within Civic Spaces shall comply with the following standards:

1. The same shall be centered horizontally and placed minimally:

a. Two (2) feet from walkways, curbs, and other impervious surfaces if planted in a tree well or continuous planter;

b. Three (3) feet from walkways, curbs, and other impervious surfaces if planted in a continuous Swale or uncontained area.

2. Five (5) feet from street lights, utility meters and service lines, fences, walls and other ground level obstructions;

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3. Six (6) feet from porch eaves, awnings and similar overhead obstructions associated with the ground level of Buildings; and

4. Eight (8) feet from balconies, verandas, Building eaves and cornices, and similar overhead obstructions associated with the upper stories of Buildings.

H. Tree Size – Installation.

At installation, trees shall be a minimum of two and a half inches (2.5″) in caliper, measured three feet (3′) above the ground and a minimum of ten feet (10′) tall.

I. Shrub Size.

At installation, Shrubs shall be a three (3) gallon container minimum and a height of 30 inches minimum. Shrubs shall be 18″ minimum clear from any Sidewalk or pavement edge at the Lot Line or Building Site Line.

J. Bare / Exposed Ground.

All bare or exposed ground on the site and in landscaped areas shall be covered with live plant materials and/or mulch, with the following exceptions:

1. Naturally occurring creek beds, rock outcroppings or similar landscape features typically lacking in vegetation.

2. Hiking trails and/or traces.

3. Clay or sand surfaces associated with recreation fields and facilities.

K. Artificial Plants / Turf.

Artificial plants and artificial turf are prohibited.

L. Water Features.

Constructed water features such as fountains, streams and ponds that operate with water recirculation systems shall be designed to prevent seepage and leaks.

M. Minimum Requirements.

Except as otherwise required by Sections 5.2.3.H and 5.2.3.I, all plant materials shall comply with the minimum container size, class and other requirements outlined in American Standards for Nursery Stock (ANSI Z60.1–2004) published by the American Nursery and Landscape Association (ANLA) or other local Nursery Association Standards.

N. Prevention of Compaction.

The soil structure of planting strips shall be protected from compaction with a temporary construction fence. Standards of access, excavation, movement, storage and backfilling of soils in relation to the construction and maintenance of deep utilities and manholes shall be specified.

O. Compacted Soils.

Landscape soils that have been compacted during construction activities shall be loosened and aerated to a depth of at least six (6) inches before planting.

5.2.4 Bicycle Accommodations

A. Bicycle Parking.

Bicycle Parking shall be provided in accordance with Section 4.3.13.

B. Bikeway Types.

A bicycle network comprised of the various allowed Bikeway Types indicated in **Table 5.2.4.B (Bikeway Types)** shall be provided throughout each Development Parcel of 80 acres or more.

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TABLE 5.2.4.B BIKEWAY TYPES

Bicycle Lane

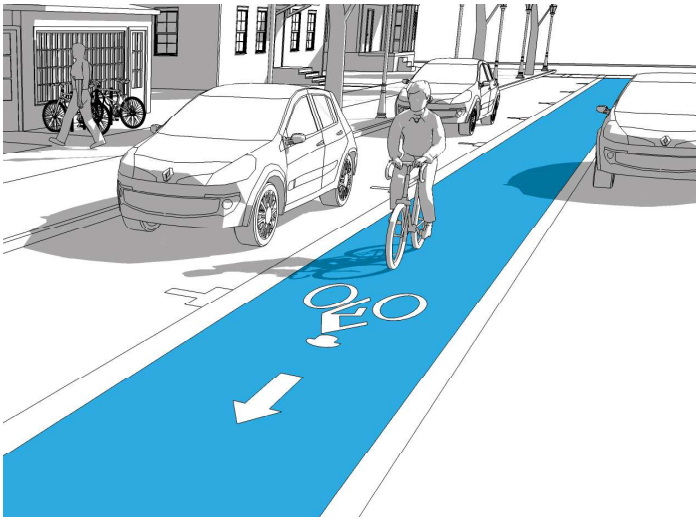

Illustration is provided for illustrative purposes only.

Permitted Districts

CD-2 | CD-3L | CD-3 | CD-4 | CD-4C | CD-5 | CD-5C | SD-MHP | SD-int | SD-LI | SD-HI | PUD-R | PUD-MU

Riding Surface Width	5 ft min
Buffer	None
Movement	With traffic
Intersection Detailing	Signalized, Peg-a-Track, colored, Bicycle Box
Bicycle Parking	Rack, bicycle shelter, bicycle station

Protected Bicycle Lane

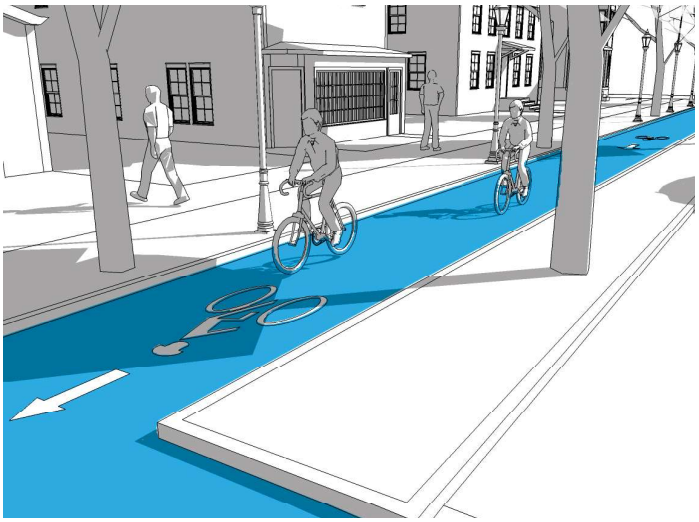

Illustration is provided for illustrative purposes only.

Permitted Districts

CD-2 | CD-3L | CD-3 | CD-4 | CD-4C | CD-5 | CD-5C | SD-MHP | SD-int | SD-LI | SD-HI | PUD-R | PUD-MU

Riding Surface Width	5 ft min
Buffer	3 ft min, painted buffer, curb, or planter strip
Movement	With traffic or dual direction
Intersection Detailing	Signalized, Peg-a-Track, colored, Bicycle Box
Bicycle Parking	Rack, bicycle shelter, bicycle station

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TABLE 5.2.4.B BIKEWAY TYPES

Buffered Bicycle Lane

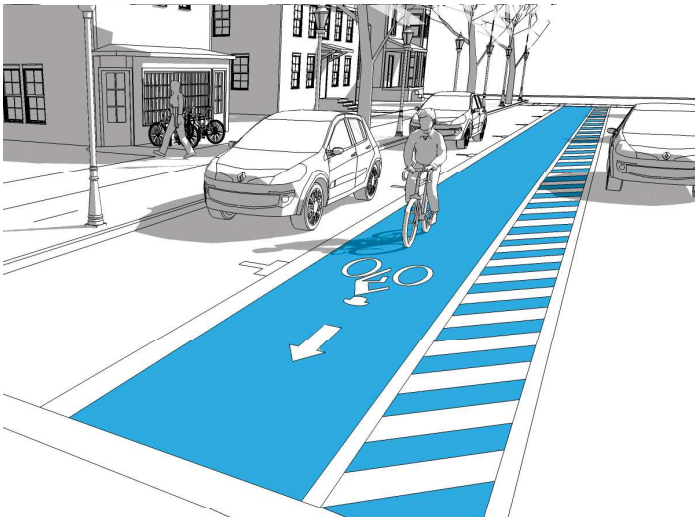

Illustration is provided for illustrative purposes only.

Permitted Districts

CD-2 | CD-3L | CD-3 | CD-4 | CD-4C | CD-5 | CD-5C | SD-int | SD-LI | SD-HI | PUD-R | PUD-MU

Riding Surface Width	5 ft min each way
Buffer	2 ft min, painted buffer
Movement	With traffic or Contra-flow (2 lanes on the same side of the street or 1 lane on each side)
Intersection Detailing	Signalized, Peg-a-Track, colored, Bicycle Box
Bicycle Parking	Rack, bicycle shelter, bicycle station

Shared Use Lane

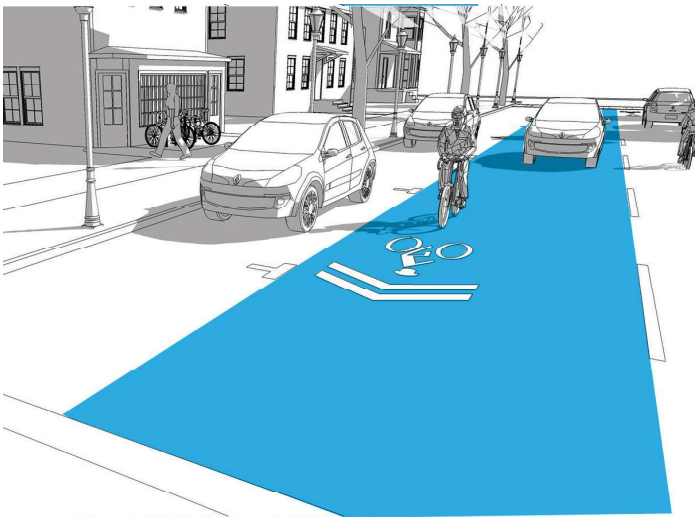

Illustration is provided for illustrative purposes only.

Permitted Districts

CD-2 | CD-3L | CD-3 | CD-4 | CD-4C | CD-5 | CD-5C | SD-int | SD-LI | SD-HI | PUD-R | PUD-MU

Riding Surface Width	Same as Vehicular Lane
Buffer	N/A
Movement	With Traffic
Intersection Detailing	Signed, signalized
Bicycle Parking	Opportunistic, rack, Bicycle Shelter

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TABLE 5.2.4.B BIKEWAY TYPES

Shared Use Path

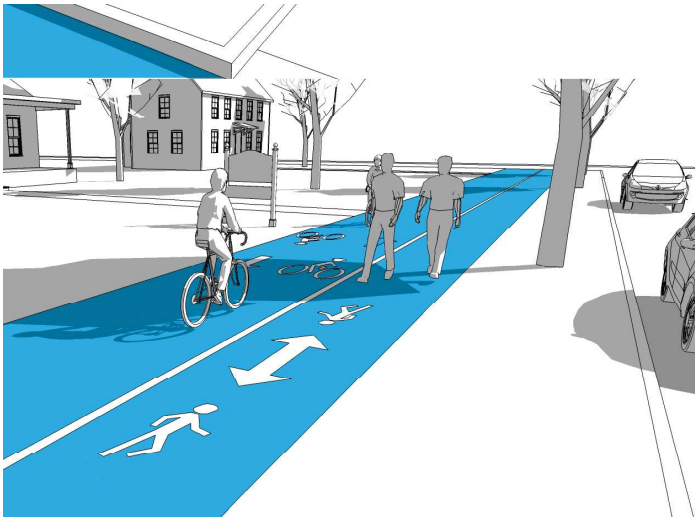

Illustration is provided for illustrative purposes only.

Permitted Districts

CD-2 | CD-3L | CD-3 | CD-4 | CD-4C | CD-5 | CD-5C | SD-int | SD-LI | SD-HI | PUD-R | PUD-MU

Riding Surface Width	10 ft min
Buffer	3 ft min, curb or planter strip
Movement	With traffic or dual direction
Intersection Detailing	Signed, signalized, Peg-a-Track
Bicycle Parking	Rack, bicycle shelter, bicycle station

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C. Bicycle Accommodation Standards – Civic Districts.

Within Civic Districts, any bicycle accommodations shall comply with the standards applicable to any Adjacent Character District.

D. Bicycle Accommodation Standards – Special Districts.

Within Special Districts, any bicycle accommodations shall comply with any applicable standards for the Special District.

5.2.5 Public Planting

Public Planting shall be provided within the Public Frontage of Thoroughfares in accordance with **Table 5.2.2.F (Thoroughfare & Internal Drive Types – Summary), Table 5.2.2.G–1 (Thoroughfare & Internal Drive Assemblies & Standards),** and **Table 5.2.5 (Public Planting)** and **Table 4.3.16.D–1 (Native Plants of the Tennessee Valley)**.

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TABLE 5.2.5 PUBLIC PLANTING

TREE SHAPE		CD-2	CD-3L & CD3	CD-4 & CD4C	CD-5 & CD-5C	SD-MHP	SD-INT	SD-LI & SD-HI	PUD-R	PUC-MU	PUD-OTHERS	CV
Columnar		P	P	P	P	P	P	P	P	P	Per PUD approval	P
Oval		P	P	P	P	P	P	P	P	P	Per PUD approval	P
Rounded / Ball		P	P	P	P	P	P	P	P	P	Per PUD approval	P
Conical /Pyramid		P	P	P	NP, except in Civic Space or Open Space	P	P	P	NP, except in Civic Space or Open Space	NP, except in Civic Space or Open Space	Per PUD approval	NP, except in Civic Space or Open Space
Spreading / Umbrella		P	P	P	NP, except in Civic Space or Open Space	P	P	P	NP, except in Civic Space or Open Space	NP, except in Civic Space or Open Space	Per PUD approval	NP, except in Civic Space or Open Space
Vase		P	P	P	NP, except in Civic Space or Open Space	P	P	P	NP, except in Civic Space or Open Space	NP, except in Civic Space or Open Space	Per PUD approval	NP, except in Civic Space or Open Space

LEGEND
The following notations are utilized in this table.

P Permitted | NP Not Permitted | PUD Per PUD Approval

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SECTION 5.3
CIVIC DISTRICTS

5.3.1 Civic Space Requirement; Civic District Designation.

A. Percentage of Civic Space.

Any Development Parcel shall include at least 5% but not more than 20% of its gross acreage assigned as Civic Space(s). The Civic Space provided pursuant to this Section 5.3.1.A shall be in addition to all Yard, Setback, and Impervious Surface area required not permitted to be covered under this Ordinance and the Subdivision Regulations.

B. Designation on Zoning Map.

Civic District(s) shall be designated on the applicable Zoning Map as Civic Space (CS) and / or Civic Building (CB). Civic Districts shall be assigned in accordance with Section 2.4.2.

C. Compliance with Civic District Standards.

All Lots, Development, Buildings, Structures and Improvements within Civic Districts shall comply with **Table 4.3.1–U (District Standards–Civic)**.

5.3.2 Civic Spaces – Design.

Civic Spaces shall be designed as generally described in **Table 5.3.3–A (Civic Space Types – Summary)** and **Table 5.3.3–B (Civic Space – Specific Standards)** as indicated for any Adjacent Character District, Special District, or PUD District, or if not Adjacent to any such District, as indicated for the closest non–Adjacent District.

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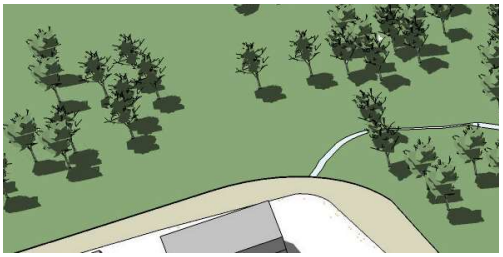
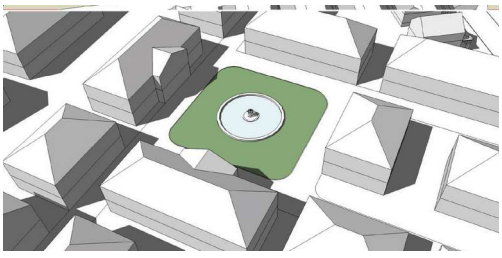
TABLE 5.3.3–A CIVIC SPACE TYPES – SUMMARY

Civic Space Type	Illustration	Permitted In / Adjacent to Districts
Natural Area A natural area available for unstructured recreation. A Natural Area may be independent of surrounding Building Frontages. Its landscape shall consist of Paths and trails, meadows, waterbodies, woodland and open shelters, all naturalistically disposed. Natural Areas may be lineal, following the trajectories of natural corridors. The minimum size is 8 acres.		CD-2 CD-3L CD-3 CD-4 CD-4C
Green An open area, available for unstructured recreation. A Green may be spatially defined by landscaping rather than Building Frontages. Its landscape shall consist of lawn and Trees, naturalistically disposed. The minimum size is 0.5 acre and the maximum is 8 acres.		CD-2 CD-3L CD-3 CD-4 CD-4C SD-MHP PUD-R
Square An open area available for unstructured recreation and Civic purposes. A Square is spatially defined by Building Frontages. Its landscape shall consist of Paths, lawns and trees, formally disposed. Squares shall be located at the intersection of important Thoroughfares. The minimum size is 0.5 acre and the maximum is 5 acres.		CD-4 CD-4C CD-5 CD-5C SD-MHP SD-int SD-LI SD-HI PUD-R PUD-MU
Plaza An open area available for Civic purposes. A Plaza shall be spatially defined by Building Frontages. Its landscape shall consist primarily of pavement. Trees are optional. Plazas shall be located at the intersection of important Thoroughfares. The minimum size shall be 0.5 acre and the maximum is 2 acres.		CD-4 CD-4C CD-5 CD-5C SD-MHP SD-int SD-LI SD-HI PUD-R PUD-MU

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Civic Space Type (continued)	Illustration	Permitted In / Adjacent to Districts
Playground An open area designed and equipped for the recreation of children. A Playground may include an open shelter. Playgrounds shall be interspersed within Residential areas and may be placed within a Block. Playgrounds may be included within Natural Areas and Greens. There is no minimum or maximum size.		CD-2, CD-3L, CD-3, CD-4, CD-4C, CD-5, CD-5C, SD-MHP, SD-LI, PUD-R, PUD-MU
Sport Field or Court An open area designed and equipped for team sports activities.		CD-2, CD-3L, CD-3, SD-LI, PUD-R
Community Garden A grouping of garden plots available for small-scale cultivation, generally to residents without private gardens. Community gardens should be fenced and accommodate individual storage sheds. Running water is required. Community Gardens shall be interspersed within Residential areas and may be placed within a Block or included within Natural Areas and Greens. There is no minimum or maximum size.		CD-2, CD-3L, CD-3, CD-4, CD-4C, CD-5, CD-5C, SD-MHP, SD-LI, SD-HI, PUD-R, PUD-MU
Pocket Park A small predominantly green open area available for unstructured Passive Recreation.		CD-3L, CD-3, CD-4, CD-4C, CD-5, CD-5C, SD-MHP, SD-LI, SD-HI, PUD-R, PUD-MU

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TABLE 5.3.3–B CIVIC SPACE – SPECIFIC STANDARDS

Natural Area

Permitted In / Adjacent to:

CD-2 | CD-3L | CD-3 | CD-4 | CD-4C

Intent

A natural area available for unstructured recreation. A natural area may be independent of surrounding Building Frontages. Its landscape shall consist of Paths and trails, meadows, waterbodies, woodland and open shelters, all naturalistically disposed. Natural areas may be lineal, following the trajectories of natural corridors. The minimum size is 8 acres.

Specifications

Size	8 ac min.
Frontage	Not Regulated
Character	Natural

Typical Facilities

- Passive and active recreation
- Recreational and community facilities
- Playgrounds and play structures
- Paths and trails
- Accessory structures

Green

Permitted In / Adjacent to:

CD-2 | CD-3L | CD-3 | CD-4 | CD-4C | SD-MHP | PUD-R

Intent

An open area, available for unstructured recreation. A Green may be spatially defined by landscaping rather than Building Frontages. Its landscape shall consist of lawn and trees, naturalistically disposed. The minimum size is 0.5 acre and the maximum is 8 acres.

Specifications

Size	0.5 ac min, 8 ac max
Frontage	Independent
Character	Informal

Typical Facilities

- Passive and active recreation
- Playgrounds and play structures
- Paths and trails
- Accessory structures

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TABLE 5.3.3-B CIVIC SPACE – SPECIFIC STANDARDS

Square

Permitted In / Adjacent to:

CD-4 | CD-4C | CD-5 | CD-5C | SD-MHP | SD-int | SD-LI | SD-HI | PUD-R | PUD-MU

Intent

An open area available for unstructured recreation and Civic purposes. A Square is spatially defined by Building Frontages. Its landscape shall consist of paths, lawns and trees, formally disposed. Squares shall be located at the intersection of important Thoroughfares. The minimum size is 0.5 acre and the maximum is 5 acres.

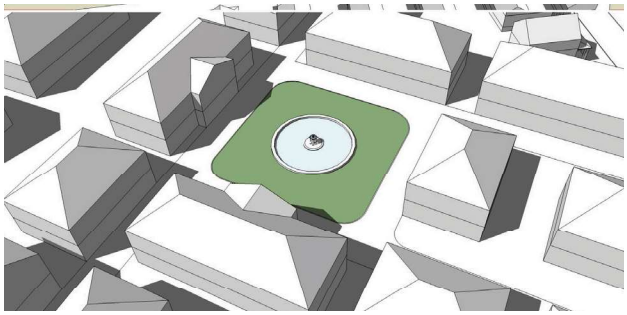
Specifications

Size	0.5 acres min. 5 acres max
Frontage	Buildings
Character	Formal

Typical Facilities

- Passive Recreation
- Paths
- Accessory structures

Plaza



Permitted In / Adjacent to:

CD-4 | CD-4C | CD-5 | CD-5C | SD-MHP | SD-int | SD-LI | SD-HI | PUD-R | PUD-MU

Intent

An open area available for Civic purposes. A Plaza shall be spatially defined by Building Frontages. Its landscape shall consist primarily of pavement. Trees are optional. Plazas shall be located at the intersection of important Thoroughfares. The minimum size is 0.5 acre and the maximum is 2 acres.

Specifications

Size	0.5 ac min. 2 ac max
Frontage	Buildings
Character	Formal

Typical Facilities

- Passive Recreation
- Paths
- Accessory structures
- Water features

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TABLE 5.3.3-B CIVIC SPACE – SPECIFIC STANDARDS

Playground

Permitted In / Adjacent to:

CD-2 | CD-3L | CD-3 | CD-4 | CD-4C | CD-5 | CD-5C | SD-MHP | SD-LI | PUD-R | PUD-MU

Intent

An open area designed and equipped for the recreation of children. A Playground may include an open shelter. Playgrounds shall be interspersed within Residential areas and may be placed within a Block. Playgrounds may be included within Natural Areas and Greens. There is no minimum or maximum size.

Specifications

Size	No min. No max
Frontage	Buildings
Character	Formal or Informal

Typical Facilities

- Active recreation
- Play structures
- Paths
- Water features

Sport Field or Court

Permitted In / Adjacent to:

CD-2 | CD-3L | CD-3 | SD-LI | PUD-R

Intent

An open area designed and equipped for team sports activities.

Specifications

Size	No min. No max
Frontage	Buildings
Character	Formal

Typical Facilities

- Active recreation
- Play structures

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TABLE 5.3.3-B CIVIC SPACE – SPECIFIC STANDARDS

Community Garden

Permitted In / Adjacent to:

CD-2 | CD-3L | CD-3 | CD-4 | CD-4C | CD-5 | CD-5C | SD-MHP | SD-LI | SD-HI | PUD-R | PUD-MU

Intent

A grouping of garden plots available for small-scale cultivation, generally to residents without private gardens. Community gardens should be fenced and accommodate individual storage sheds. Running water is required. Community Gardens shall be interspersed within Residential areas and may be placed within a Block or included within Natural Areas and Greens. There is no minimum or maximum size.

Specifications

Size	No min. No max
Frontage	May be enfronted by Buildings or be located behind Buildings
Character	Formal

Typical Facilities

- Active recreation
- Garden plots
- Accessory structures
- Running water

Pocket Park

Permitted In / Adjacent to:

CD-2 | CD-3L | CD-3 | CD-4 | CD-4C | CD-5 | CD-5C | SD-MHP | SD-LI | SD-HI | PUD-R | PUD-MU

Intent

A small predominantly green open area available for unstructured Passive Recreation.

Specifications

Size	500 sq. ft. min. 0.5 acres max.
Frontage	Independent
Character	Formal

Typical Facilities

- Passive Recreation
- Community gardens
- Playgrounds and play Structures
- Paths and trails
- Limited transient commercial concessions

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5.3.3 Civic Spaces Required.

Each Development Parcel of 20 acres or more shall provide the following:

A. Main Civic Space.

Each Pedestrian Shed within such Development Parcel shall contain at least one Main Civic Space of the Green, Square, or Plaza type, as permitted within the applicable District and conforming to **Table 5.3.3–A (Civic Space Types – Summary)** and **Table 5.3.3–B (Civic Spaces – Specific Standards)**, within 800 feet of the geographic center of such Pedestrian Shed, unless topographic conditions, pre-existing Thoroughfare alignments or other circumstances prevent such location;

B. Playground.

A Civic Space designed and equipped as a Playground conforming to **Table 5.3.3–B (Civic Spaces – Playground)** (1) within 800 feet of every Lot or Building Site in Residential Use in all Districts except CD-2, CD-3L, SD-INT, and SD-LI, and (2) within 1300 feet of every Lot or Building Site in Residential Use in Districts CD-2, CD-3L, and SD-LI; and

C. Thoroughfare Enfrontment.

Each Civic Space shall have a minimum of 50% of its perimeter Enfronting a Thoroughfare, except for Playgrounds or Community Gardens.

5.3.4 Civic Spaces in or Adjacent to Special Districts.

Civic Space in addition to that required by Section 5.3.1.A and 5.3.3 shall be permitted.

5.3.5 Civic Building Standards.

Any Civic Building provided or required pursuant to this Ordinance shall be located within or Adjacent to a Civic Space, or at the axial termination of a significant Thoroughfare.

5.3.6 Maintenance of Civic Buildings & Civic Space.

Civic Buildings and Civic Space shall be owned and maintained by a property owners' association unless specifically dedicated to and accepted by the City. Any such property owner's association shall be organized under the laws of the State. The deed conveying a Civic Building or Civic Space to a property owners' association shall include covenants running with the land that permanently reserve it for Civic purposes and require the association to maintain and pay all expenses associated with such Civic Building or Civic Space.

SECTION 5.4 DISTRICT DENSITY

A. Density Calculations.

Any proposed Development Parcel, excluding any Special Districts, shall require compliance with the following District Density provisions:

1. District Density shall be calculated based on the gross acreage of a specific District covered by the Development Parcel Plan.

2. Density shall be expressed in terms of Density Units per gross acre as specified for the area of each District by **Table 5.4.A–1 (District Density)**.

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TABLE 5.4.A–1 DISTRICT DENSITY

	Density Units
CD–2	1 Density Units per acre, gross, max
CD–3L	2 Density Units per acre, gross, max
CD–3	6 Density Units per acre, gross, max
CD–4	12 Density Units per acre, gross, max
CD–4C	24 Density Units per acre, gross, max
CD–5	Not Regulated
CD–5C	Not Regulated
SD–MHP	6 Density Units per acre, gross, max
SD–INT	24 Density Units per acre, gross, max
SD–LI	Not Regulated
SD–HI	Not Regulated
PUD–R	12 Density Units per acre, gross, max
PUD–MU	12 Density Units per acre, gross, max
Other PUDs	Per PUD Approval
CV	Not Regulated

3. For purposes of calculating District Density:

a. the area shall include the Thoroughfares, Internal Drives, and Civic Space within the District, but not land assigned to Civic Zones;

b. the quantities of the Principal Uses indicated on **Table 5.4.A–2 (Density Equivalencies)** shall constitute the indicated number of Density Units or portion thereof.

TABLE 5.4.A–2 DENSITY EQUIVALENCIES

The following quantities of Principal Uses are equivalent to the indicated number of Density Units

Principal Use	No. of Density Units
Agricultural & Extractive Uses (Any Amount)	0 Density Unit
1 Residential – Household Living Dwelling Unit	1 Density Unit
Residential – Group Living – Each Bedroom	.5 Density Unit
1500 sf. Civic Use, except Correctional Facilities, Civic Space & Open Space	1 Density Unit
3000 sf. Civic Use – Correctional Facility	1 Density Unit
Civic Space & Open Space (Any Amount)	0 Density Unit
Civil Support (Any Amount)	0 Density Unit
1500 sf. Educational Use or Institutional Use	1 Density Unit
1500 sf. Commercial Use, excluding Accommodations / Lodging, Outdoor Recreation & Parking	1 Density Unit
1 Bed & Breakfast or Inn Dwelling	1 Density Unit plus .5 Density Units for each guest bedroom
1 Accommodations / Lodging Bedroom, excluding Bed & Breakfast Dwellings	.5 Density Unit
Outdoor Recreation or Parking (Any Amount)	0 Density Unit
1500 sf. Office Use	1 Density Unit
3000 sf. Industrial Use	1 Density Unit
3000 sf. Utility Use	1 Density Unit
1500 sf. Other Uses (Any Amount)	1 Density Unit
Accessory Building/ Accessory Dwelling (Any Amount)	0 Density Unit

sf. = Building Square Feet, excluding Basements & Attics

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B. Maximum District Density.

1. The Maximum Density per Character District of a Development Parcel, shall not exceed that set forth in **Table 5.4.A–1 (District Density)**.

SECTION 5.5 DISTRICT DESIGNATION

All Districts within a Development Parcel shall be designated on the applicable Development Plan or Master PUD Development Plan.

SECTION 5.6 SPECIAL DISTRICTS

5.6.1 Purpose of Special Districts.

Special District designations are for areas which, due to their intrinsic size, Use, or Configuration, cannot conform to the requirements and standards of the applicable Character District(s).

5.6.2 Not to be Used to Avoid Compliance.

Special Districts shall not be used to avoid compliance with standards and requirements for Character Districts, and instead, shall be used sparingly.

5.6.3 Assignment of Special Districts.

Special Districts shall be assigned in accordance with Sections 2.4.3 and 3.3.

SECTION 5.7 SPECIAL REQUIREMENTS

Any of the Special Requirements set forth in Section 2.2 may be designated for any Development Parcel on the applicable Development Plan or Master PUD Development Plan.

SECTION 5.8 PROJECT BUFFERS

5.8.1 General.

Project Buffers shall be provided for Development Parcels in accordance with this Section 5.8.

5.8.2 Modification of Existing Structures.

Buildings and Structures lawfully existing as of the Effective Date may be modified without providing or modifying or Buffers in conformance with this Section 5.7, provided that the same does not constitute an Alteration of the Building footprint size by more than 15% and does not increase the degree by which the Building or Structure is Non-conforming.

5.8.3 Not Applicable for Certain Uses / Site Work

The standards and requirements herein set out for Buffers shall not apply to Temporary Uses or to site work on undeveloped sites which does not involve significant ground disturbance.

5.8.4 Minimum Standards / Conflicts.

Required Buffers, as specified in these regulations, are minimum standards. In those instances where this Ordinance specifies different Buffering requirements, then the more restrictive provisions shall govern.

5.8.5 Additional Measures Permitted.

None of the provisions of this Ordinance shall be construed as prohibiting plant material, Screening, and/or Buffer area in addition to that required by this Ordinance; or prohibiting the modification of existing Buffers to perform to an equivalent degree as the Buffer

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required by this Ordinance.

5.8.6 Buffer Plan Requirements.

Buffer plans submitted for approval to satisfy the requirements of this Ordinance shall clearly indicate the name, location, and size of vegetation to be installed as well as trees to be preserved.

5.8.7 Buffer Not Part of Civic Space.

A Buffer area may not be included as part of the calculation of any required Civic Space.

5.8.8 When Required.

A Project Buffer shall be required for new Development in the Districts indicated in **Table 5.7.8 (Project Buffers)** along such parts of the project that Abut any land zoned District CD-2, CD-3L, CD-3, CD-4, CD-4C, CD-5, CD-5C, or SD-MHP, or Civic District.

TABLE 5.7.8 PROJECT BUFFERS

District of New Development	Buffer Depth	Design Plants / 100 Linear Feet
SD-MHP (NA if abutting another SD-MHP District)	75′	15 Canopy Trees ≥ 50% evergreen, 15 Understory Trees ≥ 50% evergreen, & 90 Shrubs ≥ 75% evergreen*
SD-INT	75′	20 Canopy Trees ≥ 50% evergreen, 20 Understory Trees ≥ 50% evergreen, & 120 Shrubs ≥ 75% evergreen
SD-LI	75′	20 Canopy Trees ≥ 50% evergreen, 10 Understory Trees ≥ 50% evergreen, & 120 Shrubs ≥ 75% evergreen
SD-HI	75′	20 Canopy Trees ≥ 50% evergreen, 20 Understory Trees ≥ 50% evergreen, & 120 Shrubs ≥ 75% evergreen
PUD-R	75′	15 Canopy Trees ≥ 50% evergreen, 15 Understory Trees ≥ 50% evergreen, & 90 Shrubs ≥ 75% evergreen
PUD-MU	50′	15 Canopy Trees ≥ 50% evergreen, 15 Understory Trees ≥ 50% evergreen, & 90 Shrubs ≥ 75% evergreen
* SD-MHP Project Buffer shall also include a continuous 100% opaque fence at least 6′ high		

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5.8.9 Design.

A. Plant Materials.

A Project Buffer shall be designed and comprised of the plant materials indicated in **Table 5.7.8 (Project Buffers)**.

B. Fences & Walls.

Fences and walls may be used in a Project Buffer in addition to the required plant materials, provided that they comply with the following:

1. Minimum 100% opacity;

2. Minimum 6' high; and

3. Include a brick, natural rock, or authentic stucco masonry column at any end visible from a Thoroughfare or Internal Drive.

C. Opacity.

Plant materials and any fence or wall shall be arranged in a manner that creates a 100% opaque Project Buffer.

D. Retention of Heritage Trees.

With the exception of clearing required for required Driveways, the retention of Heritage Trees within a Project Buffer area shall be required.

E. Credit for Existing Vegetation.

Existing vegetation within a Project Buffer, which meets the requirements of **Table 5.7.8 (Project Buffers)** and Section 5.7.9.G and is not described in Section 5.7.9.F shall be credited toward the Project Buffer requirement.

F. Removal of Certain Vegetation.

Existing vegetation listed on the Tennessee Exotic Plant Council list shall be removed from the Project Buffer and shall not be credited.

G. Compliance with Landscape Standards.

1. With the exception of permitted existing vegetation, plant materials used in required Project Buffers shall comply with the standards of Section 4.3.16.

2. All Project Buffer areas shall have soils that comply with the standards of Section 4.3.16.

3. Installation of Project Buffer plants shall meet the minimum requirements set forth in Section 4.3.16.

H. Sign Visibility.

Project Buffers shall be designed to address visibility of any permitted ground Signs.

5.8.10 Location.

A. Common Boundary

Any required Project Buffer shall be located along the common boundary of the abutting District.

B. Certain Locations Restricted.

Project Buffers shall not be located on any portion of an existing, dedicated or reserved public or private street, Thoroughfare, Internal Drive, or right-of-way.

C. Location in Yard / Setback.

Project Buffers may be constructed in any required Yard or Setback.

D. Location in Easement.

Plantings in Project Buffers shall be subject to the same limitations regarding location in Easements as are applicable to landscape plantings under Section 4.3.16.E.

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5.8.11 Development / Use within Buffer.

A. Restrictions.

Project Buffers shall not contain any:

1. Development;

2. Parking Area, Parking Lot, Garage, or Parking Structure;

3. Street, Thoroughfare, Driveway, drive aisle, Internal Drive, or Alley except as permitted under Section 5.8.11.B;

4. Impervious surfaces;

5. Dumpsters or garbage, trash or recycling receptacles; or

6. Site features that do not function to meet the standards of this Section or that require removal of existing vegetation, unless otherwise permitted in this Ordinance.

B. Certain Development / Uses Allowed.

Project Buffers may contain the following Uses and Structures, provided that the Screening intent of this Section is met:

1. Passive Recreation, Sidewalks, trails, multi-use paths, picnic facilities, and bike or equestrian trails;

2. Fences and walls;

3. Landscape plantings;

4. Stormwater retention or detention facilities, green infrastructure, provided they do not interfere with the performance or maintenance of the Project Buffer area;

5. Utilities, provided that additional width shall be added to the Project Buffer in an amount equal to that occupied by the utility lines and any associated Easements and any path cleared by utility installation or maintenance shall be replaced; and

6. Streets, Thoroughfares, Driveways, drive aisles, Internal Drives or Alleys, provided they only cross the Project Buffer at a 90-degree angle and do not otherwise Encroach into the Project Buffer;

7. Appurtenances that require high visibility and easy access, such as fire hydrants, public and emergency telephones, mail boxes, and bus or other shelters or benches, none of which shall be Screened.

8. Ingress and egress to such Uses, Structures, utility lines, and appurtenances, may cross the Project Buffer provided they minimize the amount of Project Buffer taken.

9. Identification signs, as specifically permitted in Article 7 (Signs).

10. Lighting, as specifically permitted in Sections 4.3.17 and 5.25.

11. Any other Uses as specifically permitted elsewhere in this Ordinance.

5.8.12 Ownership.

Project Buffers may remain in the ownership of the original developer (and assignees) of a Lot, Building Site, or parcel of land; they may be subjected to deed restrictions and subsequently conveyed; or they may be transferred to any consenting grantees, such as a forest preserve, the City, Civic Space held by an association (homeowners, etc.), or conservation group. Any such conveyance shall adequately guarantee the protection and maintenance of the Project Buffer in accordance with the provisions of this Ordinance.

5.8.13 Maintenance.

A. Responsible Parties / Responsibilities.

The responsibility for maintenance of a required Project Buffer shall be that of the owner of the

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property, such owner's successors, heirs, and assignees or any consenting grantee.

B. Plantings.

Dead or diseased plantings shall be removed and replaced with plants meeting all requirements of this Ordinance.

C. Water Courses.

Natural water courses within a Project Buffer shall be maintained in a natural condition consistent with any applicable regulations.

D. Water Source.

A water source shall be supplied within 100 feet of any planting requiring continuing watering. Where non-native or non-drought tolerant native vegetation is incorporated in the Project Buffer, an irrigation system shall be required.

E. Structural Features.

Landscape structural features such as walls, fences, or water features shall be maintained in a structurally safe and attractive condition.

F. Other Uses / Structures.

Where other Uses or Structures are allowed within a Project Buffer, they shall be maintained to provide for their safe use.

G. Enforcement.

If the Person or Persons responsible for maintaining a Project Buffer fails to maintain same according to this Ordinance, the City may, but shall not be obligated to, and after reasonable notice and a demand that deficiency of maintenance be corrected, enter the Project Buffer area, maintain the same, and recover the cost thereof, including reasonable attorney fees, from the Person or Persons having the responsibility for maintenance of the Buffer area.

5.8.14 Hardship Relief.

A. Modification.

The Project Buffer requirement may be modified by the Zoning Administrator upon a finding that a modification would be consistent with the purpose and intent of this Ordinance, and any adopted land use plans, that such modification would not adversely affect the land use compatibility or public interest, and the relief requested will comply with one or more of the criteria in Section 5.7.14.A.

B. Criteria.

The criteria for relief under Section 5.7.14.B are as follows:

1. The affected Project Buffer is parallel and adjacent to an existing utility or drainage easement of at least 75 feet in width;

2. The affected Project Buffer is between Uses that are to be developed under a common Development Plan or Master PUD Development Plan or series of such Plans;

3. The affected Project Buffer is Adjacent to a property that has a joint use agreement with the subject parcel;

4. The affected Project Buffer is parallel and Adjacent to an existing railroad right-of-way; or

5. The topography of the subject property or the Adjacent property is such that Buffering would not be effective.

5.8.15 Tree Protection.

The Tree Protection provisions in Section 4.3.16.L are applicable to all Development Parcels.

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SECTION 2.1 ZONING MAP.

2.1.1 Establishment of Districts.

Districts are established in Section 3.7. Establishment of any other Districts shall be in accordance with Section 3.8.

2.1.2 Designations on Zoning Map.

Districts, Thoroughfares, Internal Drives, and any Special Requirements, as referred to in this Ordinance and approved by the City Council, shall be bounded and designated on the Zoning Map and any amendment thereto, as adopted by the City Council pursuant to this Ordinance.

2.1.3 Incorporation into Ordinance.

The Zoning Map, as may be subsequently amended from time to time, and all notations, references and explanatory and other matter thereon, is incorporated into and made a part of this Ordinance by reference.

2.1.4 Maintenance of Zoning Map.

The adopted Zoning Map shall be kept on file in the City offices and the Zoning Administrator shall maintain a copy of the Zoning Map (which may be in a digital format), reflecting all amendments approved by the City Council.

2.1.5 District Boundaries.

A. Establishment of Boundaries.

The boundaries of each of the Districts identified in Section 3.7 are hereby established as shown on the duly adopted Zoning Map.

B. Intent.

The District boundary lines, unless shown otherwise, are intended generally to follow Thoroughfare center lines, railroad right-of-way boundary lines or their center lines, other similar right-of-way lines, or Lot Lines or Building Site Lines, boundaries of subdivisions, or City boundary lines, all as shown on the Zoning Map. Where a District boundary line does not follow such a line, but is shown parallel to such a line on the Zoning Map, the distance between the parallel lines shall be as dimensioned on the Zoning Map. Such dimensions shall be construed to read from the outside edge of all rights-of-way rather than from their center lines.

C. Discrepancy in Map and Physical Boundaries.

Where the Thoroughfare layout actually on the ground varies from the Thoroughfare layout shown on the Zoning Map, the designation shown on the mapped Thoroughfare shall be applied in such a way as to carry out the Zoning Administrator's determination as to the purpose and intent of the Zoning Map for the particular area in question.

D. Determination of Boundary Location.

When the location of a District boundary line cannot be otherwise determined, the determination thereof shall be made by the Zoning Administrator by scaling the distance on the Zoning Map from a line of known location to such District boundary line.

E. Interpretation of District Boundaries.

When uncertainty exists as to the boundaries of Districts shown on the Official Zoning Map, the following shall apply:

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1. Boundaries indicated as approximately following the center lines of streets, highways, or alleys shall be construed to follow such center lines;

2. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines;

3. Boundaries indicated as approximately following city limits shall be construed as following such city limits;

4. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks;

5. Boundaries indicated as following shore lines shall be construed to follow such shore lines, and in the event of change in the shore line shall be construed as moving with the actual shore line; boundaries indicated as approximately following the center lines of streams, rivers, canals, lakes, or other bodies of water shall be construed to follow such center lines;

6. Boundaries indicated as parallel to or extensions of features indicated in Sections 2.1.5.E.1 – 2.1.5.E.5 above shall be so construed. Distances not specifically indicated on the official zoning map shall be determined by the scale of map;

7. Where physical or cultural features existing on the ground are different than those shown on the official zoning map, or in other circumstances not covered by Sections 2.1.5.E.1 – 2.1.5.E.6, the Board of Appeals shall interpret the district boundaries;

8. Where a district boundary line divides a lot which was in single ownership at the time of passage of this ordinance, the Board of Appeals may permit the extension of the regulations for either portion of the lot not to exceed 500 feet beyond the district line into the remaining portion of the lot.

F. Appeal to Board of Zoning Appeals.

In the case of uncertainty as to the true location of a District boundary line in a particular instance, an appeal of the Zoning Administrator's determination may be taken to the Board of Zoning Appeals, as provided in Article 8 (Administration, Procedures & Enforcement).

G. Boundary Dividing Lot.

When a District boundary line divides a Lot in a single ownership at the Effective Date of this Ordinance, any amendment thereto, or any amendment of the Zoning Map, the Board of Zoning Appeals may permit extension into one District of a lawful conforming Use and the standards applicable existing in the other District, as provided in Article 8 (Administration, Procedures & Enforcement).

H. Lot or Parcel in More than One Jurisdiction.

If any Lot or parcel of land is situated partially within the City and partially within one or more other jurisdictions, the portion of such Lot or parcel land situated within the City must comply with the City standards and requirements for the applicable City District.

2.1.6 Adoption by City Council.

The Zoning Map shall be adopted by the City Council upon the Effective Date.

The Zoning Map may be amended from time to time in accordance with Section 8.5.19.

2.1.7 Identification & Location of Official Zoning Map.

A. Identification.

The Official Zoning Map shall be identified by the signature of the Mayor, attested by the City Recorder, bear the Seal of the City under the following words:

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"This is to certify that this is the Official Zoning Map referred to in Article 2 of the Zoning Ordinance of the City of Columbia, Tennessee"

and bear the date of the adoption of this Ordinance.

B. Location.

Regardless of the existence of purported copies of the Official Zoning Map which may from time to time be made or published, the Official Zoning Map maintained by the Zoning Administrator pursuant to Section 2.1.4 shall be the final authority as to the current zoning status of land and water areas, Buildings, and other Structures within the City's zoning jurisdiction.

2.1.8 Replacement of Official Zoning Map.

In the event that the Official Zoning Map becomes damaged, destroyed, lost, or difficult to interpret because of the nature of number of changes and additions, the City Council may, by resolution, adopt a new Official Zoning Map, which shall supersede the prior Official Zoning Map. The City may use the resolution process to address minor drafting, omissions, or other errors but must use the rezoning process described in Section 8.5.18 to make substantive modifications to the Official Zoning Map. The new Official Zoning Map shall be identified by the signature of the Mayor, attested by the City Recorder, and bear the seal of the City under the following words:

"This is to certify that this Official Zoning Map supersedes and replaces the Official Zoning Map adopted _____, by the City of Columbia, Tennessee"

and bear the date on which the new Official Zoning Ordinance replaced the prior Official Zoning Ordinance.

2.1.9 Preservation of Maps.

All prior Official Zoning Maps and any significant portions of Official Zoning Maps shall be preserved, together with all available records pertaining to their adoption or amendment.

SECTION 2.2 SPECIAL REQUIREMENTS.

2.2.1 Designation on Zoning Map.

The Zoning Map and any amendment thereto may designate any of the Special Requirements listed in Section 2.2.2 below. If there is any conflict between an applicable Special Requirement and another standard or requirement, the Special Requirement shall be controlling.

2.2.2 Effect of Designation.

If a Zoning Map or any amendment designates any one or more of such Special Requirements, such designation indicates that the following requirements shall be applied as follows:

A. Shopfront Frontage.

A Shopfront Frontage designation requires that each Private Frontage within the designated area be provided a Shopfront Frontage at Sidewalk level, except at any allowed Driveways or Streetscreen areas, as provided in **Table 4.3.7.A (Private Frontage Types)** and specified in Article 4 (Building, Lot & Building Site Standards).

B. Mandatory Retail Frontage.

A Mandatory Retail Frontage designation requires that each Private Frontage within the designated area be provided a Shopfront Frontage at Sidewalk level, except at any allowed Driveways or Streetscreen areas, as Provided in **Table 4.3.7.A (Private Frontage Types)** and specified in Article 4 (Building, Lot & Building Site Standards) and that the ground level be available for Retail Use.

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C. Terminated Vista.

A Terminated Vista designation requires that a Building be provided with a cupola, chimney, entry feature, or habitable tower that intersects the centerline axis of the view to which it responds.

D. Cross Block Passage.

A Cross Block Passage designation requires that a minimum 10-foot-wide pedestrian access be reserved between Buildings.

E. Special Height Range.

A designation of Special Height Range requires that Buildings within the designated area comply with the Height noted rather than the Height standard that otherwise would be applicable within the District.

F. Residential/Dwelling Use Restriction.

A designation of Residential/Dwelling Use Restriction prohibits Uses categorized as Residential/Dwelling Uses within the ground floor of Buildings within the designated area, irrespective of whether Residential/Dwelling Use would otherwise be permitted within the applicable District.

G. Residential/Dwelling Use Only.

A designation of Residential/Dwelling Use Only requires that the only Principal Uses that are allowed within the designated area are Uses categorized as Residential/Dwelling in **Table 4.3.9.A-1 (Building, Lot & Building Site Principal Use),** irrespective of whether other Principal Uses would otherwise be permitted within the applicable District.

SECTION 2.3
CHANGES TO ZONING MAP.

Any change to the adopted Zoning Map shall be subject to compliance with the requirements and procedures of this Ordinance, which shall include without limitation in cases where the change was initiated by any Person other than the City, submission, review and approval of an application for approval of a proposed Zoning Map Amendment that complies with all standards, conditions, and requirements of this Ordinance, in accordance with Section 8.5.19 and related provisions of Article 8 (Administration, Procedures & Enforcement).

SECTION 2.4
ASSIGNMENT OF DISTRICTS FOR PARCELS ≥ 80 GROSS ACRES.

2.4.1 Character Districts.

A. Assignment.

Character Districts must be assigned within parcels of land of 80 or more gross acres, excluding any Special Districts, in accordance with Article 5 (Development Parcel Standards).

For any Development Parcel of 80 or more gross acres excluding any Special Districts, assignment of each Character District type (i.e., CD-2, CD-3L, CD-3, CD-4, CD-4C, CD-5, or CD-5C) for any Zoning Map Amendment must be consistent with the then effective CIty Comprehensive Plan.

Except for applications and approvals for a rezoning related to a PUD District, all applications for and approvals of a Zoning Map Amendment covering a parcel of land of 80 or more gross acres, excluding any Special Districts, must be in accordance with this Section 2.4.1.

B. Zoning Map Amendment.

Assignment of Character Districts shall be subject to approval as a Zoning Map Amendment pursuant to Section 8.5.19.

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2.4.2 Civic Districts.

A. Assignment.

Civic Districts must be assigned within parcels of land of 80 or more gross acres, excluding any Special Districts, in accordance with Article 5 (Development Parcel Standards).

B. Zoning Map Amendment.

Assignment of Civic Districts shall be subject to approval as a Zoning Map Amendment pursuant to Section 8.5.19.

2.4.3 Special Districts.

A. Assignment.

A Special District may be assigned to an area within a parcel of land over 10 gross acres, excluding any Special Districts, only if due to the necessary and intrinsic Uses, size, or form, a proposed Development cannot under any plan, design, or circumstances conform to one or more of the Character Districts and standards therefor.

Special Districts shall not be proposed or used to avoid, or have the effect of avoiding compliance with the standards and requirements of this Ordinance for Character Districts, and instead, shall be used sparingly and only in exceptional situations.

B. Zoning Map Amendment.

Assignment of Special Districts shall be subject to approval as a Zoning Map Amendment pursuant to Section 8.5.19.

2.4.4 PUD Districts.

A. Assignment.

A PUD District may be assigned to an area within a parcel of land over 10 gross acres, only if due to unique site conditions or the necessary and intrinsic Uses, size, or form, a proposed Development cannot under any plan, design, or circumstances conform to one or more of the Character Districts and standards therefor.

PUD Districts shall not be proposed or used to avoid, or have the effect of avoiding compliance with the standards and requirements of this Ordinance for Character Districts, and instead, shall be used sparingly and only in exceptional situations.

B. Zoning Map Amendment.

Assignment of PUD Districts shall be subject to approval as a Zoning Map Amendment pursuant to Section 8.5.19.

SECTION 2.5 NEWLY ANNEXED PROPERTIES

Newly annexed properties shall have an initial zoning of CD-3L. However, an application for rezoning to any other District may be considered concurrently with the action for annexation subject to Section 8.5.19.

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Q1 and Q2 – 2023 Zoning Text Amendment

Project #:	24-0223, 0221, 0053, 0043	Location:	N/A
Applicant:	Kevin C. McCarthy, AICP	Case Type(s):	Text Amendment
Staff Planner:	Kevin C. McCarthy, AICP	Proposed Use:	N/A

SUMMARY

The applicant, the Zoning Administrator, requests to amend the text of Ordinance 4400, the zoning ordinance for the City of Columbia. This is the second and third of five rounds of zoning text amendments staff will present to the Planning Commission between December 2023 and December 2024. These changes will implement Connect Columbia, better align zoning regulations with community preferences, and calibrate the standards based on "lessons learned" during the first two years administering the Ordinance. This round of proposed amendments is detailed in the attached list of topics and track changes documents.

- The Planning Commission is a **recommending body** for zoning text amendments. The City Council is the decision-making authority.
- The staff comments section details the proposed changes, which are provided in the agenda packet in ~~strikethrough~~ and underlines.
- Planning Commission may recommend adoption of the proposed text, modify the proposal, or decline the request.
- Templates are provided at the end of the report to assist the Planning Commission in crafting properly formatted motions.

CONSISTENCY WITH CONNECT COLUMBIA

The ongoing current process of reviewing and updating the Zoning Ordinance, Subdivision Regulations, Engineering Standards & Specifications, and other regulating documents is part of the implementation of Connect Columbia, the City's comprehensive plan.

REVIEW PROCESS

Section **8.5.16** of the Zoning Ordinance directs the Planning Commission to review and make a recommendation on all proposed changes to the text of the Ordinance. The Planning Commission is the recommending body for text amendments under **§ 8.3.3.B.2** of the Zoning Ordinance.

Section **8.5.18.C** of the Zoning Ordinance requires that Planning Commission determine that the proposed changes are consistent with the comprehensive plan.

8.5.18.G of the Zoning Ordinance establishes the review criteria for approval of all changes to the text of the Ordinance:

a. *The extent to which the proposed Zoning Ordinance Amendment is consistent with the remainder of this Ordinance, including, specifically, any purpose and intent statements;*
b. *The extent to which the proposed Zoning Ordinance Amendment represents a new idea not considered in this Ordinance, or represents a revision necessitated by changing circumstances over time;*
c. *Whether or not the proposed Zoning Ordinance Amendment corrects an error in this Ordinance; and*
d. *Whether or not the proposed Zoning Ordinance Amendment revises this Ordinance to comply with state or federal statutes or case law.*

The criteria for City Council action on a Zoning Ordinance Amendment at § 8.5.18.J.4 are identical to the criteria for Planning Commission review at 8.5.18.G.3.

COMMENTARY FROM PROFESSIONAL PLANNING STAFF

The City Council adopted the current ordinance on July 14, 2022. The Zoning Ordinance implements the City's comprehensive plan, Connect Columbia. On November 8, 2023, the Planning Commission recommended adoption of a five-year update of the framework, land use, and transportation elements of Connect Columbia. The framework element of the plan directs planning staff to initiate revisions to the ordinance in order to bring it into consistency with changes to the future land use plan. It further directs staff to engage residents and property owners to solicit suggestions for further changes to the ordinance. As mentioned above, this is

the second and third of five rounds of zoning text amendments staff plans to present to the Planning Commission between December 2023 and December 2024.

Planning staff will present detailed commentary at the June 5, 2024 meeting of the Planning Commission.

The Planning Commission may recommend approval of the proposed text amendments, direct staff to prepare an alternative text amendment, or decline to act on the proposed changes**.**

SAMPLE MOTIONS

Approve:

Move to find, based on the analysis provided by city staff, that the criteria listed in section **8.5.18** of the City of Columbia Zoning Ordinance have been satisfied and recommend approval of the proposed text amendments **[may be subject to modificaitons proposed by the Planning Commission]**.

Deny:

Move to recommend denial of the requested text amendment having found, based on the analysis provided by city staff, that the criteria listed in section **8.5.18** of the City of Columbia Zoning Ordinance are not satisfied [*list specific reasons for denial and provide direction to staff*].

Defer:

Move to find that there is insufficient information to decide, defer the matter to the next regularly scheduled meeting of the Planning Commission, and direct staff to provide: [*list additional information*] for review at a future meeting.

Article 6 Supplemental Standards
Proposed Zoning Text Amendment

Additions are Underlined
~~Deletions are Strikethrough~~

Proposed Changes

§ 6.3 Streetscape Repairs, Replacements & Improvements (p. 343) 2

§ 6.6.6 Standards for Areas of Special Flood Hazard with Established Base Food Elevations and with Floodways Designated (P. 357) 5

§ 6.6.7 Standards for Areas of Special Flood Hazard Zones AE with Established Base Flood Elevations but without Floodways Designated (p. 357) 7

§ 6.6.8 Standards for Streams w/o Established Base Flood Elevations or Floodways (A Zones) (p. 358) 9

§ 6.6.11 Standards for Unmapped Streams (p. 359) 11

Article 6 Supplemental Standards
Proposed Zoning Text Amendment

Additions are Underlined
~~Deletions are Strikethrough~~

§ 6.3 Streetscape Repairs, Replacements & Improvements (p. 343)

6.3.1 Applicability.

This Section applies to all Development ~~other than Buildings,~~ of Lots, or Building Sites ~~within a Development Parcel for which~~enfronting existing Thoroughfares or Internal Drives ~~are to be provided or modified in accordance with Article 5 (Development Parcel Standards), which Thoroughfares and Internal Drives must comply with the applicable provisions of Article 5 (Development Parcel Standards).~~

Removes confusing language and makes clear when the Absent Elements provisions apply.

6.3.2 Streetscape Repairs, Replacements & Improvements.

Prior to the issuance of any Certificate of Occupancy for a Building or Improvement, the following Streetscape improvements, repairs, or replacements shall be provided by the Lot or Building Site owner with respect to each Building or Improvement and the Streetscape that Enfronts the applicable Lot or Building Site:

A. Damage Repair.

Any walkway, planter well or planter strip, street light or curb that exists in the Public Frontage, Thoroughfare or Internal Drive Adjacent to the applicable Lot prior to commencement of construction of such Building or Improvement and which is damaged during such construction shall be repaired so that it is in at least as good or better condition as it was in prior to such damage or shall be replaced.

B. Absent Elements.

Corrects formatting

If the Public Frontage Adjacent to the applicable Lot or Building Site does not include a Sidewalk, Planter, ~~Thoroughfare or~~

~~Internal Drive,~~ Trees, or street lights, any such absent element shall be provided by the applicable Lot or Building Site owner in accordance the following standards and requirements:

1. If there is an adjoining Sidewalk, a Sidewalk shall be constructed along the entire Front Lot or Building Site Line, which Sidewalk must match any existing Sidewalk Enfronting an Adjacent Lot or Building Site~~,~~.;

2. If there is an adjoining planter strip or plant well, planting accommodations shall be constructed along the entire Front Lot or Building Site Line, which planting accommodations must match any existing planter strip or plant well Enfronting an Adjacent Lot~~,~~.; and

3. If there is no tree within the Frontage Adjacent to the Lot or Building Site, one or more trees shall be installed along the Front Lot or Building Site Line, which tree(s) must meet the tree shape, spacing, and size standards for the applicable District as set forth in Section 5.2, as if such standards were applicable.~~.~~

~~4~~C. Reservation of Right-of-Way

If there is not sufficient right-of-way area for all or any of the required Streetscape repairs, replacements, or improvements as set forth in this Section 6.3, such element or elements shall be provided within the Lot or Building Site Adjacent to the right-of-way within a reservation strip of land that all setbacks will recognize as planned future property lines for such Lot or Building Site.

~~5.~~D. Minimum Standards

Each Streetscape repair, replacement or Improvement made pursuant to this Section 6.3 must comply with the rules, regulations, and requirements of the City that are applicable and in effect from time to time in respect of such element, so that it qualifies, or would qualify if within the public right-of-way, for dedication to the City.

E. Payment in lieu

Creates option for payment in lieu

1. Where this section requires repair or installation of sidewalks within the public frontage, applicants may make Payment of fees in-lieu to the City Sidewalk Fund installing a required public sidewalk may occur only when: The timing of the installation of the sidewalk would result in its removal shortly thereafter due to a fully-funded street widening, streetscape project, or other capital improvement project; or

2. The right-of-way, developing lot, or lot abutting a required sidewalk is not suitable for sidewalks due to floodplain, wetlands, riparian buffers, tree save areas, PUDE, or slopes exceeding 20 percent.

3. The decision-making authority for the associated review shall determination whether payment of fees in-lieu are applicable. The decision-making authority shall consider the advice of the City Engineer in making the determination.

4. The fees in-lieu of sidewalks shall be paid prior to: Recording the final plat, Issuance of a building permit, or issuance of a grading permit.

D. Fees received pursuant to this Subsection shall be used in accordance with the City Sidewalk Fund as direct by the City Council.

Section 6.6 FLOODPLAIN PROTECTION

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

The Areas of Special Flood Hazard identified on the Maury County, Tennessee, and Incorporated Areas, Federal Emergency Management Agency, Flood Insurance Study (FIS) Number 470123C0000E, dated April 16, 2007 and all subsequent amendments and revisions, and Flood Insurance Rate Map (FIRM)~~,~~ Community Panel Numbers 47119C0145E, 47119C0160E, 47119C0165E, 47119C0170E, 47119C0180E, 47119C0190E, 47119C0195E, 47119C0260E, 47119C0280, 47119C0285E dated April 16, 2007, and all subsequent amendments and revisions along with all supporting technical data, are adopted by reference and declared to be a part of this Ordinance.

Avoids potential contradiction between ordinance and subsequent map revisions

§ 6.6.6 Standards for Areas of Special Flood Hazard with Established Base Food

6.6.6 Standards for Areas of Special Flood Hazard with Established Base Flood Elevations and with Floodways Designated.

Corrects typo in adopted ordinance

Located within the Areas of Special Flood Hazard established in Section 6.12.3.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:

A. Encroachments.

Encroachments are prohibited, including earthen fill material, new construction, substantial improvements or other developments 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, when combined with all other existing and anticipated development, shall not result in ANY increase the water surface elevation of the base flood level, velocities or floodway widths during

the occurrence of a base flood discharge at any point within the community. A registered professional engineer must provide supporting technical data and certification thereof.

B. New Construction or Substantial Improvements. New construction or substantial improvements of buildings shall comply with all applicable flood hazard reduction provisions of this Section 6.6.5.

§ 6.6.7 Standards for Areas of Special Flood Hazard Zones AE with Established Base Flood Elevations but without Floodways Designated (p. 357)

6.6.7 Standards for Areas of Special Flood Hazard Zones AE with Established Base Flood Elevations but without Floodways Designated.

Located within the Areas of Special Flood Hazard established in Section 6.6.3.B, where streams exist with base flood data provided but where no floodways have been designated, (Zones AE) the following provisions apply:

A. Encroachments. No encroachments, including fill material, new structures or substantial improvements shall be located within areas of special flood hazard, unless ~~certification by~~ a Tennessee registered professional engineer provides certification ~~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 ~~two~~ one (1~~2~~) foo~~e~~et at any point within the community. The engineering certification should be supported by technical data that conforms to standard hydraulic engineering principles. The administrator or assignee shall establish minimum standards for the format and content of such certification.

Corrects an error in the adopted Ordinance and authorizes staff to establish minimum standards (plan to use TEMA No-Rise Guidance)

B. New Construction or Substantial Improvements. New construction or substantial improvements of buildings shall be elevated or flood-proofed to elevations established in accordance with Section 6.6.5.B.

Article 6 Supplemental Standards
Proposed Zoning Text Amendment

Additions are Underlined
~~Deletions are Strikethrough~~

§ 6.6.8 Standards for Streams without Established Base Flood Elevations- or Floodways (A Zones) (p. 358)

6.6.8 Standards for Streams without Established Base Flood Elevations or Floodways (A Zones).

Located within the Areas of Special Flood Hazard established in Section 6.6.3.B, where streams exist, but no base flood data has been provided (A Zones), OR where a Floodway has not been delineated, the following provisions shall apply:

A. Data Not Provided

When Base Flood Elevation data or floodway data have not been provided in accordance with Section 6.6.3, then the Administrator shall obtain, review and reasonably utilize any scientific or historic Base Flood Elevation and floodway data available from a Federal, State or other source, in order to administer the provisions of Section 6.6.5. ONLY if data is not available from these sources, then the following provisions ~~(1 & 2)~~ shall apply:

1. No encroachments, including structures or fill material, shall be located within an area equal to the width of the stream or twenty feet, whichever is greater, measured from the top of the stream bank, unless certification by registered professional engineer is provided demonstrating that the cumulative effect of the

Corrects an error in the adopted Ordinance and authorizes staff to establish minimum standards (plan to use TEMA No-Rise Guidance)

proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than ~~two~~ one (~~2~~1) ~~feet~~ foot at any point within the community. The engineering certification should be supported by technical data that conforms to standard hydraulic engineering principles. The administrator or assignee shall establish minimum standards for the format and content of such certification.

2. In special flood hazard areas without Base Flood Elevation data, new construction or substantial improvements of existing shall have the lowest floor of the lowest enclosed area (including basement) elevated no less than three (3) feet above the highest adjacent grade at the building site. Openings sufficient to facilitate the unimpeded movements of floodwaters shall be provided in accordance with the standards of Section 6.6.5.B, and “Elevated Buildings".

Article 6 Supplemental Standards
Proposed Zoning Text Amendment

Additions are Underlined
~~Deletions are Strikethrough~~

§ 6.6.11 Standards for Unmapped Streams (p. 359)

6.6.11 Standards for Unmapped Streams.

~~1.~~ Located within the City are unmapped streams where areas of special flood hazard are neither indicated nor identified. Adjacent to such streams the following provisions shall apply:

~~2~~1. In areas adjacent to such unmapped streams, no encroachments including fill material or 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 provides certification ~~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 ~~two~~ one (1~~2~~) ~~feet~~ foot at any point within the locality. The administrator or assignee shall establish minimum standards for the format and content of such certification.

Corrects an error in the adopted Ordinance and authorizes staff to establish minimum standards (plan to use TEMA No-Rise Guidance) and corrects formatting of paragraphs.

~~3~~2. When new elevation data ~~is~~ are available, new construction or substantial improvements of buildings shall be elevated or flood-proofed to elevations established in accordance with ~~this~~ Sections 6.6.4 through 6.6.10.

SECTION 6.1
GENERAL

The following standards and requirements shall be complied with in addition to all other standards and requirements of the City Subdivision Regulations and the City Code and Engineering Regulations.

SECTION 6.2
PRESERVATION OF NATURAL FEATURES.

Development shall preserve the natural features of the site, such as wetlands, unique wildlife habitats, Historic Structures, major trees and scenic views both from and into the site.

SECTION 6.3
STREETSCAPE REPAIRS,REPLACEMENTS & IMPROVEMENTS

6.3.1 Applicability.

This Section applies to all Development other than Buildings, Lots, or Building Sites within a Development Parcel for which Thoroughfares or Internal Drives are to be provided or modified in accordance with Article 5 (Development Parcel Standards), which Thoroughfares and Internal Drives must comply with the applicable provisions of Article 5 (Development Parcel Standards).

6.3.2 Streetscape Repairs, Replacements & Improvements.

Prior to the issuance of any Certificate of Occupancy for a Building or Improvement, the following Streetscape improvements, repairs, or replacements shall be provided by the Lot or Building Site owner with respect to each Building or Improvement and the Streetscape that Enfronts the applicable Lot or Building Site:

A. Damage Repair.

Any walkway, planter well or planter strip, street light or curb that exists in the Public Frontage, Thoroughfare or Internal Drive Adjacent to the applicable Lot prior to commencement of construction of such Building or Improvement and which is damaged during such construction shall be repaired so that it is in at least as good or better condition as it was in prior to such damage or shall be replaced.

B. Absent Elements.

If the Public Frontage Adjacent to the applicable Lot does not include a Sidewalk, Planter, Thoroughfare or Internal Drive, Trees, or street lights, any such absent element shall be provided by the applicable Lot or Building Site owner in accordance the following standards and requirements:

1. If there is an adjoining Sidewalk, a Sidewalk shall be constructed along the entire Front Lot or Building Site Line, which Sidewalk must match any existing Sidewalk Enfronting an Adjacent Lot or Building Site,.

2. If there is an adjoining planter strip or plant well, planting accommodations shall be constructed along the entire Front Lot or Building Site Line, which planting accommodations must match any existing planter strip or plant well Enfronting an Adjacent Lot,.

3. If there is no tree within the Frontage Adjacent to the Lot or Building Site, one or more trees shall be installed along the Front Lot or Building Site Line, which tree(s) must meet the tree shape, spacing, and size standards for the applicable District as set forth in Section 5.2, as if such standards were applicable.

4. If there is not sufficient right-of-way area for all or any of the required Streetscape repairs, replacements, or improvements as set forth in this Section 6.3, such element or elements shall be provided within the Lot or Building Site Adjacent to the right-of-way within a reservation strip of land

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that all setbacks will recognize as planned future property lines for such Lot or Building Site.

5. Each Streetscape repair, replacement or Improvement made pursuant to this Section 6.3 must comply with the rules, regulations, and requirements of the City that are applicable and in effect from time to time in respect of such element, so that it qualifies, or would qualify if within the public right-of-way, for dedication to the City.

SECTION 6.4 FIRE SAFETY

Any Multifamily, Mixed – Use, or Non-Residential Use or Development shall be reviewed by the Fire Marshal, who shall make a recommendation to the Decision-Making Authority for the Development Plan or Master PUD Development Plan.

SECTION 6.5 TRAFFIC CIRCULATION

6.5.1 General.

Development shall not negatively impact the traffic conditions of the surrounding roadway system and shall organize Thoroughfares or Internal Drives, as applicable, and vehicular and pedestrian ingress and egress in a well-defined system in order to avoid conflicts.

6.5.2 Vehicular Circulation Plan.

Portions of the Development Plan or Master Development Plan relating to location and design of ingress and egress traffic control, arrangement of Parking and loading space, and internal circulation shall be referred to the City Engineer for review, and no Plan for a Development Parcel shall be approved without consideration of the recommendations of the City Engineer. Additional conditions and safeguards on such matters may be included by the Decision- Making Authority.

6.5.3 Vehicular Access Location.

A vehicular access location shall consist of such entrance and exit Driveway and/or Internal Drive openings so designed and located so as to minimize hazardous ingress and egress.

SECTION 6.6 FLOODPLAIN PROTECTION

6.6.1 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 Columbia, Tennessee Mayor and City Council, does ordain as follows:

A. Findings of Fact.

1. The Columbia Mayor and its Legislative Body wish to maintain eligibility in the National Flood Insurance Program and in order to do so must meet the requirements of 60.3 of the Federal Insurance Administration Regulations found at 44 CFR Ch. 1 (10-1-04 Edition).

2. Areas of Columbia 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. These 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, flood-proofed, or otherwise unprotected from flood damages.

B. Statement of Purpose.

It is the purpose of this Ordinance to promote the

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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 water 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 floodwaters;

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

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

C. Objectives.

The objectives of this Ordinance are:

1. To protect human life, health 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 sewer lines, streets and bridges located in floodable areas;

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

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

8. To maintain eligibility for participation in the National Flood Insurance Program.

6.6.2 Definitions.

Unless specifically defined below, words or phrases used in this Section 6.6 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:" shall represent a subordinate structure to the principal structure and, for the purpose of this section, shall conform to the following:

1. Accessory structures shall not be used for human habitation.

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 which may result in damage to other structures.

5. Service facilities such as electrical and heating equipment shall be elevated or floodproofed.

"Act:" the statutes authorizing the National Flood Insurance Program that are incorporated in 42 U.S.C. 4001–4128.

"Addition (to an existing building):" any walled and roofed expansion to the perimeter of a building in which the addition is connected by a common load-bearing wall other than a firewall. Any walled and roofed

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addition, which is connected by a firewall or is separated by an independent perimeter load-bearing wall, shall be considered "New Construction".

"**Appeal:**" 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:**" 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:**" 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:**" 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.

"**Base Flood:**" the flood having a one percent chance of being equalled or exceeded in any given year.

"**Basement:**" that portion of a building having its floor subgrade (below ground level) on all sides.

"**Breakaway Wall:**" a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

"**Building:**" any structure built for support, shelter, or enclosure for any occupancy or storage (See "Structure")

"**Development:**" 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 permanent storage of equipment or materials.

"**Elevated Building:**" a non-basement building built to have the lowest floor of the lowest enclosed area elevated above the ground level by means of fill, 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:**" 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:**" the process of the gradual wearing away of landmasses. This peril is not per se covered under the Program.

"**Exception:**" 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:**" any structure for which the "Start of Construction" commenced before the effective date of the first floodplain management code

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or ordinance adopted by the community as a basis for that community's participation in the National Flood Insurance Program (NFIP)).

"**Existing Manufactured Home Park or Subdivision:**" 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 National Flood Insurance Program (NFIP)).

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

"**Expansion to an Existing Manufactured Home Park or Subdivision:**" 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:**" 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:**" a determination by the Administrator 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:**" 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):**" an official map of a community, issued by the Federal Emergency Management Agency, where the boundaries of areas of special flood hazard have been designated as Zone A.

"**Flood Insurance Rate Map (FIRM):**" an official map of a community, issued by the Federal Emergency Management Agency, delineating the areas of special flood hazard or the risk premium zones applicable to the community.

"**Flood Insurance Study:**" the official report provided by the Federal Emergency Management Agency, evaluating flood hazards and containing flood profiles and water surface elevation of the base flood.

"**Floodplain**" or "**Flood-prone Area:**" any land area susceptible to being inundated by water from any source (see definition of "flooding").

"**Floodplain Management:**" 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:**" 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:**" any combination of structural and nonstructural additions, changes, or adjustments to

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structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

"**Flood-related Erosion:**" 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:**" 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:**" 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 flood plain management regulations.

"**Floodway:**" 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.

"**Floor:**" the top surface of an enclosed area in a building (including basement), i.e., top of slab in concrete slab construction or top of wood flooring in wood frame construction. The term does not include the floor of a garage used solely for parking vehicles.

"**Freeboard:**" 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, bridge openings and the hydrological effect of urbanization of the watershed.

"**Functionally Dependent Use:**" 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:**" the highest natural elevation of the ground surface, prior to construction, adjacent to the proposed walls of a structure.

"**Historic Structure:**" 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 preliminary 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 a local inventory of historic places and determined as eligible by communities

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with historic preservation programs that have been certified either:

a. By an approved state program as determined by the Secretary of the Interior, or

b. Directly by the Secretary of the Interior.

"**Levee:**" 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:**" 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:**" 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:**" 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", unless such transportable structures are placed on a site for 180 consecutive days or longer.

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

"**Map:**" the Flood Hazard Boundary Map (FHBM) or the Flood Insurance Rate Map (FIRM) for a community issued by the Agency.

"**Mean Sea Level:**" 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 National Geodetic Vertical Datum (NGVD) or other datum, to which Base Flood Elevations shown on a community's Flood Insurance Rate Map are referenced.

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

"**New Construction:**" any structure for which the "Start of Construction" commenced after the effective date of this ordinance or the effective date of the first floodplain management ordinance and includes any subsequent improvements to such structure.

"**New Manufactured Home Park or Subdivision:**" 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 after the effective date of this ordinance or the effective date of the first floodplain management ordinance and includes any subsequent improvements to such structure.

"**North American Vertical Datum (NAVD):**" as corrected in 1988 is 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.

"**Recreational Vehicle:**" a vehicle which is:

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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; and

4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

"**Regulatory Floodway:**" 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:**" relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

"**Special Hazard Area:**" 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 the Administrator to assist in the implementation of the National Flood Insurance Program for the state.

"**Structure:**" for purposes of this section, a walled and roofed building that is principally above ground, a manufactured home, a gas or liquid storage tank, or other man-made facilities or infrastructures.

"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 50 percent of the market value of the structure before the damage occurred.

"**Substantial Improvement:**" any repairs, reconstructions, rehabilitations, additions, alterations or other improvements to a structure, taking place during a 5-year period, in which the cumulative cost equals or exceeds fifty percent of the market value of the structure before the "Start of Construction" of the improvement. The market value of the structure should be (1) the appraised value of the structure prior to the start of the initial repair or improvement, or (2) in the case of damage, the value of the structure prior to the damage occurring. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed.

For the purpose of this definition, "Substantial

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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 building. 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:**" where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds 50 percent of the value of the streets, utilities and pads before the repair, reconstruction or improvement commenced.

"**Variance:**" a grant of relief from the requirements of this Ordinance which permits construction in a manner otherwise prohibited by this Ordinance where specific enforcement would result in unnecessary hardship.

"**Violation:**" 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:**" the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, (or other datum, where specified) of floods of various magnitudes and frequencies in the floodplains of riverine areas.

6.6.3 General Provisions.

A. Application.

This Ordinance shall apply to all areas within the incorporated area of Columbia, Tennessee. Unless specifically exempted by this Ordinance, all Development and Construction must conform to the requirements of this Ordinance.

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

The Areas of Special Flood Hazard identified on the Maury County, Tennessee, and Incorporated Areas, Federal Emergency Management Agency, Flood Insurance Study (FIS) Number 470123C0000E, dated April 16, 2007 and Flood Insurance Rate Map (FIRM), Community Panel Numbers 47119C0145E, 47119C0160E, 47119C0165E, 47119C0170E, 47119C0180E, 47119C0190E, 47119C0195E, 47119C0260E, 47119C0280, 47119C0285E dated April 16, 2007, along with all supporting technical data, are adopted by reference and declared to be a part of this Ordinance.

C. Requirement for Development Permit.

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

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.

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

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shall prevail.

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.

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 Columbia, 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.

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. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the City of Columbia, Tennessee from taking such other lawful actions to prevent or remedy any violation.

6.6.4 Administration.

A. Designation of Ordinance Administrator.

The Director of Development Services Department and/or assignee is hereby appointed as the Administrator to implement the provisions of this Ordinance.

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:

C. Application Stage.

Elevation in relation to mean sea level of the proposed lowest floor, including basement, of all buildings where BFE's are available, or to the highest adjacent grade when applicable under this Ordinance.

Elevation in relation to mean sea level to which any Non-Residential building will be flood-proofed where BFE's are available, or to the highest adjacent grade when applicable under this Ordinance.

Design certificate from a registered professional engineer or architect that the proposed non-Residential flood-proofed Building will meet the flood-proofing criteria in this Section 6.6.

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

D. Construction Stage.

Within unnumbered A zones, where flood elevation data are not available, the Administrator shall record

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the elevation of the lowest floor on the development permit. 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.

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

Any lowest floor certification made relative to mean sea level shall be prepared by or under the direct supervision of, a registered land surveyor and certified by same. When floodproofing is utilized for a Non-Residential building said certification shall be prepared by or under the direct supervision of, a professional engineer or architect and certified by same.

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.

E. Duties & Responsibilities of Administrator.

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

Review of 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.

Advice to permittee that additional federal or state permits may be required, and if specific federal or state permit requirements are known, require that copies of such permits be provided and maintained on file with the development permit. This shall include Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U. S. C. 1334.

Notification to 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 submission of evidence of such notification to the Federal Emergency Management Agency.

For any altered or relocated watercourse, submit engineering data/analysis within six (6) months to the Federal Emergency Management Agency to ensure accuracy of community flood maps through the Letter of Map Revision process. Assure that the flood carrying capacity within an altered or relocated portion of any watercourse is maintained.

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 or substantially improved buildings, in accordance with Sections 6.6.4.B, 6.6.4.C, and 6.6.4.D.

Record the actual elevation; in relation to mean sea level or the highest adjacent grade, where applicable to which the new or substantially improved Buildings have been flood-proofed, in accordance with this Section 6.6.

When flood proofing is utilized for a structure, the Administrator shall obtain certification of design criteria from a registered professional engineer or architect, in accordance with this Section 6.6.

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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) the Administrator shall 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.

When Base Flood Elevation data or floodway data have not been provided by the Federal Emergency Management Agency then the Administrator shall 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 Community FIRM meet the requirements of this Ordinance.

Within unnumbered 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 or floodproofed to a level of at least three (3) feet above the highest adjacent grade (lowest floor and highest adjacent grade being defined in Section 9.1.5 of this Ordinance). All applicable data including elevations or flood proofing certifications shall be recorded as set forth in Section 6.6.4.B, 6.6.4.C, and 6.6.4.D..

All records pertaining to the provisions of this Ordinance shall be maintained 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.

6.6.5 Provisions for Flood Hazard Reduction.

A. General Standards.

In all flood prone areas the following provisions are required:

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

2. Manufactured homes shall be elevated and anchored to prevent flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable state requirements for resisting wind forces;

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

4. New construction or substantial improvements to existing buildings 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;

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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; and,

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.

B. Specific Standards.

These provisions shall apply to ALL Areas of Special Flood Hazard as provided herein:

1. Residential Construction:

Where Base Flood Elevation data is available, new construction or substantial improvement of any Residential building (or manufactured home) shall have the lowest floor, including basement, elevated no lower than two (2) feet 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 and to ensure unimpeded movement of floodwater shall be provided in accordance with the standards of Section 6.6.5.B.3.

Within unnumbered 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 or floodproofed to a level of at least three (3) feet above the highest adjacent grade (lowest floor and highest adjacent grade being defined in Section 6.6.2 of this Ordinance). All applicable data including elevations or flood-proofing certifications shall be recorded as set forth in this Section 6.6.

2. Non-Residential Construction:

New construction or substantial improvement of any commercial, industrial, or Non-Residential building, when BFE data is available, shall have the lowest floor, including basement, elevated or floodproofed no lower than two (2) feet above the level of the Base Flood Elevation.

Within unnumbered 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 or floodproofed to a level of at least three (3) feet above the highest adjacent grade (lowest floor and highest adjacent grade being defined in Section 6.6.2 of this Ordinance). All applicable data including elevations or flood-proofing certifications shall be recorded as set forth in this Section 6.6.

Buildings located in all A-zones may be flood-proofed, 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 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 this Section 6.6.

3. Elevated Building:

All new construction or substantial improvements to existing buildings that include ANY fully enclosed areas formed by foundation and other exterior walls below the Base Flood Elevation, or required height above the highest adjacent grade, 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 professional

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engineer or architect or meet the following minimum criteria:

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

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

(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.

(4) Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the elevated living area (stairway or elevator); and

(5) The interior portion of such enclosed area shall not be partitioned or finished into separate rooms in such a way as to impede the movement of floodwaters and all such petitions shall comply with the provisions of Section 6.6.5.

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, including elevations and anchoring.

b. All Manufactured Homes placed or substantially improved in an existing Manufactured Home Park or subdivision must be elevated so that either:

(1) When Base Flood Elevations are available the lowest floor of the Manufactured Home is elevated on a permanent foundation no lower than two (2) feet above the level of the Base Flood Elevation; or,

(2) Absent Base Flood Elevations the Manufactured Home chassis is elevated and supported by reinforced piers (or other foundation elements) at least three (3) feet in height above the highest adjacent grade.

c. Any Manufactured home, which has incurred "substantial damage" as the result of a flood or that has substantially improved, must meet the standards of Section 6.6.5.B.4.

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 on identified flood hazard sites 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).

f. The recreational vehicle must meet all the requirements for new construction, including the anchoring and elevation requirements of this section above if on the site for longer than 180 consecutive days.

5. Standards for Subdivisions:

Subdivisions and other proposed new

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developments, including manufactured home parks, shall be reviewed to determine whether such proposals will be reasonably safe from flooding. If a subdivision proposal or other proposed new development is in a flood-prone area, any such proposals shall be reviewed to ensure that:

a. All subdivision proposals shall be consistent with the need to minimize flood damage.

b. All subdivision 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 proposals shall have adequate drainage provided to reduce exposure to flood hazards.

d. Base flood elevation data shall be provided for subdivision proposals and other proposed developments (including manufactured home parks and subdivisions) that are greater than fifty lots and/or five acres in area.

6.6.6 Standards for Areas of Special Flood Hazard with Established Base Food Elevations and with Floodways Designated.

Located within the Areas of Special Flood Hazard established in Section 6.12.3.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:

A. Encroachments.

Encroachments are prohibited, including earthen fill material, new construction, substantial improvements or other developments 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, when combined with all other existing and anticipated development, shall not result in ANY increase the water surface elevation of the base flood level, velocities or floodway widths during the occurrence of a base flood discharge at any point within the community. A registered professional engineer must provide supporting technical data and certification thereof.

B. New Construction or Substantial Improvements.

New construction or substantial improvements of buildings shall comply with all applicable flood hazard reduction provisions of this Section 6.6.5.

6.6.7 Standards for Areas of Special Flood Hazard Zones AE with Established Base Flood Elevations but without Floodways Designated.

Located within the Areas of Special Flood Hazard established in Section 6.6.3.B, where streams exist with base flood data provided but where no floodways have been designated, (Zones AE) the following provisions apply:

A. Encroachments.

No encroachments, including fill material, new structures or substantial improvements shall be located within areas of special flood hazard, unless certification by a 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 two (2) feet at any point within the community. The engineering certification should be supported by technical data that conforms to standard hydraulic engineering principles.

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B. New Construction or Substantial Improvements.

New construction or substantial improvements of buildings shall be elevated or flood-proofed to elevations established in accordance with Section 6.6.5.B.

6.6.8 Standards for Streams without Established Base Flood Elevations or Floodways (A Zones).

Located within the Areas of Special Flood Hazard established in Section 6.6.3.B, where streams exist, but no base flood data has been provided (A Zones), OR where a Floodway has not been delineated, the following provisions shall apply:

A. Data Not Provided

When Base Flood Elevation data or floodway data have not been provided in accordance with Section 6.6.3, then the Administrator shall obtain, review and reasonably utilize any scientific or historic Base Flood Elevation and floodway data available from a Federal, State or other source, in order to administer the provisions of Section 6.6.5. ONLY if data is not available from these sources, then the following provisions (1 & 2) shall apply:

1. No encroachments, including structures or fill material, shall be located within an area equal to the width of the stream or twenty feet, whichever is greater, measured from the top of the stream bank, unless certification by 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 two (2) feet at any point within the community. The engineering certification should be supported by technical data that conforms to standard hydraulic engineering principles.

2. In special flood hazard areas without Base Flood Elevation data, new construction or substantial improvements of existing shall have the lowest floor of the lowest enclosed area (including basement) elevated no less than three (3) feet above the highest adjacent grade at the building site. Openings sufficient to facilitate the unimpeded movements of floodwaters shall be provided in accordance with the standards of Section 6.6.5.B, and "Elevated Buildings".

6.6.9 Standards for Areas of Shallow Flooding (AO & AH Zones).

A. Designated Areas.

Located within the Areas of Special Flood Hazard established in Section 6.6.3.B, are areas designated as shallow flooding areas. These areas have special flood hazards associated with base flood depths of one to three feet (1'-3') where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate; therefore, the following provisions 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 two (2) feet above the flood depth number specified on the Flood Insurance Rate Map (FIRM), in feet, above the highest adjacent grade.

2. If no flood depth number is specified, the lowest floor, including basement, shall be elevated, at least three (3) feet above the highest adjacent grade.

3. Openings sufficient to facilitate the unimpeded movements of floodwaters shall be provided in accordance with standards of Section 6.6.5.B, and "Elevated Buildings".

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B. Flood Protection in Lieu of Evaluation.

All new construction and substantial improvements of Non-Residential buildings may be flood-proofed in lieu of elevation. The structure together with attendant utility and sanitary facilities must be flood proofed and designed watertight to be completely flood-proofed to at least two (2) feet above the specified FIRM flood level, 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, the lowest floor, including basement, shall be flood proofed to at least three (3) feet above the highest adjacent grade. A 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 Section 6.6.4.

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

2. The Administrator shall certify the elevation or the highest adjacent grade, where applicable, and the record shall become a permanent part of the permit file.

6.6.10 Standards for Areas Protected by Flood Protection System (A-99 Zones).

Located within the areas of special flood hazard established in Section 6.6.3.B. are areas of the 100-year floodplain protected by a flood protection system but where Base Flood Elevations and flood hazard factors have not been determined. Within these areas (A-99 Zones) all provisions of Sections 6.6.4 and 6.6.5 shall apply.

6.6.11 Standards for Unmapped Streams.

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

2. In areas adjacent to such unmapped streams, no encroachments including fill material or 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 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 two (2) feet at any point within the locality.

3. When new elevation data is available, new construction or substantial improvements of buildings shall be elevated or flood-proofed to elevations established in accordance with this Section 6.6.4.

6.6.12 Variance Procedures.

The provisions of this section shall apply exclusively to areas of Special Flood Hazard within Columbia, Tennessee.

A. Board of Zoning Appeals.

1. The Columbia Board of Zoning Appeals shall hear and decide appeals and requests for variances from the requirements of this Section 6.12.

2. Variances may be issued for the repair or rehabilitation of historic structures (see definition) 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 to preserve the historic

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character and design of the structure.

3. In passing upon such applications, the Board of Zoning Appeals shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this Section 6.6, 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 facility;

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, and water systems, and streets and bridges.

4. Upon consideration of the factors listed above, and the purposes of this Ordinance, the 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.

B. Conditions for Variances.

1. Variances shall be issued upon a determination that the variance is the minimum relief necessary, considering the flood hazard; and in the instance of a historical building, a determination that the variance is the minimum relief necessary so as not to destroy the historic character and design of the building.

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 level will result in increased premium rates for flood insurance, and that such construction below the base flood level increases risks to life and property.

4. The Administrator shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency upon request.

6.6.13 Legal Status Provisions.

A. Conflict with Other Ordinances.

In case of conflict between this Section 6.12 or any

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part thereof, and the whole or part of any existing or future ordinance of the City, the most restrictive shall in all cases apply.

B. Validity

If any section, clause, provision, or portion of this Section 6.6 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 Section 6.6 which is not of itself invalid or unconstitutional.

6.6.14 Tree Protection.

All Development and construction shall comply with the Tree Protection provisions of Section 4.3.16.L.

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CITY OF COLUMBIA TENNESSEE

DEVELOPMENT SERVICES
700 NORTH GARDEN STREET
COLUMBIA, TN 38401
PHONE: (931) 560-1560
FAX: (931) 560-1541

PLANNING FEE SCHEDULE

Payable upon Submission of Application
Non-refundable Except as Provided in Refund Policy

Comprehensive Plan Amendment[1]	
Submittal Fee	$ 300
Annexation with CD-3L Base Zoning	
Submittal Fee (10 acres or less); plus	$ 300
Next 90 acres or fraction thereof; plus	$20/acre
All over 100 acres or fraction thereof	$3/acre
Zoning Map Amendment "Rezoning" (§8.5.19)	
Submittal Fee (10 acres or less); plus	$ 450
Next 90 acres or fraction thereof; plus	$30/acre
All over 100 acres or fraction thereof	$5/acre
Planned Unit Development (§8.5.21)	
Preliminary Development Plan	
Submittal Fee (PUD-R and PUD-MU); plus	$ 500
PUD-R and PUD-MU; and/or	$25/dwelling unit
PUD-MU (non-residential acreage)	$50/acre
Final Development Plan	
PUD-R	$ 250
PUD-MU	$ 300
Revision of a Master Plan requiring Planning Commission Approval	100% of original fee
Major Site Development Plan (§8.5.6)	
New Multi-Family Residential Sites, Buildings, and Additions	
Submittal Fee; plus	$ 500
Residential Units	$10/unit
New Non-Residential and/or Mixed-Use Sites, Buildings, and Additions	
Submittal Fee; plus	$ 500
First 10,000 square feet of all floor area; plus	$0.05/square foot
All floor area over 10,000 square feet	$0.02/square foot
Development Plan submitted with Preliminary Plat	$10/unit
Revision of Plan Requiring Planning Commission Approval (§8.5.6.D.3); plus	50% of original fee
Renewal of Expiring Site Plan without Changes (§8.5.6.D.1-2)[2]	100% of original fee
Alternative Compliance	$500

[1] Must be accompanied by a request for rezoning.
[2] Paid with building permit or site construction plan review, as applicable.

Rev. 8/8/2024

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Minor Site Development Plan (§8.5.6)[3]	
Administrative Development Plan Approval (§8.5.6.R)	$500
Renewal of Expiring Site Plan without Changes (§8.5.6.D.1-2)	100% of original fee

Heavy Manufacturing Permit (§8.5.22)	
Submittal Fee	$300

Board of Zoning Appeals (§8.5.16/8.5.17)	
Appeal Of Planning Department Determination[4]	$ 300
Zoning Variance Owner-Occupied Residential	$ 200
Zoning Variance	$ 400
Conditional Use	$ 300

Architectural Design Reviewe (§8.5.15)	
Design Review for Planned Unit Development	$ 150
Design Review for structures in Special Districts (SD-LI, SD-HI, SD-INT)	$ 100
Alternative Compliance - ARC	$500
Alternative Compliance - ZA	$300
Design Review Appeals	$50

Historic Zoning Commission (§8.5.13)	
Non-Residential/Non-Owner-Occupied Residential/Signs	
Certificate of Appropriateness - Commission; plus	$ 150
Certificate of Appropriateness - Administrative	$ 75
Owner-Occupied Residential	
Certificate of Appropriateness - Commission	$ 25
Certificate of Appropriateness - Administrative	No Charge
After the Fact Request for Certificate of Appropriateness/Multiple Reviews[5]	$300

Heavy Manufacturing Permit (§8.5.22)	
Submittal Fee	$ 300

[3] All fees applicable to Major Site Development Plans apply to a Minor Site Development Plans referred to the CMPC by the ZA.

[4] Refunded if the BZA finds in favor of the applicant.

[5] This fee applies to all requests for approval for work already completed as well as requests which follow a Stop Work order. The fee also applies to second and subsequent requests to revise previous Commission-level approvals. The Zoning Administrator may charge the regular application fee in cases of bona fide hardship.

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Subdivision (§8.5.24 and SubRegs)	
Minor Subdivisions	
Referred to Planning Commission Approval[6]	$ 500
Staff-Approved	$ 250
Preliminary Plat (Must Accompany a Development Plan)	
Submittal Fee; plus	$ 500
Per Lot; plus	$ 25
Final Plat	
Submittal Fee	$ 500
Per Lot	$ 25
Circulation of Approved Plat (Optional)	$35

Zoning Fees	
Zoning Verification Letter Basic	$ 50
Zoning Verification Letter Detailed / Zoning Administrator's Determination	$ 75
Home Occupation Permit	$ 25
Mobile Vending Permit	$ 50
Small Accessory Permit	$25
Receipt of Plans Conforming to PUD or Site Development Plan	$ 100
Engineering/Planning Reinspection[7]	$ 50
Zoning Compliance - Residential[8]	$ 100
Zoning Compliance - Commercial/Industrial[4]	$ 300
Zoning Compliance - Signs[9]	Lesser of 30% of project value or $300

Public Notice[10]	
Advertising and Processing	
Items for which CMPC/ARC is the Decision Making Authority	$70
Items for which City Council is the Decision Making Authority	$145
Items for which BZA is the Decision Making Authority	$70
Items for which HZC is the Decision Making Authority	$70
Mailing and Processing	
Items for which City Council or BZA is the Decision Making Authority	$9/adjacent parcel
Posting of Signs	
Items for which City Council, CMPC, BZA, or HZC is the Decision Making Authority	$10

[6] Referred at the discretion of the Zoning Administrator or City Engineer. Fee may be reduced to $250 at the discretion of the Zoning Administrator or City Engineer when minimal additional staff time is required.
[7] If associated with Preliminary Plat, Site Plan, PUD or other PC, BZA, HZC, Design Review
[8] Paid with building permit.
[9] Signs which require a CoA from the ZA or HZC may be credited $75 toward the Zoning Compliance fee, provided no revisions are necessary upon first review of the permit application.
[10] In addition to the initial fee, advertising and mailing fees must be paid each time an item is deferred at the applicant's request. May be waived at discretion of the Director of Development Services.

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Additional Fees	
Pre-application Meeting[11]	$ 225
Additional Fees for Multiple Technical Reviews[12]	50% of original fee
Technology Fee	$20

Refund Policy
All advertising and processing fees are non-refundable.

All mailing and processing fees are non-refundable.

Fees for Planning Commission items may be refunded, less a $100 processing fee if the applicant withdraws the application at least twenty-four hours prior to the meeting of the Development Review Committee when the request is scheduled for it first technical review. Fees for Planning Commission items are non-refundable at any later point.

Fees for Board of Zoning Appeals may be refunded, less a $50 processing fee if the applicant withdraws the application at least seven days prior to the scheduled meeting. Fees for Board of Zoning Appeals items are non-refundable at any later point.

Fees for Historic Zoning Commission items may be refunded if the applicant withdraws the application at least seven days prior to the scheduled meeting. Fees for Historic Zoning Commission items are non-refundable at any later point.

Zoning fees are non-refundable.

Abbreviations
Columbia Municipal Planning Commission (CMPC)
Architectural Design Review Commission (ARC)
Development Review Committee (DRC)
Board of Zoning Appeals (BZA)
Historic Zoning Commission (HZC)
City Council (CC)
Zoning Administrator (ZA)

[11] Only applies to proposed comprehensive plan amendments, zoning map or text amendments, planned unit developments, site plans approved by Planning Commission, and preliminary plats. Fee is only charged when the City Engineer, Fire Marshall, and Zoning Administrator (or their designees) are each in attendance. The fee may be waived at the discretion of the Director of Development Services. The fee may be credited to one subsequent related application for Planning Commission review received within six months of the meeting date.

[12] Applicable to Planned Unit Developments, Site Development Plan, and Preliminary Plats which the Zoning Administrator deems noncompliant after two reviews by the Development Review Committee (DRC), and to applications refereed back to the DRC due to technical deficiencies. May be waived at discretion of the Director of Development Services and/or the Planning Commission.

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Payable upon Submission of Application
Non-refundable Except as Provided in Refund Policy

Comprehensive Plan Amendment (Must Accompany a Request for Rezoning)	
Submittal Fee	$ 300
Annexation with CD-3L Base Zoning	
Submittal Fee (10 acres or less); plus	$ 300
Next 90 acres or fraction thereof	$20/acre
All over 100 acres or fraction thereof	$3/acre
Additional Advertising and Processing Fee; plus	$ 145
Mailing and Processing Fee	$9/adjacent parcel
Zoning Amendment (§8.5.19)	
Map Amendment (Rezoning)	
Submittal Fee (10 acres or less); plus	$ 450
Next 90 acres or fraction thereof; plus	$30/acre
All over 100 acres or fraction thereof; plus	$5/acre
Additional Advertising and Processing Fee; plus	$ 145
Mailing and Processing Fee	$9/adjacent parcel
Planned Unit Development (§8.5.21)	
Preliminary Development Plan	
Submittal Fee (PUD-R and PUD-MU); plus	$ 500
PUD-R and PUD-MU; and/or	$25/dwelling unit
PUD-MU (non-residential acreage)	$50/acre
Additional Advertising and Processing Fee (Preliminary Master Plan); plus	$ 145
Mailing and Processing Fee	$9/adjacent parcel
Final Development Plan	
PUD-R	$ 250
PUD-MU	$ 300
Additional Advertising and Processing Fee (Final Master Plan); plus	$ 70
Mailing and Processing Fee	$9/adjacent parcel
Revision of a Master Plan requiring Planning Commission Approval; plus	100% of original fee
Additional Advertising and Processing Fee (Final Master Plan); plus	$ 70
Mailing and Processing Fee	$9/adjacent parcel

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Heavy Manufacturing Permit (§8.5.22)	
Submittal Fee	$ 300
Additional Advertising and Processing Fee; plus	$ 145
Mailing and Processing Fee	$9/adjacent parcel

Site Development Plan (§8.5.6)	
New Multi-Family Residential Sites, Buildings, and Additions	
Submittal Fee; plus	$ 500
Residential Units; plus	$10/unit
Additional Advertising and Processing Fee	$ 70.00
New Non-Residential and/or Mixed-Use Sites, Buildings, and Additions	
Submittal Fee; plus	$ 500
First 10,000 square feet of all floor area; plus	$0.05/square foot
All floor area over 10,000 square feet; plus	$0.02/square foot
Additional Advertising and Processing Fee	$ 70.00
Development Plan submitted with Preliminary Plat	$10/unit
Administrative Development Plan Approval (§8.5.6.R)	$500
Revision of Plan Requiring Planning Commission Approval (§8.5.6.D.3); plus	50% of original fee
Additional Advertising and Processing Fee	$ 70.00
Renewal of Expiring Site Plan without Changes (§8.5.6.D.1-2)[1]	100% of original fee
Additional Advertising and Processing Fee	$ 70.00

Board of Zoning Appeals (§8.5.16/8.5.17)	
Appeal Of Planning Department Determination[2]	$ 300
Zoning Variance Owner-Occupied Residential	$ 200
Zoning Variance	$ 400
Conditional Use	$ 300
Additional Advertising and Processing Fee; plus	$ 35
Mailing and Processing Fee	$9/adjacent parcel

Architectural Design Reviewed Team (§8.5.15)	
Design Review for Planned Unit Development	$ 150
Design Review for structures in Special Districts (SD-LI, SD-HI, SD-INT)	$ 100
Additional Advertising and Processing Fee	$ 35
No-Show Deferrals/Multiple Reviews	$35

[1] Paid with building permit or site construction plan review, as applicable. Per unit/sq. ft. fee and advertising fees apply when Zoning Administrator refers application to Planning Commission.
[2] Refunded if the BZA finds in favor of the applicant.

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Historic Zoning Commission (§8.5.13)	
Non-Residential/Non-Owner-Occupied Residential/Signs	
Certificate of Appropriateness - Commission; plus	$ 150
Additional Advertising and Processing Fee	$ 35
Certificate of Appropriateness - Administrative	$ 75
Owner-Occupied Residential	
Certificate of Appropriateness - Commission	$ 25
Additional Advertising and Processing Fee	$ 35
Certificate of Appropriateness - Administrative	No Charge
After the Fact Request for Certificate of Appropriateness/Multiple Reviews[3]	$300

Subdivision (§8.5.24 and SubRegs)	
Minor Subdivisions	
Referred to Planning Commission Approval[4]	$ 500
Staff-Approved	$ 250
Preliminary Plat (Must Accompany a Development Plan)	
Submittal Fee; plus	$ 500
Per Lot; plus	$ 25
Final Plat	
Submittal Fee	$ 500
Per Lot	$ 25

Zoning Fees	
Zoning Verification Letter Basic	$ 50
Zoning Verification Letter Detailed / Zoning Administrator's Determination	$ 75
Home Occupation Permit	$ 25
Mobile Vending Permit	$ 50
Receipt of Plans Conforming to PUD or Site Development Plan	$ 100
Engineering/Planning Reinspection[5]	$ 50
Zoning Compliance - Residential[6]	$ 100
Zoning Compliance - Commercial/Industrial[4]	$ 300

[3] This fee applies to all requests for approval for work already completed as well as requests which follow a Stop Work order. The fee also applies to second and subsequent requests to revise previous Commission-level approvals. The Zoning Administrator may charge the regular application fee in cases of bona fide hardship.

[4] Referred at the discretion of the Zoning Administrator or City Engineer. Fee may be reduced to $250 at the discretion of the Zoning Administrator or City Engineer when minimal additional staff time is required to process the request.

[5] If associated with Preliminary Plat, Site Plan, PUD or other PC, BZA, HZC, Design Review

[6] Paid with building permit.

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Additional Fees

Preapplication Meeting[7]	$ 225
Additional Advertising and Processing Fee for Items Deferred at Applicant's Request (when item has already been advertised)[8]; plus	$ 35
Mailing and Processing Fee	$9/adjacent parcel
Additional Fees for Multiple Technical Reviews[9]	50% of original fee
Technology Fee	$20

Refund Policy
All advertising and processing fees are non-refundable.

All mailing fees are non-refundable.

Fees for Planning Commission items may be refunded, less a $100 processing fee if the applicant withdraws the application at least twenty-four hours prior to the meeting of the Development Review Committee when the request is scheduled for it first technical review. Fees for Planning Commission items are non-refundable at any later point.

Fees for Board of Zoning Appeals may be refunded, less a $50 processing fee if the applicant withdraws the application at least seven days prior to the scheduled meeting. Fees for Board of Zoning Appeals items are non-refundable at any later point.

Fees for Historic Zoning Commission items may be refunded if the applicant withdraws the application at least seven days prior to the scheduled meeting. Fees for Historic Zoning Commission items are non-refundable at any later point.

Fees for Architectural Design Review Team items may be refunded if the applicant withdraws the application at least seven days prior to the scheduled meeting. Fees for Architectural Design Review Team items are non-refundable at any later point.

Zoning fees are non-refundable.

[7] Only applies to proposed comprehensive plan amendments, zoning map or text amendments, planned unit developments, site plans approved by Planning Commission, and preliminary plats. Fee is only charged when the City Engineer, Fire Marshall, and Zoning Administrator (or their designees) are each in attendance. The fee may be waived at the discretion of the Director of Development Services. The fee may be credited to one subsequent related application for Planning Commission review received within six months of the meeting date.

[8] Applies to items appearing before Planning Commission. May be waived at discretion of the Director of Development Services and/or the Planning Commission.

[9] Applicable to Planned Unit Developments, Site Development Plan, and Preliminary Plats which the Zoning Administrator deems noncompliant after two reviews by the Development Review Committee (DRC), and to applications refereed back to the DRC due to technical deficiencies. May be waived at discretion of the Director of Development Services and/or the Planning Commission.